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FIRST SESSION

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 88th CONGRESS, FIRST SESSION

# HOUSE OF REPRESENTATIVES

## WEDNESDAY, OCTOBER 16, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 118: 24: *This is the day which the Lord hath made; we will rejoice and be glad in it.*

Almighty God, may we accept this new day as a priceless gift of Thy grace and a glorious opportunity for noble endeavors to do all the good we can, in all the ways we can, and to all the people we can.

May we enter upon its succeeding hours with a resolute faith and a daring hope, assured that they will terminate in a future that is as bright as the promises of God.

Grant that our Speaker and chosen Representatives may become increasingly aware that Thou art present and favorable unto them as they conscientiously devote themselves to the difficult task of finding the right solution to our many national and international problems.

Inspire them daily with new vistas of outlook and new ventures of faith in those lofty heights of joy and splendor to which the spirit of humanity may ascend.

In Christ's name we offer our prayer. Amen.

### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 724. Joint resolution to provide additional housing for the elderly.

### PERSONAL ANNOUNCEMENT

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I was away from the House on Monday, October 7, and Tuesday, October 8, and therefore I was not recorded on two rollcall votes. Had I been present, I would have voted "yea" on each of the following bills:

Rollcall No. 165, House Resolution 541, proposing an amendment to extend for 1 year the life of the Civil Rights Commission.

Rollcall No. 167, the conference report on H.R. 7179 making appropriations for the Department of Defense for fiscal year 1964.

### ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF GEORGETOWN UNIVERSITY

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, this year one of the great educational institutions of America, Georgetown University, is beginning the celebration of its 175th anniversary. Chartered by the Congress in 1789, Georgetown University has made a great contribution to the advancement of learning in this country, to the sciences, to the arts, and to the cause of good government. Many of its sons, its graduates, serve today in the Congress of the United States.

Last Saturday night in New York City one of its distinguished alumni, the Vice President of the United States, the Honorable LYNDON B. JOHNSON, addressed a dinner sponsored by the Georgetown Club of New York and the University Alumni Association, in observance of the 175th anniversary. At a later time I intend to make the contents of the Vice President's outstanding address available for the RECORD. I do want to say at this time that I am sure every Member of Congress is proud of the tremendous development and growth of Georgetown, the first university in the United States to be chartered by the Congress, and one of the brightest jewels in the crown of our Nation's Capital.

### OCTOBER 16, NATIONAL DAY OF PRAYER

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, I want to express my commendation of President Kennedy for his action in setting aside today, October 16, as a national day of prayer.

I hope all people throughout the Nation, in addition to those who were privileged to listen to our chaplain's prayer here today, will utilize this opportunity for prayer, and remember that not only today but every day in the year is a good day for prayer.

Mr. Speaker, I wonder whether our public schoolchildren were permitted to observe this as a national day of prayer? I assume that because of constitutional restriction decreed by the Supreme Court, they were not permitted to do so.

Mr. Speaker, on this special occasion I again ask my colleagues to take the only action by which we are going to be able to bring this matter of public prayer before this Congress. The only way this can be done, in my opinion, is through the discharge petition No. 3 now at the desk.

Mr. Speaker, the Committee on the Judiciary has not held a hearing for 15 months, on this subject. Many more months and perhaps years may go by before this matter will come from the legislative committee. In the light of these facts, I hope every Member of the House will sign discharge petition No. 3. I, myself, do not like discharge petitions; but in this case we must utilize the only means we have—sign the discharge petition to bring this matter before the House in order that the Constitution can be properly amended.

### THE STATE OF ILLINOIS' RECORDS MANAGEMENT PROGRAM

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, supplementing my remarks in yesterday's debate on H.R. 6237, I would like to elaborate on my reference to the State of Illinois' records management program.

As a member of the Illinois State Senate in the 70th General Assembly, it was my privilege to aid in the passage of the State Records Act of 1957. This act established the State archives as a division of the office of the secretary of state and provided for the secretary of state to become State archivist and records administrator.

Charles F. Carpentier, who was then and is the Secretary of State of Illinois, has done so significant a job as State archivist and records administrator that the State capitol, Springfield, has become a mecca for archivists and records administrators from all over the world. Researchers and analysts—even from the underdeveloped countries—are sent to Illinois for intensive training in the preservation, restoration, and protection of governmental records with permanent administrative, legal, and historical value.

As amended in 1961, the Illinois State Records Act provides for the protection of vital records in the event of nuclear attack. It insures continuity of Government and the guarding of the personal, legal, and property rights of our Illinois citizens through efficient programing, in records management. This amendment was the result of the experience, knowledge, and vision of Charles F. Carpentier, secretary of state, State archivist and records administrator for the State of Illinois. Millions of dollars and inestimable cubic feet of space as well as thousands of tons of paper have already been saved.

## TRIBUTE SHOULD BE PAID TO MEN AND WOMEN ENGAGED IN THE NEWSPAPER FIELD

Mr. AYRES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. AYRES. Mr. Speaker, it is right and just that 1 week in every year should be set aside in which we can pay tribute to the men and women engaged in the newspaper field. These people are truly dedicated to their chosen profession. Because of their dedication, the United States of America has proven that a nation governed by its own people can be the most successful form of government ever known to man.

Other nations have had well-sounding constitutions and bills of rights but they have proven to be but empty phrases because they lacked the freedom of the press to see that the peoples rights were maintained.

World events have proven to us that a dictatorship cannot exist where the press is free. Newspapers represent the voice of the people. Any infringement on their rights of free expression, is a blow against the freedom of all of us. If we would safeguard our own liberty, we must fight any encroachment on the freedom of the press.

Earlier I said that these men and women engaged in the newspaper field were dedicated people. Fortunately for us, their dedication is not only to their newspapers but, in a larger sense, to seeing that justice is maintained to all Americans.

The problems of the least of us always has the receptive ear of an editor or reporter. There is no such thing as a "little man" to a publisher. We are all equal in his eyes and his columns are open to us all.

Let us all salute and safeguard the newspapers of our country—our freedom and our future as a great nation are in their hands.

## UGF CAMPAIGN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the United Givers Fund provides the best opportunity for all of us to support the programs of 143 philanthropic agencies.

This is the season when Americans demonstrate anew that we give voluntarily to help the less fortunate in our community.

Our beloved Speaker is the chairman for the House in this year's UGF campaign.

I believe the Members of the House and our staff members can be 100 percent strong in giving to the United Givers Fund this year. I urge all Members to line up behind the Speaker in this great effort.

## PERMISSION TO FILE REPORT ON H.R. 8821

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight Friday, October 18, to file a report on H.R. 8821, a bill to revise certain provisions of law relating to repayment by the States of certain sums under the Temporary Unemployment Compensation Act of 1958.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

## INVESTIGATION OF ST. ELIZABETHS HOSPITAL

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration I call up House Resolution 542 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That the expenses of an investigation authorized by H. Res. 103, Eighty-eighth Congress, with respect to the investigation of the administration and operation of Saint Elizabeths Hospital incurred by the subcommittee of the Committee on Education and Labor specially created to make such investigation, not to exceed $5,000, including expenditures for the employment of clerical, stenographic, and other assistance, and all expenses necessary for travel and subsistence incurred by members and employees who will be engaged in the activities of the subcommittee, shall be paid out of the contingent fund of the House. All amounts authorized to be paid out of the contingent fund by this resolution shall be paid on vouchers authorized and signed by the chairman of such subcommittee, cosigned by the chairman of the committee, and approved by the Committee on House Administration.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Iowa.

Mr. GROSS. This provides an appropriation to the Committee on Education and Labor for an investigation, is that correct?

Mr. FRIEDEL. Yes, by a subcommittee of the Committee on Education and Labor, and they are given $5,000 to investigate conditions at St. Elizabeths Hospital.

Mr. GROSS. There is no foreign travel involved for the Committee on Education and Labor?

Mr. FRIEDEL. None whatsoever.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from California.

Mr. TEAGUE of California. Is this investigation to be confined entirely to matters having to do with St. Elizabeths Hospital?

Mr. FRIEDEL. Yes.

Mr. TEAGUE. of California. There was an announcement made recently that the Committee on Education and Labor was going to send a Dr. Galarza, who is a highly controversial and prejudiced man, out to California to investigate a very unfortunate accident out there in which some braceros were killed. There are no funds in here for that purpose?

Mr. FRIEDEL. None that I know of. This is to investigate St. Elizabeths Hospital.

Mr. TEAGUE of California. Is there anyone from the Committee on Education and Labor present who will say that there are no funds in this for an investigation out in California?

Mr. DANIELS. Mr. Speaker, I have been designated chairman to investigate this situation. The investigation will be confined to St. Elizabeths Hospital, which is a mental institution. This institution obtains patients from 32 different sources, according to a conversation I have had with the Superintendent of that institution. We do not intend to travel outside the United States, I may say in response to the question proposed by my colleague.

Mr. TEAGUE of California. The gentleman is very kind, but California is still a part of the United States. I believe you have no intention of traveling to California, then?

Mr. DANIELS. No. There have been escapees from this institution—17 of these escapees escaped after criminal proceedings had been instituted. These 17 were apprehended by the police after having committed other crimes, including murder, rape, and things of that sort.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Speaker, I have some questions to ask for information. I would not want my inquiry to be construed as critical. But we have a Government Operations Committee of the House. Would it not be proper for that committee, which is fully staffed, to conduct this investigation?

**Mr. FRIEDEL.** That was taken up before our committee. The Committee on Education and Labor has jurisdiction over this matter.

**Mr. JONAS.** It would not then be under the jurisdiction of the Government Operations Committee?

**Mr. FRIEDEL.** No, and there is no duplication of effort.

**Mr. LIPSCOMB.** Mr. Speaker, will the gentleman yield?

**Mr. FRIEDEL.** I yield to the gentleman from California.

**Mr. LIPSCOMB.** I believe the gentleman, who is chairman of the subcommittee, said that none of these funds are going to be used for any other purpose than to investigate and study St. Elizabeths Hospital. Otherwise it would be contrary to the understanding of the Committee on House Administration?

**Mr. FRIEDEL.** These funds cannot be for any other purpose. This is limited to an investigation of St. Elizabeths.

**Mr. DANIELS.** That is correct.

The **SPEAKER** pro tempore (Mr. ALBERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## PRINTING AND BINDING OF AN EDITION OF SENATE PROCEDURE

**Mr. HAYS.** Mr. Speaker, by direction of the Committee on House Administration, I call up the joint resolution (S.J. Res. 123) to authorize the printing and binding of an edition of "Senate Procedure" and providing the same shall be subject to copyright by the authors, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

The Clerk read the joint resolution, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be printed and bound for the use of the Senate one thousand five hundred copies of a revised edition of Senate Procedure, to be prepared by Charles L. Watkins, Parliamentarian, and Floyd M. Riddick, Assistant Parliamentarian, to be printed under the supervision of the authors and to be distributed to the Members of the Senate.

SEC. 2. That, nothwithstanding any provision of the copyright laws and regulations with respect to publications in the public domain, such edition of Senate Procedure shall be subject to copyright by the authors thereof.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

## PRINTING OF "FEDERAL DISASTER RELIEF MANUAL"

**Mr. HAYS.** Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 59 and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Senate Committee on Government Operations twenty-five thousand additional copies of the revised edition of the committee print entitled "Federal Disaster Relief Manual", which was issued by that committee on August 30, 1963.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

## PRINTING OF ADDITIONAL COPIES OF HEARINGS ON "ORGANIZED CRIME AND ILLICIT TRAFFIC IN NARCOTICS"

**Mr. HAYS.** Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 61 and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

*Resolved by the Senate (the House of Representatives concurring),* That there be printed for the use of the Committee on Government Operations not to exceed four thousand additional copies of all parts of the hearings held by its Permanent Investigating Subcommittee during the current session on organized crime and illicit traffic in narcotics.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

## PRINTING OF ADDITIONAL COPIES OF HEARINGS ON "NUCLEAR TEST BAN TREATY"

**Mr. HAYS.** Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 58 and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

*Resolved by the Senate (the House of Representatives concurring),* That five thousand additional copies of the hearings on Executive M, Eighty-eighth Congress, first session, "Nuclear Test Ban Treaty", be printed for the use of the Committee on Foreign Relations.

With the following committee amendment:

Page 1, line 5, after "Committee on Foreign Relations" strike out the period and insert a comma and the following: "and one thousand additional copies be printed for the use of the Committee on Foreign Affairs, House of Representatives."

The committee amendment was agreed to.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

## POLLUTION IN CONNECTICUT

**Mr. MONAGAN.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

**Mr. MONAGAN.** Mr. Speaker, on October 5, the Subcommittee on Natural Resources and Power of the House Committee on Government Operations, under the direction of the gentleman from Alabama, Chairman ROBERT E. JONES, spent a day examining the water pollution problems of the State of Connecticut.

By flying in helicopters over a good portion of the Nutmeg State, committee members were enabled to comprehend the scope of the problem faced by this industrial State in maintaining a reasonable purity of its water resources.

Accompanying the committee, among other guests, was Bice Clemow, president of the West Hartford News. In that newspaper, on October 10, 1963, appeared an editorial by Mr. Clemow which stated so competently the problem of Connecticut and the sort of approach that so many of our States must make to solve the common problem, that I append it, following my remarks, as a worthy yardstick for future action.

### UNBELIEVABLE JOURNEY

We had the rare chance on Saturday to see Connecticut as few ever see it—a carefully planned tour of its waterways by helicopter. It was a sight of kaleidoscopic beauty. Threading up river valleys, at times with the hills looming above us, we saw the State as a vast multihued garden. From that low altitude the fall foliage took on a dimension of vastness, yet each tree stood out. Green patches of winter cover gave contrast. You could see ducks winging into ponds, and children looking up to wave excitedly as five Army helicopters from Fort Bragg whirled overhead.

Strange then how the beauty of the scene was spoiled.

The purpose of the flight—down the Connecticut to the Saybrook light, across the marshlands of Middlesex to the mouth of the Thames and then up the Quinebaug to Danielson, then west for more observation—was to give a congressional committee a chance to check pollution.

They had a hard time believing how such a marvelous resource as our river valleys could have been so mercilessly despoiled. To see it was to agree with them.

Wending up the river from Stratford and branching off up the Naugatuck the discharge of polluted water from cities and from industrial plants was painfully evident from the air. As, indeed, had been the stench from a plant in Rocky Hill which literally smelled to the high heavens, 700 feet up, as it dumped its textile waste along the riverbank.

The contrast between the lovely wooded land and the polluted rivers which flow through them drew from Alabama Congressman ROBERT JONES, who headed the subcommittee making the inquiry, the observation that we have a big problem in Connecticut. After one sees what Congressman JONES saw, in company with Fifth District Congressman JOHN MONAGAN of Waterbury, this sounds like a political understatement.

The Congressmen we talked to went away feeling that in recovering the beauty and usefulness of its streams, Connecticut is seriously lagging. We could not agree more. There are more than 250 factories polluting streams from one end of the State to the other. Several towns are still dumping raw sewage into rivers, and only a small fraction of the municipal waste in the State is given the secondary treatment necessary to get the water somewhere near its natural state.

The Congressmen heard a good deal of pious testimony that if the Federal Government would just let the States alone they would take care of the problem. This is a position of political defensiveness which is unworthy of us. We should, of course, do first everything we can ourselves and then see what the Federal Government can do to accelerate real purification of our water, State and interstate.

First we must recognize our own lack of political leadership in the area of conservation. The legislature has never acted, and never really been asked to act heroically on this problem. Our budget for engineering, inspection and enforcement of the anti-pollution statutes is pathetic. Cities defy the State orders to build sewage treatment plants. Industries plead inability to lick their own problems without really examining the cost or the method, and the State government is too poorly manned to come to grips with the industrial sewage problem. Even impoverished Vermont and New Hampshire have better incentives for pollution control, public and private. Connecticut has none.

There are things the State should do. It should decide to enforce the law promptly and without favor. This takes more manpower and more political guts. It should offer low interest loans to industry to build treatment plants, provide free engineering service, and get the towns to grant abatement from property taxes on private pollution control installations.

The Federal Government could have some carrots to offer too, beyond the limited funds allocated to the State for picking up 30 percent of the cost of municipal sewage treatment plants. Doling out the present limited dollars is too slow and this may even deter some towns who want to wait for their share of gravy. Federal tax credits and low interest loans to industry might encourage speedy compliance with antipollution laws.

What we need first is a manly acknowledgment of the degree of our transgression upon our rivers. Then we must accept solutions that are imaginative, tapping the resources of private companies, of municipalities, of the State and then the Federal Government.

For we are running out of a pure water supply as we grow larger. We are fouling our limited recreational facilities, public and private. We have to put the rivers back as we found them, or as close to it as humanly possible. We have to give up trying vainly to assess the blame, to give up glossing over where we are, and to accept all honorable means to make speedy repair. With "all deliberate speed" in the rivers, the purification process is still a half-century job.

It was a lovely trip, with a miserable undertone.

## USIA FILM DISPARAGES SOUTHERN PEOPLE

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, I am deeply distressed to inform the House that an agency of the U.S. Government has now joined the ranks of intemperate and uninformed critics of the South and her people. It is difficult enough to take the emotional rantings of sensational journalists, but still more bitter to have to withstand false characterizations by an agency of the Federal Government which is supposed to be the Government of all the people.

I refer to a film of the U.S. Information Agency which has not yet been seen publicly in this country but which was presented at a State Department seminar on foreign policy for several hundred members of the communications media from over the Nation a few days ago. The film, called "Five Cities in June," is described by some of those who saw it as a handsomely produced movie which, except for one sequence, might be worth while. The one sequence which is so distorted concerns the racial problems of the Nation.

According to the film, the War Between the States "was fought and won for Negro equality." As even any amateur historian knows, Abraham Lincoln, President of the United States, who directed the Union's wartime activities, said both before and during the conflict that the purpose of the war was to preserve the Union. The question of equal rights was not at issue, nor was the social mixing of the races in accord with Lincoln's beliefs.

The film goes on to say that, despite the outcome of the War Between the States, some of those States who were on the losing side of the war have tried, since then, to retard the progress of the Negro in his desire for a bigger role in our society.

In addition to this gross distortion of facts of history, as regards the purpose of the Civil War, this USIA film contains other misinformation. It hints that the controversy over the 1954 Brown case decision of the Supreme Court has recently resulted in mob disorder and violence only in the South; the situation at the University of Alabama in Tuscaloosa last summer is that which is shown on film in connection with this point. Utterly ignored are the demonstrations, riots, and other public disorders which have occurred in almost every major city, and many smaller ones, north of the Mason-Dixon line, both this year and in previous years.

In other words, the film would have the viewer believe that racial problems are located only in the South and that the recalcitrant southerner is the cause of the problem of the day.

The third peculiar and wholly unacceptable point made by this film of the USIA, scheduled to be shown around the world, is that the U.S. Government upholds what is termed the most sacred request of free men:

> Their most sacred right is for freedom of choice. To bypass all prejudice—to live as they want to live—to worship where they want to worship—and to go where they want to go.

The film should have said, if it wanted to be truly accurate, that the Government recognizes this "sacred right" of freedom of choice for all except those white southerners, and for others who feel similarly, who do not choose to mingle on a social basis with members of the Negro race. For it is quite obvious that, with each passing week, the Federal Government makes more and more attempts to see to it that those who sincerely oppose integration have no freedom of choice as to where they want to live, as to where they want to worship, and as to whom they will associate with.

We have come to a sorry pass indeed when propaganda films designed to promote the United States overseas contain rank historical inaccuracies and hostile criticisms directed against a minority group of American citizens, the white people of the South.

I have protested this disparagement of the people of the South and this distortion of history to the Director of the U.S. Information Agency, Mr. Edward R. Murrow, but I thought the House should know of this matter also.

## UNEXPENDED FOREIGN AID FUNDS ON JUNE 30, 1963

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include a letter and a table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, on October 1, 1963, I mailed to the membership a recapitulation sheet showing the amount of unexpended foreign aid funds on hand June 30, 1963.

May I say that my statement is completely accurate and reliable in every respect. In fact, in the letter accompanying the sheet, I spared the giveaway people much embarrassment by not pointing out that of the amount on hand, $515 million was completely unobligated, an additional $688 million was only technically obligated and, no doubt, an additional $1 billion of the amount will be deobligated in subsequent years because of the unbelievable looseness in this worldwide, uncontrolled, and uncontrollable giveaway program.

If you are a betting man, put your money on the accuracy of my statement, and you will be a winner.

OCTOBER 1, 1963.

MY DEAR COLLEAGUE: As chairman of the Foreign Operations Subcommittee on Appropriations, I am pleased to provide to you information which I have recently compiled as to the amount of unliquidated funds to the credit of the foreign aid agency at the close of business June 30, 1963, and comparative figures on unliquidated funds at the close of other recent fiscal years.

I do not believe it is the intent of the Congress to permit AID to continue pyramiding funds and to fund programs years in advance of actual expenditure. This practice not only confuses the program, but it also has confused the AID administrators themselves. The practice of obligating funds for projects far in advance of need and, in many instances, far in excess of the cost of projects, is one of the primary reasons why the aid program is so confused and the cost of many projects so excessive. Hundreds of millions of dollars are funded for projects before final estimates for the cost of completion of the projects are ascertained.

For comparison as to how aid funds are pyramiding, you will find listed below the amount of funds on hand unliquidated at the close of the last 4 fiscal years:

| Unexpended funds: | |
|---|---|
| June 30, 1960 | $4, 830, 549, 000 |
| June 30, 1961 | 5, 975, 397, 000 |
| June 30, 1962 | 6, 889, 186, 000 |
| June 30, 1963 | 7, 465, 926, 000 |

So that you may have more knowledge of the many accounts under which aid funds are disbursed, I am attaching a recapitulation sheet representing the funds on hand as of June 30, 1963, covering titles I and II of the mutual security bill.

I trust the foregoing information and attached recapitulation will be of use to you.

Sincerely yours,

OTTO E. PASSMAN,
*Chairman, Foreign Operations Subcommittee on Appropriations.*

*Foreign aid funds by program and amount from prior years' appropriations on hand unexpended June 30, 1963*

| | |
|---|---|
| Title I: | |
| Military assistance | $2, 359, 600, 000 |
| Development loans (credits) | 2, 262, 526, 000 |
| Development grants | 403, 487, 000 |
| Alliance for Progress | 819, 971, 000 |
| Chilean reconstruction | 17, 765, 000 |
| Supporting assistance | 365, 521, 000 |
| Contingency fund | 336, 275, 000 |
| International organizations | 134, 416, 000 |
| Investment surveys | 1, 500, 000 |
| Acquisition of property | 4, 137, 000 |
| Investment guarantees | 268, 586, 000 |
| Borrowing authority, ECA | 544, 000 |
| Administrative expenses, AID | 9, 772, 000 |
| Administrative expenses, State | 779, 000 |
| Total | 6, 984, 879, 000 |
| Title II: | |
| Peace Corps | 34, 104, 000 |
| Ryukyu Islands | 3, 836, 000 |
| Cuban refugees | 1, 818, 000 |
| Migrants and refugees | 8, 969, 000 |
| International Development Association | 232, 320, 000 |
| Inter-American Development Bank | 200, 000, 000 |
| Total | 481, 047, 000 |
| Grand total, titles I and II | 7, 465, 926, 000 |

## U.S. COAST GUARD LIFEBOAT STATION AT HAMPTON BEACH, N.H., SHOULD NOT BE CLOSED

**Mr. WYMAN.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

**Mr. WYMAN.** Mr. Speaker, the possible closing of the U.S. Coast Guard Lifeboat Station at Hampton Beach, N.H., is of deep concern to me and to my constituents. The year-round work and the protection afforded by the brave men at this station to the people who use the waters in and around New Hampshire, both commercially and for pleasure, is without a doubt of prime necessity.

The recent history of rescue operations at the Hampton Beach Lifeboat Station is a clear indication of the year-round need for its services. The need for the Hampton Beach Lifeboat Station is clearly and without question developed in an excellent feature article, "Hampton Coast Guard Reveals Increased Rescue Activity," by John Pierce Batchelder. The story appeared in the Merchants Review of Hampton, N.H., and was published September 12, 1963. I sincerely hope that Adm. E. J. Roland, Commandant, U.S. Coast Guard, will take these facts, as they appear in Mr. Batchelder's story, into consideration before making a final determination. The article follows:

### HAMPTON COAST GUARD REVEALS INCREASED RESCUE ACTIVITY

(By Jon Pierce Batchelder)

HAMPTON.—The Hampton Beach Lifeboat Station rescued 69 persons and saved boats and equipment valued at more than $150,000 during the past 2 months.

The Seacoast Regional Development Association has recently completed a review of search and rescue activities conducted by the U.S. Coast Guard at the Hampton Beach Lifeboat Station. This study covered the reported Coast Guard activities from July 1, through August 31 of this year.

The sector of responsibility for this lifeboat station begins in the area known as Breaking Rocks just south of Seabrook, N.H., and extends north to the area known as Ragged Neck which is located in north Rye, N.H. The development of the first phase of the $4 million marine improvement at Rye Harbor has brought about a tremendous increase in boating activities in the Rye Harbor area.

The Rye Harbor area figured prominently in a large number of search and rescue activities, the most well known of which was the tragedy of July 24, 1963, in which three persons lost their lives and one person was rescued. The rapid increase in commercial as well as pleasure boating at Rye Harbor has required the Coast Guard to step up its marine inspection activities at this location in order to insure compliance with Federal regulations regarding marine safety equipment.

The number of lives saved and the estimated value of boats and equipment which were rescued by the Hampton Beach Lifeboat Station stands in mute contradiction to the announced plan by the U.S. Treasury and the Coast Guard Service to permanently close this facility. The Seacoast Regional Development Association has vigorously opposed the proposed closing of this station and has been joined in its efforts by countless area citizens, the local press, and radio stations.

These protests have been forwarded to the New Hampshire congressional delegation and particularly to the Congressman representing the First District, LOUIS C. WYMAN. The Congressman has actively voiced his objections to the proposed closing in correspondence with Adm. E. J. Roland, commandant, U.S. Coast Guard, and C. Douglas Dillon, Secretary of the Treasury.

Recent correspondence from Mr. James Pomeroy Henrick, Acting Assistant Secretary of the Treasury to Mr. WYMAN, acknowledges the fact that conditions in the Hampton area may have altered considerably and that the increase in boating activity may warrant a reconsideration of the situation.

The New Hampshire coast is not alone in its problems with the U.S. Coast Guard. The CONGRESSIONAL RECORD of August 8, reported a lengthy statement by Senator KEATING in which the Coast Guard at Long Island, N.Y., was described as "undermanned, undertrained, and underrequired." The Senator from New York has requested a full report of this situation from the Commandant of the Coast Guard. Similar to New Hampshire, the New York story is one of the tremendous increase in commercial and pleasure boating along the Atlantic coast.

We in New Hampshire have relatively no quarrel with the personnel, the training, or the equipment of the Hampton Lifeboat Station which is charged with the responsibility for boating safety along the short but active New Hampshire coastline. We do object to a proposed replacement of the year-round activities by a seasonal operation in Hampton Harbor, and our objection is based upon the fact that the Coast Guard station has been called upon for rescue work in each of the 12 months of the year and the record clearly indicates that boating accidents can be much more perilous during the winter months.

The present excellent personnel complement at the Hampton Lifeboat Station consists of 12 men and Master Chief Boatswains Mate Francis Bajowski. The strategic location of the present station enables the boat crew to travel over the highway to the Coast Guard mooring at Hampton Harbor in 6 or 7 minutes. An elevated Coast Guard lookout station at Hampton Harbor has been provided by the town of Hampton and is staffed by one man during the summer months. Rescue equipment at Hampton Harbor consists of one 30-foot steel utility boat and one 36-foot motor lifeboat. The present lifeboat station at Hampton has a DUKW amphibious vehicle which can be dispatched over the highway to any required place along the coastline, whereas it requires 50 to 60 minutes for a boat to reach Rye Harbor from Hampton Harbor the DUKW vehicle can reach Rye Harbor from the Hampton Lifeboat Station in less than 15 minutes.

During the course of our study of the Coast Guard operation at Hampton, there were two recommendations which occurred to this writer which might improve the efficiency of search and rescue operations without requiring a drastic increase in either the personnel or expense budget.

The first of these recommendations would consist of the reassignment of one of the rescue boats now stationed at Hampton to Rye Harbor. This recommendation would permit Coast Guard personnel to reach Rye Harbor by ordinary vehicles in a matter of minutes and immediately be put to sea to carry out a rescue. The increase in boats moored at Rye Harbor as well as coastwise travel as a result of the harbor development program carried on by the State of New Hampshire would justify this reassignment. It is believed that the State of New Hampshire would provide suitable mooring for the Coast Guard craft either at no expense or at a very nominal figure.

The second recommendation would consist of the operation of a manned lookout station just south of Rye Beach in a building owned by the Department of Defense and previously operated as a radar station by the Air Force. This lookout tower, staffed by a one-man shift similar to the lookout at Hampton Harbor, would afford considerable protection to the ocean area north of the present station.

During a course of study by the Seacoast Region, it was learned that storm signals are not displayed along our coast even though the present life station has a flag tower, it has not been used to display storm warnings at this location. It would also seem that such warnings should be displayed at both Rye Harbor and Hampton Harbor. We are sure that the New Hampshire State Port Authority, through its harbor masters, would be glad to cooperate in the display of these signals if the materials were made available to the port authority by the U.S. Coast Guard.

The Seacoast Regional Development Association has never objected to the creation of a "manned mooring" at Hampton Harbor by the U.S. Coast Guard; we do feel that this type of installation might be ideally suited for the summer months. However, we object to this type of facility being proposed as a replacement for the permanent year-round Hampton Beach lifeboat station.

The Seacoast Regional Development Association feels that the record which reveals 31 rescues during the past two months; 80 rescues during the period July 1, 1962 through June 30, 1963, and 114 rescues between July 1, 1961, and June 30, 1962, is ample proof to justify the continuance of Coast Guard service at Hampton. The annual expense of maintaining this existing station is small indeed when compared with Coast Guard expenditures for fiscal 1963 of $10,823,000, which represents Coast Guard expenditures outside the United States and its possessions. It is ironic to note that this valuable source of protection to the thousands of pleasure boating enthusiasts and commercial fishermen using our coastal waters will be closed according to recently announced plans of the U.S. Coast Guard.

The Seacoast Regional Association and Congressman WYMAN are pledged to a continuing fight to prevent this completely unrealistic curtailment program.

## COMPULSORY RETIREMENT AND THE PEACE CORPS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an address by Director Shriver, of the Peace Corps.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, compulsory retirement is releasing many men and women of high and unusual ability long before they have reached the leveling off period of their preeminent usefulness. Trained by long experience in commanding positions in business, education and in many fields, still in robust health and with undiminished drive, they furnish the Nation's greatest reservoir of untapped dedication for voluntary service to their country, working not for wages but the sheer satisfaction of being part in the great adventure of painting the American image so vividly and so humanely in our own and foreign lands that a sense of American unselfishness and purity of purpose, will become one of the determining factors in a world in search of higher plateaus of human contentment.

I discussed last year with Director Robert Sargent Shriver of the Peace Corps the possibility of tapping this great reservoir for administrative positions in his organization, and I was delighted to learn that this was in his future planning. Mr. Shriver appeared yesterday at an open session and today at an executive session of the Committee on Foreign Affairs. As the testimony was given at the open session, I am permitted to say that the Peace Corps during the past year has numbered among its volunteers in foreign areas a sizable number of persons, both women and men, from 60 to 65, that they have stood up under all the tests of hardship comparably with the younger volunteers and that in efficiency they have scored a mark of excellent. Mr. Shriver is proceeding with the plans we discussed last year of enlisting from this reservoir retired men and women of matchless experience for administrative positions.

Mr. Speaker, in an address before the Commonwealth Club of California on October 11, 1963, only a few days before his meeting with our committee, Mr. Shriver touched upon this phase with other phases of the work of the Peace Corps. By unanimous consent I am extending my remarks to include the full text of the address.

Many of you here today are businessmen. And I am happy to see some of you are lawyers, too.

Many of you are suspicious of big government—of grandiose public schemes. You are worried, as I am worried, that we may, at times, be in danger of losing sight of the need for personal initiative and individual enterprise—these ideals which helped to make this country great and are major sources of its strength today.

If these are among your concerns, you need not worry about the Peace Corps.

For the Peace Corps is an example of free enterprise at work. It is a working model of some of the most basic and fundamental American ideas and beliefs.

First, the Peace Corps is based upon the individual—his freedom, his initiative and his responsibility. We take Americans, give them 3 months intensive training and set them to work in a foreign land. They do not live in a group or in a barracks. They are some times alone, in a strange village. They decide how hard they will work, what projects they will undertake, where they will travel. No one stands over them supervising their every move. No one stifles their creativity or enterprise. They receive enough money to live, are sent to do a job for America and are expected to do that job.

We operate this way because we have faith in the American individual—his skill and his dedication. We do it because we believe in personal responsibility—not in corporate anonymity or bureaucratic protection. And this faith has been justified.

Second, the Peace Corps exemplifies and even generates private enterprise. We have no organization men, no protected corporation jobs, no pensions, no coffee breaks. We place the volunteer down in a new environment and say to him: See what you can come up with. And we often find that they have become the Wright Brothers or Edisons or Fords of the world in which they are living.

Take Volunteer Ron Atwater who works in a small village in rural Colombia. When he arrived almost 2 years ago, he found the Indians making decorative, useful woolen ponchos called ruanas. Merchants from Bogotá came occasionally and irregularly to the village, bought a few ruanas for $1 each, and resold them in city stores for $8. Seeing a real chance to elevate the life of the village, Ron improved the dyes, organized a marketing system, convinced the Indians to schedule production and meet their commitments, and established quality control. Business boomed. Village income doubled, and then tripled. The project came to the attention of some Americans, including the head of Neiman Marcus in Dallas. As a result imports to the United States have been organized and Lenguazaque—the Colombian village—is very much in business.

Jim McKay is another example of Peace Corps enterprise in action. Jim was a construction engineer from New York. When he arrived in West Pakistan he discovered that workers on the new hospital were laying about 125 bricks per man, per day. He organized a training course, demonstrated the use of a trowel, and showed the local workers it was possible to lay 125 bricks in 5 minutes. Under his direction additional trowels were made by a local blacksmith. As a result the hospital—which would have taken months to build—was constructed in a few weeks.

In Arequipa, Peru, Jesse Hohns, a chemist, has found a way to extract lanolin from the washwater of sheep. This lanolin he has used in a face cream which has found wide acceptance among the local Indians. Indian sheepraisers have turned the discovery into a thriving small business.

These examples could be multiplied a hundred times—from Malaya to Tanganyika; Brazil to Nepal, young Americans are demonstrating in a forceful, intimate, personal way the power of free enterprise to advance the hopes and the welfare of a people.

Third, the Peace Corps itself is run in the cost-conscious demanding traditions of American business. It does what it says it will do, on time, and effectively. When we began 2 years ago we promised that we would recruit and send abroad trained and dedicated Americans—that we would do it on schedule, at the lowest cost and with a minimum of personnel. We've done that.

We said we would recruit Americans of all ages—from every walk of life, select them on merit alone, assign them regardless of race, color, or creed to work overseas. And we've done it.

We promised that no one would go overseas unless he had a specific skill, was assigned to a specific job and was specifically requested by the host country. This we have done.

We said that our volunteers would be stripped of all the usual privileges and immunities of oversea Americans, that they would live in local housing, eat local food, and receive no pay, just a living allowance high enough to let them live as their local counterparts are living.

This is exactly how they live. There has been no upward creep in standards or privileges as time passed. In fact, we have reduced allowances and shortened vacations.

When the Peace Corps legislation was first introduced we said there was no need for the amendments offered by conservative Congressmen—amendments which would have restricted us to 285 Washington employees and 16 passenger automobiles the first year.

In fact, in our first year we never had 285 Washington employees. We never had a passenger automobile except one Lark station wagon, which we got by mistake and got rid of pronto—don't even have any parking spaces.

We have today, to the best of my knowledge, the lowest ratio of administrative employees to fieldworkers of any organization in the United States—public or private. In fact, today we have fewer people working for us than we did in June. That's why our top staff people work 12 hours a day, often 7 days a week. They do it because they believe in what they are doing, just as our volunteers are believers.

We said, more than 2 years ago, that the total cost of recruiting, training, transporting and maintaining a volunteer—and that means all costs from my salary up—would be $9,000 a year. A few weeks ago our accountants told us the cost per volunteer per year was $9,079. This is a record which any company could be proud of; and it was made in an enterprise which never had any field experience, and which was doing something no one had ever done before.

In short, we said when we began that we would not create a burgeoning bureaucracy, and that our standards would not soften, and that we would compete against any business firm for toughness and efficiency of operation.

This has been done. Our books are open to anyone who would like to make his own judgment.

Fourth, we are bringing the know-how and the limitless potential of American enterprise to bear on the problems of development in the southern half of the globe.

I am not speaking merely of the many business executives who work for the Peace Corps—although we have many of them. For we have highly successful industrial managers and heads of firms directing a number of our country programs abroad. We took our chief of selection on loan from Standard Oil, our head of public affairs from Westinghouse Broadcasting, and our Associate Director for Management from an important import-export firm. In fact I had a little business experience myself, running a good-sized office building in Chicago.

But more significant than business working in the Peace Corps, is the Peace Corps working in business.

In Chile, and in the Dominican Republic, volunteers are helping private citizens to establish credit, marketing, and retailing cooperatives. We have sent trained people to Peru to expand and modernize handicraft centers, providing local industry in places where previously the people had to rely on subsistence farming to stay alive.

Throughout Latin America, Asia, and Africa, we have programs in which volunteers have had to demonstrate the importance of cash crops, and show how well-managed chicken farms can make money.

In several countries—particularly in Latin America—we are establishing savings and loan associations and credit unions—demonstrating the urgent need for capital accumulation and investment.

We are, together with the Cooperative League of America—organizing marketing and producing cooperatives as a means of increasing the economic potential of the individual farmer or retailer.

In other words the Peace Corps is not preaching the value of free enterprise, it is proving it. We are not engaged in ideological debates but in practical demonstration—not abstract discussions—but concrete results. Thus the villagers and workers of dozens of lands are learning what free enterprise can mean to them in the most direct and meaningful way—through experiencing its power to improve their lives.

We have done a great deal of this kind of work. We would like to do much more.

But we don't have the people.

Throughout the developing world there is an urgent need for men with management and marketing skills—for engineers and bankers—executives and accountants. We have hundreds of requests from countries that want men like these to help them develop industries and institutions—to help them move into the modern world of industry and finance and marketing.

We cannot answer those requests. Because the sad fact of the matter is that few Americans with business and management skills are volunteering for the Peace Corps.

There are lots of people willing to make speeches and write articles about the necessity for encouraging private enterprise abroad. There are too few who are willing to go out and do the job.

There has been some talk recently about the need for a businessman's Peace Corps. We already have a Peace Corps for businessmen. We have an established, proved and tested organization that is ready and anxious to train businessmen for work in the developing countries.

All they have to do is volunteer.

Right here and now I issue a standing invitation to American industry and business: send us skilled men who are willing to work under difficult conditions among the people of a foreign land to demonstrate through deeds and accomplishments the enormous motive power of free enterprise. Send us these men and we will train them and put them to work in productive projects overseas—projects which will make full use of their skills and experience—projects which will, in fact tax their abilities, imagination, and energy more rigorously than ever before.

The Peace Corps door is open to all those who are willing to enter.

I also call upon American enterprise to adopt policies which will make possible for topflight men to volunteer without loss of position or chance for advancement. When America went to war, those who left to fight for their country were assured of position, rank, and advancement when they returned. This was the least we could do for those who were willing to give up their lives for America. Today, we are also engaged in a war—a long, arduous unspectacular war to demonstrate to an inquiring and restless world that economic freedom and progress walk hand in hand, that man's material wants can be satisfied without stripping him of spiritual and personal dignity. Those who go out to wage these battles are entitled to the same considerations.

There is much that can be done.

Corporate policies should be established to permit older persons to retire into Peace Corps service without loss of benefits or security. When most of us were young, 40 was middle aged. Today modern medical science has made a man of 60 and more who can combine vigor and good health with a wealth of experience and know-how. These, after all, are the men who built today's America. We need them to help tomorrow's world.

Business should permit young men to take leaves of absence for Peace Corps service without forfeiting benefits, opportunities, seniority or advancement. In fact this is a negative way of putting it. Companies should not only permit—they should encourage and stimulate the best of its younger men to go overseas in the Peace Corps. In so doing you will be serving your country and the ideas you believe in. And by so doing you will get back, after 2 years' service, men who have had the experience of working with important responsibilities in foreign lands, amid alien cultures and peoples. This experience will, in the long run, make them better executives and make companies which sent them more vigorous institutions, better able to cope with today's growing challenges of international markets and worldwide competition.

These are some of the reasons why I believe that the Peace Corps is a credit to the free enterprise system which produced it. It is based on the most enduring of all American values—the belief in the limitless creative power of the free individual. It is proof, if proof were needed, that deeply committed individuals, prepared to work and sacrifice, can have a profound impact on the most difficult and intransigent of problems. And through people like this, through our volunteers, we are discovering that we do not have to be defensive or apologetic about the American way of life. We do not have to hide our values or our beliefs. We do not need to be afraid of propaganda or of enemies.

We can be proud of what we have done in this country—proud of the values which have created this Nation. And if committed Americans carry these values abroad, we will find that our product is what the world wants.

In the past 2 years I have traveled 300,000 miles to 30 countries and I have seen the truth of this.

From countries in which, only a few years ago, "Yankee Go Home" was a popular slogan and our Vice President Nixon was being stoned and spat upon, we are receiving requests for this same new breed of "Yankees" which far exceed our capacity to deliver.

Recently, in the Dominican Republic, a group of young Dominicans were painting the slogan "Yankee Go Home" on a stone wall, while a volunteer watched quietly. When they had finished, he said, "I guess that means I'll have to go home." The leader of the group turned to him in dismay and said: "No, we mean Yankees, not the Peace Corps."

These volunteers are the "new Yankees." The men and women who are proving that the great American traditions of individual initiative, of personal responsiblity, of deep commitment to the ideal of building a better society, have not been lost in an era of bigness, affluence, and a hunger for security. These Yankees do not believe that the problems of the world are someone else's problems. They are their problems—and they intend to solve them.

This type of American is, I believe, illuminated by a letter which a Peace Corps volunteer wrote to his parents shortly before he was killed in an airplane accident in Colombia.

"Should it come to it," wrote young David Crozier, "I would rather give my life trying to help someone than to have to give my life looking down a gun barrel at them."

After his death, when his parents sent me this letter, they added a postscript. They wrote: "Mr. Shriver, we are not sorry David joined the Peace Corps."

And last week David's sister entered training for the Peace Corps.

This ray of light illuminates the kind of America which we have always believed in—an America whose ideals and philosophy, dedication and commitment, institutions and individuals are equal to the challenges and opportunities which face us in this, the most dangerous and hopeful era of man.

## COMMITTEE ON RULES

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER pro tempore (Mr. Albert). Without objection, it is so ordered.

There was no objection.

## DR. GALARZA TO MAKE CONGRESSIONAL INVESTIGATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. Gubser] is recognized for 60 minutes.

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GUBSER. Mr. Speaker, throughout history human tragedies have occurred and I suspect they will continue to occur in the centuries ahead of us. We regret them, particularly when human beings see fit to dramatize and capitalize upon the misfortunes and the tragedies of others for ulterior motives.

Back in 1949 there was a congressional hearing held in California by the House Committee on Education and Labor. Under investigation were the very serious charges which were being made against a California organization, DiGiorgio Farms. That hearing started out with a bombshell when the president of the National Farm Union, Mr. Mitchell, stated as the first witness and in his opening testimony that the corporate farmers of California had been responsible for death by malnutrition of 10 children in central California.

One newspaper clipping was quoted by Mr. Mitchell which said the dead children "were innocent victims of privation—a seasonal harvest which threatens widespread hardship. This is a challenging indictment of a system which permits starvation in the midst of plenty."

Mr. Mitchell was questioned closely by members of the Subcommittee on Labor and Education as to whether the corporation farms were actually responsible for the death by malnutrition of these 10 children. Under questioning, Mr. Mitchell could only say he was sure it was the fault of the corporation farms and would furnish the newspaper clippings at a later date proving that the corporation farms were responsible for these deaths. Here on page 545 of an investigation of labor-management relations in the House hearings published in 1950, is a very interesting two lines in parentheses which says, and I quote:

> (The newspaper accounts were not available at the time hearings went to press.)

So back as far as 1949 people were maliciously and falsely trying to trade on human tragedy.

Mr. Speaker, on September 17 just passed, another unfortunate human tragedy occurred in California when a modern bus, which is a good bus by all engineering standards, was hit by a train—as school buses have on occasion been hit by trains or other means of public transportation have been hit. Thirty-two bracero laborers lost their lives in this unfortunate crash. Immediately the hue and cry went up that this is the fault of the "slave labor" program—and I purposely put those words in quotes—and we find various and sundry persons seeking to turn this tragedy to advantage in their fight to kill Public Law 78. They are trading in human misery and human tragedy.

I was rather amazed to learn that the man who back in 1949 was the vice president of the American Farm Labor Union, and its educational director, who was responsible for assembling the information which Mr. Mitchell presented before the committee, is now interested in investigating the recent tragedy at Salinas, which was responsible for the death of 32 men. This man's name is Ernesto Galarza.

By chance I viewed a communication written by Ernesto Galarza, a former resident of my congressional district, restating his opposition to Public Law 78, the bracero program. In the same communication he indicated his interest in bringing about an investigation by the House Committee on Education and Labor into the facts and circumstances of the terrible tragedy which claimed the lives of 32 human beings.

I was even more amazed when I read a clipping from the San Jose News of October 8 which I quote:

> Two staff members of the House Education and Labor Committee are expected in San Francisco this evening to team up with Dr. Ernesto Galarza, of San Jose, in an investigation of the September 17 accident near Salinas which killed 32 braceros. The results of the investigation will determine if a congressional inquiry will be made into the collision of a train and a farm bus which killed the Mexican fieldworkers. Dr. Galarza last Friday was appointed a special investigator by the committee's chairman, Representative ADAM CLAYTON POWELL, Democrat, New York. The San Josean who lives at 1031 Franquette Avenue is a former labor leader with 12 years experience investigating similar accidents involving farmworkers. An author and lecturer on the bracero program, he is opposed to Public Law 78 which brings the workers to U.S. fields.

In a subsequent article of October 10 the San Jose Mercury carried exactly the same information, namely, that Dr. Ernesto Galarza had been appointed by the House Education and Labor Committee to conduct an investigation into this unfortunate accident.

Now, ladies and gentlemen of the House, I am here today to raise what I think are very serious questions about the propriety of such an appointment and investigation, which I presume will be made at some expense to the taxpayers and which the Congress of the United States will presumably be asked to rely upon as factual and unbiased.

Mr. GATHINGS. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Arkansas.

Mr. GATHINGS. Do I understand the gentleman to say that Mr. Galarza was his own constituent, residing in his own congressional district?

Mr. GUBSER. He was for 10 years but is not now. He lives right on the borderline so far as the division of the new congressional district is concerned.

First of all, regardless of Mr. Galarza, and his qualifications, I question the propriety of such an investigation. This matter is involved at the present moment in the courts of California. It is being adjudicated as a criminal case, and civil suits will certainly result. It is before the courts, and I question whether or not the Congress of the United States has the right to be investigating.

Secondly, the laws of the State of California are involved. The California Highway Patrol is involved in this. The State department of motor vehicles, which was responsible for the issuance of the chauffeur's license to the driver of the buses involved. I would presume that the department of industrial safety and all sorts of California State departments are involved in this matter. The California State Legislature sent a committee to investigate after the crash.

The Committee on Education and Labor does not have jurisdiction over Public Law 78 which is here involved. It is the Committee on Agriculture under the able subcommittee chairmanship of the gentleman from Arkansas [Mr. GATHINGS] which has jurisdiction, and under no stretch of the imagination can I find proper jurisdiction for the Committee on Education and Labor in hiring or even hiring without pay an investigator named Ernesto Galarza to go into California and investigate what took place in this accident.

But let us assume that the investigation is a fact and will be carried out. I question the employment of a man who, first of all, has a conflict of interest in this matter—Dr. Ernesto Galarza—and, secondly, is a man who has proven for more than 14 years that he is an unreliable purveyor of falsehoods and should not be taken seriously as a credible investigator. I realize these are far-reaching charges, and I do not make them without being prepared to back them up. But before we do so let us look at Dr. Ernesto Galarza, the man, for a moment.

It is incredible that wherever you find trouble and unrest you often find Dr. Ernesto Galarza. In 1943 he was involved in the national revolution in Bolivia against the tin barons. He was later decorated by the Bolivian Government for the part that he played in this revolution. In about the years 1955–56, the Los Gatos School District in my congressional district was in an absolute uproar; the school system was materially harmed for at least a period of 2 years because Mrs. Ernesto Galarza had been fired by the school district. There was a lot of talk about the causes of the firing. The only one that I saw in print was that she was accused of introducing union propaganda into the classroom and was teaching it to the students, and was fired for that reason. After a long series of battles and hearings involving much legal jockeying the discharge was allowed to stand and she stood as a fired schoolteacher in the State of California.

During this nasty and unfortunate affair Dr. Galarza was accused of being a Communist and a lawsuit resulted from that. It resulted, I am happy to say, in Dr. Galarza's favor. But the point that I am trying to make is that wherever there is trouble, wherever unrest has been fomented, wherever there are deliberately agitated problems, you will more than likely find one Ernesto Galarza in the thick of it. His wife went to Bolivia the following year and was appointed as an adviser to the Bolivian Government to set up an educational system. She may still be there; I do not know.

None of these facts about Ernesto Galarza the man are intended to impugn or discredit him as a man. He is obviously a colorful personality. He is a dynamic personality. He is involved in much trouble. This, my only point, raises the question, "When we are looking for an investigator, should we be looking for someone who is usually in the midst of so much smoke that the presumption must inevitably stand that there is some fire close by?"

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I am happy to yield to my colleague from California.

Mr. TEAGUE of California. It is my understanding—this is subject to correction—that the House Committee on Education and Labor has a staff of close to 50 people, or in that neighborhood. It is difficult for me to see any necessity for appointing a special investigator, even assuming that the committee had jurisdiction over this matter; and I agree with the gentleman from California [Mr. Gubser] that it does not have jurisdiction.

Mr. GUBSER. I wholeheartedly agree with the gentleman, and I intend, before my time has been entirely exhausted, to document this man's unreliability as an investigator. Not only are we sending a man to investigate something by a committee that does not have jurisdiction over the matter involved, but we are sending a man who has no credibility.

Mr. TEAGUE of California. And, if the gentleman will yield further, we are also sending him as a staff member of a committee which already has 50 staff members of its own.

Mr. GUBSER. That is exactly right. As a Representative in the U.S. Congress, I feel when a man is lacking in credibility I have an obligation to expose that fact to the public.

Mr. TEAGUE of California. If the gentleman will yield further, I commend the gentleman for doing so.

Mr. GUBSER. Mr. Speaker, I do not intend to deal in innuendo about this man. I want to document everything I am going to say. I will make two points: First, there is a conflict of interest when Dr. Ernesto Galarza undertakes this job for the Committee on Education and Labor of the House of Representatives; second, he is unreliable and is lacking in objectivity, and consequently not qualified for the job he is being asked to do.

Now, Mr. Speaker, I have told you as Members of the House how in correspondence, less than 1 month ago, Dr. Galarza tied together his opposition to Public Law 78 and the bus accident. So, you cannot separate the two and say they are two separate incidents. He tied them together. He asked whether or not the chairman of the Committee on Education and Labor was going to carry out this investigation and he expressed his interest in assisting that investigation. So, less than 1 month ago he mentioned his opposition to Public Law 78 and the bus accident and related them.

His opposition to Public Law 78 over the years is very, very well known. I can go back and trace it to as far back as 1949 when in the hearing held at Bakersfield, Calif., by a subcommittee of the Committee on Education and Labor Dr. Galarza says, and I quote from his statement:

> We are against the importation of workers from Mexico as Kern County laborers because we believe that only in the case of proved need for such workers, that is, a shortage of manpower, should these people be brought in. We are against it.

Now, here is a history of opposition to Public Law 78 which stretches from 1949, and I am sure it antedates that, down to less than 1 month ago. Over his own signature he has tied Public Law 78 with the bus accident, thereby admitting that Public Law 78 is the issue involved.

Mr. Speaker, I say that a man with a long history of opposition to this piece of legislation has a conflict of interest and he should not be hired to conduct an "impartial" investigation which directly involves that legislation.

Now, Mr. Speaker, let us go into the second point, namely, the unreliability and the complete lack of objectivity which Dr. Galarza will bring into this position that has been set up for him by the House Committee on Education and Labor.

Prior to the very difficult and very nasty strike in California after World War II, which made so much news, the National Farm Labor Union put together a so-called documentary film called "Poverty in the Valley of Plenty." As educational director of the National Farm Labor Union, Dr. Ernesto Galarza had a position of great responsibility in putting the picture together and reviewing it, and was in a position to be responsible for its factual reliability. The Di Giorgio Corp. filed a suit for libel against the National Farm Labor Union and asked that they be enjoined from further showings of this film.

Mr. Speaker, listen to Dr. Galarza's own words from the printed hearing:

> I have just been served and I am named as defendant in this suit.

And, later on, on the same page, he says:

> So whatever I had to do with this film I am rather proud of that film.

My point is this: Here in his own words in sworn testimony before a committee of the Congress, Dr. Galarza admits having a part in the production of the film, "Poverty in the Valley of Plenty," and he admits to the fact that he is proud of it.

Do not take my word for the authenticity and the reliability of that propaganda film. Let us take the words of a bipartisan subcommittee of the Congress, chairmaned at Bakersfield, Calif., by the Honorable Cleveland Bailey. Let us take the majority report of that committee, and let us read from it.

Here is what they said:

> The educational director—

That is Dr. Galarza—

> and the western representative of the film insist that the film is a true picture of the Di Giorgio Farms. The subcommittee finds that insofar as it purports to represent conditions existing on the Di Giorgio Farms, the film "Poverty in the Valley of Plenty" was made and was presented to the committee in disregard of the truth.

That is the man who is today investigating the bus accident in the State of California.

I will read further:

> In its motion picture, "Poverty in the Valley of Plenty," the union said that the fruit corporation required its irrigators to work for 12 hours but paid them for only 11. The statement was wholly false.

Reading further from the majority report of the House Committee on Education and Labor:

> The union film also represents that living conditions on Di Giorgio Farms consists of disreputable, filthy shacks, and that the living habits of the occupants are substandard and squalid.
>
> The film contains unmistakable innuendos that the houses pictured in it are on Di Giorgio Farms. None of the houses shown is fit for human beings to live in. They are in varying states of disrepair, unpainted and sordid. They are surrounded with junk and with undernourished children and dogs. Near one is a shower, said to be used by 25 or 30 families, lacking in hot water, and situated next to a cowpen. The film charges that the fruit corporation rents washing machines to employees for 50 cents per hour, and that women are compelled to heat water over open fires. No one could doubt that these charges are leveled straight at the corporation. All of these representations are false.

I am quoting from the majority report of a committee of the 81st Congress. The majority is commenting on a film which was produced by Dr. Galarza and others. He is the man who is today being employed by this Congress to investigate this horrible bus accident in the State of California.

Reading further:

> In fact, the National Farm Labor Union film, "Poverty in the Valley of Plenty," insofar as it purports to represent conditions existing on Di Giorgio farms, is a shocking collection of falsehoods, almost wholly unrelieved by any regard whatever for the truth and the facts.

That is the majority of a committee of the Congress talking—and talking about a man who is now commissioned to conduct an investigation of a matter in which he has a conflict of interest.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from Kentucky.

Mr. SNYDER. I would say that the gentleman in the well is doing a very fine job in outlining the character of this Dr. Galarza, to whom the gentleman makes reference. I would also like to comment that apparently Dr. Galarza does have some talent in view of the fact that the gentleman has alluded to the fact he has communicated with the chairman of the Committee on Education and Labor. I just came from a hearing of the Rules Committee, and they are having some difficulty in doing this. Perhaps he could give them some advice as to how that may be done.

Mr. GUBSER. I judge from the gentleman's statement I have either made a misstatement or he may have misinterpreted something I said. I did not intend to say that Dr. Galarza had communicated directly with the chairman of the Committee on Education and Labor.

Mr. SNYDER. I would say that if he had, I would like to know his formula, and I am sure there are a good many other Members around here who would.

Mr. GUBSER. Mr. Speaker, I could go on. There are two more pages of documentation from the majority report of the House Subcommittee on Labor and Education which bring out falsehood after falsehood which has dominated the so-called documentary film produced from information furnished by Dr. Ernesto Galarza and others. I remind you once again that Dr. Galarza stated in this hearing in November of 1949, and I quote him once again:

> So whatever part I had to do with this film, I am rather proud of that film.

I do not intend to rest there in trying to prove to you that this man does not deserve credibility. I would like to go on and refer to another book which was written by Dr. Ernesto Galarza, with pictures, called "Strangers in Our Fields." This was a book which was supposed to reveal the conditions on California farms which had been brought about because of the bracero program; namely, Public Law 78.

I will not personally discuss the deliberate falsehoods in "Strangers in Our Fields," but I will point out that the U.S. Department of Labor was so concerned over the false and malicious statements made by Dr. Galarza in this book that they took the unprecedented action of directing region 10 of the regional office of the Bureau of Employment Security to make a line-by-line analysis of Galarza's book, to quote from it, and give the answer to each false statement.

This was done when Secretary Mitchell was Secretary of Labor. Some might say, "Well, that was Republican bias." I say to you as one who has worked very closely with the bracero program for a great many years that Secretary Mitchell can hardly be considered a friend of Public Law 78.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield.

Mr. TEAGUE of California. I have had a lot of experience in that field, too. I would like to second the fact that it is not Republican bias. I consider Secretary Wirtz to be much better informed, much fairer in his administration of Public Law 78, than Secretary Mitchell was.

Mr. GUBSER. I certainly will agree to every word the gentleman has said and will endorse it. Secretary Wirtz has been fair and completely unbiased in his administration of Public Law 78. In all honesty, I did not feel that way about Secretary Mitchell.

Incidentally, I believe the same man is in region 10 today that was there when this report was written. Here is a long document which I will not read, but which I will supply for the RECORD in which statement after statement made by Dr. Ernesto Galarza is quoted and then is proven as false. Here once again is refutation of what Dr. Galarza has represented as truth, not by me but by an official arm of the U.S. Government. I will submit this at the end of my statement so that all of my colleagues can read it.

One other thing before I conclude which I think casts considerable doubt upon the reliability of this man who has been chosen to perform this most important task. I heard this myself and was an eyewitness. About 5 or 6 years ago I went to a meeting at the Mayflower Hotel. It was a meeting of the National Advisory Committee on Farm Labor.

I heard the testimony in this so-called hearing. I saw one grower from California become so incensed at the false and malicious propaganda which was being put into that record that he asked for the right to be heard. He was denied. He kept on asking and kept on insisting and finally they gave him the chance to testify. When he started his testimony, I personally saw Fay Bennett, the secretary of this organization, walk over to the recording machine and turn it off so that the other side of the story would not appear in the testimony. I saw that with my own eyes. Then I heard Dr. Ernesto Galarza, my constituent at the time, testify. Let me preface this by telling you I was a grower of sugarbeets and I think I know something about it—and he has lived in our valley ever since I can remember and has worked with sugarbeet workers—he knows the sugarbeet business forward and backward just as I do. This is why I was shocked when I heard him before this group of Washington clubwomen and social workers recite, and eloquently recite, Edwin Markham's poem, "Man With a Hoe." He did it so beautifully that everyone including me was stimulated. Then he brought forth a hoe. I recognized it immediately as a beet-thinning hoe. It had a very acute angle to fit the contour of a sugarbeet bed. It had been purposely weighted with what we call a cable clamp in order to give it the extra weight to assist the beet thinner in chopping through the heavy crust of the ground. This is common practice—if you as an employer give a beet thinner a new hoe, he will immediately put the extra weight on it because it helps him.

Then he told this story which I paraphrase. He said, "I want you to know about this short-handled hoe." Everything he had said so far was the truth. But here is where Dr. Galarza, and I must say it—knowingly started to speak falsehoods. Because he has been around Santa Clara and Salinas Valley long enough and he knows as well as I do that the following statement is not true. Here is what he said. He said, "You may wonder why these poor people have to use these short hoes." He said, "They used to use long hoes." That is false. You cannot thin beets with a long hoe for the simple reason that beet seeds used to sprout in clusters and there are doubles. You have to block out the area with a hoe held in the right hand and you must use, and delicately use, the index finger and the thumb of the left hand to untwine these doubles and pull all of them out but one, leaving a "single" in the block which has been made by the chopping of the hoe in the right hand.

Never in the history of sugarbeet thinning have they used long-handled hoes. The fact is they used to have to crawl on their hands and knees to do this work and it was the introduction of the short-handled hoe, which allowed them to make greater speed with greater comfort and do a better job.

But Dr. Galarza went on. He said they used to do this with a long-handled hoe. Then the farmer could not sit on his front porch and watch the crew and know who was working and who was loafing because the whole crew was standing up. But when they came up with the short-handled hoe, then it was possible according to Galarza for the farmer to sit in the comfort of his front porch and look out over the field and he would know that only those who were stooped over to the ground were working and those who were standing were loafing.

I was shocked that a man who has a Ph. D. who has lived his life among farmworkers and lived in the Santa Clara and Salinas Valleys could stand there and deliberately perpetrate such a falsehood. It was amazing. Those clubwomen gasped in complete horror. To them, California farmers were the worst dogs in the world and were mistreating human beings. I personally heard this absolute, deliberate falsehood spoken by Dr. Galarza at the Mayflower Hotel back 5 or 6 years ago.

Now what I have tried to do in this time that I have used here today is, first of all, tell you this man has been asked to conduct an investigation in which he has a conflict of interest.

Over his own signature he has linked the future of Public Law 78 with this bus accident. He asked for the opportunity of investigating it, and he has been given that opportunity. This is a clear-cut conflict of interest.

Secondly, I maintain that from the written record of the House subcommittee of the Committee on Education and Labor in its majority report after its investigation of November 12, 1949, and printed in the CONGRESSIONAL RECORD for March 9, 1950, Dr. Galarza is proven to be unreliable in the charges that he presented.

Third, I think I have proven conclusively to you that the U.S. Department of Labor saw fit to take a publication of his, namely, "Strangers in Our Fields," and issue a public statement refuting the falsehoods which he had deliberately written into that article.

Fourthly, I have shown you where I have personally witnessed his appearance before a large group here in Washington and have personally heard him give what I considered to be deliberately false testimony.

I ask you, my colleagues, in all fairness, whether you favor Public Law 78 or whether you oppose it, Is this the kind of objectivity that this Congress should employ in its investigations which consume taxpayers' funds? Should such investigations have the prestige of the Congress behind them? Is this the kind of investigating personnel that the Committee on Education and Labor should hire to go to California to investigate this very tragic occurrence which everyone who is human deeply regrets and which nobody who is human would like to see used for partisan political purposes?

Mr. TALCOTT. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I will be happy to yield to the gentleman from California.

Mr. TALCOTT. Mr. Speaker, I thank the gentleman for yielding to me at this time and I rise to make a statement inasmuch as the tragic, horrible accident occurred in my district. I believe that any such accident as tragic and horrible as this should be thoroughly investigated and the investigation should be objective, honest, and technical as well as thorough. However, I think this will be thoroughly investigated. If it is not the most thoroughly investigated accident in the history of the United States, I would like to see the one that is.

Already I know of 10 different agencies investigating this accident other than the Congress of the United States. The district attorney of the county of

Monterey in which the accident occurred is making a very thorough investigation, because the man, the driver of the bus, has been charged with manslaughter, of course.

The coroner of the county of Monterey is making an independent investigation because of the large number of deaths which occurred.

The California Highway Patrol is making a very thorough investigation with its experts and technicians, and actually the Public Utilities Commission is making a very thorough investigation because the Southern Pacific Railroad is involved and it killed 32 people, so they are most anxious to make a thorough investigation.

The California State Senate appointed a special committee to investigate the accident, and they are going to proceed in Monterey County.

The California State Assembly already appointed a special investigating committee which has already held numerous days of hearings in an investigation of this particular accident in Monterey County where it occurred.

The California Department of Agriculture, because agricultural workers were involved, are investigating the accident.

The U.S. Department of Labor, Bureau of Employment Security, have had men on the scene and had them there very quickly to investigate all phases of the accident.

The State compensation fund, which will be paying compensation for these men, has made a very thorough investigation already and are continuing it to this day.

The State division of industrial safety is also making an investigation, and I understand that the Mexican Government also is.

In addition to these agencies there are a number of independent agencies who are also making their investigations. Labor unions and groups of small committees from the area have made investigations and, in fact, they tell me that the reports of these various agencies are some of the most intelligent reports they have. In addition to that, newspaper men and radio and TV people are most anxious to cover this accident, and they have done so. And all of these people, if they find some reason for making a recommendation to Congress or to the State or to the county, I am certain will do so.

There have been a number of misstatements and inaccuracies that have created a false impression about the cause of the accident. I would like to mention a couple of them.

The crew bus was not a makeshift bus, as some people have alleged. It was a specially built superstructure placed on a Ford chassis. The Demco Co. has blueprints which they developed before the bus was manufactured by the Cochran Equipment Co. who manufacture crew buses for various companies throughout the West for agricultural purposes, because they have to have widetrack wheels.

**Mr. GUBSER.** Mr. Speaker, may I interrupt the gentleman at that point for just a moment, merely to state that should any Member of the House be interested in seeing a picture of this bus I have one here in the well of the House and will be happy to show it. And if I may interpose a question to the gentleman, is it not true that this bus which was involved in this accident was approved by the appropriate California authorities as safe for this purpose?

**Mr. TALCOTT.** Yes; it was approved prior to its manufacture and after the accident occurred it was thoroughly examined and found that it complied with all of the most rigid requirements that the State of California has, which are the most rigid requirements for labor buses in any State in the United States. It thoroughly complied not only in its structure, but in operating conditions and everything else.

**Mr. TEAGUE** of California. Mr. Speaker, will the gentleman yield?

**Mr. GUBSER.** I yield to my colleague.

**Mr. TEAGUE** of California. And is it not also true that at the time of the accident the bus was driven by a properly licensed chauffeur or one authorized to drive such vehicles, who was not a bracero?

**Mr. TALCOTT.** That is true. The driver of the bus was a legal resident of the United States. It is known that at least he had a driver's license since 1956 and a chauffeur's license since 1959 and was duly qualified to drive this particular bus at the time and the place under all the laws or rules and regulations of any State in the United States.

**Mr. GUBSER.** Will the gentleman explain at this point that in order to receive a chauffeur's license in California, under the registration procedures of the department of motor vehicles, a considerably more extensive examination is required than to merely operate a motor vehicle?

**Mr. TALCOTT.** That is true. I am not completely familiar with the requirements for a chauffeur's license, but each of the trucks and vehicles is required to have a driver of a certain competency in order to drive. I am not qualified to drive them, and have not taken that test.

**Mr. GUBSER.** Mr. Speaker, will the gentleman agree with me that the following statement is true: That the driver of this bus passed the very same examination under the laws of the State of California that the driver of any other bus would have to pass, and there was no distinction at all between this driver and any other?

**Mr. TALCOTT.** That is my information.

**Mr. TEAGUE** of California. Mr. Speaker will the gentleman yield?

**Mr. GUBSER.** I yield to the gentleman.

**Mr. TEAGUE** of California. This would include Greyhound buses, I presume?

**Mr. GUBSER.** Absolutely.

**Mr. TALCOTT.** I am not certain whether Greyhound buses and this particular bus would have exactly the same requirements; whether the Greyhound bus would have different requirements if it had to carry 71 passengers. Some Greyhound buses are smaller and some are larger.

Mr. Speaker, I would like to state one or two further facts for the consideration of the House. The plans for this bus were approved by the appropriate departments of the California Department of Industrial Relations and Industrial Safety even prior to the manufacture of the bus. Also, this same type of bus is one that the people of our district often borrow for the purpose of transporting Boy Scouts, Little League baseball players, and Sunday school groups. We have great concern for the safety and the comfort of these buses.

Also, I should like to say that this particular bus, involved in this accident, was at that time in good condition and met every rule and regulation both with reference to the driver and the bus itself, and met the rigid State of California requirements.

Mr. Speaker, I think the investigations should continue, but I think they should be competent and objective. There are, I think, at least 10, maybe 15 different agencies investigating this accident so that the truth about what happened will come out.

I think we will find that it was simply the inadvertent lapse of prudence by the busdriver for a split second. I am told that if he had had 1¾ more seconds, this bus would have been across the track and there would have been no injuries. So you can see how small a deviation from prudence there was that produced this gross tragedy. But it was the driver's fault and not the fault of the bus or the lack of requirements for the bus.

**Mr. GUBSER.** Mr. Speaker, I thank the gentleman. It is indeed gratifying to hear someone speak of this horrible accident with facts rather than deliberately attempting to trade upon human tragedy.

**Mr. GATHINGS.** Mr. Speaker, will the gentleman yield?

**Mr. GUBSER.** I yield to the gentleman from Arkansas.

**Mr. GATHINGS.** I want to say, Mr. Speaker, that the documented revelation that the gentleman from California has brought us today is a distinct service to the House of Representatives.

I would like to ask the gentleman what type contract was entered into with this party? Does the gentleman know just how much he is being paid?

**Mr. GUBSER.** I would say to the gentleman from Arkansas that I do not know that he is being paid. The only evidence I have is, No. 1, his personal solicitation of the responsibility at which time he linked the investigation with Public Law 78.

Secondly, I have the two newspaper clippings, one of October 8 from the San Jose News, which stated that he had been appointed by the chairman of the Committee on Education and Labor, and, secondly the followup story on October 10 which appeared in the San Jose Mercury which stated the same thing and reiterated the facts in the October 8 article.

That is the extent of my information on that subject.

**Mr. GATHINGS.** If the gentleman will yield further, the House Committee on House Administration would have to approve whatever voucher that would be issued to pay his salary?

Mr. GUBSER. It could well be that Dr. Galarza has agreed to work for nothing. In fact, I would rather suspect that that is the case, because I do not think his motivation in this situation is at all monetary in nature. I think his motivation is his conflict of interest, namely, his willingness to distort facts as he has been doing since 1949 in an effort to paint a false picture regarding Public Law 78 and to spread false and malicious propaganda to the public.

Mr. GATHINGS. I commend the gentleman from California for his splendid presentation.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from California.

Mr. TEAGUE of California. First, I would like to once more commend the gentleman from California [Mr. GUBSER] for the real service which he has rendered today in documenting facts in connection with Dr. Galarza's reliability and background. Then, I would like to express the hope that it is not too late for any official status or standing that Dr. Galarza may have to be removed by the powers that be in the Committee on Education and Labor or in the House leadership, of course, on the Democratic side. If there is, and thirdly, I would express the hope that any report rendered by Dr. Galarza or any statement made by him which comes to the attention of the Members of the House of Representatives or the people of this country be viewed with a very jaundiced eye, bearing in mind his past very poor record for reliability, honesty, and accuracy.

Mr. GUBSER. I thank the gentleman.

Mr. TALCOTT. Mr. Speaker, will the gentleman yield further?

Mr. GUBSER. I yield further to the gentleman from California.

Mr. TALCOTT. I thank the gentleman for yielding. But it is my understanding that Dr. Galarza volunteered his services. Therefore I think we cannot criticize a committee or the chairman of the committee too harshly. They probably have no knowledge of the appointment yet.

Mr. GUBSER. I do not for one moment criticize another Member of the House. I can only say that speaking personally, if I am going to ask someone to do a job for me, whether I pay him or do not pay him, I think I owe it to myself to find out what kind of person I am hiring.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield further?

Mr. GUBSER. I yield to the gentleman.

Mr. TEAGUE of California. I think this is a rather important point. The California papers, or at least one that came to my attention this morning, called the Monterey Labor News, carried a very prominent story, headed "Dr. Galarza To Make Congressional Investigation."

If he has no official status, if he has not been appointed by the chairman of the Committee on Education and Labor, I think it is certainly important that that fact be known and that a public statement be made by the gentleman from New York [Mr. POWELL] or by someone else on the committee to the effect that this man has no official status and no connection with the House Committee on Education and Labor.

Mr. GUBSER. I agree with the gentleman. If the press is making a statement of this kind the House has a right to have the matter clarified.

### A REPORT ON "STRANGERS IN OUR FIELDS"

(By: Region X, Regional Office, Bureau of Employment Security)

#### INTRODUCTION

"Strangers in Our Fields" is a study of the Mexican contract labor program by Dr. Ernesto Galarza, research director for the National Agricultural Workers' Union and field representative for California of the Joint United States-Mexico Trade Union Committee—which acted as his sponsor for publication. It was written under a grant-in-aid from the Fund for the Republic and edited by Commonweal magazine.

The avowed purpose of this study, as stated in a foreword written by Frank L. Noakes, Chairman of the U.S. Section of the Joint United States-Mexico Trade Union Committee, is to call public attention to alleged injustices under the Mexican contract labor program as administered by the U.S. Department of Labor and in so doing to induce Congress to take action to correct the situation.

The purpose of this memorandum is to demonstrate that many of Dr. Galarza's conclusions are based on inadequate facts, inaccurate and misleading statements and false information. To do this, we will attempt to refute what in each chapter we consider to be challengeable or subject to qualification in his arguments.

#### CHAPTER 1. WHO THEY ARE

Argument: That Mexican workers employed in the United States are treated as mere numbers rather than as persons.

Basis of argument: A pay stub on which a worker is identified by number only (p. 1).

Rebuttal: This is a general conclusion based on wholly inadequate evidence. Names as well as numbers are universally used to identify workers on payrolls, contracts, and other documents used in connection with the program. Identification numbers serve the interests of the workers as well as employers and are indispensable in the administration of the Mexican program by the Department.

Argument: That the official Mexican program is characterized by "confusion, shortcomings and congenital blindness" (p. 2, par. 4).

Rebuttal: This is a conclusion unsupported by facts.

Argument: That maladministration of the Mexican program by Government agencies allows "a fringe of camp followers and extralegal beneficiaries to profit at the expense of the Mexican national" (p. 2. par. 4).

Rebuttal: This statement is based on the false assumption that persons performing legitimate services are prohibited from participating in the operation of the Mexican program. It is also a gratuitous character assassination of such persons without factual support.

Argument: That the criteria for selection of workers at migratory stations in Mexico are calluses and strong shoulder muscles (p. 3, par. 4).

Rebuttal: The requirements for selection are that applicants must be agricultural workers, must pass a routine security inspection under U.S. immigration regulations and must be physically able to perform the type of agricultural work for which they will be contracted. Dr. Galarza's description of the selection process is deliberately distorted to give the impression that it is degrading and humiliating, whereas in reality it is designed to protect the workers themselves as well as the legitimate interests of employers and the Government.

#### CHAPTER 2. HOW IT ALL BEGAN

Argument: That because of the progressively increasing numbers of Mexican workers that have been contracted each year since the program began in 1942, they have gradually displaced domestic workers in some crops (pp. 7 and 8, passim).

Rebuttal: The author's statistics on the total number of Mexican workers contracted are substantially correct. The conclusion which he infers, however, that they have been brought in to displace available domestic workers rather than to supplement domestics who have left the harvest labor market is an "a priori" judgment unsupported by evidence.

#### CHAPTER 3. THEIR RIGHTS

Argument: That the Mexican Constitution specifies certain "inalienable rights," such as the right of the worker to participate directly in the determination of minimum wages and arbitration through his own economic organizations (p. 15, par. 2: see also p. 74, par. 2).

Rebuttal: Rights guaranteed by the Mexican Constitution are not applicable in the United States except as provided by the agreement. Dr. Galarza's own quotation from the Revista de Economia (par. 3) is pertinent in this regard: "The utilization of Mexican workers in the United States is carried out in such a way that it obtains for them all the guarantees established by our (Mexican) Constitution and more specifically the benefits of present labor legislation."

#### CHAPTER 4. AS THEY SEE IT

Argument: That the remarks of braceros interviewed by the author and quoted in this chapter "show a common pattern of consistent violation of their rights" (p. 19, par. 4).

Rebuttal: The only logical conclusion which can be drawn from the statements quoted by the author is that they showed a common pattern of alleged violation. It is our experience, moreover, that the kind of vague, generalized statements used by Dr. Galarza to support his conclusion will not bear up under investigation. Much is made, here and elsewhere in this study, of the fact that workers whom he interviewed were assured that nothing they said would be disclosed to third persons. The purpose of this precaution was to encourage the worker to speak freely. While this is generally speaking good investigative technique, we think it quite probable that the author received many complaints because of this approach. Quite often it is not fear of reprisal that inhibits a worker from making complaints to Government representatives, but rather a sense of both moral and legal responsibility for what is alleged.

Argument: "Legal contract workers, cheated and exploited, find that they cannot change jobs freely, or seek better conditions of pay, while even the illegal 'wetback' reserves that privilege. Their feeling is symbolized by this sign on the fence surrounding a camp of Mexican nationals in Stockton, Calif."

Basis of argument: A picture on page 20 of a notice that no admission will be granted to visitors without a pass obtained from the operator of a Mexican labor camp, under pain of prosecution for trespassing.

Rebuttal: This is a classic example of the kind of misrepresentation and emotionalism which is one of the basic ingredients of Dr. Galarza's "study." Putting aside the fact that one of the most important of constitutionally guaranteed civil rights (of which the author is so solicitous) is the protection of property, it is obvious that the purpose of a "no trespassing" sign is not to keep people in a place but rather to keep people out who have no right to be there. The primary purpose of restricting access to Mexican labor camps is the protection of workers from such undesirable persons as pimps and prostitutes, dope and liquor peddlers, gamblers and unscrupulous used car salesmen. We know of no case where persons on legitimate business have been prohibited from entering camps at reasonable hours.

Dr. Galarza is hard to please: Article 23 of the work contract requires that employers take "all reasonable steps to keep professional gamblers, vendors of intoxicating liquors and other persons engaged in immoral and illegal activities away from the Mexican worker's place of employment."

### CHAPTER 5. HOUSING

As far as this chapter is concerned, we think it only fair on our part to admit that while we cannot accept Dr. Galarza's conclusions, neither can we reasonably deny that some of the conditions he describes actually do exist.

To put it another way: Dr. Galarza has adroitly painted an almost totally black picture of the Mexican labor camp situation in California on the basis of serious violations allegedly found in 44 out of 200 camps which he selected for inspection. We might just as logically paint a totally white picture of our housing situation by selecting 200 other camps in which we could be sure not to find a single violation of even the strictest standards. By doing this, however, we would, like the author, fall into the error of allowing our emotions to outdistance our facts.

Dr. Galarza begins this chapter by saying that housing for Mexican nationals ranges from good through indifferent to downright bad; having made this handsome concession to truth he then proceeds to create the impression that what he really meant was that all housing is bad. We would make a similar mistake to embark upon a eulogy of our good housing while forgetting or ignoring the fact that some of it is possibly just as bad as he says it is.

We cannot pretend that our own field representatives inspect more than a small percentage of the thousands of housing units in California where Mexican workers are lodged during some part of each year. (See ch. 12, pp. 64 and 65.)

Some of the "fringe" camps the author is talking about in this chapter, and in which most if not all of the violations he cites were found (p. 27), entirely escape our detection, and where quick-harvest crops are concerned they may escape the detection of the department of employment and the division of housing. (Both of these agencies are submitting their own statements on this booklet.) Certainly no one would suggest that we or any other responsible Government agency would permit housing conditions such as he describes to exist, if they were known. The point is that we often do not know they exist, and this fact is perhaps just as telling a criticism of our enforcement of housing standards as if we did know and did nothing about it. The effect is the same, in either case.

Unfortunately, the author does not tell us where the housing which he describes so vividly is located. We have reason to believe, based on a CBS televised news report from Los Angeles on August 10, 1956 (see Zamora memorandum to Norton, attached), that the housing pictured and described on pages 23 and 24 is in Texas rather than in California. We are also reasonably certain that the building pictured on page 26 is one of many abandoned barracks located near a very good labor camp composed of several reconditioned and well-maintained barracks buildings and operated by the Valley Farm Housing Association in Santa Maria, Calif. Probably the author meant to take a picture of one of the barracks which form part of the camp but at the last moment his camera slipped.

In any event, we would suggest that Dr. Galarza be asked, in the interest of the Mexican workers he so stoutly defends, to furnish us with the exact location of the inadequate camps which he visited. We will then do our best to match his zeal for justice.

Much of our comment on this chapter has purposely been negative, because we believe that to cite the progress which has been made over the years toward improving enforcement of housing standards would only beg the author's question.

### CHAPTER 6. WHAT THEY EARN

Argument: Nationals receive lower pay rates than domestics for the same work.

Rebuttal: If this occurs on the same job a violation is indicated. Nationals do have recourse to corrective action through consular or BES field services. If the author discovered apparent violations, it was his responsibility as an interested citizen to see that the proper authorities were notified. Violations do occur, of course, and when detected, correction action and reimbursement to the worker follows. Some violations are inevitable in a program of this size. Following the author's argument, as an illustration of low earnings he shows a photostat of check stubs for "3 consecutive weeks."

The bracero involved, Raul Tellez Arteaga, L–1131791. The three check stubs shown in the amounts, respectively: $2.88, $6.03, and $6.48, represented elective hours worked on Sundays for 3 consecutive Sundays and for which he received separate checks. Those are the checks shown on page 30. Actually, this worker for the same weeks received gross wages (not counting the Sunday work) as follows: $42.00, $46.90, and $48.90. In other words while the author represents this worker as having received only $15.39 for 3 weeks' work he actually received (including 3 Sunday's work) $153.19. See attachment No. 2.

Argument: The California Department of Employment does not operate on the basis of wage determinations by the Secretary of Labor; that in fact the Secretary does not make determinations.

Rebuttal: This is wholly inaccurate. The California agency makes wage findings based upon a formula approved by the Secretary of Labor; the findings are submitted to the Secretary of Labor and normally receive his confirmation in the form of a determination. The "most common wage rates found in the area" are not what the Secretary uses in making his determination. The "most common rates" is a term used in the California Weekly Farm Labor Report DE–881–A, which is purely a recruitment device. Wages quoted therein are quite often representative of the rates offered by employers on job orders or picked up casually in the field and are used until completion of a regular wage survey and the determination of a prevailing wage rate.

Argument: Nationals do not benefit from any upward revision in pay rates which might become effective during the contract period; also, that wage rates are not posted for Nationals to see (p. 31, pars. 4 and 5).

Rebuttal: When upward revisions of wage rates are made as the result of new wage findings, all employers are notified by the State agency. Mexican workers are to receive wages which prevail for the type of work performed at the time it is performed, regardless of whether a lower wage rate is on their contracts. Article 15 of the agreement is specific on this point:

"The Mexican consuls and the representatives of the Secretary of Labor shall exercise vigilance to insure that the wage rate paid to the Mexican worker is not less than the prevailing wage rate for similar work in the area of employment and that wages are paid to the Mexican workers in accordance with such rate or with any increases in such rate which may become effective in the area during the period of employment, but not below the minimum rate specified in the work contract. Increases in prevailing wages shall be put into effect immediately by the employer and shall not be contingent upon a formal request to do so by the Mexican worker, the consul of Mexico, or the representative of the Secretary of Labor. Declines in prevailing wage rates shall be recognized and accepted by the Mexican worker provided they do not fall below the rates specified in the work contract."

Argument: "Workers Wanted." Signs in stores, etc. carrying wage rates substantially higher than those nationals are receiving for the same work.

Rebuttal: There is obviously nothing wrong with employers offering higher pay to induce domestic workers to accept employment. These higher rates appear in wage findings and it is through them that prevailing wages are adjusted upward. Without the higher rates, the wage structure would remain static and offer no inducements.

Argument: Nationals are paid varying rates by different employers for the same activity in the same area.

Rebuttal: This can be very true and can be perfectly legal. In most crop activities where wages are of a piece rate nature, a range usually exists due to crop conditions, field conditions, size of trees, etc. This range offers an employer the right to pay anywhere within that range. Thus, two users of Mexican nationals working the same type of crop on adjacent farms may pay different rates, provided always that the same employer may not pay less to Mexican workers than he pays to domestic workers in his employ.

Argument: Employers switch from hourly to piece rates or vice versa at the expense of the worker.

Rebuttal: If it were true and there were no valid reason for the employer switching an offense would be indicated and the probability is that the employer would be required to revert to the rate he originally paid.

Argument: Braceros used on other (higher paid) work than that described in contract and not paid the higher rate.

Rebuttal: This does occur without any question. When detected, either through the worker or consular complaint, the bracero is reimbursed at the higher rate and removed from the activity if it is not authorized.

Argument: That the program is operated with a maximum of flexibility and a minimum of attention to administrative controls resulting in switching of workers from one crop to another and from harvest to processing and storage activities.

Rebuttal: To police the program in a manner implied by the author would obviously involve hundreds of compliance officers over the country. It is true that some violations involving unauthorized activities do occur and when discovered correction action is immediately taken. The author should know, however, that many activities other than harvest work are permissible under Public Law 78 when they constitute agriculture as defined in article 1 of the migrant labor agreement.

Argument: Page 35 and 36. Here the author reviews and criticizes the theoretical earnings and deductions of a worker. The intent apparently being to deprecate the net earnings of the worker at the end of the payroll period.

Rebuttal: There is little need to defend this situation. It may be an average illustration and could apply very well to both nationals and domestics. There are few places, however, where the prevailing hourly rate is 70 cents as illustrated. Perhaps unfortunately, no distinction is made between the single and married men insofar as the Mexican farm program is concerned. It can be said, however, and this can be verified by the banking institutions throughout the States of California and Arizona, that great amounts of money are regularly transmitted to relatives in Mexico. The author is in error in assuming that charges are made for use of blankets or any work equipment. There are no charges except in the event of loss through negligence or willful damage. In some cases, however, workers elect to buy work gloves or other equipment for their personal convenience.

Argument: That as a general rule, the cost of meals is a first charge on the earnings of the worker, regardless of how low these may be (p. 37, par. 2).

Rebuttal: The author offers nothing of a substantial nature to support his general conclusion. In practice employers are found to generally comply with this provision of article 10 of the contract, as illustrated in many payroll inspections made by the field staff.

Argument: Too many workers are put under contract resulting in a minimum amount of earnings per worker.

Rebuttal: Sometimes because of adverse weather or crop conditions, harvesting is initially retarded. It is not easy to coordinate the recruitment of thousands or even hundreds of men with all harvesting operations. Most growers attempt to get their labor forces assembled a day or two ahead for anticipated full-time harvesting and they do this generally with a remarkable degree of success. There are some exceptions which cannot be helped. In such instances, the employer is held to the 64-hour provision of article 10 and, of course, to the three-fourths guarantee of the contract.

It is probable that some workers are told by field foremen that they will be sent home if they are not contented. Active compliance work and constant education of growers is diminishing this appreciably. The reference to a man being unpaid for 20 days could be true but the instances are isolated.

Argument: Pages 37, 38, and 39, that many workers have extremely low earnings, some even wind up the pay period owing the employer money.

Rebuttal: The cross section of wages earned by braceros in various parts of California could be quite authentic. The author was kind enough to show some very excellent earnings besides some very meager ones. As a general rule earnings in piece rate activities vary for nationals just as they do for domestics. Some domestics cannot earn their salt when first trying out at a job on piece rate; some stay on, some quit. The national, however, is under contract, hence feels some obligation to continue, but his performance may be no better than that of the low capacity domestic. It is inevitable that in recruiting thousands of men many will be included who turn out to be incompetent. The low wage checks cited on pages 38 and 39 mean nothing without the related work hours being shown. Some nationals prefer not to work every day; others prefer to work only a few hours a day. Hence many of these cited could fall into this class. Perhaps the best measurement of earnings is in the happy faces of hundreds of braceros being repatriated at the end of their contracts. If questioned, the majority will openly admit having saved considerable money and are grateful for the opportunity the United States has offered them.

### CHAPTER 7. FOOD

Argument: Mexican workers who elect to prepare their own meals are entitled under the contract to a daily subsistence payment of $1.50. They are denied this right, however, because of the profit to employers and third parties involved in providing restaurant facilities at a cost to the worker of $1.75 per day (passim in this chapter).

Rebuttal: (a) This statement is inaccurate and misleading. Both the payment of subsistence costs by the worker and subsistence payments to the worker are directly related to the number of hours of employment offered; (b) the author's allegation that workers are denied the contractual right to elect to prepare their own meals is based exclusively upon testimony of workers whose employers are unidentified; and (c) the Mexican Government, through its consuls who work closely with the program, encourages the use of restaurant facilities because it believes the worker is better fed than when he prepares his own meals.

Argument: Food served in many labor camps is often of such poor quality that it is not uncommon for workers to become sick or suffer food poisoning. Complaints about food, however, are met with the threat by employers to return workers to Mexico. (Passim in this chapter.)

Rebuttal: (a) Complaints about food are often made to representatives of the Department and are always investigated. In 1955 about 30 percent of food complaints investigated were substantiated and in all but a few cases violations were minor; (b) complaints of food sickness are not common and usually not connected with meals served in camp. Only one case of food poisoning was reported in 1955, involving 14 workers employed by the Merced Eastside Growers Association, who were sent to the Mercy Hospital in Merced with acute food poisoning on September 20. All were released after treatment on or before the morning of September 22. A joint investigation of this case was made with the Mexican consul under article 30 and it was determined that no negligence was involved. The workers involved were among 111 workers who ate in the same camp; and (c) we have no evidence that workers who complain about food have been sent to Mexico in violation of the agreement, nor has the author produced any.

Argument: That subsistence costs as a fixed charge against wages so act as to "practically obliterate" the net income of many workers (p. 45, par. 2).

Basis of argument: Statements of unidentified workers quoted passim in this chapter and photostats of earnings statements of three workers whose net wages after deductions for board range from 85 cents to $6.91 (p. 40).

Rebuttal: This is a general conclusion based on inadequate and unsubstantiated information. In producing earnings statements as evidenced to support his conclusion the author fails to take into account low gross earnings and factors which explain them. (See Hayes report to Stewart, p. 3.)

Argument: That workers are charged for items necessary in their work, in violation of contract article 5.

Basis of Argument: A photostat of a check stub on which is shown a deduction of $5.20 for gloves used in picking lemons (p. 45).

Rebuttal: The deduction shown is for one pair of special heavy leather gloves and two pairs of special canvas sleeves purchased voluntarily at cost by the worker. This is not necessary equipment for picking lemons. Regular cotton gloves are provided at no cost to the worker and are replaced when worn out.

The employment history of this worker is interesting. Jose Ortega Torres was contracted by the Ventura County Citrus Growers Committee, Santa Paula, Calif., and assigned to the Piru Citrus Association, usermember, on November 12, 1954. On October 4, 1955, his right hand was injured around the wrist in a fall from a ladder. From that time until he was repatriated on March 6, 1956, he received medical care and weekly benefits from the Employer's Workmen's Compensation Carrier. The employer is in possession of a letter dated February 29, 1956, from Adolfo Dominguez, consul general of Mexico in Los Angeles, Calif., with which was enclosed an insurance check for $350 as advance payment on a final compensation settlement of $1,500. The employer was asked to instruct the worker to go to Los Angeles the following week to appear before the compensation board and collect the balance of his settlement. A far cry from what Dr. Galarza would have us believe is typical treatment given to Mexican contracted workers.

### CHAPTER 8. RECORDS AND DEDUCTIONS

Argument: That compliance with the requirements of the contract relating to the maintenance of records and statements of work and earnings is irregular and sometimes nonexistent (p. 46, pars. 1 and 2).

Rebuttal: The author bases this conclusion on the unsubstantiated testimony of a relatively small number of unidentified workers. The employer who "takes his responsibility for keeping accounts seriously," and who actually represents the great majority of employers in California, is given only token recognition by Dr. Galarza as he proceeds to draw an exaggerated picture of noncompliance on the basis of good editorializing rather than on facts.

Argument: "Workers are not satisfied with the records they receive, but they have learned there is nothing they can do about it" (p. 47, par. 4).

Rebuttal: This is a conclusion without factual support.

Argument: That bonus payments are "not an additional wage, but a withholding of a portion of the agreed wage, payable at the end of the harvest provided the worker finishes out the picking" (p. 47, par. 5).

Rebuttal: This is an interpretation, not a fact, and might be applied to bonus payments to any workers in any industry.

### CHAPTER 9. TRANSPORTATION

Argument: That there has been only token enforcement and consequent token compliance with safety standards of the California code which governs the transportation of agricultural workers within the State, and that in some sections the picture of transportation is one of "continuous and multiple violations" (p. 52, par. 3).

Rebuttal: The charges made in this chapter are directed against State enforcement agencies rather than the Department's administration of the Mexican program. However, his criticism is entirely negative and fails completely to recognize the progress which has been made and is being made by the State of California in this area. The result is once again a distorted and exaggerated picture of an admittedly difficult problem.

Argument: "In cases of serious transportation accidents involving nationals, the chances are that complete investigation of possible criminal negligence will not be made. During the 24 hours following two crashes in which a total of 11 braceros were killed, neither the representatives of the Mexican consular service nor of the Compliance Division of the Department of Labor were on the spot to investigate possibilities of such negligence, as far as could be discovered."

Rebuttal: Strongly implied in the first part of this argument is a charge of discrimination against Mexican nationals which is without factual support. As far as the compliance representatives of the Department are concerned, they have no competency to make any determination of negligence. The action which we took in the two accidents to which Dr. Galarza refers was confined to assuring that the rights of the worker and obligations of the employer involved were carried out in accordance with pertinent articles of the agreement. The Mexican consul in the area of jurisdiction was immediately notified of both accidents and took whatever action was indicated to protect the interests of the workers, including the right of recourse to the courts, both civil and criminal.

### CHAPTER 10. NONOCCUPATIONAL INSURANCE

Argument: "The only trouble with the insurance is that few braceros seem to get much benefit from it" (p. 56, par. 3).

Rebuttal: This is a conclusion completely unsupported by factual evidence. (A more complete refutation of this argument will be furnished by the Continental Casualty Co. to Mr. Goodwin on September 5, 1956.)

Argument: Workers are generally unaware of the provisions of the nonoccupational insurance policy (p. 57 passim).

Rebuttal: It is quite true that workers are often unaware of the specific provisions of the policy and that there is definitely a need for more education along these lines. However, our experience is that workers generally are quite aware of the fact that they are entitled to medical and surgical care, and hospitalization if they are injured or become ill off the job. Much time is devoted by our representatives to informing workers about nonoccupational insurance and most camps display signs written in Spanish which instruct the workers on what to do in case of accident or illness, whether on or off the job.

Argument: "Since under this insurance plan doctors or nurses do not make camp calls and since camp managers do not feel responsible for maintaining what they commonly call a taxi service for their men, it is up to the sick bracero either to persuade his immediate superior to provide him with transportation, or to find other means of getting to the doctor" (p. 58, par. 1).

Rebuttal: This is untrue. Many of the larger camps have clinics where a nurse is regularly on duty and which are visited by a doctor at regular intervals. Many other camps are visited routinely by doctors on 1 or 2 days a week and signs are prominently displayed which give the hours at which transportation is available daily to doctors' offices in town. Our experience in investigating complaints of the kind cited by the author would indicate that few are attributable to the employer's unwillingness or negligence in providing the means whereby workers may avail themselves of medical services provided by their insurance policy.

Argument: "The U.S. Government disclaims any jurisdiction in the enforcement of the obligation created by the nonoccupational insurance plan. The entire burden of enforcement and investigation of violations in the insurance program therefore falls, in theory, on the Mexican consuls" (p. 58, par. 4).

Rebuttal: The Department of Labor confines itself, both in theory and practice, to investigations to determine whether or not employers have complied with their obligation to report serious accidents and illnesses and to provide facilities whereby workers will not be deprived of the rights which their insurance policies grant to them. We receive complaints concerning nonoccupational insurance from workers directly and from consuls and have never refused to investigate them. We do not, however, question the opinions of competent medical doctors nor do we enter into disputed claims.

### CHAPTER 11. INTERMEDIARIES

Argument: That the use of labor contractors who supervise the employment of Mexican workers and act as the agent of employers in providing a variety of services required by the agreement is a widespread source of abuses and violations.

Rebuttal: Our only rebuttal to what the author says in this chapter is the rather weak one of pointing out that none of it is documented. In our opinion, the use of labor contractors in certain sections of California is a real problem and one which is difficult to cope with adequately in the absence of a clear-cut policy with respect to article 36 of the agreement.

### CHAPTFR 12. ADMINISTRATION AND ENFORCEMENT

Argument: That in practice the impressive procedure provided by agreement article 30 for the presentation of grievances is a rope of sand (p. 62, par. 1).

"To anyone who is familiar with the ponderous ways of public administration, the slow motion of bureaucratic chains of command, and the caution of diplomats, there is something daringly sublime in the picture painted by article 30. The picture is pretty but it is drawn from imagination" (p. 68, par. 2).

Rebuttal: This is argument by rhetoric and ridicule. The grievance procedure of article 30 is essentially like that negotiated by most unions and is perhaps less complicated than some. Very few complaints of Mexican workers need go beyond a preliminary investigation and determination by field representatives of the department—hardly a ponderous procedure—just as very few grievances in industry go beyond the level of immediate supervision or local grievance committees. That the link between the illiterate and inarticulate bracero and topmost heights of public law and authority is not merely a matter of imagination has been demonstrated on many occasions.

Argument: That the role of compliance officers is not that of an advocate or representative of the worker (p. 62, par. 3).

Rebuttal: This is a true statement, in the same sense that neither is he an advocate or representative of the employer. He is charged with the impartial enforcement of the provisions of the agreement and work contract.

Argument: That compliance officers "are instructed to arrange beforehand with the employer for any inspection visits or grievances investigations" (p. 62, par. 3). "Camp visits to obtain from the men their views or complaints on housing and food conditions must be scheduled in advance by agreement with the employer" (p. 64, par. 7).

Rebuttal: This is not true. The only limitation placed by agreement article 23 upon access of representatives of the Secretary of Labor to the place of employment of Mexican workers is that he be engaged in the performance of his official responsibilities. On the other hand, refusal of an employer to permit such access is a violation of the agreement for which a withdrawal of certification is provided. Only when the interests of Mexican workers are not involved a complaince officer will as a matter of common courtesy usually inform the employer in advance of his arrival at the place of employment.

Argument: That workers will not make complaints for fear of being sent back to Mexico (p. 66, passim).

Rebuttal: It may well be that many workers fail to voice complaints because they fear their contract may as a result not be renewed, although this in itself would seem to indicate that the conditions about which complaints would otherwise be made are not as serious as Dr. Galarza would have us believe. In this connection, Dr. Galarza's own statement on page 66 (par. 1) that "It is a rare national who does not wish his contract renewed," is significant. In any event, the number of complaints which we receive from workers still under contract contradicts the author's statement.

Argument: That it is impractical for a worker to make a complaint at the time his employment is terminated, since he would have no legal status in this country while a lengthy investigation was in progress, nor any means of securing food and lodging (p. 66, par. 7).

Rebuttal: This is a false statement. Many wage claims are made by workers and immediately resolved by employers and our representatives on the day of repatriation. If a complaint is not made at this time the worker may still make it at the reception center or even, as often happens, by writing to his consul after he arrives home in Mexico. All such complaints are investigated by us and, in the case of reception center and consular complaints, workers are notified in writing through the consul of the results of the investigation.

Argument: That workers are asked to sign a release at the time of employment termination, stating that they have received wages and subsistence due and that all of the other provisions of the contract have been met by the employer (p. 67, par. 3).

Rebuttal: It is a fact that some employers ask workers to sign such a release. However, the conclusion inferred by the author that such a release is unfair to the worker is not valid, since the Department does not recognize them as legally binding documents for purposes of its investigations and determinations.

Argument: That reception centers are so badly undermanned in relation to the large numbers of workers processed that it is impractical for a worker to make a complaint there (p. 67, par. 5).

Rebuttal: In every reception center a USES termination specialist and one or more consular representatives are always available to receive, document and send workers' complaints to the appropriate employer service representative for investigation. About 12½ percent of the total number of complaint investigations handled in region X in 1955 originated in the reception center (93 out of 747). This ratio would be considerably increased had we classified as reception center complaints those which were taken unilaterally by the consul at the center and included in our records among the total number of consular complaints investigated (389).

Argument: That workers are charged for blankets which under the work contract must be provided to the worker without cost—Article 2.

Basis of argument: Photostatic reproductions on page 68 of a check stub showing a deduction of $5.75 for a blanket.

Rebuttal: The author does not give us any information on which to check this out. However, this is very likely a deduction authorized by work contract article 6(f). Workers who skip (which is probably the case here) usually take blankets with them and may legitimately be charged for them by means of a deduction from wages earned prior to skip.

### CHAPTER 13. WORKER REPRESENTATION

Argument: This chapter largely consists of unsupported statements that unidentified Mexican nationals were unable to obtain effective representation either through a spokesman from among their number or from a union. It is charged that spokesmen duly elected to speak for various groups of braceros suffered retaliation and were transferred to other camps.

Rebuttal: Article 21 of the agreement, under an official joint interpretation provides for the "election" by a majority vote, of a representative from among the workers or a representative of a bone fide labor organization. Membership in a labor organization of an individual Mexican national does not require the employer to recognize the union or its representative as a spokesman for that Mexican national in considering complaints under the agreement or work contract. To demand recognition, the union must establish that it has been elected as representative by majority vote of the Mexican nationals of the employer. The allegations of this chapter do not state that there was proper election of a representative in any of the cited instances of abuse. If there is a proper election of a representative and if the employer refuses to deal with such representative such refusal is the basis of action, on complaint of the Mexican national through the normal procedures for handling complaints. Reprisals against any such representative can also be dealt with under the agreement. We normally cannot proceed in such cases without a specific complaint.

Argument: This chapter contains various allegations that improper investigation techniques and procedures have been used, such as interviewing employers in the presence of the employer, advising employers of the names of employees who complained, etc.

Rebuttal: The correct procedure which is followed in compliance cases avoids the placing of the Mexican national in the unprotected position alleged in this chapter.

Argument: This chapter alleges that the Mexican national must accept as final the decision of the compliance officer.

Rebuttal: Proper rights of appeal to the Mexican national protect him against this charge.

Argument: It is alleged that reprisals are suffered by complainants through repatriation.

Rebuttal: We have records of actual enforcement cases which have been carried to final conclusion requiring payment of penalties by employers who have engaged in this practice.

Argument: It is alleged rights of Mexican nationals under the Mexican constitution are denied them in this country.

Rebuttal: Only to the extent that Mexico has transplanted such guarantees into the International Agreement may they be enforced in this country.

### CHAPTER 14. THE BRACERO HIMSELF

This chapter contains many of the allegations made in previous chapters. In addition, however, it paints a composite picture of the Mexican worker as a forlorn, pitiable creature without friend or ally, in a strange country and among strange people who care nothing about his problems or his feelings. He lives and works in an atmosphere of "ignorance, prejudice and discrimination"—page 80, paragraph 3—his failure subject to the caprice of fortune and the whims of unscrupulous employers.

If this chapter does nothing else, it should point up the necessity of painting, for the public and for Congress, the accurate picture of Pito Perez in the United States which would successfully put to rest the caricature approach of this and other writers to the bracero program.

## FREEDOM OF THE PRESS

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Tennessee [Mr. BROCK] is recognized for 30 minutes.

**Mr. BROCK.** Mr. Speaker, it seems to me as a layman that one of the most difficult things to maintain in a free republic is a proper balance between freedom of the press and the fair and unprejudiced applications of due process of law.

The basis of our judicial system rests on the fact that we consider a man innocent until proven guilty by a judge or jury. At the same time, we recognize that basic to a constitutional democracy is the right of the press to inform the public on matters of local and national concern. We do not have in this country a situation such as that which exists in England where laws have been established to restrict the freedom of the press in order to insure an unprejudiced jury. We must depend upon the self-restraint not only of our press but of our legal profession, of law enforcement officers, and of the judiciary itself.

Mr. Speaker, I have asked for this time to bring to the attention of my colleagues an example of this basic conflict which we have recently seen in the State of Tennessee and to raise certain questions concerning it. We have had before the courts of Nashville for many months a case presented by the Justice Department against the head of the Teamsters Union. It is a complicated case and has been replete with charge and countercharge throughout its course. Charges have been made, on the one hand, that the Justice Department was seeking a conviction on the basis of a "Trial by Newspaper." Charges, on the other hand, have been made that such accusations are not only unfounded but are purely delaying maneuvers attempted to obstruct the cause of justice and the resolution of the case.

I have neither the desire nor the justification to defend either side in the controversy. What I do want to do is to point out an action which I consider unwarranted.

In September, the defendants in the case filed with the court of appeals a request for a stay of trial which was granted. This move was opposed by the Justice Department and, following the granting of the stay by the court of appeals, the Justice Department decided to move for modification of the order with the U.S. Supreme Court. This motion was prepared, and was received by the Clerk of the Supreme Court on October 5, 1963.

In the morning newspaper in Nashville on October 5, the same day, a story was printed to the effect that the Justice Department had "asked the U.S. Supreme Court yesterday to require James R. Hoffa to file a petition seeking review of the appeals court ruling by October 11 instead of October 20."

Notice that in the newspaper story the word "yesterday" is used. The story is written as if the brief were filed on October 4. However, it was not. In fact, it was filed on the morning of the 5th of October, whereas the deadline for the Nashville Tennessean could not possibly be later than between 12 o'clock midnight and 2. Thus, this paper must have received word from the Justice Department on this request prior to its time of filing.

It seems to me that such a release in the press would indicate a certain lack of propriety on the part of the Justice Department. Whether they had adequate justification for the motion or not has no bearing on the situation. What is important is that, of all people, the Attorney General should be most aware of the need for a proper balance between the rights of any defendant and the the rights of the press. I do not understand what possible reason the Government would have had for a premature release of this kind. I do not believe the release itself would have any damaging effect upon a jury for either side. I do not think it is important enough to have any particular weight in the case at all. Therefore, why take the action? Why not follow the normal course of action and treat it as it is—as simply a routine procedure?

The Justice Department needs to seek no headlines. It has no need to grant favoritism to a particular newspaper. Its sole purpose is to present a well-prepared and documented case, to pursue it to its ultimate conclusion, and to go about its job. It does not need to engage in press agentry or public relations.

**Mr. CUNNINGHAM.** Mr. Speaker, will the gentleman yield?

**Mr. BROCK.** I yield to the gentleman from Nebraska.

**Mr. CUNNINGHAM.** I want to commend our distinguished colleague from Tennessee for bringing this matter to the attention of the House of Representatives. I think all of us like to have justice be served, but I think it is repugnant to all of us to see a trial by headline and through press agentry, and I think that is true of the particular subject the gentleman from Tennessee has presented to us today.

I would say if the Attorney General has a case he ought to pursue it with vigor but without all the press agentry and flashiness all over the headlines which have been so prevalent during these many years. It strikes me that this matter concerning the International Teamsters Union and the Attorney General is a matter of a personal vendetta on behalf of the Attorney General, and such prejudgment of a case appears to me to be repugnant to American jurisprudence and procedure. So I hope that if there is a case it will be tried with dispatch in the regular way rather than through this procedure of press agentry and trial by headline.

**Mr. BROCK.** I thank the gentleman.

**Mr. OLIVER P. BOLTON.** Mr. Speaker, will the gentleman yield?

**Mr. BROCK.** I yield to the gentleman from Ohio.

**Mr. OLIVER P. BOLTON.** I should like to compliment the gentleman on his remarks and associate myself with them. I know a little something about trial by newspaper and public relations by predated, prereleased press agentry. I congratulate the gentleman for making clear this point and standing up for equal justice for all at all times.

**Mr. BROCK.** I thank the gentleman.

**Mr. TOLLEFSON.** Mr. Speaker, will the gentleman yield?

**Mr. BROCK.** I yield to the gentleman from Washington.

**Mr. TOLLEFSON.** I am surprised at what the gentleman has had to say. He is saying in effect that during the pendency of a criminal case instituted by the Government, the Government itself is issuing news releases with respect to it. Is that what the gentleman has said?

**Mr. BROCK.** This is apparently so.

**Mr. TOLLEFSON.** If that is so, then it is apparently a case where we are having a trial by newspaper as well as a trial by court. The reason I am surprised is that it is hard for me to believe that the Attorney General of the United States would be cognizant of this or would condone it. I commend the Attorney General for vigorously pressing his cases whether they be criminal or not. I would expect that of the Attorney General. I find it hard to believe that he would know anything about this. He may; I do not know.

I served as prosecuting attorney of my county for many years. The bench and the bar both frowned upon this practice of trying a case in the newspapers. The courts especially were critical. If there was any indication at any point during the course of a criminal action that the prosecuting attorney had anything to do with publicity unfavorable to the defendant he would be chastised very severely. So I am very much surprised at what the gentleman says. I would hope that the Attorney General of my Government would handle his cases, or that his subordinates would handle their cases in the proper and regular way, and with all propriety.

**Mr. BROCK.** I thank the gentleman.

**Mr. DEROUNIAN.** Mr. Speaker, will the gentleman yield?

**Mr. BROCK.** I yield to the gentleman from New York.

**Mr. DEROUNIAN.** I want to congratulate the gentleman for bringing this matter before the House. With regard to the remarks of the gentleman from Washington [Mr. TOLLEFSON], it may very well be that the Attorney General does not know how to practice law because he never practiced law a day in his life before he became Attorney General of the United States. We have learned from recent history that the Attorney General does love to issue statements and make headlines. No less a great American than J. Edgar Hoover has complained about the fact that premature release of facts in criminal cases does prejudice the work of the FBI.

Again I want to thank the gentleman for his great contribution today.

**Mr. BROCK.** I thank the gentleman from New York.

I thank my colleagues for their contributions.

## FORMER INTERSTATE COMMERCE COMMISSIONER JAMES K. KNUDSON

**Mr. HARRIS.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include extraneous matter.

**The SPEAKER pro tempore.** Is there objection to the request of the gentleman from Arkansas?

There was no objection.

**Mr. HARRIS.** Mr. Speaker, I learned yesterday with deep sorrow of the passing of the Honorable James K. Knudson, a former Interstate Commerce Commissioner.

I did not know Mr. Knudson until he became a member of the Commission and I had occasion to observe his service during the years he was a member of this most important regulatory agency of the Government.

It was my great honor to have been selected by the Joint Chiefs of Staff as the recipient of the annual award by the National Defense Transportation Association in Chicago a few days ago. It was presented to me by the Honorable Myer Feldman, deputy special counsel to the president, at a luncheon in Chicago on October 2, at the close of the 18th annual national defense transportation and logistics forum.

While I was in Chicago I learned of the serious illness of Mr. Knudson. He had been scheduled for the keynote address of the 18th annual meeting of the National Defense Transportation Association. Even though he had prepared his speech he was unable to make it because of illness.

A most significant thing happened. Since he was unable to meet the commitment, he suggested that Mrs. Knudson read it for him. Although she was well aware of the seriousness of his condition, she was willing to do it for him. It was magnificent. It was highly effective and most interesting.

The subject of the keynote address prepared by Mr. Knudson was "Stand Up and Be Counted." I have read it with interest and benefit.

It is more significant in the field of transportation since Mr. Knudson was a member of the Interstate Commerce Commission and former Defense Transport Administrator during his service with the ICC. He was appointed to the ICC by President Truman in 1950. As Defense Transport Administrator, he had a tremendous responsibility providing transportation during the Korean war. He resigned his position as member of the ICC in 1954 to return to private law practice. It has been said that he brought a fresh point of view to the ICC with his youth, driving power, and ability.

A graduate of the University of Utah, Mr. Knudson received a bachelor of laws degree from Washington University and a doctor of laws degree from Harvard University. For a short period of time he was engaged in the newspaper business, having served as editor for several well-known newspapers, and was division chief of the George Washington Bicentennial Commission. From 1934 to 1935 he was an attorney for the Agricultural Adjustment Administration, and from 1935 to 1941 he was senior attorney in the Office of the Solicitor of the Department of Agriculture.

Since Mr. Knudson has departed this life and with his background of experience and service, I think it would be most appropriate for his keynote address to the 18th annual National Defense Transportation Association meeting be included in the RECORD. I commend it to you for your attention. I know you will benefit as I did.

I am therefore including the last message of the Honorable James K. Knudson as the finale of the great service he has rendered to the American people as read by his wife to the 18th annual meeting of the National Defense Transportation Association logistics forum on September 29, 1963:

### STAND UP AND BE COUNTED

(Keynote address by the Honorable James K. Knudson, former Defense Transport Administrator, at the 18th annual National Defense Transportation Association logistics forum, Chicago, Ill., September 29 through October 2, 1963)

Ladies and gentlemen of National Defense Transportation Association, this address is designated on the program as the keynote speech of the formum. I propose to make it just that—nothing more, nothing less. A keynote address is intended to present the issues of primary importance and interest to the assembly and is designed to arouse enthusiasm and promote unity for a cause. I propose to do that, also, if I can. Sometimes a keynote is designated as a highly emotional performance. It will not be that.

I have at hand the program for the 18th annual transportation and logistics forum sponsored by this great organization—National Defense Transportation Association. My obligation as a speaker is to have you stand up and be counted. Counted for what? Why that's simple—counted as freemen in a great latter-day democracy of freemen who have assembled here to do honor, justice and duty to a noble cause which they have espoused.

Sometimes I wonder whether so-called freemen are capable of standing up and being counted any more—for freedom has brought so many creature comforts, lackadaisical ways and relaxed attitudes concerning government, law and morality into our environment that men are scarcely free any more from some of the enslaving influences of life—indolence, let the other fellow do it, apathy, contentment. Our prosperity breeds ease and contentment. We should always be a discontented country; never complacent with what we have; always striving for something that is attainable that we don't have but want. Want is the great boon. Let's all want something on occasion. Today let our wants run in the direction of our National Defense Transportation Association wills. National Defense Transportation Association will is comparable to old-fashioned American patriotism.

In 1831 a remarkable Frenchman visited this country to look at and evaluate the great agency for freedom that the new American-type democracy had brought into the world. Strangely enough, he came on an official mission as a magistrate of his government to examine prisons in the United States. But he saw something more—the flowering of this new type of democracy unique in the world, and destined to become the world's example of freedom. On his return Tocqueville wrote his "De La Democratic in Amerique" and was at once regarded as a celebrated commentator on world affairs. He became an idol and a reference point for Americans who regarded his writings as prophetic. He wrote the first reasoned political account of democratic government in America. He wrote also as to how a gentle despotism might subvert a democratic society. This writing frightens me with its prophetic identity. Said he:

"Above this race of men stands an immense and tutelary power, which takes upon itself alone to secure their gratifications and to watch over their fate. The power is absolute, minute, regular, provident, and mild * * *.

"After having thus successfully taken each member of the community in its powerful grasp and fashioned him at will, the supreme power then extends its arm over the whole community. It covers the surface of society with a network of small complicated rules, minute and uniform, through which the most original minds and the most energetic characters cannot penetrate to rise above the crowd. The will of man is not shattered, but softened, bent, and guided; men are seldom forced by it to act, but they are constantly restrained from acting.

"Such a power does not destroy, but it prevents existence; it does not tyrannize, but it compresses, enervates, extinguishes, and stupefies a people, till each nation is reduced to nothing better than a flock of timid and industrious animals, of which the government is the shepherd."

One is led to wonder today, when our democracy is undoubtedly maturing along the lines indicated by Tocqueville, whether free men are any longer capable, that is, ready, willing and able to stand up and be counted in a noble cause or whether they would not rather just drift in a state of innocuous desuetude somewhat bored by it all and wanting only for adventure, luxury, excitement or sin to eventualize their otherwise circumscribed lives.

We may well ask ourselves whether we are heading toward such a condition in America today. Are we getting less and less capable of standing up and being counted in worthy causes because our society has taken the starch out of us? Are we getting soft, bent and guided?

In my mind that is the overriding reason for assemblages such as this one. For we have met together here today in the solemn espousement of a cause, a good cause, a monumental cause.

Some of you might say that there are too many causes nowadays and not enough effects. I would disagree. As long as men have causes to join, promote, or even, on occasion, to exploit in the public interest we will have a vital democracy of freemen. It is when our causes are lost or forgotten that we are in danger. It is only when we stop obeying our most human impulses to rise up and be counted in some worthwhile endeavor that we are reduced to nothing better than a flock of timid and industrious animals of which Government is the shepherd, as Tocqueville envisioned.

We should be the shepherds of our democracy; we should carry the ball; we should do the right; we should promote justice; we should establish harmony; we should remove barriers to social progress; and otherwise contribute affirmatively to the welfare our Nation. We should be proud, in short, to stand up and be counted in numerous good causes. This is a day of good causes. Their presence affects our economy and our governmental structure and form far more than we realize. The National Defense Transportation Association is no exception.

We cannot all elect to do all that we should or must do in this respect to earn our identity as freemen. We must be selective. Some of us must go in one direction, some in others to reach the common result we are striving for, to wit, progress as a nation.

We have chosen a particular and specialized area of interest in our national economy and commonwealth and have dedicated a part of our time and energy to the fulfillment of a particular dream or ambition, call it what you will. That dream is to have in this country the best transportation system that is available to man and to have it without procrastination or delay. To have it for purposes of peace or war.

If we were agriculturists, we would champion the cause of farming. If we were industrialists, industry would be our celebrant. If we urged physical health as the hope of the world we would be here flexing our muscles for one another. If we thought that culture or civil rights were going to keep the world in proper orbit, our voices would be so raised. If we were sociologists we should view crime and immorality with concern. And if religionists, with disdain. Engineering would occupy our thoughts if we sprang from the field of slide rule and level, and so on, ad infinitum.

There are about 125,000 organizations of various kinds espousing causes and laboring for them in this country. An association official told me recently that for every new association instituted in the country today, one expires. So we have reached the saturation point in causes, however worthy. But we must not let our cause expire. It could easily do so from inattention, apathy, or noninterest on our part. It takes years to build an organization. It can fall apart in days.

Ours is a cause which in a sense embraces all of the others put together, for without transportation of goods, wares, merchandise, produce, people, ideas, the spoken and written word, there could be no other cause. Transportation is the artery through which passes the lifeblood of the Nation. Every single one of the other causes is related in some way or indebted in some way to transportation. Nowadays, unless we could pick up our beds literally and ride to places with our miscellaneous impedimenta, we would be a sterile nation indeed, doing little good in the world. We are a nation on the go, on the move, never standing still. Moreover, we would be earthbound, out of touch with the wide universe which is now being brought into our lives with soul-stunning rapidity and effect. As it is, the whole world is our garden and our gateway to space and eternity. We shall shortly become acquainted with Mars and stars.

We have learned through convincing experience that transportation is a worthy object and a just cause to rise up and be counted for as patriotic American citizens, for as Philip Guedalla once observed "the true history of the United States is the history of transportation." We are particularly concerned with transportation for defense because we have seen its need demonstrated in time of battle.

In our War Between the States, our greatest domestic disaster, we witnessed half a nation go down to defeat because its transportation facilities were inadequate to carry on the battle. Followers of Gen. Bedford Forest's theory indeed "got there firstest with the mostest," and the war was thereby won.

In World War I we saw the steel tide of Kaiserism go down to defeat when its lines of communication on land and sea were interdicted. At that moment Kaiser Germany was a helpless and hungry war machine trying vainly to win a foredoomed battle. Without adequate transportation such as we had, it could not be done. We again arrived firstest with the mostest.

In World War II we saw this awesome pattern repeated on an even greater scale. When Hitler's aircraft factories and airfields, railroads and autobahns were destroyed or impeded he had lost his war. Nothing short of a miracle could have saved him after that. And the Japanese war machine ground to a halt when its lines of travel and communication were destroyed by our Armed Forces. Our own transportation systems supplied the needed material to insure success.

Transportation for defense or war contemplates an interest in transportation for peace because when we go to war it is too late to start then to prepare our transportation for defense.

It is indeed a sobering thought to be brought to realize how overwhelmingly important one single aspect of our national economy such as transportation can become. Why do you think we are at this very moment striving mightily to avert a railroad strike? It is because this Nation's life would grind surely to a stop if anything like that were to happen.

We have become so dependent on our transportation system in peace or war that we must foster, preserve, and develop it at all costs in peace or war. We are the watchers to see that this is done.

As a Nation we have lately become exceedingly conscious of this obligation in terms of exploring and conquering space. But we have lagged behind, I fear, when it comes to domestic, everyday down-to-earth transportation facilities. In what respects have we lagged behind or are we ensconced in problem areas? Let me answer this question. These are the areas of our concern. In our standing up and being counted we must review our concern with these areas.

First of all, there is the area of highway safety. We are still snuffing out 40,000 lives per year on our highways, not to mention the billions of dollars in property damage, the untold injuries, loss of manpower, the unalloyed grief and sorrow that Labor Day and Fourth of July holidays bring. We need to start rolling a giant tidal wave of public opinion and support for all programs that will stamp out this evil. Maybe we should start a program for a mandatory jail sentence whenever reckless driving is involved. Our association should stand up and be counted in all national endeavors, local, State, and Federal, that will help overcome or reduce the dimensions of this American tragedy.

Second, we must become more aware of the terrific waste in manpower and resources that comes about by modern traffic delays and blockades in almost all modes, but particularly on the highways. If all of the manpower needlessly captive behind a steering wheel daily in our comings and goings were diverted to creative energy, what a different world it could be; not to mention the sudden cure of traffic ulcers and all of the other physical and mental frustrations that lurk and breed in this sorrowful picture.

It is a sad commentary on almost every urban community in this country that such a situation exists. It is a sadder commentary that we seem to be about 20 years behind in its solution. Let us therefore give more concentrated attention to matters of local transit and traffic problems and work our way out of our morass of automobilism. Let us take the lead in our own communities. Again I say we should stand up and be counted in every reasonable enterprise that will justifiably ameliorate this awful situation.

Third, let us be more conscious of the great competitive struggle that is now raging around us in transportation. There is simply not enough traffic to satisfy the demands or aspirations of all forms of transportation. Ours seems to be the dual burden of selecting the proper or most efficient form of transportation to carry the load, but to do so in a manner that will not otherwise destroy our peacetime and defense transportation necessities. We must not destroy railroads to preserve trucking companies or water carriers. Neither should we destroy the latter in order merely to succor the former. Somewhere in between there is a delicate balance that must be struck by wisemen wielding beneficent but all-seeing governmental powers to preserve that balance in a manner that will guarantee survival of the machine, the system, as a whole. For we need it in all its parts and more besides. This will be the competitive struggle of our age. I have written elsewhere on this. I quote:

"There is in the making a radical shift in the economic control of transportation away from the basic concepts that underlie the Interstate Commerce Act and in the direction of laissez faire, Adam Smith, and managerial discretion. This shift is the more remarkable because it is proposed by a New Frontier administration that is otherwise emphasizing and extending the philosophy of the New Deal which would subject most facets of the Nation's economy to added types of governmental control. The proposal stands out like a lamppost in a field of barbed wire. Whether it will, if enacted, guide transportation through the troubles ahead is problematical."

We must stand up and be counted as being for or against such shifts in our basic national transportation policy. This shift ought to be widely debated, analyzed and taken to heart in NDTA circles. In my own opinion we should oppose radical changes here.

Fourth, we shall become too preoccupied with our interest in space if we are not careful, to the detriment of an otherwise vigorous interest in down-to-earth transportation. "Too preoccupied" is a relative term but I insist upon its validity as long as we are lagging, as we are, so ominously in our attention to research and development in the field of domestic, earthly transportation and particularly in our construction and stockpiling of hardware and facilities to do the domestic job in peace or war more efficiently, adequately and economically.

We need to have established, and at once, a Cape Canaveral or a Huntsville for earth transportation that will bring about some radical breakthroughs that will be comparable to the steam engine, in its day, the diesel in its, the modern motor vehicle and airplane, the efficient highway grid, the off-road military vehicle, the hydrofoil vessel, the monorail, etc. Without more such breakthroughs, we will continue to wallow in semiefficiency only. An institute of transportation research and development is a must. Let us stand up and be counted therefore in favor of greater emphasis on transportation research and development. Let us have our institute underway by 1965.

The scientific space revolution will in time create a new industrial revolution on earth. According to George L. Haller, vice president of the General Electric Co., the space industry will truly be the great enterprise of this century. In the coming decade of the 1960's, so rapidly will space science and technology develop that it will bring with it a new industrial revolution created out of that new science of astronautics and resulting in the growth of the greatest industrial complex in the history of the world since the beginning. In fact, its effect will eventually encompass no little part of the whole universe. Some authorities even predict, perhaps rashly, that in the number of production workers and the amount of dollars spent, the space and missile industry will in time outstrip the automotive industry, making it the greatest industry in our economy.

We can't afford to let this happen without a corresponding degree of attention being given to our earthly needs for transportation. We must not spend more federally than we can rationally commit to the space race only. And let us bring industry, not Government more and more into this total picture including the so-called space race so that resultant benefits can become consumer goods as immediately as possible. This is another cause in which we can rise and be counted.

Fifth, let us overcome our fears of big business in the transportation field. If it will produce better transportation for the New York Central and the Pennsy to merge, let's work out a way of their doing so without destroying labor or the little transportation business on the way. This can be done by clear heads and men activated by crusading zeal and a genuine interest in the true national transportation policy. The defeatists in such endeavors are those who would preserve the status quo at all costs. "All costs" is to high a price to pay for merely standing still. I use the N.Y.C.-Pennsy example only to illustrate a much bigger issue, of course. A close check on the will of Congress and the activity of commissions on this score is warranted. At any rate, here is a phase or a segment of our transportation cause for which we can stand up and be counted.

Sixth, let us as a nation regain some of our pioneering spirit in transport investment. We no longer have to fear that we as cities, towns, or individuals will be put upon by "robber barons" such as dominated the scene of transportation in the last century. They are gone, dead and gone. Beneficent governmental regulatory agencies now hold in check all such untoward happenings as characterized the transport communities of the seventies and eighties. We must build up and where necessary restore confidence in railroad, truckline, pipeline, and water carrier investment. The public must be made somehow to participate in their development with renewed confidence and a glad heart that will give the public a greater equity and interest. In this way we can avoid the specter of governmental ownership, which would be calamitous. Let's stand up and be counted in this worthy cause. Let us avoid a socialized transport system at all costs.

And so I could go on mentioning and outlining other problems and challenges that transportation for peacetime and defense faces. Doubtlessly your many outstanding speakers at this convention will do so each in his own inimitable way. I'm going to keynote out now and leave the details to be worked over by them.

In closing let me make a few observations about the status and future of the National Defense Transportation Association.

This keynote would be unfinished if the accomplishments of Colonel Crary and his associates in working out the day-to-day destiny of the National Defense Transportation Association were not recognized. During his terms as director and as executive vice president, the National Defense Transportation Association has become an organization of 13,000 members. It has more than 1,000 life members and more than 100 sustaining members. When Colonel Crary assumed office the association was in debt more than $7,000. Liquid assets of the National Defense Transportation Association are now in excess of $300,000, and all of this since 1951. This sounds like a modern association success story and it is. We should all be grateful to Colonel Crary for his devotion and efficiency. I pause to say this as a well-deserved compliment.

So that we now have an organization in being that is worth standing up and being counted in or for or by. When I first came into the National Defense Transportation Association as a member, I had some misgivings as to its mission and destiny. These have long since been reversed by its train of achievements and we have barely scratched the surface of possibility and potential. However, we are now at the crossroads of a reorganization as this convention will demonstrate. This will create new problems with which new management will have to wrestle. This they will do as a team, standing together. Let us always remember that the profile of patriotism like the profiles of courage is not found in one who hangs back and does nothing for a good cause. May I be personal for a moment. If you were to walk into my office you would see on the mantelpiece a replica of Durer's famous praying hands, signifying my trust in God. You would see the American flag beneath a picture of our broad and gracious land, signifying my love of country. You would find an elephant not recumbent but rampant, indicating a Republican philosophy with a verve. You would see finally a flag of the National Defense Transportation Association's insignia indicating my first love for a cause. If you want, forget the elephant, but don't forget the other good causes for the purpose of this address. I have in mind in closing an American prayer:

"O God, whose name was on the lips of the men who founded this Nation, and on the lips of men who died for it—be with us yet. Guide us through our periods of crises, confusion, and insecurity. Keep us steadfast in remembering the truths our forefathers lived by. Restore our innocence, renew our vision, enter our hearts, and keep us brave. Give us, as Americans, the strength to do Your work and to make this country worthy of Your blessing. Let us have the will and the way to stand up and be counted in common causes that are worthy and just. Bless us to this end. Amen."

## ARISTOTLE ONASSIS DEALINGS WITH U.S. GOVERNMENT

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Ohio [Mr. OLIVER P. BOLTON] is recognized for 15 minutes.

Mr. OLIVER P. BOLTON. Mr. Speaker, I take the floor this afternoon to clarify for my colleagues in the House the concern I have evidenced in the last few days, a concern which has commanded considerable attention in the press.

First, may I point out that it is not easy for one who holds personal loyalties high to openly criticise in the public forum those with whom one has been connected in a friendly fashion in the past—particularly when those connections reach back into those wonderful carefree days of college life.

Nonetheless, some of the facts that have come to my attention concerning the recent trip of our First Lady and our Under Secretary of Commerce and especially concerning their host, Aristotle Onassis, are matters which force me to discuss them openly, so that we can all be aware and, at the same time, fair.

We are aware, I am sure, of the history of the relationships which Aristotle Onassis has had with our Government. It spans many years. It covers three administrations, both Republican and Democrat—and thus it is not a record of partisan preference but rather of repeated use of our governmental policies by one clever—and some might say unscrupulous—man for his very great personal gain. Two congressional investigations have been conducted into his schemes and methods. One Attorney General took him to court where he was found guilty on over 10 counts, fined some $10 million, and forced to divest himself of certain stock and assets.

These are all matters of history. But how many know of the scope of our Government's present dealings with the interests of Onassis?

Apparently no one in Government. There have been some hard working reporters who tried to put all the pieces together, before the information doors were closed to them, and they were unable to put the puzzle together. And who can wonder when we know Onassis controls one of the largest shipping interests in the world, with companies incorporated in many lands, with ships flying countless different flags—and with unregistered agents dealing with all departments of our Government which use contract shippers.

Aristotle Onassis controls or owns a major interest in 70 corporations. His fleet has been estimated at over 100 vessels. He can only be considered an international financial figure.

One of his corporations—Victory Carriers, Inc., of New York City—is American based and some information on its relations and business dealings with the U.S. Government is available. Of this, Onassis apparently owns 25 percent and the other 75 percent is owned in trust for his two sons. Nevertheless, Mr. Onassis stated to the congressional committee that, in effect, his is the controlling word in the operation of this company.

During fiscal 1963 Victory Carriers was paid $858,596.58 by the Military Sea Transport Service for shipments on general cargo vessels and three tankers. Victory also was paid $198,000 by the General Services Administration for hauling fertilizer from Tunis to Korea under the foreign aid program.

From October 1, 1962, to September 30, 1963, Victory's dry cargo ships were paid $2,692,292 by the Department of Agriculture for hauling grain under title I, Public Law 480. Nobody knows what proportion of the contemplated Soviet wheat shipments will float on Onassis bottoms.

Of substantial importance to Victory Carriers and Mr. Onassis is the $48,312,000 guarantee put up by the Federal Government which permitted the company to build four new tankers. This guarantee is administered by the Maritime Administration under a congressional policy which established such an indirect subsidy for the construction of vessels by American owners. The fact that the trust for his children owns control of the company whose ship construction is guaranteed and that the trust is located in America does not get around the fact that this technical, legal fiction was used to defeat the real intent of the Congress.

There is no question that Onassis has proved himself to be a smart operator who has a vested interest in maintaining a close relationship with all governments—particularly that of the United States and its various agencies.

My colleagues, when I originally brought out what I considered to be the poor judgment and, perhaps, impropriety of our First Lady, her sister, and the Under Secretary of Commerce and his wife in accepting the lavish hospitality of this international character—whose personal and business reputation are well known, I had hoped that there would be a readily acceptable and easy explanation for the visit and that the White House would have quickly clarified the situation for all of America. To date, the only comment from the White House and the Commerce Department has been "no comment."

And yet, since the story first appeared yesterday, I have received calls from men within Government, even attorneys in the Justice Department who have urged me to press on my inquiries. Late last night, one even called me at my office to make sure I knew that Mr. Onassis had been under investigation by our Justice Department as far back as 1953 and to give me other sidelights into the work which went into over 10 separate counts and eventual verdicts of guilt.

He called, Mr. Speaker, even while indicating that he did so at the risk of losing his job.

Mr. Speaker, I regret to state that what I referred to yesterday as bad judgment has caused many questions to be raised, questions which must, out of fairness to those concerned, be answered.

One great newspaper has suggested that the trip was arranged by Princess Radziwell, the First Lady's sister. But why would she go to Onassis—what are her husband's connections with him, and why build his ego and image by entertaining our First Lady? After all, Princess Grace of Monaco turned Onassis down on another, similar invitation—and he owned one-half of Monte Carlo for some time.

And what was our Under Secretary of Commerce doing aboard? The Maritime Administration is under his Department. Did he go to arrange for shipping of our wheat? Were any agreements made for further extensions of the capital requirements due from Onassis interests, particularly the one due this Saturday? Why would he put himself in such a position otherwise?

Mr. Speaker, no one knows better than anyone of us the particular demands and strict standard of behavior and association that is forced upon a public servant. His life, and that of his family, is held up to constant scrutiny. His conduct and associations are expected to be of the highest level.

This is not always justified—it is often the source of unfair criticism.

I have tried to bring this matter out into the open so that the parties concerned can realize the seriousness of the questions that have been raised and will certainly continue to be raised unless answered. I sincerely hope the answers will no longer be "no comment" and that these answers will dispose of any questions of doubt which presently exist. To do less would not be fair—to those concerned or to the American people.

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## NEW NATIONAL BAR ASSOCIATION: THE INDEPENDENT BAR ASSOCIATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, as a lawyer I am a member of the American Bar Association along with some 40 percent of the lawyers of the Nation who belong to this, the largest professional association among lawyers. I have been proud of my membership, but more and more over the past few years I have noticed a great shift of emphasis on the part of the American Bar Association. Instead of sound work for the benefit of the profession and the United States, the American Bar Association has taken to pushing various causes such as plans for world laws with an all-powerful World Court, and moreover it has been more than usually willing to accommodate itself to the demands of the present administration instead of maintaining its professional independence.

### INDEPENDENT BAR ASSOCIATION

Last year I learned about the Independent Bar Association, a new national legal organization, of 550 Fifth Avenue, New York, N.Y., 10036. Recently I received a copy of the first issue of its official journal, Law Today, containing some profound and thought-provoking articles on the World Court and the Connally reservation. I have come to know the Independent Bar Association very well and it soon became clear to me that this professional organization is wholeheartedly devoted to true American principles and intends to emphasize a professional approach to legal questions.

What motivated the Independent Bar Association to devote its first issue of Law Today to the World Court question was the tremendous pressure exerted by the American Bar Association and its world peace through law committee on lawyers to promote the concept of an omnipotent and compulsory World Court to which the United States would have to surrender a large measure of its sovereignty. This pressure culminated in an international lawyer conference in Greece this past summer and the introduction of Senate Resolution 166 by Senator RUSSELL LONG which urges new, far-reaching powers for the World Court.

### LAW TODAY

The Law Today issue on the World Court contains scholarly articles by such distinguished jurists as Chief Justice B. K. Roberts, of Florida, Presiding Judge H. E. Nichols, of the Georgia Court of Appeals, and Superior Court Judge Joseph L. Call, of Los Angeles. There are excellent articles also by Frank E. Holman, of Seattle, former president of the American Bar Association and holder of its highest medal, and by Alexander C. Dick, of New York, both Rhodes scholars. Other writers are Dr. Bella V. Dodd, of New York, noted expert on international affairs, Carl H. Zeiss, of Chicago, John B. Gest, of Philadelphia, and Howard H. Boyle, of Milwaukee, all recognized authorities on the World Court question.

Law Today also includes a carefully-reasoned report of the Independent Bar Association's committee on international and comparative law, devoted to the recent proposal to increase the World Court's powers. The chairman of this committee is Vincent F. DeCain, Brooklyn, N.Y., attorney, who has written authoritatively on the question of the Connally reservation for the National Review.

### EMPHASIS ON THE LAWYER

The Independent Bar Association has the important goal of returning professionalism to bar association work. For many years there has been a drift away from emphasis on improvement of law and help to the lawyer in his work, to using bar associations as political forums for whatever views some bar association leaders might espouse.

For example, just since 1960 the American Bar Association has sought to eliminate the Connally reservation, has abolished its committees on tax limitation and nonpartisan selection of Federal judges, and has attacked proposals to amend the U.S. Constitution to preserve States rights. At the same time it has remained silent on the Supreme Court's decision on school prayer. It even abolished, after first having weakened it, its famous committee on Communist tactics, strategy, and objectives, replacing it with a new committee on education against communism. It was only after its own members strongly objected that the American Bar Association ordered major revisions in the new committee's handbook on communism for high schools, after its first version had ignored most experts on communism and treated it as a philosophy rather than a conspiracy.

An unfortunate example of the American Bar Association's willingness to accommodate itself to the wishes of the present administration has been shown by its attitude on appointment of Federal judges. Its special committee on nonpartisan selection of Federal judiciary was set up during the administration of a Republican President in 1958 to urge that a substantial percentage of the members of the Federal bench come from a party other than that of the President making the appointment. However, in 1962, during the administration of a Democratic President, the committee was abolished, although the present President had, in barely a year, just appointed more Federal judges than any other President during his entire term and in 92 percent of the cases had appointed judges from his own party. What was especially disappointing was the extravagant praise by the American Bar Association's regular Federal judiciary committee of those representatives of the administration who sought the advice of the committee, while at the same time acting as executors of this partisan policy. Such acts hardly seem to show an independent professional spirit dedicated to the rule of law and not of men.

### A PROFESSIONAL APPROACH

The Independent Bar Association seeks to reverse this trend toward politics and to place its emphasis on sound professional work on behalf of lawyers. It will resist the temptation to transmute what are truly political issues into legal questions as other bar associations seem so eager to do. Even so, in self-defense, the Independent Bar Association will not avoid political issues where other bar groups have taken political stands it considers objectionable. The Independent Bar Association considers it to be its professional duty to make it clear that most lawyers, for example, do not seek elimination of the Connally reservation. At all times the new association will strive to uphold the Constitution of the United States.

Besides its official journal, Law Today, the Independent Bar Association will also publish Law Today Newsletter, to inform its members and the profession of its activities and plans. Membership in the Independent Bar Association is open to any duly admitted lawyer in the United States, regardless of whether he belongs to any other bar association. Dues are $10 a year for lawyers if admitted over 5 years; if under 5 years their dues are $5 a year.

### GOAL OF 10,000 MEMBERS

The Independent Bar Association has an initial goal of 10,000 members to be reached over a 3-year period. It has not yet made a national membership drive, preferring to interest lawyers on a grass-roots basis. The members who have joined so far are lawyers with a strong interest in established constitutional principles. So far members come from more than 30 States and the District of Columbia.

One thing the Independent Bar Association will strive to do is be independent of outside pressures, whether these come from Government officials, judges, or merely domination by a few large law firms.

### OUTLOOK ON LAW

The outlook of the Independent Bar Association on law is modern and forward looking. To it the proper function of government under our Constitution is first of all to protect our citizens from outside enemies and second to maintain peace inside our borders. Other activities of government the new bar group considers should be limited to those which meet with general support of nearly all citizens. For most of our history it contends the Constitution was interpreted in this way, giving us a level of freedom which had never previously existed in the world. The views of the association on law are similar; in a free country the law should protect a citizen's life, liberty, and property. The supposition that the Constitution and the law should constantly be changed by courts or the legislature to accommodate the opinions or appetites of transient majorities is one which denies that the Constitution or law has any more value than the notion of the court or marshal who enforces it.

Many bar association leaders disagree with these views. What they have done, however, the Independent Bar Association fears, is more than to express a differing philosophy of law. It suggests that some bar leaders have used bar associations as forums to propagandize for particular viewpoints, viewpoints which had previously earned little or no respect among the rank and file of lawyers; that they have created an intellectual segregation in which views they reject are ignored or shrugged off as outdated; that they perpetuate this segregation by keeping some lawyers off committees on which they wish to serve, by issuing committee reports which minority members have not had proper opportunity to consider, and even by closing association publications to those with differing views. The association's complaint goes beyond that of an outvoted minority. For the Independent Bar Association such conduct justifies a lack of confidence in the old leadership. No longer is there a true forum in which a lawyer may express his views on law in many another bar association. A particularly unfortunate example was the use by bar leaders seeking repeal of the Connally reservation of the house of delegates of the American Bar Association as a sounding board for a later administration attack on the reservation in the U.S. Senate.

### A NEW FORUM FOR LAWYERS

Where disagreements arise between members of voluntary associations, those who find their views being denied recognition can either try to convince the others in the old of the value of their views or set up a new voluntary association to reflect their own views. Some lawyers with views like those of the members of the Independent Bar Association believe it is possible to seek a change of heart by the old bar association leadership, with the hope of fair treatment for their views. These lawyers point to the good, noncontroversial work done within present bar associations, and fear that an open rift would divert energies from useful projects all lawyers can support.

While respecting the views of those who would stay with the older bar groups, and not ruling them out as members of both, those who established the Independent Bar Association do not believe they can adequately trust the leadership of the older bar associations to give due consideration to their views. Therefore they have established the Independent Bar Association so they may have a forum in which to express their own views on law and the U.S. Constitution.

### CONCENTRATION ON CONSTITUTIONAL PRINCIPLES

The Independent Bar Association believes that the desire to uphold the Constitution wholeheartedly as written is not great enough in existing bar leadership. The Independent Bar Association does not claim a monopoly on faith in the true principles of the Constitution. Yet it can hardly feel sympathy for the views of the leadership of other bar associations which on the one hand call loudly for new interpretations of the Constitution by court decision or legislative fiat, while on the other hand ridiculing the efforts of those who wish to amend the Constitution—by the method specified in the Constitution itself—to reestablish the very words and principles of the Constitution as originally written.

In particular the Independent Bar Association is concerned with the characterization by the older bar leadership of three amendments to the U.S. Constitution proposed by the Council of State Governments, which would restore to the States the sole right to apportion their own legislatures, would establish the right of States to amend the Constitution, and would establish the court of the Union. The new association has not yet taken a stand on these important proposals. However, it is seriously concerned at the tactics of much of the older bar leadership in trying to defeat the proposals by misrepresenting what they would do.

There are other issues which reflect the split in viewpoints between the older bar associations and the Independent Bar Association. In assessing each the new association intends to take a constitutional approach, hoping thereby to give the feeling of confidence to lawyers everywhere in the United States that there is at least one bar association which proudly stands by the Constitution.

### COOPERATION WITH OTHER LEGAL ORGANIZATIONS

The Independent Bar Association offers to cooperate with other legal organizations, both in the United States and abroad, on all matters, whether they are controversial or not, affecting their common interests and those of the lawyer. It will not attempt to duplicate good work done in noncontroversial areas but will instead seek to further it. Its members are free to join any other bar group for which they may be eligible. The association is located in New York because no other general, national bar association is located there, and because New York is so often visited by lawyers from all parts of the country. Its first national meeting of members will be held August 7-9, 1964, in New York City in order to encourage attendance by many of the lawyers who will be visiting the city to attend the New York World's Fair of 1964–65.

The Independent Bar Association is headed by Harry S. Middendorf, of New York City, president, Alexander C. Dick, of New York City, treasurer, and Vincent F. De Cain, of Brooklyn, New York, assistant secretary. Its board of governors is made up of Peter J. Byrnes, of Wantagh, N.Y.; Dr. Bella V. Dodd, J. Daniel Mahoney, Kieran O'Doherty, John Comninel, and Edward J. Schultz, all of New York City; James P. Donovan, of Dallas, Tex.; Butler D. Shaffer, Lincoln, Nebr.; John Unger, of Danville, Ill.; and Emanuel M. Cannonito, of Blue Island, Ill.

Mr. Speaker, I believe that the lawyers who are members of the Independent Bar Association are doing good work and the country will be better for it. I have myself recently joined the association and give it my full support because it is so firmly dedicated to upholding our Constitution and to a true professional spirit.

## FALSE ALLEGATIONS AGAINST MR. STRATTON OF NEW YORK

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Gilbert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GILBERT. Mr. Speaker, I am pleased to include in the Congressional Record an article which appeared in the New York Times of October 7, 1963, and an article by Bruce L. Felknor, published in the ADL Bulletin by the Anti-Defamation League of B'nai B'rith, October 1963 issue, in order to clear the air of the false allegations made against our distinguished colleague, the gentleman from New York [Mr. Stratton]. The articles follow:

### Judging by the Recent Past, Anti-Semitism and the Smear Will Again Be Used in Political Campaigns

(By Bruce L. Felknor)

One year from now America will be in the midst of its quadrennial phenomenon, a major election year. In the October madness that will descend on the land, American voters will be asked to choose a President, the Governors of most States, a third of the Senate, and all the Representatives in the 89th Congress.

In too many cases, voters also will be asked to defeat some men because they are Jews, and to defeat still others because they are (falsely) alleged to be anti-Semitic. And, if experience is a reliable guide, in some cases Jews will be urged to vote against other Jews because they are not good Jews.

In such a welter of irrelevancy, what can the responsible citizen, concerned both with the quality of government and the quality of the campaigns that elect government, do?

For the hard of hearing, one answer is relatively simple: turn down the volume on the hearing aid. For others, selective listening is essential. The operating rule adopted by the Fair Campaign Practices Committee for evaluating electioneering is two-pronged: truth and relevance. Often it takes a bit of research to discover the truth; common sense, with a few moments for reflection and analysis, usually can pin-point relevance.

In most presidential years, the overtones of the national contest drown out purely local issues, both valid and false. Such was the case in 1960. The spurious issue of Kennedy's religion took much of the play away from many congressional and State campaigns otherwise likely to have been dirty classics.

However, in 1960 religion in the presidential campaign did complicate some State races where Catholics were candidates. Analogous problems, unfortunately, may arise next year. But let us examine, in the order listed above, some of the stormier indications for 1964.

First, there is straight-out anti-Semitism. The potential presidential candidacy of Barry Goldwater could rally the bigots as dramatically as the Kennedy candidacy did in 1960. Anti-Semites are undeterred by logic; they are prepared to hate on a basis of religion, ethnic background, name and even change of name; it is not necessary for their target even to be Jewish or partly Jewish, as witness some of the scurrility directed at Eisenhower early in 1952, suggesting that the general was a part of what the lunatics like to call the "Jew-Marxist conspiracy."

Senator Goldwater was raised as an Episcopalian but his grandfather was Jewish. This is more than enough for the anti-Semite.

A principal worry of the Kennedy forces immediately after the 1960 Democratic Convention was that Nixon would subtly raise the religious question over and over by saying, in effect, "The fact that Senator Kennedy is a Roman Catholic is not an issue between us," thus underlining the Senator's faith to anyone who did not know it. (Actually, Nixon handled the matter with great integrity; when the question was raised he would dismiss it curtly and simply, "Religion has no place in this campaign.") But this, of course, did not deter rabid anti-Catholics from a fantastic outpouring of hate.

A comparable specter now hovers over Goldwater's backers. It is the fear that the Democrats (or simply political anti-Semites) will use every opportunity to feed prejudice by seeming to disclaim it with expressions like, "It doesn't matter that Goldwater is a Jew."

Several such episodes have come to public attention already, one hinging on a success story related in one Congressman's newsletter. Comparing the immigrant careers of "Big Mike Goldwater," the Senator's grandfather, and of Patrick Kennedy, the President's grandfather, the letter suggested that "an itinerant Jewish merchant's grandson" could become a presidential candidate only, in Harry Golden's phrase, in America.

The prospective Goldwater candidacy has ironic overtones, some funny, some not. Harry Golden is credited with having observed wryly that he might have known that the first Jew to become a presidential hopeful would be an Episcopalian. To Senator Goldwater himself is attributed a story—probably apocryphal—about his being turned away by a restricted country club. "But I'm only half Jewish," he is supposed to have said. "Can I play nine holes?"

The matter of Goldwater's Jewishness will of course be fanned by full-time anti-Semites before the GOP nomination is decided. Although San Francisco is not usually regarded as a habitat of the species, placard-bearing nuts will be parading around the Cow Palace next July, handing out crudely printed tracts and screeds in streets and hotel lobbies, and defacing banners and posters. Preconvention maneuvering and primary campaigns are where some haters try hardest. For obvious reasons, the tactic is most common in local and congressional primary and general elections.

It is virtually certain that 1964 will see some sly and some vicious attempts to attribute anti-Semitism falsely to men whose public and private lives have shown no trace of it. Former Vice President Nixon was dogged by such efforts, mostly stemming from a real estate deed with a restrictive covenant in its printed form, a clause Nixon knew to be without legal force and therefore meaningless. New York City's bitter mayoralty primary in 1961 produced an episode of reverse smearing in which an unauthorized supporter of one candidate, Arthur Levitt, apparently planted a leaflet supposedly issued by the Wagner forces calling for the election of Wagner to avoid being faced with a "choice between a Levitt and a Lefkowitz."

In the 1962 maneuvering in New York State for the Democratic gubernatorial nomination a classic example of unfounded accusation of anti-Semitism occurred. One contender for the designation was a Schenectady Congressman, Samuel Stratton. Anonymous anti-Stratton people resurrected a clipping from a college newspaper of 26 years ago in which Stratton, then an undergraduate at the University of Rochester, commented, at the school paper's request, on a trip to Germany. In the summer following his junior year, Stratton, then 19, had made a 6-day bicycle and youth hostel jaunt through the Rhineland. He was generally impressed with the economic and material gains Germany had made in the early Hitler years.[1]

Midway in the article, after describing his first impressions, Stratton gave voice to misgivings. "Behind the gala show lie sinister forebodings, perhaps of war," he wrote. "What today may look so nice and shiny may some day become very ugly."

Near the end of the article, Stratton placed a paragraph that would come back to haunt him: "Anti-Semitism is one of the less attractive aspects of the administration. Violent persecution is rare; instead the feeling expresses itself in strong undercurrents of opinion among the people, which probably bring just as great pressure to bear. It would be foolish to attempt to justify such action. One can understand it, however, and can appreciate how it might spread to the extent it has."

The affair did not cause any sort of flurry at the school. Stratton's piece appeared on October 2, 1936. A week later a German exchange student in an interview told the paper the facts about Germany were being distorted, and in passing sought to justify the practice of "repressing a minority."

The following week, October 16, a Jewish student at the university wrote a bitter letter refuting "the shining logic of Stratton, Soyez (the German student) & Co." Of 15 paragraphs, he devoted 14 to Soyez, saving 1 to demolish Stratton with a distorted quotation: "To Stratton 'anti-Semitism is less attractive * * * but one can understand and appreciate it.' Weasel words." The critic thus implied that Stratton had expressed approbation and understanding of anti-Semitism, whereas in fact he had indicated neither justification nor approbation but did say one could understand the phenomenon and appreciate how it might spread in Germany.

So far as a careful perusal of the files of the paper for the balance of the school year reveals, the Jewish student's letter was the end of the controversy about Stratton's attitude—until 26 years later. Then his 1962 campaign for the gubernatorial nomination found key sections of its support sagging as delegates from various parts of the State saw and heard about STRATTON's sophomoric venture into international affairs.

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[1] William L. Shirer notes in "The Rise and Fall of the Third Reich" that oppression of Jews had been temporarily halted in this summer of 1936 and signs evidencing discrimination had been quietly removed from shopwindows in preparation for visitors to the summer Olympics.

Whether STRATTON would have won the nomination but for the episode is at most debatable. But the implication that he was anti-Semitic and had been so since his youth hurt him badly. It should be noted that when STRATTON was mayor of Schenectady, in 1958, he was named Man of the Year by the Jewish War Veterans, and was cited by B'nai B'rith for his successful efforts to hold a mayor's conference somewhere else than at the place scheduled—a discriminatory private club.

While the more common campaign tactics involving anti-Semitism are efforts to rally an anti-Jewish vote, and to revolt men of good will by accusing a candidate of being anti-Semitic, occasionally there occur attempts to generate a "Jewish vote." Now and then a campaigner persuades the president of a congregation to write a letter of endorsement on synagogue stationery which is then reproduced in an effort to persuade voters that he is a better friend of the Jews than his opponent. This occurred in a New York assembly race in 1962 and, unless human nature undergoes a miraculous transformation, not for the last time.

Occasionally the biennial descent into the gutter still tempts some candidates, and their vastly more overenthusiastic amateur supporters. Come October of even-numbered years, this results in spectacles which are at once ludicrous and depressing. In Long Island, last fall, a congressional candidate, himself Jewish, sought to dethrone his Jewish opponent, the incumbent Congressman. The hopeful bent every effort to cast his opponent in the role of a cynical opportunist who sought to use his religious affiliations to political advantage. One ill-advised supporter of the Congressman, while plastering posters on fences, store fronts, and utility poles, stuck one on a Sukkoth booth for good measure.

The contender, who had already accused his opponent of suborning rabbis and congregation presidents to sing his praises as a devout Jew worthy of reelection, then began to berate him simultaneously as a desecrator of places of worship.

The incumbent won, the challenger lost. But, as is so often the case when dignity and commonsense are forgotten until election day, the people lost something, too.

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[From the New York Times, Oct. 7, 1963]

### STRATTON CALLED VICTIM OF SMEAR—B'NAI B'RITH CLEARS HIM OF ANTI-SEMITISM ACCUSATION

Representative SAMUEL S. STRATTON was described yesterday as the victim of "a classic example of unfounded accusation of anti-Semitism" in the 1962 campaign for the Democratic nomination for Governor.

The Schenectady Democrat's undeserved troubles with a whispering campaign were described by Bruce Felknor, executive director of the Fair Campaign Practices Committee, in the monthly bulletin of the Anti-Defamation League of B'nai B'rith.

Friends of Mr. STRATTON reported similar smears underway against him once more as his name has come up as a potential candidate for U.S. Senator next year, Kennedy administration lieutenants reputedly have been advancing his name, although the White House has formally disclaimed promoting any candidate in this State.

### COLLEGE STORY CITED

Mr. Felknor wrote that during the 1962 maneuvering, "anonymous anti-Stratton people" resurrected and circulated a 1936 clipping from the University of Rochester newspaper. In this, Mr. STRATTON, then a 19-year-old junior, reported on a 6-day trip through Nazi Germany and said he was impressed with German material gains in the early Hitler years.

That was a summer, Mr. Felknor went on, in which William L. Shirer related in "The Rise and Fall of the Third Reich" that "oppression of Jews" had been temporarily halted in connection with Olympic game preparations.

"Midway in the article, after describing his first impression, STRATTON gave way to misgivings," Mr. Felknor went on. "'Behind the gala show lie sinister forebodings, perhaps of war,' he wrote. 'What today may look so nice and shiny may someday become very ugly.'"

### CONTROVERSIAL PARAGRAPH

"Near the end of the article, STRATTON placed a paragraph that would come back to haunt him. 'Anti-Semitism is one of the less attractive aspects of the administration. Violent persecution is rare; instead the feeling expresses itself in strong undercurrents of opinion among the people, which probably bring just as great pressure to bear. It would be foolish to attempt to justify such action. One can understand it, however, and can appreciate how it might spread to the extent it has.'"

As to anti-Semitism, Mr. Felknor said, Mr. STRATTON thus "indicated neither justification nor approbation but did say one could understand the phenomenon and appreciate how it might spread in Germany."

But 26 years later, Mr. Felknor went on, Mr. STRATTON's "1962 campaign for the gubernatorial nomination found key sections of its support sagging, as delegates from various parts of the State saw and heard about STRATTON's sophomoric venture into international affairs."

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## ADDRESS BEFORE THE AMERICAN BANKERS ASSOCIATION

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MULTER. Mr. Speaker, on October 7, 1963, I had the honor of addressing the opening session of the convention of the American Bankers Association at Constitution Hall in Washington, D.C.

The following are my remarks upon that occasion:

### REMARKS OF HON. ABRAHAM J. MULTER, BEFORE THE AMERICAN BANKERS ASSOCIATION, CONSTITUTION HALL, WASHINGTON, D.C., OCTOBER 7, 1963

Mr. Chairman, members of the executive committee, directors, and members and friends of the State bank division of the ABA, I was flattered and honored when my longtime friend, Russell Clark, invited me to talk to you. A little later I received the new book by Harry Golden entitled "You're Entitle." As I glanced through it, I found a reference to a grand jury presentment. The burden of that presentment typified the desire of many people to cure all ills by legislation.

This proposed new law was to legalize prostitution, and the strange thing about it is that there were several women on this grand jury that unanimously offered this presentment. The newspapermen talked to some of them and one of the ladies was asked why this presentment. She gave as her reason that in this city where the grand jury sat, that year there had been 102 rape cases, and she then added, "That is a lot of rape needlessly going on."

May I join your president in extending my regrets at the fact that Erle Cocke is leaving FDIC, and also to join you and him in wishing Erle well. At the same time I join your president and you in welcoming his successor, Joe Barr.

Each of these very fine gentlemen know how to very pleasantly say "no" to you on some of the things you ask for and just as cheerfully grant to you those things to which you are entitled.

I am constrained to remark that although I am sure Comptroller Saxon will not object to the granting of equal time, he has the right to demand an armed guard.

Any centennial observance is looked upon as important, if for no other reason than the time element involved. A centennial observance of banking is of particular importance because the industry is an integral if not a fundamental part of every free enterprise system, without which its economy cannot survive.

To serve a useful purpose, your convention will very appropriately review what has gone before, in order to prepare for what lies ahead. That is the posture I assume in addressing these remarks to you today.

"Our prophets and sages have warned us that wealth and the possession of power tend to make men callous to the needs and struggles of others.

"But we, in the pride of possession, often forget the true nature and source of human wealth, unmindful of the fact that no one, however strong or wise, can control the destinies of his own life singlehandedly. Fair dealing between man and man enriches the whole world. But when one takes advantage of the other, then disappointment, strife, and hatred ensue."

The thoughts encompassed in these words just quoted, I am sure are not new to you. The exact language actually is lifted from a prayer that is more than 2,000 years old.

It vividly demonstrates that the problems which confront you and your industry are typical of those which confront every industry. They appear from time to time in new or different circumstances. Actually, they are as old as the world. Human nature being what it is, these problems will probably be with us as long as there is a world.

If I had my way about it, the one banking law that I would like to see enacted would be to the effect that no one may succeed to a position in any bank that vests him with any discretion unless and until he had first learned the history of banking since the beginning of the world, and not only learned the history of banking but learned how to apply its lessons.

The House Banking and Currency Committee, on which I have had the honor to serve these many years, has been very active this year in the conduct of hearings covering the field in which you are so vitally interested. As I talk to you this morning, the full committee is entering upon its third week of its latest public hearings at which we have heard and will hear, in addition to the Government witnesses, representatives from almost every segment of banking.

I can categorize all of this testimony as establishing the fact that every witness ardently and vigorously supports free enterprise for the part of the industry that he represents—but with full and complete supervision, regulation and control and even limitation of every other division of the industry represented by the other witnesses.

I throw out the challenge that we will all be better off, individually and collectively, if there were more cooperation and fewer antagonisms—if there were fewer envious glances at the other fellow's greener pastures.

There is more than enough to go around for all. The commercial bankers can do a good, profitable job for their institutions and their stockholders, without seeking to invade the field of commercial enterprise as distinguished from banking. The same goes for the savings institutions. No segment of our financial community need invade the field of any other in order to prosper.

Among the matters submitted to us this year in our Banking and Currency Committee were requests for the savings and loans and thrift institutions to do the things that traditionally the commercial banks have been doing, and the commercial banks are seeking extended powers in the fields more or less limited to the thrift institutions. Savings banks or thrift institutions want to get into the field of revenue bonds—not yet to deal in them but only to buy them. The commercial bankers caused to be enacted a law which called for the formation of a corporation on a cooperative basis, or corporations on a cooperative basis, which would give them accounting services, which would let them buy computers and other automatic machinery that they couldn't afford to buy alone, and we gave the commercial banks the right to do that.

The savings banks and thrift institutions now want the same privilege. We thought we had provided that these services to be performed by this type of a corporation would be for the cooperating banks that formed the institutions. Now we are being flooded with complaints from all over the country that these accounting services that were to be rendered by these corporations solely for their member banks are now being offered for sale to the general public.

Similarly, under a ruling that has also received considerable criticism, the comptroller has found that it is perfectly proper for a commercial bank to go in the leasing business. If that was just to take a lease as security for a loan, nobody would complain. The complaints that we are getting now are that it will not be very long before the banks will be buying all kinds of personal property, automobiles and other things, and leasing them to their customers.

This is commercial enterprise and not banking, in my opinion.

When I talked to your annual savings conference in March of 1961, I said some things which ABA didn't like. I said them not to be disagreeable, but because I thought they were truths, which needed enunciation. Let me take a moment to refer to some of those remarks.

I think those of you who heard me at that time, agreed with my statement that despite our national imbalance of payments, which was receiving much attention in the press at that time, there was no need to devalue the dollar and that the United States would not increase the price of gold. Here in Washington last week, President Kennedy and all of the international financiers, whose opinions we respect, repeated the same thought. It was more than a thought. It was a solemn undertaking. It indicates clearly that our economy is sound and will continue so, well into the future.

The discordant note I struck in 1961 was in my opposition to the views of ABA on taxation. ABA had its way. Instead of removing the inequality we both complained of by following my suggestion of eliminating double taxation of profits, ABA's proposal was adopted and enacted to the extent of increasing the tax burden on the thrift institutions. I said then that if ABA's view prevailed, the inequity would not be remedied but would be intensified, and that it would not help the competitive situation as it existed between the commercial banks and the mutual thrift institutions.

I dare say to you today that I have been proved right and you wrong. No advantage has come to the commercial institutions because of the additional tax levies on the mutuals. Obviously, the mutuals have not suffered too badly, because of the additional tax levy on them. I suggest that the additional tax may be one of the reasons why so many of the mutuals have increased the percentage of the return they are paying to their depositors, depositors whom the commercial bankers prefer to call "shareholders."

I also suggested to you the advisability of taking off the Board of the Federal Deposit Insurance Corporation, the Comptroller of the Currency. I made it clear that I was not addressing myself to the personality of whoever the incumbent of the office might be. I am sure that more of you agree with me today than in 1961, that the Comptroller of the Currency should not be a member of that Board. In fact, Comptroller Saxon himself agrees with that suggestion.

I also recommended that FDIC and the Federal Savings and Loan Insurance Corporation should be merged into one agency. My subcommittee conducted hearings on my bill, H.R. 729, to accomplish that purpose.

You will probably recall that, at the same time, we conducted hearings on my bill, H.R. 5874 to establish a Federal banking commission.

These bills seek to accomplish the important purposes of having all of the chartering, regulatory and supervisory agencies in one place, and all of the insuring facilities in another.

Those who sponsor these bills very properly urge that the Federal Reserve Board should devote all of its time and energy to matters of monetary policy.

Chartering, branching, merging, holding company applications, are all matters that can be better handled in a banking commission, the members of which can be representative of the public and of every segment of the industry.

I am familiar with Howard Crosse's suggestions. I don't think there is too much difference between what he suggests and what Governor Robertson suggests. I think the details can be worked out and include the suggestions of both. I think implicit in the recommendations of both is that there should be one place on the national scene where you can go and have your problem solved, possibly with the right of appeal to the courts or, if not to the courts to some other agency in Government.

All of these things can be ironed out without the name calling that goes on today.

Testimony recently presented to the House Committee on Government Operations also sustains these principles.

I don't expect uniformity of interpretation. I don't expect, and I don't think you do, either, that there should be no differences of opinion between prudent men as to what is a sound manner in which to increase their operations or expand their activities. But I do say that in the first instance we should write into the law certain standards which will apply on the national scene right across the country. This doesn't mean that there cannot be local supervision or local control or local regulation. It doesn't mean that you must apply the same standards within the city of New York as to branching or as to merging or as to competition as you do in a small community of 50,000 people. But the overall standards should be in the statute to begin with, with sufficient flexibility so that a regulatory agency, whatever it may be called, then can issue regulations which can be soundly and properly interpreted so that you in the industry will know in the first instance what is expected of you, so that you don't have to go to an agency and guess as to the interpretation of the law and regulations, and if you don't like what is done there then run to another agency and try to convince the second agency that the first one is wrong and you are entitled to what the first agency would not give you.

On October 29, my subcommittee will commence hearings on H.R. 258, to provide for the chartering of national mutual savings banks. This would be a very logical extension of the dual banking system. There is no sound reason why we should not have a dual system as to savings banks. We have one as to commercial banks, as to savings and loan associations, and as to credit unions.

If it is good as to these, it is good as to savings banks. If it is bad as to savings banks, then it is bad altogether.

I know some commercial bankers will come in and oppose the bill and say that this is going to extend to the thrift institutions an additional means of competing with existing thrift institutions and an additional means of competing with the commercial institutions.

Well, you are going to get competition whether you like it or not. You are going to get competition whether it comes from the savings and loans or the State savings banks, whether you like it or not. What difference does it make whether it be a savings bank chartered by a National agency or by a State agency; or if a savings and loan association that is chartered under the State system or under the Federal system?

No one contends that these bills are perfect or the last word on the subject. But if the principle of these bills is good they are going to be enacted. And the time for perfecting these bills is now.

It is incumbent upon every segment of the industry to come forward with suggestions as to how to improve these bills so as to do the best job possible.

In that connection we should have in mind, first, the public interest, then the interest of the depositors, and lastly, the interest of the stockholders, remembering at all times that there is nothing evil about the profit motive that underlies all financial operations.

It should be unnecessary to remind this group that we will never return to the days when all one needed in order to open a financial institution was to be able to spell the word "bank" and the ability to stick a sign over a door to display that word.

Obviously from what we heard earlier this morning there are still some people around who think that all you need is to have the money to buy a sign with the word "bank," stick it up over your door and go into operation. Thank God for the banking laws and regulations that we have today, under which free enterprise in the banking industry, at least, is limited so as to be sure that to the extent possible we get men of integrity, of character, of ability, and competence. I think that is the first thing that the State supervisory agencies look for and the national agencies look for, before they consider whether or not there is sufficient financial backing and capital with which to open up. Then after deciding that they have the right men to do the job, and enough initial capital with which to do the job, they then determine whether or not there is need for an additional financial institution in the community and whether or not it can serve the community.

I am sure that no one will ever be able to develop a formula by which we can say that two, three, five, or six banks is too much for a particular community. It is easy enough to say that if there is no banking institution in an area, that area is underbanked and, therefore, they need a bank, whether it be a National or State. Conflicts arise and honest differences of opinion arise when you get into a community that only has two or more banks, National or State or both. The difficult question to determine is when is a community overbanked.

Banks still need, except possibly for the larger ones, that protection that is written into the law to make sure that there will not be excessive competition that will destroy the existing institutions.

If you destroy the existing institutions, in my opinion, except in rare instances, the one that comes in and contributes to the destruction of the existing institutions, must eventually be destroyed by the same economic pressures.

Human nature being what it is, no free enterprise system will long survive without proper regulation and supervision of its financial institutions. The standards must be spelled out legislatively. Those standards then must be interpreted and supervised by men of integrity.

In writing these legislative standards and the regulations that must be promulgated in consonance therewith, we must always have in mind that honest men may differ. Legislation will never eliminate these differences. Good legislation will minimize them.

All of our Federal statutes dealing with financial institutions need revision and modernization. There is a crying need that the task be done.

It cannot be done by legislators alone. Legislators will not let representatives of the financial industry do this alone. We can do it together. We must do it together. Even the theorists may have some good suggestions. Working cooperatively and conscientiously, keeping the public interest paramount in our minds, we can accomplish this task.

## B'NAI B'RITH'S 120TH ANNIVERSARY

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MULTER. Mr. Speaker, October 13 was the 120th anniversary of the founding of B'nai B'rith, an organization of which I am proud to have been a member for the past 31 years. During that 31 years we have had as active members of B'nai B'rith every man of the Jewish faith who has served in either House of Congress during those years, regardless of their political affiliation. With more than 700 chapters throughout the country, almost every congressional district can boast of at least one chapter and each of our colleagues knows of the services rendered by B'nai B'rith in patriotic, benevolent, educational, and religious fields of endeavor throughout the years.

At the time B'nai B'rith was founded, the Jewish communities in America were unduly separated and had little community interaction. They were separated not only by ritual observance, but even by language, national origin and economic and social status. These groups had brought with them from the Old World, in many cases, a tradition of separateness not only from the surrounding non-Jewish community, but even from other Jewish groups which differed in any respect from their own.

On October 13, 1843, a group composed of Henry Jones, Isaac Rosenbourg, William Renau, Reuben Rodacher, Henry Kling, Henry Anspacher, Isaac Dittenhoefer, Jonas Hecht, Michael Schwab, Hirsch Heineman, Valentine Koon, and Samuel Schafer founded on organization entitled "Bundes-Brueder," meaning "League of Brothers."

This title was soon abandoned in favor of the more meaningful alternate title, the Independent Order of B'nai B'rith, or "Sons of the Covenant." This title is symbolic of the bond that unites all Jewish people. Jews are united in the bond of the covenant, not only for mutual aid and friendship, but also in common devotion to a body of ethical principle that requires that they treat all men as their brothers.

Henry Jones, the principal founder, must be credited with a vision remarkably suited both to the immediate local needs of the Jewish people in America—then no more than 25,000—and also applicable to the broader scope of centuries of time and to millions of people.

The first task the new organization undertook was to teach the Jewish people their wider relationship and the need for providing help for those among them who were unfortunate; the poor, the ill, the widows, and orphans. The motto from the beginning was benevolence, brotherly love, and harmony, and for 120 years B'nai B'rith has been true to those ideals.

Landmarks in the early history of the order have included the opening of the first Jewish community center and the first Jewish library in the 1850's; the sending of relief to plague victims in Palestine in 1865, and the founding of the Cleveland Jewish Orphan's Home in 1868 to take care of Jewish orphans of the War Between the States.

Typical services provided by B'nai B'rith are citizenship education, assistance in naturalization, and cooperation with governmental agencies, educational institutions and voluntary civic and patriotic groups. Through the Hillel foundations, the education of Jewish youths is enriched and strengthened with the religious and cultural values of Judaism. Vocational services, economic planning and development, labor relations, the training and hiring of the handicapped, combating of anti-Semitic and other prejudice through the Anti-Defamation League, and the development of the spirit of community responsibility, are all aspects of B'nai B'rith activities.

B'nai B'rith has expressed in the history and life of America since 1843 all that is best and noblest in the Jewish character. The Jewish people and all Americans may well be proud of the past history, present nature, and future prospects of this excellent organization.

## WHEAT SALE DECISION DESERVES SUPPORT

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PURCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. PURCELL. Mr. Speaker, I hesitate to take the time of the House to discuss the matter of the sale of wheat to the Soviet Union and Eastern European nations. I have long since learned that junior Members of the House should do much more listening than they do talking.

However, Mr. Speaker, I feel that many statements made in the past few days cannot justifiably go unanswered. We have heard numerous attacks in the past week against the President of the United States, the Secretary of Agriculture, and others as a result of the decision to sell part of our abundant wheat supply to those who wish to buy it. Most of these attacks have been partisan and unjustified.

We have seen the Secretary of Agriculture ridiculed for stating on a television program last Sunday that the taxpayers of America will save about $200 million. It looks perfectly plain to me that a reduction in our surplus stocks, which will result from such a proposed sale, will represent a savings to the taxpayers in the form of reduced storage costs and other expenses. In the absence of such a sale, there is no evidence of any kind that this stockpile of wheat will be reduced correspondingly through other means. This, therefore, appears to me to represent a savings to the taxpayer.

Mr. Speaker, it is my continuing intention to support what I believe to be in the best interests of the taxpayers and the farmers of these United States. I feel that it is not in our best interests to maintain, at a storage cost of 26 cents per bushel per year, an expensive and burdensome surplus of wheat which we neither need nor want. This huge surplus hanging over the market has a depressing effect on the price of wheat. The cost of maintaining the surplus increases the cost of Government to the taxpayers. It is pure foolishness, in my opinion, for anyone to say the proposed wheat sale is not a good financial deal for both the farmers and the taxpayers. It makes very good economic sense.

One of the detractors told the House this week that "this type of saving would also result if we dumped all excess wheat into the ocean." I hasten to assure the gentleman that he is correct in this assumption. But what would a hungry world think if they watched us dump wheat in the ocean which could fill starving stomachs? I am sure the gentleman would not approve of such action.

It should also be pointed out to the gentleman that this is not the reason we are selling the wheat. It is, however, one of the fortunate financial benefits the farmers and taxpayers will reap from the sale.

Let us look objectively, now, at the pros and cons of the transaction. The most basic argument for the sale of wheat to the Soviets is that we have a surplus of wheat and a deficit in our balance of payments which gives us a need for more gold. The Soviets have a need for our wheat, and apparently have the gold with which to purchase it. The trade, therefore, would be mutually advantageous.

The basic argument against such a sale is that we should not bail the Soviet Union out of their agricultural failure, thereby strengthening the Soviet Government.

The cold hard fact is that we cannot effectively prevent the Soviet Union from obtaining our wheat. They have been doing so in the past by purchasing flour from other free nations which was milled from U.S. wheat.

The Soviets recently purchased flour reported to be the equivalent of 100 million bushels of wheat. Of these purchases, more than one-third were obtained from West Germany, with the rest obtained from Italy and France.

Involved in these sales of flour by West Germany were some 28 million bushels of wheat purchased from the United States. No doubt some of the other purchases involved wheat from the United States. Thus, we have already furnished a great amount of wheat to the Soviet Union indirectly.

We are not setting any great new precedent. The House has had a great amount of information in the past 2 weeks about the amount of trade we have continuously carried on with the Soviets, much of it in what I consider to be far more strategic materials than wheat. The lack of criticism of these transactions lends weight to my belief that the attacks on the current proposal are basically partisan in nature. Also tending to confirm my feelings is the apparent absence of vocal objection to the approval of this transaction before a decision was reached. It was only after the policy was announced that we heard the roar of disapproval. There was plenty of time beforehand for the opponents to have made known their position.

One of our most distinguished colleagues has related to me a discussion on this subject which he had with the Secretary of Defense and the members of the Joint Chiefs of Staff. They advised him of their opinion that communism in Russia is not threatened with collapse as a result of the poor wheat crop, and that Russia could get the wheat elsewhere if we do not provide it. These military officials pointed out to our colleague that we are long on wheat and short on gold, and that an improvement of our gold position is important to the maintenance of our forces overseas. Certain reductions in our military program overseas have been made as a result of the gold situation. Military leaders see a distinct advantage for us from a military standpoint in the improvement of our gold position.

Further, it appears obvious that the Soviets will be diverting gold in this wheat sale which could otherwise be used to strengthen their military establishment by purchasing strategic military goods.

Perhaps most important is the dilemma of the Communists which is brought before the whole world by this effective demonstration of the superiority of the American system of free enterprise over the totalitarianism and communism of the Soviet Union.

I feel that the decision made by the President was both courageous and patriotic. It was courageous in view of the emotionalism surrounding this issue, and in view of the partisan attacks which he could foresee, and which have taken place. It was a patriotic decision because it serves the best interests of the United States, and is a step in the direction of peace with honor.

The views of those who oppose this sale were aptly described by an editorial cartoonist who depicted an opponent of the proposed transactions saying "It's peacemongering and creeping private enterprise, that's what it is." That is a substantially correct appraisal of the situation.

Why, Mr. Speaker, must we greet with fear any talk of peace and greet with applause all talk of war? I fear that those who do so have too little faith in our Nation, our system of government, our people. I, for one, do have faith. I am convinced that we can win any encounter with the Soviet Union on any front. If they want to battle economically, in an atmosphere of reduced tensions over military conflict, then I am ready for us to do battle on this basis. I know we can win.

We must never lose sight of the Communist goal of eventual world domination. I am convinced that the President has not done so. I certainly have not. If any of us had tended to lose sight of the type of enemy we face, the arbitrary actions in connection with the U.S. military convoy in Germany over the past weekend should serve to awaken us.

It would be easier for us to follow the paths proposed by the isolationists. It would be easier to refuse to discuss such matters as the wheat sale and the nuclear test ban treaty. It would be easier to withdraw diplomatic recognition from the Soviet Union.

But there is no room in the world today for the arrogance of isolationism. The challenge of world leadership is before us. We must boldly accept it. We must search for ways to live with all people in a troubled world. This is not an easy task, but it is a task we must undertake with more determination than ever before.

It will be easy, in a few years, to look back and see whether we have taken the right step in connection with the wheat sale. Today we must base our judgment on the facts before us. I believe those facts lean heavily in favor of the course we have chosen to follow. The President deserves support for his decision, not derision and ridicule. I call on those who criticize this action to put aside partisanship and give the President the support he needs and deserves in this matter.

Thank you, Mr. Speaker.

### FAA BLAMED FOR HIGH COST OF NAVIGATIONAL AIDS

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, in recent days I have been trying to bring to the attention of this Congress and the public the mess that exists in one of our vital Federal agencies, the Federal Aviation Agency. Almost every day brings new evidence either of practices inimical to the goal of safety in air traffic or of fiscal irresponsibility on the part of the Administrator of that Agency. Only last Thursday, October 10, 1963, the Civil Aeronautics Board released its report of the investigation of the crash that occurred at Idlewild Airport in New York last November. In that crash 25 persons were killed. According to the report the crash came about during the abandonment of an approach to the landing field by an Eastern Air Lines DC-7B. During the approach, the pilot of that plane was ordered not to land because of a fog condition near the runway. Enveloped in fog, the plane crashed at this point. The CAB report makes it very clear that the FAA was responsible for getting the plane into its predicament because of the faulty procedures it employed in reporting weather conditions to approaching aircraft and because of defective and inoperative safety equipment. In my judgment the FAA stands accused by the CAB report on this crash.

This type of irresponsibility naturally shows up in other areas of FAA activities, principally the way it manages the public moneys entrusted to it by the Congress. To illustrate, I would like to submit for the Record and I now offer the following news item that appeared in Aviation Daily on June 6, 1963, which was recently brought to my attention:

### FAA Blamed for High Cost of Navaids

The cost of navigational aids is rising sharply and most of the blame can be attributed to FAA's methods of procurement and construction, according to S. B. Poritzky, manager, navigation for ATA. In a paper delivered to the ATA's 1-day conference on "smaller city airports" on Tuesday, Poritzky pointed out that FAA costs are in some cases 10 times more than industry costs for the same equipment.

Poritzky compared FAA budgets for the installation of runway and identification lights (REIL) with costs borne by the State of Minnesota for the same equipment. FAA pays $18,200; Minnesota spends $3,000 for the lights to serve exactly the same purpose. FAA's estimate, Poritzky said, for a 75 megacycle fan marker is $25,800. The State of Nebraska estimates $3,250. The Wilcox Electric Co. markets a package for $2,413.

Poritzky pointed out that the costs of an ILS installation and system have risen from $194,000 in fiscal year 1960 to $276,460 in fiscal year 1963, an increase of 42 percent. Despite the cost increase "the curious thing is that ILS did not significantly change in the intervening years. The overall U.S. commodity price index has risen only 2.7 percent since 1960," Poritzky said.

In the field of remote control communications, a comparison between an FAA-constructed limited remote communications outlet and an AIRINC installation serving a similar function shows that FAA spends $38,000 for construction and $14,000 for materials. AIRINC pays a little less than $2,000 for construction and materials, Poritzky said.

Despite this greater cost, the operational availability of the two systems is quite comparable and, in fact, the AIRINC facility has the slightly better reliability rate of 99.4 percent compared to FAA's 99.08 percent.

Poritzky then compared FAA costs for a TVOR construction with those paid by Minnesota and Nebraska. The average cost to the States was about one-half the FAA's cost. "The major difference comes in construction material and construction," Poritzky said. "The FAA cost was $54,000.

> The State cost was about $10,000. The electronic installation cost ratio: nearly 2 to 1. In comparing the Minnesota average with the FAA cost, note that Minnesota's VOR's were built to FAA standards and are identical to what FAA itself has purchased. One more thing: the estimates in the FAA case are for a single station TVOR, whereas in the Minnesota facility we wind up with a dual facility."
>
> In other comparisons Poritzky showed where Collins Radio and Wilcox Electric could provide electronic equipment and installation for a dual VOR for a slight bit more than what FAA pays for a single VOR.
>
> Poritzky said that by "designing and contracting for buildings piecemeal with different contracts for building panels, antenna shelters, chain link fence, and voltage regulators FAA spends far more money than it needs to and needs far more people to run the show. A determined austerity program is needed to make the buildings do the job they must do and no more. A far better way and one which has been proven to work and work well would be for the Government to procure its facilities as packages, complete and ready to place on a concrete pad * * * it is the most obvious point of departure for economy," Poritzky said.

Mr. Speaker, some of this language employs technical terms and abbreviations and could stand a small amount of translation into everyday language, although the import of the article is clear: the FAA is wasting the taxpayers' money by spending many times more for equipment and construction of navigational aids than the States and private organizations are paying for the same items.

For example, Mr. S. B. Poritzky, an executive with the Air Transport Association—ATA—points out in this article that the FAA pays $18,200 for the installation of runway and identification lights, whereas the State of Minnesota pays $3,000 for the same item. In other words, the FAA is spending more than 600 percent more of the public's money for this item than it should cost. That, my friends, is mismanagement. That is waste.

Again, it is pointed out that for a limited remote communications outlet, providing radio communications to aircraft in flight, FAA spends $38,000 for construction and $14,000 for materials, or a total of $52,000. But Aeronautical Radio, Inc., a nonprofit adjunct of ATA, pays a little less than $2,000 for construction and materials of an installation serving a similar purpose. In other words, the FAA is spending more than 2,600 percent of the public's money for this item than it should cost. Somehow the words "mismanagement" and "waste" do not adequately describe the situation. And there are several other examples of such flagrant misuses of the public trust in the news story above.

As you probably know, the Air Transport Association is a private organization made up of most, if not all, of our major airlines. This organization is to be commended for bringing this situation to light. It is never easy for a group to criticize the Agency which regulates it. Accusations of this nature by such a responsible organization should never be taken lightly. Just about any governmental agency would be expected to answer a charge that it is spending $52,000 for an item that should cost less than $2,000. Such a discrepancy demands an explanation. The public is entitled to know why it has to spend 2,600 percent more for an item than a private organization has to pay. Yet the FAA has consistently refused to answer these charges since they were made last June.

In fact, similar charges were made last May by the Aircraft Owners & Pilots Association in their confidential newsletter for May 1963. That newsletter states that "many FAA services were either excessive or nonessential," and recommends drastic cuts in the FAA budget requests for fiscal year 1964.

I personally invite the FAA Administrator to answer these charges. Satisfactory answers will surely settle the doubts that currently exist in many places about the activities of that Agency.

## AIR ROUTE TRAFFIC CONTROL CENTER, SAN ANTONIO, TEX.

**Mr. HUDDLESTON.** Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

**Mr. GONZALEZ.** Mr. Speaker, in previous statements on the floor of this House I have recounted the facts concerning a letter I sent to Najeeb E. Halaby, Administrator of the Federal Aviation Agency, on September 23, 1963. Two weeks after the letter had been mailed to Mr. Halaby there has been no response and it became necessary for me to bring these matters before this Congress. My letter to Mr. Halaby related to the decision of the FAA to close down and abandon a relatively new air route traffic control center in San Antonio, Tex. The decision to close the center down came only 4 years after it had been constructed. In view of the newness and operational efficiency of the center and the fact that closing it down would represent a great amount of waste of public funds as well as hardships for the employees of the center and their families, I decided to look into the matter to ascertain the correctness or wrongness of the FAA decision.

It took only a small amount of investigation to reveal the fact that the decision to abandon the center could not be justified on any rational basis. The best illustration of this is in connection with the investigation by the Comptroller General of the United States into Mr. Halaby's claim that money would be saved by this Government by closing down the San Antonio center and building a new one in the city of Houston. The Comptroller General made his investigation at my request. The results were contained in a 37-page report. The conclusion was as follows:

> We can express no opinion on the reasonableness of the estimated cost savings.

Mr. Speaker, had the Comptroller General proven me wrong I certainly would have acquiesced in the move and explained its necessity and desirability from the Government's point of view to my constituents. But this was not the case and the Comptroller General's report only urged my investigation forward.

Mr. Halaby tried to justify the move largely on the basis of the comparative costs of data processing computers which would have to be installed in ARTC centers all over the country. But in setting forth this argument he tripped himself up. The argument of Mr. Halaby was as follows: There are presently ARTC centers in New Orleans and San Antonio. If we close down the New Orleans and San Antonio centers, and construct a new center at Houston, we would only have to install one set of computer equipment in Houston instead of two sets of computer equipment in New Orleans and San Antonio. The savings resultant from this would be in excess of $5 million, according to Mr. Halaby. The fallacy of the argument lies in the fact that if we assume that the New Orleans center is to be closed, computer equipment may be installed in the San Antonio center without the construction of a new center. This would not only necessitate the purchase and installation of only one set of computer equipment, but would also result in saving the people the cost of constructing a new center. The difference would be the costs of construction of the new center, and would mean a tremendous savings.

I exposed Mr. Halaby's argument in a speech on the floor of this House on August 13, 1962. In that speech I stated the following:

> And the computer is crucial to Mr. Halaby's decision. This is the key to his maneuvers. He has injected it into the situation for without it he has no case, as the Comptroller's figures clearly show.
>
> In the justification for the establishment of an air route traffic control center in Houston, a great deal of emphasis is placed on the comparative costs of computers; specifically, the saving in cost through the operation of one computer in Houston versus two computers in New Orleans and San Antonio.
>
> The justification for the establishment of the Houston center based on comparative savings in computer costs over a 16-year period, is completely phony.

Mr. Speaker, not only is the attempt to justify the abandonment of the San Antonio center and the construction of a new one on the basis of comparative costs of computers just as phony now as when it was put forward last year by Mr. Halaby, now Mr. Halaby himself admits it is phony. He makes this admission in his answer to my letter of September 23. In my letter I again raised this question. For almost 3 weeks Mr. Halaby did not even see fit to acknowledge the receipt of my letter, much less answer it. After being prodded on several occasions, he finally did answer my letter. His answer was received by my office on October 11, 1963, 18 days after my letter was mailed to him.

More remarkable than the delay was the answer itself. For in it Mr. Halaby blandly responds to my assertion that "reference to computer costs are meaningless in a comparison of San Antonio versus Houston," by stating "This is true."

Unabashed, the elusive Mr. Halaby then proceeds to take off on a new tack. For the information of my distinguished colleagues and the public, I am inserting in the Record the full text of Mr. Halaby's letter to myself and my reply to Mr. Halaby. My letter of September 23 was placed in the Record on October 8, 1963:

October 11, 1963.

Dear Mr. Gonzalez: This is in response to your letter of September 23, 1963, stating that, in your judgment, the San Antonio air route traffic control center located in your district should not be closed.

We have answered all of your earlier questions and have attempted to demonstrate several times that the consolidation of the San Antonio and New Orleans centers into a single center at Houston is in the interest of safety, efficiency and economy. Our estimates have also been investigated by the Comptroller General's staff. However, we will consider all your latest arguments on a point-by-point basis and again demonstrate that it is more economical to consolidate at Houston rather than at San Antonio. For ease in reading, we are restating your points with our comment following immediately:

1. "A net reduction in the total number of ARTC centers is accomplished, whether the San Antonio ARTC is retained, or whether the San Antonio ARTC is relocated to Houston."

You are correct.

2. "The introduction of New Orleans costs in the comparison of San Antonio and Houston is improper."

This is not so. The full system impact must be considered. However, for the purpose of this letter, we will consider only these costs that vary depending upon whether the consolidated center is located at Houston or San Antonio.

3. "The central theme is a comparison of the cost of maintaining the San Antonio ARTC center, with the cost of abandoning the San Antonio center and constructing a new center at Houston."

We accept your assumption for the purposes of this letter.

4. "A central location of an ARTC center * * * has not weighed very heavily upon the FAA in considering locations of other FAA centers."

This is false. We have indicated to you previously that, technically and economically, we would prefer to locate a center in the central portion of its area. We also stated that this cannot be accomplished in all areas when the influence of additional important aspects is considered; for example, the availability of commercial communication outlets and other required services associated with, and available near, large populated areas. These factors were overriding considerations when it was determined to retain certain other centers at their present location.

5. "Reference * * * to computer costs are meaningless in a comparison of San Antonio versus Houston."

This is true.

6. "The cost advantage claimed by FAA with respect to microwave links for remote radar fails to consider the feasibility of utilizing common links for more than one remote radar * * * the overall costs for San Antonio will be approximately the same as for Houston."

This is not correct. Your calculations confuse the physical microwave towers with the electronic equipment to make them work. As a matter of fact, we do use common paths wherever possible, but dual radar remotings over a common path still requires twice as much equipment, and additional maintenance overhead. Obviously, we save on tower construction land costs, buildings, fencing, etc., but the additional chanels are not free.

7. "The present ARTC center building in San Antonio is adequate to handle the increased activity resulting from a reapportionment of the New Orleans ARTC area."

This is false. It is necessary to consider operational, equipment, and support space when analyzing the need to establish the consolidated center. Based upon our engineering studies, the San Antonio center would require this expansion and modification.

8. "San Antonio ARTC center meets the standards of recently constructed centers."

9. "The removal of the ARTC center from San Antonio to any other location would have serious consequences on the smooth conduct of military operations from bases at San Antonio."

This is incorrect. This claim is not made by military services. Most military bases are not located adjacent to centers.

10. "The retention of the San Antonio ARTC will represent an immediate savings of $4 million over the construction of a center at Houston."

This is absolutely false. By reference to the enclosed table it will be noted that the additional capital cost of locating the center at Houston rather than San Antonio is $842,000. However, it must also be noted that the $420,000 annual recurring savings realized by the Houston location offsets this additional capital investment in slightly over 2 years. Each additional year means $420,000 savings to the taxpayer.

Incidentally, I was also given a copy of your press release of October 7, 1963, charging waste in our research and development program. I noticed that the items you singled out for comment were the data processing central and the three-dimensional radar, which were both under development by the previous administration and both of which were terminated after a thorough review of our programs by a highly qualified group of systems engineers from industry serving on a Presidential committee.

Even though I directed the termination of these projects after I became Administrator, fairness demands that I point out they provided a good base for determining the equipment requirements for the simpler and more efficient national airspace system under development and construction today.

I trust that I have answered all of your questions and that you no longer have any doubts concerning the wisdom of the move from San Antonio.

Sincerely,

N. E. Halaby,
*Administrator.*

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October 15, 1963.

Mr. Najeeb E. Halaby,
*Administrator, Federal Aviation Agency,*
*Washington, D.C.*

Dear Mr. Halaby: This is to acknowledge receipt of your letter of October 11, 1963.

In your letter you attempt to answer the questions I raised in my letter of September 23, 1963, regarding the abandonment of the San Antonio air route traffic control center. It was interesting, from a purely analytical point of view, that you now at this late date admit the correctness for a good many points which you have previously denied. For example, you now admit that reference to computer costs are meaningless in a comparison of San Antonio versus Houston. Yet in the letter from your office dated May 21, 1962, in which you tried to justify the move from San Antonio to Houston as an expense savings move you claim a savings of several millions of dollars "on computer planned for installation at all centers." This represents two conflicting positions on your part and a reversal of field which any would-be gridiron hero would do well to emulate when attempting to dodge the opposition. But this matter is no game. Not only taxpayers' money is involved.

While you play Chinese checkers with men and their families and ARTC centers, air traffic remains in a dangerous state of flux. These constant changes, movements, and abandonments of centers which you make and announce in the name of progress and efficiency reflect in my mind uncertainty and a failure to grasp the meaning of your responsibilities to the public. That is why your answer on computer costs is of a special interest to me. It affords us an insight into your general attitude toward Members of Congress and the public. It is indeed reprehensible for the head of a Federal agency to maintain in writing and over a long period of time that one of the primary reasons for a decision is the cost of certain computers which will have to be installed in a facility, and then for that same Administrator to contradict himself and admit that "computer costs are meaningless." In regard to this point and in regard to the other points raised in my letter of September 23, I charge you with playing with the facts as carelessly as you play with the employees and the air route traffic control centers in the FAA. It would be fruitless, therefore, for me to raise these questions with you again, for each time I have tried to do so in a sincere effort to understand the arbitrary decision to abandon the San Antonio ARTC center I am met by your silence or your slipperiness, as when you take off into a new direction as in the instance of computer costs. You seem to abandon your own position as easily as you abandon ARTC centers throughout the country.

It is also characteristic of you to blame the boondoggling of a hundred million dollars in research and development programs pursued by the FAA on the previous administration. This explanation on your part is not consistent with your previous presentations and assurances to this Congress that the projects for which the research and development funds were being spent by the FAA were proceeding satisfactorily and nearing success. In fact, you yourself stated in 1961 that one of these projects, a three-dimensional radar, capable of portraying the altitude of aircraft, could be installed at Idlewild within 18 months. It is a particular tragedy that such a device was not actually installed prior to the crash of the DC-7B of last November at Idlewild, because if it did the things you said it could do, it might have avoided the crash. In light of the CAB report of that crash recently released in which it is shown that the FAA was responsible for numerous errors of omission at the time of the crash, I am sure you will agree.

These are the things that cause me to worry about the future safety and well-being of air travelers in my district, if you remove the ARTC center from San Antonio, inasmuch as my district is unique and unusual in this respect because of the military air traffic. Surely one does not have to be clairvoyant, or an expert, to know that the San Antonio area is exceptional and unique and that the proper standard of air traffic safety makes it imperative that the installation, or substantial portions of it be retained in San Antonio.

Sincerely,

Henry B. Gonzalez,
*Member of Congress.*

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## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Fraser, for 1 hour, on October 24.

Mr. ASHBROOK (at the request of Mr. HARRISON), for 30 minutes, today, to revise and extend his remarks and to include extraneous matter.

### EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. O'BRIEN of New York.

Mr. DULSKI and to include extraneous matter.

Mr. FRIEDEL and to include a speech by the Honorable OREN HARRIS.

Mr. DUNCAN.

Mr. WELTNER.

Mr. SNYDER.

Mr. TAFT.

Mr. ST. ONGE.

(The following Member (at the request of Mr. HARRISON) and to include extraneous matter:)

Mr. FINO.

(The following Members (at the request of Mr. HUDDLESTON) and to include extraneous matter:)

Mr. FRASER.

Mr. HECHLER.

### SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 838. An act for the relief of George Crokos; and

S. 1313. An act for the relief of Tim L. Yen.

### ADJOURNMENT

Mr. HUDDLESTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 40 minutes p.m.) the House adjourned until tomorrow, Thursday, October 17, 1963, at 12 o'clock noon.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1301. A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1964 in the amount of $5,945,000 for the Atomic Energy Commission (H. Doc. No. 166); to the Committee on Appropriations and ordered to be printed.

1302. A letter from the Acting Director, Information Agency, transmitting the 20th semiannual report for the period from January 1 to June 30, 1963, pursuant to section 1008 of Public Law 402 (80th Congress); to the Committee on Foreign Affairs.

1303. A letter from the Comptroller General of the United States transmitting a report on the unnecessary procurement of specially designed 60,000 B.t.u. air conditioners by the Department of the Army, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

1304. A letter from the Comptroller General of the United States, transmitting a report on unnecessary costs in the procurement of clutch pressure plates by the Department of the Army for the period from December 1961 to January 1963, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), the Accounting and Auditing Act of 1950 (31 U.S.C. 67) and the authority of the Comptroller General to review contractors' records as set forth in 10 U.S.C. 2313(b); to the Committee on Government Operations.

### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRIEDEL: Committee on House Administration. House Resolution 542. A resolution to provide for the expenses of an investigation authorized by House Resolution 103; without amendment (Rept. No. 853). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Joint Resolution 123. Joint resolution to authorize the printing and binding of an edition of "Senate Procedure" and providing the same shall be subject to copyright by the authors; without amendment (Rept. No. 854). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 59. Concurrent resolution to print, for the use of the Committee on Government Operations, 25,000 additional copies of a revised committee print entitled "Federal Disaster Relief Manual"; without amendment (Rept. No. 855). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 61. Concurrent resolution authorizing the printing of additional copies of hearings on "Organized Crime and Illicit Traffic in Narcotics" of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations; without amendment (Rept. No. 856). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 58. Concurrent resolution to print additional copies of the hearings on the nuclear test ban treaty for the Committee on Foreign Relations; with amendment (Rept. No. 857). Ordered to be printed.

Mr. MURRAY: Committee on Post Office and Civil Service. Report on use of electronic data processing equipment in the Federal Government; without amendment (Rept. No. 858). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 549. Resolution for consideration of H.R. 5945, a bill to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico; without amendment (Rept. No. 859). Referred to the House Calendar.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. O'BRIEN of New York:

H.R. 8847. A bill to amend Public Law 409, 74th Congress, to authorize the appropriations necessary to carry out authorized improvements in the project for the Great Lakes-Hudson River Waterway; to the Committee on Public Works.

By Mr. GALLAGHER:

H.J. Res. 776. Joint resolution to provide for the issuance of a champion of liberty postage stamp in honor of Taras Shevchenko on the occasion of the 150th anniversary of his birth; to the Committee on Post Office and Civil Service.

By Mr. CELLER:

H. Con. Res. 223. Concurrent resolution to provide for the printing of 3,000 additional copies of civil rights hearings; to the Committee on House Administration.

### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 8848. A bill for the relief of John (Ionnis) Psomas; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 8849. A bill for the relief of Lt. Col. Nicholas A. Stathis, U.S. Air Force; to the Committee on the Judiciary.

By Mr. AUCHINCLOSS:

H.R. 8850. A bill for the relief of Panagiote Tzaras; to the Committee on the Judiciary.

By Mr. PIRNIE:

H.R. 8851. A bill for the relief of Salvatore Di Giorgi; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 8852. A bill for the relief of Mrs. Ivy Rosalia Ferdinand de Richards; to the Committee on the Judiciary.

# SENATE

## WEDNESDAY, OCTOBER 16, 1963

*(Legislative day of Tuesday, October 15, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

Rabbi Yakov Hilsenrath, minister, Beth Judah Temple, North Wildwood, N.J., offered the following prayer:

Our Heavenly Father, earnestly we seek Thee as we invoke Thy blessing upon those who serve in this hallowed shrine of freedom and democracy. Assembled in this august Chamber, the symbol of the government of men, we acknowledge Thy sovereignty and reaffirm our conviction that it is Thou who givest salvation unto nations and strength unto governments.

We seek Thy guidance, O God, for the Members of the United States Senate, upon whom has been bestowed the awesome task of making judgments and affecting legislation which infinitely determines the future of our Nation and its inhabitants. Imbue these Senators with a spirit of humility and awareness that their historic function is to serve, not to rule. May they so demean themselves that future generations may call them blessed.

O Lord, direct their deliberations with vision and wisdom, so as to hasten the American ship of democracy to bring the world to the shores of freedom and peace. Enable the seed of justice planted here in the fertile soil of our American heritage to sprout forth the precious fruit of human dignity over the face of the earth.

May Americans, in concert with all men, replace callousness and strife with kindness and cooperation. May we turn our wasteful wars of brother against brother into a united war against our true enemies of disease and ignorance, bigotry and hatred. Then can we joyously proclaim with the psalmist:

*Behold how good and pleasant it is for brethren to dwell together in unity.*

Amen.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

## EXECUTIVE MESSAGE REFERRED

As in executive session,

The **PRESIDENT** pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

## AMENDMENT OF WATER POLLUTION CONTROL ACT

The Senate resumed the consideration of the bill (S. 649) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purposes.

The **PRESIDENT** pro tempore. Under the order of yesterday, the Senate will now resume the consideration of S. 649, a bill amending the Federal Water Pollution Control Act, under an agreement limiting debate and controlling time.

The committee amendments have been agreed to en bloc, and the bill as thus amended is considered as original text for the purpose of amendment.

The bill is open to further amendment.

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the time allocated to me be allotted to the distinquished junior Senator from Maine [Mr. MUSKIE], who will be in charge of the bill.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

**Mr. MANSFIELD.** Mr. President, will the distinguished Senator from Maine yield to me 2 minutes on the bill?

**Mr. MUSKIE.** I am happy to yield to the Senator from Montana 2 minutes on the bill.

The **PRESIDENT** pro tempore. The Senator from Montana is recognized for 2 minutes on the bill.

## THE JOURNAL

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of yesterday be dispensed with.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

## CONGRATULATORY MESSAGE FOR LUDWIG ERHARD, THE NEW CHANCELLOR OF WEST GERMANY

**Mr. MANSFIELD.** Mr. President, this week a great leader, Chancellor Konrad Adenauer, steps down, voluntarily; and a new leader takes his place among the heads of state of the free world. I take this opportunity to congratulate Ludwig Erhard, the new Chancellor of the Federal Republic of Germany.

Chancellor Erhard has earned the support and respect not only of his own people, but also of his many admirers abroad, for his dedicated service to his country and for his brilliant handling of the economic affairs of West Germany. His service began even before the Federal Republic was established. Chancellor Erhard's great talents have been used with tremendous success to cope with the difficult economic situation caused by the war. In 1949 he was appointed Minister of Economics by Konrad Adenauer, and Dr. Erhard is rightly given credit as the chief architect of the remarkable economic recovery of West Germany.

As a former professor of economics, Dr. Erhard has had the rare opportunity of putting his theories into practice, and has the even rarer satisfaction of seeing them succeed.

The second Chancellor of the Federal Republic has all the essential qualities needed to lead a great democracy. He has years of top-level government experience. He has been one of his party's most successful candidates for election, and has great support, not only among his own constituents, but also among all the people of West Germany. And, most important of all, Chancellor Erhard has demonstrated, during the war years and the years thereafter, an uncompromising faith in human dignity and in the democratic process.

As he accepts his new and wider responsibilities, Chancellor Erhard richly deserves our congratulations and best wishes for the future.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Auf Wiedersehen," from today's issue of the Baltimore Sun.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### AUF WIEDERSEHEN

When great challenges or great calamities fall upon a country, history has a way of producing a man for the occasion—sometimes for good, and sometimes for evil. Adolf Hitler was such a man, scrambling on the wreckage of the Weimar Republic and out of his madness goading his country into a disastrous collision with the rest of the world. After that collision Germany had sunk to its lowest depths, its army crushed, its cities dead, when another man, by then already old, appeared from the ashes. In Konrad Adenauer, the rose-growing mayor of Cologne, Germany got its greatest leader since Bismarck.

It is hard to see Adenauer's greatness with the eye. He is a tall man, with a deceptively mild and quiet manner. His oratory, delivered without sparkle in the flat accent of the Rhinelander, is uninspiring. He is temperate, devoted to family, unencumbered by erratic brilliance. Adenauer's gifts are of the spirit: a dogged, stubborn will, an abundance of courage, strong personal drive, and a vision for Germany and its neighbors.

Measured on the scale of progress, Adenauer's accomplishments during his 14 years as Chancellor are of heroic proportions. He led Germany from bankruptcy to prosperity, from shame to respectability, from helplessness to strength. He nourished the dream of European union, binding the German destiny to the French, partaking of common institutions, forcing his countrymen to fulfill the demands of Western security. It is possible that Adenauer outlasted his day, and the prospect of transfer to the less rigid leadership of Prof. Ludwig Erhard is refreshing both inside and outside Germany. But Bonn and its allies can be grateful that when Konrad Adenauer was needed most, he was there, and that he never let a challenge pass, nor turned his face from duty.

## COMMITTEE MEETING DURING SENATE SESSION

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs, the Committee on the District of Columbia, and the Committee on Finance be permitted to meet during the session of the Senate today.

The **PRESIDING OFFICER** (Mr. INOUYE in the chair). Without objection, it is so ordered.

**Mr. MANSFIELD.** Mr. President, I thank the Senator from Maine for yielding this time to me.

**Mr. MUSKIE.** I have been delighted to yield.

## OPPOSITION TO THE PROPOSED HIGHER EDUCATION FACILITIES ACT OF 1963

**Mr. BENNETT.** Mr. President, will the Senator from Maine yield 2 minutes to me?

**Mr. MUSKIE.** Mr. President, I am happy to yield to the Senator from Utah for 2 minutes.

**Mr. BENNETT.** I shall not use all of that time.

The **PRESIDING OFFICER.** The Senator from Utah is recognized for 2 minutes on the bill.

**Mr. BENNETT.** Mr. President, recently President Ernest L. Wilkinson, of Brigham Young University, mailed to every Senator a copy of a statement he made in opposition to the proposed Higher Education Facilities Act when he spoke at the Brigham Young University commencement exercises on August 22 of this year. I ask unanimous consent that the statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

### STATEMENT BY PRESIDENT ERNEST L. WILKINSON IN OPPOSITION TO THE PROPOSED HIGHER EDUCATION FACILITIES ACT OF 1963, BRIGHAM YOUNG UNIVERSITY COMMENCEMENT EXERCISES, AUGUST 22, 1963

On August 15, 1963, the board of trustees of Brigham Young University, composed of the first presidency of the Church of Jesus Christ of Latter-day Saints, the quorum of the 12, and some other general authorities of the church, held a special meeting at which an important decision was made which President David O. McKay has felt it would be appropriate to announce to the students, faculty, and friends of this institution at this commencement, together with some of the impelling reasons therefor.

With his greetings and blessings I shall now inform you of this decision. Before that meeting the board has been informally advised that if the Higher Education Facilities Act of 1963 passed by the Federal House of Representatives last week should become law, the first year's allotment to Utah under a 5-year grant program would be almost $2 million, of which the Brigham Young University allotment would be approximately $750,000. Assuming a similar allotment for each year Brigham Young University, by spending $7½ million, would receive Federal grants in the total amount of $3¾ million. The board was informally asked whether it would accept this Federal money. The board was advised that if it would not accept this money, such money would be distributed to other educational institutions within the State of Utah.

Upon careful and deliberate consideration the board, although recognizing that Brigham Young University could very profitably use such funds, unanimously decided that in keeping with past policy it would not accept Federal grants and loans for buildings under the proposed program. It will, of course, continue to participate in programs wherein the university provides services for Federal funds received on a quid pro quo basis. The board, furthermore, expressed its outright opposition to the enactment of the proposed Higher Education Facilities Act.

One reason for opposing Federal subsidies for college building is that such subsidies will discourage and make unnecessary the more efficient utilization of existing education plants of the country. A study financed by the fund for the advancement of education reported in 1961-62 as follows:

> "Particularly in the use of space—classrooms, laboratories, and libraries—most colleges and universities persist in traditional and inefficient practices that waste their resources and result in unneeded construction." [1]

This report quoted figures showing that classrooms and laboratories had been used an average of only 44 percent of the possible periods in a 44-hour week. The senior author of the utilization manual showing these figures and the country's leading authority in such studies, Dr. John Dale Russel, of New York University, told the committee on higher education in New York State in 1960 that full classroom utilization by institutions of higher learning in the United States would enable existing facilities to handle four times the present number of students.[2]

Recognizing this inefficiency, a report under the auspices of the American Council on Education stated: "This may be a luxury we can no longer afford and one which we can hardly justify." [3] Nevertheless, that same council, as well as other educational organizations, is constantly proclaiming to Congress and the American people that we are in dire need of Federal funds for the construction of more university buildings. In general, the facts do not support this assertion of need, if present facilities are adequately utilized.

It is therefore obvious that the appropriation of new Federal funds would do away with incentive for better management of our educational resources. State legislatures and private donors would not exert the same pressures on universities to obtain more afternoon, evening, and early morning, as well as summer. use of their plants.

In contrast to this profligate national waste of educational space I am happy to report to you graduates and friends of Brigham Young University that the board of trustees of Brigham Young University has made every effort to obtain the most efficient possible use of tithing expenditures. As a result the utilization of all Brigham Young University classrooms and laboratories for the first term of the 1962-63 school year was 88 percent, based on a 44-hour week. This was exactly twice as high as the 44 percent national average previously cited.

Similar utilization of facilities on other campuses throughout the Nation and a decent respect for the rights of the taxpayers would make unnecessary large Federal appropriations for educational facilities.

A second reason for opposing Federal educational subsidies is closely related to the first. Under the bill adopted by the House, a total of $2 billion is to be made available for higher education,[4] notwithstanding the fact that the Federal Government has operated in the red for 27 of the past 33 years.[5]

The average deficit for the last year and the next 2 years will be almost $9 billion per year.[6]

During the period of the greatest prosperity in the history of our Nation, we have been sinking farther and farther in debt. The Federal current debt now amounts to well over $300 billion—or $1,700 indebtedness for every person in the United States. Further, Senator HARRY BYRD, chairman of the Senate Finance Committee, reported in June of 1962 that current debt and accrued liabilities of the Federal Government would total well over $1 trillion.[7] This was confirmed by Maurice Stans, Director of the Bureau of the Budget from 1958 to 1961, who phrased it in terms we can all understand when he said that "this is a national debt of more than $22,000 for every family of four in the country." [8]

With this alarming indebtedness constantly going upward, the Board did not want to be a party to further enlarging our Federal obligations and thereby impairing the financial integrity and solvency of our country.

Apparently our national legislators have forgotten the advice of Thomas Jefferson, who said:

> "I place economy among the first and most important virtues, and public debt as the greatest of dangers to be feared—To preserve our independence, we must not let our rulers load us with perpetual debt—we must make our choice between economy and liberty, or profusion and servitude. If we can prevent the Government from wasting the labors of the people, under the pretense of caring for them, they will be happy."

The shocking aspect of the present situation is that no one in high public office, nor any top educational leader proposing programs of Federal aid, has even as much as proposed a plan for the payment of Federal aid, except by having our Government go further and further in debt, which means economic slavery for our children and children's children.

A third reason for opposition to the present proposed legislation is that the problem can be solved by the traditional method of State and community support without new Federal subsidies. The cry of despair that we must have Federal subsidies or higher education will be unable to meet the challenge of the sixties is demonstrably false. The money must come from the citizenry whether channeled through a Federal conduit or State and private conduits. As A. Sydney Hulong, Jr., explained: "Federal aid is just like a man getting a blood transfusion by taking the blood out of his right arm, putting it in his left arm, and spilling part of it on the way over."

During the past decade numerous dire predictions similar to those now currently heard in behalf of higher education were made for elementary and secondary education. The Committee for the White House Conference on Education in 1955 recommended Federal aid for construction of public schools on the ground that the threatened enrollment increases would require a doubling of school funds in a decade, which would be impossible without Federal aid. Yet now we can look back and see what happened without Federal aid. The 10-year increase in school revenues from 1951-52 to 1961-62, according to an National Education Association report, was 159 percent,[9] far in excess of the 100 percent decennial rate which had been thought impossible to achieve.

We should remember also that the U.S. Office of Education placed the building shortage at 370,000 classrooms in 1954 and estimated it would climb to 476,000 by 1960 Others, including the chairman of the Senate Committee on Labor and Public Welfare, predicted it would reach 600,000.[10] Yet quite the opposite occurred. Without new Federal aid programs, the States and local committees cut the shortage to 127,000 classrooms (fall 1961). In other words, the available classrooms increased by 33 percent between 1955-56 and 1961-62, whereas enrollments increased only 22 percent. Thus new construction under our traditional method of State and community support has been at a rate 50 percent higher than new students.[11]

It should be noted that a number of comprehensive studies indicate that the rate of increase in general college enrollments will actually decline substantially during the coming 8 years.

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[1] The Fund for the Advancement of Education, a report for 1961-62, p. 29.

[2] Sidney Tickton, "The Year-Round Campus Catches On," the Fund for the Advancement of Education, 1963, p. 6.

[3] Ronald B. Thompson, "Educational Alternatives," in Vital Issues in Education, American Council on Education, p. 117.

[4] Funds totaling nearly $1.2 billion are to be given or loaned on a 50-year basis within the next 3 years under the proposed program. An additional $880 million is then proposed for the following 2 years, as a minimum. The minimal proposal then amounts to around $2 billion.

[5] U.S. News & World Report, July 22, 1963, pp. 34-39.

[6] This fiscal year ended with a deficit of $6.8 billion (BRUCE, CONGRESSIONAL RECORD, 88th Cong., 1st sess., Aug. 14, 1963, p. 14968); next year's deficit is predicted to be $9 to $11 billion (BRUCE, ibid., see also, LAIRD, ibid., p. 14994); and fiscal 1965, according to Secretary Dillon, will see a deficit of some $9.8 billion (ibid.).

[7] "The Financial Condition of the U.S. Government," CONGRESSIONAL RECORD, vol. 108, pt. 7, p. 9672, 87th Cong., 2d sess.

[8] Los Angeles Times-Mirror Syndicate, Feb. 28, 1962. See also U.S. Bureau of the Census, Statistical Abstract of the United States (GPO No. C3.134). See index, "Debt—Public—Federal Government," Budget of the U.S. Government (T51.5).

[9] National Education Statistics, Estimates of School Statistics, 1961-62.

[10] "Emergency Federal Aid for School Construction," hearings before the Committee on Labor and Public Welfare, U.S. Senate, 84th Cong., 1st sess., 1955, p. 1 (Jan. 27, 1955).

[11] Considered another way, total educational enrollment has jumped from 28 to 50 million since the end of World War II, an increase of 76 percent. This was accompanied by a growth of funds from $4 to $29 billion. This was a tripling of the share of the national income going to education—from 2.3 to 6.8 percent (School Life (Office of Education), January 1963, p. 23). In Utah the share of personal income devoted to public education increased from 3.23 to 8.73 percent between 1946 and 1962.

Also, the rate of increase in elementary and secondary enrollments will tend to level off, thus permitting States to shift school building expenditures to higher levels.[12]

Admittedly the future growth of the colleges, even though it may not be at the same rate as during the past decade, will require great effort and sacrifice to finance adequately. But, fortunately, State and local governments are already responding to that need. According to the Bureau of Census, State expenditures for higher education increased 27 percent between 1960 and 1962.[13]

If this rate should continue, State support will almost triple during the 1960's. But whether it does or not, every indication is that without Federal aid, State, local and private sources will provide the expenditures necessary for institutions of higher learning.[14]

The fourth reason for opposition to Federal aid is that it will lead to Federal control over education.

The Commission on Financing Higher Education, comprised, among others, of the presidents of Johns Hopkins University, the California Institute of Technology, Stanford University, Brown University, and the Provost of Harvard University, concluded unanimously in 1952:

"We as a nation should call a halt at this time to the introduction of new programs of direct Federal aid to colleges and universities. We also believe it undesirable for the Government to expand the scope of its scholarship aid to individual students." [15]

The Commission feared that the freedom, diversity, and independence of educational institutions will be threatened if higher education is subjected to further influence from the Federal Government.[16]

Former U.S. Commissioner of Education, Samuel Brownell, said that "if Federal aid is to bring about better schools, it seems apparent that there must be some control." [17] The kind of control to follow Federal aid is suggested by James Bryant Conant, president of Harvard University for 20 years, who wrote in 1959 that further appropriations for education by the Federal Government would lead to Senate and House committees examining into the details of curriculum and school organization, much as committees of the State legislature now do.[18]

An editorial in the Nation's Schools said:

"There is something quite naive in the way we school people talk about Federal control of education. Some of us think that Federal influence on education can be prevented simply by stating that it shall not exist. Federal direction is inherent in any Federal law or any Federal court decision pertaining to education." [19]

For some unexplained reason many people, including many educators, look upon Federal aid as coming from the legendary Santa Claus without any controls. They forget that the real Santa Claus, who pays the bills, always exercises complete control, even though in some cases, as with the Government, he may be extravagant, irresponsible, and even capricious.

Even though a Federal aid bill may originally be enacted providing for no Federal control, it is inevitable that succeeding Congresses will impose that control. That has been true of all Federal programs. Indeed, if the Government puts up the money, it is entitled to control, and will. He who pays the fiddler calls the tune.

Indeed, certain leaders in the school field, while they are discreetly silent as to Federal control while they are seeking Federal aid, will, once they get Federal aid, also seek Federal control.

Thus an editorial in Overview, a monthly magazine for school administrators, openly declares that the long held view * * * that educational policy should be made by local units of gvoernment will have to be replaced by a national system of education.[20]

The danger of such a national system—in addition to an almost automatic stifling of creativity resulting from eliminating the traditional diversity of educational programs across the country—is its inevitable control. This is illustrated by the parallel drawn by Dr. Nicholas Murray Butler, the late president of Columbia University:

"It is universally acknowledged that the unhappy decline in Germany of university freedom and effectiveness and the equally unhappy subjection of the educated classes to the political and military ruling group were the direct result of the highly centralized and efficient control from Berlin of the Nation's school and universities."

A fifth reason for opposition to the pending legislation is that there is serious doubt about the constitutionality of Government aid to church-controlled schools. The Supreme Court held, in the Everson case in 1947, that neither the State nor the Federal Government can pass laws which aid one religion, aid all religions, or prefer one religion over another.[21] The Court further emphasized the point by saying:

"No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion." [22]

Clearly, funds given directly to church-controlled educational institutions even though restricted to nonreligious buildings do release church funds to be spent for other purposes and thus aid an establishment of religion. President John F. Kennedy recognized this by stating on March 1, 1961:

"The Constitution clearly prohibits aid to * * * the parochial school. There isn't any room for debate on that subject. It is prohibited by the Constitution, and the Supreme Court made that very clear." [23]

One of the fundamental reasons why Congress, over the last several years, has failed to provide a massive program of Federal aid for elementary and secondary schools is that it was considered unconstitutional to make this money available to church-controlled schools who probably needed it worse than State institutions.

It is difficult to see any difference between a church-controlled high school and college. The constitutional position should be the same.

Even the American Association of University Professors overruled its governing council by resolving in 1962 to oppose grants to private institutions. The Honorable JOHN B. ANDERSON of Illinois found it ironic that, only 1 year after the Supreme Court had banned a voluntarily used 22-word school prayer, the House should pass the Higher Education Facilities Act—completely avoiding the constitutional issue of separation of church and state.[24]

Numerous Protestants join in this concern, as the prominent Protestant magazine Christian Century declared:

"American Protestants will never pay taxes to support Catholic schools. We will oppose enactment of laws which require such payment. If Congress is pressured into enacting such laws, we will contest them in the courts. If the courts reverse themselves and declare such laws constitutional, we will still refuse to pay these taxes, paying whatever price is necessary to preserve religious liberty in a pluralistic society." [25]

Summarily stated, the action of the board of trustees of Brigham Young University in opposition to the Higher Education Facilities Act of 1963 can be supported on at least five premises: (1) Easy Federal money will encourage the inefficient management and shocking lack of utilization of our existing educational facilities and buildings; (2) the trillion dollars' worth of obligations of the Federal Government and its continuous operation in the red do not justify a big new subsidy program (even though the money will be spent anyway, the board does not, by participating in such a program, want to become a party to impairing the financial integrity of the country we love); (3) State and private sources are responding to and can adequately meet the educational needs of the sixties as they have in the past; (4) Federal controls of higher education, which would accompany and follow Federal grants, would be unwise and dangerous; (5) Federal grants to religious educational institutions appear to be a direct violation of the first amendment to the Constitution, which erects a complete wall of financial separation between church and state, and even though it would be in our financial interest to participate therein, we have too much respect for the Constitution to do so.

## AMENDMENT OF WATER POLLUTION CONTROL ACT

The Senate resumed the consideration of the bill (S. 649) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purposes.

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[12] The enrollment increase for colleges from 1954 to 1962 was 74 percent compared with 51 percent, the average of four projections from 1962 to 1970. Total enrollment increase at all levels of education will drop from 35 percent between 1954 and 1962 to 17 percent between 1962 and 1970 (Bureau of Census, Current Population Reports, series P. 20, Nos. 89 and 120; series P. 25, No. 232). During the 1950's, educational enrollments grew faster than gross national product but during the remainder of this decade gross national product is expected to grow twice as fast as total enrollments. (Statement of Roger A. Freeman, senior staff member, the Hoover Institution in War, Revolution, and Peace, Stanford University, before the Subcommittee on Education of the Committee on Labor and Public Welfare, U.S. Senate, May 27, 1963.)

[13] Bureau of the Census, Compendium of State Government Finance in 1962–63.

[14] "Financing Higher Education," 1960–70, Dexter McKeezer, ed. (New York: McGraw-Hill, 1959), pp. 73–75.

[15] "Nature and Needs of Higher Education," the report of the Commission on Financing Higher Education (New York: Columbia University Press, 1952), pp. 157–158.

[16] Ibid., p. 158.

[17] "Shall It Be 'Yes' or 'No' on Federal Aid?" School and Society, XLIX (May 27, 1939), 669.

[18] "The Child, the Parent, and the State" (Cambridge, Mass.: Harvard University Press, 1959), p. 56.

[19] Arthur H. Rice, "Looking Forward: It Is Federal Control." Nation's Schools, September 1960, p. 65.

[20] Walter D. Cocking, "A National System of Education," Overview, November 1960, p. 97.

[21] *Everson* v. *The Board of Education of the Township of Ewing, et al.*, 330 U.S. 1, 15.

[22] Ibid., 16.

[23] Presidential press conference, as quoted by WAGGONNER, CONGRESSIONAL RECORD, 88th Cong. 1st sess., Aug. 14, 1963, p. 14158.

[24] CONGRESSIONAL RECORD, Aug. 14, 1963, p. 14141.

[25] Feb. 1, 1961, p. 132.

**Mr. MUSKIE.** Mr. President, I yield myself such time as I may need, on the bill.

The **PRESIDING OFFICER.** The Senator from Maine is recognized.

**Mr. MANSFIELD.** Mr. President, will the Senator from Maine yield briefly to me?

Mr. MUSKIE. I yield.

**Mr. MANSFIELD.** If it meets with the approval of the Senator from Maine, at this time I should like to suggest the absence of a quorum.

**Mr. MUSKIE.** Certainly.

**Mr. MANSFIELD.** Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, Senate bill 649, as reported by the committee, represents the following:

First of all, while retaining the original objectives of the bill, it incorporates significant changes which are responsive to the testimony which was taken in the hearings and to the flow of ideas and discussion which took place in the committee itself.

Second, it incorporates the subject of nondisposable synthetic detergents, which was introduced by Senate bill 1118 and Senate bill 1183, the principal sponsors of which were the distinguished Senator from Oregon [Mrs. NEUBERGER] and the distinguished Senator from Wisconsin [Mr. NELSON].

I believe it is fair to say that the bill before the Senate represents a strong consensus on the part of the members of the subcommittee and of the full committee.

At the outset I should like to express my appreciation to the chairman of the full committee, the distinguished Senator from Michigan [Mr. McNAMARA], who gave us invaluable assistance, cooperation, and support.

I should like to express my appreciation to the ranking member of the subcommittee on the Republican side, the Senator from Delaware [Mr. BOGGS] for his invaluable assistance. His efforts can best be described as creative and constructive.

Finally, I should like to express my appreciation to members of the subcommittee and to the full committee on both sides of the aisle. I have rarely had a more satisfying experience in the legislative process than I have had in the committee consideration of the bill.

Water is one of our most precious resources. Without it man cannot live. Without it, modern technological society cannot operate.

When this Nation was founded, the rich and abundant supplies of water seemed limitless. The rivers and the lakes were our first highways. They were a source of power for new industry. Pure and wholesome water was available for all for drinking, for livestock, for agricultural use, and for manufacturers. Fish were there in abundance, and wildlife flourished in the virgin woods and by clear waters.

But man is prodigal in his treatment of natural riches. Just as we stripped the virgin timber without thought of reforestation; just as we mined the soil without thought of restoring its life-giving properties, we polluted our streams and lakes, and made increasing demands on our water supplies without giving thought to what the future might hold.

Today we know that our supplies of water are not limitless. There are areas in the United States where pure water is in abundant supply. In my own State of Maine, for example, we have miles of pure streams and lakes that are a delight to the eye and a reminder of what our land once was. But even in Maine we have paid and are paying the penalties of our own advance. Our urban centers and our industries are discovering that it is not easy to get high-quality water suitable for home use, for recreation, or for industrial processing.

Let us look at the statistics. By 1980, the total dependable fresh water supply available in the United States will be about 515 billion gallons a day. The most we can ever hope to have available as a result of engineering works not now constructed is about 650 billion gallons a day.

Today we use 355 billion gallons of water a day, and by 1980 our requirements will have climbed to 600 billion gallons a day. This means, at present rates of development, that by 1980, at least 85 billion gallons of water a day will have to be used twice if we are to break even in our demands on available supplies of water.

The Public Works Committee of the Senate is acutely conscious of the fact that the Nation must complete, as rapidly as possible, the engineering works necessary to capture the maximum 650 billion gallons a day. We must treat the water in such a way that each gallon is usable at least twice. I have cited the figures for 1980. The estimated requirements 20 years after that, in the year 2000, will be 1,000 billion gallons a day.

The year 2000 is but 36 years from now—a mere generation away. We cannot ignore the water problem, and we cannot afford to delay effective action.

If we are to meet the needs of an expanding population for high quality water for human consumption, for recreation, fish and wildlife, for fisheries and agriculture, and for industry, we must increase our efforts to insure an adequate supply of the right kind of water at the right place and at the right time. This is no time to point an accusing finger at one segment of our society or at another. This is not time to talk of what might have been. This is no time to sit and say that this problem will take care of itself.

This is a time for public agencies at the local, State, and National level, for individuals and for industry, to plan together, to work together, and to invest together in a comprehensive program of water supply improvement for the United States.

If we do not work together we will condemn ourselves to the dangers of disease, urban decay, and economic stagnation.

The Senate Committee on Public Works, under the imaginative leadership of its chairman, the Senator from Michigan [Mr. McNAMARA], has taken steps to reemphasize, to highlight and to initiate new actions on behalf of improving our water supplies. The chairman has named a Special Subcommittee on Air and Water Pollution and I have been privileged to serve as its first chairman. The work of the past few months has been inspiring and rewarding to me; for I have had the opportunity of working with colleagues who, regardless of partisan lines and the natural conflict in so complex a problem as water pollution, have worked long and hard to achieve sensible, progressive, and constructive improvements in our water pollution control program.

I want to take this opportunity to pay tribute to the work of Senators RANDOLPH, MOSS, METCALF, BAYH, NELSON, BOGGS, MILLER, and PEARSON, who have served with me on the committee and who have contributed to S. 649, which we now have before us.

Mr. President, S. 649, as reported to the Senate, is considerably revised from its original version. It contains the essentials of S. 649, as introduced. It carries out the objectives of the original legislation. But it has been improved, by the clarification of language, by the addition of new provisions, and by the expansion of concepts in dealing with the critical problem of water pollution prevention, control, and abatement. In developing this proposed legislation, the committee has been guided by the following considerations:

First. The problem of water pollution is a national problem, affecting the physical and economic health of the entire country.

Second. The Federal Government has a substantial role to play in research, in the encouragement of cooperative programs, in the stimulation and support of interstate, State and local water pollution control programs, in the encouragement of compliance with water quality standards, and in enforcement on interstate and navigable streams where there has been a refusal to accept public responsibility at a lower level;

Third. The water pollution control problem covers a wide scope of public concerns, including health, economic welfare, recreation and the conservation of fish and wildlife;

Fourth. The administration of such a vital program must be upgraded and accorded proper emphasis within the Federal structure, in order to insure adequate attention and progress in meeting our national water pollution problems.

Fifth. The primary emphasis in corrective action, in planning for future uses, and in long-range programs must remain and, under the bill must remain at the local and State level where the ultimate responsibility rests.

Sixth. We must be alert to the problems created by our rapidly advancing technology, particularly in the development of organic chemicals which pose special and complex pollution problems.

S. 649, the bill we present to the Senate today, has been tested in the light of these considerations. It is, I submit, a sound bill, a constructive bill, and a desirable bill.

In the hearings before our subcommittee there was a healthy clash of views and a substantial difference of opinion. The committee gave close attention to the questions raised in the 6 days of hearings, tried to meet legitimate objections, and worked to improve the legislation in the light of suggestions at both ends of the spectrum of opinion in this field made by a number of the witnesses. We have been gratified by the support given to the final product by groups having substantial differences of opinion over emphasis and the most appropriate approaches to our water pollution problems.

Mr. President, the first such endorsement I should like to invite to the attention of my colleagues is a letter from Mr. Charles M. Parker, vice president for research and technology of the American Iron & Steel Institute. I ask unanimous consent that Mr. Parker's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN IRON & STEEL INSTITUTE,
*New York, N.Y., October 2, 1963.*

Hon. EDMUND S. MUSKIE,
*Chairman, Special Subcommittee on Air and Stream Pollution, U.S. Senate, Washington, D.C.*

DEAR SIR: The American Iron & Steel Institute has a sincere concern with legislation on air and water pollution control under consideration by your subcommittee. For this reason we have been diligently following the proceedings of the Special Subcommittee on Air and Water Pollution.

S. 649 as reported by the Senate Public Works Committee has been reviewed by our committee on air and water pollution abatement. The American Iron & Steel Institute wishes to offer our support of this bill. Although we are not qualified to comment on section 12 "synthetic detergents" we believe the remainder of S. 649 represents a positive step toward a sound program of stream pollution control for U.S. waters.

We compliment the committee and its staff on a job well done.

Very truly yours,
CHARLES M. PARKER,
*Vice President,*
*Research and Technology.*

Mr. MUSKIE. Mr. President, I invite attention, in particular, to the following sentences from Mr. Parker's letter:

> S. 649, as reported by the Senate Public Works Committee, has been reviewed by our committee on air and water pollution abatement. The American Iron & Steel Institute wishes to offer our support of this bill. Although we are not qualified to comment on section 12 "synthetic detergents" we believe the remainder of S. 649 represents a positive step toward a sound program of stream pollution control for U.S. waters. We compliment the committee and its staff on a job well done.

A similar letter of endorsement has come to us from the National Wildlife Federation. I ask unanimous consent that the letter from Mr. Thomas L. Kimball, executive director of the National Wildlife Federation, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL WILDLIFE FEDERATION,
*Washington, D.C., October 14, 1963.*

Hon. EDMUND S. MUSKIE,
*Chairman, Air and Water Committee,*
*Senate Committee on Public Works,*
*Washington, D.C.*

DEAR SENATOR MUSKIE: We should like to take this opportunity to commend you and the members of your subcommittee and the full Committee on Public Works for the fine work in reporting S. 649 to the Senate. This proposal, of major importance in resources conservation, is the result of long deliberation and much thought, and all persons connected with the project are to be congratulated for this fine effort.

The committee has been courageous in taking the step necessary to establish a Federal Water Pollution Control Administration within the Department of Health, Education, and Welfare. It is our belief that this action is imperative to give the program the emphasis it needs and merits.

Under the present organization, water pollution control is not highly regarded in the Public Health Service. At the present time it is one of five divisions within one of seven bureaus or constituent units. Even this has been a concession. As late as 1958 the work was relegated to the status of a branch. Obviously, the Administrator of this program does not have much voice in the formulation of important policy. We believe the program is of such importance that it merits status as an administration similar to Food and Drug.

One of the principal problems has been a so-called medical attitude toward water pollution. The Public Health Service attitude reflects the concept that only health is involved, and neglects the many other benefits of clean water—for industry, for agriculture, and for recreation. In the past this attitude was reflected in inadequate budget requests and virtually no Federal law enforcement. Much of the progress in pollution control which has been made in recent years has been due to the generosity and direction of the Congress and with leadership at the secretarial level.

We are in accord with the other provisions of S. 649, as reported by the committee. We believe the national policy on prevention and abatement of water pollution is strengthened. Grants in the field of separation of sewers are justified. Expanded authorizations for individual and multiple projects are needed. The establishment of water quality standards will strengthen control. A procedure leading to the use of decomposable detergents is urgently needed.

Thank you for the opportunity of making these observations.

Sincerely,
THOMAS L. KIMBALL,
*Executive Director.*

Mr. MUSKIE. Mr. President, in his letter Mr. Kimball makes this point:

> This proposal, of major importance in resources conservation, is the result of long deliberation and much thought, and all persons connected with the project are to be congratulated for their fine efforts.

I suggest that this wholehearted endorsement by both ends of the spectrum on this issue—industry on the one hand and conservation interests on the other hand—is an unusual reaction to legislation dealing with water pollution control.

Mr. President, I ask unanimous consent that a telegram from Mr. Ira N. Gabrielson, president of the Wildlife Management Institute, be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
*October 14, 1963.*

Hon. EDMUND S. MUSKIE,
*Public Works Committee,*
*Senate Office Building,*
*Washington, D.C.:*

Conservationists believe S. 649 a step in right direction. If Congress provides authorized appropriations and supports activities, bill should do much to rid Nation's waters of harmful pollution.

IRA N. GABRIELSON,
*President,*
*Wildlife Management Institute.*

Mr. MUSKIE. Mr. Gabrielson calls S. 649 a step in the right direction.

Mr. President, I ask unanimous consent that a letter from Mr. Carl W. Buchheister, president of the National Audubon Society, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL AUDUBON SOCIETY,
*New York, N.Y., October 11, 1963.*

Senator EDMUND S. MUSKIE,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR MUSKIE: Having studied S. 649 and the favorable report by the Public Works Committee, we endorse this legislation and recommend its passage by the Senate.

S. 649 as reported provides several forward-looking and needed steps to strengthen the national war on water pollution at every level of government.

Sincerely yours,
CARL W. BUCHHEISTER,
*President.*

Mr. MUSKIE. Mr. President, in his letter, Mr. Buchheister endorses the legislation and recommends its passage. Commenting on the bill, he writes:

> S. 649, as reported, provides several forward-looking steps to strengthen the national war on water pollution at every level of government.

Various State authorities have endorsed the bill, including A. D. Aldrich, director of the Game and Fresh Water Fish Commission of the State of Florida; Mr. Ladds Gordon, director of the New Mexico Department of Game and Fish; Mr. William T. Lodge, director of the Illinois Department of Conservation; Mr. John R. Woodworth, director of the Idaho Fish and Game Department; Mr. Walter J. Fillmore, director of the South Dakota conservation program; and Mr. E. B. Speaker, director of the Iowa State conservation program.

Mr. President, the administration has indicated its support for the basic provisions of S. 649. I ask unanimous consent that a letter from Secretary of Health, Education, and Welfare Anthony J. Celebrezze, dated October 11, 1963, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of
Health, Education, and Welfare.

Hon. Edmund S. Muskie,
*Chairman, Special Subcommittee on Air and Water Pollution, Committee on Public Works, U.S. Senate, Washington, D.C.*

Dear Mr. Chairman: This letter is in response to your request of October 10, 1963, requesting my views on S. 649, Federal Water Pollution Control Act Amendments of 1963, reported to the Senate by you on October 4, 1963.

Section 2 of the bill creates a Federal Water Pollution Control Administration, and assigns to that Administration those sections of the Water Pollution Control Act most closely associated with enforcement. As stated in my testimony, existing law would permit the establishment of such an Administration by the Secretary. Public Law 660 places responsibility for the administration of the Water Pollution Control program in the Secretary and, in so doing, gives the Secretary complete authority to prescribe the organization which he deems most conducive to the effective performance of his duties under the act. While the present law is sound in this respect, if legislation is enacted to transfer the enforcement functions of this program to a new Administration within this Department, we would act promptly to implement the legislation.

The establishment of an additional Assistant Secretary for this Department is highly desirable. All of the programs of the Department would benefit from this important and necessary strengthening of the Office of the Secretary, and this provision of the legislation has my full support.

As also stated in testimony, the provisions in the original bill establishing grants for the separation of storm and sanitary sewers seemed premature. The revisions adopted by your committee establishing a modest program of demonstration grants will aid greatly in the development of sound solutions to this very critical problem.

The Department endorses fully the proposed increases in construction grant ceilings, the general principles of incentive increases in the construction grant program for regional planning, and the provisions for the promulgation of water quality standards.

The bill would establish a permit system to be administered by the Secretary to assure effective cooperation in the control of pollution from Federal installations. All Federal departments or agencies would be required to receive a permit from the Secretary before discharging any matter into the waters of the United States, and the permit would be revoked if pollution originating on a Federal installation is found. The effect of the revocation of such permit is not defined, but we assume that this Department could not require the closing of Federal installations if the permit is revoked. We believe it would be desirable if the responsibilities of the Secretary and of the Federal installations concerned in this regard would be clarified in the legislative history of the bill in the Senate.

S. 649, as reported, contains provisions regarding the promulgation of standards and of regulations to control the use of nondegradeable, synthetic detergents. This section, which establishes a technical committee, requires that committee to be composed of an equal number of representatives of the Department and of the industry. This provision of equal representation may lead to a stalemate within the committee and the resulting inability of the Secretary to promulgate effective regulations. If these regulations are violated, no statutory sanctions are provided or provisions for enforcement. Nevertheless, we believe that the general approach of this section of the bill is desirable, and would be likely to have the results desired by the committee.

The overall purposes of S. 649 are highly desirable, and it is our opinion that the bill, which has been reported after the impartial, excellent, and informative hearings held by your subcommittee, has been greatly improved.

Sincerely,
Anthony J. Celebrezze,
*Secretary.*

**Mr. MUSKIE.** Mr. President, I ask unanimous consent that a letter dated October 14, 1963, from Mr. Phillip S. Hughes, Assistant Director for Legislative Reference of the Bureau of the Budget, be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Executive Office
of the President,
Bureau of the Budget,
*Washington, D.C.*

Hon. Edmund S. Muskie,
*Chairman, Special Subcommittee on Air and Water Pollution, Committee on Public Works, U.S. Senate, Washington, D.C.*

Dear Mr. Chairman: This is in reference to your request of October 8, 1963, for a Bureau of the Budget report on S. 649, a bill to amend the Federal Water Pollution Control Act, as reported by the Senate Committee on Public Works.

In general, the bill as reported by the committee is much improved over the original bill on which we reported and meets certain of the problems cited in our letter of June 20, 1963, to the chairman of the Senate Committee on Public Works. The Bureau of the Budget would therefore interpose no objection to the enactment of legislation along the lines of S. 649.

Sincerely yours,
Phillip S. Hughes,
*Assistant Director for Legislative Reference.*

**Mr. MUSKIE.** Mr. President, I ask unanimous consent that a letter from the Comptroller General of the United States, dated October 10, 1963, be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Comptroller General of the
United States,
*Washington.*

Hon. Edmund S. Muskie,
*Chairman, Special Subcommittee on Air and Water Pollution Control, Committee on Public Works, U.S. Senate.*

Dear Mr. Chairman: Reference is made to your letter of October 9, 1963, requesting our comments on S. 649 as amended and reported by the Senate Committee on Public Works.

The bill proposes to amend the Federal Water Pollution Control Act so as to provide, among other things, an increase in Federal grants for construction of municipal sewage treatment works and financial assistance to municipalities and others for the separation of combined sewers.

As stated in your letter, we previously suggested to the chairman of the Senate Committee on Public Works, by letter of May 28, 1963, that the bill as then introduced be amended by adding thereto a records and audit section which would require the grantees to keep complete records concerning the disposition of grant funds and which would authorize the Comptroller General and the Secretary of Health, Education, and Welfare or their authorized representatives to examine such records for the purpose of audit.

The bill as now amended and reported by the committee contains language in section 7 which would give effect to that suggestion and, consequently, we recommend enactment of that section. However, because the primary purpose of the bill concerns a matter of policy for the Congress to determine, we have no comments to offer concerning the merits of the bill.

Sincerely yours,
Joseph Campbell,
*Comptroller General of the United States.*

**Mr. MUSKIE.** Mr. President, I shall refer to the detailed comments in these letters as I discuss specific portions of the legislation.

The first provision of S. 649 states the purpose of the Federal Water Pollution Control Act. In the words of the bill:

> The purpose of this act is to enhance the quality and value of our water resources, and to establish a national policy for the prevention, control, and abatement of water pollution.

This statement of purpose defines our goals and sets the tone for the administration of the Water Pollution Control Act. It recognizes that there are many uses for water, that all water need not be of the same quality, and that judgments have to be made on our specific water needs and requirements. It also recognizes, that it is only through the enhancement of the quality of water that we can assure maximum utilization of this resource. I submit, Mr. President, that this is a reasonable goal to which all reasonable men can subscribe.

The second major provision in S. 649 provides for improved administration of the water pollution control program through the authorization of the appointment of an additional Assistant Secretary of Health, Education, and Welfare to supervise the program, and authorizes the establishment of a Federal Water Pollution Control Administration which would have specific responsibility for comprehensive programs, interstate cooperation and uniform laws, enforcement measures to abate pollution and to establish and obtain compliance with standards of water quality, and the control of pollution from Federal installations. Other functions relating to water pollution are retained within the secretary's discretion, who may additionally assign them to the new administration or to other sectors within the Department.

In incorporating these provisions in S. 649, the committee is cognizant of the power now held by the Secretary to take administrative steps to establish a Water Pollution Control Administration, and to reassign such functions in the program as he sees fit. The Federal Water Pollution Control Act Amendments of 1961 gave him such authority. Under the act, former Secretary, and now our Senate colleague [Mr. Ribicoff] placed enforcement activities under his direct supervision. In the light of testimony before the committee, it is our considered judgment that legislative action is required to initiate the upgrading of the water pollution control program and to insure the kind of broad policy direction which we consider essential to the success of the program.

Members of the Senate who followed the hearings may recall that the Bureau of the Budget and the Secretary of Health, Education, and Welfare raised objections to the original proposal in S. 649 for a Federal Water Pollution Control Administration headed by a Commissioner. In its letter of October 14, the Bureau of the Budget has advised us that it no longer interposes any objections to the bill in its present form. In his letter of October 11, 1963, Secretary of Health, Education, and Welfare Celebreeze has written that:

> While the present law is sound * * * in [giving] the Secretary complete authority to prescribe the organization which he deems most conducive to the effective performance of his duties under the act * * * if legislation is enacted to transfer the enforcement functions of this program to a new Administration within this department, we would act promptly to implement the legislation.

The committee is fully aware of the contributions which the Public Health Service has made in the field of water pollution control. We respect this time-honored agency of our Federal Government for its high tradition of service to the Nation. We believe it has an important role to play in water pollution control as it relates to environmental health. But we are convinced that the problem of water pollution is much broader than health, and much more important than its position in the organizational structure the Public Health Service now implies.

I would like to invite attention to the following language from the report of the Committee on Public Works:

> The Public Health Service has a primary interest in the protection of health. In the field of water pollution it has made a major contribution to our understanding of the nature of water pollution, its effect on individuals, and appropriate measures of pollution control. The basic orientation of the Public Health Service, however, is toward cooperative health programs with the States. It is not oriented toward the broader problems of public welfare, including the economic, and technical problems of industrial pollution.
>
> The Public Health Service should be free to concentrate on its primary concern with health in the water pollution field, as it is in other areas. It should be in a position to speak with an independent voice on such matters, unhampered by the problems which arise from enforcement proceedings. On the other hand, the administration of the water pollution control program should not be subordinated to considerations which are important to the Public Health Service, but are not directly related to the sound application of this act.

The appointment of an Assistant Secretary of Health, Education, and Welfare, with primary responsibility in the field of water pollution control, would meet two needs within the Department. The first relates to the upgrading of the status of this program, and the second relates to the need of the Department for additional policymaking positions commensurate with the wide ranging activities and responsibilties of the Department. As Secretary Celebrezze has written:

> The establishment of an additional Assistant Secretary for this Department is highly desirable. All of the programs of the Department would benefit from the important and necessary strengthening of the Office of the Secretary, and this provision of the legislation has my whole support.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MUSKIE. I am happy to yield to the Senator from Louisiana.

Mr. ELLENDER. If the proposed Office of Under Secretary is established, am I to understand that the Secretary will retain some of his present responsibility relating to water pollution work?

Mr. MUSKIE. Under the act, the Secretary would continue to retain all responsibility, but he is in a position to delegate some of it.

Mr. ELLENDER. Why should he retain some of the authority? Why should he not turn it all over to his Under Secretary?

Mr. MUSKIE. He retains the authority and, under the bill, would delegate some of it, as in his judgment he might desire. We have not specified how much of it he would delegate to the Assistant Secretary and the Commissioner of the proposed Water Pollution Control Administration.

Mr. ELLENDER. I asked the question because I thought perhaps the committee had some reason for permitting the Secretary to retain some of this authority.

Mr. MUSKIE. The 1961 act placed the responsibility in the Secretary, I believe for the first time. The reason was that in the field of water pollution, and particularly in connection with enforcement, we are dealing with a highly controversial matter in the field of Federal-State relations and in the field of Government-industrial relations. We felt that it was such a delicate problem in terms of dealing with conflicts that the Secretary ought to have primary responsibility, and that he should keep his finger on this aspect of the problem.

If at the same time we recognize the vastness of his Department, we realize that he must delegate some of the responsibility to an Assistant Secretary or other officials under him. But the Secretary, under the 1961 amendments, would retain in his office the actual final decision with respect to enforcement action in interstate streams.

Mr. ELLENDER. Does any other department of Government have anything to do with the subject we are now discussing?

Mr. MUSKIE. Yes. The Department of the Interior, in the Geological Survey, since the last century has worked in this field. I believe the Corps of Engineers of the Army has worked in this field for all of this century. And, of course, the Department of Agriculture has an interest in this field.

Mr. ELLENDER. Would the bill take away from those departments any of the functions they are now exercising?

Mr. MUSKIE. It would not.

Mr. ELLENDER. What has been done toward coordinating efforts of the various departments to see that there is no duplication?

Mr. MUSKIE. As I understand, and as the Secretary testified, excellent cooperative arrangements have been developed among the departments. The Geological Survey, of course, has been concerned primarily with research; and such research efforts, which have been undertaken over such a long period, with slight modifications in scope, ought to be continued.

The Corps of Engineers of the Army has a rather limited area of control over abatement that naturally falls in this field, and we feel that should be continued.

Mr. ELLENDER. The Senator feels that there is no conflict in the jurisdiction of the various departments; is that correct?

Mr. MUSKIE. There has been no testimony to suggest that there has been.

Mr. ELLENDER. How much of an appropriation would be required to put the proposed act into operation?

Mr. MUSKIE. The present authorization under existing law would not be changed, with one exception. The exception is a proposed program of demonstration grants to research the problem of separating storm waters from sewers. This is one of the really difficult, complex, and unanswered problems in the field of water pollution at the present time. The bill authorizes $20 million a year in grants for demonstration projects of this kind.

With that one exception, the bill would not increase the present authorization.

Mr. ELLENDER. The bill authorizes $20 million a year for research?

Mr. MUSKIE. And demonstration projects.

Mr. ELLENDER. Will the Senator be good enough to give us an example of some of the demonstration projects to which he refers?

Mr. MUSKIE. First let me give the Senator some idea of the magnitude of the problem. In the city of St. Louis, which, I think, has a metropolitan-area-wide antipollution program that is a model for the country, $1 billion is needed to separate storm waters from its sewers. It now has combined sewers.

As the Senator undoubtedly knows, in the case of combined sewers, whenever storms hit, the usual result is that the storm waters bypass the treatment plant and, in addition, flush out the sewers to the point that the sludge suddenly hits the receding stream and in many instances exceeds the normal flow of that stream. It is an enormous problem.

Two suggestions have been made, and they were advanced in the hearing: One, the separation of the two. This is extremely expensive.

For a city like New York, which has deep underground sewers which were built years ago, to separate them would be extremely expensive.

The other suggestion is to build storage tanks and to build delaying time into the system—that, is to trap the storm waters—and to supplement that operation with treatment plants which are separate and deal with the storm waters.

The latter seemed to be the most likely prospect.

The two suggestions were made by Mr. Gerald J. Remus, general manager of Detroit's metropolitan water supply system and sewage treatment system.

These seemed to be the two possibilities developed up to this time.

I point out that some 95 communities in the country are addressing themselves to this problem, of which 45 are in the planning stage.

It is for the purpose of encouraging them and enabling them to meet the problem that we would like to have this provision in the bill.

Mr. ELLENDER. Would the $20 million a year be in the form of grants?

Mr. MUSKIE. It would be on the basis of 50-50 grants, with a ceiling on any project of 5 percent of the total amount.

Mr. ELLENDER. For how many years would it continue?

Mr. MUSKIE. The authorization would be for 4 years.

Mr. ELLENDER. With respect to the method of contribution to the municipalities, local, or State governments, a certain formula has been established. Has that in any manner been changed?

Mr. MUSKIE. Does the Senator mean the allocation of the funds?

Mr. ELLENDER. In proceeding with water pollution control.

Mr. MUSKIE. With respect to the demonstration grants, there is no attempt to distribute the funds——

Mr. ELLENDER. I am not talking about demonstration grants. I am talking about distribution of contributions made by the Federal Government.

Mr. MUSKIE. There is a proposed change. The proposal is to increase the ceiling on such projects from $600,000 to $1 million, and on combined projects from $2.4 million to $4 million. In addition, the bill provides that for metropolitan areas which will combine joint plant requirements in this field, there will be provided a 10-percent incentive in addition to the grant. Our feeling is that in the long run we would save money, because if we could stimulate metropolitan areas to jointly plan sewer and water treatment projects into the future, the end result would be more efficient and economical installations.

Mr. ELLENDER. Is that the only change that the committee made?

Mr. MUSKIE. That is the only change in the present program.

Mr. ELLENDER. Otherwise the various agencies which now have something to do with the subject are not in any manner affected. Is that correct?

Mr. MUSKIE. The Senator is correct.

Mr. ELLENDER. I thank the Senator.

Mr. MUSKIE. I thank the Senator for this very useful colloquy.

Mr. President, the third major provision of the bill is the authorization of research and development grants in the amount of 50 percent of the estimated reasonable cost of projects which will demonstrate new or improved methods of controlling the discharge into any waters of untreated or inadequately treated sewage or other wastes from sewers which carry storm water or both storm water and sewage or other wastes. This section of the bill authorizes appropriations of $20 million a year for 4 years for the purpose of making demonstration grants. A grant for any single project is limited to 5 percent of the total amount authorized for any one fiscal year.

Testimony before the committee indicated that there are 1,131 communities whose entire waste collection systems are of the combined sewer type serving a population of 20.9 million people, and that another 810 cities, with a total population of 37.8 million, have systems which partially consist of combined sewers.

Complete separation of combined storm and sanitary sewers would entail estimated expenditures of $8 billion. Witnesses before the committee discussed alternative measures which would appear to present feasible, and in some instances, preferable answers. The committee, therefore, determined that research and development grants were desirable and necessary to encourage a solution to this vexing problem.

On this section of the bill, Secretary Celebrezze has written:

> As also stated in testimony, the provision in the original bill establishing grants for the separation of storm and sanitary sewers seemed premature. The revisions adopted by your committee, establishing a modest program of demonstration grants, will aid greatly in the development of sound solutions to this very critical problem.

The third major provision of the bill modifies the present ceilings on Federal construction grants for single projects and joint projects for several communities. The present program of grants for construction of municipal waste treatment plants provides for a Federal grant of 30 percent of the estimated cost of construction, but not to exceed $600,000 for a single project, and $2,400,000 for a joint multimunicipal project.

The committee has been impressed by the fact that while the sewage treatment plant grant program has been successful in stimulating action on the part of the smaller communities, larger municipalities, whose needed facilities are of greater size, are finding it difficult to meet the increasing costs of sewage treatment plant construction.

For example, in the current backlog of 5,831 communities with unmet sewage treatment needs, there are included approximately 90 large communities of over 50,000 population. These 90 communities account for one-quarter of the total $2.2 billion costs involved in the backlog, and for approximately one-half of the total population with waste treatment facility needs.

The increase from $600,000 to $1 million in ceilings on individual project grants, as recommended by the committee, would mean that these 90 larger communities would use, at the maximum, some $36 million in grant funds which would not be obtainable under the present program. This represents, even if fully used, less than 10 percent of the remaining $400 million in authorized Federal grants under the Water Pollution Control Act. It should be noted that even with the increased $1 million in the individual community ceiling, 90 larger communities would still not receive anything like a 30 percent share. In their cases, Federal grants would account on the average for only 15 percent of their total project cost. The committee believes that an increase in the ceiling from $600,000 to $1 million in the case of individual projects, and an increase from $2,400,000 to $4 million in the multicommunity project ceiling is desirable. The Department of Health, Education, and Welfare has endorsed this proposal.

The committee recognizes the importance of comprehensive metropolitan planning in developing sound and economical projects for community facilities. Desirable patterns of orderly development of municipal areas must be planned and followed to eliminate factors which lead to the breeding of slum and blight-impacted areas, and to effect those economies and efficiencies ordinarily made possible through the coordination of common interests and needs.

The committee has recommended, therefore, that the amount of grants for projects, which are found to comply with comprehensive plans, be increased by 10 percent. This would mean, for example, that a community eligible for a $100,000 grant for a sewage treatment project, would be eligible for an increase in the grant to a total of $110,000, if it was found that the project was part of a comprehensive plan for an area. We believe that this incentive will give added encouragement to the communities to improve their planning and to save money, both for themselves and for the Federal Government on overall costs in a given area.

The fifth provision of the bill authorizes the Secretary of Health, Education, and Welfare to institute enforcement proceedings on his own initiative to abate pollution of interstate or navigable waters which prevents shellfish products from being entered into interstate commerce.

Under the cooperative program for certification of interstate shellfish shippers, the Public Health Service, in cooperation with State and local governments in the shellfish industry, has developed an effective barrier to the transportation and sale in interstate commerce of shellfish, such as clams, oysters, and mussels, not meeting approved sanitary standards. The necessary ban on introduction of such pollution-affected products in interstate commerce and the foreclosure of gathering and harvesting operations in affected waters, denies the means of livelihood and gainful employment to the harvesters and shippers of shellfish. The injured person, who must sustain economic losses through no fault of his own, has no direct recourse against the polluters. Measures to restore the harvesting of shellfish in such waters are hampered and rendered ineffective by the continuance of pollution. The committee believes that Federal enforcement powers should be made available, to provide that pollution sources are abated and restorative measures allowed to proceed more promptly and effectively.

In my remarks, Mr. President, I have commented on the increasing demands on our water supply. The committee has been made aware, through its staff study, through the hearings, and through the results of our film report on "troubled waters" that we must use many rivers for multiple purposes, including industrial, agricultural, recreational, public water supply, and fish and wildlife. In other cases, the uses on a river or portions of a river will be more limited, depending on the nature of the waterway, the intensity and history of use, and the alternative sources of water in the area. We believe there ought to be a constant effort to improve the quality of the water supply. We recognize that improving the quality of water makes it available for more uses.

The committee is conscious of the need for the prevention of damaging pollution before it builds up. We are convinced that the soundest approach to our pollution problem is to encourage compliance, rather than to impose enforcement. Therefore, we have included in S. 649, as reported, a provision for discretionary authority for the Secretary to establish standards of water quality to be applicable to interstate waters or portions thereof.

The standards would be formulated in accordance with accepted administrative procedures calling for notice, public hearing, and consultation with affected Federal, State, interstate, and local interests. The standards would be designed to carry out the purposes of the act. The Secretary is directed to encourage the establishment of State and interstate standards which carry out the purposes of the act. It is not intended that he should classify or establish rigid quality standards on every interstate water in the Nation, but rather that he should use this tool selectively as a device to reduce the need for abatement and enforcement proceedings.

As the committee report points out:

> Water quality standards would provide an engineering base for design of treatment works by municipalities and industries. Such standards would enable municipalities and industries to develop realistic plans for new plants or expanded facilities, without uncertainties about waste disposal requirements on interstate waters.

It should be noted that we have amended the basic act to make the discharge of matter which reduces the quality of water below the established standards, either at the State or Federal level, subject to abatement under the present enforcement procedures. Should such enforcement procedures result in court action, the court, in receiving evidence, is to give due consideration to the practicability of complying with the applicable standards. The bill clearly states that the authority to establish standards does not extend the jurisdiction of the Secretary over waters not covered in the basic act.

The seventh basic provision in the bill tightens up on the control of pollution from Federal installations. It is the considered judgment of the committee that the Federal Government cannot encourage pollution abatement and control by industries and local communities if it is not willing to assume its own responsibilities in the treatment of pollution from Federal installations. We have provided, therefore, for a system of permits to control the discharge of such pollution from Federal installations, under the supervision of the Secretary of Health, Education, and Welfare. It is anticipated that in those cases where the Federal agencies refuse to comply with the recommendations of the Secretary, the Secretary is forced to withdraw permits, he will call this to the attention of Congress and that the Congress will take appropriate action.

The bill also contains two provisions relating to the accountability of financial assistance and labor standards enforcement. The first, resulting from a recommendation of the Comptroller General, provides for a system of audits on sewage treatment grants and other grant programs. The second, recommended by the Secretary of Labor, insures coordination of administration of the Davis-Bacon Act by the Secretary of Labor in accordance with Reorganization Plan No. 14 of 1950.

The final major provision of the legislation, as reported by the committee, allows the regulation of synthetic nondecomposable detergents in interstate commerce. In its hearings on water pollution control matters the committee considered S. 1118, introduced by Senator METCALF, and S. 1183, introduced by Senator NEUBERGER for herself, Senator DOUGLAS, Senator LONG of Missouri, Senator MAGNUSON, Senator McINTYRE, and Senator NELSON. Both bills dealt with the increasing problem of the so-called hard detergents. Testimony presented to the committee indicated that although modern detergents have eased our problems of cleaning in homes, farms, factories, and commercial buildings, they have complicated the problem of pollution abatement and control. Because the synthetic detergents are not, at present, biodegradable, present-day water and sewage treatment processes are incapable of breaking the compounds. These processes are able to reduce only partially the surfactant content. As a result, detergent wastes often impair the efficiency of treatment plants, persist in surface waters as long as 20 days, and persist indefinitely in ground water because of the lack of available oxygen. The testimony of witnesses and correspondence with members of the committee, of public officials, private individuals, and representatives of industry all agreed that something had to be done. Industry representatives assured the committee that soft detergents will be available in the latter part of 1965. The committee accepts these assurances.

How did the committee consider the problem? It did so on the context of the general question of modern organic chemicals which have introduced a new dimension in waste treatment problems. The committee did not think that it would be justified in singling out a particular industry as a culprit in pollution control. But neither did it think it would be justified in ignoring the problem or in not establishing sound procedures for a solution to this problem. The result is a proposal which we think may form a pattern for possible solutions to the waste discharge problem as it concerns other industries producing similar products for general use.

Briefly, the bill authorizes the appointment of a technical committee made of an equal number of representatives of the Department of Health, Education, and Welfare, and the soap and detergents manufacturing industry. The technical committee will serve in a liaison capacity to evaluate progress in the development of decomposable detergents and to recommend the standard of decomposability to be met by such products. On or before January 1, 1965, and June 30, 1965, the Secretary is to report to Congress on measures taken toward the resolution of the detergent pollution problem, the nature of delays encountered, and his recommendations for additional legislation, if necessary, to regulate the composition of detergents transported or sold in interstate commerce.

When the technical committee has recommended standards of decomposability and certified to the Secretary that detergents are generally available to manufacturers of detergents which conform to desirable standards of decomposability, the Secretary may, if he concurs in the findings of the committee, establish such rules and regulations as are necessary to prevent the transportation or sale in interstate commerce of detergents not meeting the standards of decomposability. He is also required, in conjunction with the Secretary of the Treasury, to issue rules and regulations preventing the importation of detergents not meeting the standards of decomposability. These regulations are to take effect on December 31, 1965, or 6 months after the issuance of such regulations, whichever is later.

It should be noted that this procedure accepts the assurances of the industry relative to the progress on the development of soft detergents. The bill establishes an orderly procedure for consultation and cooperation between the Federal Government and the industry in developing such decomposable detergents. It gives the Secretary the authority, if he finds it necessary, to issue rules and regulations to protect responsible members of the industry and the public from the actions of those not willing to meet such standards as have been developed by the industry and by the Government. No sanctions are authorized in the legislation. We believe such sanctions are unnecessary at this time, and the committee is willing to rely on the good faith of manufacturers within the framework of the procedures established by the bill.

The committee will follow the progress of this program, and if additional legislation is necessary, it will be prepared to recommend it to Congress.

These, Mr. President, are the major provisions of the legislation. I believe it represents a solid step forward in the direction of meeting our water supply needs. We have tried to present to the Senate a balanced program which will win the cooperation and the support of all those who have the desire to provide our Nation with the high quality of water it needs for its continued growth and prosperity.

**Mr. PROXMIRE.** Mr. President, will the Senator from Maine yield?

**Mr. MUSKIE.** I am happy to yield to the Senator from Wisconsin.

**Mr. PROXMIRE.** First, the Senator from Maine has made an excellent, persuasive speech. The bill appears to have much merit.

Is it true that neither the President nor the Secretary of Health, Education, and Welfare has asked for the legislation?

**Mr. MUSKIE.** I have placed in the RECORD today reports commenting on the bill as reported to the Senate. Those reports are favorable. The initial reports from the executive agencies were critical and in some respects unfavorable.

**Mr. PROXMIRE.** Perhaps I did not hear clearly everything the Senator said, but I understood him to say that the Secretary would do his best in administering the legislation to make it effective. But has the Secretary committed himself in favor of the bill, or has he made no commitment one way or the other as to whether the bill should pass or be defeated?

**Mr. MUSKIE.** The comment to which the Senator refers was directed to one particular section, relating to the Federal Water Control Administration. As to the other particular provisions, the Secretary has indicated a positive attitude which is favorable.

**Mr. PROXMIRE.** On pages 6 and 7 of the committee report, the committee discusses the increase in grants from, as I understand, $600,000 to $1 million for a single project and from $2,400,000 to $4 million for joint projects. How much will this additional authorization, in the estimate of the committee, cost the Federal Government?

**Mr. MUSKIE.** It will not operate to increase the total authorization for the program. It will merely mean some reallocation in the available authorization between the smaller cities and cities of medium size.

**Mr. PROXMIRE.** It is difficult for me to tell from the report, but is the 30-percent limit affected at all by the proposed legislation?

**Mr. MUSKIE.** It is not affected in any sense, except to the degree that the 10-percent incentive for metropolitan areawide planning would increase it, although I suspect that the smaller cities, which enjoy the 30-percent matching formula, would not generally be involved in the metropolitan areawide provision.

I doubt that most of them could be classified as emerging metropolitan areas.

**Mr. PROXMIRE.** Would the Senator from Maine say that the only ones which would be able to take advantage, generally, of the 10-percent provision would be those with such a large population that the $1 million grant limitation would be for less than 30 percent of the cost of their projects? And that this provision would provide a balancing benefit to them, as compared to the 30-percent benefit for smaller communities?

**Mr. MUSKIE.** That is correct. The metropolitan areas are defined in the bill in two ways. The first is the standard metropolitan statistical area, which is a definition of the Bureau of the Census; and it includes, among other criteria established by the Bureau of the Census in its definition, a requirement of a population minimum of 50,000. Under that definition, no community with a population of less than 50,000 could share in the 10-percent incentive, because by definition it would not be a part of a metropolitan area.

The other definition would provide some flexibility, so as to authorize the Secretary to include in "metropolitan areas" some communities which are not clearly within this standard, but clearly are emerging metropolitan areas. In other words, some of the missile sites—such as Cape Canaveral and others—are obviously emerging metropolitan areas. So the second definition of the bill is designed to give the Secretary some flexibility in that connection.

However, by and large, a population of 50,000 is the limit, or the floor.

**Mr. PROXMIRE.** Would the new 10-percent provision affect the cost to the Federal Government; or would it also come out of the amount which would be authorized and would be expected to be expended under this program?

**Mr. MUSKIE.** That would also come out of it, although my own conception is that the 10 percent would not even come out or reduce the amount available for the incentive program, because this part would reduce the cost of the sewage-treatment plants for the other areas.

**Mr. PROXMIRE.** There has been some criticism to the effect that there has not been systematic appearance at the hearings on the proposed legislation by representatives of the States, even though they would be directly and seriously affected. I wonder whether, first of all, the officials of any State government testified against the proposed legislation; and, second, whether there was any effort by representatives of the States to be heard, or whether the Senator from Maine knows of any very substantial objection by the States to this proposed legislation, on the ground that they have not had an opportunity to have their views presented.

**Mr. MUSKIE.** The impression the committee received generally was that the State water pollution control agencies looked with disfavor upon the bill, particularly upon the section which would create the Federal Water Pollution Control Administration. But that position seemed to us to be a little inconsistent, because in the States themselves the trend, in the organization of their own water pollution control efforts, has been to take them out of their State health agencies and to set up separate administrations which give the program a broader impact.

The latest word we have had on the attitude of the State water pollution control agencies is incorporated in a report from the Water Pollution Control Federation, which purports to be a report of a meeting held in Seattle, Wash., on October 10—only a few days ago. In the report, four criteria for Federal legislation are established.

Mr. President, I ask unanimous consent to have the report printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

WATER POLLUTION CONTROL FEDERATION,
*Washington, D.C., October 16, 1963.*

(NOTE.—The following report of the legislative analysis committee was unanimously adopted by the board of control of the Water Pollution Control Federation at its annual meeting in Seattle, Wash., October 10, 1963. The board represents 37 U.S. member associations, totaling nearly 10,000 individuals concerned with water pollution control.

(Individual members include professional engineers, municipal officials, education and research personnel, industrial representatives, waste-water treatment plant superintendents and operators, regulatory personnel, equipment manufacturers, and others interested in water pollution control.)

The legislative analysis committee is charged with the responsibility of studying legislation pertinent to the interests of the federation and serving the board of control in an advisory capacity.

In carrying out this charge the committee wishes to call attention to the fact that the Water Pollution Control Federation in adopting its statement of policy assumes responsibility to the public as well as to its membership, for pursuing in an aggressive manner the objectives so stated. In view of the many pieces of legislation involving numerous aspects of water pollution control which have been introduced during the current session of Congress, with the distinct likelihood of this being continued in the future, it is of utmost importance that the Water Pollution Control Federation take definite positions with respect to proposed legislation, if the Water Pollution Control Federation is to fulfill the obligations assumed in the policy statement. The committee therefore recommends that the board of control authorize the establishment of the necessary procedures for the Water Pollution Control Federation to be represented in considerations of water pollution control legislation.

In connection with the current proposed legislation which has been reviewed during the past year and which, it is understood, is still under consideration but possibly changed in some respects, the committee recommends that the position of the Water Pollution Control Federation be the following:

1. With regard to the establishment of a national policy on water quality preservation, the Water Pollution Control Federation recognizes the need for controlling the discharge of pollutional wastes into the waterways of the Nation and, to this end, that decisions as to the type and degree of treatment, and control of wastes must be based on thorough consideration of all the technical and related factors involved in each portion of each drainage basin.

2. With regard to the administration of the Federal water pollution control program, the position of the Water Pollution Control Federation is that the primary objective of pollution control is the protection of the health of the public. This is reflected in the language of the Federal Water Pollution Control Act stating that pollution is measured by its effect on public health or welfare. Consequently, the Water Pollution Control Federation believes that the Public Health Service has, by virtue of its long experience in dealing with all facets of water pollution control, including the protection of public health, has demonstrated that it is best fitted to administer national water pollution control functions, and therefore urges that administration of water pollution control at the Federal level remain with the U.S. Public Health Service.

3. Concerning the proposal to allocate Federal funds to abate pollution caused by existing combined sewers, the Water Pollution

> Control Federation takes the position that if this situation is of sufficient significance to warrant national recognition then the problem should be more thoroughly investigated as to the engineering and economic aspects that might be involved. The Water Pollution Control Federation believes that the separation of sewer systems relates to one specific engineering solution, whereas there may be other local acceptable alternatives for the control of this pollution problem.
>
> 4. The Water Pollution Control Federation recognizes the desirability of determining uniform water quality criteria for specific uses; however, because of the differences in the needs of specific river basins, the Water Pollution Control Federation recommends the establishment and use of such criteria as a cooperative effort by industry, State, local, interstate, and Federal agencies for and within specific river basins.
>
> The ad hoc committee recommends that the board of control instruct the president and executive secretary to implement the recommendations contained in this report and to oppose any legislation or provisions thereof contrary to the statement of policy and/or the recommendations contained herein.

Mr. MUSKIE. Mr. President, I shall be happy to permit the Senator from Wisconsin to examine the report.

Three of the criteria set forth in the report are consistent with the provisions of the bill in its present form. So, with respect to those three criteria of the report, the bill has been amended so as to conform with them.

The fourth criterion reads as follows:

> 3. With regard to the administration of the Federal water pollution control program, the position of the Water Pollution Control Federation is that the primary objective of pollution control is the protection of the health of the public.

That statement goes contrary to the attitude of the States which created these very agencies, because since World War II, in an increasing number of States, there has been recognition that there are broader considerations than public health—important though public health is—which have dictated to an increasing number of States the need to separate their water pollution control agencies from their health agencies.

So, with the exception of that one criterion, the bill is in conformity with the objectives set forth in the statement I have just placed in the Record.

Mr. PROXMIRE. And I suppose—in view of the way the bill is drafted—the States would be consulted first.

Mr. MUSKIE. Yes; that is mandatory.

Mr. PROXMIRE. And, in connection with consulting them, the municipalities would be consulted, I suppose—although that is a different matter, of course. If they disagree—even if a large number were to disagree—it is a fact, is it not, that the Department will determine whether these standards shall be put into effect?

Mr. MUSKIE. But the Department now determines that; and this point is very important. Under the proposed section 10—which I shall read—the Secretary now has authority to establish the standards.

Mr. PROXMIRE. On what page does that appear?

Mr. MUSKIE. On page 27 of the committee report. It reads as follows:

> ENFORCEMENT MEASURES AGAINST POLLUTION OF INTERSTATE OR NAVIGABLE WATERS
>
> Sec. 10. (a) The pollution of interstate or navigable waters in or adjacent to any State or States (whether the matter causing or contributing to such pollution is discharged directly into such waters or reaches such waters after discharge into a tributary of such waters), which endanger the health or welfare of any persons, shall be subject to abatement as provided in this Act.

Under the provisions of existing law, the Secretary can take action in regard to a navigable stream within a State, upon request of the Governor; or the Secretary can take action in regard to an interstate stream, upon request of the Governor of a downstream State which is offended by pollution originating in an upstream State; or the Secretary can take action on his own motion when there is danger to the health or welfare of any person. When he takes such action, obviously he has to do so in accordance with some standard in regard to the quality of water which then exists, the quality of water which will be obtained, and the amount of pollution which would be permitted.

At the present time, he determines all this on his own motion or in his own office, without notice to the users of the water or to the State or States concerned; and he takes such action without notice or without disclosing—insofar as his initial move is concerned—what objectives as to quality he has in mind.

Mr. COOPER. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. COOPER. I should like to challenge the Senator's statement that the Secretary has authority to fix water standards under existing law. Under existing law, if the Secretary believes a condition of water pollution should be abated—insofar as it affects interstate waters or a tributary from which an effluent reaches interstate waters—he can make recommendations to the State and the State can comply, if it desires to do so. If the State does not believe that the recommendations of the Secretary suit the circumstances, then the Secretary may establish a hearing board, which must include representatives of the States affected, as well as representatives of the Department of Commerce and the Department of Health, Education, and Welfare.

Mr. MUSKIE. That procedure would be retained.

Mr. COOPER. The Hearing Board under present law hears all the facts and makes findings and recommendations for abatement that is not the duty of the Secretary, but of the Hearing Board.

After the conference, the Secretary then asks the State if it will follow the findings made by the Hearing Board. If the State does not follow the findings of the Hearing Board, the Secretary can then ask the Attorney General to go to the courts.

That is an entirely different method of fixing standards than that which has been provided in this bill. Under the pending bill it is true that the Secretary is required to consult with the States. The Secretary would be required to give the State an opportunity to put in force his findings as to standards of water quality. If they did not, he could impose his findings. For all practical purposes, the intervening conference would not fix standards, as it does now.

Mr. MUSKIE. I beg to differ with the Senator, but I shall cover the point after he has finished his statement.

Mr. COOPER. If this bill is enacted there would be no intervening conference which would have jurisdiction, as it now does, to make findings regarding water quality. It is true the Hearing Board is retained, but the chief question that would be left to it is whether or not a discharge into water has altered the quality of the water below a standard which the Secretary had fixed. That is the reason I have for opposing the bill.

In my judgment, this bill would transfer to the new Administrator—although his voice would be that of the Secretary—full control over the establishment of water standards all over the United States, and would strip the States of any effective participation in prescribing standards.

Mr. MUSKIE. I know why the Senator has opposed the bill. I have heard him make that statement before. With all respect to the Senator, the statements are as erroneous today as they were when he first made them.

Mr. COOPER. I shall be glad to have the Senator point out wherein they are erroneous.

Mr. MUSKIE. I have done it before; I shall be glad to do so again.

In the first place, the present law reads—and I read it again:

> The Secretary has authority in situations which endanger the health and welfare of any persons.

Someone must determine whether there is an endangerment. The Secretary would call the conference. When would he call the conference? When he determines that there is a belief on his part that there is pollution endangering the health and welfare of any persons. No one else is involved. When there is a belief in his mind that there is an endangerment to the health and welfare of any persons, he may call a conference, which is the beginning of the enforcement proceeding. That is clear.

I asked Mr. Stein, who now heads the enforcement activity of the agency, "What is meant by 'welfare'?" Presumably, we know what is meant by "health," but what is meant by an "endangerment to welfare"? That is what Mr. Stein spoke about on page 54 of the record:

> Mr. Stein. Well; I think we can supply a list on that. Of course, there is public water supply and this is involved with health, but obviously there is industrial water supply. There is recreational use, fish and wildlife, industrial use and recreational and agriculture, which are the main uses of water affected by pollution. Of course, there are other uses such as navigation and power which conceivably can be affected.
>
> If the quality of water is such that it interferes with these uses, we look into the matter.

So that if the Secretary believes under that interpretation of the present law that there is an endangerment to any persons in terms of their potential for enjoying waters for recreational purposes—not health, but recreational purposes, for that is what the act provides—the Secretary can begin the enforcement proceeding. He must do so in connection with at least his own subjective standards.

He must have some idea why he believes there is an endangerment to someone's health or welfare, as defined by Mr. Stein. Then he may call a conference. He calls the conference, and then there is a consultation under the enforcement procedure which the Senator has described, and which would be retained if the bill S. 649 were enacted.

What would the bill do? The bill S. 649 provides that instead of leaving the standard to the subjective judgment of the Secretary before he calls a conference, an orderly procedure could be established for defining what is meant by "injury to health and welfare." The whole procedure in the bill S. 649 is designed to substitute for the Secretary's judgment before the conference which invokes the enforcement proceeding the judgment of the Secretary, the States, the communities, the industries, and everyone else involved. They develop their judgment. The bill provides, first, for a conference called by the Secretary in accordance with the notice requirements of the Administrative Procedure Act. There would be notice to the States, the communities, industry, and other interests affected, for the purpose of considering standards. Presumably, in most instances the States which are called in will already have established standards. Those standards are a part of the agenda for discussion at such a conference. As a result of such a conference certain standards are developed. Even if the standards are developed as a result of such procedure, the Secretary cannot put them into effect unless and until we give the States an opportunity to establish comparable standards of their own. If the standards are thus established, they do not increase the Secretary's authority to initiate enforcement proceedings. Rather they merely define the conditions under which enforcement proceedings can be invoked. The enforcement proceedings are exactly the same as under present law. Again a conference would be called. If the Secretary believed that there was a violation of standards endangering health and the welfare of any persons, again he would have to call a conference like the one to which the Senator has referred. That procedure would have to be followed.

Finally, if the procedure ended in court, the court would be required, under the provisions of the bill, S. 649, to consider the practicability of the standards, in addition to the practicability of abating the pollution.

**Mr. RANDOLPH.** Mr. President, will the Senator yield?

**Mr. MUSKIE.** I am happy to yield to the Senator from West Virginia, who has devoted many hours to the committee deliberations on S. 649. He has been a strong and constructive force in improving the legislation.

**Mr. RANDOLPH.** I have listened to the colloquy of the Senator from Maine [Mr. MUSKIE] and the Senator from Kentucky [Mr. COOPER] in reference to standards. During the years of my association on the Public Works Committee with the able and conscientious senior Senator from Kentucky, we have not often found ourselves in disagreement. I regret that it is necessary on this issue.

However, with the exception of my esteemed friend from Kentucky, S. 649, the Federal Water Pollution Control Act of 1963, is a bipartisan measure as it emerged from the Public Works Committee. It was extensively revised during many executive sessions of the Special Subcommittee on Air and Water Pollution and the full committee, on which I have the responsibility to serve.

The chairman of the subcommittee [Mr. MUSKIE] deserves the highest commendation, not only for the manner in which he conducted the hearings but equally for the exhaustive analysis he gave to its separate provisions and for his responsiveness to all the legitimate interests involved in the complex problem of water quality control. I was privileged to work closely with the Senator from Maine [Mr. MUSKIE], and other diligent Senators on this legislation. I state with accuracy that I know this legislation received careful committee analysis. Our chairman, Senator PAT MCNAMARA, can attest to this fact.

Mr. President, in 1956, with the enactment of Public Law 660, we made a start, though a tardy one, on combating the problems of water pollution. The pending measure will give acceleration to our efforts and will incorporate them in a more comprehensive and consistent Federal program.

The separate provisions of the pending bill have been presented by the Senator from Maine, and are explained in detail in the committee report. My comments, therefore, have been to reemphasize that water pollution is created by people, and with our continued population growth—which is anticipated to reach 322 million by the year 2000—and with our constant trend of urbanization, the Nation cannot solve the growing problems of water pollution control and abatement with any legislation less comprehensive than that now before the Senate.

Mr. President, in conjunction with this legislation I have spent many hours with representatives of West Virginia industries whose plants are located on our streams and rivers. Their general response has been one of acknowledgment of the Federal responsibility in this field and a cooperative approach in the hope that industry's problems will also be acknowledged within the provisions of the bill. It is my belief that this measure strikes a reasonable and effective balance among all those who have responsibility for improving water quality in America.

I believe it is exceedingly important for us to realize that at present the Federal authority may actually move in, call a conference, and, in effect, set standards on an ad hoc basis solely at the determination of the Federal Government. Under the pending proposal, however, the setting of standards would follow from a conference in which all parties would be represented—Federal, State, and local governments as well as industrial, agricultural, and recreational users. Their combined judgments would be represented in the standards.

I can visualize a situation in West Virginia in which a company might wish to locate a plant in a certain area, but if the company were on notice of the standards that would be required in connection with the disposal of its waste which would flow into a stream, it might very well come to the realization that it could not go into the area where it had anticipated establishing that facility.

But it seems to be that the Senator from Maine has spelled out the fundamental difference, which is that under present law the Federal agency operates within its own jurisdiction, without extensive reference to the judgments of other parties or control agencies.

Under the pending proposal the Federal jurisdiction would be joined with the interests of industrial and other users and the States in the conference structure and in the subsequent standards. This is a procedure which is wholly to the benefit of the economic well-being of the municipalities as well as local industrial interests.

**Mr. MUSKIE.** The Senator from West Virginia touches upon a very important point; that is, the standards are a protection. On interstate streams communities and industries are left in some doubt as to what the ultimate standard for water quality in the streams may be. They know that the prospect of Federal enforcement action hangs over them. They have no idea as to what criteria will trigger Federal enforcement action. They know that there are differing standards in many instances, as between the upstream and the downstream States.

There is left an area of uncertainty.

I believe this is one of the reasons why the American Iron & Steel Institute has endorsed S. 649. They like the prospect of knowing where they will stand when they are operating on the banks of an interstate stream.

**Mr. SYMINGTON.** Mr. President, will the Senator from Maine yield?

**Mr. MUSKIE.** I am glad to yield.

**Mr. SYMINGTON.** I congratulate the able Senator from Maine for his presentation. It has been interesting and impressive, and I am only sorry it is being given during the lunch hour, because other Senators would have liked to listen.

Am I correct in understanding that the distinguished Senator from Maine and the distinguished Senator from West Virginia believe under the proposed bill there would be more authority for the State and less for the Federal Government?

**Mr. MUSKIE.** I would not say that under the bill the Federal role would be diminished. It would not. With respect to standards, it would not. But the role of the States would be enlarged, as I see it. The role of the States in setting standards, with the opportunity to influence the standards or the opportunity to work cooperatively in establishing standards and enforcing them, would be enlarged.

Mr. SYMINGTON. The final decision still would be in the conference?

Mr. MUSKIE. The final decision on the standards would rest with the Secretary.

Mr. SYMINGTON. The Secretary himself?

Mr. MUSKIE. But he would be subject to the test of practicability, which would be followed in the courts under the provisions of the bill. May I read the provisions of the bill?

Mr. SYMINGTON. I wish the Senator would, but before that, let me ask this question: Would the Secretary, under the new bill, have more authority than he has under the present law?

Mr. MUSKIE. I do not so consider. The language in the bill is:

> Nothing in this subsection shall (a) prevent the application of this section to any case to which subsection (a) of this section would otherwise be applicable, or—

And I emphasize this—

> (b) extend Federal jurisdiction over water not otherwise authorized by this Act.

Mr. SYMINGTON. Mr. President, will the Senator from Maine yield for another question?

Mr. MUSKIE. I am happy to yield.

Mr. SYMINGTON. Under the proposed law the Secretary, in effect, would be required to give more consideration to problems of individual States and municipalities than he does under the present law?

Mr. MUSKIE. Exactly.

Mr. SYMINGTON. I thank the Senator.

Mr. MUSKIE. The Senator from Missouri has touched upon the point that was very much discussed by industry representatives before the committee. They complained—whether with justification or not is beside the point at the moment—that the Federal enforcement arm moved into interstate waters rather arrogantly, without adequate advance notice to the States as to what they could expect.

This proposal would establish the advance notice as to what could be expected. This would establish the guidelines. I believe this would establish a more cooperative relationship among the States in the whole field. I believe it would minimize enforcement action.

If everybody knew where he stood and what he could do in a stream after standards were established, he would be better off. This is an important point, because the standards which would be established would be only a guide until such time as enforcement procedures were instituted. In the enforcement proceedings, the practicability of the standard itself would be an issue. Not until the standards had been tested by the courts could we say they were finally and immutably in effect.

Mr. RANDOLPH. I am not sure that the Senator from Maine would agree with me, but in further answer to the inquiry of the Senator from Missouri, it is important for us to realize that, in some respects the relative role of the Federal Government would be diminished by the pending measure—at least to the extent that the proposed conference procedure enlarges the roles of other parties.

Mr. SYMINGTON. That was the point of my questions.

Mr. RANDOLPH. The Senator from Missouri has presented a very pertinent question, which the Senate must determine.

Mr. MUSKIE. To the extent that the bill would enlarge and reemphasize the role of the States, that is true. I could not disagree with that. But the bill would not absolutely reduce the role of the Federal Government.

Mr. BOGGS rose.

Mr. MUSKIE. Mr. President, I now yield to the distinguished Senator from Delaware [Mr. BOGGS]. I should like, again, at this point to express my warm personal appreciation for the constructive partnership and effort which he has contributed to the work of the committee.

The PRESIDING OFFICER. For how much time does the Senator from Delaware desire to be recognized?

Mr. BOGGS. For 15 minutes.

Mr. MUSKIE. Mr. President, I yield 15 minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 15 minutes.

Mr. BOGGS. I thank the distinguished chairman of the subcommittee, the very able junior Senator from Maine, not only for his kind remarks but also for the very able, full, and careful presentation which he has just made in behalf of S. 649. His full and careful explanation enables me to make my remarks fairly brief.

Mr. President, in discussing the pending legislation, S. 649, the Federal Water Pollution Control Act Amendments of 1963, it is well to have in mind that the waters of our Nation are one of our most precious natural resources. They are essential to all aspects of our national well-being. With the population growth and the increasing uses of our available waters, their essentiality is becoming more and more evident. The economic, health, and welfare needs of our Nation in the foreseeable future dictate every reasonable and practical step toward the protection and wise use of our water resources.

It is well also to keep in mind, I believe, the commendable progress in pollution control which has been made by industry, municipalities, States, regional authorities, and the Federal Government.

Yet the problems of pollution have developed in scope, number, and complexity much faster than have our efforts to deal with them. Therefore, this legislation is timely and would provide for a more realistic and effective water pollution control program.

This legislation would provide for an affirmative national policy for the prevention, control, and abatement of water pollution.

It would provide for strengthening the administration of the program by authorizing an additional Assistant Secretary of the Department of Health, Education, and Welfare to supervise the water pollution control activities under the direction of the Secretary.

It would establish within the Department of Health, Education, and Welfare a Water Pollution Control Administration which would have specific responsibility for enforcement measures to abate pollution; establishing and obtaining compliance with standards of water quality; and controlling pollution from Federal installations.

It would provide an authorization for research and development demonstration grants for new or improved methods to meet the problem of pollution resulting from overflows of combined storm and sanitary sewers. The testimony before the committee indicated that this was an important exploratory area. Research and demonstration projects are needed to soundly point the way for successfully meeting this problem.

This legislation would provide realistic limitations in the existing program for construction of municipal waste treatment plants. This program has been very successful, especially in smaller municipalities; but, due to the limitation of funds for a single project, the larger municipalities could not receive the full benefit of this program. The increase in single project grants does not increase the overall authorization for this program.

Encouragement for comprehensive metropolitan planning has been included by the provision allowing a 10-percent increase in the grants authorized for treatment plant construction in appropriate instances.

This legislation carries a provision authorizing enforcement proceedings to abate pollution on interstate waters where the pollution prevents shellfish from being marketed in interstate commerce. This is a small but very important provision because many times gainful employment and growth of an industry is prohibited and the injured person or persons can do nothing about it. So this provision is not only sound, but is fair and most equitable.

This legislation provides that the Secretary of the Department of Health, Education, and Welfare may establish standards of water quality on interstate waters or portions thereof if the appropriate State or regional authority has not established standards.

The Secretary must give the State or regional authorities reasonable time to develop and establish standards if they wish to do so. In establishing standards, the Secretary may—and I repeat the word "may"—do so only after notice and public hearing and consultation with Federal, State, interstate, and local interests. It is believed that this provision will help to clear up some of the confusion which now results from the commencement of enforcement proceedings at the conference where ad hoc requirements are set. It is believed that the establishment of standards will reduce the need for enforcement proceedings and facilitate treatment programs because full knowledge would be available as to the water quality needs. This authority to establish standards in appropriate cases does not extend the jurisdiction of the Federal Government over waters not now covered by existing law.

Another provision of this bill provides for more effective control on Federal agencies whose installations may be causing pollution.

There have been strong demands for legislative action to prohibit the production and sale of hard detergents, which are a serious pollutant problem. The detergents industry gave most encouraging assurances that it was working hard to lick this problem and expected to have new soft detergents on the market by the latter part of 1965. Industry is to be commended not only for recognizing the problem but for taking the initiative in trying to solve it. It was my first thought that on the basis of industry's assurances, legislation at this time would not be desirable. However, recognizing the public interest and concern, and recognizing that West Germany has already outlawed hard detergents and could possibly dump hard detergents in this country, I now believe that this provision of the bill is to the best interests of our Nation. This provision provides for a technical committee composed equally of representatives from the detergent industry and the Department of Health, Education, and Welfare. This technical committee would work with the Secretary on this problem. The Secretary would keep the Congress advised and when the problem was solved, the technical committee would recommend appropriate standards which the Secretary would establish and advise the Secretary of the Treasury so that appropriate regulations preventing the importation of detergents not meeting these standards of decomposability could be put into effect. It seems to me that even though this provision may not be absolutely necessary, yet it is desirable.

The Federal role in water pollution control has been evolving over a period of years. In 1948, and from time to time since then, Federal water pollution control legislation has been passed. In all this legislation emphasis has been placed on the States maintaining the primary responsibility for water pollution control. The legislation we are now considering upholds this concept while at the same time providing for appropriate Federal encouragement to the States and backing up the States and regional authorities when and where the circumstances may justify. This legislation is not intended to duplicate, overlap, or supersede State or regional authority, and I am convinced, properly administered, it would not.

In my own personal experience I have reached the conclusion that the States acting alone cannot successfully meet the water pollution control problem on interstate streams. Neither can regional authorities. In the first place, the States have as much or more than they can do in water pollution control matters strictly intrastate. There is a tremendous job to be done on intrastate waters. In the second place, no matter how fine a job a State may do on a portion of interstate waters, its efforts may be negated by activities beyond its control. So, I think it is most proper that the Federal Government make clear its policy, program, and enforcement proceedings, and that is exactly what this legislation endeavors to do.

I support this legislation and urge my colleagues to support it.

It is a privilege to serve on the subcommittee under the chairmanship of the distinguished junior Senator from Maine [Mr. MUSKIE]. The subcommittee, under his leadership, along with the other members of the committee and the staff, worked objectively and diligently to develop this legislation.

The goals and objectives of each member of the committee were the same, that is, to recommend legislation consistent with our Federal-State system of Government to more effectively meet the water pollution problem and help in the conserving of our great water resources.

I say again, I think this is a good bill and I believe that industry, municipalities, the States, and regional authorities will find, as it was intended, that it will be helpful; and greater progress will be made in our overall water pollution control effort.

The **PRESIDING OFFICER.** The bill is open to further amendment.

Mr. **COOPER.** Mr. President, I call up my amendment——

Mr. **MUSKIE.** Mr. President, is the Senator proceeding on his own time? I am running short of time.

Mr. **COOPER.** Yes.

Mr. President, I call up my amendment No. 226.

The **PRESIDING OFFICER.** The amendment offered by the Senator from Kentucky will be stated.

The **LEGISLATIVE CLERK.** It is proposed to strike all after line 15 on page 11 through line 8 on page 13 and insert in lieu thereof the following:

> (c) In order to carry out the purposes of this Act, the Secretary shall, after reasonable notice to State, interstate, and local water pollution control agencies, manufacturers, and industries involved, and other interested individuals or organizations, conduct public hearings for the purpose of making recommendations to the Congress on measures which should be taken to achieve a prompt and effective resolution of water pollution, including but not limited to—
>
> (1) the necessity for, and feasibility of, establishing national standards of water quality, to be applicable to interstate waters and portions thereof;
>
> (2) the nature and scope of delays presently being encountered in preventing, controlling, and abating water pollution;
>
> (3) legislation relating to water pollution abatement proceedings considered necessary and desirable;
>
> (4) measures to provide necessary financing for the prevention, control, and abatement of water pollution.

The **PRESIDING OFFICER.** Under the unanimous consent agreement, the Senator from Kentucky is granted an extra hour on one of his amendments. Is the Senator now discussing that amendment?

Mr. **COOPER.** Yes.

I modify my amendment, in line 3, page 1, by striking out the word "manufacturers" and inserting in lieu thereof the word "municipalities." On page 2, line 2, I modify my amendment by inserting after the word "Congress" the words "by January 1, 1965."

The **PRESIDING OFFICER.** The Senator modifies his amendment accordingly.

## ORDER OF BUSINESS

Mr. **COOPER.** Several Senators have asked me to yield to them for the purpose of making brief statements. I ask unanimous consent that I may yield to the Senator from Connecticut [Mr. DODD] for 7 minutes, with the understanding that I shall not lose my right to the floor.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **DODD.** I thank the Senator from Kentucky.

## VISIT TO THE UNITED STATES BY JOSIP BROZ TITO

Mr. **DODD.** Mr. President, tomorrow Marshal Josip Broz Tito, the Communist dictator of Yugoslavia, will arrive in our country, and he will be provided with all the honors customarily accorded to visiting heads of state.

Even though mine may be the only voice, I feel conscience bound to speak out against the presence of Marshal Tito as an honored guest in our country, as I spoke out against the invitation extended by President Eisenhower to Prime Minister Khrushchev in the summer of 1960.

It is unpleasant for any Senator to have to place himself in opposition to an action taken by his own administration. It is doubly unpleasant when the hospitality of the President of the United States is involved. To keep silence about Tito's visit would in several respects be the easiest way out.

But I cannot keep silence, because what is involved here is not a minor difference of opinion but a matter of fundamental principle. I consider it my duty to let the RECORD show that at least one Senator refused to join in the greetings to the Communist dictator of Yugoslavia and that the wisdom and propriety of the invitation were publicly challenged in the Senate.

Let us make no mistake about it; the man we shall be receiving in our Capital tomorrow is no friend of freedom and no friend of the United States; on the contrary, he is the sworn enemy of everything that we stand for. This is no honorable man whose deeds and record merit our cordiality, but an evil man who comes to us with bloody hands and beguiling doubletalk.

The policy of firmness to which we have committed ourselves in Vietnam and elsewhere is, I am afraid, undermined and in part controverted when we invite Communist tyrants like Khrushchev and Tito to our country as honored guests.

I do not accept the argument that such visits are an essential part of diplomacy, that they promote better understanding, diminish tensions, and make the peace more secure.

Our diplomacy does not depend on meetings of heads of state or on state visits to this country of Communist dictators. On the contrary, I believe that our diplomacy was much more effectively conducted before the era of summit meetings and before the invitation to Khrushchev opened the door to the dismal parade to despots who have since visited our country.

We maintained uneasy diplomatic relations with Fascist Italy and Nazi Germany in our own interests. But no self-respecting American, either liberal or conservative, would have ventured to propose that we invite Hitler or Mussolini to our country as honored guests for the purpose of reducing international tensions.

These invitations do violence to our traditions and debase our principles.

They tend to obscure the essential moral differences between freedom and Communist tyranny.

They elevate and dignify and lend respectability to men who have butchered and imprisoned scores of thousands of their own countrymen, who are committed to the subversion of the free world, and who have been guilty of a thousand acts of perfidy in their relations with us.

They suggest that the Western Powers accept the existence of Communist rules as something permanent and unchangeable; and, in doing so, they can only serve to bewilder and demoralize all those who seek to resist the Communist regime and to work for its overthrow.

We are told that Tito is a different kind of Communist, a better kind of Communist, an independent Communist; and this argument is used to justify not only Tito's current visit to our country, but also the $2¾ billion worth of aid we have given him over the years.

I challenge the validity of this argument on every point.

The differences that exist between Tito and Khrushchev are of an altogether minor nature. On fundamentals they are united. Khrushchev himself made this abundantly clear in his speech of August 31, 1963, in Velenje, Yugoslavia, when he said:

> The basic questions between our parties have been solved * * * and our nations are joining to fight capitalism.

According to the New York Herald Tribune, Marshal Tito responded in a televised speech later that day with the words:

> I can say with pleasure that our attitudes on major world problems are unified.

I would remind those who join in greeting the Yugoslav dictator to our shores that this is the man, who after seizing power, liquidated several hundred thousand of his countrymen as ruthlessly as Stalin purged millions of Russians.

I would remind them that this is the man who defended Khrushchev's suppression of the Hungarian revolution and who, more recently, gave his unconditional support to the Soviet Union in the Cuban crisis.

I would remind them that this is the man responsible for the long imprisonment of Cardinal Stepinac, and for the reimprisonment last May of Milovan Djilas, whose only crime was that he rejected the tyranny of communism and found little difference between this tyranny under Stalin, under Khrushchev, or under Marshal Tito in Yugoslavia.

I would remind them that Tito was the prime organizer of the squalid conference of neutralist nations in Belgrade in August 1960, where the participants voted resolution after resolution against the West in a manner that infuriated Ambassador Kennan and every other objective observer. I might point out here that Ambassador Kennan, who was for years a stanch partisan of our massive foreign aid program to Yugoslavia, has reversed his position, apparently as a result of his personal experience in that country. In a television interview on "Meet the Press" on August 18, Ambassador Kennan said that he was not a partisan of U.S. aid to Yugoslavia and that he did not think it should be reinstated.

As for the myth that Tito's independence serves the interests of the West, I would point out to those who greet him that, in his posture as an independent Communist, he has been able to serve the cause of international communism more effectively than he could have done as an open agent of Moscow, because this posture has enabled him to spearhead the entire anti-Western neutralist movement in Asia, Africa, and now Latin America.

Commenting on the new Tito-Khrushchev partnership, the New York Times pointed out on August 26, that:

> Tito will be in a position to continue his role as a kind of Marxist-Leninist stalking horse in areas where they have less access than he does. One of these areas, until now, has been Latin America.

I believe that the invitation to Marshal Tito is a terrible mistake, and I regret it all the more because it flies in the face of the administration's grim commitment to resist the encroachments of communism in Vietnam, in the Middle East, in Latin America, and in other areas.

Someday, I hope, the American Government will realize how much harm, political and moral, is done by these distasteful state visits of Communist dictators to our shores.

Someday, I hope, a halt will be called to this sordid parade that debases freedom and dignifies tyranny, that diminishes the vigor and strength of our own resistance to communism, and that saps the resistance of the many peoples already enslaved by it.

Someday, I hope, we shall return to the maxim that it is best to deal with tyrants at arm's length and to shun official invitations and the conviviality of social functions because, whether we will it or not, these inevitably imply acceptance of approbation of their regimes.

I am under no illusions. I do not expect any immediate change in policy in response to the statement I have made today. However, conscience compels me to speak out publicly. I do so in the knowledge that there are millions of Americans who think as I do, and in the conviction that ultimately the validity of the position I have here outlined will be accepted by those in charge of our foreign policy.

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## ANTI-SEMITISM IN THE SOVIET UNION

Mr. COOPER. Mr. President, I ask unanimous consent that I may yield 5 minutes to the distinguished junior Senator from New York, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEATING. Mr. President, Soviet persecution of the Jewish people has reached new levels of prejudice and inhumanity. The continued arrests of Jewish citizens for alleged economic offenses, the prohibition of the sale of matzoth for the celebration of religious holidays, the closing of seminaries and synagogues, the desecration of holy burial grounds, and finally, the sentencing of a rabbi to death, reveal to the world an ugly picture of anti-Semitism and religious intolerance.

Soviet pretensions of equal rights for all nationalities in the Soviet Union are a farce indeed when minority groups such as members of the Jewish faith are placed under an intolerable burden of suspicion, restriction, and persecution.

Mr. President, this matter has been raised on the floor of the Senate in a number of different forms, and I, among others, have joined in a variety of different overtures to press this matter to the attention of the Soviet Government and to urge upon our own Government a more vigorous defense of human rights where they are so tragically jeopardized.

The results, I am reluctant to admit, are altogether negligible. In fact, there is evidence that Soviet anti-Semitism is very definitely on the increase. The reasons are not entirely clear. Partly, no doubt, the Soviet Union wishes to find a scapegoat for its own economic failures which have most recently culminated in the Soviet need to import huge quantities of Western foods. Partly, also, the Soviet Government may wish to demonstrate to the Red Chinese and other Communist parties that it remains an ardent supporter of the most stringent Communist economic policies and an opponent of nationalism in any form. But whatever the reasons that lie behind the resurgence of Soviet religious persecution, there is increasing dissatisfaction with the passive attitude that has been taken by the U.S. Government on this issue. State Department officials who discuss the agenda of the General Assembly dwell at length on human rights in general. There will be a draft declaration on the elimination of racial discrimination and no doubt a lot of talk about anticolonialism. But unless our Government takes the initiative of bringing the matter of Soviet anti-Semitism to the floor, I see no indication that this important matter will even be considered by the U.N. this year.

Mr. President, I am very much disappointed that the Department of State is not willing to take the initiative in bringing this problem more forcibly to world attention. In recent correspondence to me, Under Secretary of State Averell Harriman refers to the pressure that the Soviet Union is putting on all religious groups, but particularly those of the Jewish faith. Unfortunately, there is no indication of any initiatives that the United States is prepared to take.

Mr. President, there is one initiative that we could very easily take at this juncture—an initiative well within our power and one which would dramatically show to the world our concern for religious toleration in every corner of the globe. We could formally propose as one of the conditions for the sale of U.S. grain to the Soviet Union that the wheat from the United States be available for religious celebrations without reference to faith or denomination throughout the Soviet Union. Whether the Soviets would agree to such a condition and abide by it in good faith remains to be seen. But such a public appeal by the United States could not fail to make an impact on world opinion. It would point up more effectively than anything else we could do at this point the hypocrisy of Soviet plans and the discrimination and restrictions that the Communists place upon manifestations of religious feeling.

Mr. President, such a move on the part of the United States would, I sincerely believe, go far to mitigate the present Soviet wave of persecution against the Jewish people, and I am urging the Secretary of State to give this proposal urgent consideration.

**Mr. JAVITS.** Mr. President, will the Senator yield, if he has a minute?

**Mr. KEATING.** I yield.

**Mr. JAVITS.** The Senator is specifically referring to the baking of matzoth, which is prohibited in the Soviet Union. The Senator's statement is absolutely correct. I, too, have communicated with the Secretary of State, and I wish to endorse and support the Senator's recommendation. It may be that the action proposed cannot be taken; but at least the United States ought to raise the question as showing its interest in this subject. I congratulate my colleague for raising the question.

## EMPLOYMENT AT THE BROOKLYN NAVY YARD

**Mr. KEATING.** Mr. President, I am concerned over the long-term outlook for employment at the Brooklyn Navy Yard. There is, let me make clear, no immediate crisis. Employment, in fact, has remained relatively stable over the last 12 months. But the long-term trend is unfortunately down. In 1953, Navy yards did 93 percent of repair, alteration, and conversion work plus 45 percent of new construction. The trend since that time has been steadily downward. In 1958, the Navy yards got 88 percent of repair, alteration, and conversion work, with 20 percent of new construction. Last year, however, Navy yards received only 64.6 percent of repair work and 13 percent of new construction. This year, fiscal 1964, Navy yards are scheduled to get about 62.5 percent of repair work and 18 percent of new construction.

What does this mean specifically for New York? Again, I repeat, the immediate outlook is good, but for the long term there are serious problems. I am assured by Secretary of the Navy Korth that the New York Naval Shipyard has a great deal of work at the moment and, in fact, that additional ship construction work at this time "would create a serious overload there." Also, over the last year, since the third quarter of fiscal 1963, there have been no substantial reductions in employment at the Navy yard.

A bookkeeping shift, upgrading the U.S. Naval Applied Science Laboratory, technically transferred 800 employees from the Navy yard payroll to a separate payroll. The shift of 800 employees, which was not a reduction, accounts for the difference in figures between the third quarter of 1963 when the employment range was set between 11,800 and 12,300, and the figures just provided to me by the Bureau of Ships, indicating an employment range of 11,000 to 11,500 for the second quarter of fiscal 1964, that is, October through December of 1963. For the moment, then, there is no reason for alarm.

However, in reviewing the proposed further assignments for fiscal 1964, the Navy shipbuilding program does not as yet allot a significant amount of work to the New York Naval Shipyard. Brooklyn will get two destroyer conversions and no new construction. This compares with four destroyer conversions for the Boston Navy Yard, three destroy conversions that will go both to the Philadelphia and Norfolk Navy Yards; two destroyer conversions plus a nuclear-powered submarine that will go to the Mare Island Shipyard; and one destroyer conversion plus the construction of a new destroyer tender that will go to Puget Sound Naval Shipyard. Unfortunately, the Brooklyn Navy Yard will not have an opportunity to work on any of the three new amphibious transport docks—LPD's—which they have worked on in the past, but the Navy Department does assure me that the Navy does not intend to allocate all its new ship construction jobs to private yards, as had been feared in some quarters. Therefore the New York Naval Shipyard may in the future have an opportunity for more such work.

Mr. President, although Secretary of the Navy Korth's letter is encouraging for the moment, there is obviously continuing need for the interest and support of the Members of Congress from New York in the possible long-term dangers for the Brooklyn Navy Yard. I very definitely intend to follow further developments closely and do everything in my power to insure that a fair and adequate workload is assigned to the Brooklyn Navy Yard, which has made itself known throughout the naval and shipbuilding world as the can-do yard.

Mr. President, I ask unanimous consent to have printed in the Record following my remarks letters from Admiral Brockett, Chief of the Bureau of Ships; Hon. Paul Fay, Jr., Under Secretary of the Navy; and Hon. Fred Korth, Secretary of the Navy, as well as the projected Navy yard work allocations for this year.

There being no objection, the letters and statement were ordered to be printed in the Record, as follows:

Department of the Navy,
Bureau of Ships,
*Washington, D.C., September 30, 1963.*

Hon. Kenneth B. Keating,
*U.S. Senate,*
*Washington, D.C.*

My Dear Senator Keating: I am writing to apprise you of employment prospects at the New York Naval Shipyard for the second quarter of fiscal 1964.

As of August 31, 1963, employment totaled 11,426. An employment range of 11,000 to 11,500 has been established for operations at this shipyard for the next quarter. This is the same employment range previously forecast for the first quarter of fiscal 1964.

Sincerely yours,

W. A. Brockett,
*Rear Admiral, U.S. Navy,*
*Chief of Bureau.*

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October 11, 1963.

Hon. Kenneth B. Keating,
*U.S. Senate,*
*Washington, D.C.*

My Dear Senator: Your letter of September 27, 1963, mentioned reports that "the Navy is planning to allocate all new ship construction jobs to private yards, leaving only repair and conversion work to the Navy yards," and asked whether any decision has been reached on this matter.

The above-mentioned reports are incorrect. The Navy has no plans for allocating all new ship construction jobs to private yards. However, as you know, it has been the Navy's long-standing practice to award the bulk of new construction projects to private yards, and the major portion of ship repair and conversion work to naval shipyards. This is in keeping with the capabilities and planned wartime missions of these yards.

Sincerely yours,

Paul B. Fay, Jr.,
*Under Secretary of the Navy.*

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October 12, 1963.

Hon. Kenneth B. Keating,
*U.S. Senate,*
*Washington, D.C.*

My Dear Senator: This is in reply to your telegram of September 30, 1963, in which you asked why none of the three amphibious transport docks (LPD) in the Navy's fiscal 1964 shipbuilding program had been assigned to the New York Naval Shipyard for construction.

Four LPDs from previous years programs are now being constructed at New York. Additional work being performed at this shipyard includes conversion of the *Gilbert Island* (AKV–39) to a major communications relay ship (AGMR), and conversions of *Rich* (DD–820), *Charles P. Cecil* (DD–835) and *George K. Mackenzie* (DD–836) under the fleet rehabilitation and modernization program (Fram). Overhauls of the guided missile cruiser *Springfield* (CLG–7), attack aircraft carrier *Franklin D. Roosevelt* (CVA–42), and the Military Sea Transportation Service Ship *Michelson* (TAGS–32), also are underway at New York. In addition, as you know, two Fram destroyer conversions in the Navy's 1964 program have been assigned to New York.

I am advised that assignment of an additional ship construction project to the New York Naval Shipyard at this time would create a serious overload there, unless completion schedules were significantly adjusted.

As the Chief, Bureau of Ships, indicated in a recent letter to you, a fairly stable employment level is forecast for New York for the second quarter of fiscal 1964. I assure you that this shipyard will continue to be given thorough consideration in the assignment of naval ship work.

Sincerely yours,

FRED KORTH.

### NAVY ANNOUNCES 1964 SHIPBUILDING PROGRAM

Further assignments of construction and conversion of ships in the Navy's fiscal year 1964 shipbuilding program were announced today by the Navy. Naval shipyard assignments follow:

#### NEW CONSTRUCTION

Mare Island Naval Shipyard: One nuclear-powered attack submarine (SSN).

Portsmouth Naval Shipyard: One nuclear-powered attack submarine (SSN).

Puget Sound Naval Shipyard: One destroyer tender (AD).

#### CONVERSIONS

Boston Naval Shipyard: Four destroyers (DD).

New York Naval Shipyard: Two destroyers (DD).

Philadelphia Naval Shipyard: Three destroyers (DD).

Norfolk Naval Shipyard: Three destroyers (DD).

Puget Sound Naval Shipyard: One destroyer (DD).

Mare Island Naval Shipyard: Two destroyers (DD).

San Francisco Naval Shipyard: One destroyer (DD).

Long Beach Naval Shipyard: One destroyer (DD).

Pearl Harbor Naval Shipyard: Two destroyers (DD).

## ADDRESS BY B. BARRET GRIFFITH, OF COLORADO SPRINGS, BEFORE INVESTMENT FORUM IN MANCHESTER, VT.

Mr. COOPER. Mr. President, I ask unanimous consent that I may yield 5 minutes to the distinguished senior Senator from Colorado, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLOTT. I thank the distinguished Senator from Kentucky.

Mr. President, on October 4, Mr. B. Barret Griffith, of Colorado Springs, made an address before an investment forum in Manchester, Vt. His perceptive analysis of the investment picture is a good indicator of the status of the Nation's economy. Many of his remarks have application not only to the investor but also to the Government's fiscal policy. I commend the address to the consideration of Senators, especially in view of the pending tax legislation. I ask unanimous consent that the text of Mr. Griffith's speech be printed at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD as follows:

### ADDRESS BY B. BARRET GRIFFITH

Many of us are indebted to Humphrey Neill and to his contrary opinion viewpoint. He has made us realize that there is no substitute for thinking. For years almost every one of us in our speculating and investing experiences has spent considerable time and effort in trying to manufacture an index, a tool, or a gimmick of some sort upon which we could rely to forecast security prices. We have been motivated in this effort by our own individual laziness. We have been seeking a substitute for the hard job of thinking. There is none.

Like maps and compasses, charts and indexes may be useful. However, as in the case of maps and compasses, unless an individual knows continuously exactly where he is, maps, compasses, charts and indexes are equally useless. For example, the thoughtfulness of knowing when one is lost in the mountains that he should walk down hill is more valuable than a pocketful of maps, and the latest model compass. Similarly, the thoughtfulness to recognize the status of majority opinion after security prices have been in an uptrend, or in a downtrend for some time may be of more value than all the day-to-day price charts, moving averages and bellwether indexes that all of us together have manufactured, in my humble opinion.

Applying this thoughtfulness to the present, we find that stock prices have been moving up from an extreme low in June 1962. Generally speaking, stocks are not the bargains they were a year ago. High level business activity seems to be headed higher; the availability of credit appears to be ample; our Government apparently looks toward better economic growth, and more votes from higher spending and lower taxes; raw material prices have been down for years although consumer prices are up and wholesale prices are flat. Considerable opinion seems still to hold to two views: (1) That the very long-term trend of stock prices remains upward after the 1961–62 stock market break and (2) profit from common stocks grows in proportion to the length of time that common stocks are held. Apparently, most speculators and investors do not believe that shorter term ups and downs in stock market prices have replaced both standard bull markets and standard bear markets since the late 1950's. Considerable opinion seems to hold to the common stock cult, which seems to have been born from the purposeful monetary inflation which we have seen during the last 30 years. Many people hold the opinion that common stocks are the best things to hold during inflation, and that inflation is with us, and will be with us for some time. In consequence, it may have been worthwhile to try to think through purposeful monetary inflation and what it means to us individual speculators and so-called investors.

First, neither inflation nor anything else can forever have happy and pleasing effects. It just doesn't make sense for us to assume that it does. Whisky leads to hangovers, and a forever-winning gambler runs out of friends and customers. It is just too easy to believe that continuous inflation guarantees continuously higher stock prices. Maybe inflation's happy jolt is coming to the point of lasting only while we are enjoying Government expenditures of the credit money it has manufactured, and before the expenditure tab has to be paid. With the public becoming wiser and more knowledgeable each day about monetary inflation, the happy honeymoons from the purposeful monetary inflation seem to be getting shorter and shorter. Federal Government finances itself by three means: by taxes, by selling bonds, and by printing spendable credit money through bond sales to banks to create Government checking accounts. Is it possible that the Federal Government is precluded from many more happy inflationary reactions if the financing necessitates higher taxes? Is it possible that the happy reaction from Federal expenditures which are to be financed by monetary inflation is growing very short? Is it possible that we are even on the verge of seeing the value of the dollar decline in contemplation of its own depreciation? Are we at the threshold of purposeful monetary inflation not working in any exhilarating way, because the public has learned the meaning of inflation? Are we approaching the point where the easy conclusion that all common stocks are full protection against dollar depreciation will prove to be untrue?

About 5 years ago I wrote an article entitled "Deflation—What Is It?" which was published in the Analysts Journal. The article studied stock prices, commodity prices, and the ratio of gold to currency from 1860 through 1957. A personal feeling that commodity prices had topped and were in a long-term decline spurred the study. I was trying to relate stock prices, commodity prices, and the ratio of gold to currency, if there was any relationship. From the study it seemed that stock market investment seemed to get along best when the ratio of gold to currency gradually improved over a number of years. The ratio of gold to currency appeared to be more like a thermometer than like a barometer, at least to me. From the study I concluded that either stable or slowly changing commodity prices were most encouraging to the stock market. Both upward spirals and sharply declining commodity prices were disturbing events. Three commodity price peaks came around the end of the three wars, Civil War, World War I, and World War II (continued by the cold war). Commodity price peaks seemed to come at the end of wars, and when the public was conditioned to the belief that both war and inflation were everlasting.

Commodity price troughs seemed to come at about the moment when the public was reading of excessive inventory of goods and excessive productive facilities, and about 15 years after the war peaks. Interestingly, commodity prices for raw materials peaked in 1951. We are well along toward the historical 15-year period before a commodity price trough might be expected to be seen, and the public and many observers seem pretty well agreed to expect continued deflation in raw material prices, while consumer prices continue to go up and wholesale prices continue to move along horizontally. It is probably worthwhile to note that most of the problems of the so-called underdeveloped nations come from the decline in raw material prices.

Going back to the conclusion regarding the selection of common stocks, which was recorded in the 1958 article, utilities, miscellaneous services, telephone and telegraph, rails, cables, and sugar-producing stocks were found to have done well after the Civil War, when monetary inflation continued, raw material prices declined and uncertainties abounded. It was then noted that investments and speculations depending primarily on increasing raw material commodity prices for profits did poorly. The experience since the end of World War II in stock market selections is not unlike the post-Civil War record. Raw material stocks have lagged while utilities, services, and miscellaneous stocks have done well.

Today, after a 12-year decline of 35 to 40 percent in raw material prices; with everyone talking of excessive inventories and productive capacities; and with the Government apparently leading in the frightful view that we must spend more money faster and cut taxes to keep the economy from sagging—isn't a speculation in commodity stocks in order? With apparently everyone in agreement that raw material commodity prices will decline further, could asset-rich equities be attractive? In March 1951, I wrote a little study in Barron's of what to look for in buying a ranch. The idea was to discourage ranch purchases. Today I feel differently, even with cattle numbers at record highs because steers are off 40 percent from 1951 prices and maybe the world's hungry will become beefeaters. Land prices are off a little from 1951. But, more important than my opinions are your thoughts. What are they? What are your answers to today's questions? What are your choices for the period ahead? What assets will best survive the situation, apparently, of our Government being in the red, private industry being in the black, and possibly the one being hungry for the fat of the other?"

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## SILVER PURCHASE ACT OF 1963

**Mr. ALLOTT.** Mr. President, on June 4 of this year, the Silver Purchase Act of 1963 repealing existing silver purchase requirements, repealing the transfer tax on silver bullion, and authorizing the Federal Reserve to issue $1 and $2 notes to replace silver certificates on these denominations became law. It was necessary to pass this legislation because the Treasury stocks of silver had been depleted until there was not sufficient supply to meet the Nation's coinage needs. To have gone into the world market and purchased silver would have driven the price of silver above the monetary price and U.S. silver dollars and other coins would have been withdrawn from circulation and hoarded for their value as silver which would have been greater than their value as money.

Although the bill was necessary, at the time it was discussed in the Senate Banking and Currency Committee, Senator Wallace F. Bennett, of Utah, warned that even though he would vote for the bill, the legislation was not an answer to our silver problem.

The real problem, he explained, was a result of the rapidly increasing demand for silver in industry and the arts while production of the metal was falling increasingly behind needs. The disparity between supply and demand had resulted in an increase in the price of silver; and instead of the Treasury buying silver and stockpiling the metal, it had become an involuntary seller. In November of 1961, in order to avoid depleting our monetary stocks of silver, the Treasury was forced to abandon its efforts to hold the price at 90½ cents per ounce. When that was done, the price continued to rise until at the time of the enactment of the Silver Purchase Act of 1963, it had reached $1.27 an ounce. The new law permits the Treasury to sell silver at a price above $1.2929 an ounce—the monetary value—to all who demand it.

When the bill was before the Senate, on May 21, Senator Bennett warned that sales from the Treasury would begin almost immediately and that it would only be a matter of time until the Treasury would be forced to suspend sales at the new ceiling price. The first prediction proved to be correct on September 11, when the first sale of silver at $1.293 an ounce was made by the Treasury. This was the first time that the Treasury had sold silver to a private firm since November 28, 1961, when sales at 90½ cents an ounce had been suspended.

On September 18, in a speech before the 1963 Mining Convention of the American Mining Congress, the Senator from Utah developed the problem in greater detail, suggesting that a long-run solution must be arrived at perhaps in as short a time as 2 or 3 years. Otherwise, our coinage would be hoarded, and the U.S. Mint would be unable to keep up with the demand because it is already straining to meet our needs which are increasing rapidly as a result of vending machines.

Because of the importance and timeliness of the remarks of the senior Senator from Utah, I ask unanimous consent that the text of his speech to the American Mining Congress in Los Angeles on September 18, 1963, be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

### Silver and Money—Is There a Solution?

(Speech by Senator Wallace F. Bennett, September 18, 1963, at the 1963 mining convention, American Mining Congress, Los Angeles, Calif.)

As it has done many times before in the world's history, the price of silver has come again to a dramatic turning point which will have significant effects—not only on mining, but also on the arts, on the other silver-using industries, and on most all of the world's monetary systems, especially our own.

Because silver, like gold, is used both as a commodity and as a metallic base for money, it is subject to all of the economic laws which affect both uses. Chief among these laws are the law of supply and demand and Gresham's law that bad money (paper money or any money which is less valuable intrinsically) drives good money (money with a higher intrinsic value) out of circulation.

The potential conflicts of these two laws would be enough to create a silver crisis; but in addition to these two and, in a measure, conflicting with both of them, silver has been affected by the policies of the Federal Government which, during more than a century, have influenced silver production, consumption, and price. Today, U.S. production of silver is still being adversely affected by our international trade policies involving lead and zinc from whose complex ores most of our domestic silver is produced.

### HISTORICAL BACKGROUND

Silver's history of price swings goes far back into antiquity. In Egypt, before the year 1000 B.C., silver was more valuable than gold until the Phoenicians broke the price by bringing in large supplies from Spain.

In our own country's history, the price and value of silver as a monetary metal has also swung in wide gyrations. Until after the Revolution, the colonies used foreign-minted coins as a medium of exchange. They were primarily of English origin; but Spanish, Dutch, French, and Portuguese coins were in free circulation. In 1792, feeling the dignity of its new nationhood, Congress passed its first monetary law. This legislation set up a bimetallic standard, based on silver and gold, at the ratio of 15 to 1, and the then current price of silver, which was $1.29 an ounce. The volume of pure silver chosen for the new dollar was 371.25 grains, a rough average of the silver content in the Spanish dollars then in circulation.

Neither the official silver content in a dollar nor its official price has varied since the original law. Today the official silver content remains at 371.25 grains, and the official price is still $1.29 per ounce. The ratio of silver to gold, which began at 15 to 1, was later to become 16 to 1 and was changed again in 1934 when the price of gold was stabilized at $35 an ounce—making the ratio about 27 to 1.

### BAD MONEY DRIVES OUT GOOD MONEY

Although our monetary system has always been on a metallic base, Gresham's law has continually operated; and metallic coins have virtually disappeared from circulation several times—first during the War of 1812 and then later during the Civil War. Again it was the operation of Gresham's law which resulted in the disappearance of silver coins in 1837 because gold then was not worth the official Treasury-established rate of 16 times more than silver.

Frequently during these early years, subsidiary coins ran into special difficulties because their silver content was set on a basis of intrinsic rather than token value. Every time there was a light inflationary trend, the coins became worth more as metal than as money; and people began hoarding them. At times bankers and even business firms issued their own paper half-dollar and quarter notes. Special stamps issued by the Post Office were also used as money.

This problem was finally cured in 1853 when Congress reduced the silver content in subsidiary coinage by 6.9 percent, thus giving the silver in these coins a monetary value of $1.38 an ounce.

### SILVER PRICES DECLINE

From 1861 until 1934, the price pattern for silver was erratic and confused. All during the Civil War, the Treasury stood ready to buy silver at $1.29 per ounce and gold at $20.67 per ounce (a 16 to 1 ratio), but none was purchased because the market price of both metals was much higher than that which the Treasury offered. Soon after the war, the important countries of the world began to move toward the use of gold only as the metallic base of their monetary systems. We made that move in 1873.

As a result of the cessation of free coinage of silver, the price of silver dropped from $1.27 an ounce in 1874 to $0.61 an ounce in 1950 in spite of the Bland-Allison Act of 1878 and the Sherman Silver Purchase Act of 1890, under which laws the Treasury purchased and stockpiled 460 million ounces of silver.

In 1896, William Jennings Bryan staked his political career on an attempt to restore the 16 to 1 ratio. His crusade failed politically. He also failed to raise silver prices, which dropped to $0.47 by 1916 and $0.245 in 1932. The 1932 price, an all-time low for silver, was brought on by deflation, depression of world trade, foreign demonitization, and debasement of coinage.

By Presidential proclamation in December of 1933 and then by law in June 1934, the Treasury began to support the silver market by offering to buy all newly mined domestic silver at $0.646 per ounce. In July 1939, this price was increased to $0.711 per ounce and to $0.905 in 1946. Because these prices were above the world price, the Treasury stockpile built up rapidly.

### CONSUMPTION OUTRACES PRODUCTION

Paralleling the change in Treasury buying policies beginning in the thirties, there was a significant change in the relationship of worldwide rates of production and consumption. The two were in approximate balance in 1939 and 1940; but since then, consumption has been running ahead of production at an increasingly accelerating rate. This has been true not only because of expanding demand but also because of gradually decreasing production.

In 1940, production was 68.3 million ounces and consumption was 65.7 ounces, an approximate balance. In 1962, production had fallen to 34.9 million ounces, a loss of 50 percent, while consumption had increased to 187.4 million ounces, an increase of nearly 300 percent. To put it another way, production in 1940 was 100.5 percent of consumption. In 1962, domestic production represented less than 20 percent of the silver that was consumed in this country.

During all these years, the Treasury was required to purchase newly mined silver at $0.905 an ounce and did so. But its role was dramatically reversed in 1959 when the world price for silver reached that magic figure. Instead of being a buyer, the Treasury became an involuntary seller, supplying silver to all comers. What had been a floor became a ceiling. Treasury purchases which were 35.2 million ounces in 1958 dropped to 4.8 million in 1959. Sales, which is 1958 were virtually nothing, increased to 33.2 million ounces in 1959.

The "handwriting was on the wall": The law of supply and demand was operating. Current world supplies of silver were not sufficient to meet current demands, and the deficit was made up from Treasury stocks.

### SUSPEND SILVER SALES

Every year from 1959 to 1961, many leaders in the mining industry and some of us in Congress tried to persuade the Treasury to read the "handwriting on the wall" (which became increasingly clearer) and suspend silver sales. The Treasury claimed that this was just a temporary situation, and we were brushed off until November of 1961. By then Treasury stocks had been greatly and unnecessarily depleted. In January of this year, we had only 30 million ounces of free silver left for coinage against an annual coinage requirement of over 75 million ounces.

The Treasury could not go into the world market to buy silver for coinage because the price of silver was already bumping against the official monetary ceiling of $1.2929 an ounce. Such action would have immediately pushed the price of silver above $1.29 and signaled the end of our present silver dollars and our smaller silver coins for exchange purposes. So we had to begin to look to the silver reserves used to back the currency in order to meet coinage requirements. These reserves included 300 million ounces behind $5 and $10 certificates and 1.3 billion ounces behind the $1 silver certificates.

### ACT OF 1963 BOUGHT TIME

Because of this crisis, the Silver Purchase Act was passed earlier this year. Its main provisions did three things that were absolutely necessary.

First, the transfer tax on silver bullion was repealed, thus making a market in silver possible.

Second, the silver purchase requirements were repealed.

Third, authority was granted to the Federal Reserve to issue its notes in denominations of $1 and $2. This caused a great deal of controversy because the new Federal Reserve notes would replace presently circulating silver certificates of these denominations. But the bill had to be passed so that the silver which was previously reserved to back outstanding silver certificates could be made available for coinage as fast as required by the mint.

Although we have taken these three steps, it is imperative that we realize that they did not and will not bring about a permanent solution. All that we gained was time—time in which a fairly long-term solution may be formulated.

When the bill was being discussed and studied in the Banking and Currency Committee, I stressed the fact that the Treasury must act soon to solve the remaining parts of the problem. I suggested several amendments that would have given administrative officials an opportunity to act in the best interests of the mining industry, as well as the silver consumers, and still aid in the preservation of Treasury silver stocks. They were rejected.

Again, on the Senate floor, I warned that the bill was not a cure for our monetary problems but merely a palliative. I warned that the Treasury would still be forced to decide soon at what point it would discontinue the sale of silver at $1.29 an ounce and let the metal seek its own price as determined by supply and demand.

### WARNING PROVES CORRECT

My warning on the Senate floor already has proven to be correct. Almost as soon as a free silver market was opened, the future price rose to a high of $1.3075 an ounce. The spot market price, which was $1.27 when the silver bill passed this summer, has steadily increased until just a week ago, September 11, when silver from U.S. Treasury stocks which had previously been used to back paper currency was sold by the Treasury to a large fabricator and refiner at $1.293. This was the first time a private firm had purchased silver from the Treasury since it stopped selling at the previous ceiling of $0.905 an ounce on November 28, 1961.

Again, as in 1959, we have come to a time of decision on silver. The ritual dance between the law of supply and demand and Gresham's law has begun again, and the Government must eventually respond to their tune. While the increasing disparity between supply and demand is pushing prices up, Gresham's law is acting to cause withdrawal of silver from circulation; and the Treasury, in effect, is attempting by its action to nullify the operation of both of these laws. The attempt may be brave, but it will prove an expensive one; and, in the long run, the Treasury must finally bow before these laws, which are inexorable.

### IS SILVER BEING HOARDED?

Assuming that the trend of increasing consumption continues—and I see no indication that it will not—it may be as short a time as 2 or 3 years before the Treasury is forced to capitulate in its effort to hold the price of silver. Whenever this occurs, the silver content in our coins must be reduced or eliminated, or silver coins will go out of circulation into speculative hoarding. In fact, it is interesting to note that there is already a tendency for individuals to withdraw silver dollars from circulation.

There is no way of determining exactly how many of our silver dollars are actually being used in commerce; but the fact is that in the absence of any new use for silver dollars, their number has been increasing much more rapidly than has the total money supply. This is a significant indication that individuals are beginning to look to the day when dollars will be more valuable as silver than as money.

Silver dollars in circulation increased by more than 30 percent between January 1960 and January 1963. During the same period, the total supply of money in circulation increased by less than one-fourth that rate.

Eventually, reduction of the silver content in all of our coins is the only solution to the dilemma. Subsidiary coins are likely not being withheld yet because the ratio of their silver content to monetary value is somewhat less than that of the dollar; but when the free market price of silver reaches $1.38, these coins will also begin to disappear from our money supply. This will cause an impossible situation for the U.S. mint, which is even now unable to keep up with the almost phenomenal increase in coins that is needed for use in automatic vending machines.

I wish I could accurately forecast exactly how long it will be before the Treasury will be forced to suspend sales and reduce the silver content of all our coins, but this is obviously impossible.

### SOME GOOD GUIDELINES

However, by making some reasonable assumptions, I think I can give a few meaningful estimates which can be reasonably good guidelines.

1. The Treasury itself estimates that if present silver stocks were used only for coinage, they would last for slightly more than 15 years. Actually this estimate is already unrealistic because sales are now being made for other uses, both to other governmental agencies and to private industry.

2. If Treasury silver is used not only for coinage but also to make up the deficit between U.S. demands—which keep increasing—and U.S. production—which is declining—the supply would only last for about 10 to 11 years.

3. In order to hold the price at $1.29, the U.S. Treasury must be prepared to sell silver at that price to all comers, foreign as well as domestic. It has already embarked on that program, having sold $2.8 million worth recently. The Treasury then faces the theoretical task of supplying silver to meet the world deficit which, in 1963, was 167 million ounces and which, over the past 10 years, has been increasing at the rate of 15 million ounces per year. If the Treasury stood alone in filling this gap, all its silver would be gone by 1969, or in 5 to 6 years.

4. But there is still one further assumption to face, which is not as fantastic as it may sound. If speculators, as well as silver processors, realize how little time the Treasury really has, they may begin to hoard silver against the inevitable day when the $1.29 price must be breached.

If and when this process begins, it could bring the end of the Treasury's stock as close as 2 to 3 years. And this, I submit could mean that if we do not begin soon to plan for a new subsidiary coinage containing a greatly reduced silver content, we may face serious trouble.

By this time everyone who produces or processes silver must realize that the price must break through the present ceiling. The Treasury can hold it for awhile at $1.29 as it did earlier at $0.905—but only by sacrificing still more of the silver it will need for coinage.

In making these various time-pattern projections, I have assumed that all other holders of silver stocks, including other nations, will hang on to their supplies waiting for the breakthrough. This will not be completely true; but I think it will be substantially so.

Of course, in such a situation the law of supply and demand should operate to bring forth a significant increase in silver production, which could eventually stabilize the price of silver.

### NO SIMPLE ANSWER

I think that those in the arts and industry who use silver should be able to see the desirability of joining the silver producers in demanding Federal policies which would encourage rather than inhibit the development of profitable American silver-producing mines.

Obviously, the problem is not a simple one. The production of silver is so deeply involved with the production of lead and zinc that before we can hope to increase silver production significantly, a whole new approach to the Government's attitude on these other metals will be required. In the face of this obvious need, as recently as last month in a hearing before the Senate Interior Committee, the administration made a slashing attack on the mining industry's request for even so mild a change as one which called for flexible instead of fixed import quotas on lead and zinc. Until this whole Government attitude is reversed, the American mining industry cannot make a real contribution toward the goal of bringing silver production and consumption more nearly into balance.

### FUTURE FOR SILVER IS BRIGHT

To summarize, so long as consumption of silver in the world continues to outrun production, we can expect to see more and more silver coins taken out of circulation, both in the United States and in the world—either through official action or as a result of private activity in hoarding coins and melting them down.

Possibly within 2 or 3 years—or, at the most, within 15 years—our own Treasury must be prepared to supply a whole new set of subsidiary coins in greatly increasing numbers to serve not only the expanding population but the greater demand created by the growing use of automatic vending machines. The silver content of these coins must be reduced; or, as has been done in other countries, new coins without silver must be substituted.

If the Treasury decides, as I think it will, to reduce the value of the silver in the subsidiary coinage far below the face value of the coins, this should shock no one. Except for very brief inflationary or war periods, this is the situation that existed for the 85 years between 1874 and 1959.

Even though the Treasury has about 1½ billion ounces of silver on hand, it cannot repeal either Gresham's law or the law of supply and demand; and for the foreseeable future, the combination of these two assures a good market and a constantly rising price for any mining operator who, in the face of present or future national mineral policies, can find and produce an increased volume of silver. No matter how other metals may fare, the future for silver is very bright.

Mr. ALLOTT. Mr. President, I thank the distinguished Senator from Kentucky. I ask that the remainder of the time yielded to me be yielded back to him.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOPER. Mr. President, I suggest the absence of a quorum, the time for the quorum call to be taken from the time under my control.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COOPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Without objection, it is so ordered.

Mr. COOPER. Mr. President, before I begin the explanation of my amendment, I shall yield once more; I ask unanimous consent that at this time I may yield 5 minutes to the Senator from New York [Mr. JAVITS], without losing the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the Senator from New York is recognized for 5 minutes.

## THE REPUBLICAN TRADITION OF EQUAL OPPORTUNITY IN PUBLIC ACCOMMODATIONS LEGISLATION

Mr. JAVITS. Mr. President, the Attorney General of the United States is testifying on civil rights before the Judiciary Committee of the other body. Tomorrow, I shall take occasion to comment upon that testimony and to sum it up, especially as it relates to the critical aspects of the bill in regard to the power of the Attorney General to sue in civil rights cases.

But, Mr. President, for today, inasmuch as the question of the so-called public accommodations section is in discussion in the committee of the other body, and inasmuch as the Senate Commerce Committee has ordered reported a bill embodying the public accommodations section, and also because—as the Attorney General has emphasized—it is essential that there be Republican support if there is to be any civil rights legislation during this Congress—and of course I believe the Attorney General is absolutely correct as to that, I call attention to the fact that the public accommodations section of the civil rights program now working its way through Congress has received more public attention than any other aspect of legislative activity on civil rights. It seems to me that there has been a widespread mistaken impression in the discussions to date, even among many who support the principle of such legislation, that public accommodations legislation is a sweeping innovation. There are some, too, who have come away with the feeling that this public accommodations legislation originated with this Democratic administration as part of the President's June 1963 package.

The fact is that legislation providing equal opportunity in public accommodations has a long and impressive Republican history, both in Federal law and State law. This traditional Republican initative on civil rights is most important, in view of the fact that the administration does not have the votes to carry a public accommodations bill in Congress, and will need substantial Republican support to make it law.

At my request, the staff of the Senate Republican policy committee, with the assistance of my staff and the Legislative Reference Service of the Library of Congress, has prepared a history of legislation enacted by the States and the Federal Government on this subject.

This enlightening study demonstrates once again the great Republican heritage on civil rights. It shows, for example, that:

First. Of 31 States which now have public accommodations laws in effect, 24 were enacted under Republican governors and/or by Republican-controlled legislatures.

Second. The first statute forbidding racial discrimination in places of public accommodations was enacted in Massachusetts, under a Republican—Unionist—State administration and a Republican legislature.

Third. The first Federal legislation on public accommodations was introduced by Republican Senator Charles Sumner, of Massachusetts, in 1870, and enacted in 1875. It was properly described as the most far-reaching civil rights legislation ever enacted by the Congress, before or since. It was later held unconstitutional by the Supreme Court.

Fourth. The first public accommodations bill introduced in recent history was introduced by me and seven other Republican Senators on March 28, 1963, and proved to be the basis for legislation introduced by the administration months later.

Clearly the Republican Party has a great stake historically in public accommodations civil rights legislation. It has pioneered in this field in the past; it has shown great initiative and leadership in the States and in Congress; and it will be following in this fine tradition by supporting public accommodations legislation at this session of Congress.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table which shows the States which prohibit discrimination in places of public accommodation and the party control of the governorships and the State legislatures at the time of the enactment of such laws, as well as a memorandum on the history of public accommodations legislation.

There being no objection, the table and memorandum were ordered to be printed in the RECORD, as follows:

*States with laws forbidding discrimination in public accommodations and party control of governorships and State legislatures at time of enactment*

| Year | State | Governor | Senate | House |
|---|---|---|---|---|
| 1865 | Massachusetts | Unionist (R) | Unionist (R) | Unionist (R). |
| 1869 | District of Columbia | | | |
| 1874 | Kansas | Republican | Republican | Farmers Party. |
| 1874 | New York | do | do | Republican. |
| 1884 | Iowa | do | do | Do. |
| | New Jersey | Democrat | do | Democrat. |
| | Ohio | do | Democrat | Do. |
| | Connecticut | do | Republican | Republican. |
| 1885 | Colorado | Republican | do | Do. |
| | Illinois | do | do | Do. |
| | Indiana | Democrat | Democrat | Democrat. |
| | Michigan | Republican | Republican | Republican. |
| | Minnesota | do | do | Do. |
| | Nebraska | do | do | Do. |
| | Rhode Island | do | do | Do. |
| 1887 | Pennsylvania | do | do | Do. |
| 1890 | Washington | do | do | Do. |
| 1895 | Wisconsin | do | do | Do. |
| 1897 | California | Democrat | do | Do. |
| 1949 | Alaska [1] | do | 8 Democrats, 8 Republicans. | Democrat. |
| 1953 | Oregon | Republican | Republican | Republican. |
| 1955 | Montana | do | do | Democrat. |
| | New Mexico | Democrat | Democrat | Do. |
| 1957 | Vermont | Republican | Republican | Republican. |
| 1959 | Maine | Democrat | do | Do. |
| 1961 | Idaho | Republican | do | Do. |
| | New Hampshire | do | do | Do. |
| | North Dakota | Democrat | do | Do. |
| | Wyoming | do | do | Do. |
| 1963 | Maryland | do | Democrat | Democrat. |
| | South Dakota | Republican | Republican | Republican. |
| | Kentucky [2] | Democrat | | |

[1] Enacted when Alaska was a territory. Revised and reenacted by State of Alaska in 1962.

[2] By executive order of Governor of Kentucky.

## THE HISTORY OF PUBLIC ACCOMMODATIONS LEGISLATION

The proposal that Congress enact legislation forbidding discrimination on the basis of race or color in places of public accommodation has aroused a great deal of controversy.

This is legislative ground that has been plowed before, both at the State and Federal level of government. The State record is perhaps not as well known and the chief purpose of this paper is to provide a brief history of State public accommodations legislation.

### I. THE STATES ACT FIRST, 1865–1875

Massachusetts was the first State to enact legislation forbidding discrimination in places of public accommodation in 1865, 10 years before Congress enacted such legislation. The Massachusetts statute, which was the forerunner of many similar State laws, provided that—

"SECTION 1. No distinction, discrimination, or restriction on account of color or race shall be lawful in any licensed inn, in any public place of amusement, public conveyance, or public meeting in this commonwealth.

"SEC. 2. Any person offending against the provisions of this act shall be punished by a fine not exceeding $50."

One year later, in 1866 the law was amended to include "theaters" in the enumeration of public places, and the condition was added that there should be no exclusion "except for good cause."

Eight years later, in 1874, New York and Kansas passed civil rights legislation, including prohibitions against discrimination in places of public accommodation. In each instance the enumeration of public accommodations coming under the provisions of the law was considerably more detailed than in the Massachusetts law. Conviction under the Kansas statute could result in a fine of $1,000.

### II. FEDERAL LEGISLATION, 1870–75

In 1870, Senator Charles Sumner, Republican, of Massachusetts, introduced a bill providing for equal rights in "railroads, steamboats, public conveyances, hotels, licensed theaters, houses of public entertainment, common schools, and institutions of learning authorized by law, church institutions, and cemetery associations incorporated by National or State authority; also on juries in courts, National and State."

Civil Rights Acts were passed by Congress in 1870 and 1871, but they provided in the main for guarantees and protections of the right to vote. The Sumner public accommodations proposals were rejected in these and successive sessions of Congress through 1874. The next year, however, the far-reaching Civil Rights Act of 1875 was passed providing, "That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law and applicable alike to citizens of every race and color, regardless of any previous condition of servitude."

The principal change from the original proposal was the elimination of any mention of schools and church institutions. The 1875 act could be considered the high-water mark in the history of Federal civil rights legislation.

### III. THE CIVIL RIGHTS CASES, 1883

In 1883, seven cases came before the Supreme Court in each of which the defendant was charged with violating the public accommodation provisions of the act of 1875.[1] The cases arose in Missouri, California, Kansas, New York, and Tennessee, and involved refusals to accommodate Negroes in hotels, a theater, an opera house, and the parlor car of a train.

The majority of the Court held that the 14th amendment to the Constitution did not authorize the legislation under which these actions were brought. The Court stated that Congress could legislate under the 14th amendment to protect the civil rights of Negroes only as against actions by the States and officers or agents thereof. But the Civil Rights Act of 1875 sought to prohibit discrimination in public accommodations without reference either to their relation to interstate commerce or to any State action; and in these cases neither interstate commerce nor State action was proved. The majority specifically withheld any judgment as to the commerce clause as a basis for the statute.

However, both majority and minority opinions in the civil rights cases agreed that the States themselves had the basic power to "define and regulate civil rights which their own people, in virtue of State citizenship, may enjoy within their respective limits."[2]

Thereafter, the Federal role in civil rights matters steadily declined. In 1894, a bill was enacted by a Democratic Congress and signed into law by President Grover Cleveland repealing the statutes which had required that voting qualifications be equal for all persons and had provided for Federal supervision of Federal elections in the States if necessary to protect the Negro's right to vote.[3]

### IV. STATE REACTION TO CIVIL RIGHTS DECISION, 1884–1900

Following the civil rights decision, racial discrimination in places of public accommodation was a problem almost exclusively handled by the States. Many States thereupon passed laws modeled on the Federal Civil Rights Act of 1875. Connecticut, Iowa, New Jersey, and Ohio passed such laws in 1884; Colorado, Illinois, Indiana, Michigan, Minnesota, Nebraska, and Rhode Island in 1885; Pennsylvania in 1887; Washington in 1890; Wisconsin in 1895; and California in 1897.

Thus by 1900, 18 States, plus the District of Columbia, had laws against discrimination by reason of race or color in places of public accommodation.

There were no additions to the list of States with such legislation for 50 years thereafter, although the Territory of Alaska adopted a public accommodations law in 1949, which was later revised and reenacted by the State of Alaska in 1962.

A renewed interest in civil rights legislation, including public accommodations provision was shown by the States beginning in 1953. Oregon enacted such a law in 1953; Montana and New Mexico in 1955; Vermont in 1957; Maine in 1959; Idaho, New Hampshire, North Dakota, and Wyoming, in 1961; and Maryland and South Dakota in 1963. In one other State—Kentucky—discrimination in public accommodations was prohibited in 1963 by executive order of the Governor.

Thus, by October 1963, 31 States and the District of Columbia forbade discrimination on the basis of race or color in places of public accommodation.

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[From the Library of Congress, Legislative Reference Service]

## THE VALIDITY OF STATE STATUTES PROHIBITING DISCRIMINATION ON ACCOUNT OF RACE OR COLOR IN PLACES OF PUBLIC ACCOMMODATION

Notwithstanding the invalidation by the Supreme Court in the *Civil Rights* cases, 109 U.S. 3 (1883) of Federal legislation prohibiting discrimination on account of race or color in places of public accommodation, many of the States, both before and after the passage of the Federal act, have enacted measures in this area. State activity in this field began with the 1865 passage by the Massachusetts Legislature of a statute, forbidding distinction, discrimination, or restriction on account of race or color in places of public amusement, public conveyance or public meeting. State action is still continuing as the issuance on June 26, 1963, by the Governor of Kentucky of a sweeping executive order in this area attests.

Under our Federal system, the issues with regard to the validity of State legislation are different from those upon which the constitutionality of Federal legislation (even that of a similar nature) hinges. It is settled that the State has broad authority to legislate under the police power to protect the health, safety, morals, and general welfare of its citizens. While the Federal Government may only legislate pursuant to power delegated and enumerated in the Constitution, the police power of the State is bounded only by the express provisions of the State or Federal Constitution including the requirements of due process of law. Due process does not require the demonstration of either the wisdom or sound policy of an antidiscrimination statute. However, such statute must not be clearly arbitrary and unreasonable, and it must bear some relation to the public health, safety or general welfare. (*Euclid* v. *Ambler Co.*, 272 U.S. 365, 395 (1926).) The Supreme Court has indicated in several cases that there is no Federal constitutional infirmity in State statutes creating a right to the full enjoyment of public accommodations without regard to race or color whose violation is civilly or criminally actionable. (*Bob-Lo Excursion Co.* v. *Michigan*, 333 U.S. 28 (1948). *Compare Railway Mail Assn.* v. *Corsi*, 326 U.S. 88 (1945).) A categorical statement as to the validity of State regulation in this area is found in *District of Columbia* v. *Thompson Co.*, 346 U.S. 100 (1953), wherein the Court declared, "And certainly so far as the Federal Constitution is concerned there is no doubt that legislation which prohibits discrimination on the basis of race in the use of facilities serving a public function is within the police power of the States." (Id. at 109.)

In many of the States, the validity of State regulation in this area has been generally assumed. For example there was no direct challenge presented to the Massachusetts statute, first enacted in 1865 (Massachusetts Laws 1865, ch. 277). However, the Massachusetts high court while rendering an advisory opinion, in *Re Opinion of the Justices*, 143 N.E. 808 (1924), made some pertinent comments upon the validity and reasonableness of this type of legislation:

"Numerous reasons lead to the conclusion that the maintenance of theaters and other places of amusement is for the use of the public and affected with a public interest. The character of the performances presented has an intimate connection with the preservation and promotion of public morality . . . They have a tendency to gather at one time large numbers of people under a single roof and under comparatively crowded conditions. In these particulars such places require constant supervision and inspection in the interests of the public at large in order to prevent disaster by fire and accident, spread of disease and general and individual disorder and crime. The construction and maintenance of buildings devoted to such uses demand approval and oversight by public officers acting for the general welfare. There can be no doubt as to the validity of a statute denouncing under penalty discrimination on account of race or color in admission to theaters and other places of amusement." (Id. at 810.)

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[1] 109 U.S. 3 (1883).

[2] See Appendix—"The Validity of State Statutes Prohibiting Discrimination on Account of Race or Color in Places of Public Accommodation."

[3] 28 Stat. 36 (1894).

And in California where the Civil Code, sections 51, 52, contained a prohibition against discrimination in places of public accommodation and amusement "for more than 50 years prior to the enactment of the (present) Unruh Act," the challenges to the statute have been based upon the scope of its application rather than upon its validity. In 1918 the California court remarked, after quoting the statute, "The general intent and significance of the foregoing provisions are clear enough. The purpose, of course, is to compel a recognition of the equality of citizens in the right to the peculiar service afforded by these agencies for the accommodation and entertainment of the public. There is no doubt of the constitutionality of the provisions and of the sound public policy of such legislation. (*Greenberg* v. *Western Turf Ass'n.*, 140 Cal. 363, 73 Pac. 1050. *Piluso* v. *Spencer*, 172 Pac. 412, 413 (1918). See also *Burks* v. *Poppy Construction Company*, 370 P. 2d 313 (1962).)

In other States where this type of legislation has been challenged, these laws have been sustained as a valid exercise of the police power of the State. In 1888, attack was made on the constitutionality of the New York public accommodation statute on the ground that, insofar "as it undertakes to prescribe that the owner of a place of amusement shall not exclude therefrom any citizen by reason of race, color, or previous condition of servitude, [it] is an unconstitutional interference with private rights in that it restricts the owner of property in respect to its lawful use, and as to an incident which is not a legitimate matter of regulation by law." (*People* v. *King*, 18 N.E. 245, 246 (1888).) In considering the assertion of invalidity, the Court discussed the police power as follows:

"This legislation is under what, for lack of a better name, is called the police power of the State—a power incapable of exact definition, but the existence of which is essential to every well-ordered government. By means of this power the legislature exercises a supervision over matters involving the common weal, and enforces the observance by each individual member of society of the duties which he owes to others and to the community at large. It may be exerted whenever necessary to secure the peace, good order, health, morals, and general welfare of the community; and the propriety of its exercise within constitutional limits is purely a matter of legislative discretion, with which the courts cannot interfere. In short, the police power covers a wide range of particular unexpressed powers reserved to the State, affecting freedom of action, personal conduct, and the use and control of property." (18 N.E. at 247.)

Then the Court addressed itself to the contention of unconstitutionality as follows:

"The final question, therefore, is, does the law in question invade this right of property protected by the Constitution? The State could not pass a law making the discrimination made by the defendant. The amendments to the Federal Constitution would forbid it. Can the State impose upon individuals having places of public resort the same restriction which the Federal Constitution places upon the State? It is not claimed that that part of the statute giving to colored people equal rights at the hands of innkeepers and common carriers is an infraction of the Constitution. But the business of an innkeeper or a common carrier, when conducted by an individual, is a private business, receiving no special privilege or protection from the State. By the common law, innkeepers and common carriers are bound to furnish equal facilities to all without discrimination, because public policy requires them so to do. The business of conducting a theater or place of public amusement is also a private business, in which anyone may engage in the absence of any statute or ordinance.

"But it has been the practice, which has passed unchallenged, for the legislature to confer upon municipalities the power to regulate by ordinance the licensing of theaters and shows, and to enforce restrictions relating to such places, in the public interest; and no one claims that such statutes are an invasion of the right of liberty or property guaranteed by the Constitution. The statute in question assumes to regulate the conduct of owners or managers of places of public resort in respect to the exclusion therefrom of any person by reason of race, color, or previous condition of servitude. The principle stated by Waite, C.J., in *Munn* v. *Illinois, supra,* which received the assent of a majority of the Court, applies in this case? 'Where,' says the Chief Justice, 'one devotes his property to a use in which the public have an interest, he in effect grants to the public an interest in that use, and must submit to be controlled by the public for the common good, to the extent of the interest he has thus created. In the judgment of the legislature, the public had an interest to prevent race discrimination between citizens on the part of persons maintaining places of public amusement; and the quasi-public use to which the owner of such a place devoted his property gives the legislature a right to interfere. If the defendant, instead of basing his exclusion of a class of citizens upon color, had made a rule excluding all Germans, or all Irishmen, or all Jews, the law, as applied to such a case would have seemed entirely reasonable. (See *U.S.* v. *Newcomer,* (U.S. Dist. Ct.) 11 Phila. 519.) But the principle is the same; and if the law could be applied in the one case, it may in the other. The validity of similar statutes in Mississippi and Louisiana has been sustained by the courts in those States. (*Donnell* v. *State,* 48 Miss. 661; *Joseph* v. *Bidwell,* 28 La. Ann. 382.) The statute does not interfere with private entertainments, or prevent persons not engaged in the business of keeping a place of public amusement from regulating admission to an entertainment given for a social, public, or private purpose, as they may deem best; nor does it seek to compel social equality. It was, we think a valid exercise of the police power of the State over a subject within the cognizance of the legislature. The judgment should be affirmed."

In the case of *Bolden* v. *Operating Corporation,* 239 Mich. 318, 323 (1927), the Michigan court upheld the public accommodations act of that State as follows:

"The validity of the act in question is in no way affected by these decisions. The intent and purpose of the legislature in its enactment cannot be doubted. It clearly indicates a belief on their part that the public safety and general welfare of our people demand that, when the public are invited to attend places of public accommodation, amusement, and recreation, there shall be no discrimination among those permitted to enter because of race, creed, or color. It is bottomed upon the broad ground of the equality of all men before the law. It does not provide that all persons who present themselves at a theater must be admitted. The proprietor may exclude 'the rough, boisterous, and rowdyish element.' (*Meisner* v. *Detroit, etc., Ferry Co.,* 154 Mich. 545 (129 Am. St. Rep. 493).)

"In our opinion, the act is a valid regulation imposed by the State in its exercise of the police power."

Other cases in which State courts have construed these statutes and found them valid include the following: *Darius* v. *Apostolos,* 190 Pac. 510 (1920) (Colorado); *Chicago* v. *Carney,* 142 N.E. 2d 160 (1957) (Illinois); *Brown* v. *J. H. Bell Co.,* 123 N.W. 231 (1919) (Iowa); *Rhone* v. *Loomis,* 77 N.W. 31, 32 (1898) (Minnesota); *Messenger* v. *State,* 41 N.W. 638 (1889) (Nebraska); *Commonwealth* v. *Athens George,* 18 Dauphin 40 (1887) (Pennsylvania); *Bryan* v. *Adler,* 72 N.W. 368 (1897) (Wisconsin). (See also, Annotation, 49 A.L.R. 505, "Constitutionality of Civil Rights Legislation by State.")

## FIORELLO H. LA GUARDIA

Mr. JAVITS. Mr. President, Fiorello H. La Guardia was one of New York's most beloved personalities, and certainly one of that city's greatest mayors.

Although the "Little Flower of New York" died 16 years ago, his achievements are still very much in evidence in that city, and he is remembered with great affection by millions of people in New York and throughout the country.

On September 15, the anniversary of his death, the La Guardia Memorial Association, a group of the "major's" friends, went to Woodlawn Cemetery, with Mrs. La Guardia, to reminisce about the days when Fiorello was the dominant figure in New York. The memorial address that day was given by Reuben A. Lazarus, a close friend and longtime associate of Mayor La Guardia; and I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

### REMARKS OF REUBEN A. LAZARUS AT MEMORIAL SERVICES—F. H. LA GUARDIA 16TH ANNIVERSARY—SEPTEMBER 15, 1963

It seems hardly possible that 16 years have elapsed since Fiorello H. La Guardia died. He was a top-ranking figure who left a deep impression on his time. The impact of his mind and personality was felt more in government than in any other field of human endeavor. The echoes of his passing are still heard and evidence of his works is to be seen everywhere in this city. The reverberation of his speeches spur good causes in the House of Representatives and his name is still a symbol of militant liberalism on the national scene.

The works of the old masters have been copied innumerable times but La Guardia was an original. Many have tried and failed to emulate the fiery Fiorello. He copied no one. He strove to improve things and did not hesitate to experiment. He had the courage and the vision to carry through his experiments to final achievement. Coupled with his courage was a brilliant mind and unmatched energy and drive. Many claim to have advised Fiorello La Guardia, but he had no advisers. He needed no brain trust. His sound judgment was forged in his successful struggles to overcome the problems and difficulties of a trying childhood and a more trying adulthood. Often cynical, he was also an incurable idealist. It is difficult if not impossible to compare the "major" with anyone else. He was different.

The 12 years of the La Guardia administration may be likened governmentally to the use of counterirritants in medicine. He irritated the political bosses. He irritated the vested interests. He often irritated his friends and supporters. His medicines were often harsh, but they cured.

We are now in the midst of a nationwide campaign to equalize opportunity for all of our citizens. Fiorello inaugurated this campaign many years ago and was pilloried and condemned for it. Ever shall I remember an incident occurring during that period of time that dramatized his deep sympathy for those subjected to racial discrimination. One day I accompanied the "major" on a trip north of 10th Avenue in the small police squad car. He suddenly commanded John Paluso to stop, jumped to the sidewalk while the car was still in motion and caught a small colored lad whom he saw take an orange from a fruit stand. He admonished the terrified boy for stealing, took a coin from his pocket and told the boy to buy an orange if he wanted it. During this time he held the boy and, passing his hand over the boy's head, turned to me and said: "You and I can change our names but this boy cannot change the color of his skin."

If La Guardia had a weakness it was children. Those of us who met with him at Gracie Mansion will remember the scores of photographs of small children that covered the entire wall back of his desk.

Which of us will ever forget the Christmas parties at the mansion, when all members of the administration and of the mayor's staff who had small children were invited to bring them. On one of these occasions, I exposed myself to a couple of the "Major's" lightning fast reprimands when I complained of the cacophony of child noises: "That's the sweetest music in the world," he scolded.

He was sportively boastful and endeared himself for being so. When he was questioned about having failed to do something he quipped: "I'm good but I'm not that good."

And he could turn aside the barbs of criticism by a frank and public confession of error. Everyone remembers how he disarmed his critics with the classic rejoinder, "When I make a mistake, it's a 'beaut.' "

After his election in 1933 he complained bitterly about the old charter and he campaigned for and won a new charter. Yet, most of his reforms were achieved under the old charter. In doing this he gave graphic proof of one side of the adage that a good man can get good government out of a bad law and a bad official cannot get good government out of a good law.

In an effort to shake a hostile press off his back, he took to the air and turned the city's radio station into a personal forum. Who will ever forget the Sunday noon broadcasts, that were launched by "Patience and Fortitude," after the inspiring opening bars of the "Halls of Montezuma," the Marine Corps battle hymn? WYNC became the city's regular weekly radio fare, which provided us with the news of the week in capsule form, La Guardia version. The tinhorns and gamblers were given hell; housewives were given cooking recipes. And through it all the news of the week was given a down-to-earth and often not too gentle treatment a la La Guardia. All listeners were invited to bring their problems to city hall and the frazzled condition of the staff bore eloquent witness to the fact that they did.

He delighted in being called "Major," a rank which he won in the Air Force in World War I.

He possessed histrionic ability. When it served his purpose, he would vibrate with anger, although he was not angry at all. He could don the impassive mask of a poker player.

He played at being fire chief and became spot news all over the country. He read, and acted, the comics when a strike deprived the children—both young and adult—of the newspapers. I thought it a poor idea and it turned out to be something that brought him lasting fame. That's why he was mayor. He had the gift of being able to communicate with the public.

He was the secret envy of all politicians who had to take orders, because he took none. He gave the orders.

Who but Fiorello could or would devise his kind of original approach. When an obscene publication was brought to his attention, he ordered sanitation trucks to go from newsstand to newstand and collect it as garbage. He then went after the unhappy distributor of the magazine, seeing to it that criminal proceedings were begun against this luckless individual. La Guardia presided over these proceedings sitting as a magistrate and he directed me to act as prosecutor.

The trial or hearing was held in city hall. The distributor pleaded: "Mr. Mayor, I distribute more than a hundred magazines. I don't publish them. Am I supposed to censor each one?" The answer of "Judge" La Guardia still brings a smile to my lips: "What you are saying is the same as if Mrs. La Guardia bought a dozen eggs and discovered that two of them were rotten and took them back to the grocer. Would it excuse him if he pleaded with Mrs. La Guardia, 'I am not the hen?' I fix the bail at $500."

When a certain McWilliams, trying to be a little Hitler, made wild, riot-inspiring speeches on street corners, Fiorello had him committed to Bellevue Hospital for observation.

I treasure one of the sketches made of the mayor which bears his autograph and an original message: "With pleasant recollections of unpleasant days in Albany." The sketch was made by Sam Woolf and the occasion was one of my weekly returns from the capitol, to report on the legislative situation.

The anniversary of the death of Fiorello H. La Guardia for me is like tolling of an elegiac tocsin upon the passing of an era.

## SALE OF WHEAT TO RUSSIA

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the New York Times of October 10 and an editorial from the Wall Street Journal of October 11.

These editorials voice support for the President's decision—the President having found it in the national interest—to sell wheat and feed grains to the U.S.S.R. and other Communist-ruled countries. The editorials point out what I believe to be the key aspects of this proposed transaction. A New York Times article of October 12 reports the endorsement of the U.S. Chamber of Commerce of the sale, and its call for further exploration of more liberal nonstrategic trade with the Soviet Union.

On October 3, I warned that this "one-shot" deal might be used as a way to engage in several trade deals which would call for much more from the Soviet Union.

Politically, the sale represents an effort on the part of our country to reduce the cold war tensions by showing the Soviet Union that meaningful economic relations between that country and the United States are not impossible and can serve the interests of both sides. This will prove most important in the days ahead.

Mr. President, I also ask unanimous consent to have printed in the RECORD a release on this subject from the Chamber of Commerce of the United States.

There being no objection, the editorials and the release were ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 10, 1963]

### BEYOND THE WHEAT DEAL

Both economically and politically, President Kennedy made a convincing case last night when he explained to the Nation his decision to approve the sale of wheat and feed grains to the Soviet Union and other Communist-ruled countries.

The heart of his argument was the vital point he expressed so eloquently in his American University speech last June: the need to find and to act upon those common interests which unite the Soviet Union and the United States and which give hope for improving relations between these two great nations.

The existence of a common interest could hardly be clearer than in the present case. The Soviet Union needs grains because of the shortages caused by its calamitous harvest this year. The United States benefits from selling grain because such a sale helps reduce the burdensome surplus in the Nation's granary (brought about partly by our own foolish domestic agricultural policies) and because this sale will contribute appreciably to improving the U.S. balance of payments. As in any good business or political deal, both sides will gain.

Of course, more than economics is involved in all this. The President hinted at the political aspects of the matter when he gave assurances that the Soviet people will know they are receiving American grain, and when he pointed out that the sale helps show the Soviet Union "that peaceful agreements with the United States which serve the interests of both sides are a far more worthwhile course than a course of isolation and hostility."

In all this the President was hinting at the historic experiment, in which he and Premier Khrushchev have been engaged to see whether the cold war cannot be deprived of much of its former virulence and danger, even though important differences obviously remain. President Kennedy reminded us last night that the Soviet Government has for several months now refrained from jamming Voice of America broadcasts. The wheat deal falls naturally into the developing complex of joint measures which began with the nuclear test ban treaty.

What the President said about the grain transaction suggests that much of the present U.S. trade policy toward the Soviet Union is obsolete. For years, this country has prohibited sale to the Soviet Union and to Eastern Europe of many goods which the Communist world can buy freely from our NATO allies in Western Europe. It only makes sense that in the wake of the wheat agreement the Senate Foreign Relations Committee is planning to take a careful look at the whole complex of present policies and laws restricting trade with the Communist bloc.

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[From the Wall Street Journal, Oct. 11, 1963]

### CAPITALIST QUID, COMMUNIST QUO

Without wishing to be dogmatic about a difficult question, we think the President is right and his critics wrong on selling wheat to Russia.

The proposed deal appears to be about as straightforward a business as can be done with the Soviet Union. The American sellers are private merchants; the terms are cash and short-term credit. The Russians need the wheat. We can use both the payments and the reduction of the huge wheat glut; to some extent the taxpayer stands to benefit. In short, the economic essentials of sound trade seem to be present.

The fact that the price is subsidized has, as Mr. Kennedy noted at his press conference, nothing to do with trading with Russia. It would be the same no matter to whom we sold; the American producers rather than the Russians get the subsidy. That the subsidy system is wrong is not an indictment of this particular trade but of our whole misguided farm policy.

Most of the objections, of course, center on the purported political implications of the matter. Why, it is asked, should the United States aid its enemies, especially at a time when their agricultural troubles are exposing anew the failures of Communist economics?

First, we rather doubt that $250 million worth of wheat can enhance Russia's war potential. For a short war, it may be assumed the potential is already formidable; for a long war the Kremlin would presumably want far larger agricultural reserves than the United States is likely to provide. Increased trade in other goods, now under discussion, could also be safely undertaken so long as we stop short of weapons and materials directly related to military production.

As for the idea that selling the wheat somehow helps Russia conceal its farm problem, it is a contention that doesn't stand up too well. The Canadian, Australian, and prospective U.S. deals have all been publicized in the world, and yesterday the Kremlin transmitted the news of the American decision to all Soviet newspapers. It can be argued that selling the wheat, thus showing that the Communists have to come to the capitalists, does more to emphasize their failures than would a refusal to sell.

At the same time, we don't put much stock in the probability of great political benefits flowing from this deal. It may be, as Mr. Kennedy suggests, that the trade fits in with the generally more relaxed East-West atmosphere. But on the face of it, the explanation would seem to be the more simple one that right now the Russians are hard up for wheat.

In any case, so far it is best to keep fingers crossed about any new era of good feeling with the Soviet Union—without worrying unduly that trading with Communists must mean feeding communism.

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[From the News Service, Chamber of Commerce of the United States, Washington, D.C.]

WASHINGTON, October 11.—Edwin P. Neilan, president of the Chamber of Commerce of the United States and president and chairman of the Bank of Delaware, Wilmington, today issued the following statement:

"The action of President Kennedy and Secretary of Commerce Luther Hodges in approving the sale of wheat to the Soviet Union through private commercial channels at the world price for cash or short-term credit is commendable. It will benefit the U.S. economy particularly in the area of reducing our balance-of-payments deficit and by providing an outlet for surplus wheat which is costing taxpayers enormous sums in storage charges.

"It seems to be an opportune time to explore the possibility of broadened, liberalized trade with the Soviet Union in other nonstrategic goods under the same conditions as the wheat sale. Good two-way trade cements peaceful relations."

**Mr. JAVITS.** Mr. President, I thank the Senator from Kentucky for yielding to me.

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## AMENDMENT OF WATER POLLUTION CONTROL ACT

The Senate resumed the consideration of the bill (S. 649) to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purposes.

**Mr. COOPER.** Mr. President, I oppose Senate bill 649, and I state my reasons for doing so.

I am a member of the Senate Committee on Public Works, but I am not a member of the subcommittee which conducted hearings on this bill. I must say that in the course of the hearings, the subcommittee gave long and careful consideration to the bill.

My dissenting views are printed in the committee report. In preparing my dissenting views, I did what I thought was proper in paying my compliments to the Senator from Maine [Mr. MUSKIE] and to the leadership of the ranking minority member of the subcommittee, the Senator from Delaware [Mr. BOGGS], for the very careful hearing and consideration they gave to the bill. I believe it was greatly improved as a result of the hearings.

Several years ago, when I first served on the committee with the distinguished Senator from Florida [Mr. HOLLAND] who is sitting near me—in 1947 and 1948—we considered and approved the first water pollution control bill. It was a modest bill, which had been introduced by the late Senator Taft, of Ohio, and the late Senator Barkley, then my colleague from Kentucky.

Later during my service on the committee, amendments strengthening water pollution control were recommended by the committee, and have been enacted into law. As I recall, the initiative for those amendments came chiefly from the late Senator Kerr, of Oklahoma. I supported all of these measures.

I recognize, as do the members of the subcommittee who drafted the bill, and as I am sure all other Senators recognize, that we must continue to provide more effective means of controlling and abating water pollution. We can never stand upon existing legislation and say it is perfect, for the magnitude of the problem demands great cooperative efforts by the Federal Government, the States, municipalities, and industry. The problem of water pollution will require a tremendous amount of public and private funds before it can be resolved.

In my dissenting views, I point out that about $20 billion has been spent by the Federal Government on water pollution control, and billions more will be needed. The cost alone requires the cooperative effort of the Federal Government, the States, municipalities, and industry. The legislation we pass must sustain and increase cooperative efforts.

I oppose the pending bill because, in my opinion, it represents a radical departure from the cooperative approach to the problem of water pollution control and abatement—an approach developed over the years by the Federal Government, the States, municipalities, and private industry. I know it will be argued that my conclusion is not correct; and, of course, there can be differences of judgment in regard to this matter. However, I present my views.

Under existing legislation, a number of cooperative approaches are available. For example, the Corps of Engineers may increase the height of its structures so that additional water can be stored for communities and the flow of water maintained; in some instances, the communities pay for such extra services. As another example, the Community Facilities Administration provides communities with a part of the funds needed for sewage lines and water supply. And under the Water Pollution Control Act, the Public Health Service now makes grants to communities to assist them in building sewage treatment plants.

The basic Water Pollution Control Act makes the following statement as a declaration of policy:

> It is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibility and rights of the States in preventing and controlling water pollution, to support technical research relating to the prevention and control of water pollution, and to provide Federal technical services and financial aid to State and interstate agencies and to municipalities in connection with the prevention and control of water pollution.

As a result of this cooperative system, I believe that every State now has a water pollution control agency which works with communities and industry and the Federal Government. These State agencies have worked hard to abate pollution of interstate and intrastate waters.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement which appears in the record of the hearings showing the organization of the State water pollution control activities.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

### ORGANIZATION OF STATE WATER POLLUTION CONTROL ACTIVITIES, HEARINGS, PAGE 86

The present distribution of authority for water pollution control activities among the 50 State governments are as follows:

1. Twenty States have placed water pollution control authorities in their State health agencies. These are as follows: Alaska, Arizona, Colorado, Florida, Georgia, Hawaii, Idaho, Iowa, Kansas, Maryland, Massachusetts, Mississippi, Nevada, New Jersey, New Mexico, New York, North Dakota, Oklahoma, Rhode Island, and Wyoming.
2. Twenty States have placed their water pollution control authorities in independent agencies. These are as follows: Alabama, California, Connecticut, Delaware, Illinois, Louisiana, Maine, Michigan, Minnesota, Montana, New Hampshire, North Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, and Wisconsin.
3. The 10 remaining States have created statutory agencies within their State health agencies. These are as follows: Arkansas, Indiana, Kentucky, Missouri, Nebraska, Ohio, Oregon, Pennsylvania, South Carolina, and Utah.

### STATE ACTION SETTING STANDARDS OF WATER QUALITY—HEARINGS, PAGE 119 ET SEQ.

Thus far 36 States have legislation that directs or permits the establishment of stream classifications and/or water quality standards. Of these, 22 States have established such classifications and/or standards and 14 have not. Criteria in use range from a minimum requirement of primary treatment of wastes to complex systems of stream classifications and water quality standards. In certain States where fairly comprehensive systems have been established, standards and classifications are not applied statewide, and cases are judged on an individual basis.

Six formal interstate agencies, several informal interstate groups, and the International

**Joint Commission have legislation or agreements providing for water quality standards and classifications. All but five of the States are members of formal interstate agencies or informal interstate groups, and apply the established or agreed upon classifications and water quality standards to their interstate waters.**

**The following table summarizes State and formal interstate actions to establish stream classifications and/or water quality standards as determined by responses to a questionnaire of the Senate Public Works Committee and supplemented by information available to the Public Health Service.**

*Summary of State actions to establish water quality criteria or standards*

| State | Authority | Actions taken |
|---|---|---|
| Alabama | Water improvement commission has duty to establish criteria or standards for recognized limits of pollution; issues permits for waste discharges. | No standards have been established. Each pollution situation is reviewed on its own merits in relation to downstream water uses. |
| Alaska | Water pollution control authority responsible for setting standards of pollution and water purity, recognizing that no single standard is applicable to all waters. | No standards set. |
| Arizona | Statutes do not provide specifically for establishing stream standards or classifications. | None have been established. |
| Arkansas | Water pollution control commission has authority to set stream standards and classify waters. | None have been established. Waste discharges subject to permit by commission. |
| California | Statutes do not provide specifically for establishing classifications or standards. Objectives and requirements developed by each regional board. | Each pollution problem dealt with on an individual basis. |
| Colorado | State health department shall establish and enforce minimum general standards as to quality of water supplied to the public and as to quality of effluent of sewerage systems and trade wastes. | Minimum standards established by law and State board of health relating to coliforms, floating, suspended, and dissolved organic matter, and toxic substances. |
| Connecticut | Water resources commission adopts some standards on a river valley basis and on specific waste discharges. As member of New England Interstate Water Pollution Control Commission and the Interstate Sanitation Commission, some waters subject to standards and classification of these commissions. | Effluent standards adopted for 2 river valleys. Other waters classified and subject to standards of the 2 interstate commissions. |
| Delaware | No statutory authority to establish standards or classifications. Member of Interstate Commission on the Delaware River and Delaware River Basin Compact Commission. | Interstate commission has promulgated minimum standards for Delaware River within the State. |
| Florida | No statutory authority to establish standards or stream classifications. | No classifications or standards adopted. |
| Georgia | State board of health authorized to establish such standards of water quality deemed necessary. | No specific standards established. |
| Hawaii | Department of health authorized to establish rules and regulations, and will adopt standards. | No standards adopted. Each case dealt with on own merits. |
| Idaho | State board of health authorized to establish and enforce minimum sanitary standards. | Adopted minimum waste effluent standards. |
| Illinois | No specific authority to establish standards or classifications. Member of ORSANCO. | As member of ORSANCO, subscribes to its minimum standards for effluents discharged to the Illinois, Ohio, Mississippi, and Wabash Rivers. |
| Indiana | Stream pollution control board empowered to determine qualities and properties of water that indicate deleterious pollution. | Regulations promulgated for minimum effluent and stream standards. |
| Iowa | Department of health empowered to adopt and enforce rules and regulations restricting pollution. | No rules and regulations published. Pollution controlled by orders. |
| Kansas | State board of health authorized to make rules and regulations | Minimum criteria adopted for Kansas River Basin. In certain other basins policy has been adopted which provides minimum quality criteria. |
| Kentucky | Water pollution control commission authorized to establish or modify standards after public hearing. | No water quality standard adopted. |
| Louisiana | Stream control commission establishes pollution standards and controls waste discharges. | The commission has promulgated criteria regarding discharge of sugar-mill wastes. |
| Maine | Upon recommendation by the water improvement commission, State legislature classifies waters. | 4 minimum standards for classification of waters established by statute. |
| Maryland | Water pollution control commission authorized to recommend effluent standards and establish reasonable water quality standards or criteria. | Regulations adopted setting minimum effluent standards for industrial wastes; receiving water quality standards for Baltimore Harbor area. |
| Massachusetts | No specific statutory authority except to adopt rules and regulations | Adopted classifications and quality standards of New England Interstate Water Pollution Control Commission in classifying interstate waters. |
| Michigan | No specific statutory authority except prohibition of injurious substances. | No standards or classifications adopted by regulation or otherwise. |
| Minnesota | Water pollution control commission empowered to make classifications of waters, and to establish and alter pollution standards for any waters. | No general standards or broad classification of waters established. |
| Mississippi | State oil and gas board authorized to make rules and regulations regarding pollution of fresh waters by oil, gas, or salt water. Fish and game commission empowered to set effluent standards for certain waters. | Fish and game commission has adopted minimum standards for wastes in receiving streams 1,000 feet below outfalls. |
| Missouri | Water pollution board empowered to establish and revise standards of water purity. | No standards have been set. |
| Montana | Water pollution council authorized and directed to formulate standards of water purity and classifications of waters. | Criteria for water quality objectives and minimum treatment requirements adopted. |
| Nebraska | Water pollution control council authorized to develop effluent standards and water quality standards, and to classify waters. | Water quality objectives and standards adopted. |
| Nevada | Division of public health engineering authorized to develop a system of water classifications. | No standards or classifications promulgated as yet. |
| New Hampshire | Surface waters classified by State legislature; classifications enforced by water pollution commission. | Classifications for surface waters and minimum water quality criteria established. |
| New Jersey | No specific statutory authority | Effluent specifications are made to meet needs of each valley or stream as an administrative guide with no force of law. |
| New Mexico | do | No standards or classifications adopted by any of the boards and commissions involved. |
| New York | Water resources commission has authority to establish standards and classify waters. | Comprehensive system of classification of waters adopted. |
| North Carolina | Stream sanitation committee has authority to adopt water quality standards. | Comprehensive series of water quality standards adopted. |
| North Dakota | State water conservation commission authorized to establish rules and regulations. | No statewide water quality standards established. |
| Ohio | No specific statutory authority | No statewide standards established; quality objectives adopted for certain river basins. |
| Oklahoma | Oklahoma Water Resources Board responsible for promulgating and adopting water quality standards. | Bureau of Water Resources Research (University of Oklahoma) has prepared a listing of criteria for guidance of State agencies. |
| Oregon | State sanitary authority responsible for establishing, modifying, and amending water quality standards; some pollutants identified by statute. | Specific standards and classifications established. |
| Pennsylvania | Sanitary water board has authority to adopt rules and regulations to control pollution. | Five stream classifications have been adopted; effluent standards set for 5 specific industries; regulations for subsurface disposal of wastes and for heated wastes; standards for radio-active wastes. |
| Rhode Island | No specific statutory authority | Subscribes to and uses classifications and standards of the New England Interstate Water Pollution Control Commission. |
| South Carolina | Water pollution control authority is empowered to establish classifications and standards of water quality. | Classifications and standards established. |
| South Dakota | Committee on water pollution required to classify waters into 2 classes; permits are required for which committee prescribes standards of water quality. | No specific effluent standards adopted; each case judged individually. |
| Tennessee | Stream pollution control board responsible for establishing standards of water quality. | Criteria established to be used as guides. |

*Summary of State actions to establish water quality criteria or standards*—Continued

| State | Authority | Actions taken |
|---|---|---|
| Texas | No specific statutory requirement; permits required which set conditions. | No streams classified or water quality standards promulgated. |
| Utah | Water pollution control board has authority to classify waters and to adopt, modify, or repeal standards of quality. | System of classifications with water quality standards adopted. |
| Vermont | Water resources board authorized to classify waters not classified by legislature, and to determine degree of purity to be maintained. | Adopted the water quality standards of the New England Interstate Water Pollution Control Commission. |
| Virginia | State water control board required to establish, modify, amend, or cancel standards of water quality as necessary. | Permits required; general criteria to guide recommending standards of quality adopted for use in issuing permits. |
| Washington | Pollution control commission authorized to establish water quality standards. | Minimum water quality standards adopted; objectives of Pollution Control Council of Pacific Northwest are used. |
| West Virginia | State water resources commission promulgates rules and regulations. | Minimum water quality objectives have been adopted which conform to those of the Ohio River Valley Water Sanitation Commission. |
| Wisconsin | No specific statutory authority | No water quality standards adopted. |
| Wyoming | do | Adopted water quality criteria of the Missouri Basin Engineering Health Council. |
| District of Columbia | do | Adopted certain criteria which is same as objective of Interstate Commission on Potomac River. |
| Puerto Rico | No specific statutory authority. Some laws which prohibit discharge of wastes. | Standards in process of preparation. |
| Virgin Islands | No authority | No standards adopted. |
| Guam | do | Do. |

*Summary of interstate actions to establish classifications or standards*

| Agency | Authority | Action taken |
|---|---|---|
| Delaware River Basin Commission | Commission authorized to classify waters and establish standards of waste treatment. | Has adopted classifications established by predecessor Interstate Commission on the Delaware River for interim period. |
| Interstate Sanitation Commission | Compact defined 2 classes of water and effluent standards related thereto. | Water quality classifications (2) and effluent standards established. |
| Klamath River Compact Commission | Commission authorized to recommend standards for water quality. | No standards established as yet. |
| New England Interstate Water Pollution Control Commission. | The compact establishes 5 classifications of interstate waters. | Classifications and standards of water quality have been established. |
| Ohio River Valley Water Sanitation Commission | Compact establishes basic standards for treatment of wastes and empowers the Commission to supplement these standards. | Basic treatment standards and water quality objectives have been established. |
| Interstate Commission on the Potomac River Basin. | Compact authorizes commission to establish water quality criteria. | Stream classifications and water quality criteria established. |

**Mr. COOPER.** I do not argue this question on any legal issue of the rights of States. That has no reference to my argument. The argument I make is that the magnitude of the job, and the attainment of effective water pollution control and abatement, demand the cooperation and the continued efforts of the States, municipalities, and industry, as well as the Federal Government. It is my view that this bill breaks up the cooperative effort and the needed participation of the States by transferring ultimate power to an agency of the Federal Government.

From what sources does water pollution come? Largely it comes from municipalities or from industry. What does the bill provide? In my judgment, the bill would transfer to the Federal Government whatever authority the States now have to deal with the causes of pollution. I know that my view differs from that of the Senator from Maine as to what the bill does. I shall try to make my point by comparing the present law and the provisions of the bill.

First, the bill would establish in the Department of Health, Education, and Welfare a new agency—called the Federal Water Pollution Control Administration—which would be directed by an Administrator. The agency would be under the supervision of a new Assistant Secretary, who, of course, would be responsible to the Secretary.

At the outset of the hearings, Secretary Celebrezze and the Bureau of the Budget stated that they did not favor the establishment of a new agency. I called attention to their views in my dissenting opinion to the committee report. I wish to be fair, and must say that I noticed the Senator from Maine presented today letters which state that the Secretary of Health, Education, and Welfare, and the Bureau of the Budget, do not now object to the bill. I believe these letters came after I had called attention to the fact that Secretary Celebrezze and the Bureau of the Budget did not support the establishment of a new agency.

**Mr. MUSKIE.** Mr. President, will the Senator yield for a comment?

**Mr. COOPER.** I yield.

**Mr. MUSKIE.** The form which the bill now takes with respect to the new agency was responsive to some comments made by the Secretary in his testimony before the committee. It was on the basis of the opening statement which he made that the proposal which is now in the bill was framed. So an evolutionary process took place in the thinking of the department and the administration on the bill.

**Mr. COOPER.** I understand. I am not resting my position against the bill on the ground that it would establish a new agency, although I do not believe it is needed. I know that a suggestion was made that all of the functions related to environmental health should be combined in one agency. But I make the point that until a few days ago Secretary Celebrezze opposed the new agency.

The methods by which the bill would transfer final power over water pollution control to the Secretary of Health, Education, and Welfare are as follows:

The proposed legislation would give to the Secretary authority to fix standards of water quality for every interstate stream and any tributary thereof in the United States. This would include practically all waters of any consequence in the United States.

It is true that the bill provides that before the Secretary may fix such standards of water quality, he must consult with other Federal agencies. He must also consult with the States, and give them the opportunity to fix acceptable standards of water quality.

But the point is that the decisive power to fix standards of water quality is vested in the Secretary of Health, Education, and Welfare and, for all practical purposes, in the hands of the unknown Administrator who would be named to head the new Federal Water Pollution Control Administration.

I should like to make the point—and if my statement is not accurate I hope the Senator from Maine will cite the facts—that there is no evidence in the hearing testimony provided by any State, Federal agency, or State water pollution control agency, supporting the fixing by the Secretary of water quality standards for river basins or parts thereof, or the feasibility of such standards. Such testimony as does appear in the hearings on this issue questions the feasibility of fixing such standards of water quality.

I do not know whether it is possible to fix such standards. But I do say that the bill provides that the Secretary shall ultimately have the power to fix standards for every river basin in the United States. The hearings indicate no request of the Secretary of Health, Education, and Welfare for this authority. And there is no evidence that the Governors of the States, or State water control agencies, approve this radical change from existing law.

I believe that under the bill introduced by the late Senator Kerr, two water control laboratories were established. In looking through the hearings I cannot find that any of the experts, including scientists and technicians from these laboratories, testified about the feasibility of fixing water quality standards for all the interstate rivers of the Nation.

If the Secretary exercises the authority, provided by this bill and fixes standards of water quality for a stream in my State of Kentucky, Florida, Montana, Maine, or any other State in the Union, those standards will be the ones to which the courts and the enforcement agencies must look. That point is very important.

The Secretary would be given another power under this bill. After he fixed standards of water quality, if he subsequently determined that any discharge into an interstate stream, or into a tributary of an interstate stream, lowered or altered the water standards, he would be given the power to seek abatement.

There would be still another change from existing law. Existing law relates standards to health and welfare conditions. This bill would bring into play a number of other factors—recreational uses, agricultural uses, industrial uses, and fish and wildlife uses. Perhaps these uses should be brought into consideration, but I point out that in fixing water quality standards, the Secretary would not be limited solely to the question of whether the standards affected health and welfare; he would be authorized and directed to take into consideration all these other factors.

Further—and this is very important—the Secretary would be directed not only to take into consideration the present uses of a stream in fixing water quality standards, but also the possible future uses of the stream.

Imagine, if you will, the Secretary of Health, Education, and Welfare—or really, the administrator of the new agency—looking at the thousands of streams all over the United States, and being authorized and required to ultimately fix water quality standards, taking into consideration all these factors, not only as they exist today but also as he believes they may exist in the future.

The majority report should be read carefully. One statement is very significant. With all the powers centered in the Secretary of Health, Education, and Welfare—the power to fix standards for every interstate stream in the United States; the power to determine whether the discharge from a small community or industry along some creek which may reach an interstate stream would alter the standards of water quality; the power to look into the future use of a stream as well as to its present use—this bill would give the Secretary of Health, Education, and Welfare a kind of zoning authority over all river basins in the United States.

I know it will be said that I overemphasize the powers to be given the Secretary by this bill. I know that some of the powers which I have noted may not be exercised. The point I make, however, is that the powers are nevertheless given to the Secretary by this bill. He does not have them today. The States today exercise some brake upon the power of the Federal Government with respect to water pollution control and abatement.

With respect to zoning river basins, the possibility of such authority is not a figment of my imagination. I call attention to the report of the majority, on page 8, under the heading "Standards of Water Quality":

> Increasing population and expanding industrialization are placing growing demands on our limited sources of water. It will be necessary for us to use many rivers for multiple purposes, including industrial, agricultural, recreational, public water supply, and fish and wildlife uses.

I agree with that part of the statement but I read further:

> In other cases, the uses on a given river or portion of a river will be more limited, depending upon the nature of the waterway, the intensity and history of use, and alternative sources of water in the area. Economic, health, esthetic, and conservation values which contribute to the social and economic welfare of an area must be taken into account in determining the most appropriate use or uses of a stream.

Mr. President, who will determine the most appropriate use, or uses, of a stream? Will it be the Secretary of Health, Education, and Welfare, acting upon behalf of the new Federal agency which this bill establishes?

Mr. MUSKIE. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield.

Mr. MUSKIE. The Senator from Kentucky knows of my very great respect for him.

Mr. COOPER. We have mutual respect for each other.

Mr. MUSKIE. The Senator applies himself with dedication to the problems confronting us. I state that to the Senator because I do not wish what I am about to say to be misunderstood.

Mr. COOPER. I thought something else would be forthcoming.

Mr. MUSKIE. We have discussed these points so often that I am convinced I will not be able to persuade the Senator from Kentucky that the view he is expressing is incorrect. But I wish to state again what I believe about the bill. In the first place, if the bill would do what the Senator says, I should be the first to vote against it. There is no question about that. If the bill would do what he says, it would be against the interests of my State, and it would endanger and possibly risk the whole industrial structure of my State. I am sure it would call the wrath of my conservative constituents down on my shoulders if they believed that I would depart as far as the Senator from Kentucky says this bill would depart, from the responsibilities and rights of the States.

The Secretary of Health, Education, and Welfare now has the authority to make determinations with respect to water quality in streams. This point was covered earlier today, and I am not going to labor it, but I feel that at this point in the remarks of the Senator from Kentucky it should be emphasized.

Mr. COOPER. I intend to emphasize the authority of the Secretary.

Mr. MUSKIE. I feel that the Secretary of Health, Education, and Welfare now has that authority. The Senator does not believe that, but I believe it, and I will undertake to document it later. I wish to say this at this point in the remarks of the Senator, so that there may be a relationship in the RECORD.

Mr. COOPER. I appreciate the remarks of the Senator from Maine; and I thoroughly understand and respect his view of the bill. I have also studied the bill, and have applied it to the present law. I hold a different view. I make my point again, that it is clear—and I believe anyone who reads the bill will have to admit this to be correct—that despite the provision that the Secretary must consult with States or agencies, and must give the States an opportunity to fix the water quality standards, ultimately and finally, if the States do not agree with him, the Secretary of Health, Education, and Welfare—or, in practice, the administrator of the new agency—would fix the standards of water quality. He would be directed to do so for every interstate stream or portion thereof in the United States.

Second, he would be given the authority to determine whether some discharge in an interstate stream, or tributary which leads to the interstate stream, reduces that standard of water quality. The bill does not state how much. The language is "reduces."

The Secretary would be given authority in fixing water quality standards, to look not only to the present use, but also to what he considers the stream might be used for in the future.

I am not saying that any Secretary of Health, Education, and Welfare would wrongfully exercise these powers. But if we consider these powers as a whole, some Secretary, if he desired to do so, could zone the streams of the United States and determine that some should be used for industrial purposes, some for recreational purposes, some for agricultural purposes, and others for fish and wildlife purposes.

The nub of the question finally comes down to this: How would his decision be enforced? The final test comes in enforcement. Who has the power to make and enforce standards? This is where I differ with the Senator from Maine.

I have the act before me, and I refer to section 8 of the act. This section sets out the methods of enforcement, and is entitled "Enforcement Measures Against Pollution of Interstate or Navigable Waters."

It is true that if the Secretary of Health, Education, and Welfare considers that pollution of a stream exists, he can initiate the procedures for abatement. We agree on that point.

I read from the last sentence in section 8(c)(1):

> The secretary shall also call such a conference whenever, on the basis of reports, surveys, or studies, he has reason to believe that any pollution referred to in subsection (a)—

Which refers to interstate or navigable waters—

> and endangering the health or welfare of persons in a State other than that in which

the discharge or discharges originate is occurring.

He has the right under present law to initiate the procedures leading to abatement by making recommendations. If the State accepts his recommendation, that settles the matter. If it does not, then, under present law, the Secretary takes a second step. He convenes a Hearing Board. The Board is made up of such persons as he names to it, but among its members must be included a representative of the Secretary of Health, Education, and Welfare, and of the Secretary of the Department of Commerce, and representatives of the States affected.

This is the important point on which we disagree: At that point, the authority to make findings shifts. It shifts from the Secretary to the Board, upon which the States are represented. The Board looks at the recommendations made by the Secretary, and considers all the proof it wishes to consider. Then the Hearing Board, composed as I said in part of representatives of the States, makes its findings. It reports its findings to the Secretary. The Secretary then calls upon the State to comply with the findings the Board has made. If it does not comply, the Secretary can ask the Attorney General to take the case to court, and the court makes a judicial determination.

This is the point of difference between existing law and S. 649 as it has been presented to the Senate. The same procedures are followed. But if this bill is enacted, the Board would be limited to the determination of one question: Has there been a discharge into a stream which has altered the water below the standard of water quality which the Secretary had fixed?

Mr. MUSKIE. Mr. President, will the Senator yield at that point?

Mr. COOPER. I yield.

Mr. MUSKIE. I differ most emphatically with the Senator on this point. There is nothing in the bill which in any way modifies the conference procedure which the Senator has described.

Mr. COOPER. I said it did not as far as procedures are concerned.

Mr. MUSKIE. The Senator has just said that the only issue in the conference procedure, if the bill were enacted, would be whether or not the standards established are violated. I differ with the Senator. The conference is called. There is no change whatsoever in the bill with reference to the conference procedure. The trigger to the conference procedure has not been changed. The trigger is the enforcement section, which is section 8 under present law, and would be section 10 if the bill were enacted. The trigger is whether or not the Secretary believes there is a pollution situation which endangers the health or welfare of any person, and the Secretary makes the determination on his own judgment, without the benefit of consultation with anybody outside the Department of Health, Education, and Welfare, as to whether or not in his judgment, there has been such an endangerment as to warrant triggering the enforcement procedure which the Senator has been describing.

When the enforcement procedure is triggered—and it would be triggered in the same way if S. 649 were enacted as it is under present law—the conference considers whether there is a pollution situation which endangers the health or welfare of any person. One of the bases of evidence to be considered is such standards as may have been established under the procedures which I shall describe in my own time under S. 649. But that is not the only issue. It is one of the factors which must be considered. The conference can obviously consider something else, because under S. 649, if the enforcement procedure ever reaches the point of considering the practicabilities of the standards, they would be in issue.

Obviously, the conference which starts the enforcement procedure must be concerned with the practicability of the standards themselves. So the States, which will be represented on the Board if the procedure goes into effect, must concern themselves with the practicability of the standards, and participate in a decision as to whether or not the standards are practicable.

This procedure is written into S. 649. We have discussed this point before. I have not persuaded the Senator that I am correct. But I say that anyone reading the bill must inevitably be led to this conclusion.

I do not see how the Senator can suggest that, since the practicability of the standards would be in issue in the court procedure, it is not in issue first in the conference procedure, which is the beginning of the enforcement procedure.

Mr. COOPER. If the Senator's description of the bill is correct, he is caught on the horns, because the chief drive of the bill is to enable the Secretary to establish standards of water quality.

Mr. MUSKIE. I beg to differ. It is perhaps the version of the Senator from Kentucky that that is the purpose of the bill, but it is not mine.

Mr. COOPER. I can judge by the bill's language. It provides that any discharge which reduces the water quality shall be subject to abatement. Is that correct?

Mr. MUSKIE. The Senator has been reading the bill, but let me say that under present law, without the change of a comma, if the Secretary is unhappy about any pollution in any stream, which is injurious not only to health but, in the words of Mr. Stein, to industrial uses, to recreation uses, to fish uses, to wildlife uses—if he is unhappy about any pollution which endangers any one of those uses—under present law he can do something about it.

Mr. COOPER. If it affects health or welfare.

Mr. MUSKIE. I am quoting the language of the enforcement officer of the Public Health Service.

Mr. COOPER. Will the Senator agree with me that, according to the language on page 12 of the bill, if the Secretary determines the discharge of matter into any interstate waters has reduced the quality of such water according to the standards he has set, then it shall be subject to abatement?

Mr. MUSKIE. That is correct; and it is subject to abatement now.

Mr. COOPER. No.

Mr. MUSKIE. It is subject to abatement now. That is the force of the testimony from the enforcement division of the water pollution control agency—that pollution which endangers not only the health, but the recreational uses, fish and wildlife uses, agricultural uses, or public water uses, are subject to abatement under present law.

Mr. COOPER. Only after the Secretary refers the issue to a Hearing Board on which the States are represented, which makes its findings and recommendations. Pollution is subject to abatement under the findings of the Board—and not the findings of the Secretary.

Mr. MUSKIE. It is not subject to abatement under S. 649 until there has been a pollution of the water resource which endangers the health and welfare of any person. Exactly the same standard applies under present law, and it would apply if S. 649 were enacted into law. The same enforcement procedure is involved.

Mr. COOPER. I disagree with the statement. I point out again, and I shall not belabor the point, that under existing law a sequence of procedures must be followed resulting in a finding by the Board, before the Secretary can resort to court action to have the pollution activity abated. Under this bill, if the Secretary determines that the discharge into interstate waters—and this is the language—"reduces the quality of such waters below the water quality standards promulgated by the Secretary," the discharge "is subject to abatement."

Mr. MUSKIE. I should like to make one other point in an attempt to influence the Senator, as well as to make the record, because it is incredible that I have been unsuccessful in making this point.

Mr. COOPER. The Senator made the same argument with respect to the original version of the bill, when that bill was before the committee.

Mr. MUSKIE. Exactly.

Mr. COOPER. The same argument was made then, that it did not change existing law.

Mr. MUSKIE. Is the Senator suggesting that hearings should not be utilized to modify the judgment of a committee as to whether the language of a bill will do what the committee intends it to do?

Mr. COOPER. The bill has been improved greatly. I have read much of the testimony. The contention was made then that even the first version of the bill did not change the law.

Mr. MUSKIE. That was still the intention of the first bill. The Senator from Maine undertook to be responsive to the criticisms that were made. Questions were raised as to whether the language of the original bill served the intention of the committee. The Senator from Maine was persuaded that, in order to meet the questions, the language ought to be modified. Now, because of my willingness to modify the bill to meet these criticisms, it is suggested that my stand on the bill has been weakened thereby.

Mr. COOPER. I do not suggest that. I said the bill had been greatly improved by the Senator and the committee.

Mr. MUSKIE. I think so, too.

Mr. COOPER. And it would not enlarge in any way the powers now given to the Secretary?

Mr. MUSKIE. Let me try to be precise as to the difference between the present law and S. 649 with regard to standards. Under present law, the Secretary has authority to establish standards. He must do that. In order to determine whether there is danger to the health and welfare of any person, there must be some standard of water quality set, which, it is charged, is being violated. He cannot act without any reason at all. The present law states that he msut have a reason. That reason must be related in some way to some standard of water quality. He makes this decision subjectively, with such advice from his own department as he seeks, before he can trigger an enforcement proceeding, which is started by the conference.

S. 649 substitutes for this subjective way of evaluating quality a procedure in which the States participate. I will go into detail on this point on my own time, but I wish to make this point in the Record. The bill substitutes for the Secretary's subjective method of drawing up ad hoc standards under the present law, procedures for deciding on standards under which the communities and the affected industries participate.

Mr. COOPER. I will make my statement once more. The Senator says that initially, the Secretary under existing law has the power to set standards subjectively, and that he does set standards. I am now talking about standards which may become the subject of an abatement proceeding.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. COOPER. Not now. I wish to finish my statement. It is my judgment that under existing law, standards which may become the subject of abatement proceedings are not fixed subjectively by the Secretary. They are fixed objectively by the Hearing Board, on which representatives of the States sit. I will read the language.

Mr. MUSKIE. The Senator and I are talking about two different points.

Mr. COOPER. I will read the law. It is better to read the law than for the Senator and me to be arguing about it.

Mr. MUSKIE. We are not disagreeing about the function of the Board.

Mr. COOPER. I am talking about the findings that finally go to the courts on the question of whether a particular discharge should be abated. That is the question that finally reaches the courts for decision.

Mr. MUSKIE. Will the Senator read the language which authorizes the conference to set the standards? Will the Senator find the word "standards"?

Mr. COOPER. Let me read the law. I quote from section 8(e) of the present act.

> If, at the conclusion of the period so allowed, such remedial action has not been taken or action which in the judgment of the Secretary is reasonably calculated——

Mr. MUSKIE. Whose judgment?

Mr. COOPER. The Secretary's judgment. That is the first step. That is his subjective judgment. I continue to read:

> If, at the conclusion of the period so allowed, such remedial action has not been taken or action which in the judgment of the Secretary is reasonably calculated to secure abatement of such pollution has not been taken, the Secretary shall call a public hearing, to be held in or near one or more of the places where the discharge or discharges causing or contributing to such pollution originated, before a Hearing Board of five or more persons appointed by the Secretary. Each State in which any discharge causing or contributing to such pollution originates and each State claiming to be adversely affected by such pollution shall be given an opportunity to select one member of the Hearing Board and at least one member shall be a representative of the Department of Commerce, and not less than a majority of the Hearing Board shall be persons other than officers or employees of the Department of Health, Education, and Welfare. At least three weeks' prior notice of such hearing shall be given to the State water pollution control agencies and interstate agencies, if any, called to attend the aforesaid hearing and the alleged polluter or polluters. On the basis of the evidence presented at such hearing, the Hearing Board shall make findings as to whether pollution referred to in subsection (a) is occurring and whether effective progress toward abatement thereof is being made. If the Hearing Board finds—

I emphasize: "If the Hearing Board finds"—

> If the Hearing Board finds such pollution is occurring and effective progress toward abatement thereof is not being made it shall make recommendations to the Secretary concerning the measures, if any, which it finds to be reasonable and equitable to secure abatement of such position.

Mr. MUSKIE. Mr. President, will the Senator yield at that point?

Mr. COOPER. I yield.

Mr. MUSKIE. I will make two points. First. The procedure the Senator has just described would be retained in its present form if S. 649 were enacted.

Second. What happens—and I will ask this in the form of a question and the Senator may refer to the law—if the persons guilty of pollution do not act?

The language in the subsection from which the Senator has been reading continues:

> The Secretary shall send such findings and recommendations to the person or persons discharging any matter causing or contributing to such pollution.

If those persons guilty of the pollution do not act, what happens?

Mr. COOPER. I will finish my argument. A few moments ago the Senator from Maine said that under existing law, standards are based upon the subjective judgment of the Secretary. I disagree. Under present law standards of water quality are based upon the findings and recommendations of the Board if abatement is required.

Mr. MUSKIE. The Senator has missed the point of the Senator from Maine. The Senator from Maine said the judgment which is made relative to whether or not an enforcement proceeding ought to be started, whether or not a conference ought to be called, is the subjective judgment of the Secretary of Health, Education, and Welfare.

I did not suggest that there was such a judgment which is negated by the existence of the language the Senator has been quoting.

Mr. COOPER. Then I have made my point clear. I have agreed with the Senator from Maine that the Secretary can initiate a survey and investigation upon his subjective judgment. The point I have sought to drive home throughout the debate, whether it has been understood or not, is that when it comes to abatement under present law, the enforcement decision is based upon findings and recommendations of a Hearing Board—on which the States are represented with respect to water standards. That is entirely different from the initiative given to the Secretary by this bill to fix water quality standards.

Mr. MUSKIE. Mr. President, will the Senator from Kentucky yield for one more point?

Mr. COOPER. I yield.

Mr. MUSKIE. Getting back to what I started to say a moment ago, if the recommendations of the Hearing Board are not fully implemented, what does the present law provide? Read subsection (g).

Mr. COOPER. May I finish reading this section before coming to that point? I should like to preserve the continuity of what I am reading.

Mr. MUSKIE. I think what I am about to say would add to the continuity.

Mr. LAUSCHE. Mr. President, from what is the Senator from Kentucky reading?

Mr. COOPER. From the present law, section 8(e). I will finish this section:

> If the Hearing Board finds such pollution is occurring and effective progress toward abatement thereof is not being made it shall make recommendations to the Secretary concerning the measures, if any, which it finds to be reasonable and equitable to secure abatement of such pollution. The Secretary shall send such findings and recommendations to the person or persons discharging any matter causing or contributing to such pollution, together with a notice specifying a reasonable time (not less than 6 months) to secure abatement of such pollution, and shall also send such findings and recommendations and such notice to the State water pollution control agency and to the interstate agency, if any, of the State or States where such discharge or discharges originate.

The sections that follow provide that if the recommendations of the Hearing Board are not followed, the Secretary can request the Attorney General to bring suit on behalf of the United States to end the pollution.

Mr. MUSKIE. Mr. President, will the Senator yield for a question which I think needs to be asked at this point?

Mr. COOPER. I yield.

Mr. MUSKIE. Subsection (g) reads:

> If action reasonably calculated to secure abatement of the pollution—

What pollution are we talking about? Pollution that endangers the health of any person—

within the time specified in the notice following the public hearing is not taken—

Who decides whether or not the action taken is reasonably calculated to secure abatement of the pollution under existing law?

Mr. COOPER. The court will finally decide.

Mr. MUSKIE. The court does not say whether the Secretary shall send a case to the Attorney General; the Secretary does.

Mr. COOPER. Of course; I noted that a few minutes ago.

Mr. MUSKIE. Who makes the judgment as to whether "action reasonably calculated to secure abatement of the pollution" has been taken?

Mr. COOPER. Of course, we know that if the pollution continues, the Secretary is going to obey the law; he will try to obtain court action.

Mr. MUSKIE. That is not the point of my question.

Mr. COOPER. Then the question arises: What findings or whose recommendations will be considered by the court? They will be the recommendations of the Hearing Board, not of the Secretary.

Mr. MUSKIE. The Senator avoids my question.

Mr. COOPER. No; I do not.

Mr. MUSKIE. Who decides whether the action is "reasonably calculated to secure abatement of the pollution"?

Mr. COOPER. Who?

Mr. MUSKIE. The Secretary.

Mr. COOPER. Of course, he does; but we are getting away from the distinction between the pending bill and existing law. Upon whose findings is this determination made under existing law? The determination is made upon the basis of the findings of the Hearing Board. Will the Senator from Maine say that that is not correct?

Mr. MUSKIE. I will say, first, as I have said several times this afternoon, that the enforcement procedure upon which the Senator is dwelling would be retained in its entirety if S. 649 were enacted.

As to whether the Senator has correctly interpreted the implications of the enforcement section as it is now in the law, there may be some disagreement between us, as has been revealed by the colloquy we have had. But I will say that the action would be triggered by the Secretary on the basis of the judgment that he, and he alone, would make. I cannot make my point any better than I have stated it. Probably I have not stated it well enough.

Mr. COOPER. The Secretary can ask that the suit be initiated.

Mr. MUSKIE. That is the second decision he would make.

Mr. COOPER. But the facts upon which he makes the decision to request the Attorney General to bring an action are the findings of the Hearing Board. I believe we disagree on a number of points of procedure. But I shall finish my statement.

My judgment is that even though the procedures of present law are maintained by this bill, the controlling point that would come before the court would be whether the quality standards—which the Secretary alone had determined—had been reduced by a discharge from some community or industry. That would be the controlling question before the court. The bill transfers the authority to fix water quality standards from a hearing board—on which the States are represented—to the Secretary.

Mr. President, I have read the testimony and the bill, and I have studied the present Federal Water Pollution Control Act. I have some knowledge of the subject arising from my membership on the committee when the first and other water pollution control acts were passed.

The bill under consideration is a radical departure from the present system of State, Federal, municipal, and industry cooperation. It gives the Secretary wide powers to set water quality standards; it provides that any discharge into an interstate stream which alters such standards is cause for abatement, solely on the basis of these standards. The Secretary would have power to determine water quality standards, not only upon the basis of present use, but on the future uses of the stream as he might conceive them.

The Secretary of Health, Education, and Welfare displayed no evident enthusiasm for the bill in his testimony. No Governors testified in its favor. As far as I can tell, no testimony was received in the hearings from any Governor. Yesterday the Senator from Oregon [Mr. MORSE] placed in the RECORD a letter from Governor Hatfield, stating that his administration opposed the bill.

The representatives of State water control agencies who testified stated that they opposed several provisions of the bill.

There was no testimony in the hearings concerning the feasibility of establishing water standards, except some testimony stating that such a proposal was not feasible.

If the proposed legislation is of sufficient importance to the United States and the individual States, and I believe it is, at the least such evidence ought to be adduced.

My amendment is not a simple amendment; it is quite a large one. It would strike from the bill the new powers proposed to be given to the Secretary. It would provide for hearings to be conducted by the Secretary to receive the testimony of Governors, of representatives of States, and of water pollution control agencies; for the Secretary then to report his findings to Congress, recommending the steps to be taken to advance the control of water pollution and abatement.

The committee hearings, while very good, disclose a lack of testimony from the States and municipalities. The question of the feasibility of water control standards require further hearings, in my judgment.

I have said to the Senator from Maine and I say to him again that much has been accomplished by the hearings he held and by the development of the bill. But I believe that there is not enough evidence in the hearings to justify the provisions of the bill which mark a radical departure from the cooperative Federal-State-municipal pollution control system that now prevails in law and in practice.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD statements of various witnesses, who testified that, among other things, the establishment of water quality standards is not feasible.

I ask also that a short statement I have prepared be included at this point in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

### STATEMENT BY SENATOR JOHN SHERMAN COOPER ON S. 649

I oppose S. 649 and will offer an amendment, the effect of which is to require further hearings on water pollution control and abatement, to be conducted by the Secretary of Health, Education, and Welfare, to secure the views of Governors, State water pollution control agencies, industry and authorities and scientists on water pollution control, and to report his findings and recommendations to the Congress by January 1, 1965.

The Water Pollution Control Act sponsored by Senators Taft and Barkley, and later enactments sponsored chiefly in the Senate by the late Senator Kerr, emphasized the necessary cooperation of the States and Federal Government in the control and abatement of water pollution—pollution caused primarily by municipalities and industry. Under existing legislation, the Secretary of HEW has extensive powers, but decisions made by him to resort to the courts for the abatement of water pollution rest upon findings of committees dealing with a specific case. Such committees include representatives of the States affected as well as the Department of HEW and of Commerce. S. 649, while improved by amendments in the Public Works Committee, changes entirely the character of the present Federal-State cooperative system by transferring exclusive power to the Federal Government. This is accomplished by the bill in the following way:

1. The bill establishes a new Federal Water Pollution Control Administration in the Department of Health, Education, and Welfare.
2. The Secretary, employing this agency, is empowered to promulgate "standards of water quality" for every interstate water in the Nation, or any involved tributary.
3. If any discharge into such waters lowers the "standards of water quality," the Secretary is empowered to proceed to the courts for abatement.
4. The "standards of water quality" which the Secretary can promulgate embrace future as well as present use, such as agricultural, industrial, recreational, and other uses.

The above powers conferred upon the Secretary would enable him to zone river basins or parts thereof for such uses as he determined were appropriate. The bill does require the Secretary to consult with the States and to give them first opportunity to promulgate water standards. But the essential fact is that full and ultimate power to promulgate standards and make the above decisions is vested in the Secretary of HEW, and I believe for all practical purposes in the new Federal Water Pollution Control Administration established by the bill. For all practical purposes, the authority and cooperative activities of the States are stricken down by the bill.

**Neither the President nor the Secretary of HEW asked for this authority. No State has supported this bill. There is no evidence provided in the hearings upon the feasibility of establishing water quality standards for the rivers of the Nation with all their differing characteristics. I believe that more effective legislative measures must be enacted to promote water pollution control and abatement, but I do not believe the task can be accomplished by transferring full powers to a new Federal agency and an administrator not yet designated. The committee has done valuable work pointing up the problem. My amendment would provide to the Public Works Committee and the Congress information that it needs respecting the feasibility of the proposals made by this bill.**

### Excerpts From Testimony of Mr. James R. Smith, Vice President, Mississippi Valley Association

(a) States have primary authority and responsibility for water pollution control, which should not be surrendered to the Federal Government. (Hearings p. 187.)

(b) Association is opposed to authorizing the Federal Government to establish standards of water quality on interstate waters and their tributaries. (Hearings, pp. 187, 188.)

(c) Recommendation that S. 649 not be enacted. (Hearings, p. 188.)

We recognize that the several States have the primary authority and responsibility for the control of water pollution. This authority and responsibility should not be surrendered to the Federal Government. The States should meet this responsibility by positive action to abate pollution on intrastate streams. We oppose the extension of additional authority for any Federal regulatory agency in the matter of water pollution control unless its need has been proved unequivocally through the failure of the States involved to assume their proper responsibilities.

The association is unalterably opposed to authorizing the Federal Government to establish water quality standards on interstate and navigable waters or tributaries discharging into such waters. This is not only an unnecessary encroachment on State rights but we feel that it is impossible to establish any single standard, or for that matter, a group of standards, which could be made applicable to all the various situations which would occur throughout the country. Further delegation of authority to the Federal Government at this time is unnecessary. Universal standards assessed by distant agencies have never worked in this country nor any other. The States, either individually or collectively as may be necessary, are fully competent to establish standards which meet their specific situations or requirements. Authorizing the Federal Government to establish water quality standards on interstate, navigable, and tributary rivers would constitute a long step in taking the States completely out of the administration of their own pollution control programs. By broad definition, all streams discharge into an interstate stream eventually.

### Excerpt From the Testimony of Sam Thompson

(Representing Council of State Governments, Executive Committee of the Interstate Conference on Water Problems, opposing provision of the bill authorizing the Secretary of HEW to set standards of water quality (hearings, pp. 298, 299))

If the Federal Government is to have the power to set effluent standards, there will be nothing which the State pollution control agencies can do which the Federal Government cannot also do. The Federal Government is already in the business of research, training, and aiding construction of facilities. For reasons already mentioned, its activities in these respects are most helpful and an increase in them could contribute much to providing additional technical competence, knowledge, and physical tools with which to attack a mammoth problem. Under the Federal Water Pollution Control Act of 1956, as amended, the Federal Government also engages in enforcement activities which do present problems in the proper balance of Federal-State relations. But if the Federal statute continues to recite that the responsibilities and jurisdiction of the States are primary, and if the Federal agency administering the law actually implements this arrangement, a balance can be maintained. However, if the Federal Government also acquires the power to determine what shall or shall not come out of waste disposal outfalls throughout the country, it will have become the level of government with a complete water quality program. Since article VI, section 2 of the Constitution makes Federal law supreme, there is little question that such a complete Federal involvement will displace State law and State programs. The present Federal statute reads in relevant part:

"Consistent with the policy declaration of sections 466–466k of this title, State and interstate or navigable waters shall be encouraged and shall not, except as otherwise provided by or pursuant to court order under subsection (g) of this section, be displaced by Federal enforcement action (33 U.S.C. sec. 466g (b))."

It is difficult to see what would be left of this provision if the effluent standards portion of S. 649 were adopted. The governing law on matters of water quality would then be Federal law rather than State law. If divergent from the relevant State statute, the Federal effluent requirement would govern. State law and administration would be displaced. The policymaker and enforcement agency would become the Federal Government. The Federal agency would have to assume the responsibility for pollution control activity throughout the country Personnel authorized and financed by Congress and sustained entirely by the Federal Treasury would have to carry the entire load.

The only way to be sure that State law, until now and at the present time the chief resource available for the actual control and abatement of pollution, continues to be available for this purpose is to avoid undermining the authority of that law. The proposal for Federal effluent control contemplates that the Federal Government go into direct competition with State pollution control programs, and not that it supplement or strengthen them.

### Excerpt From Testimony of Dr. Natale Colosi

(Chairman of the Interstate Sanitation Committee (consisting of States of New York, New Jersey, and Connecticut) opposing giving Federal Government authority to set standards of water quality (hearings, p. 582))

If some agency of the Federal Government is now to have authority to set effluent standards, great confusion will ensue. Polluters could seek to play one level of government off against the other and to obtain the most lenient standards which either is willing to impose. If the standard set for the Federal Government for a particular location is the same as that set by State law or interstate compact, it will be an unnecessary duplication. If it is different, the question arises as to which will govern. In the legal sense, this question may be easy to answer, but if there is any desire to encourage the States to do a good pollution control job, the obvious answer of Federal supremacy will be entirely destructive of State and local efforts. Indeed, one may ask what is supposed to happen if the Federal agency has the power to set effluent standards, but does not do so in a particular area or for a particular installation. Initiation of State or interstate enforcement procedure would be difficult since violators could argue that a different requirement may eventually be set by the Federal Government. There is no assurance at all that State law would survive. With the power conferred upon a Federal administrative agency by S. 649 added to those already exercised under the existing Federal Water Pollution Control Act, the Federal Government would then have responsibility for everything from research to enforcement and determination of the uses to be made of particular waters. The authority to set effluent standards has little point, except as a means of choosing among water uses.

Under existing Federal law, Congress has declared that the responsibilities and rights of the States in pollution control shall be primary. Where single States acting alone may not be in a position to cope adequately with the problems of an area, the act directs the encouragement of interstate compacts for pollution control. We trust that the sponsors and supporters of S. 649 continue to seek the buttressing and encouragement of State and interstate efforts. The bill leaves these provisions of present law intact. However, the effluent standard provision would vitiate this declared policy of Congress.

### Excerpt From Statement of Gerald J. Remus, General Manager, Detroit Metropolitan Water Supply System, on Behalf of Mayor of Detroit

That section of S. 649 authorizing Secretary of HEW to set standards of water quality should be eliminated because: (a) State agencies are doing an effective job; (b) would cause duplication; (c) Federal standards would supersede State standards (hearings, p. 176).

Section 4(1): Eliminate this entire section. It in essence eliminates the already effective and efficient State agencies doing these jobs. Not only would this result in duplication of agencies on the Federal level, but also there would then be supersession to the State agencies which would cause endless confusion. The position of the USPHS should be of cooperation and support. Not only is that our position in southeastern Michigan, but the following agencies of the State and National character have adopted similar policies:

American Water Works Association.
American Society of Civil Engineers.
Michigan Water Pollution Control Association.
Michigan Water Resources Commission.
Michigan Department of Health.
Michigan Municipal League.
City of Detroit.

### Excerpt From the Testimony of Loring F. Oeming, Executive Secretary, Michigan Water Resources Committee, in Opposition to Water Quality Standards Provision, Hearings, Page 415

This amendment, if enacted, will give to the Federal Government virtually complete control over the administration and enforcement of local pollution control programs with the power to dictate the location of industry, recreation, water, fish and wildlife, and all other water-related developments and uses both within the State and throughout the country. This represents a substantially complete preemption of authority and responsibility for a function which has always been and is presently vested in our State. All decisionmaking with respect to water resource administration will be taken from the State and local government and placed in the Secretary. This provision, again, represents a complete reversal of the broad policy of recognizing, preserving, and protecting the primary responsibilities of the States as expressed in sections 1(a) and 1(b).

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### STATEMENT OF MILTON P. ADAMS, CONSULTING ENGINEER, STATE AND INTERSTATE WATER POLLUTION CONTROL ADMINISTRATION, REPORTING ON RESULTS OF BALLOT TAKEN OF STATE AND INTERSTATE WATER POLLUTION CONTROL ADMINISTRATORS, HEARINGS, PAGE 101

#### MEMORANDUM

To: All State and interstate water pollution control administrators.

From: B. A. Poole, chairman, steering committee.

Date: February 21, 1963.

The steering comimttee of the State and Interstate Water Pollution Control Administrators met in Washington, D.C., on February 6–7. Among the items considered was current legislation, and specifically H.R. 3166, which was introduced by Congressman BLATNIK on January 31.

This bill, a copy of which is enclosed with excerpts from the CONGRESSIONAL RECORD, proposes to amend the Federal Water Pollution Control Act. Other identical bills have been introduced in the House (by Mr. DINGELL) and the Senate (S. 649 by Mr. MUSKIE and 18 others).

The steering committee unanimously agreed that it was opposed to sections 2 and 4 of H.R. 3166 and decided that a notice of this fact should be sent to all State and interstate water pollution control agencies with a request that they express their opinions on these as well as other sections of the bill, by means of a letter ballot.

Please note that sections 2 and 4 are contrary to a resolution that was adopted by those administrators who attended a breakfast session at the Water Pollution Control Federation meeting in Toronto on October 10, 1962. A copy of this resolution is attached. The Federation Board of Control formally received the resolution at its meeting on October 11. These ideas are incorporated in the Federation's "Statement on Water Pollution Control," which may be found on page 140 of the January 1963 issue of the Water Pollution Control Federation Journal.

The increased grants for sewage treatment (sec. 3) are in accord with a recommendation in a report dated October 1962 on "Intergovernmental Responsibilities for Water Supply and Sewage Disposal in Metropolitan Areas" by the Advisory Commission on Intergovernmental Relations. (See p. 120.) The Commission was established by Public Law 380 of the 86th Congress.

The enclosed ballot is for your convenience in expressing your approval or disapproval of the four sections. Your ballot should be returned to me without delay, but certainly before March 15. I will tabulate the results so they may be used in the presentation of our views to congressional committees that consider the bill. We are trying to prevail on Milton Adams to accept the responsibility for appearing before such committees on our behalf.

#### LETTER BALLOT

To B. A. Poole, chairman, steering committee, SIWPCA:

I have read your memorandum of February 21, 1963, regarding H.R. 3166 and vote as follows regarding the provisions of the bill:

Section 1: Setting forth the "purpose of this act to establish a positive national water pollution control policy * * *."

| | |
|---|---|
| In favor | 27 |
| Not in favor | 18 |

Section 2: Establishing a Federal Water Pollution Control Administration in the Department of Health, Education, and Welfare.

| | |
|---|---|
| In favor | 3 |
| Not in favor | 46 |

Section 3: Grants for separation of combined sewers and increasing grants for other purposes.

| | |
|---|---|
| In favor | 35 |
| Not in favor | 9 |

Section 4: Setting standards applicable to interstate or navigable waters, etc.

| | |
|---|---|
| In favor | 5 |
| Not in favor | 45 |

### TESTIMONY OF MR. SAMUEL S. JOHNSON, ON BEHALF OF THE NATIONAL ASSOCIATION OF MANUFACTURERS

S. 649 "departs from sound principles in four major areas"—appropriate national water pollution control policy (p. 285); appropriate level of government for issuance of regulations (p. 288); grants-in-aid (p. 289); and the creation of another new agency (p. 290).

#### SPECIFIC PROVISIONS OF S. 649

We believe that S. 649 departs from sound principles in four major areas—appropriate national water pollution control policy; appropriate level of government for issuance of regulations; grants-in-aid; and the creation of another new agency.

It is noted first that a new subsection 1(c) would be added to the Federal Water Pollution Control Act as follows:

"(c) It is the purpose of this Act to establish a positive national water pollution control policy of keeping waters as clean as possible as opposed to the negative policy of attempting to use the full capacity of such waters for waste assimilations."

This language was discussed at the National Conference on Water Pollution held in December 1960, although as stated at that time by Mr. C. P. Gutermuth of the National Resources Council of America, "We realize we are never going to get agreement on this in a meeting of this kind."

The following dialog occurred:

Mr. CANNON (National Association of Manufacturers of the United States of America). I would like to call to the attention of the Chair that panel II also made a recommendation on the same subject. I made a comment on the recommendation of panel II for amendment to include the concept of economic feasibility which the chairman indicated had merit. Therefore, before any action is taken on Mr. Gutermuth's suggestion, I would like to offer the same amendment for consideration by those present here.

"Dr. WOLMAN. Do you have a specific suggestion as to the modification or the substitution? This is a language problem and I don't want to get lost in it.

"Mr. CANNON. My suggestion would be 'as clean as economically feasible.'

"Mr. GREGG (Izaak Walton League of America, Inc.). I think the point that is raised by Mr. Cannon is valid. A qualification is necessary. We don't need to confine ourselves to considerations of economic values, although that is important, and perhaps the purpose could be served by saying 'In keeping waters as clean as possible in consideration of health, recreation and esthetic values, and economic and technical consideration,' or 'economic and technical possibilities,' or something like that.

"Dr. WOLMAN. Have you considered the suggested language made by various representatives?

"Mr. GUTERMUTH. Yes. They feel, while it isn't explicitly spelled out in this statement, everyone realizes and appreciates that the economic factors must be considered. It is assumed.

"Dr. WOLMAN. I shall increase my unpopularity by assuming that this means you adopt panel I's statement. Again I say that there shall appear in the record any disagreements or suggestions for expanded language, which would take care of those of you who feel that even though it may be implied, the language might be strengthened in the direction of economic use and application."

The National Technical Task Committee on Industrial Wastes accepted Dr. Wolman's invitation to include in the record expanded language so that the "language might be strengthened in the direction of economic use and application," and submitted the following statement:

"At the annual meeting of the National Technical Task Committee on Industrial Wastes on December 15, 1960, there was discussion of the problem which developed in the final plenary session of the National Conference on Water Pollution of combining the No. 1 recommendations of panels I and III.

"Time limitations and other factors at the plenary session were not conducive to the reaching of a properly considered decision.

"As a result, dissatisfaction was expressed by many that recommendation 1 as drafted by panel I was also adopted by panel III in place of their original draft.

"In the interest of reconciling the points of view expressed by panels I and III and at the same time attempting to preserve the sense of the participants at the conference, we would respectfully suggest acceptance of the following consolidated statement which preserves the meaning and intent of the original recommendation 1 of panel I and recommendation 1 of panel III:

"We recommend that the conference express its conviction that the goal of pollution abatement is:

"'(a) To protect and enhance the capacity of the water resources to serve the widest possible range of human needs; and

"'(b) That this goal can be approached only by accepting the policy of keeping water clean, consistent with the variabilities within and among different river basins.'"

Other pertinent statements were made by distinguished participants in the conference. Dr. E. Ackerman, of the Carnegie Institution of Washington, stated:

"On the credo, it asks that water be returned as nearly as clean as is technically possible. What is technically possible? Perhaps we should have the idea of economic feasibility in there, too. We did our report late at night and in a short time, and perhaps there was an error of statement that we did not intend. Certainly no reasonable person (and I would like to think that we are all reasonable on this) would insist on technical perfection at great expense to any community or to the Nation. The ideal is to do what we know technically we are able to do. The major question comes on what we are able to do. It would involve more discussion than we have time for here to answer that question."

Dr. Erman A. Person, of the University of California, stated:

"Now, getting to the question of assimilative capacity of the receiving waters and whether or not regulatory action should be based upon full assimilative capacity. Personally, I think this should not be the case. Recognition should be made of the full assimilative capacity in the analysis of effects of any potential waste discharge but provision for unknowns and future development should allow assimilative capacity in reserve. Nevertheless, we must recognize whether we like it or not, that the streams just like our atmosphere must be used as the ultimate assimilating mechanism for wastes in our environment. What we must do is to insure that conditions developed by this assimilation are favorable or at least tolerable and in the best interest of the general public."

Mr. Leonard E. Pasek, of the Kimberly-Clark Corp., stated:

"To a very substantial extent, American industry—and thereby our economy—has been built upon the base of that valuable economic asset—the ability of our great waterways to dilute, assimilate, and carry away industrial wastes. The result has been a living standard of widespread abundance and a national defense potential that has delivered the goods during three periods of military conflict."

Dr. Karl Brandt, of the President's Council of Economic Advisers, stated:

"While it is technically possible to restore river and canal water to its virgin quality of nature prior to industrialization or even better, including the restoration of all aquatic biology, it all involves severe costs and complex chain reactions in our economy. Hence, social science research should explore and demonstrate the alternative courses for achieving a reasonable compromise which permits an aggregate benefit to the community of people affected. To do this involves ultimately quite a few value judgments. Again, what should be proved is the social cost of achieving certain intangible benefits, to whom they would actually accrue, and who would share the costs, directly and indirectly.

"It should be demonstrated particularly, that the costs involved for varying degrees of improvement in the quality of aquifers are ultimately entering into the account of the American economy and thereby inevitably affect all the people. Costs of water pollution abatement can be deflected or charged to certain individuals, corporations, or other forms of enterprise. However, as in the case of taxes and levies, the actual burden of such costs is shifted to a broader number of people if not the public in general.

"Reliable and accurate knowledge about costs and their ultimate bearers should not and will not prevent the people and their representative government from making progress in water pollution abatement. On the contrary, the better the public understands the complex and interlocked issues of intelligent water uses and the necessary adjustments, the better become the prospects for arriving at sensible solutions by voluntary cooperation and consent rather than coercion and bureaucratic rule or more and more centralized power. If the citizens of a State understand fully what it means in terms of costs to enterprises and to the public if perfectionism prevails as, for example, quality criteria for industrial effluents into rivers are lifted to unrealistic levels, or one should require secondary treatment for municipal sewage disposal into the ocean, then we may expect to arrive at reasonable compromise.

"Such compromise could lie in gradualness in the raising of requirements, in adoption of reasonable standards and a broader participation in shouldering the costs. While it may be deplorable that some fish are killed in a river or canal which actually served primarily as a carrier of industrial waste it may yet be the case that this use of that particular current of water in a strictly industrial area may prove to be the highest marginal productivity attainable that far outweighs any potential value of the commercial or the sport value of the fish."

The difficulty with a national policy declaration that does not recognize a wide range of human needs and uses for water and does not recognize the limitations of economic and technical feasibility is that it could be totally unrealistic. Washing one's hands would not be "keeping water as clean as possible"; yet certainly it is not the intent to outlaw this and other desirable uses of water, such as manufacturing which can use 1,000 gallons of water to make $11.70 worth of manufactured goods as contrasted with irrigation which can require 1,000 gallons for only 10 cents worth of agricultural crops. The real intent, undoubtedly, is that, after use, a reasonable effort be made to improve the quality of the used water without placing complete reliance on the assimilative capacity of the stream.

We certainly make no plea for overloading the assimilative capacities of streams but do make a plea for recognition of the fact that such assimilative capacity is a great economic asset to this country and must be employed to some reasonable extent. As stated by Dr. Brandt at the National Conference on Water Pollution, "from the standpoint of continued success of our agriculture and industries in competition in the world market, the balance of payments, the integrity of the currency, effective control over the Federal and State budgets, and, therefore, in the interest of the improvement in the real income of the people, it is imperative that prudent husbandry prevail in the use of other resources for the development of water resources. This must also apply to water pollution abatement."

Therefore, we urge this distinguished subcommittee to reject any unqualified statement of objective "of keeping waters as clean as possible" and make certain that national policy recognizes the desirability of using water for fulfilling a wide range of human needs and also recognizes the limitations of economic and technical feasibility in water pollution abatement.

### FEDERAL WATER POLLUTION CONTROL REGULATIONS

S. 649 would also amend section 9 of the Federal Water Pollution Control Act so as to require the Secretary of Health, Education, and Welfare to issue regulations, setting forth standards of quality to be applicable to all waters which are either interstate or navigable, and setting forth the type, volume, or strength of matter permitted to be discharged directly into interstate or navigable waters or reaching such waters after discharge into a tributary of such waters. It would also be provided that "The alteration of the physical, chemical, or biological properties of such interstate or navigable waters or the placing of matter in such waters in violation of regulations issued under this subsection is hereby declared to be a public nuisance and subject to abatement under the provisions of this section."

This amendment could well mean the end of water pollution control regulation by the States. It is completely contrary to the statement contained in section 1 of the act that "it is declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in preventing and controlling water pollution." It appears to be a complete Federal preemption by the Congress of the field of water pollution control regulation and as such could render null and void all State regulation of the subject matter. It will substitute Federal policy over virtually all the water pollution control programs of the States and their duly constituted agencies.

There is absolutely no need for such a drastic reversal of approach to water pollution regulation. Very substantial progress in water pollution control has been made in recent years under State and interstate regulation. As stated by Mr. T. G. Driscoll of the Council of State Governments on behalf of the Interstate Conference on Water Problems in 1961. "The integrity of State regulatory programs, and of State administration generally, must depend on a congressional recognition that State water pollution control agencies operate in the public interest no less than do Federal agencies. Any other assumption is destructive of State responsibility and vitality in our Federal system and argues either for costly and confusing Federal duplication of State activity or for direct administration of the water pollution control function by the Federal Government. We find it difficult to believe that the committee supports either of these objectives."

In December 1960, the Interstate Conference on Water Problems adopted a resolution which contained the following statement:

"*Resolved,* That this conference vigorously oppose the extension of Federal regulatory jurisdiction over intrastate pollution by means of a general assertion of enforcement jurisdiction over navigable waters or by any other means which would interfere with State performance in this field."

When the power to issue regulations is lodged in the Central Government, the inevitable tendency is to formulate uniform, nationwide rules. This is the easy way out for the administrator, and probably is the only practical way for him to try to administer regulations throughout such a large country. Such a result would be particularly unfortunate in the water pollution control field, because it would fail to recognize the variabilities within and among river basins. Inevitably, the results would be harsh and unjust in some situations and perhaps too lax in others. The only alternative would be to formulate different regulations for each local situation throughout the country, and this would entail a voluminous bulk of regulations which would take years to evolve properly. Turning an administrator loose (it is not clear whether he would be subject to the Administrative Procedure Act) with instructions to "keep waters as clean as possible" could turn into a disastrous adventure in Federal regulation.

For effective and realistic results in water pollution control, it would be far better to leave the actual formulation of regulations to the States. More than 40 States, including the most populous and highly industrialized, require the filing of detailed plans for treatment of waste water and the issuance of a permit before new industrial plants may be constructed and before revisions or extensions to existing manufacturing processes or waste treatment facilities may be made. Under these and other State control measures, stream conditions are improving. For example, it has been reported that "During the past few years, the spawning runs of shad in the Delaware River have increased spectacularly, and last spring witnessed some of the world's best shad fishing. One could stand in the swiftly moving water and watch the adult shad working their way upstream while casting for them with a fly rod or spinning gear. There is no creel limit on these wonderful game and food fish, and catches of a dozen or more could often be made during a morning, afternoon, or evening."

Likewise, a study has shown that the Ohio River, one of the world's great industrial rivers, has present in it 131 different species of fish and that it supports an average fishing pressure of about 1,500 anglers per day. The 1960 report of ORSANCO included a caption stating: "Clean rivers are enhancing recreational opportunities in the Ohio Valley. Pictured here is part of the estimated 65,000 people at the hydroplane race regatta at Madison, Ind., on October 3, 1960. During the 4-month period starting June 1, the U.S. Coast Guard issued notices covering 34 regattas or ski shows, 26 of which were conducted on the main stem of the Ohio River and 8 on tributaries."

Therefore, we urge that the Congress not abandon the present system of State and interstate regulation, which is achieving effective progress, and substitute for it a remote, centralized system of regulation which could not possibly adjust itself to all the local variations in water pollution control problems. We respectfully urge this distinguished subcommittee not to recommend the proposed amendment to section 9.

### GRANTS-IN-AID

The bill would also amend section 7 of the Federal Water Pollution Control Act so as to raise the dollar limitation on Federal construction grants from $600,000 to $1 million; raise the limit on grants for joint construction projects from $2,400,000 to $4 million; and authorize in perpetuity a Federal grant-in-aid program of $100 million per year for the separation of combined sewers which carry both storm water and sewage or other wastes.

It is relevant to examine the history of the Federal grant construction program. When first enacted in 1956, the maximum dollar amount was $250,000 and there was no additional amount for joint projects. The total authorization was $50 million per year. In 1961, amendments were adopted which raised the dollar limit from $250,000 to $600,000, and it is now proposed to raise it again to $1 million.

Also in 1961, a higher limit for joint projects was set at $2,400,000 and it is now proposed to raise it to $4 million. Still further, in 1961, the annual authorization was raised from $50 million to $80 million for fiscal 1962, to $90 million for fiscal 1963, to $100 million for fiscal 1964, and, in effect, it is now proposed to double this to a total of $200 million per year for sewerage and sewage treatment. This illustrates the inevitable tendency of grants-in-aid to expand continually once they are instituted. Perhaps the increased spending called for in this bill is but one more step toward future increased spending ad infinitum. We understand that the total expenditures required to separate storm sewers and sanitary sewers in this country would be $8.5 billion.

The increases in the dollar limitations are obviously intended to benefit larger cities, and this seems all the more unjustifiable when it is realized that per capita sewage treatment costs are less for the larger cities than they are for the smaller cities. It also seems unjustifiable in light of the facts that, for instance, Cincinnati built a $66 million sewage treatment plant some years ago and Allegheny County, Pa., built a $100 million sewage treatment some years ago, relying on their own resources. Allegheny County financed its construction by the issuance of revenue bonds, which seems to be an equitable method of financing well within the capabilities of the larger cities.

It should also be noted that the proposal to create a grant-in-aid program in perpetuity is in direct violation of the recommendations of the Advisory Commission on Intergovernmental Relations. This permanent Commission was created by Public Law 86-380 and is composed of representatives of the Federal, State, and local governments with the purpose, among others, to "provide a forum for discussing the administration and coordination of Federal grants and other programs requiring intergovernmental cooperation," to "give critical attention to the conditions and controls involved in the administration of Federal grant programs," and to "make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system."

In its report on "Periodic Congressional Reassessment of Federal Grants-in-Aid to States and Local Governments," dated June 1961, the Commission studied the problem relating "to the difficulty encountered in terminating financial grants-in-aid from the National Government to the States and their political subdivisions, once the basic purpose of the grant has been essentially achieved, and comparable difficulties in redirecting the grant in order to reflect changed conditions." On page 27 of the report, the Commission recommends 5 years "as a maximum period beyond which no grant should continue without reappraisal and reenactment if such is in order." The Commission specifically recommends that the authorization for any new grant should expire on June 30 of the fifth calendar year beginning after such authorization unless an earlier date is otherwise specifically provided by law. The provision of S. 649 authorizing a grant-in-aid program in perpetuity completely ignores this wise counsel from a distinguished Commission established by the Congress. Mr. Chairman, I respectfully request permission to submit a copy of the June 1961 report of the Advisory Commission on Intergovernmental Relations for inclusion in the file of the subcommittee.

It should be remembered that Federal grant-in-aid programs do not necessarily provide a permanently accelerating effect. For example, the Milwaukee Journal of August 5, 1962, reported that a review of the water pollution situation in Wisconsin had been made by the State water pollution committee and the board of health, as follows:

"It clearly shows that Wisconsin has lost ground in municipal pollution control since the midfifties. While industries reduced their waste discharges by 9.2 percent between 1954 and 1961, municipal discharges increased 2.6 percent. Thanks to industrial efforts, the overall reduction that has gained Wisconsin's pioneer program national attention continued, amounting to 7.2 percent in this period.

"The 2.6-percent increase in municipal pollution contrasts with a 7-percent reduction achieved betwen 1949 and 1954. This slowdown is blamed by Theodore F. Wisniewski, director of pollution control, on the Federal aid program. Federal grants have been available since 1956 for local sewage plant construction.

"'The grants speeded things up for a while,' he said, 'and then we began to lose ground. Communities used to go ahead on their own. Now they wait for grants.'

"'And when the money runs out things come to a standstill. That's the way it is right now. Wisconsin's allotment has been used up and Congress has not yet made an appropriation for the new fiscal year (which began July 1).'

"The Federal program began with $50 million a year and had increased to $80 million last year, with $90 million in the pending appropriation bill, which has been passed by the House.

"Wisniewski said that Federal, as well as State, enforcement of pollution laws would be geared to the flow of money for grants, because municipalities cannot be forced to bear the whole cost, when they can get Federal aid by waiting.

"'Another thing,' he said, 'is that too high a percentage of the money is being used for intercepting sewers and outfalls. The act includes these among treatment facilities. I think the definition should be changed.

"'In 1960 we had about $4,200,000 of construction aided by grants, but only about $2,800,000 was actually for treatment. For the 5 years prior to 1956, Wisconsin averaged $2,500,000 for treatment without Federal grants. You can see how little we've gained.

"'The Federal program should be expanded to take care of these problems or eliminated entirely.'"

We recommend that the latter alternative be chosen, not only to eliminate the slowing-down effect, but also because of the fact that such a program, in many instances, merely has the effect of displacing unsubsidized construction with subsidized construction, in addition to being an improper assumption of a State and local responsibility by the Federal Government. The proper Federal role should be in the fields of research, consultation, advice, and promotional-educational efforts.

### ANOTHER NEW AGENCY

S. 649 would also amend the Federal Water Pollution Control Act by adding a section 2, which would create a Federal Water Pollution Control Administration in the Department of Health, Education, and Welfare. Of course, water quality control is a much broader subject than considerations related solely to public health, vitally important as they may be. Hydrological factors, geologic factors, agricultural factors, and economic factors are also involved, and are matters of tremendous importance in this field.

However, we are in general opposed to a proliferation of new agencies with resultant duplication of facilities and personnel and conflicts with existing policies and practices.

It is my suggestion that the committee give consideration to vesting of the supervision of Federal activities in this field to a commission composed of representatives of the Geological Survey of the Department of the Interior; the Soil Conservation Service of the Department of Agriculture; the Business and Defense Services Administration of the Department of Commerce; and the Public Health Service of the Department of Health, Education, and Welfare. This would permit coordinated use of the laboratories, other facilities, and personnel of these various departments in a unified program of appropriate Federal activities in this field.

We greatly appreciate this opportunity to present our views on this bill to this distinguished subcommittee, and we reiterate our hope that the information we have submitted will be helpful in the subcommittee's deliberations.

Mr. MUSKIE. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Maine has 30 minutes remaining.

Mr. MUSKIE. I should like to take a few minutes to make certain points responsive to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. MUSKIE. Mr. President, the Senator from Kentucky [Mr. COOPER] has said that the RECORD does not contain testimony to support the need or the feasibility of standards. I do not have time to go through all the references to that subject in the testimony; but on page 470 of the hearings there appears the strong endorsement of standards by the Secretary of Health, Education, and Welfare. I suggest that he would not have recommended them if he did not think them feasible; and I am sure he would not have formed a judgment as to their feasibility without first discussing the question with the Public Health Service experts and the other experts to whom the Senator from Kentucky has referred.

As to the question of the attitude of the States on the standards section, today in my remarks I cited several representatives of State agencies who endorse this bill in its entirety; and I now call the attention of the Senator from Kentucky to the most recent evidence of the attitude of the States; this comes from the Water Pollution Control Federation, which is identified as follows:

> The following report of the Legislative Analysis Committee was unanimously adopted by the Board of Control of the Water Pollution Control Federation at its annual meeting in Seattle, Wash., October 10, 1963. The board represents 37 U.S. member associations, totaling nearly 10,000 individuals concerned with water pollution control.
>
> Individual members include professional engineers, municipal officials, education and

> research personnel, industrial representatives, waste-water treatment plant superintendents and operators, regulatory personnel, equipment manufacturers, and others interested in water pollution control.

Now let us consider what the federation has to say about standards.

Mr. COOPER. Is that printed in the hearings?

Mr. MUSKIE. No; but today I have had it printed in the CONGRESSIONAL RECORD. However, I agree that this is not in rebuttal of the point made by the Senator from Kentucky with reference to testimony in the hearings.

The fourth recommendation by the federation is as follows:

> The Water Pollution Control Federation recognizes the desirability of determining uniform water quality criteria for specific uses; however, because of the differences in the needs of specific river basins, the Water Pollution Control Federation recommends the establishment and use of such criteria as a cooperative effort by industry, State, local, interstate, and Federal agencies for and within specific river basins.

Mr. President, what provisions of the bill determine whether there will be such a cooperative effort? That part of the bill reads as follows:

> (c) (1) In order to carry out the purposes of this Act, the Secretary may, after reasonable notice and public hearing and in consultation with the Secretary of the Interior and with other Federal agencies, with State and interstate water pollution control agencies, and with municipalities and industries involved, prepare regulations setting forth standards of water quality to be applicable to interstate waters or portions thereof.
>
> (2) The Secretary shall also call such a public hearing on his own motion or when petitioned to do so by the Governor of any State subject to or affected by the water quality standards set pursuant to this subsection for the purpose of considering a revision in such standards.

So, Mr. President, under the provisions of the bill, not only do the States participate in establishing the standards in the first instance, but, in addition, they can initiate action to modify and revise the standards.

I read further:

> (3) Such standards of quality shall be such as to protect the public health and welfare and serve the purposes of this Act. In establishing standards designed to enhance the quality of such waters, the Secretary shall take into consideration their use and value for public water supplies, propagation of fish and wildlife, recreational purposes, and agricultural, industrial, and other legitimate uses.
>
> (4) The Secretary shall promulgate the standards pursuant to this subsection with respect to any waters only if, within a reasonable time—

Again opening the door to State action—

> after being requested by the Secretary to do so, the appropriate States and interstate agencies have not developed standards found by the Secretary to be consistent with paragraph (3) of this subsection and applicable to such interstate waters or portions thereof.

Mr. LAUSCHE. Mr. President, will the Senator from Maine yield?

Mr. MUSKIE. I yield.

Mr. LAUSCHE. From what document is the Senator from Maine reading?

Mr. MUSKIE. From page 27 of the committee report.

Mr. LAUSCHE. I thank the Senator from Maine.

Mr. MUSKIE. Then, Mr. President, I add—so that the complete story will be in the RECORD—that all of the proceedings which would be provided by Senate bill 649 would be independent of, and would be in advance of, any enforcement proceedings. Indeed, if standards are established under this section, it might well be that the need for enforcement proceedings would be eliminated, because there would have been agreement, in advance of the creation of any endangerment to the health and welfare of any person, and by consultation with all the interested parties, on standards designed to assign reasonable uses, qualities, and standards to the waters in question.

Therefore, in view of the fact that there would be reasonable notice, and that everyone would be on notice as to the standards expected and as to the pollutants allowed to enter the stream, and also in view of the fact that everyone concerned would be on notice with respect to the requirements, I submit that the need for enforcement proceedings would be minimized.

But if there were endangerment to the health and welfare of any persons, notwithstanding the action taken under Senate bill 649, as I have described it, the enforcement proceeding which would follow would be exactly the same as that to which the Senator from Kentucky has made reference.

Mr. LAUSCHE. Mr. President, will the Senator from Maine yield for a question?

Mr. MUSKIE. I am happy to yield.

Mr. LAUSCHE. On page 29 of the report, under what was formerly subsection (f), but, according to the report, will now be subsection (g), subsection (g) reads as follows:

> (g) If action reasonably calculated to secure abatement of the pollution within the time specified in the notice following the public hearing is not taken, the Secretary—
>
> (1) in the case of pollution of waters which is endangering the health or welfare of persons in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, may request the Attorney General to bring a suit on behalf of the United States to secure abatement of pollution, and

Is that language to be included in the bill?

Mr. MUSKIE. Yes, exactly as it now is. It is now in the law.

Mr. LAUSCHE. Yes.

Do I correctly understand that this language contemplates that the action may be brought only—in the absence of consent by the State involved—when the origin of the pollution is in the offending State and when it brings a menace to health in adjoining States?

Mr. MUSKIE. That is as I understand the act.

Mr. LAUSCHE. Paragraph 2 reads as follows:

> In the case of pollution of waters which is endangering the health or welfare of persons only in the State in which the discharge or discharges (causing or contributing to such pollution) originate, may, with the written consent of the Governor of such State, request the Attorney General to bring a suit on behalf of the United States to secure abatement of the pollution.

Is it necessary, as a condition to the right of the Attorney General to bring a suit and to institute action in—let us say—Ohio, if the pollution occurs there, to have the consent of the Governor?

Mr. MUSKIE. This language of the act will not be changed; and I think the Senator's interpretation of it is correct.

Mr. LAUSCHE. If the pollution originated in Ohio and affected residents in an adjoining State—for example, Indiana—since two States would be involved, the action could be brought against the Ohio offender without the consent of the Governor of Ohio.

Mr. MUSKIE. That is correct under present law; and the provision would not be changed by the bill.

The Senator is concerned with court proceedings. I should like to point out a provision that I want to be sure comes to his attention. The bill would add to the enforcement section of the bill the requirement that if the proceeding actually gets into court, the practicability of the standards shall be an issue. So the burden would be on the Secretary to establish the practicability of the standards which he would set under S. 649.

Mr. LAUSCHE. Does the Secretary now have the right to establish standards?

Mr. MUSKIE. That is the point on which the Senator from Kentucky and I disagree. I say that he does. I make that statement because, in order to trigger the enforcement proceeding, the Secretary must believe that there is an endangerment of the health and welfare of any persons, and the chief enforcement officer of the Public Health Service has interpreted "welfare" as including fish and wildlife uses, recreational uses, industrial uses and agricultural uses as well as public water supply. Therefore, under present law the Secretary must first make a judgment as to whether or not there is an endangerment of health and welfare of any persons in accordance with that standard that I have read. If he believes that there is, obviously he must set up some objective standards to reach such a conclusion. Then he may trigger the enforcement proceeding.

The bill S. 649 would substitute for the subjective forms of judgment a proceeding in which the State, the communities, and the industries would participate in advance of the establishment of standards spelling out what is health and welfare.

Mr. LAUSCHE. Where in the report are the provisions dealing with the establishment of standards? Is that not completely new material?

Mr. MUSKIE. It appears on page 8.

Mr. LAUSCHE. I thank the Senator.

Mr. MUSKIE. The Senator will note that the report clearly spells out that what we are talking about is a case-by-case, river basin by river basin, or even portion of a river basin by portion of river basin evaluation of water quality standards.

Incidentally, I should like to comment in relation to the amendment of the Senator from Kentucky that what he is talking about is a study of national standards of water quality. If the Senator means by national standards what all the witnesses in the hearings meant by national standards, I point out that they were all opposed to such standards; and I am opposed to them. If he meant something different, he ought to clarify the point. I do not believe in uniform national standards. I believe in setting standards by streams and by portions of streams. They should be standards that would reflect the differences in water supply, the differences in water uses, the intensity of water uses, and the availability of water river by river and portion of river by portion of river.

I am opposed to uniform national standards. I say that the only way we can establish the kind of standards about which I am talking is to start working at the task. We should start working at it with those who know something about it. They are the States, the communities, industries, and water users of all kinds. I believe that the bill, S. 649, would establish that procedure.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. LAUSCHE. When requested by the Secretary to do so, may the Attorney General of the United States go into a State and bring an action in a case in which a wrong has been perpetrated upon the citizens of Ohio through a pollution originating in Ohio?

Mr. MUSKIE. Only with the consent of the Governor of Ohio, as I read the present law.

Mr. LAUSCHE. It is my understanding that if the Attorney General intends to go into Ohio to abate a pollution originating in Ohio and offending the rights of Ohio, he must have the consent of the Governor of Ohio?

Mr. MUSKIE. That is as I understand the present law, and that provision would not be changed.

Mr. LAUSCHE. I should like to ask the Senator from Kentucky to answer that question.

Mr. COOPER. Under present law?

Mr. LAUSCHE. If an act of pollution should originate in Ohio and should cause injury to a citizen of Ohio, may the Attorney General of the United States bring an action against the Ohio citizen without the consent of the Governor of Ohio?

Mr. COOPER. No; he may not.

Mr. LAUSCHE. He may not.

Mr. COOPER. The law provides:

> In the case of pollution of waters which is endangering the health or welfare of persons in a State other than that in which the discharge or discharges (causing or contributing to such pollution) originate, may request the Attorney General to bring a suit on behalf of the United States to secure abatement of pollution.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. HOLLAND. Mr. President, on that very point, I should like to call attention to the Senator from Maine and the Senator from Ohio that I believe their colloquy has gone a little further than they intended to go. If pollution originated in the State of Ohio, and if the Governor of Ohio requested its abatement, a suit could be brought on the request of the Secretary to the Attorney General only if the waters were interstate waters, and only if those waters emptied into other waters that made it a part of an interstate system.

Mr. MUSKIE. I agree with the Senator on that point.

Mr. HOLLAND. I wanted to have that condition in the RECORD because all the principal rivers in the peninsular part of my State are intrastate. I wish it completely understood that there is no provision in the law which under any circumstances would give Federal jurisdiction. I understand that that point is taken care of by subsection (c)(6) of the new section 10 of the act as reprinted on page 27 of the committee report, with the amendment in the following words:

> (6) Nothing in this subsection shall (a) prevent the application of this section to any case to which subsection (a) of this section would otherwise be applicable, or (b) extend Federal jurisdiction over water not otherwise authorized by this Act.

That would mean that nothing but truly interstate waters could ever be affected by the act. Is that position correct?

Mr. MUSKIE. The Senator is correct on that point. The bill would not enlarge the jurisdiction over any water.

Mr. LAUSCHE. First, it would have to be a stream that was interstate. If the action were to be brought against a citizen of Ohio for pollution which originated in Ohio, the consent of the Governor would have to be obtained or the Governor would have to request that the action be brought.

Mr. MUSKIE. The Senator is correct.

Mr. HOLLAND. That could be done only if the pollution were in an interstate basin.

Mr. LAUSCHE. The Senator is correct.

Mr. HOLLAND. If it were in an intrastate basin, under no circumstances would Federal jurisdiction accrue. Is that correct?

Mr. MUSKIE. That is as I understand the law.

I should like to make one further point. In 1955 the then administration submitted a water pollution control bill which included a section 7, which read as follows:

> The Surgeon General shall, after careful investigation and in cooperation with other Federal agencies, State water pollution control agencies, and with municipalities and industries involved, prepare or adopt and publish standards of quality to be applicable to such interstate waters at the point or points where such waters flow across or form the boundary of two or more States.

That proposed legislation was supported by a letter from the then Secretary of Health, Education, and Welfare, Oveta Culp Hobby, in a letter dated April 13, 1955; and the standards section was endorsed.

Quality standards is not a new proposal. It has been thought of for a long time, and considered an important instrument to achieve the objective which the Senator from Kentucky himself endorses in his minority views; that is, improving our efforts toward raising water quality and reducing pollution.

The PRESIDING OFFICER. Do Senators yield back their remaining time on the amendment?

Mr. MUSKIE. Mr. President, I yield back my remaining time.

The PRESIDING OFFICER. Does the Senator from Kentucky yield back his remaining time?

Mr. COOPER. Mr. President, I yield back my remaining time.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. COOPER].

Mr. HOLLAND. Mr. President, will the Presiding Officer restate the issue?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky.

The amendment was rejected.

Mr. MUSKIE. I yield 4 minutes to the Senator from Wisconsin.

Mr. NELSON. Mr. President, I believe that bill S. 649 is one of the most important measures to come before the U.S. Senate in this session of the Congress.

It represents a bold and long delayed approach to one of the most urgent domestic problems facing our country—the problem of water pollution.

In an age of almost continual cold war crisis, with a civil rights revolution exploding in our backyards, with serious economic and social problems all around us, it may seem easy and convenient to postpone solutions to a problem which we always have with us—the problem of our own destruction of our natural resources.

But the solution to this problem cannot be postponed. It grows worse every day and every hour. And if we continue to delay facing up to it, we may discover some day that it is too late—that our natural resources have been destroyed to such an extent that they can never be restored again.

Chief among these priceless resources, of course, is water. The need for ample supplies of clean, fresh water has been known since animal life first appeared on this earth. This bill will give us, for the first time, standards of water quality and a reasonable procedure to enforce those standards.

No longer will interstate and national pollution problems be shunted aside by the alibi that they should be handled locally, when everyone involved knows that they will not be.

### DETERGENT POLLUTION A SPECIAL PROBLEM

Others will speak at length on the principal features of this bill. I wish to speak mainly on the section relating to the pollution of water by detergents.

About 2 years ago, as Governor of Wisconsin, I became concerned about this problem. Several State agencies were put to work studying it.

Since that time, considerable research has been done, many popular newspaper and magazine articles have appeared, and the public has acquired a fair understanding of this problem.

I shall review the problem briefly, and I shall limit myself primarily to published scientific articles or the testimony of acknowledged authorities.

Synthetic detergents, which are in general household and industrial use today, are a powerful cleaning agent. Almost 4 billion pounds a year are sold in this country. About 75 percent of these detergents are made from a chemical known as ABS—alkyl benzene sulfonate.

Most of the detergents in general use today—whether they contain ABS or not—present special problems in the field of water pollution.

One of the foremost authorities on this problem is Dr. I. A. Eldib, president of Eldib Engineering & Research Laboratory, Newark, N.J. Dr. Eldib is a research chemist who serves as a consultant to some of America's leading industries. He first did his studies in detergent pollution for the Esso Research & Engineering Co.

In a recently published paper, "Biodegradability of Detergents," Dr. Eldib summarized the problem posed by detergents and told of the newest discoveries in this field.

He pointed out that the basic problem is that these synthetic detergents are not "degradable"—that is, they are not easily decomposed by the living micro-organisms used in the sewage disposal process. These organisms—primarily bacteria and protozoa—are used as a medium to purify sewage. In the presence of oxygen, bacteria convert the organics in sewage to new growth while using a minimum amount of the organics for energy. For complex chemical reasons, bacteria do not feed on detergent molecules.

### DETERGENTS PASS THROUGH TREATMENT PROCESS

Because detergents do not degrade or decompose in the sewage treatment process, they tend to pass right through sewage plants and septic tanks and enter rivers, lakes, and underground wells. This is why they constitute a pollutant.

This is an important point. It is true that detergents are simply one of many forms of pollution. But it is also true that there is something unique about them which makes them a different kind of problem. Other forms of waste get into our water supplies because they are not treated—because they are dumped directly into our waters without going through the sewage treatment process. Detergents get into our water supplies even though they do go through the sewage treatment process.

The extent to which detergents decompose has been subjected to some argument. Again, let us look at scientific facts.

Dr. Eldib created in his laboratory a model of a sewage disposal plant, carefully scaled and carefully proportioned to simulate exact conditions. He found that ABS detergents decomposed 40 to 60 percent in a typical sewage treatment operation.

This pretty well agrees with testimony offered by spokesmen for the soap and detergent industry. They have assured us that detergents are at least 50 percent degradable.

However, Dr. Eldib points out that the extent of decomposition depends on the time sewage is held in the plant. The "contact time" for bacteria to work on the sewage is usually 6 to 8 hours. But Dr. Eldib notes that most cities must speed up their plants because they serve more people than they were originally designed for. When he cut the contact time in half, as must be done in many plants today, the ABS detergents only decomposed from 0 to 30 percent.

This puts a different light on the problem. It means that in some situations, detergent chemicals pass almost completely through our sewage disposal plants and reappear in our drinking and recreational water supplies as a pollutant.

This fact alone would justify Federal regulation of detergents. But the problem is much greater than that.

### DETERGENTS IMPEDE OTHER DECOMPOSITION

Detergents not only fail to decompose themselves—they interfere with the decomposition of other, more dangerous types of pollutants.

Again, Dr. Eldib in his laboratory proved this conclusively. He measured the amount of organic matter remaining in sewage effluent after it passed through his model sewage treatment plant, and he reported:

> Treated effluent from units containing the poorly degradable detergents always contained more organics than the effluent from the tank in which alcohol sulfate was tested. This was especially true with the ABS and indicates that poorly degraded detergents slow down the digestion of organics in the sewage.

The alcohol sulfate was a so-called "soft" detergent—one which does decompose—which Dr. Eldib used for purposes of comparison.

Furthermore, Dr. Eldib noted that micro-organisms, the secret to the whole sewage treatment process, do not build up as well in the presence of ABS-type detergents. He reported in his study:

> Buildup of micro-organisms was considerably slower in the tanks testing ABS * * * as compared with the tank testing sulfate. A rapid buildup of organisms is desirable since these are the purifying medium.

Hundreds of other authorities could be cited, but this brief narrative states the basic problem. Most household detergents now in use do not decompose in sewage treatment processes, but pass on to become pollutants in our water supplies. Furthermore, they jeopardize the sewage treatment process which is absolutely vital to public health and which represents a large cost to the taxpayers.

### NO PROOF YET ON HUMAN TOXICITY

Now, what kinds of problems do detergents present after entering the water supply.

The soap and detergent industry is quick to state that they are not toxic to humans. Since detergents are widely present in our waters today as a pollutant, I think the burden is on the industry to prove that they do not present any public health problem now or in the foreseeable future. I do not believe that the industry has proved this. The most the industry can say is that experiments indicate that detergent pollution, in quantities now present in our water supply, has not been proven to be a hazard to humans.

But detergents are relatively new. No one knows their effect on the human system over a very long period of time.

Water is used and reused, and the concentration of detergent pollution increases through reuse. No one knows just how high the concentration might become in certain aggravated cases.

Dr. Leon W. Weinberger, chief of the basic and applied sciences branch of the Public Health Service, stated in testimony before a House committee on June 6 that the Public Health Service recommended that drinking water should not contain more than one-half part per million of detergent chemicals.

At the same time, he stated that concentrations as high as 2.6 parts per million have been found in well water—more than 5 times as high as the recommended standard—and concentrations of as high as 5 parts per million have been found in river water—10 times the recommended standard.

It is true, as Dr. Weinberger testified, that the concentration had to be increased to as much as 10,000 parts per million before severe irritation of the intestinal tract as noticed in experiments with rats. But is it not logical to assume that the chemical which disrupted the nutritional process in these tests and even caused deaths—in extreme concentrations—will do some lesser damage, however slight, when ingested by humans over long periods of time?

### DAMAGE AQUATIC LIFE EVEN AT LOW LEVELS

One thing about which there is no longer any debate is the effect of detergent pollution on aquatic life.

The U.S. Fish and Wildlife Service reported to me on June 14, 1963, of their tests with detergents. These tests showed that detergents were toxic to aquatic life at concentrations almost equal to the standard recommended by the Public Health Service, and at levels far below those mentioned by Dr. Weinberger in his testimony. The Fish and Wildlife report said:

> Tests with eight detergents showed that all were toxic to eggs and larvae of clams and oysters at concentrations of 0.6 parts per million or less. The number of oyster and clam larvae that grew and developed normally was significantly reduced when they were exposed to concentrations of 1.4 parts per million ABS, a major component of many commercial detergents. Survival of larvae was also decreased significantly when they were exposed to concentrations of 0.25 parts per million lauryl pyridinium chloride, a component of some commercial detergents.

The report also said that the Fish and Wildlife Service was "concerned with the possible adverse effects of detergents on commercial marine fish and shellfish," and that research on this problem was continuing.

### FOAM COULD BE HEALTH PROBLEM

I mention last the problem of foaming. The soap and detergent industry, in all its testimony, has sought to create the impression that foaming is the only problem created by detergents. As I have shown thus far, this is simply not true. Detergents interfere with sewage treatment. They pose a potential threat to public health as their concentrations build up in our water supplies. And they seriously affect aquatic life.

But even if foaming were the only problem, it still would justify Federal action.

The industry brushes this off as "merely an esthetic problem." What is so minor about a problem which spoils the beauty of the lakes and rivers of America? Even if one has no esthetic sense and is not aroused at the blighting of these beautiful resources by foam which comes from sewage, surely one would be concerned about the multimillion dollar investment we have in the recreation industry.

I have shown committees of the House and Senate newsphotos of mountains of foam, as much as 40 feet high and hundreds of feet in length, sometimes filling almost an entire river valley. Fishermen on the Mississippi have had to use shovels to dig their boats out from under this unsightly foam.

Foam has appeared on drinking water taken directly from municipal water supplies in several parts of the country.

Detergent foam around sewage disposal plants creates special problems. The foam creates serious obstacles to plant operation; thousands of dollars of extra cost results from efforts to reduce the foaming.

But most important of all, the Taft Sanitary Engineering Center of the Public Health Service reported in 1962 that "wind blown foam could be a significant health hazard." This study revealed that the foam which billows up above sewage aeration tanks contains bacteria counts "20 times as great as in the liquid phase."

### INDUSTRY AGREES PROBLEM MUST BE MET

Actually, it seems unnecessary to prove this case against detergent pollution. The soap and detergent industry has stipulated to most of it—but in a way that has tended to minimize the problem.

In any event, the industry has agreed that ABS-type detergents, and those which create similar problems, must go. The only argument remains about how this should be done.

The industry promises to change over to a new kind of detergent voluntarily. As stated in a letter to me from the Soap & Detergent Association, dated August 22, 1963, signed by the association manager, E. Scott Pattison:

> I can assure you that those producers of synthetic detergents and their suppliers who are members of this association have indeed definitely stated their intention to make a changeover in composition. There is every reason to believe that this changeover to more biodegradable surfactants will have taken place prior to December 31, 1965, based on the present outlook for adequate supplies of the new materials.

That is the promise. We should study it carefully, because the industry rests its case on this argument. It contends that, having given this promise, the industry should not be regulated as provided in bill S. 649 because, in Mr. Pattison's words, "we have not been accused of bad faith."

Here is why I believe that legislation is needed, and why the industry's promise is not sufficient:

First. The promise is so heavily qualified as to be almost meaningless. The promise has been stated in many different ways by the industry, but despite its inferences, it has never specified a deadline by which a changeover to safe detergents by all producers will have been completed.

Second. No standards are set. What good is a changeover to a new product if we do not know the characteristics of the new product?

Third. There is no enforcement or supervisory procedure proposed. In fact, this is the very thing the industry wants to escape. It wants to correct a threat to the public at its own convenience, according to its own standards, and with no machinery for determining whether it has carried out its promise.

Fourth. I believe there is reason to question the good faith, or at least the consistency and sincerity, with which the soap and detergent industry has faced up to this problem.

I will cite some examples.

### INDUSTRY CLAIMED POLLUTION WAS HELPFUL

The detergent industry testified before the Muskie subcommittee that it concedes that detergent pollution is a public problem which must be corrected. Yet for a long time the industry itself has tried to mislead the American people by telling them that detergent pollution was good for them.

This seems incredible, but it is a documented fact. The industry has spread the completely false notion that detergent pollution is just one of many kinds of pollution that comes from sewage, and that since detergent pollution is visible—because of foaming—it serves as a valuable warning or a "tracer" of other and more dangerous forms of pollution. This is false and dangerously misleading, yet the industry has planted the argument in news media all over the Nation.

When I questioned industry spokesmen about this before the Muskie subcommittee they categorically denied doing this.

E. Scott Pattison, manager of the Soap & Detergent Association, testified:

> We have no desire to see the product of our industry used as tracers of sewage pollution, even though some health authorities have accepted them as such.

When I pressed this point, Charles G. Bueltman, technical director of the Soap & Detergent Association, testified:

> Let me make very clear that the industry is not trying to sell this product as a tracer.

John P. Moser, vice president of Lever Bros., testified:

> To my knowledge, no responsible spokesman of the industry has taken a position that this makes a good tracer. To use it as a tracer is not the industry's point at any point that I can recall, and I have been a member of this association and the industry for many years.

In the light of those assurances, let me quote a press release issued by the Soap & Detergent Association following a board meeting on April 18, 1963—about 2 months before the testimony I have just cited. This release, quoting Pattison himself, states:

> He said detergents have been cast improperly as a villain in the Nation's overall problem of water pollution. He noted that the foaming sometimes caused by detergents serves in many cases to warn that other less visible and more dangerous pollutants are present. For example, Mr. Pattison said, any foaming of water from a private well is a visible warning that the well is probably polluted by sewage from a nearly septic tank or cesspool.

Furthermore, the industry is still repeating this falsehood in order to convince the public that this bill is unnecessary. The October issue of Monsanto magazine, published by the Monsanto Chemical Co., a detergent producer whose officials are active in the Soap & Detergent Association, has a major article devoted to arguing that this bill is unnecessary.

This article states that the industry is spending "hundreds of millions of dollars" to change over to soft detergents. But at the same time, it stirs up all over again the whole question of whether this changeover is necessary.

The article makes the amazing argument that "all water is impure," and "it was always so." It contends that "there is no record of—detergent pollution—having actually injured man, animal or plant life." And then it revives the old argument about detergent pollution being a good thing by stating:

> Dr. P. H. McGauhey of the University of California has suggested that ABS may be valuable as a tracer which indicates that more dangerous sewage ingredients—including disease organisms—may be reaching the water supply.

This is the argument, remember, which we were assured in our hearings has never been used by any responsible spokesmen for the industry.

### PROGRESS HAS COME ONLY FROM PRESSURE

The fact is, the progress toward eliminating this threat to the public has come from one principal source—legislative pressure.

The industry has falsely represented itself as taking the lead in this matter.

When did the industry make its much advertised decision to change over to soft detergents by December 31, 1965?

On April 18, 1963—some 3 weeks after Senator NEUBERGER, Senator MCINTYRE, and I introduced our detergent control legislation.

When was this decision first made public? At a hearing before a committee of the Wisconsin Legislature which was considering a bill to set a deadline of June 30, 1965.

The facts show that all the promises of the industry were made long after the problem was well known, and were made only to delay or avoid legislation which would correct the problem.

This legislation is a very mild corrective for a public problem which will grow more serious if we delay any longer. It does not penalize the industry. It does not deny a valuable cleaning aid to the American housewife.

It merely establishes a small amount of machinery to make certain that the soap and detergent industry does what it says it wants to do. It merely provides some way that the public interest may be represented in overseeing this voluntary changeover which the industry says will take place in the next 2 years.

This legislation does not cost a lot of money. It does not set up any new bureaucracy. It does not hurt business.

It simply makes clear that the U.S. Congress is concerned about the quality of the water which our people drink, and about preserving the fresh water resources which are so important to all our lives.

Mr. MUSKIE. I yield 3 minutes to the Senator from Indiana.

Mr. BAYH. Mr. President, I have just returned from the grassroots, and Mr. President, I can report to you that in Indiana the roots are dry. Farmers told me that they had not seen a cloud for 3 weeks—let alone feel a drop of rain. They have been thankful, they told me, for a heavy dew.

If there is anything good about a prolonged drought, it is the heightened awareness it gives us of the importance of water in our lives.

Almost all of our cooking, farming, manufacturing, cleaning, and recreational activities depend in one way or another on the adequacy and availability of our water. The importance of water in our lives is brought home to us most dramatically when we are forced to do without it, when our crops begin to die in the fields, when the lakes where we fish begin to dry up and recede from their shorelines, when we are asked not to sprinkle our lawns or wash our cars, when our wells run dry.

We must be concerned not with just the amount of water available but also with its quality. Heavily polluted water cannot be drunk. Fish cannot live in it. This water is useless for most industries. It mars our landscapes. It ruins our crops. It causes significant damage to property, boats, and machinery. There is no doubting that the cleanliness of our water supply is a problem that concerns us all.

We must recognize, too, the fact that the problems of water quantity and water quality are intimately related. For more than 5 years we in the United States have been past the point where dependable fresh water supply exceeded use. This has necessitated multiple water reuse.

It is unfortunately true that the sewers of one city are the downriver reservoirs of another. It is true that Mother Nature provides a wonderful system for the assimilation and disintegration of waste and sewage. Rivers and streams are cleaned as they flow. But the process takes time, and in many parts of the country we are pushing this process too fast, and the result is simply—dirty water.

For two reasons we can no longer look upon water pollution as a purely local problem.

In the first place, pollutants do not stay put. The people of Evansville in my home State use water that may have passed through municipal sewerage systems in Ohio and Kentucky, or factories in Pennsylvania and West Virginia. Before it reaches the sea, Evansville water may be used again in places as far away as Memphis and New Orleans. In all it is estimated that Ohio River water is used as often as 3.7 times before it reaches the Mississippi. Ground water, too, percolates across State lines.

The second factor which makes water pollution less an exclusively local concern is the sheer magnitude of the problem. Population is growing and so is use. In 1900 per capita water consumption was about 500 gallons a year. Today it is nearly 1,900 gallons. If we continue our present inadequate rate of treatment plant construction, our municipal sewerage systems alone will dump 52 percent more untreated wastes into our streams by 1980.

The amount of organic wastes being dumped into the Nation's watercourses is increasing at an even more rapid rate. Indeed it is estimated that these industrial wastes will double by 1980. In addition to this intensification of old problems we are faced with new ones to tax our ingenuities—radioactive waste, an expanding chemical industry with new products and new wastes, and synthetic detergents.

The States have been doing well in meeting their obligations. Ohio Valley communities for example have invested more than $1 billion in pollution abatement facilities, and private industries in the area have pitched in with another one-half of a billion dollars. Since 1953 every State in the Union has had some kind of pollution abatement program.

Despite these State and local efforts in many parts of the country we are falling behind growing pollution problems. Federal funds are needed not just for their own usefulness, but for the stimulus they give to State and local programs.

Since the Federal water pollution control program began 6 years ago, the States have more than doubled their expenditures for this purpose. While the entire 1956 to 1963 increase in State expenditures cannot be attributed entirely to the Federal Water Pollution Control Act of 1956, there is no doubting that Federal program grants have stimulated many States to increase their own appropriations for water pollution control in the past. It will also continue to stimulate them in the future. I have no doubt that the increased appropriation requested in this bill for pollution control will have an important and significant multiplier effect in the States and municipalities of the Nation.

In this light too, I might mention the $20 million which this bill would provide for increased research. Mr. President, a good water program is far cheaper to operate than a bad one, and there is much that we do not know about water. Hydrology is a relatively new science—but one that offers the promise of great returns. Even slight improvements in methods of influencing the interactions between vegetation, soils, water, and wastes can lead to large savings in the cost of handling and using our water resources.

Federal expenditures for research and development totaled nearly 2 percent of our gross national product last year—yet in the same period Federal research grants in water pollution control programs totaled less than seven-tenths of 1 percent of the amount spent in the United States on water facilities. The payoff for research in this field is tremendous and we must do better.

Mr. President, I think that this is a good bill. In speaking for it I cannot but take time to specifically comment on the way in which this bill was put together. Under the able leadership of the Senator from Maine our deliberations on this matter demonstrated the committee system at its best. In its final form, this bill truly represents a group effort. This is especially true in regard to the section dealing with synthetic detergents. If I am not mistaken, we held seven meetings dealing with this section alone, and in each of these meetings changes were made.

It has been claimed that in this bill we are singling out the detergent industry. I say that this is true; but that we are singling them out not to abuse them, not to force them into anything, but to commend them for their foresightedness, and to help them solve a problem which has been the subject of increasing public concern.

Detergent pollution is not our major pollution problem—indeed it is a relatively minor one—and it would be a shame if the public's interest in this bill were to focus exclusively on this section. But I think that this section is worthy of serious study, for I think that it is a magnificent demonstration of the way in which Government and business can work together in the pursuit of a mutual concern for a better world. I am confident that through such cooperative programs we can solve this problem in a very short time without undue hardship to anyone.

Water presents our most important conservation problem. No resource is more essential. Mr. President, S. 649 is one of the most important bills to come before us this session. It is a good bill. It is a carefully drafted bill—a bill which represents the best thinking of all sides. I urge its passage.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MUSKIE. Mr. President, on the question of passage of the bill, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Do Senators yield back their remaining time on the bill? The time should be yielded back, for the quorum call to be in order.

Mr. COOPER. Mr. President, I do not yield back my remaining time.

Mr. MUSKIE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Is the time to be charged to the Senator from Maine?

Mr. **MUSKIE.** The time is to be taken from my time.

The **PRESIDING OFFICER.** The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **MUSKIE.** Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **COOPER.** Mr. President——

The **PRESIDING OFFICER.** The Senator from Kentucky is recognized.

Mr. **COOPER.** Mr. President, in view of the fact that there will be a yea-and-nay vote, I wish to state briefly my reasons for opposing the bill.

As I said during the time on my amendment, having served for several years as a member of the Public Works Committee, and having voted for the original Water Pollution Control Act in 1948 as well as the amendments which were offered in recent years by the late Senator Kerr of Oklahoma, I know that additional measures must be taken to speed up the work of water pollution control and abatement.

Though I am not a member of the subcommittee which prepared this bill, I followed the proceedings very carefully, and I have studied the hearings. I came to the conclusion that the bill was not supported by testimony that I believe is needed. It marks a radical departure from the cooperative Federal-State-local water pollution control system that we have thus far provided.

Considering the magnitude of the work which will have to be done—in terms of money, years, and cooperation between the States, the Federal Government and local communities—I believe this bill might have the effect of reducing this cooperative effort.

In my judgment, this bill would place full control of water pollution and its abatement—other than the decisions that might be made by a court respecting abatement—in the jurisdiction of a new Federal agency, which I must say is becoming the usual approach in attempting to solve any large problem.

I know that others disagree. But I believe that those who have read the bill carefully, and have read the hearings, would have difficulty in escaping these conclusions:

First, that the bill would establish a new agency of the Federal Government, which would have decisive control over water pollution and abatement.

Second, that the bill would give to the Secretary of Health, Education, and Welfare—and in practical terms, to the administrator of the new agency—the authority to fix water quality standards for virtually every river in the United States and any creek or stream that flows into an interstate river and carried some pollution.

That is extensive authority. The Secretary does not have such authority today. As I pointed out in debate, if there were any disagreement about compliance, the question would be referred to a hearing board, upon which representatives of the States would sit, it is true. But if it should be determined that any discharge into a stream reduced the quality of water below these standards—standards fixed by the Secretary, not by the hearing board as under existing law—the discharge would become subject to abatement. That represents a change from the procedures contained in the law today.

Third, with respect to abatement and enforcement, that the standards of water quality fixed by the Secretary, and their reduction, would be the controlling issue before the hearing board or court.

I know that more effective water pollution control measures should be taken. But, as I have said, despite the voluminous testimony taken in the hearings there is no testimony from a Governor of a State supporting the bill, and there is no testimony from any State water pollution control agency supporting the bill. I do not know why they were not called. The testimony from a representative of State agencies was against the major provisions of the bill.

There was no testimony that I could find—although I must bear correction by the Senator from Maine [Mr. MUSKIE], who pointed out the testimony of Mr. Stein—bearing upon the question of the feasibility of establishing water quality standards.

I believe the hearings should be continued for a time to determine the attitude of the water pollution control agencies in the States, and to find out if the fixing of such water standards is feasible.

For all these reasons, I oppose the bill in its present form, and propose that it be deferred until further hearings have been conducted.

I shall vote against the bill.

Mr. **MANSFIELD.** Mr. President, will the Senator yield?

Mr. **MUSKIE.** I yield.

Mr. **MANSFIELD.** I wonder if the Senator could explain what effect, if any, the passage of this proposed legislation would have on the water rights in western streams and rivers. As the Senator well knows, water law is a very complicated and complex factor in the Far West, especially in the semiarid States. It is so complicated that all too often we do not know too much about it no matter how much we study it, and many of the lawyers in that part of the country make livelihoods taking cases affecting water rights of persons living along streams, tributaries, and the like.

Then, of course, we have the matter of reclamation and the waters used in ditches to irrigate crops and make barren land fruitful.

What, if any, effect would the present proposed legislation have on western water laws and rights, as I have briefly stated them?

Mr. **MUSKIE.** As I understand the Senator's question, it has to do with whether or not S. 649 would in any way give the Secretary of Health, Education, and Welfare any authority relative to the flow of water or entitlement to waters in the western reclamation projects and other water uses. On that point the bill does not add or give any authority to the Secretary in that respect.

Mr. **MANSFIELD.** In other words, as I understand what the distinguished Senator in charge of the bill has just said, the water rights in existence at the present time, including water for irrigation projects, along streams, and so forth, will not be affected one whit by the legislation being considered?

Mr. **MUSKIE.** The Senator is correct.

Mr. **METCALF.** Mr. President, will the Senator yield?

Mr. **MUSKIE.** I yield.

Mr. **METCALF.** I am delighted that my senior colleague has raised this question. Water laws and water rights relate to the quantity of water and are based on locations and sometimes are determined in fraction of inches. The determination of quality of water for irrigation purposes, and so forth, would have nothing to do with the suggested secondary uses under the act.

What we are concerned about in my section of the country, and the question to which the Senator has addressed himself, relates only to the quantity of water used, and not the determination of quality, and would not have any bearing at all on water rights and established State water law. Is that correct?

Mr. **MUSKIE.** The Senator is right. I point out that a provision in the existing law authorizes the Army Engineers to build into reclamation projects additional capacity to serve the purpose of improving water quality, but this bill has nothing to do with the entitlement to such waters.

I should like to call to the attention of the Senator from Florida one other point. He indulged in a colloquy with the Senator from Ohio on the question of under what circumstances the Secretary of Health, Education, and Welfare may institute an action in court to abate pollution. I want to say that S. 649 in no way changes the present law in that respect except to the extent that the enforcement proceedings may be triggered now by violation of the standards which are established under the bill.

Mr. **HOLLAND.** Mr. President, I thank the Senator for making that statement. I call attention to these provisions in the existing law, as well as in the proposed amendment.

In the existing law, in subsection (a) of section 1 appear these words:

> In connection with the exercise of jurisdiction over the waterways of the Nation and in consequence of the benefits resulting to the public health and welfare by the prevention and control of water pollution, it is hereby declared to be the policy of Congress to recognize, preserve, and protect the primary responsibilities and rights of the States in preventing and controlling water pollution—

And so forth. I call attention further to these words in section 2 of the existing act:

> The Secretary shall, after careful investigation, and in cooperation with other Federal agencies, with State water pollution control agencies and interstate agencies, and with the municipalities and industries involved, prepare or develop comprehensive programs for eliminating or reducing the pollution of interstate waters and tributaries thereof.

I call attention to the provisions in the proposed amendment which apparently preserve the jurisdiction established in the existing law—I believe I read them in my earlier remarks—in subsection (c)(6) of section 10, which appears on page 27 of the committee report:

> Nothing in this subsection shall (a) prevent the application of this section to any case to which subsection (a) of this section would otherwise be applicable, or (b) extend Federal jurisdiction over water not otherwise authorized by this act.

In my State this would be a matter of very great concern, because all our rivers in the peninsula are wholly intrastate, including the great St. Johns River, which runs north 200 or 250 miles, but goes into the Atlantic Ocean from within the State of Florida; and the Withlacoochee River and the Peace River and the Caloosahatchee, and the Hillsborough, the Alafia, and the Kissimmee, which empties into Lake Okeechobee, the others emptying into the gulf or the Atlantic.

We want to have it clearly understood that there is nothing in this act which extends Federal jurisdiction or control over pollution going into wholly intrastate streams.

Mr. MUSKIE. I want to say to the Senator, with all the conviction of which I am capable, that as I understand S. 649, there is no enlargement of the present law in that respect.

Mr. HOLLAND. I thank the Senator.

The PRESIDING OFFICER (Mr. BAYH in the chair.) Does the Senator from Maine yield to the Senator from Wyoming?

Mr. MUSKIE. Mr. President, I yield to the Senator from Wyoming [Mr. McGEE].

Mr. McGEE. Mr. President, I think the Senator from Montana [Mr. MANSFIELD] may have raised this question, but I had a call from a professor colleague of mine in the University of Wyoming, and I was on that call when the matter was being discussed. The inquiry was made by the dean of the law school, Frank Trelease, a water specialist in the Western States.

He wanted me to ascertain from the sponsor of the legislation if the setting of the standards would not affect the western water rights, which are a very delicate matter out in our part of the country, or whether they would be downgraded in order to hold them to different provisions or standards being considered.

Mr. MUSKIE. S. 649 does not affect those rights. We are concerned with water quality, not water quantity.

Mr. McGEE. Unless under some circumstances the amount of streamflow might have a bearing on water quality, and this could affect some upstream rights.

Mr. MUSKIE. The bill gives the Secretary no authority whatsoever.

Mr. McGEE. With that assurance, that is as far as I care to pursue the matter.

Mr. MUSKIE. I yield 2 minutes to the Senator from Michigan.

Mr. HART. Mr. President—

> The free water frontier has passed. Additional water can no longer be taken heedlessly or effortlessly. The United States is squeezed between the pincers of inadequate water development and rapidly increasing water requirements, while pollution makes more and more of our available water unfit for human or industrial uses.

That statement, from the supplemental views in which I joined three of my colleagues on the Select Committee on National Water Resources, is no less true today than it was in January 1961, when the report of the committee's exhaustive study of our national water resources was submitted to the Senate. In presenting supplemental views, it was the purpose of the Senator from California [Mr. ENGLE] the Senator from Wyoming [Mr. McGEE] the Senator from Utah [Mr. MOSS] and myself to impress upon the Senate and the Nation a sense of urgency about the need for wise management of a priceless national resource.

Wise management means vigorous, coordinated action to assure a plentiful supply of good-quality water for all legitimate purposes, to meet the needs of our people today and in the years to come. Because it reflects a sense of urgency, because it would strengthen the Federal effort in water pollution control as a vital part of the total water management picture, I am proud to cosponsor and to give my enthusiastic support to S. 649, the bill now before us.

Under the chairmanship of the Senator from Maine [Mr. MUSKIE] the Special Subcommittee on Air and Water Pollution of the Committee on Public Works took 6 days of constructive testimony on S. 649. The bill was carefully considered in executive session by the subcommittee and by the parent committee of which my senior colleague [Mr. McNAMARA] is chairman.

The amended bill and the thoughtful report accompanying it are the fruits of fine committee work and genuine bipartisan cooperation. I congratulate the Senator from Maine and the other members of the committee for this responsible, constructive work.

Michigan, the Water Wonderland, boasts 11,000 inland lakes and over 3,200 miles of Great Lakes shoreline. To the people of Detroit, the Nation's fifth city, and of our other population centers, our waters are a beautiful playland. Michigan is host to millions of visitors every year. To ecologists, and other biologists, our lakeshores are a laboratory of unending fascination. I say "unending," but I want to make certain that at least part of this beauty is preserved forever for the benefit and enjoyment of the people, and have introduced bills to establish Sleeping Bear Dunes National Lakeshore (S. 792) and Pictured Rocks National Lakeshore (S. 1143) in the State of Michigan. Recreation is an increasingly important legitimate use of water.

Michigan is a great manufacturing State. Our automobile industry broke production records in the 1963 model year and has entered on what promises to be an even brighter 1964. We are proud of our production in other goods, which means jobs for our people and a better standard of living for other Americans. It was perhaps inevitable, because the Nation did not wake up soon enough to the calamitous effects of pollution, that the waterways near our largest industrial complex should become polluted to an alarming degree. At the invitation of our former Governor, a conference was called by the Secretary of Health, Education, and Welfare on the pollution of the navigable waters of the Detroit River and its tributaries within the State. Municipal and industrial water supplies, fisheries resources, commercial and sport fishing, swimming, water skiing, boating, and other recreation were among the legitimate water uses adversely affected by pollution. An investigation and study were agreed upon by the conferees. Technical help was given. The work thus far is promising, and with the concurrence of the Michigan Water Resources Commission, the conference will be reconvened to consider the results of the study and to agree on action to abate the pollution. The 1961 amendments to the Federal Water Pollution Control Act made possible this cooperative State-Federal abatement program on intrastate waters. In November a conference will be held in the matter of the interstate pollution of the Menominee River and its tributaries, affecting water uses in both Michigan and Wisconsin. The Federal role, essentially a role in support of State and local efforts, is nonetheless an important—indeed an indispensable—one if we are to make an effective attack on a critical national problem.

Michigan has an enormous stake in clean water. Recreation means enjoyment for the people, but it is also an important means of livelihood for citizens of our State. The decline in the Great Lakes fisheries is a problem to which I have directed attention. We have now passed legislation to assist the States in applying research and development solutions to the problems of a sick industry. Unless we assure that fish will have pure water in which to live, our other efforts to reverse the decline in employment and dollar value in that once-thriving industry will be to no avail.

S. 649 authorizes a 4-year program of research and development grants for demonstration projects which will aid in the solution of a difficult water pollution problem—the discharge of mixed raw sewage and storm water into our waterways from overflows from combined storm and sanitary sewers. Testimony from Michigan witnesses was influential in the amending of the original provision to permit the exploration of various methods of meeting that complex problem, rather than confining Federal assistance to grants for the separation of combined sewers.

The bill authorizes the promulgation by the Secretary of Health, Education, and Welfare of standards of water quality to enhance the quality of interstate waters or portions of such waters, with a view to their use and value for all legitimate purposes. The Secretary would act only in the absence of the issuance of satisfactory standards by the appropriate State or interstate bodies, and only after notice, public hearing, and consultation with Federal, State, interstate, and municipal authorities and with the industries concerned. This permissive authority should provide valuable guidelines for government at all levels and for industries which are making an honest effort to avoid and to abate stream pollution.

I have touched upon only a few of the constructive provisions of S. 649, a bill which I wholeheartedly support.

Its enactment will be a significant step forward in the conservation of the Nation's total water resources.

Mr. MUSKIE. I yield 5 minutes to the Senator from Connecticut.

Mr. RIBICOFF. Mr. President, water—too long considered to be in endless abundance—has become the No. 1 resource problem confronting the United States today. The Nation is not running out of water as is frequently heard—there is just as much as there ever was. As other nations have done, we have simply come to that point in our own history where we must recognize that the amount of water which can be made available for our use is not unlimited; indeed, it is rather rigidly fixed. Since we cannot manufacture water to increase our supply, it is imperative now that we learn to manage our limited supply if this Nation is to continue its growth and prosperity, provide for an adequate national defense, and continue its leadership of the free world.

To meet our water needs, our capturable water resources must be developed to their maximum amounts and effective programs of pollution prevention and control must be aggressively pursued which will maintain a high level of water quality in the lakes and streams across the country—the Nation's fresh water supply.

Most present water pollution problems are the result of too little attention in the past. Many States have not been provided with program resources commensurate with their pollution problems or their role of primary responsibility in dealing with pollution. The Federal Government has dealt with the problem only in recent years and then on a small scale. Municipalities and industries have resisted constructing needed waste treatment works, regarding them as a benefit only to the fellow downstream and as an unnecessary or unbearable financial burden. The public has been allowed to retain too much of the "water purifies itself ever 7 miles" philosophy. It has been oversold on the cheapness and plentifulness of water and undersold on the value and necessity for pollution control. The engineer has relied on the stream to do much of the waste treatment job rather than having tailored treatment to keep the stream as clean as possible.

The Nation is entering a critical water supply situation that requires immediate attention if it is to continue to move forward, a situation seriously complicated by the problem of water pollution. The speed with which this situation is developing has caught us relatively unprepared to deal with the problems—sociologically, economically, legally, and technically. Progress to date has been the result of farsighted congressional action in the past.

Beginning with the bipartisan efforts of the late Senators Barkley and Taft that resulted in the enactment of the first clean water bill in 1948, through a period of inspired leadership by Congressman JOHN BLATNIK of Minnesota, and others including the Senior Senator from Minnesota [Mr. HUMPHREY], that saw this basic act extended and strengthened in 1956 and 1961, down to the present, effective water pollution control legislation has been the result of congressional foresight.

The bill before us, S. 649, is no exception to this tradition. It was a good bill when it was introduced and I was proud to be a cosponsor. It is an even better bill today—a tribute to the Senator from Maine [Mr. MUSKIE] and the members of his Special Subcommittee on Air and Water Pollution who with great care and deliberation have fashioned for the Nation an effective, practical, and needed improvement in the Nation's pollution control laws.

The changes made in the various substantive provisions of the bill are an indication of the great thought and effort expended by the committee to bring to the floor an adequate bill acceptable to all those who support a sound water pollution control program on a national scope.

For instance, extension of the Federal enforcement authority to abate pollution of interstate or navigable waters which prevents the marketing of shellfish and shellfish products in interstate commerce is in keeping with the Federal interest in the protection of health and welfare. Both of thesse overwhelming considerations are implicitly present in such pollution situations.

The committee's perfecting legislative workmanship is clearly evident in the provisions, which authorize the establishment and enforcement of standards of water quality for interstate waters. The need for such standards to provide reliable guidelines for water users, including municipalities, industry, and others, has long existed. The specific provisions of the bill provide for the exercise of this authority through the cooperative efforts of State, interstate, and Federal agencies. The standards of water quality are potentially a most effective method for the prevention of new pollution. The maintenance of the quality of our interstate waters adequate to serve all legitimate uses can be more readily assured if we furnish this needed authority.

The provision authorizing assistance for devising and demonstrating methods of dealing with the problem of pollutional discharges from combined sewers is of great importance. It presents a challenge and an opportunity for the amassing of new skills and techniques, which will provide a feasibly economical resolution of this financially staggering burden confronting our older municipalities. This is an important problem in Connecticut.

The waste collection systems in nine Connecticut communities are comprised entirely of the combined storm and sanitary sewer type. They serve a population of 220,000.

Six other Connecticut communities, serving a population of 462,500, have waste collection systems which are partially comprised of the combined sewer type.

In Hartford alone, a population of 120,000 is served by 174 miles of combined sewers in the city's system. The cost of separating the combined storm and sanitary sewers is estimated to be upward of $20 million and to require at least 20 years.

One-fifth of Middletown's entire sewer system is of the combined sewer type, serving a population of 6 600. The price tag for separation amounts to $5 million and the separation is expected to take 15 to 20 years for completion at the present rate of development in the community.

West Hartford, with only 3 miles of combined sewers, figures its separation costs at $450,000 with a time period of 5 to 7 years to do the job.

These are examples of the financial load confronting only 3 of the total of 15 Connecticut cities with total or partial combined sewer systems. The total amount estimated to be required for correction of this problem in all 15 communities is a staggering $90.3 million. The amounts authorized in S. 649 are truly a necessary investment for the development and demonstration of more economical methods for dealing with this problem.

The bill also provides for the encouragement of voluntary industry-Federal cooperative efforts in the solution of the synthetic detergents pollution problem. The national interest involved is clearly stated, however, in the authority for imposition of rules and regulations to govern if such efforts are not equal to the task. I join with the members of the committee in recommending the procedure set forth here to other industries as a pattern for arriving at solutions to their individual waste discharge problems.

The provision increasing maximum grants for municipal waste treatment plant construction is similar to a proposal I made in 1961 while serving as Secretary of Health, Education, and Welfare. As I said then:

> The present act has stimulated construction substantially in the smaller and middle-sized communities. In the larger cities, however, which account for the major pollution of our waterways, it has failed to stimulate construction to a similar extent.

I am pleased to see this needed improvement part of this bill. The city of New Haven, for instance, under existing law would qualify for $600,000 to assist in the construction of a $3 million plant. Under S. 649 New Haven would qualify for $900,000. We must face the fact that the needs of larger, urban areas must be met as they constitute so large a part of the untreated municipal sewage problem.

Other provisions of the bill dealing with urban planning, control of pollution from Federal installations, auditing of grant programs, and labor standards all represent forward looking improvements in existing law.

Turning now to the administrative aspects of S. 649, I strongly support provisions of the bill upgrading the status of the Federal water pollution control program. The establishment of a Federal Water Pollution Control Administration and the creation of an additional position of Assistant Secretary in the Department of HEW is the logical next step needed in the upgrading of this important program.

Let me point out that Connecticut was one of the first States in the Nation to recognize the need for independent administration of clean water laws. In 1925 a State water commission was established independent of the health department to administer the State's water pollution control laws. Other States have since followed this lead and it is appropriate that the Federal program should now be similarly upgraded.

Placing in the new administration responsibility for comprehensive programs; interstate cooperation and uniform laws; enforcement measures to abate pollution and to establish and obtain compliance with standards of water quality; and to control pollution from Federal installations, makes good sense. Except for comprehensive programs, these functions are primarily regulatory in nature. It is important as the committee report points out that the enforcement aspect of this program be transferred to the new administration.

Enforcement is termed by some "the heart" of any water pollution control program. In establishing the present Federal enforcement authority in 1956 and 1961 the Congress defined the scope and extent of the national resolve and determination to rid our water resources of the dangers of pollution. It not only authorized but directed the mandatory application of the act's enforcement measures under two sets of circumstances—first, in response to State request; and, second, in the absence of State request, on Federal initiative and responsibility when pollution was known to be occurring.

I welcomed the opportunity afforded me by the 1961 amendments to infuse more adequate emphasis on the enforcement function. Acting on the recommendations of a departmental study group, the important regulatory aspects of the act were retained in the Office of the Secretary of Health, Education, and Welfare and placed them in the administrative care of Assistant Secretary Quigley, who has done an outstanding job since that time. During the 1½ years of my incumbency, five enforcement actions were instituted, including the first two applications of Federal authority to abate the wholly intrastate pollution of navigable streams in Michigan and Washington and the first action taken without prior State consent in the Raritan Bay case.

Secretary Celebrezze deserves great credit for using this administrative arrangement in invoking the enforcement procedures on an additional 11 pollution situations; 8 of these within the past 2 months. I have personally brought to Secretary Celebrezze's attention my own deep concern over the serious pollution of the Connecticut River within my State and I appreciate his prompt scheduling of an enforcement conference in this matter.

S. 649 will assure that this vigorous application of the enforcement authority which began in 1961 will continue by transferring this function to the new administration made directly answerable to the Secretary through a designated Assistant Secretary. Recognizing as well that the present authorized number of only two Assistant Secretaries is inadequate to the needs of the Secretary in effectively exercising his administrative responsibilities for the Department's vastly complex and important affairs, S. 649 provides for an additional Assistant Secretary, one who will oversee the functions of the new administration and all other water pollution control activities in the Department. This is vital.

Thus, to those who consider enforcement the heart of the water pollution program S. 649 is certainly a step forward. The comprehensive program provisions of the law are also most important.

The development of comprehensive programs for water pollution control was once described by the Public Health Service as being "probably the most important program specified in the act since the goal of all water pollution control activities is the development and implementation of comprehensive programs to conserve water for its best uses. All of the other major provisions in the act largely support comprehensive programs."

What are these comprehensive programs? They require a determination of the causes of water pollution, and their effects on quality of the water resources and on the beneficial water uses and the water quality objectives necessary to accommodate these uses. They outline the pollution control measures that must be provided to achieve the desired objectives and a timetable for their accomplishment. They provide for orderly and efficient water quality control in the development of the Nation's water resources and are needed for every river basin in the country.

Thus, Mr. President, two of the most fundamental aspects of the Federal water pollution control program—enforcement and comprehensive planning—have been appropriately upgraded in this bill.

In closing, Mr. President, raising the administrative status of the water pollution control program recognizes the fact that water pollution is not only a public health problem but also an important facet of the larger problem of the wise use of our water resources.

I urge the adoption of S. 649.

Mr. President, I ask unanimous consent to insert in the Record at this point an article from the Connecticut Life magazine entitled "Politics Rising in Rivers."

There being no objection, the article was ordered to be printed in the Record, as follows:

### Politics Rising in Rivers—Prospect of Drinking Water From Streams Spurs Big Effort To Restore Resources

Lovers of the Connecticut River claim that if it were in Europe, Americans would make pilgrimages to see it. Yet, they say, for the southern 100 of its 410 miles the great stream is an open sewer. Nobody wants to take the blame for this squandering of the State's greatest single natural resource, but the political woods are full of people who would like to rescue it.

The days are numbered for the old Yankee luxury of never reusing water (though much of the country does). Unless the annual 45-inch rainfall should increase, downstream Connecticut cities must eventually turn to the rivers as a supply of domestic water. Against that day, State and Federal agencies are whipping up a new fever of rescue operations.

The first skirmish comes October 4 and 5 at the new Federal building in Hartford, where a congressional subcommittee, before prowling and flying over much of Connecticut's 7,500 miles of stream, will start asking what Federal funds have done to help the State control pollution and what can be done by governmental cooperation to speed up the process.

Connecticut's Fifth District Congressman John S. Monagan, who will chair the hearing, treads tenderly on the politically sensitive task of getting cities and industries to toe the antipollution mark. But the New Frontiersman in charge of water rescue, Assistant HEW Secretary James M. Quigley, has put it bluntly: "The best way to keep us out of your State is to get that pollution out of the water."

The man whose job that has been in Connecticut for 35 years has his answer for the Monagan group. To restore pure water to the State's streams you can get farther, faster, and cheaper with a carrot than a club, says William S. Wise, director of the State's water resources commission. As evidence he cites that 92 percent of Connecticut's city sewer water is treated and 40 percent of the industrial waste water is treated in some degree. Thirty-five communities have built sewage treatment plants since the war, to bring the total to 90. Out of 500 industrial plants using substantial amounts of water in their various processes, 225 have installed treatment facilities at costs running from a few thousand to $200,000.

It may come after he steps down, but Bill Wise sees a day in the 1960's when no untreated sewage will reach a Connecticut stream. When that day comes, however, the job will be only half done. Industry still lags. Many sewage treatment plants will be at capacity and needing replacement. Beyond that only the first stage of pollution control will be finished. The primary treatment plants, typical of the old Connecticut installations, remove only 50 percent of the bacterial pollution and often none of the toxic industrial chemicals. Secondary treatment plants, like the new one in Farmington, remove up to 85 percent of the pollution. These plants cost twice as much to build and operate. (More than $5 per capita annually.) Further refinements can take purification up to 98 percent, at which point mild chlorination can make the river water perfectly safe to drink, though not as tasty as a mountain stream.

The Augean job of thoroughly cleaning up Connecticut waters was very much on Gov. John N. Dempsey's mind as he got ready to testify before the congressional committee. Realistically, he is faced with the State's necessity of getting tough with many individual plants and several cities, a necessity which may dictate State financial assistance. New York offers building and operational aid. Vermont and New Hampshire offer a treatment building grant of 20 percent to go along with the Federal Government's 30 percent which Bill Wise doles out in this State. Further evidence of the low political priority which Connecticut has put on pollution control is the tiny ($66,000) budget for this function granted by the legislature. It puts only three full-time inspectors on the job.

Money isn't the whole answer. The Federal funds for construction, of which Connecticut now gets $1,100,000 a year, are apportioned by the State commission. To make them go around, the State has granted, and does not intend to change its mind, a maximum of $250,000 for any one project no matter what it costs. It can tackle only four or five a year and local politicians are not anxious to spend local taxpayers' money until they can get the Federal funds. Even with these funds available some places, notably Ansonia-Shelton-Derby, have politely defied the commission and the courts who have ordered them to stop dumping raw sewage into the Naugatuck River.

What has to be changed is the State's thinking about private versus public rights. The old common law which set midstream as the property line gave a right to use of the water flowing by, substantially unchanged in quality and volume. This was a right observed mostly in the breach as factories, particularly early textile and paper mills, and towns unconcernedly emptied waste into streams. Factories even built dams to store up water, principally over the weekend, for their week's work.

Downstream owners could complain of these cuts in quantity and quality of water flowing by, and they could sue. But it became a long and cumbersome process. It recently took the State months to collect $36 after an industrial discharge killed hundreds of fish that had been reared and planted.

Increasingly a supply of water became a lure for new industries in Connecticut. Few were as public spirited as Kimberly-Clark which bought 200 acres in New Milford for its $30 million plant. The company, which intended to completely treat its own waste, insisted that the town put up a new secondary treatment plant so there could be no question of pollution from New Milford.

Over the years many towns decided they couldn't afford to be too fussy about industrial pollution. Some contented themselves with the solution that somebody might build dams to store water until dry months when pollution is worst and correct the condition with dilution. Both towns and State were confronted by some industries which, in the words of Connecticut River Watershed Council Secretary Elmer R. Foster, frankly say "they can't or they won't" treat their waste and will "move from the valley if anybody tries to force them to."

The stubbornness of one-time teacher Bill Wise is the Pennsylvania Dutch variety. (He still sends for Bachman's crisp and salty pretzels he munched on during his 1911 days in Amity, Pa., township high school.) He remembers clearly which of his 25 commission orders to Connecticut cities and towns have not been followed, and he will not give up until they have been. But he clings to the conviction that the soft word will bring industry into line. In a lifetime the commission has issued only two orders to industries. Both complied.

Along with the commission, others have adopted what is basically an educational approach to pollution control. The only staffed volunteer conservation and water resources group in the State—the effective Farmington River Watershed Association, long sparked by former national League of Women Voters President Percy Lee—keeps up a quiet pressure that is slowly restoring the lower reaches of the Farmington to swimming quality. Its toughest nut is the chemical and heat pollution of the Pequabuck in the Bristol area and raw sewage from the main settled areas of New Hartford and Collinsville.

The main Connecticut tributary to the Connecticut River, the Farmington watershed, covers 600 square miles where rises much of the fresh water supply for the north-central area of the State. What happens there in the effort to achieve the water purity standards set by the New England Interstate Water Pollution Control Commission can be pilot for what has to happen on every watershed in the State.

But the sum of State and volunteer efforts may not match the needs of what is a growing national commitment, embodied in bills with good chance of passage by this Congress, to keep waters as clear as possible and not just utilize them for getting rid of waste. Some, like Michigan Congressman JOHN DINGELL, would do this by taking the antipollution enforcement "from under the dead hand of the Public Health Service" and putting it under the Department of the Interior. As Secretary of HEW, former Gov. ABRAHAM A. RIBICOFF had put enforcement under Quigley but left grants and other details to Public Health. Now he supports a separate HEW administration for a full-scale attack on pollution.

RIBICOFF thinks that States like Connecticut need the strong arm of Washington to enforce treatment beyond their borders. Northampton, Mass., had to be ordered to put in a sewage treatment plant. Chicopee and Holyoke are still fiddling with engineering studies and plans. Springfield, like Hartford, has a primary treatment plant that will soon be overtaxed.

To serve notice on these and all other communities that the first stage of pollution control on the Connecticut River is long overdue for completion, RIBICOFF has asked the HEW to hold another hearing within the State during early December. The Department wants to find out what orders it will take, how many dollars, and how long, to restore the Connecticut River to class C (highest uses: boating and native fish habitat) from the Massachusetts line to Haddam, and class B (highest use: swimming) from there to the Sound.

Water resource engineers have come to take a dim view of hearings, but if a Governor, a Senator, and a U.S. Representative are ready to lay part of their political futures on the antipollution line, the future of the Connecticut, largely neglected for a century, is brighter. Given the political leverage of public understanding, men like Bill Wise know how to make water pure.

**Mr. MUSKIE.** I yield 2 minutes to the Senator from New Hampshire.

**Mr. McINTYRE.** Mr. President, I should like to commend the junior Senator from Maine and the hard-working members of the Committee on Public Works for bringing to the Senate the water pollution amendments of 1963.

The bill makes many contributions to meeting the Nation's need for clean water. It boldly confronts the problems of today. Even more significantly, Mr. President, this bill will help to create a water bank upon which future generations may draw. In 1960 water users in the United States withdrew about 300 billion gallons per day. In 1980 the National Academy of Science Water Resources Study predicts we shall be withdrawing 600 billion gallons per day. This bill aims to see that those billions of gallons will be there and in usable condition at economic cost. That is why I think it sets up a water bank for the people of the United States. New words in the policy declaration for the entire Water Pollution Control Act proclaim its overall purpose as the enhancement of water quality. A new administration would be identified within the Department of Health, Education, and Welfare to provide more direct implementation of the law.

The bill will establish nationally applicable water standards. Many students of this subject have urged such a step, including the Federal Council for Science and Technology in its recent report on water resources research. In providing for complicated and far-flung water management systems, engineers and public health officials should all be speaking the same language. This bill provides that such language will be written. The bill does not increase the Federal Government's control of the States in providing for water quality. The bill expressly states on page 13 that it will not "extend Federal jurisdiction over water not otherwise authorized by this act." The standards will become a uniform basis for engineering and public health measures. The promulgation of the standards will establish a baseline for water quality, thereby guaranteeing that the quality of interstate streams will remain the same or improve.

To pioneers on these shores, Mr. President, the beauty of primitive America seemed a portent of heaven itself. From sea to shining sea the streams ran down in all their purity. Generations of Americans have rediscovered these feelings of pride in our great natural heritage. We must act to prevent this American dream from becoming a nightmare of spoiled water. This bill will prevent our cherished vision of pure waters from degenerating into a myth or a memory. Its objective is important for all America.

My own State of New Hampshire has granted special tax privileges for pollution abatement. The State has been generous with outlays of funds, diligent in research, and farsighted in laying down standards covering its own waters. We have not agreed with every action of the Federal Government with regard to pollution abatement, but our citizens fully support efforts to clean up the streams and the general objectives of this bill. Our important woolen industry uses millions of gallons of water each day. Our recreation potential consists largely of unspoiled lakes and clean streams whose future purity is of the utmost importance to us.

I would like to take special note of two features of the bill. My home State of New Hampshire has important shellfish resources which new language in this bill will save from injury by pollution. Also, the bill insistently provides for progress in clearing our waters of detergent residues. I earier joined with Senator NEUBERGER and Senator NELSON in introducing a detergent control bill. Senator DOUGLAS, Senator LONG of Missouri, and Senator MAGNUSON joined as cosponsors. Senator METCALF offered a very similar bill. This bill provides for a technical committee to spur the development of detergents which decompose. In some areas of the country the Federal Housing Administration will not insure mortgages because of detergent residues in ground water. Elsewhere mounds of suds pile up wherever water flows and bubbles appear in the housewife's tapwater. In existing concentrations detergent residues make municipal treatment plants inefficient and contribute to the overall national expense of water treatment. As the residues persist in flowing streams for many days, the problem is peculiarly interstate in character. The time has come for determined action to rid our waters of this contamination and I am very glad the junior Sentaor from Maine and the committee have included this feature in the bill.

It is a good bill, Mr. President. I for one shall be very glad to know that my children and grandchildren have clean water in the bank.

Mr. MUSKIE. I yield 2 minutes to the Senator from Hawaii.

Mr. FONG. Mr. President, I intend to vote for the pending bill, S. 649, as reported with amendments by the Public Works Committee.

As the bill evolved during the subcommittee and committee deliberations, it was significantly changed and improved over the original version. I became satisfied that the amendments continue to protect the rights of States and municipalities in their fundamental responsibility for water pollution control. I believe the bill as amended by the committee strengthens their efforts to abate and control water pollution.

Whereas under present law, enforcement procedures at the Federal level come into play after pollution takes place, the pending bill provides procedures aimed at preventing pollution, under the theory that an ounce of prevention is worth a pound of cure.

This is a highly technical and complex field of legislation, and probably no one is completely satisfied with every provision of the bill in every respect. But I am satisfied that the bill provides safeguards for State and local water pollution agencies while at the same time it provides for further significant progress toward controlling and abating water pollution. Therefore, I have joined in sponsoring the bill as reported.

S. 649 represents the earnest effort of Members of both parties to move ahead on the growing problem of water pollution. It was a fine example of give-and-take to the end that sound legislation could be devised.

Certainly, all of us agree that our precious and limited water resources must be developed and conserved for the health and welfare of the American people.

I urge my colleagues to support the bill.

The PRESIDING OFFICER (Mr. Ribicoff in the chair). Without objection, all remaining time is yielded back. The question is, Shall the bill pass? The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce the Senator from Indiana [Mr. Hartke], the Senator from Missouri [Mr. Long], the Senator from Oregon [Mr. Morse], the Senator from Oregon [Mrs. Neuberger], the Senator from Florida [Mr. Smathers], the Senator from Mississippi [Mr. Stennis], and the Senator from Texas [Mr. Yarborough] are absent on official business.

I also announce that the Senator from California [Mr. Engle] is absent because of illness.

I further announce that the Senator from Mississippi [Mr. Eastland] is necessarily absent.

I further announce that, if present and voting the Senator from Mississippi [Mr. Eastland], the Senator from California [Mr. Engle], the Senator from Indiana [Mr. Hartke], the Senator from Missouri [Mr. Long], the Senator from Oregon [Mr. Morse], the Senator from Oregon [Mrs. Neuberger], the Senator from Florida [Mr. Smathers], the Senator from Mississippi [Mr. Stennis], and the Senator from Texas [Mr. Yarborough] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. Aiken], the Senator from Utah [Mr. Bennett], the Senator from Nebraska [Mr. Curtis], the Senator from Illinois [Mr. Dirksen], the Senator from Arizona [Mr. Goldwater], the Senator from Idaho [Mr. Jordan], the Senator from Iowa [Mr. Miller[, the Senator from Kansas [Mr. Pearson], the Senator from Massachusetts [Mr. Saltonstall], and the Senator from North Dakota [Mr. Young] are necessarily absent.

The Senator from South Dakota [Mr. Mundt] is absent because of illness.

If present and voting, the Senator from Vermont [Mr. Aiken], the Senator from Utah [Mr. Bennett], the Senator from Idaho [Mr. Jordan], the Senator from Iowa [Mr. Miller], and the Senator from North Dakota [Mr. Young] would each vote "yea."

On this vote, the Senator from Kansas [Mr. Pearson] is paired with the Senator from Nebraska [Mr. Curtis]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from Nebraska would vote "nay."

The result was announced—yeas 69, nays 11, as follows:

[No. 194 Leg.]

YEAS—69

Anderson
Bartlett
Bayh
Beall
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Dodd
Douglas
Edmondson
Ellender
Ervin
Fong
Fulbright
Gore
Gruening
Hart
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Keating
Kennedy
Kuchel
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Moss
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Simpson
Smith
Sparkman
Symington
Talmadge
Walters
Williams, N.J.
Williams, Del.
Young, Ohio

NAYS—11

Allott
Cooper
Cotton
Dominick
Hickenlooper
Hruska
Mechem
Morton
Robertson
Thurmond
Tower

NOT VOTING—20

Aiken
Bennett
Curtis
Dirksen
Eastland
Engle
Goldwater
Hartke
Jordan, Idaho
Long, Mo.
Miller
Morse
Mundt
Neuberger
Pearson
Saltonstall
Smathers
Stennis
Yarborough
Young, N. Dak.

So the bill (S. 649) was passed.

The title was amended, so as to read: "A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes."

Mr. MUSKIE. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, first I wish to extend congratulations to the distinguished Senator from Maine for the great skill and fine generalship he has shown in securing the passage of S. 649, a bill vitally important to all sections of the country, a bill that, in my opinion, is long overdue.

Mr. MUSKIE. I thank the distinguished majority leader. I wish also to express appreciation to all members of the committee and subcommittee, on both sides of the aisle. This was a true partnership effort. It has been a most satisfying experience for me.

## TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

## EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Executive B, 88th Congress, 1st session, a consular convention between the United States and Korea (Ex. Rept. No. 6); and

Executive I, 88th Congress, 1st session, a consular convention between the United States and Japan (Ex. Rept. No. 6).

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSTON:

S. 2238. A bill for the relief of Panagiotis Tsaprazis; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. Dominick):

S. 2239. A bill to incorporate the U.S. Submarine Veterans of World War II; to the Committee on the Judiciary.

(See the remarks of Mr. Allott when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 2240. A bill to amend the National Labor Relations Act to provide for trial of unfair labor practice cases in the United States district courts, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Tower when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT (for himself and Mr. Dominick):

S. 2241. A bill to amend section 201 of the Antidumping Act, 1921, with respect to the determination of injury or threatened injury to an industry in the United States; to the Committee on Finance.

(See the remarks of Mr. Allott when he introduced the above bill, which appear under a separate heading.)

## RESOLUTION

## ADDITIONAL FUNDS FOR COMMITTEE ON GOVERNMENT OPERATIONS TO STUDY CERTAIN MATTERS

Mr. HUMPHREY submitted the following resolution (S. Res. 215); which was referred to the Committee on Rules and Administration:

*Resolved*, That Senate Resolution 27, 88th Congress, authorizing the Committee on Government Operations to study matters pertaining to interagency coordination, economy, and efficiency, agreed to March 14, 1963, is amended on page 2, line 20, by striking out "$88,000" and inserting in lieu thereof "$108,000".

## INCORPORATION OF THE U.S. SUBMARINE VETERANS OF WORLD WAR II

Mr. ALLOTT. Mr. President, on behalf of myself and my colleague, the junior Senator from Colorado [Mr. Dominick] I introduce, for appropriate reference, a bill to incorporate the U.S. Submarine Veterans of World War II.

My colleague and I recently received letters from Stanley Schanholtz of Las Animas, Colo. Mr. Schanholtz was a submariner during the Second World War and has asked our help in obtaining a Federal charter for a group known as the Submarine Veterans of World War II. The Navy presently recognizes this group and has donated land to it near the submarine base at New London, Conn., for the purpose of erecting a Submarine Memorial there. I believe this group is worthy of the recognition of our Government, and they seek that recognition with this bill.

I request that the bill be received and appropriately referred and that the bill be printed in the Record at this point.

The PRESIDING OFFICER The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2239) to incorporate the U.S. Submarine Veterans of World War II, introduced by Mr. Allott (for himself and Mr. Dominick), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following persons, to wit: Paul F. Stolpman, Salt Lake City, Utah; Warren Taylor, Denver, Colorado; Ernst T. Rosing, Berwyn, Illinois; Farrell M. Stearns, Aurora, Illinois; Grover S. McLeod, Birmingham, Alabama; John Pochask, Beverly, Massachusetts; Frank Anderson, Groton, Connecticut; Reverend Walter J. Heath, Providence, Rhode Island; Joe H. Senft, Irvington, New Jersey; Rear Admiral Leon J. Huffman, Coronado, California; Charles L. Morales, Paterson, New Jersey;

Ed Seay, San Francisco, California; Robert A. Link, Absecon, New Jersey; Thomas Fitzgerald, Saint Louis, Missouri; Robert J. Parry, San Diego, California; Mike Drucker, Broomall, Pennsylvania; William Herzog, Cologne, New Jersey; William R. Warren, Birmingham, Alabama; Woodrow C. McLeod, Birmingham, Alabama; William W. Cox. Birmingham, Alabama; Clarence J. Byers, Phoenix, Arizona;

Paul Lawrence, Glenside, Pennsylvania; C. M. Haigh, Stuttgart, Arkansas; Edwin Unrein, Denver, Colorado; Jerry Nolan, Milford, Connecticut; Charles F. Grell, New Castle, Delaware;

Rear Admiral E. S. Hutchinson, Washington, District of Columbia; Melvin C. Anderman, Tampa, Florida; O. C. Welch, Junior, Savannah, Georgia; Melvin C. Gustaveson, Idaho Falls, Idaho; Henry T. Vande-Kerkhoff, Elmhurst, Illinois; E. L. Downey, Zionsville, Indiana; Donald G. Carter, Vinton, Iowa;

William Hughes, Wichita, Kansas; John A. Schwartz, Southgate, Kentucky; Herman J. Prager, Junior, New Orleans, Louisiana.

Edgar L. Poss, Eliot, Maine; Alfred Bennett, Easton, Maryland; C. McCracken, Ann Arbor, Michigan; Arlo K. Johnson, Lake Crystal, Minnesota; V. D. Eley, Pascagoula, Mississippi; Charles Kerls, Saint Louis, Missouri; R. L. Stocking, Missoula, Montana; Robert Mathewson, Lincoln, Nebraska; Theodore J. Humphrey, Las Vegas, Nevada; Richard Shaw, Somersworth, New Hampshire; James P. Brennan, West Orange, New Jersey; Edwin L. Eeds, Farmington, New Mexico; William G. Munson, Junior, Valley Stream, New York; L. J. Clingersmith, Niagara Falls, New York; Joseph K. Ritter, High Point, North Carolina; H. E. Rahlfs, Crosby, North Dakota;

Fred Krahenbuhl, Junior, Hamilton, Ohio; Bill Herring, Medford, Oregon; Matthew Martin, Philadelphia, Pennsylvania; Joe Milner, Middletown, Rhode Island; Eddie E. Erb, Columbia, South Carolina; Marion L. Maginnis, Highmore, South Dakota;

A. P. Freymann, Groton, Connecticut; Kenneth Ickes, Honolulu, Hawaii; Bernard Bartlett, Tulsa, Oklahoma; Hugh J. Trimble, Indianapolis, Indiana; Edward Brannin, Absecon, New Jersey; Wilber Jones, Fairbanks, Alaska;

Robert H. Moore, New London, Connecticut; J. E. McMillan, Yakima, Washington; Walter C. Cooper, Church Hill, Tennessee; Robert Burrell, Houston, Texas; Robert J. Johnson, Salt Lake City, Utah;

Armand J. Morissetie, Barre, Vermont; Lonnie J. Everton, Junior, Norfolk, Virginia; Robert E. Burchard, Parkersburg, West Virginia; Leonard Ernst, Two Rivers, Wisconsin; A. E. Rodskiaer, Cheyenne, Wyoming; Ralph M. Myers, Cincinnati, Ohio; and each other person who, on the date of enactment of this Act, is a member in good standing of the U.S. Submarine Veterans of World War II, an association, organized and existing under the laws of the State of New Jersey, and their successors, are hereby created and declared to be a body corporate by the name of U.S. Submarine Veterans of World War II (referred to in this Act as the "corporation") and by such name shall be known and have perpetual succession of the powers, limitations, and restrictions contained in this Act.

### COMPLETION OF ORGANIZATION

Sec. 2. A majority of the persons named in the first section of this Act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption, amendment, and revision of a constitution and bylaws not inconsistent with the provisions of this charter and the doing of such other acts as may be necessary for such purpose.

### OBJECTS AND PURPOSES OF THE CORPORATION

Sec. 3. The objects and purposes of the corporation shall be as follows:

(a) To perpetuate and establish memorials to the memory of those shipmates who served aboard United States submarines and voluntarily gave their lives in submarine warfare during World War II.

(b) To further promote and keep alive the spirit and unity that existed among the United States Navy submarine crewmen during World War II.

(c) To promote sociability, general welfare, and good fellowship among its members.

(d) To pledge loyalty and patriotism to the United States Government.

### POWERS OF THE CORPORATION

Sec. 4. The corporation shall have the power—

(a) to sue and be sued, complain and defend in any court of competent jurisdiction;

(b) to adopt, alter, and use a corporate seal;

(c) to choose officers, managers, and agents as the business of the corporation may require;

(d) to charge and collect membership dues;

(e) to adopt, amend, apply, and alter a constitution and bylaws not inconsistent with the laws of the United States of America or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(f) to contract and be contracted with;

(g) to take and hold by lease, gift, purchase, grant, devise, bequest or otherwise any property, real, personal or mixed, necessary or convenient for attaining the objects of the corporation, subject, however, to applicable provisions of law of any State (1) governing the amount or kind of real and personal property which may be held by, or (2) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such States;

(h) to transfer, lease, or convey real or personal property;

(i) to borrow money for the purposes of the corporation and issue bonds or other evidences of indebtedness therefor and secure the same by mortgage or pledge subject to applicable Federal or State laws; and

(j) to do any and all acts necessary and proper to carry out the purposes of the corporation.

### PRINCIPAL OFFICE: TERRITORIAL SCOPE OF ACTIVITIES: RESIDENT AGENT

Sec. 5. (a) The principal office of the corporation shall be located in Groton, Connecticut, or in such other place as may later be determined by the board of directors, but the activities of the corporation shall not be confined to that place and may be conducted throughout the various possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation, and notice to or service upon such agent or mailed to the business address of such agent shall be deemed as service or notice upon the corporation.

### MEMBERSHIP RIGHTS

Sec. 6. (a) Membership shall be restricted to those members of the United States submarine crews and United States submarine relief crews who were on active duty between December 1, 1941, and September 1, 1945.

(b) In addition to the general membership, there shall be special classes of honorary and associate membership, qualification or eligibility for which, and rights and obligations of which, shall be as provided from time to time by the bylaws of the corporation.

(c) All persons who are members of any class of the U.S. Submarine Veterans of World War II, an association, on the date of enactment of this Act shall retain their membership in such class of the corporation.

### BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

SEC. 7. (a) Upon the enactment of this Act, the membership of the initial board of directors of the corporation shall consist of the present officers of the U.S. Submarine Veterans of World War II, referred to in section 16 of this Act, including the immediate past presidents of said organization, or such of them as may then be living and are qualified officers of that Association, to wit: Paul S. Stolpman, Salt Lake City, Utah; Warren Taylor, Denver, Colorado; Ernst T. Rosing, Berwyn, Illinois; Farrel M. Stearns, Aurora, Illinois; Grover S. McLeod, Birmingham, Alabama; John Pochask, Beverly, Massachusetts; Frank Anderson, Groton, Connecticut; Reverend Walter J. Heath, Providence, Rhode Island; Joe H. Senft, Irvington, New Jersey; Rear Admiral Leon J. Huffman, Coronado, California; Charles L. Morales, Paterson, New Jersey; Ed Seay, San Francisco, California; and Robert A. Link, Absecon, New Jersey.

(b) Thereafter the board of directors of the corporation shall consist of such number (not less than thirteen) as shall be selected in such manner (including the filling of vacancies), and shall serve for such terms as may be prescribed in the constitution and bylaws of the corporation.

(c) The board of directors shall be the governing board of the corporation and shall during the intervals between corporation meetings, be responsible for the general policies and program of the corporation. The board shall be responsible for all finances of the corporation.

### OFFICERS

SEC. 8. (a) The corporation shall have such officers as may be provided for in the bylaws.

(b) The officers shall have such powers consistent with this charter, as may be determined by the bylaws.

(c) The officers of the corporation shall be elected in such manner and have such terms and with such duties as may be prescribed in the bylaws of the corporation.

### DISTRIBUTION OF INCOME OR ASSETS TO MEMBER; LOANS

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director as such, or be distributed to any of them during the life of the corporation, or upon its dissolution or final liquidation, nor shall any member or private individual be liable for the obligations of the corporation. Nothing in this section, however, shall be construed to prevent—

(1) the payment of bona fide expenses of officers of the corporation in amounts approved by the board of directors; or

(2) the support of scholarships to descendants of submarine veterans or other scholarships and works of charity as may be deemed appropriate by the directors and controlled by the constitution and bylaws of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any officer or director who votes for or assents to the making of a loan to any officer, director or employee of the corporation and any officer who participates in the making of such loan shall be jointly and severally liable to the corporation for the amount of such loan until the payment thereof.

### NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

### LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

### PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock or declare or pay dividends.

### BOOKS AND RECORDS: INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account. It shall also keep minutes of the proceedings of its membership and of the board of directors. It shall also keep at its principal office a record giving the names and addresses of its members, directors, and officers. All books and records of the corporation may be inspected by any member or his agent or attorney for any proper purpose at any reasonable time.

### AUDIT OF FINANCIAL TRANSACTIONS; REPORT TO CONGRESS

SEC. 14. (a) The financial transactions of the corporation shall be audited annually by an independent certified accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than March 1 of each year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities; (2) capital and surplus or deficit; (3) surplus or deficit analyses; (4) income and expense; and (5) sources and application of funds. The report shall not be printed as a public document.

### USE OF ASSETS UPON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon final dissolution or liquidation of the corporation, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

### TRANSFER OF ASSETS

SEC. 16. The corporation may acquire the assets of the United States Submarine Veterans of World War II, an association, organized under the laws of the State of New Jersey, upon discharging or satisfactorily providing for the payment and discharge of all the liabilities of such association and all Federal and State laws applicable thereto.

### EXCLUSIVE RIGHT TO NAME, CORPORATE SEALS, EMBLEMS, AND BADGES

SEC. 17. The corporation and its duly authorized State groups and other local subdivisions shall have the sole and exclusive right to have and use in carrying out its purposes the name United States Submarine Veterans of World War II, and such seals, emblems, and badges as the corporation may lawfully adopt.

### RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 18. The right to alter, amend, or repeal this Act is expressly reserved.

## TRIAL OF UNFAIR LABOR PRACTICE CASES IN U.S. DISTRICT COURTS

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a bill designed to divest the National Labor Relations Board of its judicial functions. The bill requires that in the future all unfair labor practice cases be tried before U.S. district courts throughout the country.

This bill becomes necessary, Mr. President, because of certain abuses by the NLRB in its operation under and interpretation of existing labor law. The principle of this bill is not a new one. It first was put forward by one of the greatest former Members of this body, the late Senator Robert A. Taft, whom the Senate has so rightly honored along with four other distinguished Senators.

Senator Taft gave this idea a back seat in the hope that the Taft-Hartley Act would operate satisfactorily without the necessity of sending unfair labor practice cases to the courts.

It is my observation that the NLRB has not properly handled unfair labor practice cases. Therefore, I have proposed that the second step of Senator Taft's idea be carried out and that the courts be called upon to produce order from chaos in labor litigation.

The bill I introduce today is similar to H.R. 8246, which has been introduced in the House of Representatives by one of that body's most respected labor experts, Representative LANDRUM, of Georgia.

The bill is concerned chiefly with four areas in which I feel decisions of the NLRB have been out of keeping with the aims of the Congress as expressed in the Taft-Hartley and Landrum-Griffin Acts. The four areas are: First, secondary boycotting; second, so-called blackmail picketing; third, impairment of free speech by inhibiting management's right to state its case to employees; fourth, inhibition of management's right to manage.

The National Labor Relations Board would, under this bill, be limited to handling representation matters. This would include the conduct of employee elections. But this agency no longer would investigate, prosecute, or adjudicate unfair labor practice cases as it does today.

In short, settlement of unfair labor practice cases would be removed from politics and decided in the more temperate atmosphere of the courts.

Mr. President, the bill I introduce here today can be of far-reaching significance in its constructive approach to handling unfair labor practice cases, and in its contribution to preservation of the cherished high standards of American jurisprudence. Its purpose is to restore to all litigants in labor cases—plaintiff and defendant alike—their right to equal justice under law.

This bill is directed particularly at the manner in which the NLRB has handled its responsibilities dealing with unfair labor practice cases. Members of the Senate will recall that the NLRB is charged under the Landrum-Griffin Act, as it was under the Wagner Act and the Taft-Hartley Act, with deciding whether, on a particular set of facts, an unfair labor practice has been committed.

Complaints of bias in the NLRB's handling of unfair labor practice cases are not new. They have been made and documented repeatedly through nearly all the years of the Board's practice. Almost from its inception with the Wagner Act in 1935, this Board has been under public and congressional fire for failure to perform its duties in an even-handed impartial manner.

After 12 years' experience with the Board under the Wagner Act, a long-suffering public saw Congress in 1947 pass the Taft-Hartley law—not only to redress a basic statutory imbalance, but also to undo the damage wrought by biased Board decisions. It soon became clear, however, that the Labor Board would not follow the mandate of the Taft-Hartley law, and would not respect the intent which Congress clearly expressed in passing that law.

So-called NLRB loopholes became the rule, and the very abuses grew which Congress had ordered stopped. Then, after another 12 years, a long-suffering public once again saw Congress act, this time in 1959 with passage of the Landrum-Griffin Act. Yet here we stand today, Mr. President, less than 4 years later, with this Board's refusal to follow the will of Congress even more pronounced since passage of Landrum-Griffin than it was before.

Once again, abuses grow and flourish which Congress clearly banned. It is apparent that major changes must be made if we ever are to have equal justice under law in the trial and adjudication of unfair labor practice cases.

Labor Board rulings in many cases—which I shall not take time to document yet again here today—have distorted the letter and the spirit of the law, and have operated to legalize again many of the most flagrant abuses which Congress has sought to eliminate. Most damaging to public confidence in the NLRB, and most hostile to the will of the Congress, have been those Board decisions which have permitted secondary boycotting, which have literally encouraged blackmail picketing, which have trampled upon the constitutional and statutory guarantees of free speech, and which have impaired the right of those who risk their capital to make the economic decisions necessary to proper management of their businesses.

The net effect of the many instances in which the above abuses have occurred is that the NLRB has once more charted for itself a course far afield from the law. Through these cases, the Labor Board says, in effect, that management may no longer make its own decisions on the efficiency, competitiveness, or even the very survival of its business. Management may no longer make its own decision on the location of facilities, on the future prospects of the business; in fact, it may no longer decide for itself whether it will stay in business or whether it will go out of business.

Mr. President, the NLRB's doctrine about management prerogatives is but the latest in a long line of extrastatutory powers this Board has arrogated to itself.

Now there are some folks who say, Mr. President, that we should not worry too much about NLRB decisions—because those decisions can be appealed to the courts. Yes, they can be appealed. However, the worth of this appeal is refuted by the 25-year history of the Board's relationship with the courts.

The courts invariably defer to the so-called expertise of the Board as the fact-finding agency. Because the Board's trial examiners conduct the hearings and see the witnesses, the courts have been most reluctant to upset the Board's findings.

In this connection, it should also be remembered that when an NLRB decision is appealed to the courts, it does not mean a new unbiased trial. It is limited to an appellate review of the written record made before the Board. The miscarriage of justice which has attended so many Board proceedings is therefore often assured at the level of the Board's trial examiners, who conduct the hearings at which initial records are made.

Furthermore, Mr. President, few cases ever are appealed. And when they are the Board takes little notice. History shows us that the NLRB rarely changed to a reasonable course simply because courts of appeal rebuffed it on particular cases.

The corrective, Mr. President, must therefore be applied at the trial level. That corrective is provided by the bill I introduce today. It is a far-reaching correction, of deep significance.

Congress has been patient, tolerant, and helpful to the NLRB for more than 25 years. All to no avail, however, because the NLRB by its own decisions has demonstrated that it respects neither the letter of the law nor the intent of Congress.

The NLRB has passed the point of no return. Its own history and its own decisions demonstrate its lack of fitness for any judicial role. Accordingly, Mr. President, I introduce this bill today, urge its careful consideration by the Senate, and ask that the text of the bill and a section-by-section analysis of it be printed at this point in my remarks.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the Record.

The bill (S. 2240) to amend the National Labor Relations Act to provide for trial of unfair labor practice cases in the U.S. district courts, and for other purposes, introduced by Mr. Tower, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled* That section 3(d) of the National Labor Relations Act as amended is hereby repealed. This section shall take effect on the thirtieth day following the date of enactment of this Act.

Sec. 2. Section 4(a) of such Act is amended by striking out "and the General Counsel of the Board" in the first sentence; by striking out, "examiners," in the second sentence; and by striking out the fourth and sixth sentences.

Sec. 3. Section 8(b)(5) of such Act is amended to read as follows:

"(5) to require of employees covered by an agreement authorized under subsection (a)(3) the payment, as a condition precedent to becoming a member of such organization, of a fee in an amount which is excessive or discriminatory under the circumstances, considering among other relevant factors, the practices and customs of labor organizations in the particular industry, and the wages currently paid to the employees affected;".

Sec. 4. Section 9(c)(2) of such Act is amended by striking out "section 10(c)" and inserting in lieu thereof "the provisions of section 10 in effect at the time the order was issued".

Sec. 5. Section 9(d) of such Act is amended to read as follows:

"(d) Whenever the validity of a certification of a bargaining representative by the Board under this section is in issue in a proceeding before a court under section 10 the clerk of the court shall notify the Board of that fact. Within fifteen days after the date such notice is received the Board shall file such certification, together with the record on which it was based with the court."

Sec. 6. Section 10 of such Act is amended to read as follows:

"PREVENTION OF UNFAIR LABOR PRACTICES"

"Sec. 10. (a) The district courts of the United States the district court of the Virgin Islands, and the United States District Court for the District of the Canal Zone shall have jurisdiction, as provided in this section to prevent any person from engaging in any unfair labor practice (listed in section 8) affecting commerce.

"(b) Any person aggrieved by any such unfair labor practice may, within six months after the date on which such unfair labor practice occurred, either (1) file and prosecute a complaint in any court specified in subsection (a) having jurisdiction of the parties, or (2) file a charge of such unfair labor practice with the United States attorney for the appropriate district and request him to file and prosecute such a complaint. Whenever a person aggrieved by an unfair labor practice is prevented by reason of service in the Armed Forces from filing a charge or complaint he may do so within six months after the date of his discharge.

"(c) Whenever a charge is filed with a United States attorney under this section, he shall promptly notify the person against whom such charge is made. Within a reasonable time thereafter, he shall file a complaint with the appropriate court and prosecute such complaint, in the name of and on behalf of the person who filed the charge, unless he determines that the charge is frivolous, or otherwise without basis in law or fact, in which case he shall promptly notify the parties of such determination. After receiving such notice, the charging party may file and prosecute a complaint under subsection (b) on his own initiative; and the period beginning with the date on which he filed the charge with the United States attorney, and ending with the date on which he received such notice, shall not be counted in determining whether the six-month period specified in subsection (b) has expired. The United States attorney shall give priority to charges of unfair labor practices within the meaning of paragraph (4)(B) or (C) of section 8(b) over all other unfair labor practice charges filed with him.

"(d) Proceedings under this section shall be tried by the court without a jury. The Federal Rules of Civil Procedure shall apply in each such proceeding, except as otherwise provided in this section. In any case in which the pleadings present issues of fact, the court may appoint a master and the order of reference may require the master to submit with his report a recommended order.

The master shall be compensated by the United States at a rate to be fixed by the court, and shall be reimbursed by the United States for necessary expenses incurred in performing his duties under this section. Any court before which a proceeding is brought under this section shall advance such proceeding on the docket and expedite its disposition.

(e) The court may grant such temporary relief or restraining order as it deems appropriate pending final disposition of any proceeding under this section, but only after publicly hearing testimony of witnesses (with opportunity for cross-examination) in support of the allegations of a complaint made under oath, and testimony in opposition thereto, if offered; and only after findings of fact by the court to the effect—

"(1) that one or more acts constituting an unfair labor practice have been committed and will be continued unless restrained;

"(2) that substantial and irreparable injury to the complainant will follow;

"(3) that as to each item of relief granted greater injury will be inflicted by the denial of relief than will be inflicted by the granting of relief; and

"(4) that complainant has no adequate remedy at law.

The Act of March 23, 1932, entitled 'An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes' shall not apply to any proceedings under this section, except that section 10 of such Act, providing for expeditious review of temporary injunctions, shall apply with respect to any temporary relief or restraining order issued under this section.

"(f) If the court finds that any person named in the complaint has engaged in or is engaging in any unfair labor practice as charged in the complaint, the court shall enjoin such person from engaging in such unfair labor practice, and shall order such person to take such affirmative action, including reinstatement of employees with or without back pay (but not including the payment of damages in any other form), as may be necessary to enforce compliance with the provisions of this Act which such person is found to have violated. Where an order directs reinstatement of an employee, back pay shall be required of the employer, or the labor organization, or both, in such proportion as the court shall assess responsibility for the discrimination suffered by him. No order of the court shall require the reinstatement of any individual as an employee who has been suspended or discharged, or the payment to him of any back pay, if such individual was suspended or discharged for cause. In determining whether a violation of section 8(a)(1) or section 8(a)(2) has occurred, the same rules of decision shall apply irrespective of whether the labor organization affected is affiliated with a labor organization national or international in scope.

"(g) For the purposes of this section courts shall be deemed to have jurisdiction of a labor organization (1) in the district in which such organization maintains its principal office, (2) in any district in which its officers or agents are engaged in promoting or protecting the interests of employee members, or (3) in any district in which the unfair labor practice is alleged to have occurred. The service of legal process upon such officer or agent shall constitute service upon the labor organization and make such organization a party to the suit."

SEC. 7. Section 11 of such Act is amended by striking out "and section 10" in the matter preceding paragraph (1); by striking out "or proceeded against" in the first sentence of paragraph (1); and by striking out "Complaints, orders," in paragraph (4) and inserting in lieu thereof "Orders".

SEC. 8. Section 14(c) of such Act is hereby repealed.

SEC. 9. (a) Any proceeding under section 10 of the National Labor Relations Act which is pending before the National Labor Relations Board on the date of enactment of this Act shall be continued by the Board if the hearing provided for in subsection (b) of such section, as in effect immediately prior to the enactment of this Act, has been completed, and if, within thirty days after the date of enactment of this Act the person aggrieved by the unfair labor practice in question requests the Board to continue the proceeding. Upon request of any such person, the appropriate United States attorney shall appear and represent such person in proceedings under this subsection before the Board and the courts. The Board shall act in such proceeding, and its action may be enforced or reviewed by the courts, in the same manner and with the same effect as if this Act had not been enacted, except that—

(1) the person requesting continuation of the proceeding, or the appropriate United States attorney, shall be substituted for the General Counsel in proceedings before the Board;

(2) any enforcement proceeding under section 10(e) shall be instituted by the party seeking enforcement of the Board's order, or the appropriate United States attorney, and thereupon the Board shall certify and file in the court a transcript of the entire record in the proceedings;

(3) the Board shall not appear in any proceeding under section 10(e) or 10(f); and

(4) if the court orders additional evidence to be taken in any proceeding under section 10(e) or 10(f), it shall be taken before a master designated by the court; the master shall be compensated by the United States at a rate to be fixed by the court, and shall be reimbursed by the United States for necessary expenses incurred in performing such duties.

(b) Where the Board has issued an order under section 10 of the National Labor Relations Act before the date of enactment of this Act, a proceeding in court for the enforcement or review of such order may be instituted after such date in the same manner and with the same effect as though this Act had not been enacted, except that the provisions of paragraphs (2), (3), and (4) of subsection (a) of this section shall apply to such proceedings.

(c) Any proceeding under section 10 of the National Labor Relations Act which is pending in any court on the date of enactment of this Act shall be continued as if this Act had not been enacted, except that after the effective date of section 1 an attorney employed by the Board and designated by the Board for the purpose shall be substituted for the General Counsel.

(d) Where a charge of an unfair labor practice is pending before the National Labor Relations Board on the date of enactment of this Act, and the hearing provided for in section 10(b) of the National Labor Relations Act, as in effect immediately prior to the enactment of this Act, has not been completed, and the time limit provided for in section 10(b) of such Act, as amended by this Act, for filing a charge or complaint based on the same acts has expired, a charge or complaint may nevertheless be filed under such section at any time within thirty days after the date of enactment of this Act.

The section-by-section analysis presented by Mr. TOWER is as follows:

### SECTION-BY-SECTION ANALYSIS

Section 1: This section repeals subsection (d) of the National Labor Relations Act (hereinafter referred to as the "act"), which will have the effect of abolishing the office of General Counsel of the National Labor Relations Board. Inasmuch as the basic purpose of the bill is to provide for trial of unfair labor practice cases in the courts, there will no longer be any need for a statutory office of General Counsel. This amendment will become effective 30 days after the enactment of the bill.

Section 2: This section amends section 4(a) of the act, relating to employees of the Board, to delete references therein to the General Counsel, to examiners, and to attorneys who represent the Board before the courts. Since, under the bill, the Board will no longer engage in the adjudication of unfair labor practice cases, no trial examiners will be needed and there will be no Board orders to be enforced in the courts.

Section 3: This section amends section 8(b)(5) of the act, relating to excessive union dues and fees, to delete the reference to findings of the Board. As indicated above, under the bill the Board will make no findings in connection with unfair labor practice cases.

Section 4: This section amends section 9(c)(2) of the act to make a technical conforming change with respect to procedures in representation cases.

Section 5: This section amends section 9(d) of the act to require the Board to file with the appropriate court a certification of a bargaining representative, together with the record upon which certification was based, in cases where the validity of such certification is in issue.

Section 6: This section inserts, in lieu of section 10 of the act, a new section 10 which contains the basic provisions as to the new procedure for preventing unfair labor practices.

Subsection (a) of the new section 10 invests the district courts of the United States with jurisdiction to prevent persons from engaging in unfair labor practices.

Under subsections (b) and (c) any person who believes himself aggrieved by an unfair labor practice will have two courses of action open to him.

First, he may himself file and prosecute a complaint in any Federal court having jurisdiction of the parties; or, second, he may elect to file a charge of such unfair labor practice with the U.S. attorney for the appropriate district and request him to file and prosecute such a claim. The person aggrieved has 6 months from the date on which the unfair labor practice occurred to file the complaint or charge, but service in the Armed Forces will not be considered in computing such 6-month period.

If the person aggrieved elects to file a charge with the U.S. attorney, the U.S. attorney will promptly notify the person against whom the charge was made, and must, within a reasonable time thereafter, file a complaint with the appropriate court and prosecute such complaint in the name of and on behalf of the person who filed the charge. The U.S. attorney is relieved of this obligation only if he determines that the charge is frivolous, or otherwise without basis in law or fact, but in such a case he is required to promptly notify the parties of his determination. Where the U.S. attorney declines to file a complaint when requested to do so, the charging party may himself file and prosecute a complaint on his own initiative, as described above, and the period during which the matter was under consideration by the U.S. attorney will not be counted in determining whether the 6-month period referred to above has expired.

The U.S. attorney is directed to give priority to charges of unfair labor practices within the meaning of paragraphs (4) (B) or (C) of section 8(b) of the act.

Subsection (d) of the new section provides for a court trial, without a jury, in which the Federal Rules of Civil Procedure will apply. It is provided, however, that in any case in which the pleadings present issue of fact, the court may appoint a master and in the order of reference may require the master to submit with his report a recommended order. The courts are directed to expedite proceedings for trial of unfair labor practice cases.

Subsection (e) of the new section authorizes the court to grant temporary relief or restraining orders pending final disposition of proceedings under the section. However, such temporary relief or restraining order may be granted only after the court has heard the testimony of witnesses, and only after the court has found that an unfair labor practice has been committed and will be continued unless restrained, that substantial and irreparable injury to the complainant will follow, that as to each item of relief granted greater injury will be inflicted by the denial of relief than by the granting of relief, and that the complainant has no adequate remedy at law. The provisions of the Norris-La Guardia Act will not apply to prohibit the granting of such temporary relief or restraining order.

Subsection (a) of the new section provides that if the court determines that a person has engaged in or is engaging in any unfair labor practice as charged, it will enjoin such unfair labor practice and will order such affirmative action, including reinstatement of employees with or without back pay, as may be necessary to enforce compliance with the provisions of the act such person has been found to have violated. No other damages may be required. Where the court orders reinstatement of employees, back pay will be required of the employer or the labor organization, or both, in such proportions as the court shall assess responsibility for the discrimination suffered by the employees. The court may not order the reinstatement of an individual or payment of back wages to him if he was suspended or discharged for cause. In determining whether a violation of section 8(a)(2) has occurred the same rules of decision will be applied by the courts irrespective of whether the labor organization affected is affiliated with a national or international labor organization.

Subsection (g) of the new section gives jurisdiction over labor organizations to U.S. district courts of the district in which it maintains its principal office, of any district in which its officers or agents are engaged in union activities, and of any district in which an unfair labor practice is alleged to have occurred.

Section 7: This section makes certain technical and conforming changes in section 11 of the act.

Section 8: This section repeals subsection (c) of section 14 of the act. This subsection at present permits the Board to decline to assert jurisdiction over certain labor disputes where the effect of the dispute on commerce is not sufficient substantially to warrant exercise of its jurisdiction. It also permits States to assume jurisdiction over labor disputes over which the Board has declined to assert jurisdiction. The continuation of such authority in the Board would be inappropriate in light of the transfer to the Federal courts of all jurisdiction over unfair labor practice cases.

Section 9: This section specifies the manner in which unfair labor practice cases which are pending before the National Labor Relations Board or the courts on the date of enactment of this act will be disposed of.

## AMENDMENT OF ANTIDUMPING ACT

**Mr. ALLOTT.** Mr. President, on behalf of myself and my colleague from Colorado [Mr. Dominick], I introduce, for appropriate reference, a bill to amend the Antidumping Act of 1921.

A great deal has been said in the Senate recently about inequities and weaknesses in the Antidumping Act. For some time now I have been concerned about the growing problem of foreign merchandise being dumped on the markets of the United States, and I joined as a cosponsor of S. 1318, a bill introduced by Senators Humphrey and Scott and others, to correct some of the deficiencies in the Antidumping Act. At the time I announced my cosponsorship, I said:

> I also hope that in the course of hearings the committee will go even further, and will find, within the reference of existing legislation, other ways to combat this serious problem. For example, it appears to me that the injury provisions might be strengthened by requiring the Tariff Commission to make a finding of injury to the domestic industry if imports of foreign goods accounted for 10 percent or more of our domestic sales of that type of goods.

The bill which I introduce today, Mr. President, puts in concrete form the thought which I expressed at that time. It is not complex, and it does basically two things:

First. It would require that imports of the same item from several different foreign countries be aggregated in measuring the injury to domestic industry. Under the present procedure, the imports of each country are examined separately to determine whether they cause injury to our domestic industry, if sales at less than fair value are found. This I believe to be manifestly unjust to our domestic producers who may have suffered a relatively small loss of their market to each of several countries, but who have lost a sizable proportion of the total market to all foreign producers combined.

Second. Under this bill an injury to domestic industry is conclusively presumed where dumping is found to exist and where imports have accounted for more than 10 percent, but less than 90 percent, of our total consumption of the article in the preceding 12 months. The 90-percent ceiling has been put in to cover situations where our domestic production is relatively insignificant and thus presumably would not have been injured by the imports. I have in mind such items as coffee, where our total consumption is imported and no domestic producer would be injured by dumping. For domestic producers who fall outside these limits, that is where foreign imports are less than 10 percent or more than 90 percent, the present procedure wherein the domestic industry would be required to prove injury, it would still apply.

A great deal of the Antidumping Act as it is now written deals with the problem of what is dumping—establishing guidelines for determining what are sales at less than fair value, and so forth. There are no guidelines for determining what constitutes injury to our domestic industry. This bill would remedy that defect.

Mr. President, I do not look upon this bill as a substitute for S. 1318. I am still pleased to be a cosponsor of that bill. I do believe, however, that this bill would significantly strengthen S. 1318 in an area which is not covered by that bill. It is my hope that the committee, after hearings, will report a measure to the floor of the Senate which will incorporate both bills. In such a manner, we would provide the first significant weapon with which to attack the unfair competition which is dumping.

I ask unanimous consent that the bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2241) to amend section 201 of the Antidumping Act, 1921, with respect to the determination of injury or threatened injury to an industry in the United States, introduced by Mr. Allott (for himself and Mr. Dominick), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 201(a) of the Antidumping Act, 1921 (19 U.S.C. 160(a)) is amended to read as follows:

"(a) Whenever the Secretary of the Treasury (hereinafter called the 'Secretary') determines that a class or kind of foreign merchandise is being, or is likely to be, sold in the United States or elsewhere at less than its fair value, he shall forthwith ascertain the total sales (in the appropriate unit of measurement by volume) of such class or kind of merchandise in the United States during the twelve calendar month period immediately preceding such determination and the percentage of such total sales represented by all foreign merchandise of such class or kind. If the percentage so ascertained is 10 per centum or more, but less than 90 per centum, then it shall be conclusively presumed that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, and in that event, the Secretary shall make public a finding of his determination and ascertainment. If the percentage so ascertained is less than 10 per centum, or is 90 per centum or more, the Secretary shall advise the United States Tariff Commission of his determination, and the said Commission shall determine within three months thereafter whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. The said Commission, after such investigation as it deems necessary, shall notify the Secretary of its determination, and, if that determination is in the affirmative, the Secretary shall make public a finding of his determination and the determination of the said Commission. For the purposes of this subsection, the said Commission shall be deemed to have made an affirmative determination if the Commissioners of the said Commission voting are evenly divided as to whether its determination should be in the affirmative or in the negative. The Secretary's finding shall include a description of the class or kind of merchandise to which it applies in such detail as he shall deem necessary for the guidance of customs officers."

(b) Section 201(c) of the Antidumping Act, 1921 (19 U.S.C. 160(c)) is amended to read as follows:

"(c) The Secretary, upon making a determination or a determination and ascertainment under subsection (a) of this section, and the United States Tariff Commission, upon making a determination under subsection (a) of this section, shall each publish such determination or determination and ascertainment in the Federal Register, with a statement of the reasons therefor, whether such determination or determination and ascertainment is in the affirmative or in the negative."

## TAX REDUCTION—AMENDMENTS (AMENDMENTS NOS. 228 AND 229)

Mr. LONG of Louisiana submitted two amendments, intended to be proposed by him to the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes, which were referred to the Committee on Finance, and ordered to be printed.

## AUTHORIZATION FOR COMMITTEE ON ARMED SERVICES TO FILE REPORT DURING RECESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to file a report on the military construction bill during any recess or adjournment of the Senate this week.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 123) to authorize the printing and binding of an edition of Senate Procedure and providing the same shall be subject to copyright by the authors.

The message also announced that the House had agreed to the following concurrent resolutions:

S. Con. Res. 59. Concurrent resolution to print, for the use of the Committee on Government Operations, 25,000 additional copies of a revised committee print entitled "Federal Disaster Relief Manual"; and

S. Con. Res. 61. Concurrent resolution authorizing the printing of additional copies of hearings on "Organized Crime and Illicit Traffic in Narcotics" of the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1174. An act for the relief of Elfriede Unterholzer Sharble;

H.R. 1273. An act for the relief of Bay Kow Jung;

H.R. 1289. An act for the relief of Maria Merghetti (Mother Benedetta) and Annunziata Colombo (Mother Cherubina);

H.R. 1432. An act for the relief of Pasquale Marrella;

H.R. 1495. An act for the relief of Ching Heing Yen and Ching Chiao Hoang Yen;

H.R. 1566. An act for the relief of Mrs. Annie Zambelli Stiletto;

H.R. 1851. An act for the relief of Chester A. Brothers and Anna Brothers, his wife;

H.R. 2305. An act for the relief of Zoltan Friedmann;

H.R. 2799. An act for the relief of Mrs. Margarita M. Respicio;

H.R. 3908. An act for the relief of Jeung Sing, also known as Chang Sheng and Rafael Chang Sing;

H.R. 4076. An act for the relief of William Radkovich Co., Inc.;

H.R. 4507. An act for the relief of Angeliki Devaris;

H.R. 4681. An act for the relief of CWO James A. McQuaig;

H.R. 4760. An act for the relief of Elizabeth Mary Martin;

H.R. 4766. An act for the relief of the Boren Clay Products Co.;

H.R. 5453. An act for the relief of Mrs. Denise Jeanne Escobar (nee Arnoux);

H.R. 6038. An act for the relief of Mariano Carrese and Vincenzina Ciavattini Restuccia;

H.R. 6237. An act to amend section 503 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize grants for the collection, reproduction, and publication of documentary source material significant to the history of the United States, and for other purposes;

H.R. 6316. An act for the relief of Generoso Bucci Cammisa;

H.R. 6477. An act for the relief of Capt. Otis R. Bowles;

H.R. 8222. An act for the relief of Edward J. Maurus;

H.R. 8280. An act for the relief of Mrs. Annette M. Rasor and Dr. Robert W. Rasor; and

H.R. 8470. An act for the relief of Warren A. Jeffers and Francis H. Leik.

## ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 838. An act for the relief of George Crokos; and

S. 1313. An act for the relief of Tim L. Yen.

## HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 1174. An act for the relief of Elfriede Unterholzer Sharble;

H.R. 1273. An act for the relief of Bay Kow Jung;

H.R. 1289. An act for the relief of Maria Merghetti (Mother Benedetta) and Annunziata Colombo (Mother Cherubina);

H.R. 1432. An act for the relief of Pasquale Marrella;

H.R. 1495. An act for the relief of Chiang Heing Yen and Ching Chiao Hoang Yen;

H.R. 1566. An act for the relief of Mrs. Annie Zambelli Stiletto;

H.R. 1851. An act for the relief of Chester A. Brothers and Anna Brothers, his wife;

H.R. 2305. An act for the relief of Zoltan Friedmann;

H.R. 2799. An act for the relief of Mrs. Margarita M. Respicio;

H.R. 3908. An act for the relief of Jeung Sing, also known as Chang Sheng and Rafael Chang Sing;

H.R. 4076. An act for the relief of William Radkovich Co., Inc.;

H.R. 4507. An act for the relief of Angeliki Devaris;

H.R. 4681. An act for the relief of CWO James A. McQuaig;

H.R. 4760. An act for the relief of Elizabeth Mary Martin;

H.R. 4766. An act for the relief of the Boren Clay Products Co.;

H.R. 5453. An act for the relief of Mrs. Denise Jeanne Escobar (nee Arnoux);

H.R. 6038. An act for the relief of Mariano Carrese and Vincenzina Ciavattini Restuccia;

H.R. 6316. An act for the relief of Generoso Bucci Cammisa;

H.R. 6477. An act for the relief of Capt. Otis R. Bowles;

H.R. 8222. An act for the relief of Edward J. Maurus;

H.R. 8280. An act for the relief of Mrs. Annette M. Rasor and Dr. Robert W. Rasor; and

H.R. 8470. An act for the relief of Warren A. Jeffers and Francis H. Leik; to the Committee on the Judiciary.

H.R. 6237. An act to amend section 503 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize grants for the collection, reproduction, and publication of documentary source material significant to the history of the United States, and for other purposes; to the Committee on Government Operations.

## ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 16, 1963, he presented to the President of the United States the following enrolled bills:

S. 838. An act for the relief of George Crokos; and

S. 1313. An act for the relief of Tim L. Yen.

## PESTICIDE AMENDMENT

Mr. HUMPHREY. Mr. President, the Committee on Agriculture has today ordered favorably reported S. 1605, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes.

I want to congratulate the Committee on Agriculture and especially the Senator from North Carolina [Mr. JORDAN] whose Subcommittee on Agricultural Research and General Legislation paved the way for today's action by the full committee.

Also I would like to point with some pride to the fact that the need for this bill came to public attention during the hearings on the use of pesticides before the Subcommittee on Reorganization and International Organizations. The bill's main sponsor, the Senator from Connecticut [Mr. RIBICOFF], who is chairing the subcommittee's inquiry into this important subject, and the three subcommittee members, the Senator from Kansas [Mr. PEARSON], the Senator from Rhode Island [Mr. PELL], and the Senator from New York [Mr. JAVITS], who joined him in cosponsoring the measure, are also to be commended.

This is Congress acting in its traditional and constitutional role, Mr. President. Since 1960 proposals to end the practice of protest registration of pesticides have circulated in the executive branch but were never submitted to Congress. As a matter of fact, the practice was shunted into oblivion almost as if the Government, the regulated industry, and others did not want the public to be made aware of this glaring loophole in a law designed to protect the public from the harmful effect of dangerous chemical poisons.

Let me cite just two or three examples of this.

On September 20, 1961, the House Committee on Government Operations issued a helpful report—House report No. 1241—entitled "Consumer Protection Activities of Federal Departments and Agencies." The report consisted of information provided—I should like to emphasize—by the Federal agencies concerned with consumer protection. The regulation of economic poisons is described on page 76 of the report. The procedure followed for the registration of pesticides is described as follows:

> The consumer is protected through a requirement that every economic poison entering interstate commerce either from domestic or foreign sources must be registered with the Department prior to shipment. This allows a premarketing review of the labeling by scientific personnel of the Department to determine that the product can be used effectively and safely by the consumer, when label directions are followed. One important consideration of safety is an evaluation of the nature and extent of residues remaining on treated food or feed crops. Registration of pesticide uses are withheld, if harmful or illegal residues will result from the use. There are currently 50,000 pesticide formulations registered under the provisions of the act. It is because of the existence of the Federal Insecticide, Fungicide, and Rodenticide Act and its aggressive enforcement that it can be said with confidence that the best guide to the proper use of a pesticide is the label registered with the U.S. Department of Agriculture.

Senators will note the conspicuous absence of any mention by the Federal agencies of protest registration and also the almost unbelievable reference to a registered label being the best guide to the proper use of a pesticide. It is obvious that the label on a continuous action lindane vaporizer which does not mention the fact that the use of the product in the home had not been approved by the U.S. Government is ill described as a best guide.

This same report states the view of the Department of Agriculture to be that:

> The basic legal authority is adequate; however, extension of the scope and coverage under that authority is desirable and is planned.

Yet no legislation strengthening this law was ever submitted to Congress by the executive branch.

Since the Government itself in explaining the registration procedure found no reason to mention protest registration, it is no surprise that others follow suit. A recent report by a panel of the National Academy of Sciences describes the registration procedure as follows:

> Label warnings regarding the prevention of adverse effects, or warnings as to their possibility, are sometimes necessary. Any labeling on the package of the pesticide or other regulated chemical accompanying these products or referred to in the literature accompanying these products must be registered with the Pesticides Regulation Branch. If any hazards accompany the use of these products, necessary warnings and precautions must be given on the label.

This is how the law is explained by the industry in a recent booklet entitled "Agricultural Chemicals: What They Are—How They Are Used," published by the Manufacturing Chemists Association:

> The Federal Insecticide, Fungicide, and Rodenticide Act requires, in general, that economic poisons (pesticides) shipped in interstate commerce be registered with the U.S. Department of Agriculture. In order to have a pesticide product so registered, the manufacturer must submit scientific proof that the chemical will safely and effectively accomplish the purpose for which it is manufactured, when used in accordance with the instructions developed for its use. The burden of proof is placed on the manufacturer, and officials of the U.S. Department of Agriculture can refuse registration until adequate scientific information has been submitted by the manufacturer to establish adequate assurance of safety.

The National Agricultural Chemicals Association in a booklet entitled "Open Door to Plenty," describes the law as follows:

> This act is administered by the U.S. Department of Agriculture. It requires manufacturers to prove that pesticide chemicals are effective against destructive pests. It further requires labeling of pesticides to show pests the chemical will control, the crops on which it can be used, how the materials must be applied, and warning or caution statements concerning any hazard that might be involved in handling or using the material.

Is it any wonder that a state of "pesticide euphoria," as the Senator from Connecticut so aptly described it the other day, exists in the country today? The public has been told for 16 years that the law permits no pesticide product on the market unless it has received a Federal agency stamp of approval for safety and effectiveness. The law, in fact, contains no such requirement. But it will when S. 1605 is passed and signed into law.

I ask unanimous consent to have printed at this point in the RECORD an excellent article from the current issue of the American Forests magazine entitled "Senator RIBICOFF Would End Protest Registration of Insecticides," by John Prokop.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From American Forests, October 1963]

### SENATOR RIBICOFF WOULD END "PROTEST REGISTRATION" OF INSECTICIDES

(By John Prokop)

Senator A. RIBICOFF, Democrat, of Connecticut, who has been investigating the practice of "protest registration" which allows "potentially" unsafe insecticides to be purchased by the unsuspecting and inexperienced public has launched a campaign in the Senate to stop the gap.

At present, seven of the pesticides are being sold to the public without the approval of the Pesticides Regulation Division of the Department of Agriculture. All a manufacturer need do if his product is refused approval is to register a protest with the Department to force a court review of the dispute. While waiting for the review, which may take a long time, the manufacturer can market the product interstate.

This nifty bit of sidestepping stirred Senator RIBICOFF to remark, "A pesticide should not come on the market until adequate proof of safety has been established, and it should not be left for the public to play the role of guinea pig while the true facts of toxicity are brought out."

Director of the Pesticides Regulation Division, Justus Ward, said, though, that very few manufacturers are willing to challenge the scientists on the Division's staff on a refusal. Out of more than 4,000 annual refusals of approval, usually about 2 products are marketed under protest. "Then we notify all State enforcement officials of each State," said Ward, "and they may bring proceedings to halt the transport and sale."

In the past 16 years, only 27 out of 76,000 pesticide applications were registered under protest. Since 1947, production of pesticides has increased fivefold, from 124 million pounds to 637 million pounds a year. Currently, there are 57,000 pesticides and related products licensed for manufacture and interstate commerce. In 1962, 22,750 applications for pesticide registration were made to the Department of Agriculture. Of these, only 4,932 were approved and registered; 4,022 labels were rejected. Yet any one of those could have been sold on the market if the manufacturer so chose.

To some, this is an indication that manufacturers are using great discretion. To others, including some Members of Congress, serious doubts have arisen, and they are asking, "How many times has a product been approved for registration, although its safety and/or effectiveness were doubtful because both the applicant-manufacturer and the Government official knew that the legal power to keep it off the market was lacking if it came to a showdown to keep it out of interstate commerce?"

Testimony before congressional committees revealed that there are 150 deaths a year in the United States resulting directly from pesticides; half are children accidently exposed to the pesticide in the home. In California, which uses 20 percent of the Nation's pesticides, State officials report that 3,000 children a year are affected by these chemicals.

Manufacturers and others are quick to point out that there are no records to show whether or not the illnesses or deaths were the result of any of the pesticides now being sold under protest. If, for the sake of argument, we assume they are not, then the deaths and illnesses must be attributed to the improper and accidental use of Government approved pesticides. How then can the Government allow pesticides whose complete effect is not known and whose labels may fail to carry sufficient warning to be sold under protest?

"Fortunately," says Senator RIBICOFF, "we have been able to avoid a national tragedy while this gap in consumer protection remained in law."

In the past, the greater percentage of manufacturers have been exceptionally cooperative with the Department in meeting regulations, Justus Ward said. "Usually when a product is rejected, a manufacturer will come to us and ask what we would like changed, perhaps something on the label, so that he can get approval." There is a big difference, Ward noted, between having conclusive proof that a pesticide is hazardous and just being uncertain about its use or application. When we refuse approval and a manufacturer sells his product under protest, coming back at us with a challenge that so many thousand or million units are now being used without anyone suffering any apparent ill effects, then the Pesticides Regulation Division bears the burden of proving him wrong. Not only is this difficult to do, but it may take a long time and great effort only to realize that such proof is impossible to acquire.

"But why," asks Congresswoman LEONOR K. SULLIVAN, Democrat, of Missouri, who comes from a section of the country with both a high production and use of pesticides, "should the Government be required to shoulder the entire burden of proof of a pesticide's suitability and safety rather than making the manufacturer prove it?"

That is the law, or rather the loophole in the Federal Insecticide, Fungicide, and Rodenticide Act which the Ribicoff bill (S. 1605) and the House bill sponsored by Representative BENJAMIN S. ROSENTHAL, Democrat, of New York, aim to close up. During Senate subcommittee hearings on the uses of pesticides, Senator RIBICOFF asked Secretary of Agriculture Orville Freeman to make recommendations on changes the Secretary thought might be required to make the Insecticide Act stronger. Secretary Freeman's recommendations, published in the Federal Register of September 6, 1963, would strengthen labeling requirements by providing that pesticide labels bear adequate warnings to the public, like, "Keep out of the reach of children." Claims such as "Safe," "Nonpoisonous," or "Harmless," would not be permitted. And all labeling must be in a large enough print and so placed on the container that people can easily spot them and read them. This, of course, doesn't necessarily solve the problem for those who can't read.

The House and Senate bills also provide for placing the burden of proof on the manufacturer rather than the Government. Justus Ward believes that the plan whereby a protesting manufacturer will have to pay a fee to have his protest reviewed before a panel of experts selected by the National Academy of Science and will have to prove to them that his product can be used safely may bring about 100 percent cooperation in meeting the Government's requirements. A manufacturer will not protest unless he has sufficient evidence to prove that his product is safe and that the Government has acted arbitrarily and with capriciousness in refusing him approval.

The hoped-for happy ending that the changes in the Insecticide Act will bring has not yet been achieved without some faint fireworks and friction between Capitol Hill and the bureaucrats. Attempts earlier this year by reporters to obtain the names of the products being sold under protest were met with frustration. The story goes that certain Agriculture Department officials refused to release the names. Senator RIBICOFF, informed of this, notified the Department that if they did not intend to disclose the names, which he felt the public had a right to know, he would. The Department then issued a memorandum stating that the pesticide names were always available from the Department's Office of Information and that only one scientist, not the Department of Agriculture, refused to disclose the names.

Senator RIBICOFF came back strong with evidence to the contrary. In a statement appearing in the June 6, 1963, issue of the CONGRESSIONAL RECORD, Senator RIBICOFF cited three instances in which reporters for Newsday, Business Week, and Health Bulletin magazines were refused the names; when one of the Senator's staff checked into the matter, the Senator said, a responsible official of the Department confirmed that it was not the Department's policy to disclose the names and that "this has always been the policy." The Senator also disclosed that, earlier in the year, the Department furnished a list of products under protest registration to the Library of Congress. Typed across the top of this list are the words, "Not for publication." An official of the Department of Agriculture, explaining this notation to the Library of Congress, said, "The release of this information would be unfair to the manufacturers."

To Capitol Hill pros who are exposed to similar statements daily, this sounded like a bit of garbled double-think and they believed that the public was being denied essential information about hazardous pesticides just to protect a few manufacturers.

The Pesticides Regulation Division believes, though, that despite the "protect registration" regulation, it was operating on a sound basis. They point out that the reasons the products are on the protest list is not because they are imminently dangerous or lethal to the ordinary user. The Pesticides Division is just not sure that the pesticides won't be used under circumstances which will cause fatal results.

For example, the Pesticides Division's opposition to the currently controversial "continuous action Lindane vaporizer" is against sale for home use. They have already approved it for controlled commercial and industrial use, but the feeling is that homeowners may use it improperly. In a 24-hour period this vaporizer will produce 15,000 cubic feet of lindane vaporized air to kill bugs. Both the Public Health Department and an American Medical Association advisory committee to the Pesticides Division have advised against its use in the home—the reason—prolonged and continuous exposure of the occupants of the house (perhaps day after day), and officials fear that an accumulation of lindane will build up in the bodies of those exposed, in some instances proving fatal. They are not sure it will, but then is the manufacturer sure it will not? Lindane spray experiments conducted by the Pesticides Division on a herd of cows showed that while a certain amount of spray did not hurt adult cows, the calves died. Babies and senior citizens might be similarly afflicted by the vaporizer.

Lindane sprays are approved for home use if they contain one-tenth to one-half of 1 percent Lindane in solution. The Pesticides Division feels that is safe because the spray is not used continuously; a housewife may get a couple of months' protection with one spraying against kitchen bugs. The vaporizer uses instead, pills or powder in concentrate form, 100-percent Lindane. Lindane pills the size of aspirin are considered quite potent, and three or four could kill a child who might accidentally eat them, while the one-half of 1 percent Lindane in kerosene solution would not be considered as dangerous as the kerosene to a child who might accidentally drink some.

### "NOT FOR HOME USE"

Label warnings, quite important in helping a manufacturer receive Department approval, are not up to Department standards on the vaporizer box. The "come on" on the box says, "electronically controlled bug death vaporizer; new and improved; unbreakable $3.95," and claims to "take the bugs out of living." But it does not warn the buyer that it is "not for home use."

The instruction sheet inside tells the buyer, among other things, that the Lindane may be absorbed through the skin, that the user should not breathe the Lindane spray or mist, and that he should avoid contact with the skin and eyes, contamination of feed and foodstuffs, and he should wash thoroughly after handling.

### SOMETHING MORE THAN A LAW IS NEEDED

What we need more than just a bill to close up the gaps in the Insecticide Act, it seems, is a thorough public information program to educate and instruct the public on the use of these new chemical discoveries. Used properly, they can make our homes cleaner and free of pests; they can improve the quality and maintain or increase the quantity of our agricultural production; they may do many wonderful things to improve our living standard of which I am sure the general public is unaware. Used improperly, they can bring disaster. Pesticides have a common feature of concentrating in the ground, in liquids, and in the bodies of plants and animals. Man can absorb them through his skin or swallow them and they remain in his system rather than passing off; continued exposure can build up the concentration. Some scientists tell us pesticides can be transmitted from mother to child. Recently, milk producers again requested the Federal Government to set a safe level of pesticide tolerance in milk; most people don't even realize such problems exist.

I am sure the loophole in the Insecticides Act will be closed by the bills now being studied in Congress. But with all the increased production and use of pesticides, we had better hurry up the concerted and cooperative efforts of manufacturer and government to find out exactly what effect pesticides are having on our land, water, animals, and people. A chilling thought, but after all, how many pesticides can you sell if no one is around to buy them?

### PESTICIDES REGISTERED UNDER PROTEST

The following pesticide products, registered with the Department of Agriculture "under protest" in accordance with the Federal Insecticide, Fungicide, and Rodenticide Act, are currently marketed interstate:

Pesticide, protest register date, and remarks:

Lindane pellets for use in bug death vaporizer, January 28, 1960, label failed to carry warning "not for home use."

Algimycin 200 (swimming pool algaecide), December 4, 1962, use of this mercury compound in swimming pools as directed on label not considered safe.

Algimycin 300 (swimming pool algaecide), December 4, 1962, same as above.

Perma-Guard for treatment of alfalfa grown for seed, March 25, 1963, previous registration canceled on basis of information not available earlier indicates product not effective for purpose stated on label.

Hari-Kari Neodane pellets (Lindane), April 9, 1963, label failed to carry warning "not for home use."

Lindane tablets (bug pills), May 28, 1963, same as above.

Lindane tablets (vapo tabs), May 28, 1963, same as above.

Mr. HUMPHREY. I again wish to commend the able Senator from Connecticut [Mr. RIBICOFF] for the great job he is doing in this very complicated field relating to pesticides and other chemicals. It is a real service to the American public.

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## NATIONAL SCHOOL LUNCH PROGRAM

Mr. HUMPHREY. Mr. President, as we celebrate National School Lunch Week, I wish to commend those thousands of our citizens in our smallest communities, our major cities, our State educational agencies, and in the U.S. Department of Agriculture who, day in and day out, work with the national school lunch program.

On each and every schoolday, some 16 million children in the 50 States, the District of Columbia, the Virgin Islands, Puerto Rico, Guam, and American Samoa participate in the national school lunch program. The program is growing at the rate of 6 to 8 percent every year.

It is a program that has almost universal acceptance and support. It provides a means of assuring our children a good, nutritious lunch and provides as well a means of teaching the elements of nutrition and eating habits that are the basis for continuing good health and energy.

The national school lunch program is administered within the States by the State educational agency and locally by school officials and interested citizens in communities from coast to coast and halfway around the world.

The program provides the largest single market for our farmers, our wholesalers and retailers, and summons the best efforts of our efficient production and marketing system. It is preeminently a local market.

During the last school year alone, $640 million worth of food was purchased by schools from their local wholesalers and retailers. This was about 80 percent of the total food consumed under the program. To assist schools in purchasing these foods, the Congress provided $108.6 million in cash that was apportioned among the States in accordance with the formula contained in the National School Lunch Act.

In addition to these foods locally procured, the U.S. Department of Agriculture supplied almost $121 million worth of foods acquired under price support and surplus removal programs and provided another $59 million worth from funds authorized by the U.S. Congress to assist schools in meeting the nutritional requirements under the lunch program.

The national school lunch program has served to introduce new foods and new ways of preparing foods to a nationwide audience—a built-in market development program.

The purposes and techniques developed in our domestic school lunch program have now been adapted to assisting children on an international scale through the food-for-peace program.

Mr. President, I introduced the resolution last year which created an annual National School Lunch Week. I did this because it is my sincere belief that the worth of the school lunch program merits our national attention. We now are able to call attention, as never before, to this outstanding activity.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a press release from the U.S. Department of Agriculture entitled "Secretary Freeman Urges National School Lunch Week Observance."

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

### SECRETARY FREEMAN URGES NATIONAL SCHOOL LUNCH WEEK OBSERVANCE

Secretary of Agriculture Orville L. Freeman today urged all Americans to observe National School Lunch Week, October 13–19, in honor of a nationwide activity which enables 16 million children to buy daily energy-giving lunches at school.

Secretary Freeman cited the national school lunch program as one of the many activities of the U.S. Department of Agriculture that serve city and suburban dwellers as well as farmers.

"The lunch program not only safeguards the health and well-being of our young citizens, but it also makes effective use of the abundant food production of the American farmer and employs the skills of our highly-developed commercial food marketing system," the Secretary said.

Secretary Freeman referred to the President's School Lunch Week proclamation, which calls on "the people of the United States to observe the week of October 13 with ceremonies and activities designed to increase public understanding and awareness of the significance of the school lunch program to the child, to the home, to the farm, to industry and to the Nation."

Numerous State Governors have also proclaimed School Lunch Week, and most schools throughout the country will conduct open house and other in-school activities to demonstrate to parents and other local citizens the importance of good nutrition for schoolchildren, the Secretary said.

"Local participation is the key to the national school lunch program, which is essentially a community effort," he explained, pointing out that local citizens operate the school lunchrooms in some 68,000 schools.

The program is administered nationally by the Federal Government and in the States by the State educational agency. Both Federal and State personnel supply the managers of local programs with advice on buying, storing and preparing food, the Secretary said.

Last year the program served as a market for over $800 million worth of American farm products, with well over $600 million worth being bought by the schools from local suppliers.

"The national school lunch program," Secretary Freeman said, "merits the support of all Americans to achieve its goals of safeguarding the health and well-being of our children and expanding markets for America's abundant food production."

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## SCHOOLCHILDREN'S LETTER ON CIVIL RIGHTS

**Mr. FONG.** Mr. President, seldom in the extended discussions on civil rights have I seen as moving an appeal as I have just received from a group of schoolchildren in Hawaii.

Sixty-four boys and girls have signed their names to a letter addressed to me and my colleagues of the Senate and written in longhand on a scroll 10 feet long and 2 feet wide. It is a document which, in its simplicity and directness, speaks volumes for the cause of civil rights.

But it is much more: it is also a striking testimonial of the spirit of aloha of our young people in Hawaii; their deep attachment to the American way of life, their belief in the brotherhood of man, and their respect for the dignity of all persons, regardless of their race, religion, or color.

I compliment the students for a remarkably effective appeal and thank them for sharing their deep-felt sentiments with all of us.

I ask unanimous consent that the letter sent me by the 64 students from Manoa Elementary School in Honolulu be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HONOLULU, HAWAII,
*October 9, 1963.*

Hon. HIRAM FONG AND SENATORS,
*U.S. Senate,*
*Washington, D.C.*

HONORABLE SIRS: May we have a moment of your precious time to discuss a matter of extreme consequence to us?

We are 64, 9- to 11-year-olds from Manoa Elementary School in Honolulu, Hawaii. In this nice school of ours we have all kinds of faces.

There are Filipino, Japanese, Chinese, Irish, Korean, Norwegian-German, Scottish-Irish, French-Japanese, and Hawaiian-Chinese faces. Religiously we represent Episcopalians, Buddhists, Friends, Baptists, Methodists, Protestants, and Catholics. We have fun learning and living together. (We have disagreements, too.) We would miss the different races and religions if they were gone. Today we play together, tomorrow we earn together.

How grateful we are to our country, the United States of America, for such equal opportunities. We have always been proud of our country. Now that we are a State, our pride and love are overflowing.

The civil turmoil that is presently afflicting America deeply troubles us. When you love a thing very much and it is in trouble you feel a need to help.

We are aware that our brains cannot encompass the entire problem. We have tried to read as much available material as possible and have carried on numerous discussions in school, with friends and at home. But of these reasons we are certain, and upon these principles therefore we urge you, the lawmakers of our land, for the passage of the civil rights bill.

In the beginning there was little difference between man and animal. When man hungered, he hunted and ate food without preparation and without fork or spoon. He roamed the earth with little clothing and shelter. He thought only of himself. He had little time for anything else.

Man has risen slowly from this crude form of living. In many ways he has become superior to other animals. He has made remarkable advances in communication and transportation. In only one way has he failed to keep pace with his scientific achievements. In the one sphere which should be of most concern—human needs—he has seemingly failed.

Numerous wars attest this fact. Since the early Egyptians, wars have been fought. Almost always the reason has been man's desire to suppress another idea, or thought or belief because it threatened, or differed from his own. He was responsible for brutal, regrettable action. He thought himself right but failed to see many times that right does not necessarily equal the truth.

We must believe in man. In what other species can we trust? The task of the human race is to lift ourselves and our brothers, not to subjugate them. Progress should not be measured at the price of human defeat.

We read of hungering children and thank our lucky stars we are born Americans. How thankful we are that our parents chose the United States as their country—or did they?

Even if we are only fifth and sixth graders, we know how we would choose if we had to make the choice today. But oftentimes children have no part in making such choices. The Negro child did not ask to be born Negro—he was born one.

Long ago our forefathers knew food was not the only substance for which man hungers. They knew of human needs, just as important as physical needs, human dignity, human worth, and friendship. So they endowed the American citizen with unalienable rights—liberty and the pursuit of happiness.

The goal of our country is in a way similar to the goals our parents have in raising us. They guide us to maturity so we can become independent individuals, economically, socially, and politically. As we grow we depend upon them for counsel and unconsciously or perhaps deliberately try to imitate them, because we are proud of them.

The democratic society to perpetuate itself must maintain a citizenship with deep maturity, intelligence, and a fearlessness for independent thought and action. To achieve this schools are provided.

We are members of such schools today. We are preparing for the future. How effective we become will depend in a large measure on the type of schooling we receive.

If a society provides inferior education and poor social adjustment for a group of its people the following will result: It will need to support continuously, at great expense financially and in heartaches "the educated and social cripples" it has helped to raise.

We have grandpas and grandmas at home. They once worked on plantations. They hardly speak English. However our fathers and mothers were permitted to attend the public schools in Hawaii.

Today we are proud of them. Some are nurses, accountants, Government workers, teachers, counselors, engineers, and architects. We feel our parents are really contributing to our State of Hawaii. There is still much to be done—but we have come a long way since 1855—when oriental laborers came to Hawaii.

This is one reason why we had to write this letter. The majority of the people of Hawaii are learning to become better citizens, because we have the opportunities to become such.

We were all a bit scared to even begin to write this letter. The task seemed too large for our small brains. But after our teacher read parts of J. S. Mill's essay "On Liberty," our duties and obligations were spelled out. We had to have inclinations and not bow to what is customary. We felt the need for our minds to escape the yoke of accepting what is commonly done or has been done for years and therefore regarded as right and truthful.

In today's world too many people are oppressed and unhappy. Many are merely struggling to exist day by day. Let democracy radiate hope for all men.

Let us begin at home. Let us begin with something as fundamental as civil rights. Let us begin to lift all men upward. Let us make real democracy, as P. W. Bridgman writes: "For, of course, the true meaning of a term is to be found by observing what a man does with it, not by what he says about it."

Then truly can we sing; our hearts lifted in pride, our minds unconfused, our voices singing true:

"This is my country
Grandest on earth * * *!"

Thank you for your time.

Sincerely yours,

Karen Yamamoto, Rayna Katekaru, Eloise Motonaga, Beverlyn Nagaue, Carla Mizumoto, Terryl Leong, Rae Shiraki, Elizabeth Hokada, Ruth Kaneshiro, Clesson Kawaski, Ronald Lee, Clyan Ayabe, Tommy Lockhart, Charlotte Sonoda, Jay Komatsu, Dwight Kono, Jo Ann Arakaki, Jocelyn Takaki, Karen Iwamoto, Michelle Imata, Angela In, Heather Rognstad, Lani Joy Niino, Debra Johnstone, Cheryl Ling, Joan Matsuzaki, Leslie Ogawa, Dennis Hara, Roger Kuwahara, Rodney Leong, Brian Lee, Mrs. Winifred Chang Young, Mark Rognstad, Carlton Shiraki, Dale Oda, Stephen Nishimoto, Bonnie Katayama, Jane Miyake, Aileen Komagome, Nori Kiyosaki, Eileen Yee, David Cox, James Yano, Michael Nugent, Barbara Liner, Lynette Nishimura, Leslie Harakawa, Allyn Miyashiro, Tina Tsuyemura, Samuel Cox, Amy Kiriu, Howard Walker, Isaac Ishihara, Patricia Shimazu, Danette Kong, Thomas Tomai, Michal Hong, Russel Yamashita, Mason Chung, Oscar Ocopan, Susan Muramoto, Susan Toyama, Wendy Suyetsugu.

## NOBEL PRIZE WINNER CITES SOVIET AND U.S. OVERKILL CAPACITY

**Mr. McGOVERN.** Mr. President, Dr. Linus C. Pauling, the American scientist who has recently been awarded the Nobel Peace Prize for a second time, has authored an article to be released on October 23, which asserts that the United States now has enough nuclear weapons to destroy the Soviet Union 12 times. Dr. Pauling estimates that the Soviets have the capacity to destroy the United States eight times.

In an article for the publication, "The Minority of One," Dr. Pauling estimates that the U.S. nuclear arsenal now totals 240,000 megatons and the Soviet Union nuclear power is equal to 80,000 megatons. He believes that 10,000 megatons would destroy the U.S. population and that the Soviet populace could be wiped out with an attack of 20,000 megatons.

A megaton, which means a million tons, is equal to 50 of the A-bombs which destroyed Hiroshima. The total force of all explosives used in World War II was about 6 megatons, Dr. Pauling estimates.

Mr. President, I ask unanimous consent that a news article appearing in the October 12, 1963, New York Times summarizing Dr. Pauling's article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### PAULING CITES U.S. "OVERKILL" CAPACITY

(By John Sibley)

Dr. Linus C. Pauling, winner of the 1962 Nobel Peace Prize, estimates that the United States has a nuclear weapon stockpile big enough to destroy the Soviet Unions 12 times over.

Russia, Dr. Pauling calculates, has eight times the stockpile needed to wipe out the United States. His estimates, which exceed any officially announced figures, are contained in an article in the November issue of "The Minority of One," to be released October 23.

Dr. Pauling is a sponsor of the monthly publication and a frequent contributor.

Dr. Pauling states that the estimate of the American stockpile was derived from various data, including the amount of uranium feed material flowing into plutonium and uranium 235 plants, the amount of electric power the plants use and the size of the supply of lithium deuteride, with which atomic bombs can be made into hydrogen bombs.

His estimate of Russia's stockpile is based on "the fact that the Soviet Union was about 3 years later in starting and may be assumed to have worked about as intensively in its military activity."

### A 240,000-MEGATON STOCKPILE

The article concludes that the U.S. nuclear arsenal totals 240,000 megatons, and that the Soviet Union's is 80,000 megatons. A megaton is the explosive force of a million tons of TNT.

Citing various Government and private studies, Dr. Pauling states:

"An attack on the United States with 10,000 megatons would lead to the death of essentially all of the American people and to the destruction of the Nation. An attack on the Soviet Union with 20,000 megatons would achieve the same result there."

Thus, he finds, the United States has a "twelvefold degree of overkill capacity" and the Soviet Union has an "eightfold overkill capacity."

By way of contrast, he notes that the total force of all the explosives used in World War II was about six megatons.

"In the days following October 22, 1962, during the Cuba crisis," Dr. Pauling says, "750 bombers were deployed at airfields about the United States on 15-minute alert.

"Events might have developed in such a way that these 750 bombers would have set off for the Soviet Union, with the probability that most of them would have reached their goal.

### A 20-PERCENT ATTRITION

"Even if 20 percent of them were prevented from delivering their weapons, the attack on the Soviet Union by this fraction of the SAC bombers alone would have amounted to 30,000 megatons.

"If the Cuba crisis had not been resolved but had led to nuclear war, our knowledge about the number of SAC bombers and their payload indicates clearly that the bombs exploded over the Soviet Union might well amount to far over 50,000 megatons.

"It would, I think, be optimism of an entirely unjustified sort to assume that the attack on the United States by the Soviet Union would be less than 25,000 megatons, which would achieve the same amount of damage."

"We are forced to the conclusion," Dr. Pauling writes, "that we are doomed to die if the world continues along the path of insanity.

### SEES GREAT CATASTROPHE

"I believe that we can prevent this great catastrophe, that we can meet the challenge of the crisis.

"The time has come when it is essential that an international agreement be made to stop the testing of all nuclear weapons, to be followed by other agreements leading to general and complete disarmament.

"We must abandon the mistaken policy of transferring nuclear weapons to NATO, where they may come under the control of the West Germans.

"Immediate steps should be taken to set up demilitarized zones in the areas of greatest tension, beginning with central Europe."

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## APPROPRIATIONS FOR FOREST HIGHWAYS—RESOLUTION

**Mr. ALLOTT.** Mr. President, the Western Association of State Highway Officials recently met in Denver. Among the business which they transacted was the adoption of a resolution requesting Congress to increase appropriations for forest highways. A copy of this petition was sent to me from the Colorado State Highway Department and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

### RESOLUTION 1

Whereas appropriations for construction of forest highways have not kept pace with the accelerated program for construction of Federal Aid and Interstate Highways, and

Whereas many sections of State highways which are on the forest highway system are seriously below minimum standards for safety and adequate service to traffic, and

Whereas forest highways usually traverse areas where esthetic, recreational, and stream channel values demand special measures in location, design and construction, and

Whereas such measures often require greatly increased costs for road construction: Now, therefore, be it

*Resolved*, That the Western Association of State Highway Officials, in conference assembled in Denver, Colo., September 19, 1963, urgently requests the Congress of the United States to increase annual appropriations for forest highways from the present level of $33 million to $85 million to permit development of the forest highway system at a rate more commensurate with the needs, and to more nearly provide for an equitable Federal share in the cost of these roads.

## FOOD PACKAGING AND BUYERS' RIGHTS

Mr. DOUGLAS. Mr. President, the magazine New City, Man in Metropolis: A Christian Response, published by the Catholic Council on Working Life, recently ran an article entitled "Food Packaging and Buyers' Rights," by Dave Angevine of the Cooperative League of the U.S.A. Mr. Angevine, an expert on consumer affairs serves as a member of the President's Consumer Advisory Council.

His article documents with force and clarity the need for passage of S. 387, the truth in packaging bill now pending before the Senate Judiciary Committee.

This legislation introduced by Senator PHILIP A. HART and others has been favorably reported by the Antitrust and Monopoly Subcommittee after extensive hearings. It has been supported by practically all consumer oriented organizations in the United States and has the support of the President's Consumer Advisory Council.

The bill is an attempt to provide a fair procedure for the establishment of basic ground rules to meet the changing conditions of the marketplace as a result of the prepackaging revolution of the past 20 years. The effect of the bill would be to put the consumer on a more equal footing with the manufacturer in regard to those market basket commodities which the buyer can no longer examine before he buys.

The magazine piece also points out the efforts of co-op stores to help the consumer in his vital task of shopping rationally in the confusion of today's marketplace.

I am proud that one of the leaders in this field is the Hyde Park Co-op, one of the biggest in the United States, which operates the largest food store in Chicago.

Of course, I would like to add that the purposes of the truth in packaging bill are identical to those of the truth in lending bill which I have sponsored—that is, to provide the consumer with the information to make intelligent choices in the marketplace. That is all we ask.

I ask unanimous consent that this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### FOOD PACKAGING AND BUYERS' RIGHTS

(By Dave Angevine)

In a historic message to Congress in 1962, concerning the interests of consumers, President Kennedy enunciated four basic rights that the consumer has when he enters the marketplace—the right to safety, the right to be informed, the right to choose, and the right to be heard.

These rights, or any rights, must of course be enforced if they are to mean anything at all. The rights of the governed, as John Locke described them 200 years ago, were worthless until they were enacted into law—piecemeal, a little at a time—by Parliament. The rights to "life, liberty, and the pursuit of happiness" were only words in the Declaration of Independence. They achieved reality through the Bill of Rights, the laws of Congress, the decisions of the Supreme Court, and the enforcement machinery of the President and his administration.

So with the rights of consumers. Though they are today widely accepted—and widely respected—they are not universally recognized. The President has issued a pithy, unadorned declaration of these rights. Now it remains to clothe them with the substance of law and the reality of enforcement. We may not accomplish this tomorrow, but it is time we began.

The Consumer Advisory Council, set up by the President, has come to grips with legislation designed to promote the kind of packaging and labeling that will offer consumers rational and meaningful choice. It has recommended that the President again urge Congress to enact truth-in-lending proposals. It has also sketched the outlines of a Federal housing program aimed primarily at satisfying the interests of consumers. The Council has asked that cosmetics—as well as food and drugs—be proved safe before they are placed on the market.

One of the important concerns of the Council is in the sale of food. The way food is packaged and labeled befuddles and irritates consumers. Although the Council hasn't, as yet, adopted recommendations in this particular area, the scope of the problem can be easily seen, and the reason for consumer reaction understood.

The tuna industry, for example, seems to have standardized can sizes: 6½ ounce, 9¼ ounce, and 12½ ounce. (I did find two brands in 7-ounce cans.) Yet it's questionable whether this standardization has been in the interest of consumers.

The containers have no easily determined relationship to each other. The big can is not twice as large as the little can. Nor is the medium-sized can half again as large as the small-size or three-fourths as large as the big one.

The result is that it's impossible to tell—without a slide rule or some similarly intricate device—which size can is the best buy. Relying on the logical conclusion that tuna in the medium-sized can costs less per ounce than in the small size and that the large can is the best bargain of all, a customer is in for a surprise.

I recently leveled a slide rule at three brands of tuna fish. Two of the three brands were cheaper in the small cans than in the medium-sized can. In one brand, the large-sized can cost exactly the same per ounce as the small can. No advantage whatsoever for buying the big one.

Such packaging confuses us. We can't easily compare the price of a small can with the price of a larger can because they bear no common relationship to each other. Nor can we easily determine the per-ounce cost of any size can. Who can divide by 6½ or 9¼ or 12½—at least, without a pencil and paper?

Tuna isn't the worst offender among food products, of course. The potato chip packages may also be inspected with some surprising results. Last year in a single supermarket I found 6 brands of potato chips in 15 different sized packages. No two processors used the same sized package. This is confusion compounded. It is irrationality run riot.

In tuna, at least the can sizes were standardized so I could compare the cost of brand A with brand B in the 6½-ounce size. In potato chips, with no standard sized packages, this was impossible.

Is this intentional? Are food processors and manufacturers determined to rob consumers at any rational basis for choice and to stake their success or failure entirely on the irrational, subjective appeals of mass advertising? Are they unwilling to compete on the basis of price and ready to rely entirely on the skill and ingenuity of their television commercials?

Intentional or not, food processors and manufacturers contribute to the vast and growing irrationality in our society. No longer are we expected to have cogent, logical, satisfactory reasons for our choice. We are expected to select tuna fish, potato chips, detergents, autos, bed sheets, "just because."

As a consumer, I resent being hoodwinked, bamboozled, and confused. I resent having to carry a slide rule to the supermarket. I'm usually too tired or too busy to engage in mathematical puzzles as I select each item and drop it into my shopping cart. I don't expect anyone to lead me by the hand and select the "best buys" for me. Indeed, I'd resent that. But I do insist that it should be easier for me to compare the unit costs of competing brands of food and the unit costs of different sized packages under the same brand.

Perhaps it's necessary, to protect consumers' rights, for food and soap manufacturers to be compelled by law to pack their products in standard sized containers that have some proportional relationship to each other. In the last several centuries the English-speaking people have standardized the pound, the quart, the cup, the ounce, the gallon, the pint. Let's use them. Let's have done with 6¼ ounce, 15½ ounce, 1 pound 3½ ounce, and so forth.

And while we're at it, let's reestablish such meaningful package designations as small, medium, large, and extra large and bar such gibberish as "laundry size," "family size," "jumbo size," "king size," "full half quart," and so forth.

A Senate subcommittee, headed by Senator PHILIP A. HART, Democrat, of Michigan, has spent 2 years uncovering deceptive, misleading, and irrational packaging and devising ways to help consumers make meaningful choices. It has been a gigantic effort. In brief, the legislation Senator HART has introduced (S. 397) gives Federal agencies the responsibility for establishing weights or quantities in which goods are offered for retail sale. It gives these agencies authority to prevent the sale of commodities in packages whose shape may deceive consumers. And it gives them power to establish meaningful package designations.

This would be a great step forward. But it is only the first step. Government alone can't do the whole job of offering consumers rational choices in the marketplace. Another means is through thoroughgoing consumer organization. I'm speaking of consumer-owned co-op shopping centers. In the United States at the end of 1961 consumers owned 46 such centers, each with annual sales of $1 million or more. One of the largest of these is the Hyde Park Co-op, 7 miles south of the Loop, which operates the largest food store in Chicago. Together their sales were $94 million. Five more million-dollar co-op shopping centers were opened last year.

The customers own these co-op shopping centers, and through them they buy the food, drugs, hardware, clothing, and household supplies they want and need. These shopping centers serve many purposes. Because they own the store, consumers have the kind of a store they want. They can hire a home economist to advise them on meal planning, cooking various cuts of meat, and so forth. Through such a center, consumers can have a credit union. They can use the co-op as a nucleus to meet still other needs, such as housing, insurance, health care, recreation, a youth center, culture.

Twenty years ago these co-ops pioneered informative grade labeling for canned fruits and vegetables. Today I think they can work together to see that food and household supplies are packaged and labeled so as to give consumers a rational choice. They haven't done so yet. They may not be powerful enough yet to insist that food processors pack co-op label products in standard-size packages. But the time may not be far off when they can.

Certainly one reason my wife and I buy at co-op food stores is not so much to get the 1-percent or 2-percent or 3-percent refund on what we spend there, but to marshal the purhasing power of enough consumers so we'll have the market power to devise the packages that will offer consumers an informed, rational choice whenever we step into the marketplace.

## HAL KRAUSE

Mr. SIMPSON. Mr. President, a sage editorial writer once penned a reply to the plaintive lament of the teenager and part-time adult who asks nonsensically: "Oh, what am I going to do with my time?"

The writer's reply in summation was: "Get a job."

The Washington Daily News of October 14 carries a story by Rice Odell concerning a former University of Wyoming student who not only "got a job," held it, and excelled in it, but who also left that job to again become a student.

This amazing young man is Hal Krause, formerly of Wyoming, and now living in Washington where he is attending George Washington University Law School.

Reporter Odell asked Mr. Krause how he could leave his $35,000-a-year executive position to return to school. His reply:

> Money is always a temptation. I had a tough decision to make. Even several lawyers I know advised against going into law. But until I tried it, I felt I'd never be satisfied, or I'd never know if I was doing the right thing * * * if I didn't go to school.

Krause adds a comment on dropouts to his dialog with the reporter. He notes that many dropouts who leave school because of money are security conscious rather than opportunity conscious.

Mr. President, I would like to call the newspaper account of Wyoming's Hal Krause to my colleagues' attention, and I ask unanimous consent that it be published in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Any Work Has the Dignity We Give It

(By Rice Odell)

Twenty-three-year-old Hal Krause is the antithesis of a dropout.

Unlike the thousands who quit their classes just to pick up a little pocket money, he has left a job paying him more than $35,000 a year just to go back to school.

The center of this remarkable switch is George Washington University Law School. Mr. Krause said he has wanted to attend it since boyhood.

#### PART TIME

The job which he left to do this—or almost left, since he still keeps a hand in part time—was with Future Homes, Inc., of Shawnee Mission, Kans. The company sells tableware, china, crystal, and cooking ware, mostly to single girls preparing for future homes.

Mr. Krause, who now lives at 1425 N Street NW., has always put school first. After his freshman year at Wyoming University, he needed money to return. He said he got a construction job in the Big Horn Mountains that summer and spent 47 nights in a sleeping bag while he saved enough.

While at Wyoming, he got a part-time salesman's job with Future Homes, in June of 1960. He eventually became area manager of a three-State territory. He not only sold, but hired other salesmen—including a number of his fraternity brothers—and trained them in seminars and positive thinking talks, as he calls them.

These he spiced with sales pitches put to rhyme and illustrative definitions, such as, "An optimist is a man who, when he has holes in his shoes, just thinks he's back on his feet."

Mr. Krause said that when he was a senior he traveled 60,000 miles on his job, mostly on weekends. How could he leave such a salary?

"Money is always a temptation," he said. "I had a tough decision to make. Even several lawyers I know advised against going into law. But until I tried it I felt I'd never be satisfied, or I'd never know if I was doing the right thing. I thought I'd be tempting fate if I didn't go to the school."

Of course he hasn't burned all his bridges because he still has a tie with his company and could change his mind.

He said the many dropouts who leave school because of money are security conscious rather than opportunity conscious.

"I really do like selling, though," he said. "As a matter of fact, I love it. I think selling is the last American frontier as far as the American dream is concerned. It's the only place to go out and make money without having money tied up in it.

"Door-to-door * * * I never did like that word. I prefer people-to-people. So many people have told me this work is not dignified. But any work has the dignity that we give it."

## THE RIGHT TO BAIL

Mr. ERVIN. Mr. President, one of the most important procedural rights in the administration of criminal justice is the right to bail, a right guaranteed by the eighth amendment, assuring that an accused person need not remain in confinement while he is awaiting trial. Pretrial liberty enables the defendant to better prepare his defense. He can assist in tracking down witnesses, and can continue earning money with which to pay counsel and support his family. Equally important, pretrial liberty is justified by the concept that a man is innocent until proven guilty and therefore should not be punished until he has been tried and convicted.

Despite the constitutional prohibition against requirements of excessive bail in Federal trials, there are many defendants who are unable to post the requisite bond. Most of these are indigent, lacking the funds for any bond, no matter how reasonable.

In order to minimize the possibilities of economic discrimination resulting from inability of indigent defendants to post bond and retain their freedom prior to trial, a number of projects have been underway to develop alternatives to monetary bail—alternatives that would insure the presence of the defendant, and would be available to the indigent defendant as well as to the wealthy defendant. For example, the Vera Foundation has sponsored extensive research into bail problems in New York State and has in conjunction with certain New York courts, experimented with the utilization of personal recognizance bonds instead of monetary bail. The University of Pennsylvania Law Review has made a study of the bail problem; and the Attorney General's Committee on Poverty and Administration of Criminal Justice devoted a chapter to a discussion of problems in bail.

And only recently, the Ford Foundation announced a grant of $195,000 for a project in the District of Columbia which envisages liberalizing the conditions under which a defendant can remain at liberty prior to trial when there is no substantial risk of flight or nonappearance at trial.

Mr. President, in view of the importance of this project in pointing the way toward a fairer and more efficient administration of criminal justice, I ask unanimous consent to have printed at this point in the Record an article and an editorial from the September 29 issue of the Washington Post relating to the bail project in the District of Columbia.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

### Indigent No-Bail Plan Gets Grant—$195,000 Given To Aid Selected Felony Suspects

(By Jack Landau)

The trustees of the Ford Foundation have voted a $195,000 grant to establish the District's pilot program to release without bail selected felony defendants.

The 3-year program will be administered by Georgetown University and supervised by the Judicical Conference under the leadership of Judge John A. Danaher of the U.S. court of appeals. It plans to free on their own recognizance defendants whose community and character references reasonably assure that they will appear for their trials.

The plan, if successful, will eliminate the current inability of a poor defendant to obtain his freedom on an equal basis with a defendant who is able to purchase a bail bond.

In addition, part of the money will be used to bring in observers from the other nine judicial districts in the hope that they will carry the experiment back to their own areas.

#### ADDITIONAL $150,000

A spokesman for the foundation also said an additional $150,000 grant had been given to Georgetown for its graduate student legal intern program on a 2-year basis.

A spokesman for Georgetown University thanked the foundation for the grant and said it will enhance the university's position as a national center for the study and development of criminal law.

The legal intern program was established in 1960. So far, Georgetown has received $160,000 from an anonymous donor to give scholarships to six interns a year. The Ford grant, the spokesman said, will expand the program to 11 interns.

The bail program was approved by the Judicial Conference at its annual meeting in May based on an extensive report by the junior bar section of the District Bar Association.

The junior bar report pointed out that about two-thirds of the approximately 1,300 indicted persons a year are not able to obtain their pretrial freedom from jail because they cannot raise necessary bond.

Bond premiums in the District are regulated by law. They are $8 per $100 for the first $1,000 and $5 per $100 for the remainder. Almost no accused felons are given less than $1,000 bond and many bonds range as high as $5,000.

### ALL DEFENDANTS

The plan as approved by the Judicial Conference will consider freeing all criminal defendants regardless of their financial condition and of the crime for which they are indicted.

The money will be used to hire a staff of seven investigators, a staff director, and a secretary.

The staff will investigate fully the background of the defendant including his family life; his employment record; character references; past criminal record; and all activities which would establish firm ties with the District.

This method was originally developed by the Manhattan bail project in New York which also frees selected defendants without bail.

The Manhattan bail project reported recently that out of 250 freed defendants, 3 jumped.

The plan is expected to begin operations here later this fall. There also are similar experiments being conducted in Connecticut and Michigan.

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### RELEASE WITHOUT BAIL

The bail-waiver project for which the Ford Foundation has granted $195,000 holds out hope for a great improvement in the machinery of justice here. The requirement of bail bonds of all accused persons who cannot put up funds of their own to guarantee their appearance in court on the day fixed for their trial has traditionally imposed an acute hardship upon the poor. About two-thirds of those indicted on criminal charges in the District are unable to provide bail.

The simple meaning of these facts is that the poor are jailed to await trial while those with means buy their freedom. It is an especially rankling injustice because the accused may be exonerated after having been incarcerated for a few weeks or a few months. And the fact that he is locked up makes it extremely difficult for him to prepare for an adequate defense.

Experience has shown, moreover, that a large percentage of accused persons can be released on their own recognizance, after careful investigation of their employment, criminal records, family and community ties, without any appreciable danger of their disappearance. In the local pilot project most of the funds will be used to hire a staff of investigators who will select the defendants qualified for release without bail. Obviously freedom could not be granted to all accused persons indiscriminately without regard to their background, the nature of the crime, and so forth.

Great care will be needed to establish the project on a sound professional basis. Fortunately it will function under the watchful eye of the Judicial Conference and with the full sympathy and support of that body. If an honor system here can be shown to be almost as effective as bail bonds in assuring the appearance of carefully selected defendants in court, one of the most troublesome defects in our judicial system will be well on the way to correction.

**Mr. ERVIN.** Mr. President, quite probably the research on problems connected with bail will induce executive and legislative action. Indeed, the Attorney General has already instructed the U.S. attorneys to dispense with bond and accept the defendant on his recognizance in situations where it is clear there is no likelihood the defendant will fail to appear for trial. The American Law Institute Model Penal Code contains a bail-jumping section, which may provide a model for future laws at both the Federal and State levels. On October 4, Justice Brennan and 10 other Court and law enforcement officers met at the Department of Justice with Attorney General Kennedy to plan a National Conference on Bail and Criminal Justice to be cosponsored next spring by the Justice Department and the Vera Foundation. The Subcommittee on Constitutional Rights, of which I am chairman, has for some time been studying the problem of bail in order to determine if remedial legislation is indicated. The subcommittee is watching this recent development with great interest.

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## FEDERAL PARTICIPATION WITH INDUSTRY IN DEVELOPMENT OF SUPERSONIC AIRCRAFT

**Mr. COTTON.** Mr. President, two of this country's leading airlines, Trans World and Pan American, have given their financial support to American development of a supersonic transport.

On October 14, Charles C. Tillinghast, Jr., president of TWA, committed $600,000 to the Federal Aviation Agency for delivery of the first and thereafter every second supersonic transport up to a total of six. In announcing his company's action, Mr. Tillinghast said:

> We see many benefits accruing from this program in such matters as U.S. prestige, our continuing problem with the balance of payments, and further development of our outstanding airframe and engine design skills.

On October 15, Pan American World Airways deposited with the FAA a check in the amount of $1,500,000 for preferred delivery of 15 of the supersonic transports built by American industry.

This type of support for American industry and labor may help this Congress in one of the most important decisions it will have to make regarding the future of aviation in this Nation: whether or not to permit the Federal Government to participate with industry in development of the supersonic aircraft.

The Aviation Subcommittee started hearings on this very question this morning. I was pleased to note that FAA Administrator Najeeb Halaby praised the imagination and initiative of TWA in coming forth with its offer, and that he complimented both airlines on their expression of confidence in American industry. Needless to say, I fully share his view.

I would urge my colleagues to acquaint themselves with this proposed program and in doing so, remember that two of America's top airlines, TWA and Pan Am, have committed themselves to maintaining our leadership in the field of aviation.

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## INTERNATIONAL BALANCE-OF-PAYMENTS DEFICIT

**Mr. CANNON.** Mr. President, Americans everywhere have joined Members of Congress and officials of the executive branch in noting with alarm the continuing balance-of-payments problem of this Nation. The U.S. international balance-of-payments deficit was nearly $4 billion in 1960. Last year the deficit was reduced to about $2.2 billion but present indications are that the imbalance will soar again this year.

These facts will make all the more significant the announcements by two American airlines Monday that they would purchase a total of 21 American-made supersonic passenger airplanes. Trans World Airlines deposited $600,000 with the Federal Aviation Agency as the initial payment for the 1st, 3d, 5th, 7th, 9th, and 11th American-designed and manufactured aircraft. Later Monday, Pan American World Airways deposited $1,500,000 for 15 supersonic planes.

The announcements by these two airlines, made despite the possibility that a foreign consortium may have a supersonic transport plane available before an American-manufactured craft is on the commercial market, will have an invigorating effect on this Nation's long-delayed program to develop a supersonic passenger airliner.

Because of the tremendous cost of developing such a craft, enthusiastic support by the U.S. airline operators as well as the air transport industry of the world is vital if the proposed U.S. supersonic passenger plane project is to succeed. The support of Trans World Airlines and Pan American World Airways were made quite clear yesterday.

If all multimillion-dollar supersonic planes were purchased in the foreign market, such purchases would only add to our already critical balance-of-payments problem.

It is for this reason—and to meet the challenge of aggressive aviation interests in Europe—that it is essential that we move ahead in considering the support which the public, aircraft builders, and airline operators are willing to give to an accelerated supersonic commercial transport program.

It is expected that the Anglo-French Concorde will make its first test flight within the next 3 years. Many believe the Concorde will be delivered to customers between 1968 and 1970.

The Senate Aviation Subcommittee commenced hearings today on the subject of development of a commercial supersonic aircraft. I have no doubt that the committee will fully consider the commitments made Monday by Trans World Airlines and Pan American World Airways and the demands and interest of the industry and public, as it hears from Government officials, aircraft manufacturers, and airline operators to ascertain the support which could be expected for an expanded supersonic transport development program.

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## U.S. TRAVEL SERVICE

Mr. McGEE. Mr. President, not long ago I called to the attention of the Senate the wonderful job being done for this country by the U.S. Travel Service and its energetic Director, Mr. Voit Gilmore.

The fact that there has been a twofold expansion of foreign visitors to our country between 1961 and 1963 is ample evidence of the effectiveness of the Travel Service operation. I need not explain just why this tourist expansion is welcomed in States such as Wyoming or why the millions of dollars these visitors spend here are so valuable in decreasing the balance-of-payments problem, the facts speak for themselves.

Mr. President, on September 27 the Travel Trade Gazette, a publication of the British tourist industry, carried a very informative article on the U.S. Travel Service. I ask unanimous consent that this article be printed in the RECORD. I would add that I am very sorry that the photograph that accompanied this article of the Grand Teton Mountains of Wyoming cannot be included also.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### SELLING THE IDEA OF VISIT U.S.A.—U.S. CHEAP-TRAVEL SCHEMES MAY HELP DESTROY THE COST IMAGE

(By Reg Butler)

Just over 2 years ago, the U.S. Travel Service was set up as a branch of the Department of Commerce. It was the first venture of the U.S. Government into the field of travel promotion. Basically, the decision was forced by the U.S. Treasury's concern at the depletion in dollar reserves, caused partly by the huge growth in the overseas tourism of average-income Americans.

The problem was tackled from both sides. An attempt was made to curb the outward flow of dollars by urging Americans to See U.S.A. First; while those who ignored this recommendation had their buying sprees indirectly pruned by a reduction in the duty-free allowance from $500 down to $100.

The assignment of the U.S. Travel Service was to create a return flow of travel dollars by promoting business and pleasure travel from overseas.

A number of USTS offices were established—in London, Frankfurt, Paris, and Rome to cover Europe; in São Paulo, Bogotá, and Mexico City for South and Central America; and in Tokyo and Sydney for Australasia.

Operating on an annual budget of $3 million, and a total worldwide staff of 69 people, the USTS launched its publicity program: telling the world that the United States was at last actively in the tourist business.

Today, what are the tangible results?

Comparing visitors from overseas in the first 6 months of each year, 1963 is 26 percent up on 1962. And January–June 1962, was itself 49 percent up on the same period of 1961, which immediately preceded the beginning of the USTS operation.

Visitor totals for the respective three half-years are:

| | |
|---|---|
| January–June 1961 | 177,000 |
| January–June 1962 | 263,000 |
| January–June 1963 | 331,000 |

By any standards, a two-fold expansion in 2 years is a remarkable achievement.

Tourists enter the United States by three main gateways.

Almost one-half of the total oversea traffic comes from Europe, with New York as the most obvious first stop. South American tourists show a preference for entering via New Orleans.

And visitors from the Pacific—mainly from Japan, Australia, New Zealand and Hong Kong—find San Francisco the most logical gateway.

The main streams of tourists spread out from these favorite gateway cities.

#### BENEFIT

The Northeastern States benefit from tourists who venture outward from New York City—reaching south to Washington and possibly Virginia, and northeast to Niagara Falls.

From San Francisco, the great national parks of Yosemite and Grand Canyon get their share of oversea tourists, with Los Angeles and Las Vegas as obvious staging points.

But in between these principal tourist areas are vast regions where a foreign visitor is an extremely rare animal.

Like most Government organizations in a free-speech country, the USTS comes under plentiful criticism.

Looking with jealous eyes at the growing stream of Europeans on the New York-Philadelphia-Washington-Niagara circuit, politicians in off-trail States demand why the USTS is doing nothing to bring tourists into what is invariably "the most beautiful State in the Union."

This makes good headlines in local, city newspapers; and voters feel suitably reassured that their representatives in Congress are standing up for their interests.

But it doesn't really help sell travel to potential oversea visitors.

#### PRESSURES

However, the USTS has reacted to these local pressures by stressing in its publicity that every State has something to offer.

This is obviously true—just as every county in Britain has tourist attractions galore. But the place names that sell an oversea agent's program still remain the tried and tested London, Windsor, Oxford, and Shakespeare country.

During my travels in North America, I found a thriving holiday industry in regions which are rarely seen in tour brochures.

Inside the United States, the restless, motor age American public supports flourishing lake, mountain, and riverside resorts which see only an occasional foreign visitor from one year to another.

In the mountains of Colorado, for example, west of Denver, I toured in a friend's car through some of the national parks of the Rockies.

#### HIGHWAYS

Superb four-lane mountain highways enabled us to cruise effortlessly at 70 miles per hour, 10,000 feet above sea level. Here and there were groups of motels, fishing resorts, camping sites and trailer parks.

In between there was mile after mile of untamed scenery, with peaceful lakes, beaver dams across mountain trout streams, and, occasionally, the fascination of ghostmining townships.

This is a typical holiday setting for millions of Americans. What their country lacks in the historic attractions of a deep-rooted past, is compensated by the sheer beauty and grandeur of natural resources.

Despite population growth, and a characterless sprawl of suburbia, America is still the land of immensely wide open spaces—difficult for a European to imagine until he has experienced them firsthand.

Even during midsummer months, the scenic highways offer joyous, uncluttered motoring in cars laden with luggage or camping equipment, or hauling boats or caravans.

#### CAREFREE

This is the carefree exploration of America that critics have in mind when they puzzle at the scarcity of Europeans outside the standard New York-Washington-Niagara circuit.

However, from the viewpoint of practical selling of transatlantic travel, the two basic assumptions remain true:

For the average 3-week holidaymaker New York is the biggest single attraction; and

Within the practical limits of time and money, the standard itineraries of the northeastern corner of the United States give a reasonable sample of the other America that lies beyond Manhattan Island.

Hammering away with publicity at the best known place names has always been a sound recipe for countries that are expanding into tourism.

Boosting of lesser known regions comes later, when the tourist load becomes an embarrassment.

In general, it's only the longer stay visitor, and the second- or third-time tourist, who seeks out the more obscure areas.

#### *£35-a-week travel really is feasible*

The first-time American visitor to Europe is sold on Italy, for example, by the pulling-power of Venice-Florence-Rome, and not by the offtrail delight of some remote dolomite hamlet.

The latest "Visit-U.S.A." offer—15 days of unlimited air travel over the routes of a dozen domestic American airlines for $100—opens up more ambitious possibilities for the short-time holidaymaker.

#### PRACTICAL

Using the 21-day transatlantic excursion fare, it becomes practical and economic to visit Florida, the Deep South, the Indian pueblos of New Mexico, Grand Canyon, California.

In fact, a client seeking an interlude of winter warmth can reach the sunshine areas of the United States for less total cost than the regular fare to New York alone.

This is the kind of practical selling point that has already doubled tourism to the United States in 2 years.

But apart from the fare, the biggest hurdle to transatlantic tourism is the uncertainty in European minds about what holiday costs are really like in America.

Years of Hollywood movies devoted to the glossiest, penthouse-style living have built an impression of America as a land of fabulous, but very expensive, luxury living.

Even the comfortably off professional man, or the owner of a medium-sized business, has the built-in impression that U.S. travel is way outside his price range.

This mental barrier was attacked right from the start of the USTS operation with the famous "See America on $100 a week" campaign.

#### CONTROVERSY

The campaign aroused great controversy, but helped demonstrate that the United States is not really so expensive as people had imagined.

My own verdict, after 9 weeks of traveling throughout North America, is that travel on a budget of that size is quite feasible. It involves no more pinchpenny belt tightening than in traveling around Europe on, say, £25 a week.

The basic costs of tourism—hotel accommodation, meals, transport, and sightseeing—do not vary much from region to region.

For an equivalent meal I paid about the same whether I was in New York, Oklahoma, or Seattle. Even hotel prices vary little for comparable standards of accommodation.

Certainly there is nothing like the major price differential between, for example, the French Riviera and the Costa Brava.

The "Visit-U.S.A." plans are playing a major part in overcoming the cost barrier, while the USTS and the major carriers are weighing in with massive publicity.

The final link in the chain of selling transatlantic tourism is the travel agent, who can have hotel, transport, and sightseeing tariffs at his fingertips, and a wide variety of tour packages to offer.

With these he can quote firm pound-shilling-pence prices that will convince clients that a visit to the United States is a practical proposition, and not an idle daydream.

## NUCLEAR SPACE PROPULSION PROJECTS

Mr. TOWER. Mr. President, I note from recent news stories that several U.S. nuclear space propulsion projects have been shelved because of the test ban treaty.

I recall that in my remarks about the treaty on September 20 I noted that the treaty would limit learning by causing us to drop experimentation aimed at acquisition of advanced knowledge. Now that has happened. We have frozen experimentation and thus frozen American levels of knowledge.

And all this in the face of assurance from space experts that travel beyond the moon will be impossible without nuclear space engines.

Mr. President, progress through experimentation is one of the pillars upon which our civilization rests; one of the things that has made America great and Americans free. Disparity of knowledge today—in any field—means a disparity of power tomorrow. Goodness without power is impotent.

I ask unanimous consent that an article from the Associated Press concerning shelving of the Orion project be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### ORION PROJECT SHELVED AS TEST PACT CASUALTY

ALBUQUERQUE, N. MEX., October 1.—Top experts in the Nation's nuclear and space programs have indicated that several U.S. nuclear propulsion projects will be shelved because of the test ban treaty.

Among them are Project Orion and Project Pluto, both of which would contaminate the earth's atmosphere with fissionable material.

The experts are in Albuquerque at a 4-day meeting of some 300 Government and industry scientists and engineers to discuss the nuclear safety program in space.

F. C. Diluzio, staff director of the Senate Space Committee, said Orion, conceived in 1957 by a Los Alamos scientist, Dr. Stanislaw Ulam, had been shelved. The project called for lifting a platform into space by means of a series of atomic bomb explosions.

Neither Mr. Diluzio nor others who held a press conference yesterday would comment on future prospects on the project. Mr. Diluzio said language of the test ban treaty would be interpreted for a long time to come.

Presumably Pluto is being held in abeyance for the same reason.

Pluto would use a nuclear reactor to propel a missile at supersonic speeds through lower altitudes of the earth's atmosphere. The reactor would gulp air, heat it to great intensity and then use it to push the rocket.

Another nuclear propulsion program, Project Rover, also a Los Alamos endeavor, was given a new target date by the group.

Dr. F. K. Pittman, Director of the Atomic Energy Commission's reactor development division, said Rover, propelled by a nuclear reactor, probably would fly in the late 1960's or early 1970's.

Like Pluto, Rover uses a nuclear reactor engine, but the reactor heats gases, rather than air and uses them as a jet.

Dr. Pittman said "conventional fuels and rockets will be used for the moon-landing, but we are going to need nuclear power to go into space."

## FEDERAL CONTROL OF EDUCATION

Mr. TOWER. Mr. President, there are many in this Nation who fear that Federal control of education might be a sudden Government grab. Quite the contrary, it is creeping Federal control of education that is the real threat.

I commend to the attention of the Senate an editorial from the Wall Street Journal edition of October 4, 1963, entitled "Illusion of Independence," in which creeping Federal control is neatly pinioned.

I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### ILLUSION OF INDEPENDENCE

The words "Federal control of education" are likely to suggest a sudden and overt Government grab. Since no such action is now clearly visible and any such intent is strongly denied by the Government, some people are tempted to argue that it cannot or will not occur.

In fact, control of education is steadily advancing, although more gradually and subtly than the bald words indicate. One of its less obvious forms is distortion, a bending of academic curriculums to the purposes of Government whether or not those are in the best interests of education.

The Government, for example, has tremendously increased its expenditures on academic research over the years. In the eyes of one expert, Dr. Max Tishler, president of Merck Sharp & Dohme Research Laboratories, the result is an imbalance between teaching and research, between basic and applied research, and between science and the humanities. Also, the quality of the best educational institutions, which get the most Federal funds, tends to rise at the expense of the spreading mediocrity of the rest.

More significantly, they are all becoming financially dependent on the Government, notwithstanding their determination to remain independent. How can they realistically expect to disentangle themselves from that evertightening Federal embrace?

Certainly this dependency has not come all of a sudden, and its development in many instances has been accepted or tolerated on the ground that the Government, by financing research, has been furthering the national interest. But, says Dr. Tishler, "the national interest will be best served if we keep continuously in mind that the direction of science never has been and never will be as important as its freedom."

Dependency is the antithesis of freedom, in education, or anything else, and control is control, whether immediate or gradual. Indeed, the slow and subtle form may be the more insidious because it can permit, until too late, the illusion of independence.

## TRAVEL ACTIVITIES OF CABINET MEMBERS

Mr. TOWER. Mr. President, it has been said that travel broadens. If this is true, we have one of the broadest Cabinets in history, despite the fact that its members represent a very narrow political spectrum in this country.

A report on the travels of the present Cabinet has appeared in several newspapers across the Nation, written by reporter James V. Mathis, of the Advance News Service. It is interesting and informative reading. In order that more of our people may be able to learn of the travel habits of this administration, I ask unanimous consent to place the article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### TRAVELING CABINET

(By James V. Mathis)

WASHINGTON.—One day last week all but 2 of President Kennedy's 10-man official Cabinet were in the city. Not a single one was on foreign soil.

Anthony J. Celebrezze, Secretary of Health, Education, and Welfare, was in nearby Warrenton, Va., attending a conference on mental retardation.

Orville L. Freeman, Secretary of Agriculture, was in Utah, lunching in Salt Lake City and later that day visiting a national forest area.

Stewart L. Udall, Secretary of the Interior, had arrived home the night before at 10:30 after 14 days in East Africa, and was a little late getting down to the office.

The remainder of the Cabinet figuratively had their hands clasped tightly upon the helm of the good old ship of state—from their desk seats.

The homebody look that particular day was unusual. If you review the travel records of the Cabinet members for the last 2 years and 8 months, you find they are travel-tattered wayfarers, for sure.

By their own count, advanced reluctantly by press officers, the 10 Cabinet members have made 74 trips abroad in 32 months.

By an official count, based upon dates available from the press officers' lists, 9 of the 10 Cabinet members have been away from their desks traveling abroad a total of 380 days. Secretary of State Dean Rusk is not in that estimate—his office doesn't give the total number of days he's away.

Had you made the office-by-office check a week earlier, Udall would have been climbing Mount Kilimanjaro and Luther Hodges, Secretary of Commerce, would have been either in Israel, Greece, Yugoslavia, Italy, or somewhere in the course of a 2-week trip that ended September 14.

A couple of weeks earlier, Freeman would have been recovering from the rigors of a 30-day tour of Russia and other Iron Curtain countries; W. Willard Wirtz would have been in Canada conferring with his counterpart on labor difficulties.

Just prior to that, Defense Secretary Robert S. McNamara had been in Germany and Celebrezze, who never draws the good ones, would have been in hot old Cotonou, the capital of Dahomey in Africa, or dropping by Rome for a few days on his way home.

Every member of the Cabinet, except Attorney General Robert F. Kennedy, has been abroad in 1963. The only other territory the Attorney General has been in this year is down South.

Three members of the Cabinet—Robert Kennedy, Freeman, and Hodges—have all made around-the-world-in-30-days-or-so trips.

Rusk hasn't had the time nor the pleasure for a tour, although he's far and away the most traveled because of his duties. His office reports a total of 21 trips abroad in the last year. He traveled 63,383 miles. His mileage could easily be doubled for the entire 32 months.

Rusk and McNamara, however, take fast, brief business jaunts. McNamara will fly all the way to Athens, Greece, as he did once for a NATO gathering, spend 2 days and rush home.

The traveling habits of the other Secretaries, whose duties are more attuned to domestic issues, do not display any hurry-up attitudes. Hodges, for instance, took 10 days to represent the United States at independence ceremonies for Upper Volta, one of the new African nations.

Celebrezze took 10 days also representing the United States at the Dahomey celebration. But Celebrezze, who doesn't look upon such trips as a vacation—he's turned others down—went to Dahomey in August and flew back by way of his native Italy. And he used an old prop plane. Rusk and McNamara rate four-engine jets.

Hodges has been traveling abroad 85 days in the 32 months. Much of his time came while opening tourist offices abroad, or attending trade exhibitions. He's made 12 trips.

Freeman stretched 6 trips into 78 days. From October 8 to November 12, 1961, the Secretary was away on a complicated back-and-forth tour that took him around the world via Iran, Pakistan and other Near East nations, to Japan and back via Italy, Germany and France. The prop motor plane had engines conk out twice. Then Freeman was away a month this summer—July 13 to August 13—in the Soviet Union and its satellites. The Secretary drew criticism in Congress for this jaunt. Members of the House noted that important farm legislation was pending while Freeman was traveling.

There are several theories in Washington about why the Cabinet members travel so much. One is that they serve as good will ambassadors and pick up valuable knowledge—although no one has ever explained what Udall found on Mount Kilimanjaro. Secondly, there are those who say the more the Secretaries are overseas, the less trouble they can get into at home.

Finally, there's the argument advanced that under President Kennedy, Cabinet members have little influence and little to do. About the only thing they get out of their jobs is travel.

President Kennedy, then, could use the old Navy slogan in recruiting—Join the Cabinet and see the world.

## YOU GROW IN SPIRIT AND BODY IN ALASKA

Mr. BARTLETT. Mr. President, Senators have often heard me talk about Alaska's growth potential, greater than that of any other State. In the years to come our untapped mineral resources, our location almost equidistant by air from Europe, the Orient, and the lower 48, and our people will produce growth rate unequaled.

Already this growth has begun. This can be seen perhaps most clearly in a recent article in the October 3, 1963, Anchorage Daily News, titled "He's Still Growing." Paul Barton knows what Alaska does to people—they grow in spirit and body.

I ask unanimous consent that the article may be made a part of the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### He's Still Growing

Paul Barton has always been something of a problem child but this time he has overdone it.

He left his home in Gardena, Calif., as a mere lad—18 years old, 6 feet 6 inches tall and 209 pounds—joined the Air Force and set off for the adventure of faraway places.

It was the beginning of a sort of, well, trying period for the Air Force.

Air Force life seemed to agree with Paul right from the start, because through the first year of his service with basic training at Lackland Air Force Base, Tex., followed by technical training at Keesler Air Force Base, Miss., he went up an inch to 6 feet 7 inches, and put on approximately 36 more pounds for a total of about 245.

This was his status when he finished A.C. & W. maintenance school at Keesler, becoming a heavy ground radar repairman, and was assigned to the Alaskan Air Command in August 1962 for remote site duty at Cape Newenham.

Already entering the realm of special, custom-made clothing and other wearing apparel with his size 17 socks, 17½-wide shoes, oversize fatigues when he departed for site duty, Paul really put a strain on Air Force supply resources upon his recent return.

The bracing combination of mountain and sea air at Cape Newenham, plus plenty of stimulating exercise—in the form of hiking and mountain climbing—with liberal doses of good healthy Air Force site chow added, totaled up to another inch in height—shooting him up to six-eight and about 50 pounds more of good solid, well-placed weight putting him at nearly 295 for the present.

Since site duty rarely calls for class A uniform—either winter blues or summer khakis—the only replacement factors concerning Paul were fatigues and his huge socks. These he managed without too much trouble by dint of a little long-range ordering.

However, upon his return for normal rotation to the "lower 48," he found a whole new set of problems facing him. During his year's tenure at the site, he had either outgrown, or worn out all of his standard issue and nothing in the Air Force stock was available to him.

Mr. BARTLETT. Mr. President, in the course of his 2 years growth cycle he had outgrown all of the maximum standard sizes the Air Force had to offer with the exception of T-shirts, shorts, neckties, belt and cap. Elmendorf, the main supply depot for the Far North, tried on the largest blouse offered in Air Force standard stock issue, a size 50 long. It failed miserably—being some 4 inches too short in overall length, 2 inches short in the sleeves and almost impossible to button.

Shirtwise, the Paul Bunyanesque airman had expanded to size 17—38, with the largest standard stock size being 17—37, while his trousers have stretched out to 42—37. Shoe and sox sizes have remained constant, but were already in the custom bracket.

This means that Air Force uniform suppliers will have to fabricate a whole new king-sized wardrobe for the giant airman. This will take approximately 30 days. Shoes are an even greater special problem as only one supplier in the United States makes them in his bracket and it takes about 60 days from order, through manufacture to delivery.

As the only remaining clothing items which Airman Barton had left to wear were a set of fatigues and a pair of tennis shoes, and military regulations require that military personnel traveling in official status must be in uniform, special permission had to be obtained from the Military Air Transport Service for him to travel aboard their aircraft in civilian clothes.

He departed last week for leave at his home in Gardena where he will await the delivery of his special new military wardrobe at March Air Force Base, before reporting to his new duty assignment at Richmond, Ky.

Asked, prior to his departure whether they all came that big in his family, the good-natured airman replied:

> Well, dad (Herman O. Barton—a postman in Gardena) comes pretty close at 6-3 and mom is fairly tall, but my two kid brothers and sisters are what you would call normal in height. I guess I'm biggest for some reason.

## FISHING VESSEL CONSTRUCTION

Mr. BARTLETT. Mr. President, 2 weeks ago today the Senate passed S. 1006, a bill to provide subsidies for new construction and to update the American fishing fleet for competition in today's highly technical fishing industry. I have here an editorial which appeared in the St. Louis Post Dispatch for October 8 of this year, which clearly and concisely states the need for this legislation and calls for early favorable action by the other body of Congress, and shows the need for this revision of law is appreciated in the interior of the United States as well as the coastal States. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### In Justice to Fisheries

The Senate's vote to revive the Fishing Vessel Construction Act of 1960 will, we hope, be promptly followed by favorable action in the House. Its purpose is to provide subsidies for new construction to modernize the American fishing fleet, which is antiquated and falling behind in competition with the fleets of other countries. The consequences have been unemployment in a $350-million-a-year business affecting 500,000 jobs, and rising costs of living with a growing demand for fish being increasingly supplied by imports.

Our fishing fleet is in a disgraceful state. Chesapeake Bay dredgers built before the First World War, New England trawlers more than 20 years old and shrimp boats of 1949 vintage in the gulf are trying with primitive equipment to compete with Japanese and Russian fleets using the most modern methods and equipped with floating factories that enable them to process the catch and stay out at sea 6 months. Even

Peru and Poland have outstripped us among the fishing nations and Ghana's fishing fleet is more modern than ours.

Since considerations of national defense require these vessels to be built in U.S. shipyards, at costs the highest in the world, subsidy is a matter of simple justice. Congress is far behind in extending that justice, and revival of the 1960 act should be only a beginning of an effort on its part to promote a fishing fleet in which the country can take pride.

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## HISTORY OF THE DISTRICT OF COLUMBIA

Mr. ROBERTSON. Mr. President, as all Members of Congress know, we are celebrating the 100th anniversary of a dual banking system. One of the complaints of the Colonies was that the Mother Country would not let them have their own currency. However, prior to the Revolutionary War, several State banks were established that issued script that was used for currency.

The first, and in the opinion of many, the greatest Secretary of the Treasury, Alexander Hamilton, of New York, advocated the establishment of a national bank and the act creating it was passed by the Congress of the new United States of America in 1792. The charter of that bank was permitted to expire and Congress authorized a new national bank in which the Federal Government had a larger interest. One of the issues in the presidential campaign of 1828 was the abolishment of that bank. In furtherance of that action, President Andrew Jackson, who was elected in 1828, withdrew all Federal funds from the bank and then Congress did not vote to extend its charter. The banking business of the Nation was then taken over by State banks but they issued banknotes which passed for money and many of which later became worthless because of numerous bank failures. In 1863, Congress passed the law establishing national banks, under which we still operate.

In making a brief reference to this banking history in an address before the annual meeting of the American Bankers Association, at Constitution Hall, on October 9, I mentioned the rumor that I had heard that Alexander Hamilton had made a deal with Thomas Jefferson that a District of Columbia, comprising an area of 10 square miles could be located, partly in Virginia and partly in Maryland, if Jefferson, Secretary of State in Washington's first Cabinet, would not oppose Hamilton's proposal to establish a national bank.

Being none too certain about the real facts, I made an inquiry over the telephone of a distinguished descendant of Alexander Hamilton, Hon. Laurens M. Hamilton, of Washington, and Fauquier County, Va. He has written me a very interesting letter in which he refers to the fact that the agreement I had in mind between Hamilton and Jefferson was evidently concerning the Hamilton proposal for the National Government to assume the debts incurred during the Revolutionary War by the States and not with reference to the establishment of a national bank.

Mr. President, I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
*October 15, 1963.*

Hon. A. WILLIS ROBERTSON,
*Senate Office Building,*
*Washington, D.C.*

MY DEAR SENATOR: I have spent several instructive and enjoyable hours since your phone call last week trying to trace down the details of just exactly what was involved in the agreement between Thomas Jefferson and Alexander Hamilton in 1790 to which you referred in your recent address before the American Bankers Association.

Your remarks on that occasion as reported in the copy of the CONGRESSIONAL RECORD, of Thursday, October 10, which you were kind enough to send me, do not include, at least as far as I can find such reference as you made to this subject in your address, but as I recall your conversation of last week you were of the impression that it had been Hamilton's consent to the location of the National Capital on the Potomac which had won from Jefferson consent as to the establishment of a central bank.

I find that the two factors involved in the "deal" between Hamilton and Jefferson were on the one hand the location of the National Capital and on the other the assumption by the Federal Government of debts incurred by the several States during the Revolution. This proposal was an important part of Hamilton's "Report on the Public Credit" and it had met with strong opposition from some quarters in Congress, notably from Mr. Madison of Virginia, and although it at one time passed the House it was recalled and became the subject of considerable subsequent debate.

On the other hand the question of establishing a permanent seat of government was also much debated during the first session of the first Congress. The Continental Congress had on more than one occasion found Philadelphia very little to its liking. What is described in one book as "the mutinous behavior" of certain Pennsylvania troops in 1783 led to the adoption of a resolution, introduced by Hamilton, transferring the Congress to Princeton, N.J., and subsequently the seat of government had been transferred to New York City where the first session of the Congress under the Constitution of 1787 assembled in 1789 and where George Washington was inaugurated on April 30 of that year.

The provision written into section 8 of article 1 of the Constitution giving power to the Congress to set up a Federal District not to exceed 10 miles square, apparently reflected the unanimous opinion of the delegates to the Constitutional Convention in 1787, for I find no record of it having been seriously debated at any time.

Apparently at some time during its first or second session the Congress adopted an act "for establishing the temporary and permanent seat of government of the United States" and delegated to the President the power to set up a commission to survey a territory of 10 miles square on both sides of the Potomac. I find a note that this act was approved by the Congress on July 16, 1790, shortly after the meeting between Jefferson and Hamilton. The counterpart of the bargain between them, namely the Assumption Act, was approved on August 4, 1790. I shall refer on some future occasion to the act setting up the first bank of the United States, but that did not occur until 1792 so I am sure you will agree that if it was mentioned at all at the meeting between Jefferson and Hamilton in 1790 it must have been considered by both of them of less importance than the other two subjects.

I find that President Washington sent a message to Congress on January 24, 1791, transmitting a proclamation setting up a Survey Commission composed of three gentlemen. According to other records I have consulted, these gentlemen were Thomas Johnson of Frederick, Md., Daniel Carroll of Rock Creek, Md., and Dr. David Stuart of Fairfax, Va.

By a later proclamation, dated "at Georgetown" on March 30, 1791, President Washington set the definite location of what became the District of Columbia which consisted of a square 10 miles on each side. The southeast corner was at Jones Point just outside Alexandria from which the southern line ran at an angle of 45 degrees west of north and of which the eastern line ran across the Potomac to the Maryland side, naturally at an angle of 90° from the first line.

The northern side paralleled the southern side across what was then called Eastern Branch in Maryland to a point near Silver Spring, Md., and the western side dropped down to meet the western end of the southern side near Falls Church, Va.

I will not bore you with more precise information as to the subsequent development and political management of the District of Columbia which is a whole subject in itself, but it might be of interest to point out here that of the original 100 square miles roughly 60 were ceded by the State of Maryland and the remainder of the State of Virginia. This latter part was subsequently receded to Virginia in, I believe, 1846 and become what is today known as Arlington County. If you examine a road map of this area you will note that the boundaries of Arlington County and the boundaries of the present District of Columbia outline a square which was the original District.

As to the Assumption Act, I find a discrepancy between figures given by one contemporary authority and those given by another, but the sum involved was somewhere between $18 million and $22 million.

There is no question but what the intervention of Jefferson was as essential on his side to obtain approval for the Assumption Act, as was the intervention of Hamilton among his followers for the location of the Federal District on the Potomac. Other sites more favored by the Northern States were on the Susquehanna or the Delaware and at one time Baltimore was considered as the best location. It seems a reasonable presumption that President Washington's personal preference naturally was for the Potomac.

I recall having heard some years ago from a friend who lives near Alexandria that he had discovered on Jones Point an historical marker referring to that location as the original point from which the lines of the District of Columbia were laid out. This is amply confirmed by President Washington's proclamation and it might be that at some time someone might look into locating similar markers at the other three corners.

So much for what I have been able to learn of what was certainly the first instance of "logrolling" in our Congress.

Sincerely yours,

LAURENS M. HAMILTON.

Mr. LONG of Louisiana obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield, without losing his right to the floor?

Mr. LONG of Louisiana. I yield with that understanding.

## AUTHORIZATIONS FOR ALIEN AMATEUR RADIO OPERATORS TO OPERATE AMATEUR RADIO STATIONS IN THE UNITED STATES

**Mr. MANSFIELD.** Mr. President, I move that the Senate proceed to the consideration of Calendar No. 540, S. 920.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 920) to amend sections 303 and 310 of the Communications Act of 1934 to provide that the Federal Communications Commission may issue authorizations for alien amateur radio operators to operate their amateur radio stations in the United States.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Commerce with amendments on page 2, line 3, after the word "That", to strike out "clause" and insert "subsection"; in line 7, after the word "such", to strike out "clause" and insert "subsection"; in line 9, after the word "and", to strike out "part (1) of this clause" and insert "paragraph (1) of this subsection"; in line 19, to strike out "radio operators." and insert "radio operators: *Provided,* That when an application for an authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: And provided further, That the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request."; on page 3, at the beginning of line 11, to strike out "clauses" and insert "paragraphs"; and in line 20, to strike out "radio operators." and insert "radio operators: *Provided,* That when an application for an authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: *And provided further,* That the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request."; so as to make the bill read:

***Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*** That subsection (1) of section 303 of the Communications Act of 1934 (47 U.S.C. 303) is amended—

(1) by inserting "(1)" immediately after "(1)"; and

(2) by adding at the end of such subsection the following: "(2) Notwithstanding section 301 of this Act and paragraph (1) of this subsection, the Commission may issue authorizations, under such conditions and terms as it may prescribe, to permit an alien licensed by his government as an amateur radio operator to operate his amateur radio station licensed by his government in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation on a reciprocal basis by United States amateur radio operators: *Provided,* That when an application for an authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: *And provided further,* That the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request. Other provisions of this Act and of the Administrative Procedure Act shall not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization."

SEC. 2. Subsection (a) of section 310 of the Communications Act of 1934 is amended by adding at the end thereof the following: "Notwithstanding section 301 of this Act and paragraphs (1) and (2) of this subsection, the Commission may issue authorizations, under such conditions and terms as it may prescribe, to permit an alien licensed by his government as an amateur radio operator to operate his amateur radio station licensed by his government in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation on a reciprocal basis by United States amateur radio operators: *Provided,* That when an application for an authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: *And provided further,* That the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request. Other provisions of this Act and of the Administrative Procedure Act shall not be applicable to any request or application for or modification, suspension, or cancellation of any such authorization."

**Mr. PASTORE.** Mr. President, this is a noncontroversial bill. It relates to the permission given to the Government to enter into reciprocal agreements with other governments to license our amateur radio operators abroad. An explanation of the bill appears in the report, beginning on page 1 and ending on page 5, I ask unanimous consent that the explanation be printed at this point in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

### GENERAL STATEMENT

This bill would amend section 303 (dealing with operators) and section 310 (dealing with station licenses) of the Communications Act of 1934 to permit the Federal Communications Commission to authorize alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico, provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by U.S. amateurs on a reciprocal basis. On September 3, 1963, a hearing was held. The principal sponsor of the bill, Senator GOLDWATER, and a number of officials of the American Radio Relay League, which includes nearly 100,000 United States and Canadian amateurs in its membership, testified in support of the bill. In addition, the record contains a number of letters relating to the legislation. No person testified in opposition.

### HISTORY AND NEED FOR LEGISLATION

A bill (S. 2361) was introduced in the 87th Congress to amend the Communications Act to provide for licensing of alien amateur operators by the Federal Communications Commission if it found the national security would not be endangered. No hearings were held on that bill. However, agency reports indicated problems with a full-scale licensing procedure in the case of aliens and disclosed a number of technical problems with the bill's language. The present bill was drafted to take into account the issues raised in certain agency reports on S. 2361.

S. 920 would permit the United States to enter into reciprocal agreements whereby our amateurs would receive authority to operate in selected foreign countries in return for the United States granting their amateurs a similar privilege here. Such an action is now prohibited by the Communications Act which, with respect to amateurs, allows only U.S. citizens to operate within our boundaries. The sole exception to this is Canadian citizens given such privileges in a 1952 treaty between the United States and Canada. Testimony was received that the 1952 treaty with Canada on this subject has worked well. A simple registration procedure is followed, with the amateur using his own call signs, together with appropriate designation of the area in which he is operating.

While 31 countries presently extend to our amateurs the privilege of operating in their countries despite the absence of reciprocal privileges for their citizens, many other countries refuse to extend such privileges except on the basis of reciprocity. Moreover, the lack of reciprocity has given rise to some ill will and misunderstanding. At present there are bilateral agreements with some 17 nations, including Mexico and many Latin American nations, permitting our radio amateurs to exchange noncommercial third-party messages with amateurs licensed in those countries. The committee received testimony that improved international good will and understanding would result from increased person-to-person contact aided by passage of the bill. The view was also expressed that proposals advanced in current discussions with the Peace Corps concerning possible use of surplus and donated equipment to introduce such communications to some parts of the world would be aided by adoption of this bill.

Testimony was received that the fact such legislation promotes international good will was manifested at the Ninth Plenary Assembly of the International Radio Consultative Committee (CCIR), held in Los Angeles in 1959. The 86th Congress that year approved Senate Joint Resolution 47 which permitted amateurs of foreign nations to operate a special events amateur radio station established for the conference, on proof that each held a current amateur license issued by his government. It was indicated that the participants were most appreciative of the U.S. courtesy in extending such privileges.

A main purpose of the bill is to help American citizens—not only tourists but also those who reside overseas, such as military personnel, diplomatic personnel, missionaries, Peace Corps workers, and others who may wish to pursue their amateur radio hobby while away from home. In this regard, it is noted that the United States has 258,347 amateurs while all other countries have a combined total of only 112,238. This, coupled with the extensive travel of our citizens abroad, indicates the potentially greater extent to which our own citizens may benefit by this bill.

### AGENCY VIEWS

A number of interested agencies, including the Federal Communications Commission, and the Departments of State, Justice, and Defense filed comments on the bill. The Department of Defense supported the bill and the other named agencies were substantially of the view that they did not object to the bill in principle if considerations of national security are properly provided for.

### SECURITY CONSIDERATIONS

Several witnesses testified that whatever security problems inherent in the use of radio presently exist and that the type of procedure contemplated by this bill would not create any new ones. It was emphasized that anyone bent on use of radio for subversive activities would not be impaired by absence of a proper authorization for use of radio. Moreover, it was stated that amateur radio would be among the least desirable for clandestine use. The view was expressed that with rapid jet air service carrying diplomatic pouches, with high speed and coded teletype services available by cable, as well as by radio incapable of being monitored, it is hard to believe a foreign government would seek to use the privilege proposed by S. 920 as a means of transmitting high priority information from this country.

With regard to a similar problem, your committee held hearings in the 87th Congress on S. 3252 and H.R. 11732, which became Public Law 87-795, that amended the Communications Act of 1934 to permit the President to authorize foreign governments to operate low-powered radio stations at their embassies in the District of Columbia.

Under S. 920, any potential security problems would be minimized initially by the prerequisite of a bilateral agreement, and by the normal precautions taken in the issuance of visas to permit entry into the country. However, because some agencies had unresolved problems with possible security aspects of the bill, a meeting was held with the interested agencies to discuss and work out the problems involved in the security question. A procedure agreeable to those agencies was devised and appropriate amendatory language prepared, which amendment the committee adopted in order to clarify the matter. In the appendix to this report is a letter dated September 30, 1963, from the Federal Communications Commission, concurred in by the Departments of State, Justice, and Defense, and the Central Intelligence Agency, on this subject.

### COMMITTEE AMENDMENTS

To meet the agency reservations noted with respect to security, your committee feels that the bill should be made more specific in this regard and adopted the following amendment: After the word "operators" at page 2, line 18 and page 3, line 9 add:

"*Provided*, That when an application for an authorization is received by the Commission, it shall notify the appropriate agencies of the Government of such fact, and such agencies shall forthwith furnish to the Commission such information in their possession as bears upon the compatibility of the request with the national security: *And provided further*, That the requested authorization may then be granted unless the Commission shall determine that information received from such agencies necessitates denial of the request."

The Department of Defense suggested as a technical amendment that the words "if it finds that the public interest, convenience, or necessity may be served" be deleted from the title of the bill because this requirement does not appear in the text of the bill. The committee believes this language is unnecessary and, therefore, deleted it.

A number of technical amendments have been made to conform with present wording of the Communications Act:

Page 2, line 3, delete "clause" and substitute "subsection".

Page 2, line 7, delete "clause" and substitute "subsection".

Page 2, line 9, delete "part (1) of this clause" and substitute "paragraph (1) of this subsection".

Page 3, line 1, delete "clause" and substitute "paragraphs".

### PROCEDURES TO BE FOLLOWED

Upon enactment of S. 920, as amended herein, the way would be clear for the executive branch to enter into bilateral agreements with such nations as it deems desirable. There was testimony that a bilateral agreement could be effected through the simple and effective procedure of an exchange of notes by our Department of State and the appropriate department of the other government, in the same or a similar manner as that now followed in reaching third-party traffic agreements under which amateurs of the two countries may exchange messages for third parties. The Department of State has indicated that in negotiating such agreements it would coordinate its activities with other interested Government agencies. It is expected, of course, that the Federal Communications Commission will render technical asistance in this regard.

This bill gives very wide latitude to the Federal Communications Commission in imposing such terms and conditions as may be necessary in the public interest. It specifically provides that other provisions of the Comunications Act and of the Administrative Procedure Act shall not be applicable to any request or application for, or modification, suspension, or cancellation of, any such authorization. Thus, the authorization is of a somewhat unique variety and is not entitled to the protections ordinarily associated with a licensing procedure. As testified, hearings would not be required and termination, whch could be for any reason, may be in any manner and without prior notice. As an example of the Commission's latitude, one witness stated it could restrict operation by a noncitizen amateur to a specific location or area, to a specific frequency or frequencies, to specific modes of operation such as continuous wave Morse code, amplitude modulation voice, or single sideband voice, and/or to specific hours of the day. It could require all transmissions to be in English, have call letters or signs transmitted at more frequent intervals than required for citizen amateurs, or require that logs of all transmissions and operations be submitted at regular intervals, etc.

In short, such procedures as are deemed desirable may be incorporated into the bilateral agreements or into rules, adopted without the necessity of public rulemaking procedures under the Administrative Procedure Act, promulgated by the Commission.

Using such forms as the Commission may adopt, an alien amateur, whose country has the required reciprocal agreement with the United States, may request authority from the Federal Communications Commission to operate his amateur radio station in the United States. It is not the intent of the committee to establish the procedure to be followed. Some testimony indicated the request could be forwarded through our consul in the country involved, who could verify the fact that the individual is so licensed by his home country. In any event, once the Commission receives the request, together with some verification that the individual is properly licensed by his home country, and the requisite bilateral agreement is in effect, it then becomes a matter solely within the discretion of the Commission as to whether the authority should be granted and, if so, the terms and conditions of the grant.

It is the hope of the committee that the Federal Communications Commission, in working out the procedures implementing this legislation, will not establish cumbersome procedures that may defeat the objectives that underlie the purpose of the bill. It should be noted here that time will frequently be of the essence when authorizations are requested, where perhaps vacation and travel plans are made on rather short notice. Delays necessitated by coordinating with so many agencies must not be permitted to derogate from the very type of good will which the bill intends to promote. The committee expects, therefore, that all agencies involved will treat such matters expeditiously.

### CONCLUSION

The committee believes that with the security safeguards written into it, the bill is in the national interest. As noted, it will potentially benefit any of the quarter of a million U.S. amateur radio operators, and it is not expected to impose costly or burdensome requirements on any agency.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 920) was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by United States amateurs on a reciprocal basis."

## REFERRAL OF A BILL

On request of Mr. Mansfield, and by unanimous consent, the bill (S. 1973) to amend the act of July 8, 1940, relating to the transportation of the remains, families, and effects of Federal employees dying abroad, so as to restore the benefits of such act to employees dying in Alaska and Hawaii, and for other purposes, was referred to the Committee on Post Office and Civil Service.

## ADDITIONAL COMMISSIONERS OF THE U.S. COURTS OF CLAIMS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 136, S. 102.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 102) to amend title 28, United States Code, to provide for additional Commissioners of the U.S. Court of Claims, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments, on page 1, after line 7, to strike out:

Sec. 2. The chapter analysis of chapter 51 of title 28, United States Code, is amended by adding thereto the following new catchlines:

"796. Retirement and recall of commissioners."

"797. Annuities to widows and dependent children of commissioners."

On page 2, after line 2, to strike out:

Sec. 3. Chapter 51 of title 28, United States Code, is amended by adding thereto a new section 796 reading as follows:

"§ 796. Retirement and recall of commissioners."

"(a) Definitions.—For purposes of this section—

"(1) the term 'Court of Claims' means the United States Court of Claims.

"(2) the term 'Civil Service Commission' means the United States Civil Service Commission.

"(3) the term 'commissioner' means any commissioner of the Court of Claims; but such term does not include any individual performing judicial duties pursuant to subsection (c).

"(4) the term 'Civil Service Retirement Act' means the Civil Service Retirement Act of May 29, 1930, as amended, and, specifically, as renumbered by the Act of July 31, 1956 (70 Stat. 736, 745; 5 U.S.C. 2251 et seq.).

"(5) in any determination of length of service as commissioner there shall be included all periods during which an individual served as a commissioner of the Court of Claims.

"(b) Retirement.

"(1) Any commissioner who has served as commissioner for eighteen years or more may retire at any time.

"(2) Any commissioner who has served as commissioner for ten years or more and has attained the age of seventy shall retire not later than the close of the third month beginning after whichever of the following months is the latest:

"(A) The month in which he attained age seventy; or

"(B) The month in which he completed ten years of service as commissioner.

Section 5 of the Covil Service Retirement Act (relating to automatic separation from the service (5 U.S.C. 2255)) shall not apply in respect of commissioners.

"(c) Recalling of Retired Commissioners. Any individual who is receiving retired pay under subsection (d) may be called upon by the chief judge of the Court of Claims to perform such judicial duties with the Court of Claims as may be requested of him for any period or periods specified by the chief judge; except that in the case of any such individual—

"(1) the aggregate of such periods in any one calendar year shall not (without his consent) exceed ninety calendar days; and

"(2) he shall be relieved of performing such duties during any period in which illness or disability precludes the performance of such duties.

Any act, or failure to act, by an individual performing judicial duties pursuant to this subsection shall have the same force and effect as if it were the act (or failure to act) of a commissioner of the Court of Claims; but any such individual shall not be counted as a commissioner of the Court of Claims for purposes of section 792. Any individual who is performing judicial duties pursuant to this subsection shall be paid the same compensation (in lieu of retired pay) and allowances for travel and other expenses as a commissioner.

"(d) Retired Pay. Any individual who after the date of the enactment of this section—

"(1) ceases to be a commissioner by reason of paragraph (2) of subsection (b), or ceases to be a commissioner after having served as commissioner for eighteen years or more; and

"(2) elects under subsection (c) to receive retired pay under this subsection,

shall receive retired pay at a rate which bears the same ratio to the rate of the salary payable to him as commissioner at the time he ceases to be a commissioner as the number of years he has served as commissioner bears to 24; except that the rate of such retired pay shall be not less than one-half of the rate of such salary and not more than 80 per centum of the rate of such salary. Such retired pay shall begin to accrue on the day following the day on which his salary as commissioner ceases to accrue, and shall continue to accrue during the remainder of his life. Retired pay under this subsection shall be paid in the same manner as the salary of a commissioner. In computing the rate of the retired pay under this subsection for any individual who is entitled thereto, that portion of the aggregate number of years he has served as a commissioner which is a fractional part of one year shall be eliminated if it is less than six months, or shall be counted as a full year if it is six months or more.

"(c) Election To Receive Retired Pay.—Any commissioner may elect to receive retired pay under subsection (d). Such an election—

"(1) may be made only while an individual is a commissioner;

"(2) once made, shall be irrevocable; and

"(3) shall be made by filing notice thereof in writing with the chief judge of the Court of Claims.

The chief judge of the Court of Claims shall transmit to the Civil Service Commission a copy of each notice filed with him under this subsection.

"(f) Individuals Receiving Retired Pay To Be Available for Recall.—Any individual who has elected to receive retired pay under subsection (d) who thereafter—

"(1) accepts civil office or employment under the Government of the United States (other than the performance of judicial duties pursuant to subsection (c)); or

"(2) performs (or supervises or directs the performance of) legal services for his client, his employer, or any of his employer's clients in the prosecution of any claim against the United States cognizable by the Court of Claims,

shall forfeit all rights to retired pay under subsection (d) for all periods beginning on or after the first day on which he accepts such office or employment or engages in any activity described in paragraph (2). Any individual who has elected to receive retired pay under subsection (d) who thereafter during any calendar year fails to perform judicial duties required of him by subsection (c) shall forfeit all rights to retired pay under subsection (d) for the one year period which begins on the first day on which he so fails to perform such duties.

"(g) Coordination With Civil Service Retirement—

"(1) General rule.—Except as otherwise provided in this subsection, the provisions of the Civil Service Retirement Act (including the provisions relating to the deduction and withholding of amounts from basic pay, salary, and compensation) shall apply in respect of service as a commissioner (together with other service as an officer or employee to whom such Act applies) as if this section had not been enacted.

"(2) Effect of electing retired pay.—In the case of any individual who has filed an election to receive retired pay under subsection (d) and who has not filed a waiver under paragraph (3) of this subsection—

"(A) he shall not be entitled to any annuity under section 6, 7, or 8 of the Civil Service Retirement Act (5 U.S.C. 2256, 2257, 2258) for any period beginning on or after the day on which he files such election;

"(B) no amount shall be returned to him under section 11(a) of such Act (5 U.S.C. 2261(a));

"(C) subsections (g) and (h) of section 9 of such Act (5 U.S.C. 2259 (g) and (h)), and subsections (c) and (d) of section 10 of such Act (5 U.S.C. 2260 (c) and (d)), shall apply in respect to such individual as if he were retiring or had retired under section 6 of such act (5 U.S.C. 2256) on the date on which his retired pay under subsection (d) of this section began to accrue; except that—

"(i) the amount of any annuity payable to a survivor of such individual under subsections (a) or (b) of such section 10 (5 U.S.C. 2260 (a), (b)) or under subsection (c) or (d) of such section 10 (5 U.S.C. 2260 (c), (d)) shall be based on a life annuity for such individual computed as provided in subsection (a) of section 9 (5 U.S.C. 2259 (a)), and

"(ii) if such individual makes the election provided by subsection (g) or (h) of such section 9 (5 U.S.C. (g), (h)) his retired pay under subsection (d) of this section shall be reduced by the amount by which a life annuity computed as provided in subsection (a) of such section 9 (5 U.S.C. 2259(a)) would be reduced;

"(D) in computing the aggregate amount of the annuity paid for purposes of subsection (e) of section 11 of such Act (5 U.S.C. 2261(g), any retired pay which has accrued under subsection (d) of this section (including any such retired pay forfeited under subsection (f) shall be included as if it were an annuity payable to him under such Act; and

"(E) no deduction for purposes of the civil service retirement and disability fund shall be made from the retired pay payable to him under subsection (d) of this section, or from any other salary, pay, or compensation payable to him, for any period after the date on which such retired pay began to accrue.

"(3) Waiver of civil service benefits.—

"(A) Any individual who has elected to receive retired pay under subsection (d) of this section may (at any time thereafter during the period prescribed by subsection (e)(1)) waive all benefits under the Civil Service Retirement Act. Such a waiver—

"(i) once made, shall be irrevocable, and

"(ii) shall be made in the same manner as is provided for an election by such individual under subsection (e). The chief judge of the Court of Claims shall transmit to the Civil Service Commission a copy of each notice of waiver filed with him under this paragraph.

"(B) In the case of any individual who has made a waiver under this paragraph—

"(i) no annuity shall be payable to any person under the Civil Service Retirement Act with respect to any service performed by such individual (whether performed before or after such waiver is filed and whether performed as commissioner or otherwise);

"(ii) no deduction shall be made from any salary, pay, or compensation of such individual for purposes of the civil service retirement and disability fund for any period beginning after the day on which such waiver is filed;

"(iii) except as provided in clause (iv), no refund shall be made under the Civil Service Retirement Act of any amount credited to the account of such individual or of any interest on any amount so credited;

"(iv) additional sums voluntarily deposited by such individual under the second paragraph of section 12 of the Civil Service Retirement Act (5 U.S.C. 2262) shall be promptly refunded, together with interest on such additional sums at 3 per centum per annum (compounded on December 31 of each year) to the day of such filing; and

"(v) subsections (d) and (e) of section 11 of the Civil Service Retirement Act (5 U.S.C. 2261 (d) and (e)) shall not apply.

"(4) Employees' compensation. Subsections (f) and (g) of section 7 of the Civil Service Retirement Act (5 U.S.C. 2257 (f) and (g)) shall apply in respect of retired pay accruing under subsection (d) of this section as if such retired pay were an annuity under such Act."

On page 11, after line 12, to strike out:

Sec. 4. Chapter 51 of title 28, United States Code, as amended by the preceding section, is further amended by adding thereto a new section 797 reading as follows:

"§ 797. Annuities to widows and dependent children of commissioners

"(a) Definitions.—For purposes of this section—

"(1) The term 'Court of Claims' means the United States Court of Claims.

"(2) The term 'commissioner' means any commissioner of the Court of Claims, including any individual receiving retired pay (or compensation in lieu of retired pay) under section 796 of title 28, United States Code, whether or not performing judicial duties pursuant to section 796(c) of title 28, United States Code.

"(3) The term 'Director' means the Director of the Administrative Office of the United States Courts.

"(4) The term 'commissioner's salary' means the salary of a commissioner received under section 792(b), retired pay received under section 796(d), and compensation (in lieu of retired pay) received under section 796(c).

"(5) The term 'survivors annuity fund' means the Court of Claims commissioners survivors annuity fund established by this section.

"(6) The term 'widow' means a surviving wife of an individual, who either (A) shall have been married to such individual for at least two years immediately preceding his death or (B) is the mother of issue by such marriage, and who has not remarried.

"(7) The term 'dependent child' means an unmarried child, including a dependent stepchild or an adopted child, who is under the age of eighteen years or who because of physical or mental disability is incapable of self-support.

"(b) Election.—Any commissioner may by written election filed with the director within six months after the date on which he takes office after appointment, or within six months after the date upon which he first becomes eligible for retirement under section 796(b), or within six months after the enactment of this section, bring himself within the purview of this section.

"(c) Salary Deductions.—There shall be deducted and withheld from the salary of each commissioner electing under subsection (b) a sum equal to 3 per centum of such commissioner's salary. The amounts so deducted and withheld from such commissioner's salary shall, in accordance with such procedure as may be prescribed by the Comptroller General of the United States, be deposited in the Treasury of the United States to the credit of a fund to be known as the 'Court of Claims commissioners survivors annuity fund' and said fund is appropriated for the payment of annuities, refunds, and allowances as provided by this section. Each commissioner electing under subsection (b) shall be deemed thereby to consent and agree to the deductions from his salary as provided in this subsection, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all judicial services rendered by such commissioner during the period covered by such payment, except the right to the benefits to which he or his survivors shall be entitled under the provisions of this section.

"(d) Deposits in Survivors Annuity Fund.—Each commissioner electing under subsection (b) shall deposit, with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the credit of the survivors annuity fund, a sum equal to 3 per centum of his commissioner's salary and of his basic salary, pay, or compensation for service as a Senator, Representative, Delegate, or Resident Commissioner in Congress, and for any other civilian service within the purview of section 3 of the Civil Service Retirement Act (5 U.S.C. 2253). Each such commissioner may elect to make such deposits in installments during the continuance of his service as a commissioner in such amount and under such conditions as may be determined in each instance by the Director. Nothwithstanding the failure of a commissioner to make such deposit, credit shall be allowed for the service rendered, but the annuity of the widow of such commissioner shall be reduced by an amount equal to 10 per centum of the amount of such deposit, computed as of the date of the death of such commissioner, unless such widow shall elect to eliminate such service entirely from credit under subsection (n), except that no deposit shall be required from a commissioner for any year with respect to which deductions from his salary were actually made under the Civil Service Retirement Act and no deposit shall be required for any honorable service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States.

"(c) Investment of Survivors Annuity Fund.—The Secretary of the Treasury shall invest from time to time, in interest bearing securities of the United States or Federal farm loan bonds, such portions of the survivors annuity fund as in his judgment may not be immediately required for the payment of the annuities, refunds, and allowances as provided in this section. The income derived from such investments shall constitute a part of said fund for the purpose of paying annuities and of carrying out the provisions of subsections (g), (h), and (j).

"(f) Crediting of Deposits.—The amount deposited by or deducted and withheld from the salary of each commissioner electing to bring himself within the purview of this section for credit to the survivors annuity fund shall be credited to an individual account of such commissioner.

"(g) Termination of Service.—If the service of any commissioner electing under subsection (b) terminates other than pursuant to the provisions of section 796, the amount credited to his individual account, together with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of his relinquishment of office, shall be returned to him.

"(h) Entitlement to Annuity.—In case any commissioner electing under subsection (b) shall die while a commissioner after having rendered at least five years of civilian service computed as prescribed in subsection (n), for the last five years of which the salary deductions provided for by subsection (c) or the deposits required by subsection (d) have actually been made or the salary deductions required by the Civil Service Retirement Act have actually been made—

"(1) if such commissioner is survived by a widow but not by a dependent child, there shall be paid to such widow an annuity beginning with the day of the death of the commissioner or following the widow's attainment of the age of fifty years, whichever is the later, in an amount computed as provided in subsection (m); or

"(2) if such commissioner is survived by a widow and a dependent child or children, there shall be paid to such widow an immediate annuity in an amount computed as provided in subsection (m), and there shall also be paid to or on behalf of each such child an immediate annuity equal to one-half the amount of the annuity of such widow, but not to exceed $900 per year divided by the number of such children or $360 per year, whichever is lesser; or

"(3) if such commissioner leaves no surviving widow or widower but leaves a surviving dependent child or children, there shall be paid to or on behalf of each such child an immediate annuity equal to the amount of the annuity to which such widow would have been entitled under paragraph (2) of this subsection had she survived, but not to exceed $480 per year.

"The annuity payable to a widow under this subsection shall be terminable upon such widow's death or remarriage. The annuity payable to a child under this subsection shall be terminable upon (A) his attaining the age of eighteen years, (B) his marriage, or (C) his death, whichever first occurs, except that if such child is incapable of self-support by reason of mental or physical disability his annuity shall be terminable only upon death, marriage, or recovery from such disability. In case of the death of a widow of a commissioner having a dependent child or children of the commissioner surviving her, the annuity of such child or children shall be recomputed and paid as provided in paragraph (3) of this subsection. In any case in which the annuity of a dependent child is terminated under this subsection, the annuities of any remaining dependent child or children, based upon the service of the same commissioner, shall be recomputed and paid as though the child whose annuity was so terminated had not survived such commissioner.

"(i) Determination of dependency and disability.—Questions of dependency and disability arising under this section shall be determined by the director subject to review only by the Judicial Conference of the United States, the decision of which shall be final and conclusive. The director may order or direct at any time such medical or other examinations as he shall deem necessary to determine the facts relative to the nature and degree of disability of any dependent child who is an annuitant or applicant for annuity under this section, and may suspend or deny any such annuity for failure to submit to any examination so ordered or directed.

"(j) Payments in Certain Cases.—

"(1) In any case in which—

"(A) a commissioner electing under subsection (b) shall die while in office (whether in regular active service or retired from such service under section 796), before having rendered five years of civilian service computed as prescribed in subsection (n), or after having rendered five years of such civilian service but without a survivor or survivors entitled to annuity benefits provided by subsection (h), or

"(B) the right of all persons entitled to annuity under subsection (h) based on the service of such commissioner shall terminate before a valid claim therefor shall have been established,

the total amount credited to the individual account of such commissioner, with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of the death of such commissioner, shall be paid, upon the establishment of a valid claim therefor, to the person or persons surviving at the date title to the payment arises, in the following order of precedence, and such payment shall be a bar to recovery by any other person:

"(i) to the beneficiary or beneficiaries whom the commissioner may have designated by a writing filed prior to his death with the director;

"(ii) if there be no such beneficiary, to the widow of such commissioner;

"(iii) if none of the above, to the child or children of such commissioner and the descendants of any deceased children by representation;

"(iv) if none of the above, to the parents of such commissioner or the survivor of them;

"(v) if none of the above, to the duly appointed executor or administrator of the estate of such commissioner; and

"(vi) if none of the above, to such other next of kin of such commissioner as may be determined by the director to be entitled under the laws of the domicile of such commissioner at the time of his death.

Determination as to the widow, child, or parent of a commissioner for the purposes of this paragraph shall be made by the director without regard to the definitions in subsections (a) (6) and (7).

"(2) In any case in which the annuities of all persons entitled to annuity based upon the service of a commissioner shall terminate before the aggregate amount of annuity paid equals the total amount credited to the individual account of such commissioner, with interest at 4 per centum per annum to December 31, 1947, and 3 per centum per annum thereafter, compounded on December 31 of each year, to the date of the death of such commissioner, the difference shall be paid, upon establishment of a valid claim therefor, in the order of precedence prescribed in paragraph (1).

"(3) Any accrued annuity remaining unpaid upon the termination (other than by death) of the annuity of any person based upon the service of a commissioner shall be paid to such person. Any accrued annuity remaining unpaid upon the death of any person receiving annuity based upon the service of a commissioner shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

"(A) to the duly appointed executor or administrator of the estate of such person;

"(B) if there is no such executor or administrator payment may be made, after the expiration of thirty days from the date of the death of such person, to such individual or individuals as may appear in the judgment of the director to be legally entitled thereto, and such payment shall be a bar to recovery by any other individual.

"(k) PAYMENTS TO PERSONS UNDER LEGAL DISABILITY.—Where any payment under this section is to be made to a minor, or to a person mentally incompetent or under other legal disability adjudged by a court of competent jurisdiction, such payment may be made to the person who is constituted guardian or other fiduciary by the law of the State of residence of such claimant or is otherwise legally vested with the care of the claimant or his estate. Where no guardian or other fiduciary of the person under legal disability has been appointed under the laws of the State or residence of the claimant, the director shall determine the person who is otherwise legally vested with the care of the claimant or his estate.

"(l) METHOD OF PAYMENT OF ANNUITIES.—Annuities granted under the terms of this section shall accrue monthly and shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued. None of the moneys mentioned in this section shall be assignable, either in law or in equity, or subject to execution, levy, attachment, garnishment, or other legal process.

"(m) COMPUTATION OF ANNUITIES.—The annuity of the widow of a commissioner electing under subsection (b) shall be an amount equal to the sum of (1) 1¼ per centum of the average annual salary received by such commissioner for judicial service and any other prior allowable service during the last five years of such service prior to his death, or prior to his receiving retired pay under section 796(d), whichever first occurs, multiplied by the sum of his years of judicial service, his years of prior allowable service as a Senator, Representative, Delegate, or Resident Commissioner in Congress, his years of prior allowable service performed as a member of the Armed Forces of the United States, and his years, not exceeding fifteen, of prior allowable service performed as a congressional employee (as defined in section 1(c) of the Civil Service Retirement Act (5 U.S.C. 2251(c)), and (2) three-fourths of 1 per centum of such average annual salary multiplied by his years of any other prior allowable service, but such annuity shall not exceed 37½ per centum of such average annual salary and shall be further reduced in accordance with subsection (d), if applicable.

"(n) INCLUDIBLE SERVICE.—Subject to the provisions of subsection (d), the years of service of a commissioner which are allowable as the basis for calculating the amount of the annuity of his widow shall include his years of service as a commissioner of the Court of Claims, his years of service as a Senator, Representative, Delegate, or Resident Commissioner in Congress, his years of active service as a member of the Armed Forces of the United States not exceeding five years in the aggregate and not including any such service for which credit is allowed for the purposes of retirement or retired pay under any other provision of law, and his years of any other civilian service within the purview of section 3 of the Civil Service Retirement Act (5 U.S.C. 2253).

"(o) SIMULTANEOUS ENTITLEMENT.—Nothing contained in this section shall be construed to prevent a widow eligible therefor from simultaneously receiving an annuity under this section and any annuity to which she would otherwise be entitled under any other law without regard to this section, but in computing such other annuity service used in the computation of her annuity under this section shall not be credited.

"(p) PAYMENT OF ANNUITIES.—The director shall regulate and pay annuities in conformity with this section.

"(q) ESTIMATES OF EXPENDITURES.—The director under the supervision of the Judicial Conference of the United States shall submit to the Bureau of the Budget annual estimates of the expenditures and appropriations necessary for the maintenance and operation of the survivors annuity fund, and such supplemental and deficiency estimates as may be required from time to time for the same purposes, according to law. Funds so appropriated shall be for the Court of Claims commissioners survivors annuity fund, to be expended by the director under the supervision of the Judicial Conference. The director shall cause periodic examinations of the survivors annuity fund to be made by an actuary, who may be an actuary employed by another department of the Government temporarily assigned for the purpose, and whose findings and recommendations shall be transmitted by the director to the Judicial Conference.

"(r) TRANSITIONAL PROVISION. In the case of a commissioner who dies within six months after the date of enactment of this section after having rendered at least five years of civilian service computed as prescribed in subsection (n), but without having made an election as provided in subsection (b), an annuity shall be paid to his widow and surviving dependents as is provided in this section, as if such commissioner had elected on the day of his death to bring himself within the purview of this section but had not made the deposit provided for by subsection (d). An annuity shall be payable under this section computed upon the basis of the actual length of service as a commissioner and other allowable service of the commissioner and subject to the reduction required by subsection (d) even though no deposit has been made, as required by subsection (h) with respect to any of such service.

"(s) WAIVER OF CIVIL SERVICE BENEFITS. Any commissioner electing under subsection (b) shall, at the time of such election, waive all benefits under the Civil Service Retirement Act. Such a waiver shall be made in the same manner and shall have the same force and effect as a waiver filed under section 796(g) (3)."

And, on page 25, after line 22, to strike out:

SEC. 5. Funds necessary to carry out the provisions of this Act may be appropriated out of any money in the Treasury not otherwise appropriated.

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (a) of section 792 of title 28, United States Code, is amended to read as follows:

"(a) The Court of Claims may appoint twenty commissioners who shall be subject to removal by the court and shall devote all of their time to the duties of the office."

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an explanation of the bill.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

### AMENDMENTS

1. Beginning on page 1, line 8, strike out all down to and including line 24 on page 25.

2. Amend the title so as to read: "To provide for additional commissioners of the United States Court of Claims."

### PURPOSE OF AMENDMENTS

The purpose of the first amendment is to delete from the provisions of S. 102 all reference to retirement and widows' annuities of the commissioners of the Court of Claims, even though these provisions have been endorsed by the Judicial Conference of the United States and the Bar Association of the District of Columbia, since the matter of retirement and widows' annuities is believed to be a matter in the jurisdiction of the Post Office and Civil Service Committee. The committee, therefore, without any prejudice to such provisions, believes that the Committee on Post Office and Civil Service should be the committee to consider such proposals. The second amendment conforms the title of the bill to the committee amendment in the body of the bill.

### PURPOSE

The bill, as amended, authorizes an increase in the number of commissioners of the Court of Claims from the 15 presently authorized to 20.

### STATEMENT

As set forth in the report on a similar bill of the 87th Congress, by virtue of improvements and refinements in the procedures of the Court of Claims over the course of several years the role of commissioners of the court has been developed far beyond the functions contemplated when the commissioner system was instituted for the court shortly after the close of World War I. Commissioners of the court now serve under the rules of the court as its trial judges. Every case filed in the court is referred to a commissioner who is thereupon charged with the responsibility of passing on all questions of pleading incident to the joinder of issue, all procedural motions pending reduction of the issues to questions of law, and all pretrial procedures (including discovery by deposition or the production of documents), and the trial of the case on issues of fact. With his findings of fact, he is often directed to submit recommendations for conclusions of law, with supporting opinion. The extension of the commissioners' functions to cover the full range of trial work has contributed to the court a third distinctive feature (in addition to nationwide jurisdiction and nonjury trials) in that in practical effect, the Court of Claims now combines in one forum the facilities of trial and appellate functions.

Five judges comprise the Court of Claims. This number has not been increased in more than 100 years. Past experience indicates that five judges can dispose of the volume of cases that can be tried by commissioners in the ratio of four commissioners per judge. However, it is essential that the cases be developed as far as possible by commissioners so that review by the judges is reduced to points that can be presented sharply and succinctly. In order for the commissioners to be effective in this undertaking, their caseloads must be limited to reasonable size. This fact, coupled with the gradual increase in the workload of the court which has been continuing for more than 10 years, makes advisable the authorization for an increase in the number from 15 to 20.

The committee has explained in the purpose of the amendments to S. 102 the reasons why the retirement and annuity provisions should at this time be deleted, and recommends that the bill, as amended, be considered favorably.

**The PRESIDING OFFICER.** The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 102) was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to provide for additional commissioners of the U.S. Court of Claims."

## VALIDATION OF CERTAIN RICE ACREAGE ALLOTMENTS

**Mr. MANSFIELD.** Mr. President, I move that the Senate proceed to the consideration of Calendar No. 482, House Joint Resolution 192, and that it be made the pending business.

**The PRESIDING OFFICER.** The joint resolution will be stated by title.

**The LEGISLATIVE CLERK.** A joint resolution (H.J. Res. 192) relating to the validity of certain rice acreage allotments for 1962 and prior crop years.

**The PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the joint resolution.

**Mr. MANSFIELD.** Mr. President, the joint resolution will be the pending business.

## ORDER FOR RECESS UNTIL NOON TOMORROW

**Mr. MANSFIELD.** Mr. President, there will be no further voting today. I ask unanimous consent that when the Senate concludes its business today, it take a recess until 12 o'clock noon tomorrow.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. MANSFIELD.** I thank the distinguished Senator from Louisiana for his unfailing courtesy.

## DOLLAR DIPLOMACY FLOPS AGAIN

**Mr. THURMOND.** Mr. President, in view of the recent pronouncements by our foreign policy formulators against giving diplomatic recognition to the new governments in the Dominican Republic and Honduras, and also comments that have been made by Members of this body in support of this position, I ask unanimous consent that a statement of my views on this subject, as printed in my newsletter of October 14, 1963, be printed in the body of the RECORD. This newsletter is entitled "Dollar Diplomacy Flops Again," and it emphasizes my concern about the Alliance for Progress program and the importance of resolving any doubts that we may have in favor of anti-Communist governments, rather than in favor of governments which could possibly lead to the establishment of additional Castro-type Communist dictatorships in the Western Hemisphere.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

### DOLLAR DIPLOMACY FLOPS AGAIN

(By Senator STROM THURMOND)

The Communist takeover of Cuba brought about a new packaging of U.S. foreign policy for Latin America. Traditional dollar diplomacy was changed by adding more dollars and a new title—Alliance for Progress. Quite predictably, U.S. policy for the Americas is still a flop.

Economic assistance has little or no effect against Communist subversion and violence. Properly applied and administered, economic assistance in a couple of decades might increase the economic potential of some Latin countries to help defend themselves. The Reds, unfortunately, give no indication they will work that slowly.

As administered, however, the program is nothing more than an alliance for socialism. Its assistance is government to government oriented, and little more than an occasional verbal nod is given to the private sector of Latin economies. As a condition of receiving assistance under the alliance, programs for drastic social, economic and political reform by the Latin governments are required. Principal among these is land reform, usually taking the form of confiscation and redistribution, rather than the more moderate methods, such as special taxes on idle lands.

The very type of reforms on which alliance assistance is conditioned is the type which has been advocated by Communists and other far-left groups in Latin America for years. In seeking and supporting governments which will institute such drastic programs, the United States finds, of course, the most enthusiasm among the governments furthest to the left.

Traditionally, the military establishments of Latin countries have generally been the dominant source of power. In the absence of other stable political institutions, rule by anyone has usually been at the sufferance of the military. Military power is sometimes used to protect the people from despots, sometimes to install despots in power. In most Latin countries, the military leaders have been trained in U.S. military schools, and they are generally anti-Communist and impatient with radical programs.

Because the alliance sought out and encouraged drastic and radical programs, most welcome to leftist-oriented governments, it was inevitable that where strong military establishments existed, such radical governments would be overthrown, regardless of whether they were put in initially by elections or by the very same military establishment. Where the military is not strong, or not anti-Communist the governments go further to the left and into active cooperation with the Reds.

Since the Alliance began, there have been seven military coup d'etats in Latin America. The latest were in Honduras and the Dominican Republic.

The United States recognized the tradition of military coups and the increased potential for them through the Alliance in Latin America. Therefore we have assisted in creating in many of these countries "national police forces," in an effort to keep democratic governments in power and to offset the power of the military. In the Dominican Republic, this U.S.-financed and trained force joined in the coup. In Honduras, the civil guard, as it is called, contested the military coup, and was easily defeated by trained and organized troops of the military.

Now U.S. policymakers are emotionally indignant. They vow that the United States will not recognize the new governments resulting from military coups. Some legislators even advocate the use of marines against the juntas although they cry out against even the threat of force against Cuba. It does not seem to matter to our policymakers whether the military action was for protection of the country by deposing a would be despot or potential Castro, or whether it was a simple power grab by the military.

It makes a big difference, however. In Peru and in Guatemala, even the State Department recognizes that the military juntas have made more progress on actual reforms than had the democratic governments they deposed. The recent coup in the Dominican Republic appears to have been necessary to prevent President Bosch from following Castro's road to communism.

If the United States follows a blind policy of refusing recognition to governments established by military forces in Latin America—and there have already been seven—the United States may find that the Alliance for Progress funds go only to those far left governments where no internal force is strong enough to depose them.

Can a program of foreign aid which is limited to those who are most cooperative with the Communists be justified?

## THE PROPOSED SUPERSONIC PLANE

**Mr. BARTLETT.** Mr. President, this morning hearings commenced before the Aviation Subcommittee of the Commerce Committee, under the chairmanship of the able and distinguished Senator from Oklahoma [Mr. MONRONEY], on the proposed American supersonic plane. This morning's witness was Mr. Boyd, the Chairman of the Civil Aeronautics Board. At this very moment, Mr. Halaby, Administrator of the Federal Aviation Agency, is giving his testimony.

This constitutes a challenging future for aviation. Leading American companies are interested in the plane, to the point where they are willing to put down good, hard cash to insure deliveries. Announcement has been made that Trans World Airlines has done so. I have in my possession a letter written to Mr. Gordon M. Bain, Deputy Administrator for Supersonic Transport Development, of the Federal Aviation Agency, on October 14, 1963, signed by Russell B. Adams, vice president of Pan American World Airways, stating in part:

> We refer to telephone conversations last week between you and President Trippe and Vice President Pirie, of our company, in which it was confirmed that Pan American has been willing, since Mr. Trippe's public statement of early June, to place a production order for a fleet of American-built supersonic transports.
>
> * * * * *
>
> Our banker's check in the amount of $1,500,000 in favor of the United States of America is enclosed herewith as the initial deposit on such aircraft, it being understood that the arrangements for the purchase will be on a most-favored-nation basis and acceptable to the Government.

Mr. President, the supersonic age in aviation will be here almost before we know it.

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## AN ALTERNATIVE TAX PLAN

Mr. LONG of Louisiana. Mr. President, as a Member of the Congress for 15 years, I have voted repeatedly to relieve hardships inherent in our tax structure. In most instances, my votes to provide greater fairness and social justice in our Federal tax system have been directed toward assisting those in lower income brackets. I have voted to increase the exemptions and to provide special tax advantages for the aged, homeowners, parents sending children through college, persons with high medical expenses, and others of moderate means.

As a student of our tax system, I have become increasingly impressed by the inequity and the complexity of our tax structure with regard to individuals in upper-income brackets. A study of tax returns of individuals in high-income brackets proved two things: some taxpayers do not pay nearly enough; others pay too much. While it is true that our tax rates on personal income are very steeply graduated on the first $100,000 and reach a rate of 91 percent, for one person, on taxable income over $200,000 most high-income taxpayers find ways either to make their income in ways that are not taxable, or to benefit from a number of ways of deducting large amounts. Most high-bracket taxpayers, with the help of tax lawyers and accountants, are able to keep their taxes well below 50 percent of their gross income.

At the conclusion of this speech, I shall place in the RECORD a number of illustrations of how taxpayers with large incomes have succeeded in keeping their tax liability very low. In some cases, these taxpayers have paid less than 1 percent of their income in Federal taxes. In fact, there are taxpayers who have legally avoided paying any taxes at all, even though their gross income exceeded a million dollars.

Some of the methods by which tax liabilities have been kept low have been the receipt of income from State and municipal bonds which is not taxable, the deduction of contributions to charities and private foundations, and the diverting of large sums of money into types of assets which receive the much lower capital gains tax treatment. Particularly is this true in cases where the capital gains income is offset by a large interest deduction to cover the cost of financing the transaction. The use of pension plans and profit-sharing plans by owner-managers of small closely held corporations, percentage depletion, intangible drilling costs, stock options, the foreign tax credit, the use of multiple small business corporations, have all been subject to severe criticism by students of our tax system.

While most of these so-called favored methods of tax treatment can be defended in general, they are in effect defeating the purpose for which high rates on large income were established; that is, to extract big taxes from those able to pay them. This is so because many persons whose income is in excess of $1 million will pay at a very low rate by taking advantage of all of the tax avoidance possibilities to which I have referred, as well as a number of others which any good tax lawyer and any outstanding tax consultant firm can readily point out.

Nevertheless, there are cases where individuals are actually paying as much as 75 percent or more of their income to the U.S. Government. In many of these cases, it may be that the citizen suddenly found himself in a high-income tax bracket, without the opportunity to make arrangements for the various tax avoidance possibilities available to him. In other cases, it may be that there is a lack of knowledge on the part of the taxpayer as to what he can do, or it may be that the taxpayer is simply patriotic. Regrettably, I doubt that patriotism motivates many citizens to pay large amounts of taxes. In any event, it makes little or no sense for this Nation to have a crazy quilt, hodge-podge tax system which crucifies one taxpayer by depriving him of 87 percent of his income, while it accords to another the privilege of retaining within his ownership and control 100 percent of his earnings, without any income tax liability whatever.

Recently, a responsible official of the Treasury Department remarked to me that any unfortunate person who was actually paying 50 percent of his income in Federal taxes deserved a friend. I should like now to be that friend.

For this reason, Mr. President, I am proposing an alternate method for computing Federal income taxes. This method would propose to eliminate most of the loopholes in our existing system of personal-income taxation. It is my proposal that a taxpayer should have the right to elect to pay his taxes without the benefit of the various "gimmicks" and tax-avoidance schemes which are most frequently employed by high-bracket taxpayers. The taxpayer would elect to pay taxes on interest derived from State and municipal bonds. He would pay taxes on amounts contributed in his behalf to profit-sharing plans and pension plans. He would be required to capitalize his intangible drilling cost, and would be permitted only cost depletion on mineral properties. The taxpayer would be denied deductions for contributions to all sorts of charities and foundations. He would be permitted capital gains treatment only in cases where the nature of the capital transaction, as distinguished from ordinary income, is beyond dispute; and then he would not be permitted to deduct half, but would pay the lower rate on the entire amount.

Assuming that a taxpayer elected to choose the alternate system, paying taxes on otherwise exempt income, and waiving deductions to which he would otherwise be entitled, he would enjoy the benefit of a 40-percent tax rate on his first $50,000 of income and a 50-percent rate on all incomes above $50,000. A married couple filing a joint return would be entitled to the 40-percent rate on $100,000 of income and the 50-percent rate on all income above that figure.

It is my hope that this simplified, streamlined method of computing income taxes will in time become so popular that there will be a demand to extend this type of treatment to other taxpayers with smaller incomes, perhaps soon to those with incomes exceeding $10,000. In the experimental stage this would not be practical because errors in estimates which cannot be foreseen at present could cost this Nation several billions of dollars in revenue. Nevertheless, if the proposed alternate system should prove successful, I would hope to see it extended downward to benefit middle income taxpayers who chose to waive the advantages of many of their itemized deductions as well as the advantages of various sources of tax-exempt income.

It may well be the 50-percent rate is too high an assessment against a taxpayer who chooses to pay taxes on practically all of his income. If this should prove to be the case, then Congress could consider reducing the 50-percent rate to a more reasonable figure. This same situation might be true with the 40-percent rate on the first $50,000 of income.

I would like to emphasize that this method is optional and that taxpayers could continue under the rates and other provisions of the House bill. In fact, most taxpayers would not make the election. However, once the optional method is elected by a taxpayer, his election would generally be irrevocable for 5 years, at which time it could be renewed for successive 5-year periods.

Mr. President, the opposition to my proposed amendment will come from several sources. First, there will be those who will fear that the alternate method of taxation might eventually become the only system of taxation available to them. To those persons, I can assure them that I would strenuously oppose any such effort. But I do hope that the alternative I am proposing will eventually become so attractive that a substantial percentage of taxpayers will use the new method of paying taxes. To have a large percentage of taxpayers using my alternative would vastly reduce the cost of administering our tax system and of collecting taxes. It would make things much simpler for the tax collector as well as the taxpayer.

A second group will feel that tax reduction for upper income taxpayers should be available only when those persons as a group have been denied the benefit of favorable tax treatment which they have enjoyed. To those reformers, I would respond that they have been trying to prevail in their views for many years, with little success. Meanwhile, those taxpayers who have not enjoyed the benefit of favorable tax treatment have suffered under a system which as applied to them has been little short of confiscatory. Relief for those who have paid taxes on virtually all of their income should not be forever denied while one seeks to perfect a system which is loaded with inequities and inconsistencies.

A third group will contend that this amendment would do too much for persons making a large income. As I have pointed out, most persons making big money pay taxes at an effective rate of less than one-third of their gross income. It is unfair in my judgment to deny fair tax treatment to persons paying an effective rate above 50 percent so long as the favored tax treatment exists for the overwhelming majority of persons with similar incomes.

It is time we began to reduce the premium enjoyed by the taxpayer who has tax lawyers and accountants to show him ways to avoid paying taxes to his Federal Government. It is time we make this first step toward encouraging taxpayers to report and pay on a fair and equitable basis those taxes which are properly due the Government.

Furthermore, it is time we do something to relieve the tremendous pressure that is constantly upon the Congress and its committees dealing with taxes to write more gimmicks and more special interest provisions into the laws, favoring some groups and ignoring others. It seems to me that such a provision as that which I am recommending could be the beginning of a streamlined, simple, equitable tax system which could win an increasing number of supporters.

If this alternate system should become law, it would be my purpose to resist with all of my energy and ability any effort to make this system the subject of loopholes for the benefit of favored taxpayers. If this system should become law, it would be my purpose to seek to steadily improve upon it until a high percentage of taxpayers would prefer it to the complicated and inequitable system that presently exists.

It is estimated that approximately 2,000 taxpayers reporting less than $50,000 income will elect the alternate system for the benefit of the 40-percent rate. This latter group would constitute only two-tenths of 1 percent of all taxpayers in the $20,000 to $50,000 bracket. The Treasury estimates that there are approximately 150,000 taxable returns reporting income exceeding $50,000. Of this number, it is estimated that 12,000 taxpayers will avail themselves of the alternate system.

Those electing to use the alternate system in the $50,000 to $100,000 bracket would number approximately 5,000 of the 120,000 returns filed in that group. This would be approximately 4 percent of those eligible.

In the group whose reported income is $100,000 and over, it is estimated that 7,000 of 30,000, or approximately 23 percent, would avail themselves of the election. While it is indicated that a substantial percentage of taxpayers with liabilities on adjusted gross income of about $100,000 would avail themselves of the alternate method, it should be kept in mind that most taxpayers making more than $100,000 pay taxes on a figure far less than this amount because of the many tax avoidance possibilities that are available to them.

As I have said, there are a considerable number of taxpayers with incomes exceeding $1 million who pay little or no income tax.

I ask unanimous consent to have printed in the RECORD, at the conclusion of this statement, table 1, a table illustrating the number of tax returns, the percentage of those filing such returns that might choose to elect the optional tax rates and the proposed change in tax rates as a percent of the present tax.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LONG of Louisiana. I also ask unanimous consent to place in the RECORD tables 2 through 7, which give examples of the disparity in the effective rate of taxes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 2 to 7.)

Mr. LONG of Louisiana. These comparisons tend to illustrate the gross inequities of our existing tax system. With regard to the latter, I would mention that taxpayers in these cases have not been required to report interest on State and municipal bonds. These taxpayers have not been required to report income to trusts or corporations nor contributions to retirement programs made in their behalf. Had taxpayers been required to file information showing the full extent of their income, then the inequities of the present system would be even more glaring.

While present estimates are that about 14,000 taxpayers would find their tax reduced under the optional method and are therefore expected to elect it, there are undoubtedly other taxpayers who would find that their tax under the optional method would be only a little higher than under the House bill. As these taxpayers come to realize the advantages of the optional method in simplicity and in savings of time, effort, and fees for tax advice, we should expect them to swell the ranks of the estimated 14,000 who would elect initially. This is comparable to the situation under present law where some taxpayers now elect the standard deduction although their itemized deductions are higher.

### ADDITIONAL REASONS FOR THE AMENDMENT

Let me also mention some other reasons why I feel an amendment of the sort I am submitting today should be adopted.

### SIMPLIFICATION

One principal reason for my amendment is that it would greatly simplify the tax law for those electing and would point the way toward extending simplification to other groups of taxpayers when we have gained some experience with the program.

I recognize, of course, that my amendment will not mean immediate simplification for most taxpayers. However, if it proves successful with respect to the limited group to which it applies, we will be able to extend its principles to a broader range of taxpayers. In any event, it would reverse the trend to an ever-increasing complexity and show our determination to achieve simplification.

It may be objected that, even for the group affected, the program is not a simplification because taxpayers would have to compare their tax under the present system with the tax under the optional program before deciding whether to elect. Thus two computations of tax would be required where one suffices today. This reasoning overlooks the fact that the election is irrevocable for 5 years. Once the election were made, the taxpayer would follow the simple system for the next 4 years without any need for alternative computations.

Everyone is agreed that the standard deduction, introduced in the early 1940's, simplifies the tax system for millions of taxpayers; yet it too is elective so that the taxpayer each year must make two computations before he can decide upon his election. Nevertheless, no one would argue that this theoretical double computation means that the standard deduction complicates the law.

It should be noted, however, that the standard deduction is effective only for low and middle income taxpayers because of the $1,000 ceiling. Almost every high-income taxpayer has deductible expenses in excess of $1,000 so that the standard deduction is rarely elected by high-income taxpayers. The optional method suggested herein would give high-income taxpayers an option somewhat similar to the standard deduction.

Those who now elect the standard deduction must forego itemized deductions. Since the optional method would extend relatively greater advantages to high-income taxpayers, they would be required to forego not only itemized deductions but the other tax advantages detailed above.

### IMPROVEMENT OF TAXPAYER MORALE

The present high rates, combined with the use of tax-avoidance devices by many very wealthy taxpayers, have led many taxpayers to the conclusion that the tax system is confiscatory and unfair. Others, seeing the preferential treatment accorded certain types of income, have deluged Congress with pleas for special treatment in their own situation. In the light of the present high rates and the unequal treatment of taxpayers with similar amounts of income pointed out above, these pleas have been hard to resist, and the categories of income given favored treatment have expanded. Still other taxpayers, in a silent protest against what they conceive to be an unfair system, have resorted to sharp practices and tax evasion.

The reduction of rates in the House bill will do much to alleviate these problems, but we can and should do more. My amendment would make it clear that in no case need a taxpayer pay as much as 50 percent of his income in Federal income taxes. Thus, claims that the Federal Government is a senior partner or that the tax-rate schedule is confiscatory would be stifled and their effect on taxpayers' morale eliminated. Perhaps more importantly, the reduction in the use of tax-avoidance devices, discussed above, would reduce the feeling among many taxpayers that the tax system is inequitable and would minimize the need for, and consequently the incidence of, pleas to extend preferential treatment to new categories of income.

### THE 5-YEAR ELECTION

An election to pay tax under the optional program will be irrevocable for 5 years. If the election could be changed every year, it could be abused by taxpayers electing in alternate years and bunching their deductions, tax-exempt interest, and so forth, in years when they do not elect. Thus, they would get the benefit both of the present tax system with its provisions favoring certain types of income and expenditures and the optional method with its low effective rates. On the other hand, if the election were made effective for all time or for a very long period of time, very few taxpayers would elect because they would be unwilling to commit themselves for so long into the future when their circumstances might very well change. A 5-year election, however, should be long enough to prevent manipulation and yet short enough so that at least some taxpayers would be willing to commit themselves to get the benefit of favorable rates.

In certain limited circumstances the election could terminate in less than 5 years. Thus the election would terminate if the taxpayer married a person who had not elected, if the law were changed so that the optional method became substantially less favorable to electing taxpayers as a group, if the taxpayer went into bankruptcy or became disabled, so that he no longer received earned income, or if he convinced the Internal Revenue Service that there was another good cause for terminating the election.

### TAX-EXEMPT INTEREST

A taxpayer who elects the optional program will be required to agree to include in income presently tax exempt interest on State and local bonds. Taxpayers who do not desire to pay tax on such interest would, of course, not elect the optional program. Since it is anticipated that only relatively few taxpayers will elect, the program should not have a significant impact on the municipal bond market.

### MINERAL INCOME

A taxpayer electing under the optional program would be allowed cost depletion but not percentage depletion on mineral income. Thus, he could recover his cost in the mineral property but not anything in excess thereof. In addition, taxpayers who elect would be required to capitalize their intangible drilling costs rather than deduct them as they may do today, in many cases against other ordinary income.

### CAPITAL GAINS

Under the House passed bill, gains from the sale or exchange of capital assets (and real and depreciable assets used in a trade or business) held for more than 2 years are class A capital gains. Class B capital gains include two types of gains:

First type: Gains from the sale or exchange of capital assets—and real and depreciable assets used in a trade or business—held for more than 6 months but not more than 2 years; and

Second type: Other items which are treated as if they were gains on the sale of capital assets, including gains from the sale or exchange of timber, livestock held for draft, breeding or dairy purposes, and unharvested crops when sold with the land, and coal and iron ore royalties, patent royalties received by the creator of the patent, and lump-sum pension payments.

Taxpayers electing the optional program must agree to treat like other ordinary income all their class B capital gains of the second type. Thus, they would not be entitled either to the 50-percent deduction or the 25-percent alternative rate provided in the House bill for such class B capital gains. Electing taxpayers would be entitled to the 21-percent alternative tax for class A capital gains—but not to the 60-percent deduction—and to the 25-percent alternative rate—but not the 50-percent deduction—for class B capital gains of the first type.

The allowance of the 60-percent deduction with respect to class A capital gains and 50-percent deductions with respect to class B capital gains would not be permitted under the optional method since it could result in reducing the tax on class A capital gains to 16 percent—40-percent inclusion at 40-percent rate—and to 20 percent on class B capital gains—50-percent inclusion at 40-percent rate.

### PENSION AND PROFIT-SHARING PLAN CONTRIBUTIONS

Under present law an employee is not taxable when his employer makes contributions on his behalf under a qualified pension or profit-sharing plan. The employee is taxed, however, when the plan distributes his benefits to him. An employee who elects the optional method would be required to include such contributions in income when made—provided his rights under the plan are then nonforfeitable—but he would not be taxable on distributions from the plan to the extent of contributions previously included in his income.

In the case of a self-employed individual who elects the optional method, no deduction would be allowed for contributions for his own benefit under an H.R. 10 pension plan, and, to that extent, he would not be taxable on distributions by the plan.

### DEDUCTIONS

Under present law taxpayers are allowed two different types of deductions.

First, adjusted gross income deductions. In computing adjusted gross income, all taxpayers may deduct trade and business expenses, 50 percent of net long-term capital gains, up to $1,000 of net capital losses, expenses attributable to rental property, depreciation and depletion in the case of trust beneficiaries, and contributions to self-employed individuals' pension plans—H.R. 10. In the case of employees only reimbursed expenses and expenses for transportation and travel away from home may be deducted from gross income as business expenses.

Second, taxable income deductions. In computing taxable income, taxpayers may elect to deduct from adjusted gross income either the standard deduction—the lesser of 10 percent of adjusted gross income or $1,000—or the itemized deductions allowed by the Code for expenses which are not deductible in computing adjusted gross income—principally, State and local taxes, interest paid, charitable contributions, medical expenses, casualty losses, alimony, investment expenses, and employee business expenses.

Taxpayers electing the optional method would be allowed only the adjusted gross income deductions—with modifications discussed below—they would not be allowed any taxable income deductions—itemized deductions or the standard deduction.

In addition to adjusted gross income deductions, electing taxpayers would be allowed to deduct all investment expenses, expenses for the production of income, and employee business expenses. They would also be allowed the deduction for personal exemptions—except the additional personal exemptions for old age and blindness. Electing taxpayers would not, however, be allowed deductions with respect to net long-term capital gains, percentage depletion, intangible drilling expenses, or H.R. 10 pension contributions.

### MISCELLANEOUS ADJUSTMENTS

Taxpayers who elect the optional method would be required to include in income the first $100 of dividends now excluded from income (doubled under the House bill) presently exempt foreign source income and trust income accumulated for their benefit—or for the benefit of themselves, their heirs or their appointees. Such taxpayers would not be allowed to take advantage of the dividend credit eliminated for 1965 and subsequent years by the House bill, the retirement income credit, or the averaging provisions added by the House bill.

CONCLUSIONS

Mr. President, let me say I am not wedded to the specifics of the plan I am today authoring. But I might say that I certainly am critical of the current system of taxation in the United States whereby we are at cross purposes. We have a steep, progressive system of tax rates intended to make each person pay their fair share of the tax burden. But then, due to certain social and economic hardships which various interests have been able to prove to the satisfaction of Congress, there are so many exceptions to the rule that we find few taxpayers paying the share that was originally intended.

The plan I offer today, which provides for an option of lower rates coupled with elimination of so-called loopholes, is a beginning in the direction of a tax system simpler and easier for everyone to understand, and a system with greater fairness and justice for every taxpayer.

In addition, Mr. President, I ask unanimous consent to have printed following tables 1 to 7, table 8, which shows the average income, excluded capital gains, and total deductions by amended gross income classes.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 8.)

### EXHIBIT 1

TABLE 1.—*Revenue bill of 1963 and optional rate amendment: Change in tax liability resulting from rate and structural changes for individuals plus the election of optional rates under certain conditions,*[1] *1963 levels*

| Adjusted gross income | Change in tax liability | | | Number of taxable returns (thousands) | |
|---|---|---|---|---|---|
| | House bill | Optional rate amendment[1] | House bill and optional rate amendment | Total | Electing optional tax rates |
| 0 to $3,000 | −$555 | | −$555 | 9,680 | |
| $3,000 to $5,000 | −1,055 | | −1,055 | 10,540 | |
| $5,000 to $10,000 | −3,650 | | −3,650 | 22,900 | |
| $10,000 to $20,000 | −2,090 | | −2,090 | 6,710 | |
| $20,000 to $50,000 | −1,020 | (2) | −1,020 | 1,040 | 2 |
| $50,000 to $100,000 | −320 | −5 | −325 | 120 | 5 |
| $100,000 and over | −205 | −40 | −245 | 30 | 7 |
| Total | −8,895 | −45 | −8,940 | 51,020 | 14 |

| Adjusted gross income | Change as percent of present tax | |
|---|---|---|
| | House bill | House bill and optional rate amendment |
| 0 to $3,000 | −38.3 | −38.3 |
| $3,000 to $5,000 | −26.2 | −26.2 |
| $5,000 to $10,000 | −19.9 | −19.9 |
| $10,000 to $20,000 | −16.4 | −16.4 |
| $20,000 to $50,000 | −15.1 | −15.7 |
| $50,000 to $100,000 | −13.0 | −13.2 |
| $100,000 and over | −12.1 | −14.5 |
| Total | −18.8 | −18.9 |

[1] Optional rate of 40 percent for income up to $50,000 for single persons or up to $100,000 for married persons; optional rate of 50 percent for excess over $50,000 for single persons, or $100,000 for married persons.

[2] Less than $2,500,000.

### EXHIBIT 2

TABLE 2.—*Examples of disparity in effective rate of tax*

| Item | Case A | Case B |
|---|---|---|
| Wages and salaries | $6,300 | |
| Dividends | 892,416 | |
| Interest | 28,712 | $92 |
| Capital gains (100 percent) | 752,015 | −1,228 |
| Other income (net) | [1] −54,701 | [2] 378,054 |
| Income | 1,624,742 | 376,918 |
| Wages and salaries | 6,300 | |
| Dividends less exclusion | 892,316 | |
| Interest | 28,712 | 92 |
| Capital gains (50 percent) | [3] 375,985 | −1,000 |
| Other income (net) | [1] −54,701 | 378,054 |
| Adjusted gross income | 1,248,612 | 377,146 |

| Item | Case A | Case B |
|---|---|---|
| Deductions | $817,791 | $68,851 |
| Contributions | 291,367 | 5,697 |
| Interest | 179,883 | 1,770 |
| Taxes | 219,743 | 41,291 |
| Medical | 15,000 | |
| Other | 111,798 | 20,092 |
| Tax after credits | 179,483 | 230,025 |
| Tax as percent of income | 11 | 61 |

[1] Includes business and partnership losses.

[2] Primarily partnership income.

[3] Includes adjustment for short-term loss.

### EXHIBIT 3

TABLE 3.—*Examples of disparity in effective rate of tax*

| Item | Case A | Case B |
|---|---|---|
| Wages and salaries | $28,580 | $198,243 |
| Dividends | 115,675 | |
| Interest | 13,367 | 4,455 |
| Capital gains (100 percent) | 27,584 | |
| Other income (net) | 35,703 | −4,619 |
| Income | 220,909 | 198,079 |
| Wages and salaries | 28,580 | 198,243 |
| Dividends less exclusion | 115,575 | |
| Interest | 13,367 | 4,455 |
| Capital gains (50 percent) | 13,792 | |
| Other income (net) | 45,703 | 4,619 |
| Adjusted gross income | 217,017 | 198,079 |

| Item | Case A | Case B |
|---|---|---|
| Deductions | $149,820 | $12,912 |
| Contributions | 63,105 | 6,050 |
| Interest | 37,237 | 3,097 |
| Taxes | 17,566 | 3,764 |
| Medical | 4,207 | |
| Other | 27,705 | |
| Tax after credits | 25,197 | 138,039 |
| Tax as percent of income | 11 | 70 |

### EXHIBIT 4

**TABLE 4.**—*Examples of disparity in effective rate of tax*

| | Case A | Case B |
|---|---|---|
| Wages and salaries | $26,282 | $272,111 |
| Dividends | 5,307,970 | 5,664,829 |
| Interest | 43,938 | 51,776 |
| Capital gains (100 percent) | [1]−707,933 | [2]−227,276 |
| Other income (net) | −1,938 | −820,133 |
| Income | 4,668,319 | 4,941,307 |
| Wages and salaries | 26,282 | 272,111 |
| Dividends | 5,307,920 | 5,664,779 |
| Interest | 43,938 | 51,776 |
| Capital gains (50 percent) | −1,000 | −1,000 |
| Other income (net) | −1,983 | −820,133 |
| Adjusted gross income | 5,375,157 | 5,167,533 |

| | Case A | Case B |
|---|---|---|
| Deductions | $2,669,434 | $803,728 |
| Contributions | 1,612,299 | 419,338 |
| Interest | 7,883 | 3,990 |
| Taxes | 107,955 | 91,887 |
| Medical | | |
| Other | [3]941,295 | 288,513 |
| Tax after credits | 2,172,439 | 3,618,518 |
| Tax as percent of income | 47 | 73 |

[1] Includes capital loss carryover of $775,012.

[2] Includes capital loss carryover of $37,668.

[3] Includes large casualty loss.

### EXHIBIT 5

**TABLE 5.**—*Examples of disparity in effective rate of tax*

| | Case A | Case B |
|---|---|---|
| Wages and salaries | | $79,802 |
| Dividends | $178,334 | 302,903 |
| Interest | 80,232 | |
| Capital gains (100 percent) | 68,229 | 418 |
| Other income (net) | 503 | |
| Income | 327,298 | 383,123 |
| Wages and salaries | | 79,802 |
| Dividends less exclusion | 178,284 | 302,853 |
| Interest | 80,232 | |
| Capital gains (50 percent) | 34,906 | 209 |
| Other income (net) | 503 | |
| Adjusted gross income | 293,925 | 382,864 |

| | Case A | Case B |
|---|---|---|
| Deductions | $259,959 | $6,199 |
| Contributions | 2,338 | 2,012 |
| Interest | 2,758 | 326 |
| Taxes | [1]233,530 | 2,660 |
| Medical | | |
| Other | 21,331 | 1,201 |
| Tax after credits | 13,196 | 272,457 |
| Tax as percent of income | 4 | 71 |

[1] Includes a large amount of State income tax. The high State income tax is apparently attributable to interest exempt from Federal tax but taxable by the State.

### EXHIBIT 6

**TABLE 6.**—*Examples of disparity in effective rate of tax*

| Item | Case A | Case B |
|---|---|---|
| Wages and salaries | $20,000 | $201,916 |
| Dividends | 76,318 | 34,994 |
| Interest | 206 | 1,174 |
| Capital gains (100 percent) | 1,210,426 | −4,491 |
| Other income (net) | −22,283 | 345,275 |
| Income | 1,284,667 | 578,868 |
| Wages and salaries | 20,000 | 201,916 |
| Dividends less exclusion | 76,268 | 34,944 |
| Interest | 206 | 1,174 |
| Capital gains (50 percent) | 605,213 | −1,000 |
| Other income (net) | −22,283 | 345,275 |
| Adjusted gross income | 679,404 | 582,309 |

| Item | Case A | Case B |
|---|---|---|
| Deductions | $676,419 | $62,403 |
| Contributions | 463 | 43,155 |
| Interest | 587,693 | 3,168 |
| Taxes | 85,401 | 11,072 |
| Medical | 2,500 | |
| Other | 362 | 5,008 |
| Tax after credits | 285 | 432,607 |
| Tax as percent of income | 0.02 | 75 |

### EXHIBIT 7

**TABLE 7.**—*Examples of disparity in effective rate of tax*

| Item | Case A | Case B |
|---|---|---|
| Wages and salaries | $17,708 | $201,436 |
| Dividends | 258,089 | 30,612 |
| Interest | 69,394 | |
| Capital gains (100 percent) | [1]561,993 | 4,729 |
| Other income (net) | 28,595 | 117,548 |
| Income | 935,779 | 354,325 |
| Wages and salaries | 17,708 | 201,436 |
| Dividends less exclusion | 257,989 | 30,562 |
| Interest | 69,394 | |
| Capital gains (50 percent) | 286,287 | 2,364 |
| Other income (net) | 28,595 | 117,548 |
| Adjusted gross income | 659,973 | 351,910 |

| Item | Case A | Case B |
|---|---|---|
| Deductions | $396,108 | $23,665 |
| Contributions | 120,330 | 5,299 |
| Interest | 247,809 | 937 |
| Taxes | 14,629 | 13,025 |
| Medical | | |
| Other | 13,340 | 4,404 |
| Tax after credits | 127,534 | 244,233 |
| Tax as percent of income | 14 | 69 |

[1] Includes net short-term gain of $10,579.

EXHIBIT 8

TABLE 8.—*Average income, excluded capital gains, and total deductions by amended gross income classes; all returns with $500,000 or more adjusted gross income, 1959*

| | All returns [1] | Amended gross income [2] | | | | |
|---|---|---|---|---|---|---|
| | | $500,000 to $749,999 | $700,000 to $999,999 | $1,000,000 to $1,999,999 | $2,000,000 to $4,999,999 | $5,000,000 or over |
| Number of returns | 1,002 | 190 | 239 | 401 | 130 | 37 |
| Average amended gross income | $1,574,918 | $621,500 | $879,607 | $1,336,219 | $2,932,692 | $8,954,243 |
| Average excluded capital gains | $488,825 | $36,568 | $213,188 | $455,292 | $1,033,154 | $3,140,892 |
| Average adjusted gross income | $1,086,093 | $485,932 | $666,419 | $880,927 | $1,899,538 | $5,813,351 |
| Average total deductions | $315,672 | $159,379 | $177,749 | $198,868 | $415,969 | $2,918,595 |
| Excluded capital gains as percentage of adjusted gross income | 45.0 | 6.2 | 32.0 | 51.7 | 54.4 | 54.0 |
| Excluded capital gains as percentage of amended gross income | 31.0 | 5.9 | 24.2 | 34.1 | 35.2 | 35.1 |
| Deductions as percentage of amended gross income | 20.0 | 25.6 | 20.2 | 14.9 | 14.2 | 32.6 |
| Deductions as percentage of adjusted gross income | 29.1 | 27.2 | 26.7 | 22.6 | 21.9 | 50.2 |
| Total capital gains as percentage of amended gross income | 62.0 | 11.8 | 48.4 | 68.2 | 70.4 | 70.0 |
| Median effective tax rate [3] | 27.6 | 53.0 | 28.6 | 23.8 | 24.6 | 23.7 |

[1] Excludes 1 return with negative amended gross income and 4 returns with amended gross income between $250,000 and $500,000 not shown in detail.

[2] Adjusted gross income amended for each return to include in full capital gains and losses realized in 1959 and exclude capital loss carryover from the preceding 5 years.

[3] Tax paid expressed as a percentage of amended gross income.

NOTE.—Except for the median effective tax rate shown, all percentages on the table are derived from the aggregate dollar amounts for each income class. The result will differ from the one obtained by computing the average of the ratios for each return.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis.

Mr. LONG of Louisiana. Mr. President, it seems to me the important point shown by table 8 is this: For persons having an amended gross income above $500,000, the median effective tax rate, the percent of gross income which they pay is 27.6.

These figures were based on a 1959 study.

For taxpayers having an income between $500,000 and $750,000, the median rate was 53 percent.

For taxpayers with an income of between $700,000 and $1 million, the median rate was 28.6 percent.

For taxpayers with an income between $1 million and $2 million, the rate was 23.8 percent.

For those with an income between $2 million and $5 million, the median rate was 24.6 percent.

For those with an income over $5 million, the median rate was 23.7 percent, measured against gross.

The odd thing about those figures is that, based on the gross income of an individual, those having an income of between $500,000 and $750,000 pay at a rate that averages twice that of taxpayers in brackets above that rate.

At that point a taxpayer makes a decision that he will establish a foundation, that he will make investments which furnish tax-exempt income and that he will explore fully into the advantages of multiple ownership of small corporations, into going businesses that ordinarily are foreign to him, and engage in other activities that will make his tax rate somewhat comparable to the percentage paid by those who make more than he is making.

I think the table is useful in considering this adjustment.

Mr. GORE. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. BAYH in the chair). Does the Senator from Louisiana yield to the Senator from Tennessee?

Mr. LONG of Louisiana. I yield.

Mr. GORE. In the case of election by a corporation—under present law—to pay its taxes as a partnership, or vice versa, the taxpayer must elect, not for 1 year, but for a 5-year period. Does the Senator's bill contain a provision for the customary election for a 5-year period?

Mr. LONG of Louisiana. It does.

Mr. GORE. Does the Senator from Louisiana favor a 5-year period, rather than a 1-year period?

Mr. LONG of Louisiana. Yes.

However, there would be certain situations in which the taxpayer would be entitled to terminate the election before the 5 years had passed. For example, if we amend the law so as to make it more burdensome to the taxpayer, he can terminate his election even though the 5 years are not over. Thus, the taxpayer could terminate his election if the law were amended so as to make the rate 60 percent, rather than 50 percent, resulting in a higher tax rate for the taxpayer than that to which he was subject when he made the election. Or suppose that when the taxpayer made the election, he was a single man, but subsequently he married. Following his marriage, the taxpayer would have to make a second election even though 5 years had not passed. In other words in certain cases a termination of the election would be justified before the 5 years were up—namely first, if the law were amended so as to make the election much less favorable to him than it was when he made it; and, second, if he married.

Mr. PROXMIRE. Mr. President, the figures the Senator has called to the attention of the Senate are very interesting. It is true, as he has emphasized, of course, that taxpayers whose incomes are between half a million and three-quarters of a million dollars have an effective median tax rate of 53 percent, those making in excess of that income have a median tax which is approximately half that amount. In other words, it ranges from 23 percent for those with an income of $5 million to 28.6 percent for those with an income of between three-quarters of a million and a million dollars.

Is that correct?

Mr. LONG of Louisiana. That is correct. It seems to me that when a taxpayer finds he is making more than a million dollars he decides that is the time to create a private foundation. That is the time to make his income from capital gains. That is the time to decide to go into small businesses even though normally such businesses are out of his field of endeavor. That is the time for them to take advantage of drilling costs.

Mr. PROXMIRE. I could not hear the entire statement of the Senator. Has the Senator stated how this alternative plan will affect the Treasury?

Mr. LONG of Louisiana. It is estimated that there will be about 2,000 taxpayers in the below $50,000 income bracket who would get the benefit of the 40-percent rate. It is estimated that 5,000 taxpayers in the $50,000 to $100,000 bracket would use it. About 7,000 taxpayers in the over $100,000 bracket would use the plan. The overall cost is estimated to be about $45 million, which would average about $3,000 for each taxpayer affected.

Mr. PROXMIRE. It would cost the Treasury $45 million. Are there any compensating provisions to be offered to the bill that would make up for that loss, in addition to the $11 billion tax cut?

Mr. LONG of Louisiana. I am not proposing this measure on the basis of financing it by taxing someone else. The Treasury Department has made many recommendations, some of which I think run into hundreds of millions of dollars. One simple one that has much equity to recommend it is that where a person owns a number of small business corporations, he should not be permitted to take advantage of the lowest income tax rate, at the present time, 30 percent, and, under the House bill, 22 percent. It seems to me that a person should not be entitled to the lowest rate on each one of those small businesses.

A person may be in the small loan business, for example, and own 15 or 20 small loan companies, which, would be separately incorporated; and so long as he kept his income below $25,000 in each company, his tax rate would be only 30 percent. In situations like that, he could set up a pension or profit-sharing plan and save half of it by setting up a pension-sharing plan for himself, and getting 80 percent of the benefits, and getting the advantage on 50 percent of his income in those plans which would not be subject to taxes.

Mr. PROXMIRE. As the Senator may or may not know, I am inclined to oppose the tax proposal of the administration, because I do not believe we can afford a bigger deficit. There is considerable merit, however, in the Senator's proposal as an alternative proposal. There are great inequities in our present tax structure, and the Senator has underlined them very well, by pointing to the discrepancy between the tax paid by a person who has an income of a million dollars, with that person with a much lower income who pay a far higher percentage tax. It would seem that there is a great deal of merit to the Senator's statement on that ground, as there is merit to any proposal for a tax bill which brings more equity into a tax structure. The Senator has made a fine contribution, not only in presenting an alternative, but also in presenting to the Senate a better insight into the unfortunate consequences of a tax system which has grown without plan and in such a way that, on the average, taxpayers with incomes of more than a million dollars pay a far lesser proportion than persons with less income. I commend the Senator.

Mr. LONG of Louisiana. I have heard it said that honest confession is good for the soul. I have on occasion voted for various tax proposals which in my judgment were advanced only because of a situation that had developed as a result of the graduated tax system which exists today, on the theory that some people were being crucified, so to speak, by the high tax rates that they were forced to pay. If we had in the law something like my proposal we would be in a better position to resist demands from individuals who say, "The other fellow is getting some advantage. I want a similar advantage."

Senators are inclined to vote for tax reforms; and though I may not agree with the Senator from Wisconsin on all proposed reforms, I would like to vote for certain tax reforms. For example, I would like to see the qualified stock option plan altered. I believe there should be some reform in our tax system.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I am glad to yield to the Chairman of the Committee on Finance.

Mr. BYRD of Virginia. Mr. President, the Senator from Louisiana has made a very interesting contribution in offering the suggestions he has offered this afternoon. They deserve the full consideration of the Committee on Finance. As the Senator knows, I am opposed to a tax reduction unless it is accompanied by a reduction in expenditures. I hope this matter will be thoroughly discussed and brought before the Finance Committee.

Mr. LONG of Louisiana. I thank the distinguished chairman of the committee very much. I am very flattered that he would find my suggestions worthy of study by his committee. I had hoped that my proposal would lead to a considerable improvement in our tax system over a period of time. I realize that the proposal would be somewhat experimental in nature, and if it were to be undertaken I would hope that Congress would see fit to steadily improve upon it in whatever ways Congress felt it should be improved.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Tennessee.

Mr. GORE. I have listened intently and, I can truthfully say, with rapt attention, to the address of the able and distinguished junior Senator from Louisiana. The lesson I take from his speech is that the crying need in the field of taxation is for tax reform.

The Senator has said that "There are a considerable number of taxpayers with incomes exceeding $1 million who pay little or no income tax."

I concede the accuracy of the Senator's statement. Will he not go further and say, with respect to the restricted stock options, which loophole the Senator has said he wished to alter, that there is no limit to the number of millions of dollars which a taxpayer may have realized as a result of restricted stock options, on which the law does not require him to pay any income tax whatever, and that it can be passed on to his children without any income tax having ever at any time been required by law to be paid?

Mr. LONG of Louisiana. The last portion of the Senator's statement is something that I have not studied in that connection. As one who has voted for qualified stock options, I had no idea what a loophole that would prove to be. I did not realize that at the time.

However, at that time the qualified stock option plan was sold to a number of Senators, I among them, on the basis that some relief was needed from the 91-percent tax rate that existed at that time. The qualified stock option plan proved to be a much greater loophole than I, as a Member of the Senate at that time—not as a member of the committee—dreamed it would be.

As I understand, under the qualified stock option plan a person can exercise his option with no tax being payable until he sells the stock. The Senator has made reference to the second and third generation profiting. Perhaps he had in mind options being exercised by a trust, rather than by the taxpayer himself.

Mr. GORE. No. I did not refer to that particular "gimmick."

I will not go into that subject further at this time. The point I wish to make is that the Senator has made a most provocative speech, and I was pleased to hear the distinguished chairman of the committee, the Senator from Virginia [Mr. BYRD], call for consideration of the Senator's proposal. It seems to me that the Senator's speech illustrates the need for the Senate not to rush pell mell into approval of a vast tax reduction without reforms, which have been abandoned by the Treasury and jettisoned by the House; but, rather, that we should devote ourselves to the correction of inequities and any unfairness that may exist in the existing law. If we should close the loopholes, perhaps there would not be a need for a tax reduction, and the Treasury might have a great deal more income than it has now.

Mr. LONG of Louisiana. I believe that the Senator will find that I said, in the course of my speech, that there are those who agree with the Senator, who have been defending the same position for a great number of years. I do not believe there is anything in my proposal which would prevent them from pursuing as diligently as they have in the past their views on tax reform. I suspect that in some degree the simplified alternative method might be helpful to them.

Mr. GORE. The Senator has referred to a 91-percent tax rate. I believe there is a provision in the law which limits the total tax to 87½ percent, not 90 percent.

Mr. LONG of Louisiana. That is 87½ percent of total income. Of course when a person pays 87½ percent, that does not mean he is through paying taxes. He might live in a State like New York which has a 10-percent income tax, in which case, after he gets through paying 87 percent, he might find that about half of what he has left is owed to the State government.

I thank the distinguished Senator for the expression of his interest. I yield the floor.

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## JUST WHAT IS THE STORY ON AMERICAN UNEMPLOYMENT?

Mr. PROXMIRE. Mr. President, who is unemployed in this country and what can we do about it? Everyone talks about unemployment and everyone offers general proposals to solve the unemployment problem, yet I submit, first, that we know very little about who are unemployed and what their needs are, and second, that we have given far too little thought to the types of public policies which would alleviate specific forms of unemployment.

Congress does not know enough about the facts of unemployment to solve the problem. Hearings before the Joint Economic Committee a few months ago showed that our unemployment statistics are the best in the world, but they are not nearly good enough to do the job. What we have is largely ignored by the public and Congress in deciding vital economic policies.

In this speech I intend to give examples of the nature of our unemployment statistics, their inadequacies, and the implications of these data for public policy.

Let us look first simply at the raw data which we have. In August of this year the figures indicate that there were 77.2 million people in the work force, including the employment by the Armed Forces. Of this number, 70.6 million had civilian employment and another 2.7 million were in military employment. Thus, the crude figures would indicate that about 3.9 million people were unemployed in August. This would mean an unadjusted unemployment rate of 5.2 percent.

A number of qualifications must, however, be made in these figures. First of all, they must be put into the perspective of the seasonal pattern of our unemployment. Making a seasonal adjustment for these figures will give us an unemployment rate of 5.5 percent for August. However, we must also recognize, as the senior Senator from Illinois [Mr. DOUGLAS] has so frequently noted, that there are many persons who are actually employed but only on a part-time basis and who would like to be employed full time. These persons are involuntarily unemployed for part of each month or year. If we include that amount of unemployment on a full-time equivalent basis, it will raise the unemployment rate in August to about 6.7 percent.

As I will indicate later, we also have a considerable statistical problem in recognizing the numbers of persons who have been out of work so long that they have given up and therefore are no longer included among the work force. These persons also are unemployed and should be—but are not—taken into account in determining our full unemployment situation.

At the same time, we must also recognize that there are many types of unemployment. Some of these types of unemployment represent less actual need for work and income than other types. Moreover, some types of unemployment are not readily solved by aggregative measures such as tax reduction. I wish now to examine in some detail these various types of unemployment.

### SOME ONLY WANT PART-TIME WORK

We all know that of the total civilian labor force of 74.4 million people, slightly over 70.6 million were employed in August 1963 and 3.9 million people were unemployed. But how many of us know that some 575,000 of those unemployed are not interested in obtaining full-time employment? In other words, about 15 percent of our total unemployed are only looking for part-time work.

We know this statistic from the Department of Labor, but we don't know how many hours on the average these people want to work or, in fact, how seriously they are interested in obtaining employment. I would imagine that many individuals questioned by the Bureau of Labor Statistics in their sample surveys might respond that they are interested in part-time employment, even though they have taken no active steps to obtain such employment nor are seriously interested in such employment.

Will a general tax cut help these people find work? I think not. We must first establish that they seriously want and need work. Then we must attempt to examine the job market in terms of the types of part-time employment possibilities which now exist. Finally, we must provide information to these individuals concerning the opportunities for part-time employment. These policies would probably decrease our unemployment in two ways: First, by relating jobs and people more effectively than at present; second, by removing from our unemployment rolls those individuals who say they are looking for part-time work but really are not interested in employment.

### SOME SHOULD BE RECEIVING EDUCATION

Of the total number of unemployed persons, how many of us know that 540,000 or about 14 percent are young men less than 20 years of age? Another 362,000 or an additional 9 percent of the unemployed group are girls less than 20 years of age.

The statistical problem here is to measure the need for employment of these youngsters. It certainly seems reasonable to assume that, in general, they need employment less than more mature persons with more responsibilities. It is unfortunate that our statistics do not measure the nature of the responsibilities and needs of these younger persons.

The appropriate policy with respect to this type of unemployment is not to stimulate aggregate demand but to make provisions by which these individuals can continue their education or training for future work. The effect of such provisions would be to decrease unemployment among younger persons. Far more important, it would also eliminate a waste in our society; namely, the waste in the form of latent talent which is never developed because children go to work rather than to school.

### SOME SHOULD BE ABLE TO RETIRE

There are another 95,000 men and 20,000 women, comprising some 3 percent of the total unemployed, who are 65 years of age or over. Here again, responsibilities tend to be somewhat less than they are in the middle age range and therefore the need for employment may be somewhat less on the average.

Yet the statistics which we have do not provide information on the extent of the responsibilities and needs which these older persons have. What would be useful is information on their income levels, the number of dependents and other factors.

The appropriate public and private policies in this area are improved retirement programs. By the time individuals reach 65 years of age, they should be permitted to obtain the benefits of retirement if they wish.

### SOME HAVE NO EXPERIENCE

How many of us know that over 15 percent of our unemployed group have never had previous work experience? Yet we have virtually no information concerning the reasons for the lack of previous work experience. How many of these people are young persons just entering the work force? How many of these persons are fairly well-to-do and have never wished to enter the labor force? How many of these persons are physically or mentally defective and have had difficulty entering the work force?

Here is an obvious example of where both education generally and training programs specifically would represent policies directly designed to reduce unemployment conditions. Much more examination needs to be made as to the nature of these individuals who have never held a job to determine their characteristics and their capabilities.

### SOME ARE HURT BY DISCRIMINATION

It is shocking to discover that virtually 23 percent of our total unemployed are nonwhites, despite the fact that these persons represent only about 10 percent of our population.

Many actions can be taken in the civil rights area which will reduce the amount of this unemployment. A Fair Employment Practices Commission would lower many of the barriers to jobs. Improved education for our nonwhite citizens could improve their opportunities for employment. These are again examples of policies other than general economic steps which would substantially reduce our overall unemployment.

Mr. President, a day or two ago a new book just written by one of the outstanding sociologists of our time, Gunnar Myrdal, was published. The book analyzes the American economy of 1963. Myrdal, of course, is recognized as the author of what is probably the greatest sociology book written in this century, "The American Dilemma." Mr. Myrdal's analysis of our economy today indicates that our unemployment is largely a structural unemployment, that is the result in important part of automation. This automation has not only reduced the need for some kinds of manpower, but, more importantly, requires a trained, skilled manpower. We have not trained our young people or our older people who have lost their jobs to meet the requirements of the high skills that our economy now requires.

Mr. Myrdal can approach the American economy with rare objectivity, because he is not an American citizen; he is a citizen of Sweden. He can also approach our economy with a wide knowledge of this Nation, because he spent many years writing, studying, and researching this country in the process of writing the great book, "The American Dilemma."

Those who have scoffed at the notion of structural employment—and frankly, I have had some question about this theory myself—should take another good look at it. Those who have scoffed at structural unemployment and said that what we needed was increased employment, and that the way to get increased employment was to provide for a big tax cut and thus put more money in the pockets of our citizens, should reconsider such a proposal on the basis of Myrdal's recommendations, particularly in view of Myrdal's objectivity, his acknowledged competence, and the profound study he has made of the American society.

### SOME ARE NOT FAMILY BREADWINNERS

Other interesting features of our unemployment situation concern the marital status of women who are looking for employment. About half of the women who are looking for work and are included in our unemployment statistics are married and living with their husbands. I would think that the prima facie conclusion from this statistic is that the need for employment among this group would be substantially less than it is among married men. This is not to say that the need might not be great for employment, but it is at each income level presumably less than for the primary breadwinner. Our statistics, however, do not tell us how many of these women have children or other family responsibilities at home or how many of them are only superficially concerned about obtaining a job.

Of the single women who are unemployed, about two-thirds of them are less than 20 years of age. This fact alone, it seems to me, emphasizes the lack of urgency associated with at least part of our unemployed. We do not, however, have information on how long these girls have been looking for a job, how many jobs they have had, or anything about their training for work.

Of the total number of unemployed, only about one-third are heads of households. In other words, only about one-third of them are looked to by the other members of the household as the primary reliance for the income required in order to obtain the necessities of life.

### SOME ARE SIMPLY MOVING BETWEEN JOBS

Another striking statistic concerns the duration of unemployment. Of our total unemployed, some 43 percent have been unemployed for less than 5 weeks. These could, and presumably do, include a large number of people who have voluntarily left employment, in order to search for a better job. Another 32 percent of the total unemployed have been without jobs for less than 15 weeks. While this is admittedly getting to be a longer period without income, it could still be explained in part. This could be due simply to reluctance to take jobs which are available—although we do not know the explanation, because of the inadequacy of our statistics.

### A MAJOR PROBLEM REMAINS

Mr. President, I do not, by reciting these statistics, mean to diminish the importance of the overall unemployment situation. It is still the major concern. I believe it is by far our most serious economic problem, and I believe we should do everything we possibly can to help solve it. But in my opinion we should do so with our eyes open and with a full understanding of the facts involved and their implications, and we should try to adopt policies which will help put people to work and will do so without inflationary consequences or without harmful effects on our fiscal soundness and our position as leader of the free world.

I mean, rather, to emphasize the fact that the unemployment problem is many-sided, and a number of programs can assist in ameliorating the problem.

One indication of the nature of the difficulty is shown in the statistics on unemployment which are not available. For example, it has been alleged that many persons have simply dropped out of the work force because of inability to obtain a job. Prof. Charles C. Killingsworth, of Michigan State University, has recently stated that the Nation's unemployment rate would be 8.8 percent if individuals previously looking for work had not dropped out of the work force. Professor Killingsworth's views are summarized in an article in the New York Times for October 8, which I ask be inserted in the RECORD at the conclusion of my remarks.

I urge, therefor, Mr. President, first, that a program be initiated to improve the quality of our unemployment statistics; and, second, that the administration begin to consider an array of programs designed to meet specific types of unemployment which currently exist.

I do not mean to say that we are not already trying to deal with these problems and with others; but I make this statement as chairman of the Subcommittee on Economic Statistics, of the Joint Economic Committee, on the basis of the work we have done and the hearings we have held during the last 2 years.

Mr. President, I yield the floor.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### EXPERT DISPUTES RATE OF JOBLESS—SAYS U.S. FIGURES EXCLUDE 1,500,000 UNEMPLOYED

A professor of labor and industrial relations said yesterday that the Nation's unemployment rate was 8.8 percent rather than the 6 percent reported by the Government.

The professor, Charles C. Killingsworth, of Michigan State University, said that Government statistics failed to reflect an "invisible army of unemployed." He said these were people forced out of the labor market some time ago who are willing and able to work, but have become too discouraged to search for jobs.

"These unemployed persons are extremely significant because if the economy takes an upward trend they will start actively seeking jobs again," he told a conference on automation and public welfare in the New York Hilton Hotel, 54th Street and the Avenue of the Americas.

In that event, he said, rising employment will have little impact on the unemployment problem.

### "ARMY" NUMBERS 1,500,000

Mr. Killingsworth said the "invisible army" totaled 1,500,000 persons and, if added to the Bureau of Labor Statistics count would raise the employment rate to 8.8 percent.

He said he arrived at this figure by breaking down the 1950 male labor force into 49 age and educational level groups and applying the proportion of each group to the 1962 population. He found that if the labor participation rate had remained the same as in 1950, the present male labor force would be 1,500,000 larger than the Government estimated.

The Bureau of Labor Statistics gets its figures by making a door-to-door monthly survey of 35,000 representative households in the country. Only persons who are employed or who recently searched for jobs are counted in the labor force.

Mr. Killingsworth said that the "invisible army of unemployed" was not counted because these persons have not sought employment recently.

However, he said, his calculations show that they are of employable age. They are also persons with a low level of education.

### QUALIFICATIONS HELD INFERIOR

"The only conceivable reason these men are not seeking jobs," he said, "is that their qualifications are so inferior that finding employment is an extremely difficult proposition. After searching week after week, they became discouraged and gave up.

Mr. Killingsworth told the conference that the "invisible army" illustrated the importance of education in finding jobs in the automated age.

"There is no room in the labor market any more for unskilled untrained persons," he said. "The Nation is going to have to put more emphasis on higher education for persons in all economic groups to solve the unemployment problem."

The conference, attended by about 50 economists and welfare officials from various States, was sponsored by the American Foundation on Automation and Employment, Inc.

## TRIBUTE TO KONRAD ADENAUER

Mr. HUMPHREY. Mr. President, the architect of German reconstruction, the distinguished Chancellor, Dr. Konrad Adenauer, retired on October 15 from the office he has filled so admirably, to be succeeded by his colleague, Prof. Ludwig Erhard. It is hard to imagine Germany without Dr. Adenauer. His dedication to Western unity will long remain an inspiration. Konrad Adenauer's courage in the face of adversity, his energy, and his staunch defense of democracy and freedom are now a part of history; but for those of us who know him personally, his career has been an inspiration and his passing from public office is deeply regretted.

His attachment to the United States and to many of our distinguished citizens is well known. Every American President since the end of World War II has had a deep and personal affection for the Chancellor.

Yesterday, the distinguished Senator from New York [Mr. JAVITS], included in the RECORD statements which appeared in the October 9 edition of Der Spiegel, an edition dedicated to the retiring German Chancellor. Today, I wish to add my voice to his in lauding the accomplishments of Dr. Adenauer, a great and true friend of liberty and of the United States.

In addition to these statements, I also wish to call the attention of the Senate to two editorials published in Tuesday's Washington Post. In the lead editorial, the significance of Konrad Adenauer's role in the reconstitution of Germany is pointed out. Great significance is placed on the rapprochement between Germany and France which Dr. Adenauer and Premier de Gaulle skillfully managed. There is no question that the establishment of a friendly basis for cooperation between these two traditional enemies is one of the most significant contributions to peace that has been made in recent times. It is understandable that Konrad Adenauer considers this as the most notable achievement in his remarkable career.

The other editorial is by Robert H. Estabrook; and it calls attention to the coincidence of the concurrent retirement of two of Europe's greatest statesmen, Dr. Adenauer and Prime Minister Macmillan. This is certainly significant, not only due to the effect that these retirements will have on the future of the Western Alliance, but also because of the warm friendship between these statesmen and the people of the United States.

Mr. President, I ask unanimous consent that these two editorials and the statements be printed in the RECORD at this point.

There being no objection, the editorials and statements were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Oct. 15, 1963]

### SALUTE TO ADENAUER

The free world would be guilty of the grossest ingratitude if it did not salute, upon this day of his retirement from the office of Chancellor of West Germany, that redoubtable man, Konrad Adenauer. Not all may agree with Winston Churchill who described him as the greatest German statesman since Bismarck, but none can deny that Adenauer, more than any other man, shaped into a viable democratic state the ruins placed in his hands at the end of the war.

The present affluent state of Germany is only one and not the most important contribution made by the government which he headed. Even more remarkable is the change that government wrought in the world image of Germany and the Germans. In an incredibly short period of time, the Adenauer government brought Germany back into a place of trust and influence in the family of nations. From the perspective of the war's end, the present high standing of the country in the councils of the world's governments could not have been foreseen and would not have been predicted by any sober student of world politics.

The rapprochement with France is only the culminating achievement of a policy of realinement and rehabilitation and reunion that has transformed a shunned and detested country into a nation that commands attention and respect throughout the world. This is no little thing. And the sturdy old gentleman of 87 takes out of office with him the credit for a great deal of this progress.

The skillful management of exits is an accomplishment that eludes most dramatists and all statesmen. If the Adenauer exit has not been dramatically perfect, it sets no precedents. Statesmen have not devised graceful ways of relinquishing power. And no wonder. The most imperceptive of them have intelligence enough to know that "in the land of the ex-kings it is always twilight." No wonder they dislike emigration into this gloomy region. And no wonder the brightest of them shrink most from the surrender of power.

The world soon will forget the last few months, but it will long remember the years in which the stern, unbending, unyielding old man made a new Germany. He summoned up out of the Nazi ruin a government more democratically conducted, more economically sound, more politically free and more internationally responsible than anyone could have dared to hope for when the war ended. The free world, therefore, on this day of his retirement from power, owes the grand old man a fond salute.

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[From the Washington (D.C.) Post, Oct. 15, 1963]

### MAC AND ADENAUER MERIT GRATITUDE

(By Robert H. Estabrook)

LONDON.—By one of those stranger-than-fiction coincidences, German Chancellor Konrad Adenauer and British Prime Minister Harold Macmillan will leave office at almost the same time. The 87-year-old Adenauer was blunt enough to say openly, before news of Macmillan's illness and impending resignation, that his 69-year-old British counterpart should already have retired. Macmillan is more subtle, but privately he must have reciprocated the sentiment toward Adenauer on many occasions.

It is a pity that the two leaders should depart estranged, for there are similarities in their accomplishments and techniques. Adenauer restored dignity and made the Germans acceptable as allies. Macmillan made British conservatism acceptable on a broader base by substituting a pragmatic humanism for end-of-empire moans about lost power.

Both men have experienced disappointment. Adenauer must realize, as he relinquishes office today to Ludwig Erhard, that the Franco-German reconciliation for which he strived so long is in danger of being twisted by Gaullist exploitation. Macmillan has already seen his dream of taking Britain into Europe frustrated by a French veto in the Common Market.

Notwithstanding marked differences in background between the austere, bourgeois Rhinelander, and the liberal Tory who came to personify the British establishment, their tactical methods also have certain resemblances. Adenauer has been more wily and autocratic, Macmillan more suave. But each has been a master of maneuver who could pretend one thing while actually doing another.

Thus, Adenauer appeared to cling to office in a futile effort to shelve Erhard, and not until Christian Democratic associates virtually served him with an ultimatum last spring did he seem to yield. Yet there are reports that he wrote an American friend as long ago as January of his intention to retire in October. Because of problems in the Conservative Party, Macmillan himself may well have remained past the point at which he would have preferred to leave.

In a broader illustration of tactical agility, Macmillan brought Britain back into good standing in the Western alliance while paying obeisance to the cliches of Suez, and nudged Britain toward Europe while touting the Commonwealth. Adenauer acknowledged the German desire for reunification but pursued policies which seemed to make this even more difficult.

Here the two may have reasoned from opposite poles to a like conclusion. Profoundly suspicious of the impulses of his countrymen, Adenauer also knows that German reunification might produce a Social Democratic majority to challenge the Christian Democratic orientation of Western Europe. Macmillan has not differed publicly with the aim of reunification, but some of his colleagues say privately that Germany is safer divided.

Of course the comparison can be carried too far. With Adenauer, Macmillan's reputation for flexibility and compromise undoubtedly fueled fears of an East-West deal at Germany's expense. To Macmillan, Adenauer's rigidity must have seemed an exasperating veto on hopes of East-West detente, made cynical by extensive German trade with the Communists.

This explains in part why the Macmillan government has not pursued Anglo-German understanding. German Foreign Minister Gerhard Schroeder, over the doubts of Adenauer but with broad political support, made conspicuous efforts to befriend Britain at the Common Market breakdown.

Much British bitterness stems from the 1914–18 massacre depicted in Joan Littlewood's caustic production of "Oh What a Lovely War." Ironically, it was left to Harold Wilson to lead the British Labor Party, the traditional repository of the most virulent anti-German feeling, toward rapprochement with the German Social Democrats.

It also is ironic that Adenauer, despite his often-expressed misgivings about the British, was the one to make a private approach to Moscow in his recently disclosed secret message to Mr. Khrushchev. Yet this, like what many Germans must view as his gullibility toward De Gaulle, must be put down as the aberration of an old man. It does detract basically from his achievement in linking Germany with her Western neighbors.

Obviously the retirements of Macmillan and Adenauer will be the signal for change, some of it overdue. But each, in his own way, has been a remarkable statesman who deserves well of the West. It would be fitting if the departures somehow became a catalyst for closer association of the two countries.

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INDEPENDENCE, MO.,
*September 27, 1963.*

Mr. CLAUS JACOBI,
*Editor in Chief,*
*Der Spiegel,*
*Hamburg, West Germany.*

DEAR MR. JACOBI: I am more than happy to express, at this time, my high regard for the great service to the cause of peace and democracy contributed by Chancellor Adenauer through the most difficult years of postwar reconstruction.

Chancellor Adenauer happened to be one of those extraordinary men who come to leadership in a great moment of history.

Along with everyone else, I hope that he will continue in consultation with the Western World so long as he lives.

Sincerely yours,

HARRY TRUMAN.

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THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
*Washington, D.C., August 29, 1963.*

Mr. CLAUS JACOBI,
*Editor in Chief,*
*Der Spiegel,*
*Hamburg, West Germany.*

DEAR MR. JACOBI: It is a great pleasure for me to join with the many friends and admirers of Chancellor Adenauer in paying tribute to him for his many great accomplishments in the cause of freedom.

Throughout his life Chancellor Adenauer has been a beacon for all those who believe in freedom and liberty. The cause of democracy has been greatly advanced because of Konrad Adenauer's political life. No one has evidenced a greater desire to bring about unity and democracy than Chancellor Adenauer. The Federal Republic, which he has led for so many years, will long wear the mantle of the Chancellor's work in behalf of democracy in Germany and Europe. Germans and all Europeans can well be proud of the accomplishments of Konrad Adenauer.

I wish for the Chancellor continued good health and many, many more years of continuous service, not only to his country but all the free world.

With kind regards, I am,

Sincerely,

JOHN W. MCCORMACK.

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SEPTEMBER 24, 1963.

Mr. CLAUS JACOBI,
*Editor in Chief, Der Spiegel,*
*Hamburg, Germany.*

DEAR MR. JACOBI: I count it an honor to join with others in paying respect, through Der Spiegel to Konrad Adenauer as he retires as Chancellor of the German Federal Republic.

But I do not think of this occasion as a farewell to Dr. Adenauer. As long as he lives, and long after, he will be an influence, both in Germany and beyond. And that is our great good fortune.

Cordially,

ADLAI E. STEVENSON.

### DR. KONRAD ADENAUER, CHANCELLOR OF THE FEDERAL REPUBLIC OF WEST GERMANY

(By Anthony Eden, Earl of Avon)

For nearly 6 years, first as Foreign Secretary and later as Prime Minister, I worked with the German Federal Chancellor, Dr. Konrad Adenauer. The fact that this period was critical in his career gives me some authority to assess his work, perhaps for Germany, certainly for Europe.

The Chancellor's purpose was ever the same, to strive for his country's rehabilitation within the framework of closer political and military union among the nations of Western Europe. For this he labored with devotion and without pedantry, against odds which would have daunted most men, realizing his purpose at the journey's end. A statesman cannot ask for more.

In the process of battling for the policies in which he believed, Dr. Adenauer led and taught his people. It is not necessary always to agree with his teachings in order to understand the contribution they made toward molding German opinion in its most distressed phase immediately after the war.

Some of my earliest memories of him as a negotiator concern informal meetings which we held in London in February 1952, at the time of the funeral of King George VI. It fell to me to preside over these encounters, in which the French and the U.S. Foreign Secretaries joined me. Up to that time the negotiations about Germany's future association with the West had been inching forward slowly, not through the fault of any individual, but from their own complexity.

For 2 days we worked almost without a break and at last began to shape into some order those innumerable questions concerning security, finance, and armaments with which we had to deal. It was these talks, of which little could be said at the time, which first gave me hope that a full understanding might eventually be reached between our four countries.

An even more critical phase lay ahead, however. In August of 1954, the French Parliament rejected the EDC. This was a moment of deep chagrin for Dr. Adenauer, when all that he had been working for seemed doomed to failure, yet it was to have a happy sequel. It fell to me to play a leading part in the negotiations which followed, not from merit, but because my country, being outside the six, could make a contribution to find a solution in a wider setting, and it did so.

Looking back now on the agreements reached at the London Conference in September 1954, which consolidated the West and integrated Western Germany within NATO, it seems a simple business, almost as though it must have been. But this was not so, the issue was often in doubt at the time. The agreements, as well as their ratification by the Parliaments concerned, would not have been possible but for the wise and patient statesmanship of the German Chancellor.

Contrary to some allegations, I always found Dr. Adenauer direct in negotiations. This was so when I asked him at one of our early meetings about his intention concerning reparation for Israel. It was equally true in those critical days in London. The voluntary declaration which he made of German intentions at a decisive phase of our discussion gave the Conference just the confidence it needed to go forward to agreement.

The Chancellor is a firm believer in patience and the healing powers of time. Small wonder that the Soviets found it difficult to wreck his steady purposes even with repeated calls for Four Power talks salted with tasty, if suspect, bait. I was told that at the end of one of his press conferences in London, the Chancellor gave a reply in Italian which may be freely translated: "He who goes slowly, goes safely and goes far." This was a fair summary of his methods.

As Dr. Adenauer now surveys the monument of his achievement for his country and for Europe, he can do so in the knowledge that he has built soundly. Others will do well in Europe if they can emulate his statesmanship.

ANTHONY EDEN,
*Earl of Avon.*

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CHICAGO, ILL.,
*September 11, 1963.*

Mr. CLAUS JACOBI,
*Editor in Chief, Der Spiegel,*
*Hamburg, West Germany.*

DEAR MR. JACOBI: I welcome this opportunity to state publicly my sincere and personal appreciation of Konrad Adenauer as he relinquishes the post of Chancellor of the German Federated Republic.

I have had occasion in critical situations to meet with the Chancellor in connection with problems that were of a delicate character—problems that affected his herculean effort to extinguish a blot on the escutcheon of the Germany of Nazism. It has been an ennobling experience to come to understand and to appreciate the full depth of his inner conviction that the world has no place for bigotry and prejudice, leave alone cruelty, as a means of expressing it.

In my work in the United Nations I was privileged to meet his representatives and to observe the manner in which, under his direction, they gave more than simple lip service to the ideals of this important organization.

I admire and respect him for the life he has lived, for the sincerity and energy with which he has given meaning to his sound philosophy of the kind of world that he envisions. May he be blessed with many more years in good health to help him to continue to inspire into the people of Germany, as well as many of us elsewhere, with his hope for a better world which honors the dignity of all men.

Sincerely,

PHILIP M. KLUTZNICK.

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UNDER SECRETARY OF STATE
FOR POLITICAL AFFAIRS,
*Washington September 12, 1963.*

Mr. CLAUS JACOBI,
*Editor in Chief,*
*Der Spiegel,*
*Hamburg, West Germany.*

DEAR MR. JACOBI: I was pleased to hear that Der Spiegel plans to devote a special issue to Dr. Adenauer when he relinquishes his present office as Chancellor in October. I, of course, welcome the opportunity to add a few personal remarks which will reflect my feelings for this giant of the post-war period as he steps down from the post he has held so long and in which he has performed so notably.

My association with Dr. Adenauer dates back to those grim days in the late forties when as head of the newly established Marshall plan in Europe I worked closely with him and his economic advisers in charting a revitalized economy for war-torn Germany in consonance with the general economic recovery of other countries of Western Europe. The results, I believe, speak for themselves. Under his leadership Germany has experienced a remarkable revival as a strong and healthy nation. He has used his prestige and power to promote the principles of political democracy. But more than that—he has guided Germany into an entirely new relationship of friendship and cooperation with its neighbors and with the entire free world.

During the ensuing 14 years our paths have crossed on several occasions in connection with subjects of mutual interest. Although our thinking on all matters has quite naturally not always been identical, I have always had the highest respect for his views and general approach to problems particularly with regard to relations between our two countries, the unity of Europe, and the cause of freedom in general.

Future generations—of Germans, Americans, of all free men—will be the richer for his labors and his devotion to the democratic way of life. Because of Chancellor Adenauer, our two countries are closer than they ever have been. And the mutual benefits of that kind of relationship must be unmistakable to all.

In no small measure because of Chancellor Adenauer's foresight and determination, age-old rivalries in Europe have been converted into an entirely new pattern of relationships. And Europe and my country have moved toward the kind of interrelationship that provides strength and confidence. Finally, with the Chancellor's active cooperation we have all progressed toward unique and mutually beneficial relationships between developed and developing states.

It is given to few men to place their indelible mark on the history of their time. Such a mark has been made by Konrad Adenauer, statesman of free Germany and the free world.

Sincerely yours,

W. AVERELL HARRIMAN.

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COMITE D'ACTION
POUR LES ETATS-UNIS D'EUROPE,
*Paris, July 27, 1963.*

Mr. LEO BRAVAND,
*Der Spiegel, Hamburg Pressehaus,*
*Speersort 1.*

DEAR SIR: I have received your letter of July 24.

I remember the meetings we had in the spring of 1953 in Luxembourg.

It is very kind of you to ask me to join in the special issue you intend to publish on the occasion of the end of Dr. Konrad Adenauer's chancellorship.

As you know I have the greatest admiration for Dr. Adenauer's leadership in the recovery of Germany, for his vital contribution in the creation of a united Europe and his devotion to peace. I think history will judge him as one of the great men of our time.

I regret however not to be able to participate more fully in your article as I am leaving Paris now for some time. However, you can quote this letter if you so wish.

I hope another occasion will present itself for me to cooperate more adequately with your magazine.

Yours sincerely,

JEAN MONNET.

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AUGUST 22, 1963.

Mr. CLAUS JACOBI,
*Editor in Chief,*
*Der Spiegel,*
*Hamburg, West Germany.*

DEAR MR. JACOBI: What a pleasant change it is to pay tribute to a living friend.

It is typical of Chancellor Adenauer that he is not ending his service in the highest office of government to return to the quiet of private life. Rather, like his contemporary, Sir Winston Churchill, and like a great American President of an earlier day, John Quincy Adams, he will resume service in the far from quiet popular branch of his country's legislature. For him life and service must continue together in tumultuous coexistence.

Fourteen years ago the honor and joy of friendship with Mr. Adenauer began for me in the undertaking to transform occupied Germany into a free and honored Federal Republic. After our first morning's talk I knew that, at last, Germany had a statesman worthy of the potentialities and the confidence of the German people. For he had a vision of a new Europe whose members no longer sought preeminence by domination. Rather, unity would be sought through a new conception of a common good for Europe as a whole; and the common good would be sought by joint efforts within Europe and between Europe and America to attain it. In the years that have passed much which was outlined by the Chancellor in that morning's talk has come to be accepted German and European policy.

The sources of Chancellor Adenauer's power have lain, so it has seemed to me, in his amazing vitality, in the tenacity of his convictions, and in his innate qualities as an educator. This is a good prescription for preeminence in any democracy. The Adenauer years have been years of transforming education for the German people. In this time they have become convinced Europeans, spurred and guided by him into the forefront of the movement for European unity.

Any people is deeply affected by its environment. Years ago the Chancellor pointed out to me that this was particularly true of the German people and, hence, the vast importance of the environment to be produced in Europe in the postwar years. One might venture to sum up his career as Chancellor as working for that environment in which a reunited Germany might play an honored role in a united Europe, in turn within an ever more closely united Atlantic Alliance. Not the least of his successes in this work has been in educating his fellow citizens (German and European) to understand the vital relationship between the environment of unity and the achievement of reunification.

A great host of friends wish for the Chancellor many years of service in the Bundeshaus. There he can guard and guide the evolution in Germany and Europe which owes so much to him. Indications are not lacking that his vigilant eye will be needed, and that occasions may well arise on both sides of the ocean when we may need his tart and ironic admonition—once given to a mutual friend—that God unhappily limited the intelligence of man but not his stupidity.

On this occasion on which my friend begins a new career, I salute him with deep respect and affection.

Sincerely yours,

DEAN ACHESON.

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STATEMENT OF SENATOR MIKE MANSFIELD, DEMOCRAT, OF MONTANA, ON CHANCELLOR ADENAUER

At the end of the war, Western Europe needed political leaders to point the way upward out of the ruins. It needed statesmen to nurture the roots of Europeanism from which all of the nations of the continent derive their spirit and being. And it needed strong human beings to resist new onslaughts on freedom. In Germany Chancellor Adenauer rose to meet these needs. He is a great German political leader, an outstanding European statesman, and a strong humanitarian of the West.

MIKE MANSFIELD.

STATEMENT BY AMBASSADOR WALTER DOWLING

It is sobering to reflect what might have been the destiny of this postwar world of ours had it not been for the leadership and counsel of a few notable men. Of these leaders, perhaps none will be proven to have left a greater impact on his times, and on the future shape of the Western community, than Konrad Adenauer.

Chancellor Adenauer's role in the rebuilding of a nation which, rising from tyranny and defeat, today enjoys the esteem and support of its Atlantic allies, would alone insure his place in German history. But one must add to this remarkable achievement the great sum of his accomplishments for European unity and the defense of the West. Without Germany, the West would be incomplete; without the West, German aspirations for a peaceful, unified future would seem forlorn indeed. Much of what we all hope to attain still lies ahead, but we need only look back 15 years to see how far we have already come. And if, after this backward glance, we look into the future, then we begin to perceive the measure of Konrad Adenauer's attainments.

WALTER DOWLING.

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## ACCOMMODATIONS FOR THE PERFORMING ARTS

Mr. HUMPHREY. Mr. President, Mr. Richard Coe's trenchant criticism of the present accommodations for the performing arts in Washington is timely and justified. It is a national disgrace that the capital of the richest country in the world can provide nothing more suitable, either for its visitors or for its citizens, than Uline Arena. It may now be called the Washington Coliseum, and much money and effort may have gone into its conversion; but it is not now, nor shall it ever be, a substitute for the accommodations that Washington deserves. The President requested that Washington be made the showplace and example for the whole country. Uline Arena is an example of a place in which not to present shows. These accommodations are an insult to the performers, the audience, and the essence of the arts. By passively accepting this disservice, we tacitly degrade the artistic aspirations of this great country.

It is time for us to realize the enormity of the disservice that we are doing to the country and to this Nation's prestige in the eyes of the world by allowing Washington to go on year after year without suitable auditorium space.

I commend Mr. Coe for bringing this need to the community's attention. It can most logically be met by quickly making funds available for the National Cultural Center.

Congress must realize its obligation to this endeavor. We must discharge this responsibility by serving as an example to the people of this Nation in the area of contributory generosity. For this reason, it may be necessary for Congress to make an appropriation to the National Cultural Center, as an indication to the people of this country of the importance of this endeavor.

Mr. President, I ask unanimous consent that Mr. Coe's excellent article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### ONLY MAKESHIFT HOME: A SPORTS PALACE NO PLACE FOR ARTS

(By Richard L. Coe)

Our "Capital of the Western World" last week clinched its nickname, "Hicksville-on-the-Potomac."

From its own opulent theater in the capital of the U.S.S.R., a sizable company of the Bolshoi Ballet took the only stage it could get in the U.S. Capital—a converted ice rink, the Washington Coliseum, born Uline's Arena.

The coliseum, down by the railroad tracks, was built for sports events. With commendable largesse and perseverance, its owner, Harry Lynn, collaborated handsomely with Messrs. Sol Hurok and Patrick Hayes to create a stage, improve acoustics, and give a clean, festive air to the sports palace.

All hail to them. It is better to have a taste of fine dancing than none at all. Miraculously, the performances had the excitement of the best. But, let's face it, the program was adroitly adapted to the surroundings—broad, theatrical, and rousing. The fine details of full-length classics cannot be expected. Future events will be carefully so tailored and, to a degree, we should be grateful. Total absence could mean total apathy.

But this is still a disgrace and a very serious, inexcusable disgrace and I cannot find it in myself to be as grateful as I should.

I very much resent, as a citizen of the richest country in the world, that this miserable treatment of the performing arts is the best our country's Capital can offer.

I resent the makeshift and the spots of the stage which sound like a kettle drum. I resent the seedy location, miserable traffic arrangements, and muddy paths. I resent late comers and early leavers shuffling on cement aisles and steps. I even resented the poor usher who could not have been expected to know that one of the two ladies he was taking to the wrong seat was the wife of our Secretary of State.

Those of us who know this city know that it is not really Hicksville. It is as beautiful an American city as there is and its life and people are stimulating beyond the wildest dreams of say, most New Yorkers. Los Angelenos or San Franciscans. Many of us who have come here from all over live here by choice and proudly.

That is another reason the miserable makeshift is so inexcusable. We have our beautiful galleries, museums, universities, and dynamic private salons. But we are missing a vital and wonderful aspect of civilized life.

The reason this is so depressing is that is goes so much deeper than merely complaining about the lack of a building. It points to other weaknesses and irresponsibilities we have permitted in so many areas of our national life and this city's life.

The plight of our symphony and its players is pertinent. So is that of our schools. So is the fact that Congress votes money for a fish house and that words are getting to be meaningless. That these things are all related must be recognized. Our arts cannot rise far above the world they reflect.

It can no longer be said that ours is a young country. It is time for us to face the fact that the arts never have been self-supporting. The disappearance of the wealthy patrons of the arts through tax schemes has created foundations which are only just beginning to recognize the needs of the performing arts. If we are not to have the subsidies (municipal, State or Federal) dreaded by so many, it is up to the system we do have to create alternatives.

They have been solved elsewhere.

"Don't call Washington Hicksville," cautioned Sol Hurok the other night. "It's an insult to Hicksville. Starting with Indianapolis, Ind., and roaming out to Santa Monica, Calif., I can name you 40-odd so-called Hicksvilles where the arts are handsomely housed. Los Angeles is about to open a magnificent complex. Washington isn't even in the Hicksville league."

I would say that this is one more reason why the Cultural Center must be built except that I'm weary of saying it, as you must be of hearing it. I don't give a hoot how it looks to our visitors. I do give several hoots what it means to our country and its people, what it reflects of our values. Those values are not good enough and it is a potentially fatal thing to have unworthy values.

## RECESS

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 12 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Thursday, October 17, 1963, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate October 16 (legislative day of October 15), 1963:

### DEPARTMENT OF THE NAVY

Paul H. Nitze, of Maryland, to be Secretary of the Navy.

### DEPARTMENT OF DEFENSE

William P. Bundy, of Maryland, to be an Assistant Secretary of Defense, vice Paul H. Nitze.

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# EXTENSIONS OF REMARKS

## Alco Workers Send 100-Ton Greeting Card Overseas

EXTENSION OF REMARKS

OF

### HON. LEO W. O'BRIEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 1963*

Mr. O'BRIEN of New York. Mr. Speaker, constituents of mine at the Schenectady plant of Alco Products, Inc., have sent a unique "greeting card" overseas to Pakistan in an inspiring and noteworthy act of international good will and friendship.

The "card" certainly is the world's largest—a 2,150-horsepower diesel-electric locomotive, 58 feet long and weighing more than 100 tons. It bears the signatures of 1,200 Alco workers who swarmed over the giant "card" to sign their names with felt-nib pens on a plastic "cocoon" that had been sprayed over the finish paint.

It is going halfway around the world to locomotive shopworkers in Lahore, Pakistan. Its cab is loaded with gifts contributed by the friendly workers of Alco.

This locomotive is the 200th that Alco has shipped to Pakistan as part of that country's dieselization of its railroad system. I am proud that this major industrial firm in my congressional district is the leading producer of diesel-electric locomotives for oversea markets. Earlier this year, the company received the President's "E for Export" flag for its outstanding activities in support of the national program for export expansion.

Since 1947 Alco has built more than 1,800 main line locomotives—valued at more than $200 million—for railroads in Asia, South and Central America, Europe, and Australia. When Pakistan Western Railway completes the first half of its dieselization program this year, 260 of the 311 diesel-electrics in service will bear the Alco trademark.

The greeting card idea was born when Alco employees heard that the Pakistani shopworkers had difficulty in obtaining topnotch basketball equipment for their recreation program. They decided to help out by providing the equipment. Then they decided to ship it "by rail" in the cab of the locomotive being shipped to Pakistan. The finishing touch, of course, was for each man to sign the locomotive in greeting to the Pakistanis.

This type of generous, warmhearted feeling for other peoples is badly needed in these difficult times. I am sincerely gratified that it exists in the hearts of my constituents at Alco and I devoutly hope it is catching and spreads throughout the land.

## No. 17—Maine: The Gamblers' Paradise

EXTENSION OF REMARKS

OF

### HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 1963*

Mr. FINO. Mr. Speaker, today, I would like to bring to the attention of the Members of this House, more particularly the congressional delegation from the State of Maine, some interesting figures relating to the extent of gambling in that State.

Last year's parimutuel turnover in Maine came to over $15 million from which the State derived a little over $1 million in revenue. However, illegal off-track betting is far more important. Estimates presented to the McClellan committee peg off-track wagering in that State at almost $300 million a year. This represents only illegal gambling on horses. By expert computations, the total moneys illegally gambled in Maine last year is in the neighborhood of $600 million.

Some 10 percent of the turnover, Mr. Speaker, sticks to syndicate hands as gross profits. After significant expenses are incurred for the corruption of governmental and law enforcement process, there is still plenty of money left in the hands of the syndicates.

Unfortunately, these profits help to finance underworld schemes of all sorts and colors—and help to provide a fat bankroll for organized crime.

Unless we wake up to the need to control the natural human gambling impulse, rather than pretend it is eradicable, the dollars gambled by the people of Maine will continue to go on subsidizing the web of dirt spun by the crime empires.

All we need, Mr. Speaker, is the sense and the courage to follow the example of virtually all of our European and Latin American allies. A Government-run lottery will undermine the foundations of crime while propping up the Federal Treasury. Is it not time that gambling dollars started to work for the public good—in Maine and in the entire Nation?

## The Land and Water Conservation Fund Act of 1963

EXTENSION OF REMARKS

OF

### HON. CHARLES L. WELTNER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 1963*

Mr. WELTNER. Mr. Speaker, I have just received a copy of H.R. 3846, as amended, reported by the Committee on Interior and Insular Affairs on October 11, 1963. This bill, the Land and Water Conservation Fund Act of 1963, would serve a laudable purpose—the development of natural resources of our Nation. However, one amendment seeks to impose admission fees, including annual fees of as much as $7 for the use of recreational areas under certain Government agencies.

Mr. Speaker, my State of Georgia is blessed with great natural resources. Thousands of my constituents enjoy facilities of nearby Lake Allatoona and Lake Lanier—both under the jurisdiction of the Corps of Engineers.

The taxpayers have already spent millions of dollars in providing these facilities. I think it penny wise and pound foolish now to impose on the hapless sportsman these additional charges.

I believe I am speaking for my constituents in voicing strong opposition to this provision.

## Kentuckians Concerned Over Statewide Gambling

EXTENSION OF REMARKS
OF
**HON. M. G. (GENE) SNYDER**
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
*Wednesday, October 16, 1963*

Mr. SNYDER. Mr. Speaker, on last Monday the gentleman from New York [Mr. FINO] in his extension of remarks appearing at page 19452 in the CONGRESSIONAL RECORD—in a statement which was entitled "Kentucky: The Gambler's Paradise"—indicated that he would like to mention to the Members of the House and more particularly to the congressional delegation from the State of Kentucky about the hold of gambling on Kentucky. The gentleman states that based on testimony before the McClellan committee that it can be estimated that the yearly gambling turnover in the Commonwealth of Kentucky can reach $1.7 billion. Whether or not the $58 million in legal parimutuel betting is included within this figure, I do not know, but I assume that it is not from the connotation of the gentleman's remarks. I, for one, Mr. Speaker, hang my head in shame that my State has gotten what is apparently a national reputation for such illegal activity as the gentleman from New York mentions. I would say, in all sincerity, that I have received no indication from my own community that any illegal gambling is going on there. Perhaps, of course, this could be due to the fact that Churchill Downs, where most of the legal parimutuel betting goes on, is within my district and the necessity for an illegal operation is minimized. I would therefore assume that the majority of the illegal operation is going on in other parts of the State.

Such illegal activities as are described by the gentleman from New York are not condoned by me, and I am confident are not condoned by any of the other Members of Congress from my State.

There are certain other activities which have been brought to light in recent weeks and months that have taken place in Kentucky that are equally as undesirable as illegal gambling. I would assume that since our unfavorable reputation in this regard has traveled all the way to the great State of New York, the enforcement of the law in certain areas of our State must certainly be at a minimum. I have heard references at home to the fact that law and order have broken down in some areas in regard to gambling and bootlegging and that a serious law enforcement problem may exist in certain areas.

Mr. Speaker, I would like for the gentleman from New York, and for all other Members of the House who have had occasion to read his remarks, to know that there are many of us in Kentucky who are concerned about the breakdown of law and order—who are concerned about the figures which the gentleman mentioned, as to the extent of the illegal gambling in our State and other improper activities.

I would like the gentleman further to know that I believe that citizens of Kentucki are concerned about this to the extent that they intend to rectify the situation on November 5, 1963, by placing our State in the hands of a cleanup team dedicated to the riddance from our State of this and many other evils.

While I thank the gentleman from New York for bringing this matter to the attention of the House, I do want him to know that I have faith and confidence in the people of Kentucky that they will correct this situation in the very near future.

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## Serving People Through Credit Unions

EXTENSION OF REMARKS
OF
**HON. ROBERT TAFT, JR.**
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
*Wednesday, October 16, 1963*

Mr. TAFT. Mr. Speaker, October 17, 1963 is International Credit Union Day.

Each year leaders of industry, labor, business and commerce, education, religion, and government pause to join credit union members of the free world in recognition of the splendid service rendered by credit unions.

Today I want to join those who recognize the more than 50 years of service of the organized credit union movement. Any idea which endures and continues to grow throughout more than 50 years of existence is certain to be based on a solid foundation.

In 1912, President William Howard Taft addressed a letter to the Governors of the various States relative to credit unions. A portion of the text read as follows:

> A very good law has been enacted by the State of Massachusetts allowing the incorporation of credit unions which should furnish an example to the other States. Their establishment is generally a matter of State legislation and encouragement; their organization wonderfully simple, as the European experience shows and their success is practically inevitable when the environment is congenial and where proper laws are passed for their conduct.

One by one the States followed the lead of Massachusetts and today almost every State has a State credit union act—in addition, there is the Federal Credit Union Act which Congress passed in 1934.

The more than thirteen and one-half million members in 21,000 U.S. credit unions and the 2.9 million members in 4,650 Canadian credit unions are evidence of the success of the idea in North America. This success continues to attract attention of others, for the idea is spreading to many other countries of the free world.

Operating under the principle that "it is part of our American tradition to work things out together," credit union leaders have joined with Government agencies to provide technical assistance to foreign lands. Great returns are bound to accrue to the free world for the time and effort devoted to this fine work. We have already heard of some of the accomplishments made in Peru, and new returns will be coming from other countries such as Brazil, Bolivia, Colombia, Panama, Mexico, and Ireland. It is helping to create the seed of private saving and capital so vital to a free economy. Even Africa, Korea, and the refugees from Communist China have awakened to the credit union idea. The democratic principles of this excellent people-to-people program is being demonstrated in 67 foreign lands. In many parts of the world, the first vote ever cast by a citizen is in his credit union.

Recognizing the work of more than 750,000 credit union members of my home State, I point with great pride to their record of the past 32 years. Members have accumulated in savings more than one-third of a billion dollars. The impact of the 1,260 Ohio credit unions on the economy of Ohio has been felt many times because most of these dollars continue to flow back into the business stream again and again.

The accomplishments of the volunteer credit union officials over the years provide the inspiration for me to salute credit union members everywhere. Industry, labor, education, religion, business and commerce leaders can join with people in Government to recognize International Credit Union Day, 1963.

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## Ten Reasons for the 18-Year-Old Vote

EXTENSION OF REMARKS
OF
**HON. KEN HECHLER**
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
*Wednesday, October 16, 1963*

Mr. HECHLER. Mr. Speaker, here are the reasons why I support the lowering of the voting age to 18:

First. Many young West Virginians are leaving the State. The right to vote will give 18-year-olds a voice in the kind of future they would like for West Virginia and give them a stake in building the State.

Second. When the voting age was set at 21, nearly 200 years ago, the school system was not what it is today. People at 18 today are far better educated than they were at 21 in the old days.

Third. There is far more illiteracy among people over 60 than there is among people between 18 and 21.

Fourth. If 18-year-olds can be drafted and exposed to enemy fire in Vietnam and other trouble spots, they ought to be old enough to vote.

Fifth. Under the law, if 18-year-olds can make wills, get married, get licenses to drive, and be sued, they ought to be considered competent to vote.

Sixth. The 18-year-old vote has worked very well in Georgia—since 1943—and in Kentucky—since 1955. Any State can set the age limit for voting as it chooses.

Seventh. Medical science has enabled people to live longer and the average age of the electorate is rising; the 18-year-old vote would help balance this trend.

Eighth. By the time students reach 18, many are very much interested in current affairs; if denied the right to vote, they frequently lose interest by the time they are 21 and allowed to vote.

Ninth. To work for the Federal Government, the minimum age under the civil service laws is 18. If they are capable of working for the Federal Government at 18, they ought to be considered old enough to vote.

Tenth. The idealism and enthusiasm of young people will help raise the moral tone of Government and politics.

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## General Pulaski, Polish-American Hero

EXTENSION OF REMARKS

OF

### HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 1963*

Mr. ST. ONGE. Mr. Speaker, on October 11 freedom-loving Americans observed the 184th anniversary of the death of Gen. Casimir Pulaski, the famous Polish-American hero of the Revolutionary War period. Each year, on the anniversary of this brave soldier who gave his life for the cause of American freedom, we acknowledge the debt we owe to his memory and we observe Pulaski Day in many parts of the country with appropriate ceremonies.

Like his kinsman Gen. Thaddeus Kosciusko, Pulaski left his native Poland and came to the American Colonies to assist our budding Nation in its fight for independence. He contributed much toward victory, including his own life on October 11, 1779, when he fell in battle during the siege of Savannah. He was only 31 years old at the time of his death, but during this brief period of life he proved himself a gallant fighter for freedom, first for the freedom of Poland from Russian domination, and later for the freedom of the American Colonies.

George Washington was much impressed with Pulaski's military experience and put him in charge of organizing the cavalry. Pulaski participated in the battle of Germantown and Trenton, then was attached to the main army at Valley Forge during the winter of 1777–78, and later was detailed to the southern campaign where he subsequently lost his life at Savannah.

Today, 184 years later, we pay tribute to the memory of this man who came to our shores to help us attain liberty and justice. His own homeland, Poland, was not free then, as it is not free in our own day. Thus, Pulaski's cause for freedom remains our cause today and the cause of all mankind. Let us hope that very soon, in our lifetime, we shall yet see a liberated and happy Poland flourishing in Europe as it did in the past.

Americans of Polish origin have made great contributions to every sphere of activity in this country. They have helped to enrich it in many ways by their culture, religion, and love for freedom. I salute them on this anniversary of the Polish-American hero Gen. Casimir Pulaski.

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## Recent Improvements in the Administration of Foreign Aid

EXTENSION OF REMARKS

OF

### HON. ROBERT B. DUNCAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 1963*

Mr. DUNCAN. Mr. Speaker, perhaps no criticism of the U.S. foreign assistance program is so often expressed as the criticism that foreign aid is a good idea being badly executed—that our foreign aid program suffers from inept and inefficient administration. I myself have leveled this criticism and I know of no one who defends the examples of waste and poor planning that have occurred.

An organization as large and complicated as the Agency for International Development, charged with executing a program as complex as the foreign aid program, presents at best a difficult administrative challenge. But there are encouraging signs that this challenge is now being met by better administration.

AID was established in the fall of 1961 and given responsibility for the technical assistance activities of the International Cooperation Administration, the banking functions of the Development Loan Fund, and the Cooley loan fund lending function of the Export-Import Bank. The first problems faced by AID were those of consolidating the functions and personnel of these component groups. A complete organizational framework had to be put into operation. New personnel had to be recruited and personnel from component agencies absorbed or reassigned. Lines of authority and responsibility had to be designated. And while all of these organizational problems were being confronted foreign aid projects already in progress had to be managed. The foreign aid program could not stop while AID was being organized.

Many of the alleged administrative shortcomings of AID have been a result of the reorganizational problems of the Agency.

Most of these problems of transition and consolidation have been solved. AID has organized under one administrative roof all of the various means of providing foreign economic assistance, and of coordinating military assistance with economic assistance so that these two major elements may operate in concert.

The task now facing AID is to refine the workings of the Agency, and to iron out the weaknesses which have become apparent in the first year and a half of its existence.

A series of positive measures are being taken or have been completed in AID's continuing effort to make the Agency operate more efficiently and effectively.

To achieve clear lines of authority and responsibility, AID has divided all country programs into four regional bureaus: Latin America, Far East, Near East-South Asia, and Africa. Each bureau is headed by an assistant administrator who reports directly to the Administrator. The regional bureaus work closely with their counterparts in the Department of State.

A project is underway to coordinate foreign assistance affairs and political affairs by integrating AID specialists for each country with Department of State experts for the same country, making a joint State-AID office. This back-to-back plan has worked successfully in a pilot project involving the Latin American Bureau.

Delegations of authority have been perfected so that each regional bureau now has adequate authority to perform its responsibilities. In addition, a new method of allocating administrative funds has been instituted by which each Regional Administrator is responsible for keeping costs within the quotas for his region.

AID has recently begun modifications in its reporting and control systems, and has completed a new program development system which has been outlined in a set of guidance documents known as the Program Guidance Manual. These new programs are scheduled to be put into effect in 1964.

An agencywide program—called the implementation project—will restate and revise policies and procedural and technical guidelines. The goal of the project, which has been almost completed, is to develop a consistent set of policies and procedures which reflect the new AID organization, with its new concepts and directions. Key problems being ironed out include:

First. Criteria and procedures for processing capital loan or grant projects;

Second. Commodity assistance procedures;

Third. Policies and guidelines for drafting, negotiating and monitoring contracts;

Fourth. Criteria and procedures for providing technical assistance; and

Fifth. Utilization of foreign currencies, generated by U.S. assistance programs to stimulate further economic development in the countries.

When this project is complete, further reassessments of organizational structure and manpower utilization will be made.

AID is also examining in detail its relationship with other U.S. Government agencies to determine what work and responsibilities these agencies might perform for AID. During recent months, general agreements for interagency cooperation in foreign aid activities have been negotiated with the Department of Labor, the Housing and Home Finance Agency, Federal Home Loan Bank Board, Immigration and Naturalization Service, Internal Revenue Service, Corps of Engineers, and the Bureau of Yards and Docks. Action has been taken to improve AID's working relationship with the Department of Agriculture and the land-grant colleges in the planning and implementation of agricultural projects.

Similarly, AID has taken measures to induce more participation by U.S. private enterprise in fostering economic development overseas. This is being done through greater emphasis on investment guarantees, and on foreign currency loans—so-called "Cooley" loans—to U.S. firms and their affiliates for setting up commercial enterprises which will help economic development.

AID has established several new offices to deal with specific problem areas. The new International Development Organizations staff was created to push for more aid contributions from other industrialized countries, as well as better coordination between donor countries.

An Office of Public Safety has been organized to give special attention to internal defense problems which are a critical aspect of our aid operations in many countries.

Research into techniques of economic and social development is now being carried out by a new Office of Human Resources and Social Development.

In the Office of Material Resources AID has established a staff to work on the development of cooperatives in countries receiving aid. The staff of the Small Business Office is charged with the specific task of increasing opportunities for small American firms to participate in AID-financed procurement.

A separate office of engineering, designed to insure uniform engineering standards and to review feasibility studies to prevent poor planning and potential waste has also been established.

To maintain a constant doublecheck on mission operations, AID has organized a Management Inspection Staff composed of trained investigators assigned to carry out periodic examinations, inspections, and investigations of AID operations and personnel. These inspections supplement regular internal audits and are designed to assure prompt correction of deficiencies and provide for immediate corrective measures.

In the field of program planning, the Agency has established a Program Review and Coordination Staff to provide a thorough and continuing economic analysis of program plans and policies.

Field studies by the program coordination staff have led to the publication for the first time in the history of our foreign assistance program of permanent policy guidelines for program planning and a manual setting forth firm criteria by which the needs of individual countries shall be judged. These criteria specify the importance of the country to overall U.S. objectives, the degree of political stability, the degree of economic development, and the degree to which the country will help itself.

While some of these changes required additional personnel, most were accomplished within existing personnel resources. But the increase was largely neutralized by cuts in various headquarters staff units outside the regional bureaus.

A major effort is presently underway to streamline the personnel requirements of the entire Agency. A detailed study has been made of each staff to determine personnel requirements. Strict personnel ceilings have been established for all offices. The Administrator has ordered a reduction in some staffs by the elimination of positions as they become vacant.

At the same time efforts are being made to improve the quality of AID personnel. Outstanding people are being recruited from outside Government for important positions in the foreign aid program. A special effort has been made to encourage leading business executives to take top administrative positions overseas. Twenty-seven oversea posts have been filled with high-level executives recruited from the U.S. business community.

Still other administrative improvement programs underway at AID include the increased application of automatic data processing in management control, personnel, and fiscal accounting; the consolidation of contract policy functions; the implementation of tighter manpower controls to enforce increased productivity.

Improving administration is a continuing process, and undoubtedly much remains to be done to maximize the administrative effectiveness of AID. But the Agency has made—and continues to make—significant improvements. The results of these improvements have already become apparent in the greater effectiveness with which the foreign aid program is being now carried out.

## The Right To Choose

EXTENSION OF REMARKS
OF
**HON. THADDEUS J. DULSKI**
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Wednesday, October 16, 1963*

Mr. DULSKI. Mr. Speaker, as one who believes in the slogan "It Pays To Advertise" I was very interested in material received from the American Association of Advertising Agencies.

Under leave to extend my remarks, I would like to include in the RECORD two items, an editorial entitled "The Right To Choose" which was written by the Honorable Luther H. Hodges, Secretary of Commerce.

The editorial follows:

### THE RIGHT TO CHOOSE

If there is any truth in the old saw that familiarity breeds contempt, then we have a possible explanation why advertising has more critics than perhaps any other industry.

Advertising is more visible in our daily lives than any other single phenomenon of our society. We wake up to a radio commercial, read a newspaper ad on the way to work, glance at a billboard as we go to lunch, look at an ad-laced magazine on our way home, check the ads that came in the day's mail, and watch commercials during our evening TV viewing. One study estimates that the average man is exposed to more than 1,500 advertising impressions a day.

By its very nature, advertising clamors for our attention, so that we are more aware of it than we are of clothing manufacturing for example, even though that industry's products are as close to us as our skin.

Little wonder, then, that advertising attracts critics in numbers and vociferousness beyond what the facts justify. Out of some 30 million published ads a year, and 100 million radio and TV commercials, we can expect a few questionable ones in this imperfect world of ours.

Indeed, the surprising thing is how few bad apples there are in the ad barrel. Of more than 1 million ads examined by the Federal Trade Commission, only 3 percent even required further study. This speaks well for the industry.

But if we find advertising a ready target when it makes a mistake, too often we overlook its positive contributions to our economy, our culture, and our free way of life.

What is it that distinguishes the American economy from others? The chicken-and-egg combination of mass production and mass marketing. We may not know which came first, but we do know that one cannot exist without the other, and that advertising is the sine qua non of mass marketing.

Advertising makes possible volume sales, which enable manufacturers to take a very small profit margin per unit and still operate their businesses successfully. Without advertising, the consumer would, in many cases, have to pay higher prices.

This is contrary to the folklore of the economically illiterate, who cite the huge $12 billion a year advertising budget of American business as if it were something taken away from the consumers. Simple division will show that if this expenditure were instead rebated to consumers, it would amount to the magnificent sum of $66 each over a year's period.

In practice, however, this would be a green mirage. Lacking the ignition of advertising, our economic engine would run at a slower pace if it didn't stall out altogether. Some of us would lose income, or jobs, valued at many times $66. And we would pay more for products as volume dropped.

We would lose other values in addition to the economic ones in a world without advertising. The magazine you are now reading exemplifies some of those values. Advertising revenue makes it possible for the publishers to bring you the cultural satisfactions of its editorial content, without charging a prohibitive subscription price. It performs a similar function in the case of newspapers, and underwrites the entire cost of your radio and TV entertainment and information.

And the most sophisticated reader of SR will, I am sure, admit that he finds personally enjoyable and useful its book and record advertising. In broader perspective, adverting by book publishers and record manufacturers can claim a significant share of credit for the cultural renaissance taking place in this country. Book sales are twice the 1955 total. A record manufacturer cites an 80-percent increase in sales of classical discs within a recent 1-year period.

Advertising can also be an important vehicle of free speech. In many one-newspaper towns, the publisher considers it his responsibility to keep the news columns open to all points of view. But in some instances paid advertising is the best means of stating a position or expressing a viewpoint, and it is often fortunate for democracy that this channel is available. You will find this especially prevalent during political campaigns.

If the enemies of advertising should concede its economic and social benefits, it is equally incumbent on its friends to concede and try to correct its occasional lapses.

There is still too much offensive and misleading advertising, and any amount of such advertising is too much. But it is reassuring that the advertising industry itself subjects such operations to a heavy and continuing barrage of criticism.

The advertising man who does his job properly is performing a public service, and can be proud of his contribution to the national economy. Advertising is an essential mechanism for moving goods in any modern industrial society—even the Soviets are spending tens of millions of dollars, or, rather, their equivalent in rubles, for advertising. As Soviet Economist S. V. Serebriakov puts it, "The gradual widening of knowledge of buyers about goods by means of well-supplied advertising renders a positive influence on the simplification of merchandising."

If advertising is necessary even in an economy where the state is supreme, how much more vital is it to our system, where the consumer is king. Advertising widens the average man's freedom of choice, recognized as a basic ingredient of democracy when we vote at the polling booth, but not always seen in that light when we vote at the cash register.

Advertising gives Mr. and Mrs. America the opportunity to choose more intelligently how to allocate their rising income. It puts before them a choice not only among breakfast cereals, but a rich selection of nourishment for the spirit. Thanks in large part to advertising, the world's great books, good music, and even fine original works of art now exert their enriching influence on the lives of millions of Americans, not just in a few metropolitan areas, but in the smallest hamlets of our land.

Yes, advertising, more often than not has been a powerful force for both material and spiritual good in this country. Properly understood and properly applied, it can play an even greater role in enlarging our horizons in the decades ahead.

If we want the benefits advertising can bring us, I would say this to both advertisers and their audience:

"Let's use it, not abuse it."

LUTHER H. HODGES.

Another item of interest is an article entitled "Wall Street Looks at Advertising," which follows:

### WALL STREET LOOKS AT ADVERTISING

"Advertising more essential now than ever before to economic growth," says A. Rhett duPont, senior partner, Francis I. duPont & Co., one of America's largest investment firms, in Investornews, a monthly financial news magazine distributed to the firm's customers.

Advertising is being attacked.

Advertising is being defended.

There are those in government and in academic life who would like to make it a highly controversial issue. If it is controversial, then it is so only in the sense that the free enterprise system of free choice in the marketplace is controversial.

Its attackers are articulate, well educated, influential, and as we all know, no defense ever has the appeal of an attack. Moreover, too often the defense of advertising has overlooked basic facts in an attempt to meet polemic with polemic. Abuses of advertising there are. But as those who are guilty of them commit their sins in public, for all to see, sooner or later they'll be caught.

It is just plain poor economics and a lack of a basic knowledge of what makes our business system work to treat advertising as some monster created by slick hucksters for a fast buck. If there were no advertising, it would have to be invented * * * to serve a major need in our consumer economy.

### MYTH IN IMAGE OF THE UNITED STATES

America's great image in modern civilization is a land where its industry has been able to provide a standard of living far beyond anything ever before imagined by a people.

But there is something of a myth attached to that image. It is the myth that our productive ability, with Henry Ford's assembly line as its symbol, almost alone gave us all the myriad of choices of goods and services so readily available to American families. Mass production? Yes.

But the United States devised something more than a Detroit assembly line. Right along with it, the Nation's business enterprise fashioned a system of mass distribution, too. It has been taken for granted as a factor too long.

Mass distribution, U.S. style, consists of many facets—rapid transportation, refrigeration, a competitive marketplace encouraged by law, and highly flexible and widespread selling institutions such as the food, variety, and general merchandise chains * * * but the most powerful, dynamic force is advertising.

Whatever its form; in newspapers, magazines, television, radio, direct mail, or a well-designed package on a supermarket shelf, advertising is vital to maintaining mass distribution, which in turn supports mass production.

### ADJUSTMENT TO ABUNDANCE

Advertising's basic functon in the distributive role is to inform the public about the availability—what, where, how much—of goods and services. As David M. Potter, educator and author of "People of Plenty," puts it: "The only institution which we have for instilling new needs, for training people to act as consumers, for altering men's values, and thus for hastening their adjustment to potential abundance, is advertising."

How valuable is that function measured in the hard school of business economics? Much of the argument, the doubts, that swirl around advertising stem from the inability to assign dollar values to its effectiveness, as we can the worth of a machine or a laborer.

Partly that goes back to a statistical anachronism. It isn't only the self-appointed critics who are to blame. Too many businessmen and economists treat advertising, like the rest of the distribution function, as a cost purely and simply. Something; that is, which would make our companies more profitable if we could just eliminate it. The truth lies elsewhere.

No one today among economists or businessmen would consider manufacturing as simply a cost. Without it there would be nothing to sell. So, statistically, in all economic measures, the production side of business comes under the heading "value added by manufacture." Oddly, the process of getting that added manufacturing value to the marketplace where, and only where, it assumes some value is called "cost of distribution"—with advertising a part of that cost. Far more accurate, and less befuddling to our thinking, would be "value added by distribution."

Without advertising there would be no mass distribution, and without mass distribution there would be little value left in the products manufactured.

But critics of advertising don't stop simply at deploring its abuses. Nor do they say that promotion is ineffective. In fact, they claim consumers are victims of manipulation, overlooking such obvious cases as the Edsel which no amount of advertising was able to save.

### OILS DISTRIBUTION MACHINERY

They go beyond that, terming advertising an economic waste on a grand scale. It is anything but that. Actually, advertising is economically superior to any other method devised to oil our distribution machinery. As H. B. Wells, president of Indiana University, points out: "The social wastes supposedly inherent in competitive advertising are small indeed when compared with the social losses caused by alternative means for achieving consumer choice."

The postwar period substantiates that basic defense of advertising. We often hear about the great American salesman, and how he is missed today; that too much prosperity has left him flabby. The fact is that the boom of the last 15 years would have been impossible if the economy had depended on salesmen alone. The costs would have been prohibitive; distribution on such a mass scale would have sent prices far out of reach of most.

Fortunately, advertising took over much of the salesworkers' function. The sales force gained only 9 percent in the 1950–60 period, when the economic bloom came into full flower. What took up the gap? The figures tell the story. Before the war advertising amounted to about 2 percent of personal consumption expenditures. By 1950 it had risen to 2.6 percent. Last year it was about 3 percent, amounting to some $11.6 billion. Estimates put the figures at $25 billion by 1970. These are big figures. But just imagine the cost if every manufacturer would have had to have a sales staff large enough to call on a sufficient number of customers to build a market anywhere close to the size of today's markets.

### INCREASES TOTAL MARKETS

At present we are on the threshold of even greater economic heights as companies spend billions of dollars for research to develop new products. Only one drawback can occur: lack of markets.

The job for advertising now takes on enormous proportions. Our productive capacity, already huge, will grow as new products stream out of our research laboratories. At the same time, more and more people will be entering the job market. A growing economy, with expanding production, will be necessary to maintain the full employment that, in turn, can create bigger markets.

Thus, today more than ever before, advertising's essential function of increasing total markets as well as markets for individual brands, must be utilized to the utmost.

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## Columnist Resorts to Irresponsible Reporting To Twist Study Paper of Disarmament Agency

EXTENSION OF REMARKS

OF

## HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 1963*

Mr. FRASER. Mr. Speaker, one of the most irresponsible examples of reporting I have seen in recent months occurred in a column written by a Holmes Alexander which appeared recently in the newspapers. This column is reproduced below, followed by the rebuttal I have prepared from an examination of the document referred to in his column:

(By Holmes Alexander)

WASHINGTON.—It's always been a wonder to me that the graves of the Founding Fathers didn't break open and emit a demonstration of angry skeletons when President Kennedy went to Independence Hall at Philadelphia on July 4, 1962, and proclaimed a "declaration of interdependence * * * with a united Europe."

It was bad enough, considering how much trouble this country had escaping from Mother Europe, for the 35th President in George Washington's line to offer to creep back into that maternal womb. But hardly

15 months later, Mr. Kennedy's madness for merging—that is, for obliterating the American identity—had extended to endemic proportions. No longer was it enough to re-section ourselves to Europe (an operation, by the way, rejected by De Gaulle and the Common Market), but now the Presidential policy seems to call for a merger with the Communist bloc.

Not to speak loosely, I anchor my reference to a document which seems to be the guidebook for the ways we have gone since midsummer. If you read it, as I have, you will better understand the negotiations on the nuclear treaty, the President's proposal for a joint mission to the moon with Russia, the proposal to supply wheat and agricultural advice and assistance to the Soviet Union, the dialogs about nuclear neutralization of space and the President's hailing of what he told the United Nations was a "pause in the cold war."

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To be sure, persons are still defying death every weekend to escape from East Germany, Latin America is aflame with Soviet-supplied incendiaries and all the concessions are being made by us. But back in July there was published this document entitled, "Common Action for the Control of Conflict," prepared by a think-shop called Institute for Defense Analyses, 1666 Connecticut Avenue, NW., in Washington. It was prepared, significantly, not for the Defense Department, but for the State Department's Arms Control and Disarmament Agency. The motto which sets the theme of the document, and is printed at its head, is a quotation from a non-American, Lord Home of the British cabinet.

The quotation reads:

"Interdependence is the only alternative to a world that destroys itself."

The document is lengthy in urging that American salvation lies not in our strength and will to independence, but in our ability to placate, join and buttress our enemies. It recommends:

1. A parity of strength: "To shift the Soviet goal of 'catching up' * * * to a goal of matching Western patterns of use of resources."

2. Greater success for communism: "To shift the priority of resource use * * * toward consumption."

3. Further concessions to communism: "* * * to increase the probability that time will be available for constructive action."

4. Do business with communism: "To create cross-national enterprises * * * lay the foundations of great power solidarity."

5. Foreign aid to Russia: "To open the channels of trade and * * * technology in order to better satisfy the needs and desires of both peoples and to contribute to their enjoyment of life."

6. Seek accommodation: "To * * * provide a foundation for a politics of consent."

7. Become interdependent with the enemy: "Gradually to replace the policies of force by a politics of consent conducted in an environment of intricate interdependence."

8. One world: "On a pragmatic, step-by-step basis to (achieve) an inclusive, pluralistic world community."

Not many Americans, I venture, are ready for this holy state of matrimony with the Soviet Union.

Mr. Speaker, the eight points which are identified in the foregoing column purport to be direct quotations from the document. They would more appropriately be called direct deletions, for they serve to put the report in a false light. I am reproducing these quotations and am placing in parentheses the words which Mr. Alexander conveniently omitted. Just as serious as the omissions are the grossly misleading summaries to each point which Mr. Alexander has conveniently placed in such a way as to imply that these words are found in the document.

1. "To shift the Soviet goal of 'catching up' (with the United States, in terms of levels of production) to a goal of matching Western patterns of use of resources."

Comment: In no way does this statement support the conclusion that the objective is to seek a "parity of strength," as Mr. Alexander has sought to label it. To the contrary, this statement urges an objective of shifting the Soviets away from the goal of catching up.

2. "To shift the priority of resource use (away from military expenditures and) toward consumption."

Comment: With the words in parentheses reinstated in the quotation, its meaning is clarified and obviously affords no foundation for Mr. Alexander's conclusion that the objective is "greater success for communism." Even Mr. Alexander should admit that shifting Soviet expenditures away from military expenditures is in the interest of the United States.

3. "(To stabilize the military environment) to increase the probability that time will be available for constructive action."

Comment: Mr. Alexander has outdone himself here to equate this objective with an intent to make "further concessions to communism."

4. "To create cross-national enterprises (to explore and control nature for man's purposes and to) lay the foundations of greater power solidarity."

Comment: Again, leaving out the words in parentheses has changed the meaning. Beginning with the Eisenhower administration we have been cooperating with the Soviet Union in a number of ways, including participation in the International Geophysical Year, and exchange of weather information. Mr. Alexander seems at great pains to distort the simple meaning of this objective and equate it with doing business with communism.

5. "To open the channels for trade and (the spread of) technology in order to better satisfy the needs and desires of both peoples and to contribute to their enjoyment of life."

Comment: Trade and spreading technology do not equate with Mr. Alexander's characterization that this is "foreign aid to Russia." Trade is considered by most people as a distinct alternative to "aid."

6. "To (improve the means of communication and understanding to) provide the foundation for a politics of consent."

Comment: Mr. Alexander has again irresponsibily omitted the words in parentheses in order to claim that the stated objective is to seek "accommodation."

7. "Gradually to replace the policies of force by a politics of consent conducted in an environment of intricate interdependence."

Comment: This is the only quotation without some omission.

8. "On a pragmatic, step by step basis to (define and elaborate the instruments and goals of) [achieve] an inclusive, pluralistic world community."

Comment: Mr. Alexander has labeled this a "one world" goal, and in order to make the quotation appear to support his characterization of it, he has substituted the bracketed word "achieve" for the words in parentheses. The twist of the meaning is deliberate. The true quotation appears to relate to the fact that we are all on one planet and obviously therefore are necessarily already part of a world community.

Mr. Alexander does a disservice to good journalism. Whatever his personal views of international problems, he has no license to twist and distort statements in an effort to discredit others. Moreover, he conveniently omits the disclaimer in this document which states that the document does not necessarily reflect the views of any Government agency. Furthermore, the document listed these objectives to carry out the purpose "to improve the environment for the control of conflict." One can disagree with some of the stated points, but the purpose of controlling conflict bears the express approval of the American public and Congress. Mr. Alexander borders on the inane when he tells us that this document is in part the basis of a "Presidential policy for a merger with the Communist bloc."

Mr. Speaker, I hope this analysis will help to correct the misleading impressions created by Mr. Alexander's article.

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## American Railway Progress

EXTENSION OF REMARKS

OF

## HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 16, 1963*

Mr. FRIEDEL. Mr. Speaker, last week I joined other members of the Interstate and Foreign Commerce Committee on a visit of the American Railway Progress Exposition in Chicago. The display included mechanical, engineering, communications, and electronics equipment items related to railroad transportation for today's and tomorrow's railroads.

We are very much impressed with this exposition because of the vital role the railroad industry plays in our overall transportation system. Our committee is now considering legislation pertaining to the railroads and I believe the knowledge we obtained from the display will be helpful to us in understanding the problems of the transportation industry.

The principal speaker at the exposition was our very able colleague, chairman of the Interstate and Foreign Commerce Committee, the Honorable OREN HARRIS. His remarks on the character of national transportation policy and of legislation in keeping with the progress of our great transportation system are so timely and informative that I believe they should be brought to the attention of all the Members of the House.

I ask unanimous consent to have Chairman HARRIS' address inserted at this point in the RECORD.

### PROGRESS IN OUR GENERATION—SPEECH OF HON. OREN HARRIS, MEMBER OF CONGRESS, BEFORE AMERICAN RAILWAY PROGRESS EXPOSITION, MCCORMICK PLACE, CHICAGO, ILL., OCTOBER 10, 1963

Mr. Chairman, ladies and gentlemen, I am happy to be here with you this afternoon. It's a great pleasure to participate in this important exposition that gives due recognition to the tremendous progress which is occurring in the railroad and railroad equipment and supply industries. I commend you for this tremendous occasion. It is a credit to your industry, the vision and ingenuity of those of you in your attempt to provide future transportation for the people of this great country.

This progress is the more notable in this era because it has been made under the American tradition of free enterprise and free competition.

I am grateful that the Dodgers and Yankees have completed the world series for while I am a firm believer in free competition, I well appreciate that too much competition coming from this exciting finish to our baseball season well might detract from our full attention today being on this railway progress.

Six years ago last Friday, on October 4, 1957, the Russians launched Sputnik I. With an unusual sense of proper timing they chose an open date when the Yankees and Braves were traveling back to Milwaukee so that this accomplishment would not go unheralded in the press.

I think that there is no doubt that the attention of the world was secured and that launching dramatically and effectively pointed out that we stand today on the threshold of a new transportation era.

Just a month later, together with other members of our Committee on Interstate and Foreign Commerce in its participation in the International Geophysical Year, I traveled from the North Pole to the South Pole. Our passage halfway around the world then took 2 weeks. Today we can orbit the world in 1½ hours.

In the short space of 6 years we have increased the speed of transportation fiftyfold. And that follows a fiftyfold increase in the speed of transportation which had occurred in the relatively short space of the preceding 100 years.

Man's ingenuity and skill in his efforts to maintain himself on this earth—or for that matter to obliterate himself from the earth—and to conquer the space below the earth and in the heavens above is most remarkable.

The human organism itself is very frail. Even a conditioned athlete, such as some of the big tackles you have on the Chicago Bears, working at his full capacity over a period of a day, can do about the same amount of work as a 1/10-horsepower motor. The cost of operating such a motor is approximately 4 cents even if we put a value upon the amount of heat generated by a person at rest equivalent to that of a 70-watt bulb, the total output of the human being in a day is only about 11 cents. Since he consumes at least some $2 worth of food a day, and I suppose that the Chicago Bears eat much more than that, a question naturally arises as to how man can exist when his output is so much lower than his input.

The answer is simple; the difference is supplied by his utilization and control of nature's resources for his own benefit.

In the last 50 years we have greatly increased the amount of installed horsepower per worker and if we evaluate one horsepower as equivalent to 10 times the power of a man, the average factory worker today is supported by the equivalent of 100 others working at his command. This is progress.

During the last 100 years man has increased total power available to the individual 100 times. During the same 100 years he has increased the speed of communication 30 million times. Today he can send a message around the world 7 times in a second. (It seems most unfortunate that sometimes it takes years to get the message from the outside to the inside of the human skull.)

Indeed, this very week there is commencing a conference in Geneva of the International Telecommunications Union, which our Committee is attending and following very closely, for the purpose of allocating portions of the radio spectrum for the use of communication via space satellites. It is easy to visualize that if enough allocations can be made available under our present knowledge or under developments in the future, then we can communicate not only with the various nations of the world, but directly from a given television station into every home in the world, or even telephone one another anywhere, at home or in a car, without the use of wires, all by means of space satellites.

This is progress.

Here today as we look about us at the exhibits in this great hall and we see equipment on the tracks outside, we cannot but be impressed by the progress that has been made in the field of transportation. The powerful new locomotives, the new freight cars, the special-purpose type cars, the piggyback equipment, new types of track maintenance machinery—all are revelations of man's skill in meeting the transportation requirements of a changing age.

I know that we are all proud to witness what has been accomplished just as I know we all conjecture on what may be the transportation equipment of the future.

I am certain we will have continuing progress for greater efficiency but I think we all may speculate as to whether this progress in fact may be in the field as we know it, or whether, like that of communications, the great new developments may occur in transporting freight and passengers without the use of tracks such as by the use of hovercraft or airfoil.

But I am sure that you have on your program this week others who are far more qualified to speak on progress in the transportation research and development field than I am. I assume that what you wish from me is a comment or two upon progress in the field of transportation law.

The law of itself did not bring the progress which I have mentioned in the field of communications and transportation. Progress in raising our standard of living is through research, invention, development, and production.

No law invented the telephone, or the radio, or the steam engine, the electric motor, or the diesel engine.

The purpose of the law is to permit or sponsor such progress, or to guide such progress for the benefit of mankind.

But while law cannot bring progress, law may impede progress. This progress which we have had in our physical transportation is so phenomenal that we must review and review again whether our law is in accord with a modern approach to our transportation system. Does our present day regulatory policy and pattern conform with the requirements of today? Does it allow for the expansion and progress so necessary for the progress of our Nation?

Today we have modes of transportation serving the public that are tremendously different from those of 1887. In all modes we endeavor to achieve the same purpose, namely a common carrier system in this country that can serve the people.

I think no one can question the fact that all four of the principal modes of transportation: rail, highway, air, and water—now are well grown. Now we are faced with the problem no longer of whether Government rules are necessary to stimulate the growth of certain of these modes of transportation. Our problem is whether we are going to continue to have Government rules applicable to one type of carrier which are different from the rules applicable to another type; or whether, in the public interest, we need the same—more or less—Government rules applied to all types.

A year ago last April the President undertook to document what he called basic deficiencies in our transportation regulatory system and outlined the steps which he thought should be taken to improve it. Following his message to the Congress, I introduced into the House two bills which had been prepared by the Secretary of Commerce to carry out a substantial portion of the recommendations set out by the President. Last year our Committee on Interstate and Foreign Commerce commenced extensive hearings on the two bills and continued the hearings until the closing days of the Congress. As you know, owing to the breadth of the subject matter involved and the tremendous interest in the legislation, all persons who desired to be heard on the subject could not be accommodated and the hearings were not concluded.

Again in this Congress I reintroduced two bills prepared by the Secretary of Commerce in substantially the same form as those heard last year. Again this year we had extensive hearings on the two bills and completed the testimony from all witnesses. Next week the committee will meet in executive session to consider what it should do about the legislative proposals.

I have scheduled 3 days for executive sessions by the committee in order that the committee may have full opportunity to consider the various recommendations not only from the President and from the Interstate Commerce Commission, but those made to us during the course of lengthy hearings by the committee. I have sufficient confidence in this great committee doing a good job. I believe some progress can be made toward strengthening our common carrier system to get the very best transportation for our people in the future as we have had in the past. I am optimistic enough to think that we can improve and strengthen what we have today.

It seemed to me that the President's proposals provided a chance for constructive thinking on the part of the organized public transportation industry. However, the spirit of competition prevailed in the course of testimony presented to the committee. Up to now, spokesmen of each branch of the industry have been obdurate in their attitudes and we are experiencing great difficulty in finding a common ground on which they could meet.

I suppose that progress in this legislation so far might be characterized by some as progress is characterized on the football field. It depends on which side you are, on whether the progress of the ball is an advance or a retreat. The problem, however, is not limited to progress as viewed by the contestants, but it is progress as viewed by the spectators or progress as it can be measured in terms of what is the public interest. Perhaps in football as played within academic cloisters, the game is important only to the contestants. But in professional football, it matters not which contestant prevails in any given game, if the league does not repeatedly offer something appealing to the spectator interest, it will not survive.

I think it is time that we wake up to see what is taking place in each of these modes as they try to serve the public, because if we don't watch ourselves we are going to find the basic common carrier transportation owned and controlled by the Government. If private enterprise can't do it, you can be assured the public is going to insist on the service, and we are going to have it. If we can't have it any other way, we know what the alternative will be—Government owned and controlled—nationalization.

There are certain people in this country who would prefer that type of procedure and operation. I am one of those who do not. But I just do not believe that we have yet adequately tackled this problem of the real competitive spirit among modes of transportation to our greatest advantage.

The regulatory agencies which testified on the real controversial subject; that is, the minimum rate requirement, insisted that the problem be met by placing everyone under their jurisdiction. Their suggestion was to provide more regulation rather than to deregulate where possible and depend on competitive forces.

I am not sure with the experience that we have had in discriminations and accompanying advantages and disadvantages to some, that the farmers, the bulk commodity operators, and those who were given such exemption in the past, are going to sit idly by and see themselves brought under regulation.

I can give you an example, the poultry industry. We tried to do something about rolling back the situation 4 or 5 years ago. There was available unregulated transportation in certain of the areas for the transportation of poultry to the market. Yet had we approved the recommendation that the Commission and certain of the modes of transportation urged at that time, the rates in the poultry industry obviously would have been increased. We would have changed the poultry industry from their present locations today because of that.

The kind of transportation needed to haul chickens to the market could be made available without being regulated. We permitted it, and it has operated pretty well since. What was asked of us at that time was to bring them within regulation, which we did not do. Just that slight difference in the cost required under regulation would have completely rearranged the industry. It would not have remained as it is and as it has developed over the last several years.

There is no need for regulation for regulation's sake, and if shipping interests and the public can be protected, and if equality of treatment of the various modes of transportation can be provided with less regulation and greater reliance upon our American competitive system, perhaps our statutes today should be so changed.

This has been urged by the railroads, and in the hearings has been opposed by other modes of transportation. They express fear that this will lead to their being put out of business.

I certainly do not conceive that this will happen, and it will not happen. I just do not think it is sound practice for a government to pursue a course of maintaining a waterways program, of building and providing and maintaining highways for motor carriers, and then pursuing a course where they cannot be used. I certainly have not been working to get navigation on the Ouachita River in my area or on the Arkansas River, through the heart of our State, for the purpose of not utilizing it.

But, if in our consideration of proposed legislation we should be able to give equal opportunity to every mode of transportation to provide service to the public—which is the only reason for their existence—it seems to me at the same time we should provide some kind of opportunity for each community to have a semblance of transportation equality with other communities.

When we are talking of discrimination, we must talk also of discrimination between communities and sections of the country. It seems to me that it is impossible in a great Nation such as ours to continue with a system where there is so much discrimination in some places over others.

During the course of the hearings, I had numerous occasions to take up with various witnesses examples of rates which had come to my attention over past years. It has seemed to me that if the railroads could justify a rate from Greenville, Miss. to New Orleans, as being compensatory, it is just as logical that a similar rate should be applicable within a general area whether or not the community was on the river. For example, it seems logical to me that a similar rate would be compensatory from Jerome, Ark. to New Orleans.

I just do not think it sound policy to say to Greenville that you are entitled to a privilege brought on by the Government of the United States, and that the people of Jackson, Miss., or Marvell, Ark., within the same general area, are not. I think we must be just as interested in developing a policy where Hot Springs, Ark., is given the same treatment as far as rates are concerned as Little Rock and Camden.

Many areas have suffered tremendous setbacks because of rate discrimination which continues in substantial part as a result of the policy of the Government. I, for one, am seeking and listening for suggestions that will mitigate this problem, even though some progress has been made over the years. I think that water carriers and motor carriers and railroad carriers must come to grips with this problem.

So far as I am concerned, I am not going to keep working, appropriating funds and building up opportunities and privileges for one area and let the other area within several miles of it suffer because they do not have the same transportation opportunities.

In this connection, while disappointed with the answers of some industry spokesmen, I was extremely gratified with the testimony of Mr. D. W. Brosnam, president of the Southern Railway, who assured us that his company "is determined to give every inland town the rate advantages now enjoyed by waterway ports"; and by that of Mr. Jervis Landon, Jr., president of the Baltimore & Ohio Railroad, who stated that the B. & O. had exactly the same policy.

It has come to the point where under the principle of regulation there has been so much discrimination against some places over others, that it well may be the time for us to try some further adjustment to see whether this might be corrected.

I want to compliment the President of the United States, his administration, and the Secretary of Commerce for putting up the big challenge which they have issued to the transportation industry, to the regulatory agencies, and to the Congress. This challenge is that of progress in the field of legislation, progress in attaining a regulatory scheme that will meet the requirements of today's and tomorrow's transportation system. I, for one, am ready to try to meet the challenge and see if we can devise some kind of method that would improve and strengthen the soundness of our common carrier situation; and at the same time provide the transportation service to the people who are entitled to have it—for don't ever overlook it—they are going to insist on it—if they can't get it one way, they're going to get it another.

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# SENATE

## Thursday, October 17, 1963

*(Legislative day of Tuesday, October 15, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

Bishop W. Earl Ledden, D.D., Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Almighty and Eternal God, before whom nations rise and fall, grant us now the grace to be still and to know that Thou art God. Thou art the God of Abraham, of Isaac, and of Jacob. Thou art, too, the God of Washington, of Lincoln, and of the Unknown Soldier. Hear us, our fathers' God, and bestow wisdom to confront the massive duties of this day.

Grant that minds may be so open to Thy truth, wills so dedicated to the power that hath made and preserved us a nation, that these chosen servants of Thine—and of the people—may be privileged to strengthen all forces of righteousness and justice and good will at home and across all frontiers of race or class or other diversity.

May the decisions of these high hours, then, be made in the light of Thy countenance, and for the good of all Thy children. Grant that what is done here this day may help America build a thoroughfare for freedom across the wilderness of global tension and terror.

So may the words of our mouths, and even the meditations of our hearts, be acceptable in Thy sight, we pray.

In the Name of Thy Son, Jesus Christ, our Lord. Amen.

### THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, October 16, 1963, was dispensed with.

### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On October 16, 1963:

S. 453. An act to change the name of the Memphis lock and dam on the Tombigbee River near Aliceville, Ala.;

S. 743. An act to furnish to the Padre Junipero Serra 250th Anniversary Association medals in commemoration of this 250th anniversary of his birth;

S. 812. An act to provide for the release of restrictions and reservations on certain real property heretofore conveyed to the State of Arkansas by the United States of America;

S. 814. An act to amend section 7 of the Administrative Expenses Act of 1946, as amended;

S. 1125. An act to provide for the striking of medals in commemoration of the 100th anniversary of the admission of Nevada to statehood; and

S. 1936. An act authorizing the State of Rhode Island or its instrumentality to maintain, repair, and operate the bridge across Mount Hope Bay subject to the terms and conditions of the act approved March 23, 1906.

On October 17, 1963:

S. 13. An act to authorize the Administrator of Veterans' Affairs to convey certain land situated in the State of Arkansas to the city of Fayetteville, Ark.; and

S. 1994. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of certain waterfowl feathers and down from the national stockpile.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 7195) to amend various sections of title 23 of the United States Code relating to the Federal-aid highway systems.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 58) to print additional copies of the hearings on the nuclear test ban treaty for the Committee on Foreign Relations, with an amendment, in which it requested the concurrence of the Senate.

## ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolutions, and they were signed by the President pro tempore:

H.R. 7544. An act to amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal, maternity, and infant care for individuals with conditions associated with childbearing which may lead to mental retardation, and through planning for comprehensive action to combat mental retardation, and for other purposes;

S.J. Res. 123. Joint resolution to authorize the printing and binding of an edition of Senate procedure and providing the same shall be subject to copyright by the authors; and

H.J. Res. 724. Joint resolution to provide additional housing for the elderly.

## TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a short morning hour, not to exceed 15 minutes, during which resolutions may be submitted, bills may be introduced, and statements not to exceed 3 minutes in length may be made by Senators, and that the morning hour be limited to those.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## COMMITTEE MEETINGS DURING SENATE SESSIONS

On request of Mr. MANSFIELD, and by unanimous consent, the Foreign Relations Committee was authorized to meet until 1 o'clock during the session of the Senate today, and also to meet during the session of the Senate tomorrow.

Upon request of Mr. MANSFIELD, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

On request of Mr. HUMPHREY, and by unanimous consent, the Committee on Interior and Insular Affairs was authorized to meet during the session of the Senate today.

## EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nomination on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

## EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## EXECUTIVE REPORTS OF COMMITTEE ON COMMERCE

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably sundry nominations in the U.S. Coast Guard. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations are as follows:

Russell A. Serenberg, Jr., and sundry other persons, for promotion in the U.S. Coast Guard.

The PRESIDENT pro tempore. If there be no further reports of committees, the nomination on the Executive Calendar will be stated.

## THE MARINE CORPS

The Chief Clerk read the nomination of Lt. Gen. Wallace M. Greene, Jr., U.S. Marine Corps, to be Commandant of the Marine Corps with the rank of general for a period of 4 years from the 1st day of January 1964.

Mr. MANSFIELD. Mr. President, I should not wish to see this appointment acted on without noting my personal pleasure to joining in the confirmation. It is a source of particular pride to me, as a former marine—a service which elevated me from the rank of private to the distinction of private first class, a rank which I like to think that I still hold, at least on an honorary basis. The experience as a marine, both at the time and in the years of remaining a marine in retrospect, have meant a great deal to me, in my personal development and in my concepts of the essential place of defense in the enduring structure of the Nation.

Gen. Wallace M. Greene will occupy one of the most honorable and exacting positions in the Government of the United States. It is one that requires the utmost of any man, in character, in self-discipline, and in dedication to the Nation. He succeeds, as Commandant, Gen. David Shoup, who had these characteristics in abundant measure; and he succeeds a long line of illustrious citizens who have served the Nation with great honor and with immense credit to the spirit of the Marine Corps.

In succeeding General Shoup, he succeeds a marines' marine, a man who has brought added distinction to the office which he has occupied for so many years, in his dedication to the corps and to the Nation, in his disciplined response to every responsibility assigned him, he was the personification of the history of the marines. General Shoup is a man who I am sorry to see retire as Commandant of the Marine Corps, and a man whom I hope the Government will use in the years ahead, because of his many abilities, his high patriotism, and his great integrity. I have every confidence that with the appointment of General Greene as Commandant, as successor to General Shoup, the Marine Corps continues in the best possible hands. I congratulate General Greene, and wish him well in his new and towering responsibilities.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination? Without objection, the nomination is confirmed.

Mr. GOLDWATER. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. GOLDWATER. Mr. President, it was my privilege to be present during the hearings on the nomination of General Greene to be Commandant of the Marine Corps; and I concur in the remarks of the majority leader about this able soldier. His record is in keeping with the traditions of the Marine Corps and the military service of the United States. I believe he will be an able successor to General Shoup, who has established such a high degree of efficiency in the corps. I am very happy that this body has today acted favorably on this nomination.

Mr. KUCHEL. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. I think everyone acquainted with the Congressional Medal of Honor holder who has been the leader of the U.S. Marine Corps is prompted to arise and to salute him when he comes into view. I do not know him well enough to call him what his friends call him—"Uncle David"; but I have the pleasure of knowing him well enough to know that Gen. David Shoup is a great American patriot and a great military leader, supremely qualified for the tasks he has so eminently discharged during the time he has served his country as Commandant of the Marine Corps. And we do salute him as he draws near the conclusion of his tour of duty.

Surely, therefore, all of us must now concur in the sentiments expressed by the distinguished Senator from Montana

[Mr. Mansfield] and the distinguished Senator from Arizona [Mr. Goldwater] when we pay our highest respects to both General Shoup and his successor, General Greene, who has served as General Shoup's assistant; and I am glad to join in extending every good wish for a successful career to General Greene, an outstanding officer, in his new responsibilities as Commandant of the great and gallant Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

### MEMORIAL SERVICES FOR THE LATE SENATOR KEFAUVER, OF TENNESSEE, ON OCTOBER 24

Mr. MANSFIELD. Mr. President, I submit a resolution and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The resolution (S. Res. 216) was read as follows:

> *Resolved,* That on Thursday, October 24, 1963, at 2 o'clock postmeridian, the legislative business of the Senate be suspended to permit the delivery of memorial addresses on the life, character, and public service of Hon. Estes Kefauver, late a Senator from the State of Tennessee.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

### CIVIL RIGHTS PROGRAM—PETITION

The PRESIDENT pro tempore laid before the Senate a letter in the nature of a petition from Local Union No. 15, International Union, United Automobile, Aircraft & Agricultural Implement Workers of America—UAW, of Detroit, Mich., signed by Ernest C. Dillard, recording secretary, favoring the enactment of the President's civil rights program; which was referred to the Committee on the Judiciary.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 641. An act to approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project, Washington, and for other purposes (Rept. No. 563).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 4588. An act to provide for the withdrawal and reservation for the Department of the Navy of certain public lands of the United States at Mojave B Aerial Gunnery Range, San Bernardino County, Calif., for defense purposes (Rept. No. 564).

By Mr. MOSS, from the Committee on Interior and Insular Affairs, without amendment:

S. 1584. A bill to approve a contract negotiated with the Newton Water Users' Association, Utah, to authorize its execution, and for other purposes (Rept. No. 566); and

S. 1687. A bill to approve the January 1963 reclassification of land of the Big Flat unit of the Missoula Valley project, Montana, and to authorize the modification of the repayment contract with the Big Flat Irrigation District (Rept. No. 565).

By Mr. SIMPSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 1299. A bill to defer certain operation and maintenance charges of the Eden Valley Irrigation and Drainage District (Rept. No. 567).

By Mr. WALTERS, from the Committee on Interior and Insular Affairs, with amendments:

S. 1243. A bill to change the name of the Andrew Johnson National Monument, to add certain historic property thereto, and for other purposes (Rept. No. 570).

By Mr. BARTLETT, from the Committee on Commerce, without amendment:

H.R. 75. An act to provide for exceptions to the rules of navigation in certain cases (Rept. No. 569).

### TRANSPORTATION OF LUMBER—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 568)

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably, with amendments, the bill (S. 2100) to continue certain authority of the Secretary of Commerce to suspend the provisions of section 27 of the Merchant Marine Act, 1920, with respect to the transportation of lumber, and I submit a report thereon, together with minority views of Senators Beall and Thurmond.

I ask that the report be printed, together with the minority views.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Washington.

### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEATING:

S. 2242. A bill for the relief of Livia Sernini (Cucciati); to the Committee on the Judiciary.

By Mr. BAYH:

S. 2243. A bill for the relief of Clarence C. and Lucy W. Russell; to the Committee on the Judiciary.

By Mr. JORDAN of North Carolina (for himself and Mr. Ervin):

S. 2244. A bill to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McINTYRE:

S. 2245. A bill for the relief of the town of Weare, N.H.; to the Committee on the Judiciary.

(See the remarks of Mr. McIntyre when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON (by request):

S. 2246. A bill to extend the benefits of the Annual and Sick Leave Act of 1951, the Veterans' Preference Act of 1944, and the Classification Act of 1949 with respect to employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DIRKSEN (for Mr. Jordan of Idaho):

S. 2247. A bill to require that Irish potatoes sold or shipped in interstate commerce be labeled as to State of origin; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

### RESOLUTION

### EULOGIES ON THE LATE SENATOR ESTES KEFAUVER, OF TENNESSEE

Mr. MANSFIELD submitted a resolution (S. Res. 216) providing for eulogies on the late Senator Kefauver, of Tennessee, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Mansfield, which appears under a separate heading.)

### TOWN OF WEARE, N.H.

Mr. McINTYRE. Mr. President, on July 25, 1963, the fire company of the town of Weare, N.H., extinguished a forest fire on land under the jurisdiction of the Corps of Engineers. I introduce a bill for the relief of the town, which paid the fire company for these services. Problems affecting local services on Government lands would be eased substantially by the passage of S. 815, now before the Intergovernmental Relations Subcommittee of the Committee on Government Operations.

This bill would cede jurisdiction over such lands back to the States on such questions as service of process, voting rights of residents, personal property taxes, and the duties of local governments. Until this knotted tangle of intergovernmental relations can be untied, claim bills such as the one I am introducing today will be necessary if fairness is to be observed.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2245) for the relief of the town of Weare, N.H., introduced by Mr. McIntyre, was received, read twice by its title, and referred to the Committee on the Judiciary.

### LABELING OF IRISH POTATOES SHIPPED IN INTERSTATE COMMERCE

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Idaho [Mr.

JORDAN], who is absent, I ask unanimous consent to have printed in the RECORD at this point a statement prepared by him in connection with the bill I am introducing in his behalf.

The **PRESIDENT** pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2247) to require that Irish potatoes sold or shipped in interstate commerce be labeled as to State of origin, introduced by Mr. DIRKSEN (for Mr. JORDAN of Idaho), was received, read twice by its title, and referred to the Committee on Agriculture.

The statement of Mr. JORDAN of Idaho, presented by Mr. DIRKSEN, is as follows:

### STATEMENT BY SENATOR JORDAN OF IDAHO

The bill is of extreme importance to my State of Idaho. Our potatoes are known throughout the whole country as potatoes which are different from all others. Why is this true? Without going into great detail, I will explain as follows: The great potato fields of Idaho are, for the most part, in the Snake River Valley. There the soil is volcanic ash, rich in nitrogen. Until irrigation came to this section of the country, little was grown in this soil. Now, however, this is practically all potato country—Idaho potato country. And it is no fable that a potato of just as high a quality grown anywhere else in the country will not be like an Idaho potato.

When potatoes are planted, which I am sure many of you know, old potatoes are cut up so that each piece has at least one eye. These pieces with the eyes are then planted and the new potato plants will grow from them. You could literally take an Idaho russet, cut it up in pieces—each with an eye—and plant half of the pieces in the potato country in Idaho and the other half of the pieces back here in the East, and the plants that grow from the two different groups of pieces would produce potatoes which would taste differently. That would be true even if all other growing conditions were equal—cultivation, irrigation, and so forth. The substances in the soils would make the difference. A true Idaho potato cannot be grown anywhere but in the type soil that is found in the State of Idaho and in one county in the State of Oregon.

We in Idaho have capitalized on this one fact. Our success in past years with growing and merchandising Idaho russet potatoes has been the envy of all potato producing areas. We have, through untiring efforts and the expenditure of innumerable dollars, produced and sold a quality potato, a premium potato, and a different potato—and it is known as an Idaho potato. Because of our belief in the quality of the potato we produce and market, we have consistently opposed legislation to provide acreage allotment controls for potatoes; we have consistently refused to sacrifice quality for quantity; and we have consistently put our faith in the demands and the preference of the consumer for a quality product.

But, although it has been the people of Idaho who have invested their time, money, and efforts into building up the reputation of the quality Idaho potato, people in other areas many times have benefited just as much from Idaho's efforts. That is because they in other areas sell their potatoes as "Idaho potatoes" when they are not.

Often this is the case. When you have a quality product, inferior imitations soon enter the market place. Some even lend greater credulity and strength to the quality product. But such has not been the case so far as the Idaho potato is concerned. In this situation, competition and imitation have taken the form of misrepresentations and fraud; and as a consequence, the Idaho potato market has suffered.

It is impossible to enter any market in this country today to buy an Idaho potato and be certain that you are getting an Idaho potato—even though the bag may be clearly marked, "Idaho," or, "grown in Idaho." Housewives do not like this; I do not like this; and most definitely the people of Idaho do not like this.

In the past years it has become common practice to put inferior potatoes grown elsewhere into plastic bags clearly marked that the potatoes were grown in Idaho. That increases the profit margin of the potatoes being sold. Some producer somewhere else in the country, by deceit and fraud, is reaping part of the benefits brought about by the hard work and the devotion to quality of the potato growers in the State of Idaho. In addition, such a misrepresentation has a twofold effect on my State's tubers—it degrades the high quality of our potatoes, and it cuts appreciably into the sales of our potatoes.

There are now laws on the statute books which do make some attempt to prohibit this misrepresentation. But for every bag, every potato that is found to be mislabeled, hundreds, even thousands more go undetected.

At the request of the Idaho potato industry, I gladly join in sponsoring with the senior Senator from Idaho this bill which will effectively outlaw such reprehensible practices. The purpose of the bill is simple: It requires only that all potatoes be labeled as to the State of origin. It is hoped that such labeling will totally eliminate any and all misrepresentations to the buying public.

This bill has the endorsement of the entire potato industry of Idaho, and has been thoroughly examined and approved by the Idaho Potato and Onion Commission. It is a bill which has been the subject of many meetings and of every possible consideration. Frankly, it also has the endorsement of most of the other major potato-producing States, for it is equally important to them that the potato industry as a whole should not fall into disrepute with the consuming public.

Since a new crop of quality Idaho potatoes will soon be harvested, it is my hope that this bill will receive the earliest possible consideration.

## ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, October 17, 1963, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 123) to authorize the printing and binding of an edition of "Senate Procedure" and providing the same shall be subject to copyright by the authors.

## JUSTICE DEPARTMENT SUPPORTS CASTRO GOVERNMENT SUIT IN INCREDIBLE BRIEF

Mr. **KEATING**. Mr. President, the difficulty in pursuing effective economic measures against the Castro regime is illustrated in a unique manner by a brief recently filed in the Supreme Court by the Department of Justice.

In this brief, the Department of Justice joins on the side of a Castro-owned bank in Cuba, the Banco Nacional, to defeat the claims of a U.S. company for the proceeds from the sale of sugar seized by the Castro regime without the payment of any compensation to the original American owners of the sugar.

It is conceded that the seizure of the sugar by the Castro regime, like its other nationalization decrees against American-owned property, violated international law. Nevertheless, the Department of Justice, joined by a minor official of the Department of State, has filed a brief urging the Supreme Court to overturn two lower court decisions dismissing the claim of the Cuban bank.

Stripped of legal technicalities, what is happening in this case is that the U.S. Government has joined a Castro agency in a Federal court action to block payment to an American firm for the value of the American-owned sugar unlawfully seized by the Castro regime. That is exactly the state of facts.

I am sure that this will strike many as an incredible situation. When reports of this case first came to my attention I was certain that the situation had been exaggerated, if not misunderstood, and asked the Solicitor General to send me a copy of the brief. That brief, to my utter dismay, fully confirmed the allegations with respect to the position of the Department of Justice.

It is my consistent practice to refrain from commenting on the merits of cases in litigation and I do not intend to discuss the merits of the dispute involved in this case. But the United States is not a party to the suit and its action in this litigation from the point of view of our international relations certainly is an appropriate subject for public comment and consideration.

Mr. President, I still cannot bring myself to believe that responsible officials of the Department of State are aware of the position taken by the Government lawyers in this suit and I am encouraged by the fact that the highest ranking State Department official whose name appears on the brief is merely an Assistant Legal Adviser for Economic Affairs. Indeed there are indications in the brief that even the Department's Legal Adviser opposed any intervention by the United States in the litigation and the U.S. Court of Appeals, in upholding a dismissal of the Banco Nacional's complaint, appears to have relied on the Legal Adviser's position in reaching the decision that the Castro government's action violated international law.

There have been encouraging signs in recent months of determined U.S. efforts to bring effective economic pressures against the Castro regime, such as I have proposed on many occasions. Yet the brief in this case actually suggests that one general consideration for refraining from striking down the Castro government's nationalization decree under principles of international law is that it would "prove seriously offensive to, and injure relations with, the acting foreign state." How any official of our Government at this stage in history can suggest such a rationale for upholding Castro's discriminatory and retaliatory measures against Americans with property interest in Cuba defies understanding. Certainly such statements cannot be squared with our avowed determination to isolate Castro politically and economically from the rest of the Western Hemisphere.

The **PRESIDENT** pro tempore. The time of the Senator has expired.

Mr. **KEATING**. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. **KEATING**. Mr. President, until it is conclusively shown to the contrary, I shall construe this brief as an unfortunate bureaucratic error reflecting not a change in U.S. policy but the difficulties of coordinating policy in the executive branch. However, this experience should lead to new steps by the Department of State to make certain that every affected agency of the Government adheres to the State Department's foreign policy views in carrying out its responsibilities.

I am hopeful, that this matter will be reviewed by the Secretary of State now that attention has been called to the Government's brief. The Solicitor General is a man of considerable legal ability, but certainly, the foreign policy considerations involved in dealing with such claims by the Castro government should be determined by the Secretary of State and not by the Department of Justice.

## TITO

Mr. **YOUNG** of Ohio. Mr. President, through the years a great deal of our taxpayers' money has gone to Tito's Yugoslavia. Many Americans wonder why we have given such aid and how it has been used.

The facts are that from 1946 to 1951 total economic aid to Yugoslavia was $298 million. There was no military aid. At that time conditions were desperate within Yugoslavia, as they were elsewhere in war-torn Europe. American assistance was given to prevent starvation, disease and disaster. During those years Harry S. Truman was President of the United States.

However, during President Eisenhower's administration, surprisingly enough, under his so-called mutual security program, from 1953 to 1960 we Americans paid out economic aid to Yugoslavia amounting to $899 million. We also paid out in those years military aid amounting to $647 million. This total is startling.

Mr. President, I am pleased that under President Kennedy we are truthfully terming the program "foreign assistance" and not disguising it as "mutual security," as was done during the Eisenhower administration.

The total appropriation throughout the Kennedy administration for the years to date is $230 million in economic assistance to Yugoslavia. No military assistance whatsoever has been given. This is a great reduction from the military and economic handout of the Eisenhower years. However, it is quite likely that for the coming year strong protests will be heard in the Congress against any further economic assistance to Tito. Of course, there will be similar opposition to any military aid whatever, if any is contemplated, and, Mr. President, I do not believe that any will be contemplated.

We have given aid to Tito and his nation largely for the reason, I believe, that, in the words of John Gunther, in his great book "Inside Europe Today," "Tito's Yugoslavia is not a Soviet satellite. Tito is a nationalist Communist." Nevertheless, we should let him go his own way to communism. Whatever the prefix—nationalist Communist, Soviet Communist, Chinese Communist—the end result would be somewhat the same.

## THE PROPOSED TAX REDUCTION

Mr. **DOMINICK**. Mr. President, for some time we have heard constant urging from the administration that passage of its tax bill be accelerated, moved at the present session of Congress, and, if possible, completed in the present calendar year. We have heard constantly that such action would stimulate the economy, and that over a period of time additional revenue would be brought in.

A number of us have felt that although the tax bill is something that everyone in the United States urgently needs in order to promote the economy and in order to give some relief from the high cost of living, nevertheless, the cut must be restricted by a voluntary or statutory restriction on Federal spending. That theory has been based upon the fact that we cannot spend ourselves rich. We cannot continue to pile up deficits as we have been doing and as we are now planning to do for the next 4 fiscal years.

Recently I received a letter from a constituent whom I do not know well, but of whom I know. I thought that the letter so graphically pictured what the average citizen believes about Federal Government spending and taxes, that it would be worth while to comment on the letter for the benefit of all my colleagues.

A portion of the letter is worth reading. The portion is as follows:

> Now, at the cost of many hundreds of hours of hard physical labor, the house has been brought up to the neighborhood standard, the mortgage no longer exists and the improvements were paid for, cash on the barrelhead. Real estate taxes maintain our housing; our other expenses are normal. We need a better car; our 1951 model is not to be trusted out of town. The business truck is a 1952 model. Our gripe is this: from one quarterly payment to another, we make no gain or so little that we feel we're making no headway. I realize we've spent cash—good hard money—on improvements, but we strongly feel it's time our Federal Government learned to economize. We want to save some money.

The **PRESIDING OFFICER** (Mr. YOUNG of Ohio in the chair). The time of the Senator from Colorado has expired.

Mr. **DOMINICK**. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **DOMINICK**. I thank the Presiding Officer. I continue to read:

> No one begrudges the necessary governmental expenses, but the waste is appalling to people who have to figure constantly—would it be better to spend $10 this way or that. Darn few of us are going hungry, but few of us are able to do much but maintain, much less build for the future. What in the world can we do about it? Has it reached the point where control has left our hands? We hear "the Government has decided"—"Washington announced" and "they are going to give us the money to—" and then I rebel. That's our money, sent to Washington, where a good big chunk is bitten out, and the rest allotted here and there. It's like spending the baby's silver dollars and stuffing his mouth with candy so he won't cry. Isn't there some way to make the people conscious of what they are paying for the services they get? We need a good press agent on our side.

Mr. President, because I believe the letter is so outstanding I would much appreciate having unanimous consent to include it in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> ARVADA, COLO.,
> *September 13, 1963.*
>
> DEAR SENATOR DOMINICK: I met Mrs. Dominick and you at a coffee given at Mrs. Roger Benjamin's when you were running for the House of Representatives. I remember talking very briefly with Mrs. Dominick about housing and the climate around Washington, because we have lived in Falls Church. I must say that the group of us at Mrs. Benjamin's were very much "taken" with both of you. Evidently we weren't alone, looking back at the way your two campaigns have worked out.
>
> My husband is in business for himself, as a general contractor; he says he's a glorified wood butcher. Our concern and the reason for this letter is to ask if there is any relief in sight, as far as income taxes are concerned. We do not pay our taxes as a salaried employee does, as you know. Ours are paid quarterly and it hurts every time. The withholding device that employers must use leaves the great majority of people with no conception of the percentage of their money they never see. Arvada is being called Denver's bedroom, you know, and this pattern is so strong; a small equity scraped together for a house, large payments which, of course, go mostly for interest, a car payment becaues public transportation is poor out this way and people prefer to drive anyway, a second jalopy so Mother can haul the kids to the pool and the groceries home, utilities paid, and then squeeze from paycheck to paycheck to buy the groceries, clothing and odd bits of fluff that make life worth living. If they miss one paycheck it's a tragedy, too, and they're forced to borrow more, and they may lose the house. They are never able to build up a cushion for emergencies.
>
> And that's the point of this letter—neither are we. Before we bought a house we took into consideration my husbands's special capabilities and bought an old rundown house in a convenient neighborhood. We paid $7,500 for it, gave the realtor $4,000 and arranged a mortgage for the balance. Now, at the cost of many hundreds of hours of hard physical labor, the house has been brought up to the neighborhood standard, the mortgage no longer exists and the improvements were paid for, cash on the barrelhead. Real estate taxes maintain our housing; our other expenses are normal. We need a better car; our 1951 model is not to be trusted out of town. The business truck is a 1952 model. Our gripe is this: from one quarterly payment to another, we make no gain or so little that we feel we're making no headway. I realize we've spent cash—good hard money—on improvements, but we strongly feel it's time our Federal Government learned to economize. We want to save some money. No one begrudges the necessary governmental expenses, but the waste is appalling to people who have to figure constantly—would it be better to

spend $10 this way or that. Darn few of us are going hungry, but few of us are able to do much but maintain, much less build for the future. What in the world can we do about it? Has it reached the point where control has left our hands? We hear "the Government has decided"—"Washington announced" and "they are going to give us the money to—" and then I rebel. That's our money, sent to Washington, where a good big chunk is bitten out, and the rest allotted here and there. It's like spending the baby's silver dollars and stuffing his mouth with candy so he won't cry. Isn't there some way to make the people concious of what they are paying for the services they get? We need a good press agent on our side.

Well, that's enough steam let off for today. We haven't had a vacation for some time and won't until we can pay cash for a different car—I won't say new car. Someday we'd like to go to Sweden and see where my grandparents came from—our Vice President and his family made it—why can't we? I may have to work in the laundry or wait tables all the way over and back, but what do you bet we do it? My mother is 70 and in Seattle, and it makes me mad that it would have to be an emergency before we could go out to see her.

I'm going to call someone today and volunteer my services for the next election.

Sincerely,

HELENE C. RIX
Mrs. Robert W. Rix.

## CIVIL RIGHTS

**Mr. FONG.** Mr. President, during the course of the 20th century we have witnessed triumph after triumph scored by the common man in his great march toward equality, dignity, justice, and respect.

He has been in the forefront of sweeping economic and political revolutions the world over. His status as an individual has changed. His institutions have been altered and new ones created.

Our own Nation has been swept along by the force of this movement for equal status, and today we are witnessing an upheaval of profound proportions in America.

These are times in which the Nation and Congress are deeply committed to a full review of our practices and laws affecting our fellow citizens of many different races, guaranteeing all Americans their birthright to equal job opportunity, equal access to public facilities, equal voting rights, equal rights to be educated, equal rights to decent housing.

These are times in which the Nation and Congress should move to wipe out racial barriers against citizens of other lands written into our immigration laws and policies.

These are times in which every American should rededicate himself to the principle on which our Republic was founded, that all men are created equal, and are indeed equal in the eyes of the law which guarantees:

The right to be secure in our persons, houses, papers, and effects against unreasonable searches and seizures;

The right to be protected against double jeopardy, and the right to protection against being deprived of life, liberty, and property without due process of law;

The right to a speedy trial, the right to trial by jury, and the right to counsel.

The distinguished president of the University of Hawaii, Dr. Thomas Hale Hamilton, recently read a very brilliant, learned, and philosophically oriented paper to the Club 15 of Honolulu, an organization of outstanding community leaders.

In his paper Dr. Hamilton rightly points out:

> We [Americans] have certainly achieved substantial progress toward the 19th century concept of equality before the law, equality of access to the suffrage, and equality of opportunity. And, while the distinctively American interpretation of the doctrine never postulated absolute economic equality, it has always been recognized that the presence of great economic imbalance is not conducive to the health of a democratic society.

At the same time, Dr. Hamilton raises a very timely question for all Americans to ponder. He says:

> As a great force interested in the common man, in the development of the common good based upon a fundamental recognition of the equality of all, we seem in the eyes of many to have grown old and tired, unable or unwilling to make the doctrine work in our own land and, therefore, setting small example. Is it possible that we have become too sophisticated, in the bad sense of that term, for our own good?

In assaying the full range of America's role in the common man's drive for equality, Dr. Hamilton concludes, and I agree, that the Nation's intellectual leaders have a vital function. He writes:

> Perhaps the time has come for scholars to reexamine the doctrine of equality in terms that are meaningful in these times. And more effective action might well be taken to assure that our domestic actions square with our premises.

We will have to recognize the inherently moral validity of the ideal of equality, and we will have to be willing to practice it. These, as Dr. Hamilton points out, are a "necessary precondition to the exercise of ideological leadership in a troubled world."

Mr. President, I ask unanimous consent that a condensation of the paper by Dr. Thomas Hale Hamilton, entitled "Is America Too Smug for Equality?" published in the September 25, 1963, issue of the Honolulu Advertiser, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### IS AMERICA TOO SMUG FOR EQUALITY?

(By Dr. Thomas Hale Hamilton)

The doctrine of equality is in many ways a difficult one to defend because, at the observable level, it is so patently untrue. Men are not very much alike, and certainly are not equal in size, in intelligence, in comeliness, in wit, or in grace. To the empiricist, inequality appears to be a more substantial doctrine than its opposite number.

For this reason, one is not too surprised, in reading the literature of the early periods of our development, by the pronouncements of those who totally reject the doctrine of equality.

The Boston jurist, Judge Peter Thacher, was voicing the thoughts of many of his contemporaries when he said, "The diversity of poverty and riches is the order of Providence. Why are not all the flowers of the field equally beautiful and fragrant? Why are not all the fruits of the earth equally rich and wholesome? And why towers the oak in grandeur to heaven, while the shrub at its base is trodded under feet?"

The difficulty, of course, is that, while a democratic society cannot live without the doctrine of equality, rational man has difficulty living with it. If the political process is to accord the same rights to individuals, then logic demands that it rationalize an element of sameness which will justify the according of equal rights.

Similarly, if justice is the equal treatment of equals, one must discover a shared characteristic among men sufficiently plausible to provide an intellectual base to substantiate a minimum of identical treatment.

It is, of course, true that over the years the doctrine of equality has been a most difficult one with which we as a society have had to cope. The fact that it is a necessary presupposition to our way of life irritates many of us even when we refuse to recognize the source of our irritation.

Without question, it created something of a program for the Fathers of our Nation. The switch in emphasis from the Declaration of Independence to the Federal Constitution constitutes a long journey even though but 13 years in point of time.

As T. V. Smith has pointed out, "Equality as a group claim to be made good against a foreign and opposing group is one problem; equality as a principle of reconstruction within the group, quite another."

Over the past 100 years we have seen advanced various arguments, both old and new, as to the validity of the statement of human equality.

It has not been uncommon to support the doctrine of equality on the basis of a belief in man's immortal soul. This belief, in effect, renders all men equal in the eyes of God.

However, metaphysical equality need have no very direct political or social implications. That is to say, it is perfectly consistent within this precept to foster the grossest social and political inequality in this world by relegating the requirements of equality to the next. The feudalism of the Middle Ages clearly demonstrates how easily these apparent paradoxes can be reconciled.

That men possess a basic similarity has also been testified to by those who defend the doctrine of equality through a theory of uniqueness. Men are equal because they belong to a species which is unique.

This argument has had at least two facets. There are those who would defend the doctrine on the basis of man's unique rationality. While originally a Stoic position, this approach has also been adopted by later philosophers, notably Kant, who held that the uniqueness of the species primarily rests in the fact that men are moral beings and therefore infinite.

In their infinity lies their uniqueness and in their uniqueness lies their claim to equality.

The utilitarians also had to come to grips with this doctrine and did so by resorting to psychology, asserting that all men share a common susceptibility to the pleasure-pain principle and, therefore, each must count for one and no more than one.

Undoubtedly the most significant 19th century view relating to the concept of equality, and the position which ultimately attracted the greatest number of adherents was that which postulated that equality was not a fact but an ideal; that, while it could not be empirically demonstrated that all men were naturally equal in any respect, they ought to be treated as if they were, particularly in three connections: before the law, in access to the suffrage, and in social opportunity.

The 20th century, too, has introduced a new approach (although it contains old elements) in what might be called the pragmatic functional. In essence, this view suggests that since the results are better if men are treated as though they were equal, it is therefore true that they are.

This position has been well summarized by T. V. Smith in the following terms:

"The truth of any assertion regarding dynamic individuals depends partly upon the results of the assertion itself.

"The claim that individuals are equal is true if it functions truly; and this will be determined by the efficiency with which the claim promotes the major good of the situation that motivates the claim.

"This looking to the fruits of the claim for its truth value is here called functional equality. We have already seen some reasons, and shall yet see more, for believing that even in early America those who used the term 'equality' had vaguely glimpsed the fact that its truth value lay ahead, in the consequences of their asserting it."

### RATIONAL UNIQUENESS

I am sure that you recognize that I have not done what I set out to do (nor did I really hope to) which was to establish to the satisfaction of all the truth of the proposition that men are equal in some distinct way. This does not disappoint me, for in the nature of the matter which we are discussing, approximate proof is all that can be expected.

I would suggest, however, particularly when one combines the theory of rational uniqueness with that of functional equality, that the concept of equality has been sufficiently established as to warrant acting upon it.

But, in assuming the truth of the doctrine, we have yet to consider its usefulness as a principle of social reconstruction.

In this regard, one can either be very proud or very unhappy with the record which our young society has made. To be optimistic for a moment, we have certainly achieved substantial progress toward the 19th century concept of equality before the law, equality of access to the suffrage, and equality of opportunity.

And, while the distinctively American interpretation of the doctrine never postulated absolute economic equality, it has always been recognized that the presence of great economic imbalance is not conducive to the health of a democratic society.

In this connection, over time, it would appear that we have markedly enlarged our middle income groups and decreased, proportionately, the groups at both extremes.

But, having said this, we should immediately point out that in many parts of the Nation, affecting large numbers of our citizens, we have not achieved equality before the law or equality in access to suffrage or equality of opportunity. Our failure in this regard, while largely concentrated in the southern United States, is still, to some degree, prevalent in all sections of the Nation, and this is especially true of our failure to provide equal opportunity to learn.

In spite of these caveats, there are many who maintain that we nevertheless have made great progress. This is partially true, of course, but I would guess that it is less than convincing in some quarters of the globe.

Under the force of dynamic change, notably in the so-called underdeveloped nations, there is, perhaps unfortunately, little concern for historical perspective. The extent of our progress, as measured against the closed, hierarchical society of the early 18th century, is less impressive to those nations than the fact that in contemporary America there are still great gaps between our ideals and our performance.

While we have an inherent and controlling obligation to remove the existing semblance of inequality in our society, we certainly could justify doing so simply in terms of the impact this would have on our image throughout the world.

### REVOLUTIONARY SYMBOLS

I think we must become deeply concerned about one notable characteristic of the social change that has taken place since World War II. In the 19th century, as new democratic governments came into being in nations previously governed by tyranny, the symbols which frequently moved indigenous leaders to act—which, in effect, sparked the change—were those that had been developed in revolutionary America by our own founding fathers.

In what might be called the underdeveloped nations of that period the Declaration of Independence was a moving force, consciously referred to as a great doctrine which outlined the nature of democratic government.

But this, I think, has not been true in the 20th century, and certainly not since World War II. The revolutions of our day have been moved, I believe, more by Marxist ideology, whether explicitly or implicitly, than by the ideology of the United States.

As a great force interested in the common man, in the development of the common good based upon a fundamental recognition of the equality of all, we seem in the eyes of many to have grown old and tired, unable or unwilling to make the doctrine work in our own land and, therefore, setting small example.

On the contrary, our diplomacy has, from time to time, placed us uncomfortably on the side of those who seem to stand in opposition to the very values which we purport to hold.

While the causes of this shift are many and complex, I should like to suggest one. Is it possible that we have become too sophisticated, in the bad sense of that term, for our own good?

In this connection, I should like to quote from an excellent syllabus which was developed for a seminar on the American political tradition held some 3 years ago.

The author of this syllabus observes that "the analysis of politics has turned in a direction completely alien, to all appearances, to that of the early American past. Instead of the terms 'rights,' 'equality,' 'law,' 'freedom,' we find 'influence,' 'power,' 'elite,' 'legitimacy,' 'class.' "

These latter terms I would contend, whatever may be their analytical value—and I recognize it is considerable—are not the terms that incite men in devotion to a cause.

Is it possible that our social sciences have become too descriptive, too reluctant to deal with values? Is our ideology less effective in the contemporary world than it was in the 19th century because, relatively speaking, we have devoted less and less attention to it while the Marxists have devoted more and more to theirs?

Of course, in a free society and within a tradition of academic freedom it is important that we not attempt to marshal the forces of scholarship ostensibly to serve a national purpose. This, to my mind, would mark the end of free scholarship.

### RETURN TO VALUES

But I cannot help but wish that more of our young social scientists would once again turn their energies to the normative rather than the descriptive, to the value system by which we live, not only in terms of trying to analyze its logic, its consistency, its origin, but also with regard to its implications for action and the techniques by which action can effectively implement values.

Quoting again from the syllabus, "It is plain, however, that piety is not a sufficient ground for sustaining the American political tradition in the present world." An approach which stops solely with an abstract concern for values will be of little help.

The question is, I think, of considerable importance. I recognize in some of our younger social scientists a kind of developing lack of interest in anyone who is concerned with things which cannot be measured in fairly traditional terms. When I expressed to one of these men, not so many years ago, my admiration for some of the insights of Thorstein Veblen, I was told that Veblen was, by modern standards, a plumber.

Perhaps so, but at least he did not refuse to deal with important problems simply because they were difficult of measurement.

(Perhaps the time has come for scholars to reexamine the doctrine of equality in terms that are meaningful in these times. And more effective action might well be taken to assure that our domestic actions square with our premises. But, most difficult of all, he concludes, we must convince ourselves and others that, if men are equal, their equality can no more properly be limited by national boundaries and ideologies than by condition of color or religious convictions. Such an approach will mean, I believe, extraordinary changes not only in national policy, but in the law which governs international conduct.)

It is an approach that may make very uncomfortable those of us who now hold ourselves, in Orwell's phrase, "more equal than others," but a recognition of the validity of the proposition and a willingness to act on it is, I am sure, a necessary condition to the exercise of ideological leadership in a troubled world.

**Mr. FONG.** Mr. President, in connection with the march of the American Negro common man toward equality, the Honolulu Star-Bulletin recently pointed to an intriguing theory advanced by the well-known and highly esteemed American semanticist, Dr. S. I. Hayakawa.

Dr. Hayakawa's theory postulates a correlation between our television commercials and the American Negro revolution.

The Star-Bulletin editorial, appearing in the edition of October 8, 1963, reads in relevant part:

### DR. HAYAKAWA RIDES AGAIN

Television's commercials, which have been kicked from pillar to post by almost everybody, may yet be acclaimed in history as the mainspring of the biggest domestic event of our time, the Negro revolution.

That's the probability that now arises from the latest public comments by Dr. S. I. Hayakawa, the San Francisco State College professor, who's very well known in Hawaii and whose activities range from a high place among America's semanticists to a hero's role among those who are fighting the numbers battle against California's Bell Telephone System.

Dr. Hayakawa believes that the seeds of the Negro demands for greater equality in all phases of American life were sown by television commercials, where the big message is friendliness and equal treatment of all, both in the commercials as presented and in what Semanticist Hayawaka terms the "meta-message," which means simply the message between the lines.

Dr. Hayakawa told the American Psychological Association meeting in Philadelphia: "The televeision set says, to white and Negro alike, always in the friendliest tones, 'You are an American. You are entitled to eat, drink, and wear what other Americans eat, drink and wear. You are a member of our national community of Americans.' That is the meta message that comes to us night and day from the friendly announcers."

This message, Dr. Hayakawa says, has been felt most by Negro teenagers, who then go out and discover that the Nation's isn't willing to live up to it.

"It is deeply significant," he points out, "that young people are at the heart of the current racial demonstrations."

Many TV programs themselves, aside from the commercials, want Americans to see themselves as people who won't let themselves be pushed around (as in the westerns). Dr. Hayakawa says that Negro young people "have learned that lesson, and will be pushed around no longer."

His analysis has the ring of plausibility. There certainly is some truth in it, even if TV commercials aren't as influential in the Negro revolution as he thinks.

Mr. President, Dr. Hayakawa, always one to provoke us into thinking, has given us a new slant on our civil rights crisis. I believe it is an idea worthy of our consideration.

## PASSING OF WILLIAM R. CASTLE

**Mr. FONG.** Mr. President, yesterday a final farewell was paid to a prominent son of Hawaii—William R. Castle, who served as Under Secretary of State and Ambassador to Japan during the Hoover administration. Death had claimed this distinguished diplomat here in Washington last Sunday, October 13.

Often referred to as the "diplomatic troubleshooter for President Hoover," Mr. Castle was known also as the leader of the "little Cabinet" comprised of Under Secretaries of the various Federal departments.

During his 14-year diplomatic career, he was regarded as one of the most effective members of the State Department because of his wide knowledge of international affairs combined with his special talent and tactfulness.

Born in Honolulu on June 19, 1878, he was the son of William Richards Castle, Sr., and Ida Beatrice Lowrey Castle. He was also the grandson of Samuel Northrup Castle, a founder of the long established Honolulu business firm of Castle & Cooke, who had arrived in the islands in 1837.

Educated at Punahou School in Honolulu, Mr. Castle went on to Harvard University where he was a founder of the college's Fox Club. His efforts in the writing field earned him the appointment as editor of the Harvard Graduates magazine.

Later, he wrote three books: "The Green Vase" about Boston society which shocked proper Bostonians for its constant jabs at the city's elite, "The Pillar of Sand" and "Wake Up America." In 1938 he wrote an article for National Geographic entitled "Hawaii, Then and Now," which attracted nationwide attention.

But Mr. Castle turned from literary endeavors because, as he told a newspaper reporter years afterward, "I felt that Government affairs were more interesting."

In 1919 he entered the Department of State as a special assistant and later was appointed Assistant Secretary of State for Western European Affairs and Under Secretary.

He became acting head of the U.S. Government for 1 day in August 1927. As President Coolidge, Vice President Dawes, and every member of the Cabinet was out of town, Mr. Castle, as senior member of the State Department, was Acting Chief Executive, although he took no action.

During his distinguished career with the Government, he is known to have enjoyed the special trust of President Hoover. In 1930 he was dispatched by President Hoover as his representative at the London Naval Conference which led to a treaty signed by the United States, Japan, and other nations which regulated submarine warfare.

Mr. Castle was sympathetic to the Japanese point of view and stated at the time that whatever disagreement may be at the London Conference, it was not likely to come from Japan as he was sure Japan stood ready to cooperate to the fullest degree in the reduction of armaments.

In 1931, he again represented the administration in international negotiations leading to the establishment of the 1-year moratorium on World War I debts and reparations. The Hoover proposal, aimed at alleviating world depression, was adopted following Mr. Castle's delicate negotiations with the French for 3 weeks.

An outspoken individual, Mr. Castle had fought against the Exclusion Act of 1924 which brought to a halt Japanese emigration to the United States. He opposed recognition of the Soviet Union holding that the Soviet Government and the Third Communist International, with its ultimate goal of worldwide communism, were one and the same and, therefore, an inciter to war. Also he was critical of the Roosevelt New Deal foreign policies which he claimed were responsible for the strained relations with Germany and Japan as World War II approached. He pleaded for strict neutrality and criticized U.S. aid to Britain at the start of the war.

We of Hawaii are indeed proud of his public service to our country. With his wife and his brother, Alfred, of Honolulu, we join in mourning the passing of a distinguished son of Hawaii and bid a fond aloha.

## AIR FARES ACROSS THE NORTH ATLANTIC

**Mr. BREWSTER.** Mr. President, a recessed meeting of great importance to the traveling public of the United States will resume in Salzburg, Austria, next Tuesday, October 22. That is when representatives of 18 North Atlantic carriers, who are members of IATA, the International Air Transport Association, will go back into session and attempt to resolve the complex problem of air fares across the North Atlantic.

You will recall, Mr. President, that Pan American World Airways and its far seeing president, Mr. Juan T. Trippe, have long championed the cause of the financially-average American traveler by seeking to bring about a continuing reduction in air fares.

It is a pleasure for the Maryland congressional delegation to follow keenly Mr. Trippe's activities in the field of air transportation inasmuch as he spent most of his youth on Maryland's Eastern Shore. The Trippe family in Maryland goes back many many generations, and it is probably not mere coincidence, nor operational expediency that made the city of Baltimore one of the original gateway cities when Pan American pioneered trans-Atlantic operations with the famous old Boeing Flying Boat in the late 1930's.

Mr. President, we are all hopeful that the philosophy of Pan American, TWA and the Civil Aeronautics Board—all of whom are in accord as to the necessity of lower fares between the United States and Europe—will prevail at the meeting to be resumed in Salzburg next week.

Pan American recently proposed to the Civil Aeronautics Board that it be allowed to fly between Los Angeles and San Francisco and the Hawaiian Capital of Honolulu for $100 one way. This new service to begin November 1 will save the traveler $66 on a round trip and he may depart from Los Angeles and return to San Francisco, if he so desires. This should be good news to Maryland residents who would enjoy visiting our 50th State, and who know that they will now be able to board a transcontinental jet at Friendship International Airport and arrive in either of those two great California cities in ample time to catch Pan American's jet operation to Honolulu.

There will be no frills on this new west coast to Hawaii operation. If the traveler wants cocktails, filet mignon and champagne he had better be prepared to spend $156 more for his round-trip fare. That will be the difference between Pan American's first-class operations to Honolulu and this new service which will be inaugurated on November 1.

Mr. President, I commend Pan American for continuing to pioneer in the field of low fares and I congratulate the Civil Aeronautics Board for giving Pan American the green light. It is about time some of the other carriers followed Pan American's example and gave the potential air traveler a better break.

I ask unanimous consent to have published in the Record an article entitled "$100 to Honolulu," published in the Washington Evening Star of October 12.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Only $100 to Honolulu

American tourists who don't mind the risk of an elbow in the eye or a chicken wing in the lap are about to get a tempting $100 bargain flight from the shores of sunny California to the beaches of sunnier Honolulu.

Pan American thrift flights from Los Angeles and San Francisco, scheduled to begin next month, will trim the present economy fare by 25 percent.

The Civil Aeronautics Board's approval is a significant step in this country's determination to give tourists the best break possible commensurate with sound operating practices. Most pointedly, it lends at least tacit support to the American flag lines' bid for similar thrift-class fares over the Atlantic. This will have to be fought out with European lines later this month in the ratemaking International Air Transport Association. If we win that fight for $160 flights to Europe ($103 off present economy fares), a whole new world would be opened to many tourists.

In the interest of giving more Americans a chance to see their 50th State, and vice versa, the Pan American flight holds great appeal. There was some opposition from at least one CAB member who questioned whether a no-frills flight, packing in 189 passengers, would sacrifice too much in comfort and service.

Of even greater importance is the question of safety. As to that, the CAB was given assurance by the Federal Aviation Agency that safety standards, such as successful evacuation tests, would have to be met before the first Boeing 707 turbofan aircraft takes off. In this regard, the safety inspectors cannot be too strict. As to the comfort factor, every passenger has the option of going first class if he wants to pay for it.

## OCEANIC STUDIES

Mr. GOLDWATER. Mr. President, the Navy and interested college groups are engaged, and have been for some time, in a study of oceanography. This is highly proper and extremely desirable but, from a broader standpoint, I believe that the study should be expanded into one we might call "oceanology." This would entail a more involved study, from a much broader basis, of all aspects of the ocean, including the studies which now involve the oceans' bottoms.

Interest in the general subject of the ocean has seemed to vary with periods of international crises. So, to provide permanence for this important field of study, I have thought that it would be a wise move to establish an organization for this purpose similar to NASA.

Here is a field in which international cooperation already exists and which could be developed on a much greater scale, for the simple reason that all mankind can benefit materially from studies of the waters that cover this earth, studies that might even produce food and substance for the future.

Recently Rear Adm. E. C. Stephan, U.S. Navy, retired, spoke before the Federal Council for Science and Technology on some of the aspects of this field, and I ask unanimous consent that this appear at this place in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF REAR ADM. E. C. STEPHAN, U.S. NAVY, RETIRED, BEFORE THE FEDERAL COUNCIL FOR SCIENCE AND TECHNOLOGY, OCTOBER 11, 1963

On April 1963, U.S.S. *Thresher* disappeared in 8,400 feet of water, far more than its crush depth, with the loss of 129 lives. This tragic event served to focus the Navy's attention on certain aspects of undersea operations that appeared to be in need of review and improvement.

On April 24 Secnav notice 3100 established a deep submerging systems review group under my chairmanship to study and report to the Secretary of the Navy on a broad spectrum of undersea problems. A copy of the notice is before you.

The objectives of the DSSRG assigned by the Secnav charter are:

1. Review the Navy's plans for the development and procurement of components and systems related to location, identification, rescue from and recovery of deep submerged large objects from the ocean floor.
2. Recommend changes to such plans which will result in expeditiously obtaining sufficient capabilities which could be used to recover large objects at depths to be specified by the Chief of Naval Operations.
3. Recommend changes to such plans which will result in optimizing the future effectiveness of such components and systems and permit recovery at greater depths.
4. Develop a 5-year program including systems definitions, funding and personnel requirements related to items 1 through 3 above.
5. Recommend means and organizational responsibilities for implementation of these programs.

As a result of an exchange of memorandums between DDR&E, the Secretary of the Air Force and the Secretary of the Navy, the mission of the DSSRG was expanded on May 14, 1963, to include nose cones and other missile components.

In carrying out its objectives, DSSRG was directed to examine not only Navy plans but to consider also those of other Government agencies, the academic and scientific community, industry, and private individuals.

By late May key personnel had been assembled in Washington and began to function as a group. The review group is staffed with highly selected representatives from the scientific community, industry, and officers of the Navy and Air Force—most of whom are retired. Each individual was chosen for his demonstrated expertise in a particular feature of the problem under study. The current organization chart is also before you.

In the course of its deliberations, the DSSRG has received over 100 briefings from the Navy, other Government agencies, science, and industry. Over 1,000 documents from all sources have been reviewed. Extensive visits have been made both in the United States and abroad to search out and become acquainted with pertinent developments.

Soon after the formation of the DSSRG it became apparent that more than search, rescue, and recovery of submarines was involved in our study. In the case of a missing nuclear submarine alone—and a possible FBM submarine, at that—many questions began to arise. What was the cause of the disaster? What remains on the bottom that could be of intelligence value to unfriendly investigators? What are the short- and long-term radioactive hazards? Although at first glance the latter may be thought to be low by calculation, the propaganda value in enemy hands could be devastating.

Navy systems have been moving of late deeper into the remote oceans; Caesar and Artemis are but two examples. Weapons are achieving deeper capabilities requiring test ranges such as autec. All of these presage a need for vehicles which have an operational capability to do useful work in those depths. Installation, calibration, maintenance, and replacement has already become unwieldy, impractical, and expensive when performed from the surface. Our study shows that these functions can now, in many cases, be done better from submerged vehicles.

The DSSRG has therefore reached the conclusion that salvage, as it has been known in the past—or search, rescue, and recovery—must now take on expanded roles and missions. In addition to its historic mission of returning damaged ships to active service, it can now be expected to investigate, destroy, or "sanitize" a hulk, to remove components such as warheads or reactor pressure chambers, or even to encapsulate sections to make unfriendly investigation difficult or impossible. More study is needed of these possible requirements for they are associated, in most cases, with little explored eventualities which might face nuclear weapons and propulsion systems. Our ability to operate beneath the sea must include the performance of numerous functions upon a wide variety of submerged objects—ranging in size from an entire large submarine to smaller equipments or specific pieces of these.

We have noted also that whereas salvage of surface vessels will anticipate peak requirements in wartime, functional operations on underwater systems may be heaviest during periods of peacetime development.

Environmental contributions or restraints on undersea operations were studied in detail. Two of these, in particular, have had a major influence on our conclusions. First, we examined the distribution in depths of the world ocean in general and the areas of submarine and space testing specifically. Approximately 10 percent of the ocean floor lies between 0 and 1,000 feet; only another 10 percent lies between 1,000 and 12,000 feet; a little over 90 percent of the remaining ocean floor lies between 12,000 and 20,000 feet. A capability of 20,000 feet will cover 98.5 percent of the ocean. Secondly, we looked into the constraining influence of surface storms, ice coverage, and possible covert considerations which might make surface operations undesirable or impossible.

While our report has not been submitted to the Secretary of the Navy as yet, I have been authorized to discuss the general trend of our thinking. Current capabilities in the Navy and elsewhere are completely inadequate. Rescue cannot now be accomplished below about 600 feet, far less than present submarine crush depths. We are contemplating a rescue capability to 2,000 feet with a vehicle which has a 6,000-foot hull, is air transportable to a forward area, and will operate from a military submarine on the scene. This same hull is being considered for configuration as a deep search vehicle and also as a first generation of a "work" vehicle equipped with manipulators. This chart illustrates its possible employment on a rescue mission.

The next chart shows one of our thoughts for a recovery system. The essential elements include (pointing) a support ship, four lift barges and their mooring buoys, a buoyancy system operated either as shown here from the surface or by an attached control submersible, and at least one "work" vehicle with manipulators to make attachments and perform other similar functions. The ultimate system may differ considerably from the one shown here in view of the fact that our goal parameters for recovery are 9,000 tons from 20,000 feet. This does illustrate, however, the need for beginning immediate development of the basic components—the hulls, buoyancy system, and manipulators which can be integrated through operational experience into a completely submerged capability.

Development of the 6,000-foot vehicle can begin immediately, more research is needed before the exact design of a 20,000-foot vehicle can be decided upon. We are identifying these areas and will make necessary recommendations to the Secretary.

The DSSRG has already recommended that the responsibility for military implementation of a deep submergence program be assigned to a specific Navy office prior to completion of our final report. This would facilitate continuity. The office should have demonstrated a systems management capability in a related field, especially with regard to projects with multibureau cognizance, and should be "mission oriented" with particular interest in deep submergence development. We have recommended that follow-on responsibility be assigned to the Special Projects Office of the Bureau of Naval Weapons.

Perhaps the most important conclusion of the DSSRG will be that a system tied exclusively to rescue from or recovery of a wrecked submarine is doomed to failure. In the past, submarine disasters have been few and far between. Hopefully they will be even less frequent in the future. To simulate them for drill purposes becomes even more hazardous as submarine depth capabilities increase. These considerations may make the maintenance of trained personnel and tested materials impossible if they exist for submarine rescue alone. The history of similar activities in the past is ample evidence of this fact. Budgetary support for these services rarely appears except in times of crisis.

If, on the other hand, we set about developing a broad capability to do useful work on the ocean floor at all depths, we may anticipate a more sympathetic reception for our suggested projects. This is the goal we have adopted. In doing so we have investigated the potential need of more than military organizations. The Bureau of Mines, for example, is thinking of the mineral and petroleum deposits in deeper waters, and looking hopefully forward to the day when we can develop systems that will support more economic programs in the ocean. An entire New Frontier of economic expansion can be opened when we have demonstrated a capability to work at depths. The scientific community is anxiously awaiting our vehicles, ready to put them to work on myriad projects.

It has become evident to us that submarine rescue and recovery need not be sole missions of deep submergence systems. Far greater requirements are easily recognized which extend across the functions and responsibilities of more than the Military Establishment, and invade the domain of economic, scientific, sociological—and even political programs. Furthermore, the work that we will recommend to be done is not now a part of the oceanographic program, nor does it belong there. We are advocating a program of ocean engineering, to produce systems capable of performing useful work in the oceans for the purpose of both military and economic exploitation. The oceanographic community has its hands full in the pursuit of ocean knowledge. Its program has been sanctioned by Congress, funded, and is in the process of orderly expansion. We will recommend that this effort be paralleled by a program of ocean engineering, bringing to the problems the contributions of our technical and engineering personnel. In this manner, with a national program of adequate scope, we can hope for enthusiastic support from many quarters. Our systems need not sit in the back channel awaiting another *Thresher*, but they can be put to work immediately and continuously on projects contributory to the national interest. Specifically, quantum advances in these fields can result: Basic oceanographic research, efficient extraction of food from the ocean and its floor, oceanic mining, oceanic oil production, undersea communications, recovery of space vehicle and missile components, improvement of fixed ASW systems, improvements in mobile ASW systems, possible future deterrent system sites.

The U.S. program in space received an invigorating jolt when the first sputnik sailed overhead. The United States was shocked by Russian success and our failure. Gentlemen, we are probably standing today in an even more embarrassing position with regard to the oceans. Soviet interest in the sea has been demonstrated forcefully by their submarine fleet, fishing fleets, and large-scale oceanographic programs conducted by well-equipped research ships—obviously configured for more than orthodox research missions. They have participated extensively in the IGY and the Indian Ocean expedition, ostensibly in pursuit of scientific knowledge. It would be irrational to assume that Soviet interests in the ocean will always remain academic. The expansionist dogma of communism will lead them inexorably to more practical attempts at ocean exploitation—and this could also mean domination. The way is clear for us to stay ahead. We cannot afford the consequences of an aquatic sputnik.

We must develop our ocean engineering capability now on a national scale. To do this we must at the earliest possible time start vigorous R. & D. programs in these areas.

1. Oceanographic understanding particularly in field of soil mechanics of the ocean floor.
2. Physiology to determine man's potential to penetrate and work in the deep ocean.
3. Materials for maximum strength for undersea vehicles.
4. Sensors of all sorts and particularly high resolution sonars.
5. Powerplants, chemical, fuel cell and atomic.
6. Tools and manipulators for deep ocean work.
7. The peculiarly oceanic problems of corrosion fouling and electrolysis.
8. Buoyant materials and buoyant ascent controls.
9. Stabilization and inertial control.

Gentlemen, this has been a very brief discussion of the work of the review group. We, in the group, feel very strongly that our work will not only result in giving the Navy a good capability to cope with submarine disasters but, even more importantly, will also start the Nation on a long overdue program of thoroughly understanding and engineering in the seven-tenths of the world which today is virtually unknown. It is our hope that the program will get not only national moral support but also national funding so that the Navy need not make the choice between this program and those that immediately and directly contribute firepower.

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## ADDRESS BY GOVERNOR HATFIELD, OF OREGON, BEFORE WESTERN REPUBLICAN CONFERENCE

Mr. GOLDWATER. Mr. President, annually, one of the most important meetings of the Republican Party is that held by the western group.

This year it was our pleasure to hold that meeting in the city of Eugene, located in the beautiful State of Oregon. The keynote address was given by one of America's outstanding young Governors, Mark Hatfield, of Oregon, and I ask unanimous consent that his remarks be placed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

### Excerpts From Address by Gov. Mark Hatfield, of Oregon, Western Republican Conference, Eugene, Oreg., October 11, 1963

Welcome to Oregon. Welcome to a conference which will be the focal point of Republican attention throughout the Nation this week. Welcome to a neighbor of California where the eyes of the world will be focused when we convene there on July 13. We face here and now as we will face then the need to enlist men and women of courage in this party of courage to meet the challenge of our age.

You are met today in a State which is known for what we believe are useful extensions of the voter's franchise. The direct election of U.S. Senators was provided early in Oregon, the initiative, referendum, and recall are provided here in the widest of latitude. But it is our recent primary law which will be of the greatest interest as we turn the calendar to 1964.

It is not only a matter of interest to us. Oregon has twice within the past four elections been a real turning point for Republican presidential candidacies. I hope, therefore, that you may forgive a brief reference here today to Oregon's primary election because it is of more than local significance. The filing deadline is March 6. By then, our secretary of state is required to list those candidates who are "generally advocated" for the Presidency. They have 3 days after the filing deadline in which to file disclaimers. If they do not do so, their names will be on our ballot at the primary election which comes on May 15. Our 18-member delegation to the convention, each of whom is selected individually by name on our ballot, is bound to support the Oregon primary winner at the nominating convention in San Francisco for two ballots or until he receives less than 35 percent of the convention vote.

It is in this setting that I underline the importance of the Republican primary to those who would seek the nomination. It will not go to anyone on a silver platter. Oregonians expect candidates to criss-cross this State and get to know the voters. They welcome would-be darkhorses to try the track for time and distance.

It seems to be the lesson of political history that there is merit in considering Oregon in the spring of 1964 the proper forum for a full exchange of views and I would predict that any candidate who is successful here gains additional momentum to carry him into the California primary a few weeks later and into the convention itself.

We welcome two of those prominently mentioned as Republican nominees for President. We expect them back again and again, if they become candidates for the nomination. They have distinguished records of accomplishment, one for 30 years in the executive branch of Government at the National and State level; the other, service at the local level from the city council to the U.S. Senate.

We Republicans are fortunate in the number of able, articulate, experienced, attractive statesmen on our side of the aisle. In some of our new Governors we have voices that are being heard from. The teamwork that has evolved as a result of the formation of the Republican Governors Association will make itself felt for years to come.

I welcome the return to the public forum the expressions of Dick Nixon. In Pennsylvania tomorrow night, another great Republican gathering will hear again the wisdom of Dwight D. Eisenhower. And I, for one, hope and pray for the full recovery of one whose warnings were not always heeded but are always valid in their base, that great humanitarian, Herbert Hoover, so that he might come before us for at least another convention.

Any way you cut it, the Democratic convention is going to be a ho-hum affair. Of course, if some of the New Frontiersmen persist in trying to dump Lyndon Johnson it may become a heave-ho affair. And if Wallace and Barnett get the microphones it may become a toe-to-toe affair.

No one would criticize the President's use of his rocking chair for medical purposes, but why does he have to be pictured in it so often? It has become a symbol for contentment, all is well, why hurry. And it must be that this kind of forward-then-backward motion characterizes the administration in too many areas. He embarks on one mission for Cuba, then withdraw, then quarantine, then release. He progresses in Vietnam, then retreats, sends in Lodge, then loses face by second thoughts with McNamara and General Taylor. The President tells us to fly to the moon, then pulls the flying carpet out from under Apollo and I am not sure today whether it's A–OK or on the shelf. For now, we have a spatial yo-yo policy. He came back from Vienna to tell us he'd taken the measure of Khrushchev, that toughness and firmness was what was required, but today it's hard to tell the wheat from the chaff. In civil rights, he cancels an announced stop in Portland, Oreg., because of the possibility of pickets at a Federal housing project, then he submits the Presidency of the United States to the indignity of a diatribe by Governor Faubus.

He offers an economic policy of tax reduction but more Federal spending, his Young Democrats resolve to resume diplomatic relations with Cuba, lift travel restrictions, abolish the House Un-American Activities Committee, sign a nonaggression pact between the Warsaw Pact nations and NATO nations, and his national Democratic chairman has to wash his hands of their resolves, he urges noninterference with the workings of the free market, then proposes a tax on American purchases of foreign stocks and bonds which the New York Times brands "an ineffective tourniquet" to halt the outflow of $2 billion that took place in the first 6 months of this year.

But it is not enough to be negative, though the role of the loyal opposition must be to point out failures, whether they be of not knowing what to do or not knowing how to do it. In the sessions which follow you will hear the clarion calls from our leadership with positive programs of action. And the West can lead the way.

The rollcall of the West shows that talent and the test for the years ahead as we look at the following:

Alaska, which has not yet realized its potential under statehood.

Arizona where Paul Fannin's enlightened administration prevents and whose across-the-board good will program is a model of what can be done, a State with only a handful of electoral votes that has given the Nation and the world a great Senator and a spokesman for conserving our resources both human and fiscal, joined by Congressman RHODES despite overwhelming registration odds.

California, seeking a full partner for Senator KUCHEL, possessing nearly a score of driving Congressmen and a great group of dynamic legislators who stood up to Big Daddy's rough shod tactics.

Colorado, the comeback State, with two U.S. Senators, two Congressmen and a magnificent new face in the State capitol.

Idaho, home of our most able senior Republican Governor, the return to politics of LEN JORDAN after a brief retirement.

Hawaii, girding for a comeback, but strong with Senator FONG.

Montana, where a hard driving, all business, chief executive holds forth who had the courage to go before a congressional committee and say no thanks to pork barreling, paired with JIM BATTIN in Congress.

Nevada, where the best known New Frontiersman is Frank Sinatra, and where our work is cut out for us.

New Mexico, where ED MECHEM in the Senate needs some help in the statehouse and Congress.

Utah, where the steady, earnest guiding hand of George Dewey Clyde breeds confidence and Senator Bennett and Congressmen Burton and Lloyd hold forth.

Washington, where we have that splendid congressional delegation and one day will topple the senate and are getting closer to regaining the capitol.

Wyoming, the home of MILWARD SIMPSON'S comeback trail that is an inspiration to us all as is Cliff Hansen's capture of the statehouse and where Congressman HARRISON is ours in Congress.

In this party of individualism, it is appropriate to observe that ours is less a commitment by the party than by each and every one of us to face the challenge of these days with the courage of leadership.

May we be the active instrument of progress and not the passive mirror of past or present public opinion. May we have the courage to preserve our heritage and enrich by our own bold management of this Nation's destiny the heritage we will bequeath to those who follow us.

We see folly fostered on every side. The times cry out for the courageous programs and principles which have been historic with the Republican Party. Let us resolve here to come forward with solutions, not slothful soliloquies, and let us welcome a period in our history when we beckon with open arms those among us who may express varying viewpoints so that a consensus might be developed at San Francisco on which our nominee can proudly stand.

Nine months hence that convention opens. May we here dedicate our lives anew to the challenge that is ours. Our legacy to those who follow is at stake, lest they never know the thrill of freedom, the wonders of the competitive enterprise system, the spirit of independence and individualism that made this country the best in all of history. To do less than our full measure in the next 13 months will be to give by default a party and perhaps a nation over to those who sit and wait and watch, philosophical shovel in hand.

## EQUAL RIGHTS FOR ALL AMERICANS

Mr. CASE. Mr. President, I cannot stand silently while Congress is urged to take only timid, short steps toward according equal rights to all Americans. Unless we stand firm, we will, as in 1957 and 1960, travel down the route toward a bill which has civil rights on the cover and not enough inside.

Have we learned nothing from the demonstrations in Birmingham, Ala., Albany, Ga., and Jackson, Miss.? Did the police dogs, the electric cattle prods, and the firehoses make no lasting impression? Has the march on Washington been so soon forgotten?

People of conscience throughout the Nation have been hoping that Congress would once and for all face the issue and do a job which has needed doing for the past century.

Instead, the Justice Department is quoted as urging the removal of a key section from the pending civil rights bill—part III—which would have given the Department the power to enter into varied types of civil rights cases developing in the South and in the North.

Time and again I have raised with the Justice Department incidents which cry out for governmental intercession, only to be informed that the Department lacks the authority to enter into these matters and assure Americans of their constitutional rights. Unless we have an effective part III to provide Federal protection, we must recognize that, as Donald Harris, a recent Rutgers graduate, is finding, the penalty for working to register voters can be prolonged imprisonment without bail and without being brought to trial on charges that can bring execution.

In 1957 and in 1960 there was a real opportunity to enact a meaningful civil rights bill, but each time the leadership gave up too soon and brought a watered down bill to the floor. Today in 1963 there is another opportunity to do the job so long overdue. For this opportunity there is little credit to the white majority or the Congress. Rather it is primarily due to the efforts of the Negro people themselves. But, if we agree to the Justice Department's recommendation and start out by dropping one of the key sections, we will once more have surrendered before the battle is joined.

I say to the political strategists—both Republican and Democratic—that civil rights is bigger than politics. Let us buckle down and face the issue realistically. Let us vote on all the legislation which many of us consider essential and let the American people decide whether we are carrying out our responsibilities effectively. There are some Democrats opposed to realistic civil rights; there are some Republicans opposed to realistic civil rights, but let us find out in the true American way. Let us vote, and the sooner the better.

The PRESIDING OFFICER. The limitation for morning business having expired, the Chair recognizes the Senator from Montana.

## INCLUSION OF DISTRICT JUDGE OR JUDGES ON JUDICIAL COUNCIL OF EACH CIRCUIT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 244, S. 979.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 979) to amend section 332 of title 28, United States Code, in order to provide for the inclusion of a district judge or judges on the judicial council of each circuit.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. JOHNSTON. Mr. President, S. 979, the legislation now under consideration would amend section 332 of title 28, United States Code, in order to provide for the inclusion of a district judge or judges on the judicial council of each circuit.

An identical bill, H.R. 6690, was passed by the House of Representatives in the 87th Congress on August 7, 1961. The Committee on the Judiciary of the U.S. Senate reported favorably to the Senate H.R. 6690, and on September 20, 1961, the Judicial Conference of the United States approved the bill. Shortly thereafter, objections were received on the bill from the circuit and district judges of the second and ninth circuits. On March 8, 1962, the Judicial Conference of the United States reaffirmed its approval on H.R. 6690, and as chairman of the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary, I moved that H.R. 6690 be recommitted to the Committee on the Judiciary, in order to hold a hearing in regard to the objections to this legislation. Such a hearing was held on March 9, 1962, at which both the proponents and the opponents were heard. At that time, a motion was made to make the bill optional with each circuit instead of mandatory. This amendment was rejected by the subcommittee and the subcommittee again reported the bill to the full committee without amendment, and the bill was subsequently reported favorably to the Senate but no action was taken thereon prior to adjournment.

The Judicial Conference of the United States, as noted, twice approved the legislation during the 87th Congress. On January 10, 1963, the administrative office of the U.S. courts transmitted a draft of the bill which is S. 979, for introduction in the Senate. However, at the Judicial Conference of the United States held on March 11 and 12, 1963, a motion to approve the provisions in S. 979 failed. This then is the history of this legislation.

Mr. President, in 1957, the Congress provided for membership of judges of the U.S. district courts on the Judicial Conference of the United States. The experience of having district court representation on the Judicial Conference of the United States has been very wholesome, and has resulted in a vigorous and active Judicial Conference.

The bill, S. 979, will extend the same theory of district court representation to the circuit councils of each circuit. It is the belief of the committee that in the light of the recent experience of the Judicial Conference of the United States, great improvement in the work of the judicial councils will result, if judges of the district courts have representation on the judicial councils. This proposed legislation has the merit of bringing directly to the judicial councils the views of the judges who are engaged daily in the trial of civil and criminal cases and in the administration of the district courts. The daily experience of these district judges will afford the councils knowledge and experience which they can now obtain only by consultation. Moreover, representation by district judges should bring about more effective cooperation between the judicial councils and the various judges throughout the circuits. At present, the membership of the council of a circuit is composed only of circuit judges. These judges sit as appellate judges and in many instances have been appointed to the circuit court directly without the benefit of previous experience as a trial judge. For this reason, representation by active experienced district judges within the circuit should be of great value to the operation and administration of a circuit council.

Let me say again that when the Congress passed a bill in 1957 to include district judge representation on the judicial conference of the United States, it became quite evident great benefits were to be received by the judiciary as a whole, by reason of the additional knowledge of the district judges participating in these conferences.

Under the provisions of this bill, each circuit having five or more circuit judges in regular active service would have added to the judicial council two district judges. One of these district judges would be the district judge who represents the circuit on the judicial conference of the United States. The second district judge would be one who serves a district within the circuit other than the one represented by the district judge who is a member of the judicial conference. An exception is provided for, however, for the District of Columbia, which circuit is composed of a single district and, thus the two district judges would be from the District of Columbia.

The bill also provides that each judicial council have a secretary who shall be the clerk of the U.S. Court of Appeals.

At present, one of the circuit judges would normally act as the secretary. The designation by law of the clerk of the U.S. Court of Appeals of each circuit to be the secretary to the council will result in the responsibility being placed permanently in one individual. That responsibility will require keeping the records of the proceedings of the judicial council meetings so that at all times it can be referred to as needed. Under the present system, I am informed, records of meetings are not kept in many instances.

Mr. President, let me again say that on two occasions the judicial conference of the United States wholeheartedly approved this legislation. On three occasions the Senate Committee on the Judiciary approved this legislation and rejected any amendments. In addition thereto, the House of Representatives has approved this legislation in the form of H.R. 6990 of the 87th Congress.

After a complete and thorough study of its merits, this legislation has been submitted to the Senate by the Committee on the Judiciary for its approval.

I sincerely hope that the Senate will in its consideration of this legislation accept the recommendation made by the Judiciary Committee and pass the bill as reported.

Mr. President, at this time I invite attention to the fact that the Senator from Arizona [Mr. HAYDEN] wishes to offer an amendment to the bill, which I have agreed to accept.

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. JOHNSTON. I yield.

Mr. MANSFIELD. Is my understanding correct that the amendment meets with the approval of the distinguished Senator from New York [Mr. KEATING], the distinguished Senator from Nebraska [Mr. HRUSKA], the distinguished Senator from Montana [Mr. METCALF], and other Senators who are interested in this particular measure?

Mr. JOHNSTON. I believe all have agreed to the amendment, without a great deal of objection. There was another amendment which I believe the Senator from New York [Mr. KEATING] wished to offer, but this amendment meets with his approval, according to my understanding.

Mr. KEATING. Mr. President, if the Senator will yield to me, it does. The amendment I intended to offer, which was defeated in the committee, would not have gone as far as the amendment of the distinguished Senator from Arizona [Mr. HAYDEN]. I am sure the Senator from South Carolina realizes that. I am delighted that the Senator from Arizona got into the act, because that has helped the legislation considerably.

Mr. MANSFIELD. Mr. President, I offer the amendment on behalf of the Senator from Arizona.

The PRESIDING OFFICER (Mr. EDMONDSON in the chair). The amendment will be stated for the information of the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the amendment may be considered as read, and may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

Beginning with line 3, page 1, strike out all to and including line 14, page 2, and inserting in lieu thereof the following:

That (a) section 332 of title 28 of the United States Code is amended by striking out the first and second paragraphs thereof, and inserting in lieu thereof the following:

"The chief judge of each circuit shall call, at least twice in each year and at such places as he may designate, a council known as the judicial council of the circuit at which he shall preside. The membership of the judicial council of the circuit shall include all circuit judges for the circuit in regular active service and, upon affirmative vote cast by a majority of such circuit judges, may include (1) the district judge in regular active service from such circuit selected as provided in section 331 of this title to serve as a member of the Judicial Conference of the United States, and (2) in any circuit having five or more circuit judges in regular active service, an additional district judge in regular active service who shall be chosen for a three-year term by the district judges in regular active service of the circuit at the next annual judicial conference of the circuit held after the conference at which the district judge in regular active service is selected to serve as a member of the Judicial Conference of the United States. Except in the District of Columbia circuit, such additional district judge shall be from a different district than the district judge then serving as a member of the Judicial Conference of the United States as provided in section 331 of this title. Each member of the council, unless excused by the chief judge, shall attend all sessions of the council."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. MANSFIELD] on behalf of the Senator from Arizona [Mr. HAYDEN].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 979) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 332 of title 28 of the United States Code is amended by striking out the first and second paragraphs thereof, and inserting in lieu thereof the following:

"The chief judge of each circuit shall call, at least twice in each year and at such places as he may designate, a council known as the judicial council of the circuit at which he shall preside. The membership of the judicial council of the circuit shall include all circuit judges for the circuit in regular active service and, upon affirmative vote cast by a majority of such circuit judges, may include (1) the district judge in regular active service from such circuit selected as provided in section 331 of this title to serve as a member of the Judicial Conference of the United States, and (2) in any circuit having five or more circuit judges in regular active service, an additional district judge in regular active service who shall be chosen for a three-year term by the district judges in regular active service of the circuit at the next annual judicial conference of the circuit held after the conference at which the district judge in regular active service is selected to serve as a member of the Judicial Conference of the United States. Except in the District of Columbia circuit, such additional district judge shall be from a different district than the district judge then serving as a member of the Judicial Conference of the United States as provided in section 331 of this title. Each member of the council, unless excused by the chief judge, shall attend all sessions of the council."

(b) Such section is further amended by adding at the end thereof the following new paragraph:

"Each judicial council shall have a secretary, who shall be the clerk of the United States court of appeals."

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## TRANSFER OF EXECUTIVE POWER ON THE EXPIRATION OF TERM OF OFFICE OF PRESIDENT AND INAUGURATION OF A NEW PRESIDENT

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 424, H.R. 4638.

**The PRESIDING OFFICER.** The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 4638) to promote the orderly transfer of the Executive power in connection with the expiration of the term of office of a President and the inauguration of a new President.

**The PRESIDING OFFICER.** Is there objection to the request by the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

**Mr. JAVITS.** Mr. President, may we have an explanation of the bill?

**Mr. MANSFIELD.** Mr. President, in response to the question raised by the distinguished Senator from New York, the bill would promote the orderly transfer of executive power in connection with the expiration of the term of office of a President and the inauguration of a new President.

The Senator will recall that a great deal of money has been expended, on a private or national committee basis, in times past when a transfer of power has been made from one President to another. In an attempt to face this particular difficulty, the Committee on Government Operations, of which the Senator from New York is a distinguished member, reported H.R. 4638. In respect to the bill, the policy committee gave serious consideration to the amount proposed by the committee. It is my intention, in line with instructions from the policy committee, and in accord with the views of the Senator from Arkansas [Mr. McCLELLAN] and of the Senator from Washington [Mr. JACKSON], to offer an amendment to reduce the amount from $1.3 million to $500,000.

**Mr. JAVITS.** I thank the Senator from Montana. That was the reason why I asked for the explanation. I knew there was to be a reduction.

**Mr. MANSFIELD.** Yes.

**Mr. JAVITS.** I also wished to emphasize that the bill was one of the products of the work of the subcommittee headed by the Senator from Washington [Mr. JACKSON], on which I also have the honor to serve, which subcommittee deals with the exercise of powers by the executive.

**Mr. MANSFIELD.** If my information is correct—and I think it is—this matter has also been discussed with the distinguished Senator from Iowa [Mr. MILLER], who raised a question about the amount involved. I believe it has been satisfactorily cleared so far as he is concerned.

Mr. President, I send two amendments to the desk, and ask that they be stated.

**The PRESIDING OFFICER.** The clerk will state the amendments.

The LEGISLATIVE CLERK. It is proposed, on page 8, line 10, to strike out the numeral and insert "$500,000."

**The PRESIDING OFFICER.** The question is on agreeing to the amendment.

The amendment was agreed to.

**The PRESIDING OFFICER.** The next amendment will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 8, line 10, after the word "one" to insert the following language:

> Presidential transition, to remain available during the fiscal year in which the transition occurs and the next succeeding.

**The PRESIDING OFFICER.** The question is on agreeing to the amendment.

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

**Mr. HUMPHREY** subsequently said: Mr. President, the Senator from Washington [Mr. JACKSON] and the Senator from Iowa [Mr. MILLER] wish to engage in a colloquy, in order to clarify certain matters in connection with House bill 4638, which was passed earlier today. It will take only a brief time to bring up the bill for reconsideration, in order to permit the Senator from Iowa to ask certain questions of the Senator from Washington.

**Mr. MILLER.** Mr. President, I thank the Senator from Minnesota.

I now enter a motion that the Senate reconsider the votes by which the amendments to House bill 4638 were ordered to be engrossed and the bill was read the third time and passed.

**The PRESIDING OFFICER.** The motion will be received, under the rule.

**Mr. MILLER.** Mr. President, I now move that the Senate reconsider those votes.

**The PRESIDING OFFICER.** The question is on agreeing to the motion that the Senate reconsider the votes by which the amendments to House bill 4638 were ordered to be engrossed and the bill was read the third time and passed.

**Mr. MILLER.** Mr. President, I regret that I was not on the floor at the time when the bill was previously acted on. I had indicated that I might have some objection, or at least some question about certain provisions of the bill. I appreciate the deference of the majority whip, the Senator from Minnesota [Mr. HUMPHREY], in permitting the bill to be reconsidered at this time so that I may have an opportunity to ask a few questions of the Senator from Washington about the bill.

I should like to ask questions about three parts of the bill.

The first question relates to the amount of money which would be authorized, as shown on page 8 of the bill. The bill as passed by the House would have authorized $1,300,000 for the purpose of paying the administrative and service expenditures of incoming and outgoing Presidents and Vice Presidents. An amendment was offered and accepted which would reduce that amount to $500,000.

My question is whether even that reduced amount is necessary. Can we get by with less than $500 000? I would appreciate a little enlightenment on the point from the Senator from Washington.

**Mr. JACKSON.** As the amendment was agreed to, the $500,000 represented the maximum amount that the Appropriations Committee would be authorized to appropriate. Therefore, if there was no need for the maximum amount, the appropriation could be less.

In 1960 I served as chairman of the Democratic National Committee. One of the burdens placed on the committee was the payment of costs that had been incurred between the time of the election in November and the assumption of office by the President in January. Those costs amounted to a very substantial sum of money. I do not believe we ought to go through that process again, regardless of who the incoming President or Vice President should be. It is an unfair burden to be placed on the shoulders of either the Democratic National Committee or the Republican National Committee. It involves essential Government expenses that are necessary and pertinent to the job of the Presidency and the Vice Presidency.

**Mr. MILLER.** I share the view of the Senator from Washington that such a burden should not properly be placed upon the incoming or the outgoing President or Vice President. I would certainly like to see something done about it. My only question is whether we should authorize the amount of $500,000.

The House sent to the Senate a bill. If Senators will look in the report of the committee, they will see that the sum of $1,300,000 was the rock bottom amount which would be authorized. The Senate has adopted an amendment which would cut the amount to $500,000.

I am wondering whether this is as far as we should go. We certainly do not wish to see unnecessary expenditures included in this proposal. What would be the mechanics involved? Would the Appropriations Committee in, let us say, the year 1964, come out with a request for an appropriation within the limits of the authorization, or would the appropriation request come out some time in January of 1965, let us say, with respect to a transition which might take place in 1964? Can the Senator enlighten me on that point?

Mr. JACKSON. I would assume that a sum less than $500,000 would probably be appropriated in the calendar year 1964, with the stipulation that if there was to be a deficiency, it could be taken care of in 1965. I would not want to venture what that sum should be initially. But I would assume that it would be some reasonable amount probably less than the total authorized by the pending bill.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. HUMPHREY. Since there will be no transition in 1964, that money would be returned to the Treasury. Is that correct?

Mr. JACKSON. Certainly. Mr. President, I am dealing only with a suppositititious situation, purely fictional. The rest of the dialog here will be a part of the legislative record.

Mr. MILLER. Is the Senator suggesting that the Senator from Minnesota will change the record sometime later this fall or next fall?

Mr. President, I appreciate the responses on that point. My concern is much relieved compared with what it was prior to the reduction of the total amount of the authorization to $500,000.

I have two additional questions. On page 7, the bill provides that the transition expenditures will be available to both the outgoing President and the outgoing Vice President. The question arises as to whether or not such expenditures really are necessary for an outgoing Vice President. I can understand the problem with respect to an outgoing President because of the vast number of duties, personnel, and problems that are entailed in the White House. But it seems to me that, for all practical purposes, the outgoing Vice President does not have much more in the way of problems than does an outgoing U.S. Senator. I am wondering whether the bill should be directed at both an outgoing President and an outgoing Vice President. I do not believe there was any statement in the conference report to indicate the justification.

Mr. JACKSON. Today the Vice President of the United States has duties and responsibilities far greater than in the past. For example, currently the Vice President of the United States is serving as head of the Space Advisory Commission. He serves with the National Security Council.

The previous Vice President had similar broad responsibilities. The Vice President is concerned with subjects related not merely to one State, but to all 50 States. The present burdens of the office of Vice President are such that it is reasonable and proper that he should be included in the period of allowance of 6 months after he leaves office to take care of the necessary transition to private life. I do not believe that is unreasonable.

Mr. MILLER. I wonder if the Senator from Washington could indicate whether he had any experience in that connection or has had any familiarity with the costs of the transition of an outgoing Vice President heretofore, or whether or not he might think that the costs of an outgoing Vice President with respect to, let us say, the National Security Council and some of the other commissions or committees which the Vice President heads, would not be borne by those agencies or those committees anyway.

Mr. JACKSON. That is true so far as the organic organization is concerned. However, undoubtedly he will have correspondence with people in private academic life or in other areas of our country that would necessitate proper response to such inquiries. In addition, one cannot suddenly cease all his responsibilities and duties in that office or any other office. It is difficult enough for Senators. Former Senators have told me that, when they left office, the job of taking care of the mail alone was a serious one. I cannot help but feel that the duties and responsibilities of the Office of Vice President today are such that the provisions of section 4 are not unreasonable. I think they are entirely proper.

Mr. MILLER. In any event, the amount would have to be justified before the Committee on Appropriations before it would be appropriated for that purpose.

Mr. JACKSON. The Senator is correct.

Mr. MILLER. I thank my colleague.

The last question I have relates to page 6 of the bill on which there is a provision which, in effect, states that up to 20 percent of the amount of these expenditures can be of a confidential nature. I can understand, during the term of office of a President, the need for certain amounts of confidential expenditures.

It is my understanding that for many years there has been a fund which the President has had at his disposal for this purpose, but I must confess that I cannot understand why, in addition, during the transition period of an outgoing President or an incoming President, we should provide for up to 20 percent of the funds to be of a confidential nature. I believe, frankly, since this is the first time this type of legislation is being considered, that it might be a very good thing to keep them all subject to public scrutiny, so that we will know exactly how these funds are being used. If, perchance, there should be anything of a highly confidential nature, I would hope that the incoming or outgoing President or Vice President would take money out of his own pocket to take care of that. During the period of his term of office he could use the fund which is now available for confidential purposes, without having to resort to the transition money.

I would appreciate it very much if the Senator from Washington could possibly see his way clear to remove this part of the bill, or at least to take it out and go to conference on it.

Mr. JACKSON. If we assume—and it is certainly a correct assumption—that the President of the United States has business of an extremely confidential nature to transact, this very assumption applies to the period when he is getting ready to assume the duties and responsibilities of the Presidency. Logically, it seems to me that this period is of equal importance to the 4-year period of service for which he is elected.

I would have no objection to the deletion of the sentence to which the Senator refers, starting on page 6, line 20, through page 7, line 2, with the understanding that we shall take the amendment to conference to see what can be worked out.

Mr. MILLER. I thank the Senator, and I appreciate it.

Mr. President, may I inquire of the Chair what is the status of the bill?

The PRESIDING OFFICER. The Senate is considering the motion to reconsider the votes by which the amendments were ordered to be engrossed, by which the bill was read the third time, and by which the bill was passed.

Mr. MILLER. Mr. President, before adopting another amendment to the bill, the Senate would have to act on that motion.

Mr. President, I now ask for a vote on my motion with the understanding that the reason for this is that we may have an amendment adopted to the bill and then have it passed.

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). The question is on the motion to reconsider made by the Senator from Iowa.

The motion was agreed to.

Mr. MILLER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 6, line 20, after the word "Act.", it is proposed to strike out:

> Not more than 20 per centum of the total expenditures under this Act for any President-elect or Vice-President-elect may be made upon the basis of a certificate by him or the assistant designated by him pursuant to this section that such expenditures are confidential and that they accord with the provisions of subsections (a), (b), and (d) of this section.

Mr. MILLER. Mr. President, I move the adoption of my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 4638) was read the third time and passed.

**Mr. JACKSON.** Mr. President, I move to reconsider the vote by which the bill was passed.

**Mr. MILLER.** Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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## AMENDMENT OF THE SMALL RECLAMATION PROJECTS ACT OF 1956

**Mr. MANSFIELD.** Mr. President, I move that the Senate proceed to the consideration of Calendar No. 458, S. 283.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 283) to amend the Small Reclamation Projects Act of 1956.

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## VALIDATION OF CERTAIN RICE ACREAGE ALLOTMENTS

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that, instead of Calendar No. 458, Senate bill 283, the pending business be Calendar No. 482, House Joint Resolution 192, having to do with certain rice acreage allotments.

The **PRESIDING OFFICER.** Is there objection?

There being no objection, the Senate resumed the consideration of the joint resolution (H.J. Res. 192) relating to the validity of certain rice acreage allotments for 1962 and prior crop years.

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## ORDER OF BUSINESS

**Mr. MANSFIELD.** Mr. President, it is my understanding that the distinguished Senator from New York [Mr. JAVITS] has a speech to make, which would fit in very nicely at this time. It is the intention of the leadership, after the disposition of the rice acreage allotments bill, to call up Calendar No. 458, S. 283, to amend the Small Reclamation Projects Act of 1956, and following that, Calendar No. 423, S. 1543, a bill to repeal that portion of the act of March 3, 1893, which prohibits the employment in any Government service or by any officer of the District of Columbia, of any employee of the Pinkerton Detective Agency or any similar agency, and following that to bring up reconsideration of S. 1914, a bill to incorporate the Catholic War Veterans, and the reconsideration of S. 1942, a bill to incorporate the Jewish War Veterans.

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## CIVIL RIGHTS LEGISLATION

**Mr. JAVITS.** Mr. President, we are now approaching a time of decision with respect to the civil rights package which will be acted on, because we already have the statement of the Senate leadership that it is going to await a bill from the other body. So we now know rather clearly that whatever we may try to do to accelerate the process, it is most likely that we shall have to consider what the other body passes. That is in issue right now.

Before I comment on what is going on and what I think we ought to do about it, let me point out that I do not agree that we should wait for a bill from the other body. We ought to go ahead and consider the Senate Commerce Committee bill as soon as it is reported to the Senate, which will launch us into the civil rights debate, and let some of that debate be absorbed before we receive the bill from the other body. This would advance the whole situation, in my judgment, not less than 3 to 4 weeks, and might prevent what most likely and easily could take place because Members of Congress will want to go home for Christmas, for which they could not be blamed, considering the fact that the session would have lasted all year, but for which civil rights might well suffer.

I intend to discuss today the position taken by the administration in the other body with respect to this bill, and the seriousness of it as I see it. It seems to me that what is being done now will determine whether or not there is meaningful civil rights legislation or whether, if we retreat, for which there seems to be a strong sentiment, before the battle actually begins, we shall be giving up a great part of what we are contending for, quite apart from whether we should or should not, and quite apart from whether or not the House or the Senate will consider it desirable to be done. In other words, we would have quit the battle even before it began.

I think the Attorney General indicated why this matter is vital in the Judiciary Committee of the other body, when he made it clear—and I could not agree more—that whether or not effective civil rights legislation is enacted in this Congress will determine very largely whether the so-called civil rights revolution in the country is going to be peaceful or not—or whether the struggle will be fought in the courts or on the streets.

I fear that if we do not give adequate opportunity for the people to fight in the courts, the impetus is so great that they will fight on the streets. This will be more disastrous for the domestic tranquillity than the events that have already taken place, which have been serious enough and have involved use of Federal troops, death to little children, great civil disaster, barbarities, which have been pictured to the world and which have been pictured so disadvantageously to the United States, including the use of police dogs and cattle prods, with which we are familiar.

What is at stake is not only a moral issue, but the prestige and standing of our Nation in the eyes of a great part of the world whose people have skins which are yellow, black, or brown, and also the redemption by the American people of wrongs clearly imbedded in their own consciences, and the redress for and satisfaction of serious wrongs which have deeply aggrieved people. It is within that framework that we must act.

Let us remember that President Kennedy, in his 1960 election campaign, said to our Nation, at a time when it counted for the most—that he would not retreat in the face of pressure from congressional leaders. That was his campaign promise.

Upon that most important issue before us on the domestic scene, the Attorney General, in the name of the administration, has beaten a clear and damaging retreat. In his retreat it is so easy to use sweeping generalities in which people will say, "What do you expect of JAVITS?" or of one of our other colleagues who is an ardent civil rights advocate; I am not going to name them; they speak eloquently for themselves, and I do not want to describe anybody but myself. But some people say, "What do you expect of JAVITS? Certainly he will want everything that the Subcommittee of the Judiciary Committee of the other body has offered."

Actually, there are some aspects of that reported bill that I think can be usefully changed.

But what I am saying is that the essence of what the subcommittee was trying to do should not be compromised or given away now, which is what the Attorney General has done.

There is one other thing which is very important. Implied, without necessarily being stated, but clearly evident in this whole situation is the argument on the part of the administration that "we must keep in mind the Republicans. We must water down this measure. We must retreat because of the Republicans, because they want it weakened and watered down."

Mr. President, I deny that completely. Other Republicans can speak for themselves. However, if Republican votes are desired for the passage of the bill—and it is absolutely necessary that Republicans votes be had for that purpose, as the administration has itself said—the way to get them is not by insulting Republicans who are ardent civil rights fighters before the battle starts, by telling the country, "We must water it down for the benefit of Republicans."

Let us find out when the votes are counted, and not by the administration's withdrawal in advance, which is suspect on many grounds, not only on the ground that the administration is trying to pile responsibility on the backs of the Republicans alone.

**Mr. KEATING.** Mr. President, will the Senator yield?

**Mr. JAVITS.** I yield.

**Mr. KEATING.** To reinforce what my colleague has said, it is well to point out, in this discussion, which the distinguished Senator from New York is leading with such eloquence, that one of the most important elements of the bill reported by the subcommittee in the House is the so-called part III section, which gives to the Attorney General authority to bring civil actions to enforce the constitutional right of all citizens in every area where unlawful discrimination exists.

I well remember that when the bill was before the House in 1957, a similar provision had strong Republican support, and that a vast majority of the Republicans voted for it even in the Senate, where it was finally eliminated. It was certainly not eliminated by the Republicans. Any effort to attach that reason for watering down the bill does not "wash."

I am very glad that my colleague is bringing up this subject, because there are some who forget the past history on part III. It is an important provision which will have to be enacted into law if these constitutional rights are going to be enforced. All it provides is that the Attorney General shall be authorized to go into court to enforce the law of the land as declared in the Constitution. There is nothing very drastic or radical about it. I am glad that my colleague has seen fit to set the record straight on some of these issues.

Mr. JAVITS. I thank my colleague for his always timely and helpful intercession in the debate.

Part III, which my colleague speaks of, of course, is the main pattern which is now inherent in all civil rights legislation. It involves the authority of the Attorney General to sue to redress civil rights. It is a power which we have already established with respect to voting. It is one which the administration recommends in school desegregation. It is a power which the Senate Committee on Commerce, following out the recommendation of the administration, recommends with respect to places of public accommodation.

The only question about part III, as discussed in the Judiciary Committee of the other body, is, Shall the Attorney General have the right to sue also in other cases, in addition to those which are clearly contemplated even by the Attorney General?

It is not a question of part III or no part III; it is a question of how far part III shall go.

If we follow the Attorney General's position, we shall be running down the drain one of the most urgent and critical aspects of the civil rights package, which is indispensable, if we are to meet the Attorney General's test that civil rights legislation must be adequate to give us public order and tranquillity.

What the Attorney General is against covers very specifically and distinctly the problem of dealing with the unconstitutional denial to demonstrators, and Negroes generally, of their rights as citizens to protest and to meet for redress of their grievances; also the effort to deal with prosecutions, allegedly normal prosecutions, but which are in effect persecutions because of the legal machinery involved, which is based on statutes which themselves are unconstitutional; or because of the way in which the law is administered; or, more simply, the naked and brutal fact of police excesses. All these things the Attorney General would omit from redress in the Federal courts and would leave to the streets.

I respectfully submit that it is not effective civil rights legislation that we shall be passing; it will not meet the test of restoring public order and tranquillity if we omit redress for these acts from the bill.

What the administration, through the Attorney General, has said about the voting section, about the public accommodations section, or about the education section will not make or break the bill.

The question of whether there should be included an FEPC section in the basic bill is not the main question, although I feel very deeply that it must be included. This bill is the area where the battle will have to be fought, and it is necessary to have it in the bill.

However, the main, serious, important points that the Attorney General has said the administration is stepping away from are the questions I have raised, the very issues that have caused riots in Birmingham and Montgomery, which have brought about the bombing of little children, which so profoundly shocked the country. They are the very issues which the front pages of our newspapers report as the use of police dogs and cattle prods on fellow Americans.

All these the Attorney General would step away from.

Mr. President, this is a tough issue. It will involve a terrible fight. There will be expended a great deal of emotion and time and energy, and many efforts. The intention is to avoid a revolution which is peaceful, and not cause it to become a revolution which is harmful to the country in terms of public order and tranquillity.

All this the Attorney General wants to retreat from. I say it is wrong. That is the fundamental, basic issue.

In view of the fact that implicit in all this is the allegation that this cutting and trimming is being done for the benefit of Republicans, it is up to Republicans to speak up and to rebut that idea completely.

Mr. President, my fundamental thesis is that the Attorney General has retreated in the field of civil rights. In his appearance on Tuesday before the House Committee on the Judiciary, the Attorney General dealt with this question in a considered way. I have already given the history of how, in the 1957 act—the so-called part III principle—that the power of the Attorney General to sue in civil rights cases in a representative way was accepted in respect to voting. It is now advocated with respect to public school desegregation and public accommodations legislation; it has been utilized by the Attorney General, for example, in cases involving desegregation of beaches or other municipal establishments, with respect to which the Federal Government has contributed toward their construction.

It seems to me that the critical aspect of this matter is summed up in the fact that the part III that I am for, which incidentally is a part III somewhat more limited than that reported by the House subcommittee, would authorize Attorney General's suits in the denial of rights by municipalities or in unreasonable police-action cases. Among these are rights guaranteed by the 1st and 14th amendments to the Constitution, the right of peaceable assemblage and the right of petition for the redress of grievances.

The subcommittee language would authorize the Attorney General to sue to restrain the denial of any right, privilege, or immunity secured to any individual by the Constitution or laws of the United States. The version embodied in S. 1693 and sought by civil rights advocates would authorize suits to restrain denials only of rights guaranteed by the 14th amendment, which prohibits deprivation of equal protection of the laws and of due process of law, and which has been the basis for Supreme Court decisions outlawing State-enforced racial discrimination. By expanding the Attorney General's litigation power beyond the 14th amendment, the subcommittee has brought in all sorts of cases under the other provisions of the Constitution, whether or not they have anything to do with the crisis in race relations. Although there may well be other cases in which such power in the Attorney General would be a good idea, this is not the problem with which the Congress and the Nation are now faced, and to include them, in my judgment unduly burdens the bill, which everyone knows will be difficult enough to pass, especially in the filibuster-bound Senate. In this one regard, I would agree with the Attorney General.

I am confident that the Committee on the Judiciary in the other body would have made the necessary correction to bring the part III we have always contended for into conformity with the 14th amendment cases. Those are the cases which are at stake. Those are the cases to which we have always directed our pleas for this particular section.

So we are talking about a limited provision for the Attorney General to sue in cases involving the constitutional rights of individuals guaranteed by the 14th amendment. It would authorize Attorney Generals' suits in the denial of rights by a municipality or excessive police-action cases, including the right to parade, or the violation of rights attributable to criminal prosecutions which amount to persecutions, because they are carried out under unconstitutional statutes, and for similar reasons. Let us not assume that these are light matters. I have just given an indication from the newspapers of what we all know are areas in which the Attorney General could have sued; for example, in the Birmingham march, where we saw the dreadful picture of the use of police dogs, cattle prods, and similar demonstrations of violence. Also, I pointed out that the large number of charges of people who had been beaten up and abused could have been dealt with in this way.

Also, we have witnessed incidents in which persons have even been charged with violations against the State which were punishable by death, in cases involving civil rights demonstrations. We have also observed cases of obstruction of justice and other serious crimes. So we are not dealing with a light matter; we are dealing with very serious issues.

It is indispensable that the Attorney General have the right to step into court and bail out citizens whose rights are being violated in this way without the citizen having to endure the punishment which I have described, without having to endure the danger and fear which are involved, which discourage thousands from even petitioning for redress of their grievances, while they go through long trials or hearings, with the result always in doubt, with convictions perhaps already established, and having to be undone ultimately, if they are lucky, by some appellate court.

This provision was the part of the Civil Rights Act of 1957 which the House accepted and which was defeated in the Senate under the threat of filibuster. Since that time it has been universally acknowledged by civil rights advocates, like myself, as the crucial lack in existing law. I have made repeated attempts, all so far unsuccessful, to get the Senate to enact this provision.

When the administration finally sent a broad, omnibus civil rights bill to the Congress in June, the bill included a part III provision, but not with the scope which civil rights advocates had long pressed for. Instead the administration limited its coverage to school desegregation cases, which is indeed probably the single largest class of cases, in number, in which such power in the Attorney General would be useful. But the provision which civil rights advocates have long pressed for would authorize such suits by the Attorney General in all cases under the 14th amendment to the Constitution, not just denials of equal protection of the laws in school cases, and this is vital to an adequate civil rights effort.

Such broader coverage typified by the bill, S. 1693, introduced on June 11, 1963, by myself and six other Republicans, which would authorize suits for all denials of rights guaranteed by the 14th amendment. The principal differences in impact between this bill and the administration's proposal are in two vital areas: it would authorize Attorney General's suits in denial of rights by a municipality or excessive police action cases and in cases involving official denials of rights, guaranteed by the 1st amendment through the 14th amendment, of peaceable assembly and petition for redress of grievances.

The enormous need for some strengthened Federal protection in municipal and police excess cases was thoroughly documented in the U.S. Civil Rights Commission's 1961 report on the administration of justice, which unanimously found police excesses by some State and local officers "a serious and continuing problem in many parts of the United States" with Negroes "the victims of such brutality far more, proportionately, than any other group in American society." The Commission found the existing misdemeanor statute and provision for civil suit for monetary damages by the victim wholly inadequate, the former principally because of inadequacies in the statute, the latter principally because most victims are too poor to bring suit and most defendants are unable to satisfy a money judgment even if one can be obtained. This is a clear case in which there is a real need for additional Federal legislation, and in its recent report for 1963 the Civil Rights Commission repeated its earlier conclusions about the inadequacy of existing law and specifically recommended that the Congress enact the part III provision.

In its 1963 report the Commission also stressed the need to protect the right of peaceable assembly and petition, which has developed from the small beginning in the Greensboro, N.C., sit-in cases in 1960 to the swelling movement of peaceful demonstrations which reached its climax in the great March in Washington on August 28 of this year. As the Commission unanimously found in most cases, these protests "have been peaceful and orderly and well within the protective guarantees of the first amendment." The Commission also found that "breach of the peace and trespass ordinances, on their face unrelated to the preservation of segregation, have been employed by local officials to maintain it. That this use of breach of the peace and trespass ordinances may be prohibited by the 14th amendment has now been recognized by the Supreme Court in a series of cases decided in 1963." Again, as the Commission concludes, this is an area in which injunctive suits by the Attorney General are critically needed.

Mr. President, what do we want of these people? Do we want them convicted in magistrates' or recorders' courts and sentenced to jail terms, and perhaps be held in jail, without being permitted bail, or, even if permitted to be at liberty on bail, to be held in jeopardy for 2 or 3 years; or do we want the Attorney General to be able to step in and prevent that from being done in the first place, in violation of the Bill of Rights and the United States Constitution?

The Attorney General himself notes that a broad title III is aimed at "police excesses which have occurred during racial demonstrations in some cities. These excesses have included the use of police dogs, cattle prods, and even tear gas bombs on peaceful demonstrators, and have, quite frankly, set white policemen against Negro demonstrators in a way that is an affront to the conscience of the Nation." The question is, as the Attorney General himself puts it, whether title III is an effective and appropriate means of dealing with this problem. His answer is "No." I say, "Yes." The Attorney General gives, in connection with his answer of "No," the following reasons, which I shall, in turn, answer; and I shall show why he is wrong:

First. The Attorney General contends that title III cannot prevent sporadic acts by terrorists or isolated acts of brutality by individual police officers. While this is true, of course, it is also true, as the Civil Rights Commission found in its 1961 report, that suits, whether criminal or civil, may serve as deterrents to illegal violence: "The threat of suits may well dissuade officials from using unnecessary violence. Moreover, both criminal and civil suits, by directing public attention to police abuses, may develop community pressure for their correction. Such public sentiment can also be expected to deter law-enforcement officers from committing (and their superiors from condoning) acts of brutality." The Commission also found that the cost of paying for civil suits was so great that it made such suits under existing law almost nonexistent, because "the victims of police brutality and racial violence are predominantly the poor and the powerless." Clearly, one effective way to inject this deterrent factor into the situation is to permit the Attorney General to bring such suits.

Second. The Attorney General contends that not all demonstrations are protected by the 1st and 14th amendments, and therefore not all offensive police conduct in connection with civil rights demonstrations would be within the reach of title III. This is an extraordinary argument from the chief law-enforcement officer of the United States: carried over to other fields, it would mean that no law should ever be enacted until it can be shown that it will be entirely effective in eliminating the evil it is directed against, and this is virtually always the case, as I am sure the Attorney General would concede.

Yet as I have noted, the Civil Rights Commission after careful study finds that most of the demonstrations have been within the protective guarantees of the first amendment. Why should those demonstrations not be protected effectively, I ask the Attorney General .

Third. The Attorney General contends that title III would require the Federal courts to make the difficult determinations as to whether a particular demonstration was or was not protected by the Constitution. This is true; but it is also true of all the difficult constitutional cases presented to the courts at all times, with or without Federal statutes authorizing the Attorney General to become involved in them. The State courts are now deciding these questions every day, in the many trespass and breach of the peace prosecutions which local authorities have brought against demonstrators; many of these cases are being contested, at enormous cost and individual sacrifice—as in many cases, as I pointed out a moment ago, serious criminal charges are involved—on the ground that the demonstrators were protected by the 1st and 14th amendments. The Supreme Court had no great difficulty in deciding the Edwards case, on appeal from State breach of the peace prosecutions, on just these grounds in January of this year. Title III would not require the Federal courts to handle any new or unusual question which courts are not already deciding. It would simply authorize the U.S. Government to initiate such litigation to protect rights of U.S. citizens under the Constitution, rights which individuals are finding extremely difficult to redress under existing law. It should also be noted that in the cases, in which under existing law the courts are faced with deciding these issues, there is no redress for denials of rights where such denials are finally found to have existed, and therefore little deterrence to a repetition of the denial during the next demonstration: the demonstrators' convictions under State law are simply reversed. This revolving door can go around and around, in the absence of injunctions issued at the request of the Attorney General.

Fourth. The Attorney General contends that the courts would have to decide in advance what police action might or might not be justified in the fast-changing conditions accompanying demonstrations. The Supreme Court had no difficulty in making the applicable distinction in the Edwards case, in which it said of the demonstrators, whose convictions were reversed on this ground, that "there was no violence or threat of violence on their part, or on the part of any member of the crowd watching them. Police protection was ample." And the Court was able to distinguish this case readily from another case in which the contrary was true. These were cases decided after the fact, rather than in advance of it; but the principle is one which local authorities in some parts of the Nation apparently do not accept, even in the face of clear Federal law. It would, therefore, be of enormous value for the Attorney General to be able to ask a Federal court for an injunctive order embodying this principle, even in general terms, against local authorities who have consistently and daily denied the principle. The deterrent value of such an order, punishable by contempt proceedings, can hardly be doubted. In fact, in his next argument, the Attorney General not only concedes its effectiveness, but argues that it would be too effective. Therefore, he does not want to use it. Then the Attorney General pulls out of the closet all the hobgoblins about a Federal police force; but he forgets that in lieu of a Federal police force, the Federal Government had to call out the National Guard, federalize it, and send Federal troops in. That was the alternative, rather than just to permit the local authorities to do what they chose.

Fifth. The Attorney General contends that injunctions in advance might cause State and local authorities to abdicate their law enforcement responsibilities altogether, thereby requiring a Federal police force to fill the gap. This is precisely the result under existing, inadequate Federal law. In the case of the Birmingham, Ala., demonstrations last spring, just as in the cases of Little Rock, the University of Mississippi and the University of Alabama, the Federal Government was unable to handle the situation of virtual anarchy which the State and local authorities permitted to develop, short of having the President call into Federal service the State's National Guard and bring other armed forces into the breach. Does the Attorney General want that to be the only remedy which the Government of the United States has when rights of citizens of the United States are flagrantly denied by State and local authorities?

On the contrary, title III would at least permit the Federal courts to decide the constitutional questions rather than forcing the demonstrators to test their rights in the streets with only the hope that, if conditions finally become anarchic to the point where it is impossible to maintain order, the President will have to send in troops. The Attorney General's prediction cannot dismay us, and he should not scare us with a Federal police force, since the present situation is even more dismaying than the one that he foresees. Even if the outcome were precisely as it is now, at least the power and authority of the U.S. Government would be involved from the beginning on the side of protection of constitutional rights, rather than after the photographs of police dogs attacking demonstrators appear on front pages throughout the world.

Sixth. The Attorney General contends that demonstrations are only a means to an end, and the end should be reached by specific legislation aimed at elimination of racial discrimination and segregation. This again is true, of course, so far as it goes, but it stops short of two important points. One is that demonstrations are only one consideration in pressing for an adequate part III provision. Police excess, which I have quoted the Commission as finding, is itself discriminatory against Negroes.

So when excesses are not curbed, civil rights are curbed, and a discrimination as great as any other discrimination against Negroes is suffered. And, even if it were not discriminatory, one would expect the Attorney General to be concerned about ending it, especially when the Commission finds that existing remedies are inadequate to end it. Secondly, even in regard to demonstrations, the Attorney General seems to forget that the first amendment right of assembly and petition is a constitutional right in itself. And it is a right which by its very nature is always used as a means to an end; the Constitution says in so many words, "for the redress of grievances." Surely, this is a right which deserves protection by the Federal Government, especially when the Civil Rights Commission finds, as it did, that it is being denied discriminatorily and that existing remedies are inadequate to end the denials.

Finally, it should be said that the Attorney General has found one aspect of the subcommittee draft of title III which I agree is unfortunate. I described that point before. I had urged that the subcommittee not adopt it. That is the application of a part III to the entire Constitution instead of the 14th amendment only.

The Attorney General properly poses the question raised by part III by asking whether, on balance, police practices and systematic repression of Negro rights, which he acknowledges exist in some communities in the United States, are so prevalent and so menacing as to justify creation of such broad Federal discretionary authority as part III. My answer is a resounding "Yes," so long as the provision is properly amended to cover 14th amendment cases only. My answer is based on the unanimous recommendation of the U.S. Civil Rights Commission and on the unanimous recommendation of the civil rights groups in the Nation. In his negative answer, the Attorney General is neglecting both, as well as the plank in his party's platform in 1960—on which this administration was elected—which stated that "the Attorney General should be empowered and directed to file civil injunction suits in Federal courts to prevent the denial of any civil rights on grounds of race, creed, or color."

Mr. President, the bill, S. 1693, and the amendment embodying that bill, which has been submitted by me along with other Republican Senators, with the full determination to propose the amendment as an amendment to any civil rights bill which is debated in the Senate, is exactly along those lines and would seek only to protect 14th amendment rights. It is those rights which I have invoked in answering the Attorney General's case. But the Attorney General retreated much too far, and that is what I cry out against today. In addition, I oppose the idea of loading this responsibility on the back of Republicans, which in my opinion is a great disservice to the effort to get bipartisan support for civil rights legislation, including part III.

The apparent acceptance yesterday of the essence of the Attorney General's position by the chairman of the Judiciary Committee of the other body is clearly dictated by his views as to obtaining the necessary support for civil rights legislation. If we are not to have a tragic retreat on civil rights even before the battle has begun, those of us who are devoted to a meaningful civil rights program at the present session of Congress must speak out against it now.

The Republican Party may not and should not bear the responsibility which is implied in the statement of the Attorney General on the reasons for the administration's retreat from the subcommittee's bill. There could be many other explanations inherent in the administration's strategy. Therefore, Republicans have a duty to express themselves now for the very reason that their votes are indispensable for any meaningful civil rights legislation, and also because the moral status of this issue requires more than the Attorney General is supporting.

There could be many other reasons inherent in the strategy of the administration. We cannot count the votes until they are cast. Our moral duty to the country and to the issue is so great that I strongly hope that the administration will change its mind and that the Attorney General will come back and say, "Yes, I do want some change in part III." I agree with that thoroughly, as I explained, but I do not retreat from it altogether, as he did. It is needed to prevent the people from being subject to indictments and convictions for serious crimes which we know are based on unconstitutional actions or statutes. It is needed to protect municipalities from denying to citizens the right to assemble peacefully and to march to redress their grievances.

It is essential to protect against police excesses or police brutality. The police in most places are doing a great job. In my city of New York the police have shown how to do a great job, even with civil rights problems. But when a police officer's power is abused, it can be as discriminatory and repressive as the most discriminatory of any of the discriminations that we complain against. I do not wish to see that imposed on any American, Negro or not, contrary to the Constitution of our land without the Attorney General of the United States asserting the majesty and power of the United States to protect the right of a citizen of the United States wherever he may be, and in whatever State, and whatever may be his policy on segregation.

So I hope that as we speak up, the Attorney General will see that we mean business on this question. We will have been here all year. We should not have been here all year in vain. I deeply feel that the Attorney General will fall far short of the mark in dealing with the domestic order and tranquillity of our Nation if he persists in retreating from a reasonable part III provision as I have described it.

**Mr. KEATING.** Mr. President, will the Senator yield?

**Mr. JAVITS.** I yield.

**Mr. KEATING.** I commend my colleague for the very well-reasoned argument which he has presented against the attempt to eliminate any part III from the bill which is before the House. There is only one way to deal properly and responsibly with the civil rights crisis, and that way is to define the problems that exist and then to try to enact the best legislation we can devise to resolve these problems.

That is why I believe, as does my colleague, that part III is an essential provision of meaningful civil rights legislation. That is why we ought to make it clear now that no matter what strategy of expediency may be recommended by some, those of us who advocate effective and meaningful legislation, will press for the enactment of part III in the Senate and we will make a determined effort to retain it in any bill which is finally enacted.

I express the hope that the other body, in its wisdom, will include the provision in the bill which it sends to us. But whatever the House decides, the Senate certainly should not be asked to swallow whole whatever the House sends over to us. We have our own constitutional responsibilities in this process.

I commend my colleague for bringing the subject before the Senate at this important time. I am confident that it will be helpful in shaping a civil rights measure which will be fully responsive to the needs of the present situation.

**Mr. JAVITS.** I thank my colleague for his intercession. I appreciate very much his approval and his joining me in this endeavor. It is very clear that part III originated in the Eisenhower administration. It had substantial Republican support. It actually passed the other body with substantial Republican support. It will be before the Senate. I can promise that it will be before the Senate.

How much stronger will be our position, therefore, Mr. President, if the administration does not retreat, but fights for what it needs, for what it knows it needs, for what is right. The administration should stop looking over its shoulder toward those who sit in positions of power here, who can affect its other programs. The administration is not going to get any breaks on those, anyhow. We are down to the wire on the civil rights proposition. We must see it through now. If we do not see it through we shall gravely endanger our country in every aspect of its national life.

Mr. President, I yield the floor.

**Mr. HUMPHREY.** Mr. President, I merely wish to make a very brief statement regarding the discussion on civil rights. I have the highest respect and admiration for the Senator from New York [Mr. JAVITS] and know of his dedication to this fundamental issue of human rights. I know of no Senator who has a greater commitment to it, but I wish him to know—as well as all Senators on both sides of the aisle—that the administration, the President of the United States and the Attorney General, and those in support of the administration are committed to an effective program of civil rights legislation in this session of Congress.

We want a program, and not an issue. We want action, and not merely speeches. We want legislation that will have remedial effects. None of us could possibly believe that we can remedy every weakness or defect in one program, or in one bill, or in one session of Congress. But I wish to make it crystal clear that the administration—and the lieutenants of the administration, of which I am one—will see that the Senate has an opportunity to vote on and, if I have my way, to pass an effective, meaningful civil rights program that encompasses every issue that the President laid out in his message on civil rights.

It may well be that we cannot get every point that some people wish, but there will be action. There will be legislation. I have no doubt that in the years to come there will be opportunity to improve what we accomplish in this session of Congress; but the important thing, I believe, is for both Houses of Congress to be able to act, and to act promptly.

It is imperative that we act in 1963.

**Mr. JAVITS.** Mr. President, will the Senator from Minnesota yield?

**Mr. HUMPHREY.** I yield.

**Mr. JAVITS.** I will stake my right arm that the Senator from Minnesota is a proponent of civil rights, whatever the Senator may do about this legislation. The Senator should have no doubt about that. I am as convinced of that as I am about what is in my own heart.

I should like to ask the Senator from Minnesota a question. Is it not a fact, feeling as I do, that it is my duty to speak, because I feel very strongly about this issue? The able Senator knows a good deal about that. Does not the Senator agree with me, too, that it is also the duty of the Administration to listen? It may not act, but it is its duty to listen?

**Mr. HUMPHREY.** The Senator from New York not only has a duty to speak; but, since for years he has had a commitment to this fundamental area of human rights, of course it is his duty, his privilege, and his responsibility to speak—and he speaks clearly and unequivocally.

It is also the duty of the administration to seek counsel and advice. I do not consider the remarks of the Senator from New York today to be in bad temper, or to be motivated by partisanship. I wish him to know that. I should like Senators on the Republican side of the aisle to know that we cannot pass civil rights without their help; and, therefore, it is imperative that we try to have as much cooperation as humanly possible among us.

Those of us who believe in the civil rights program may have our differences—and it is quite obvious there are some differences on details—but we will have to reconcile those differences and work them out among ourselves.

I am not being critical of the Senator from New York. I merely wish the Senator to know that when this issue is before the Senate we must have action, and not merely another futile effort. We must make progress. Whether we can make as much progress as the Senator from New York proposes may very well be doubtful, but I agree with him that he should state his case and state it effectively. I shall state my case as best I can. But I would be less than honorable with Senators if I did not say that when we get down to the line we shall have to make a judgment as to what we can really pass in this body, and how we can stand together to support it.

I have no doubt that the Senator from New York [Mr. JAVITS], his colleague [Mr. KEATING], and the minority whip, the Senator from California [Mr. KUCHEL] will be in the forefront of that battle.

## PROHIBITION OF EMPLOYMENT IN GOVERNMENT SERVICE OF ANY EMPLOYEE OF PRIVATE DETECTIVE AGENCIES

**Mr. McCLELLAN.** Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 423, S. 1543.

**The PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1543) to repeal that portion of the act of March 3, 1893, which prohibits the employment in any Government service or by any officer of the District of Columbia, of any employee of the Pinkerton Detective Agency or any similar agency.

**The PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

**Mr. McCLELLAN.** Mr. President, I call up the amendment No. 223.

**The PRESIDING OFFICER.** The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, after line 6, it is proposed to insert the following new section:

> SEC. 2. Hereafter no employee of any detective agency shall be employed in any Government service or by any officer of the District of Columbia for the purpose of providing investigative services.

Mr. McCLELLAN. Mr. President, when the bill was reported, it had the support of the agencies of government involved. All of them approved it. A question was raised by the distinguished Senator from Iowa [Mr. MILLER] with respect to the provisions of the bill. I have discussed them with him, and we have ironed out the differences. The amendment I now propose will do what everyone actually intended should be done and what we had in mind at the very beginning. So far as I know, there is no objection to the bill, and I ask that it be passed.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MILLER. I appreciate the consideration that the distinguished Senator from Arkansas gave to my comments on the bill as it originally came from committee. I believe we now have, in the form of the amendment, a better bill, certainly a bill which meets the test that everyone concerned wishes to have established. I join the Senator from Arkansas in expressing the hope that the bill will pass.

The PRESIDING OFFICER. The question is on agreeing on the amendment offered by the Senator from Arkansas.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1543) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the paragraph immediately after the paragraph bearing the caption "Lighting the Capitol and Grounds" of the Act of March 3, 1893 (27 Stat. 591, 5 U.S.C. 53), is hereby repealed.
>
> SEC. 2. Hereafter no employee of any detective agency shall be employed in any Government service or by any officer of the District of Columbia for the purpose of providing investigative services.

The title was amended so as to read: "A bill to repeal that portion of the Act of March 3, 1893, which prohibits the employment, in any Government service or by any officer of the District of Columbia, of any employee of the Pinkerton Detective Agency or any similar agency, and for other purposes."

## VISIT TO WASHINGTON BY TITO

Mr. LAUSCHE. Mr. President, previously I have made several statements expressing my belief that a mistake has been made in inviting Tito to the United States, and more so in having him as an honored guest at the White House. My views on that subject have not changed at all.

In my judgment, Tito has done more to spread communism throughout the world than has been done by the combined efforts of Stalin, Khrushchev, and Mao. People who are in doubt have witnessed the silk-glove treatment that we have given to the Communist government of Tito. Knowing that he has succeeded, such persons have adopted, in many instances, the view that if Tito, with his communism, can get by, why cannot they, if they follow a similar course?

Throughout the world, in many nations, are Hungarians, Germans, Slovenes, Croatians, and Serbians who have fled from Yugoslavia. They either had to face death there or seek sanctuary in foreign countries.

Tito, when he took over the government, indulged in political oppression of the cruelest kind. He put countless people to death solely because of their political opposition. He put to death General Mikhailovitch. That act is one of the blackest in history.

Today I look with sadness upon the fact Tito is being graced and favored in the White House.

## VALIDATION OF CERTAIN RICE ACREAGE ALLOTMENTS

The Senate resumed the consideration of the joint resolution (H.J. Res. 192) relating to the validity of certain rice acreage allotments for 1962 and prior crop years.

The PRESIDING OFFICER. House Joint Resolution 192 is before the Senate. The joint resolution is open to amendment.

Mr. JOHNSTON. Mr. President, in some States, rice acreage allotments are apportioned to farms on the basis of the rice history of the producers on the farm, rather than the rice history of the farm. In these States, the Department's regulations for 1956 through 1962 required that, in order for a producer's history to count toward the allotment for a particular farm, the producer must contribute land, labor, water, or equipment to the production of rice on the farm for a share of the crop. In 1962, it was discovered in a number of cases that after the allotment was properly made to the farm, the producer did not actually contribute land, labor, water, or equipment for a share of the crop. Instead of performing or hiring the labor and taking a percentage of the crop, he may have settled for a flat payment per acre. He may have furnished equipment which was never used; or he may have entered into a partnership to carry out the farm operation which was defective in some respect and did not meet the Department's regulations. Out of 202 cases in Texas in which it originally appeared to the Department that there might exist irregularities of this nature affecting 1962 farm allotments the State committee had cleared 194 as of May 13, 1963. The irregularities are of such a technical nature that the Department has little expectation of setting aside many allotments, and estimates that the costs involved in seeking to collect marketing penalties would be greater than the amount of any penalties that might be collected.

Setting aside the acreage allotment for any farm would affect all of the producers on the farm, including those that followed the regulations to the letter.

The resolution applies only to allotments properly apportioned from the State rice acreage allotment and allocated to the farm by the county committee in good faith. It would not apply to allotments obtained by duplication, forgery, bribery, intimidation, or practices which would increase the acreage allotted in the State.

I wish to have it plainly understood that this would not attempt to clear up any situation in which an ASC agent acted in any way in a fraudulent manner.

I believe the Senator from Delaware [Mr. WILLIAMS] has some questions he wishes to ask.

Mr. WILLIAMS of Delaware. Mr. President, what I wish to be sure about is that the proposal would not relieve the producer or the county committeeman, the Government official, from any legal responsibility in cases when either intentionally violated the law.

Mr. JOHNSTON. The joint resolution in no way helps any agent of the Government, the ASC agent, or any person who received any benefit through that agent.

Mr. WILLIAMS of Delaware. In June of 1962 I had occasion to call some of these violations to the attention of the Department of Agriculture, and on April 3, 1963, this year, I received a reply, which I incorporated in the CONGRESSIONAL RECORD of April 24. I wish to read that letter, and then ask the Senator from South Carolina to follow me as I read it and state whether or not the joint resolution will excuse the types of cases which are described in this particular report furnished by the Administrator, Mr. Godfrey.

Mr. JOHNSTON. I shall be glad to try to answer the question.

Mr. WILLIAMS of Delaware. The letter is dated April 3, 1963, and is addressed to me. It reads as follows:

> This is in further reference to your letters of June 29, 1962, and February 28, 1963, with respect to multiple assignments of rice acreage allotments in Matagorda and Brazoria Counties in Texas.
>
> On June 3, 1962, Carl E. Lively, the Matagorda ASCS county office manager died of cancer. Immediately thereafter the Texas State office became aware of some indicated rice allotment irregularities in the county. A preliminary investigation by State office personnel pointed up several illegal transfers of producer rice allotments between Matagorda and Brazoria Counties. A further check in Brazoria County confirmed their suspicions. Similar transfers appeared to have taken place between these and other counties, Jackson and Waller.
>
> Evidence indicated certain persons in the county offices of Brazoria, Matagorda, Jackson, and Waller Counties had accepted money from producers for rice acreage allotments or for increases in producer allotments.
>
> The services of the Agricultural Stabilization and Conservation Investigation Division, Office of the Inspector General; Agricultural Stabilization and Conservation Internal Audit Division, Office of the Inspector Gen-

> eral; and the Federal Bureau of Investigation were requested on or about June 8, 1962, to determine the extent of the acreages and personnel involved. As their findings were disclosed, certain actions were taken by the Department.
>
> When the investigations were well underway it became apparent that the indicated violations fell into the following categories:
>
> A. Instances where a producer paid a county office employee annually over the past 2 or 3 years a monetary fee per acre for an increase in his producer rice acreage allotment. These irregularities appeared to be confined to four counties. This allotment acreage is usually duplicated by having been allocated to two or more farms and planted, but in some cases the producer allotment so allocated was in the name of a fictitious person.
>
> B. Instances where two producers entered into an agreement or partnership for the purpose of producing rice on a joint basis, although it appears that one of the producers actually withdrew from the production of rice and was paid money at the time by the other producer for the use of his allotment, on an annual or permanent basis. In either instance, annual applications for allocation of producer allotments to a farm were approved on the basis that both producers were to be "engaged in the production of rice" on the farm. Effective with the 1958 crop year, regulations have provided for the recall of any producer rice acreage allotment and a reduction of the farm allotment upon a finding after a scheduled hearing before the ASC county committee, that the producer was not "engaged in the production of rice" as indicated at the time of allocating his producer allotment to the farm.
>
> Category A cases are of a limited number; category B cases are numerous and affect many producers directly and indirectly. One or more years during the period 1958 through 1962 are involved in each.

My question is, Does the joint resolution relieve any of the groups in those two categories?

Mr. JOHNSTON. It relieves those in the B category, but does not relieve those in the A category.

Mr. WILLIAMS of Delaware. In some instances those in category B knew they were filing a false report. Under the joint resolution, if they knew it, they would not be excused.

Let me continue reading from the letter:

> However, subsequent to the initial action taken by the State committee, which resulted in the recall or revocation of allotments in the category B cases, many of the producers involved have furnished the State committee with evidence which substantiated their claim that they were "engaged in the production of rice" in the 1962 crop year, thereby clearing their operations for such year.

Those who could produce evidence that they were in line have cleared themselves. Would the Senator say that, under the joint resolution, those who could not produce such evidence are excused?

Mr. JOHNSTON. The bill is intended to relieve those in the category B cases. All of those cases involve some technical irregularity. The allotment was properly made on the basis that the producer would contribute land, labor, equipment, or water to the production of rice on the farm for a share of the crop. For some reason he did not follow through on this to comply fully with the regulation. He may have taken a smaller share of the crop as a way of paying for the labor. He may have taken a flat payment per acre. He may have thought he was complying with the regulation, or had some doubts, or he may not have intended to carry out his declarations as to his intentions. He may have misrepresented his intentions, but that is difficult to determine or prove. The Department has not been able to prove it in any cases to date.

Mr. WILLIAMS of Delaware. If there is any evidence to prove that their acreage was fraudulently obtained or transferred, they are not affected under the joint resolution?

Mr. JOHNSTON. The Department does not believe that fraud is involved, or could be proved, in any of the category B cases. It is possible that there could have been some misrepresentation of intent in some of these cases, but that is almost impossible to prove. Many of the cases involve small amounts. The Department advises that the cost for the Government to bring those cases would probably exceed any penalties that could be collected. They would not have sufficient evidence to prove the case.

Mr. WILLIAMS of Delaware. If the Government does not have evidence to prove the case, certainly it should not be bringing those cases. I am not speaking of such cases, because it seems to me it would be useless to pass a measure telling the Government not to take a case into court if it could not produce sufficient evidence. I am speaking of cases which can be proved, and in which the evidence is clear. Does the joint resolution relieve any of those cases?

Mr. JOHNSTON. The evidence in those cases is not clear, as is indicated by the fact that the Government has lost the 194 cases that have proceeded to completion.

Mr. WILLIAMS of Delaware. But if the Government feels it has evidence to prove the case, does the joint resolution excuse them? Is this joint resolution a blanket excuse for category B cases, without regard to the evidence the Government may have in its possession? I am not concerned for the moment with cases in which the Government does not have any evidence to prove the case, because no Government official—he ought to be fired if he did—is going to take someone into court to try to convict him in a case if he does not have proof. That would be blackmail. I hope there is no evidence that the Government is trying to do that. I am speaking of cases in which the Government has evidence which, if presented to the court, would prove a case of willful violation. Are we excusing that type of case?

Mr. JOHNSTON. In cases involving a statement of intention concerning an action to be taken, it is difficult to determine that there was an actual willful misrepresentation or violation. The regulations were quite technical, requiring that the producer receive a share of the crop rather than a flat payment. The purpose of the bill is to relieve the producers of penalties which might be assessed for these technical violations where they had no intention of doing wrong. That is the purpose of the bill, but we cannot be sure that one or more of these producers might not actually have had some wrongful type of intent.

Mr. WILLIAMS of Delaware. No one is arguing that point. I would be very critical of the Government's trying to go into court with a case it knew it could not prove. I am speaking of cases the Government thinks it can prove. Are we excusing those cases? I would be critical of the Government's trying to make a case if it did not have evidence. I am not speaking now of technical violations. At times all of us violate rules without intention. I am not speaking of cases of that kind. I am not speaking of unintentional violations. But is it intended to excuse cases of willful violation, when the evidence is such that the Government could prove it in court and could present evidence to prove the person was violating the law?

Mr. JOHNSTON. I think the last paragraph of the joint resolution answers the question. I read:

> This resolution shall not apply to any producer rice allotment or any planted rice acreage that has been obtained by duplication, forgery, bribery, intimidation, or practices that would result in the total allotted acreage in the State exceeding the State acreage allotment, less any unallocated reserve acreage.

The object of the joint resolution is to clean out the few cases remaining, which are mostly in California and Texas, with a few in Louisiana. That is about the limit. Perhaps a half dozen cases in the other States of the Union could be found.

Mr. WILLIAMS of Delaware. From which part of the report has the Senator been reading?

Mr. JOHNSTON. What I have read is not in the report. I have been reading from the joint resolution itself. The language I read appears at page 2 of the joint resolution, in the second paragraph.

I should like to call the Senator's attention to the fact that it is impossible to prove an intent in a man's mind unless there are some facts from which to draw the intent.

Mr. WILLIAMS of Delaware. I recognize that fact. I am not asking the Government to try to prove something it cannot prove. I thought I heard something in the last part of the Senator's statement as he read it which would indicate that the provision did not apply unless there was an increase in the allotment for the county. I wonder what that phrase was.

Mr. JOHNSTON. The last phrase is:

> That would result in the total allotted acreage in the State exceeding the State acreage allotment, less any unallocated reserve acreage.

In other words, it refers to an increase in the acreage. The resolution does not apply to any case which would result in an increase in the total acreage allotted.

Mr. WILLIAMS of Delaware. I do not quite understand what difference it makes whether it increases the acreage in a county or decreases the acreage in a county, if it was fraudulently obtained.

Mr. JOHNSTON. If it was fraudulently obtained, of course, it cannot be excused, but the Department has no evidence that fraud was involved in any of the category B cases. It could be that there was some, but the Department has not been able to find it. They could still seek to collect the penalties, since fraud would not have to be shown for that purpose. But even there the Department has had no success, because the cases are so technical. The committee has earnestly tried to give relief to those guilty of technical violations who have had no wrongful intent. That is the purpose of the resolution.

Mr. WILLIAMS of Delaware. I read further from the letter:

> Your inquiry was directed to category A cases in Brazoria and Matagorda counties.
>
> The excess or unexplained acreages in this category in Brazoria County from 1958 through 1962, and the illegal transfers of such acreages which emanated from Brazoria County, during this period, are as follows:

| | 1958 | 1959 | 1960 | 1961 | 1962 |
|---|---|---|---|---|---|
| Brazoria | 90.0 | 1,518.7 | 1,706.0 | 1,541.1 | 2,357.0 |
| Fort Bend | -------- | 271.4 | 125.0 | -------- | -------- |
| Jackson | -------- | 908.2 | 1,019.2 | 427.1 | 200.0 |
| Matagorda | 146.0 | 315.5 | 242.2 | 455.9 | 420.6 |
| Victoria | -------- | 110.0 | 60.0 | -------- | -------- |
| Waller | -------- | -------- | 166.8 | 639.1 | 1,183.7 |
| Total | 236.0 | 3,123.8 | 3,319.2 | 3,063.2 | 4,161.3 |

Mr. JOHNSTON. The Senator is reading about category A cases. All of those are not excused.

Mr. WILLIAMS of Delaware. This is part of category A. Do I clearly understand that these are not excused?

Mr. JOHNSTON. The Senator is correct.

Mr. WILLIAMS of Delaware. With respect to category B, when there are known and provable violations, again I ask what would happen in such cases?

I will read the remainder of the letter. Perhaps the language will clarify that point:

> As information became available, the field officials of the Department took steps to cancel improper allocations in the category A cases and to recall or revoke producer allotment allocations in the category B cases as provided for in existing regulations.
>
> In view of the fact that these violations came to light just prior to or at the time of harvest of the 1962 crop of rice, administrative action was directed to 1962 cases only, with action on violations for 1961 and prior years to be taken at the earliest practicable date.
>
> On September 7, 1962, suit was brought in the U.S. District Court for the Southern District of Texas against the Texas ASCS State executive director, the ASCS county committees and county office managers of six counties in Texas by seven Texas rice farmers, praying for a preliminary injunction to prevent the recall of the allocation of producer rice acreage allotments to farms and the cancellation or reduction of farm acreage allotments as a result thereof and asking also for affirmative relief to require the return or issuance of rice marketing cards which had been canceled or withheld. Basis for the suit was that the Government's regulations under which the defendants had acted were invalid. The suit was a class action on behalf of all farmers in Texas similarly situated and it was sought to join as party defendants all other ASCS county committees and county office managers in the Texas rice-producing area. One plaintiff withdrew from the case at the start of the trial. Trial was held on October 1, 2, and 3, 1962, and decision was rendered on October 5, 1962. The court upheld the regulation and ruled also that the plaintiffs should have exhausted their administrative and judicial remedies provided for in the Agricultural Adjustment Act of 1938, as amended. Plaintiffs appealed to the U.S. Circuit Court of Appeals for the Fifth Circuit and requested a stay order pending the appeal to prevent defendants from adjusting any more farm rice acreage allotments.

Mr. President, I ask unanimous consent that the entire letter be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
AGRICULTURAL STABILIZATION AND
CONSERVATION SERVICE, OFFICE OF
THE ADMINISTRATOR,

*Washington D.C., April 3, 1963.*

Hon. JOHN J. WILLIAMS,
*U.S. Senate, Washington, D.C.*

DEAR SENATOR WILLIAMS: This is in further reference to your letters of June 29, 1962, and February 28, 1963, with respect to multiple assignments of rice acreage allotments in Matagorda and Brazoria Counties in Texas.

On June 3, 1962, Carl E. Lively, the Matagorda ASCS County office manager died of cancer. Immediately thereafter the Texas State Office became aware of some indicated rice allotment irregularities in the county. A preliminary investigation by State office personnel pointed up several illegal transfers of producer rice allotments between Matagorda and Brazoria Counties. A further check in Brazoria County confirmed their suspicions. Similar transfers appeared to have taken place between these and other counties, Jackson and Waller.

Evidence indicated certain persons in the county offices of Brazoria, Matagorda, Jackson, and Waller Counties had accepted money from producers for rice acreage allotments or for increases in producer allotments.

The services of the Agricultural Stabilization and Conservation Investigation Division, Office of the Inspector General; Agricultural Stabilization and Conservation Internal Audit Division, Office of the Inspector General; and the Federal Bureau of Investigation were requested on or about June 8, 1962, to determine the extent of the acreages and personnel involved. As their findings were disclosed, certain actions were taken by the Department.

When the investigations were well under way it became apparent that the indicated violations fell into the following categories:

A. Instances where a producer paid a county office employee annually over the past 2 or 3 years a monetary fee per acre for an increase in his producer rice acreage allotment. These irregularities appeared to be confined to four counties. This allotment acreage is usually duplicated by having been allocated to two or more farms and planted, but in some cases the producer allotment so allocated was in the name of a fictitious person.

B. Instances where two producers entered into an agreement or partnership for the purpose of producing rice on a joint basis, although it appears that one of the producers actually withdrew from the production of rice and was paid money at the time by the other producer for the use of his allotment, on an annual or permanent basis. In either instance, annual applications for allocation of producer allotments to a farm were approved on the basis that both producers were to be "engaged in the production of rice" on the farm. Effective with the 1958 crop year, regulations have provided for the recall of any producer rice acreage allotment and a reduction of the farm allotment upon a finding after a scheduled hearing before the ASC county committee, that the producer was not "engaged in the production of rice" as indicated at the time of allocating his producer allotment to the farm.

Category A cases are of a limited number; category B cases are numerous and affect many producers directly and indirectly. One or more years during the period 1958 through 1962 are involved in each. However, subsequent to the initial action taken by the State committee, which resulted in the recall or revocation of allotments in the category B cases, many of the producers involved have furnished the State committee with evidence which substantiated their claim that they were "engaged in the production of rice" in the 1962 crop year, thereby clearing their operations for such year.

Your inquiry was directed to category A cases in Brazoria and Matagorda Counties.

The excess or unexplained acreages in this category in Brazoria County from 1958 through 1962, and the illegal transfers of such acreages which emanated from Brazoria County, during this period, are as follows:

| | 1958 | 1959 | 1960 | 1961 | 1962 |
|---|---|---|---|---|---|
| Brazoria | 90.0 | 1,518.7 | 1,706.0 | 1,541.1 | 2,357.0 |
| Fort Bend | -------- | 271.4 | 125.0 | -------- | -------- |
| Jackson | -------- | 908.2 | 1,019.2 | 427.1 | 200.0 |
| Matagorda | 146.0 | 315.5 | 242.2 | 455.9 | 420.6 |
| Victoria | -------- | 110.0 | 60.0 | -------- | -------- |
| Waller | -------- | -------- | 166.8 | 639.1 | 1,183.7 |
| Total | 236.0 | 3,123.8 | 3,319.2 | 3,063.2 | 4,161.3 |

As information became available, the field officials of the Department took steps to cancel improper allocations in the category A cases and to recall or revoke producer allotment allocations in the category B cases as provided for in existing regulations.

In view of the fact that these violations came to light just prior to or at the time of harvest of the 1962 crop of rice, administrative action was directed to 1962 cases only, with action on violations for 1961 and prior years to be taken at the earliest practicable date.

On September 7, 1962, suit was brought in the U.S. District Court for the Southern District of Texas against the Texas ASCS State executive director, the ASCS county committees and county office managers of six counties in Texas by seven Texas rice farmers, praying for a preliminary injunction to prevent the recall of the allocation of producer rice acreage allotments to farms and the cancellation or reduction of farm acreage allotments as a result thereof and asking also for affirmative relief to require the return or issuance of rice marketing cards which had been canceled or withheld. Basis for the suit was that the Government's regulations under which the defendants had acted were invalid. The suit was a class action on behalf of all farmers in Texas similarly situated and it was sought to join as party defendants all other ASCS county committees and county office managers in the Texas rice-producing area. One plaintiff withdrew from the case at the start of the trial. Trial was held on October 1, 2, and 3, 1962, and decision was rendered on October 5, 1962. The court upheld the regulation and ruled also that the plaintiffs should have exhausted their administrative and judicial remedies provided for in the Agricultural Adjustment Act of 1938, as amended. Plaintiffs appealed to the U.S. Circuit Court of Appeals for the Fifth Circuit and requested a stay order pending the appeal to prevent defendants from adjusting any more farm rice acreage allotments. The stay order was granted. Arguments before the Circuit Court of Appeals for the Fifth Circuit were heard on February 21, 1963, but to date no decision has been handed down. At the close of the argument, motion was filed by counsel for plaintiffs seeking withdrawal from the action by three of the remaining plaintiffs.

The stay order has been in effect since October 15, 1962, and the Department has been precluded by reason thereof from taking administrative action leading to the recall or revocation of the rice acreage allotment in any case in which action had not already been taken at the time the stay order was issued.

Practically all farmers whose allotments were reduced or canceled before the stay order was issued have availed themselves of the opportunity to apply for a review of the administrative action before a review committee, as provided for in the Agricultural Adjustment Act of 1938. Many hearings before review committees were scheduled, but most were postponed or continued at the request of the farmers pending the outcome of the court action.

However, six category A cases were heard by the review committee for Matagorda County and three category B cases were heard by the review committee for Chambers County. In each case, the review committee found for the farmer. The Matagorda County cases were reopened on behalf of the Secretary of Agriculture, but the review committee affirmed the prior determinations.

If the decision of the Circuit Court of Appeals for the Fifth Circuit is favorable to the Government, further administrative and review committee action will be taken in accordance with applicable regulations. If the decision is unfavorable, no such action can be taken and any prior action by the Department under the regulations would likely have been invalidated.

We are informed by the Criminal Division, Department of Justice, that as a result of the investigations, criminal indictments have been obtained against Victor M. Dziewas, farmer fieldman, district 13, Texas ASCS State Office, David C. Stephens, Brazoria ASCS County office manager, Tacitus Thornhill, Waller ASCS County office manager, J. W. Killough, Jr., farmer, Brazoria County, Lawrence G. Newman, and (Mr.) Pearl Bellard. The latter two men posed as farmers from Brazoria County, but actually were not engaged in farming. Carl E. Lively, former Matagorda ASCS County office manager, and Norman E. Scaff, former Jackson ASCS County office manager, who were involved in the investigations, are deceased. Dziewas has pleaded guilty, but has not been sentenced pending trial of Stephens, who has pleaded not guilty. Thornhill originally pleaded guilty and was sentenced to 2 years in prison and fined $30,000; he later had a nervous breakdown, his guilty plea was withdrawn and a not guilty plea entered for him, a motion was filed to test his competency, and he is now in a hospital undergoing treatment. Killough pleaded guilty, but has not been sentenced, pending trial of Stephens. Newman pleaded guilty and was given a 2-year sentence, which was suspended, and fined $1,500. Bellard has pleaded not guilty and will be tried with Stephens. It is expected that the trial of Stephens and Bellard will be held during the summer months, although no date has been set.

As it became known that employees of the Department were involved in illegal transfers of rice allotments, appropriate personnel actions were initiated. As a result, all the persons indicted who were employees of the Department were removed from office. Many others who, although not considered to have violated any criminal statute, were considered to have been guilty of conduct incompatible with their continued employment, and were removed from office or their employment was terminated. These include three county committeemen, one alternate county committeeman, one county office clerk, one performance supervisor, two performance reporters, two community committeemen, and two alternate community committeemen. One review committeeman was not reappointed when his term of office expired. Three county committeemen and four community committeemen were permitted to serve out their terms of office. In addition, resignations were accepted from one State committeeman, one community committeeman, and one county office clerk.

Personnel actions in the cases of certain persons holding minor offices or positions have been withheld pending the holding of review hearings which have been initiated by such persons, and/or the results of further investigation currently in progress. Additional personnel actions of the types indicated above are currently underway and it is contemplated that others may be forthcoming.

If we can furnish you any additional information, we shall be glad to do so.

Sincerely yours,

H. D. Godfrey,
*Administrator.*

Mr. WILLIAMS of Delaware. Would the joint resolution affect any of the cases that are brought into court?

Mr. JOHNSTON. All of category B cases are exempt. The Government has found that cases in that classification are cases which it cannot prove, or in connection with which it cannot find a wrongful intent.

Mr. WILLIAMS of Delaware. If the Government does not feel it can prove a case, why does not the Government drop the case? Is it necessary to have Congress tell the Government not to prosecute a man against whom it does not have sufficient evidence? We should not have to tell the Government not to prosecute a case which the Government cannot prove.

If the provision goes beyond that, I want to know to what extent it goes. I would be surprised to hear that the Department of Agriculture would try to harass farmers with suits the Department cannot prove.

Mr. JOHNSTON. The Department has not been able to collect penalties in these cases against the farmers themselves. The Department has cases pending with regard to those who probably have committed some wrong. Those cases would not be excused.

Mr. WILLIAMS of Delaware. Does it affect in any way the status of the Government's case against an employee of the United States?

Mr. JOHNSTON. Not at all.

Mr. WILLIAMS of Delaware. It does not affect such a case in any degree?

Mr. JOHNSTON. No.

Mr. WILLIAMS of Delaware. Does the Senator have assurance that it does not affect in any way the right of the Government to prosecute any employee of the Government?

Mr. JOHNSTON. The joint resolution does not affect suits against such employees in any way.

Mr. WILLIAMS of Delaware. In no way at all?

Mr. JOHNSTON. In no way at all.

Mr. WILLIAMS of Delaware. It affects only those in category B?

Mr. JOHNSTON. Where it appears that some wrong has been committed but where the person involved did not know he was committing any wrong.

Mr. WILLIAMS of Delaware. Only the type of case in which a regulation has been violated unknowingly?

Mr. JOHNSTON. Where there has been a technical violation. It involves cases in which a person did not have a clear understanding of the fact that he was doing something wrong, or he was doing something wrong without any intention to do wrong. We do not believe any clear, willful violations are involved.

Mr. WILLIAMS of Delaware. With the assurance that the joint resolution does not go beyond that point, I will not object.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the joint resolution.

The joint resolution (H.J. Res. 192) was ordered to a third reading, was read the third time, and passed.

Mr. HUMPHREY. Mr. President, I move that the Senate reconsider the vote by which the joint resolution was passed.

Mr. JOHNSTON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## AMENDMENT OF THE SMALL RECLAMATION PROJECTS ACT OF 1956

Mr. MOSS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 458, S. 283.

The PRESIDING OFFICER. The bill will be stated by title.

The Chief Clerk. A bill (S. 283) to amend the Small Reclamation Projects Act of 1956.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Utah.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, at the beginning of line 6, to insert "(a)"; on page 2, line 6, after the word "of", to strike out "$7,500,000" and insert "$5,000,000"; in line 9, after the word "of", to strike out "$7,500,000" and insert "$5,000,000"; at the beginning of line 18, to insert "(b)"; on page 3, at the beginning of line 15, to insert "(c)"; at the beginning of line 20, to insert "(d)"; on page 4, at the beginning of line 1, to insert "(e)"; at the beginning of line 9, to insert "(f)"; at the beginning of line 12, to insert "(g)"; on page 5, at the beginning of line 10, to insert "(h)"; in line 25, after the word "Secretary", to strike out "If a loan has been made by another Federal agency for this purpose on a project approved for a construction loan under this Act, the Secretary may provide from construction funds the full amount necessary to repay that loan and that amount shall be repaid as a part of the construction loan under this Act." and insert "If a loan or advance of funds has been made by another Federal agency for planning with respect to a project theretofore or subsequently approved for a construction loan under this Act, the Secretary may provide from construction funds the full amount necessary to repay that loan or advance of funds and such amount shall be included as a part of the construction loan under this Act.";

on page 6, at the beginning of line 12, to insert "(i)"; at the beginning of line 14, to insert "(j)"; after line 19, to strike out:

SEC. 10. The Secretary is authorized to perform any and all acts and to make such rules and regulations as may be necessary or proper in carrying out the provisions of this Act.

At the beginning of line 23, to insert "(k)"; on page 7, after line 14, to strike out:

SEC. 12. This Act shall be a supplement to the Federal reclamation laws and may be cited as the Small Reclamation Projects Act of 1956.

And, after line 17, to strike out:

SEC. 13. If any provision of this Act or the application of such provision to any person, organization, or circumstance shall be held invalid, the remainder of the Act and the application of such provision to persons, organizations, or circumstances other than those as to which it is held invalid shall not be affected thereby.

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Small Reclamation Projects Act of 1956 (70 Stat. 1044, as amended by 71 Stat. 48 and 49) is amended as follows:

(a) Amend subsection (d) of section 2 to read as follows:

"(d) The term 'project' shall mean (i) any complete irrigation undertaking including incidental features thereof, or distinct unit of such an undertaking or a rehabilitation and betterment program for an existing irrigation project, authorized to be constructed pursuant to the Federal reclamation laws and (ii) any similar undertaking proposed to be constructed by an organization. The term 'project' shall not include any such undertaking, unit, or program the cost of which exceeds $10,000,000: *Provided,* That no loan or grant or combination thereof in excess of $5,000,000 will be made: *Provided further,* That nothing contained in this definition shall preclude the making of a grant not in excess of $5,000,000 in accordance with the provisions of sections 4 and 5 of this Act, to organizations whose proposed projects qualify for the same but which are not applicants for a loan under this Act: *And provided further,* That nothing contained in this Act shall preclude the making of more than one loan or grant, or combined loan and grant, to an organization so long as no two such loans or grants, or combinations thereof, are for the same project, as herein defined."

(b) Amend subsection (a) of section 4 to read as follows:

"(a) Any proposal with respect to the construction of a project which has not theretofore been authorized for construction under the Federal reclamation laws shall set forth, among other things, a plan and estimated cost in detail adequate to provide a clear understanding of the project, to demonstrate that it is financially feasible, and to define the maximum amount of the loan; shall have been submitted for review by the States of the drainage basin in which the project is located in like manner as provided in subsection (c), section 1 of the Act of December 22, 1944 (58 Stat. 887), except that the review may be limited to the State or States in which the project is located if the proposal is one solely for rehabilitation and betterment of an existing project; and shall include a proposed allocation of capital costs to functions such that costs for facilities used for a single purpose shall be allocated to that purpose and costs for facilities used for more than one purpose shall be so allocated among the purposes served that each purpose will share equitably in the costs of such joint facilities."

(c) Amend subsection (b) of section 4 by striking out the word "construction" from the phrase which now reads "and willing to finance otherwise than by loan and grant under this Act such portion of the cost of construction" and insert in lieu thereof "the project".

(d) Amend subsection (d), section 4, by adding at the end of the first sentence the following: "*Provided,* That an appropriation may be made before the end of said sixty days if both House and Senate committee shall have earlier approved the proposal by committee resolution."

(e) Amend subsection (a) of section 5 to read as follows:

"(a) The maximum amount of any loan to be made to the organization and the time and method of making the same available to the organization. Said loan shall not exceed the estimated total cost of the project minus the contribution of the local organization as provided in section 4(b) and the amount of the grant approved."

(f) Amend subsection (b) of section 5 by inserting in the second sentence after the words "said grant" and before the words "shall not exceed" the following: "may equal but".

(g) Amend subsection (c) of section 5 to read as follows:

"(c) A plan of repayment by the organization of (1) the sums lent to it in not more than fifty years from the date when the principal benefits of the project first become available; (2) interest, as determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the contract is executed, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue, and by adjusting such average rate to the nearest one-eighth of 1 per centum at the beginning of the fiscal year preceding the date on which the contract is executed, on that portion of the loan which is attributable to furnishing water service or facilities to land held in private ownership in each year by any one owner in excess of one hundred and sixty irrigable acres; and (3) in the case of any project involving an allocation to domestic, industrial, or municipal water supply, or commercial power, interest on the unamortized balance of an appropriate portion of the loan at a rate as determined in (2) above: *Provided,* That interest as determined herein shall apply to loans made heretofore under this Act;".

(h) Add, as a new section, section 8, to read as follows:

"SEC. 8. If he determines that it is justified, the Secretary may advance to an organization, eligible for a loan under this Act, funds up to half the amount required to undertake project investigations, to prepare the loan applications, and to do other work necessary to obtaining of a construction loan, the funds so advanced to become a part of the loan and grant or combination thereof; to be repaid as provided in section 5 of this Act, if not otherwise repaid. If no loan under this Act is made to the organization and no construction (whether or not financed under this Act) is performed as a result of such investigations or studies, such funds advanced may be nonreimbursable. Funds for this purpose shall not be advanced until the local organization has presented its program for these activities for approval by the Secretary.

If a loan or advance of funds has been made by another Federal agency for planning with respect to a project theretofore or subsequently approved for a construction loan under this Act, the Secretary may provide from construction funds the full amount necessary to repay that loan or advance of funds and such amount shall be included as a part of the construction loan under this Act."

(i) Renumber existing sections "8," "9," "10," and "11," as sections "9," "10," "11," "12," and "13," respectively.

(j) Amend section 9, formerly section 8, to read as follows:

"SEC. 9. The planning and construction of projects undertaken pursuant to this Act shall be subject to all procedural requirements and other provisions of the Fish and Wildlife Coordination Act."

(k) Amend section 11, formerly section 10, to read as follows:

"SEC. 11. There are hereby authorized to be appropriated, such sums as may be necessary, but not to exceed $200,000,000 to carry out the provisions of this Act, this limit to be extended by the amounts of repayment of principal received from loans and the amount of nonreimbursable expenditures under this Act: *Provided,* That the Secretary shall advise the Congress promptly on the receipt of each proposal referred to in section 3, and no contract, except as may be necessary under section 8, shall become effective until appropriated funds are available to initiate the specific proposal covered by each contract. All such appropriations shall remain available until expended and shall, insofar as they are used to finance loans made under this Act, be reimbursable in the manner hereinabove provided."

Mr. MOSS. Mr. President, the purpose of the bill is to extend one of the most successful programs undertaken by the Bureau of Reclamation. The Small Reclamation Projects Act of 1956 established a program under which certain types of organizations, both private and public, could obtain loans for small reclamation projects and grants for those portions of the projects that are nonreimbursable as a matter of national policy.

The present limit on the amount that may be loaned is $5 million with an overall limitation of $10 million, the balance being supplied by the local entity that applies for a loan to construct or rehabilitate a project whose purpose is primarily for irrigation. Actually, the program to date has been largely for rehabilitation and betterment of small existing irrigation district works, improving distribution systems, providing drainage, and other matters related to the better use of land and water.

The projects are constructed by the local agency which is responsible for planning, building, operating, and maintaining the system. The Bureau of Reclamation examines the plans to determine whether the project can accomplish its purpose and will provide for the repayment of the loan.

The program has demonstrated that through real cooperation, very favorable results can be obtained by joining Bureau of Reclamation know-how with the advantages of local administration.

The proposed amendments to the original act would increase the authorized amount from $100 million to $200 million. The original authorization has been practically exhausted and if the program is to continue, as we of the committee feel it should, the increase in authorization is a must.

A second amendment relates to and defines more specifically the amount of detail to be included in the application for a loan.

Under the present act the Appropriations Committee cannot make funds available for construction of an approved project until the proposal has been before the Interior and Insular Affairs Committees of the Senate and the House for 60 days, and then only if a resolution of disapproval is not adopted by either committee during this time. An amendment would permit this requirement to be bypassed if a favorable resolution on the project was adopted by both committees.

Another amendment would provide that, for those portions of the project that require interest, the rate to be charged would be in conformity with the criteria established by the Water Supply Act of 1958, the formula that now controls in all water projects including those of the Department of the Interior, the Corps of Engineers, and the Department of Agriculture.

Based on current average prices on Government securities, which are neither due nor callable for redemption for 15 years, the bill would reduce interest costs on projects started after its passage by slightly less than 1 percent. This provision would be retroactive and would thus save money for present projects as well as for future ones.

These are the proposals of the sponsors and the decision of the committee. We of the West believe that the program is a good one and should continue. We are satisfied that the experience of the past 6 years indicate that the matters proposed here will make for better procedures and establish further guidelines for the implementation of a program that is designed to help the small organizations in solving their own problems at the local level. I know that this is true in my own State of Utah where at least nine different agencies have either completed their projects, have them under construction, or are in the process of completing application. I am sure that the record will show that the same is true in the other States in the West where the program has been utilized.

**Mr. HUMPHREY.** Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be considered original text for the purpose of amendment.

**The PRESIDING OFFICER.** Without objection, the committee amendments will be agreed to en bloc, and the bill as thus amended will be considered as original text for the purpose of amendment.

**Mr. KUCHEL.** Mr. President, I send to the desk an amendment and ask for its immediate consideration.

**The PRESIDING OFFICER.** The amendment offered by the Senator from California will be stated.

The **Chief Clerk.** On page 2, lines 6 and 9, it is proposed to strike out "$5 million" and insert in lieu thereof "$7,500,000".

**Mr. KUCHEL.** Mr. President, I speak as a Senator from a State whose people have utilized the beneficent principles of the small projects legislation to great advantage on many occasions. I speak for individual enterprising Americans who, of their own volition, have created local water districts of various types, and in some instances now find it possible to move forward with respect to what otherwise would be a reclamation project under the aegis of the Department of the Interior.

The costs of construction of small projects, or of any other public or private facility, for that matter, have increased. Therefore, I have offered an amendment to provide that the level of the loan may be $7,500,000 rather than $5 million. Let me make it clear that the size of the project will stay at the present rate of $10 million.

In support of the amendment which I offer, I cite a number of groups across the Nation which, at the hearings, also supported the bill as introduced. But, basically, in support of the amendment, I cite simply the reasonableness and fairness of my proposal. None of these groups objected to the increase from $5 million to $7.5 million. The asterisks shown in the list denote those groups which specifically called for that increase.

Mr. President, I ask unanimous consent that the list be printed at this point in the Record.

There being no objection, the list was ordered to be printed in the Record, as follows:

The bill as introduced was supported at hearings by the following, none of which objected to the increase from $5 million to $7.5 million. The asterisk denotes those who specifically called for that increase.

1. National Reclamation Association* by William Welsh, District of Columbia, secretary-manager*, and Doyle Boen, California, chairman, small projects committee*, and M. T. Martin, Texas, member of the committee. In accord with the association's Resolution 19 of last annual meeting, October 1962, paragraph C(4) of which urges the increase "which in light of increased construction costs will construct works comparable to what $5 million provided when the original loan maximum was contemplated."

2. State of Hawaii* by Robert T. Chuck, manager-engineer, division of water and land development, department of land and national resources, saying that with rising costs this increase would be important re their Molokai project.

3. State of Utah by letter from Governor Clyde and resolution of water and power board and letter from Utah Water Users Association.

4. State of Colorado* by letter from Governor Love.

5. State of Idaho by letter from Assistant State Reclamation Engineer Tappan, including resolution of Idaho State Reclamation Association.

6. Oregon groups: Klamath Basin Improvement District, Klamath County Farm Bureau, Oregon Reclamation Congress, Klamath Basin Water Users Protective Association.

7. California groups:* (a) United Water Conservation District, Santa Paula,* conservation dam and pipeline conveyance; (b) Semitropic Water Storage District, Kern County,* distribution system for State project water; (c) Wheeler Ridge, Maricopa Water Storage District,* Kearn County, distribution system for State project water.

8. State of Arizona by statement of W. S. Gookin, State water engineer.

9. Nebraska District Judge Wm. C. Smith, Jr., chairman of Nebraska Reclamation Association's resolution committee. Need for the increase:

1. Increased costs since $5 million limit set in 1956.

2. Meritorious projects within general purpose of legislation could not otherwise be undertaken because: (a) Conventional financing not available to requisite extent, and/or (b) regular reclamation program prevents service to excess acreage which this program permits, provided interest is paid.

**Mr. KUCHEL.** Mr. President, I believe the amendment is in order and is in the public interest. I ask the Senate to approve it.

**Mr. MOSS.** Mr. President, the Senator from California has correctly informed the Senate that the overall amount of the cost of any project that would come within the purview of the bill would remain at $10 million for the project. However, the effect of his amendment would be that three-quarters of that amount, or $7,500,000, could be obtained by loan or grant from the Federal Government. This would change the present situation, under which only 50 percent, or $5 million, may be obtained by loan or grant.

The Subcommittee on Irrigation and Reclamation acted to increase the amount in accordance with the amendment now offered by the Senator from California. However, when the bill came before the Committee on Interior and Insular Affairs, the point was raised and discussed at some length, and by the vote of the full committee the amount was reduced to that provided in the bill, that is, $5 million. The sense of the committee at that time was that the formula should not be changed so as to make more than 50 percent of the amount of the small projects available by loan and grant from the Federal Government.

Although it was recognized that the costs of projects have increased to some degree, it was felt that the percentage should not be varied. For this reason, Mr. President, I must oppose the amendment.

**Mr. KUCHEL.** Mr. President, I regret that the Senator from Utah opposes the amendment. It is precisely what we joined in sponsoring when we introduced the bill. The precise language of my amendment comes from our original bill.

It is true that a member of the staff of the Department of the Interior said to the committee, "We object to it." That is not a sufficient reason for the Senate to reject it. On the contrary, the Senate has the benefit of affirmative statements by persons representing most of the Western States, each of which wants this development to take place and the Senate ought to pass its own independent judgment on my proposal.

I can develop this argument further; but in the interest of time and orderly procedure, I ask the Senator from Utah to accept the amendment and take it with him to conference.

**Mr. MOSS.** Mr. President, I certainly could do that. So far as I personally am concerned, in the subcommittee I voted for the amount the Senator proposes in his amendment. I felt that I was bound to present here the view of the full committee, because a vote was taken there. But I think I can accede to the request of the Senator from California. The amendment can be taken to conference. I am sure it will be thoroughly discussed by the House conferees, who very likely will have a strong opinion in regard to it.

Mr. KUCHEL. Mr. President, I am most grateful to the Senator from Utah. As he has said, he has reflected the views of the committee. On the other hand, we joined in sponsoring this language which is in the public interest. So I am grateful to him.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

Mr. KUCHEL. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. HUMPHREY. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, do I correctly understand that the amendment is now thoroughly locked in, in Kuchel style?

The PRESIDING OFFICER. If there be no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 283) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. HUMPHREY. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. KUCHEL. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. Mr. President, I commend the Senator from Utah [Mr. Moss] for his leadership in the handling of this bill, which is known as the Small Reclamation Projects Act. He joined other Senators in introducing the bill, and he gave powerful impetus to the action on the bill in the subcommittee, in the full committee, and on the floor of the Senate. His service in that connection commends him to all of us.

This bill means a great deal to the West and to the Nation; and I am sure that everyone who is vitally concerned with irrigation, reclamation, and land conservation is indebted to the Senator from Utah. On behalf of the leadership, I commend him.

I also commend the Senator from California [Mr. KUCHEL] for his cooperation in this connection. Reclamation measures mean a very great deal to the States in the Rocky Mountain area, in the Southwest, and in the Far West.

So, Mr. President, I commend all these Senators.

Mr. MOSS. I thank the Senator from Minnesota.

Mr. KUCHEL. Mr. President, I thank the Senator from Minnesota.

## THE PRESIDENT'S "NONPOLITICAL" TRIP

Mr. WILLIAMS of Delaware. Mr. President, in a recent issue of the Washington Daily News there appeared an interesting article, by Lyle C. Wilson, entitled "Taxpayers Stuck for J.F.K.'s Trip."

Ofttimes the question is asked, "Why was such a trip labeled 'nonpolitical'?" The answer is very simple: When it was so classified, the taxpayers, rather than the Democratic National Committee, paid the expenses.

I ask unanimous consent that this article appear in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### TAXPAYERS STUCK FOR J.F.K.'S TRIP

(By Lyle C. Wilson)

The U.S. taxpayer put up the scratch that paid for the elaborate public relations trimmings to President Kennedy's "nonpolitical" swing to the west coast. The taxpayer doesn't know it, but he paid.

There were pamphlets, booklets, maps, movies, and still pictures. One securely strapped container hand delivered to UPI's Washington bureau contained 16-millimeter movie film, sufficient for a 30-minute show. An accompanying letter said these were film sequences of "projects and other installations which President Kennedy will either visit, fly over or (fly) near during his western trip."

An 8-by-10 pamphlet bound in slick brown paper turned out to be an 18-page, glossy stock copy of Mr. Kennedy's March 1, 1962, message to Congress on conservation. This was a great improvement on the roughly mimeographed text UPI received last March. The glossy version had several pages of pictures showing the recreational and other delights and advantages to be enjoyed by the people if Congress would create the new parks proposed by the President.

All of this material was printed by the Government Printing Office. The Agriculture and Interior Departments cooperated in preparing some or all of the material. It came to the news media with the compliments of Interior Secretary Stewart L. Udall.

UPI was informed at the Interior Department that most of the 16-millimeter film footage was documentary material from the Reclamation Bureau's film library, but that some film was shot especially for the Kennedy trip. Four prints of the film were distributed. The Department roughly estimated the cost of the film project at $1,500 but emphasized that this was not precise.

An elaborately illustrated glossy booklet entitled "The Trip of the President" was especially produced for Mr. Kennedy's western swing. About 500 copies were run off on Interior Department offset facilities. No cost estimates were available.

The nonpolitical, speechmaking swing through political significant States is a political gimmick, almost a political tradition. It is a phony, of course, because a President no more can divorce his journeys from the political realities than he can deny his membership in a political party.

But if a President is on a nonpolitical junket, the opposition party scarcely can demand equal time on the air for the political speeches because it obviously is not possible to make a political speech on a nonpolitical journey.

Toward the end of Mr. Kennedy's trip last week in Salt Lake City, veteran reporters detected politics in the President's speech which all but denounced Senator BARRY GOLDWATER by name. But the pretense of nonpolitics was maintained in the White House tradition.

So it is with the expenditure of the taxpayers' dollars to make the President's nonpolitical journey look as good as possible. Perhaps the taxpayers should come up with their own version of equal time—a demand, for example, for a trip at Government expense to all of the lovely spots Mr. Kennedy visited.

Of course that wouldn't work, either. So it comes down to this: When any President decides to go tripping off to make some political hay on a nonpolitical trip, the taxpayers will just have to pay and like it.

## ECONOMIC PREPAREDNESS FOR PEACE—PROPOSED AUTHORITY FOR SUBCOMMITTEE OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE TO MEET DURING SENATE SESSIONS

Mr. CLARK. Mr. President, on page 12 of the Legislative Calendar there is listed, under the heading "Resolutions and Motions Over Under the Rule," Senate Resolution 209, of which I am the sponsor. It would authorize the Subcommittee on Manpower and Employment, of the Committee on Labor and Public Welfare, to hold meetings during the sessions of the Senate during the remainder of October and all of November.

As the result of some quite complicated parliamentary maneuverings and as the result of a ruling on rule VIII made by the Vice President—a ruling which I do not understand, and with which I am completely out of sympathy, my resolution has been held over, and has been placed on the calendar until such time as, in its infinite wisdom, the leadership decides to have the Senate adjourn, rather than take a recess.

Mr. President, in due course, Senate Resolution 209 will be called up for action under the somewhat peculiar procedure required by the ruling of the Vice President a week or so ago.

My purpose today in obtaining the floor is to explain to Senators and to readers of the CONGRESSIONAL RECORD the importance of granting the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare the right to sit, notwithstanding the fact that the Senate may be in session, during the remainder of October and all of November.

The hearings which we contemplate holding come under the general heading of "Economic Preparedness for Peace."

Our major national failure on the domestic scene over the past decade has been our inability to match the growing capacity to produce goods with corresponding increases in job opportunities for an expanding work force.

For 10 years we have been plagued by nagging, chronic, and persistent unemployment.

Even today, in the midst of the longest lived period of business expansion since the 1920's, unemployment levels have refused to come unstuck.

I submit, Mr. President, that the Nation cannot tolerate this tragic waste of priceless manpower much longer. It corrodes the confidence of hundreds of American communities. It gives rise to serious questions concerning the operation of our superb free enterprise system. It is a cancer on the economy which cannot be allowed to grow malignant.

And, like a cancer, there is no simple cure, no panacea, no wonder drug which can remove it overnight. It is a complicated disease.

No body of Congress is more aware of this at the moment than the Subcommittee on Employment and Manpower of the Senate Committee on Labor and Public Welfare.

Ever since the end of May, this subcommittee has been hard at work, week in and week out, exploring the dismal depths of national unemployment. It is searching hard for answers to this nagging problem. We have held more than 30 days of hearings, and heard nearly 70 witnesses.

During the remainder of October and November, the subcommittee hopes to conclude this year's investigations and prepare its recommendations for the next session of Congress.

Yet in view of what looms ahead, the subcommittee may not be able even to meet, because of the pending filibuster on the civil rights bill, which it now appears may occur in the Senate within the next 2 weeks.

Is the national interest to be sacrificed to some quaint and antiquated custom which says the Senate of the United States will not be permitted to vote to determine whether a committee can continue to work on matters of great national concern? Does anyone think floor attendance during the filibuster will be improved by this action? No Senator can seriously believe that a single member of this subcommittee will sit and listen to the weeks and weeks of dreary discussions which will have as their purpose the frustration of intelligent legislation.

During the remaining weeks of this month, the Subcommittee on Employment and Manpower will be concerned with the techniques which can be employed by management and labor to adjust to technological advances. It will be concerned with chronic depression in certain regions of America, and what we can do to cure it at the Federal level.

Then in November it will turn its attention to the many difficult questions dealing with the impact of the defense effort upon our national employment and manpower problems.

This matter of great national concern, I suggest, should not be given second priority to that exercise in Senate futility and frustration known as the filibuster. I suggest that the subcommittee to which I have referred and, for that matter, a score of our committees and subcommittees, should be permitted to continue the work which they are doing, in an attempt to bring meaningful legislation to the floor, instead of being told that the duty of Members is to stay on the floor and listen to the filibuster, which we all know they are not going to do anyway.

Twice within the recent history of the United States, we have found ourselves engaged in major wars at a time when we were not adequately prepared to wage those wars. In December 1941, and again in June 1950, we were overtaken by world conflagrations for which we had not made adequate preparation. Of course, in due time, our great technological and manpower potential met the military challenge and ultimately the enemy was contained. But in the interim there was tragic and unnecessary loss of lives and territory which adequate national preparation might have forestalled.

Today, after 15 years of the cold war and the arms race, we are presented with the paradox that we may now be as unprepared for peace as formerly we were unprepared for war. Currently 10 percent of our gross national product is concentrated upon national defense. Millions of men and women in the Armed Forces and in the defense industries are engaged in work related solely to the Military Establishment. Whole communities are dependent on such enterprise. The employment of millions and economies of whole cities rest on the shoulders of the Secretary of Defense—an able and effective man, the finest Secretary of Defense, in my opinion, we have ever had, on whose shoulders rests a precarious economic foundation at best.

Each month a defense contract is canceled or expires. Weapons become obsolete. International conditions alter. Yet little anticipation, little foresight has been brought to bear upon the economic effects of defense shifts, or even the possible eventuality of defense cutbacks or disarmament.

This is a critical question of interest to those who concern themselves with our national manpower. What plans do we have, what concrete alternatives may we afford as a nation for the employment of those who are engaged in the defense effort but who may be affected by changes in its structure or size?

Can we not take the tremendous energies and latent potentials bottled up in defense and put them to constructive use on the many unmet domestic needs of the country we have been bypassing for over two decades?

What are the alternative prospects for the industries today absorbed in the defense sector—particularly those in the highly technical missiles and electronic fields? Have these companies planned for alternative enterprise should defense demands reduce the need for their services in the defense production area? An excellent study of this question by two staff writers appeared in the New York Times of last August 16. This analysis tended to indicate that many of the most vulnerable defense industries have no alternative plans for the employment of their skills, resources, and manpower forces, should they no longer be required to engage themselves in the defense effort.

I ask unanimous consent that a copy of the article, which appeared in the New York Times, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### DEFENSE INDUSTRY SHUNS PLANS FOR POSSIBLE ARMS BAN—FEW CONCERNS FOUND READY TO CONVERT TO NORMAL ROLES

(NOTE.—The following survey was prepared by Philip Shabecoff and Joseph Lelyveld, financial and business reporters of the New York Times.)

What is the Nation's defense industry, the largest single sector of the economy, doing to cope with the impact of possible arms control or disarmament?

Very little.

Many defense contractors simply refuse to consider a sizable cutback in arms production as any kind of possibility in the foreseeable future.

Some, who have given thought to the problem, say a sharp reduction in defense spending would deal them a severe if not a crippling blow, but they have no idea at present of how to plan for such a development.

A few companies are confident they would be able to make a smooth transition to civilian business.

Fewer still report that they have actually done some long-range planning in this area.

That is the gist of a survey made by the New York Times of the 25 biggest prime defense contractors. Together, the contractors account for 50.8 percent of all defense work.

### SPECULATION ON CUTBACK

Although President Kennedy specifically ruled out a cutback in defense spending as a result of the agreement on a partial ban on nuclear testing, that agreement has produced rising speculation about the possibility of an East-West détente. Few observers believe that any kind of real disarmament is imminent, but many argue that the time has come for American industry at least to make preparations for a possible slackening in the arms race.

Within the Government and Congress the problem of economic adjustment to arms control is slowly emerging as a matter of serious concern. The defense industry itself, however, apparently has yet to make a serious effort to smooth what could be a painful transition.

It is now generally agreed that—in the long run—the economy of the United States could be successfully adapted to any kind of arms control, including general and complete disarmament. That was the conclusion of a report prepared for the Arms Control and Disarmament Agency by a panel headed by Prof. Emile Benoit, of Columbia University.

### REASONS FOR CONCERN

The key words in any discussion of disarmament and the economy are "in the long run." When it comes to the short run, confident assertions about the resiliency of the U.S. economy often give way to cries of sheer panic.

The reasons for such consternation are not hard to locate. They can, in effect, be pinpointed geographically in those regions that have become centers of defense activity.

It has been estimated that one out of every three jobs in southern California is directly tied to defense expenditures. In the San Diego area for example, 82 percent of all manufacturing jobs were in the missile and aircraft industries when a check was made there is 1959.

The leading defense contractors farm out much of their work to one another and to smaller concerns. In effect, then, they sit atop a huge pyramid, the dimensions of which have never been definitely measured. In order to convey an impression of the size of this pyramid, one official in the Defense Department pointed out that subcontracts for the B-70 had been scattered through every State.

In 1960 it was estimated that 30.2 percent of all manufacturing jobs in Kansas were in defense; in the State of Washington, the figure was 28.6 percent. At the same time in Virginia, the Department of Defense payroll accounted for 10.2 percent of all personal income.

### VALUE OF STATISTICS

According to one estimate, more than 2,500,000 civilians were directly employed in the defense industries in 1960. It is a fair assumption that if all military contracts were suddenly terminated, the rate of unemployment, in July 5.6 percent of the labor force, would more than double overnight.

Such statistics can be embroidered and extended almost endlessly. But it is obvious that disarmament cannot occur overnight. Instead, it has become a cliche to say that careful advance planning by the Government, by industry and by labor would help to avert the nightmare the statistics seem to portend.

Recently the calls for such planning have become more and more widespread and insistent.

On August 2, Senator George McGovern, Democrat, of South Dakota, called for a reshaping of perspectives on both defense planning and spending. He noted that the $53,600 million requested for the Department of Defense in the current fiscal year represented well over half of the entire Federal budget. The United States, he asserted, already possesses an enormous "overkill" capacity.

### CUT IS PROPOSED

Senator McGovern proposed a slash of $5 billion in the budgets of the Armed Forces and the Atomic Energy Commission. Acknowledging that such a cut could produce "painful economic dislocation," he outlined a plan to prepare the economy for conversion from military to civilian production. The plan had two main facets:

All Government contractors with 25 percent or more of their personnel engaged in defense work shall as a condition of contract be required to establish an "operating conversion committee" to prepare for a possible loss of their military orders.

The President shall establish an "economic conversion committee" under the Secretary of Commerce to outline the role of Government agencies in facilitating a switchover to a civilian economy.

Interviewed by telephone last week, the Senator said he was planning to embody these proposals in a bill to be introduced when the defense budget comes up for final debate in Congress.

Even as Senator McGovern made his speech, a number of tentative starts in the same direction had already been made in Washington. If it is too early to speak of a developing consensus on the way to approach the problem of industrial conversion, it is not too early to speak of a developing sense that a consensus is needed.

### STUDY GROUP IS SMALL

The fledgling Arms Control and Disarmament Agency has already established a so-called economic bureau to study the problems of conversion and provoke serious thought on them. But this bureau, as it now stands, has a staff of just nine men, only four of whom are specialists. It would like to do a study on the likely regional impacts of disarmament, but it has neither the manpower nor the money needed for the job.

For the past 4 months, the head of this bureau has been Archibald S. Alexander, who, during the Truman administration, was an Under Secretary of the Army.

Important as it may seem, industrial conversion is, according to Mr. Alexander, but one aspect of an even larger problem of how to speed the economic growth rate, end high unemployment, and put the Nation's full industrial capacity to work.

"All of these things," he remarked, "are part of the same ball of wax."

That view was echoed over at the Pentagon by Adam Yarmolinsky, a special assistant to Secretary of Defense Robert S. McNamara. "This is a problem we're quite familiar with," Mr. Yarmolinsky declared. "Whenever there's a major shift in defense procurement, there is, in effect, a little bit of disarmament."

Washington officials also point out that defense contractors are not really growth industries, that the work they do is almost incredibly specialized and that, as a result, it is best restricted to the huge corporations that have developed the special capabilities required.

### PRODUCTION IS LIMITED

More and more, these corporations—especially those in the aerospace field—do not do anything like mass production work. Rather they are, according to one corporation planner, "custom engineering consultants." As their work grows more specialized, it requires fewer blue-collar workers and more highly trained technicians. One result is that the growing defense budgets do not necessarily create more jobs. Moreover, the contracts tend to become fewer but larger in dollar volume.

Sudden shifts in military procurement patterns can turn a boomtown into a depressed area. The Pentagon is already attempting to persuade communities and corporations that have lost big contracts to get out of the defense field—now, not when and if an arms control treaty is signed.

To facilitate the process of adjustment, the Defense Department has established an office to assist the communities and corporations that have lost out. The work this office does every day is a smaller scale version of what would have to be done in the event of full-scale arms control.

Its head, Robert F. Steadman, is a confirmed believer in the proposition that the communities can save themselves by establishing new industries. He points out that a company, its stockholders and its management personnel, can often make the adjustment by closing a factory in one State and opening a new one in another. Obviously, such a corporate move does nothing to ease a community's adjustment.

But communities do adjust, Wichita, Kans., lost 18,000 jobs in the airframe industry in recent years. Nevertheless, Wichita's rate of unemployment is, according to Mr. Steadman, significantly below the national level. The answer was new industry and diversification.

While the areas that have lost out have been forced to adjust, those that have been most successful in winning contracts are beginning to worry. The California Assembly this year appropriated money for a study by its ways and means committee on the impact of defense spending in southern California. The committee's mandate specifically mentioned the possibility of a cutback in the event of arms control.

### FEDERAL PLAN URGED

If previous studies along this line are any indication, one result is likely to be a plea for action from Washington. That, at least, is what happened when the southern California associates of the committee for economic development, a group sponsored by business leaders, made such a study in 1961. It urged the Federal Government to prepare "a flexible and comprehensive program to be activated when important reductions in national security expenditures become possible."

What is emerging is a kind of chicken-and-egg argument: Who plans first, government or industry? In fact, the argument is really three-cornered, for the labor unions believe that both government and industry have so far failed to meet their responsibilities.

The United Auto Workers proposed 2 years ago that defense contracts carry grants for conversion studies by the contractors.

### A GOVERNMENT INDUSTRY

"It is," said Nat Weinberg, the union's director of special projects, "an urgent problem from an immediate as well as a long-range point of view. This industry has gotten used to operating on a pipeline to Fort Knox. They talk about private enterprise, but it's really a government industry operating for private profit."

To get the three viewpoints together, a small study group was established in June under the aegis of the Defense Industries Advisory Council. The non-Government members of the group come from the major industrial associations and the American Federation of Labor and Congress of Industrial Organizations.

A parallel group, one that involved some of the same people, was called together on the last Sunday in June by the staff of a Senate Labor Subcommittee. The subcommittee, headed by Senator Joseph Clark, Democrat, of Pennsylvania, is making a wide-ranging study of the whole area of manpower and unemployment.

### HEARINGS ARE SET

It expects to conduct hearings in November on the defense industries and the question of industrial conversion. These hearings, members of the subcommittee believe, will form a necessary and fitting coda to its study.

Last fall, Senator Hubert Humphrey, Democrat, of Minnesota, reported to the Senate on a study made by his Senate Foreign Relations Subcommittee on Disarmament. Looking ahead to the prospect of arms control, the Senator declared: "We need to start planning now in conjunction with the two dozen or so key defense companies which account for the major share of defense procurement, research, and development."

That was last fall. But do these key defense companies think they need to start now?

In general, the 25 top prime defense contractors feel no sense of urgency about arms control and its corollary, of at least partial conversion to civilian production. Asked if they were doing any planning in this area, many of the companies reacted with surprise and even shock, as if they were ice cream vendors being asked what they would do if children were abolished.

Several of the companies refused even to accept the possibility of arms control as a current working hypothesis. After ruminating the question for 2 days, the General Dynamics Corp., the Nation's second largest defense contractor, replied, "We do not expect any abrupt change. We will have nothing to say on this subject for at least the next 6 months."

Two other companies would not discuss the problem. One was the International Telephone & Telegraph Co., which stated in response to a query, "We do not want to be connected with this in any way."

### A DEFINITE PLAN

The other was the Newport News Shipbuilding & Dry Dock Co., the No. 25 contractor, which did say it had a definite plan of action. It added: "With 19,000 employees, however, the company has the largest payroll in Virginia and probably in the entire South, and does not wish to make any comment regarding its plans because of the possible effect it might have on the economy of the Virginia community in which it operates."

The subject of arms control was obviously a delicate matter for some companies. The Grumman Aircraft Engineering Corp. said it had prepared a statement on its plans. Three days later, a company spokesman said the statement could not be released because Grumman's president, E. Clinton Towl, was out of town, beyond the reach of a telephone. The spokesman explained that no one but Mr. Towl could speak for Grumman on arms control.

There is another group of companies among the major contractors that concedes that arms control is a distinct possibility but that assumes an almost Olympian detachment from the problem. This group is composed chiefly of corporate giants such as the General Motors Corp., American Telephone & Telegraph, the Ford Motor Co., and the Radio

Corp. of America, whose defense contracts are a relatively minor segment of their total business, although still involving very large sums of money.

### READY FOR CONVERSION

"General Motors does what is needed in any situation," said a spokesman for the world's largest industrial enterprise and 10th largest American defense contractor. "We are always ready to convert to whatever the Government thinks is necessary."

Among the companies surveyed, the largest group consists of those which have seriously considered planning for conversion to nonmilitary production, but which have rejected the whole idea because they believe it is not practicable, would be premature, or is unnecessary for the needs of their company.

Robert Shirar, acting director of planning for the Lockheed Aircraft Corp., asserted that his company "has done quite a lot of thinking about arms control," but has not "pursued the subject to the extreme of conversion studies."

Mr. Shirar said that Lockheed, the No. 1 defense contractor, with orders totaling $1,419,500,000 in fiscal 1962, was constantly thinking about the danger of having all its eggs in one basket. "But we just haven't believed strongly enough that arms reduction is a coming thing."

In the first half of this year, 91 percent of Lockheed's business was with the Government and 85 percent of that Government business was military. Commercial work accounted for only 3 percent of the company's revenue.

### WIDESPREAD VIEW

A rather widely held point of view was expressed by George Trimble, vice president, advanced planning, of the Martin division of the Martin-Marietta Corp.

"We've looked at conversion [to commercial production] but we don't know how to do it. We really are a large research organization rather than a production company. We have to have some sort of complex project to attack."

Several of the prime contractors, including the Boeing Co., have not specifically planned for industrial conversion but as a matter of general policy have sought diversification into nonmilitary fields.

Boeing, which had 95 percent of its business in military work a few years ago, now has a $770 million backlog of orders for its commercial aircraft, compared with $374 million for military aircraft and $338 million for missiles and space programs.

### HUGHES AIRCRAFT'S POLICY

Stahl W. Edmunds, director of marketing research for the Hughes Aircraft Co., explained that his company "maintains a continuous evaluation of shifts in Government and civilian demand as part of an effort to aline its research and development programs with the national interest."

On the other hand, Mundy I. Peale, president of the Republic Aviation Corp., declared in a speech earlier this year that his company was against illogical "diversifying for diversification's sake." The company would diversify, he said, "only when such a move can pay its way either now or in the foreseeable future."

The economy of Long Island experiences periodic upheavals whenever Republic wins, loses, or completes a major contract. Recently, Grumman has had a similar impact on the area's economic health.

Finally, there are five major contractors that stated that they already have planned—to some degree—for conversion to civilian production in the event of reduced Government spending on arms. These are the Bendix Corp., the Douglas Aircraft Corp., the Aerojet division of the General Tire & Rubber Co., the American Machine & Foundry Co., and the Raytheon Co.

### BENDIX HAS PLANS

Bendix has had a group planning for conversion for the last 3 years, according to A. P. Fontane, executive vice president. The company, which now devotes 70 percent of its production to military products, is engaged in an acquisition program to increase its stake in nonmilitary programs, Mr. Fontane said.

The arms control problem is placed in a somewhat different context by Douglas, which sees it as only one of the many long-range problems it faces. One of these is the fear that defense work will move out of southern California, where the corporation is located.

A. J. Quackenbush, director of corporate planning and control, explained that Douglas' current 10-year plan anticipates that defense spending will remain near present levels.

However, he said, Douglas also has prepared two alternate contingency plans. One is based on the assumption that cold-war tensions will increase and that arms spending will rise. The other postulates that a detente will produce an arms control accord with concomitant reduced spending by the Department of Defense.

A major contract, such as Douglas' contract on the late and sometimes lamented Skybolt, ties up a company's resources. Until the Pentagon blows the whistle on the contract, the company must work on, even after it anticipates the loss. Only when the loss does occur can the company act on its contingency and diversification plans.

For that reason, the plans are kept under constant review. But, for the same reason and no matter how good the plans, the pain of the loss is in direct proportion to its size. Thus Douglas was thrown off balance by the loss of the Skybolt, even though it was not caught off its guard.

The plan for lower defense spending calls for diversification into the consumer market, but does not specify particular products.

### ASSUMPTIONS ON SPENDING

Virtually all of the contractors that acknowledged that arms control lay within the realm of the possible also made two assumptions about Government spending if it did happen. One was that arms control would not signal an end to Government spending on a massive scale, but rather a shift from strategic to tactical weapons systems. The other was that any reduction in defense spending would be matched by spending on massive civilian projects.

These two assumptions provide the foundation for the advanced planning of some contractors.

Thomas Philips, executive vice president of Raytheon, declared that "our general feeling is that even in an arms control situation, arms will still be ordered. The first curtailment will be in strategic nuclear weapons. Because our work is chiefly in tactical systems such as the Sparrow and Hawk [defensive] missiles, we would be able to make the conversion successfully in any shift of emphasis from strategic weapons."

### DETECTION SYSTEM CONTRACTS

Raytheon, the Sperry Gyroscope Division of Sperry Rand, and several other companies noted that they already had received contracts for research and development on inspection systems to police an arms control agreement. One official said that Government spending on these systems alone could result in an increase in defense orders for his company.

One economist has estimated that inspection systems would necessitate an annual Government expenditure of around $12 billion. However, Defense Department officials scoff at so large an estimate. They said that any system developed would not strive for perfect control, but would aim at preventing cheating at an optimal cost.

Although Government expenditure in other areas is tacitly accepted by the contractors as the escape hatch in an arms control system, many of them complain that they cannot program this spending in their advanced planning because they have no idea of just what the Government will do.

"The big problem," said Mr. Quakenbush, of Douglas, "is to find out what areas the Government would shift their spending to. Some attempts to specify policies which would go along with disarmament would be extremely helpful to industry. Otherwise the transition would be very difficult."

### BETTER DIRECTION AWAITED

A spokesman for North American Aviation, Inc., put it even more bluntly: "We're not going off to start a lot of studies with the remote hope that maybe one of them will hit the mark. We're waiting for a little better direction."

Government officials, however, believe that it is up to the companies to plot their own adjustments. According to Arthur Barber, the Deputy Assistant Secretary of Defense for Arms Control, "Some of them are going to have no alternatives. There are already more contractors than are needed.

"We would like to see them get into commercial production with a minimum of sweat. It is a management challenge."

Just what would be the impact of disarmament on the major defense companies? Here, again, there is a broad range of opinion. At one end of the spectrum are the Rock of Gibraltar organizations such as Ford, which commented that "arms control would be no special problem with us. We would just put our workers on something else."

### HIS ONLY CUSTOMER

At the other end was the official of the company with close to 90 percent of its business in defense work who commented with grim humor that "if the Government stops buying weapons we will go out of business just like anybody who loses his only customer.

Generally, however, the contractors feel that although the transition would be a difficult one, it could be made.

A spokesman for the United Aircraft Corp. declared that potentially great markets existed for its commercial aircraft and engines, and if the transition were gradual, these markets could be developed without the company's losing strength.

The Avco Corp. commented that although much of its work was in defense, no one project accounted for more than 5 percent of its volume and therefore the company would not be subject to violent shifts. Other companies with diversified product mixes, such as American Machine & Foundry, also expressed confidence in their ability to weather changes wrought by arms control or disarmament.

Most of the respondents said that they were always seeking commercial applications for their military research if for no other reason than to make greater profits. Defense contracts produce very low returns on investment.

Yet even with this incentive, many companies, particularly the aerospace companies, have been unable to make any real headway into the commercial market.

The contractors often defer conversion efforts because they do not know where to turn. "We have no idea of how to market a commercial product," a planning official of a major aerospace company declared.

His counterpart in another company ruefully recounted the efforts it had made to diversify by taking on commercial or public works projects. These efforts got nowhere. "We really don't have products," he concluded. "We have a scientific capacity. It's like asking how do you convert chemistry."

Seymour Melman, a professor of industrial engineering and management at Columbia

University and a crusader for conversion planning declared that this scientific capacity developed by defense contractors amounts to "a trained incapacity for operating in the commercial market."

Professor Melman scoffed at the idea that defense contractors would be able to compete for public works contracts without extensive and arduous retraining and reorganization.

"They would have to deal with many customers," he said. "They simply don't know how. Not every State and city has a Department of Defense to tell them what to do."

But Mr. Barber, of the Defense Department, said he was sure the adjustment could be made. "Our brainpower has been working in outer space, but it can be brought back," he declared. "Really good brainpower can adjust."

### A REASSURING NOTE

His colleague at the Pentagon, Mr. Yarmolinsky, also sounded a reassuring note. He said fears about what arms control might do to the economy reminded him of the story of the man on a sinking ship who refused to get into a lifeboat because he was afraid of starving on a desert island.

"We are much more worried," he said, "about the problem of getting an effective arms control agreement."

The notion that the American economy depends on armaments has been generally disowned. Mr. Yarmolinsky, for instance, dismissed it as "a simplistic economic analysis." But virtually no one predicts that the sophisticated defense industries of today will be able to make the transition to civilian production as easily as their ancestors did after World War II. The reason given on all sides is the lack of planning.

A recent economic study put the problem succinctly:

"Swords," it noted wryly, "do not serve readily as plowshares."

*25 largest defense contractors*

| | Fiscal 1962 (millions of dollars) | Percent of total |
|---|---|---|
| 1. Lockheed Aircraft Corp | 1,419.5 | 5.6 |
| 2. General Dynamics Corp | 1,196.6 | 4.7 |
| 3. Boeing Co | 1,132.8 | 4.4 |
| 4. North American Aviation | 1,032.5 | 4.0 |
| 5. General Electric Co | 975.9 | 3.8 |
| 6. Martin Marietta Corp | 802.7 | 3.1 |
| 7. United Aircraft Corp | 662.7 | 2.6 |
| 8. American Telephone | 467.7 | 1.8 |
| 9. Sperry-Rand Corp | 465.6 | 1.8 |
| 10. General Motors Corp | 449.0 | 1.8 |
| 11. Raytheon Co | 406.6 | 1.6 |
| 12. General Tire & Rubber Co | 366.1 | 1.4 |
| 13. Douglas Aircraft Co | 365.6 | 1.4 |
| 14. Radio Corp. of America | 339.6 | 1.3 |
| 15. Republic Aviation | 332.8 | 1.3 |
| 16. Avco Corp | 323.3 | 1.3 |
| 17. McDonnell Aircraft | 310.9 | 1.2 |
| 18. Grumman Aircraft | 303.6 | 1.2 |
| 19. Bendix Corp | 285.9 | 1.1 |
| 20. Ford Motor Co | 269.1 | 1.1 |
| 21. Westinghouse Electric | 246.0 | 1.0 |
| 22. International Telephone | 243.6 | 1.0 |
| 23. Hughes Aircraft Co | 234.2 | .9 |
| 24. American Machine & Foundry | 187.3 | .7 |
| 25. Newport News Shipbuilding | 185.0 | .7 |
| Total | 12,994.6 | 50.9 |

**Mr. CLARK.** Mr. President, it may be that this survey is unduly pessimistic and that defense industries have in fact tangible plans for alternative production activity outside the defense sector. Certainly it is a matter of direct congressional and national concern to inquire whether practical alternatives exist for the employment of defense industries and their workforces outside the defense program for the fulfillment of other national community and individual needs.

I believe I express the views of many of my colleagues in saying that there exists a national obligation to assure realistic alternative utilization of defense involved industries with their advanced technologies and superior research and production facilities. Reasonable redeployment of those industries and their workforces is something that, as a nation, we owe first of all to the industries and the workers themselves.

We cannot possibly leave great defense industries and millions of their workers in so vulnerable a position that they constitute an independent obstacle to the achievement of a stable peace. We must not forget the admonition of President Eisenhower in his last speech, to remain on guard against a military-industrial complex which might add fuel to the flames of the arms race if it is left with no alternative outlet for its expertise, energy, and productive capacity except defense.

We have a national obligation to bring the many lessons we have learned in defense-related enterprise to bear upon the continuing unmet needs of our communities and our people—needs which the great defense industries and their advanced technologies may be able to help meet in this century of technological revolution. Certainly we have seen in the last decade, in defense and in space, the most remarkable achievement of national goals undreamed of a decade ago. We have assembled in recognition of new national goals in space, in communication, and in national security—expert teams of engineers, research men, and men of industry as well as production forces. By a massive infusion of human effort, these teams have put man into space and will, hopefully soon, place men on the moon and on other planets.

We have proved through these efforts, that when, as a nation, we clearly define for ourselves a priority goal, our 20th-century technology can span in a matter of months or a few years a human advance which might otherwise have taken decades for its achievement.

In my view the time is soon approaching when we must harness the kinds of energies and technical skills and of know-how which have been created to meet national goals in defense and in space, to the improvement of the conditions of human life. There are vast unmet community and human needs in the United States. I do not refer merely to depressed areas or to poverty. There are millions of Americans who wish simply to better their lot. Our technology has the capacity to help them do just that.

I have in mind the millions of Americans who would benefit from a mass urban and interurban transportation system—efficient, speedy, and inexpensive. I believe that the experts on propulsion who can put tons of instruments on the Moon or send a man around the Earth in 90 minutes, could get a commuter to his job and back to his home, 30 miles away, in one-half or one-quarter the commuting time presently endured by millions of working citizens, because adequate research is not being done by the top brains of the country on problems like these.

I have in mind the millions of American children who are waiting for the benefits of 20th-century technology to provide them with adequate schools, educational facilities, and teaching aids. I am confident that a communications system which can flash a television picture around the Earth in an instant, can solve the communications tangle in our schools and provide a topnotch information and education service to millions of schoolchildren.

We know, too, that millions of American families who desire to purchase a private home cannot achieve that goal until the housing industry creates new habitable housing at lower price levels. Millions of Americans would buy a summerhouse if there were available for purchase and construction a habitable vacation home at a price range under $4,000. So, too, the development of our national resources can produce untold benefits for communities whose productive potential today suffers from lack of an adequate water supply, or other resource deficiencies.

Can we harness the technology which has put us in space to meet pressing human and communty goals? What is the proper role of the Federal Government in providing the benefits of 20th-century technology to a community's schools, its mass transportation system, its public works, and its productive resources? These are some of the challenging questions for which we must find answers, for I am convinced that in this innovating economy—this economy of systematic invention—the new jobs we need so desperately will not come necessarily from the application of sophisticated technology to traditional productive enterprise, but they will come from the application of technology to whole new lines of endeavor and unmet need. This is one of the answers to the manpower revolution in which we are now engaged.

The time has come for us to plan not only for war but equally for peace and prosperity.

It is for this reason that the Manpower Subcommittee will be exploring in coming weeks the manpower implications of national defense production, adjustments and shifts in manpower requirements in the defense sector, national preparedness for shifting use of manpower resources in the event of arms reductions or disarmament, and the potential for applying new technological frontiers to the solution of increasingly burdensome public and community needs in our Nation.

Following its hearings, if we are permitted to hold them—and I trust we shall be—the committee is hopeful that it will be able to make concrete proposals to the full committee, and in turn to the Congress, to assure that industrial skills and human resources currently engaged in the defense and space programs of the United States are put to maximum use for the meeting of civilian needs whenever they are no longer required to serve the interest of national security. This, in my judgment, is one of the routes to full employment.

That route must be explored. It should not be stalled by a filibuster.

I ask unanimous consent that there may appear at the end of my remarks an article entitled "If Cuts Come in Defense Spending," published in the Morgan Guaranty Survey for August 1963.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### IF CUTS COME IN DEFENSE SPENDING

Besides stirring cautious hope of a thaw in the cold war, the agreement to limit nuclear weapons testing has prompted fresh surmise about the economic effects that would ensue if a reduction were to occur in U.S. defense spending. The first of the two reactions may be premature, but the second is almost certainly overdue. Well before the Moscow accord, a number of developments were suggesting the possibility of a break in the pattern of steadily increasing outlays for national security. Even clearer have been signs that the composition of defense expenditure is likely to shift. Either event—reduction or restructuring—would impose economic adjustments on individuals, companies, and communities. The prospect, therefore, ought to be receiving consideration in the private sector of the economy, where adjustment would chiefly fall. Thus far, it appears to have been rather broadly neglected.

The developments that suggest the possibility of a change include certain implications that flow from the basic strategy of U.S. defense; the high level that the Nation's supply of nuclear weapons already has reached; signs (including the partial ban on tests) of a new basis for international negotiations; and intimations of a changing mood in Congress.

The picture, admittedly, could be changed overnight by any of a host of conceivable happenings, many of which are outside this country's control. There is still no ground for assuming a change in the Communist aim of world domination. Subject to such qualification, however, it seems more reasonable now than at any previous time in the cold war to begin looking for a turn in the long road of higher and higher military costs.

Directions already taken in the composition of the defense budget are signaling virtually assured shifts in the make-up of future outlays. They also hint at a possible lowering of costs—at least in relation to total economic output and perhaps even in absolute amount. This despite the fact that the administration is asking for authority to commit in fiscal year 1964 the highest amount devoted to national security in any peacetime year—a total of $56.7 billion for all defense purposes, including military aid, civil defense, and parts of the space and atomic energy programs.

#### EASING UP ON STRATEGIC RETALIATORY FORCES

Within the total, there is a significant decline in the funds requested for strategic retaliatory forces, the category that includes development and procurement of such high-cost items as Titan, Minuteman, and Polaris missiles, nuclear submarines, and long-range bombers. These are components of the U.S. retaliatory capacity, intended to deter any potential attacker by letting him know he would be destroyed by the counterpunch.

At $7.3 billion, the strategic retaliatory forces request for fiscal 1964 is $1.2 billion less than the estimated appropriation for the same category in fiscal 1963, and $1.8 billion less than was actually committed for fiscal 1962. The tapering-off suggests that the building of a massive nuclear strikeback force—a program which in its present phase began about 1958—has reached a level where further buildup can safely proceed at a more modest pace. This would mean that the cost peak of strategic retaliatory forces has been passed. If it has, the effect on expenditures could be considerable. The buying of strategic weapons and delivery vehicles "for stock," as distinguished from research and development outlays, is currently running in the vicinity of $4 billion per year. Research and development costs for strategic retaliatory forces have already started downhill, being programed at about $1 billion for fiscal 1964, compared with $1.6 billion the year before.

Defense Secretary McNamara told Congress last winter that development costs for long-range missiles, which were very high during the period of breakthrough into the present technology, are likely to diminish after fiscal 1964 and that development expenses for "new generations" of missiles are expected to be lower than those for the present systems. He also expressed the belief that the United States is "in a position where we can now afford to move more carefully in the initiation of new major weapon system developments."

#### THE OVERKILL ARGUMENT

Related to discussion of the adequacy of nuclear deterrence is the controversial concept of "overkill"—a term used to denote nuclear capacity more than sufficient to wipe out a given enemy in a single strike. A number of analysts hold that the United States and the Soviet Union have reached a mutual status of overkill, many times over. The grim mathematics of their computations involves rather broad assumptions as to the accuracy and effectiveness of weapons that have never been used, and many experts dispute the overkill thesis or discount its significance. Secretary McNamara disavows the concept as customarily presented. But he did tell Congress in discussing the current budget proposal:

"Given the force we have today, I believe that that force can survive a Soviet attack with sufficient power to destroy the Soviet Union. I mean that in any normal sense of the word 'destroy.' It can be destroyed as a civilized nation of the 20th century, by destroying its industrial capacity, by destroying a high percentage of the population, and by destroying its military power."

An appraisal of the Soviet striking force prepared by the Institute for Strategic Studies—an unofficial analytical group based in England and supported by the Ford Foundation—indicates far more than enough capacity to knock out all U.S. cities of more than 100,000 population.

Without conceding validity to the overkill theory, it is possible to conceive of a saturation of deterrence for all practical purposes. A nation feeling it has reached that point might well decide that further stockpiling of present types of strategic nuclear weapons and delivery vehicles would not yield enough military advantage to be worth the cost. Such a conclusion may account in part for the sudden Soviet willingness to accept the long-standing U.S. initiative toward a limitation on nuclear testing.

In the United States, the Atomic Energy Commission has confirmed within recent weeks that it plans a substantial reduction in the output of fissionable materials for use in weapons. And Secretary McNamara said earlier this year: "In adding to a defense budget as large as the one we now have, we begin to encounter the law of diminishing returns, where each additional increment of resources applied produces a smaller increment of overall defense capability." Outlining the Defense Department's plans for weapons acquisition through 1968, he told a congressional committee: "Further increases in the large forces already programed would provide only marginal increases in capabilities in relation to their additional cost."

#### ON THE OTHER HAND

Mutual deterrence on the nuclear level does not insure a reduction in defense spending. Any number of developments could thwart such a trend. Serious new eruptions of international trouble would almost certainly involve heavier outlays. A return of inflation in the U.S. economy would increase the dollar cost of defense. In addition, there are a number of possible policy decisions that could soak up any savings that might be effected by curtailing or even stopping the purchase of strategic hardware of existing types.

For example, such savings could be negated by greatly increased expenditures for the development and procurement of an antimissile system. Dr. Harold Brown, Director of Defense Research and Engineering in the Department of Defense, has said: "The contest probably most significant in current research and development efforts with potential to alter the strategic equation is the contest between our antiballistic missile capability and the penetration aid capacity of the enemy." If a significant breakthrough in antimissilery should occur, it would almost certainly touch off a massive and expensive procurement program.

It might also mean greatly increased outlays for fallout shelters if the nature of the antimissile device were such that many of the knockouts of enemy weapons would be likely to occur over U.S. soil at altitudes where large doses of radioactivity would be dumped on the ground. Yet another possibility involving heavy spending is that vast civil defense programs might be adopted in lieu of an antimissile system.

For the present, the modest reductions that have been made or scheduled in the cost of the strategic retaliatory forces have been more than offset by increases in the amounts allotted to "general purpose" forces, the men and machines of conventional war. Greater emphasis on equipping and maintaining this kind of force could continue for a while to offset savings that may be realized in development and procurement of strategic weapons. Short of actual engagement, however, it is unlikely that the buildup of ordinary combat units will be on such a scale as would continue indefinitely to involve annual cost increases.

#### A CRIMP FROM CHINA

Eventual attainment of some degree of nuclear capability by Communist China could put a crimp in prospects for reducing total U.S. defense costs. The then-achieved or soon-to-be-reached level of U.S. deterrent power might be judged adequate to cover both China and Russia, so that presently programed manufacture of strategic weapons would not need to be increased on that specific account. The psychological impact of even a crude nuclear explosion by Red China, however, could lead to increases in U.S. military aid to non-Communist countries in the Far East for morale purposes.

It is commonly—if debatably—assumed now that the Chinese Communists will not receive help from Russia in their efforts to become a nuclear power. Without such help, the development of an actual nuclear potential—including delivery systems—seems a long way off for Red China. A showoff test detonation, however, might be managed in the relatively near future. Whether it is or not, the consistently belligerent posture of Peiping creates an additional major focus to which the U.S. defense effort must be addressed—and this affects defense costs.

No major direct effect on U.S. military spending can be expected from the agreement reached by this country, Great Britain, and the Soviet Union to limit nuclear testing. For the longer run, the contract drawn at Moscow—and the somewhat easier international atmosphere that helped prepare the way for it—could strengthen the chance of reaching agreements later on to limit production of certain kinds of weapon systems. If ratification of the Moscow compact comes without serious difficulty, the impetus to try for some kind of start toward arms limitation could be considerable.

Meanwhile, hope for future relief from the economic drain of defense spending must be shaded by the prospect of rising Federal outlays for space programs. Only a part of the total space expenditure comes within the defense budget (for fiscal 1964, $1.7 billion of a space total of $7.4 billion), but in their effect on the economy the two are very much alike. Present estimates of the cost of meeting the "commitment" to land a man on the moon by the end of this decade range all the way from $20 to $40 billion.

A CHANGE IN CONGRESS

The initial frenzy of the space race has calmed somewhat, however, as the military significance of the effort has been put in perspective and even its assumed scientific value has been deflated by an increasing chorus of professional doubt. In Congress, a new skepticism about crash programs in space is evident. The House Committee on Science and Astronautics has cut $470 million from the $5.7 billion requested by President Kennedy for the National Aeronautics and Space Administration for fiscal 1964. This is the first time since the space age began that a congressional unit has asserted itself with a sizable reduction in the spending authorization requested for space.

Other recent expressions of the congressional mood lend support to the view that the established trend of rising defense expenditures may possibly be halted and even reversed. The House, authorizing funds for the major items in the 1964 defense budget, cut nearly $2 billion from the $49 billion requested by the administration. Some Members of Congress wanted to cut as much as $3 billion.

Representative MAHON, chairman of the Subcommittee on Department of Defense Appropriations of the House Committee on Appropriations, took note last winter of a growing economy-mindness among some of his colleagues. He said they were asking him: "Where can we cut this defense budget? We have got to make a reduction in defense spending and at the same time not impair our military strength."

But, he also noted, there is a counterforce to this sentiment, both in Congress and in the Nation at large. "These urges to reduce the defense budget," he predicted, "will be matched equally, if not excelled, by more determined urging to increase the defense budget." In the same context, Secretary McNamara stated: "My problem has been to prevent appropriations exceeding those which we have recommended. There have been tremendous pressures, for example, to appropriate funds for programs that I do not believe add to our national security."

The substantial sentiment favoring bigger defense spending reflects in part a sincerely held conviction that a nation, once embarked on a course of preparedness, should keep going as far and as fast as its resources will possibly allow. It also reflects, however, the existence of a built-in obstacle to reductions in defense outlays—namely, the extent to which the U.S. economy has become a defense economy. With about one-tenth of gross national product devoted to military purposes year after year, there has developed an element of reluctance, both public and private, toward cutting back so sizable a sector of economic activity. Thus the very fact that makes it important to prepare for the possibility of a reduction in defense outlays—that is, the economy's heavy involvement in defense—could also make it more difficult to achieve reduction.

This paradox was hinted at in the troubled comment with which President Eisenhower departed the White House in 1961. The man who had held both the highest military and the highest civilian office in the United States remarked that there was no precedent in American history for the existing "conjunction of an immense Military Establishment and a large arms industry." He cautioned: "We recognize the imperative need for this development. Yet we must not fail to comprehend its grave implications."

President Eisenhower's expressed concern was principally over "the potential for the disastrous rise of misplaced power," a danger against which he urged constant vigilance on the part of all citizens. Less dramatic, but no less real, is a new potential for economic distortion and disturbance that has been created by the growth of military preparedness into a vast and continuing public enterprise. Decisions made in the Pentagon—and often based, quite properly, on considerations totally unrelated to the market place—can have deep effect on the future of companies and of whole communities. A subtle change in strategic approach, a shift of emphasis from one kind of missile to another, a phasing-out of procurement of a given item because a better one is coming along—any of these can confront the affected firms and individuals with sudden and substantial readjustment.

MISSING THE POINT

Shakeups of these kinds have occurred often enough to make industry aware that there are uncertainties in producing for defense. There appears to be considerably less focus of attention on the uncertainty from another source: the possibility that spending for defense may begin one of these years to decline significantly instead of continuing its pattern of perennial increase. A Senate subcommittee recently queried a sampling of defense contractors on what they are doing to get ready for possible cuts in Federal arms outlays. Only about one in six reported it had conducted any kind of study as to how it would respond to the loss of business presumably involved in a defense cutback.

With the intention of stimulating more active consideration of readjustment problems, the Defense Department recently formed a subgroup within the Defense Advisory Council to examine "the economic aspect of possible arms control arrangements." Members include Department officials, representatives of defense industry associations, and a labor union official.

Notwithstanding the prods from Washington, it is difficult for many defense producers to feel a sense of urgency about preparing for a possible slowdown in the pace of military business. Their reaction merely mirrors that of a whole society conditioned to the steady escalation of defense needs. Cold war by its nature carries the implication of going on indefinitely. Arms cutbacks, to most people, still mean only the massive, idealistic kind of disarmament that is a remote dream in today's world of tension.

LITTLE DISARMAMENT EACH DAY

Accordingly, the real challenge of working out of the armaments bind is largely ignored. A few theoreticians tinker with models of an economy in which defense expenditures have been cut by half or more, but very little serious consideration is given to the problems of living with a gradual, modest step-down of the total.

These are the problems of small economic units—areas, companies, individuals—rather than of the economy as a whole. Arguing about how to divide a $20 billion defense-budget saving among debt retirement, tax reduction, and increased public works is an interesting exercise for an academic seminar. Hopefully it will some day have practical application. The realistic, near-at-hand questions raised by the new outlook for defense spending, however, are more likely to be found in the communities where defense-based companies are clustered or military installations form the economic core.

CONCENTRATION OF DEFENSE INDUSTRY

Concentration in certain industries and certain regions is an inevitable characteristic of defense activity. A Government report reflecting the situation in 1960 showed that 94 percent of all employment in the aircraft and parts industry was attributable to defense contracts, 61 percent in shipbuilding and repairing, 38 percent in electric components and accessories. In ordnance and directly related fields, of course, all jobs were dependent on defense.

In seven States and the District of Columbia, 10 percent or more of personal income was from the payrolls of defense agencies (both military and civilian personnel) or defense-related industries. The ratios ranged from 29 percent in Alaska to 10 percent in California, with Hawaii, Virginia, Washington, Maryland, District of Columbia, and New Mexico coming between. Some local communities, of course, showed considerably higher ratios.

GETTING READY: THE ADJUSTMENT PROBLEM

How can areas vulnerable to defense cutbacks prepare to offset possible future shrinkage in military contracts? Those that already have some diversification will be in better shape to make the adjustment than all-out defense towns. The latter probably still have time to try to attract a leavening of civilian enterprises and encourage steps toward conversion by present companies, but the effort ought not be delayed much longer.

People, as well as companies, will have to "convert." A generation of specialized professionals exists whose training has been mainly defense directed and whose whole work experience has been in that field. Even for those with a predefense background, reentry into a vastly changed civilian technology will present problems of adjustment. Defense workers at all levels of skill and specialization, if their jobs dry up, face a probable need to retrain, possibly to relocate. Adjustment is primarily a matter of individual initiative, which the prudent presumably are already exercising by laying preparatory plans. But many will need help.

Depending on the severity of the circumstances, financial aid probably will be required from Federal or State Governments, perhaps both. Since the problem is essentially a product of national policies dictated by the needs of security, Government must be expected to assist in the solution.

The assistance should be temporary and should aim at helping individuals, companies, and communities integrate as soon as possible into the ongoing private economy. If dependence on defense spending is merely replaced by long-range dependence on some other Government program, the overall economy will lose the opportunity for increased thrust that could come from transfer of a portion of activity out of the public sector into the private. The governmental role in adjustment to any gradual phasing down of defense expenditures ought to be one of lubricating the friction points rather than stoking the engine.

Such a role might include emergency aids similar to those designed for rehabilitation of depressed areas or for relief of individuals and companies adversely affected by tariff reductions—relocation allowances, payment during retraining, improved placement services, credit assistance. Even before rescue measures are necessary, however, there are more imaginative steps the Government could be taking that should lessen the need for palliatives later on.

If, for instance, a modest allowance were granted to defense contractors for research aimed at conversion to nonmilitary activity, many companies could greatly improve their chance of making the transition successfully—and of taking their employees with them.

Without some provision of this type, many defense companies—especially the smaller ones and those entirely or almost entirely engaged in military work—cannot afford to divert resources to disarmament insurance. Profit margins are generally low in the fiercely competitive defense industry, with its one buyer and multitude of sellers. Secretary McNamara has said:

"The average profit as a percent of sales on defense work, for example, is something on the order of 3 percent-plus. This is far too low a rate in relation to the investment required to draw to this defense business the most efficient resources in terms of human abilities and equipment."

Encouragement of research looking to conversion is an especially attractive idea for two reasons: first, the development of new products is a prime source of the kind of lift and excitement that will be needed to perk up demand in one sector of the economy if demand is being withdrawn from another; second, research geared to the civilian economy has suffered heavily in recent years from the preemptive requirements of defense and space. Scientists have been recruited away from both commercial and academic activity—in far greater numbers, it is often alleged, than can be efficiently employed. If "stockpiling" of scientists is in fact being practiced as widely as some critics have charged, it may be one of the major wastes in the defense and space efforts. An important part of getting ready for a possible curtailment of defense activity is the reorientation toward nonmilitary wants and needs of a part of the Nation's great new research capability.

WITH A DIFFERENCE: DEMOBILIZATION AND DISARMAMENT

It is only partly relevent to the present situation to recall the ease with which the U.S. economy, after major wars, has adjusted to cuts in military spending many times more massive than anything that can be reasonably contemplated in this decade. One important distinction is that those adjustments came after shooting wars. Shortages of civilian goods, pent-up demand, and the liquid aftermath of inflationary war financing smoothed the transition. None of those factors exists now; in fact, there is the converse circumstance of an uncomfortably high level of unemployment.

Today's defense industry, moreover, is different in nature from that which came out of past wars. In those cases the work of war was done by a civilian industry hastily converted to military production. A large part of the present apparatus, by contrast, came into existence for the sole purpose of producing defense goods or services; it has no prior history of civilian output. The problem ahead of it is not reconversion but conversion, a much more difficult adjustment. It means breaking into an unfamiliar kind of market, meeting a new kind of competition, grasping drastically different managerial concepts. The complexity of the challenge accents the desirability of starting to plan early.

Despite the important differences in setting, the successful adjustments after World Wars I and II and Korea do have a bearing on the prospects for accommodating a decline in cold-war arms budgets. They prove that military spending is replaceable without shrinkage of the total economy, and therefore that it has no unique magic as a stimulant to or sustainer of economic growth. The problems of effecting the replacement may be harder in the current context, requiring earlier and greater deliberate efforts on the part of all groups concerned, but the basic lesson of the past is still valid.

That lesson should be answer enough for any who might be inclined to resist cuts in defense spending on the ground that the economy "can't afford it." For a long time it was a standard Communist deprecation of capitalist economies to allege that they needed the fuel of armaments activity to keep going. That theme has changed. The Russian Government, replying in 1961 to questions of a United Nations group studying disarmament, asserted—not surprisingly—that changing over from military to nonmilitary production would present no economic problems for Socialist countries. Then, in a remarkable revision of party dogma, it added: "Nor are there any insurmountable economic obstacles to disarmament for the capitalist countries, including the United States."

What a pity it would be if faint-faithed capitalists were to pick up a tired old line that the Communists appear to have dropped.

**Mr. CLARK.** Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

**Mr. MILLER.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

## THE REAL ISSUES IN LATIN AMERICA—AN EDITORIAL

**Mr. MILLER.** Mr. President, in an editorial in its October 8 issue, the Vision Letter, an authoritative weekly newsletter devoted to analyzing Latin American affairs, places into proper focus what it terms "The Real Issues in Latin America." Although it is an angry editorial, it contains the essence of what I feel is the true and correct picture of events which have transpired in that area in recent days. While we may not agree with all the contentions set out, the editorial cannot be ignored nor can we afford not to assess the views outlined.

Mr. President, I ask unanimous consent that this editorial be placed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

THE REAL ISSUES IN LATIN AMERICA

With all Washington's head-holding despair about the military takeovers in Honduras and the Dominican Republic, and before them in Ecuador and Guatemala in this year alone, the real issues facing the hemisphere aren't even being debated. These are simply: economic development of Latin America in partnership with the United States, and the struggle to block the spread of Castro-communism, again in partnership with the United States.

Because it is the richest nation in the world, because it is the bulwark of the West's struggle against communism, and because it is the natural leader of the Western Hemisphere, these huge and fundamental problems are laid in the lap of the United States. They cannot be avoided. Events in Santo Domingo and Tegucigalpa cannot be explained, as the administration would like, on the basis of "local situations" without relevance to the Latin American whole. They are directly traceable to the fact that the United States under the Kennedy administration is not living up to the fundamental challenges facing it:

The isolation of Cuba is a myth. Castro-Communist agents are openly at war with every government on the arc of the Caribbean. Homegrown extremists threaten the stability of other nations further to the south. The administration still has no program with a Chinaman's chance of toppling the Castro regime, and it has yet to work out a policy flexible enough to help other countries fight local and imported subversion.

The Alliance for Progress, while well intentioned, has not been carried through vigorously enough to convince Latin America of its fundamental value. Although President Kennedy refers again and again to the fact that "Latin America is the most critical area in the world today," it is starkly apparent that his Government has treated it on a second or third priority basis.

A catalog of failures—of commission and omission—on these basic issues is long and tawdry, starting with the Bay of Pigs and leading to the emasculation in the House of Representatives of the Alliance for Progress budget. President Kennedy and his aids have plenty of good ideas and good intentions for Latin America, but they have never shown the energy or sense of purpose to translate them into meaningful and sustained policy. To this day the administration hasn't even found a man of national stature to put the Alliance and other inter-American problems across, either here or in Latin America—as it has with Harriman for South Asia, Stevenson for the United Nations, Williams for Africa, and even Shriver for the Peace Corps.

What good does it do to argue whether or not any form of aid should be withdrawn from Honduras? Toward what goal do we consider acts of retaliation against the military-civilian government in the Dominican Republic?

Latin America is threatened to its foundations by a Communist-extremist conspiracy which attempts to make orderly development impossible. Military reaction in the face of this provocation is often inevitable, and not always unjustified. If Washington wants to see pure democracy in this hemisphere, it must take the vigorous steps necessary to make it possible.

## SECRETARY DILLON'S STATEMENT ON A NEW FEDERAL PUBLIC WORKS PROGRAM

**Mr. MILLER.** Mr. President, in today's Wall Street Journal appears a very interesting article, one which could well sound the death knell of the administration's massive public works spending program.

In the article it is pointed out that Treasury Secretary Dillon concedes—albeit reluctantly—that a new Federal public works program is not needed "at this particular time."

This is one area in which expenditures could be reduced and I feel that this statement by Secretary Dillon should be pushed to the ultimate—so that the American taxpayers will not again have foisted on them a repetition of what occurred last year.

I ask unanimous consent that this article, entitled "Dillon Concedes He Thinks Works Bill Is Not Needed," be placed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

DILLON CONCEDES HE THINKS WORKS BILL IS NOT NEEDED

WASHINGTON.—Treasury Secretary Dillon reluctantly conceded he doesn't think a new Federal public works program is needed at this particular time.

The Secretary's view was expressed at Senate Finance Committee hearings on the Kennedy administration's tax-cutting bill. Across Capitol Hill, the House Public Works Committee was holding hearings on a separate measure authorizing an additional $900 million for accelerated public works spending.

The administration had been hoping to avoid taking any position on the public works bill, sponsored by Representative Blatnik, Democrat, of Minnesota. Officials fear endorsing it would endanger chances for the tax cut, touted as a major administration remedy for unemployment; critics say both bills would worsen the Federal budget deficit. But outright administration opposition to the public works bill would anger labor leaders and liberal Democratic Congressmen who are enthusiastic for public works projects.

Senator Williams, Republican, of Delaware, asked Mr. Dillon how he felt about it. At first the Secretary loyally followed the administration line, insisting the White House has taken no position and isn't responsible for recommending it. But, pressed further by Senator Williams, Mr. Dillon wound up with this observation: "At this particular moment; at this particular time, I don't think that the bill is necessary."

## DEFICIT SPENDING

Mr. MILLER. Mr. President, the Waterloo (Iowa) Daily Courier, in an editorial on September 20, underscores what some of us have been warning for many months. That the proposed $11 billion tax cut, if not accompanied by reduction of Federal expenditures, could well be the beginning of a pattern of fiscal irresponsibility which would assuredly be fatal to the economy of the Nation.

The editorial emphasizes that "deficit spending is a pain-killing narcotic which eventually transforms a nation into a dope addict."

I feel this editorial is deserving of the attention of every Member of the Congress.

I ask unanimous consent that the editorial, entitled "Deficit Spending Is Habit-Forming Narcotic," be inserted in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### Deficit Spending Is Habit-Forming Narcotic

A big issue of the 1964 campaign has now been fixed. The question is, Can the Government artificially stimulate greater prosperity by spending more than it takes in?

Northern Democratic liberals have for more than 30 years been advocates of big spending whether the budget balanced or not. But they have mostly in the past used the argument that spending was necessary to alleviate hardship or take the bottom out of a recession or share the wealth.

But now President Kennedy is deliberately advocating deficit spending during a period of prosperity in the hope that it will stimulate greater prosperity and eventually bring in more tax revenue with lowered rates because corporations and individuals will be earning more income.

The President has the support of some academic economists and a few business economists on this theory. They point out the astonishing economic growth of some Western European countries where variations of the Kennedy plan have been practiced. They admit that this European growth has also been stimulated by such new factors as the Common Market and continental mass production which are not exactly paralleled in the United States.

Our opinion is that controlled deficit spending under ideal conditions could perhaps be used to level off fluctuations in the business cycle. Additions to the national debt during recessions could be repaid during periods of expansion and a steadier upward growth could be maintained.

But such ideal control of Government spending does not exist and cannot exist in a democracy where pressures for constantly increased Government spending are apparently irresistible. Suppose, for the purposes of argument, that the Kennedy program is enacted and, after a 4-year interval, did result in such economic growth as to cause a balanced budget. The result would be a national debt 30 to 50 billion higher than at present, with resulting questions as to the fiscal stability of the Government and the soundness of the dollar.

Moreover, it is absurd in view of the record to argue that this increase in the debt will be repaid. If (again for argumentative purposes) the Kennedy program did succeed with an $11 billion tax cut, the temptation would be irresistible to vote a $22 billion deficit the next time and thus stimulate the economy twice as much.

The $11 billion tax cut proposed by President Kennedy, if adopted, is not going to be fatal to the economy of the United States. But it could be the beginning of a pattern of fiscal irresponsibility which would assuredly be fatal. Deficit spending is a pain-killing narcotic which eventually transforms a nation into a dope addict.

## NUCLEAR WEAPONS IN OUTER SPACE

Mr. GOLDWATER. Mr. President, it was with shock and disappointment that I learned today of the approval by the United Nations of a 17-nation resolution, banning the use of nuclear weapons in outer space. Our own Ambassador to the world organization, Adlai Stevenson, was one of the sponsors of the resolution, which, in effect, kills the Nation's long-sought development of the military use of space.

The U.N. action, Mr. President, was the result of an agreement reached between Soviet Foreign Minister Andrei Gromyko, President Kennedy and U.S. Secretary of State, Dean Rusk. Soviet U.N. Ambassador Nikolai T. Fedorenko, perhaps with tongue in cheek, told the General Assembly his government "felt it imperative" to agree with the Kennedy administration to ban the orbiting of nuclear weapons.

Approval of the resolution constitutes an open and flagrant assault by the present administration on our national security, our constitutional form of the government and the future freedoms of people throughout the world.

First, as has been pointed out in several of our larger national newspapers, the U.N. action is in effect a commitment by the United States which cannot be escaped or nullified by the Senate. The resolution and our support of it thus may be termed an open and blatant usurpation by the Executive of the advice and consent powers bestowed on this body by the Constitution.

Second, the Soviet Union's achievements in orbiting heavy space vehicles and its acknowledged crash program to develop military uses of outer space while this administration has refused to pursue any such program places us at the mercy of Russia should attack come from that quarter.

Third, the resolution, by killing our own program for development of the military uses of outer space, seriously weakens the last great bulwark against Communist domination of the world.

The Senate of the United States was never consulted about this proposal, obviously because the executive branch of Government considers this body an unnecessary and cumbersome appendage which should be amputated. As a result, the Members of this body, those of the House of Representatives and the 180 million Americans whose security and future are at stake find themselves committed to a treaty about which they have never been consulted or told.

In view of the manner in which the Moscow Test Ban Treaty was rushed to approval, despite testimony from the foremost experts in the field that it would endanger our security, it is important that every Member of this body consider without delay what may be done to reverse the U.N. action and how we can restore the historic separation of powers which has been violated by this Executive action of the Kennedy administration.

## WATER POLLUTION CONTROL ACT AMENDMENTS OF 1963

Mr. MUSKIE. Mr. President, subsequent to the debate on S. 649, yesterday, I received three letters from Federal officials commenting on the merits of the legislation. I believe it is important to place these communications in the Record to round out the publicly expressed opinion of the administration on this water pollution control legislation.

I ask unanimous consent that the letters from Secretary of the Interior Stewart Udall, Secretary of Labor Willard Wirtz, and General Services Administrator Bernard Boutin be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Department of the Interior,
Office of the Secretary,
*Washington, D.C., October 16, 1963.*

Hon. Edmund S. Muskie,
*Chairman, Special Subcommittee on Air and Water Pollution Control, Committee on Public Works, U.S. Senate, Washington, D.C.*

Dear Senator Muskie: This responds to your recent request for this Department's comments on S. 649, a bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to increase grants for construction of municipal sewage treatment works, to provide financial assistance to municipalities and others for the separation of combined sewers, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate or navigable waters, and for other purpose, as recently reported out of the Committee on Public Works.

Since our report in June of this year, your committee has substantially revised the bill. We now believe that the bill will overcome most of the problems that we had anticipated at the time of our earlier report, subject possibly to some technical amendments that we are still considering. Accordingly, we recommend the enactment of legislation along the lines of this bill.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,
STEWART L. UDALL,
*Secretary of the Interior.*

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DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
*Washington, D.C., October 15, 1963.*

Hon. EDMUND S. MUSKIE,
*Chairman, Special Subcommittee on Air and Water Pollution Control, Committee on Public Works, U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your recent letter regarding S. 649—amending the Water Pollution Control Act—as reported by the Senate Committee on Public Works October 4, 1963.

As pointed out in your letter, section 4(c) of the bill now refers to certain labor standards provision not presently contained in the Federal Water Pollution Control Act. These additional provisions, which were recommended in our report to the committee on this bill, relate to Reorganization Plan No. 14 of 1950, and section 2 of the Copeland Act, as amended. They carry out our recommendation and we appreciate the committee's favorable action in this regard.

Yours sincerely,
W. WILLARD WIRTZ,
*Secretary of Labor.*

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GENERAL SERVICES ADMINISTRATION,
*Washington, D.C., October 16, 1963.*

Hon. EDMUND S. MUSKIE,
*Chairman, Special Subcommittee on Air and Water Pollution Control, Committee on Public Works, U.S. Senate, Washington, D.C.*

DEAR SENATOR MUSKIE: Your letter of October 8, 1963, requested the comments of the General Services Administration on S. 649, 88th Congress, as amended and reported by the Senate Committee on Public Works, entitled "A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes."

The purpose of the proposed legislation is stated in the title.

GSA is particularly interested in section 6 of the amended bill which would require Federal agencies in control of buildings, installations, and other facilities discharging any matter into the waters of the United States to obtain a license therefor from the Secretary of Health, Education, and Welfare, and would authorize the Secretary to revoke such licenses if he found pollution was endangering the health and welfare of any persons or was otherwise violating standards of water quality established in accordance with the bill.

Under the Public Buildings Act of 1959, as amended, GSA is responsible for the construction and alteration, including repair and improvement, of public buildings. Such buildings include Federal office buildings, post offices, courthouses, customhouses, appraisers stores, border inspection facilities, warehouses, records centers, relocation facilities and similar Federal facilities. In addition, GSA has the function of acquiring space by lease, with certain exceptions, for the housing of Federal agencies.

In carrying out its cooperative responsibility under the Federal Water Pollution Control Act, GSA, pursuant to a memorandum of understanding with the Department of Health, Education, and Welfare, compiled an inventory of waste water disposal practices at Federal installations owned by or leased to the United States as of December 31, 1960. Reports received from the various agencies were forwarded to the Division of Water Supply and Pollution Control of the Public Health Service, Department of Health, Education, and Welfare. GSA's report indicates that there are some facilities under our management or repair and improvement responsibilities which may require the expenditure of funds to meet the standards to be established for licensing under section 6 of this proposed measure.

The General Services Administration would favor the enactment of legislation along the lines of S. 649 as amended and reported by the Senate Committee on Public Works.

The effect of the enactment of this measure on the budgetary requirements of GSA cannot be estimated at this time.

The Bureau of the Budget has advised that, from the standpoint of the administration's program, there is no objection to the submission of this report to your committee.

Sincerely yours,
BERNARD L. BOUTIN,
*Administrator.*

Mr. MUSKIE. Mr. President, I have expressed my appreciation for the splendid cooperation given by all the members of the Special Subcommittee on Air and Water Pollution, and by the chairman of the Public Works Committee, the senior Senator from Michigan [Mr. MCNAMARA]. I want to repeat that expression taking particular note of the contributions made by the senior Republican member of the subcommittee, the Senator from Delaware [Mr. BOGGS].

Finally, Mr. President, I wish to pay tribute to the hard work and devoted efforts of the members of the staff of the Public Works Committee and the staffs of the members of the committee, who contributed so much to the improvement of S. 649 and to the language of the committee report. The staff included Public Works Committee Staff Director Ron M. Linton and his associates, Richard E. Garrish, John L. Mutz, and Richard B. Royce.

The staff from the offices of the committee members included William F. Hildenbrand, legislative assistant to Senator BOGGS; Alyce M. Thompson, research assistant to Senator FONG; Allen E. Pritchard, Jr., administrative assistant to Senator PEARSON; and Donald E. Nicoll, my administrative assistant.

## THE WATER ON THE SECOND FLOOR IS 2 INCHES DEEP—AND RISING

Mr. GRUENING. Mr. President, it was my privilege last night to attend the annual banquet of the Planned Parenthood Federation of America held in New York City where the principal address was given by our United Nations Ambassador Adlai E. Stevenson.

We have come a long way in a short time, relatively, so far as our national thinking concerns what Ambassador Stevenson terms "the flood tide of population."

Ambassador Stevenson compared the world's population problem today to the distressed householder who called the police to come rescue him during a flood:

> "I'm standing in 2 inches of water," he yelled over the phone. The harassed officer replied, "Sorry, but that's not an emergency." But, said the householder, "I'm on the second floor." And that's where we seem to be these days with the flood tide of population—on the second floor, if you please.

The remarks made by Ambassador Stevenson trace the constructive and creative role now being played by the United Nations in the worldwide population picture. For as Ambassador Stevenson suggests:

> There are not many areas in which governments and international organizations move creatively to lead public opinion in new directions. Yet I believe that population problems provide one of the rare.

Because Ambassador Stevenson's remarks are pertinent I ask unanimous consent that the full text of his address be printed in the RECORD at this time.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### ADDRESS BY AMBASSADOR ADLAI E. STEVENSON

As the grandfather of five children under 6, I am beginning to wonder if I'm not coming to the Planned Parenthood Federation a little late. Moreover, I planned and planned to have a daughter—and ended as the father of three sons. But some of my other plans have gone astray too—take 1952, for instance, or 1956.

So I have reason to be in favor of better planning. And I'm not fainthearted about it like the condemned man who was about to be hanged. As he started to ascend the rickety scaffold, he shrank back and said: "Is this thing safe?"

We are always hearing predictions about future increases in population, only to discover a little later that the predictions were on the conservative side.

It's like the distressed householder who called the police to come rescue him during a flood: "I'm standing in 2 inches of water," he yelled over the phone. The harassed officer replied: "Sorry, but that's not an emergency." But, said the householder, "I'm on the second floor."

And that's where we seem to be these days with the floodtide of population—on the second floor, if you please.

It is something to which we cannot be indifferent. I share with Rousseau the conviction that as soon as any man says of the affairs of state "what does it matter to me?" the state may be given up for lost.

And so the presence of so many of you crowded into this room tonight is very reassuring. Because you do care.

I know there are some who don't believe it is possible to find a formula for family planning that is both effective and universally acceptable. But, I recall Browning's line: "Do the things you cannot do so your soul shall grow."

That's what you have to do, and are doing. And we try as best we can to practice that at the United Nations. The results are not always spectacular, but we are learning not to be easily discouraged. We try not to neglect any work of peace that is within our reach, however small. We have constantly to carry on, or rebegin, the work of building the institutions and practices of a nonviolent world, keeping always in mind, beyond the setbacks and disappointments, our own vision of a peaceful future for men.

And it is a vision, I would say, that the opening of the present session of the United Nations General Assembly has projected more hopefully than in preceding years.

I don't mean to imply that we are suddenly threatened with total harmony, or that the light of sweet reason is about to shine forth, or that peace is about to break out. Any such dangers are remote. But I would say, too, that more and more nations are less and less flouting the general consensus of most nations.

Some do it grudgingly, some with poor grace; some are even reluctant to admit they are doing it at all, and some are just letting it happen. A few, of course are still unmoved. But we are inching forward. That in itself is a miracle, a small miracle, but a miracle nonetheless—and a very timely one.

For within the very recent past, discovery of some of the secrets of the atom has put such destructive force into the hands of the great powers that the whole purpose of armed struggle is becoming meaningless. The conventional wisdom about national security which has instructed the leaders of all states in all times past, has suddenly become obsolete. And so it is that the unconventional wisdom of a national security based on developing means and procedures for the peaceful settlement, or at least, the containment of vital differences among states has suddenly become even more urgent—if that is possible—than ever before.

And this, not at all strangely, is linked directly with the reason we meet here tonight. For within the very recent past, too, scientific discoveries have so extended the average span of life that population growth threatens to frustrate all our costly efforts to achieve significant improvements in living standards. So it is not only in the attainment of peace that conventional wisdoms must give way to the unconventional wisdoms.

To say the obvious, ours is a world of multiple revolutions, of vast ferment, of pervasive change, of political turmoil. Oliver Wendell Holmes once said: "We need education in the obvious more than in investigation of the obscure." This observation seems to me particularly apt with regard to the work that brings you together here tonight.

Last year, Richard Gardner, Deputy Assistant Secretary of State, told the General Assembly on behalf of the U.S. Government that population growth was "a matter of transcendent importance for the United Nations." "Transcendent" is a word to use most sparingly, but since Mr. Gardner's statement 10 months ago, the population of the world has gone up even more swiftly so that there are now 45 million more people than when he spoke. In the next decade, man's numbers will swell by a full half billion and probably 100 million more.

So I would like to endorse the word "transcendent." Whether or not, any one nation at the moment can be said to have a population problem, mankind's runaway growth in the 20th century must concern every nation. And within the family of nations we must do our utmost to help each other understand and deal with it. As Prof. George Zeegers, the eminent Catholic sociologist of Geneva, said recently, "the expected growth of world population * * * puts before humanity great problems, the like of which it has never known before."

A more informal way of stating it would be to say, "this thing is bigger than all of us." But it need not be if we become concerned with the quantity of life as well as with the quality of life. This depends to some extent on the quality of people; for I think our own estimate of ourselves, the human species, is somehow amiss these troubled days, in a way that bears obliquely but deeply on our approach to population.

Some time ago I came across a comment that the major problems confronting the world today could be summarized as bombs, babies, and bulldozers: Nuclear bombs and missiles which might destroy civilization overnight; an excess of babies which could frustrate efforts at economic development; and bulldozers which are well on their way to leveling the world's countryside to make way for a chaotic urban sprawl.

In short, the more we learn about our expanding universe, the more we must be impressed with the minuteness of our planet, and of our species, in the infinity of space. We are learning to master the physical universe faster than we learn to control ourselves. Surely man's view of himself has been rudely shaken and diminished since those quaint pre-Copernican days, brief centuries ago, when he looked upon himself and his world as the hub around which all else turned. And yet, for all our new knowledge and for all our peering even further into space, we have yet to discover anything like man—indeed, any inklings of sentient life—or any other place than this earth where he could live.

Our reason tells us that the galactic vastness of space may contain other creatures, some other organic intelligence. But our most advanced instruments have yet to find it: The satellite Mariner II confirmed, in the first space probes of another planet, that the temperature of Venus is 800°; reports about the Moon, meanwhile, indicate an equally unlivable temperature at the other extreme—around zero minus 500. So our own Mother Earth, and our own species, should again begin to seem uniquely precious.

For practical purposes in our time, therefore—and perhaps absolutely and forever—man is alone. Will he recognize, in God's wisdom, that his needs for his fellow men far outweigh his arguments with them? Can he grasp and act wisely on the simple truth that we are living on a small jewel of a star which is our only habitat and hope, and that its God-given resources must therefore be nurtured and cherished for the benefit of all mankind, rather than plundered and fought over? There may be a special irony that the so-called population crisis—calling attention to a potential excess of humanity in relation to resources—may finally drive home this fact. Perhaps the necessity of confronting the population dilemma will finally usher in the brotherhood of man.

In addressing this audience, I need not dwell further on the importance of population problems, nor on the spreading awareness of the implications of population trends evident throughout the world and our own country. Nor do I need to read to you the lengthening roster of diplomats and statesmen of many countries who have spoken out on this subject—including Senator GRUENING, of Alaska. But I do want to say a few words about the role of leadership in this field, and the special contributions of the United Nations.

If we look behind the words of diplomats and statesmen, we find that their leadership often lies in discerning and articulating the existing balance of forces which moves beneath the surface of popular opinion. There are not many areas in which governments and international organizations move creatively to lead public opinion in new directions. Yet I believe that population problems provide one of the rare opportunities.

For in this field, marked by deep differences of conviction, by slogans, by emotion, it may be possible for statesmen to discern underlying principles not fully apparent in the intense partisan. In this field we need not fear differences of conviction. In this field, so intimately intertwined with the most basic facts of human life and existence, we must fear ignorance, inattention, easy solutions.

We know, only too well, that there is no one, simple solution to this many-faceted population problem. And even with respect to the most important aspect, responsible parenthood, the obstacle is not the intransigence of one group or another.

The obstacle is not political timidity; it is not lack of consensus. The true obstacle is the long neglect of population problems, only now beginning to be remedied by scientists, by theologians, by administrators, by social scientists, and by statesmen. The simple, shocking fact is that we know very little about human behavior in this vital area.

Our ignorance would be even greater if it were not for the work of the United Nations. With remarkable foresight the pioneers of the U.N. provided for a special organ on population problems—the Population Commission of the Economic and Social Council. They also provided a corresponding population section in the Secretariat which over the past 17 years has patiently and tirelessly assembled the basic data which have enabled us now to begin to chart dimensions of world population problems.

And now their work is beginning to bear fruit:

Last December, for the first time in its history, the General Assembly debated the question of "Population Growth and Economic Development." As a consequence of that debate, the Secretary-General is conducting an inquiry among all the members of the United Nations and the specialized agencies which will, for the first time, assemble the views of all member governments.

This December there will convene in New Delhi under United Nations auspices an Asian Population Conference, the first formal conference of governments ever held in this field.

In April the Economic and Social Council adopted a comprehensive resolution on the intensification of the demographic work of the United Nations.

I venture to predict that these first steps presage a lasting interest in population problems by the most important organs of the United Nations system.

Are there principles which should guide the United Nations and associated agencies as it moves to grapple with so complex a problem? I believe that there are.

The greatest contribution which the United Nations can make is the encouragement of attention, of sound knowledge, and of careful analysis of problems deeply involving the most basic human values. Population problems are not an area in which drama contributes nearly so much as thought.

Last December the General Assembly found itself divided on the question of technical assistance for dealing with population problems. Yet a careful reader of the records of that debate will find little concrete specification of precisely what would be involved in a program of United Nations technical assistance. I believe that interest in technical assistance will be more nearly universal when we clarify what it is we are talking about.

The United Nations already possesses authority to lend technical assistance in all aspects of population problems. Quite apart from legal authority, however, there is no reason for the United Nations to supply particular birth control devices which are repugnant to many of its members. The limited resources of the United Nations are insufficient for this purpose. What is more important, such materials are already available from certain governments and through private channels. The less developed countries are perfectly capable of securing these materials without special provision for technical assistance or external financing.

With respect to population there are, however, several vital tasks which the United Nations should be equipped to perform in its technical assistance programs and related activities:

First, the United Nations should be able to help member countries to learn more about their own population trends, particularly in relation to the implications for economic and social development. The inquiry currently being undertaken by the Secretary General may provide some information on the need for this kind of technical assistance.

Second, the United Nations should be prepared to extend technical assistance to member countries which desire to undertake surveys of the attitudes of their people toward marriage, child rearing and family size. Surprisingly little is known about this important subject, even in the case of our own country.

Third, the United Nations, along with such agencies as UNESCO and the World Health Organization, can advise countries upon request on how to transmit information on family planning consistent with the cultural and religious values of their people—so that individual parents will have free access to the growing fund of knowledge in this field.

Fourth, our knowledge of the basic life processes involved in human reproduction needs to be enlarged, so that parents can have the knowledge they need to overcome both involuntary parenthood and involuntary childlessness. As President Kennedy said last April, we need to "know more about the whole reproductive cycle," and this knowledge should then "be made more available to the world." The World Health Organization has been enabled to make a small start in this direction by the pledge of the United States last May of $500,000 to initiate research on human reproduction.

Fifth, the United Nations can help less developed countries build effective institutions for health and social services. These are not only desirable for their own sake—they are essential to the success of family planning policies at the village level.

The common element in all these activities is the development and dissemination of knowledge. It should be made unequivocally clear that in this field, as in others, the United Nations and its related agencies will not engage in propaganda, and will not seek to influence the policies of member countries. But the United Nations system can and must provide international mechanisms for making knowledge available to all countries who desire it for the purpose of finding solutions to their population problems, and for expanding and deepening that knowledge. To this effort the United States has pledged its wholehearted support.

### II

But the United Nations systems, with its many instrumentalities and its rich fund of experience, still is but one of the resources available to the international community. What about our own Government, with its resources for foreign assistance, its vast research laboratories, and its familiarity with the immense reservoir of experience gained by foundations and private firms?

We ourselves will help other countries, upon request, to find sources of information and assistance in dealing with problems of population growth.

Within limits of scientific feasibility—and the more prosaic and abrasive limits of the availability of trained personnel—the Government is well launched toward this objective. The National Institutes of Health have committed more than $3.4 million a year to reproductive studies—a figure that is destined to grow. Within the National Institutes of Health, the new Institute of Child Health and Human Development embraces research in human reproduction as one of its specific and important functions.

As this new Institute becomes more firmly established, expansion of federally supported research in this field may be expected—assuming that scientific institutions are ready and able to merit Federal support.

For its part, the Agency for International Development, which as you know is responsible for U.S. foreign assistance programs, is currently surveying the needs of developing countries for U.S. assistance in collecting and analyzing basic data on population trends needed for national development planning. This is an outgrowth of the longstanding AID program under which the United States had made skilled demographers and statisticians available to countries for census taking and vital statistics,.

AID is also in a position to refer requests for medical assistance in the population field to appropriate agencies of the U.S. Government, such as the Public Health Service, to private organizations, to universities, and to foundations. And AID is prepared to support scientifically meritorious research on the economic and social determinants and consequences of population trends.

Finally, let me say a few words about one of the most distinctive of American resources: the rich diversity of private organizations which American citizens so generously support through their own efforts, organizational and financial.

I do not need to tell you who are assembled here at the annual dinner of the Planned Parenthood Federation of America how much imagination, dedication, and practical idealism has gone into the programs of voluntary organizations such as this.

Your immense contribution is drawing attention to a problem which, as I have already said, is of transcendent importance not only to the United States but increasingly to the world.

I salute you particularly for your work during the many years during which few, even among the best informed, recognized the true importance of the looming population problem.

And I urge you now to continue your contributions to understanding on a problem which, together with the problem of building a peaceful world, will determine the success of all our efforts in this century to secure the future of the human race.

The work and vision of people like you all over this shrunken globe will, I am confident, hasten the day when men will no longer live as strangers, or war against each other as hostile neighbors, but learn to live together in the world, to respect each other's differences, to heal each other's wounds, to promote each other's progress, and benefit from each other's knowledge.

Robert Frost wrote:

"Only where love and need are one,
  And the work is play for mortal stakes,
Is the deed ever really done
  For Heaven and the future's sakes."

## TRIBUTE TO SENATOR PROXMIRE

**Mr. HUMPHREY.** Mr. President, a very fine editorial appeared in the St. Louis Post-Dispatch of September 20, 1963, relating to our distinguished colleague from Wisconsin [Mr. Proxmire]. The editorial relates to the Senator's efforts in securing legislation to prevent the Federal Communications Commission from giving preferential treatment, in the awarding of television and radio licenses, to applicant companies in which Members of Congress have a financial interest.

I ask unanimous consent that the editorial may be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### The FCC's Criteria

Senator Proxmire is on the right tack in urging legislation to prevent the Federal Communications Commission from giving preferential treatment, in the award of television and radio licenses, to applicant companies in which members of Congress have a financial interest. The Wisconsin Senator is disturbed by the 1960 award of a TV channel in Albany, N.Y., to the Capital Cities Television Corp. partly on the stated grounds that five Congressmen owned stock in it. He is concerned that the presence of Congressmen among stockholders may still be regarded by the Commission as among favorable criteria.

Senator Proxmire would do well to broaden his efforts and place them on an affirmative footing by addressing himself to the whole problem, which is that the FCC lacks a comprehensive, consistent body of criteria, in written form and available to all, upon which its awards may be either defended or attacked. Congress laid down no such guidelines when it enacted legislation in 1927 on a crash basis to deal with a crisis and has enacted none since.

The Commission has built up no firm precedents because its members do not write the decisions justifying awards, as they should, thus pinning down policy, but leave decision-writing to anonymous hired hands who pick out from among conflicting standards those that will support the decision already made.

The Commission's awards are too much affected with the public interest and worth too much money for it to continue improvising. Senator Proxmire will be performing a service that has continued in default for 36 years if he can persuade Congress to write down the notes for the commission to play by.

## UNITED STATES-SOVIET COOPERATION IN OUTER SPACE

**Mr. HUMPHREY.** Mr. President, yesterday in New York the United Nations General Assembly's main political committee unanimously adopted a resolution designed to prevent another fearful dimension from being added to the arms race. Final formal approval by the Assembly itself is slated for today. The resolution calls upon all states to refrain from placing nuclear weapons or other weapons of mass destruction in orbit around the earth, from installing such weapons on celestial bodies, and from stationing such weapons in outer space in any other manner. It was sponsored by all 17 active participants in the Geneva Disarmament Conference, including the United States and the Soviet Union. Our two countries reached agreement in principle on the subject after Foreign Minister Gromyko acceded to this country's longstanding proposal on September 19.

The United States has long advocated that outer space be devoted to peaceful purposes. As early as January 12, 1957, in a memorandum presented to the First Committee of the U.N. General Assembly, the United States urged that future outer space experiments be devoted to peaceful purposes only.

In 1958, the Senate Subcommittee on Disarmament recommended in its final report on the "Control and Reduction of Armaments" that the United States take energetic action, within the compass of the United Nations Charter, to outlaw the use of space for military purposes. The report pointed out:

> It is obvious that space vehicles, satellites, and other objects have tremendous military potential. Any comprehensive system of arms control could not be complete without taking space weapons into account.

President Eisenhower, in an address to the U.N. General Assembly on September 22, 1960, had this to say about outer space:

> The emergence of this new world poses a vital issue: Will outer space be preserved for peaceful use and developed for the benefit of all mankind? Or will it become another focus for the arms race—and thus an area of dangerous and sterile competition? The choice is urgent. And it is ours to make.
>
> The nations of the world have recently united in declaring the continent of Antarctica "off limits" to military preparations. We could extend this principle to an even more important sphere. National vested interests have not yet been developed in space or in celestial bodies.

President Eisenhower's allusion to the Antarctic Treaty was an appropriate one. That continent, like outer space, had not been invaded by the horrible mechanisms of modern warfare. To our best knowledge, Antarctica is still being used exclusively for peaceful purposes. Now the world can take on additional hope from the U.N. resolution. Faced with the bizarre threat of nuclear annihilation, mankind must accommodate itself to the realization that an increase in security does not follow from the arms race. Indeed, as President Kennedy has said, "in a spiralling arms race a nation's security may well be shrinking even as its arms increase."

Progress is now being made and we must not let it slip from our grasp. If it does slip, let it not be said that the United States was at fault.

The U.N. resolution does not represent a new policy for the United States.

Deputy Secretary of Defense Gilpatric stated on September 5, 1962:

> The United States believes that it is highly desirable for its own security and for the security of the world that the arms race should not be extended into outer space, and we are seeking in every feasible way to achieve that purpose. Today there is no doubt that either the United States or the Soviet Union could place thermonuclear weapons in orbit, but such an action is just not a rational military strategy for either side for the foreseeable future.
>
> We have no program to place any weapons of mass destruction into orbit. An arms race in space will not contribute to our security. I can think of no greater stimulus for a Soviet thermonuclear arms effort in space than a U.S. commitment to such a program. This we will not do.
>
> At the same time that we are pursuing cooperative scientific efforts in space through the United Nations and otherwise, we will of course take such steps as are necessary to defend ourselves and our allies, if the Soviet Union forces us to do so. This is in accordance with the inalienable right of self-defense confirmed in the United Nations Charter.

Our intention not to place weapons of mass destruction in orbit was confirmed by the President and other U.S. spokesmen on a number of occasions. It has been confirmed by two Presidents, President Eisenhower and President Kennedy.

The distinguished senior Senator from Tennessee [Mr. GORE], speaking as a member of the U.S. delegation to the 17th U.N. General Assembly on December 3, 1962, repeated it eloquently. He said:

> The United States has no intention of placing weapons of mass destruction in orbit unless compelled to do so by actions of the Soviet Union. The draft treaty for general and complete disarmament, proposed by the United States and now before the Conference in Geneva, includes a provision against the placing of weapons of mass destruction into orbit during the first stage, let me emphasize the first stage, of the disarmament process. Nonetheless, while the difficult negotiations continue for the actual elimination of nuclear weapons and the means of delivering them, it is especially important that we do everything now that can be done to avoid an arms race in outer space—for certainly it should be easier to agree not to arm a part of the environment that has never been armed than to disarm parts that have been armed. We earnestly hope that the Soviet Union will likewise refrain from taking steps which will extend the arms race into outer space.

Although the resolution adopted by the United Nations Committee yesterday, and which is before the General Assembly today, does not have the same binding force as a treaty, its effect has been to get the Soviet Union to take a formal public position similar to our own. As has been stated, our publicly announced position was based on the decision that surface launched nuclear weapons are less expensive and more effective than those placed in orbit. Moreover, since the impact of weapons in space would be primarily psychological rather than military, the resolution will be a useful political barrier to such a Soviet extension of the arms race. If the Soviet Union were to place bombs in orbit for psychological purposes in violation of its declared intent, as expressed in the U.N. resolution, it would have to reveal their presence to the world in order to utilize them as "terror" weapons. The political consequences attendant upon such action carries its own sanction and we would be free to do what we deem necessary to protect our interests.

I should add that we have the scientific capability to place in orbit nuclear weapons capable of mass destruction. It can be done. We know how to do it. We merely say that we do not want to do it, and in this instance we have the unanimous support of the 17-nation disarmament committee of the United Nations, which has proposed the resolution. I therefore hope that these weapons will not be placed in orbit and that such an unfortunate development will not happen. It seems unlikely that it will.

If unforeseen events make it desirable to have additional assurances that the Soviet Union has not violated its declared intent, we would be free to seek such assurance as might be necessary and could take appropriate action if satisfactory assurance were not forthcoming. Since we did not plan to place weapons of mass destruction in orbit anyway, the resolution would not cause any alteration in our space activities. We can still continue our research and development on possible orbital systems in preparation of their deployment if we are forced to take such action.

What is equally important, possibly more important, is that we can concentrate our resources and attention upon the peaceful uses of outer space and peaceful research in the development of outer space. We do not, however, intend to let down our guard. At the same time, we have taken another significant step toward making the world a safer place in which to live.

I commend the 17-nation committee. I am hopeful that by today the United Nations General Assembly will have confirmed or ratified the recommendation which was made only yesterday by the General Assembly's main political committee in offering a resolution designed to prevent the placing in orbit, in outer space, of weapons of mass destruction.

Mr. President, I ask unanimous consent that the text of the United Nations resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

### TEXT OF "BOMBS IN ORBIT" RESOLUTION—U.N. GENERAL ASSEMBLY, NEW YORK, OCTOBER 15, 1963

Recalling General Assembly Resolution 1721 (XVI) which expressed the belief that the exploration and use of outer space should be only for the betterment of mankind;

Determined to take steps to prevent the spread of the arms race to outer space;

1. Welcomes the expressions by the United States of America and the Union of Soviet Socialist Republics of their intention not to station any objects carrying nuclear weapons or other kinds of weapons of mass destruction in outer space; and

2. Solemnly calls upon all states: (a) To refrain from placing in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, installing such weapons on celestial bodies, or stationing such weapons in outer space in any other manner; (b) to refrain from causing, encouraging, or in any way participating in the conduct of the foregoing activities.

**Mr. HUMPHREY.** Mr. President, I ask unanimous consent that the text of the statement of the U.S. Ambassador to the United Nations, Adlai Stevenson, as he delivered it to the United Nations on October 16, in support of the resolution, be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

### U.N. STATEMENT BY AMBASSADOR STEVENSON, OCTOBER 16, 1963

Mr. Chairman, it is my happy duty today to speak to the draft resolution introduced so eloquently yesterday by the distinguished representative of Mexico. This resolution represents another decisive advance in the disarmament process, one which we hope will prevent the orbiting or stationing of weapons of mass destruction in outer space. We warmly welcome the cooperation of the Soviet Union in this endeavor. We are particularly pleased that this draft resolution is cosponsored by all of the participants in the 18-nation Committee on Disarmament.

While attempting to realize our ultimate objective of general and complete disarmament, we have sought continuously to implement less ambitious measures which could help to lessen international tensions and to facilitate our task. By the adoption of this resolution members of the U.N. will be taking a positive step toward the goal of disarmament. Hopefully this step could lead us to further measures.

The resolution itself is a simple one. It does not require the cessation of governments of any present activity. To the best of our knowledge, no weapon of mass destruction has ever been placed in orbit around the earth. Rather, this resolution calls for abstention. It would represent international recognition that the arms race must not be extended into new environments, that while we are seeking ways of limiting and reducing existing armaments, we undertake to refrain from developing a new potential in the armaments field. Certainly it would seem easier not to arm an environment that has never been armed than to agree to disarm areas which have been armed.

The draft resolution on the table sets forth a policy which has already been unilaterally adopted by the United States. On September 5, 1962, the Deputy Secretary of Defense, Mr. Gilpatric, made the following statement of U.S. intentions respecting the placing in orbit of weapons of mass destruction:

"Today there is no doubt that either the United States or the Soviet Union could place thermonuclear weapons in orbit, but such an action is just not a rational military strategy for either side for the foreseeable future.

"We have no program to place any weapons of mass destruction into orbit. An arms race in space will not contribute to our security. I can think of no greater stimulus for a Soviet thermonuclear arms effort in space than a U.S. commitment to such a program. This we will not do.

"At the same time that we are pursuing cooperative scientific efforts in space through the United Nations and otherwise, we will, of course, take such steps as are necessary to defend ourselves and our allies, if the Soviet Union forces us to do so. This is in accordance with the inalienable right of self-defense confirmed in the United Nations Charter."

Our policy in this regard was made clear to the United Nations by Senator ALBERT GORE speaking as U.S. Representative to the First Committee on December 3, 1962. On September 20, 1963, President Kennedy reaffirmed our intention to keep weapons of mass destruction out of orbit.

Since that time, we have met with the representatives of the Soviet Union on this problem. We are glad that the intentions of the Soviet Union in this regard are the same as our own, and I am happy to report that the resolution which is before the Assembly has the support of both Governments.

Speaking on behalf of the United States, let me say what has been said many times before: The United States has no intention of placing in orbit around the earth any weapons of mass destruction, of installing such weapons on celestial bodies, or of stationing such weapons in outer space in any other manner. The United States intends to refrain from causing, encouraging, or in any way participating in the conduct of the foregoing activities by others.

The United States fully intends to pursue this policy.

We recognize that it is not possible to foresee today all events which may at a future time occur in the newly emerging field of space technology and in the exploration and use of outer space. Nor can we foresee fully the outcome of continuing efforts to achieve disarmament. Naturally if events as yet unforeseen suggest the need for a further look at this matter we would acquaint the U.N. with such events.

I have set forth my Government's policy of refraining from orbiting weapons of mass destruction in outer space and have reiterated our firm endorsement of this resolution. I am certain that the members of this committee are fully aware of the value of this resolution and I would, on behalf of my Government, strongly recommend it to them.

My Government is gratified at this important step we are about to take. We believe it should help reduce international tension. The United States hopes that there will be unanimous agreement to this resolution. We believe that by faithfully following the policy expressed in it we will help make the world a safer place in which to live. By avoiding a nuclear arms race in space we will have taken one further step on the road to disarmament.

## INCORPORATION OF THE CATHOLIC WAR VETERANS

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the bill (S. 1914) to incorporate the Catholic War Veterans be reconsidered.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. FULBRIGHT.** Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1914 and that it be made the pending business.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1914) to incorporate the Catholic War Veterans of the United States of America.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

## SPACE AND NATIONAL PRIORITIES

**Mr. FULBRIGHT.** Mr. President, the question which Congress must answer in determining this year's appropriation for the National Aeronautics and Space Administration is not whether we should or should not explore outer space, or even whether we should or should not try to land American astronauts on the moon. Space exploration is a great challenge to the human mind and spirit which may bring great benefits to humanity. The United States is uniquely endowed with the human and material resources to meet this challenge. It is within our means and in our interests to sustain a continuing effort in the exploration of outer space.

The real question before Congress is one of priorities, of how we are to allocate our great but not unlimited resources among many important national programs, of which space is only one. We must consider the NASA appropriation in the context of overall national needs, distinguishing between urgent and marginal goals, between programs which are essential and those which are merely desirable.

For reasons which I shall attempt to set forth, I believe that we are placing excessive emphasis on space in relation to other national programs, notably in the areas of education and employment. The benefits of space exploration may indeed be considerable, but they are remote and incalculable. The need for schools and jobs is immediate and pressing. The space program, we are told, is important for our security and especially our prestige. This is perhaps true, but the education of our people and the growth of our economy are far more important because these are the foundations of national power. To allow them to deteriorate is to undermine our national security as surely as would the dismantling of our military power.

There is, I believe, a dangerous imbalance between our efforts in armaments and space on the one hand and employment and education on the other. The proposed appropriation for NASA, in my opinion, reflects this imbalance. I believe that it should be substantially reduced. I further believe that any funds which are withheld from the space program should be reallocated to programs of education and employment which are before Congress this year.

The question before us, as I have said, is not whether we should or should not send a manned rocket ship to the moon but whether the project is so vital and so urgent as to warrant the indefinite postponement of other national efforts. This question has been debated at length in recent months, both in the Congress and in various publications. I have heard nothing to persuade me that it would be a national calamity if the landing on the moon were delayed until 1980 or 1990. I have heard and seen a great deal which persuades me that our continuing neglect of deteriorating schools and rising unemployment would be a national calamity.

The argument most frequently heard in support of Project Apollo is that if we do not pursue a crash program in space the Russians will get to the moon ahead of us. This argument can be challenged on two grounds: first, it is not at all clear that the Russians are trying to beat us to the moon; second—and more important—it is even less clear that it would be an irretrievable disaster if they did.

Sir Bernard Lovell, director of the Jodrell Bank Observatory in Britain, reported after a visit in July to Soviet space observatories that he saw no evidence of a high priority manned moon program. Sir Bernard was told by Russian scientists that they saw insuperable economic and technical problems to landing a man on the moon and that in any case they believed they could get nearly all the information they wanted by a soft landing of instruments on the moon. "I think, at the moment," said Sir Bernard, "the Americans are racing themselves concerning moon research."

What if Sir Bernard is wrong and the Russians really are committed to a race to the moon? What if they do get there first? Would that be an unmitigated disaster and disgrace for America? Would it make us a second-rate people, shamed in the eyes of the world, and in our own eyes, as well? I do not think so. I think it would be a temporary embarrassment and annoyance, but not a calamity. It would hurt our pride, but not our lives as free men in a free society. Most emphatically, it would not change the course of history.

The issue, as I have said, is one of priorities. It would be a fine thing indeed to have an American landing party on the moon before 1970. The question which we must ask ourselves is whether it is really worth 20 or 30 billion dollars for the glory and prestige of being first. Sir Bernard Lovell, himself an advocate of a manned moon flight, admitted recently that "people everywhere now are getting so inured to the amazing success in space that by 1967 or 1970 the landing of a man on the moon might not cause more stir than the launching of another cosmonaut or astronaut does now." But even if the world were to react with enormous enthusiasm to a landing on the moon, is it really worth 20 billion dollars or more solely for the pleasure and satisfaction of dazzling the world with our prowess and our skill? Again, I do not think so.

The conflict between freedom and dictatorship is a great deal more than a competition in technological stunts. The real issue is between two conflicting concepts of man and of his life in organized societies. It is on this level that the contest between freedom and communism will ultimately be resolved. Does it not follow that our success in this struggle has a great deal to do with our capacity to employ and educate our people, to create the conditions for human happiness and individual fulfillment in a free society?

If, at the end of this decade, the Russians should have reached the moon, and we should not, but if we, instead, have succeeded in building the best system of public education in the world, in the renovation of our cities and transport, in the virtual elimination of slums and crime, in the alleviation of poverty and disease, whose prestige would be higher, who would then be ahead in the worldwide struggle for the minds and the allegiance of men?

The mind does not readily grasp the significance of a sum or $20 or $30 billion. Warren Weaver, vice president of the Alfred F. Sloan Foundation, has provided some dramatic comparisons between the cost of the moon race and that of some urgently needed projects here on earth. With $30 billion, he points out, we could give a 10-percent raise in salary, over a 10-year period, to every teacher in the United States, from kindergarten through universities—about $9.8 billion; could give $10 million each to 200 colleges—$2 billion; could finance 7-year fellowships at $4,000 per person per year for 50,000 new scientists and engineers—$1.4 billion; could contribute $200 million each toward the creation of 10 new medical schools—$2 billion; could build and largely endow complete universities with liberal arts, medical, engineering, and agricultural faculties for all 53 of the nations which have been added to the United Nations since its founding—$13.2 billion; could create three more permanent Rockefeller Foundations—$1.5 billion; and we would still have left $100 million for a program of informing the public about science.

It is frequently said that we did not provide adequate funds for education and other vital domestic needs before we had a space program, and that there is no assurance that we would increase our efforts in these areas if the space program were abandoned or reduced. This, I am bound to concede, may well be true, although the Congress has come close, several times, and very close, last year, to adopting a meaningful program of Federal aid to education, and it is possible that the reduction of our space expenditures would provide the impetus for the enactment of a really good education bill. In any case, I see little merit in the view that since we will not spend money, anyway, on things we urgently need, we might as well spend it on things we do not need. If it comes to that, I, for one, would rather not spend the money at all.

Another rather specious argument that is put forward for a crash program to reach the moon is that of inaccurate and oversimplified historical analogy. We are told, for example, that, like Spain in the time of Columbus, we are living in an age of discovery, and that, like Columbus, we must not fail to seize our moment of greatness. The analogy is a stirring and dramatic one, but it is hardly a sound basis for the shaping of public policy. If Columbus is to be brought into our discussion of outer space, it is worth noting that he raised a substantial part of the costs of his voyages from private sources, and that in any case he was not at all interested in discovering new lands, but only in discovering a shorter and less costly route to the Indies. It is also worth noting that the conquest of the New World brought Spain only a brief period of glory, which was followed by four centuries of political and economic decay. Finally, I am not at all sure that it would have been one of the great tragedies of history if America had been discovered in 1500, or even 1600, instead of 1492.

Another questionable argument that is made for Project Apollo is that instruments cannot be substituted for men in our exploration of the moon. There is, in fact, a very impressive body of scientific testimony to the contrary. Philip Abelson, for example, the editor of Science Magazine, and himself a noted physical chemist, pointed out recently that "The cost of unmanned lunar vehicles is on the order of 1 percent of the cost of the manned variety," and that "most of the interesting questions concerning the moon can be studied by electronic devices." And Dr. Vannevar Bush, who is well known in this city for his great work during the war, stated recently:

> There is nothing a man can do in space that cannot be done better and more cheaply by instruments. There is very little scientific knowledge to be gained by rushing to hurtle men into space. To me such exploits are little more than stunts that appeal to the gladiator instincts.

British physicist R. L. F. Boyd maintains that:

> For scientific purposes, man is a nuisance in space. The plain fact of the matter is that for one-tenth of the cost one could get 90 percent of the valuable information—without having to overcome the enormous difficulties of putting a man on the moon and getting him back alive.

Warren Weaver, of the National Academy of Sciences, wrote recently:

> I do not think that scientific considerations justify the proposed magnitude of the program, and even more emphatically I do not believe that scientific considerations justify its frantic, costly and disastrous pace.

If, in fact, as these eminent scientists believe, we can gain most of the information we want about the moon at one-tenth of the projected cost of Project Apollo, by using instruments instead of men, Congress could make a very substantial reduction in the space appropriation without impairing our national space effort in any important way. It becomes increasingly clear that the principal object of our moon program is the glory and distinction of being "first in space." I for one do not believe we can afford a program which, if we assume its minimum cost of $20 billion, will add up to $2 billion for science and $18 billion for prestige.

Perhaps more important than the costs of space research is the fact that it is drawing urgently needed scientific talent away from the civilian economy. In 1961, for example, of 400,000 scientists and engineers engaged in research and development work in the United States, 250,000 were doing it for space and defense. Since 1954, the number of research and development scientists and engineers in industry has increased by 160,000, but all but 30,000 of these have been drawn into Government-sponsored projects. As one research director of a private company commented recently: "We need good people, but my company can't compete with projects paid for by the U.S. Treasury."

Technically qualified manpower has become a critically scarce resource. The increase in the supply of research scientists and engineers this year is expected to be about 27,000, but some 25,000 of these—virtually the entire supply—will be drawn into space research and development. Prof. Barry Commoner of Washington University in St. Louis has said that the space agency will require the services of one in every four U.S. scientists by 1970.

There is thus a real danger that our national programs in defense and space will become a drain on the civilian economy and will jeopardize our position in world trade. At present only 25 percent of our total national research and development spending is going into industrial research for civilian purposes. Western European countries are spending twice as large a proportion of their gross national products as the United States for civilian research and development. The Japanese, largely as a result of progress through civilian research, have introduced the first transistorized television sets into the United States, are getting twice our rate of production from textile machinery, and are turning out automated ships that can carry more cargo than our ships with smaller crews.

Equally alarming is the prospective diversion of scientists and engineers from careers in university teaching. In the next decade there will be a great increase in our college population. If the present teacher-student ratio is to be maintained, the universities in the next several years will have to retain two-thirds of their current output of new Ph. D.'s instead of the present one-third. Thus, the current flow of graduate research scholars to Government and industry would have to be cut in half. It is just at this critical point that the demand for scientific talent for the space program is rapidly rising. It is increasingly clear that the supply of scientists and engineers in the present decade will not be sufficient to meet the demands of a mushrooming space program, a rapidly expanding college population, and all the other needs of the civilian economy.

These, I believe, are some of the compelling reasons for bringing our space program into a more realistic relationship to pressing national needs. In the face of all the unsolved problems of our country—problems of inadequate education and rising unemployment, of urban blight and rising crime and many others—I cannot bring myself to believe that landing an American on the moon represents the most urgent need, the most compelling challenge, or the most promising opportunity before the American people in this decade. The incongruousness and distortion of priorities that is involved in a crash program in space is admirably expressed in a story that is told of a Russian pupil in a physics class, who, when told of the plans to land a Russian on the moon, agreed that this was a fine thing and asked: "But when may we go to Vienna?"

I believe, Mr. President, for the reasons I have set forth, that in its appropriation for NASA for fiscal year 1964 the Congress should substantially reduce the amount of the authorization. It should be made quite clear that such a reduction in funds for the space program in no way implies a lack of confidence in the space agency itself or in the competent and dedicated people who have made our space program so great a success over the last several years. The meaning and purpose of a reduction in funds, as I see it, is to register a judgment by the Congress on national priorities, a judgment that space exploration, though valuable and desirable, is only one of many valuable and desirable national programs, some of which, under existing circumstances, have a prior and more pressing claim on our limited national resources.

The highest priority need of America in the 1960's is the expansion and improvement of public education. While a vast proportion of the wealth and talent of America are expended on defense and space, our public schools, the ultimate source of our national strength and welfare, are deteriorating under the pressures of inadequate funds, inadequate numbers of teachers with inadequate training, and a rapidly mounting school-age population.

Horace Mann wrote: An undereducated nation is like an obscene giant who has waxed strong in his youth and grown wanton in his strength; whose brain has been developed only in the region of the appetites and passions. Such a republic, with all its noble capacities for beneficence, will rush with the speed of a whirlwind to an ignominious end.

Is America an undereducated nation? The answer lies all around us, in the growing number of our "unemployables," in mounting rates of crime and juvenile delinquency, in lingering vestiges of poverty within our affluent society. Consider, for example, a recent report by the Army Surgeon General's Office showing that one out of every four young Americans who were called before the draft boards in 1962 was rejected for failing the Army's intelligence test. In North Dakota, with the best record, only 7 percent of the draftees failed the mental examination; in South Carolina, with the worst record, 5 out of every 10 draftees failed the mental test. In the District of Columbia, one out of every three draftees failed the mental test, and even in New York, with one of the best financed systems of education in the Nation, one of every three draftees could not pass the Army's mental examination.

A recent report by the National Committee for the Support of the Public Schools shows that fewer than one-third of the people of my own State of Arkansas have completed 4 years of high school and that only a half have completed the eighth grade. According to the report, only 4.8 percent of the people of my State have completed 4 years of college and 15.4 percent of the population are considered functionally illiterate, having completed less than 5 years of schooling. The correction of this situation, in my opinion, and of similar situations in many other States, is far more urgent and important than the landing of an American on the moon in 1970 or at any time in this century.

There is no problem more pressing in our national life than the need for improving and expanding our public education. Although expenditures on public education have risen rapidly in the last decade, they have not nearly kept pace with the increase in our school age population, which since 1950 has been growing twice as fast as the total population. We have been economizing on education and for this false economy we cannot avoid paying a heavy price in the prosperity and happiness of our people and, ultimately, in the security and defense of freedom.

The correlation between lack of education and unemployment is high and continually rising. In March 1961 the unemployment rate among professional and technical workers was 1.6 percent; among clerical workers 4.9 percent; skilled workers, 9.1 percent; semiskilled workers, 12.1 percent; and unskilled workers, 19.1 percent. In the complex and increasingly automated American economy of the 1960's the unskilled and untrained worker is increasingly relegated to a life of intermittent or chronic unemployment, to a hopeless shuffling from one menial job to another, to a life of diminishing hopes and mounting disillusion. While the demand for highly skilled workers continues to rise, the unskilled worker is increasingly destined to be not only unemployed but unemployable.

The slow but continuing increase in unemployment among the work force as a whole, and the very rapid increase of unemployment among young people, is largely the result of grave shortcomings in our public education, especially for the 80 percent of American youth who do not go to college. The vocational education bill passed by the House and by the Senate will, if enacted, make a powerful contribution toward remedying this situation, but it will be only a valuable first step toward meeting an overriding national problem. It should be followed by further measures in the field of education, including the adoption of the President's program for basic education for the 8 million adult Americans who, lacking the ability to read, write, and do simple arithmetic, are "functional illiterates." At present, these people would be unable to benefit from vocational training programs even if they were available to them because they lack the basic educational tools for training and employment. Surely, a major national effort to remedy these problems, with their enormously destructive social, economic, and political implications, warrants a high priority in our public policy.

We live in a society which, though affluent beyond all others, has not yet succeeded in eliminating widespread poverty and deprivation. As President Kennedy pointed out in his last state of the Union message, some 32 million Americans "still live on the outskirts of poverty." Some authorities cite much higher figures. The Conference on Economic Progress has said that 38 million Americans live in poverty and another 39 million live in substantial deprivation.

Throughout the country there is a high correlation between poverty and dependency and lack of education. In my own State of Arkansas 89.4 percent of all the people on public welfare rolls have less than a fourth-grade education. The $4.5 billion which is spent on welfare payments each year by Federal, State, and local authorities is of course only a small part of the cost of inadequate education. Crime and delinquency, losses of economic productivity, and the destructive social and political consequences of inadequate education are also part of the equation, and their costs to the Nation are beyond calculation.

Until we have gone much farther toward the solution of these critical problems of our national life, I do not see how we can regard a voyage to the moon as one of the high priority objectives of our public policy. The conquest of outer space is a worthy and inspiring aspiration, but the education and employment of our people is a basic and immediate necessity. With will and dedication, it is entirely within our means to overcome the problems of poverty and unemployment and inadequate education. When we have done so, it will be time enough to direct our aspirations toward the moon and whatever lies beyond.

Mr. President, the Kwakiutl Indians of the great Northwest have made their mark on the world by the curious practice of throwing their most valuable possessions into bonfires. The purpose of such a "potlatch," as it is called, is to glorify one's self and humiliate one's opponent. How curious that a society would deliberately destroy its own riches on the assumption that it would somehow gain prestige in the process. How curious, also, that a society would spend $5 billion in a single year in an effort to place one of its citizens on the moon. For those who wonder whether our space program may perhaps bear certain resemblances to the Kwakiutl potlatch, I recommend the excellent article written by Edwin Diamond which was published in a recent issue of the Bulletin of the Atomic Scientists, and ask unanimous consent to have it printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### The Rites of Spring

(By Edwin Diamond)

The civilization of the Kwakiutl Indians, Ruth Benedict noted in her essay "Anthropology and the Abnormal," was "one of the most vigorous in North America" during the last decades of the 19th century. Two features distinguished the Kwakiutl culture: one was what Mrs. Benedict called "its ample economic supply of goods"; the other was a ceremony called "potlatch." "All the zest of life," Mrs. Benedict observed, "lay in a cutthroat competition in the giving away of goods * * * the object of the contest was to glorify one's self and humiliate one's opponent." In one form of the potlatch two clans would gather around a fire and their chiefs would vie with each other in throwing the clan's most valued property into the fire. If one chief, for example, threw a blanket into the blaze, the other would destroy a bigger one. Thus, the chief demonstrated that he was the better man; unless the rival chief did the same or better, his name was "broken."

A contemporary cultural anthropologist, viewing the hot fires that consume million dollar—and million ruble—rockets in this decade of the 20th century might, understandably enough, be reminded of the potlatch ceremony. No less an intimate participant than Dr. James Killian, who was President Eisenhower's chief science adviser in the critical period after Sputnik I, told a group of alumni from Massachusetts Institute of Technology in a 1960 speech: "The pressures are very great to engage in an item-by-item race with the Soviet Union. Unless decisions result in containing our development of man-in-space systems and big rocket boosters, we will have soon committed ourselves to a multibillion-dollar space program."

Today, in the spring of 1963, less than 3 years later and scarcely more than 5 years after the space age was inaugurated, Dr. Killian's forecast has been fully realized, though perhaps to an extent that even he could not have foreseen. A new and vigorous administration, one dedicated to getting the country moving again, has replaced the Eisenhower team; one of its first acts, in the words of President Kennedy, was to "shift our efforts in space from low to high gear." The shift was indeed vigorous: the infinitely ambitious idea of landing Americans on the moon and returning them safely to earth was made an avowed national goal—to be achieved in this decade. To reach this goal, the National Aeronautics and Space Administration on February 25, 1963, requested for the fiscal year beginning July 1 a budget of $5.7 billion, $2 billion more than for the previous fiscal year and $5 billion more than was spent on space during Dr. Killian's tenure in the "early days" of the space age. Of this sum, NASA Administrator James E. Webb told the House Committee on Science and Astronautics, some $4.3 billion, or about 75 percent, would go into manned space flight programs—a level of expenditure which, if it plateaus as expected, will bring the total cost of the lunar landing program to an estimated $30 billion by the tentative target date of 1968. Nor does the moon mark the limit of NASA's enterprise. Given the complexities of such vast endeavors, NASA has already been planning ahead for missions beyond the lunar landing. One week after Mr. Webb's testimony, Dr. Hugh Dryden, the agency's Deputy Administrator, told the same congressional committee that the next major NASA space project in this decade would be—assuming of course the necessary budgetary approval—a manned orbital space station. Two designs, he explained, are currently being considered: one is a huge 60-ton satellite that would be assembled in orbit to house as many as 20 men for months at a time. It would cost perhaps $2 to $3 billion and would require a shuttle system of rockets to ferry up supplies and relief crews. The other is a more modest 10-ton design for four crewmen that would cost between $300 and $400 million. A decision on these alternative plans probably will be made within NASA this fall for the space stations in turn are viewed as means to still grander goals in the 1970's and 1980's. "It seems to us," Dr. Dryden advised the committee, "that an orbiting laboratory is a necessary preliminary to manned planetary expeditions." In line with this reasoning, the incurable optimists in the space agency have already penciled in one such manned planetary expedition, a mission to Mars at a cost of perhaps $100 billion, and has invited American industry to participate in the planning. At a NASA programs plans conference, held in Washington, February 11 to 12, 1963, and attended by over 2,000 representatives of aircraft and missile makers, electronics firms, and other aerospace companies, Joseph F. Shea, Deputy Director for Manned Space Flight, gave a newly revised timetable for the mission to Mars. The years of 1973 and 1975, he said, both times when Mars and Earth would be in favorable positions and when solar storms would be at a minimum, now appear to be overly optimistic. The mission has now been put off until 1983.

The Moon. Orbiting laboratories. Mars. Who can quarrel with such lofty aims? Who can fault this exalted era? We live in a time when man has realized the archtypical dream of Icarus and soared free of his terrestrial bonds, a time of exploration of the space around the Earth, the Moon, and the planet Venus which rivals the age of Columbus and Magellan. The discoveries of the luniks and the explorers and the mariners are widely, and justifiably, heralded. A few years ago, textbooks stated that space was a serene and empty void; today physicists know that near space is filled with radiation belts, solar winds, and great plasma clouds. The temperature of Venus has been measured and its opaque cloud cover charted.

Yet, down on earth, much of the space age—its politics, its economics, its sociology—remains uncharted. The debates and decisions which send us careening off in this direction or in that, are opaque to the public eye. Despite all the advance technical planning and fine detail work, the space program has a curiously jerry-built, improvised aspect; the planners seem to know where they are going but not why. To the hoary question "Why go to the moon?" President Kennedy in a speech last year (Sept. 12, 1962) in Houston, Tex., gave an equally hoary answer. He quoted the words of the British explorer, George Mallory, who was once asked why he wanted to climb Mount Everest: "Because it's there." But the United States, unlike Mallory, does not rest its case on this entirely reasonable answer. We must also go, we are told, because space is a potential military area, because it is a challenge to our technology, and because it creates jobs and contracts. (In the same Houston speech in which he quoted Mallory, Kennedy also said: "During the next 5 years, the National Aeronautics and Space Administration expects to double the number of scientists and engineers in this area; to increase its outlays for salaries and expenses to $60 million a year; to invest some $200 million in plants and laboratory facilities.") These diverse motives cause some of the confusion; but the major difficulty lies elsewhere, in the fundamental assumption that space exploration, really, is a race—with heats that are won or lost and with prestige as a prize that is daily won or lost.

This attitude has several unfortunate consequences. First, it reduces lofty endeavors to a game. The reductio ad absurdum is perhaps expressed in a house ad for Life magazine: "winning a football championship; the space race; the cold war—each week Life reports on the victories (and on the defeats) that shape our lives."

Second, it helps create the unwarranted impression that rockets and hardware—which are, after all, only one small and highly specialized segment of technology—can be made the preeminent standards for judging national achievement. While the skills and technical know-how needed in a lunar landing program do, in fact, embrace many disciplines, they leave untouched whole areas of science. The most exciting and perhaps the most important progress occurring in science today, for example, is in the field of molecular biology and biochemistry; but space activities provide hardly any scope for these achievements. And beyond science and technology, how does the space race reflect and further the values of a free society—respect for human rights and individual freedoms? It was such considerations as these which Dr. Alvin Weinberg of Oak Ridge National Laboratory may have had in mind when he observed that most Americans would rather belong to the society that first gave the world a cure for cancer than to the society which put the first astronaut on Mars.

Third, the notion of a race tends to shut off discussion and criticism of both the techniques and the goals of a national space program—lest we lose precious time to the opposition. Recently, when Kennedy was asked at a Presidential news conference about the possibility of substantial cuts in his overall budget proposals, he replied: "Are we going to make a determination that we are going to be permanently second best in space? Because if you cut the space programs substantially, that is what you are writing into law." In the administration's defense, it should be pointed out that the President also defended his proposals for school aid and for other social services "essential to a better life for our people." Given the mood of the cost-conscious Congress, however, these measures are the first to feel the whack in appropriations.

Fourth, as a corollary to the need for speed, the normal governmental procedures for funding and programing have frequently given way to wartime-style "crash programs" and a doctrine of "concurrency," in which design is only one step ahead of construction which is only one step ahead of procurement. At the same time, an increased degree of secrecy also becomes necessary to prevent the opposition from knowing too much.

The fifth consequence of the space race psychology is what might be called scientific immodesty. For example, the flight plan calls for a 2- or 3-day journey to the moon. But up to the scheduled flight of Astronaut Cooper in May, no American had spent more than 9 hours in space, and while Soviet Cosmonaut Nikolayez remained up for over 94 hours, his orbit was well below the Van Allen radiation belts and he did not have to contend wth bursts of solar radiation. Even in these flights, some minor medical problems were encountered. Astronaut Walter Schirra, after 9 hours in space, suffered from orthostatic hypotension (abrupt lowering of blood pressure) when he left his capsule.

Nikolayez showed symptoms of calcium mobilization (an abnormal loss of bone calcium). Weightlessness was probably responsible for these two conditions and an artificial gravity can be provided in future capsules. But the point is that, despite the many unknowns and uncertainties involved, the Amelcan program has rocketed ahead on assumptions that were set rather early, and little margin for change has been allowed.

Finally, the cumulative effect of the space race psychology is to enshrine the Kwakiutl potlatch rites into national policy. This is a fascinating chapter in American political practice which still remains to be explored and described. After Sputnik I, the instinctive response of the conservative, business-minded Eisenhower team was to dismiss the entire notion of satellites as a stunt and an "outer space basketball game." The frugal George W. Humphrey, Mr. Eisenhower's Secretary of the Treasury and a figure hopelessly out of step with political reality (as Emmet Hughes' new book, "The Ordeal of Power," makes plain), apparently was convinced that space exploration was a Russian plot to make the United States spend itself into bankruptcy. The Kennedy administration, to its credit, has given a thrust and dynamism to space science that is in step with the times. But in the process, it may have turned Humphrey's quaint notion upside down. The reasoning that went into the U.S. administration's decision in May of 1961 to make a lunar landing the prime target of its space program has never been adequately exposed to public knowledge. But one factor seems to have been the realization that this step conceivably could escalate the stakes of the race to a level too high for a Soviet economy already known for its constant shortages. The potlatch, in other words, will bankrupt the others first. Secretary of Defense Robert S. McNamara summarized this situation with his usual precision and clarity in testimony on the Department of Defense budget in January of this year: "The Soviet leadership is confronted with a very severe resources allocation problem and must strike a balance among its various objectives. * * * The Soviet could, over the next few years, build a large force of hardened second-generation ICBM's; they could develop and deploy an ICBM delivery system for the large yield nuclear warheads they have been testing since 1961; they could expand and improve their MRBM–IRBM systems; they could continue to maintain and improve their active defenses against manned bomber attack; they could maintain a large and modernly equipped army; they could develop and deploy some sort of a system of active defense against ballistic missile attack; they could modernize and improve their large fleet of submarines including ballistic-missile-firing types; they could continue the space race; they could expand both military and economic aid to the nonalined nations; they could make the great investment needed to create an efficient agricultural economy; they could continue to push the development of heavy industry; or they could increase the standard of living of the Soviet people—but they cannot do them all at the same time."

This statement is remarkable on several counts. On the level of grand national strategy it suggests that the arms race itself can also be a form of the potlatch. Modern weapons systems are enormously costly—a Polaris nuclear submarine costs about $100 million—and they tend to proliferate under the military's pressure to have a great variety of weapons suitable for waging wars ranging from jungle skirmishes to all-out thermonuclear war. Thus, each upward spiral in the arms race may be a staggering one economically, and a nation's decision to give the spiral another turn in part involves an assessment of how well it can afford the step and how well its opponent can afford to match it.

Specifically, the Kennedy administration's decision—independently arrived at—to press forward with a buildup of second generation missiles (like Minuteman and Polaris) and to embark on a lunar landing program could have a complementary effect—forcing the Soviet Union to choose between hardened, mobile ICBM's and space boosters (as well as between its need for farm tractors and the upkeep of its expensive friends in Cuba). At the same time, the astronomical cost of such competitions can have an important inhibiting effect on them: in an important though little-noticed policy statement made in mid-1962, Deputy Secretary of Defense Roswell Gilpatric suggested that the United States would refrain from developing space weapons if the Soviet Union would do so too. (All this, of course, is not meant to discount the role played by such other factors as a genuine desire to reduce tensions.)

Given the need, in McNamara's phrase, "to strike a balance," what have the two space powers done? The United States, with its great wealth and talent, has been blasting off in all directions. Though it suffered the handicap of starting the race late, between January 1958 and April 1, 1963, it placed in orbit around earth no less than 55 satellites, sent probes to the moon or into solar orbit, and dispatched the splendid Mariner spacecraft to Venus. In the opinion of close observers of the space program, every satellite proposal of merit has found a carrier rocket to take it into space, with the possible exception of biological experiments. The feeling that NASA prefers astronauts to animals or instruments chafes many eminent scientists; Dr. Vannevar Bush, for example, maintains that an instrument package on the moon would yield as much knowledge, at a fraction of the cost, as the manned landing program. But, even if this should prove to be the case, there is still some question whether Congress would vote to channel any of the money thus saved to other areas of science, much less to the President's welfare programs.

As for the Soviet Union, it still has an economy of scarcity, yet spectacular space feats would seem to clearly demonstrate its deep commitment to space exploration. But appearances can be deceptive; a careful analysis of some little-appreciated engineering facts about the Soviet space program reveals that it bears a certain Potemkin village look to it. All of the Soviet's epochal achievements, it seems, have been carried off with the same basic booster system generating a thrust of between 800,000 and 1.2 million pounds. This lifting capacity is considered sufficient to accomplish another round of "firsts" in the mid 1960's—perhaps two men in one satellite, then week-long orbits, and finally, manned circumlunar missions—but it is not deemed enough to land men on the moon. And though the lunar landing mission is beyond the capabilities of the present Soviet booster, to date there have been no indications that the Soviets have undertaken the development of a new booster big enough to do the job.

Grant that Western intelligence about the Soviet Union's technological prowess has been notoriously bad in the past; grant that some morning in 1965 Radio Moscow may announced the arrival of a cosmonaut on the moon. Nevertheless, the possibility that the Russians are not going to the moon in a hurry, or at all, suggests a highly surrealistic situation over the next few years: each spring, when the Congress is weighing the hefty NASA budget, the Soviet Union uses its dwindling supply of old reliable boosters to score another first in orbit and the United States responds dutifully by throwing more blankets in the fire.

**Mr. FULBRIGHT.** Mr. President, I believe there is a very interesting and curious parallel between the concept of prestige as enjoyed by the Indians and what we are engaging in now, a contest with the Russians as to the prestige of getting to the moon first.

**Mr. MORTON.** Mr. President, I agree with the remarks of the distinguished junior Senator from Arkansas, who is chairman of the great Foreign Relations Committee and formerly served as the head of a great university. He is an authority on education, and speaks well for its needs. I believe it is time to put first things first.

I was interested in what the Senator had to say about the prestige argument which we keep hearing in connection with this question of putting a man on the moon.

I happened to have been in the Philippines, in India, and in southeast Asia at the time the first sputnik was launched, and there was prestige involved. We suffered perhaps and we heard much comment in this country to the effect that the United States was about to become a second-class power. The decision to diminish the program which might have enabled us to put the first satellite in orbit was motivated by the fact that the then President of the United States, Dwight D. Eisenhower, and the then Secretary of Defense, Mr. Wilson believed that the money should be spent for more sophisticated defense weapons and a defense system.

I wish to express my agreement with the junior Senator from Arkansas, and to make this further observation: If we should be the first to put a man on the moon, it might cost us even more money, because if we should find any life there we would be responsible for the foreign aid.

**Mr. MILLER** obtained the floor.

**Mr. MANSFIELD.** Mr. President, will the Senator from Iowa yield with the understanding that he will not lose his right to the floor?

**Mr. MILLER.** I yield to the Senator from Montana, with that understanding.

**Mr. MANSFIELD.** Mr. President, I suggest the absence of a quorum.

**The PRESIDING OFFICER.** The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

## THE ROLE IN U.S. PUBLIC AFFAIRS OF THE LEAGUE OF WOMEN VOTERS

**Mr. MILLER.** Mr. President, in today's Wall Street Journal appears an article entitled "The League of Women Voters Widens Its Role in U.S. Public Affairs." This article is an interesting and rather in-depth type of reporting on the progress which the League of Women Voters in recent years has been making in its political impact on the United States and on the various State and local governments.

In my own State of Iowa my relations and contacts with the League of Women

Voters have for the most part been excellent. By and large, the ladies who are members of the league do their homework, and do it well.

I must confess amazement at a statement appearing in this article attributed to a leading Kennedy political aid, who said that the league apparently had no influence, not even on their husbands, and he attributed this to the fact that they never take sides in an election; that they are so nonpartisan that they are completely useless.

I think the nonpartisan approach of the league is one reason why it is indeed effective.

The article points out that a booklet published by the League of Women Voters last year, relating to foreign trade policy, was so well written that it was assigned as study material in an economics course at the Harvard Graduate School of Business Administration. I had the privilege of reading that pamphlet, and I attest to its thoroughness, its completely bipartisan approach, and its effort to present both sides of the issue.

If I were to make a suggestion for the future operations of the league, I would suggest that the league continue this nonpartisan approach in questions political, and that it bend over backward even a little further in presenting both sides of issues, as it did with respect to foreign trade policy.

I regret to say that there are a few cases in the league's position on some issues that appeared, at least, to present one side rather than both sides; but, by and large, I compliment the League of Women Voters on the job they are doing.

I ask unanimous consent that the article I have referred to be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Lady Lobbyists: The League of Women Voters Widens Its Role in U.S. Public Affairs—Group Leads Battle To Win New Michigan Constitution, Fights Poll Tax, Aid Cuts—A Kennedy Aid Pooh-Poohs

(By Vernon I. Griffin)

Early next month, Texans will vote on a State constitutional amendment to repeal the State's long-standing poll tax.

Lone Star politicians may long argue whether the $1.50 tax really disenfranchises Negroes and other low-income groups, as its opponents claim. But few will deny that if the poll tax is killed, a primary reason will be the all-out campaign against it by a group of women.

That group is the Texas chapter of the League of Women Voters. Today's league bears little resemblance to its predecessor, the flamboyant National American Woman Suffrage Association, whose members perched on flagpoles and marched through saloons to win women the right to vote in 1920. But despite the league's more dignified approach and relatively small size (125,000 members) many politicians think its campaigns on State and local issues are making it an increasingly important force in American politics.

#### COMPLAINTS FROM A GOVERNOR

The league's successes have ranged from pushing through tax reassessment in Oak Lawn, Ill., to leading the winning fight for a new constitution in Michigan. It recently won praise of sorts from New Jersey Gov. Richard Hughes when he blamed league opposition for seriously damaging chances for his pet fiscal plan to win voter approval next month. The Governor wants to finance needed capital improvements with a massive $750 million bond issue. The league contends interest costs will make this method too costly and advocates a broad-based tax instead.

Political observers attribute the league's rising influence partly to its following among women, including nonmembers, who are playing an increasingly important role in public affairs. They also credit the league's technique of involving its members in detailed studies of complex issues to the point where they sometimes have more facts at their command than professional politicians. And some political pros look with wonder and frustration on the league's ability to assume a mantle of nonpartisanship (chapters are not allowed to side with parties or candidates) and yet wade into highly controversial issues.

"To differ with the league is to differ with motherhood and the flag," sighs Thomas Downs, legislative agent and attorney for Michigan's AFL–CIO Council, which vigorously opposed the league's drive for a new Michigan constitution. "You try to debate with them and the woman comes in late. She says she's sorry but she had to change the baby or see her daughter married. After this, it's hard to argue on the merits of the issue."

#### MORE THAN FEMININE WILES

But a look at the Michigan campaign shows that a great deal more was involved than feminine wiles. The league argued mainly, along with other proconstitution groups, that the old constitution had created political deadlocks responsible for a series of legislative crises. Leaguers obtained 209,000 of the 320,038 signatures on a petition to call the constitutional convention and presented reams of testimony to convention committees. Three league members served as convention delegates and 26 of 38 league-sponsored items were incorporated in the new constitution.

When the proposed Michigan constitution finally came before the voters, the league worked with other groups to distribute 38,000 booklets and 100,000 bumper stickers to support it. The final days of the campaign last March saw such sights as leaguers parading through Dearborn on an antique firetruck decorated with proconstitution slogans.

When the constitution won voter approval, it was only by 10,000 votes, indicating that a less zealous campaign might have failed. Michigan politicians were impressed. "The State league had little impact on Michigan before this issue," says Zoltan A. Ferency, chairman of the Democratic State central committee, which opposed the constitution. "You heard about them locally, but they hardly were visible at the State level. Now the record speaks for itself."

The league has 1,164 local chapters in 50 States. The chapters are broken up into small units, which meet in members' homes to pursue league study programs. There also are State and National headquarters. To prepare and disseminate study information, organize campaigns and the like, there are 35 full-time employes at national headquarters in Washington and 35 full-time and 14 part-time employees in 27 of the State headquarters. Half a dozen of the larger local chapters also have at least one paid worker.

#### MAJORITY VOTE DETERMINES STANDS

League stands on issues at all levels are determined by a majority vote of members. Dr. Rensis Likert, a University of Michigan social researcher, found in a 1957 study of the league that 65 percent of the members are wives of men in managerial or professional jobs. Fewer than 5 percent are wives of blue-collar workers. Fundamentally, he said, the league "is made up of people from what we might call the upper social-economical-cultural groups" who have a high educational level. He concluded that "League people, on the whole, are persons who feel that the world has problems about which something can be done." Over 85 percent of the league's most active members are married, have children and have been to college.

More than half of the league's nearly $2 million annual budget is spent by local chapters. A major expense is publishing nonpartisan, preelection "voter's guides," listing issues and candidate biographies, and distributing them publicly. About 37 percent of the organization's money comes from outside contributions, often from male businessmen. Says a league manual on how to approach such sources: "Dress in your tailored best. * * * Be positive, direct, and businesslike * * * you are trying to part a man and his money for a women's political organization."

Typical of the league's rising activity at the State level is its anti-poll-tax campaign. Five of the eleven Southern States that adopted poll taxes after the Civil War Reconstruction period still have them on the books. An amendment to the U.S. Constitution to ban poll taxes in Federal elections is currently coming before State legislatures, with a good chance that it will be ratified by the States. Both the Texas and Virginia leagues have chosen the opportunity to try to knock out such taxes in State elections.

An anti-poll-tax amendment already has received legislative approval in Texas and will go before the voters November 9. The Texas league is providing speakers and distributing pamphlets in 25 cities to persuade voters to vote for repeal. Gov. John Connally launched the repeal drive at a league-sponsored rally at Austin and has offered to make television appearances on its behalf.

In Virginia, Mrs. John W. McDonald, State league president, fears State officials will try to retain the State poll tax even if the State has to comply with the Federal change. To forestall such action, the league in recent weeks has flooded the State with 50,000 pamphlets advocating abolition of the tax and has held four workshops to prepare members for lobbying.

#### PACING OFF LOTS

Other league activities range widely. League members once donned low-heeled shoes and paced off the Chicago suburb of Oak Lawn lot by lot to help supply evidence that much of the property was underassessed or in some cases not even on the tax rolls. The league's revised assessment added more than $1 million in taxable property.

The New Orleans league 3 years ago spoke out against closing Louisiana's public schools to avoid integration, a highly controversial issue. "When we took our stand only two members resigned and one of those left because we weren't moving fast enough," says Mrs. Jean Reeves, New Orleans president. The schools were not closed.

At the national level, the league has campaigned for more liberal tariff and trade agreements since 1937. It engaged in one of the most extensive campaigns in its history on behalf of the Trade Expansion Act of 1962, which became law in October that year. A booklet on U.S. trade policies written by the league was so thorough it was assigned as study material in an economics course of the Harvard Graduate School of Business Administration.

Currently, the league is lobbying against curtailment of U.S. foreign aid. The group also supports the "greatest possible protection for the individual under the Federal loyalty security programs" and opposes extension of such programs to nonsensitive positions in Government. And it campaigns for long-range planning for conservation and development of water resources.

Of course, leaguers don't always succeed. The organization's Berkeley, Calif., chapter flooded their city with thousands of pamphlets and letters urging approval of a new antidiscrimination housing ordinance in a city referendum last spring. But the measure failed by a narrow margin.

### LACK OF "MUSCLE"?

In the eyes of some politicians, the league is least effective at the national level. Asked how much influence the organization has on national legislation, a top Kennedy political aid snaps: "None—not even on their husbands." He doubts that the league campaign had much bearing on passage of the Trade Expansion Act, and attributes the weakness largely to the league's reluctance to use "muscle" on politicians.

"They never threaten reprisals," adds the aid. "They never take sides in an election. They're so nonpartisan they're completely useless. Why they're even chary about advertising to their members which Congressmen voted with the league and which voted against it."

But this view is by no means unanimous, as one conservative GOP Congressman reveals in stating his opinion of the league: "The league is a very insidious organization as far as I'm concerned," he declares. "It parades around as a nonpartisan, good government group but the truth of the matter is that all of its policy positions are very liberal. * * * If their staff people presented both sides of an issue and encouraged the local groups to form their own positions, I'd say the league was a very good thing. As it is, though, the organization sucks in a lot of civic-minded women who lack political orientation then deluges them with Democratic propaganda."

Replies a league official: "We're used to being called Democratic or Republican by members of the opposite party who don't happen to agree with us on a league position."

Mr. MILLER. I yield the floor.

## WOODBRIDGE'S SENIOR CITIZEN CLUBS

Mr. WILLIAMS of New Jersey. Mr. President, one of the major concerns in the America of today is the happiness and well-being of the growing number of our senior citizens. All over the country programs have been instituted to make livelier and more interesting lives for older members of our communities. New Jersey has shown a great deal of concern for these people, and I would like to point out an editorial from the Daily Journal, of Elizabeth, N.J., October 2, 1963, describing the efforts in this field of the town of Woodbridge and in particular those of Rodney E. Mott, the township's park and recreation consultant. Mr. Mott was the organizer of Woodbridge's program and its major inspiration. His initiative was admirable and effective. I ask unanimous consent that this editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### WOODBRIDGE'S SENIOR CITIZEN CLUBS

Woodbridge, which constantly surprises itself and its neighbors by its rapid growth, its resources, and its accomplishments, has begun a program to brighten the lives of the 8,000 senior citizens among its 80,000 residents. Not all of them need assistance, but a series of neighborhood clubs already has become active and 1,000 members is the forecast for next year.

The township's park and recreation consultant, Rodney E. Mott, is the activating force. He discovered that Woodbridge had no program for its senior citizens and began working through luncheon clubs, church groups, and direct appeal to those residents who had drifted out of touch with community activities.

Elderly folk seldom voluntarily disassociate themselves from the life about them, but are lulled into inactivity by lack of contact, by the absence of leadership, by the waning of incentive to continue in recreational or cultural pursuits. The clubs being formed in Woodbridge are the means of awakening interest and providing focal points.

With the work already begun and the expected support from other sources the program in another year should meet or exceed expectations. It is a needful approach to a condition infrequently recognized.

## B'NAI B'RITH'S ANNIVERSARY

Mr. WILLIAMS of New Jersey. Mr. President, last Sunday—October 13—the B'nai B'rith celebrated its 120th anniversary. This organization was founded by 12 men who saw the necessity of forming a group that would unite in social brotherhood and fraternal affection, those who valued their cultural and ethical inheritance of Judaism. However, since its founding this organization has gone far beyond the fraternal benefits that come to its own members. It maintains orphanages and homes for the aged in more than a dozen cities. Today the B'nai B'rith has extensive programs of education, social service, youth activities, vocational counseling, intergroup relations, and oversea aid. This fine patriotic organization has offered much to the strength of America.

On the occasion of this 120th anniversary celebration, the Asbury Park Press of Asbury Park, N.J., paid a well-deserved tribute to this fine organization.

Mr. President, I ask that this editorial be printed in the Congressional Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### B'NAI B'RITH'S ANNIVERSARY

A nation grateful for the many services it has performed salutes B'nai B'rith on the occasion of its 120th anniversary today. Through 12 decades it has been in the forefront of disaster relief, secular and religious education, and the development of nonsectarian hospitals, orphanages, youth centers, schools, and scores of equally valuable services.

B'nai B'rith, the first national service organization founded in this country, began in New York City as a rallying point for the Jewish community. It has retained this role and helped preserve the Jewish heritage while at the same time contributing in large measure to breaking down the walls that divided Americans of diverse origins and welding them into a united nation.

In its attacks on anti-Semitism B'nai B'rith fought bigotry in all areas and preached the doctrine of brotherhood that is essential to the American tradition. Its Anti-Defamation League has helped rout the ignorance that asserts itself in vilification for its own sake. Those among us who are grateful for the improved understanding that is erasing divisions among the American people acknowledge B'nai B'rith's contributions in this field.

The organization has good cause for celebration today. Its endeavors are far ranged but they all point in the direction of progress toward a better community, a better nation, and a better world. And they can be summarized in promoting not only freedom but the responsibility that it demands.

## INCORPORATION OF THE CATHOLIC WAR VETERANS

The Senate resumed the consideration of the bill (S. 1914) to incorporate the Catholic War Veterans.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is S. 1914.

Mr. MANSFIELD. Mr. President, for the information of the Senate, if it were possible, I would call up both S. 1914, a bill to incorporate the Catholic War Veterans, and S. 1942, a bill to incorporate the Jewish War Veterans. However, that is not possible under the rules of the Senate; but I wish to make it plain that when the Senate is considering one of these bills, in effect it is considering both of them; and what happens to the first bill will no doubt determine the fate of the second bill.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield the floor.

Mr. HICKENLOOPER. Mr. President, inasmuch as I am in direct opposition to passage of both of these bills, I want to say that what the majority leader has said is satisfactory. I think the issues are exactly the same as presented by the two bills. I would anticipate that what happened to one bill would happen to the other. Any way arrived at to shorten the discussion is satisfactory. The discussion can be had on one bill, and, so far as I am concerned, the second bill may receive the same fate as the first bill.

Mr. MANSFIELD. The only difference is in the title.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KEATING. Both these bills passed the Senate, and a motion is pending.

Mr. MANSFIELD. I should have informed the Senator from New York that I entered a motion earlier this afternoon, and it was agreed to. I must apologize for not notifying the Senator from New York.

Mr. KEATING. It was agreed to?

Mr. MANSFIELD. The motion to reconsider was agreed to, and the bill is now pending.

Mr. KEATING. The bill is now pending?

Mr. MANSFIELD. Yes.

Mr. KEATING. The question is on the passage of the measure?

Mr. MANSFIELD. That is right.

Mr. KEATING. Is it the intention of the Senator from Montana, the distinguished majority leader, not to have the vote today, but to have the vote on Monday, and discuss the bills today?

Mr. MANSFIELD. I would like to see the debate or discussion completed today. Then I would like to get approval, subject to the concurrence of the distinguished minority leader, who just left the Chamber briefly, to have a vote on this bill, which will be in effect a vote on the other bill, immediately after the vote on the higher education bill on Monday.

Mr. KEATING. The distinguished minority leader is the author of the bill to incorporate the Catholic War Veterans, of which I am a cosponsor; and I am the author of the bill to incorporate the Jewish War Veterans, of which the distinguished minority leader is a cosponsor.

Mr. MANSFIELD. Yes; and in the subcommittee of which the distinguished Senator is a member these bills were approved unanimously.

Mr. KEATING. Yes; and in the full committee.

Mr. MANSFIELD. And in the full committee as well.

Mr. KEATING. If the bill is before the Senate now, I shall be very brief.

Mr. HUMPHREY. Mr. President, I wanted to ask the majority leader a question and make a parliamentary inquiry. The Senate is now in the position of proceeding as if the bills are now before us for affirmative action. Is that correct?

Mr. MANSFIELD. Yes. A motion to reconsider was approved by the Senate. In actuality, only one bill is the pending business. In reality, both are pending.

Mr. KEATING. May I inquire of the majority leader which bill actually is the pending business?

Mr. MANSFIELD. S. 1914, a bill to incorporate the Catholic War Veterans. I may point out that the bills provide only to give the Catholic War Veterans and the Jewish War Veterans Federal charters.

### JEWISH WAR VETERANS—CATHOLIC WAR VETERANS

Mr. KEATING. Mr. President, as sponsor of S. 1942 and as cosponsor of S. 1914, I deeply regret that any further debate is necessary to convince all the Members of this body that the small but meaningful tribute of granting Federal charters to the Catholic War Veterans and the Jewish War Veterans of America should receive approval.

These fine organizations have throughout their existence been in the forefront of this Nation's struggle against totalitarianism in all its forms, and have consistently promoted zeal and devotion to God, country, and home, regardless of race, creed, or color. Throughout the history of our country there have been innumerable voluntary organizations whose members may have been of a particular background, but who were joined together to promote thoroughly American causes. The United States has been strengthened, not weakened or divided, by the existence and activities of these many organizations. Each of them has come into being because of a particular appeal to a number of citizens with special ties, but all Americans have benefited from their contributions. The Jewish War Veterans and Catholic War Veterans are outstanding examples of just such organizations. Many of their members are also members of such other outstanding organizations as the American Legion and the Veterans of Foreign Wars. They have a sharpened sense of what freedom really means, since they know what it means to fight and to risk death for something you hold dear.

Opponents of the granting of Federal incorporation to these outstanding organizations have stressed the point that a Federal charter should not be granted to an organization composed of veterans of a specialized background. They base this point on grounds that the test for service in those organizations was not service to the United States. This is clearly an erroneous conclusion. Certainly the essential basis for eligibility in either of these veterans organizations is service to the Nation.

The Catholic and Jewish War Veterans organizations, since the date of their creation, have rendered invaluable service not just to their members, but to the whole Nation. In this respect it should be noted that the Catholic War Veterans was founded in 1935 by the Right Reverend Monsignor Edward J. Higgins and that the Jewish War Veterans was established in 1896 by Civil War combatants and is today the oldest active war veterans group in America.

Precedent does not stand in the way of the enactment of these measures. Congress has bestowed Federal charters on many organizations based upon religious denominations: the First Presbyterian Church of Washington, the First Congregational Church of Washington, and the Brotherhood of St. Andrew are a few examples of such action. In addition, I wish to point out that on September 2, 1958, Public Law 85-903, granting incorporation to the Jewish War Veterans Memorial, was enacted into law. That law granted incorporation to an organization to construct and maintain a memorial and museum dedicated to commemorating the service and sacrifice of Jewish war veterans. The precedent for the enactment of these bills has been established, and rather than stepping out of line we will merely remain in step by their passage.

We are dealing here with organizations which have dedicated themselves to the welfare and betterment of our Nation. Through the granting of a charter they will achieve a sounder base and establishment, and even more important, will receive proper recognition by the Congress of the United States for a job well done. They both represent a mortal enemy to prejudice and bigotry, and certainly are deserving of the prestige which is part and parcel of a Federal character.

The question here is not one of precedent, but rather one of considering the merits of the organizations involved. There can be no argument against the plain fact that on their merits the Catholic War Veterans and the Jewish War Veterans are worthy of receipt of a Federal charter acknowledging their nationwide significance.

The Senate has already approved these bills once. I sincerely hope that this body will not make the serious error of turning its back on these fine organizations. We have already waited far too long in bestowing this richly deserved honor upon them and there is no valid reason for delaying any longer.

Mr. HICKENLOOPER. Mr. President, I shall not take a great amount of time. I am definitely opposed to specialized action by Congress in such instances as this, because I believe it violates the basic principle and philosophy of equality.

I find myself in a rather difficult position to rationalize the position of the Senator from New York [Mr. KEATING], who is an outstanding opponent of segregation, when he proposes a bill which creates segregation in this country based upon religion, and using for its broad purpose service to the country.

The pending bill and the other bill, one for the incorporation of the Catholic War Veterans and the other for the incorporation of the Jewish War Veterans, propose to set up a special national charter for these organizations, composed of certain people, not because they have served their country—that is only a part of it—but because they belong to a special religious denomination.

It is just as fair to say that we should grant a Federal charter for white veterans of wars of the United States or a special charter for Negro veterans of the wars of the United States, as it is to say we should have a special charter for any particular religious group which had the honor and privilege to discharge its responsibility of serving our country in war.

I happen to be a Mason. I know there have been movements in the past by certain people who I believe had not thought this matter through—and requests have been made, although not pushed to the ultimate—for the incorporation of a Masonic war veterans' association or group under a Federal charter. I have been just as opposed to such a movement as I am opposed to this one. I would oppose a Methodist war veterans' organization federally chartered. I would be opposed to giving a Federal charter to any group of that kind.

This is an attempt to ask for segregation at a time when we are trying to move away from segregation, and trying to consider all people on the basis of being Americans; not Catholics, or Jews, or Methodists, or Masons, or what have you.

It is wrong in principle. It should not be supported, and the charter should not be granted.

I regret that it is late in the day, that apparently there will be no session tomorrow, and that only a few Senators remain in the Chamber while we are discussing a bill of this kind.

I have been opposed to this kind of legislation for years. The first time I took the floor of the Senate against it was about 15 years ago, when there was a proposal to grant a charter to the Franco-American War Veterans Association. I opposed that proposal just as vigorously as I do the one today, because I do not believe in a Franco-American War Veterans Association. I believe in American veterans' associations, whose membership is based on community of service and service to the country. If we grant charters of this kind, we shall be creating competitive groups, which will compete against the broadly based groups, weakening all of these organizations.

I should think that the groups themselves would not want to do such a thing. The very groups which outstandingly oppose segregation, in these two instances are asking for segregation. It is a most regrettable step in the march that we are apparently all trying to make toward the elimination of specialized or particularized groups, and in the move toward the broad basis of Americans as Americans, not based on religious conviction, or the pigment of their skin. These matters should not be based on whether a person's skin is black or white, yellow or red, or whatever an individual's desires may be. The test should be community of service, and that should be the broad basis for such action.

If a Federal charter is granted based upon religious convictions, there is just as much reason for granting a charter to a group on the basis of color. I am against that, too.

We have met this idea before, on several occasions. The first one, I recalled a moment ago, was about 15 years ago, when we defeated a move by the Franco-American War Veterans Association to get a charter. I have the greatest respect for these people. I have some understanding of why Jewish war veterans might want to have their own club or organization for their own social affairs, based on their religion. That is all right. Any other religious group also has a right to associate privately if they wish to do so. I have the utmost respect for that privilege and that right. However, when it comes to giving the sanctity and blessing of a Federal charter to a specialized group, I believe we are going too far. A man who was advocating a Federal charter for one of these organizations tried to convince me that it should get a Federal charter. I asked, "Why should you have a Federal charter? You have your organization already. You have your social activities. You have your community association. Why do you want a Federal charter?"

This is what he said to me, although I have no proof of the truth of his statement, because I have not checked it. He said, "In several States, if we do not have a Federal charter, it costs $250 to get a liquor license for our club. If we have a Federal charter, we can get a liquor license for $20, because Federal organizations can get such licenses for that amount."

I said to him, "That is a poor excuse for establishing a definitely segregated group based upon religion or any other similar background in this country."

Mr. President, I think this proposal is basically wrong in principle. I hope I am just as willing as anyone else to accord to every individual his freedom of action in these matters. But I think this is a wrong move. The bill should be defeated, with all due respect to the estimable people who are seeking its passage. But I am not so sure that even they, if they have considered the long-range effects, would be in the rank and file, so enthusiastically for it, because, as I have said, what they are seeking is something fundamental, that is, the blessing of the Federal Government, through a Federal charter, for segregation—and that is exactly what it is. They are seeking to segregate American military servicemen on the basis of religion. I believe that is wrong. I cannot support such a proposal, and I do not intend to support it.

Mr. JAVITS. Mr. President, I had intended to say a word in behalf of these measures. I am a cosponsor of both, and I believe they should pass. I am particularly moved to speak for them now.

First, I yield to no other Member of this body in my respect for the sincerity of the Senator from Iowa [Mr. HICKENLOOPER]. I yield to no one in my feeling that no Senator has more sincere convictions than our distinguished colleague from Iowa. It is in that spirit that I speak, because I deeply believe that this is not a subject which should be discussed in any way other than with the greatest objectivity.

The point about segregation is fundamental and the first one that should be answered. The record is extremely important.

What is proposed is not segregation, and for this reason: Wherever there is freedom of choice, there is no segregation. I am very ardent in the advocacy of measures against segregation on any ground. The whole point of such measures is to prevent or prohibit segregation which is enforced under cover of law, enforced in practice, enforced by regulation, or, in the case of public accommodations, enforced within the protection of law. In such instances, people may be prevented for example, from going to a motel, a hotel or a theater that they wish to go to—and I underline "that they wish to go to."—and are willing to pay for, where they try to get in the door but are turned away.

That is not the case in this situation. The Jewish War Veterans and the Catholic War Veterans are voluntary organizations. Many Senators belong to veterans' organizations. If my memory serves me correctly, I belong to five.

One could just as well argue on that ground that Congress should not have granted a Federal charter to the Veterans of Foreign Wars because Congress had granted a charter to the American Legion. Personally, I belong to both organizations, but there are men who belong only to one or the other. If they choose to do so, that is their privilege. So I do not see how the classic argument of segregation obtains in this instance, because these are voluntary organizations. I think that is fundamental, after all, to the argument which has just been made so eloquently by the Senator from Iowa.

I shall speak as to the classification by religion. Whether Congress grants or denies this charter, it will not change the classifications by religion. They will persist just the same, whether Congress grants a charter to the Jewish War Veterans or the Catholic War Veterans or does not. Those organizations will continue to function, and they will attract thousands of members.

Incidentally, the Jewish War Veterans is the oldest veterans organization, having been founded in 1896, long before the American Legion, and it has many thousands of members throughout the country. So let us not blind ourselves to reality.

As to the reason for the existence of these veterans' organizations, I think I have a right to speak out of personal knowledge, certainly with respect to the Jewish War Veterans, for, as is well known, I am Jewish, practice my faith, and am very proud of it. There are some things which are distinctive about the Jewish War Veterans, and they are very much in the line of national service. For one, they exercise great care about the practice of their faith; they make certain that facilities are available in hospitals, especially in veterans' hospitals; that rabbis are in attendance for those who wish them; that the ritual objects such as the Torah, and other symbols, are present, including prayer books, prayer shawls, and so forth. They exercise great care in respect to our national cemeteries, where distinctive markers are provided for the graves of Jewish veterans. The graves of Jewish veterans are marked with the Star of David, and the graves of non-Jewish veterans are marked with the Cross, but those soldiers died in a common cause. The present practice is understandable, and we accept it; indeed, we take great national pride in the fact that we defer to these distinctions.

There are some causes which are great national causes, in which, for example, the Jewish War Veterans have been very militant. One of them I have personally lived with and experienced and participated in. That was immediately before World War II when the streets of New York were overrun, in the name of Adolf Hitler, by anti-Semites of the worst character. The Jewish War Veterans turned out militantly to call to the attention of the country how repugnant such a demonstration was to the national tradition. The Nation owes the Jewish War Veterans a debt of gratitude for that.

On other occasions, if the need arises, the Catholic War Veterans will join with the Jewish War Veterans or will themselves act in the same way. The Catholic War Veterans, likewise, have a reason, in their faith, for wanting to be certain that all of the means to practice their faith are present—for example, that Friday, a day which Catholics honor by not eating meat, is respected in dietary terms.

Thus, there are special reasons why men who are veterans, many of them belonging to the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, the American Veterans Committee, and other organizations, are also members of the Catholic War Veterans or the Jewish War Veterans, where they have a common bond of community. This is understandable. As I said a moment ago, distinctive markers are placed in military cemeteries. Separate chaplaincies are provided. There are separate ways of observing war veterans' occasions.

These organizations are well-tested, respectable organizations, and render their full measure of national service. This is not segregation, because membership in such organizations is entirely a matter of voluntary association.

As an ardent antisegregationist in terms of Negroes, this occasion gives me an opportunity to point out something I have always contended: There is nothing in any Federal law or in anything I have ever advocated which holds that anybody—either I or the Chair or my colleagues—is required to have dinner with a Negro if he does not want to, or has to invite Negroes to his home, or has to join a club of which Negroes are members. There is nothing of that kind that is inherent in being against segregation. That relates to something which is compulsion. Here we are talking about something that is strictly voluntary, having basis in fact, in practice, and in the precedents, as my colleague from New York [Mr. KEATING] has described it, and to which I myself have referred.

What is proposed in these bills is nothing but a recognition of reliable, substantial, longstanding, patriotic veterans' organizations, and gives them a measure of recognition through Federal charters, which is equivalent to the measure of recognition which Congress has extended to other veterans' organizations, quite freely, where they have undertaken work of national service.

There is no question about the work of both organizations in hospitals, cemeteries, and all the other activities in which they engage. It seems to me that they have been held, as it were, outside this rather select group, notwithstanding the fact that everybody agrees that they are worthwhile organizations. I believe even the distinguished Senator from Iowa [Mr. HICKENLOOPER], who thinks so strongly about these bills, will agree that these are respectable, responsible, patriotic organizations, and that there is no question about that in terms of his opposition. I am positive of that; and I will state it; he does not have to state it for himself.

As to the other arguments, it seems to me there is no valid reason why these voluntary organizations should be denied the same recognition by the Nation for the same quality and character of service and proof of dedicated Americanism that they have given during all these years, that is given to other veterans' organizations which have Federal charters.

Therefore, I hope very much that this matter—which has languished a long time because people are a little concerned over the very argument about bringing it up again—will now be righted. I think it something of an injustice to have left these groups off the roll of those having Federal charters. So I hope the Senate will now pass these two bills.

Mr. HICKENLOOPER. Mr. President——

Mr. JAVITS. I yield.

Mr. HICKENLOOPER. I shall appreciate it if the Senator from New York will comment on one question I raised. Would he support a Federal charter for Negro veterans of this country, and would he support a Federal charter for white veterans of this country? I would be pleased to have him comment on that point.

Mr. JAVITS. I would not support a bill for a Federal charter for an organization which excluded Negroes because they are Negroes, or one for a Federal charter for an organization which excluded whites because they are whites, because that would be contrary to my own principle and belief of what is and what is not segregation.

But if a group of Negro-Americans wished to organize a veterans' organization as an entirely voluntary organization with complete freedom of admission to everyone—and I think both the Jewish War Veterans and the Catholic War Veterans have complete freedom of admission to everyone who might wish to join and who feels he has a common purpose in joining, I can see no reason why I would object on principle, except, again, I believe we should require proof of service and establishment—as we have in this case—and ability and usefulness in terms of the national interest, which constitute the only reason for granting a Federal charter. So I see no reason why any group cannot organize itself for the purpose of performing the functions of a veterans' organization.

New groups have been organized, and they include the Veterans of World War II. If my memory is correct, that group has a Federal charter; it is my recollection that the Veterans of World War II were successful in their attempt to obtain a Federal charter, whereas these other organizations were not successful. In any case, the principle of segregation is not violated in a voluntary organization in which there is no exclusion. If there is exclusion, I would not lend my approval to it. That is my answer to the question the Senator from Iowa has asked.

Mr. HICKENLOOPER. Mr. President, I appreciate what the Senator from New York has stated about his understanding of my liberality of thought and my sincerity of purpose. I suppose I can join in that statement, insofar as my intentions are concerned, for I intend to be fair to everyone, and to approach these matters with a completely impartial attitude.

I have nothing but respect for the Catholic organization of veterans which exists in this country today, and I think it does magnificent work. It has a special reason for organization among the Catholics, as a religious matter, and it does have the common purpose of serving the country. I raise no objection to that organization; in fact, I honor anyone who belongs to it or who wishes to belong to it.

Likewise, I have no objection whatsoever to the voluntary Jewish War Veterans organization. I respect it. I have met with units of that organization; I know many of the members. That is not at all what I am objecting to. I have no objection to several other organizations of servicemen who band together in a voluntary group, based upon things entirely separate from military service—such things as their own religious beliefs, or the part of the country from which they come, or the particular division in which they served in the war, or the particular Army group in which they served. There are many similar organizations in the country, and I have no objection to them; such organizations are perfectly within the American tradition and the American right.

But I would object to giving Federal charters to them when they require a special qualification that all veterans of the same class cannot meet. I think a Federal charter for such organizations would be wrong in principle. If a Federal charter is issued to one organization of that type, I believe our act in issuing it will rise up to smite us and to plague us, because if I vote in favor of granting a Federal charter to this or that religious group of veterans, then in all conscience I would have to be willing to vote thereafter in favor of granting a Federal charter to every other group, whether composed of cross-eyed veterans, left-footed veterans, bachelor veterans, or any other similar group; I would have to vote in favor of granting Federal charters to all of them, too, because the principle would be that the group wished to organize as a group of servicemen, and also because they happened to belong to a special group or happened to have some other classification—color or otherwise. That is the principle to which I refer; and thus I would have to vote in favor of bills to grant to each group of that sort a Federal charter; but I am not about to do so.

If there is not a community of service and a community of contribution and if the organization makes an arbitrary distinction because of other and collateral associations, Mr. President, if the organization violates that rule, then I must oppose the request for the granting of a Federal charter; and I hope we do not establish a precedent of that sort, to the point where we find we have developed a juggernaut of a multiplicity of Federal charters which will swamp us. In fact, I believe in some instances, Congress has granted Federal charters which I would not approve if I had an opportunity to vote on those measures.

Be that as it may, the fact that at some time in the past, we may have done something that is not sustainable does not mean that for that reason we should keep on doing so. At some time, there should be a halt to these things.

I have every respect for these organizations. I know what they have done. They are fine organizations, and I have no criticism of them as organizations.

The only argument I am trying to make and the only principle upon which I am trying to stand is based upon the belief that it would be wrong to grant a Federal charter to this organization, in which, in effect, membership is an exclusive privilege of certain groups, and is not based upon military service; on the contrary, it is based upon their outside or their collateral or otherwise associated philosophies or beliefs or purposes.

So far as the Catholics are concerned, they have their ritualistic beliefs. So far as the Protestants are concerned, they have their ritualistic beliefs. So far as the Masons are concerned, they have their ritualistic beliefs; so far as the Jews are concerned, they have their ritualistic beliefs. I respect all of them, and I think all of them are fairly well taken care of in the military service and in the consideration of veterans. I do not think there has been any discrimination in that field.

But when we begin to hand out Federal charters because of religious or philosophical beliefs, aside from the military service of these people, I think it is fundamentally wrong, Mr. President, and I believe it will rise to smite us and to plague us more and more as the years pass, and will contribute in this country to a division and a segregation which we have been trying to get away from, and which I hope we shall keep moving away from, rather than moving toward.

So, no matter in what way we look at it, the effect would be to create, with Federal Government blessing and with a certain amount of legal prerogative, additional segregated groups with the power and the authority of the Federal Government, by way of recognition in this case. I do not believe that would be in line with the purposes all of us are striving to attain, and which I hope each year we shall move closer toward attaining.

**Mr. JAVITS.** Mr. President, I shall be only 2 minutes longer. First, I wish to say that AMVETS, the American Veterans of the World War, received their charter on July 23, 1947. So we cannot take the position that we do not desire to create more Federal charters for veterans' organizations where the association is voluntary.

I should like to narrow the point of difference, because that is sometimes very useful. There is no question that I would oppose with the same vigor as the Senator from Iowa—his customary vigor and conviction—a veterans' organization of bachelors, people who are left handed, and so forth, in a situation in which the qualifications which the great veteran organizations have were lacking. While we are debating the question of whether or not a charter should be granted to the Catholic War Veterans or the Jewish War Veterans, we must not forget that they meet every other test, as the Senator has quite generously and properly said. They have had national service of long-standing existence, widespread membership, substantial representation in terms of the body politic and, other than the difference which the Senator, I, and others have, deserve a charter fully as much as the other great veterans' organizations which have received them.

Narrowing the issue to that point of debate, I am satisfied that I have exposed the point of view of myself and my colleague. I am sure that the Senator from Iowa, with his usual ability, has expressed his point of view. The decision is up to the Senate. I thank the majority leader for calling up the bills.

**Mr. HICKENLOOPER.** Mr. President, I should like to say now, because we may be leaving shortly, that I appreciate very much the fine cooperation and fairness which the majority leader and the minority leader have shown me in the reconsideration of the bill, which unfortunately was reported to the Senate one day and passed the next. It was on the calendar with practically no one knowing about it. I raised a question at that time, and the Senators from New York [Mr. Javits and Mr. Keating], the majority leader, and everyone else who is interested in the subject were most courteous and most helpful. I appreciate their thorough consideration in not attempting to take advantage of a situation in which a bill was passed without prior notice.

**Mr. HART.** Mr. President, I realize that the discussion had proceeded for some time before I was able to leave a meeting of the Subcommittee on Aviation and reach the floor of the Senate. I left the committee hearing because of the deep interest which I have in both of the bills which have been discussed. However, I arrived in time to hear much of the exchange between the senior Senator from Iowa [Mr. Hickenlooper] and the senior Senator from New York [Mr. Javits]. With characteristic directness, the Senator from New York discussed fully my point of view. I hope that the Senate will act favorably on the incorporation of the Jewish War Veterans and the Catholic War Veterans. As a member of the Committee on the Judiciary, I assure the Senate that great care is exercised by the Committee on the Judiciary in reporting favorably on any of the proposed incorporations. The subject was not treated lightly. For very good—and, indeed, to me obvious—reasons the Catholic War Veterans and the Jewish War Veterans are fully entitled to Federal charters. In granting the charters the Congress will honor itself at least as much as it acknowledges the contributions of service of those two organizations to all of America.

**Mr. MANSFIELD.** Mr. President, I send to the desk a unanimous-consent request and ask that it be stated.

**The PRESIDING OFFICER.** The unanimous-consent request will be stated.

The Chief Clerk read as follows:

UNANIMOUS-CONSENT AGREEMENT

*Ordered*, That, following the disposition of H.R. 6143, the so-called higher educational institutions bill, 30 minutes of debate, to be equally divided and controlled by Mr. Javits and Mr. Hickenlooper, respectively, be permitted on the question of final passage of the following bills:

S. 1914, a bill to incorporate the Catholic War Veterans of the United States of America; and

S. 1942, a bill to incorporate the Jewish War Veterans of the United States of America;

Said bills to be voted on en bloc by yeas and nays.

**The PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

## ORDER FOR RECESS UNTIL 11 A.M. ON MONDAY, OCTOBER 21

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 11 o'clock a.m. on Monday next.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

## ORDER OF BUSINESS

**Mr. MANSFIELD.** Mr. President, a parliamentary inquiry.

**The PRESIDING OFFICER.** The Senator will state it.

**Mr. MANSFIELD.** Do I correctly understand that at the conclusion of the debate and the vote on the higher education bill, 30 minutes will be set aside for further debate on the bill (S. 1914) to incorporate the Catholic War Veterans, and the bill (S. 1942) to incorporate the Jewish War Veterans, which will be considered concurrently; that the time is to be divided 15 minutes to a side, one-half of the time to be under the control of the distinguished minority leader, the Senator from Illinois [Mr. Dirksen], and the other one-half to be under the control of the distinguished senior Senator from Iowa [Mr. Hickenlooper]?

**The PRESIDING OFFICER.** The Senator is correct.

### ORDER FOR CONCURRENT YEA-AND-NAY VOTE ON TWO BILLS

**Mr. MANSFIELD.** Mr. President, in view of the unusual circumstances—and this is not to be considered a precedent—I ask unanimous consent that the yeas and nays be ordered on the bill (S. 1914) to incorporate the Catholic War Veterans, and the bill (S. 1942) to incorporate the Jewish War Veterans, which will be considered concurrently, and concerning which a unanimous-consent agreement has just been entered into.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

## RECESS UNTIL MONDAY, OCTOBER 21, 1963, AT 11 A.M.

**Mr. MANSFIELD.** Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in recess until 11 o'clock a.m. on Monday next.

The motion was agreed to; and (at 4 o'clock and 16 minutes p.m.) the Senate, under the order previously entered, took a recess until Monday, October 21, 1963, at 11 a.m.

## NOMINATIONS

Executive nominations received by the Senate October 17 (legislative day of October 15), 1963:

### COAST GUARD ACADEMY

The following-named person to be a member of the permanent commissioned teaching staff of the Coast Guard Academy as an associate professor with the grade of commander:

Otto E. Graham, Jr.

### IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of major, subject to qualification therefor as provided by law:

Mallery, Joseph A., Jr.
Slack, Robert K.
Gehrsitz, Richard N.
Slater, Richard B.
Glazer, August A.
Daigle, Chester J.
Yourishin, George P.
Wilson, Donald W.
Stewart, Billy F.
Graham, Raymond H.
Otott, George E.
Cook, Howard L.
Dent, Robert H.
Madigan, William J.
DeSchuytner, Victor R.
McBrayer, William L.
Wynn, Neal B.
Gillis, James E.
Bogg, Charles F.
Cox, Stanley D.
Petersen, Frank E.
Valentine, Herbert J.
Green, Billy R.
Payne, Norman E., Jr.
Ihli, Leo J.

Brown, Carroll E.
Couch, Wallace M.
Kendrick, Harold L.
Wickman, George A.
Swayne, Robert W.
White, Robert E.
Smith, Conway J.
Gregerson, Johnny O.
Rice, Wesley H.
Coates, Franklin W.
Stark, Robert W.
Austgen, Donald R.
Weber, John E., Jr.
Clark, Frank A.
Pierson, Earl F., Jr.
Gillum, Donald E.
Quick, Daniel J.
Catt, Jack R.
Miller, Robert B.
Goodson, George O., Jr.
Van Den Elzen, James R.
Miller, Hubert E.
Higgins, James H.
Harkey, Herbert J., Jr.
Kinniburgh, John A.
Nesbit, Charles L.
Romine, Richard E.
Harlan, Gale
McCauley, Bertram W.
Shaklee, Harold G.
Heesch, Robert W.
McDonald, Richard C.
Fry, Raymond S.
Kirkpatrick, Richard H.
Dittmann, Wayne R.
Boyd, Clarence A., Jr.
Farris, William E.
Love, Ernold G.
Garrett, Elmer T., Jr.
Hossli, Carl C.
Morrin, Wardell C.
Wilson, Billy E.
Fish, Thomas E.
Cuppy, Will C., Jr.
Beach, Andrew D.
Ward, George W.
Laporte, Alphonse A., Jr.
Ford, Daniel J.
Roberts, Richard T.
Henley, Robert J.
Fink, Arden L.
Dean, Roland H.
Berthoud, Kenneth H., Jr.
Ruete, Alfred W. Jr.
Cohn, William A.
Drescher, Herbert W.
Casey, Francis M.
Lawendowski, John J.
Went, Joseph J.
Field, Harold J., Jr.
Kelly, David A.
Gray, James C., III
Howarth, Darrell L.
Dolan, Eugene T.
Regan, Edmund J., Jr.
Fein, Louis I.
Abernathy, Thomas R.
Comer, Andrew G.
Shore, Bruce J.
Gartrell, Craig B.
Perry, Victor A.
Ilig, Harvey G.
DeLaine, Louis, Jr.
Wiita, John W.
Perry, Aydlette H., Jr.
Gerichten, William S.
Brownell, Richard L.
Phillips, Bernard P.
Badamo, Frank J.
Ballek, Fred J.
Cheatham, Willard E.
De Long, George J.
Booth, Charles L.
McCormick, James G.
Cull, Albert L.
Thornbury, Billy D.
Harris, James B.
Madera, Leroy A.
Robertson, Duncan J.
Florence, John W.
Ostlund, Donald P.
Keller, Albert W.
King, Charles A., Jr.
Skagerberg, Alan E.
Schlarp, Jack E.
Roque, Ilow M.
Graney, Thomas E.
Woodring, Willard J., Jr.
Butler, Larry R.
Pullar, Walter S., Jr.
De Long, Clyde S., Jr.
Willcox, Clair E.
Kramer, Milton C.
George, Gus J.
Gott, Michael J.
Townsend, Donald B.
Jellison, Harold M., Jr.
McKay, Conrad L.
Henderson, Walter J.
O'Rourke, James K.
Boles, Robert D.
Riseley, James P., Jr.
Whitmer, James A.
Fenenga, Gerit L.
Robbins, Morris G.
Como, Joseph A.
Charon, Larry P.
McCann, Henry J.
Vanek, Kenneth D.
Gillen, John P.
Sutter, Rudolf S.
Rasdal, Robert W.
Robinson, James C.
Willis, Lawrence J.
Tilly, Robert C.
Battistone, Carl L.
Young, Earnest G.
Ashby, William C., Jr.
Lenihan, John D.
Luckett, Jackson R.
Andrews, Clifton B.
Dawson, Carl F.
Rexroad, Donald N.
Barker, Warren H.
Dowd, John A.
Gubany, Michael W.
Hite, Harry W.
Downs, Roy
Goodale, Richard W.
Huizenga, Elmer F.
Lumpkin, Aubrey L.
Friedman, Arthur D.
Bradley, Thomas E.
Bancroft, Richard A.
Cooper, Francis W.
Vitali, Henry R.
Dunn, John H.
Wright, Dennis W.
Morrow, Thomas E.
Shaffer, John C.
Dawson, Forest G.
Mills, Lewis L.
Beno, Joseph P.
Munter, Weldon R.
Newbill, Merrill S.
Blair, Anthony L.
Modzelewski, Edward R.
Thompson, Joseph H.
Disher, William H.
Cummings, John M.
Sallade, Paul H.
Austin, John H.
Scyphers, Ruel T.
Carroll, Charles W.
Smith, Buck D.
Lubin, Irvin
Shimanoff, Morris S.
Axton, Robert H.
Keyes, Gerald W.
Stewart, James H.
Rush, Wesley M.
Windsor, Billie W.
Maxwell, Glenn K.
Read, William A.
Cassedy, Logan
Matheson, John R.
Allweiler, Joseph O.
Werz, Francis J.
Berglund, Warren T.
Gormley, John D.
Vey, Willis D.
Carothers, James H., Jr.
Henson, William E.
Shaffer, Raymond A.
Harris, George C., Jr.
Phillips, Jimmie R.
Toms, Edward H.
Kain, Edward W.
Sanborn, Earle L., Jr.
Soper, Melvin A., Jr.
Rutherford, Robert J.
Spencer, Ralph B.
Sloan, Richard E.
Gregory, Malcome G.
White, Jean P.
Morgan, William H.
Turner, Charles F.
Rappe, J. C.
Backus, Edward E.
Eggleston, Joseph N.
Ledbetter, Archibald C.
Cook, Marcus H.
Kneale, Charles R.
Johnson, Herschel L., Jr.
Walters, Raymond D.
Resnik, Edward D.
Welch, Homer L.
Clark, James E.
Rishel, Austin C.
Ritter, Otto W.
Nielsen, William J.
Adams, Sammy T.
Duncan, Billy R.
McConnell, Warren M.
Simmons, Jack A.
Arquiette, John B.
Irons, Milton E.
Marques, Preston P., Jr.
Evans, Donald C.
Koppenhaver, Howard M.
Klein, Robert D.
Thurber, William M.
Sparks, John A.
Cantieny, John B.
Cox, Donald L., Jr.
Julian, Martin D.
Brindell, Charles R.
Ryan, James, Jr.
Powers, William T.
Cook, Edward C.
Dunn, Walter F.
Bomgardner, George I.
Jerabek, Milton H.
St. Clair, Fred W.
Bray, Richard P.
Des Jardines, Lawrence J.
Hines, Jack D.
Lugger, Marvin H.
Carruthers, Robert E.
Harp, James J.
Glasgow, Harold G.
Fites, Malcolm V.
Studt, John C.
Hatch, Richard L.
Van Sant, Frederick N.
Garrett, Donald J.
Duck, John E.
Helsher, Paul M.
Maxwell, Hurdle L.
Tighe, Paul J.
Kehoe, James P.
Shuttleworth, James E.
Wonhof, Alan E.
Warren, Frank R.
Montague, James H.
Seiler, David F.
Fritschi, George W.
Smith, Bernard B., Jr.
Owen, Billy M.
Plamondon, Robert A.
Henry, Clark G.
Young, Dale E.
Daly, Daniel C.
Hauck, Walter R.
Gradl, Herbert M.
Miller, John H.
Realsen, Arvid W.
Coffin, James H.
Mann, Bennie H., Jr.
O'Brien, Charles H.
Harvey, Donald L.
Dunbaugh, Charles R.
Statzer, Merlin V.
Hutchinson, Robert N.
Walker, Joe G., Jr.
Smilanich, William E., Jr.
Rhine, Wesley E.
Murphy, Donald L.
Drennan, Lawrence T., Jr.
Smith, Kenneth L.
Gragan, David E.
Dickey, David K.
Thompson, Robert B.
Horne, Ivan F.
Poitevent, Walter O.
Fridell, John R.
Koelper, Donald E.
Guay, Robert P.
Fisher, Farris C.
Calder, James D.
Challgren, Stanley A.
Solliday, Robert E.
Needham, Michael J.
Reilly, Donald J.
Courtney, Richard G.
Raines, Thomas E.
Liddle, Chester A., Jr.
Parish, Lowell W.
Kelly, John F. J.
Slack, Gerald J.
Mann, John W.
Rainbolt, Richard E.
Beal, Don D.
Clark, Fred E., Jr.
Ratcliff, Percy D.
Dutton, Thomas A.
Barton, Willis W., Jr.
Holt, Ralph P.
MacDonald, Herman A., Jr.
Wahlfeld, Howard W.
Bell, George N.
Sanford, Herbert C.
Medis, James W.
Frisbie, H. Reed, Jr.
Smigay, Daniel B.
Perez, Richard
Rapp, John M.
Cooke, Richard M.
Fennell, Patrick J., Jr.
Wagner, David H.
Daley, John J., Jr.
Hammel, Charles F.
Hieber, George A.
Duff, John C.
Fritzlen, James W.
Pagano, Vincent B.
Gallagher, John H.
Murray, Francis R.
Forrey, Wilmer H.
Porter, George A.
Treble, Charles
Morgan, Donald C.
Rueckel, Frederick A.
Clatworthy, John
Whalen, Robert P.
Cavallo, Louis J.
McAdams, Donald J.
Pitchford, Charles F.
Davidson, Darrel U.
Sayce, Donald H.
Twining, David S.
Craig, Winchell M., Jr.
Rowlands, Cledwyn P.
Campbell, John W.
Christy, Robert A.
Eagan, Arthur J.
Caudill, Curtis E.
Layne, Donald Q.
Wells, Ullie C.
Jones, Robert W.
Smith, Joseph N.
Blair, John H.
Balius, David H.
Conlin, John C.
Simpson, Thomas H.
Leftwich, William G., Jr.
Johnson, Clifford H.
Truesdale, Bruce A.
Comfort, Clayton L.
Watson, LeRoy E.
Hearn, Thomas M.
Wiltsie, Russell E.
Stephens, Ray A.
Smith, Kenneth E.
Williams, Robert G.
Delcuze, Godfrey S.
Baker, Clarence M.
Bradley, William C.
Heering, David P.
Coyle, Thomas J.
Lee, Richard J., Jr.
Clark, Bernard E.
Sinclair, John E.
Boyd, Frank M.
Rovegno, Donald C.
Sulik, Richard A.
Sullivan, William M.
Hutchins, Walter P.
Madden, Byron E.
Greer, Roger W.
Bowen, James T.
Darron, Robert R.
Spurlock, David A.
Savoy, Ernest R.
Salzman, Frederick P., Jr.
Nelson, Ronald E.
Smith, Craig S.
Nugent, Thomas F. E.
Cockey, John M.
Greene, John W.
Houston, Stanley S.
Smith, Haywood R.
Haskins, Francis W.
Ayers, Thomas J.
Prebihalo, Robert G.
Foster, Richard M.
Pitcher, Bert R., Jr.
Miller, William S., Jr.
Starnes, Cullen G., Jr.
Christensen, Don R.
Ringler, Jack K.
Brown, Guy L.
Muhlig, John R., Jr.
Platea, Anthony P., Jr.
Pate, Gerald S.
Ganey, Thomas P.
O'Toole, John L.
Blair, Richard R.
Bloom, Allan H.
Johnson, Mannon A., Jr.
Thompson, Robert H.
Boyd, Daniel Z.
Pfeifle, Richard C.
Smith, John H.
Haviland, Harold D.
Tyksinski, William A.
Maas, Bertram A.
Tiede, Herbert R.
Bujan, Charles D.
Selby, Donald F.
Poindexter, John E.
Martin, Robert W., Jr.
Swinney, James T.
Lawrence, Rodney O.
Hillyard, Gordon L.
Dresely, John W.
Rivard, Ronald I.
Jaksina, Stanley C.
Lockard, Edwin W.
White, Robert D.
Sullivan, William J.
Jacobson, Douglas T.
Dininger, Charles F., Jr.
Deem, Richard G.
Andersen, Andrew E., Jr.
Roe, John M., Jr.
Simpson, William A.
Allen, Thomas H., Jr.
Andersen, Ernest J.
Bany, John B., Jr.
McDonald, Daniel V.
McCreight, Jack D.
Dorffeld, Charles E.
Eitel, Robert J.
Eleazer, William R.
Hyatt, John K., Jr.,
Ryan, Philip J.
Walling, Robert P.
Burk, Thomas K., Jr.
Simpson, Donald R.
Zimolzak, Frank
Peterson, Bob K.
Durham, John A., Jr.
Marquette, Jacob H.
Blakslee, Robert R.
Post, Raymond A.
Wall, Warren G.
McLellan, Robert
Forman, James R.
Stevens, Glenn B.
Thomas, Robert L.
Brown, Robert M.
Pryor, Richard E.
Turner, Roland L.
Newton, Orbin D.
Cusimano, Joseph
Cervin, Michael V.
Rook, James A.
Rafi, Paul H.
Schultze, Edward W.
Sagar, Harry L.
Strahan, John
Giovingo, Salvador
Steiner, Clifford D.
Edmunds, Merritt S.
Dowell, Sidney C.
Vickery, Wallace E.
Davis, Harold R.

## CONFIRMATION

**Executive nomination confirmed by the Senate October 17 (legislative day of October 15), 1963:**

### U.S. MARINE CORPS

The following-named person to the position indicated in accordance with the provisions of title 10, United States Code, section 5201:

Lt. Gen. Wallace M. Greene, Jr., U.S. Marine Corps, to be Commandant of the Marine Corps with the rank of general for a period of 4 years from the 1st day of January 1964.

# HOUSE OF REPRESENTATIVES

## THURSDAY, OCTOBER 17, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

John 9: 4: *I must work the works of Him that sent me, while it is day; the night cometh, when no man can work.*

O Thou God of grace and goodness, may we daily be deeply concerned about accomplishing something that will contribute to the welfare of all mankind.

We humbly acknowledge that at times we are tempted to feel that our hopes and dreams of a better world, with more of peace and good will, is merely an illusion.

It seems as if the dominating and controlling relationship among men and nations is one of hatred and hostility rather than one of friendship and fraternity.

Help us to hasten the dawning of that glorious time when the compassionate and charitable spirit of the lowly Man of Galilee shall touch and transform the life of burdened and broken humanity with its healing ministry.

Hear us in His name. Amen.

### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 102. An act to provide for additional commissioners of the U.S. Court of Claims;

S. 649. An act to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes; and

S. 920. An act to amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by U.S. amateurs on a reciprocal basis.

### ADM. ALAN G. KIRK, FIGHTER AND DIPLOMAT

**Mr. LINDSAY.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

**The SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. LINDSAY.** Mr. Speaker, with sadness I should like to inform the House that Adm. Alan G. Kirk, Chief of Staff of American Naval Forces in Europe during World War II and former Ambassador to the Soviet Union, died on Tuesday last, October 15, at Columbia-Presbyterian Medical Center in New York. Memorial services will be held tomorrow at St. John's Episcopal Church in Washington. Following the service the burial will take place at Arlington National Cemetery.

Mr. Speaker, Admiral and Mrs. Kirk have been constituents of mine in the 17th Congressional District of New York for many years. I have prided myself on their presence in the district.

Admiral Kirk was a great and distinguished man. His long record of public service is well known to all. As stated in the obituary in the New York Times:

> The high point of Adm. Alan Goodrich Kirk's 41-year naval career came on June 6, 1944, on the turbulent waters of the English Channel. From the bridge of his flagship, the cruiser *Augusta,* he commanded the Western Task Force of nearly a thousand warships, transports, and landing craft that put the U.S. 1st Army ashore at Omaha and Utah beaches in Normandy.
>
> The complex operation, part of the largest amphibious invasion in history, was carried out in winds of nearly gale force. Its success was regarded as a supreme feat of seamanship.
>
> During the opening days of the fighting in Normany, the heavy guns of Admiral Kirk's task force helped to clear the way for the advancing infantrymen. In the 12 days after D-day the ships under his command landed 314,514 troops, 41,000 vehicles, and 116,000 tons of supplies.

Mr. Speaker, following the war Admiral Kirk had distinguished service as Ambassador to Belgium and to the Soviet Union.

As stated again in the New York Times:

> Persons who were in Moscow at the time recall, that the stocky blond, blue-eyed Ambassador was an old sea dog who didn't bark often and seldom bit.

Admiral Kirk did a remarkable and effective job in Moscow. He held the line during a difficult and dangerous time. He prepared the way for successors and successes to follow.

More recently, Mr. Speaker, Admiral Kirk became Ambassador to Nationalist China. Again he was at the front, lending his great experience and effective diplomacy toward the solution of difficult and sensitive problems. He was required finally to leave because of ill health.

Mr. Speaker, Admiral Kirk was not of my party, but he had a wide interest in public affairs, from the broadest international problem to the smallest local problem that transcended all party politics. Up until the very day of his death, at age 74, Admiral Kirk exerted his every effort toward the advancement of the public welfare and attention to what he conceived to be his duty. His duty was, in short, the betterment of America, and the furthering of the cause of peace throughout the world.

Admiral Kirk leaves a devoted and lovely wife, the former Lydia S. Chapin. Her hundreds of friends and admirers everywhere send her their heartfelt sympathy. All throughout the admiral's active career, Mrs. Kirk has stood at his side. No fighting man and no ambassador of peace ever had a better helpmate.

The admiral leaves also a son, Roger Kirk, who continues his father's good work in the public interest by beginning a life of service to the United States. Roger is currently a Foreign Service officer with the U.S. Department of State and is stationed in Moscow.

The admiral leaves also two daughters, Mrs. Peter Solbert of Huntington, L.I., and Mrs. John W. Appel of Villanova, Pa. It is gratifying to know that Admiral Kirk's son-in-law, Mr. Peter Solbert, has just joined the Federal Government as an official of the Defense Department. It is clear that Government service runs in the family.

The sympathies of Mrs. Lindsay and myself, and all friends of the Kirk family extend also to the Kirk children.

Mr. Speaker, with the permission of the House, I should like to insert at this point in the CONGRESSIONAL RECORD the beautifully written obituary of Admiral Kirk that appeared in the New York Times on Wednesday, October 16, and also a New York Times editorial the same day entitled "Sailor and Diplomat."

The Times editorial, commenting on the many positions held by Admiral Kirk, sums up what all of us think; namely, that:

> In all of these positions his sense of duty to his country was a guiding light. Admiral Kirk's finest epitaph is that he deserved well of his country and his country honored him with high responsibilities, ably performed.

The article from the New York Times follows:

#### ADMIRAL KIRK DIES; LED NAVY ON D-DAY

> Adm. Alan G. Kirk, Chief of Staff of American naval forces in Europe during World War II and former Ambassador to the Soviet Union, died yesterday at Columbia-Presbyterian Medical Center.
>
> Admiral Kirk, who would have been 75 years old on October 30, had been Ambassador to Nationalist China for almost a year when he retired last April because of ill health. He had entered the hospital September 1 for treatment of a heart ailment.
>
> The high point of Adm. Alan Goodrich Kirk's 41-year naval career came on June 6, 1944, on the turbulent waters of the English Channel. From the bridge of his flagship, the cruiser Augusta, he commanded the Western Task Force of nearly a thousand warships, transports and landing craft that put the U.S. First Army ashore at Omaha and Utah beaches in Normandy.
>
> The complex operation, part of the largest amphibious invasion in history, was carried out in winds of nearly gale force. Its success was regarded as a supreme feat of seamanship.
>
> During the opening days of the fighting in Normandy, the heavy guns of Admiral Kirk's task force helped to clear the way for the advancing infantrymen. In the 12 days after D-day the ships under his command landed 314,514 troops, 41,000 vehicles and 116,000 tons of supplies.
>
> After his retirement from the Navy in February 1946, Admiral Kirk turned to diplomacy. His first post, to which he was named in 1946, was as Ambassador to Belgium and Minister to Luxembourg.
>
> On the basis of friendships made at that time, he undertook unofficial missions for President Kennedy during the Congo crisis in the winter of 1961.

#### ERA OF STARK SUSPICION

In 1949, when Admiral Kirk was transferred from Brussels to Moscow as Ambassador, it seemed that relations between the United States and the Soviet Union could hardly become worse. But in little more than a year the Korean war began, leaving the Embassy at Spaso House more isolated than ever by the enmity and suspicion that characterized the final years of the Stalin era.

It was not a period favorable for conventional diplomacy. Admiral Kirk made only two official visits to the Kremlin during his 2 years and 3 months in the post and he conferred with Premier Stalin only once. His talks with Foreign Minister Andrei Vishinsky were more frequent but almost always unfruitful.

Finding himself in what was essentially a holding operation, he concentrated on keeping efficiency and morale high at the Embassy. Persons who were in Moscow at the time recall that the stocky, blond, blue-eyed Ambassador was an old seadog who didn't bark often and seldom bit.

He traveled as widely as possible. His trips, which totaled 10,000 miles in all, took him to Stalingrad, now Volgagrad, and to Lake Baikal in Siberia.

#### ACCOMPANIED BY AGENTS

A squad of Soviet secret police agents accompanied him everywhere. In time Admiral Kirk became moderately friendly with them, but he once said with regret that their presence seemed to make it difficult to meet ordinary citizens during his travels.

Even so, he found the opportunity to become the gorodki champion of Saltikova, a village near Moscow that he occasionally visited. Gorodki is an ancient Russian game in which a stick is thrown at objects in a circle.

In November 1951, a month after ending his tour of duty in Moscow, Admiral Kirk said in a speech here that the United States would have to have "actual strength in being" to negotiate successfully with the Soviet Union.

He also spoke of the ruling echelon of the Soviet Communist Party in terms that were prophetic of Premier Khrushchev's denunciation 5 years later of the excesses of Stalinism.

"We should realize that these are men, humans, not supermen or superhumans," Admiral Kirk declared. "They have made mistakes, but these are concealed from the people. For this Politburo is responsible neither to any parliament, nor to any congress, nor to the people. There are no questions, no investigations, no airing of abuses for all the people to see."

#### HEADED RADIO COMMITTEE

The following February Admiral Kirk became head of the American Committee for the Liberation of the Peoples of Russia, which established Radio Liberation in Munich to broadcast behind the Iron Curtain. He was credited with bringing together previously dissident Soviet exile groups. That August he was named chief of the Psychological Strategy Board, an organ of the National Security Council.

He left Government service early in 1952 and became a director of several business concerns, including the Mercast Corp., an affiliate of the Atlas Corp., and the Belgian-American Bank. From 1955 to 1959 he also was the unsalaried chairman of the New York State Civil Defense Commission under Gov. W. Averell Harriman.

In June 1961, Admiral Kirk became the first president of the Belgo-American Development Corporation. The concern had close ties with the Union Minière du Haut-Katanga, which controlled mineral production in secessionist Katanga Province.

The former Ambassador was criticized in some quarters for accepting the position. In rebuttal, he recalled in a letter to the New York Times that Union Minière had been the major supplier of uranium ore to this country during the war and immediately afterward and that he was still grateful for its help.

#### AMBASSADOR TO TAIWAN

Admiral Kirk, a lifelong Democrat though of generally conservative bent, was summoned back to the diplomatic service by President Kennedy in 1962. He was appointed Ambassador to Nationalist China, a post as difficult in many ways as Moscow during the early 1950's.

His naval background, which included early service in Asian waters, his easy personality and his own advanced years helped him in dealing with the regime of the aging Chiang Kai-shek. However, last April, 9 months after presenting his credentials, the arterial ailment that was to lead his death forced him to return to this country for surgery.

Admiral Kirk was born in Philadelphia, the son of a prosperous wholesale grocer. His uncle, Rear Adm. C. F. Goodrich, was responsible for the boy seeking a naval career However, his father, also a Democrat, was unable to gain an Annapolis appointment for his son from any of the city's Republican Representatives. The appointment finally came from a New Jersey Congressman and the young midshipman became known as Hoboken Bill.

#### BEGAN AS GUNNERY OFFICER

He was graduated in 1909 and soon made a reputation in gunnery and ordnance. During the 1920's he served for a time as executive officer of the Presidential yacht *Mayflower*. In June 1939, after 2 years in command of the cruiser *Milwaukee* he became naval attaché in London.

He returned to Washington in March 1941, to become director of naval intelligence. He left the post in October, 2 months before the Japanese attack on Pearl Harbor. He might have shared the blame for that debacle had not Joseph P. Kennedy (the father of President Kennedy), who was then Ambassador to Britain, announced that Admiral Kirk had circulated a confidential memorandum calling attention to naval unpreparedness.

In March 1942, Admiral Kirk returned to London as chief of staff to Adm. Harold R. Stark, commander of the European fleet. The following February, as a rear admiral, he took command of the Amphibious Force of the Atlantic Fleet, and began drilling the Sicily invasion flotilla in the waters of Chesapeake Bay.

He commanded the "Cent Force" in the Sicily attack, putting the 45th Division ashore near Scoglitti under heavy fire and in turbulent seas days ahead of schedule and without the loss of a ship.

#### PRAISED BY BRITISH CHIEF

"We were damned lucky," Admiral Kirk said later.

Adm. Andrew Browne Cunningham of the Royal Navy, the supreme commander in the Mediterranean, disagreed. He termed the American officer's performance one of the finest he had ever seen, and it led to Admiral Kirk's selection for command in the Normandy invasion.

Among his decorations were the Distinguished Service Cross, received from both the Army and Navy, and the Legion of Merit. He was invested as an Honorary Knight Commander of the Order of the Bath by King George VI and was an officer of the French Legion of Honor.

Admiral Kirk was a member of the Century Club of New York and of the Metropolitan, Alibi, Chevy Chase and Army and Navy Clubs of Washington.

He is survived by his widow, the former Lydia S. Chapin, with whom he lived at 1 West 72d Street; a son, Roger K. Kirk, a State Department officer stationed in Moscow; two daughters, Mrs. John W. Appel of Villanova, Pa., and Mrs. Peter Solbert of Huntington, L.I., and 12 grandchildren.

A funeral service will be held Friday at 2 p.m. at St. John's Protestant Episcopal Church in Washington. Military burial will follow at Arlington National Cemetery at 3.

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#### SAILOR AND DIPLOMAT

Adm. Alan Kirk rose to the peak of one career in World War II and then achieved the summit of another profession in the postwar years.

He was that relatively rare combination—the sailor-diplomat, who could cruise with equal facility the stormy North Atlantic or the turbulent waters of international politics. He commanded the U.S. naval task forces that put our troops ashore in Sicily and in Normandy and he served with distinction in important diplomatic posts—as Ambassador to Soviet Russia, Belgium and Nationalist China. In all of these positions his sense of duty to his country was a guiding light. Admiral Kirk's finest epitaph is that he deserved well of his country and his country honored him with high responsibilities, ably performed.

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## THE NASHVILLE TENNESSEAN

Mr. BASS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BASS. Mr. Speaker, on yesterday, October 16, my colleague the gentleman from Tennessee [Mr. BROCK], delivered a speech on the floor of the House critical of the U.S. Attorney General and the Nashville Tennessean newspaper. Although this speech was not printed and made available for public consumption in the CONGRESSIONAL RECORD until October 17, the speech was actually delivered on October 16.

In his zeal to condemn the Attorney General and the Nashville Tennessean newspaper, the gentleman from Tennessee [Mr. BROCK] failed to check the record before making his speech. He stated that the Nashville Tennessean printed a story relating to the filing of a motion by the Department of Justice with the Supreme Court on the day before it was actually filed. This is simply not the fact.

This morning I checked with Mr. Burt Withington, who is the public information officer for the Supreme Court, and was informed that the motion was delivered from the Department of Justice to the proper receiving officer at the Supreme Court on the afternoon of October 4, 1963. The story appeared in the Nashville Tennessean October 5, 1963.

Apparently, in his haste to defend Mr. James Hoffa of the Teamsters Union, my colleague failed to take the usual precaution of checking the authenticity of the story, that he probably received second hand.

Also, in his haste, my colleague has impugned the motives and questioned the integrity of one of the country's outstanding newspaperwomen, Miss Nellie Kenyon, from his hometown of Chattanooga, now with the Nashville Tennessean, who wrote the story. Miss Kenyon has had a long and illustrious career in the newspaper world, and is known far and wide for her impartial reporting and complete fairness in securing news sources. I should think that my young colleague from Chattanooga would want to apologize to the Department of Justice, the Nashville Tennessean newspaper, and particularly to Miss Kenyon, for this injustice.

## WEEKLY CRIME REPORT FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this ponit in the RECORD and include a copy of the weekly crime report of the District of Columbia.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, I am inserting in the CONGRESSIONAL RECORD a copy of the latest weekly crime report for the District of Columbia. The House of Representatives, as you remember some time ago passed an omnibus crime bill which is now pending before the Senate District Committee.

The House District Committee held extensive hearings on the crime conditions in the District of Columbia at the joint hearings with the Senate District Committee. We heard U.S. district judges, U.S. district attorneys, the chief of police, and individual citizens groups in the District of Columbia in addition to expert officials on crime from Cleveland, Ohio, Chicago, and statements from other officials throughout the United States were included in the hearings.

As chairman of the House District Committee, I am of the opinion that Congress should not adjourn without passing some legislation which would be sufficient enough to give the police department, the lawyers, and other law enforcement officials in the District of Columbia the tools they should have to reduce crime in the Nation's Capital.

*Pt. I offenses reported Oct. 6 through Oct. 12, 1963*

| Classification | Week beginning Sept. 29, 1963 | Week beginning Oct. 6, 1963 | Change | |
|---|---|---|---|---|
| | | | Amount | Percent |
| Criminal homicide | 4 | 1 | −3 | −75.0 |
| Rape | ---------- | 1 | +1 | +100.0 |
| Robbery | 37 | 39 | +2 | +5.4 |
| Aggravated assault | 74 | 50 | −24 | −32.4 |
| Housebreaking | 124 | 157 | +33 | +26.6 |
| Grand larceny | 23 | 24 | +1 | +4.3 |
| Petit larceny | 157 | 175 | +18 | +11.5 |
| Auto theft | 93 | 85 | −8 | −8.6 |
| Total | 512 | 532 | +20 | +3.9 |

## FOREIGN AID HAS EXCELLENT LENDING RECORD

Mr. STAEBLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. STAEBLER. Mr. Speaker, there have been some criticisms, during discussions of the foreign aid program, that foreign aid loans are not being repaid.

I wish to point out that the record of the foreign aid program shows that quite the contrary is true. The loan record is excellent.

Of the $24.4 billion of U.S. credits provided foreign governments, $9.6 billion have been repaid as of the end of 1962.

Of the $14.8 billion outstanding, only $100 million has been due and unpaid for 90 days or more. And the bulk of this is owed by countries which are not now receiving any foreign aid.

This is an excellent lending record by any standards.

These are important facts because we keep hearing about how difficult it is to get countries to pay back what we have lent them.

A nationwide publication contained an article recently which stated that "loans are being made year after year to governments that have not paid a nickel—of past loans." This is the kind of misleading and inaccurate statement which leads people to believe that the foreign aid program is a giveaway.

The truth is, as these facts show, that repayment on loans made under the foreign aid program has probably been just as good as repayment on loans made by the average hometown bank, and the delinquency in foreign aid loan accounts has probably been less than in local community loan accounts.

As for the charge that the terms of our foreign aid loans are so soft that they are really grants in disguise, it helps to recall that under the Eisenhower administration when 90 percent of our foreign aid program was in the form of grants, none of the money came back to us. In contrast, now we are getting back some of the money while at the same time contributing to a feeling of self-respect in recipient countries.

For what they are intended to accomplish, foreign aid loans are a very effective means of assisting economic development in the underdeveloped countries.

I think we can all be encouraged by these facts on the excellent loan record of our foreign aid program. They speak well for the prudence with which the loans were made, as well as for the responsible way the recipient countries are carrying out their end of the agreements. I think we have reason to be reassured that the money we are now lending will be repaid in future years.

## SEIZURES OF POWER IN THE CARIBBEAN

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the State Department has made a strong case against seizures of power in the Caribbean. This is due to the fact that elected governments have been overthrown in the Dominican Republic and in Honduras. In these cases, diplomatic recognition has been withdrawn and American aid terminated.

Seizures of power present a difficult problem for the United States. This Nation is on the side of constitutional government. It seeks the preservation of constitutional process. I would point to the fact, however, that we also have an interest in the political leanings of the governments with which we deal. Sometimes elected governments are soft on communism. This is a natural tendency since Communists are extremely vocal groups which demand and get concessions from representative government.

In one instance, and possibly in both, the New Caribbean administrations are more strongly opposed to communism than their predecessors. It would seem to me that the most important thing is to be sure that the people who are in power are our friends. Dictatorships pose a lesser problem for the future security of the hemisphere than does communism. I question the wisdom in remaining aloof when the people in power are solidly on our side. We can make it plain that we prefer constitutional government without withholding recognition and without terminating aid when it is really necessary.

I do not consider that our policy is sound.

## THE BRITISH GUIANA DILEMMA: AN ALERT

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, Gen. David M. Shoup, retiring Commandant of the Marine Corps, is reported to have told reporters in Tokyo on October 6 that if U.S. Marines are called to fight in regular combat units in the next 4 years, it probably will be in Latin America. General Shoup told reporters that despite explosive situations in Asia and elsewhere, the greatest potential for dangerous revolutions probably is in South America.

It is to be profoundly hoped that measures short of force can prevent the situation in the Western Hemisphere from deteriorating to the point which General Shoup foresees.

The Alliance for Progress was designed to avert Castro-type revolutions by providing the impoverished and impatient peoples of Latin America with an alternative course. Unhappily, the recent rash of military coups in Latin America threatens to undermine the Alliance, a basic premise of which is that economic and social reforms shall take place under democratic rule.

The State Department is now reevaluating our Latin American policy, searching for ways to avert General Shoup's gloomy prediction.

While attention is riveted to the search for an effective Latin American policy, developments crucial to the region are unfolding in a neighboring territory which is not part of the inter-American community.

I refer to British Guiana. As a British colony, British Guiana still comes under the jurisdiction of the Western European branch of the State Department. Yet the outcome of events in that colony can have a potent impact upon the Latin American Republics.

British Guiana is a small, poor territory, headed by a Communist-leaning Premier and rent by racial conflict. The British presence has exercised a restraining influence both upon the racial tensions in the colony and upon the Communist proclivities of the party in power. But Britain, in line with its post-World War II decolonization policy, is on the verge of pulling out.

With Britain gone, both civil war and communism are possibilities.

Either prospect bodes ill for the United States. The entrenchment of a Communist government on the northeast coast of South America would make a mockery of the declared U.S. policy of impeding the spread of communism in the Western Hemisphere. At the same time, civil war in British Guiana would create ideal conditions for Communist meddling.

The British do not want to leave behind either a Congo or a Castro as testament to a failure of their colonial policy. But the British have promised Guiana independence, and they want to get out. British Guiana is a political liabilty to the United Kingdom, which is under heavy pressure in the United Nations to grant its colony independence.

Unless Great Britain can assure a responsible, democratic government in British Guiana before it abandons the colony, the United States stands to inherit a colossal headache.

I am not at all sanguine regarding Great Britain's understanding of our serious hemisphere problems. Indeed, in our efforts to cope with Castro, Britain has by no means shared our interpretation of the danger which Castro's Communist regime poses for the hemisphere.

In the August 1963 edition of the Royal United Service Institution Journal—a publication of the British armed forces—a British observer expresses similar doubts, writing:

> American anxieties on the present state of international politics in the Caribbean have received, on the whole, a far from sympathetic hearing in this country. Possibly this is due to a failure of imagination of the British commentators. Partly it is due to the persistent feelings of malice and envy toward our American friends and allies which so disfigure the contemporary British scene.
>
> Today, when British and American interests are inextricably interwoven, it is curious and disturbing to this author at least to find that British opinion is as insensitive to American anxieties in the Caribbean as American opinion used to be accused of being toward our own strategic anxieties in the Middle East, for example.

It is imperative that the British comprehend our deep concern lest their premature withdrawal create incalculable mischief for U.S. foreign policy in the hemisphere. It is equally essential that the American people understand the British dilemma in British Guiana, and our stake in its outcome.

The time for meaningful dialog leading toward mutual understanding is now. Neither the United States nor Great Britain can afford the luxury of post mortem recriminations should British Guiana become another explosive element in the Latin American tinderbox.

It is my understanding that U.S. apprehensions with regard to British Guiana have been presented to the British Government. Nevertheless, the lack of public discussion in the United States, and especially in Congress, may create the erroneous impression that deep concern does not exist. For that reason, I would like to present a review of the complex factors involved in the present situation as the basis for further discussion.

### THE LAND

Despite Guianese nationalist claims to the contrary, the colony has become more of a burden to Britain than an asset. British Guiana's natural resources are few, its geography largely hostile to human habitation. The territory, about the size of Idaho, is part of the watershed system of the Amazon and Orinoco Rivers. As such, British Guiana is traversed by rivers carrying huge quantities of water to the ocean. Heavy rains result in extensive flooding all over the country. Unfortunately the extensive river system is not much use either for transportation or as a source of hydroelectric power.

About 85 percent of the land is thick, hilly jungle and forest, with sandy infertile soil. Another 10 percent is upland savannah.

Here again the soil is of poor quality; used for grazing, it supports only a small number of cattle per acre.

About 90 percent of British Guiana's people live in the remaining 5 percent of the territory, on a ribbon of land seldom 8 miles deep, running along the coast. The coastal strip, cleared from mangrove swamp in the 18th century, lies 4 feet below sea level. Intersected by great rivers, it suffers from both deluge and drought. The land is maintained habitable and cultivable by a costly system of dikes and drainage canals—a heavy and permanent burden on agriculture. In this zone are grown the two principal crops, sugar and rice.

Sugar and sugar preparations account for almost half the colony's export earnings, rice for about 13 percent. The sugar industry has always depended upon preferential treatment in the United Kingdom and Commonwealth markets to keep it operating at anything like a fair level of prosperity.

Rumors abound of rich mineral resources in the interior, but to date only bauxite mining has been of much importance. Bauxite exports currently account for about 25 percent of export earnings.

Small-scale industries—brewery, margarine, soap, biscuit, match, and soft drink factories—supply some of the domestic market.

In view of the small domestic market, lack of readily accessible, good farmland, and the unpromising hydroelectric potential, there is not much optimism for increasing British Guiana's economic position in the near future.

### THE PEOPLE

British Guiana has only 600,000 people, or 150,000 less than the District of Columbia. About 48 percent of the population are East Indians, one-third are Negroes, 12 percent mixed, 4.5 percent Amerindians, 2 percent Europeans, and Chinese less than 1 percent of the total.

Unlike some of the Latin American countries; for example, Peru and Guatemala, British Guiana does not possess great blocs of native people who are unassimilated in the national culture. One language—English—is almost universal, and the people, 80 percent of whom are literate, are largely attuned to the goals and activities of a modern society.

However, the historical evolution of British Guiana has created a peculiar dichotomy between the majority races, the East Indians and the Negroes.

African slaves were first imported by the Dutch to work their plantations and to construct the complicated system of dikes, drainage, and irrigation. The British, after succeeding the Dutch, outlawed the slave trade in 1807 and abolished slavery in 1834. To assure a labor force, the planters imported large numbers of East Indians as indentured laborers. Smaller numbers of Portuguese and Chinese also entered the colony to work on the sugar plantations.

The freed Negroes at first attempted to establish independent villages. Without proper drainage and irrigation, their farms produced little. Moreover, they had no markets in which to sell their produce to earn cash to purchase other necessities. Many Negroes had to work part time on the plantations for wages.

As Central Government spread to fill the vacuum created when the slaves abandoned the self-contained estates, the Negroes availed themselves of opportunities for education in religious schools and for employment in the growing civil service and professions. Most of the Negro rural settlements were abandoned. The Negro, for the most part, became an urban dweller, attempting to scale the social ladder by emulating the behavior of his former British master.

The East Indian, on the other hand, remained primarily on the land. As eager to escape the plantations as the Negroes had been, the Indians used their savings to acquire land. Circumstances brought them success in individual farming ventures where the Negroes earlier had failed. A rising demand for rice on the world market, followed by the difficulties in obtaining flour and other imports during World War I, gave the East Indians an opportunity to become established on the land.

The Indians tended to cluster in areas of their own. For some time they remained aloof from native society. Many considered their residence in British Guiana only temporary. Furthermore, because of their Hindu or Moslem religions, they shunned the education provided by Christian denominational schools. Gradually a marked difference in occupations developed between the two races. The Indians worked in the rice and sugar fields, while the Negroes predominated among sugar factory workers, in submanagerial positions in the bauxite mining operations, in the civil service, police force, and the legal and teaching professions.

More recently, however, there has been a movement away from traditional East Indian values. As the Indians learned English, acquired an education, and began to accept British Guiana as their homeland, they began also to compete with Negroes for positions in public service and the professions which they had not hitherto sought.

Overtones of racial tension began to creep into British Guiana. As an official report of the British Government put it in 1954:

> It cannot be denied that since India received her independence in 1947 there has been a marked self-assertiveness amongst Indians in British Guiana.

### POLITICAL DEVELOPMENTS

The geographic division between the two major races has of late been matched by a deepening political split along racial lines.

Until the close of World War II, the franchise in British Guiana was extremely limited due to stringent property qualifications. Hence, broadly-based political parties were unknown. In 1945 the vote was extended to include all literate adults, subject to a small income or property qualification.

In 1950–51, Britain took a step toward fulfilling its decolonization policy by sending a Constitutional Commission to British Guiana to make recommendations as to the form of government appropriate to advancing the colony toward independence.

A number of politically conscious Guianese began to prepare for the upcoming elections. Foremost among the parties to emerge in this period was the People's Progressive Party, or PPP. The PPP was led by Dr. Cheddi Jagan, an East Indian, and Forbes Burnham, a Negro.

The PPP's militantly anticolonial and socialistic program found a widespread reception among the Guianese laboring class. Many had come to believe that their constructive efforts have been stifled under foreign domination.

The structure of the economy invites nationalist sentiments. Especially notable is the consolidation and control of most of the sugar industry in one company. Booker's Sugar Estates, Ltd., a subsidiary of a London-based corporation, operates 15 out of the present 19 sugar estates. Booker's also engages in rum and gin manufacture and distribution, foundry operations, all sorts of shops and stores, drug manufacture, printing, petroleum marketing, coastal and transatlantic shipping, and holds numerous interests in smaller enterprises.

Bauxite mining operations are also foreign controlled. The major bauxite development is owned by Aluminum, Ltd., of Canada, with Reynolds Metals Co. producing a much smaller amount.

With Booker's management recruited in London and the top civil service positions filled by the Colonial Office, Guianese have felt that their aspirations to high status positions are unjustly limited. Furthermore, Guianese increasingly have come to resent the fact that economic decisions important to the colony are reached in London, by a private corporation whose responsibilities are primarily to its stockholders.

Dr. Jagan, the son of a relatively well off sugar plantation supervisor, appears to have been deeply resentful of the conditions of the laborers on the sugar estates during the depression years in which he grew up. Jagan spent 7 years in the United States, studying first at Howard University then taking a degree in dentistry from Northwestern. In the United States he married an ardent American Marxist, Janet Rosenberg.

As Jagan, Mr. Burnham is intensely anti-imperialistic. An urban man and London University trained barrister, Burnham's hatred for colonialism and the sugar interests stems from a different source than Jagan's. Some attribute it to the color discrimination he experienced while studying in London. In Burnham's view, the British exploited Guiana by giving all the good jobs to Englishmen and deliberately keeping the natives uneducated.

The Constitution introduced by the British in 1953 provided for a bicameral legislature, with a partially elected lower house and nominated upper house, a quasi-ministerial system designed to provide administrative experience, and universal adult suffrage at the age of 21. The Governor retained the power of ultimate veto.

The PPP contested the election against 4 quickly formed minor parties and some 79 independent candidates. The PPP's militantly nationalist and Socialist campaign, along with its strong organization, won the party 18 of the 24 elective seats in the lower house.

From the outset of the introduction of the Constitution of 1953 the PPP seemed intent upon demonstrating that the Constitution, with its checks on popular self-government, was unworkable. For 4 stormy months the elected members of the Government refused to cooperate with the appointed officials, fomented strikes for political purposes, and tried to gain control of the several independent boards and commissions and of the police and civil service. In October 1953, the British Government suspended the Constitution and jailed the Jagans and several other PPP leaders for 6 months.

In a white paper defending the suspension of the Constitution, the British Government pointed to the many connections between the PPP and international communism. Among these were the affiliation of the PPP youth movement—the Pioneer Youth League—to the Communist-controlled World Federation of Democratic Youth and the World Peace Council; the connection of the local Women's Progressive Organization, organized by Mrs. Jagan, with the Communist Women's International Democratic Federation; frequent contacts between PPP leadership and Communists and Communist front organizations abroad; and the importation and circulation of Communist propaganda by the PPP.

The 1954 report of a Constitutional Commission sent by the British Government to investigate the crisis is explicit with regard to Communist leanings of the PPP leadership. According to the Commission:

> On the evidence as a whole, we have no doubt that there was a very powerful Communist influence with the PPP. At the time of the elections at least six of the party's most prominent leaders—specifically Dr. Jagan, leader of the legislative group; Mrs. Jagan, general secretary and editor of Thunder; Mr. Sydney King, assistant secretary; Mr. Rory Westmaas, junior vice chairman; Mr. B. H. Benn, executive committee member and secretary of the Pioneer Youth League; and Mr. Martin Carter, executive committee member—accepted unreservedly the "classical" Communist doctrines of Marx and Lenin; were enthusiastic supporters of the policies and practices of modern Communist movements; and were contemptuous of European social democratic parties, including the British Labor Party.
>
> We are convinced that these people had been restrained by expediency rather than by principle from forming and leading an openly Communist Party. They had decided on balance that they could more speedily achieve their most important and immediate objectives—that of ridding British Guiana of British rule and influence—by remaining associated with others who had a similar objective in a party with a wide popular appeal.

Certainly Thunder, the official organ of the PPP which was edited by Mrs. Jagan, made clear its Communist proclivities. Thunder frequently vilified the United Kingdom, the United States, and France, while heaping praise on the Communist countries. The periodical's review column was devoted entirely to praising current Communist publications, while stating that those books and pamphlets could be obtained from the PPP offices.

Here are some samples of Thunder's dissemination of the party line:

> 1. The imperialists and their numberless lackeys fear the progressive people's forces of the world. But today the antiimperialist and progressive forces are unprecedentedly strong. The Chinese People's Republic led by Mao Tse-tung is a shining beacon from the East sending hope to the oppressed colonial toilers of the world and lighting the way they must inevitably follow for "Liberty, equality, fraternity" among men (April 1950).
>
> 2. Human beings the world over are today threatened by a modern cannibal—American imperialism. Ever since 1914 when America was in the grip of economic depression, this cannibal has been living and thriving on war munition manufacturing and the rehabilitation of war damage in ravaged countries. Now, in our days even the rehabilitation of war damaged areas cannot fill the maw of this gross imperialist parasite. Today American imperialism can only exist by creating war economy (May 1951).
>
> 3. The present Government of South Korea, subservient to the policy of the American Government, is carrying out a policy which is maintaining the workers in the most terrible poverty and subjecting them to pitiless repression (August 1950).
>
> 4. The Americans are using germ warfare on the colored Korean population just as they used the atom bomb on the colored Japanese. World democratic opinion is opposed to war. Who in fact wants the war? The American bankers and makers of armaments have time and again hailed the war as "good business" and "the best thing" that could have happened (October 1952).

5. In the Soviet Union people work for themselves and not for exploiters. This book comparing conditions in the United States of America with those in the U.S.S.R., says that during 1920-33 "over 31 million farmers were unable to make a living and fled to the cities. During the same period almost 23 million unemployed left the cities to work on the farms." That is America. And these are only two groups of facts of the many that the author brings forward to prove that the Soviet State with its planned economy is superior to the anarchic economy of the capitalist countries like England and the United States of America. All conscious workers should read this book so that there will come more definitely in their action a knowledge of what is worth fighting for, and against what the progressive movements of the enslaved world are rebelling (June 1950).

6. Message from Comrade Jagan.—During my recent trip abroad I have been lucky to travel extensively both in the capitalist sector and the Socialist sector of the world. A lot of propaganda and lies have been spread about the eastern people's democracies—about forced labor, the denial of freedom of religion and what not. I have seen the people at work with my own eyes and on many occasions by myself and not "led by my nose" as we are made to believe. I have not seen any evidence of forced labor. Rather, everywhere there was enthusiasm and spiritedness. This was no doubt born of the knowledge that the Government was their Government, that the factories were their factories, that they were building a new and bright future for themselves. I did not witness the same enthusiastic spirit among the British working class (December 1951).

7. The third annual congress of the PPP observed 2 minutes of silence on the sad occasion of the death of J. V. Stalin, the leader of the Soviet people, the liberator of free Europe and the acknowledged pathfinder of peace (May 1953).

The investigating Commission drew a distinction between the doctrinaire Communists and the more vaguely Socialist wings of the PPP leadership. Of the latter group, the Commission states:

> Their dislike of imperialism and capitalism was based less on Marxist interpretations of history than upon their own understanding of the history of colonial rule and the interpretations which they placed upon their own experiences of capitalist enterprise in British Guiana. They were certainly extremists even by colonial standards, and we are not surprised that many of our witnesses were unable to distinguish between their socialism and the communism of some of their colleagues. Yet we had no doubt that the Socialists in the PPP were essentially democrats and that left to themselves their preference at all times would have been that the party should pursue its constitutional objectives by straightforward and peaceful means.

In this group the Commission placed Forbes Burnham. The distinction was to lead to a fateful split in the PPP.

In 1955 Burnham either was pushed out or broke off from the PPP. According to the Jaganite version, Burnham's break was purely opportunistic: armed with the label of comparative respectability pinned on him by the investigative commission, Burnham saw his chance to advance his own political fortunes. Burnham, on the other hand, claimed that the Jaganites were endangering the party's nationalist goals by emphasizing the PPP's Socialist goals.

For some time thereafter, both the Jagan and Burnham factions called themselves the People's Progressive Party and each published their own version of Thunder.

In 1956 the British Government announced that the time had come when some progress might safely be made toward reestablishing democratic institutions in British Guiana. A revised constitution in 1957 provided that 14 of the 24 seats in a unicameral legislative council were to be chosen by popular vote.

The 1957 elections revealed an ominous racial cleavage. Although both Jagan and Burnham publicly proclaimed their desire for national unity, both used racial appeals in their campaigns. Dr. Jagan's faction won 9 of the 14 seats, largely in rural East Indian constituencies; Mr. Burnham's group won 3 seats in urban districts with African majorities. Two small parties won a seat each.

After the elections, Burnham's faction assumed the name People's National Congress—PNC. The PNC became the parliamentary opposition to the PPP government.

In 1960 a new party, the United Force Party, was formed by Mr. Peter D'Aguiar, a businessman of Portuguese descent. The UF draws its strength principally from the business and middle classes and wealthy landowners.

When the term of the legislature ended in August 1961, the British introduced a new constitution advancing British Guiana yet a step closer to independence. The 1961 constitution provided British Guiana with full internal self-government. Defense and external affairs remained the responsibility of the British Government.

In the elections of August 1961, the PPP obtained 42.6 percent of the votes cast, the PNC 41 percent, and the UF 16.4 percent. Voting again split substantially along racial lines, areas with heavy East Indian populations supporting Jagan's PPP, the Africans voting for Burnham's PNC. D'Aguiar's UF appealed to a more heterogenous racial group of conservative voters. Although the popular vote between the two major parties was close, the fact that the East Indian element is more scattered over the countryside resulted in the PPP winning 20 of the 35 seats in the legislative assembly, the PNC 11. The conservative UF, which has little popular appeal, won 4 seats. Thus, the PPP formed the government, with Cheddi Jagan as Premier.

As the government under the 1957 and 1961 constitutions, the PPP has exercised more moderation than during its first experience in 1953 which led to the suspension of the constitution.

Dr. Jagan, while admitting that he is a Marxist, insists that it is his intention to build a "Socialist economy within the framework of parliamentary democracy." He claims that the PPP is committed to a mixed economy in which private and public enterprise exist side by side. In a statement to the British trade and industrial mission which visited British Guiana in March 1962, Dr. Jagan insisted that the expropriation of private property was not in the Government program and that it was not the Government's intention to nationalize the sugar and bauxite industries.

To reinforce their defense against charges that the PPP wants to establish a Soviet-type government, PPP leaders point to their sponsorship of a land registration law which clarified titles of many small farmers, and their granting of nearly 100,000 acres of land to peasant farmers between 1957 and 1961. They point, too, to the demonstrations of confidence in the PPP government by leading foreign enterprises, particularly Booker's, which has continued its heavy investment in its Guianese holdings. They further argue that after the 1961 elections, the new Premier sought economic assistance from the United States.

The PNC and the UF, however, claim that Jagan's protestations of democratic intentions are merely an expediency to mask his communism until full independence has been achieved. Jagan's enemies charge that the land reform program was to gain PPP adherents among the East Indian rice farmers. They claim that Jagan's appeal for economic aid from the United States is not inconsistent with his Communist objectives; if he received the aid, he could use it both to strengthen British Guiana's economy and his own reputation among the people; if the United States refused assistance, Jagan would have a good excuse to turn to the Soviets, with a plaintive, "What else could I do?" Furthermore, charge Jagan's enemies, the Premier has not yet appealed to the Soviet Union for direct economic assistance only because he would need Great Britain's approval, since Britain constitutionally controls the colony's foreign relations and Dr. Jagan does not want to jeopardize independence by stirring up cold war issues in Britain.

In the realm of international affairs, the PPP has not been ambiguous. Dr. Jagan claims he is neutral on cold war issues. But both the Jagans are uncritical admirers of Castro and Khrushchev. The PPP organ, Thunder, while its tone is not so shrill as in the earlier excerpts which I have quoted, continues to echo faithfully the Communist line in international affairs. During the missile crisis in Cuba, Thunder thundered a headline: "The War Criminals. The American Government Stands Convicted by Its Action Over Cuba." Frequently Thunder prints pictures of Guianese students in Communist bloc countries—a not-so-subtle attempt to propagandize the reader concerning the blessings of closer Soviet-British Guiana ties. The December 1, 1962, edition, for example, shows a picture with the caption:

> People's Progressive Party general secretary, Mrs. Janet Jagan, chats with Guianese students in Moscow shortly after a meeting on Latin America. Picture shows from left, the head of the Latin American department (note: a Russian), Mrs. Janet Jagan, A. McPherson, Iris Latchman, Jairam Karran, and P. Scott.

The letters in the letters-to-the-editor column invariably excoriate the United States and praise the Soviet Union and Cuba. One has no alternative but to assume that the letters reflect the views of Thunder's editor, Mrs. Jagan.

On the domestic front, the PPP's action raises doubts as to the party's devotion to democratic procedures. Particularly questionable was Jagan's attempt to get passage of a labor bill which would have put the entire control of the labor movement in the hands of his Minister of Labor. The provisions of the bill empowered the Minister of Labor to decide which trade union was to represent any group of workers as a bargaining unit and would have compelled employers to deal with that union alone. The PPP could then have eliminated all unions which were not subservient to the regime.

Realizing that the legislation spelled the end of the free trade union movement in British Guiana, the Trade Union Council—which consists of most of the unions representing workers in the sugar industry, transport, mining, civil service, and clerical and commercial occupations, and which is affiliated with the non-Communist International Confederation of Free Trade Unions—declared a general strike on April 18, 1963.

What began as a struggle between the trade unionists and the Government soon turned into a political effort to topple the Jagan government. The opposition parties along with the trade unions distrusted Jagan and were determined that British Guiana should not become independent under what they regarded as another Castro.

The general strike stretched on for 11 weeks, one of the longest in history. Georgetown, with its large Negro majority hostile to Jagan, erupted in violence, including attacks on Premier Jagan and other members of the Government, numerous bomb explosions, and the burning and looting of property. On June 10, Jagan appealed for British troops to put down the continuing wave of violence.

On June 15, after the death of a PPP member of the legislative assembly, the Premier appointed his wife, Janet, to fill the vacant seat. At the same time, she was also appointed Minister of Home Affairs. In that position Mrs. Jagan has responsibility for internal security, hence of the largely Negro police force whose individual political sympathies could be expected to favor Burnham's PNC. The appointment of Mrs. Jagan, who the year before had traveled through the Soviet Union, East Berlin and Red China and whose Communist sympathies are a matter of record, heightened the opposition's fears.

As the strike dragged on, a critical shortage of essential supplies developed. Cuba and the Soviet Union came to Jagan's rescue with the shipment of petroleum supplies, flour and other staples.

The opposition claimed that Jagan was using the pretext of the strike to increase his ties with the Communist nations. Jagan retorted that the government had the duty to procure essential supplies from wherever it could. Jagan claimed that he had no alternative, in view of the fact that countries outside the Communist bloc who normally meet British Guiana's needs had cut off shipments at the insistence of the Trades Union Council.

As a matter of fact, the Jagan government's attempts to bring about closer ties with the Soviet bloc neither began with the strike nor ended with it. As early as March 1961, a British Guiana mission traveled to Havana to promote trade with Cuba and returned with an agreement for the Cuban purchase of 36,000 tons of rice. A second rice agreement was negotiated with Cuba in September 1962, and a third in June 1963 during the general strike. On the last occasion, PPP Senator Mooner Khan also got the Cubans to agree to the purchase from British Guiana of 250,000 railroad ties.

Russian and Czech trade missions have also been active. For instance, a four-man Russian trade mission visited Georgetown during December 1961, and January 1962, bought 7,000 tons of rice—probably for Cuba—and arranged for the importation by British Guiana of two tractors from the Soviet Union to test their feasibility for local use. The tractors have been turned over to a recently opened agricultural school. If they prove useful, Russia has offered to sell more on extended credit terms to the British Guiana Credit Corporation, a government agency which makes loans to small farmers.

In January 1962, a curious entity called GIMPEX—short for Guiana Import Export Corporation—was founded. While GIMPEX professes to be a private company, it is run by the PPP, a connection which raises some reasonable doubts as to its private nature.

GIMPEX's peculiar status became even more apparent last July when it loaned the PPP government $1 million needed to meet administrative expenses because revenues had not been collected during the general strike. Where did GIMPEX get the $1 million to lend Jagan? From Cuba, as a down payment for the railroad ties which had not yet been shipped.

GIMPEX has devoted its energies exclusively to increasing trade with the bloc countries. It has become the agent for Soviet bloc ships which call at Georgetown—one estimate puts the number at 31 in the last 20 months—and for the shipment of Guianese products to the bloc. While bloc trade with British Guiana is still only a fraction of the colony's overall trade, GIMPEX strives hard to change British Guiana's traditional trade lines.

PPP stalwarts hasten to point out that GIMPEX's lopsided devotion to increasing trade with the socialist countries is only because Western markets are already represented by private interests. Perhaps. But as time goes on, GIMPEX's operations look, in the words of Alice in Wonderland, "curiouser and curiouser."

The situation during the general strike was paradoxical. AFL-CIO representatives—whom Jagan denounced as agents of the U.S. Government—were in British Guiana helping the strikers. On the other hand, British bayonets stood between Jagan's government and a spread of disorder that almost certainly would have brought about the fall of that government. Britain, while true to its traditions of upholding constitutionality, found itself maintaining in power a regime which it had earlier condemned for Communist connections. Meanwhile the Negro police, whose sympathies lay with the strikers, had the distasteful duty of helping to restore the peace which Jagan needed to avert the collapse of his regime.

On July 6, 1963, after mediation of a representative of the British Trades Union Congress, Premier Jagan and the Trades Union Council reached an accord for ending the strike. The government agreed not to reintroduce the controversial labor bill and to consult with the TUC on any future labor legislation.

The economic cost of the strike to British Guiana has been estimated at about $40 million, or more than its annual budget. Loss in Government revenues alone is calculated at about $4.5 million.

If the financial toll was high, the racial consequences of the strike are perhaps even more serious. Since Dr. Jagan is the hero of the East Indians, the attempt to bring down the PPP government took on racial overtones. Mr. Duncan Sandys, the British Secretary of State for Commonwealth and Colonies, made some telling observations after an inspection trip to British Guiana in the wake of the strike. Said Mr. Sandys:

> From one end of the country to the other, from the highest to the lowest, the people of British Guiana are gripped with fear and cleft in two by mutual suspicion. The Africans fear the Indians, and the Indians fear the Africans. They live in constant dread of assault, murder, and arson; and this has got to the point where even neighbors of long standing in the same village no longer trust each other.
>
> The police, who are mainly African, are doing a fine job, despite the fact that their impartiality is quite unjustifiably questioned by the Indian community including, I am afraid, Ministers.
>
> In addition to the immediate fear of violence, each race has a deep-rooted fear of the prospect of living under a government controlled by the other, after independence.

This racial antagonism has produced a political paradox. Dr. Jagan, despite his avowals of Marxism, is the hero of the East Indians who in the main are independent farmers and shopkeepers and thus the least likely to be attracted by Communist doctrines. On the other hand, the Negro proletariat—which might be expected to respond to Jagan's political orientation—is strongly for the PNC, which attacks Jagan for his espousal of Communist theories.

### THE ROAD TO INDEPENDENCE

Despite racial tensions and fears that Jagan may take British Guiana into the Fidelista camp, only a small minority in British Guiana—principally those of European extraction—would prefer that the United Kingdom maintain control of the colony. The vast majority of Guianese are united in their desire for independence. In the 1961 elections both Jagan's PPP and Burnham's PNC—which together gained over 80 percent of the votes—campaigned ardently for independence.

To clarify the status of the negotiations for independence, perhaps a brief outline of the steps to date would be useful.

The United Kingdom accepted the principle of independence for British Guiana at a constitutional conference in March 1960.

In November 1961, both houses of the British Guiana Legislature passed overwhelmingly a resolution asking the United Kingdom Government to name a date in 1962 for granting of independence. In reply, the Secretary of State for the Colonies announced in January 1962 that he was willing to hold a conference in London in May 1962 to discuss the date and the arrangements to be made for the achievement of independence.

Due to riots in Georgetown in February 1962, the May conference was postponed to await a report of a British Commission of Inquiry. The Secretary of State for the Colonies also wished to defer the conference until all interested parties in British Guiana had time to formulate their ideas for an independence constitution, with initial ideas of disagreement narrowed as far as possible.

Finally, from October 23 to November 6, 1962, the British Guiana Independence Conference was held in London. The conference was attended by representatives of the British Government and delegates from the three parties represented in the British Guiana Legislative Assembly: Jagan's People's Progressive Party, Burnham's People's National Congress, and D'Aguiar's United Force. After 18 sessions, the conference ended without reaching agreement on the major issues involved.

Three major questions led to the stalemate. These were: First, whether elections should be fought on the basis of proportional representation; second, whether the right to vote should be accorded at the age of 21, as at present or at the age of 18; and third, whether fresh elections should be held before independence.

The PPP advocated single-member constituencies, voting at 18, and no elections before independence. Both the PNC and the UF demanded proportional representation, voting at 21, and new elections.

The PNC and the UF argue that proportional representation would reflect the electoral support enjoyed by each party more accurately than the present system. They also claim that proportional representation will assure the rights of minorities and prevent the establishment of authoritarian rule after independence. They further reason that since both the PNC and the UF advocate fresh elections and proportional representation, these are favored by the elected representatives of 57.3 percent of the electorate as against 42.7 percent.

PPP leaders counter with the following arguments. First, it had been clearly understood at the time of the 1961 election that whichever party won the elections would lead the country to independence. Furthermore, the system of proportional representation had not been an issue in the 1961 elections; second, the opposition argument that the PPP is a minority party because it represents only 42.7 percent of the vote is inaccurate, since the PPP had not put forward candidates for 6 of the 35 constituencies in the 1961 elections, and had it done so, would have won still a larger percentage of the total vote; third, the effect of a system of proportional representation on a multiracial and multireligious community such as British Guiana would be to intensify the tendency toward separatism and intolerance; and fourth, proportional representation would also have disastrous political and economic consequences since it would destroy the balance of power between two equally strong parties in favor of a small minority group, and make a strong, stable government impossible. It might also introduce a multiplicity of parties and hence, weak, ephemeral governments.

Obviously, the PNC and the UF believe that proportional representation would give them the best chance to block from power a PPP government. Had the system been in force in 1961, no party would have had a majority, so Burnham and D'Aguiar could have formed a coalition government. However, whether a workable and lasting combination between these two men is possible remains doubtful. United only in being anti-Jagan, Burnham's socialist views and intense anti-imperialism clash with D'Aguiar's advocacy of practically unbridled capitalism. In any case, a system of proportional representation as a stop-Jagan measure would probably prove futile in the long run, since the Indian electorate is growing faster than the rest.

With the leaders of the three Guianese delegations to the London Conference unwilling to agree to arbitration by the British Government on the questions at issue, it was decided that the conference should be adjourned to allow for further discussions between the parties in British Guiana.

Mr. Sandys emphasized that continued political uncertainty would inevitably prejudice the social and economic progress of the country, so the present state of affairs must not be allowed to continue much longer. He stated that if, after an interval, no agreed solution could be found, the United Kingdom Government might have to impose a settlement to enable British Guiana to go forward to independence.

The PPP accuses the British of insisting on unanimity among the parties as a tactic to delay independence. The PPP further avers that British "vacillation" has led the opposition to believe that the British Government will delay or withhold independence on the slightest excuse, and has thus emboldened the PNC and the UF in their attacks on the PPP government.

The charges and countercharges were aired before the United Nations Special Committee of Twenty-four on Colonialism in the spring and summer of 1963. The committee heard the views of the representative of Great Britain, and of petitioners representing various political parties and trade unions in British Guiana.

In the debate which followed, many U.N. delegates held that the disagreement in British Guiana over electoral processes should not delay independence. For instance, the delegate from Uruguay was convinced that British Guiana had achieved the de jure right to immediate independence, and as to the determination of what should be the preferred electoral system, he believed that each country should have its own experience and benefit from its own errors. The delegate of Syria stated that if the thesis was admitted that independence would not be granted so long as the differences existed, "then we might well acquiesce in the continuous subjugation of the people concerned." The delegate from India expressed the belief that the differences, even major differences, between the various political parties in any democratic system were neither wholly unknown nor entirely unexpected; in his view, the vital fact was that both major parties had agreed on the independence of British Guiana. Similarly, in the opinion of the delegate of Mali, only one question was involved—the granting of independence to British Guiana; in his view, no preliminary condition needed to be imposed before the territory became independent.

On June 27, 1963, the special committee issued a consensus of the views of its members, which reflected the prevailing sentiment of the delegates. The consensus states:

> The committee firmly believes that every effort should be made to insure that the country accedes to independence immediately, without any preliminary conditions, in accordance with the provisions of paragraph 5 of General Assembly resolution 1514 (XV).

Paragraph 5 of the General Assembly resolution referred to declares:

> Immediate steps shall be taken, in trust and nonself-governing territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed, or color, in order to enable them to enjoy complete independence and freedom.

At the suggestion of both the PPP and the PNC, the special committee recommended the appointment of a subcommittee:

> To seek, together with the interested parties, the most suitable ways and means of enabling the country to accede to independence without delay.

The United Kingdom, however, turned down any factfinding or good-offices visit by the U.N. subcommittee to British Guiana. The British representative reminded the special committee, moreover, that it was not within the competence of Premier Jagan to authorize such a visit since Great Britain constitutionally retained responsibility for the colony's external affairs.

In September Premier Jagan was again at the United Nations, this time advocating "an Austrian solution" for independence, with big powers guaranteeing British Guiana's neutrality.

The British task is not enviable. The British Government is under pressure of public opinion at home as well as from the United Nations to grant British Guiana independence. Yet independence under Jagan raises the specter of another Castro in the Caribbean, while proportional representation is at best a shaky and temporary expediency.

A third alternative, suspension of the Constitution and reversion to British rule, is equally hazardous. Independence is the rallying cry of both the major political parties in British Guiana. Suspension of the Constitution, when independence is just over the horizon, is likely to strengthen the rabid anti-imperialist, proleftist forces. Even strongly anti-Jagan elements in British Guiana argue that such a move would only make a martyr of Jagan and enhance his appeal.

Colonial Secretary Duncan Sandys in a statement to Parliament on July 17, 1963, said that he intended to reconvene the independence conference not later than October. On October 4 the Colonial Office announced that it has invited Premier Jagan and the two opposition leaders to bring delegates to a conference opening in London on October 22. Mr. Sandys has made it clear that, failing agreement by the Guianese on the outstanding constitutional issues, the British Government will have to settle the matter on its own authority.

### THE U.S. PROBLEM

If British Guiana presents a knotty problem to the British Government, the little South American state raises a tough question for the United States. The left-leaning actions and utterances of the Jagans and their lieutenants are not reassuring. There seems to be little room for doubt that an independent British Guiana, headed by Jagan, would head for the Fidelista camp.

We have long contended that no people, given freedom of choice, will vote themselves a Communist regime. Yet in British Guiana, for whatever complex racial and historical reasons, the majority may very well use the ballot box, however unwittingly, to vote in a Communist regime. Moreover, as one of the foremost exponents of anticolonialism and self-determination of peoples, the United States would indeed be in an ambiguous position should we oppose independence for British Guiana.

A Communist regime in British Guiana would pose little physical threat to the United States or the hemisphere. The country is poor, isolated, and quite unimportant. It has never had any intercourse with Latin America. Its language and lengthy colonial attachment to Great Britain have set it apart from its Latin American neighbors. Furthermore, given the vast expanse of untracked jungle that separates Guiana from Brazil and Venezuela, it is highly unlikely that British Guiana can serve as a useful jumping-off place through which to infilter Communist agents and supplies.

Nevertheless, the psychological impact of another Communist regime in the hemisphere would be disastrous. Our Government has emphatically declared that further Communist incursions in the hemisphere will not be tolerated. To permit a Communist regime on the South American mainland would seriously erode U.S. credibility, already weakened by the abortive Bay of Pigs invasion, the continuing presence of Russian troops in Cuba, and our apparent helplessness to forestall unwelcome rightwing military coups in the Caribbean.

Within Latin America powerful forces are urging their nations toward a neutral course in the cold war. Any sign of weakness on the part of the United States heightens Soviet prestige and, consequently, adds fuel to the argument that siding with the United States might place the Latin American countries on the losing side.

Hence, for the United States to acquiesce in another Communist takeover would be a severe blow to U.S. leadership in the hemisphere.

### CONCLUSION

Nothing would suit Soviet purposes better than for the fate of British Guiana to degenerate into a bitter Anglo-American dispute. On the eve of the Independence Conference in London, I have presented a review of the factors involved in the British Guiana situation in the hope of clarifying the British dilemma for Americans, and U.S. anxieties for the British.

It is my hope that the British and United States Governments, working in concert, will make it abundantly clear to the Guianese leaders and people that we will not tolerate a Communist-affiliated regime in British Guiana.

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## LONGEVITY RECORD OF SPANISH WAR VETERANS AMAZES MEDICAL WORLD

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I have taken this time today to bring to the attention of my colleagues an illuminating address by Samuel Rose of the Veterans' Administration at the 65th annual encampment of the United Spanish War Veterans at Lansing, Michigan.

In this address, Mr. Rose seeks to explain the longevity record of the veterans of the war with Spain that is the wonder of the medical world.

As long ago as the spring of 1959 I extended my remarks in the CONGRESSIONAL RECORD of March 2, 1959, to include an article from the highly regarded Medical News that Miss Dorothy Taylor, formerly one of the keen brains of Capitol Hill and now the invaluable administrative assistant to the eminent Dr. Dwight Adams of the famous Billings Hospital at the University of Chicago, had thoughtfully sent me. For the benefit of my younger colleagues who were not here at the time, and to fill in the background of Mr. Rose's remarks, I am repeating that article in the Medical News of January 14, 1959:

> OLD SOLDIERS
>
> Eleven hundred Massachusetts veterans of the Spanish-American War have succeeded in putting out of joint the current actuarial predictions on life span. They are living too long.
>
> According to estimates based on mortality tables, only about 500 of these veterans should be alive today in Massachusetts. The fact is there are 1,600.
>
> The Veterans' Administration outpatient clinic in Boston is making a detailed study of their physical and emotional condition, diet, and history to help explain their longevity and find out why some look 20 to 25 years younger than their actual ages.

Mr. Speaker, that was 4 years ago, and the Spanish War veterans are continuing to punch holes in the medical records. How so many men past 80 can continue to look and act 20 or 30 years younger continues to be the wonder of the doctors and the subject of serious research and study.

Mr. Rose in his address quotes from the researchers who have examined at depth why veterans of the war of 65 years ago have made such a record in setting back the clock and he ventures to give his own reasons. I am sure my colleagues will find its reading worth the while, whether their interest stems from the kinship of all veterans or from a universal concern in the broadening of the span of human life. Mr. Rose's address follows:

> I want to take my text this afternoon from a publication I'm sure you've never heard of, and yet it is a very popular publication around the Central Office of the Veterans' Administration, in Washington, D.C.
>
> This publication is called, "A Reproduction of the Administrator's Bulletin Board," and that's exactly what it is. It consists of a cross section of the Nation's most interesting news stories about VA activities.
>
> In one recent issue you Spanish-American War veterans were prominently featured, in two clippings indirectly and by inference in one of them, directly in the other.
>
> The first one where you appear by inference has the headline: "Do Our Bodies Have Age Timeclocks?" This news story tells about two Veterans' Administration medical researchers who are seeking a common denominator for a number of different diseases.
>
> Does the human body, these doctors ask, set off a self-destructive process by itself and within itself, at some point along the path toward old age which all of us tread?
>
> The doctors think so. They think that the body, in trying to fight changed cell patterns or secretions that often come with age, may introduce certain elements which can actually hasten disease; that if they can suppress this harmful antibody formation, they may increase the lifespan.
>
> Now, right next to that news story in this issue of the Administrator's Bulletin Board is another one, headed "Rough Riders Reunion." And the pictures for that story show three of you Spanish-American War veterans. All are from Massachusetts. One, age 82, is poised ready to belt out a tune on his clarinet. Another, a year younger, is tinkering with a radio receiver that picks up signals from any part of the world. The third, 85, is showing off some prize flower blooms from his garden.
>
> These three veterans are just a few of the many Spanish-American War veterans who report to the Veterans' Administration outpatient clinic in Boston every second and fourth Thursday for physical checkups, and

to astound doctors there. They are reporting—the whole group is reporting—not because they need any outpatient treatment. They're reporting because the VA asked them to. Men like you sitting in this audience today—and maybe some of you are actually part of this Boston study—are being examined by VA periodically, to see what makes you tick so marvelously.

The VA doctors want to find out why the timeclock of the other story hasn't gone off in your case.

For that is what they have found out—and are continuing to find out—as I'm sure you know. As a group, you Spanish-American War veterans are fooling the timeclock. And you do tick in a way that is the envy of many men many years your juniors. You are happy. You have outside interests. Above all, you are vigorous.

That's such a fine old word I think I'll repeat it and define it. Noah Webster says the noun of the adjective "vigorous" means "active strength or force of body or mind; capacity for exertion, physical, intellectual, or moral; effective energy or power; strength; potency."

As a group, you Spanish-American War veterans have shown you possess powers to win biological battles others less endowed often lose.

We in the VA talk a lot of service-connection. Usually we're referring to a disability related to a veteran's active service. I have a twist on that for you today. I'm sure there is a very definite connection between your ability, your present health and vigor, the good health factors and attitudes you possess, and your patriotic service to our country in 1898, in the Spanish-American War.

Each year, on the anniversary of the sinking of the battleship *Maine*, one of your most active and distinguished members, the Honorable **Barratt O'Hara**, of Illinois, and the only Spanish-American War veteran now in Congress, stands up in the House of Representatives and "talks to history" as he calls it.

Representative **O'Hara** recently said: "I want to set the record straight for these researchers of the future. The war with Spain was a war of pure idealism. It was the only war in history fought entirely, as far as the United States was concerned, by volunteers. The Spirit of 1898 was an expression of old-fashioned American patriotism, of faith in God and country. It was a rededication of all the American people, in cities and hamlets and on the farms, to the pledge of the signers of the Declaration of Independence of their 'lives and fortunes and sacred honor.'

"The Spanish-American War was proclaimed and waged and terminated in the finest spirit of self-abnegation ever shown in recorded history.

"The war that brought so much to the world, that ushered in events that changed the life of every human being, that cost the United States so much in money and men, and for the waging of which the United States neither asked nor received one cent or one acre, was one of the great epochal adventures in pure unselfish idealism in the long story of mankind. It reflects the true image of Uncle Sam."

That is the end of the quote from a stirring speech of one of your members, and it is almost the end of my speech.

Just as the war you fought and the united efforts of Americans in that war reflect the true image of Uncle Sam, so do you as individuals reflect images we as individuals should like to live up to.

Today, more than ever, we need constant reminders of the old-fashioned patriotism you so eloquently stand for * * * just by being among us. The difficulties we face as a nation may change in character, but they are not going to lessen. We need courage for the successful confrontation of whatever difficulties may come, and we need it as never before. We need to stand fast in our courage, to remember the fine upsurge of your idealism * * * to cherish the sweep of it in our own hearts whenever we hear of freedoms threatened throughout the world. For that is both the spirit of 1898 and of America.

There are other reasons we admire and respect you * * * and would emulate you insofar as we can.

We have praised your idealism, but it both partook of the fruitful spring of American idealism and contributed to it. You have enriched our American traditions with gifts that came to you through your own heritage.

You came of good stock, and we are all the richer for it, remembering your swift acceptance of the challenge of war * * * and your gallantry in it.

In the report of the Boston study of Spanish-American War veterans, I mentioned earlier, are some sentences which I am sure have never had the wide publication I give them now. The researchers, trying to guess why the few of you who are left are, generally speaking, so happy, vigorous, and interested, had this to say:

"It must be remembered that all these men volunteered to fight. Their ranks probably never included any with traits that would make them unfit for the job to be done, or who lacked the powers of muscle and bone that were needed. The men who have contributed their time and cooperation to this study probably represent a significant remnant of those aggressive, energy-packed, well-muscled and firm-boned men who not only could but also wanted to fight in a good cause."

You remember that speech of King Henry the Fifth, when he was rallying the English Army before the battle with the French, the one that pulled you out of your seats when you heard Laurence Olivier deliver it in the movie? It contains the oft-quoted line, "We few, we happy few, we band of brothers."

You can apply that to yourselves. And like those other more than willing warriors of another time you, too, shall long be remembered.

The Administrator of Veterans' Affairs, Mr. John S. Gleason, Jr., asked me most especially to convey his very best wishes to you, and I add my heartfelt salute to his own. It has been so good to meet with you again, and I am grateful for the opportunity.

One final remark: I have found your adjutant general, James H. McElroy, to be a man of action—a man who knows how to get things done and a man of true devotion to duty. You are most fortunate to have a man like General McElroy on duty in the central office of the Veterans' Administration and I congratulate you.

## FOREIGN AID

Mr. FRASER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend by remarks, and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Speaker, yesterday one of the distinguished and able Members of this House, the gentleman from Louisiana [Mr. **Passman**] responded to a letter which some of us had circulated to the Members of the House of Representatives dealing with the question of pipeline funds in the foreign aid program. I respect the efforts of our distinguished colleague, but it has seemed to me that in dealing with the foreign aid program he has unduly stressed the significance of pipeline funds. Full cognizance has not been given to the fact that these pipeline funds have been committed and are not available for reassignment to other areas of the foreign aid program.

In order to set the record straight, Mr. Speaker, I am including in my remarks a copy of a letter dated October 15, 1963, which sets out in some detail the answers to the letter which the gentleman from Louisiana [Mr. **Passman**] inserted in the **Record** yesterday.

Congress of the United States,
House of Representatives,
*Washington, D.C., October 15, 1963.*

Dear Colleague: Once again, Mr. **Passman**, the chairman of the Foreign Operations Subcommittee on Appropriations, has circularized the Members of the Congress with his periodic compilation of unexpended balances in the foreign aid program. It is possible that some Members may have been confused by this communication.

We are compelled to answer Mr. **Passman**'s letter. Economic and military assistance to other nations involves questions of the gravest urgency in our search for national security. False impressions must not become the basis for action by the House of Representatives.

The argument about unexpended balances—commonly known as the pipeline—is a simple one. Mr. **Passman** refuses to accept the fact that these funds are committed and attempts to persuade us that these funds are available for new loans and new projects when they are clearly and obviously not available.

Unexpended balances build up in every agency of Government, and in every financial institution, public, or private, when projects are undertaken that cannot be completed within a single year. Until the projects to which these funds are committed are completed and the last bills paid, the unspent balances will show up in the pipeline. For example, the Department of Defense had an unexpended balance of about $30 billion at the end of fiscal 1963.

There is nothing new in the figures which Mr. **Passman** has presented in his letter. These are figures reported to the Congress by the Agency for International Development, a public record. Nor is there any surprise in the fact that unexpended balances in the foreign aid pipeline have risen slightly. AID told the House Committee on Foreign Affairs last year that the pipeline would rise this year as a result of the shift to the use of loans rather than grants.

In his recapitulations, Mr. **Passman** has tossed in a miscellany of unexpended balances from programs ranging from the Peace Corps to the relief of Cuban refugees. This makes it appear that the pipeline total is larger than the $6.9 billion reported by the Agency for International Development.

Depending on what is lumped in as foreign aid, this kind of pipeline figure can be inflated still more. At least one Member of the Congress has built it up to $21 billion by adding in unexpended balances from a variety of international banks and other institutions.

Mr. **Passman**'s letter criticized the practice of funding in advance of expenditures. Has anyone suggested a different way of doing it? Should funding follow expenditure? The answer seems obvious.

It has been stated before, and apparently it is necessary to state it again, that the foreign aid pipeline has risen because of the increased emphasis upon development loans, which are drawn upon more slowly than grants. It is significant that the grant portion of the pipeline has declined, making the increase clearly attributable to loans.

It has also been pointed out many times that the AID pipeline is proportionately comparable to that of the international banks, and that other agencies of Government have much larger unexpended balances.

But most of this is beside the point. The real question is whether the funds in the unexpended balance are available for use for new projects and programs. Despite any assertion to the contrary, the fact is that they are not.

The figures cited by Mr. PASSMAN may indicate that it would take at least 2 years to liquidate the foreign assistance program, but they have little, if any, bearing on the amount of new funds necessary to finance foreign aid in fiscal 1964.

The United States is confronted with a variety of unsolved foreign policy problems which require new commitments.

Funds obligated to pay for heavy machinery now under construction in Schenectady or Milwaukee to equip specific hydroelectric plants cannot be diverted to pay for railway equipment or highway construction to be used somewhere else.

Military assistance funds committed for tanks and artillery to be delivered to an Asian country cannot be used to finance missiles and complex electronic equipment for one of our NATO allies. Tanks cannot be substituted for missiles or electronic equipment for artillery.

The United States cannot afford to abandon the free world to its cold war enemies by letting the foreign aid program run out of gas. There are things about the foreign aid program that can be criticized, and there are difficult foreign policy judgments involved which should be explored by the Congress.

But the argument that funds committed to specific purposes can be used for new purposes adds nothing to the intelligent resolution of these problems and serves only to confuse thinking on this important subject.

Very truly yours,

JOHN BRADEMAS, LEONARD FARBSTEIN, DONALD M. FRASER, CORNELIUS GALLAGHER, THOMAS P. GILL, SPARK M. MATSUNAGA, ALEC OLSON, BENJAMIN S. ROSENTHAL, NEIL STAEBLER, W. DONLON EDWARDS.

P.S.—In at least one instance, a comparison of two figures is invited which do not appear to be strictly comparable. The unexpended funds as of June 30, 1962, are reported as being $6,889,186,000 and the unexpended funds as of June 30, 1963, are listed as $7,465,926,000, indicating an increase of $576,740,000.

The June 30, 1963, figure includes an unexpended balance of $232,320,000 of the International Development Association and an unexpended balance of $200 million of the Inter-American Development Bank. The $200 million is, in fact, U.S. participation in callable stock of the Inter-American Development Bank rather than an unexpended balance as such.

A review of the unexpended balances of the various agencies appears to indicate that the total of $6,889,186,000 reported as of June 30, 1962, does not include the unexpended funds of either the International Development Association or the Inter-American Development Bank. A possible reason for this difference is that the appropriations for the two agencies in earlier years were not included in the legislation appropriating funds for foreign aid.

The composition of the $6,889,186,000 total of unexpended funds as of June 30, 1962, appears on pages 386–387 of the Foreign Affairs Committee hearings on the Foreign Assistance Act of 1963. The combined unexpended balances of the International Development Association and the Inter-American Development Bank is cited in a footnote but not included in the total of $6,889,186,000.

If the $432,320,000 for these institutions is deducted from the June 30, 1963, total of unexpended funds to make it comparable to the June 30, 1962, figure, the increase during fiscal 1963 would be reduced from $576,740,000 to $144,420,000. While an increase of this amount deserves consideration, it may be questioned whether such an increase should be designated as "pyramiding."

## TITO

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, this is a day of shame for Americans everywhere. Today in the Nation's Capital we heard 21 guns salute Communist Tito. Today, the President of the United States officially greets Tito.

This is an insult to every veteran of our wars, to every citizen of every captive nation, to every loyal American, and to every defender of our freedom everywhere in the world. This violates the proud memories of loved ones lost in battles for freedom since 1776. It subverts the great deeds that led to allied victory in the last war. What we have always been led to believe in this Nation's wars was a struggle for peace with honor is being tossed aside by an amazing American Presidential performance that is appeasement in the name of expediencey.

I am ashamed for our country, ashamed that the American President would put out a red carpet to a Communist.

Indeed, this is a sick America. No better illustration can be found than in official greetings to Tito, who as a Communist is devoted to the overthrowing and destruction of this country as are all Communists everywhere.

We should be at least grateful that the U.S. Supreme Court has not yet denied to each of us the individual right to pray. Mr. Speaker, at the rate this administration is surrendering both principle and power, we had better start praying. If this administration's surrender on the installment plan keeps on longer there will not be much left for us but prayer and those of us who know that God helps those who help themselves are terribly and deeply concerned.

## THE CRACK IN THE FOUNDATIONS OF U.S. NATIONAL DEFENSE

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, one of the Nation's best minds on defense strategy is that of Dr. Stefan T. Possony of the Hoover Institution on War, Revolution, and Peace. In the October 7 issue of the American Security Council's Washington Report, Dr. Possony discusses the perilous state of our defense and ascribes the difficulty to a nuclear neurosis on the part of Kennedy administration planners. Amongst other things, Dr. Possony contends:

> First, that Western Europe is defenseless against a Soviet missile attack because it does not have nuclear tipped MRBM's with which to make an adequate response.
>
> Second, that Western Europe is defenseless against Soviet armed aggression due to Soviet superiority, by annihilation ratios, in both manpower and tactical nuclear weapons.
>
> Third, that should the Soviets strike America first, NATO forces, weak largely because of U.S. nuclear weapons policies, would be incapable of effectively coming to our assistance.

The full text of Dr. Possony's article, which should be read by every American, in Government and out, is as follows:

### THE INTERDEPENDENT DEFENSE

(By Dr. Stefan T. Possony)

"The United States will risk its cities to defend yours because we need your freedom to protect ours." President Kennedy spoke these forceful words on June 26, 1963, at Frankfurt, in the Paulskirche, the cradle of German democracy. The President's pledge of continuing U.S. support to the defense of Europe was urgently needed to counteract the doubts which many Europeans have been expressing about the American firmness of resolve.

It would be a mistake, however, to assume that the more astute Europeans ever really questioned our understanding of the basic fact that the defense of North America and Western Europe "was and still is indivisible." The true debate has been raging about the implementation of our purposes. Indeed, dependability is just one of the ingredients needed to give the alliance its cohesion. Effective military policies are equally as indispensable—and it is painfully obvious not only that our strategy has become increasingly deficient, but also that the President has failed to announce his willingness to consider new and more promising approaches. The United States still asserts that it is an Atlas who intends to carry the key responsibilities all alone. Let us look at just three key problems.

1. The Soviet Union is generally credited with the possession of about 700 medium range ballistic missiles, most of which are threatening our European allies directly. Should war come, Soviet MRBM's will have beforehand been doubled or tripled in number. The brutal fact is that, against this overwhelming threat, Europe presently is utterly defenseless. True, American deterrent forces are countering this specific threat through the general menace of retaliation. However, our present deterrents are unable to protect Europe physically.

To survive, the Europeans need counterforce capabilities: If missiles were to be used they would need about twice the number of Soviet MRBM's, or more than 2,000 missiles with instantly usable nuclear warheads. If Europe should decide to neutralize the MRBM threat through antimissile missiles, a full-fledged missile defense system would have to be built. We have been opposing the specific counterforce system, offering instead a ship-based deterrent system which is far too small and vulnerable, and which does not satisfy the requirement. We are holding back the development of antimissiles even in the United States. The plain fact of the matter is that while we may be willing to risk our cities, this sacrifice would not protect the cities of Europe. The President should have announced a crash program to build a NATO-wide antimissile defense system in order to preserve the cities of both Europe and America.

2. The Soviet Union has stationed in East Germany more than 20 divisions that are armed with nuclear weapons. In case of attack, the Soviet ground force undoubtedly would consist of 40 to 60 nuclear combat divisions. Against this strength we are maintaining in Europe five American divisions which do have nuclear weapons, but which presumably would be deployed initially for conventional battle. Due to their lack of nuclear weapons, the other NATO divisions do not represent effective military power. Hence we are facing insuperable, 4 to 12-fold odds.

The administration asserts that instead of arming our allies with tactical nuclear weapons, an increase in conventional strength would enhance the security of Western Europe. Yet Washington has not seen fit to refute the evaluation of the French general staff, according to whom conventional and nuclear combat are mutually incompatible. The French believe, on very solid military grounds, that it is impossible during battle, to switch from conventional to nuclear fighting. They also are convinced that conventional forces would be annihilated rapidly and that, therefore, increases in conventional strength would merely lead to massive increases in military casualties. The French argument is strengthened by the age-old experience that advanced technology wins over retarded technology, especially when the technologically inferior side also lacks initiative and numbers—and by the fact that the Soviets are not planning to fight a conventional war. Yet, for all practical purposes, this French argument is given the silent treatment. Most Americans do not even know that the French have a solid military case. Yet how can we achieve unity if we do not allow a fair and open discussion about the real issues?

3. In all of this, very vital American national interests are at stake. The President told the Germans that they are "in the first line of defense." The gist of his message was that, if Europe were attacked, the United States could come to its help. The President thus addressed himself to one specific war situation. But it is quite likely that in the future the United States, instead of Germany, will be in the "first line of defense" and that the Soviets, in order to seize Europe intact, may forgo an initial attack on the Continent. If so, the American national interest would require that the European nations come to our defense by launching an offensive against Soviet forces. But how could they help us without nuclear weapons?

What about political strategy? The President said that "no administration in Washington can fail to respond to * * * a threat to the freedom of Europe," because this would be "a threat to the freedom of America." The cold legal facts are that the President cannot commit future administrations; that the NATO pact does not stipulate an automatic military response by any of its members; and that the NATO treaty did not abrogate the constitutional provision that war be declared by Congress and not by the President.

The President, nevertheless, is entirely justified in suggesting that the Atlantic Community should progress from independence to interdependence. But the organs of interdependence have not been created and won't exist for years. The "Atlantic partnership," which is legally nonexistent, certainly is not yet "an entity of interdependent parts." NATO which has legal standing, remains an alliance of independent nations; and not a single member of the alliance is yet planning to abrogate its national independence. This is still the central political fact on which all defense planning must be based.

The President is looking forward to the time when all partners "linked together in the task of defense as well as the arts of peace," will be "sharing equally both burdens and decisions." The fact is that the United States still is carrying a far heavier burden than any ally: European NATO is spending on defense 5.4 percent of its overall gross product—no European state is spending more than 6.5 percent of its GNP—but the United States is paying out 9.8 percent. With a European "GNP," that is 58 percent of ours, Europe's defense outlays are 32 percent of the U.S. defense budget. In per capita terms: The average European taxpayer is spending annually on defense $53; the American taxpayer $277. This discrepancy is utterly unjustified. Per capita incomes in Europe have more than doubled since the end of the war (except in Britain) but military expenditures have failed to keep pace and in several cases are far below pre-World War II levels. The United Kingdom and particularly the United States have increased their military expenditures disproportionately, and in both countries the growth rate is lagging.

But just as the Europeans are unwilling to share the economic burden, so the United States has been unwilling to share the strategic decisions. Our European Allies have no choice but to go along with Mr. McNamara's diktats. The Pentagon's decisions on weapons systems affect the very lives of Europeans, and surely there should be no blood tax without representation. America's technological and notably nuclear strategy have remained strictly isolationist. The President wants Europe to reemerge as "a world power capable of meeting world problems as a full and equal partner." But how is Europe going to become a "world power," when the decisive weapons are to remain an American monopoly?

While we want to keep Europe unarmed with nuclear weapons we are seeking, as Mr. Kennedy intimated in his speech of June 10, "agreements" which "are in the Soviets' interest as well as ours." There is a presumption that to preserve peace, we must, above all, achieve accommodation with Moscow and help the "leaders of the Soviet Union adopt a more enlightened attitude." Yet, the President said in Frankfurt that "the first task of the Atlantic community was to assure its common defense." "The future of the West lies in Atlantic partnership." What then is our first priority—to "make the world safe for diversity," or to secure peace by making freedom complete?

If we concentrate on seeking, through a balance of terror, and accommodation with the Soviet Union, we shall ultimately destroy NATO and get into a war. If, on the other hand, we concentrate on establishing NATO as a truly effective defense and economic community, thus accomplishing durable deterrence on the basis of massive superiority, we shall change the world situation in such a way that the danger of Soviet aggression will be neutralized in a lasting manner. Then, and only then, will the precondition for a beneficial internal evolution within the Soviet Union have been created.

Actually we are pursuing three policies: In nuclear and most other relevant strategic matters, we apply strict nationalism—a policy of which the French attitude is a mirror image; together with Britain, we try to accommodate the Soviets; and for the Germans we parade interdependence. It does not necessarily follow that these three policies are incompatible. But they are incompatible if they are given simultaneously the same top priority. It is the NATO policy which demands the highest priority by far, because otherwise neither the relaxation policy, nor our own national independence can be made to work. Our hesitations with respect to the requirements of an effective policy of interdependence are due to an overrating of our own independent strength and strategic capability on the one hand, and on the other, to an overly optimistic interpretation of events behind the Iron Curtain and to an erroneous estimate of Soviet strategy, notably of Moscow's psychological warfare which aims at the partial unilateral disarmament of the United States.

But nuclear neurosis is at the bottom of the confusion. Unless we give up the dream that we can put the atom back into the womb of history, the dream of "a new social order founded on liberty and justice * * * in which states are the servants of their citizens and * * * men are the makers of their fate," will never come to life. The question before Mr. Kennedy is this: Should we confuse our dreams with life, or do we want to live so that we may continue to dream?

## TITO

**Mr. BECKER.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

**The SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. BECKER.** Mr. Speaker, I notice by the press that Madam Nhu was greeted at the Ivy League Institution of Princeton by the throwing of rocks and eggs and by boos. I wonder if these same people who treated her this way would treat Tito the same way, as he comes down Pennsylvania Avenue today, or will they be strewing flowers along the way to greet this Communist dictator.

We have adopted a policy today of placating our enemies and kicking our friends in the teeth. I think it would be far better if we treated our friends more kindly, and try to understand them, keep a wary eye on our enemies and all Communists.

## WHITE HOUSE HOSPITALITY

**Mr. JOHANSEN.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

**The SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

**Mr. JOHANSEN.** Mr. Speaker, I confess to some confusion regarding the standards which currently govern the White House hospitality.

Mme. Nhu is not invited.

Mr. Tito is invited.

Mme. Nhu is accused of calling American military men in Vietnam "little soldiers of fortune." She has denied the charge.

Mme. Nhu publicly condemns communism—the same communism we presumably are fighting in Vietnam.

Mme. Nhu is not on the White House invitation list.

Mr. Tito's forces shot down five American fliers aboard an unarmed transport plane and it took virtually a war ultimatum to get him to return the bodies of these American servicemen.

Mr. Tito declared last year that he shares the Soviet Union's goal of "building a new society of socialism and communism" and he has described "capitalist forces" as "our national enemies."

Mr. Tito is on the White House invitation list.

And on this "black Thursday" the hospitality to Mr. Tito becomes a shameful fact.

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## AMENDING TITLE 23, UNITED STATES CODE, FEDERAL-AID HIGHWAY SYSTEM

Mr. FALLON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7195) an act to amend various sections of title 23 of the United States Code relating to the Federal-aid highway systems, with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 5, after line 3, insert:

"SEC. 6. Section 307(c)(1) of title 23, United States Code is amended to read as follows:

"'(c)(1) Not to exceed 1½ per centum of the sums apportioned for each fiscal year prior to the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure upon request of the State highway department, with the approval of the Secretary, with or without State funds, for engineering and economic surveys and investigations; for the planning of future highway programs and the financing thereof; for studies of the economy, safety, and convenience of highway usage and the desirable regulation and equitable taxation thereof; and for research and development, necessary in connection with the planning, design, construction, and maintenance of highways and highway systems, and the regulation and taxation of their use.'"

Page 5, after line 3, insert:

"SEC. 7. (a) Subsection (c) of section 106 of title 23, United States Code, is amended to read as follows:

"'(c) Items included in any such estimate for construction engineering shall not exceed 10 per centum of the total estimated cost of a project financed with Federal-aid primary, secondary, or urban funds, after excluding from such total estimated cost, the estimated costs of rights-of-way, preliminary engineering, and construction engineering: *Provided*, That such limitation shall be 15 per centum in any State with respect to which the Secretary finds such higher limitation to be necessary. For any project financed with interstate funds, such limitation shall be 10 per centum.'

"(b) The second sentence of subsection (d) of section 121 of title 23, United States Code, is amended to read as follows: 'Payments for construction engineering on any project financed with Federal-aid primary, secondary, or urban funds shall not exceed 10 per centum of the Federal share of the cost of construction of such project after excluding from the cost of construction the costs of rights-of-way, preliminary engineering, and construction engineering: *Provided*, That such limitation shall be 15 per centum in any State with respect to which the Secretary finds such higher limitation to be necessary. For any project financed with interstate funds, such limitation shall be 10 per centum.'"

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. CRAMER. Mr. Speaker, reserving the right to object, I do so for the purpose of inquiring of the gentleman from Maryland, the chairman of the Highway Subcommittee, which amendments were added on the Senate side. I would like the gentleman to explain to the House the contents of those amendments so that the House may be well informed.

Mr. FALLON. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Maryland.

Mr. FALLON. Mr. Speaker, one amendment clarifies existing law to make it plain that the Federal aid and research planning funds may be used for development as well as for pure research. The intent is to stimulate the States to a greater initiative and to assume a more active role in that area of development. Of course, funds have been authorized and appropriated for this area and there is no additional cost involved here.

Mr. CRAMER. If I understand the gentleman's answer then, there is no additional appropriation involved or additional expenditure of funds involved in either of the two amendments added by the other body.

Mr. FALLON. That is correct.

Mr. CRAMER. And further, as it relates to the first amendment, section 6, with regard to development use of these research and planning funds also for development purposes, they are still limited to the present 1.5 percent and it is discretionary with the State as to whether they see fit to use them for development purposes, and as a matter of fact the Bureau of the Budget has, has it not, in the past through executive decision and the rulemaking authority determined that it could be spent for development anyway and this legalizes what has been done by the Bureau?

Mr. FALLON. The gentleman again is correct.

Mr. CRAMER. Second, with regard to section 2, as contained in section 7 of the bill, this requires the Secretary of Commerce and the Bureau of Roads of any State to qualify for use of 15 percent rather than 10 percent maximum?

Mr. FALLON. That is correct.

Mr. CRAMER. And it does not include or increase the total amount of allocation available to any of these States so designated?

Mr. FALLON. That is correct. It only relates to the ABC program and has no effect on the Interstate System.

Mr. CRAMER. And the Department appraises a given State for the reasons stated such as in Alaska where the construction season is unusually short or in Western States where projects may be far removed from established housing facilities and, therefore, the cost of engineering supervision is greater than in other areas, but the Secretary can, and only in instances of that nature, designate those States as being able to provide 15 percent rather than 10 percent for this engineering supervisory work?

Mr. FALLON. That is correct. And I think I might add this further note, if the gentleman will permit.

Mr. CRAMER. I yield to the gentleman from Maryland.

Mr. FALLON. Most of these projects are small projects dollarwise.

Mr. CRAMER. If the gentleman will further provide information—and I will yield to him for that purpose—if a State is also designated, the Bureau will still review each project for which such funds are requested. Is that not correct?

Mr. FALLON. The gentleman is correct.

Mr. CRAMER. I say to the gentleman I am in support of the amendments. I think they are sound. The bill was noncontroversial when it initially passed the House. I do not believe it is controversial now in view of the statements made by the gentleman from Maryland.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I am a little confused as to the waiving of the 10-percent limitation and what States are involved. The gentleman alludes to the fact that Alaska and perhaps several of the Western States are involved. It seems to me this is something that has to be watched very closely.

Mr. CRAMER. Yes. And I say to the gentleman I agree with him wholeheartedly. That is why the bill was drafted in that manner, and the report is so drafted. That is why I thought it was important to have this discussion of it, so that the Bureau knows and the Department of Commerce knows and the States know that only in unusual circumstances is this to be used where it can be fully justified not only as it relates to the States but as it relates to each and every project. I will say to the gentleman those States who will probably benefit for the reasons I have mentioned are Alaska, Idaho, Montana, West Virginia, and Connecticut.

Mr. LAIRD. What is the reason for Connecticut?

Mr. CRAMER. And I want to say further to the gentleman other States can qualify if they can prove the same necessity.

Mr. LAIRD. What is the reason in Connecticut? Certainly there is not a great territory to cover in Connecticut. Why can you not get along on the 10-percent basis in Connecticut and West Virginia?

Mr. CRAMER. Because the State of Connecticut, as I understand it—and, of course, they are going to have to prove their case in each instance, I say to the gentleman—as I understand it they have a large number of small projects in congested areas and they may need additional engineering supervisory funds.

Mr. LAIRD. Are they going to have to run to Washington on every one of these projects and justify the 15 percent on a project-by-project basis before the Bureau of Public Roads?

Mr. CRAMER. It is my understanding they have to get clearance on a project-by-project basis for an additional 5-percent supervisory engineering money in the States that are approved.

Mr. FALLON. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. Yes. I yield to the gentleman from Maryland.

Mr. FALLON. The project itself has to be approved by the bureau.

Mr. CRAMER. Yes.

Mr. FALLON. This is an additional approval that is necessary.

Mr. LAIRD. I understand that.

Mr. FALLON. It is not that they have to come to Washington for this particular purpose, but it is included in their application for the project when it originates.

Mr. CRAMER. I will say to the gentleman that this will be another item along with the approval of the project itself that is to be considered at the time it is made.

Mr. LAIRD. I still do not understand about Connecticut.

Mr. CRAMER. I will say to the gentleman that I am satisfied Connecticut, along with many other States, will have to justify the additional 5 percent in order to get it. I am not concerned, but I just suggested Connecticut as one State which indicated an interest along with others as well.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I will be delighted to yield to the gentleman from Iowa.

Mr. GROSS. Then, any other State can come in on the same basis as Connecticut?

Mr. CRAMER. The gentleman is exactly correct, and that is the only fair way to legislate on the matter, I believe. At any rate, every State, if it can justify on the basis of proven need for additional supervisory engineering costs will have to justify it on a project-by-project basis. I will say further to the gentleman that it would be unfair not to include all States under those circumstances, but that State does not get any more highway construction authorization money. It comes out of what has already been allocated to those given States. If they want to spend it for that purpose and can justify it then I think they are entitled to do so.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I am concerned about these proposals to buy toll roads. Does this in any way enter into the toll road purchase proposal?

Mr. CRAMER. Mr. Speaker, I thank the gentleman for bringing up the subject, because he has opened up a subject in which I have a very great interest. This does not, I will say to the gentleman. And I wish I had a half hour on the floor of the House to discuss that subject, because I have been greatly concerned about the insertion of toll traps into the free highway system and have opposed them. Also, I have opposed parallel toll roads adversely affecting the free highway system, something which is certainly going on to a great extent in Florida today. That, as I say, I also oppose.

Mr. GROSS. But the gentleman says that neither of these amendments has anything to do with that particular subject?

Mr. CRAMER. The gentleman is absolutely correct.

Mr. GROSS. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

## PROGRAM FOR THE WEEK OF OCTOBER 21, 1963

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I have asked for this time to inquire of the majority leader if he will advise the House as to the program for the balance of this week and for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the acting minority leader, the program for next week is as follows:

Monday is Consent Calendar Day. There is one suspension, H.R. 8667, authorizing additional appropriations for the prosecution of comprehensive plans for certain river basins.

For Tuesday, under the unanimous-consent request of the gentleman from Arkansas, the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS] will call up H.R. 8821, to revise the provisions of law relating to the methods by which amounts made available to the States pursuant to the Temporary Unemployment Compensation Act of 1958, title XII of the Social Security Act, are to be restored to the Treasury.

H.R. 8427, improved retirement and disability system for certain employees of the Central Intelligence Agency. This has an open rule providing 2 hours of general debate.

For Wednesday and the balance of the week:

H.R. 5945, establishing a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico. This has an open rule providing 2 hours of general debate.

This announcement is made, of course, subject to the usual reservations that conference reports may be brought up at any time and that any further program may be announced later.

Mr. Speaker, if the gentleman will yield further, I think I should advise Members that a rollcall vote is possible on Monday, and also on other days later in the week.

## ADJOURNMENT OVER TO MONDAY, OCTOBER 21

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## DISPENSING WITH CALENDAR WEDNESDAY BUSINESS NEXT WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## FRANCIS E. WALTER, IN MEMORIAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I believe that it is of the highest importance that we be made aware of the high esteem in which our late colleague and beloved friend, Francis E. Walter, was held by all the members of the Intergovernmental Committee on European Migration. The Director of the Intergovernmental Committee on European Migration, B. W. Haverman, has expressed the sentiment of all of us. I am deeply moved by Mr. Haverman's expression and wish to share this tribute with all who knew and respected Francis E. Walter.

I take the deepest pleasure in inserting this memoriam which appeared in the fall issue of Circuit, a leading publication of the Netherlands, into the RECORD.

### FRANCIS E. WALTER, IN MEMORIAM

Congressman Walter, 69 years old, died on Friday, May 31, in Georgetown University Hospital, Washington. In his passing, the U.S. House of Representatives has lost one of its most powerful Members, the Netherlands one of its best American friends, and the Western World one of its most dynamic leaders.

A week before his death, on the occasion of his birthday, he was hailed in the House by not less than 48 speakers, as one of its greatest Members of all time. In the following days, Congressman Walter was facing his last fight, a battle that no human being ever can win.

Congressman Walter was a brave fighter. He served in the Navy in World War I and fought as a lieutenant commander in the Navy Air Corps over England in World War II until he was called back by President Roosevelt. Sitting at the side of his bed in the hospital in February last, I expressed the hope that he would be able to return to the congressional battlefields in the near future. "No more battlefields for me" was his straightforward reply and he disclosed to me the real nature of his illness. He knew that only a miracle could keep him alive. He saw, very distinctly, the inevitability of the short but difficult path he had still to tread. However, he took keen enjoyment in being a

Protestant in the hospital of a Roman Catholic university, very well attended by a Negro physician. These circumstances, he thought, expressed in an excellent way his own philosophy on community life as it should be in the United States and all over the world.

Congressman Walter was buried with full military honors on a sunny slope in Arlington National Cemetery, the final resting place of America's great soldiers. A three-volley salute was fired at the grave by a Navy ceremonial guard. In attendance were relatives, friends, representatives of President Kennedy, Governors and State officials, Senators and Members of the House of Representatives, the Netherlands Ambassador Dr. J. H. van Royen and other members of the Diplomatic Corps, representatives of the National Catholic Welfare Conference and of the World Council of Churches, a banker, a judge, a union leader: in short representatives of practically all walks of life, joining together in extending their last homage to a great man.

After the burial, I mentioned to a general of the U.S. Air Force the important role Congressman Walter had played in the lives of more than one and a half million refugees and national migrants. Further, I told him the story of Mr. Walter's initiative in bringing the governments of 29 free nations together in an international organization to be "practical" by recognizing "the fact that one of the greatest assets in the world today is being dissipated through a failure realistically to place people where they are needed in the struggle for peace" (Brussels, 1951). I added that I did not know of any international politician who had succeeded in fructifying his ideas to the same degree and in such an efficient manner as Congressman Walter did. He not only influenced the thinking of a great number of governments but he brought them to joint action and good results. The general was amazed to hear all this. He said: "We are too used to judging our politicians only from the domestic point of view." All of us recognize Congressman Walter's stature as an American political figure, but only a few know of the role he played internationally.

Although Mr. Walter had extremely strong basic ideas to which he remained faithful in all circumstances, as a great politician he showed that magic, keen discernment of being able to distinguish between possibilities and impossibilities. By his pragmatic approach, his great command of facts, his prestige and his power of persuasion he often knew how to shift the borderline between them and to change a political impossibility into a concrete reality.

One of his basic ideas was that the resettlement of refugees had to be the prerogative of the Western world and should not be supervised directly or indirectly by Communist governments. With this in view, he became instrumental in the creation of the Intergovernmental Committee for European Migration (ICEM), which succeeded the International Refugee Organization in 1952.

In 1956–57, this organization moved 105,000 Hungarian refugees to countries of resettlement, over 60,000 of them within 4 months of the uprising. Congressman Walter was present at the Austrian-Hungarian border where he saw refugees shot while attempting to flee and himself carried a young child from the Hungarian territory to freedom. Shortly afterwards he assumed leadership in the enactment of the U.S. Parolee Act of 1957 and subsequent acts which enabled ICEM to resettle a large number of refugees. This organization is still moving well over 30,000 refugees a year to countries where they can settle in freedom and peace.

The impact Congressman Walter had on the migration programs of many countries can easily be demonstrated by taking the Netherlands as an example. In 1957, he and a young Senator (now President of the United States) assisted me as the Netherlands Government Commissioner for Emigration in obtaining a loan from the Development Loan Fund to start the financing of a housing program for Dutch migrants in Australia. Last year he presented me—this time in my new capacity as Director of ICEM—to President Kennedy and we discussed the outcome of that housing scheme under which more than 3,500 Dutch migrant families in Australia acquired beautiful, privately owned homes.

In the same meeting Congressman Walter reported to the President on his visit to the Dutch settlements in Brazil, in the extension of which the U.S. Government had invested approximately $1½ million, of which $1,250,000 was made available through ICEM. These settlements inspired Congressman Walter and the U.S. delegation to the ICEM Council to encourage ICEM's participation in agricultural development projects in Latin America. The importance of the Holambra settlement and the Castrolanda settlements, I must confess, have been better understood by Americans like Congressman Walter than by many of my leading compatriots.

The greatest service to our country, however, of Congressman Walter was the opening he created for the resettlement of about 25,000 Dutch repatriates from Indonesia in the United States by amending the Pastore bill, enacted as the Pastore-Walter Act, 1958. I remember having dinner with him and the former Minister of Social Affairs and Health, Mr. Suurhoff, just after he had paid his first visit to Her Majesty, Queen Juliana. He told us that during this visit he had given his word to find a solution for this group of potential migrants to the United States. He explained that more than 5 million workers at that time were unemployed in his country and that immigration legislation giving new entry possibilities could be considered that year as a political impossibility. But he kept his promise.

I have taken the Netherlands as an example, but comparable stories could be written about other Western European countries and on solutions he brought to many groups suffering from oppression.

After World War II, Congressman Walter became the leading international statesman in the humanitarian and migration field, always progressive and always prodding governments into action, but with both feet on the solid ground of reality. The Netherlands honored him by his appointment as Commander of the Order of Orange Nassau and he received the Van Noort medal in gold, until now only bestowed upon two persons. By the death of Francis E. Walter, the Netherlands and the Dutch migrants—indeed, migrants and refugees all over the world—have lost one of their best friends. His memory will live on in his accomplishments.

## B'NAI B'RITH—120TH ANNIVERSARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, Sunday, October 13, was the 120th anniversary of the 1st voluntary service organization founded in the United States.

It has a distinctive Hebrew name—B'nai B'rith. Its achievements are an inspiring example of the constructive force that Jewish citizens have been in the development of our Nation.

The name of B'nai B'rith and much of its good works are familiar to most of us; indeed, to millions of our countrymen. But our awareness of this public-spirited movement is further illuminated by some of the fascinating aspects of its long history—a history that has been rooted in American soil since the days John Tyler occupied the White House.

B'nai B'rith is the largest Jewish service organization in the world. But even more, it is distinguished as a pioneer group among the hundreds of important organizations that today give sustenance to the spirit of voluntary community activity in our free society.

The catalog of B'nai B'rith's good works, growing out of its four generations of service to the Jewish community, to our Nation and to people's everywhere, is far too comprehensive and too impressive for a brief review. But it is interesting to note that B'nai B'rith organized what might have been the first disaster relief campaign by a national organization. This was in 1868, more than a decade before the establishment of the American National Red Cross. In fact, it was in the Washington home of Adolphus Solomons, a B'nai B'rith leader, that Clara Barton and others met to organize the Red Cross.

B'nai B'rith conducted its first oversea relief campaign in 1865. Since then it has aided those stricken by flood, famine, earthquake, and the ravages of war in more than a score of lands. It opened, on a free nonsectarian basis, the first American hospitals specializing in chest and arthritic diseases. It sponsored orphanages and homes for the aged, free employment bureaus and technical training schools for immigrants. It established, in 1852, the first Jewish community center in our country and the first Jewish library.

B'nai B'rith is widely known for its effective campaigns against religious bias and discrimination. But perhaps not too many of us are aware that its first successful effort in this field was in 1851—in which it won the active support of Daniel Webster and Henry Clay.

A B'nai B'rith group in Chicago answered an appeal by President Lincoln for Army volunteers with a recruiting drive of its own, enrolling and paying the enlistment bonuses of a company of Jewish soldiers that served with heroism in the 82d Illinois Infantry Regiment. The regiment itself was commanded by B'nai B'rith leaders.

One might also recall B'nai B'rith members who fought with the Confederacy. Among them was young Moses Ezekial, later to become the great sculptor whose statue of "Religious Liberty," commissioned by the organization, stands in Philadelphia as a gift of B'nai B'rith on the 100th anniversary of the Declaration of Independence.

The patriotism of B'nai B'rith has been evident in every conflict since the Civil War. For its outstanding activities during World War II, B'nai B'rith was the first civilian group to be officially cited by both the U.S. Army and Navy.

B'nai B'rith has been publicly cited for its activities by every American President since Teddy Roosevelt. It is particularly noteworthy that our Jewish colleagues in the Congress—from both sides of the aisle—are enrolled in its ranks.

This diversity is wholly typical of B'nai B'rith, which has served as a rallying force among all Americans of Jewish origin, transcending their varying ethnic backgrounds and their differences in religious, ideological, or political viewpoints.

B'nai B'rith today stands as a tribute to the spirit of the American Jewish community. In its 120 years, it has built up a structure of American participation and responsibility that identifies it with the great ideals of patriotism. Love of country begins with an appreciation of one's own place in it. The men and women of B'nai B'rith have made an enviable place for themselves in our Nation's history.

The Bible relates the age span of Moses the lawgiver as 120 years. Thus, the achievement of 120 years is a memorable milestone in Jewish tradition. But institutions—like people—grow old only when they desert their ideals. The vitality, dimensions, and sense of purpose of B'nai B'rith increase with each succeeding generation. The Nation salutes this remarkable organization on its historic anniversary and hails its continuing good works in philanthropy, democratic education, social service, youth work and other vital aspects of our national life.

## THE TWO-PRICE COTTON DILEMMA

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Georgia [Mr. WELTNER] is recognized for 1 hour.

Mr. WELTNER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WELTNER. Mr. Speaker, for a long time Congress has been seeking a way out of the two-price cotton dilemma. After months of diligent work, the House Committee on Agriculture reported favorably the bill H.R. 6196, commonly called the cotton bill. The committee's report states:

> The bill will end the two-price system for cotton. Domestic mills will be able to buy cotton at the world price.

Quoting further:

> The Department of Agriculture estimates that the program under H.R. 6196 would cost approximately $250 million more annually than the program under the current cotton law.

I would commend the committee for its interest in this grave and pressing problem. After adjournment of the 87th Congress, members of the committee held hearings to prepare for the 88th Congress. It has displayed admirable determination to "do something about two-price cotton." And it has reported what may be the best possible solution—if the present cotton support program is to remain unchanged.

But is the success of the present program such that it must remain inviolate? My purpose today is not to examine the cotton bill, but the cotton support program which gave it birth.

I am not a cotton farmer, nor a cotton manufacturer. I cannot supply all the answers to the cotton problem. But I can examine the facts.

And here are the facts: Two-price cotton has wreaked havoc with the textile industry. The largest employer in the South must pay 8½ cents per pound, or $42.50 per bale, more for cotton than foreign competition. The toll in lost markets, lost profits, and lost jobs is startling.

The textile industry bears this heavy burden because the Government supports the price of cotton at 32.47 cents per pound. The world market is 24 cents per pound—hence the 8½ cents differential.

The Government maintains prices at 32.47 cents per pound for one reason only—to help the cotton farmer.

Mr. Speaker, I think that no one will deny the truth of these statements. There is no question of the cause of two-price cotton, nor of its shattering impact. There is no question but that the cotton program was designed to help the cotton farmer. And there is no question that the desire to help the cotton farmer—particularly the small cotton farmer—is a laudable one.

There is no concept more appealing than the family farm. And all of us continue to harbor pleasant visions of the cotton farm.

Happy field hands harvesting snowy blossoms from the good red earth; the local cotton gin plucking rich seed from gossamer fiber; the crop baled and sold; and the profit of honest labor carefully put away. There are the bales of white gold, waiting at the ports of Savannah and Charleston for ships to bear them across the seas. At home, the mills change fiber to fabric, bringing employment and profit to all. Now, Mr. Speaker, in this vision every prospect pleases. But it fades away in the light of cold, hard fact.

There was a day in Georgia and the South when cotton was king. But that day, like many another southern dream, is gone with the wind.

Here are the facts:

In 1930, Georgia produced 11.4 percent of the Nation's cotton. Today, it produces 3.5 percent.

In 1930, California produced 1.9 percent of the Nation's cotton. Today, it produces 13.7 percent. These figures appear in the committee report.

Cotton is no longer king in Georgia, nor is the small cotton farmer prosperous.

The small farmer might fairly be described as one with an allotment of 10 acres or less. There were 652,387 of them in the United States in 1961—70.1 percent of all cotton farmers. These small farmers shared subsidies totaling $40,787,449. This comes, Mr. Speaker, to the sum of $63 per farmer for over 70 percent of all farmers. How much does that subsidy add to his income? About $5 per month. Among southeastern farmers, the average is even less—$55 per year. Compare this to the large farmer—one with 1,000 acres or more under cotton allotment. There were 322 such farmers in the Nation in 1961. These 322 received a total subsidy of $36,590,760—an average of $113,657 each. The States of Alabama, North Carolina, and South Carolina together had six such large farmers. Georgia, Florida, Virginia, and Tennessee had none. The largest growers in California and Arizona received $18,352,605 in subsidies, while the 358,965 small farmers of the Southeast shared less than $20 million—78 western farmers averaged $210,925 each. Over a third of a million small southeastern growers averaged $55. The attached table presents these figures in detail.

FEDERAL GOVERNMENT'S COTTON SUBSIDY PROGRAM

TABLE 1.—*Money to small farmers compared with money to large (over 1,000 acres) farmers, 1961*

MONEY RECEIVED BY SMALL FARMERS

| State | Farmers | Subsidy dollars paid | Average per farmer |
|---|---|---|---|
| Texas | 102,221 | $1,796,560 | $18 |
| Alabama | 96,828 | 7,293,000 | 75 |
| Mississippi | 82,205 | 4,762,253 | 58 |
| North Carolina | 75,439 | 4,504,788 | 60 |
| Georgia | 64,474 | 3,335,910 | 52 |
| South Carolina | 61,252 | 3,545,478 | 58 |
| Tennessee | 46,426 | 6,283,370 | 135 |
| Arkansas | 34,967 | 2,971,770 | 85 |
| Louisiana | 31,714 | 1,907,953 | 60 |
| Oklahoma | 27,703 | 738,948 | 27 |
| Missouri | 6,751 | 895,645 | 133 |
| California | 5,046 | 911,668 | 181 |
| Florida | 8,328 | 580,490 | 70 |
| Virginia | 6,198 | 416,798 | 67 |
| New Mexico | 1,827 | 528,530 | 289 |
| Arizona | 1,008 | 314,288 | 312 |
| United States | 652,387 | 40,787,449 | 63 |
| Percent of U.S. total | 70.1 | 6.7 | ---------- |
| Southeast | 358,965 | 19,666,834 | 55 |
| Other States | 293,422 | 21,120,615 | 72 |

MONEY RECEIVED BY LARGE FARMERS

| State | Farmers | Subsidy dollars paid | Average per farmer |
|---|---|---|---|
| Texas | 102 | $7,056,658 | $69,183 |
| Mississippi | 62 | 5,464,055 | 48,681 |
| California | 58 | 15,136,205 | 260,960 |
| Arkansas | 56 | 4,442,440 | 79,329 |
| Arizona | 20 | 3,216,400 | 160,820 |
| Louisiana | 9 | 438,133 | 48,681 |
| Missouri | 7 | 431,163 | 61,594 |
| Alabama | 3 | 140,973 | 46,991 |
| South Carolina | 2 | 80,495 | 40,248 |
| New Mexico | 2 | 156,825 | 78,412 |
| North Carolina | 1 | 27,413 | 27,413 |
| Tennessee | 0 | ---------- | ---------- |
| Georgia | 0 | ---------- | ---------- |
| Oklahoma | 0 | ---------- | ---------- |
| Virginia | 0 | ---------- | ---------- |
| Florida | 0 | ---------- | ---------- |
| United States | 322 | 36,590,760 | 113,657 |
| Percent of U.S. total | 0 | 6.0 | ---------- |
| Southeast | 6 | 248,881 | 41,480 |
| Other States | 316 | 36,341,879 | 115,005 |

NOTE.—(1) "Small farmers" include (*a*) farmers with cotton allotments who did not use them (hence getting no subsidy) and (*b*) farmers getting small subsidy (i.e. planting from 0.1 to 10 acres). "Large farmers" are those with cotton allotments of 1,000 and more acres. (2) "Subsidy" computed by multiplying rate of 8½ cents per pound by number of bales produced in the allotment categories shown, i.e. 0.1-10 acre category for "small" farmers and 1,000 and over acre category for "large" farmers.

Source: U.S. Department of Agriculture, Cotton Division, ASCS.

Mr. Speaker, the public pays this subsidy. Because it does, I believe it is entitled to know just who is receiving it. I am, therefore, including at this point a table, prepared from data furnished by

**the Department of Agriculture, showing the names of those farmers with effective allotments of 1,000 acres or more, measured acreage, estimated yields, and—most important of all—the amount of public subsidy going to each farm. To my knowledge, no compilation equivalent to this has ever been published before. The year 1961 is chosen because, I am advised, the Department maintained yield figures only for that year.**

TABLE 2.—*Upland cotton: 1961 effective allotments, measured acres, and estimated yields per acre for farms with effective allotments of 1,000 acres or more*

| Owner | Operator | Effective allotment | Measured acreage | Estimated yield per acre | Production | Amount of subsidy |
|---|---|---|---|---|---|---|
| Alabama: | | | | | | |
| Dallas County: | | *Acres* | *Acres* | *Pounds per acre* | *Bales* | |
| J. A. Minter & Son | Same | 1,420.2 | 1,413.5 | 405 | 1,145 | $48,662.50 |
| J. B. Hain Co | Same | 1,554.0 | 1,547.4 | 405 | 1,253 | 53,252.50 |
| Escambia County: State of Alabama | A. F. Lee, commissioner, Board of Corrections, Kilby Prison, Montgomery, Ala. (State prison farm, Atmore, Ala.). | 1,312.7 | 1,312.7 | 350 | 919 | 39,057.50 |
| Arizona: | | | | | | |
| Maricopa County: | | | | | | |
| B. F. Youngker, Sr.; Charles and B. F. Youngker, Jr.; K. K. Bowser; Mae L. Crumb. | Youngker Farms | 2,313.1 | 2,277.3 | 1,265 | 5,762 | 244,885.00 |
| (1) | J. L. Hodges Farming Co | 1,118.9 | 1,111.8 | 1,200 | 2,668 | 113,390.00 |
| Waddell Ranch Co | Same | 1,286.4 | 1,286.4 | 1,375 | 3,538 | 150,365.00 |
| Goodyear Farms | Same | 2,192.5 | 2,192.5 | 1,265 | 5,547 | 235,747.50 |
| Bogle Farms, Inc.; U.S. Indian Land | Bogle Farms | 1,305.6 | 1,305.6 | 1,375 | 3,590 | 152,575.00 |
| Arizona Title Insurance & Trust Co.; Del E. Webb Development Co. | J. G. Boswell Co | 4,431.5 | 4,427.8 | 1,490 | 13,194 | 560,745.00 |
| Pima County: | | | | | | |
| Farmers Investment Co | Same | 3,104.6 | 3,097.1 | 915 | 5,668 | 240,890.00 |
| (1) | Kirby Hughes | 1,006.7 | 1,004.8 | 865 | 1,738 | 73,865.00 |
| John Kai | Same | 1,533.8 | 1,533.8 | 865 | 2,653 | 112,752.50 |
| Bing K. Wong | Same | 1,559.7 | 1,559.7 | 865 | 2,698 | 114,665.00 |
| Pinal County: | | | | | | |
| Bogle Farms, Inc | Same | 1,146.6 | 1,131.9 | 960 | 2,173 | 92,352.50 |
| Calari Land Co. No. 1 | Same | 1,482.3 | 1,482.3 | 1,200 | 3,558 | 151,215.00 |
| Isom & Isom | Same | 1,072.8 | 1,066.4 | 915 | 1,952 | 82,960.00 |
| Rancho Tierra Prieta, Inc | Same | 1,266.0 | 1,262.5 | 1,035 | 2,613 | 111,052.50 |
| McCarthy-Hildebrand Farms, Inc | Same | 1,225.6 | 1,225.6 | 1,085 | 2,660 | 113,050.00 |
| Arizona Farming Co | Same | 1,554.4 | 1,554.4 | 1,080 | 3,358 | 142,715.00 |
| Farmers Investment Co | Same | 2,182.4 | 2,182.4 | 1,080 | 4,714 | 200,345.00 |
| J. A. Roberts | Same | 1,157.6 | 957.6 | 975 | 1,867 | 79,347.50 |
| Coury Bros | Same | 1,389.9 | 1,389.9 | 960 | 2,669 | 113,432.50 |
| Pima Community Farms | Same | 2,185.3 | 2,185.3 | 700 | 3,059 | 130,007.50 |
| Arkansas: | | | | | | |
| Ashley County: | | | | | | |
| S. J. Wilson estate | Same | 1,367.4 | 1,368.1 | 650 | 1,779 | 75,607.50 |
| T. R. Pugh Sons Co | Same | 1,059.4 | 1,058.5 | 650 | 1,376 | 58,480.00 |
| Pugh & Co | Same | 1,087.8 | 1,086.5 | 650 | 1,412 | 60,010.00 |
| Crittenden County: | | | | | | |
| J. F. Twist | Twist Plantation | 1,729.4 | 1,675.1 | 500 | 1,675 | 71,187.50 |
| Mrs. Mary K. Kuhn | Same | 1,947.3 | 1,947.3 | 490 | 1,908 | 81,090.00 |
| Don Weiner | Pacific Plantation | 1,215.2 | 1,146.5 | 500 | 1,147 | 48,747.50 |
| Henry and Love D. Banks estate | Bert Dickey, Jr | 1,282.8 | 1,282.8 | 500 | 1,283 | 54,527.50 |
| A. J. McKnight | Same | 1,370.2 | 1,365.1 | 500 | 1,365 | 58,012.50 |
| Mrs. Mary K. Kuhn; J. F. Rieves | Mrs. Mary K. Kuhn | 1,694.3 | 1,694.3 | 490 | 1,660 | 70,550.00 |
| (1) | Alpe Bros | 1,177.5 | 1,177.5 | 510 | 1,201 | 51,042.50 |
| Mallory Farms | Same | 1,053.4 | 1,016.4 | 500 | 1,016 | 43,180.00 |
| Cross County: | | | | | | |
| W. M. Smith & Sons | James H. Johnston | 1,382.8 | 1,372.1 | 500 | 1,372 | 58,310.00 |
| E. A. Rolfe, Jr | Same | 1,643.0 | 1,449.9 | 500 | 1,450 | 61,625.00 |
| Roy Coldren | Dickey & Rich | 1,067.4 | 960.6 | 500 | 961 | 40,842.50 |
| Desha County: | | | | | | |
| Stimson Veneer & Lumber Trust | Same | 1,349.8 | 1,285.8 | 600 | 1,543 | 65,577.50 |
| R. A. Pickens & Sons Co | Same | 2,703.9 | 2,610.3 | 750 | 3,915 | 166,387.50 |
| Baxter Land Co | Same | 1,234.8 | 1,194.4 | 500 | 1,194 | 50,745.00 |
| Drew County: Tillar & Co | Same | 1,361.3 | 1,338.4 | 400 | 1,071 | 45,517.50 |
| Jackson County: R. D. Wilmans & Sons | Same | 1,619.5 | 1,552.1 | 515 | 1,599 | 67,957.50 |
| Jefferson County: | | | | | | |
| Cornerstone Farm & Gin & Standard Investment Co. | Same | 1,119.6 | 1,119.3 | 625 | 1,399 | 59,457.50 |
| Elms Plantation Co | Same | 1,048.8 | 1,048.8 | 650 | 1,363 | 57,927.50 |
| W. I. Payne estate | Same | 1,491.1 | 1,457.4 | 525 | 1,530 | 65,025.00 |
| International Paper Co | Same | 1,045.7 | 1,020.4 | 650 | 1,327 | 56,397.50 |
| Henderson Plantation Co | Same | 1,214.8 | 1,214.8 | 600 | 1,458 | 61,965.00 |
| Lincoln County: | | | | | | |
| H. R. Woods | Same | 1,083.9 | 1,059.2 | 500 | 1,060 | 45,050.00 |
| Arkansas State Penitentiary | Same | 1,657.9 | 1,668.1 | 500 | 1,668 | 70,890.00 |
| Holthoff Bros.; B. A. Bell; Mrs. A. J. Johnson | Holthoff Bros | 2,376.7 | 2,258.7 | 500 | 2,259 | 96,007.50 |
| Lonoke County: Cobb Bros. & Co | Same | 1,215.1 | 1,215.9 | 600 | 1,459 | 62,007.50 |
| Mississippi County: | | | | | | |
| Lowrance Bros | Same | 1,115.3 | 1,081.4 | 600 | 1,298 | 55,165.00 |
| Cromer Bros | Same | 1,069.5 | 1,068.2 | 550 | 1,175 | 49,937.50 |
| Ohlendorf Farms | Same | 1,891.6 | 1,827.0 | 500 | 1,827 | 77,647.50 |
| Lee Wilson estate | Keiser Supply Co | 1,003.4 | 1,003.2 | 400 | 803 | 34,127.50 |
| D. F. Portis | Same | 1,087.0 | 1,080.8 | 550 | 1,189 | 56,532.50 |
| R. C. Branch | Same | 2,085.5 | 2,030.2 | 700 | 2,842 | 120,785.00 |
| Keiser Supply Co | Same | 1,254.1 | 1,150.1 | 450 | 1,035 | 43,987.50 |
| Wesson Farms, Inc | Same | 2,105.0 | 2,016.2 | 500 | 2,016 | 85,680.00 |
| C. J. Lowrance & Sons | Same | 1,410.7 | 1,355.8 | 625 | 1,695 | 72,037.50 |
| Denton & Crain | Same | 1,376.9 | 1,376.9 | 600 | 1,652 | 70,210.00 |
| Lee Wilson & Co | Same | 4,990.2 | 4,953.2 | 525 | 5,201 | 221,042.50 |
| Armorel Planting Co | E. M. Regenold | 3,514.7 | 3,514.7 | 575 | 4,042 | 171,785.00 |
| J. C. Ellis | Same | 1,015.0 | 1,015.0 | 580 | 1,177 | 50,022.50 |
| B. C. Land Co | Same | 2,708.1 | 2,620.9 | 512 | 2,673 | 113,602.50 |
| Phillips County: | | | | | | |
| Brooks Griffin | Jessie Peter estate | 1,189.6 | 1,171.3 | 574 | 1,347 | 57,247.50 |
| N. Vick Robbins | Crump & Rogers | 1,121.6 | 1,121.3 | 574 | 1,289 | 54,782.50 |
| Howe Lumber Co | Same | 3,598.8 | 3,598.8 | 574 | 4,139 | 175,907.50 |
| Poinsett County: | | | | | | |
| Weona Farms | Same | 3,742.8 | 3,677.6 | 512 | 3,751 | 159,417.50 |
| R. H. Taylor | J. C. Stuckey | 1,258.0 | 1,258.0 | 512 | 1,283 | 54,527.50 |
| Reserve Estate Life Insurance Co | Same | 2,140.0 | 2,117.1 | 500 | 2,117 | 89,972.50 |
| A. G. Patteson | Same | 1,460.0 | 1,446.3 | 500 | 1,446 | 61,455.00 |
| S. C. Chapin | Same | 1,710.0 | 1,652.2 | 596 | 1,966 | 83,555.00 |
| St. Francis Valley Farms, division of E. Ritter & Co. | Same | 6,178.6 | 6,159.9 | 573 | 7,084 | 301,070.00 |
| Dan F. Portis | Same | 2,043.8 | 2,035.7 | 459 | 1,873 | 79,602.50 |
| Fairview Farms Co | Same | 2,134.8 | 2,131.9 | 507 | 2,153 | 91,502.50 |

See footnote at end of table.

TABLE 2.—*Upland cotton: 1961 effective allotments, measured acres, and estimated yields per acre for farms with effective allotments of 1,000 acres or more*—Continued

| Owner | Operator | Effective allotment | Measured acreage | Estimated yield per acre | Production | Amount of subsidy |
|---|---|---|---|---|---|---|
| Arkansas—Continued | | *Acres* | *Acres* | *Pounds per acre* | *Bales* | |
| Prairie County: Hester B. Robinson estate | J. C. Stuckey | 1,378.9 | 1,378.9 | 625 | 1,724 | $73,270.00 |
| St. Francis County: Miller Lumber Co | Same | 1,169.4 | 1,169.4 | 606 | 1,415 | 60,137.50 |
| Woodruff County: L. L. Cole & Son, Inc | Same | 1,289.6 | 1,242.6 | 750 | 1,864 | 79,220.00 |
| California: | | | | | | |
| Fresno County: | | | | | | |
| (1) | Airway Farms | 2,716.9 | 2,711.9 | 1,250 | 6,780 | 288,150.00 |
| (1) | V. C. Britton Co | 1,537.9 | 1,536.4 | 1,180 | 3,626 | 154,105.00 |
| Boston Ranch Co | Same | 3,776.2 | 3,765.2 | 1,350 | 10,166 | 432,055.00 |
| (1) | Hugh Bennett | 1,581.6 | 1,581.5 | 1,100 | 3,479 | 147.857.50 |
| (1) | Coit Ranch, Inc | 2,062.7 | 2,062.4 | 1,200 | 4,950 | 210,375.00 |
| (1) | Calflax Ranch | 3,023.0 | 3,022.9 | 1,250 | 7,557 | 321,172.50 |
| Frank C. Diener Ranch | Same | 1,461.2 | 1,460.7 | 1,450 | 4,236 | 180,030.00 |
| (1) | The Desert Ranch | 1,338.0 | 1,335.8 | 1,200 | 3,206 | 136,255.00 |
| (1) | Employees Enterprises | 4,726.9 | 4,725.5 | 1,300 | 12,286 | 522,155.00 |
| (1) | Five Points Ranch, Inc | 2,297.1 | 2,294.6 | 1,150 | 5,278 | 224,315.00 |
| (1) | Edmund C. Giusti | 1,173.6 | 1,173.4 | 1,050 | 2,464 | 104,720.00 |
| (1) | Price Giffen Ranch | 1,788.9 | 1,786.3 | 1,400 | 5,002 | 212,585.00 |
| (1) | Giffen, Inc | 13,037.6 | 13,037.6 | 1,400 | 36,505 | 1,551,462.50 |
| (1) | Jack Harris, Inc | 2,232.3 | 2,414.4 | 1,250 | 6,036 | 256,530.00 |
| (1) | Harnish Five Points | 1,287.3 | 1,284.6 | 1,300 | 3,340 | 141,950.00 |
| Hammond Ranch, Inc | Same | 1,214.7 | 1,214.7 | 1,200 | 2,915 | 123,887.50 |
| (1) | Murietta Farms Co | 1,167.4 | 1,166.8 | 1,250 | 2,917 | 123,972.50 |
| McCarthy & Hildebrand | Same | 1,144.3 | 1,144.3 | 850 | 1,945 | 82,662.50 |
| (1) | William H. Noble | 2,358.4 | 2,357.8 | 750 | 3,537 | 150,322.50 |
| Burrel Ranch Visalia | Producers Cotton Oil Co | 1,488.5 | 1,488.5 | 750 | 2,233 | 94,902.50 |
| (1) | Reece Bros | 1,007.2 | 1,006.9 | 1,000 | 2,014 | 85,595.00 |
| Redfern Ranches, Inc | Same | 1,354.2 | 1,352.4 | 1,350 | 3,651 | 155,167.50 |
| (1) | V. I. Sandell | 1,294.2 | 1,274.7 | 1,050 | 2,677 | 113,772.50 |
| (1) | Sullivan & Gragnani | 1,169.6 | 1,169.5 | 1,150 | 2,690 | 114,325.00 |
| (1) | Raymond Thomas, Inc | 1,410.0 | 1,409.6 | 1.350 | 3,806 | 161,755.00 |
| (1) | Vista Del Llano Farms | 6,285.0 | 6,284.0 | 1,300 | 16,338 | 694,365.00 |
| Imperial County: Adolph Weinberg | Imperial Land & Cattle | 1,736.5 | 1,736.5 | 1,440 | 5,001 | 212,542.50 |
| Kern County: | | | | | | |
| Miller & Lux; B. V. Associates; J. G. Boswell | J. G. Boswell | 4,156.8 | 4,156.8 | 1,300 | 10,808 | 459,340.00 |
| (1) | D. M. Bryant, Jr | 1,486.4 | 1,486.2 | 1,050 | 3,121 | 132,642.50 |
| W. B. Camp & Sons, Inc.: Banking Trust Co | W. B. Camp & Sons, Inc | 1,224.4 | 1,224.9 | 1,050 | 2,572 | 109,310.00 |
| (1) | S. A. Camp Farms Co | 4,701.5 | 4,686.2 | 1,300 | 12,184 | 517,820.00 |
| Houchin Bros. Farming; C. E. Houchin | Houchin Bros. Farming | 1,373.4 | 1,373.2 | 1,100 | 3,021 | 128,392.50 |
| (1) | Coberly West Co | 2,553.4 | 2,552.7 | 950 | 4,852 | 206,210.00 |
| Kern County Land Co | Same | 20,345.5 | 20,345.5 | 1,130 | 45,981 | 1,954,192.50 |
| (1) | Giumarra Vineyard Corp | 1,545.3 | 1,517.3 | 1,020 | 3,095 | 131,537.50 |
| Kern County Land Co.; Uhalt & Uhalt; McKittrick Rauch. | McKittrick Ranch | 1,066.5 | 1,066.5 | 1,200 | 2,560 | 108,800.00 |
| Tejon Ranch Co | Same | 1,594.6 | 1,594.5 | 977 | 3,109 | 132,132.50 |
| (1) | Robert Pelletier | 1,616.2 | 1,610.3 | 1,350 | 4,348 | 184,790.00 |
| (1) | Pilgrim & Bowling | 1,060.8 | 1,057.7 | 1,025 | 2,168 | 92,140.00 |
| (1) | Wheeler Farms | 1,135.9 | 1,135.9 | 1,010 | 2,295 | 97,537.50 |
| Kings County: | | | | | | |
| (1) | J. G. Boswell Co | 16,985.7 | 16,984.2 | 840 | 28,533 | 1,212,652.50 |
| Gilkey Farms Inc.; J. B. Boyett; Ralph Gilkey; Tulare Lake Land Co. | Gilkey Farms Inc | 1,966.4 | 1,953.7 | 840 | 3,282 | 139,485.00 |
| R. A. Rowan Co | Same | 1,160.2 | 1,152.9 | 840 | 1,937 | 82,322.50 |
| (1) | Salyer Land Co | 5,043.9 | 5,026.3 | 840 | 8,444 | 358,870.00 |
| (1) | South Lake Farms | 5,275.1 | 5,256.6 | 840 | 8,831 | 375,317.50 |
| (1) | West Haven Farming Co | 1,294.9 | 1,294.9 | 840 | 2,175 | 92,437.50 |
| Norman A. Wolfsen; Kings County Development Co.; R. B. Mills; Gertrude, Norman, and Hickey Wolfsen. | Norman A. Wolfsen | 1,227.0 | 1,206.3 | 840 | 2,027 | 86,147.50 |
| (1) | West Lake Farms Inc | 5,212.1 | 5,210.1 | 840 | 8,753 | 372,002.50 |
| Boyett Farming Co.; Maude Armstrong; J. B. Boyett; J. W. Guiberson Co. | Boyett Farming Co | 1,372.0 | 1,363.8 | 840 | 2,291 | 97,367.50 |
| Madera County: | | | | | | |
| Newhall Land & Farming | Same | 1,224.8 | 1,224.8 | 700 | 1,715 | 72,887.50 |
| Jessup Farms | Same | 1,142.5 | 1,142.5 | 900 | 2,057 | 87,422.50 |
| Red Top Ranch | Same | 1,173.4 | 1,173.4 | 750 | 1,760 | 74,800.00 |
| Merced County: | | | | | | |
| Sam Hamburg Farms, Inc | Same | 2,068.1 | 2,102.8 | 1,143 | 4,815 | 204,637.50 |
| Turner Island Farms | Same | 1,136.6 | 1,136.6 | 940 | 2,137 | 90,822.50 |
| Miller & Lux, Inc | Same | 1,960.4 | 1,960.4 | 1,000 | 3,921 | 166,642.50 |
| Riverside County: Riverview Farm & Cattle Co | Same | 1,385.7 | 1,385.4 | 1,440 | 3,990 | 169,575.00 |
| Tulare County: | | | | | | |
| Raymond Bisconer | Coberly-West Co | 1,266.8 | 1,266.8 | 950 | 2,407 | 102,297.50 |
| (1) | C. J. Shannon & Sons | 1,247.6 | 1,222.4 | 950 | 2,323 | 98,727.50 |
| Florida: None | | | | | | |
| Georgia: None | | | | | | |
| Kentucky: None | | | | | | |
| Louisiana: | | | | | | |
| Bossier Parish: | | | | | | |
| W. H. Mercer | Elm Grove Plantation | 1,000.0 | 1,000.0 | 400 | 800 | 34,000.00 |
| Chas E. Roemer II | Scopena Plantation | 1,298.2 | 1,298.2 | 300 | 779 | 33,107.50 |
| Caddo Parish: W. H. Robinson | Same | 1,046.8 | 1,046.8 | 500 | 1,047 | 44,497.50 |
| East Carroll Parish: | | | | | | |
| Hollybrook Land Co., Inc | Same | 1,655.1 | 1,655.1 | 600 | 1,986 | 84,405.00 |
| J. P. Brown | Same | 1,351.4 | 1,351.4 | 500 | 1,351 | 57,417.50 |
| Franklin Parish: T. B. Gilbert Co., Inc | Same | 1,000.0 | 906.9 | 375 | 680 | 28,900.00 |
| Morehouse Parish: Barham, Inc | Same | 1,000.0 | 1,000.0 | 750 | 1,500 | 63,750.00 |
| Richland Parish: | | | | | | |
| George B. Franklin, Jr | Same | 1,406.8 | 1,377.2 | 400 | 1,102 | 46,835.00 |
| Pearl R. Rhymes | Same | 1,477.5 | 1,471.3 | 400 | 1,177 | 50,022.50 |
| Mississippi: | | | | | | |
| Bolivar County: | | | | | | |
| R. N. and E. C. Tibbs; Mrs. Hogue; B. E. Masters; Joe Jeffries. | R. N. and E. C. Tibbs | 1,124.3 | 1,047.6 | 600 | 1,257 | 53,422.50 |
| E. L. McMurchy | McMurchy Farms | 1,052.3 | 1,052.3 | 750 | 1,578 | 67,065.00 |
| Brooks Cotton Co | Same | 1,176.6 | 1,176.6 | 775 | 1,824 | 77,520.00 |
| Zumbro Plantation | Same | 1,105.0 | 1,105.0 | 800 | 1,768 | 75,140.00 |
| J. A. Howarth, Jr | Same | 1,208.3 | 1,201.2 | 700 | 1,682 | 71,485.00 |
| Dan Seligman | Same | 2,035.4 | 1,978.9 | 775 | 3,067 | 130,347.50 |
| Fine Spinners & Doublers, Ltd | Delta & Pine Land Co | 8,193.3 | 8,193.3 | 925 | 15,158 | 644,215.00 |
| M. D. Dossett | Same | 1,350.0 | 1,328.4 | 675 | 1,793 | 76,202.50 |

See footnote at end of table.

TABLE 2.—*Upland cotton: 1961 effective allotments, measured acres, and estimated yields per acre for farms with effective allotments of 1,000 acres or more*—Continued

| Owner | Operator | Effective allotment | Measured acreage | Estimated yield per acre | Production | Amount of subsidy |
|---|---|---|---|---|---|---|
| Mississippi—Continued | | | | | | |
| Coahoma County: | | *Acres* | *Acres* | *Pounds per acre* | *Bales* | |
| Mrs. G. Fitzgerald; G. T. Mohead | Mohead Planting Co | 1,166.5 | 1,166.5 | 700 | 1,633 | $69,402.50 |
| John B. and F. B. McKee | Same | 1,910.7 | 1,910.7 | 700 | 2,675 | 113,687.50 |
| J. and M. McKee; John B. and F. B. McKee | J. and M. McKee | 1,317.7 | 1,317.7 | 700 | 1,845 | 78,412.50 |
| W. K. Anderson | King & Anderson | 2,087.1 | 2,087.1 | 675 | 2,818 | 119,765.00 |
| Mr. and Mrs. Edgar Lee Anderson, Jr | Oakhurst Co | 2,553.2 | 2,553.2 | 750 | 3,830 | 162,775.00 |
| J. T. Fargason & Son, Inc | Same | 1,050.0 | 1,042.1 | 675 | 1,407 | 59,797.50 |
| J. H. Sherard estate | J. H. Sherard & Sons | 1,348.5 | 1,348.5 | 600 | 1,618 | 68,765.00 |
| Aaron Calvin estate; Kline Planting Co | Kline Planting Co | 1,648.7 | 1,613.6 | 625 | 2,017 | 85,722.50 |
| Leon C. Bramlett | Same | 1,087.8 | 1,020.2 | 600 | 1,224 | 52,020.00 |
| S. H. and Dorothy W. Kyle | Same | 2,316.7 | 2,281.6 | 675 | 3,080 | 130,900.00 |
| Roy Flowers | Same | 2,224.8 | 2,224.8 | 700 | 3,115 | 132,387.50 |
| DeSoto County: | | | | | | |
| Banks & Co | Same | 1,602.1 | 1,592.7 | 515 | 1,640 | 69,700.00 |
| D. J. Thomas Co | Same | 1,363.4 | 1,363.4 | 550 | 1,500 | 63,750.00 |
| A. V. Shannon | Same | 1,040.5 | 1,026.6 | 500 | 1,027 | 43,647.50 |
| P. L. Sanders | Same | 1,264.5 | 1,262.5 | 550 | 1,389 | 59,032.50 |
| Hinds County: Gaddis Farms, Inc | Same | 1,345.1 | 1,028.4 | 250 | 514 | 21,845.00 |
| Humphreys County: | | | | | | |
| S. H. Barret, Jr.; Susie B. Barret; W. H. Sumrall | S. H. Barret, Jr | 1,077.1 | 1,077.1 | 700 | 1,508 | 64,090.00 |
| C. B. Box Co | Same | 1,323.8 | 1,323.8 | 520 | 1,377 | 58,522.50 |
| B. W. Smith Planting Co | Same | 1,411.7 | 1,411.7 | 650 | 1,835 | 77,987.50 |
| Leflore County: | | | | | | |
| Mrs. Josephine Barry | Four Fifths Plantation | 1,058.1 | 1,058.1 | 800 | 1,693 | 71,952.50 |
| Bledsoe estate | O. F. Bledsoe Plantation | 1,287.0 | 1,262.3 | 900 | 2,272 | 96,560.00 |
| Tom Gary, et al | Wildwood Plantation | 1,940.0 | 1,935.6 | 750 | 2,903 | 123,377.50 |
| Corporation | Race Track Plantation | 1,070.4 | 1,070.4 | 1,000 | 2,141 | 90,992.50 |
| W. M. Whittington | Whittington Plantation | 1,077.5 | 1,077.5 | 750 | 1,616 | 68,680.00 |
| W. M. Whittington, Jr.; Aven Whittington; Mary Davenport. | Buckhorn Plantation | 1,193.7 | 1,193.7 | 780 | 1,862 | 79,135.00 |
| C. S. Whittington; S. W. Erskine; H. Brown; John Hughes. | C. S. Whittington Plantation | 1,138.0 | 1,138.0 | 700 | 1,593 | 67,702.50 |
| Mrs. Mildred Metcalf; Mrs. Elizabeth Saunders | Runneymede Plantation | 1,016.8 | 1,016.8 | 725 | 1,474 | 62,645.00 |
| Joe Pugh and Stratton estate | Joe Pugh | 1,026.1 | 1,025.0 | 750 | 1,538 | 65,365.00 |
| The Brown Farm (Margaret B. Brown) | The Brown Farm | 1,322.7 | 1,322.7 | 850 | 2,249 | 95,582.50 |
| Noxubee County: Harrison Evans | Same | 2,436.5 | 2,063.5 | 250 | 1,032 | 43,860.00 |
| Quitman County: Yandell Bros | Same | 1,496.9 | 1,496.2 | 860 | 2,573 | 109,352.50 |
| Sharkey County: | | | | | | |
| Pantherburn Co | Same | 2,275.3 | 2,275.3 | 650 | 2,958 | 125,715.00 |
| (1) | Milton Kline | 1,236.1 | 1,236.1 | 625 | 1,545 | 65,662.50 |
| Sunflower County: | | | | | | |
| W. M. Duncan | Same | 1,160.0 | 1,160.0 | 600 | 1,392 | 58,160.00 |
| Billups Plantation | Same | 1,349.3 | 1,349.3 | 850 | 2,294 | 97,495.00 |
| W. P. Scruggs | W. P. Scruggs; McLean estate; Daily estate | 1,336.5 | 1,336.5 | 600 | 1,604 | 68,170.00 |
| Eastland Plantation | J. O. Eastland; Mrs. W. C. Eastland; estate of J. M. Parks. | 1,725.3 | 1,725.3 | 560 | 1,932 | 82,110.00 |
| J. R. Dockery | Same | 2,096.0 | 2,094.8 | 580 | 2,430 | 103,275.00 |
| Brooks Farming Co | Same | 1,032.2 | 1,032.2 | 500 | 1,032 | 43,860.00 |
| Mississippi State Pennitentiary | State of Mississippi | 5,129.9 | 5,129.9 | 550 | 5,643 | 239,827.50 |
| Bridwell Farms | Same | 1,182.6 | 1,145.1 | 575 | 1,317 | 55,972.50 |
| Tunica County: | | | | | | |
| B. F. Harbert; Anne Harbert | B. F. Harbert Co | 1,404.2 | 1,390.7 | 750 | 2,086 | 88,655.00 |
| S. R. Leatherman, Sr.; William A. Leatherman; Mrs. Anne L. Grant; Mrs. Irwin L. Magevney. | Abbay & Leatherman | 1,575.9 | 1,575.9 | 700 | 2,206 | 93,755.00 |
| (1) | M. L. Earnheart | 1,069.2 | 1,037.5 | 700 | 1,453 | 61,752.50 |
| Clinton P. Owen | Same | 1,106.0 | 1,086.1 | 650 | 1,412 | 60,010.00 |
| (1) | H. R. Watson & Sons | 1,261.1 | 1,261.1 | 600 | 1,513 | 64,302.50 |
| (1) | Woolfolk Farms | 1,427.5 | 1,427.5 | 550 | 1,570 | 66,725.00 |
| (1) | S. C. Wilson & Son | 1,439.0 | 1,411.7 | 550 | 1,553 | 66,002.50 |
| Union County: Hugh Stephens | Same | 1,300.0 | 1,300.0 | 350 | 910 | 38,675.00 |
| Washington County: | | | | | | |
| Cecil L. Earls | Bamboo Plantation | 1,029.7 | 1,029.7 | 375 | 772 | 32,810.00 |
| George Abraham | Same | 1,562.5 | 977.7 | 375 | 733 | 31,152.50 |
| Torry Wood & Son; Mrs. Charles Clower; Mrs. Meek. | Torry Wood & Son | 1,492.6 | 1,492.6 | 625 | 1,866 | 79,305.00 |
| Don O. Baker | Baker Planting Co | 1,062.3 | 1,062.3 | 750 | 1,593 | 67,702.50 |
| Leroy P. Percy | Trail Lake Plantation | 1,501.9 | 1,501.9 | 625 | 1,877 | 79,772.50 |
| Missouri: | | | | | | |
| Dunklin County: W. V. Wright | Same | 1,326.2 | 1,326.2 | 600 | 1,591 | 67,617.50 |
| Mississippi County: | | | | | | |
| Story Farms, Inc | Same | 1,241.6 | 1,238.3 | 475 | 1,176 | 49,980.00 |
| Mountain Level Farms, Inc | Same | 1,114.4 | 1,058.5 | 375 | 794 | 33,745.00 |
| New Madrid County: | | | | | | |
| David M. Barton | Swiney & Sons | 1,584.9 | 1,569.1 | 640 | 2,008 | 85,340.00 |
| A. R. Wrather | Same | 1,103.8 | 1,061.3 | 625 | 1,327 | 56,397.50 |
| Stoddard County: | | | | | | |
| Fisher Bros | Same | 1,730.8 | 1,730.7 | 625 | 2,163 | 91,927.50 |
| Trailback Plantation | Tom F. Baker | 1,037.0 | 1,014.6 | 600 | 1,218 | 51,765.00 |
| Nevada: None | | | | | | |
| New Mexico: | | | | | | |
| Eddy County: Valley Land Co. and Dan Harroun | Same | 1,211.8 | 1,210.7 | 750 | 1,816 | 77,180.00 |
| Lea County: W. V. Lawrence | Same | 1,498.8 | 1,498.8 | 625 | 1,874 | 79,645.00 |
| North Carolina: | | | | | | |
| Scotland County: McNair Investment Co | Same | 1,110.4 | 1,031.3 | 375 | 773 | 32,852.50 |
| Oklahoma: None | | | | | | |
| South Carolina: | | | | | | |
| Marlboro County: Joe A. McDonald | Same | 1,021.2 | 994.0 | 400 | 795 | 33,787.50 |
| Sumter County: J. E. Mayes and Janie R. Mayes | J. E. Mayes | 1,000.0 | 999.4 | 550 | 1,099 | 46,707.50 |
| Tennessee: None | | | | | | |
| Texas: | | | | | | |
| Bailey County: The McLaughlins | Horace Hutton | 1,561.8 | 1,561.8 | 250 | 781 | 33,192.50 |
| Brazoria County: Texas Department of Corrections | Same | 5,135.3 | 5,109.9 | 750 | 7,665 | 325,762.50 |
| Brazos County: | | | | | | |
| Harry H. Moore & Sons | Same | 2,200.0 | 2,199.8 | 575 | 2,530 | 107,525.00 |
| Tom Moore | Same | 2,759.9 | 2,759.9 | 575 | 3,174 | 134,895.00 |
| Joe Varisco | Same | 1,325.3 | 1,229.5 | 575 | 1,414 | 60,095.00 |
| Brazos A. Varisco | Same | 2,246.4 | 2,232.1 | 575 | 2,567 | 109,097.50 |
| Burleson County: | | | | | | |
| J. Earl Porter estate | Same | 1,490.3 | 1,490.3 | 450 | 1,341 | 56,992.50 |
| H. H. and Edgar Baker | J. H. Baker estate | 1,447.3 | 1,447.3 | 450 | 1,303 | 55,377.50 |
| George G. Chance estate | Same | 2,011.4 | 1,958.6 | 450 | 1,763 | 74,927.50 |
| Holland Porter | Same | 1,000.4 | 986.6 | 450 | 888 | 37,740.00 |

See footnote at end of table.

TABLE 2.—*Upland cotton: 1961 effective allotments, measured acres, and estimated yields per acre for farms with effective allotments of 1,000 acres or more*—Continued

| Owner | Operator | Effective allotment | Measured acreage | Estimated yield per acre | Production | Amount of subsidy |
|---|---|---|---|---|---|---|
| Texas—Continued | | | | | | |
| Cameron County: | | *Acres* | *Acres* | *Pounds per acre* | *Bales* | |
| J. H. McDaniel; Milton B. Clapp | John A. Abbott | 1,023.5 | 1,033.2 | 375 | 775 | $32,937.50 |
| E. D. Richmond, Jr., trustee | Same | 1,322.9 | 1,344.0 | 250 | 672 | 28,560.00 |
| Crosby County: | | | | | | |
| Leslie Mitchell | Same | 1,450.5 | 1,450.5 | 465 | 1,349 | 57,332.50 |
| The McLaughlins | Same | 2,017.2 | 2,017.2 | 400 | 1,614 | 68,595.00 |
| Dawson County: | | | | | | |
| W. M. Yates | Same | 1,020.8 | 1,005.7 | 500 | 1,006 | 42,755.00 |
| J. R. Weaver | Bill Weaver | 2,400.7 | 2,400.7 | 800 | 3,841 | 163,242.50 |
| Broyles Lamesa Farms | Same | 1,518.1 | 1,518.1 | 350 | 1,063 | 45,177.50 |
| Carson Echols | Same | 1,438.4 | 1,438.4 | 300 | 863 | 36,677.50 |
| Ellis County: | | | | | | |
| Jack B. Eastham | Same | 1,383.6 | 1,383.6 | 200 | 553 | 23,502.50 |
| The Kirven Trust | Bob Crittenden | 1,002.6 | 1,002.6 | 250 | 501 | 21,292.50 |
| H. R. Burden | Same | 3,436.7 | 2,832.7 | 250 | 1,416 | 60,180.00 |
| El Paso County: Lee Moor Farms | Same | 1,088.4 | 1,088.4 | 1,200 | 2,612 | 111,010.00 |
| Fannin County: Loyd H. Smith & W. H. Francis, Jr. (a partnership). | R. A. Harling | 1,250.1 | 1,250.1 | 500 | 1,250 | 53,125.00 |
| Fort Bend County: | | | | | | |
| Texas Department of Corrections | Same | 1,318.6 | 1,318.6 | 573 | 1,516 | 64,430.00 |
| Do | Same | 1,241.0 | 1,233.4 | 573 | 1,418 | 60,265.00 |
| Foster Farms, Inc | Same | 1,046.6 | 1,037.6 | 478 | 996 | 42,330.00 |
| Sugarland Ind., Inc | Same | 2,127.5 | 2,127.5 | 478 | 2,042 | 86,785.00 |
| Gaines County: | | | | | | |
| W. S. Wimberly | Sneed Bros | 1,090.3 | 1,090.3 | 700 | 1,526 | 64,855.00 |
| K. K. Whitaker | Same | 1,047.5 | 1,021.3 | 400 | 817 | 34,722.50 |
| Hall County: Vera Dial Dickey | Same | 1,223.3 | 1,203.9 | 350 | 843 | 35,827.50 |
| Haskell County: Willie Z. Bettis estate | Same | 1,467.3 | 1,460.8 | 440 | 1,286 | 54,655.00 |
| Hidalgo County: | | | | | | |
| Guerra Bros | Same | 2,632.1 | 2,440.3 | 250 | 1,220 | 51,850.00 |
| D. J. Schwarz | Same | 1,166.2 | 1,145.4 | 600 | 1,374 | 58,395.00 |
| Helen Engelman Stegle | Same | 1,745.0 | 1,745.0 | 450 | 1,571 | 66,767.50 |
| Valley Acres | Same | 4,033.9 | 4,033.9 | 450 | 3,631 | 154,317.50 |
| Rio Farms, Inc | Same | 5,012.5 | 5,012.5 | 450 | 4,511 | 191,717.50 |
| Shary Farms, Inc. and others | Shary Farms, Inc | 1,758.1 | 1,718.6 | 450 | 1,547 | 65,747.50 |
| Krenmueller Farms; B. & G. Forthuber | Krenmueller Farms | 1,325.4 | 1,325.4 | 500 | 1,325 | 56,312.50 |
| J. W. Wallace & Sons, and others | J. W. Wallace & Sons | 1,322.9 | 1,265.8 | 500 | 1,266 | 53,805.00 |
| (1) | Jerry Block | 1,227.5 | 1,037.3 | 450 | 934 | 39,695.00 |
| 2 owners | Rio Grande Care | 3,569.1 | 3,560.7 | 450 | 3,205 | 136,212.50 |
| Hill County: Dr. S. W. Allen | Same | 1,318.5 | 1,243.9 | 130 | 323 | 13,727.50 |
| Hockley County: | | | | | | |
| Aubrey L. Lockett | Same | 1,101.0 | 1,101.0 | 500 | 1,101 | 46,792.50 |
| Spade Farms, Inc | Kenneth Spradley and others | 2,727.9 | 2,727.9 | 400 | 2,182 | 92,735.00 |
| Houston County: | | | | | | |
| Mustang Prairie Ranch | John Rials | 1,600.0 | 1,377.3 | 400 | 1,102 | 46,835.00 |
| Texas Department of Corrections | Same | 2,783.8 | 2,701.9 | 600 | 3,242 | 137,785.00 |
| Hudspeth County: | | | | | | |
| Chandler Co | Same | 1,282.7 | 1,282.7 | 810 | 2,078 | 88,315.00 |
| C. & L. Ranch | Same | 1,254.5 | 1,239.4 | 810 | 2,008 | 85,340.00 |
| Jones County: Eula Phillips estate | Jimlee Baucum | 1,068.9 | 1,008.3 | 267 | 534 | 22,695.00 |
| Kaufman County: S. C. Pratt | Same | 1,000.0 | 824.7 | 250 | 412 | 17,510.00 |
| Knox County: League-Davis Properties | Same | 2,231.3 | 1,926.0 | 300 | 1,156 | 49,130.00 |
| Lubbock County: | | | | | | |
| Lubbock Irrigation Co., Inc | Same | 1,130.5 | 1,130.5 | 500 | 1,131 | 48,067.50 |
| Carson Farms | Same | 1,608.3 | 1,604.8 | 500 | 1,605 | 68,212.50 |
| Lynn County: | | | | | | |
| Crawford Edwards estate | A. N. Norman, Jr | 1,472.3 | 1,472.3 | 432 | 1,266 | 53,805.00 |
| W. C. Huffaker, Jr | Same | 1,163.1 | 1,163.1 | 432 | 1,000 | 42,500.00 |
| McLennan County: Texas Agricultural Experimental Station; Bluebonnet Farms. | Same | 1,383.5 | 1,383.5 | 275 | 761 | 32,342.50 |
| Martin County: | | | | | | |
| E. B. and F. E. Holcomb | Don Holcomb and others | 1,385.5 | 1,385.5 | 600 | 1,663 | 70,677.50 |
| F. D. Breedlove | Earl Hightower and others | 1,860.6 | 1,860.6 | 600 | 2,233 | 94,902.50 |
| A. C. Woodward | E. R. Perry and others | 2,642.2 | 2,642.2 | 600 | 3,171 | 134,767.50 |
| Maverick County: Roseta Farms | D. C. Brown | 1,300.0 | 1,299.5 | 600 | 1,559 | 66,257.50 |
| Mitchell County: Charles C. Thompson | Same | 1,029.4 | 1,004.0 | 187 | 371 | 15,767.50 |
| Navarro County: | | | | | | |
| Fortson Farms | James E. Fortson | 4,546.7 | 3,582.3 | 200 | 1,433 | 60,902.50 |
| Do | Joe B. Fortson | 2,045.8 | 1,755.2 | 200 | 702 | 29,835.00 |
| Nolan County: T. D. Young | Same | 1,034.5 | 1,034.5 | 250 | 517 | 21,972.50 |
| Nueces County: | | | | | | |
| Ruth E. Cowles | Same | 2,432.5 | 2,432.5 | 500 | 2,433 | 103,402.50 |
| Berta C. Cunningham | Same | 1,411.1 | 1,411.1 | 500 | 1,411 | 59,967.50 |
| P. A. Chapman, Jr., estate | Same | 2,067.1 | 2,037.8 | 500 | 2,038 | 86,615.00 |
| John O. Chapman | Same | 2,305.7 | 2,305.7 | 500 | 2,306 | 98,005.00 |
| Pecos County: | | | | | | |
| Fred Chandler and others | Chandler Co | 1,662.4 | 1,662.4 | 750 | 2,494 | 105,995.00 |
| Agriculture, Inc | Same | 585.8 | 1,209.2 | 925 | | |
| Reeves County: | | | | | | |
| U.S. National | Same | 1,413.2 | 1,396.0 | 875 | 2,443 | 103,827.50 |
| W. W. Hill and W. R. Sage | W. W. Hill | 1,321.2 | 1,261.0 | 1,125 | 2,837 | 120,572.50 |
| Progresso Farms | Same | 1,152.0 | 1,236.9 | 800 | 1,979 | 84,107.50 |
| Robertson County: John W. Nigliazzo | Same | 1,103.5 | 1,059.1 | 759 | 1,610 | 68,425.00 |
| San Patricio County: | | | | | | |
| F. H. Vahlsing, Inc | Same | 1,884.4 | 1,884.4 | 550 | 2,029 | 86,232.50 |
| Joseph F. Green estate | Same | 1,232.4 | 1,232.4 | 440 | 1,085 | 46,112.50 |
| Jackson & Stripling | Same and others | 1,065.4 | 1,065.4 | 580 | 1,236 | 52,530.00 |
| Swisher County: Tyline N. Perry | Charles B. Martin | 1,348.1 | 1,348.1 | 500 | 1,348 | 57,290.00 |
| Terry County: Jessie K. Griffith | Same | 1,059.3 | 1,059.1 | 375 | 794 | 33,745.00 |
| Walker County: Texas Department of Corrections | Same | 1,700.6 | 1,664.1 | 400 | 1,331 | 56,567.50 |
| Willacy County: | | | | | | |
| Rio Farms, Inc | Sam Taylor | 1,615.9 | 1,561.7 | 500 | 1,562 | 66,385.00 |
| Rudman Land Co | R. E, Selman | 1,661.9 | 1,568.4 | 225 | 706 | 30,005.00 |
| Stuart R, Stone and others | Same | 1,287.8 | 1,287.8 | 500 | 1,288 | 54,740.00 |
| Armendaiz Farms | Francisco B. Zamarron | 4,311.6 | 4,311.6 | 375 | 3,234 | 137,445.00 |
| Willie B. Kipp | Paso Real Farms, Inc | 1,075.6 | 1,019.2 | 300 | 612 | 26,010.00 |
| Alazan Farms | Same | 1,731.9 | 1,697.5 | 425 | 1,443 | 61,327.50 |
| Williamson County: H. A. Stiles estate | Same | 1,281.1 | 1,281.1 | 200 | 512 | 21,760.00 |
| Virginia: None | | | | | | |

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[1] Ownership by more than 4 persons.

I would call the Members' attention to a few specifics in this list.

The greatest benefit from our cotton program flows to the J. G. Boswell interests in Arizona and California. Its share of the subsidy was $2,232,737. Kern County Land Co., Kern County, Calif., received $2,026,992.50. The Giffen interests in Fresno County, Calif., received $1,807,992.50. The Texas Department of Corrections, with farms in several counties, received $645,810. In Mississippi, Fine Spinners & Doublers, Ltd., received $644,215. A corporation styled the Race Track Corp., Leflore County, Miss., shared in $90,992.50 of subsidies. The Mississippi State Penitentiary received $239,827.50. The Arkansas State Penitentiary came in for $70,890. The Reserve Estate Life Insurance Co., Poinsett County, Ark., received $89,972.50. The International Paper Co., Jefferson County, Ark., received $56,397.50. Even Kilby Prison, in Alabama, received $39,057.50. I invite careful attention to this compilation.

I also offer for inclusion in the RECORD an additional table, disclosing the distribution, by size of allotments, of the subsidy for the year 1961.

TABLE 3.—*Subsidies under the Federal cotton program, 1961*

A. SUBSIDIES, BY STATES

| Cotton producing States | Amount of subsidy | Farmers with allotments | Subsidy per farmer | Cotton producing States | Amount of subsidy | Farmers with allotments | Subsidy per farmer |
|---|---|---|---|---|---|---|---|
| Texas | $202, 259, 600 | 196, 501 | $1, 029 | South Carolina | $17, 689, 860 | 76, 837 | $230 |
| California | 72, 452, 156 | 14, 943 | 4, 845 | Missouri | 16, 420, 810 | 15, 212 | 1, 079 |
| Mississippi | 68, 40[illegible], 019 | 107, 222 | 638 | Oklahoma | 15, 728, 366 | 45, 220 | 348 |
| Arkansas | 61, 775, 799 | 59, 186 | 1, 044 | New Mexico | 12, 744, 790 | 5, 345 | 2, 384 |
| Arizona | 35, 847, 322 | 4, 183 | 8, 569 | North Carolina | 12, 049. 872 | 83, 614 | 144 |
| Alabama | 25, 881, 769 | 118, 473 | 218 | Florida | 580, 491 | 8, 700 | 67 |
| Tennessee | 23, 575, 252 | 61, 227 | 385 | Virginia | 416, 798 | 6, 367 | 66 |
| Georgia | 21, 838, 268 | 82, 583 | 265 | | | | |
| Louisiana | 20, 343, 960 | 43, 148 | 471 | Total | 608, 008, 132 | 928, 761 | ---------- |

B. SUBSIDIES—BY SIZE OF FARMERS OBTAINING ALLOTMENTS

| Size of allotment | Amount of subsidy[1] | | Farmers with allotments | | Subsidy per farmer | Size of allotment | Amount of subsidy[1] | | Farmers with allotments | | Subsidy per farmer |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Dollars | Percent | Farmers | Percent | | | Dollars | Percent | Farmers | Percent | |
| Above 5,000 acres | 8, 446, 790 | 1. 4 | 13 | 0. 0 | $649, 753 | 15 to 30 acres | 61, 232, 513 | 10. 0 | 124, 432 | 13. 3 | $492 |
| 1,000 to 5,000 acres | 28, 143, 968 | 4. 6 | 309 | . 0 | 91, 080 | 10 to 15 acres | 22, 889, 183 | 3. 8 | 85, 737 | 9. 2 | 267 |
| 500 to 1,000 acres | 45, 141, 375 | 7. 4 | 1, 148 | . 1 | 39, 322 | 5 to 10 acres | 29, 102, 640 | 4. 8 | 226, 046 | 24. 3 | 93 |
| 200 to 500 acres | 118, 829, 405 | 19. 5 | 8, 253 | . 9 | 9, 809 | 0 to 5 acres | 10, 687, 518 | 1. 8 | 356, 795 | 38. 3 | 30 |
| 100 to 200 acres | 135, 809, 898 | 22. 3 | 21, 486 | 2. 3 | 6, 321 | | | | | | |
| 50 to 100 acres | 90, 987, 443 | 15. 0 | 48, 920 | 5. 3 | 1, 860 | Total | 606, 895, 003 | 100. 0 | 930, 555 | 100. 0 | ---------- |
| 30 to 50 acres | 55, 714, 270 | 9. 2 | 57, 414 | 6. 2 | 970 | | | | | | |

[1] Does not include States of Nevada, Kentucky, Illinois, Florida, and Virginia.

NOTE.—"Subsidy" computed by multiplying rate of 8½ cents per pound by number of bales produced in the allotment categories shown.

Source: U.S. Department of Agriculture, Cotton Division, ASCS.

It shows that in 1961, there were 13 farmers in the United States with cotton allotments of over 5,000 acres. These 13 received total subsidies under the price support program of $8,446,790. That is an average of $649,753 each.

It will be seen that 79.4 percent of the entire subsidy goes to that 14.8 percent of all farmers who hold 30 acres or more. Farmers with allotments under 30 acres—85.2 percent of all cotton farmers—share only 20.6 percent of the subsidy.

It is said that the cotton program is of great benefit to the South. But does the program materially help the small southern farmer?

Here are the facts:

In 1961, 49.5 percent of all farmers holding cotton allotments in Georgia failed to plant. Of Georgia small farmers—under 10 acres—59.7 percent failed to plant. In California, 2 out of 703 large farmers—200 acres or more—failed to plant their allotments—less than one-third of 1 percent. Nationwide, more than half the small farmers—50.8 percent—failed to use allotments. Nationwide, only 1 percent of large farmers failed to plant. Further details appear in the attached table.

TABLE 4.—*Farmers not using cotton allotments, small farmers compared with large, 1961*

| State | Total allotments obtained | | | Small farmers not using allotments | | | Large farmers not using allotments | | |
|---|---|---|---|---|---|---|---|---|---|
| | State total | Not used | Percent not used | Small farmers obtaining | Not using | Percent not using | Large farmers obtaining | Not using | Percent not using |
| Texas | 196, 501 | 75, 778 | 38. 5 | 68, 602 | 46, 003 | 72. 3 | 4, 734 | 75 | 1. 6 |
| Alabama | 118, 473 | 40, 224 | 34. 0 | 93, 337 | 36, 733 | 39. 4 | 198 | 0 | 0 |
| Mississippi | 107, 222 | 43, 938 | 41. 0 | 78, 988 | 40, 741 | 51. 6 | 1, 409 | 4 | . 3 |
| North Carolina | 83, 614 | 34, 631 | 41. 4 | 73, 360 | 32, 532 | 44. 3 | 29 | 0 | 0 |
| Georgia | 82, 583 | 40, 905 | 49. 5 | 58, 434 | 34, 865 | 59. 7 | 119 | 3 | 2. 5 |
| South Carolina | 76, 837 | 31, 224 | 40. 6 | 56, 881 | 26, 861 | 47. 2 | 112 | 0 | 0 |
| Tennessee | 61. 227 | 15, 747 | 25. 7 | 45, 523 | 14, 844 | 32. 6 | 97 | 0 | 0 |
| Arkansas | 59, 186 | 21, 255 | 35. 9 | 31, 621 | 17, 909 | 56. 6 | 1, 153 | 8 | . 7 |
| Oklahoma | 45, 220 | 20, 466 | 45. 3 | 21, 894 | 14, 657 | 66. 9 | 93 | 2 | 2. 2 |
| Louisiana | 43, 148 | 19, 068 | 44. 2 | 30, 033 | 17, 397 | 57. 9 | 331 | 3 | . 9 |
| Missouri | 15, 212 | 2, 157 | 14. 2 | 6, 380 | 1, 786 | 27. 9 | 161 | 0 | 0 |
| California | 14, 943 | 2, 971 | 20. 2 | 4, 398 | 2, 323 | 52. 8 | 703 | 2 | . 3 |
| Florida | 8, 700 | 5, 940 | 63. 1 | 8, 055 | 5, 217 | 64. 8 | 0 | ---------- | ---------- |
| Virginia | 6, 367 | 2, 351 | 36. 9 | 6, 175 | 2, 328 | 37. 7 | 0 | ---------- | ---------- |
| New Mexico | 5, 345 | 455 | 8. 5 | 1, 707 | 335 | 19. 6 | 106 | 0 | 0 |
| Arizona | 4, 183 | 449 | 10. 7 | 875 | 316 | 36. 1 | 476 | 0 | 0 |
| United States | 928, 761 | 357, 069 | 38. 4 | 582, 841 | 296, 151 | 50. 8 | 9, 721 | 97 | 1. 0 |

NOTE.—"Small farmers," those obtaining allotments from 0.1 to 10 acres in size. "Large farmers," those obtaining allotments of 200 acres and more in size.

Source: U.S. Department of Agriculture, Cotton Division, ASCS.

Does the program materially help the small southern farmer? The above should provide an answer.

It is said, Mr. Speaker, that cotton cannot be grown in the United States, for the world price of 24 cents a pound. It is said that when we pay the large farmer a subsidy of 8½ cents for each pound he grows, that, even then, he can barely make ends meet. Now, whether or not this is true, I do not know.

Recently, I asked that the Department of Agriculture advise me of the cost of producing cotton. I received a prompt and courteous reply, which I offer in its entirety. Cost is figured for the small farmer in the Piedmont region at 37.5 cents per pound—5 cents more than the support price. For the larger farmer, cost is figured at 35.1 cents per pound, or six-tenths a cent more than the support price. Now, this may be realistic. But quite possibly, it might be unrealistic.

Dr. Merle Prunty, Jr., chairman of the department of geography at the University of Georgia, has prepared a survey of cotton production costs, citing seven publications treating this very question. His summary, which is here included, indicates costs ranging from 12.77 cents per pound at a Georgia experimental station, to 24 cents per pound over the Southeast.

U.S. DEPARTMENT OF AGRICULTURE,
ECONOMIC RESEARCH SERVICE,
FARM PRODUCTION ECONOMICS DIVISION,
*Washington, D.C., September 16, 1963.*

Hon. CHARLES L. WELTNER,
*House of Representatives,*
*Washington, D.C.*

DEAR MR. WELTNER: In accordance with agreements reached in your conversation with Dr. Sherman E. Johnson, W. H. Brown, and E. L. Langsford, I am sending some data on the cost of producing cotton derived from our costs and returns series on cotton farms in the Southern Piedmont for 1961. Preliminary data for 1962 indicate that costs will be slightly higher, largely because of increased land values. Costs for producing cotton are calculated for two sizes of farms using three different methods. Table 1 shows detailed costs per acre and per pound of cotton lint for method 1. The results of all these methods are shown in table 2.

With method 1, operator and family labor is valued at $0.50 per hour, which is only slightly above the wage rate for hired labor in the area. Interest on investment is charged at 4.1 percent—the average rate charged by the Federal land bank from 1945 to 1958. Overhead and land charge are allocated to cotton according to the percentage of gross receipts from cotton. This method gives a cost of $0.344 and $0.323 per pound of lint for the small and large farms, respectively.

In method 2, the interest rate used to calculate the charge is increased from 4.1 percent to 6 percent (the current rate of interest on new loans by the Federal land bank). Costs obtained with this method are about 3 cents per pound higher than with method 1. On the other hand, if overhead and charges for the use of land are distributed according to acreage used (method 3), the cost is lowered by more than 5 cents per pound. This method of allocating overhead is frequently used but when applied to cotton farms cotton often shows a sizable margin of profit while other crops show a loss. Yet these other crops continue to be grown. Farmers apparently depend on cotton to carry most of the farm overhead.

The following data from the costs and returns series published in Agricultural Information Bulletin 230 (revised August 1963) provide some basis for interpreting the cost figures given in tables 1 and 2.

| Year | Price received for lint | Return per hour [1] with capital charged at— | | Hired labor wage rates per hour | Operator and family labor (hours) | Lint sold (pounds) |
|---|---|---|---|---|---|---|
| | | 4.1 percent | 6 percent | | | |
| 1958 | $0.351 | $0.76 | $0.61 | $0.45 | 2,600 | 9,112 |
| 1959 | .329 | .41 | .29 | .45 | 2,550 | 8,318 |
| 1960 | .325 | .34 | .14 | .47 | 2,350 | 7,218 |
| 1961 | .340 | .60 | .40 | .48 | 2,460 | 9,065 |
| 1962 | .339 | .61 | .38 | .50 | 2,380 | 9,972 |

[1] Family and operator labor.

With current prices received for other farm products, the price received for lint must be close to the cost obtained with the first method to return 4.1 percent on investment with current land values and hired wage rates to operator and family labor. In 1958, 1961, and 1962, prices received for cotton lint and other products sold were high enough to return more than these amounts. But if the interest rate is increased from 4.1 to 6 percent, 1958 is the only years in which returns to operator and family exceeded the wage rate for hired labor.

The data, of course, are for average farms. Some of our data indicate that producers on the better grades of land who use the most advanced technology have direct costs of 3 cents per pound or more below average. Also, producers with a greater than average proportion of the cropland in cotton tend to have less than average costs. For instance, a farmer with the size of farm and technology reported in the costs and returns series for 1962, but with 40 percent larger acreage of cotton could sell cotton for 2.2 cents per pound below the price received in 1962 and get the same income as the farmer with the acreage of cotton reported in 1962. This is because farm overhead is spread over a larger acreage.

I hope that this information will prove useful to you.

Sincerely yours,

GLEN T. BARTON,
*Acting Director.*

TABLE 1.—*Cost of producing cotton on cotton farms in the Southern Piedmont, 1961*

| Item | Unit | Small | Large |
|---|---|---|---|
| Total land in farm | Acre | 114 | 293 |
| Cropland harvested | do | 31 | 102 |
| Cotton harvested | do | 12 | 40 |
| Yield of lint per acre [1] | Pound | 357 | 368 |
| Production of lint per farm | do | 4,284 | 14,720 |
| Total capital | Dollar | 13,768 | 36,182 |
| Total labor | do | 2,330 | 7,110 |
| Operator and family labor | Hour | 1,850 | 2,970 |
| Wage rate to hired workers | Dollar | 0.478 | 0.478 |
| Net farm income [1] | do | 1,523 | 3,226 |
| Cost per acre with normal yield: | | | |
| Normal yield per acre | Pound | 357 | 368 |
| Direct cost: | | | |
| Materials and services | Dollar | 34.12 | 34.96 |
| Hired labor | do | 18.13 | 35.83 |
| Irrigation | do | | |
| Tractor and machinery | do | 8.70 | 8.15 |
| Depreciation [2] | do | 3.46 | 2.78 |
| Total direct cost | do | 64.41 | 81.72 |
| Indirect cost: [3] | | | |
| Overhead | do | 14.08 | 14.05 |
| Operator and family labor and management [4] | do | 31.31 | 12.23 |
| Capital charge [5] | do | 26.17 | 24.63 |
| Total indirect cost | do | 71.72 | 50.91 |
| Total all costs | do | 136.13 | 132.63 |
| Less value of seed | do | 13.36 | 13.78 |
| Net cost per acre | do | 122.77 | 118.05 |
| Net cost per pound | do | 0.344 | 0.323 |

[1] Estimated normal yields for 1961.
[2] Depreciation allocated according to hours of tractor use.
[3] Overhead allocated by percent of gross receipts from cotton lint and seed.
[4] Valued at $0.50 per hour.
[5] Capital charged at 4.1 percent of total current value of farm investment Jan. 1 plus current expenses at current interest rate on short-term loans.

TABLE 2.—*Estimated costs per pound of producing cotton lint with different methods of charging overhead and operator labor, Southern Piedmont, 1961*

| Method | Assumption | Southern Piedmont | |
|---|---|---|---|
| | | Small | Large |
| 1 | Overhead allocated on basis of gross receipts, interest charged at 4.1 percent and operator and family labor charged at wage rates for comparable labor (same as in table 1) | $0.344 | $0.323 |
| 2 | Same as method 1 except capital charged at current rate of interest | .375 | .351 |
| 3 | Same as method 1 with overhead allocated on basis of crop acres | .293 | .271 |

### Survey of Costs of Cotton Production From Published Sources

(By Merle Prunty, Jr., chairman, Department of Geography, University of Georgia)

1. "Can Cotton Pay?" North Carolina State College of Agriculture, Extension Folder No. 138, December 1956.

This publication lists the following (on overleaf) as estimated cotton production costs and returns with specified yields:

| | 1 bale per acre | 1.5 bales per acre |
|---|---|---|
| Income: | | |
| Lint at 32 cents per pound | $160.00 | $240.00 |
| Seed at $44 per ton | 17.89 | 26.83 |
| Expenses | 109.57 | 149.13 |
| (Seed; fertilizer; poisons; hauling; ginning; man labor in harvest, hoeing, and other; tractor and equipment costs; hand harvesting at $3.30 per 100 pounds of seed cotton included.) | | |
| Net revenue | 68.32 | 117.70 |
| Net production cost per pound of lint cotton | .1833 | .1630 |

NOTE.—This study does not take into consideration many recent cost-cutting developments such as preemergence ana postemergence herbicidal sprays. It does not include the cost benefits of mechanical picking, and it apparently bases its costs on the use of two-row planting and cultivation equipment.

2. D. L. Branyon: "Can You Make Cotton Pay?" University of Georgia College of Agriculture, Agricultural Extension Service, circular 437, 1958.

This publication lists the following (overleaf) as the summary of results obtained by 72 Georgia farmers in 1957. These farmers averaged a production of 820 pounds lint per acre on 1,351 acres.

Yield: 820 pounds per acre, average.

Plant nutrient per acre, average: 81(N), 94(P), 113(K).

Number of times poisoned: 11.

Total cash cost, production per acre: $151.17.

Value of crop, seed and lint: $272.80 (cotton at 30 cents per pound).

Return on land, management, and equipment: $121.63.

Cost per pound of lint produced: 18 cents.

NOTE.—This study also is based upon hand harvesting at $40 per bale, and on other hand labor at 75 cents per hour. Though not stipulated, it apparently is based on use of two-row cultivating equipment, and preemergence—postemergence herbicidal sprays were not employed. If the latest, contemporary, techniques and equipment had been used, the reviewer's opinion is that production cost would have been considerably less than the 18 cents per pound indicated.

3. O. L. Brooks and C. E. Perry, "Cotton Production at the Southeast Georgia Branch Experiment Station," University of Georgia College of Agriculture, Agricultural Experiment Stations (Circular N.S. 22, 1961, 22 pp.).

This study involved the use of most contemporary techniques and machinery, and unusually detailed production cost analyses. Within the heading "Expenses," on all production cost analyses, the study includes the following: Acid-delinted breeder's seed; fertilizers; an allowance for liming each 5 years; herbicidal spray—pre- and past-emergence; hoe-hand labor; insecticides; defoliants; hail insurance; machinery charges by machine involved; hauling, ginning, and warehouse expenses; interest on operating capital at 6 percent; all labor.

Two production cost analyses are presented: One for 1960 which details costs on 94.8 acres grown at the Georgia Branch Experiment Station at Midville, Ga. (table 1), and one for 1958–60, 3 years averaged, on 76 acres at the same locality (table 2). The tables are summarized in abbreviated form below:

| | 1960: 94.8 acres | Average 1958–60: 76 acres |
|---|---|---|
| Receipts: | | |
| Lint yield per acre...pounds | 560.38 | 684 |
| Seed yield per acre...do | 967.88 | 1,183 |
| Lint value per acre | [1] $173.13 | [2] $218.13 |
| Seed value per acre | $17.71 | $21.65 |
| Expenses (includes all items noted above)...per acre | $109.17 | $108.99 |
| Net returns to land and management...do | $83.69 | $130.79 |
| Net cost per pound cotton lint...cents | 15.96 | 12.77 |

[1] At $0.309 per pound.
[2] At $0.3189 per pound.

Table 3 of this study exhibits a comparison of costs, based on the 3-year experience, 1958–60, and on the same 76 acres, if two-row cultivating equipment has been used in lieu of the four-row equipment that actually was used. The comparison indicates that costs would have been $5.99 (9 cents per pound) higher per acre with two-row equipment.

Since 1959, six-row equipment—based on a new generation of tractors marketed recently by equipment manufacturers—has been used extensively in California, Texas, and the Mississippi Valley. Based on the comparisons made by Brooks and Perry in their table 3, this reviewer estimates that production costs reported in this study could have been reduced at least an additional 5 cents per pound had contemporary six-row equipment been used.

Table 6 exhibits a comparison of machine-harvesting versus hand-harvesting costs for the 76 acres in the 3-year study. Machine harvesting reduced production costs 6 cents per pound below what they would have been if hand harvesting had been used. The picker unit used was a one-row harvester. The study states that picker-harvesting costs are relatively high because of the one-row trait, and because the picker is integral with a tractor; thus harvesting costs necessarily reflect the tractor costs as well as those chargeable to the picker.

Table 4 details a comparison of savings via employment of bulk fertilizer spreading, and table 5 a comparison of savings based on use of spraying equipment in lieu of dusting equipment for insect control. The practices reduced costs per acre a total of $1.50 per acre (21 cents per pound lint) below what they would have been otherwise.

4. F. E. Justus, Jr., "Cotton Production Costs and Returns," University of Missouri, Agricultural Experiment Station, Bulletin 758 (November 1960, 19 pp.).

This study reports findings from detailed records kept by 42 farmers during production of the 1959 cotton crop in southeastern Missouri's section of the Mississippi alluvial valley. The 42 farms average 57 acres in cotton planted; however, 19 of them contained less than 24 acres (an average of 12.1 acres per farm) and only 9 contained more than 100 acres planted to cotton.

Details of production costs are summarized in table 3. The cost analysis system is fully comparable to that used in other studies cited in this review, and is even more detailed than that in the Brooks and Perry study from the Georgia Experiment Station. For example, a charge against land at 5 percent of appraised market value, plus total land taxes, is included in cost calculations.

The 42 farmers used a variety of production techniques; notably there was great variation in harvesting techniques. The abbreviation of table 6, below, details the variations involved:

| Harvesting method | Number of farms | Harvest cost | |
|---|---|---|---|
| | | Per acre | Per 100 pounds of lint |
| Machine only | 11 | $42.20 | $6.63 |
| Machine plus handsnapping | 3 | 30.35 | 5.74 |
| Machine plus handpicking | 13 | 49.77 | 7.22 |
| Machine plus both handsnapping and handpicking | 6 | 58.39 | 7.69 |
| Handpicking only | 9 | 68.21 | 9.34 |

There were other variations in cultivation, fertilization, weed and insect control. Similarly, there were variations in land quality, labor inputs, age and efficiency of machinery. One farmer used mules for certain tasks.

Since size of cotton operation also was a major variable, it is significant to note that both the highest cost and the lowest cost producers grew less than 20 acres of cotton. Differentials in productivity per acre, then, were more important than size of operational unit per se. "Farmers, by increasing their lint yield from 520 to 831 pounds/acre, almost doubled their net income per acre."

The study cites an average production cost of 22 cents per pound lint, for the 42 farms. However, this is incorrect, since recapitulation of the receipts/costs enumerations (table 2) reveals that no credit was allowed for income received from the sale of seed. When corrected, the average production cost was: 19 cents per pound lint.

Table 1 indicates (when corrected for seed sales) that 26 of the 42 farms grew cotton for less than 19 cents, that 9 grew it for less than 16 cents, that 6 grew it for less than 14 cents, and that 2 farmers grew the crop for less than 13 cents per pound lint. The lowest cost individual producer grew his lint for approximately 12.44 cents per pound.

5. W. F. Hughes and A. C. Magee: "An Economic Analysis of Irrigated Cotton Production, Middle Brazos River Valley, 1955–58," A. & M. College of Texas, Texas Agricultural Experiment Station, Miscellaneous Publication 580 (May 1962, 12 pp.).

This study summarizes 4 years of recordkeeping on 12 farms in Brazos, Burleson, and Robertson Counties, Tex., between 1955 and 1958. The farms ranged in size from 180 to 1,800 acres, but most were 600–800-acre units. Some produced by irrigation; others did not. Production techniques varied widely, as did also the prices received for a wide range in grades/classes of lint sold. The production cost per pound of lint, however, was rather uniform (table 7, p. 10):

*Per lint pound in cents*

Irrigated producers' cost of production, 4-year average: 18.31

Dryland producers' cost of production, 4-year average: 18.85

The cost analysis involved is compatible, and comparable in detail, with studies previously cited in this review.

6. W. H. Brown and D. D. Caton: "Cotton Farms, San Joaquin Valley: Organization, Costs and Returns, 1947–59," U.S. Department of Agriculture, Farm Economics Division, Economic Research Service, Agriculture Economic Report No. 3 (Washington, December 1961), 27 pages.

This study treats three types of cotton-growing farms in the San Joaquin Valley: (1) medium-sized cotton—general farms averaging 300 acres of cropland on which barley and alfalfa are the main companion crops to cotton; (2) cotton-specialty farms, of same average size as above, but producing such additional specialties as melons, potatoes, onions, sweetpotatoes; (3) and large cotton-general farms ranging from 640 to 1,600 acres cropland and averaging about 1,000 acres. The number of farms studied is not stipulated either in total or by category.

This report does not contain a tabulation which, in and of itself, reports or produces a cost-per-pound figure for lint cotton production. However, table 10 exhibits a comparison of returns from small and large acreages of cotton produced on medium-sized cotton-general farms. The average acreage planted to cotton is reported as 115 acres, which produced 1,040 pounds of lint per acre average. Production expenses and net income from cotton are reported, respectively, at $39,585 and $27,375 (33 cents per pound sale price) per farm.

It is, therefore, possible to compute the cost of production from this table, as follows:

| | |
|---|---|
| Gross from cotton per acre | $343.20 |
| Net income per acre | $195.74 |
| Expenses (gross-net) | $147.46 |
| Cost per pound lint (1,040 pounds per acre) (cents) | 14.17 |

There is nothing to indicate whether or not the sale price of seed was considered in computing production costs. Cross-tallying of gross incomes with lint yields, volumes produced, and lint prices, suggests that the value of the seed yield was not included. Therefore this reviewer is left with the feeling that the production cost was quite probably 12 cents per pound lint, or even slightly less.

7. Eugene Butler, "What Does It Cost To Grow Cotton?" Progressive Farmer, volume 78, No. 4 (April 1963, p. 46).

This article is an informal, running account of production costs from many individuals in many areas, viz:

(a) High Plains of Texas: "Per-pound cost of production is often 20 cents or less." Elsewhere "16.5 to 20 cents."

(b) Mississippi Valley: "One of the top plantations is King and Anderson, near Clarksdale, Miss." "They are growing cotton for about 21 cents a pound."

(c) From Alabama Experiment Station studies on large and small farms in south Alabama, Mr. Butler cites the following:

Machine-harvested cotton, average yield 800 pounds per acre.

Large farms (200-acre allotments), 15.3 cents per pound.

Small farms (20-acre allotments), 17.5 cents per pound.

(Seed value deducted before lint cost computed.)

(d) North Carolina Extension Service, quoted as reporting production costs of "top 10 percent of the State's producers" as 19 cents per pound.

(e) San Patricio County, Tex. (an individual farm record not identified by name): 16 cents per pound.

(f) Mississippi Delta Farms: "16–22 cents" (p. 51).

(g) Southeast—Alabama, Georgia, North Carolina, and South Carolina: "16–24 cents" (p. 51).

Other, individual growers also cited with production costs generally within the foregoing range of costs.

### SUMMARY

This review of publications treating costs of cotton production includes studies from representative cotton production regions from coast to coast. Excluding the Progressive Farmer report of Mr. Butler, which underscores the findings of the other reports, the publications treat production costs in detail and in comparable manner.

Summarized, the findings reported on production costs, per pound lint, are as follows:

1. North Carolina, 1956: 18.33 cents at 500 pounds per acre level; 16.3 cents at 750 pounds per acre level.

2. Georgia (72 farmers in 1957): 18 cents at 820 pounds per acre level.

3. Georgia, experimental farm, 1960: 15.96 cents at 560.3 pounds per acre level; experimental farm, 1958–60 average: 12.77 cents at 684 pounds per acre level.

4. Mississippi Valley, Southeast Missouri (42 farms) 1959: 19 cents at 680 pounds per acre level.

5. Brazos Valley, Tex., 1955–58 average: Irrigated producers: 18.31 cents a pound at 823 pounds per acre level; dryland producers: 18.85 cents a pound at 400 pounds per acre level.

6. San Joaquin Valley, Calif.: Unspecified number of cotton-general farms: 14.7 cents (or less) at 1,040 pounds per acre level.

7. Eugene Butler, progressive farmer: Reports from many districts citing production costs from 15.3 cents per pound to 24 cents per pound.

The reviewer concludes that substantial amounts of cotton have been grown for 18 cents per pound, or less, that production at this cost level is widely distributed throughout the cotton-growing States, and that the evidence suggests much cotton has been produced at 16 cents per pound, or less.

Since most of the studies reviewed herein are at least 4 crop-years old, it is necessary to conclude that production at a cost of 18 cents, or less, has been going on for some time.

It is also appropriate to suggest that, currently, production costs probably are lower than reported by the studies reviewed herein, because of continued improvement of production techniques, equipment and insecticides during the past 5 years.

Of course, not being an agricultural expert, I am not qualified to judge the accuracy of these sources.

Nor am I competent to say which nearer states the facts—the Department's letter or Dr. Prunty's summary.

However, I am qualified to recognize the vast gulf of difference between the two.

If cost figures of the Department of Agriculture are applicable, then the $2,232,737 that the public paid to the Boswell interests in California and Arizona hardly is enough. Producing 62,535 bales in 1961, there would be nonetheless a loss of $67,505. If this be the case, the subsidy should be increased.

If Dr. Prunty's lowest estimate is applicable, Boswell not only would have received a public gift of $2,232,737, but would have made a profit, at world prices, of $3,511,340.25.

Again, I do not attempt to arbitrate the issue of cost. I offer no judgments, only the fact of a wide divergence of opinions.

Mr. Speaker, if Americans are to continue to pay subsidies in excess of $608 million annually to growers; if the small cotton farmer is to continue to receive from this subsidy but $5 per month; if the largest producer is to continue to receive a subsidy of $2,232,737—the American people should have all the facts. They are entitled to know where their money goes. They are entitled to know what part of that subsidy is cost, and what part is profit. And they are entitled to ask whether this program is to remain unchanged in spite of two-price cotton and all its evils.

Mr. Speaker, in recent decades, farm families have moved to the cities in great multitudes. There is already a pressing national problem in unemployment. With no farm program, our Nation would doubtless be gripped by an unemployment crisis of major proportions. This is not to mention the distressing human aspects of sudden upheaval of thousands of farm families. I have a deep concern for the welfare of the small farmer. I realize that by providing this minimal support, we are in part helping him to remain on the farm.

For decades, the family farmer has faced grave economic problems. Most assuredly, I would not add to his already heavy burden. Nor would I deprive him of the meager assistance now given him. But, Mr. Speaker, are we, in fact, helping the small farmer? Is $5 per month out of a subsidy of $608 million enough? Does the small farmer profit from these subsidies? Is our complex and expensive program helping him, who needs it most? Or has it served only to enrich large producers who need it least?

The small cotton farmer continues in the need of assistance. We should assure for him the opportunity to earn a fair share of the Nation's wealth.

Is there no way to do this, and at the same time eliminate both two-price cotton and huge subsidies to Western growers?

Our program should serve three important groups—the consumer and the taxpayer, who pay $608 million a year in subsidies, and the small farmer, who receives from these millions the sum of $5 per month.

Surely, there is a better way.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. WELTNER. Yes, I shall be happy to yield to the distinguished gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I would like to congratulate the gentleman from Georgia for taking this time to bring to the attention of the Members of the House of Representatives the problem confronting the entire cotton industry in the United States.

Mr. Speaker, like the gentleman from Georgia, I represent a congressional district which by and large does not produce a pound of cotton, or if it does produce any, it is negligible. However, this is a matter of grave concern to the entire country. I have talked with the cotton producers and with the textile manufacturers, and others, and I am hopeful that before this session is concluded this Congress will pass a bill which will be helpful in this situation.

Mr. Speaker, I congratulate the gentleman and thank the gentleman for yielding.

Mr. WELTNER. I thank the distinguished gentleman from Louisiana for his comments.

## CREDIT UNION DAY

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

### CREDIT UNION NEXT TO CHURCH IN IMPORTANCE IN MANY COUNTRIES OF WORLD

Mr. PATMAN. Mr. Speaker, this is Credit Union Day. The credit union is next in importance to the church in many communities in the world. The Associated Press within the last few minutes has carried on the wire the following statement about a meeting at the White House this morning. It is inserted herewith:

> WASHINGTON.—President Kennedy lauded credit unions today as "a form of self-help in the best American tradition."
>
> Then, on National Credit Union Day, he signed a bill that grants greater flexibility of operations to federally chartered credit unions.
>
> At a ceremony in his office, Kennedy said credit unions perform a valuable function in "permitting people to pool their resources and obtain greater economic security."
>
> With a touch of home State pride, the President said Massachusetts was the first State to pass a law authorizing credit unions. That was 54 years ago. Now there are unions in every State.
>
> "Fourteen million American citizens have used their facilities to accumulate $7 billion in savings," Kennedy said.
>
> "With their growth has [sic] come increased opportunities for service—in teaching thrift—in making credit available to people without major assets at reasonable rates of interest."
>
> Standing behind the President were Senator JOHN SPARKMAN, Democrat, of Alabama, and Representative WRIGHT PATMAN, Democrat, of Texas, who sponsored the bill the Chief Executive signed.
>
> They told reporters Credit Union Day is being observed around the world in 70 countries which have credit unions.

We were in the office of the President this morning to witness the signing of H.R. 4842, which I introduced in the House of Representatives, to allow Federal Credit Unions greater flexibility in their operations.

Along with me were Senator SPARKMAN, who guided the bill through the Senate; J. Deane Ganno, Director of the Bureau of Federal Credit Unions; and three top men from the Credit Union National Association: J. Orrin Shipe, managing director; Julius Stone, chairman of the legal and legislative committee, and David R. Weinberg, director of the legal and legislative department.

Mr. Kennedy made a very excellent statement about Credit Union Day, and I would like to read it into the RECORD at this time.

#### THE WHITE HOUSE STATEMENT BY THE PRESIDENT

> Today, credit unions throughout the Nation are celebrating Credit Union Day. It is therefore particularly appropriate that we recognize the occasion by signing this bill, which allows Federal Credit Unions greater flexibility in their operation.
>
> Credt unions have had a long history of service. They perform a valuable function—permitting people to pool their resources and attain greater economic security. It is a form of self-help in the best American tradition.
>
> Fifty-four years ago, Massachusetts passed the first State law authorizing credit unions. Now, there are active units in every one of the 50 States, and there is a Federal Credit Union Act. Fourteen million American citizens have used their facilities to accumulate $7 billion in savings.
>
> With their growth has come increased opportunities for service—in teaching thrift—in making credit available to people without major assets at reasonable rates of interest.
>
> This legislation, which I am delighted to approve, was sponsored by Congressman PATMAN and Senator SPARKMAN. Their longstanding interest in credit unions is known to all of us. We are grateful to them for their leadership.

Of course, Senator SPARKMAN and I were both pleased to offer this assistance to credit unions.

It gave me great pleasure to participate in this ceremony at the White House which had a dual purpose. First, we are marking the enactment of H.R. 4842, a bill which I sponsored in the House and Senator SPARKMAN in the Senate, and it will equip Federal credit unions to serve their members more expeditiously.

Second, we are marking International Credit Union Day. All day today credit union members are gathering around the globe to pay tribute to the idea of the founders which have made their movement possible.

Whether they are the poor in Korea and Bolivia or Fiji or even in the cities and towns of this country, they are all thankful that the idea of economic self-help through credit unions has been brought to them.

The credit union movement has proved itself a stanch foe of loan sharks and usury and has helped countless people to become economically self-sufficient.

The democratic idea of credit unions has proved just as stanch a foe of communism wherever the two meet. I am sure that when credit unions and Communists come face to face, it will be the democracy of the credit unions which will triumph.

I wish to congratulate the leaders of the credit union movement represented by the Credit Union National Association for their devotion to their fight against high interest costs. My best wishes to all of you.

It seems hard to believe, but the first speech I made about credit unions was on the floor of the House over 29 years ago. That was on June 16, 1934, the day the Federal Credit Union Act passed the House of Representatives. It passed the Senate on the same day and became the law when President Roosevelt signed it.

My good friend, Senator Morris Sheppard, from my hometown of Texarkana, led the bill through the Senate. The first credit union was named in his honor and is still going strong in Texarkana. I had the pleasure to appear before the Committee on Banking and Currency in the House in support of this bill. I believe I was the only Member of the House or Senate who appeared before the House Committee on Banking and Currency in behalf of the bill before it was reported out by the committee in 1934. I was not a member of the Banking and Currency Committee until 1937. That was in 1934. I sponsored the Sheppard bill in the House and did all the footwork in connection with its passage in the House, although a number of the House Members were sympathetic and in many ways helped, which is disclosed by the CONGRESSIONAL RECORD during that session of Congress.

I was reminded of these thoughts when my attention was called to the fact that October 17 is International Credit Union Day. Since the passage of the Federal act, credit unions have gone a long way.

Not long ago, when representatives of the Credit Union National Association and the Bureau of Federal Credit Unions testified before the Committee on Banking and Currency, I was impressed to learn of the growth of these self-help enterprises.

For example, membership in U.S. credit unions, both State and Federal, is nearly 14 million. Assets are over $7 billion. In 1934, credit union statistics were reported in hundreds and thousands. Now they are reported in millions and billions.

As chairman of the Banking and Currency Committee, I was particularly impressed with the balance achieved between the size and number of State and Federal credit unions. The balance in membership, savings, assets, and other categories is almost exactly 50-50. This means that both State and federally chartered credit unions are doing a fine job, and one is not dominating the other.

There have been some reports that credit unions now are abandoning their traditional concept, especially in the vital area of the common bond. Every credit union, according to the Federal and most State acts, must have a valid common bond.

These include groups having ties of occupation or association, or to groups within a well-defined neighborhood, community, or rural district. The community credit unions have been particularly criticized, yet this is puzzling since the very first credit union in the United States was a communitywide credit union.

Far from "losing" their traditional identity, credit unions are maintaining it to a remarkable degree. The growth that is so striking, especially to their competitors, has been brought about because they have filled a need. They were the first to supply the common man with a safe place to save and a reliable place to borrow at low cost.

The spirit that motivated the passage of the Federal Credit Union Act has now extended to other countries. Credit unions are now operative in nearly all the Central and South American countries.

In this work, the organized credit union movement in the United States is cooperating with the Agency for International Development, the Inter-American Development Bank, and the Peace Corps. South of the border, just as in the United States, the prevalence of high interest rates accounts for the rapid growth of credit unions.

Bolivia is an example of a country benefiting from credit union development. In 1960, there were just 3 credit unions in the country. Now there are 80, with the equivalent of $144,000 in U.S. dollars saved. With proper support, it is estimated that there can be 300 credit unions operating there in 1967.

This projection is not surprising when it is understood that the usual interest obtainable on a consumer loan there is

10 percent per month, or 120 percent a year.

I am happy to say to the credit union movement: Well done, and best wishes for the future.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the distinguished gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Thank you very much. I am very happy that the distinguished dean of the Texas delegation and the most able chairman of the Committee on Banking and Currency of the House of Representatives, our own colleague from Texas [Mr. PATMAN], has yielded in order to enable me to add my comments to his. In other words, those of us who have benefited immeasurably by the credit union movement do find that it is a happy occasion to congratulate the movement on its anniversary and particularly our distinguished chairman and colleague because of the tremendous work that he has done in behalf of providing consumer credit in the most obtainable form for countless thousands of people who would not otherwise have it. For example, in my district Federal credit unions have grown tremendously. There are 85 credit unions in Bexar County, Tex., which is the 20th Congressional District, with 69,202 members. Their assets amount to $28,518,600. The loans outstanding represent $24,482,700 and the savings reflect $25,399,300.

Incidentally, a very important point to make is that the Bureau of Federal Credit Unions is a Government agency requiring no tax money. It is supported by supervisory and examination fees paid by the credit unions.

I am very happy that I have this chance to make public a statement of accomplishments because on a firsthand basis I have knowledge of the tremendous good it has done individuals and families in my home district. And I wish to make patent the tremendous contribution that the distinguished chairman of the House Banking and Currency Committee, the gentleman from Texas [Mr. PATMAN], the dean of our Texas delegation, has made personally in this regard.

Mr. PATMAN. Mr. Speaker, I want to thank the gentleman from Bexar County, the city of San Antonio, the distinguished Congressman from that district, for his remarks. He is a member of the Committee on Banking and Currency of the House of Representatives and has helped to sponsor and has sponsored every credit union bill that has been before that committee. He is one of the best supporters that the credit unions have on our committee in the House of Representatives or in the Congress. I am glad to hear that fine report from his own district about the advancement and progress of the credit unions in that area.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to my colleague from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Speaker, I, too, would like to join in expressing my congratulations to our distinguished colleague, the dean of the Texas delegation [Mr. PATMAN]; and in expressing my personal appreciation and that of many thousands of people in my area for the untiring and farsighted work and vision on his part which has brought this movement along to its present state.

Countless numbers of people in my area, as well as throughout the country, have benefited by the work of the gentleman from Texas [Mr. PATMAN] on this distinguished and important committee of the House.

I should like to say also that I have had some opportunity to observe, as the gentleman from Texas has pointed out, the fact that the growth of credit unions throughout the rest of this hemisphere, in Central and South America, has been one of the really stabilizing factors in the economies of those countries. In Peru, for example, Father Daniel McLellan, a Maryknoll priest, whom I have the pleasure of knowing, began a credit union with some 23 Indians in a little mountain village at Puno, who, between them, were able to put together the munificent sum of only $30. But this was the only source of available credit for these people to buy such things as seed, fertilizer, and the necessary implements to ply the farming of their acres, to get from the patrimony of their land what they could to see a better tomorrow for their children.

The movement has gone on in that country until today I am informed there are more than 200 credit unions, all of them highly successful, and with a negligible bad-debt loss. This has proven that those people are worthy of credit, that given the opportunity to pull themselves up by their own bootstraps they do so.

This, in my opinion, has become a form of grassroots help that has been very practical, and has aided and assisted those friendly countries to the south of us. For this, too, I thank the distinguished gentleman from Texas [Mr. PATMAN], who deserves great congratulations.

Mr. PATMAN. Mr. Speaker, I want to thank the distinguished gentleman from the Fort Worth area in Texas who has been a good friend of the credit union movement. He has been very helpful in the passing of many bills in support of the credit unions. I appreciate his contribution to this debate.

## OIL DEPLETION PREFERENTIAL LEGISLATION—PART II

The SPEAKER pro tempore. Under previous order of the House the gentleman from New York [Mr. DULSKI] is recognized for 1 hour.

Mr. DULSKI. Mr. Speaker, a few weeks have gone by since I addressed the House on preferential legislation for the oil interests.

More information has come to light on this vast industry which has thrived on the 27½-percent oil depletion allowance so generously provided by the American public over the years. Let us make no mistake, these oil boys know their way around. To get information on this subject can be likened to pulling teeth, but I intend to continue my relentless drive to get to the bottom and to bring to the attention of the American taxpayer every facet of this gigantic operation of the "untouchable" few.

Clearly, the current inflated depletion allowance is an unnecessary indulgence on the part of the Federal Government in favor of one of this Nation's most prosperous industries. The loss of revenue to the Government from the 27½-percent allowance for oil and gas, as well as from similar allowances to mining and other industries at somewhat lower rates, has been enormous.

In 1957 the total tax deductions for U.S. corporations under depletion provisions was $3 billion, of which the oil and gas industry alone accounted for $2 billion. At the same time, the oil industry was spending approximately $5 billion annually for exploration and development, with $1 billion lost down dry holes each year. In other words, the Government is providing $1 billion or more annually in tax relief to the oil industry under the heading of depletion allowances—for no reason better than undisguised favoritism. Calculation of the $5 billion ventured and $1 billion lost yearly on the single exploration aspect of the oil-production process would allow complete coverage of the loss at a depletion rate of only 20 percent.

The reasonable reduction of the depletion rate for oil and gas is a necessity; its complete elimination is also a possibility to be considered. There is no magic associated with the current rate; 27½ percent is nothing more than the result of a 37-year-old legislative compromise. Fixing a new rate is bound to be equally arbitrary, but at least it could be more in line with later and more rational depletion allowances on other natural resources.

At 27½ percent: Oil, gas.

At 23 percent: Bauxite, lead, mercury, nickel, platinum, zinc, tin, uranium, sulfur.

At 15 percent: Clay, gold, iron, slate, marble, copper, silver, gypsum.

At 10 percent: Coal and others.

Conclusion: Oil and gas prosper, yet enjoy a 27½-percent rate; while coal, a floundering and hard-pressed industry, is given only a 10-percent tax break.

Taking an arbitrary but reasonable reduction to 15 percent, and complete elimination, the following revenues would accrue to the Government:

*Revenue effect of reducing or eliminating percentage depletion for oil and gas*

[In millions of dollars]

| | |
|---|---|
| 27½ to 15 percent: | |
| Gross revenue increase (immediate) | 390 |
| Longrun dividend effect | −65 |
| Net revenue increase annually | 325 |
| 27½ to 0 percent: | |
| Gross revenue increase | 925 |
| Longrun dividend effect | −125 |
| Net revenue increase annually | 800 |

Whatever the system, each percentage point reduction in the oil depletion allowance is worth about $32 million annually in additional tax revenue. In an industry where exploration requires less time, less equipment, and less financial risk than ever before, this windfall to oil corporations should be modified or eliminated.

To give you a brief summary on the positions taken by past Congresses and administrations, I include the following:

Congress has investigated the oil depletion allowance nine times since 1926.

In 1933–34: Investigation of administration's abolition proposals—no changes.

In 1937: Investigation of administration's abolition proposals—no changes.

In 1941–42: Investigation of administration's abolition proposals—no changes.

In 1950: Investigation of administration's reduction proposals—no changes.

In 1951, 1954, 1958, 1959: Senate upheld existing rate. There are, however, signs of increasing Senate support for the downward modification of the depletion allowance, as evidenced in the following Senate rollcall votes:

In 1951: 71 against, 9 for.

In 1958: 63 against, 26 for.

In 1959: 58 against, 31 for; and 54 against, 21 for—and in these two rollcalls, more of the nonvoting Senators announced for the bills than announced against.

Roosevelt administration: Favored abolition.

Truman administration: Favored reduction to 15 percent.

Eisenhower administration: Took no public position.

Kennedy administration: Current tax proposals take a back-door approach to reducing the depletion allowance, reflecting first, preference for a gradual reduction scheme; second, feeling that companies can bear additional tax burdens more easily than can individuals.

I have also come across the following table which presents some very interesting facts:

*Ratio of net income after taxes to net assets in the oil industry and others, 1947–58*

| Industry | Number of companies | 1958 | 1957 | 1956 | 1955 | 1954 | 1953 | 1952 | 1951 | 1950 | 1949 | 1948 | 1947 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Oil and gas producing | [1] 76 | 11.8 | 16.5 | 16.0 | 16.2 | 15.3 | 16.4 | 16.3 | 19.5 | 18.3 | 21.7 | 35.9 | 19.9 |
| Oil refining | 45 | 10.0 | 13.4 | 14.6 | 14.1 | 13.7 | 14.3 | 14.4 | 16.5 | 14.9 | 13.2 | 22.1 | 15.8 |
| Chemicals | 72 | 11.1 | 14.0 | 15.6 | 17.7 | 14.5 | 13.3 | 13.7 | 16.3 | 21.3 | 16.5 | 17.7 | 17.2 |
| Drugs | 27 | 21.9 | 24.0 | 22.4 | 18.3 | 15.8 | 13.7 | 14.0 | 19.2 | 21.9 | 16.2 | 19.0 | 20.6 |
| Soap and cosmetics | 19 | 18.7 | 17.8 | 16.2 | 16.0 | 14.6 | 12.4 | 12.6 | 18.4 | 20.9 | (2) | (2) | (2) |
| Cement | 30 | 16.0 | 15.9 | 19.5 | 20.3 | 18.8 | 14.7 | 14.1 | 14.1 | 18.2 | 18.1 | 16.6 | 12.2 |
| Glass | 27 | 11.9 | 15.3 | 16.6 | 20.5 | 16.3 | 14.9 | 14.7 | 15.3 | 23.6 | 18.5 | 16.0 | 17.4 |
| Office equipment | 26 | 14.1 | 17.5 | 17.3 | 16.9 | 15.1 | 12.8 | 14.3 | 16.9 | 19.0 | 18.5 | 25.6 | 27.1 |
| Automobiles | 15 | 8.8 | 16.4 | 15.7 | 29.1 | 21.1 | 18.0 | 18.5 | 17.5 | 32.3 | 30.8 | 26.0 | 20.8 |
| Aircraft | 39 | 14.[illegible] | 20.1 | 21.6 | 24.7 | 27.4 | 21.0 | 8.9 | 9.8 | 7.3 | 7.2 | 10.2 | 10.5 |
| Total manufacturing | 1,852 | 9.8 | 12.8 | 13.9 | 15.0 | 12.4 | 12.5 | 12.3 | 14.4 | 17.1 | 13.8 | 18.9 | 17.0 |

[1] Also, chart includes more oil companies than companies in any other category; reaching further down the corporate scale probably has the effect of lowering the overall profits for an industry as the more marginally successful corporations are figured in.

[2] Categories combined in these years.

Source: First National City Bank of New York.

NOTES

| | 1958 | 1957 | 1956 | 1955 | 1954 | 1953 | 1952 | 1951 | 1950 | 1949 | 1948 | 1947 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Rank of oil's profits among the 10 listed industries | 7/10 | 5/10 | 7/10 | 8/10 | 6/10 | 3/10 | 2/10 | 1/10 | 7/10 | 2/9 | 1/9 | 3/9 |

CONCLUSIONS

The oil industry was one of the top 3 most profitable industries in 6 of the above 12 years.

The oil industry was more profitable than every one of the 1,852 industries grouped under total manufacturing in every one of the above 12 years, oil exceeding total manufacturing by the following percentages each year:

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Percentage | 2.0 | 3.7 | 2.1 | 1.2 | 2.9 | 3.9 | 4.0 | 5.1 | 1.2 | 7.9 | 17.0 | 2.9 |

This completes part II of my dissertation on this tax bonanza at the expense of the American public.

I shall continue my spadework for more facts, and I hope soon to give you additional highlights on this preferential legislation.

## COMMITTEE ON EDUCATION AND LABOR

Mr. O'HARA of Michigan. Mr. Speaker, I ask unanimous consent that the House Committee on Education and Labor may have until midnight tomorrow night to file a report on the bill H.R. 8720.

The **SPEAKER** pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Michigan?

Mr. GROSS. Mr. Speaker, reserving the right to object, there has been the understanding that requests to transact business of a general nature in the House would not be brought up after the House goes into special orders.

I am not going to object to this request, but I here and now serve notice that I will object to any future requests to transact business of a general nature affecting all of the House after we go to special orders. As far as I am concerned, this will be the last such unanimous consent that will be granted.

Mr. O'HARA of Michigan. May I explain to the gentleman from Iowa that there was every intention of presenting this request prior to the time the House went into special orders, but through inadvertence that did not occur. It has been cleared with the leadership and members of both parties who are concerned with it. I thank the gentleman for withholding his objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

## THE CAUSE OF CIVIL RIGHTS AND HUMAN DIGNITY

The **SPEAKER** pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 1 hour.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I rise to speak in behalf of every American and the cause of civil rights and human dignity.

We stand here a full 100 years after the Emancipation Proclamation proclaimed the freedom of the slaves. Yet many of the traditions and trappings of that evil institution—slavery—still exist. We stand here 10 years after the U.S. Supreme Court decided that separate educational facilities are inherently unequal and deprives members of the minority group the equal protection of the laws guaranteed by the 14th amendment. And the 14th amendment was enacted to implement the Emancipation Proclamation. Yet the old attitudes and patterns of behavior persist and children are denied the opportunities of education and of bettering themselves by those of us who are older and presumably wiser, on the simple basis that the skin color of some children is a shade or two darker than others. We are a nation founded by a group who fled the Old World because of religious persecution. We are a nation built on the rock of belief that "all men are created equal." Yet we are not free from intolerance and unreasonable discrimination.

We tell ourselves and the peoples of the world the message of peace and good will. Yet we resort to violence in our own land. For many American Negroes street, homes, and even churches have been made unsafe places.

Yet when it became known that some of us would on this day speak out against these practices and express our indignation at the American brand of terrorism, some persons met us with doubts and skepticism. They have asked us to let well enough alone. They have said that by speaking out today from the floor of this House matters would be aggravated. They have warned that the situation would be stirred up. I guess they mean now that the dust from the latest bombings and the freshest graves has settled.

Mr. Speaker, you cannot stir up a whirlwind that has wrecked a number of cities and killed and wounded people. That whirlwind is already stirred up. We speak today in the belief that a wound covered and neglected is more likely to fester and became infected than to heal by itself. We speak to lift the bandages of apathy and the callouses of indifference, not to aggravate the wounds. Our goals are to seek ways to repair the damage that has been done, and most importantly to prevent further damage. To be unconcerned with the problems of our time today is sinful in every sense of the word. To be silent is criminal.

We realize that we will win no converts on this day among our fellow citizens who do not accept our values. To them the old way of life is apparently more important than the dignity and well-being of the minority groups. We do not demand that segregationists become integrationists. We are not unrealistic. But these matters must be discussed in public despite the discomfort that results. The alternative of silence is the pathway to a wasteland. A wasteland of moral and spiritual values that will herald devastation of a material kind that even the simplest of us will know and understand.

The lessons of history are often forgotten. The next generation is not necessarily wiser than the last. But how can we forget the lessons of World War II? How can we forget the men and boys who died fighting the racial madness of Adolph Hitler? The people were silent in Nazi Germany. Nazi thugs burned synagogues and those who did not participate were silent. They passed the infamous Nuremberg laws to make racial and religious discrimination and bigotry the law of the land, and those who did not actually welcome their newfound advantages over the minority groups were silent. They beat up Jews on the streets, old and young, women and children. And those that did not actually strike blows were silent. Inevitably the racial and religious hatred led to violence. When the millions of men, women, and children were imprisoned in the concentration camps and murdered in the gas chambers those who were not present were silent.

Those who acquiesced by their silence were as guilty as those who held the torches, who threw the bombs, who pulled the triggers and who closed the doors to the gas chambers. Yet the soldiers protest that they were only following orders. The Eichmanns protest that they were only following orders. The citizens protest that they did not realize what was happening and there was nothing they could do about it. Some, even today, say that it was somehow the victims' fault for getting themselves exterminated.

They say they were not responsible. But they were. The ones who remained silent were as guilty as those who shouted "Heil Hitler." The businessmen who manufactured the gas and the furnaces in which the bodies were cremated were as guilty as those who gave the orders for the executions. This was the wasteland in Nazi Germany.

There is a dangerous degree of indifference to the sufferings of fellow human beings amongst Americans today. There are reports that some of us are blaming the Negroes for getting themselves beaten and killed.

Mr. Speaker, it is a ridiculous accusation. It is an excuse and an attempt to dodge reality. People do not want themselves hosed down and prodded with electric prod sticks. People do not want themselves attacked by dogs. People do not want themselves beaten and bombed, maimed and murdered.

The words "national disgrace" are appropriate to describe the violent course that the civil rights movement has taken. But to blame the Negroes and the other minority groups for the violence inflicted on them is a twisted form of reasoning. We are here today to blame no particular community, State, or region. We blame no group. We are all responsible. Even those of us who live in districts where there are relatively few Negroes are guilty if we remain silent. But while we come not to blame anyone, none are blameless.

That is the message we are trying to convey to the people of this great Nation today. We plead not only for reason and sanity, not only for nonviolence. We ask every American to reflect on the problems in his country, to raise his voice wherever it is necessary, to cry out against hatred and violence.

To implement this objective and to clarify the matter of law enforcement, I make the following requests:

First. The Federal Bureau of Investigation and the Department of Justice have expressed some doubt as to the intent of Congress in passing the Civil Rights Act of 1960, and particularly the provisions dealing with the criminal violations of using or possessing explosives. Doubt has been expressed as to who has jurisdiction to investigate and prosecute these crimes. If there is official doubt in Federal agencies then Congress has a right to know about it and Congress ought to know about it through official channels. I, therefore, request the Director of the Federal Bureau of Investigation and the Attorney General of the United States to convey to this Congress their position on this portion of the Civil Rights Act of 1960 and on the question of who has jurisdiction to investigate and prosecute under section 1074 of the act.

Second. I ask every American who has not spoken out on this subject to communicate with the elected and appointed officials in their communities and States, with the communications media and with the Members of this Congress. Let yourselves be heard for the cause of human dignity and nonviolence.

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I yield.

Mr. O'HARA of Michigan. I wish to commend the gentleman from Texas for taking this special order, and I wish to associate myself with his remarks. I think it is extremely appropriate at this time that Members of the Congress should be expressing their concern over this very serious problem, which casts shame upon all of us.

Mr. GONZALEZ. I thank the gentleman very much.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Texas.

Mr. WRIGHT. I, too, should like to express my congratulations and appreciation to the gentleman from Texas for his deep interest in this matter.

It is typical of the deep humanity and the inherently sympathetic nature of my colleague from San Antonio, the gentleman from Texas [Mr. Gonzalez], that he would feel so keenly the violence which recently has punctuated race relations in our country, culminating in the wanton slaying of four innocent children on a Sunday morning while they were in church.

Yet it should not be strange that a Member of the U.S. Congress would feel a tragic sense of loss nor an impelling personal responsibility to speak out over such a senseless deed. That such a thing could happen at all is a symptom of a sickness in our society. It would be a sad commentary indeed if our culture had become so brutalized as to lose the capacity for moral outrage or sensitivity to so needless a loss.

The loss of any child of this land, and the unspeakable anguish visited upon the parents, is in one sense a loss to us all. The sunrises these children will never see could have been as beautiful to them as to my own children, the simple joys of noontime play as sweet, the daily dramas of triumph and disappointment as poignant, their evening prayers as precious.

How purposeless a loss. Four little lives sacrificed upon the pagan altar of hatred. How innocent were they of the violent, raging tide of uncontrolled anger which crushed the breath from their bodies. How blameless were they for the forces of ugly unreasoning conflict which motivated their assassins. Their only crime was being born at a time when some Americans have been taught to hate one another. They were too young to hate or even to know what it was all about.

What insanity possessed their slayers? To what depths of depravity must a man sink to throw a bomb in a church where people have gone to worship the God of love who, as St. Paul tells us, "created of one blood all the nations of men for to dwell on the face of the earth"?

It is the insanity of race hatred. And insanity it is. Why in the name of reason would I hate my friend, "Bob" Nix, or my friend, "Bill" Dawson? What difference, beneath the skin, is there between us? Do they not dream the same dreams as I? Do they not serve the same country? Do they love this land any less? What have they done to me except befriend me? I tell you I would be insane if I felt for them anything but kindliness and friendship.

And this is what is wrong. The sane men have been silent, and the insane men have spoken. Harsh voices honed on hatred, they have spewed out the poison of prejudice. Men of reason and responsible restraint have muted their message and defaulted their obligation;

while men of violent irresponsibility have screamed from the rooftops. They have fanned the flames of passion and made a shambles of the dignity of law.

This is by no means the first act of violence to cast its dark stain upon the honor of our land. It is only perhaps the most depraved. But we who deplore it cannot, like Pontius Pilate, simply wash our hands of the blood of these little children at this Sunday school nor of the other innocent victims of violence. Though perhaps it was not our demagoguery that caused it, we of good will somehow did not offer the leadership that could have prevented it.

Whom do we serve when we allow this land so blessed with benefits of every kind to become divided by bitterness? We need our national unity today perhaps more than ever in the face of an international ideological challenge to all that we hold dear. Surely it is not a time to let the mantle of leadership fall to those agitated ones in our midst, on either side, who divide Americans against Americans.

Sentimentally and emotionally, I have an attachment for the South. It is the land of my forebears. It has some fine and noble traditions. But hatred is not one of them. Bitterness is not one of them. Twisted, warped prejudice is not one. Violence is not one.

Graciousness is one of them. Responsibility is one of them. The courage to do what is right is one. Compassion and the spirit of noblesse oblige were among the patrician virtues of the South. And a reverence for law.

I may not wholly agree with some of my colleagues as to the precise means of solution for this problem which more and more preoccupies us. But as reasonable men we can find solutions. May we try as hard to understand one another as we strive to be understood. And may we not abandon the leadership to those whose hearts are hard and evil. For if we do, the fault will be our own.

**Mr. GONZALEZ.** I wish to express my appreciation to my distinguished colleague from Fort Worth, Tex. [Mr. WRIGHT] for his very apt and able expressions and for his leadership in his own community and the progress his community has recently made through voluntary desegregation of practically every public accommodation in the city.

Mr. Speaker, at this time I should like to yield to our distinguished colleague, the gentleman from Hawaii [Mr. GILL].

**Mr. GILL.** Mr. Speaker, those of us who speak today in favor of an effective civil rights bill do so in full realization of the strong crosscurrents of feeling that exist in this House on the issue. The crosscurrents—this emotional confusion if you will—that exist here merely reflect similar feelings across the Nation.

Our plea is a simple one: that Congress lead the Nation away from its confusion, not attempt to mirror it.

Indeed, the mythical man from outer space would have great trouble understanding our current confusion over civil rights. Why should a people bound together by the principle that all men are created equal have difficulty writing a piece of legislation that says just that? It is certainly not my purpose to attempt to analyze the social, political, and economic snarl that we as a nation have created for ourselves; I merely hope to add a thought or two about the practical political problem that we face here in the House.

Inevitably, in any discussion of civil rights legislation, our brethren from the Southern States emerge as the devils. This is unfortunate from a number of respects. Certainly all of us recognize that many of the most competent and skilled Members of this House are from Southern States; the longer we are here the more we come to note that many of our colleagues from this area have no personal connection with racial bigotry or hate. However, we can all recognize the political bind in which some find themselves. A web of circumstance at least a century deep makes it politically impossible for most of them to support effective civil rights legislation.

So be it. This means that the burden of passing such a bill falls on the rest of us, on both sides of the aisle, who are more favorably placed. Similarly, it follows that the responsibility for any failure must fall largely on the shoulders of those of us of both parties from the north, the east, the west, and indeed the far, far west of Hawaii.

And we shall fail if we cannot pass a strong and effective civil rights bill that will, in a manner of speaking, "unfuse" the Negro revolution. What is strong and effective is always a matter of argument, but suffice it to say that any legislation we pass must give the Americans of Negro ancestry easy, speedy, and effective access to process of law and the various avenues of government to right their legitimate wrongs. There is no other way that responsible Negro leadership can lead its people away from the streets and into the normal processes of our society. If we fail—if we cannot move the demonstrations off the streets, we may find our Nation drifting into the whirlpool of hardened racial attitudes, where human communication fails, and we are sucked toward the bottomless vortex into which South Africa has fallen.

If we are going to understand the type of law we must pass, I submit we must understand the nature of the revolution it is designed to meet. It has been said that abject poverty and degradation does not breed revolution; it is rising expectations. This is certainly true of the racial movement in America today. The pace and solutions of yesterday are not enough; indeed the pace and solutions of today can be utterly inadequate tomorrow.

Our task, in theory, is simple: We have to pass a civil rights bill which will "unfuse" our racial revolution not only today, but tomorrow and in the years to come. If we temporize, cut back, compromise for the sake of compromise, and look to the ills of yesterday and not the needs of tomorrow, we will have failed.

Let us get to specifics. The reasonably strong and effective civil rights bill approved by the judiciary subcommittee is now reported to be in the process of compromise, or in a less complimentary phrase, cut back to a form satisfactory to the Republican leadership. Reportedly the cutback is necessary to insure passage, and the slings and arrows for this move are being accepted, generously, by the Attorney General. "We want a bill, not an issue," is the cry today. We can all agree. But the question remains: What kind of a bill? Do they mean just any bill so that we can go home for Christmas and tell everyone that we are in favor of civil rights—not too much, mind you, but just enough?

We are still faced with the dilemma that the bill we pass must be effective enough to work tomorrow, not yesterday. We cannot compromise until it is meaningless in the context of what history will surely bring us.

The more practical among us will nod sagely and say that compromise is part of our legislative process, and this is true. They will also say that half a loaf is better than none, and this is often true. However, I sometimes have the feeling that some of the amateur strategists on Constitution Avenue have memorized these dicta without reading the footnotes.

Surely some compromise is essential to the passage of a civil rights bill, but the timing is just as important as the compromise itself. If we cut the bill in committee, cut it again on the floor, and cut it again to resolve the Senate filibuster, just what will we have left? Will it mean anything? Will it unfuse the racial disturbances or merely act as a salve for our own conscience? Should not those who now appear so anxious to lay themselves as live offerings at the foot of the great goddess of political compromise, wonder a little at what happens next?

May I respectfully suggest that a compromise on a compromise on a compromise will not make these willing young men statesmen—it will merely make them the laughingstock of the old pros in these halls, and failures in the eyes of their friends.

I hope that nothing said here today will tend to make this bill a partisan issue—it should not be. Rather let this be a call for those of us who know the importance of strong civil rights legislation, and who are in positions where we can support it vigorously and openly, to lock arms, regardless of party affiliation, and hold for a bill that will meet the needs of tomorrow. Surely we can do this without rancor, without name calling, and with understanding of the predicament of many of our brethren. We need not fail; indeed, we cannot afford to fail.

**Mr. TEAGUE of California.** Mr. Speaker, will the gentleman from Texas yield briefly?

**Mr. GONZALEZ.** I yield to the gentleman from California.

**Mr. TEAGUE of California.** I want to ask a question of the gentleman from Hawaii [Mr. GILL]. I was under the impression that I had read in the morning press that the so-called retreat by the Committee on the Judiciary from a stronger civil rights bill was made at the request of Attorney General Mr. Robert Kennedy rather than the members on the committee. Is that correct or incorrect?

Mr. GILL. I believe I mentioned that the Attorney General had decided to take the credit for such a retreat, if indeed there was one, and it was so stated in the paper and was so stated in my remarks.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Iowa.

Mr. GROSS. What does the gentleman think about it? Was it a retreat or was it not a retreat?

Mr. GILL. I would say, although I am not on the committee and cannot speak with any authority other than hearsay, that it was the result of an impasse. Most members of the subcommittee and various other members of the full committee are reported to be strongly in favor of the stronger bill and various other people, including members of both parties, are reported as being against it. The attempt then is to find a compromise. The only objection I am raising to this—and I am sure the gentleman will agree—is that if we compromise too much, in too many places and too soon with the opponents of civil rights legislation, we may not have a meaningful bill. This, of course, would be disastrous for all of us.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. GONZALEZ. I yield to the gentleman.

Mr. GROSS. Did the gentleman hear the Attorney General on television the other evening, following his meeting with the Committee on the Judiciary, when there was an agreement by the Attorney General that there should be a retreat? Did the gentleman hear the Attorney General attempt to explain away the necessity for the retreat, or his statement in that connection?

Mr. GILL. No; I merely read the remarks of the Attorney General as reported in the press.

Mr. GROSS. I will say to the gentleman the Attorney General said that the retreat, in his opinion, was necessary because they needed 60 to 80 Republican votes. Now let me ask the gentleman, What is the Democrat majority in the House of Representatives? Does the gentleman have any idea? I am sure he does.

Mr. GILL. I think what is being said here today is very definite affirmation of what I just said this should not be a partisan issue. It requires votes on both sides of the aisle. And it further illustrates that the people who are suggesting compromise at this point may be opening themselves to ridicule by some of the old pros.

Mr. GROSS. But the Attorney General does not need a single Republican vote on the basis of the Democrat majority in the House of Representatives to pass any civil rights bill.

Mr. GILL. I would suggest very strongly to the gentleman that even if we did not need Republican votes—which, of course, is not the case—it would still be very wise and good for the country if we had a strong majority of the Republicans voting with us on the civil rights bill. This is not a partisan matter. This is a matter for the good of the country and all the people who live in it.

Mr. GROSS. Then I wish the Attorney General would keep it out of partisanship, because he certainly put it on a partisan basis on television the other evening.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from New York.

Mr. LINDSAY. Mr. Speaker, as the gentleman knows, I am a member of the Committee on the Judiciary which has been studying the subject of a civil rights bill for some time. I do not know whether the press, on this whole subject, has been fair to the people or not; I really do not know. I do know that the press has reported continuously that the reason it is now being suggested that the civil rights bill be cut back in the full Judiciary Committee is in order to get Republican votes. I think that if the administration has made that statement it is an unfair statement. But I am not sure that the administration has ever said that. I think the press is reading into it a good deal, because the fact of the matter is that it just is not so. You do not have to cut back the bill in order to get Republican votes, because Republicans on the Judiciary Committee will vote for the bill as reported out of the subcommittee.

Mr. GONZALEZ. I thank the gentleman very much.

Mr. MACGREGOR. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman.

Mr. MACGREGOR. Mr. Speaker, I am pleased to see the reference to the need for bipartisanship in this proposal, because in the Civil Rights Act of 1957 and the Civil Rights Act of 1960 in the House of Representatives it was only through strong bipartisan support that civil rights legislation did pass this body. It is interesting to note that in 1957 almost 90 percent of the Republicans here supported the civil rights bill and slightly more than 50 percent of the Democrats did so; and in 1960, 91 percent of the Republicans voted "yea" while the Democrats produced affirmative votes from a little over 60 percent of their membership. Thus, having those percentages in mind with reference to support for the civil rights bill of 1957 and 1960 I am pleased that the gentleman is calling, along with his colleagues, for bipartisan support for this legislation.

Mr. GONZALEZ. I thank the gentleman very much. I think that in all fairness we should interject at this point the matter of the indisputable fact that such distinguished Members of this House as the gentleman from New York [Mr. LINDSAY] has been not only a hard fighter but a pioneer in this respect and while sitting on this committee has contributed very valuable service not only to the committee, the Congress, but to the country as well. I agree that this legislation should not be bogged down in any sterile partisan dispute because it is not a fair reflection of the facts and history.

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I shall be glad to yield at this time to the distinguished gentleman from Minnesota [Mr. FRASER].

Mr. FRASER. Mr. Speaker, I am pleased to have the opportunity to join my distinguished colleagues today in this continuing colloquy on civil rights.

Mr. Speaker, I would like to compliment the gentleman from Texas [Mr. GONZALEZ] for his initiative in holding this special order today. It seems to me that this is an appropriate time to again reassert our determination as one of the two bodies of Congress, that before this session ends we will have passed a strong and effective civil rights bill.

Mr. Speaker, with respect to the statements that have just been made, let me say that I am one of those Members of the House of Representatives who has taken the position from the outset that this question of civil rights must be dealt with on a bipartisan basis. I do not think any Member on this side of the House, on the Democratic side, has to apologize when he makes the statement, which is true today, that we have to have the support of our Republican colleagues in order to pass an effective civil rights bill. I think it could be said just as well by the Republican side of the House that they, in turn, would like the support of their Democratic colleagues who are ready to support a strong civil rights bill.

Mr. Speaker, I am particularly pleased that the gentleman from New York should announce today—and this is the first time I had heard of it—that all of the Republican Members on the House Judiciary Committee are prepared to vote for the civil rights bill as originally reported by the subcommittee.

Mr. LINDSAY. Mr. Speaker, will the gentleman yield?

Mr. FRASER. I am glad to yield to the gentleman from New York.

Mr. LINDSAY. I am glad that the gentleman has raised that point again, because it does have to be clarified. If any bill is going to be substantially cut back in the full committee, it will be on the motion of the majority side, because they want it that way. The majority of the Republicans, which is all you need to get the bill reported out in its present form—will be happy to support the bill with the present provisions contained in it, subject to possible language modifications and a tightening of the bill. But insofar as the major provisions are concerned such as voting rights and FEPC, the majority of the Republican Members will support them and vote them out, provided the Democratic majority side of the aisle does not take the initiative to cut them back, because they control the show in that committee.

Mr. Speaker, I am delighted that the gentleman raised the point, because I think the press has tended to play it the other way in indicating that the Republicans were the ones who were initiating proposed changes in these particular items.

**Mr. FRASER.** I thank the gentleman for those remarks. I assume that the gentleman would agree with me that what we are really concerned about is to get enough votes in this House, whether they come from the Republican or the Democratic side, in order that we can pass the most effective bill we can get through. Perhaps there will be differences of opinion as to how strong a bill can be passed. I think we could get into a discussion as to whether the bill is too broad in title III or whether it should be cut back, or whether the FEPC provision should be left in or made a separate bill. However, these are questions which do not impugn the good faith of anyone who is interested in civil rights. I personally hope the FEPC provision stays in.

**Mr. LINDSAY.** Mr. Speaker, will the gentleman yield further?

**Mr. FRASER.** I yield to the gentleman from New York.

**Mr. LINDSAY.** I am delighted that I happened to be on the floor this afternoon to hear the discussion, but it just so happens that you do have present on the floor today on the Republican side the gentleman from Minnesota [Mr. MacGregor] and myself. Here are two of us who are going to vote for FEPC and will attempt to hold it in the bill, and we hope there is no effort made to cut it out.

**Mr. FRASER.** I thank the gentleman. I am only saying that all of us agree we would rather have a bill than an issue. I, for one, would prefer to go into the 1964 election and say that the Republicans and Democrats joined hands to meet a great national crisis and that they set aside partisanship when partisanship had no place in resolving this question.

**Mr. BECKER.** Mr. Speaker, will the gentleman yield?

**Mr. GONZALEZ.** I yield to the gentleman from New York.

**Mr. BECKER.** I am rather surprised to hear—and that is what I understood him to say—the gentleman asking or stating the need of Republican support for this legislation, especially when I go back to President Kennedy's speeches in 1962 when he asked for an overwhelmingly Democratic-controlled Congress. Is the gentleman inferring that you have two different Democratic Parties on that side of the aisle and with 258 votes you cannot pass this legislation? Is this what the gentleman is saying here today?

**Mr. FRASER.** I thank the gentleman for the question. It is a rhetorical question. On the Democratic side as well as the Republican side there are differences of opinion about the kind of bills we consider and what we are seeking to do. We want a good civil rights bill.

**Mr. BECKER.** We have supported civil rights. There is no need of telling the country you have to have Republican support. We have always given civil rights our support. What is the matter with the votes on that side of the aisle? You have 258 votes.

**Mr. FRASER.** The gentleman may not have heard his colleague from New York when he said that he thought the press had misinterpreted what the Attorney General said.

**Mr. BECKER.** All I know about it is he was talking about softening up something to about the way they wanted it in the beginning.

**Mr. FRASER.** I thank the gentleman. Perhaps we disagree as to what is involved here. If the gentleman will join with us in getting a good civil rights bill through we will have made progress.

**Mr. BECKER.** It is a question of determination of what is a good civil rights bill, whether or not you are going to put tyrannical power into the hands of the Attorney General and the President or not. We want to see what is going to be in the bill. I have voted for four civil rights bills here and in the State of New York in the last 20 years, but I want to see what is in there and how it is going to be amended before I make a clear-cut statement as to what I want to do.

**Mr. FRASER.** You may have differences with your own colleagues on your side of the aisle. What we want to do is to work out something in a constructive, positive way, without bringing partisanship into it.

**Mr. BECKER.** I wish that could be done. But I think the Attorney General's own statement has brought partisanship into it. It has not been us. He has been the one who injected partisanship into this matter. As a matter of fact, in my years the only time partisanship comes up is when your side of the aisle accuses us of being partisan. When you do not agree with us you are doing it on a high level.

**Mr. FRASER.** I thank the gentleman again. I will say that in my judgment Attorney General Robert Kennedy has done as effective a job on this civil rights issue as any Attorney General we have had in many years, and he deserves praise from this body. He has accepted the responsibility in this field as the principal legal officer of the United States, and he has been making progress.

Mr. Speaker, there is a natural tendency on the part of most of us to allow our energies to be diverted and our voices to wane, once the glamor and excitement of the early moments of a crusade have passed. The stirring of the popular conscience is not an easy task, but once accomplished it does not represent the attainment of a final goal. The mobilization of the moral force of this Nation is but the means through which equality is being sought. And we are here today to remind ourselves, and the people, that the major task remains as yet undone, and that there is a determination that it shall be done. For those of us in Congress our task is to produce meaningful legislation; other citizens must join in to make equality an everyday thing in their own communities.

There are those who are attempting to cater to our natural desire to be relieved of problems which burden our consciences. Our public guilt has been thrust upon us; we wear it uncomfortably, and would like to shed it. This year, we have witnessed a great change in the manner of combating discrimination: Overt activity all over the country has made us all a part of this struggle.

After months of being forced to live with guilt and tension, we are now prey to the voices which cry that we must have a release from the fatiguing demands for equality. Yes, it is a tiring process in which we must daily acknowledge our errors and be challenged by the sounds, emitting from every news medium, of people hungry for freedom.

But it is not the intent of the civil rights movements to compel confessions, nor is much to be accomplished thereby. We cannot answer our consciences or our people until these admissions are translated into meaningful action. If these demands were just and proper when they were originally made some months ago—they are no less so today. If anything, time and continuing delay have given to them even greater merit and urgency. It would be hypocritical to reject in the practical sense that which we had approved so heartily in the abstract.

"How much do the civil rights people want?" "Hasn't enough been done for 1 year?" These are questions asked by people who have been touched by the struggle, but they have not been involved. Had they engaged in this drive, these questions would be self-revealing in their irony.

The answer to these questions comes from four men charged with a capital offense for encouraging peaceful demonstrations and the exercise of the voting franchise; from the construction worker who, because his color excluded him from his union 10 years ago, does not now have enough seniority in that union to get regular work; from the doctor who knows that he must carefully select his travel itinerary for the family vacation, if he is to avoid the embarrassment and indignity of receiving second-class service and accommodations, if indeed any are available at all.

"Hasn't enough been done for 1 year?" From all of these people, and millions more unnamed, the answer comes in a resounding din. If I may presume to be its sotto-voiced echo, the answer is, "No."

Mr. Speaker, that crescendo of protest will be with us so long as we remain unresponsive to its plea. My distinguished colleague from the State of Georgia told this body not too many days ago that Dixie could no longer "look away." This admonition is no less true for all sectors of this country.

Mr. Speaker, some people have expressed concern for the supposed negative effect that the continued peaceful protests and demands for equality, are making upon the welfare of our country. The time for real concern should come when citizens of a democratic nation are no longer speaking out—and speaking vociferously—for the rights of man.

**Mr. GONZALEZ.** I thank the gentleman.

Mr. Speaker, I yield to the gentleman from California [Mr. Edwards].

**Mr. EDWARDS.** Mr. Speaker, I am delighted to join my good friend, the distinguished gentleman from Texas [Mr. Gonzalez] in speaking out on the frightening events that are taking place every day in this Nation. I do not know how much good it will do to raise our voices in this forum, but continued silence leads to a subtle acceptance and apathy. If one reads, day after day, of citizens being arrested for trying to vote, or trying to go to school, the awful human tendency is to skim over it. It is nothing new. Another 10 people carted off to jail. One loses the ability to respond, to become indignant. A high level of indignation is hard for most of us to maintain, especially if these things are not happening in our own districts or to people we know.

The psychologists tell us that the ability to experience something vicariously, or to put it more simply, to get a "gut" reaction from what one reads is a mark of a civilized person, and I think that reaction was universal in this body of civilized men and women, when we read about the bombing of the children in Birmingham, and when we saw the pictures of the police dogs straining at the leash. But the fact is that things almost as bad are going on every day, and the fact is that we get used to it. Being arrested for trying to exercise your constitutional rights is no longer front page news. You will notice that most of the newspapers are carrying the stories from Birmingham, Danville, and Cambridge as routine items these days.

I am not suggesting that we beat our breasts, or piously deplore, to show that we deeply care about our fellow citizens who face tear gas, firehoses and cattle prods. What I do suggest is that we keep faith with them; that we give them what we can give—the protection of this Government. John Donne's simple words have been quoted many times but they bear repeating regularly:

> Never send to know for whom the bell tolls; it tolls for thee.

I am delighted to hear the expressions of support from the Republican members here today. The gentleman from New York [Mr. LINDSAY] has long been a strong champion for civil rights legislation. I am a Member of the House Judiciary Committee. We are considering the civil rights bill at the present time. We need bipartisan support to report this bill. It is for the good of our country, and should not be a partisan, political issue.

Mr. Speaker, I thank the gentleman from Texas for yielding, and I congratulate him on his splendid speech on this vital national problem.

**Mr. GONZALEZ.** Mr. Speaker, I thank the gentleman from California very, very much and now wish to yield 5 minutes to the gentleman from California [Mr. HAWKINS].

**Mr. HAWKINS.** Mr. Speaker, first I wish to commend my distinguished colleague, the gentleman from Texas. I believe all of us who participate in this activity today owe him a deep debt of gratitude and certainly the fact that he is stirring up so many confessions of bipartisan support, I think, indicates he is already accomplishing something by having asked for this special order.

The murder of four little girls in a Birmingham Sunday school has shocked the Nation and commanded attention throughout the civilized world.

They were Negro children, a fact which makes the crime no more dastardly, or less. But reactions to the tragedy vary, increasing in stronger condemnation as one moves geographically away from the immediate locale. Decent citizens everywhere feel a sense of guilt that in our country such a thing is even possible, or not uncommon.

But in assuming our rightful share of the blame, it is important that we not diffuse our thinking or diminish the guilt of those directly and those whose ideology make them most responsible. For, then, solutions too might become so vague and general as to be meaningless.

One thing is certain, this crime fits into the broad context of the multifaceted problem of race relations in America. The victims in this instance were Negroes. But the hatred behind such crimes can just as easily find other victims which could be any one of a thousand diverse groups that compose our heterogeneous population.

In an atmosphere charged with group hatred and open defiance of Supreme Court decisions, acts of violence often become tolerated and heroism can be bought cheaply—slap a Negro woman, keep a Negro child out of school, shoot down a Negro leader, throw a bomb at a Negro building—and be a hero.

Twenty-one bombings have occurred in Birmingham in the past 8 years; seven against Negroes since last May. And without a single solution.

For most Americans, preoccupied with other problems, the issues become confused with myths of race superiority and the old bugaboo of social equality. One Negro woman in a Southern State, too tired to walk and desirous of sitting in a vacant seat on a public bus, so the logic goes, "causes intermingling, threatens the social structure, undermines the economy, and will destroy the white people."

How amazing is our democracy. Who are its citizens? What are their rights, their privileges, and their responsibilities? Are all Americans entitled to our constitutional rights? Or merely some? Who decides?

Since 1896, the South following the doctrine of "separate but equal" as stated in Plessy against Ferguson was content to rely on the Supreme Court.

Actually, most Southern States never provided equal facilities but they were always separate; and just to make doubly sure, laws were passed to compel separation. It did not matter in that case that violence was done to the "sacred" theories of private property and "freedom of association," or that legislative bodies were used to affect race relations.

But when the courts spoke out in unmistakable language that State-supported segregation is unconstitutional, the same jurisdictions, with some exceptions, found the courts were interfering in their internal affairs and they have openly defied judicial decisions.

Thus, deprived of any other way of correcting an obvious social injustice—voting, negotiating, court action, and so forth—Negroes are demonstrating, and we may expect they will continue, as all other Americans would do, until full constitutional rights are won.

A clash then of these two forces presents a national crisis. To ignore the situation or postpone action is the same as using plastic band-aids to stop exploding dynamite.

Nor will solutions be found in emotional outbursts, fancy dogmas, name calling, encouragement of group hatred and irresponsible acts by leaders seeking personal gain or political advantage.

It has been well said: "Brotherhood is not so wild a dream as they who profit from postponing it pretend," that people have and can live together in peace and security. And there are thousands of examples in our American life and in all sections of the country where persons of all faiths, creeds, and colors are joined in a constructive fellowship for the common good of all. To pretend that these associations are not a potent force in our affluent society in opposing ignorance and bigotry is to ignore the nobility of our national ideals and the noteworthy progress our people have made in many fields already.

I believe responsible leaders can and must find a way out of our present and unnecessary racial conflicts, and that we will if we keep open the direct lines of communication between groups.

And we can do this if we but realize that most men want only three things and it seems to me these are: First, a world of peace; second, a decent standard of living; and third, a chance at human dignity.

I believe that if given the equal opportunities to achieve these things, most men will be decent, fair, just, and reasonable.

Actually, nothing new is required except of our own behavior. Tomorrow morning if upon awakening all Americans would begin according to each other the same rights which they enjoy, and for which they would fight if they didn't, human relation problems would be well on the way to solution.

Unfortunately, some will not do this. Thus, arises the necessity for governments to act. Those who oppose strong Federal action are generally the ones who make such action necessary.

Passage this year of a strong civil rights law and workable civil rights programs is a necessary beginning upon which we can build.

If man's dignity is to be recognized, if his rights and his security are to be achieved—now and the remainder of this decade is the time for this development.

Science and technology make this manifestly possible; world events and our morality make it necessary.

Albert Einstein once said:

> The splitting of the atom has changed everything except our modes of thinking.

Perhaps it is not too much to believe that we can do this also, as do it we must, while time remains.

**Mr. GONZALEZ.** Mr. Speaker, I wish to thank the gentleman from California [Mr. HAWKINS] for his very eloquent message as well as every other Member who has taken time out from an extremely busy schedule. As you know, many Members, in fact, in anticipation of the closing out of this week's legislative business, have left. I especially wish to thank the Members who took time out to stay here and express themselves on this very important issue.

Mr. BOLLING. Mr. Speaker, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman from Missouri.

Mr. BOLLING. I thank the gentleman from Texas. I would like to congratulate him on initiating this special order. I am convinced that the issue of civil rights in this country is the most important one that has faced the U.S. Congress certainly in the years I have been here, and I am convinced perhaps for many more years. It seems to me essential to the future of the United States that we in the Congress pass an effective civil rights act and act promptly. Unless we do so I fear that those who are disadvantaged today will lose faith and confidence in the ability of their Government to act for their rights. The consequences of such an attitude would, it seems to me, be utterly disastrous for the United States internally and for the United States in its role as a leader of freedom in the world.

Again let me say I am grateful to the gentleman from Texas for yielding to me.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RYAN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, I regret that illness prevents me from attending today's session. However, I want to add my voice to those who share my deep concern over the denial of civil rights and justice to American citizens.

I am filled with a feeling of sorrow and anger over the ruthless bombings and murders in Birmingham. I also feel great humility in the knowledge that fellow citizens in Birmingham and throughout the Nation are fighting for freedom with awe-inspiring courage, determination, and dedication. Their fight is everyone's fight. As Lincoln said 101 years ago, "In giving freedom to the slave we assure freedom to the free."

Freedom for most Americans was established through the Revolution of 1776—a revolution which Jefferson called "the world's best hope." The great tragedy of our Nation is that the Revolution did not establish freedom for all and that the hope is still unfulfilled. We are now witnessing a second revolution—a revolution which is also devoted to freedom, but freedom for all. The revolution is being waged by heroic men, women, and children in the face of fantastic hatred and brutality. Birmingham, Danville, and Americus will go down in history as did Concord, Lexington, and Bunker Hill.

Up until very recently the Government has stood by for the most part as a sympathetic observer who intervenes when the situation becomes highly explosive. The time for sympathy is over. The time for action is now. It is time to establish new laws which fully guarantee the constitutional rights of all citizens. Laws which guarantee everyone's right to vote, right to assemble, and petition, right to go to a good school, have a productive job, live in a decent house, and to be a full member of American society. Until Congress realizes that the American dream of liberty and justice will not become a reality for any unless it is in fact a reality for all, there will be more Birminghams.

The struggle for liberty must continue throughout America until the cancer of discrimination and segregation has been removed from our Nation.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MINISH] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MINISH. Mr. Speaker, just 1 month ago, on September 15 as you recall, a small band of demented men demolished the sanctity of Birmingham's Sabbath by hurling a bomb into a Negro church during its Sunday school services and killing four Negro girls. In the rash of race riots which ensued, two Negro boys were shot to death. By the end of that gruesome day, at least 20 others, both Negro and white, had been injured.

This sudden eruption of charring, scarring murderous hate the world watched, aghast. Men of conscience everywhere bitterly decried the bombers' dastardly act. They firmly placed the blame not solely on the murderers themselves, but on the officials and the society which created that nerve-taut atmosphere in which the seed of hate could quickly germinate, and bear its deadly fruit.

Proponents of moderation strongly hoped that the horror and shame which this incident occasioned would bring all racial violence to an abrupt halt. But this has by no means been the case. Callous brutality and carnage continue, in both North and South. Plaquemine's policemen have plagued Negro high school students, thwarting with tear-gas bombs their every attempt to secure a reasonable measure of integrated schooling, and even invading the sacred confines of the Freedom Rock Baptist Church to rout the youngsters out of their seemingly inviolable haven. Negro and white students in south Philadelphia have clashed repeatedly. Many were attacked and beaten, and one 16-year-old girl was slashed with a razor blade.

Even the Birmingham bombings have scarcely abated. Two more dynamite bombs, one with shrapnel "made to kill," were set off in a Negro neighborhood. This brings to 52 the number of bombings on Negro property in that city since the end of World War II.

Many citizens whose only crime is their belief that the U.S. Constitution should apply equally to every American are enduring extreme physical and mental cruelty in jails throughout the South. A young man from my State of New Jersey, Don Harris, is in jail in Americus, Ga., on a charge of attempting to incite insurrection for which he faces a possible death penalty. Mr. Harris, who graduated from Rutgers University with an outstanding record in 1963 was in Americus to help American citizens obtain their constitutional right to vote. For this heinous crime Mr. Harris was beaten, charged with disorderly conduct, resisting arrest, inciting a riot, and attempting to incite insurrection, and jailed. It is unbelievable that such outrages can occur in the United States.

Something must be done—and quickly—to stop this protracted racial conflict. The Civil Rights Act of 1960, enabling the FBI to investigate racial bombings and brutality, was designed to do just that. But recent events have proved that the 1960 measure alone does not suffice. We must hack at the root causes of the disturbances: ignorance, fear, bigotry, and hate. These insidious evils must give way to the mutual understanding, trust, and brotherly love which have long been the basis of America's Judeo-Christian heritage, and of the inner strength which helped raise us to our present stature as a major world power.

What is the "something" that must be done? We cannot legislate love, or any other state of mind, but we can help to create an atmosphere more conducive to the development of such a progressive state. This is exactly what the pending civil rights bill attempts to do. The Negro's major grievance, as you all well know, is the continuance of discriminatory practices against him in voting, housing, education, public accommodations, employment, and in the administration of justice by State and local officials. H.R. 7152, as recently redrawn by a subcommittee of our Judiciary Committee, contains specific provisions to correct these unjust practices in every area mentioned except housing, and this could be handled in part by the proposed Community Relations Service for mediating local racial disputes.

Let us, as Congressmen, accept our challenge—to set aside all prejudice, or prejudging before full, conclusive evidence is available—and give this long-slighted segment of our populace the equality which our Constitution is supposed to provide. Let us weigh each provision carefully, but with all due dispatch, so that H.R. 7152 will be promptly passed. In my opinion, the sooner it is enacted the quicker we can cure the ugly, festering sore of race violence which so mars the face of America today.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, over the past several months it has been my practice, at every possible opportunity, to "put in a plug," so to speak, for inclusion of fair employment practices provisions in the omnibus civil rights bill now being considered by the House Judiciary Committee. I have done this because I am firmly and wholeheartedly convinced that equal employment opportunity is the very crux of the discrimination issue.

Thus, it was with a good deal of pleasure that I learned the Attorney General has this week, before the Judiciary Committee, given enthusiastic and unequivocal support for legislation similar to H.R. 405, as reported by the Committee on Education and Labor earlier this year.

The Attorney General reminded the members of the committee of the President's endorsement for Federal fair employment practices legislation applicable both to employers and to unions, and pointed out that the provision in the subcommittee's bill as reported "deals with one of the most basic and important areas of discrimination." He referred to the bipartisan recognition of need for legislation to deal with the problem of equality of job opportunity, as evidenced by the number of bills introduced by members of both parties.

Significantly, the Attorney General stressed that "nothing can be more important or fundamental to equality than to assure that all citizens have a fair opportunity to earn a living." In this statement there is support for the contention that there is limited value in granting a member of a minority group the right to service at a restaurant if he lacks the financial means to pay for his dinner, and illustrates why job equality should not only be an integral part of any civil rights measure but should receive primary consideration for inclusion in an overall bill.

The Attorney General's statement should dispel any doubts as to the administration's position in this area. There can be no misunderstanding, for it has been stated clearly:

> I hope that the omnibus civil rights bill will, when enacted, include a strong fair employment practices section of the type recommended by the Labor Committee, supported by the President, and included in the subcommittee print.

With pride I echo the expression of support for the retention of this subcommittee amendment.

I want to commend my good friend, the gentleman from Texas, for bringing to our attention the danger of apathy in the tragic situation which has confronted us from the pages of recent newspapers. But we must take positive action in deeds as well as words, for what is to be gained in just talking about spilled milk, tragic as that spill may be? The immediate effect of enactment of this measure will be the restoration of self-respect and confidence within those of the Negro race who have in some areas of our land been the unwilling victims of deprivation of every civil right, the unwilling victims of unearned hatred, violence and tragedy, which cannot and must not be permitted to continue.

This 88th Congress has frequently been sharply criticized of late for its lack of substantive action in this session to date. I submit that we have not been lax in our duty, but rather have shown a rare display of caution in giving to each measure upon which we have acted the most careful scrutiny and consideration. This applies to the civil rights bill particularly, and it is to the Judiciary Committee's credit that it has refused to report hastily on a measure of such import to the citizens of our Nation.

I urge my colleagues to give the omnibus civil rights bill the same careful individual deliberation. Examine the bill and examine your hearts. I am confident you will find not only justification for your favorable vote on this vital measure, but that you will cast it with dignity and self-respect.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Brown] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROWN of California. Mr. Speaker, I rise today to join with my colleagues in expressing my concern over the need for Congress to pass strong civil rights legislation and to do it soon.

I do not support this measure because of a great need for the benefits contained therein to my own State of California. There is very little in this bill that would affect California. In fact, we have gone a great deal farther than the proposal which is now in the Judiciary Committee in many respects, and I think a study of California's experience can be of great value to the Congress.

I am not saying that we do not have any problems remaining in the Golden State. I do believe that we have been moving faster towards solving these problems during the past 5 years than most States. I know that the world has not collapsed around our ears because of these rapid advances.

California has had a broad public accommodations law for many years. We have a very effective fair employment practices commission. Our voting laws are above criticism insofar as discrimination is concerned.

This year, the California State Legislature passed a fair housing act which will insure that everyone, regardless of race, religion, color, origin, or national ancestry may choose to live anywhere he wishes.

Actually, this has been the public policy of our State since passage of the Hawkins Housing Act and the Unruh Civil Rights Act in 1959—and especially since the courts last year interpreted the Unruh Act to apply to most people functioning in a business capacity in housing.

The new act strengthens this policy by giving the family discriminated against an administrative remedy by going to the State fair employment practices commission rather than having to retain an attorney and going to court. In addition, the commission may actively promote general observance of the spirit and letter of the law.

Another advance this year has been the issuance by Gov. Edmund G. Brown of a code of fair practices. This code spells out a comprehensive policy of nondiscrimination ranging from personnel practices in the State government to licensees, those doing business with the State, law-enforcement agencies, schools, and recipients of loans, benefits, and grants.

Some of our problem areas that still exist are in de facto school segregation, law enforcement, and a need for greatly increasing job opportunities for members of minority groups. I do not think that the proposed bill will help a great deal in these respects, but I am hopeful that continued and concerted action through other means—including an expanded manpower development and training program and extension of the Juvenile Delinquency Prevention and Control Act, and along with the Governor's Code of Fair Practices—can go a long way toward solving these problems.

In view of this picture of enlightened programs and legislation, it is hard for many Californians to understand the concern and the label of "extreme" that is given to this national legislation that does not affect them directly. Proposals are presented to me by those who are very concerned that appear to be "extreme" when placed alongside the new law that we are likely to see passed here soon.

These extreme proposals include those which the Western States Democratic Conference passed unanimously recently. They would like to see all persons entitled to equal use and enjoyment of public services and accommodations. I have a very hard time going back to them and explaining that, although this may work fine in California, we need votes from the "loyal opposition" so we must restrict this on a national level to restaurants, hotels, theaters, and retail stores.

They also feel that all persons should be entitled to equal opportunities for job training and employment, and that these rights should be effectively enforced through special administrative channels.

Considering the fact that during 1961–62 the California Fair Employment Practices Commission completed investigation of more than 1,300 cases of alleged discrimination, found evidence of discriminatory practices in 414 cases and obtained corrective action through conciliation, it is understandable that they would feel that this is a very reasonable request at the Federal level.

I find it hard to explain that this portion of the civil rights bill might have to be given a quiet funeral because some of my colleagues from the other side of the aisle might use this as an excuse to vote against a bill that they ostensibly would support if it did not contain this basic and proven protective device.

This same Western States Democratic Conference feels that the rights of all citizens to vote without artificial restriction or intimidation be specifically enforced by the Federal Government.

They also feel that the right of young people to a good education in the company of their peers, without the stigma of racial segregation, should be guaranteed by Federal action.

They do not feel that these are "extreme" provisions and, in fact, feel that the necessity of taking action on voting and school cases one by one, as will be necessary under the proposed law, could stand to be improved.

My point, Mr. Speaker, is that it is hard for Californians to understand the consternation over this very strong or extreme bill. I am possessed of a somewhat practical nature and will most certainly support the best bill we can get, but I will feel obliged to report back to California that that is exactly what we did. I will have to tell the minority group members that we have brought the rest of the Nation part of the way toward where California now stands because we had to "buy" a few votes from the other side of the aisle.

**Mr. GILL.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter relating to civil rights.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

**Mr. GILL.** Mr. Speaker, I have been privileged recently to receive many expressions from friends and constituents in Hawaii asking support for a strong civil rights bill.

While we in the Fortunate Isles have far fewer racial problems than many parts of the Nation, I find it very encouraging that so many of our people have taken the problems of others to heart. Under unanimous consent, I include the following communications at this point in the Record:

St. Mark's Parish,
*Honolulu, Hawaii, September 28, 1963.*

Hon. Thomas Gill,
*House of Representatives,*
*Washington, D.C.*

Dear Sir: We the undersigned, concerned members of St. Mark's Parish, urge you as our representative in Washington to work for the passage of legislation to insure the equal rights of all citizens of our country no matter of what race they may be. We believe segregation and discrimination due to race, creed, or color is contrary to the will of God.

Faithfully,

John N. Week, T. Dudley Musson, Eleanor D. Musson, Elaine Lau, Grace R. Wong, Violet K. Mossman, Kay Neddermeyer, Mollie King Cummings, Eva M. Pomroy, George K. C. Lum, Herbert S. C. Wong, Willima S. Mossman, Grace H. Ching, Dorothy Tanibe, David Y. Ching, Mary Lynne Godfrey, Louise Nagata, Walter N. S. Ho, Thomas Q. P. Ching, Chiyo Tokushige, Masami Tokushige, Thelma K. Shintani, George T. Young, Barbara H. Clopton, Yukimi M. Kawano, Elsie N. Okada, Elma Joan Booth-Saunders, Robert H. Kawano, William R. Moore, Patsy Chingon, Marjorie Becker, Etta E. Frost, Laura G. Schafer.

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Church of the Holy Nativity,
*Honolulu, Hawaii, October 4, 1963.*

Hon. Thomas P. Gill,
*U.S. House of Repersentatives,*
*Washington, D.C.*

Dear Mr. Gill: Hawaii has been called, "The Melting Pot of the Pacific." If this statement falls short of being the whole truth, it is conceivable it is because the Aloha State is the melting pot of the world. This is shown in our culture through our many nationalities and races living together in harmony.

Considerable faith in our population has been shown by the establishment of the East-West Center. We have been led to believe that a good portion of the world believes that we practice the fundamental idea to which so many give lip service * * * brotherhood of man. Although we admit our shortcomings in this respect, we do take pride in our accomplishments.

Having considered these ideals, we the members of the Youth Congregation of the Church of the Holy Nativity, respectfully request that you as a Member of the Congress should proclaim these ideals as the standard for our Nation. Further, we trust that you will declare Hawaii overtly favorable to full integration of all races and that our representatives will play a leading role in the present struggle for social justice throughout the land.

We the undersigned, teenagers of Hawaii, deeply concerned for the future welfare of all Americans, beseech you to exert all your influence in bringing about strong civil rights legislation at the earliest possible date.

Respectfully,

Cookie Inouye, Helen Orain, Lesley Rice, Sydney Pietsch, Jack Warner, Sue Warner, Charles G. Braden, Jr., Lawrence P. Crum, Susan Barkley, Claudia Hinz, Bill Johnson, K. Newsom, Betsy Saul, Sheri Tibbetts, Laurel Dodson, Nancy Kriskern, Henry Kriskern, Lori Lambert, Susie Thomas, Richard Evans, Jane Thomas, Reed Minuth, David Pickering, Ryan King, Cleo Higgins, Beverly Brown, Rocky Higgins, Abigail Button, Ronald Taber, Ken Kuniyuki, Bonnie Pritchett, Robbie Littlejohn, Michael Littlejohn, Lee Aguiar, Laraine Yamamoto, Geraldyne Chun, Judith Pang, Connie Geisler, Charlotte Tanna, Beverly Sung, Karen Yanagida, Keith Matsuo, William Grant, Jan Gerard, Mary E. McNeill, Willard Chow, Joe Barkley, Joseph Wilhelm, Jr., Brian Grieves, Sharon Elliott, John Fulton, Robert Luck, Tom Evanson, Dinah Silva, Jack Tobin, Laraine Lent.

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### Resolution of the Maui Woman's Club

*Resolved,* That the members of the Maui Woman's Club, having a deep concern for the deprivation of civil rights experienced by the Negroes in the South, as well as Negro and other racial groups in other portions of our Nation, and being equally concerned with the moral issues involved in the problem of assuring equal rights, before the law, in access to suffrage and equality of opportunity, do hereby declare and affirm their support for strong civil rights legislation now pending before the Congress of the United States, to the further support of the law of the land and unity of our Nation, as well as the dignity of each individual, that every citizen shall have full citizenship, with protection against the destructive effects of discrimination against race, color, or creed.

We resolve to take an active part in this national moral struggle, with the realization that inaction implies implicit consent; be it further

*Resolved,* That copies of this resolution be submitted to the Governor of the State of Hawaii, Hawaii Members of the U.S. Congress, Maui members of the State legislature, and editors of the Maui and Honolulu press.

Respectfully submitted.

Dorothy Neilson,
*Chairman,*
Lois Haling,
*Vice Chairman,*
*Legislative Committee.*

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The Hilo Methodist Church,
*Hilo, Hawaii, September 17, 1963.*

Rev. John H. Cross,
*Birmingham, Ala.*

Dear Reverend Cross: The congregation of the Hilo Methodist Church was deeply shocked by the death of four of your Sunday school children in the heartless bombing of your church. We extend to you, the parents, relatives, and friends of the children, and to your congregation our deepest sympathies, and assure you that our prayers and thoughts of Christian brotherhood and concern are with you.

If we may be of any help to you, please call on us.

Sincerely,

Steve Thorson,
*Chairman, Commission on Christian Social Concerns.*

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St. Barnabas' Church,
*Ewa Beach, Oahu, Hawaii,*
*October 14, 1963.*

Hon. Thomas P. Gill,
*House of Representatives,*
*Washington, D.C.*

Dear Sir: The members of St. Barnabas' Episcopal Church, Ewa Beach, Oahu, Hawaii, have authorized me to express their deep concern for the civil rights bill that will soon be before Congress. We urge your support of the bill in its entirety, and pray that you will be an example to those Congressmen and Senators who have not yet found within themselves the strength to speak out strongly in favor of this urgent legislation.

We realize this bill is but a step in the right direction, but it must be taken or the people of the United States will lose faith in their Government and its Constitution, where a guarantee of the rights and privileges of citizenship are promised to all in the 14th amendment.

The words that guide the Episcopal Church in Hawaii, and its work, also carry the power of law. They are: "Have we not all one Father—Hath not one God created us." These words from the Bible leave no doubt as to their meaning, and different words with similar meaning guide people of all faiths.

Love between peoples of varying ethnic backgrounds cannot be legislated, but hate that erupts into violence and suppression, and the loss of equal opportunity can be controlled by our Government. The civil rights bill will be important in this concern, and therefore we offer our prayers and wholehearted support as you work for its passage, knowing that justice for all men must prevail.

Sincerely yours,

Rev. David K. Kennedy,
*Vicar.*

MEMBERS OF ST. BARNABAS' CHURCH

David K. Kennedy, J. E. Woolley, Mrs. J. E. Woolley, Mrs. P. Kendall, Susan E. Waters, John P. Mayer, Steve St. John, Lois M. Steadman, W. D. Deringer, Jr., Charles M. Loomis, Estelle H. Loomis, Paul J. Hartley, Jr., Kenneth C. Campbell, David W. Malvin, Gilbert E. Smith, Viola C. Miller, Elizabeth Streeter, Mr. and Mrs. Glen L. Burdick, Mrs. Paul Hartley, Jr., Betty Gregory, Gladys Salts, Margie Emmons and John Emmons, Mr. and Mrs. Roy McIntyre, Jr., Clifford Burroughs, Anna Marie Kennedy, Sylvia Johnson, Richard C. Johnson, Mr. and Mrs. Shirrill B. Tanner, Ronald L. Viets, Carnation Brash, Ruth Marks Campbell, Winifred B. Hawthorne, Frances T. Deringer, Joan Alice Malvin, Walton J. Chabrow, Carrie W. Chabrow, S. Hickenbottom, Pearl West, Gail West, Gernie C. West, Florence J. Hickenbottom, Caroline Brannon, Robert Mr. Brannon, Jr., Charles W. Roane, Mildred J. Roane, Ray Thiele.

### THE MINISTRY OF RECONCILIATION

(Ephesians 2: 11–22)

(Part of a Sermon by the Reverend Seido Ogawa, September 22, 1963)

Let us look then at the major area of disruption in our national life, the whole vast problem of civil rights. How well do we as churchmen and churches comprehend the scope and depths of the current revolution? What is the task of reconciliation and how effectively are we discharging our ministry? Events within the past week have raised some fearful questions. The eruption of violence in Birmingham, with the church directly and physically involved, with innocent children the victims, lends a note of ultimate desperation to the current crisis in race. "What follows now?" was the title of an editorial in the Honolulu Advertiser early this week. It is a question many of us have asked. From a human point of view we can only hope that even in the face of such atrocities the real struggle will not be abandoned, that the leadership of men like Martin Luther King will continue to prevail.

We badly need perspective, because perspective is what we tend to lose when emotions rise to a high pitch. We need a perspective which will permit us to recognize even the horror and tragedy of recent events without losing sight of what it is all about and what we must desperately cling to. I think we need to be reminded, all who have a concern and stake in the struggle, of some things that Martin Luther King wrote from the Birmingham city jail on April 16. It was in response to criticisms made by eight clergymen calling the earlier Birmingham demonstrations both unwise and untimely. He wrote:

"I guess it is easy for those who have never felt the stinging darts of segregation to say 'wait'. But when you have seen vicious mobs lynch your mothers and fathers and drown your sisters and brothers; when you have seen hate-filled policemen curse, kick, brutalize and even kill your black brothers and sisters, when you see the vast majority of your 20 million Negro brothers smothering in an air-tight cage of poverty in the midst of an affluent society; when you suddenly find your tongue twisted * * * as you seek to explain to your 6-year-old daughter why she can't go to the public amusement park that has just been advertised on television, and see tears welling up when she is told that Funtown is closed to colored children, and seeing the depressing clouds of inferiority begin to form in her little mental sky, when you have to concoct an answer for a 5-year-old son asking, 'Daddy, why do white people treat colored people so mean?'; when you are humiliated day in and day out by nagging signs reading 'white' men and 'colored'; when your first name becomes 'nigger' and your middle name becomes 'boy' and your last name becomes 'John,' and when your wife and mother are never given the respected title 'Mrs.'; when you are harried by day and haunted by night by the fact that you are a Negro, when you are forever fighting a degenerating sense of nobodiness—then you will understand why we find it difficult to wait."

But we need also to recall other things he said, such as "presenting our very bodies as a means of laying our case before the conscience of the local and national community." He wrote:

"We are not mindful of the difficulties involved. So we decided to go through a process of self-purification. We started having workshops on nonviolence and repeatedly asked ourselves: 'Are you able to accept blows without retaliating? Are you able to endure the ordeals of jail?' "

The question is: What now? Has the nature of the struggle changed? Does it call for a new and different strategy? Where does one draw the line between degrees of sacrifice and endurance? No human answer is sufficient. If there ever was a crisis in our national life which needed to be grappled with in the context of our Christian faith, this is it. And if the church is to be faithful to its mission and be a reconciling force in the midst of this upheaval, what must the church be willing to do, what should its posture be, with what understanding should it address itself to so grave a problem.

Applying the observations I shared with you earlier I would suggest the following necessities. At the same time I would ask you to understand that my logic and insights may be entirely faulty because by the very nature of profound issues human wisdom is not enough. In the present crisis, if the church is to be a genuinely reconciling force, it cannot stand apart. It cannot offer reconciliation on the usual basis of a disinterested third party. The reconciliation which is needed can only come out of shared hurt, shared sorrow, shared fears and hopes. This means that the heartache and the despair, the bitterness and the anger, the kinds of hurt that Martin Luther King talks about must be understood, not from our point of view but from theirs, and since this kind of identification is practically impossible it means we must make more than the usual effort to be involved in the struggle, in the hope that something of the underlying emotions may rub off on us. This means understanding not only the resentments but the sheer determination that motivates our brothers.

To be involved means to act. And my second observation is that doing, acting, not speaking and saying, is the heart of the reconciling ministry of Christ's church. It isn't what we say, but what we do, that makes us instruments of reconciliation.

My third observation is that both involvement and action imply considerable risk, that whatever the church does with respect to a problem as complex as the race issue exposes the church to attack and danger. Yet the willingness to risk one's very life in the pursuit of what is right in an essential part of the reconciling ministry of the church. Put the other way, if the church will not or cannot risk its life in this struggle, it is likely to lose both its reconciling power and its influence upon American life; consequently it will lose its life in trying to save it.

Let me try to gather up all this by relating it to some things which churches and churchmen have been doing. On July 4 police arrested 283 demonstrators at the Gwynn Oaks Amusement Park in Baltimore. Among them were 36 clergymen, the best known of whom was Eugene Carson Blake. There were seven Roman Catholic priests and a Rabbi also. Thirteen more clergymen were arrested July 7 in a second attempt to integrate the park. I don't need to tell you that this isn't the traditional approach of the church to social problems.

It certainly isn't the kind of action that is universally applauded either within or without the church. It isn't a popular course to take and it could have been rationalized away. But it is the kind of involvement and action which held the promise of eventual reconciliation. Listen to what the New York Times had to say, that "future historians will regard the Gwynn Oaks demonstration as a 'milestone' in the development of church participation in the struggle for racial equality. The participation of churchmen, it said, was 'the most spectacular gesture to date in a sudden and impressive determination by U.S. church leaders to do something rather than just say something about the evil of segregation.' "

More recently the church took part in a prominent way in the August 28 march on Washington. What many may not appreciate is that this decision was a reversal of earlier thinking in church circles, and was made in full awareness of potential angers. In a sense the church had as much to lose as to gain, and the risk was great. The decision certainly was not widely acclaimed by churchmen in general. It was one of those rare situations in which the church acted strictly on faith. The result is a new image of the church, of courage to match the faith, of willingness to risk all in dependence upon God's guidance. Even David Lawrence expressed the opinion that the presence of the church in the march on Washington exercised a restraining hand upon the demonstration. Russell Baker of New York Times, described it in these terms:

"No one could remember an invading army quite as gentle as the 200,000 civil rights 'marchers' who occupied Washington today. For the most part, they came silently during the night and early morning, occupied the great shaded boulevard along the mall, and spread through the parklands between the Washington Monument and the Potomac. But instead of the emotional horde of angry militants that many had feared, what Washington saw was a vast army of quiet, middle-class Americans who had come in the spirit of the church outing."

What we may never know is whether the presence of the church was a restraining and reconciling factor, or what relationship there is between episodes like the Gwynn Oaks participation of churchmen and their influence upon the march on Washington. What is impressive is that the church in America, particularly in relation to the race issue, has become involved in the life of people at a level that is new, has forsaken its traditional caution and dared to risk its life, and in so doing has lifted the hopes of many men in a way that may yet be its most decisive ministry of reconciliation.

Mrs. GREEN of Oregon. Mr. Speaker, I am pleased to join the gentleman from Texas, HENRY GONZALEZ, today in his remarks about racial discrimination in the United States.

The distinguished Member from Texas, in asking me to join him here today, has spoken feelingly that on this vital issue "the greatest crime is silence." I agree.

In this connection I quote the remarks of Rabbi Joachim Prinz, president of the American Jewish Congress, at the jobs-and-freedom rally at the Lincoln Memorial last August 28. Rabbi Prinz in the 1930's lived in Germany under Hitler. He told the rally:

> When I was the rabbi of the Jewish community in Berlin, I learned many things. The most important thing I learned under those tragic circumstances is that bigotry and hatred are not the most urgent problem. The most urgent, the most disgraceful, the most shameful and the most tragic problem is silence. A great people, which had created a great civilization, had become a nation of silent onlookers. America must not remain silent. It must speak up and act and not for the sake of the Negro but for the sake of the image, the idea and the aspiration of America itself.

I think a significant aspect of this House proceeding today is that it was organized by Representative GONZALEZ himself who with his constituents in San Antonio have encountered a great deal of discrimination. Discrimination against one group is merely a manifestation of discrimination everywhere—know-nothingism, whether it be directed against Roman Catholic, Protestant, Negro, Italian, or American of Mexican descent.

I strongly support effective civil rights legislation. I have introduced legislation in this area. This Congress must take a position on this issue. Its reputation is at stake in this campaign against discrimination, one aspect of which is to assure triumph of ethics over law.

I think it particularly interesting, too, in the welter of misinformation about ethnic backgrounds to quote a reply from a union local in Anchorage, Alaska, in reply to a request from the President's Committee on Equal Employment Opportunities for the number of Negroes, orientals, Spanish Americans, Puerto Ricans, and American Indians in the local.

The local replied that:

> We were unable to completely fill out the form on an honest basis as we are not anthropologists and we do not know when a member becomes or ceases to be a Negro, an Indian, an oriental, a member of a minority group or any of the other designations in the form. For example, the treasurer of this local union, to the best of his knowledge, is part Negro, part Indian, part Jewish, part Irish and has perhaps a little Swedish blood.
>
> We have one member from Cuba who speaks Spanish, looks like a Norwegian and drinks like an Irishman.
>
> Fortunately we are a long way from Governors Wallace and Barnett and a man's race is none of our business. To quote Mark Twain, "We do not allow 1 part of a man to outvote the other 15 parts."

In connection with my brief remarks, Mr. Speaker, I ask to have incorporated at this point a most worthy legal paper written by an outstanding lawyer, a woman, Pauli Murray, of the Yale University Law School.

Much remains to be done everywhere, including Oregon, although I am pleased that the situation is not nearly as aggravated there as in some other States. I add, too, that many of the proposals contained in the Federal civil rights legislation now before the Judiciary Committee have been law in Oregon for many years with none of the consequences of doom and destruction predicted by the opponents if the Federal legislation is enacted.

## THE LAW AS IT AFFECTS DESEGREGATION

(By Pauli Murray)

### INTRODUCTION

During the past several weeks, American Negroes have confronted the Nation with what has been described as a "massive insistence" upon drastic changes in the social structure to achieve rapid and total integration. They have abandoned their traditional role of patience; they have rejected tokenism and gradualism; they are saying, "100 years of fractional citizenship is enough. We want full citizenship now."

This mood pervades the entire Negro community as seen in the tremendous outpouring of hundreds to tens of thousands of Negroes into the streets of the Nation. Police violence, kicking, beating, the use of fierce dogs and firehoses, even murder—none of these has stopped them. For the 7-day period ending June 2, an estimated more than 30 demonstrations took place in widely separated areas of the country. A week later, the New York Times reported that demonstrations had occurred in nearly 50 localities since May 1. This week has been marked by defiance of the Governor of Alabama in a confrontation with the Federal Government, a televised appeal to the Nation by President Kennedy, and the fatal shooting in the back of an NAACP official in Mississippi. Clearly, this is our most serious domestic crisis since the Civil War.

Describing it as the "Second American Revolution," the Washington Star editorialized on June 2 that the real problem in this situation is: How best to cope wisely with a rapidly developing revolution. The current outbreak of mass demonstrations by Negroes * * * is a manifestation of as genuine and justified revolution as any of the revolutions in history, history being largely an account of a sequence of revolutions."

Actually, we are experiencing the climax of a phase of the continuing social revolution in the United States which began with our Declaration of Independence and our war to throw off colonial rule. Periodically our country has been thrown into convulsions as various groups of the population have taken the initiative in reaffirming their fundamental rights and freedoms. These upsurges have been part of the growth and maturing of our democracy.

The most serious of these conflicts was the Civil War, which ended in major constitutional change. The fundamental law was amended to abolish slavery, to define U.S. citizenship, to guarantee to all persons due process and equal protection of the law against the power of the States, and to secure the right to vote without distinction as to race, color, or previous condition of servitude.

Women carried on a struggle for education in the 19th century which was less dramatic but no less determined than that of Negroes for education in the 20th century. The 20th century brought marches, demonstrations, and arrests of women as they entered the crucial final stage of a century-long struggle for their right to vote. Here, too, constitutional change was necessary to secure this right.

Within the memory of some of us here are the bloody battles waged by American workers in the 1930's to establish their right to organize and bargain collectively for a fairer share of the Nation's economic growth. Labor, too, voiced its demands through sit-in strikes, stay-out strikes, marches, demonstrations and picketing, as well as boycotts. So hostile were some local authorities and employers to labor's freedom of expression that in 1933, the only place where Secretary of Labor Frances Perkins could speak to the workers of Homestead, Pa., was on the steps of the Federal post office. In the summer of 1937, Chicago police opened fire on a demonstration of unarmed workers killing 10 people, many of whom were shot in the back. National legislation in the form of the National Labor Relations Act was necessary to secure labor's basic economic rights.

Now in the 1960's, Negroes are engaged in a desperate effort to end segregation and discrimination everywhere in the United States. All the evidence indicates that they will not be stopped short of their goal. President Kennedy correctly placed this struggle in its proper historical perspective, when he observed in his recent Vanderbilt University address, that it was in the best American tradition.

The issues involved in this confrontation are moral as well as legal; the alternatives have become total equality or total repression, and there is no turning back. Each of us is caught up in an atmosphere of impending conflict, of a mounting urgency to come to fundamental grips with our most longstanding and explosive domestic issue and one which rates high priority among the most crucial issues of our foreign policy.

At this turning point of our history, I find it difficult to maintain a balance between academic objectivity and deep personal emotional involvement. As one of an earlier generation of freedom riders with a prison sentence as a reminder of the days when the struggle was a lonely one, and as a student leader of successful nonviolent sit-in demonstrations in Washington restaurants exactly 20 years ago, I cannot pretend a scholarly detachment from these events.

In our time we are being compelled to return to our revolutionary roots. Potential violence has been inherent in this issue from the beginning of our history. I am glad that this long unsettled business of democracy is now coming to a head. I rejoice that Negroes in ever greater numbers are today standing where the American patriots stood in 1776; that they are now willing more than ever to risk their lives for personal liberty and human dignity. They are reenacting the American Revolution in 20th century form. I believe that if the American people as a whole could identify Negroes with our revolutionary traditions of liberty, we will have taken the first significant step toward eliminating the schism which has so divided and almost destroyed us as a nation in the past.

This revolutionary upheaval has not come about through formal decision of any single group, but through a consensus made up of individual commitment by thousands of people taking a stand, igniting and inspiring others to do the same. Many of the demonstrations have been planned; others are spontaneous. Out of this personal commitment to the struggle for liberty is emerging a new self-image, a new self-respect. And if I read the signs correctly, the Nation is gaining a new image of the Negro, for it is our tradition that when people have self-respect, nothing can keep them from asserting the inalienable rights of free men, women, and children.

I emphasize children here, for in reality, Negro children in the South, for the past 9 years, have led the crusade for human dignity. I need not remind you of the children who have braved hostile communities to exercise their right to attend nonsegregated schools. You are aware of the Birmingham children who recently, as if by prearranged signal, marched out of a school assembly and into the streets to demonstrate for their rights leaving an astonished faculty and an empty school building. You have doubtless read of the schoolchildren of Mississippi carrying signs directed to their adults which read: "We have gone to jail for you. Will you register and vote for us?"

In Washington, one of my friends is having difficulty with her teenaged son who remonstrates with her because she has not let him join some of the demonstrations in nearby Maryland. He feels ashamed because his cousin—a mere girl—has already demonstrated, been arrested and taken to prison. This fire and idealism among Negro schoolchildren today is so intense that their parents are left no alternative but to join the demonstrations themselves to maintain their honor and their children's respect.

By now, it must be clear to all of us that, for the second time in our Nation's history, we stand on the threshold of a major decision on human rights of the most fundamental character. In 1963 it has been forcefully brought home to us that our Nation cannot endure with fractional degrees of equality or citizenship. The right to human dignity is indivisible.

Against this background, let us address ourselves to the following questions: (1) What is the central issue in the present conflict? (2) What has been the role of the law, and particularly of the courts, in resolving this issue? (3) What are the new factors which demand new solutions? (4) What is the role of the law in solving the present crisis? In approaching these questions, we must continually bear in mind that the law operates in a moral climate and reflects that climate.

### I. THE CENTRAL ISSUE IN THE RACIAL CRISIS

As a point of departure, let me tell a story which seems relevant. I have a friend who would be described as a white Anglo-Saxon

Protestant and who lives in suburbia. One day her little girl came home from school weeping uncontrollably and her mother was unable to get her to tell what happened. So the mother went to school to investigate. She learned that her daughter's playmates had refused to let her join a rope-skipping game. She was a fat little girl and not a good rope-skipper, but what really broke her heart was that the other children would not even let her hold the rope and turn it for others to skip. When she could talk about it she told her mother, "Mommy, what hurt me so was that they wouldn't even let me be a 'steady-ender.'"

The exclusion from participation as an equal with one's fellows, in work and in play in any society, makes one an outcast. It robs the individual of a feeling of personal worth and of belonging. The permanent effects of such exclusion may be apathy, self-deprecation, violence and aggression, stunted growth, lack of ambition, or sometimes refuge in the exclusion itself as an excuse for poor performance.

In the language of my friend's little daughter, for three centuries the Negro has not even been allowed to be a "steady-ender" in American life. It is against the crushing weight of these three centuries, and against a background of a world revolution in human rights that Negroes now rebel in mass upheavals. Dr. Martin Luther King has explained this mood of impatience as a father who finds it difficult to wait for promises:

"When you suddenly find * * * your speech stammering as you seek to explain to your 6-year-old daughter why she can't go to the public park that has just been advertised on television, and see tears welling up in her little eyes when she is told that Funtown is closed to colored children, and see the depressing clouds of inferiority begin to form in her little mental sky, and see her begin to distort her little personality by unconsciously developing a bitterness toward white people; when you have to concoct an answer for a 5-year-old son asking in agonizing pathos: 'Daddy, why do white people treat colored people so mean?'"

The central issue in this rebellion is human dignity—the inherent rights of free men and women. This issue is not merely the American dream; it is the foundation of our society. We cannot reaffirm too often the principle upon which our Nation stands or falls: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these rights are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed—that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness."

These rights are entrenched in the U.S. Constitution. Therefore, they are not only inherent in our beings; they are also guaranteed by our fundamental law and placed beyond the reach of transient legislative majorities. No government can rightfully take them away or permit others to impair them.

Mr. Justice Goldberg made this clear in his opinion in *Watson* v. *City of Memphis* on May 27 of this year, in a Supreme Court decision denying further delay in desegregation of Memphis public parks and other municipal recreational facilities. Speaking for a unanimous Court, he declared:

"Any deprivation of constitutional rights calls for prompt rectification. The rights asserted here are, like all such rights, present rights; they are not merely hopes to some future enjoyment of some formalistic constitutional promise. The basic guarantees of our Constitution are warrants for the here and now and, unless there is an overwhelming compelling reason, they are to be promptly fulfilled."

The major stumbling block in the way of a national solution to our racial problem in the United States is that we have allowed ourselves to be entrapped into the fallacious idea that we have conferred rights on the Negroes and gradually extended them, when the true idea is that we are dealing with inherent rights which have to be reaffirmed. Because we have conceived of the issue as the gradual extension of rights, we have used a piecemeal, fragmentary approach which accords neither with the rightful expectations of Negro citizens, nor with the realities of the world situation.

It is as if, literally, 20 million individuals must each assert and carry the burden of proof, and reassert and reprove endlessly in a multitude of situations, rights which are, in fact, self-evident. What these demonstrations around the country are trying to tell us today is that the issue is not the extension but the reaffirmation and present enjoyment of inherent rights; that the rights which sustain human dignity cannot be fragmented and exercised in part—they must be exercised in whole. And the demonstrations are also reminding us that there needs to be not only prompt rectification but restoration on a scale which will enable Negroes more quickly to throw off generations of cultural deprivations and participate fully and freely as American citizens in our society. In my view, only if we approach this crisis as the reaffirmation of present and inalienable rights can we orient ourselves quickly toward creative and permanent solutions.

### II. THE ROLE OF THE LAW AND THE COURTS

In the American legal system, as you know, the Supreme Court has the function and the authority of ultimately interpreting and applying the constitutional principles underlying guaranteed rights to myriad fact situations, and of adjudicating between various rights if they are in conflict. Having declared what the supreme law is, the Court's interpretation is binding upon all the people. Hence, we say that our society is based upon the rule of law and not upon the rule of men.

From its inception, however, our fundamental law contained an irreconcilable contradiction, in that the same basic document which affirmed basic human rights also recognized the institution of slavery—the complete denial of these rights to some men. How was this intolerable contradiction in the law to be resolved?

In 1857, Chief Justice Taney of the Supreme Court attempted to resolve it in the Dred Scott case by determining that some human beings have inherent rights and others do not. He concluded that Negroes were not intended to be included in the Declaration of Independence or in the term "people" in the opening phrase of our Constitution—"We the People of the United States"; nor were any persons of African descent, whether slave or free, intended to be citizens of the United States; "that they had for more than a century before been regarded as beings of an inferior race, and altogether unfit to associate with the white race, either in social or political relations, and so far inferior that they had no rights which the white man was bound to respect." Thus, according to Taney, the framers of the Declaration of Independence "knew that it would not in any part of the civilized world, be supposed to embrace the [N]egro race, which, by common consent, had been excluded from civilized governments and the family of nations, and doomed to slavery."

This attempt by the Supreme Court to resolve the issue by exclusion did much to make the conflict irrepressible. When the supreme law of the land is consistent with human dignity, controversies as to which rights are paramount can be determined peacefully within the orderly legal processes of our constitutional system. History has shown again and again, that when the fundamental law is interpreted in such a way as to be inconsistent with human dignity, conflict is inevitable.

After a bitter Civil War of 4 years, the Nation reaffirmed and made more explicit inherent human rights in the form of the 13th, 14th, and 15th amendments to the Constitution of the United States. Congress was expressly given the power to enforce these amendments by appropriate legislation. The purpose of this constitutional change was to sweep away all political and legal barriers to the exercise of equal rights with all other citizens.

Since the institution of slavery had been supported by detailed legislation in the various slaveowning States, and since these formerly rebellious States attempted to reenslave Negroes through the enactment of the Black Codes after the war, the thrust of the 14th amendment was against State action. That amendment provides in part:

"No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

It was clear to the framers of the Reconstruction amendments that Federal protection was necessary for the full and free exercise of citizenship rights. In the 10 years following the Civil War, it also became clear that these rights had to be protected from violation by private persons as well as by State action. These rights also had to be protected uniformly throughout the United States, if citizenship was to be meaningful. Congress passed the Civil Rights Act of 1875 which declared in part:

"That all persons within the jurisdiction of the United States be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters and other places of public amusement; subject only to the conditions and limitations established by law, and applicable to citizens of every race and color, regardless of any previous condition of servitude."

The act made it a misdemeanor for any person to violate the law by denying to any citizen the full and equal enjoyment of public accommodations, and granted a civil remedy of damages up to $500 to persons aggrieved by such denial.

What was not sufficiently clear to Congress or to the Nation at the time of Reconstruction was that the institution of slavery over a period of two centuries had had a dehumanizing effect upon blacks and whites alike in the entire region where it had become entrenched and had affected the moral climate of the Nation as a whole. A national effort of rehabilitation and restoration of the dignity of impoverished whites and newly freed Negroes in the former slaveowning States ravaged by war was essential if the Nation was to recover from this dehumanization. This was not done. The Freedmen's Bureau, created at the end of the war to give relief to the needy Negroes and whites in the conquered South, was imperfectly conceived, poorly administered, and short lived, lasting only 7 years. What was sorely needed was a 19th-century version of UNRRA or Marshall plan for the South. The absence of such planning set in motion forces of reaction, and we are today reaping the whirlwind of those forces.

At the judicial level, there followed perhaps the most inglorious period in our history with reference to human rights. Judges of the Supreme Court were conditioned by the same attitudes which produced the Dred Scott case; the majority of the Court found it expedient narrowly to interpret the Reconstruction amendments, permitting the Nation to drift backward instead of marching forward. Bit by bit the Court whittled down the broad protection of these amendments. First, it limited the concept of "privileges and immunities" in the 14th amendment and the rights which flow out of Federal citizenship. In light of the current issue of desegregation, two of the Court's important decisions are relevant to our discussion.

In the famous Civil Rights cases of 1883, the Court, by an 8-to-1 decision, declared that the Civil Rights Act of 1875, prohibiting discrimination by private persons in places of public accommodation throughout the country, was unconstitutional and void, on the ground that Congress had no power to enact legislation operative upon individuals in this field under either the 13th or 14th amendments. While it conceded that the language of the 13th amendment was broad enough to reach individuals, it rejected the argument that the 13th amendment was intended to abolish not only the technical legal relationship of master and slave but also all of the incidents of slavery and the badges of inferiority the institution had imposed upon Negroes, whether slave or free. The Court also held that the 14th amendment applied only to State action and not to individual invasion of private rights. Presumably, suggested the Court, these rights could be protected by resort to the laws of the various States.

Mr. Justice John M. Harlan, a former slaveowner from Kentucky who had bitterly opposed the abolition of slavery before the war but who was dedicated to the supremacy of the Constitution, wrote an eloquent and masterful dissent on both of these points and left a beacon light to guide future lawyers upholding human rights. In light of the President's speech on Tuesday night calling for another Federal statute on public accommodations, Mr. Justice Harlan's dissent warrants rereading today. Unquestionably, the decision in the Civil Rights cases opened the door to widespread discrimination by private persons against Negroes, leaving the protection of the most basic aspect of human dignity—the right not to be humiliated by unequal and exclusionary treatment—to the whim of the various States In my opinion, the Civil Rights cases were wrongly decided and are an important factor in the current unrest. As late as 1959, the Supreme Court refused to reexamine a case brought under the 1875 act. Around the same time several lower Federal courts also denied the applicability of this act to restaurants on interstate highways. Having no remedy in the courts, as President Kennedy aptly pointed out in his nationwide address, Negroes took the issue into the streets. It is significant that the first mass sit-in cases arose in early 1960 following the latest refusal of the Supreme Court to declare an available remedy.

In 1896, the Supreme Court decided the case of *Plessy* v. *Ferguson* and upheld the constitutionality of a Louisiana statute which provided separate railway cars for Negroes and whites in circumstances (a) where regulating intrastate commerce and (b) where such accommodations were "separate but equal." Here the Court denied the view that a segregation statute implied inferiority of Negroes. Although it conceded that the object of the 14th amendment was to establish absolute legal equality, it held the amendment was not intended to abolish distinctions based upon color. Again Mr. Justice Harlan dissented vigorously. His reasoning against the background of contemporary events has been proven to be eminently sound. His words were prophetic. He wrote:

"In my opinion, the judgment this day rendered will, in time, prove to be quite as pernicious as the decision made by this tribunal in the Dred Scott case * * *. What can more certainly arouse race hate, what more certainly create and perpetuate a feeling of distruct between these races, than State enactments which in fact proceed on the ground that colored citizens are so inferior and degraded that they cannot be allowed to sit in public coaches occupied by white citizens? * * * The sure guarantee of the peace and security of each race is the clear, distinct, unconditional recognition by our governments, National and State, of every right that inheres in civil freedom, and of the equality before the law of all citizens of the United States without regard to race. State enactments, regulating the enjoyment of civil rights, upon the basis of race, and cunningly devised to defeat legitimate results of the war, under the pretense of recognizing equality of rights, can have no other result than to render permanent peace impossible and to keep alive a conflict of races, the continuance of which must do harm to all concerned."

The Plessy decision opened the door to massive segregation laws in the Southern States and various degrees of permissive segregation in other areas. Legislative intervention in many Northern States following this decision took the form of State civil rights statutes forbidding discrimination in public accommodations. These laws, however, varied as to places covered and as to degree of enforcement. Some States had no laws.

Distinction and exclusion on grounds of race and color became fixed in our law. As late as 1927, the Supreme Court upheld a Mississippi court ruling that it could constitutionally segregate children "of the brown, yellow, and black races" from white children in the public schools, and denied a child of Chinese ancestry the right to enroll in white schools in that State.

Rigid enforcement of segregation laws in the South, desultory enforcement of civil rights laws in the North and West, constituted the posture of the country with reference to racial segregation as it moved toward World War II. With the exception of a 1917 decision outlawing a Louisville ordinance which, in effect, created residential segregation, the Court showed no inclination to question legally enforced segregation.

Beginning in 1938 with an attack on the exclusion of Negroes from the State universities of the South, the Court, in a case-by-case approach, began the task of realining the law with our fundamental constitutional principles. In 1946, it struck down segregation on interstate carriers, incidentally, declaring void as to interstate passengers, the Virginia statute under which I was arrested and imprisoned 6 years earlier. Bit by bit it overturned the barriers erected on the legal foundation of the Plessy case, but it was not wholly clear until the school desegregation cases of 1954 that the Court was deciding foursquare on the issue of inherent and constitutionally entrenched human rights and their incompatibility with legal segregation. Here the Court met the real issue in the following words:

"Does segregation of children in public schools solely on the basis of race even though the physical facilities and other 'tangible' factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does * * *. To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone * * *."

With this decision, the Supreme Court sounded the death knell of all segregation where the exercise of State power is involved. Since 1954, that Court has handed down numerous decisions reiterating and applying the basic principle of that case, ordering desegration of State or municipal public facilities, and more recently, reversing convictions of sit-in demonstrators and their leaders under trespass, and other statutes in cases where a local segregation ordinance was present, or local officials voiced a policy of segregation. The Court put over for further argument a case in which there is no segregation law or ordinance or no declared official policy of segregation, and yet sit-in demonstrators are arrested for trespass at the request of the owner of a place open to the public. Thus, by radical surgery in a series of operations, the "separate but equal" doctrine on grounds of race has been removed from our constitutional law. What remains to be decided or legislated is an affirmative remedy for privately enforced segregation or exclusion from public facilities.

### III. THE NEW FACTORS WHICH DEMAND NEW SOLUTIONS

With the Supreme Court giving this reaffirmation of basic rights and slowly correcting the earlier deviations from our fundamental law, why have we suddenly found ourselves in a national crisis? This present explosion, of course, is not sudden. Warnings by Negro leadership have been sounded for years, but most of the Nation has been too preoccupied to listen. One important factor is the difference in outlook and tempo between Negroes and the rest of the Nation with respect to the central issue. As Dr. Ralph Bunche pointed out last week, no government ever does enough when people are denied their basic rights. The Nation has been looking at how far Negroes have come in the past two decades, while Negroes on the other hand, are looking at how far they have to go. They see the slow pace of desegregation—four-tenths of 1 percent of Negro children attending desegregated schools in the 11 States of the old Confederacy 9 years after the Supreme Court decision. They look at their limited employment opportunities, their disproportionately high rate of unemployment, the de facto school segregation in the North which is just as damaging to the personalities of their children as the legally enforced segregation condemned by the Supreme Court in 1954. They find their way out of the ghetto to decent integrated housing blocked by various devices, one of which was used in the infamous Deerfield, Ill., case where local authorities in collusion with certain local residents condemned an integrated housing project in process of being built and took over the land for public parks. They experience the daily affronts and humiliations with reference to exclusion from public facilities. The very fact that important improvements have been made in recent years has whetted the appetite for total inclusion. It is axiomatic that the closer one gets to one's goal of human dignity, the more intolerable become the remaining indignities.

A second factor is the rise of a generation of Negroes born during or since World War II into a climate of opinion in which the universal declaration of human rights represents the common aspirations of peoples everywhere and into a world of revolutionary upsurge of colonial people against foreign rule with its implications of racial superiority. This generation has grown up in an atmosphere of incredible speed of events. Gradualism and patience form no part of its heritage, as those of you with children readily appreciate.

A third factor is that by accepting gradualism as the timetable for the solution of this problem, we have permitted the gains of a bloodless social revolution to be threatened by a violent counterrevolution. My good friend, Dr. Caroline F. Ware, social historian and a doctor of philosophy from Radcliffe, constantly reminds me that social revolutions are not violent; that violence comes into play after social change has occurred or is plainly in sight, and counterrevolutionary efforts are then made to turn the clock back.

We might have escaped much of the violence and unrest of the past decade: if the Supreme Court had moved forthrightly in 1954 to implement its decision, as the NAACP urged, and not waited a whole year which gave the counterrevolutionary forces an opportunity to regroup; if there had been intelligent and creative leadership in the White House and in Congress of sufficient strength to change the moral climate and to implement the decision by legislation which brought into play the educational, persuasive, and conciliatory techniques developed by administrative agencies in the field of intergroup relations, and the implementation of so crucial a social change had not been left to courts which are not equipped to deal with such issues and the atmosphere of which in argumentative and contentious instead of conciliatory; if there had been intelligent joint planning on a national and local scale by Negroes and whites together to aid those Negro children who were most culturally deprived to ease the transition by projects of rapid improvement, remedial instruction and by other methods; and if Federal action had been undertaken at all levels to bar delays and subterfuges in the desegregation of the schools.

I need not recite to this audience the details of headlines which have documented events of the past 8 years and worn down the patience of Negro citizens everywhere: the bombings of homes, schools, churches; massive resistance and interposition in defiance of the authority of the Constitution and Federal court orders; closing of the schools; enactment of pupil placement laws used primarily to produce tokenism; use of other devices to delay and circumvent the 1954 decision; the compelling of Negro children and their parents in hundreds of individual cases to go through interminable administrative and legal procedures with delays and frustrations at every stage to enforce their rights to attend desegregated schools; refusal of white community leaders to sit down and discuss with Negro leaders the problems and tensions building up and to work out peaceful solutions in an atmosphere of mutual self-respect; and finally, incitement to violence by the highest officers of at least three States, and the actual or threatened violence which has forced the Federal Government to make a show of Federal force in order that the Constitution be obeyed.

Meantime, while we allowed the counterrevolution to mount an assault on rights legally reaffirmed, the swift march of world events radically altered the social climate. The peoples of Africa and Asia have achieved self-rule since World War II with a speed that was almost inconceivable a decade ago. As this happened, in the words of Harold R. Isaacs, writing in his recent book, "The New World of Negro Americans":

"The downfall of the white-supremacy system in the rest of the world made its survival in the United States suddenly and painfully conspicuous. It became our most exposed feature and in the swift unfolding of the world's affairs, our most vulnerable weakness. It was like being caught naked in a glaring spotlight alone on a great stage in a huge theater filled with people we had not known were there."

Negro citizens have watched the dramatic advances of the Asian and African peoples and their growing influence in world affairs. They note the consternation of our Government when an African diplomat is refused service in the United States, and see no reason why American citizens should still be treated with "prejudice as usual" inequality.

Over and against this swift rise to independence and recognition of Africans in the world arena, is the fact that American citizens, after patiently using the slow procedures of litigation to enforce their rights, and after numerous pronouncements of the Supreme Court reaffirming these rights, find that the burden of proof still remains upon Negroes and the burden of bit-by-bit implementation has remained on the courts. Congress has passed only one significant piece of national legislation in this area since Reconstruction, the woefully inadequate Civil Rights Act of 1957. The executive branch has taken prompt action in the face of violence, and the Kennedy administration has done considerable behind-the-scenes work in efforts to persuade local authorities to comply with the fundamental law. But in the main, both the Eisenhower and the Kennedy administrations tended to react to pressures rather than to assume the vigorous moral leadership necessary to mobilize national opinion and meet the realities of the situation. It is to be hoped that President Kennedy will deepen the tone of moral commitment which pervaded his talk to the Nation on Tuesday evening.

However, given the increasing determination of Negroes to exercise their rights, the moral and legal justification of their cause, the failure of the legislative and executive branches of the Federal Government to keep apace of the Supreme Court's pronouncements, the intransigency of local authorities, and the apathy of a wide section of the public, Negroes have taken their case directly to the Nation. They now demand national legislation of a comprehensive character which will reach discriminatory action by individuals as well as States. It was impossible for our country to escape the winds of change which have been sweeping Africa and other parts of the world.

In the circumstances I have just described, until now these demands have been met by temporizing methods or have been ignored. The rising tide of discontent among Negroes to which the President referred is nothing new. Militancy and impatience have been present in Negro protest in every generation since the first African slave landed on these shores—in the slave revolts, the underground railroad movement, periodic marches and rallies, racial episodes and riots, experimental probes with nonviolent direct action during and after World War II, individual challenges to the status quo, and outbursts which have taken the form of intragroup violence.

What is new about the present revolt is the realization by many Negroes that there is an effective answer to violence and an effective alternative to sullen endurance. There is a new consciousness of strength pervading the whole of the Negro community, a total involvement including children and a mass reaction to the problem.

Dr. Martin Luther King and other leaders of his type have been able to harness seething revolt to organized, disciplined, nonviolent direct action. The legal implications of this action are that it is within the protection of freedom of expression guaranteed by the first amendment. The moral implications are, in my opinion, far more significant.

There is a growing national consensus that racial discrimination is essentially a moral problem. If so, it must be attacked at the moral as well as legal level. Nonviolent direct action is based upon the conviction that in social conflict, the power of the spirit is stronger and more enduring than the power of force in a physical contest. By discipline of the spirit, the nonviolent demonstrator determines that violence, if at all, will be on only one side of the controversy. Thus, the demonstrator exercises a certain amount of control over the conflict situation because he eliminates or reduces the immediate provocation to retaliate and transfers the struggle to the conscience of the opponent. He believes that the opponent's hatred, if given only itself to feed upon, must eventually run its course and that, in these circumstances, reconciliation is more possible after the conflict has been resolved. The Negroes have seen this method work with Ghandi in India and have adapted it to peculiarly American situations. Where this method has consciously been used in the demonstrations, despite indignities on the part of the police, violence has been minimized.

As Dr. King wrote in his book, Stride Toward Freedom:

"We will match your capacity to inflict suffering with our capacity to endure the suffering. We will meet your physical force with soul force. We will not hate you, but we cannot in all good conscience obey your unjust laws. Do to us what you will and we will still love you. Bomb our homes and threaten our children; send your hooded perpetrators of violence into our communities and drag us out on some wayside road, beating us and leaving us half dead, and we will still love you. But we will soon wear you down by our capacity to suffer. And in winning our freedom we will so appeal to your heart and conscience that we will win you in the process."

The wider significance of these nonviolent demonstrations by Negroes and their white supporters is that they have brought together two revolutionary ideas: The equality of the rights of man and the assertion of those rights through a spiritually and morally powerful nonviolent technique. They are outpacing the application of the law and making a creative contribution to rapid social change with a minimum of violence. Historians may well record this as one of the important social developments of the 20th century. Nonviolence has filled the vacuum between the declaration and the implementation of the fundamental law.

Nevertheless, we have seen the fruits of violence even after the President made a passionate moral appeal to every American to examine his conscience in this matter. The examination by one depraved person led to shooting an NAACP leader in the back. Negro citizens cannot be expected to maintain a superhuman discipline in the face of continued provocation. It has been pointed out that from 85 to 95 percent of the Negroes in this country do not believe in nonviolence and are going along with it only because it appears to be working. If it fails, we are in for serious national bloodshed.

### IV. THE ROLE OF THE LAW IN THE PRESENT CRISIS

At the beginning of our discussion, I said that we are a society built upon the rule of law and not rule by the passions of men. What, then, is the role of the law in resolving the current conflict?

It cannot be too strongly emphasized here that the history of race relations in the United States has proven conclusively that the right to be free from discrimination because of race or color—and I might add sex—is so crucial to human dignity and the exercise of the rights of citizenship, that we have been tragically wrong to leave the protection of this right in so large degree to local regulation. Local laws and policies can supplement but not substitute for a clearly formulated and enforcible national policy binding upon all persons.

The public humiliations which do such violence to human dignity are dramatized by laws, customs, and attitudes of exclusion in places of public accommodation and amusement. Congress rightly saw in 1875 that this issue was so important it must be resolved in a manner which operated uniformly throughout the United States. It recognized that there could be no piecemeal or fractional coverage in a matter which involves such explosive human emotions. And so it granted total coverage.

Negroes have lived too long with uncertainty to make the recognition of their rights dependent upon any other individual's degree of color blindness, or whether he operates in interstate or local commerce. The quest for certainty is at the bottom of the present revolt. As Martin Luther King, replying from an Alabama prison to the statement of local white religious leaders that the Birmingham demonstrations were "unwise and untimely," put it:

"I guess it is easy for those who have never felt the sting of darts of segregation to say 'wait.' But when you take a cross-country drive and find it necessary to sleep night after night in the uncomfortable corners of your automobile because no motel will accept you; when you are harried by day and haunted by night by the fact that you are a Negro, living constantly at tiptoe stance never quite knowing what to expect next, and plagued with inner fears and outer resentments; when you are forever fighting a degenerating sense of 'nobodiness'—then you will understand why we find it difficult to wait."

The Supreme Court has the task of completing the reaffirmation of human dignity. The time has come to persuade that Court once more to reexamine the Civil Rights cases of 1883. The Court should be urged to overrule that decision, reinstate the Civil Rights Act of 1875 and grant an immediate remedy to Negroes who are excluded by private persons from public places of business. For Congress today has no more power than it had in 1875 when it passed the act. The Civil Rights cases were based upon the same fallacious reasoning as that which produced the Plessy case, now discarded, and the dissent of Mr. Justice Harlan in those cases was just as sound as his dissent in Plessy and which is now the law.

As to Federal legislation, President Kennedy has told the Nation that he plans to seek legislation from Congress in three areas: Public accommodations, voting rights, and the power of the Attorney General to bring suits to enforce compliance with school desegregation. These are steps in the right direction, but they are fragmentary and inadequate to deal with the crisis in its present form. They cannot stem the "tide of rising discontent," nor will they appease those who think there should be no legislation at all.

A minimum program of Federal legislation at this stage should include the following measures:

1. A public accommodations law which amends or reenacts the 1875 Civil Rights Act, grounded in the 14th amendment as well as in the interstate commerce clause, along the lines of Senate bill 1591 recently introduced by Senator Cooper prohibiting discrimination by any person "acting as a proprietor, manager, or employee of any business activity affecting the public which is conducted under a State license," or which is in commerce or affecting interstate commerce. Such a law would give the broad coverage necessary to meet the present turmoil in this area of human rights.

2. A Federal Fair Employment Practices Act, also grounded in the 14th amendment as well as the interstate commerce clause to permit the broadest possible coverage.

3. A Federal fair housing law.

4. A law requiring all schools affected to promulgate plans for immediate school desegregation, whether North or South.

5. A law making the U.S. Commission on Civil Rights a permanent administrative body, empowered to enforce federally protected civil rights through procedures which include conciliation, persuasion, and education as well as orders enforcible in the courts.

6. A law strengthening voting rights which effectively meets the problems of evasion by local officials.

7. A law empowering the Attorney General to initiate actions and procedures to enforce all federally protected civil rights.

8. Serious consideration should be given to the proposal recently made by the National Urban League that a "radical new approach" in the form of a massive program similar to that of the Marshall plan be put into operation in order to close the social, economic, educational, and cultural gaps between Negroes and others in the Nation. Such a program would help to rebuild the sense of positive worth and cultural participation which has so long been denied to Negroes. If the United States can spend billions of dollars in foreign aid to help bring the less developed countries abreast of the modern age, it can at least offer comparable assistance to a deprived sector of its own citizenry. We need an "Operation Bootstrap" which engages in a massive national effort to raise the hopes and the standards of that forgotten part of our population which includes both Negroes and whites. Thus, I would broaden the Urban League Proposal to reach underprivileged citizens whatever their race, color, sex, religion, national origin, and so on.

Many of these proposals are not new and are in bills already introduced in Congress. What is new is the promise by Negro leaders and the determination of Negro citizens that a filibuster in Congress will be met by the most massive acts of civil disobedience all over the Nation this country has known. This is not the Negro's fight alone; it vitally affects the welfare and safety of every American. Congress will act when the Nation is resolute. And the Nation means you and me.

Mr. ADDABBO. Mr. Speaker, I have, on many occasions, spoken out on the problems which confront a large segment of our population, the denial of rights and privileges guaranteed to all American citizens by our Constitution. Discrimination against any citizens because of race, color, religion or national origin is an evil which we must not condone through silence. It behooves every person who believes in the principles on which this Nation was founded to speak out and let his voice be heard.

The eyes of the world are on us who loudly proclaim the right of all people to be free, to participate in the Government, to have equal access to the many opportunities in our great Nation, and to generally enjoy "the American way of life." We are a showcase, but we must surely hide our faces in shame at some of the spectacles which have been on display in that showcase—brutality to citizens because of their color, malicious bombings of homes and churches, and denial of many moral rights simply because of race.

I am privileged to again raise my voice in support of equal rights for all citizens. While it is true that we cannot legislate the conscience of the individual, we must do everything within our legislative power to secure the constitutional rights of all.

Mr. KASTENMEIER. Mr. Speaker, on Sunday, September 15, the lives of four innocent Negro girls were snuffed out in one of the most heinous crimes against humanity in the annals of American history. No one can question the wantonness of the bombing of the little church that Sunday morning in Birmingham, Ala., or that it was a coldly calculated and thoroughly premeditated act of murder for which justice generally demands the supreme penalty, and the people of the Nation have reacted with righteous indignation that the culprits remain at large despite the diligent efforts of the FBI to ferret them out.

Certainly those individuals who physically planted the dynamite that destroyed the lives of those four girls are guilty of criminal murder in the strictest sense, but in the broader sense, each and everyone of us who has for years tolerated the "for white only" signs that constitute an affront to the human dignity of civilized beings—who have witnessed the incessant humiliations to which Negroes around us have been subjected every day of their lives—each and everyone of us is a party to that crime and must share in the guilt.

In the larger sense, too, each and everyone of us is also the victim of that crime, for whites and Negroes alike suffer equally from the resentment, hostility, hatred and bitterness which inevitably feed upon segregation and racial bigotry.

Justice Harlan more than 60 years ago made this prophetic and profound observation in his dissenting opinion in the case of Plessy against Ferguson:

> The destinies of the two races in this country are indissolubly linked together, and the interests of both require that the common government of all shall not permit the seeds of race hate to be planted under the sanction of the law.

Mr. Speaker, if this Congress enacts a truly meaningful civil rights bill, assuring Negroes full political equality, acceptance and participation in the life of his community, then the message of the timely and dramatic parable which took place in Birmingham on September 15 will have reached the American conscience. If on the other hand, this Congress fails to enact an effective civil rights bill, I submit, then, that these girls shall have died in vain.

Mr. VAN DEERLIN. Mr. Speaker, our remarks on the civil rights question seem especially timely this afternoon. Events of the present week suggest that we shall be voting on this legislation before another month has passed.

The bill finally coming to us from committee may be less than what some Members had hoped for, but it will still be a strong bill, a bill responsive to the Nation's mood of crisis.

It will be argued through the next 12 months whether this administration and whether we individually have been helped or hurt, politically, by what we do on civil rights. Such discussion makes interesting speculation around the cracker barrel—but it is without meaning. Some decisions require us to rise above consideration of political effect. Our decision on civil rights will be one of these.

There will be pressures for further weakening of the public accommodations section of the bill. But this section goes to the very heart of the problem we seek to meet. It deals with the most painful grievance of all that is suffered by Negroes and other racial minorities—the humiliation and inconvenience to which they are constantly subjected by business establishments refusing to serve them. The result is not only insult, but often demonstrable injury as well. Whatever else the civil rights bill may do or fail to do—it must end this particular evil.

Mr. ROSENTHAL. Mr. Speaker, as has been indicated by my colleagues here in the House this afternoon, probably the most important and pressing issue before the Congress at this time, and indeed the entire country, is civil rights.

There has been much talk about what must be done and what should be done, and what provisions should be included in any civil rights legislation. I was therefore particularly pleased with the action of the House Judiciary Subcommittee in reporting out such a strong bill. It is a sorry note, however, to learn that passage of such strong and necessary legislation does not appear to be possible, and that a weakening of the bill seems to be in order if we are to insure its passage.

As I have said many times before, there is a moral issue involved here, and if we are to live without pangs of conscience, we must extend to each and every citizen of this land, regardless of his race, color, creed, or national origin, the rights and privileges guaranteed by our Constitution, including true equality and freedom.

Our people have risen up before in protest against oppression and despotism. That is why we fought the Revolution. It is in the oldest and finest of American traditions to protest a wrong and to demand that right be done, and we acknowledge the fact that our Negro citizens are most certainly within their rights in calling for peaceful demonstrations against discrimination of any form.

I urge the Members of this House to enact strong meaningful civil rights legislation, which will guarantee without question the protection of his life, property, and civil rights to each of our citizens. It is morally right that freedom apply equally to all Americans, and if we are to continue to uphold the highest standards of justice, we have no alternative but to approve a bill which will show the world that we are more than equal to our mighty heritage of freedom, and worthy or our responsibilities of leadership.

Mr. MULTER. Mr. Speaker, I am proud to join with our colleague, the gentleman from Texas [Mr. Gonzalez], in speaking out today in opposition to those elements of our society who find it necessary to use violence to perpetuate a racist philosophy the course of which—if allowed to continue—can only lead to disaster.

The latest demonstration of the tenets of this philosophy that has been presented to us was the recent tragedy in Birmingham where four children were murdered while attending church.

It is easy for those of us in the integrated North to talk of civil rights. In most of our communities the rights of our citizens, regardless of race, creed or color, are respected by each and every other citizen of the community and the responsible groups in the community, such as city and State governments, religious organizations, business and fraternal groups see to it that those rights are not abridged. We as a nation can no longer permit any section, any State, or any city to enforce or to allow to continue by complacency, a policy that discriminates against anyone.

It is certainly the feeling of this body, without exception I am sure, that what happened in Birmingham must not happen again. Complacency is the greatest enemy of the civil rights movement; we must not allow it to continue. Apathy erodes justice; we must not let it start.

I wish to commend the gentleman from the 20th District of Texas for his stand today. His stand is particularly commendable for one who represents an area in the Deep South.

## GENERAL LEAVE TO EXTEND

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that any Member of the House so desiring may have 5 legislative days in which to include their remarks and extraneous matter in connection with this matter under discussion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

## RESIDUAL FUEL OIL IMPORTS—A PURELY POLITICAL ISSUE

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, a short while ago, Mr. John K. Evans, executive director, Independent Fuel Oil Marketers of America, Inc., Washington, D.C., addressed the Rotary Club in Augusta, Maine. Speaking in the capital city of that great State in the congressional district of my friend and colleague, Stanley Tupper, Mr. Evans forcefully and forthrightly spelled out the burden which residual oil quotas place on New England's economy.

As a member of Rotary, I am pleased with his complimentary remarks concerning that great organization. As a Member of Congress, I am pleased to know that the true story of residual oil quotas is now being widely told. My colleagues, the gentlemen from Maine, Congressman McIntire and Congressman Tupper, have joined with me and many other Members in the House, in calling attention to these outrageously unfair quotas which are so damaging to both industry and consumer.

Because of increasing and widespread interest and concern regarding oil quotas I am calling my colleagues' attention to Mr. Evans' perceptive remarks, which follow:

### Residual Fuel Oil Imports: A Purely Political Issue

Mr. Chairman and members of the Augusta Rotary Club. Before I proceed with my talk may I say that I have been an admirer of your association for many years—I tried for several years to join the Washington Rotary and finally gave up in despair and joined another service club. Yours is a truly international organization—you even have a chapter in my birthplace, a little one-horse town in Wales. From my personal experience yours is an informed and sophisticated membership devoted to fighting for issues and causes that are for the best interests of all our citizens.

Our country is heading into squally and rough trade waters. No State or citizen of our Nation can disregard the storm signals because every one of us will eventually feel the impact of the tempest that lies ahead. The State of Maine is no exception. The administration is in the middle of a battle royal with our Western allies over chickens—and this is an important issue to Maine producers. But let's bring this issue into perspective before we throw verbal brickbats at our European friends—don't get me wrong, I am not excusing or condoning the Common Market group for their negative trade action. Four years ago the previous administration placed restrictions on the importation of crude oil and residual fuel oil. These restrictions are costing the Maine consumer countless millions each year. Further, these restrictions are imposed on an item which constitutes 11 percent of our total imports trade, which is roughly $16 billion—no dollar volume comparison with the $46 million of chicken exports to the Common Market. While the Europeans have a poor case to justify their action we had no economic case to justify our own regarding residual fuel oil imports 4 years ago other than that of domestic politics created by a multimillion dollar propaganda campaign by the coal mineowners and the United Mine Workers. Under our international agreements on trade we can only place import controls on a commodity through the escape clause or if imports are endangering our national security, and oil is the only commodity restricted for this latter reason. Earlier this year the Office of Emergency Planning study in residual oil imports was released and the findings were that national security was not imperiled by these imports and further that the troubles of the coal industry were not caused by these imports—coal mining areas are in trouble because automation has increased coal production while reducing the manpower needed, a coal miner today produces over 15 tons per day against 6 tons a decade ago. Let's not forget too that today he is the highest paid industrial worker in America—or the world for that matter. Steel and auto workers are well behind. But I don't, of course, begrudge him his wages.

What am I getting at? Simply this, the State of Maine has no indigenous source of either coal or oil. In fact, your State is far removed from any domestic source of these vitally needed forms of energy and if Maine is to remain competitive and progress industrially at an equal pace with the rest of the States, she must get fuels at the lowest possible competitive prices. Further, it is imperative to Maine's exporters of chickens, pulp, paper, etc., that our country's hands are clean if our trade negotiators are to be in a strong bargaining position at the upcoming Kennedy round of GATT trade negotiations with the other member countries of the free world.

I just returned from a European visit and whenever I criticized my European friends for their action on chickens inevitably their retort was "How can you criticize us when you prevent, for purely political reasons, the flow of residual fuel oil into your country—you started all this and further because you restrict these fuel imports you have created problems for our coal industry since the residual fuel oil that you need but will not allow to enter the United States is diverted to Europe where it is creating a serious trade problem for us." And there you have it, one negative action brings a negative reaction and there is no knowing where this particular snowball will lead or end.

I titled this talk "a purely political issue" since the decision to place import controls was decided on the basis of politics since if economics had ruled there would have been no controls. It is a nonpartisan issue—controls were adopted by the previous administration and have been continued by this one—a plague on both their houses. Your State's representatives prove its nonpartisan flavor since you have a Republican and a Democratic Senator, both of whom have voiced their objections to this program. But since politics governs, the voices of your representatives in Washington are drowned out by the loud cries of the highly vocal and well heeled opposition—the coal mine owners spend over $2 million each year on their Washington operations aimed at perpetuating this outrage. The vocal, selfish, dishonest few can always conquer the silent, honest majority. This leads me to the main purpose of my visit to Maine. I want to alert this audience to the fact that Maine industry cannot afford to continue to pay homage to the coal industry and somehow the residents of Maine must be made aware of this fact and awakened out of their lethargy into action.

What are the facts? Imported residual fuel oil has merely supplemented but never supplanted domestic production of this product. Imported residual fuel oil is not the cause of the coal industry's troubles—I repeat, residual fuel oil is not the cause of the coal industry's troubles.

Imported residual fuel oil is essential for the economic production of power, both utilities and commercial industrial consumers, in the State of Maine since you have no indigenous supplies other than that of hydroelectric power. The present program of controlling an economically unjustified system of restricting the importation of this low cost energy has eliminated competition by creating a form of monopoly cartel with the consumer tied to one supplier. Any system involving quota import allocations is unfair and inequitous since an import license is a blank check for the lucky importer who can then bludgeon his captive consumers into submission. This program is no exception and the Maine consumer is paying millions in tribute to the coal mine owners each year. Under the present quota system prices have no relation to economic factors since the method of cutting the import allocation pie is the final decisive price factor.

What can you do about the problem since you have the biggest stake in this issue?

It is a political issue and until the grassroots rise up in honest wrath and make known their views in Washington nothing will happen. The loud voice of the voter is the deciding factor and the group that squeaks the most gets the most grease. You cannot expect your representatives in Washington to do this job alone—they must have your help in this fight. The President and his administrative staff are well aware of the facts of the case but it is up to you consumers, and every one of us is a consumer of power that contains an incremental excess charge due to these import restrictions, to give the administration the power and incentive to act on behalf of the interests of all consumers.

The association with which I am connected, the Independent Fuel Oil Marketers of America, has been fighting virtually alone to get relief for its members since they cannot continue to survive in the marketplace under the present program. We have blunted our sword in our efforts to get controls removed. An objective evaluation of the scene has forced us to admit to ourselves that since the consumer is always the last to be heard from and galvanized into action, we had better fall back and start a different mode of attack that will take into account the political realities of life. By this I mean that we are now going to concentrate on a compromise that is attainable; namely, the changing of the ground rules of import regulatory controls whereby the present system of end use energy control, no consumer freedom of choice of supplier, and no competition for the consumer's business, is eliminated and replaced by a system of controls that returns competition for the energy consumer's dollar to the marketplace. We want an import system that gives to the consumer the benefit of a low fuel cost via the free enterprise competitive system and this can only be accomplished by the elimination of quotas assigned to eligible importers and instead the establishment of a system whereby if a supplier gets the customer he automatically gets the right to import the residual fuel oil needed and satisfy that customer's fuel requirements. This one simple change would result in savings of several millions of dollars each year in the fuel costs of Maine consumers. It would return your fuel economy to the traditional system of a free competitive market.

Finally, what can you do to help? All of you should go on record collectively through your chapters in Maine and individually by registering your protest to your elected State and Federal representatives as well as to the President of our country. You should get all your customers and friends as well as those with whom you do business to also act accordingly. You should use every means and channel of communication to get all who have a direct or indirect vested interest in the welfare of Maine to bring political pressure to bear on the focal point of action; namely, Washington.

Finally, I'll close with a quote from a letter I received recently from A. R. Schiller, president of the Public Service Co. of New Hampshire, since I hope that Maine businessmen will adopt the same policy, "You may rest assured that we shall continue in our efforts just as long as we believe that the imposition of artificial and unnecessary import restrictions continue to contribute to the fact that fuel costs in New England are the highest of any region." Unless all of you who have a direct vested interest in this issue get into this fight for the right, nothing will happen because without you, the consumer, in the battle we have lost without firing a shot.

## FEED GRAIN PROGRAM OF 1963 AN INCREDIBLE WASTE

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. FINDLEY. Mr. Speaker, this year taxpayers spent an alltime record amount—nearly a billion dollars—trying to persuade farmers not to grow corn. Despite this outlay, corn production will break all records.

The Department of Agriculture has announced the 1963 corn crop will reach 4,009 million bushels—also an alltime high.

The program is intended to cut back production of feed grains, of which corn is the major item. Before the program started, annual production was 152.6 million tons (average of the program's base years, 1959–60). Production this year is officially estimated at 152 million tons—down only 600,000 tons.

Expressed in corn equivalent, this means a cutback in production of only 21.4 million bushels.

Payments to farmers and other direct costs of this year's program total $924.5 million.

Therefore, taxpayers are shelling out $43 for each bushel cutback in production. This is a fantastic price to pay for not growing a bushel of corn worth about $1.

In opposing the 2-year extension of this program last spring on the House floor, I predicted each bushel cutback in production this year would cost $27. Several Congressmen tried to ridicule my estimate, but it proved to be very much on the conservative side.

We have now had 3 years experience with the feed grains program. We are spending more than ever and getting less results.

This program costs taxpayers nearly one-fourth the value of the entire feed grain crop.

Last spring the Congress authorized this same billion-dollar boondoggle for 1964 and 1965. This action should be repealed, in order to prevent further repetition of this incredible waste.

## DISARMAMENT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RYAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, I wish to call the attention of my colleagues to a significant resolution which I am sponsoring and which is being introduced today in the other body by Senator JOSEPH CLARK and 15 other Senators. I have introduced in the House this resolution which states the following:

*Resolved by the House of Representatives (the Senate concurring)*, That the President should be supported in his efforts to achieve general and complete disarmament under legally effective controls and to develop international institutions capable of keeping the peace during and after disarmament.

SEC. 2. The President is hereby requested to formulate as speedily as possible specific and detailed proposals for the implementation of the foreign policy objectives of the United States regarding the establishment of an international authority to keep the peace under conditions of general and complete disarmament effectively guaranteed by adequate inspection and controls. In formulating such proposals, the President is requested to consider whether the development of effective international machinery for the supervision of disarmament and the maintenance of peace, including (1) an international disarmament organization; (2) a permanent world peace force; (3) world

> tribunals for the peaceful settlement of all international disputes not settled by negotiations; (4) other international institutions necessary for the enforcement of world peace under the rule of law; and (5) appropriate and reliable financial arrangements for the support of such peacekeeping machinery, may best be achieved by revision of the Charter of the United Nations, by a new treaty, or by a combination of the two.
>
> SEC. 3. The President should make such proposals available to the Congress and to the public generally.
>
> SEC. 4. The President is requested to transmit copies of this resolution to the heads of government of all of the nations of the world and to urge them to initiate within their governments studies of matters germane to this resolution and to formulate and make generally available recommendations based upon such studies.

Mr. Speaker, on September 25, 1961, the President in his magnificent address to the United Nations stated:

> Today, every inhabitant of this planet must, contemplate the day when this planet may no longer be habitable. Every man, woman, and child lives under a nuclear sword of Damocles, hanging by the slenderest of threads, capable of being cut at any moment by accident or miscalculation or by madness.

Although the test ban treaty has been signed, the President's statement is as valid today as it was in 1961. The test ban treaty is the first step toward the day when the nuclear sword of Damocles will no longer hang over our heads. However, we must realize that, although "a journey of 1,000 miles must begin with a single step," that journey will never be completed unless the first step is followed by many others. The road to be traveled if the world is to know peace and security is clear. It is the road toward disarmament under effective international control. As long as nations retain nuclear weapons with their capacity to destroy civilization, we will remain threatened by extinction. For, as the President so eloquently has pointed out, the danger from "accident or miscalculation or madness" will not be removed until disarmament under effective international control is achieved.

The realization that "the weapons of war must be abolished before they abolish us" led to the "U.S. Program for General and Complete Disarmament in a Peaceful World." This proposal, which was introduced in 1961 at the 16th session of the United Nations General Assembly, defined the objective of the United States as:

> A world where there shall be a permanent state of general and complete disarmament under effective international control.

The resolution introduced today will move us toward that goal. It is a constructive step forward toward the establishment of the only genuine security system for the United States and the world—disarmament under effective international control. I urge all my colleagues to join with me in support of this resolution.

## VOICE OF SANITY

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. ROGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, the recent news reports in the communications media concerning the military coups of the Morales government in Honduras and the Bosch government in the Dominican Republic indicated a grave concern over a worsening situation in Latin America.

Our able and distinguished colleague, ARMISTEAD SELDEN, who as chairman of the House Subcommittee on Inter-American Affairs has access to the essential information to form a constructive judgment, has expressed his opinion in an excellent speech before this House on the military coups in Latin and Central America, and has shown his concern over the relationship between the United States and the new governments in Honduras and the Dominican Republic. It would be good for members of the executive branch of our Government to recognize Congressman SELDEN's opinion and carefully watch the future developments in those countries before setting policy advocating strong action against their new governments.

I would like to insert at this point in the RECORD, the October 11, 1963 editorial from the Evening Star that commends Congressman SELDEN's views as a "Voice of Sanity":

### VOICE OF SANITY

> Representative SELDEN's remarks in the House this week on coups, dictators, and democracy didn't attract much attention. This is too bad. For what he said made sense—a great deal more sense than some of the overly excited commentators who would have us believe that the end of the world is heralded by the upsets in the Dominican Republic and Honduras.
>
> Mr. SELDEN, who comes from Alabama, is chairman of the House Subcommittee on Inter-American Affairs. In this capacity he has access to the information essential to an informed judgment.
>
> He says there is no doubt that the best interests of the United States lie in the existence of a democratic and economically stable Latin America. But he doesn't believe that our interests would be served by dispatching gunboats and the marines to the Caribbean every time a military coup is staged. It is strange, as Mr. SELDEN points out, that so many people who recoil in horror from the prospective use of force against a Castro are eager to smash the military regime which ousted Juan Bosch in Santo Domingo. And it is also foolish.
>
> Mr. SELDEN thinks we do not really know as yet whether the events in Santo Domingo and Honduras are not in fact serving the long-range interests of the people of those countries. And it follows that we do not really know whether our own long-range interests are being served.
>
> Both Mr. Bosch and President Villeda Morales were guilty at least of temporizing in the face of internal Communist threats. They did not head strong governments. As Mr. SELDEN aptly put it, "democracy was doomed in the Dominican Republic and Honduras not by its strong enemies but by its weak servants."
>
> Now that these weak regimes have been toppled, the United States must make a decision. We are suspending aid and diplomatic acceptance, presumably pending an evaluation of the intentions of the military people who have taken control. Aid and diplomacy can properly be used to obtain maximum democratic concessions from them. But they cannot bring back a Bosch or a Villeda Morales.
>
> This being the case, is it in our interests to squeeze hard enough to induce the collapse of the existing governments? We do not think so, for the alternative would very probably be Communist governments on the Castro pattern.
>
> Mr. SELDEN summed it up this way: "Let me put it bluntly—a dictatorship is odious. But if driven to a choice I prefer a dictatorship seeking our support and friendship rather than a Communist dictatorship capable of furnishing missile emplacements to those who would bury us."
>
> This last may be a bit on the rhetorical side. But the basic thesis should appeal to anyone in his right mind.

## MONTICELLO COLLEGE, ALTON, ILL.

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. PRICE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PRICE. Mr. Speaker, it is with great pleasure that I address the House today. Tomorrow, Friday, October 18, marks the formal dedication of the new $2 million theatron of Monticello College for Women at Godfrey, Ill. Hatheway Hall, as it is to be known, has been made possible through a private gift. It is the largest single donation ever received by a junior college in the United States. This building realizes the combining of facilities for cultural, academic, and athletic activities, and represents the continuing strides of Monticello in meeting the challenges of the future.

Long known as one of the outstanding 2-year colleges for women, Monticello College is in its 128th year. Founded in 1835, and known as the Monticello Female Seminary until 1935, the school has continued to expand its physical plant without impairing its reputation as an educational institution of first order. Noted for its curriculum and faculty, Monticello has compiled an enviable academic record throughout its history. It is indeed fitting that Monticello College has been cited many times as a leading private educational institution.

From the original class of 16 to the present student body of 350, Monticello has been able to meet its needs solely through private enterprise. Hatheway Hall is but one more example of this, and is further indicative of Monticello College's contribution to the well-being of its students and the community.

The following article from the October 12 edition of the Alton (Ill.) Evening Telegraph relates the history of Monticello College:

### THE MONTICELLO STORY

> The first year for Hatheway Hall marks the 128th year for Monticello College. Opening Hatheway Hall is another milestone in the history of the college, providing a place for educational, cultural, and athletic events under one roof.
>
> Monticello College, founded in 1835 as Monticello Female Seminary, is one of the

oldest institutions for the higher education of women in the United States. It was founded by Capt. Benjamin Godfrey, a retired sea captain, born in Chatham, Mass., in 1794. Godfrey made a fortune in Mexico, which he lost to bandits.

He made another fortune, came to New Orleans, then to St. Louis. He settled on the prairie 4 miles north of Alton (Monticello, Ill., later Godfrey, Ill.).

Godfrey had eight daughters for whom he wished the kind of education which would make them better wives and mothers. He described the beginning of his idea for the education of women in a letter * * * "One morning while lying in my bed somewhat indisposed, my wife came into the room, and as she went out, made some comment. One of our little children, who had just begun to lisp a few words, caught the remark, and repeated it over and over for some time. This led me to reflect on the powerful effect of a mother's example on the minds, manner, and habits of their offspring and the not less powerful influence that females have over the society at large."

In the mind of another man about this time was the idea of bringing education to the West. He was Theron Baldwin who traveled to Illinois in 1829 with the Yale band, a group of young men planning to "plant churches, form Sabbath schools, found a college, establish academics, male and female, and encourage common schools, in short: promote Christian education in all its departments."

### SEEKS HELP

Baldwin's words tell of his meeting with Godfrey and the proposal presented to him: "While (pursuing) a missionary tour in southern Illinois, the night of the 17th of December 1834, we spent at the house of the founder. He then stated that he had come to the conclusion to spend some $10,000 in the (erection) of a female academy and desired me to take the superintendence of the institution and devote myself permanently to its interests."

Baldwin was hesitant in accepting the responsibility of such an undertaking, because he felt it would take his time away from his missionary work. However, he finally decided to undertake the work of helping establish the seminary.

After helping Captain Godfrey select a site for the schoolbuilding, he traveled east to confer with the heads of other female institutions concerning the curriculum to be set up. He visited with Mary Lyon, founder of Mount Holyoke and says of the visit: "The larger portion of several days was devoted to a discussion with her on the whole subject of female education."

During the tour he also visited female seminaries at Rochester, Auburn, Clinton, Albany, Middlebury, Ipswich, Castleton, and North Hampton. Baldwin decided that in order to be left at liberty to promote general education throughout the State, it would be necessary to have a female teacher that would act as principal and become responsible for the management and the character of the institution.

Consequently through correspondence with Miss Mary Cono, of Warren, Ohio, a graduate of Ipswich Female Seminary, and a teacher at that institution, agreements were made for her to be the first principal. Miss Cono, however, declined the title of principal in preference to being head of a department.

### CAMPUS OPENS

A road was built from the Mississippi River to transport the stone for the building. After some delay in finishing the building, the seminary opened on April 11, 1838, for the first classwork. The first meal was breakfast prepared by Mrs. Baldwin and served by the faculty. Each girl had to bring her own napkin, ring, fork, and spoon. They had hard-boiled eggs, bread and butter, griddle cakes, and coffee.

Attending were Mr. Theron Baldwin, Mr. Enoch Long, Miss Philena Fobes, Miss Mary Cono, Mrs. Enoch Long, and Mrs. Baldwin. After a few remarks for the occasion the school was opened with prayer. There were 16 pupils present.

By 1890 the campus had grown to 30 acres. In 1896 the south wing was added which contains the entertainment hall and gym with money which was a gift of Mr. and Mrs. Reid. In 1898, Reid Memorial Chapel (now the library) was built in memory of Eleanor Irwin Reid.

The Evergreens, home of the president, was given to the college by Miss Haskell. It was built in 1850.

In 1960 Fobes Hall was built. The connecting corridor where the sun parlor and conservatory are and the swimming pool was built this same year. By this time the campus had expanded to 250 acres.

Wade Memorial Building is connected with the other buildings by a passageway above the porte-cochere entrance. It was built in 1926 in memory of Edward Pierson Wade, a member of the board of trustees from 1884 to 1920 and is dedicated to the fine arts.

The Benjamin Godfrey Memorial Chapel, built in 1854, has been a landmark for a century. Photographs of the chapel are preserved in the Library of Congress.

### NAME IS CHANGED

Alden House is the faculty residence located just north of the Evergreens. The log cabin given by the class of 1921, has been enlarged to twice its size since then. The Highlands (stable and riding ring) were completed in 1952, a gift of a Monticello alumna.

The name of Monticello Seminary was changed in 1935 by unanimous vote of the board of trustees to Monticello College, although it had been a recognized and full accredited 2-year college since 1917. A description of the "accommodations" from the catalog of 1842:

"A building of stone has been erected 110 by 44 feet, and 4 stories high, including basement. The two upper stories together contain 40 rooms, 9 or 10 by 16½ feet, including a convenient clothes press and each designed to accommodate two young ladies.

"The rooms were furnished with a double bedstead, mattress, or strawbed, table and chairs. All additional furniture must be provided by the occupants, such as bedding, wash-stand, bowl, and pitcher. The building is principally warmed by a hot-air furnace, fires are not allowed in the sleeping rooms.

"The second story is divided into schoolrooms, recitation and family rooms. The basement into kitchen, dining hall and chapel. The seminary grounds consist of about 8 acres, spacious yard in front and a garden in the rear. It was deemed of the highest importance to have the buildings so constructed and the grounds so arranged that all associations connected with them shall be agreeable."

### FAILURE PREDICTED

From an anniversary address given by Theron Baldwin, June 27, 1855, we have a general description of the educational program of the institution: "The education furnished should be substantial, extensive, and practical. In other words, that it should develop harmoniously the physical, the intellectual, and moral powers and prepare its subjects, not for an imaginary state of existence, but for the sober realities and duties of actual life."

None under 14 years of age were admitted to the seminary and it was stated in this early catalog that the site for the seminary was chosen "for a regard to health and freedom from the bustle and temptations common to a large town."

Some persons felt that the seminary would not succeed because it was built in the country and would not have the patronage and support that a town could give it. Godfrey said that if it did not succeed as a school, it could be used as an orphanage.

Miss Philena Fobes was principal from 1843 to 1866. An article in the Alton City Directory of 1858 states that a fourth story had been added to the original building at a cost of nearly $30,000 and that the school can accommodate 150 pupils. The grounds have grown from 8 acres to 16 acres.

Monticello has been fortunate in having executive leaders of long tenure, high ability and determined courage.

### NEW ERA AHEAD

Miss Philena Fobes succeeded Theron Baldwin in 1845, after serving as an instructor and faculty leader in the school from its beginning. She retired in June 1865. Miss Harriet Newell Haskell, a graduate of Mount Holyoke College, was head of the institution for the 40 years from 1867 to 1907. Catherine Burrows was acting principal from 1907 to 1910. Miss Martina Erickson became principal in 1910 and served until 1918, when she was succeeded by Miss Harriet Rice Congdon who served from 1918 to 1935.

Dr. George Irwin Rohrbough was president from 1935 to 1945. On June 15, 1945, Dr. John Ripley Young became Monticello's seventh president. Russell Thornley Sharpe served as eighth president of Monticello College from March 1953, until November 1, 1958.

In the fall of 1958, the board of trustees of the college elected Duncan Wimpress as ninth president of Monticello. Dr. Wimpress received his bachelor of arts degree in journalism and his master of arts in journalism and political science from the University of Oregon. He earned his doctor of philosophy from the University of Denver.

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## PLANNING FOR PEACE RESOLUTION

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, I am most pleased to join several of my colleagues in both House and Senate in sponsoring a "planning for peace" resolution.

The recent ratification of the limited test ban treaty has given each of the two major powers of an harassed world a "time-out" from its compulsive, hazardous efforts to achieve that will-o'-the-wisp—complete military security and dominance.

During this pause that, I hope, redirects as well as refreshes, it is a propitious time to give attention to additional efforts toward additional relaxations of tensions.

I do not know just how "détente-ish" the Soviet Union is. However, I would hope that the U.S. Government would exploit the moment at hand to create new and improve existing international organizations designed to submit the world to peace-through-law. This resolution calls upon the President to consider such possibilities as creating a permanent world peace force, an international disarmament organization, and tribunals to settle differences among Nations that cannot be resolved by negotiations, and to determine more satisfactory methods of financing the U.N. and auxiliary organizations.

In closing I want, Mr. Speaker, at this time to express my warmest congratulations to Senator CLARK for his leadership in the sponsoring of this resolution. This is another example of repeated instances in which Senator CLARK has displayed high purpose and statesmanlike qualities in the area of domestic and foreign problems. His example should be an inspiration to Members of both the House and Senate because he typifies the concept of the dedicated and courageous public servant.

Whereas the Soviet Union, the United Kingdom and the United States, in the interests of each and of all mankind, have concluded a treaty banning nuclear tests in the atmosphere, outer space and under water, which over 100 nations have signed; and

Whereas the adoption of this treaty, which constitutes a small but significant first step in reducing the risk of war, has enhanced the prospect for the negotiation of further international agreements based upon mutual interest and calculated to advance the cause of world peace; and

Whereas the basic purpose of U.S. foreign policy is the achievement of a just and lasting peace, which cannot be attained without the development of the rule of law solution of this problem"; and

Whereas the United Nations General Assembly, at its 14th session, unanimously adopted "the goal of general and complete disarmament under effective international control," and called upon governments "to make every effort to achieve a constructive solution of this problem"; and

Whereas President Eisenhower stated on September 22, 1960, to the 15th General Assembly, "Thus, we see as our goal, not a superstate above nations, but a world community embracing them all, rooted in law and justice and enhancing the potentialities and common purposes of all peoples"; and

Whereas President Kennedy stated on June 10, 1963, that "our primary long-range interest" is "general and complete disarmament—designed to take place by stages, permitting parallel political developments to build the new institutions of peace which would take the place of arms"; and

Whereas the U.S. program for general and complete disarmament in a peaceful world, introduced at the 16th session of the United Nations General Assembly, defined the objective of the United States as "A world where there shall be a permanent state of general and complete disarmament under effective international control" and the "institution of effective means for the enforcement of international agreements, for the settlement of disputes, and for the maintenance of peace in accordance with the principles of the United Nations" and called for the creation of an International Disarmament Organization to insure compliance with disarmament obligations, a United Nations Peace Force to keep the peace during the period of disarmament and thereafter, and improved processes for the peaceful settlement of international disputes; and

Whereas President Kennedy, in addressing the 18th session of the United Nations General Assembly on September 20, 1963, called for the revision of the Charter of the United Nations to permit the development of that body into "a genuine world security system," and declared that the peacekeeping machinery of the United Nations must be strengthened by the adoption of sound financial arrangements and the maintenance of standby peace force contingents by member nations, and that resort to special missions for the conciliation and adjudication of international disputes be increased; and

Whereas the realization of these goals through international negotiations, United Nations Charter revision, or otherwise, is a matter of urgency because (1) the increasing number and destructive capabilities of nuclear weapons at the disposal of individual states and groups of states threaten mankind with the catastrophe of all-out war; and (2) the increasing cost of the arms race is preventing human needs from being met in all the countries of the world; and

Whereas the United Nations General Assembly, during recent sessions, has resolved to keep in being the Committee on Arrangements for the purpose of reviewing the charter, and has further resolved to ask the committee to submit periodic reports, with recommendations, to future sessions of the General Assembly; and

Whereas the achievement of an international accord for general and complete disarmament under effective controls and the development of international peacekeeping machinery require not only the support of the Congress, but also an informed public opinion in the United States; Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That the President should be supported in his efforts to achieve general and complete disarmament under legally effective controls and to develop international institutions capable of keeping the peace during and after disarmament.

SEC. 2. The President is hereby requested to formulate as speedily as possible specific and detailed proposals for the implementation of the foreign policy objectives of the United States regarding the establishment of an international authority to keep the peace under conditions of general and complete disarmament effectively guaranteed by adequate inspection and controls. In formulating such proposals, the President is requested to consider whether the development of effective international machinery for the supervision of disarmament and the maintenance of peace, including (1) an International Disarmament Organization; (2) a permanent World Peace Force; (3) world tribunals for the peaceful settlement of all international disputes not settled by negotiations; (4) other international institutions necessary for the enforcement of world peace under the rule of law; and (5) appropriate and reliable financial arrangements for the support of such peacekeeping machinery, may best be achieved by revision of the Charter of the United Nations, by a new treaty, or by a combination of the two.

SEC. 3. The President should make such proposals available to the Congress and to the public generally.

SEC. 4. The President is requested to transmit copies of this resolution to the heads of government of all of the nations of the world and to urge them to initiate within their governments studies of matters germane to this resolution and to formulate and make generally available recommendations based upon such studies.

## SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. EDWARDS (at the request of Mr. GONZALES), for 60 minutes, on October 21, to revise and extend his remarks and include extraneous matter.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROONEY of Pennsylvania.
Mr. PELLY.
Mr. PUCINSKI.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. DENT in two instances.
Mr. MATSUNAGA.
Mr. EDMONDSON.

(The following Members (at the request of Mr. HARRISON) and to include extraneous matter:)

Mr. MCLOSKEY.
Mr. MCCLORY.

## SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 102. An act to provide for additional commissioners of the U.S. Court of Claims; to the Committee on the Judiciary.

S. 649. An act to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes; to the Committee on Public Works.

S. 920. An act to amend sections 303 and 310 of the Communications Act of 1934, as amended, to provide that the Federal Communications Commission may issue authorizations, but not licenses, for alien amateur radio operators to operate their amateur radio stations in the United States, its possessions, and the Commonwealth of Puerto Rico provided there is in effect a bilateral agreement between the United States and the alien's government for such operation by U.S. amateurs on a reciprocal basis; to the Committee on Interstate and Foreign Commerce.

## ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 7544. An act to amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal, maternity, and infant care for individuals with conditions associated with childbearing which may lead to mental retardation, and through planning for comprenensive action to combat mental retardation and for other purposes; and

H.J. Res. 724. Joint resolution to provide additional housing for the elderly.

### SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 123. Joint resolution to authorize the printing and binding of an edition of Senate procedure and providing the same shall be subject to copyright by the authors.

### ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 57 minutes p.m.), under its previous order, the House adjourned until Monday, October 21, 1963, at 12 o'clock noon.

### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1305. A letter from the Surgeon General, Department of Health, Education, and Welfare, transmitting a report of the Second National Conference on Public Health Training, held August 19–22, 1963, pursuant to section 306(e) of the Public Health Service Act; to the Committee on Interstate and Foreign Commerce.

1306. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication "All-Electric Homes, Annual Bills, January 1, 1963", which includes the first comprehensive compilation of annual bills for electric power consumption for all-electric homes; to the Committee on Interstate and Foreign Commerce.

1307. A letter from the Acting Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation entitled "A bill to amend Public Law 88–72 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes"; to the Joint Committee on Atomic Energy.

### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FALLON:

H.R. 8853. A bill to authorize the Secretary of Commerce to make a comprehensive study of certain future highway needs; to the Committee on Public Works.

By Mr. GREEN of Pennsylvania:

H.R. 8854. A bill to amend the Internal Revenue Code of 1954 to provide that the admissions tax shall not apply in the case of certain athletic games held for the benefit of nonprofit hospitals; to the Committee on Ways and Means.

By Mr. HENDERSON:

H.R. 8855. A bill to provide for the establishment of the Cape Lookout National Seashore in the State of North Carolina, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LANKFORD:

H.R. 8856. A bill to bring the Government Printing Office within the purview of the act of September 26, 1961, relating to allotment and assignment of pay and other matters; to the Committee on Post Office and Civil Service.

By Mr. LINDSAY:

H.R. 8857. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. MATHIAS:

H.R. 8858. A bill granting the consent of Congress to a compact relating to taxation of motor fuels consumed by interstate buses and to an agreement relating to bus taxation proration and reciprocity; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 8859. A bill to accelerate, extend, and strengthen the Federal air pollution control program; to the Committee on Interstate and Foreign Commerce.

By Mr. PATTEN:

H.J. Res. 777. Joint resolution to designate Columbus Day, the 12th day of October in each year, a legal holiday; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H. Con. Res. 224. Concurrent resolution relative to planning for peace; to the Committee on Foreign Affairs.

### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. KELLY:

H.R. 8860. A bill for the relief of Ernester Cox; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 8861. A bill for the relief of Henry J. Van Arsdale; to the Committee on Armed Services.

By Mr. RYAN of Michigan:

H.R. 8862. A bill for the relief of Nazzarena Scarsella; to the Committee on the Judiciary.

By Mr. SCHADEBERG:

H.R. 8863. A bill for the relief of William S. Perrigo; to the Committee on the Judiciary.

By Mr. O'HARA of Michigan:

H. Res. 550. Resolution providing for sending the bill (H.R. 8767) for the relief of Algonac Manufacturing Co. and John A. Maxwell, president, individually, with accompanying papers, to the Court of Claims; to the Committee on the Judiciary.

### PETITIONS, ETC.

Under clause 1 of rule XXII,

The SPEAKER presented a petition of Henry Stoner, Old Faithful Station, Wyo., with reference to passage of H.R. 6237, which was referred to the Committee on Government Operations.

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# EXTENSIONS OF REMARKS

## Hon. Francis E. Walter

EXTENSION OF REMARKS

OF

## HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 1963*

Mr. ROONEY of Pennsylvania. Mr. Speaker, the distinguished career of Francis E. Walter, of Pennsylvania, ended May 31 of this year, when he died at the age of 69. Those of us who knew Congressman Walter most intimately lost a great and dear friend and the Commonwealth of Pennsylvania and the Nation lost an energetic and fighting patriot.

My words in memory of a valued friend, come from years of respected association with him. He was a true, longtime friend and I shall never forget the loss of his influence for good government. I shall always treasure my personal contacts with Congressman Walter. Never was he too engaged to lend a hand to me when I needed his guidance.

It was a very gratifying and rich experience for me to represent Northampton County in the Pennsylvania State Senate and to know that Northampton County was a part of Francis Walter's congressional district. I learned firsthand of his effective work in behalf of the citizens of our Commonwealth in the areas of flood and pollution control, power, navigation, recreation, and so on.

At the time of Congressman Walter's death, one Pennsylvania newspaper very appropriately stated:

> He was a fearless defender of principles and never lacked the fortitude to stand up for what he believed to be right, regardless of criticism or controversy. Francis E. Walter served his constituents, his State, and his country with extraordinary distinction.

For 30 consecutive years he served in the U.S. Congress. He possessed unwavering devotion to his duties as chairman of the Committee on Un-American Activities. Attesting to his influence in Congress and his ability as a legislator and orator was the fact that during his tenure as chairman of the Committee on Un-American Activities, since January 1955, the House always supported his requests for the necessary operating funds. It was at Mr. Walter's suggestion that a set of rules and hearing procedures were devised that he considered fair to all witnesses.

The late Congressman not only knew our Government well, but he had great faith in our kind of government. He will long be remembered as the coauthor of the Walter-McCarran Act and it was with deep pride and conviction he upheld the merits of this law. He never flinched when criticism was handed him, nor when obstacles were placed in his appointed path. His unbroken service in the Congress of the United States since the inception of the Franklin D. Roosevelt administration serves as tribute to his tenacity and integrity. He never deserted his beliefs.

We recall that Francis Walter's service in the Congress also included ranking membership on the House Committee on the Judiciary and chairmanship of its Subcommittee on Immigration and its Special Subcommittee on Administrative Procedure; membership on the Joint Committee on Immigration and Nationality Policy; chairmanship of the Democratic Caucus; and chairmanship of the House Democratic Patronage Committee. He was elected Speaker pro tempore in the 81st Congress and appointed Speaker pro tempore in the 87th Congress. He had profound faith in the principles of his Democratic Party, but he was first of all a loyal American.

In the minds of many people Congressman Walter set a standard for Americanism, not only in his fight against Communists and subversive influences, but in his determination to preserve our constitutional form of government. He resolutely fought against any move which would have abandoned some of our great constitutional principles. He not only demonstrated his faith in his fellowmen, but also in the form of government which enabled him to rise to membership in one of the greatest deliberative bodies of the world. He never doubted the ability of Americans to solve their problems without forsaking their freedoms.

I shall forever be grateful for his counsel as a great legislator and as a trusted friend. It is with profound humility and honor that I now represent the congressional district served by Francis E. Walter.

## Opening of Carmel High School, Mundelein, Ill.

EXTENSION OF REMARKS

OF

### HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 1963*

Mr. McCLORY. Mr. Speaker, a significant event occurred recently in the 12th Illinois District which I have the honor to represent, when Carmel High School was officially opened in Mundelein, Ill.

This cooperative institution, providing high school education for boys under the sponsorship of the Carmelite Order and for girls under the sponsorship of the order of the Blessed Virgin Mary, provides a unique and much needed facility for secondary education in Lake County, Ill.

It is reported to me that Carmel High School is the first of its kind in the Midwest with its separate educational opportunities for young women under the well-known Catholic religieuses, respectfully known as BVM, and for the young men under the equally well-known Carmelites, or White Friars. The two groups combine for certain scientific and educational instruction and for the use of the library facilities which are outstanding in capacity and content.

Recently, I was privileged to present a flag to Carmel High School which had been previously flown above our National Capitol in Washington and which was accepted in an appropriate ceremony by Sister Mary Cecil, BVM, who is principal of the girls high school, and Father David J. Murphy, O. Carm., who is principal of the boys high school. Other guests attending this ceremony were Rev. Father Brian McCulloch, O. Carm., Superior Carmelite Monastery, Mundelein, Col. Benjamin Chapla, U.S. Army, Post Commander Fort Sheridan, and Lt. Gen. W. H. Arnold, U.S. Army, retired.

Also presented at this ceremony were autographed photographs of public officials including Vice President Lyndon B. Johnson, Senators EVERETT M. DIRKSEN and PAUL H. DOUGLAS, and all members of the Illinois delegation to the U.S. House of Representatives, Gov. Otto Kerner, of Illinois, and other elected officials of the State including Charles F. Carpentier, secretary of state. President John F. Kennedy sent a photograph with a letter wishing success to the new institution. Secretary Carpentier presented a State of Illinois flag for the library.

Members of the advisory board of the Carmel High School include some of the most distinguished citizens of the northern Illinois area: Lt. Gen. William H. Arnold, U.S. Army, retired, Messrs. Martin T. Burns, William J. Carney, Wallace E. Carroll, Michael Cudahy, Arsene J. Denoyer, Frank Flick, and Richard F. Kennedy.

## The AID Investment Guarantee Program Fosters Private Enterprise

EXTENSION OF REMARKS

OF

### HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 1963*

Mr. MATSUNAGA. Mr. Speaker, advocates of the free enterprise system will be pleased to know that the Agency for International Development has accomplished a great deal in promoting private investment in underdeveloped countries through its investment guaranty program. This very important and well-considered activity of our foreign aid program has helped to project the activities of our private businessmen and corporations into foreign countries in demonstration of a system which has contributed much more to the strength of our own country than direct intervention of government.

An agreement recently reached with Ecuador marked the 21st investment guarantee agreement by AID in 12 months. The bilateral agreement such as that reached with Ecuador permits AID to insure U.S. investors against inability to convert local currency into dollars; against loss due to expropriation, war, insurrection and revolution, and against certain commercial and political risks of an extended nature. Fees are charged for this insurance. Since 1948, when the program was started, the United States has signed agreements with 70 countries.

The new agreement with Ecuador amends one dating from 1955 by adding protection for investors against the hazards of war, insurrection and revolution and extended risks. The previous coverage provided protection only against inconvertibility of currency and loss from expropriation.

As of June 30, 1963, AID enjoyed a profit from this insurance program. As of that date AID and its predecessors had issued $1,192,675,600 worth of guarantees to private investors. Fees collected totaled $12,417,917.88. Only three claims have been made, totaling $667,547.

No new guarantees have been issued for Europe since 1959. The current emphasis is on underdeveloped countries and dependencies. In the fiscal quarter, April 1 to June 30, 1963, guarantees were issued to 23 applicants, totaling $7,637,924. As of June 30, AID had on hand 1,137 applications totaling $4.5 billion. Of these, 665 were for Latin America, representing a total of $2.8 billion.

Mr. Speaker, I do hope that those who have opposed our foreign aid program in the belief that its activities contravene our private enterprise system will take note of this accomplishment of AID.

## Special Report—Taxes, Troubles, and Tariffs

EXTENSION OF REMARKS

OF

### HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 1963*

Mr. DENT. Mr. Speaker, periodically, I report to the people in my district. It appears lately that my heavy mail has been dealing with "Taxes, Troubles, and Tariffs."

The report follows:

SPECIAL REPORT—TAXES, TROUBLES, AND TARIFFS

Taxes: The administration's tax cut bill, which recently passed the House, now rests in the Senate. Action by the Senate is expected sometime in November. A great deal of criticism has been aimed at those who voted for the tax cut because they did not pass a shotgun budget cut at the same time.

Most Members of Congress would welcome an opportunity to vote for both proposals at one time. However, even the proponents of budget cuts know that they must come by piecemeal action rather than by a wholesale cut without a reasonable explanation and logic for eliminating certain services and specific governmental operations.

The tax cut bill, as it now stands, would give a worker with a wife and two children paying a tax of $877 a tax reduction of $191, depending upon the exact income and the number of dependents. Workers within the $4,000-to-$10,000 bracket would receive tax cuts ranging from $78 to $354. However, tax deductions would be generally lower within this same income bracket for workers who submit their tax returns with itemized deductions.

The tax proposal, according to the President, is designed to stimulate economic growth and reduce the Nation's level of high unemployment. Secretary of Labor Willard Wirtz, who, incidentally, spoke in Westmoreland County on the 24th of October, said, "The tax proposal represents an approach to the problem of unemployment and inadequate growth which meets the need for greater consumer purchasing to stimulate investment and plant production."

The present tax structure was designed to raise high revenues and prevent inflation during World War II. During the Korean war it had the same purpose, and since then it has been maintained to enable us to finance our responsibilities of world leadership. The economy has grown substantially in the last 20 years. Indexes in recent years demonstrate that inflation is no longer a threat. However, the tax structure is exercising an adverse influence on the economy, holding back its growth.

In spite of arguments to the contrary, any tax cut is bound to help the economy since it will give more money to be spent in the marketplace. The only danger is that because of our idiotic trade policy, the extra dollars may be spent to buy foreign-made goods which, in turn, will not help our industries but will give an added impetus to automation so that American producers can compete with low wage products coming into the country. This in the end, will negate the tax cut benefits.

If we are to get the benefits of this tax cut, American shirtmakers will have to buy American-made cars and American autoworkers will have to buy American-made shirts. This applies to all American-made products.

Your Congressman voted for the tax cut and is only sorry that he didn't have more cuts to vote for, since he believes that taxes on individuals and individual incomes are the greatest detriment to marketplace growth. Unless the market can absorb the goods produced by labor there will be no need for production and this results in unemployment. Westmoreland County knows full well that in spite of statistics, we still have a chronic unemployment problem. The present day crop of Government economists seem to believe that production will cure unemployment. They better revise their thinking. Consumption is the key to prosperity. Production and wages, profits and investments provide consumption and consumption feeds the economy in an industrial complex.

Troubles: This Nation has spent billions of dollars all over the world on the premise that we were building good will while helping other nations to become self-sufficient by providing the necessary funds for some nations to rehabilitate themselves after World War II, as well as the emerging nations being freed from the shackles of colonialism that had stifled their growth for the past centuries. We have spent something like $105 billion in this process. Only a fool would say that we have not done some good. In the main, however, it appears that so far we have not made a good bargain in building good will or a peaceful coexistence among all people.

All over the world there are flareups that are causing this Nation to be mixed up in the affairs of independent countries to the extent that every internal situation becomes our business. There are more countries in a state of internal revolution and disruption than at any time in world history. How can it be otherwise—when you take, for instance, a nation like Liberia with a total collection of revenue amounting to $35,500,000 in 1 year—while, at the same time, this Nation puts aid into the country in all forms, amounting to $39,800,000. In many instances our money has more than equaled the amount of money in the total budget of some of these nations. In some countries the leaders keep the Treasury in their pockets.

It is even rumored that in some instances, the takeovers and coups are generated by the influx of U.S. dollars. Today we witness a situation that a few years ago, or even a few months ago, would have caused a storm of protest. However, in this day's atmosphere, American people appear to be accepting, and the newspaper editorials appear to be pressing the sale of wheat to Red Russia. It is not the sale of the wheat, but the principle behind this transaction that is disturbing.

Secretary Dillon places the entire transaction on a financial and economic footing by stating that it will help our balance of trade. Others say that it will create good will with the Russian people. All of them seem to forget what was said by officials of this country and other spokesmen over the years in this aspect of trading with the enemy, and I quote: "Doing business with an enemy that wants to kill and bury us is treason in its own right, and those who carry on this traffic should be subject to the penalties that attach to treason."

Congress passed an amendment in the late 1950's which bars this country from selling any subsidized agricultural products to any Communist nations, and yet it appears as though we intend to sell surplus wheat to all Communist nations except Cuba. Our excuse for not selling to Cuba is that it is close to our border, and we therefore plead with our friendly allies not to sell to Cuba. We seem to forget that the Communist nations of Europe are close to our allies' borders; therefore, we can't expect anything except what we are getting—our friends and allies are all trading with Cuba.

We, in a roundabout way, have also been trading with Russia over the years. Let me quote from a newspaper in up-State New York: "Ten days ago four carloads of Russian cotton crossed the border from Montreal destined for a textile concern in New Jersey. Reason for shipping through Montreal is that maritime workers in the port of New York refused to unload the stuff. They have some naive notion that when Washington says this Nation is in a death struggle with communism, something other than talk should be done about it."

One wonders if the main reason for trading with Russia is to balance our trade deficit and the balance-of-payments account. Then why don't we sell Russia any other products that they may desire. If we are trying to build good will with the Russian people why don't we mill the wheat here (at least get the labor for our flour mills), and send them the flour in gift packages under the Red Cross to be given to the Russian people since our chances of getting paid for the wheat in cash is remote. In the Canadian deal, which is a forerunner to our deal, the President demanded and received concessions which will allow their products to be sold in Canada under the favored-nation concept. If we secretly, or otherwise make this same deal, then we will be getting Russian watches, for instance, which now have to come into the United States through Jamaica, and other free zone ports, at a price that will push every other watch off the market.

One doesn't mind so much the deal whether selling, giving, or trading wheat, except that we ought to be honest about it and admit that it is a commercial venture and that trade, as always, when broken down to its final and ultimate end, is nothing but an attempt or an effort to convert goods into cash. It is even humorously rumored that our desire to get to the moon first is to tie up a concession to sell our surplus wheat.

If we have to help the Russians live out their bad farm policies which have deprived them of their wheat crop (along with a drought) then why don't we put Uncle Sam's picture on one side of the 25 pound flour bags with our Declaration of Independence printed on the other side and pass the flour out to the needy Russian and satellite people. We should help the needy but not the greedy. We can cover up all we want but the truth is still plain to see, we're engaging in a lot of double talk when we say private vendors are selling the wheat, not our Government, who owns the wheat.

I'm sure the President took the best advice and counsel he could get on this deal, however, for those of us who have been voting against trading with the enemy, it makes little difference whether other countries deal with Russia or not. It's what we've been told over the last generation that makes this deal a little hard to swallow. The Veterans of Foreign Wars have passed very strongly worded resolutions against trading with the enemy, including wheat. Perhaps they feel that "plowshares can be forged into swords" if you don't need the plowshares.

Already the Russians are saying that they need tobacco, and the same trading profiteers in this country are now ready to sell anything to anybody, not excluding our American way of life. One of these representatives of foreign exporters had the gall to publicly state that it was our fault that Santo Domingo fell to a military junta recently because we stopped Santo Domingo cement from being dumped into the United States, and as he put it, deprived them of a much needed market, which hurt their economy, and caused President Juan Bosch's government to fall. All we said to Santo Domingo was that they could not dump their cement into the U.S. market below their own domestic price. This U.S. profiteer wants trade no matter what price we pay in unemployment.

The grasping, profiteering group in internal trade will use any alibi, any excuse or any logic—sound or unsound—to push profiteering trade. For instance, the Japanese have just signed a new textile agreement with the United States, an agreement which your Congressman is analyzing and preparing for presentation to the Congress showing the attitude of the Japanese in their demanding position that a set percentage of our market belongs to them. Our trading profiteers in this country would have us believe that they are doing it to help the Japanese people as well as other textile producing countries and yet the CONGRESSIONAL RECORD shows:

"The average wage in the textile industry in the United States as of last December was $1.69 per hour. Meanwhile the average textile wage in Japan was 16 cents an hour, in Italy it was 27 cents, France 51 cents, Germany 46 cents, England 68 cents."

These U.S. export-import profiteers have the U.S. press, public, and politicians sold on humanitarianism as a basis for their free trade promotion when even a kid knows it's the almighty dollar they're after.

How can any textile plant in the United States compete with the Japanese labor at 16 cents an hour, or even the highest wages—those paid in England, 68 cents an hour—while at the same time we subsidize quota exports by selling to our competitors for $42.50 a bale of cotton less than what we charge American textile mills.

At this point I quote from the CONGRESSIONAL RECORD of August 13, 1963:

"As I have pointed out before, the issue here is not trade with other nations, because the increase in trade with other nations of good will and cooperative spirit will continue to be a desirable goal of this Nation.

"The real issue is whether we conduct our foreign trade in such a way so as to harm, injure, and ultimately cause the collapse of many of our industries and the employment opportunities of millions of our fellow Americans.

"There can be no doubt that the increase in cheap imports coming into this country definitely constitutes huge, additional economic aid to the countries sending in these imports. This fact is the negation of the slogan 'Trade, Not Aid,' since under the present situation—we have every reason to believe that under present trade laws, the challenge of cheap imports undermining American industry may grow more threatening day after day and we have both 'trade and aid'—the first at the expense of the American industry and its faithful employees and the second at the expense of all the taxpayers of the United States."

Recently I received a letter from James P. Hobbs, Niland, Calif. I would like to have you read this letter to show you that the basic problem in this country, from steel to mushrooms, to tomatoes, to glass, and to every other consumer item, stems from a complete misunderstanding of the economics of an industrial complex, and I quote from the letter from James P. Hobbs:

"DEAR MR. DENT: The tomato industry in Imperial Valley is dead in all areas. This is the worst year in history, pricewise, and Mexico has complete control of the tomato market at any time.

"Today we are well aware of one thing: No American industry can compete with slave labor.

"I wish you could be here to really see this community, to see the idle land, the vacant sheds, and rusting machinery. Most of all I would like for you to talk to my people. There is where the true story lies.

"You can get a financial statement on the property loss, but the destruction of spirit and morale of these people cannot be figured. You would see a grammar school where 90 percent of the children depend on the produce business for livelihood. These children will grow up on relief. There are homes where children are being farmed out so they can eat.

"All these people have come to me, the farmer, the trucker, the union packers, in fact all people connected with this industry, to see what can be done. This area is already lost, and in the near future other communities will also go.

"As you know, I testified before you for a tariff. We were turned down because we were just a few, but now there are many.

"I want to know if there is any way for just a common man and citizen to get on one of these boards or panels that decide the fate and future of thousands of American citizens. We feel it is high time to mix a few facts with all the theory. I have a B.A. degree with a major in economics and a minor in religion. Also I think I can qualify for a Ph. D. in the hard school of experience, by fighting foreign imports of produce grown by slave labor.

"I have told my people here that Mr. DENT is a friend of labor and education, and anything you can do to help us we will deeply appreciate."

(I assured Mr. Hobbs I would keep fighting so long as I remain in Congress and had a voice.)

Incidentally, to show the doubters who disbelieve that our trade policies are the most serious threat to the economic growth of this country, let me quote from the Spinner, Pawtucket, R.I., which shows that back in 1790 the textile industry at that time was haunted by the import fallacy problem in Slater's time and is still with us.

"The imported fallacy. When Samuel Slater completed his feat of construction of a water-powered machine for spinning yarn, at Pawtucket, R.I., in 1790, he made secure in this country's history his place as the 'father of American manufacturers.'

"But immediate recognition and appreciation of the American textiles his accomplishment produced were not his from matrons of the era. They sought imported fabrics for wearing apparel. In their insistence on British broadcloth and French silk, they were not above inquiring of a salesperson, 'Are you sure it is not American?'

"So states George S. White, biographer, in his 'Memoir of Samuel Slater' published in 1836. Thundered White, in comment, that women's 'monstrous destitution of patriotism' in regard to fabrics discouraged the growth of infant textile manufacturing concerns in America.

"The shadow of the charm of the imported label, for the American woman, still hovers over the U.S. textile industry. * * *"

Every American student of economics knows that if the U.S. Congress had not passed the first protective tariff act immediately following the War of 1812 this Nation would never have achieved the status symbol of being the world leader.

"Iron Age" recently stated, and I quote from Errol Derby's article:

"* * * General recovery in steel production in this country, which slumped during the summer months following negotiations of a new union contract, is now being hampered by a record level of steel imports."

In face of all facts to the contrary, the Tariff Commission continues to find no injury to American industry by imports. This is only because they look at the picture on an industrywide basis, and on a gross national product percentage. What they fail to realize is that 5 percent of a total industry may well be 100 percent to a single manufacturer within that industry, and so when that plant shuts down in a community because of imports, it may only affect one-half of 1 percent of the total industry, however, in that community, and to the jobholders, it represents 100-percent loss. No recovery is possible in this Nation until we look at all trade the way Mr. Dillon is looking at the wheat trade; for the money that is in it. Trade is strictly a commercial venture. Charity is one thing; trade is another and "never the twain shall meet," except in a breadline.

Late flash: The Tariff Commission right now is debating this question of glass tariffs. Just a year ago an increase in tariff was granted the glass industry after 30 years of fighting and right before the vote on the tariff bill in Congress. Now the Belgians, Japanese, and other glass exporters are proving that it hurt their economies. You guessed it. We are supposed to shut our plants down, so they can open theirs.

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## The First Amendment: Long May It Wave—The First Amendment Represents the Last Bastion of Freedom

EXTENSION OF REMARKS

OF

### HON. ROBERT T. McLOSKEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 1963*

Mr. McLOSKEY. Mr. Speaker, the foundations of democracy set up the freedom of the press. American newspapers were at that time and have become the saviour of the past, the promise of the future, and the hope of the present.

America ultimately rests upon the truth of the press rather than the exaggeration of the administration-backed news management media.

I would like to reiterate to my constituents the ideas of our Founding Fathers. They felt that they were the personification of democracy and of our American Republic, but they have been wrong.

For the final answer is with the ideas of the people. Thanks to the first amendment, the newspapers—as personified in my district by the Rock Island Argus, Moline Daily Dispatch, Galesburg Register-Mail, Kewanee Star-Courier, Canton Ledger, and the Monmouth Review-Atlas—contain the last grain of sand and the last hope of righteousness in the battle between what is correct and what is the dream of the brothers three and the sisters two for domination of 180 million of those untrammeled by blood and unaffected by political party. All hail our press—long may they wave.

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## Quality Stabilization

EXTENSION OF REMARKS

OF

### HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 1963*

Mr. PELLY. Mr. Speaker, it was my privilege recently to testify before the Senate Commerce Committee in support of the quality stabilization bill. In order to give wider circulation to the facts about this important legislation, under previous permission, I am setting forth the text of my testimony at this point:

STATEMENT OF CONGRESSMAN THOMAS M. PELLY IN SUPPORT OF S. 774 BEFORE THE SPECIAL SUBCOMMITTEE ON QUALITY STABILIZATION OF THE SENATE COMMERCE COMMITTEE

Mr. Chairman, I wish to thank the committee for this opportunity to testify in favor of the enactment of S. 774, the so-called quality stabilization bill.

In this connection, may I mention my background before coming to Congress. From 1937 to 1952 I was the president and general manager of Lowman & Hanford Co. with retail stationery stores in Seattle and other similar stores in Olympia, Spokane, and Wenatchee, Wash. This experience should qualify me as a witness on this legislation. Furthermore since I no longer have any financial interest, direct or indirect, in this or any similar business, I think I can qualify further on the basis of objectivity.

In addition, for more than a quarter of a century, I was extremely active in the Seattle Retail Trade Bureau, as a board member of the Seattle Chamber of Commerce and the National Stationers Association.

Lowman & Hanford Co., for years operated under fair trade agreements, and I found that such arrangements were a protection for the consumer, but did not eliminate competition between similar merchandise lines.

It was then and still is my contention that the greatness of this country depends on initiative, integrity, and decision of the individual with an opportunity to compete and a chance to make a fair profit.

That kind of opportunity has not only been challenged in recent years, but the challengers have created a chaos that is killing the independent small retail stores of our country. A precise, simple, and fully honest bill is before Congress that can lend protection to small business through protection of the brand name. It is entirely optional and applies only where the brand name is in open competition with similar products in the market. It is called the quality stabilization bill.

In my six terms in Congress, I have never witnessed such relentless, coldblooded blindness to fact as that of the opposition to the quality stabilization bill.

Resorting to false slogans and imaginary dragons of price increases, they consistently sidestep the recognition of fact—that there is a killing disease racing through the bloodstream of America's free enterprise system. By so disregarding the very evident disease, they therefore do not feel called upon to offer an alternative to quality stabilization. Rather, they resort to the Hitlerian plan of repeating a falsehood long enough to make it sound like fact. They ignore facts. We are here in Congress to deal with facts.

Personally, I deplore not only their continued waste of time and money, but also the very laxity that allows Members of Congress to be duped by them.

To me the enactment of the quality stabilization bill is a matter of right or wrong. In this context I believe the quality stabilization bill is right. It is simple. It does not force anybody to do anything. It takes Government out of business. It is, if studied without prejudice, meticulously written for full protection. In no way does it tend to raise prices. In every way it does tend to increase healthy competition. It is not price fixing. Rather than fair trade, it is necessitated by the failure of fair trade. It is no panacea, no attempted cure-all. It hurts no one, not even the discounter if he too wishes to compete pricewise against a brand name, not as a brand name to obscure and confuse price. It sets a standard of values by which the consumer can judge a bargain, and by his purchases cast his vote. At no time ever does it, as the opponents try to make you believe, force any price raising on competitive products in free and open competition.

A representative of the Department of Commerce appeared before House Commerce Committee hearings in opposition. He significantly did not refer to a release by his own Department, stating over 395,000 business failures in the previous year, over 1,200 per day—50 an hour—10 while I am talking to you. What is right in this decadent marketing? Is it professional speculation or is it fact? What is our position in Congress? Is it to deal in a constant ping pong game of words or to recognize fact?

A few labor writers are waging a campaign against the bill which would have you think all union members are against it. Yet, at the very same time they are decrying the multimillion unemployment problem; they are right now using their lobby, the most powerful in all American history, to shorten work week hours. They are totally ignoring fact for theory by side stepping as they criticize instead of construct. They ignore President Kennedy who says shorter work weeks will not increase employment. Are they not aware that we are in overproduction right now here at home, because an ever-increasing percentage of our factories are moving branch plants to foreign countries, there to use the same tools and dies, the same know-how and creative ingenuity, but with native labor at a fraction of the hourly cost? And can't they see those products are being sent back to the prostituted bargain marts of America for cheap, cheap pricing? Can't they possibly see that the workers of America are the largest group of consumers of foreign, nonunion, falsely advertised, cheap products? Can't they possibly understand that an economy cannot possibly hold up unless it is profitable to all concerned? After all, the high American labor standard of wages is linked with the ultimate sale of brand name, quality, and integrity merchandise.

Some of the opponents to quality stabilization here in Congress, are at the same time vehement advocates of "urban renewal." I quote here from an AP release of September 27, 1963: "Tacoma gets big urban renewal grant." Tacoma, a city in my State of Washington, is just 30 miles south of my home, Seattle. Its economy is the same as Seattle. The news report states that the Urban Renewal Administration gave a grant of $4,544,708 and a loan of $6,660,515 for quote "renewal of its central business district." Let's talk truth, not fancy.

Downtown Tacoma is today a virtual graveyard. The empty stores all along Broadway, Pacific Avenue and Commerce Street attest to failure, heartbreak, and a diseased economy. The Tacoma Retail Trade Bureau, after careful study of the quality stabilization bill, became a unanimous and avid proponent. Why?

Well, does anyone for a minute think a fancy new store front with higher rent and maintenance is going to bring the retailer back for another race to bankruptcy? Give him a chance to protect his precious brand name product, to fulfill his service pledges and he will come back—come back to build his own new store without Government subsidy. Give him a chance to compete and he will. Putting him in a more beautiful ambulance isn't going to save his life or make his death any happier. Let's be realistic. What is right? What is wrong?

Our democracy is based on equal rights for all. It is to protect minorities by giving them an equal opportunity.

What about equality protection for the shrinking minority—the independent store owner—the man who contributes to and works for the Community Chest, the man we see with his family in church, whose kids go to school with our kids, who is the mainstay of a chamber of commerce, a service club, and all the things that make society good and make America great? All he is asking is a chance—a chance to compete. He asks no subsidies. He asks for no Government help, nor for high-priced Government supervision. He just wants a chance to compete his brand name quality products against just "bargains"—to try to demonstrate to consumers that he has a better value for them. By such he can still go broke—but he won't have died economically due to misrepresentation by merchants who have neither any interest in the integrity of a brand name except as bait, nor any interest in the community except to exploit it.

The Kiplinger letter of September 27, 1963, warns against "stripped down" stores that operate on skinny margins, sell merchandise only, no service, no credit, no deliveries, no sales clerks.

The discounters themselves are accurately quoted, I am told, as predicting that within 10 years all retailing will be controlled by less than 100 companies.

I cannot believe anyone wants to do away with small business or to eliminate the small stores. The only alternative I know of is quality stabilization. Yet this is called price fixing and evil.

Price fixing? What is price fixing? By such description for quality stabilization it must include others.

It should include the printed price on a postage stamp. That too would be price fixing.

What do those who oppose this bill say?

Do they pay a fixed rent? Price fixed.

Do they work for unionized wages? Price fixed.

Do they carry any insurance? Price fixed.

Do they travel by cab, bus, train, or airplane? Price fixed.

Has a redcap carried your bags recently? The tip is price fixed.

Do they have a telephone? Price fixed.

Do they buy a magazine or newspaper? Price fixed.

Do they ever place any advertising in a magazine or newspaper? Price fixed.

Do they elect a Congressman or Senator? His salary is price fixed.

Do they farm? Here they are price fixed not to farm.

Do they borrow money at interest? Price fixed.

Do they pay taxes? Price fixed.

Do they have running water in their homes? Price fixed.

Do they have electricity or gas fixtures? Price fixed.

You can add to this list as long as you want. Now why don't these critics admit this? Why don't they also admit the bill asks no price fixing at all? Why don't they say it is entirely optional and only on a product price leveled by consumer acceptance in free and open competition?

The public must be protected; otherwise it would mean the right to dicker with the driver on your cab ride home tonight, or to the busdriver. Otherwise, that would mean that any one of us with an airplane could start hauling passengers for any price we could get from the rider. It would mean the end of minimum wage laws. It would mean an oriental bazaar sort of existence for everything and everyone including perhaps political candidates who might offer themselves to the voters at competitive bargain prices.

Or would it mean instead the Government taking over everything? Is that what these people want? If so, let them say so.

Millions of words have been carefully written and spoken to answer every question or accusation in commonsense and substantiated proof. It seems thus far that all has been in vain in the face of misrepresentation and totally false slogans repeated and repeated without any reason except to fool people.

The quality stabilization bill is no panacea nor cure-all. It is, in simple fact, a precisely written bill of absolute fairness, and as an emergency to keep alive our way of life until at least something better is devised.

The week of October 7 saw the 62d anniversary convention of the National Electrical Contractors Association. With its objective this year being the theme "Let's All Make a Profit," more than 3,500 electrical men were in attendance. Key speaker was the Honorable Donald L. Jackson, former Congressman from California. His address titled "Challenge to Action" urged the electrical industry to consider and take prompt and effective action to meet the challenge to free enterprise hurled down by those who have little faith in the economic system but have served to make this Nation the most powerful in the history of mankind. He pointed out that the American economic system rests upon the profit motive in business and in industry and that lacking that motive, there is no foundation upon which our traditional system of free enterprise can stand.

What he said is plain commonsense. It was said in the understanding of what is right and what is wrong.

The opponents to the quality stabilization bill, I feel certain, are well intended. But I here submit that if so, they are in this case being unrealistic, are ignoring the fundamental need of this bill being enacted immediately as a salvation of our precious system and the small businesses of this Nation.

Certain union labor leaders condemning this bill is as unrealistic as were businessmen and capital in the successful fight of organized labor for decent wages and hours. If quality stabilization, in any sense, is price fixing, then so very definitely were any and all wage and hour agreements.

The agricultural argument against the quality stabilization bill is perhaps even more unrealistic—in a demand to see the independent store owner, their own counterpart in trade, go out of business—as farm interests have successfully legislated for subsidies and acreage controls to keep from growing products on their farms.

I have read newspaper editorials against this bill, but not one of them premised on research or the fact that there is a chaotic situation in the marketplace. Such editors ignore the fact that their price and advertising rates are established and printed in Standard Rate and Data and meticulously followed. That, then, is real price fixing. Here is a bill which is mandatory on no one—allows a manufacturer of a competitive product in free and open competition to make up his own mind toward protection of the brand name in such competition. How in the name of simple right and wrong can such newspapers, living under their own price fixing call names and bite the hand that feeds them?

The majority of Congress and therefore supposedly the people of this country are in favor of protection. Doesn't that mean protection for all? Why in the name of right and wrong should the little businessmen of America be the only—I repeat only—ones left out of a protection of any kind?

It is basically right that as our country meets continually changing times, the ground rules be groomed to meet those changes. I certainly think that if our way of life is to continue, we must conform the necessary changes to the principle held sacred that there be a fair and even chance for each citizen to pick his own career and to prove himself to himself and to society, and that there be opportunity and incentive for profit to all. The entrepreneur—the man who desires to own his own business—is the backbone of such a conception that all men are born free and equal. And that is the backbone of this country.

Base predatory greed on the part of individuals has always been and under our form of government always will be a choice of the individual—like his right to pick his own career. But that greed, spread out to society, will surely be a fatal disease. Such disease is cursing the land today.

To those who oppose quality stabilization, I say—first admit to yourself that there is a weakness in our enterprise system. I urge you to read—read carefully—and without prejudice for the time it takes, this quality stabilization bill. No one has proposed any better immediate alternative, and I feel strongly it must be enacted if only as a tourniquet to stop the flow of retail lifeblood in the American streets—and until someone else has found a surer permanent cure.

To my colleagues in the Congress I say in all sincerity that herein is contained the right and wrong we learned in kindergarten and Sunday school. We will be remiss in our duties to our constituents and to our Nation and to ourselves if we do not enact this bill as an emergency measure in the interest of small retail business.

## International Trade for Profit

EXTENSION OF REMARKS

OF

### HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 1963*

Mr. DENT. Mr. Speaker, each passing day proves beyond a reasonable doubt that international trade has been, is now and always will be for profit until the day is reached where need and not greed motivates the exchange of goods.

Trade in the beginning was a means of exporting your goods to other countries that needed what you had in surplus and importing the things you needed from their overabundance.

However, since the production of goods in all areas of production, farming, mining and manufacturing has become worldwide and no longer exclusive outside of a few minerals and some tropical products the motive for trade has become increasingly mercantile.

Those amongst us who profess the brotherhood of man as their aim in free trade seem to have little concept of world markets, world production and worldly greed.

One would be led to believe that when we trade with a nation by sacrificing our high economy production we do so because we create good will on one hand and we gain jobs, profits and economic well-being on the other.

Nothing could be further from the truth. The facts are to the contrary, our job ratio to population and consumption shows a decline and our balance of payments is so out of line we not only broke all past policies on trading with the enemy but we are even now considering all-out trading with Russia just as the Canadians have had to agree to, on a favored nation basis.

Without debating the merits and demerits of the wheat deal with Russia, the point I want to emphasize is that in the vast majority of our cases before the Tariff Commission for relief from the flood of cheaper produced, low waged products the Tariff Commission has found some lame crutch to lean on in denying relief to U.S. industry.

For instance under the new trade bill, which I worked against because of its lack of protection and safeguards for U.S. workers and the U.S. economy, all new charges of dumping by foreign countries into the U.S. market have been lost by U.S. petitioners.

It could not be otherwise since the Tariff Commission uses the escape clause procedures rather than the facts on dumping.

Each decision that I have had an opportunity to study simply denies the U.S. petition on the grounds that "no injury" has been caused by the foreign product. The law does have as one of the provisions of the antidumping section, title II, the question of injury, however, if the board were as interested in protecting the U.S. economy as they seem to be on wrecking it they would read this section as an escape for U.S. industry rather than for the profiteering foreign exporter and U.S. importer.

In my humble opinion this section of the antidumping provisions of the act was put there to give the Tariff Commission a leg to stand on if foreign products were sold at a price equal to their home market price it could still be judged "injurious" to U.S. industry under the antidumping law.

The facts and scorecard to date shows the opposite of this reasoning to be the rule under which the Tariff Commission operates.

When the proof clearly shows that dumping is taking place the Commission simply falls back on "one single paragraph" in the antidumping law and finds for the foreign country and against the U.S. petitioner.

This, then, is the reason for my special order today. The longsuffering glassworker is again sitting beneath the sword of Damocles.

The following information on the glass industry tells its fears of adverse "assistance" under the new trade bill. It is a case of having been bit by a snake, the industry fears every rope.

Both management and labor are disturbed by what can happen. Their only hope is that the voices from abroad and their mouthpieces here may be silenced by an early indication of the position to be taken by our Government in the coming round of trade talks.

This is essential and in a sense urgent. I therefore appeal to the Members of the House to come to our side and give us their support in our appeal for equitable treatment at the trade table.

What does it matter to the unemployed glassworkers to be told that they are building prosperity for other peoples by their sacrifice of a job.

The most important economic benefit that a man can get from his Government is an opportunity to earn his living, to have an earned income and to be protected in that job opportunity by his Government against privateers and profiteers both at home and abroad.

Every Member of Congress knows the long hard fight that has been carried on for generations in this Nation to protect a man in his right to work free, to better his conditions of labor, to share in the good life he helps to create with his labor.

How can we now in this generation fail to see the threat to his well-being.

Free trade is a luxury this country cannot afford, yet. There may be a day when it won't matter whether you have a job or whether you are on relief but that day has not arrived yet, I pray it never will. Until that day does come a worker needs protective covenants in our trade deals to protect his economic well-being just as surely as he needs military protection for his property and physical well-being.

To a worker out of employment for so long that he has to turn to public relief, the economic atom bomb has already struck, his family is forced to live in a different everyday world than their neighbors.

Mr. Speaker, the fears of the glassworkers are real, they are born of experience, they learned the hard way.

The glass industry is sitting in the hot seat of doubt and fear, the sword hangs over its head. The Tariff Commission can cut the string or the President can remove the sword. The situation is as follows:

#### SHEET GLASS: PRESIDENTIAL ESCAPE CLAUSE PROCLAMATION

On September 27, 1963, the Tariff Commission, pursuant to section 351(d) (1) of the Trade Expansion Act of 1962, released its first annual report relating to the sheet glass escape clause action taken by the President on March 19, 1962. This is the first report issued by the Commission regarding sheet glass since its supplemental report to the President of January 10, 1962.

The Tariff Commission report does not support or warrant a reopening for formal review of the President's action at this time nor any modification of the President's action. On the contrary, the reported developments establish the necessity for maintenance of the President's action to prevent serious and harmul economic effects on the domestic sheet glass industry.

### I. THE PERIOD COVERED BY THE TARIFF COMMISSION'S REPORT IS TOO SHORT A PERIOD FOR SOUND ASSESSMENT OF THE ECONOMIC EFFECTS OF THE INCREASED DUTIES ON SHEET GLASS, AND WAS AN ABNORMAL PERIOD IN THE SHEET GLASS INDUSTRY

The President's escape clause action has now been in effect only 15 months. The President's proclamation increasing the sheet glass duties was issued March 19, 1962, but the original effective date of April 18, 1962, was delayed and the increased duties did not go into effect until June 18, 1962. Foreign producers took full advantage of this situation by increasing their imports to the maximum amount. As a result, during the first 6 months of 1962, the sheet glass imports were abnormally high. This caused the importers to have abnormally high inventories. Furthermore, this resulted in U.S. producers' inventories being at an alltime high at the end of 1962. These huge inventories had to be used before new glass could be sold.

In addition, there was a longshoremen's strike at the end of 1962 which extended into early 1963; this strike curtailed the importation of glass into this country in the early part of 1963.

Even though imports were relatively low during the first half of 1963, they took a sudden jump in July. In fact, July of 1963 is the biggest month for imports since June of 1962—the effective date of the tariff increase. Interestingly, the Tariff Commission had originally announced June as the date for publishing its report.

All of the above factors contribute toward making the period under analysis an abnormal one.

Not only has the period been abnormal, but it has been far too short. A longer period is essential to make a proper judgment if the domestic industry has, in fact, reached a level of satisfactory operation which could be maintained in the face of the intense competition, which continues to exist under the present increased duties, and which would certainly be greatly intensified if such remedial action were withdrawn. The question here is not if the industry along with imports shows some natural favorable response to improved economic conditions, but rather if it would again be subject to greater and more serious injury if economic conditions declined, or if the increased duties be withdrawn.

The escape clause investigation by the Tariff Commission included a study of the effect of imports into the United States for an 11-year period—1950–60—and other economic developments for a period of 6 years—1955–60. The investigation by the Commission continued over a 14-month period not including the prior intensive study under the peril point investigation proceedings. Additionally, after completion of the Tariff Commission investigation, there was a critical study by other executive departments to assist the President, lasting for a period of 60 days.

The carefully considered action, by the President, based on this long and painstaking study and evaluation of all factors involved, must not be lightly brushed aside or sought to be reexamined on the basis of the experience of such a short, abnormal period of time.

### II. CONDITIONS IN THE DOMESTIC SHEET GLASS INDUSTRY, DESPITE SOME IMPROVEMENT IN THE PAST YEAR, REMAIN STILL DEPRESSED

Operations of domestic producers have been unsatisfactory during the 1960's. This is clearly shown by the indexes of operations in the industry which follow:

*Trends in the U.S. sheet-glass industry*

[1959=100]

| Year | Production | Shipments [1] | Inventories | Production | Ratio of operating profit to sales |
|---|---|---|---|---|---|
| 1959 | 100 | 100 | 100 | 100 | 100 |
| 1960 | 79 | 80 | 118 | 84 | (2) |
| 1961 | 76 | 81 | 86 | 80 | (2) |
| 1962 | 92 | 91 | 135 | 91 | 3 |
| 1963 (January to June) | (3) | (3) | (3) | (3) | 16 |

[1] Based on reports by companies accounting for about 80 percent of the domestic industry's shipments.
[2] Deficit.
[3] Not available.

Source: Derived from data contained in the Report to the President (No. TEA-IR-7-63), U.S. Tariff Commission.

As the above data shows, the domestic sheet glass industry has not shared fully in the economic recovery following 1960. In fact, it is questionable if the fundamental downward trend in the industry really has been reversed. Production, shipments, employment, and profits were low through 1962 while inventories were at an alltime high. Production was lower in the first half of 1963 than in the first half of 1962.

Earnings have continued to be low through the first half of 1963. Some idea of how acute this situation is can be gained from a comparison of changes in operating profits of all manufacturing industries with those of the sheet glass industry. The pertinent indexes of operating profit ratios to sales follow:

[Index (1959=100)]

| Year | Sheet glass [1] | All manufacturing [2] industries |
|---|---|---|
| 1959 | 100 | 100 |
| 1960 | (3) | 91 |
| 1961 | (3) | 87 |
| 1962 | 3 | 93 |
| 1963 (January to June) | 16 | 95 |

[1] Based on reports from producers accounting for about ⅘ of domestic sheet glass shipments.
[2] See "Financial Report for Manufacturing Corporations," Federal Trade Commission.
[3] Deficit.

Notwithstanding low earnings and a discouraging level of sales the industry has probably expended well over $20 million since the beginning of 1960 to keep itself efficient. This has not only kept plants up to date but has perforce tended to increase their capacity somewhat. Low production levels, however, reduced the ratio of capacity employed in 1962 probably to less than 65 percent as compared with the not impressive level of 74 percent in 1959. In 1963 the ratio has continued to be well below the 1959 level. This continued low output, increased inventories, and increased wages and other items have resulted in overall increases in costs of production.

The recent price increases for sheet glass, which came at a time when demand was exceedingly brisk, may enable the domestic producers to recapture some of the increased costs which they have been forced to absorb over a sustained period.

### III. IMPORTS HAVE MAINTAINED A SUBSTANTIAL SHARE OF THE U.S. MARKET AND RECENTLY DEMONSTRATED A SHARPLY INCREASING TREND

The Tariff Commission report unanimously finding injury to the domestic industry was issued May 16, 1961. Following its supplemental report of January 10, 1962, its findings were approved and proclaimed by the President on March 19, 1962, to be effective April 18, 1962. On March 27, 1962, the President directed that the effective date of increased duties be deferred to June 17, 1962. Foreign manufacturers and importers, therefore, had something more than a year's notice of the possible application of duties and 3 months' specific notice following the proclamation by the President giving effect thereto. This period of grace was utilized fully by them.

Reference to the monthly statistics of imports demonstrates that during this period the greatest volume of shipments in history poured into the United States. In the quarter April, May, June 1962 alone, such imports totaled 136 million pounds from reduced rate countries alone, equivalent to 30 percent of apparent domestic consumption. This tremendous import volume served to fill the distribution pipelines in the United States. Inevitably, therefore, imports volume dropped in the months immediately following the effective date of the increased duties. Recently, imports have resumed a sharp upward trend.

The table on page 19828, showing a comparison of domestic shipments, imports, and ratio of reduced duty imports to apparent consumption, demonstrates the heavy stockpiling engaged in by importers in the period immediately preceding the effective date of the President's proclamation, and reflects the resumption of an upward trend in market participation by reduced duty imports.

Every indication based on the trends evidenced by the table is that the portion of the American market controlled by imports will continue to increase under the existing schedule of tariff duties in both absolute and relative terms and, indeed, it is not improbable that such imports before long will exceed any share of the American market heretofore enjoyed by foreign producers.

### IV. THE EFFECT OF THE RECENT FHA RULING

The Tariff Commission has stated in its latest report that a recent FHA ruling will tend to reduce the share of U.S. consumption of sheet glass supplied by imports in 1963. This statement does not appear to take into account all existing facts.

Since April 1, 1963, the FHA has required that all glass installed in FHA-financed homes has had to meet designated minimum thickness tolerances for certain size lights of glass; moreover, the glass in most sliding glass doors has had to be tempered or laminated, or contain wire reinforcing, and all installed mirrors have had to be made of plate glass. A proper analysis of the effects of such FHA rulings demonstrates that such rulings will have almost no adverse effect upon the foreign producers.

Traditionally, the domestic producers have manufactured 19-ounce single-strength glass while the foreigners have manufactured both 18- and 19-ounce single-strength glass. In addition, the domestic producers have manufactured 26-ounce double-strength glass while the foreigners have manufactured both 24- and 26-ounce double-strength glass. Superficially, there appears to be a marked difference between the domestic and the foreign glasses, but a careful analysis clearly demonstrates that it is actually impossible to discern any difference between the domestic and foreign glasses without the aid of measuring instruments. This means that the naked eye cannot ascertain whether a piece of glass is 18 or 19 ounce or whether it is 24 or 26 ounce.

Sometimes, also, the measuring instruments are unable to tell the difference because the tolerances overlap. For example, 18-ounce glass has a tolerance of from 2 millimeters to 2.4 millimeters, while 19-ounce glass has a tolerance of from 2.16 millimeters to 2.54 millimeters. This means that heavy 18-ounce glass is actually light 19-ounce glass, even when it is measured with instruments.

*Sheet glass: Domestic shipments, imports, apparent consumption, and ratio of imports at MFN [1] (reduced) rates of duty to apparent consumption*

| Period | Domestic shipments excluding exports | Imports for consumption | | | Apparent consumption | Ratio of imports at MFN [1] rates to apparent consumption (percent) |
|---|---|---|---|---|---|---|
| | | MFN [1] rates of duty | Full rates of duty | Total | | |
| | Million pounds | | | | | |
| July-September 1959 | 428.9 | 125.0 | 4.9 | 129.9 | 558.8 | 22.4 |
| October-December 1959 | 404.7 | 101.2 | 4.6 | 105.8 | 510.5 | 19.8 |
| January-March 1960 | 303.0 | 99.6 | 4.4 | 104.0 | 407.0 | 24.5 |
| April-June 1960 | 276.6 | 103.6 | 4.6 | 108.2 | 384.8 | 26.9 |
| Total | 1,413.2 | 429.4 | 18.5 | 447.9 | 1,861.1 | 23.1 |
| July-September 1960 | 322.4 | 99.6 | 6.1 | 105.7 | 428.1 | 23.3 |
| October-December 1960 | 357.1 | 88.6 | 4.0 | 92.6 | 449.7 | 19.7 |
| January-March 1961 | 252.7 | 70.7 | 5.3 | 76.0 | 328.7 | 21.5 |
| April-June 1961 | 294.2 | 79.0 | 6.8 | 85.8 | 380.0 | 20.8 |
| Total | 1,226.4 | 337.9 | 22.2 | 360.1 | 1,586.5 | 21.3 |
| July-September 1961 | 355.6 | 100.1 | 6.5 | 106.6 | 462.2 | 21.7 |
| October-December 1961 | 371.8 | 100.2 | 6.8 | 107.0 | 478.8 | 20.9 |
| January-March 1962 | 374.2 | 123.7 | 10.0 | 133.7 | 507.9 | 24.4 |
| April-June 1962 | 305.5 | 135.5 | 6.6 | 142.1 | 447.6 | 30.3 |
| Total | 1,407.1 | 459.5 | 29.9 | 489.4 | 1,896.5 | 24.2 |
| July-September 1962 | 366.3 | 90.7 | 12.7 | 103.4 | 469.7 | 19.3 |
| October-December 1962 | 392.6 | 85.1 | 6.2 | 91.3 | 483.9 | 17.6 |
| January-March 1963 | 317.6 | 68.6 | 2.5 | 71.1 | 388.7 | 17.5 |
| April-June 1963 | 370.3 | 96.1 | 2.7 | 98.8 | 469.1 | 20.5 |
| Total | 1,446.8 | 340.5 | 24.1 | 364.6 | 1,811.4 | 18.8 |

[1] Most favored nation.

Source: Adapted from tables 3 and 4 of report to President (No. TEA-IR-7-63) under sec. 351(d)(1).

The same analogy is true in regard to double strength glass; 24-ounce glass has a tolerance of from 2.75 millimeters to 3.2 millimeters, while 26-ounce glass has a tolerance of from 2.92 millimeters to 3.4 millimeters. Since it is extremely difficult to ascertain the difference between the thickness of domestic and foreign glasses, it will be almost impossible to enforce the new FHA ruling regarding sheet glass. Obviously, it is impractical, if not impossible, to actually measure each piece of glass that is placed in a new home with a micrometer. But even if the FHA inspectors were to measure each piece of glass some 18-ounce glass would fall within the acceptable tolerances for 19-ounce glass, and some 24-ounce glass would fall within the tolerances for 26-ounce glass. It follows that foreign 18- and 24-ounce glass will not be eliminated from use in FHA homes. Furthermore, the foreigners could solve their entire problem by merely making all of their window glass 19 ounce and 26 ounce instead of 18 ounce and 24 ounce. Such being the case, the foreign producers' ability to sell 19- and 26-ounce glass at prices sufficiently below those of U.S. producers as suggested by the Tariff Commission, becomes solely an academic question. Their ability to do so has been amply demonstrated.

The new FHA ruling will require the usage of more tempered glass in sliding glass doors. But this ruling does not adversely affect the foreign producers because substantial quantities of foreign sheet glass have been and are now being imported into this country and tempered here. Several domestic companies, including one large domestic automotive manufacturer, are presently engaged in tempering imported sheet glass.

The new FHA ruling requires that all installed mirrors be made of plate glass. This ruling will not adversely affect the foreign producers because only an infinitesimal amount of foreign sheet glass has been utilized in the manufacture of mirrors in the United States.

### V. WHAT RESULT DID THE PRESIDENT INTEND TO ACCOMPLISH BY INCREASING THE TARIFF DUTIES ON SHEET GLASS ON JUNE 17, 1962?

The action taken by the President to increase tariff duties on sheet glass was taken primarily to alleviate and prevent continued serious injury to the domestic industry. Such action was not taken, as might be inferred from representations that have been made to the Tariff Commission and to other Government agencies, to permit foreign manufacturers to maintain or increase their market participation in the United States.

Conceivably, even a somewhat smaller future participation could be envisioned as necessary to abate the continuing injury sustained by the domestic industry. Certainly, a modest decline in import volume or market participation by foreign producers—whether or not temporary—cannot be viewed as a reason for withdrawal of the remedial action. If such remedial action has, in fact, slowed the pace of expansion of foreign glass in the U.S. market, this would appear to be the least that might have been anticipated and, indeed, a reason which motivated the action by the President.

### CONCLUSION

As demonstrated by all the foregoing, the sheet glass industry in the United States is still far from the full measure of recovery sought to be attained by imposition of increased duties proclaimed by the President. Foreign producers and importers of sheet glass have importuned the Tariff Commission repeatedly to reconsider its well-matured recommendation to the President which was approved and implemented by the President after long, careful, and thorough deliberation.

The zeal of foreign manufacturers for hasty reconsideration and withdrawal of the President's action indicates, perhaps, a fear that the enlarged penetration of the U.S. market indicated by the recent trend of imports might result in a competitive situation even less favorable to their claims than that which presently and transiently prevails.

Mr. Speaker, I also attach hereto a report of the Belgian glass industry proving our contention that the tariff increase did not injure the Belgian industry since the Belgian wage rates still gives their industry a great handicap in world trade in the U.S. marketplace:

### Excerpt From Societe General de Belgique Report 1962: Glassmaking—Crystal Bottlemaking—Table Glassware

The flat glass industry in Belgium developed on very satisfactory lines during 1962.

In the external markets, the chief event of the year was the raising of the import duties on window glass in the United States. The new duties, which came into effect on June 18, 1962, are almost double the old ones. Despite this unilateral action by a country which is a big user of Belgian glass, total exports continued expanding with sales handsomely supported by continued building activity in Europe and overseas. The exports, indeed, practically reached the 1960 levels which were exceptionally high.

Our colleague, the Honorable Thomas Morgan, from my neighboring district in Pennsylvania has shown his concern in this situation and I ask that his letter be made part of the Record at this point.

Committee on Foreign Affairs,
*October 10, 1963.*

Hon. W. Willard Wirtz,
*Secretary of Labor,*
*Washington, D.C.*

Dear Mr. Secretary: I am writing to express my concern and to urge that nothing be done to rescind the sheet glass escape clause action taken by the President on March 19, 1962, on which the Tariff Commission reported on September 27, 1963. An examination of this report by the Tariff Commission discloses absolutely nothing that would warrant a reopening for formal review or modification of the President's action. On the contrary, the content of the report actually supports the maintenance of the President's action.

My cause for concern is an awareness of the pressures being brought to bear by foreign manufacturers of sheet glass, and importers, to reopen this matter. Requests to have new hearings and get further consideration are not warranted, and a decision to yield to such demands and hold hearings would make our domestic industry and its labor force subject to continued harassment and would create serious and harmful economic effects. My study of this problem has shown that to reopen this matter would result in costly and time-consuming preparations that could only disrupt management planning and cause labor insecurity in many distressed areas of our country.

The domestic sheet glass industry has been under continuous investigation from May 1960 to the present time. During this period the foreign glass companies presented their arguments before the Tariff Commission and the administrative branches in a complete, forceful and competent manner. Subsequent to the President's action of March 19, 1962, increasing tariff rates, the foreign manufacturers' participation in the domestic sheet glass market continued at approximately the same ratio as prior to the increase. Recent import shipments indicate the foreign manufacturers are increasing this ratio. I have noted a statement in the Report of the Societe Generale de Belgique of 1962, which said:

"In the external markets, the chief event of the year was the raising of the import duties on window glass in the United States. The new duties, which came into effect on June 18, 1962, are almost double the old ones. Despite this unilateral action by a country which is a big user of Belgian glass, total exports continued expanding with sales handsomely supported by continued building activity in Europe and overseas."

I believe that to reopen this question for further consideration would result in eventual confirmation and sustaining the President's original action. At the same time, the apprehension and uncertainty that a reopening would inevitably bring to labor and management in our domestic industry could only result in grave economic consequences.

I wish to most strongly urge that there be an immediate decision that the escape clause action be not reopened. A prompt decision to this effect would eliminate existing tension and make it possible for management and labor to resume the necessary long-range planning and sound operations which are essential to the future of our domestic glass industry.

Sincerely yours,

——— ———,
*Chairman.*

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# Vice President Johnson Speaks at Georgetown Dinner

EXTENSION OF REMARKS

OF

## HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 1963*

Mr. EDMONDSON. Mr. Speaker, on October 12 an outstanding address was delivered in New York City by Vice President Lyndon B. Johnson.

The occasion was a dinner marking the first major event in New York in connection with the 175th anniversary of one of America's great educational institutions, Georgetown University.

A distinguished alumnus of Georgetown, Vice President Johnson, was the featured speaker at the dinner, which was attended by hundreds of Georgetown graduates and former students from all over the United States.

Under leave to extend my remarks, the full text of the Vice President's address follows:

### The Challenge of Success

I am highly honored to participate in this observance. But I am honored beyond my due to be identified as an alumnus of Georgetown University. While I did attend the school of law, I earned only a B.A. degree—for brief attendance.

Georgetown and the Government of the United States both came into being in 1789. There has been a close affinity ever since—Harvard notwithstanding. Georgetown's first graduate went to Congress—but many others went up in the world. As clergymen, teachers, physicians, attorneys, scientists, and public servants, Georgetown alumni have rewarded Bishop Carroll's vision 175 years ago.

The first Catholic college in the United States, the first college to be chartered by act of Congress, the first to originate a school of foreign service, the first to sponsor its own school of language and linguistics—Georgetown University has exerted an influence far beyond its campus and classrooms upon our national life and public affairs.

The record is, by every test, a proud record of success.

For any institution, success itself is both the ultimate and most exacting challenge. Georgetown today—and henceforth— is challenged by the success of its first 175 years. In a far broader sense, that same challenge faces the Government of the United States and the American people who are served by it.

It is of this challenge of success that I would like to speak tonight.

#### PECULIAR RELUCTANCE

For a people who exalt success so highly as we do, Americans are—and have always been—peculiarly reluctant to acknowledge the success of their own political institutions. John Adams in 1813 complained to Thomas Jefferson that—

"No sooner does one party discover or invent an amelioration of the condition of man or the order of society, than the opposite party belies it, misconstrues it, misrepresents it, ridicules it, and persecutes it."

If the Nation's first and second Vice Presidents could sit where I sit now—and hear the debates I hear—I am sure they would marvel at how little American politics have changed. We make our national issues, we turn our national debates, we conduct our national discussions on the premise that our Government has failed or is about to fail in every undertaking.

To the extent this reflects a healthy suspicion of government and a vigilant jealousy of our rights and liberties, this trait is good—although that is not a widely held view of the party in power.

But when the prolonged exaggerations of national debate finally come to obscure the realities of national success, the result is not healthy. A very real danger arises that such an obsession with failure will impair the ability of the people to determine what is wisdom and what is folly in their public policy.

At this season in our affairs, it is of utmost importance that we not lose this ability. In just the last year, since the grim October of 1962, there has begun an historic turning in many long-running tides of history. We cannot know—we do not pretend to know—what the consequences will be. But we can know—and we must understand—that this turning has begun as the consequence of purposeful and successful policies fashioned and implemented by ourselves and our allies.

#### FALSE IMAGE

The image of ourselves—the image so popular for so long—as being outwitted, outmaneuvered, outlasted by other systems and other governments has seldom been so false or so dangerous.

We have met the aggressor at every turn and stayed his march.

We have engaged him in every challenge of his own choosing and neutralized his threat.

We have, moreover, held to the initiative in the long view of history—and it is the pressure of our examples, far more than the pressure of his threats, which is shaping this century.

Nearly fifty nations have come into being since World War II. Not one has elected to join the Communist bloc. Yet many of them have elected to pattern their systems, word their constitutions and define their liberties directly after ours.

The revolution which began here in 1776 still runs—throughout the world. The worldwide drive for independence, the aspirations for development, the explosion of expectations for better health, housing, education and opportunity—all the forces which move and shake our times—have the power they do because of the example of success offered by our American system.

#### NOT SELF-SERVING

For an American to say this is not parochial, not myopic, not self-serving. On the contrary, it is parochial, it is myopic, it is self-serving for Americans to deny and refuse to acknowledge the success of America's works and leadership in the world.

It is parochial to preach that America's position is eroding.

Where? Not in Greece, not in Turkey, not in Iran where we took our stand 16 years ago. Not in West Berlin where Americans stand tonight. Not in Western Europe or southwest Asia. Where we have committed our support, show windows of freedom are shining brightly. Where communism has committed its support—in Cuba, in North Vietnam, and elsewhere—curtains are kept drawn on windows of failure.

It is myopic to insist that America is retreating.

Where? From none of the lines we have drawn against aggression. Yet the most conspicuous retreat of the cold war occurred only a year ago in the withdrawal of communist missiles from Cuba.

It is self-serving to argue that American assistance to other free nations has been money wasted, money down the drain.

Sixteen years ago the people of France had only two slices of bread a day. England had no coal for heating homes. Germany faced the awesome burden of 10 million refugees. Guerrillas were taking the countryside of Greece—within 20 miles of Athens. Communists dominated a 40-percent coalition from Italy's voting.

Today the countries of Western Europe, Canada, Japan, and Oceania are contributing to world development capital aid nearly equal to ours—and have 14 times more technicians in the field.

Of the 41 major aid countries under our programs, 14 have achieved growth rates over 1.5 percent yearly for 5 successive years and are receiving no assistance. Ten more have reached that rate, are cutting back assistance and will soon be off of it. Still nine others are advancing rapidly toward the designated goal.

These are achievements of a successful program. These are national successes—neither partisan triumphs nor partisan failures. But unless we can recognize our successes, unless we can accept the wisdom of our course, we shall risk the folly of abandoning the moment of opportunity toward which our national effort has been directed.

This opportunity is the opportunity to pursue peace. In our 175 years since Washington's first inaugural, we have had frequent occasions to prosecute wars. Until now, we have not had so serious, so hopeful an opportunity to pursue peace—with so full a storehouse of the strengths peacemaking requires.

### SUMMIT OF SUCCESS

Our agriculture is abundant. Profits are high. Wages and income are at new peaks. We are free of the bitter conflicts that plague the world—between capital and labor, between religions. We are freeing ourselves of the burden of racial discriminations. Our technology leads the world in peaceful and practical uses of space. Our guiding programs nationally are the works of both our parties.

We stand not on a precipice of failure but at the summit of success.

If ever a people were prepared, ready, and able to pursue peace, it is we, of this generation of Americans. This is the challenge of our success. We must accept that challenge. We must keep the initiative for peace.

If we are to do this, we must turn away from those who counsel that the works of peace represent failure.

It is war that is failure, war that is surrender, war that is the final weakness of men and governments.

Communism tells us now there can be no ideological coexistence.

With that, we agree, and we accept the challenge. We shall continue the ideological offensive of freedom to the farthest corner of the world—and we shall not rest until freedom prevails among all mankind.

One hundred and seventy-five years hence, when the class of 2138 graduates from Georgetown University, Harvard may have been buried and Texas may have been silenced—although either eventuality seems remote. But freedom will not have been buried and neither the members of that class—nor any of their forebears—will have worn the chains of communism. Long before that time we can hope and today more confidently expect that the world will have come to an age of universal peace, universal justice, and universal freedom.

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## Address of Congressman Roman C. Pucinski, of Illinois, Before the Association for Computing Machinery, University of Maryland, October 17, 1963

EXTENSION OF REMARKS

OF

### HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 17, 1963*

Mr. PUCINSKI. Mr. Speaker, earlier today it was my great privilege to address an estimated 600 participants in a seminar on data processing arranged by the University of Maryland and the Association for Computing Machinery.

This annual technical symposium had as its theme: "Information Processing in the Nation's Capital, 1963."

As chairman of a subcommittee which is now conducting hearings on a proposal to establish a better method of exchanging resourceful information within our scientific community, I found today's invitation to address this group particularly stimulating, for these indeed are the men and women who have as their principal responsibility, the difficult job of charting a more effective course for the exchange of resourceful information.

Mr. Speaker, I should like to include the text of my remarks to the Association for Computing Machinery. I hope it will make some contribution toward a better understanding of this entire difficult subject.

My remarks, Mr. Speaker, follow:

ADDRESS OF CONGRESSMAN ROMAN C. PUCINSKI, OF ILLINOIS, BEFORE THE ASSOCIATION FOR COMPUTING MACHINERY, UNIVERSITY OF MARYLAND, OCTOBER 17, 1963

I am delighted to have the opportunity to address this audience of outstanding scientists, in this distinguished institution of learning, the University of Maryland, and it is a particular pleasure to be here today in the company of men and women who are making such imposing contributions in the field of computer technology.

I am told the rate of growth of Maryland University in size and academic stature is almost comparable to the rate of growth of scientific information.

When I was asked to deliver this address, I wasn't sure if it had to be in Algol, Cobol or Fortram. Fortunately, your able chairman graciously consented to let me speak in English.

There is a story circulating in the Soviet Union about the latest Russian breakthroughs in computer application to information retrieval. You can imagine how delighted the Russian scientists must have been when the computer, after being queried on ancient Russian history, replied that Adam and Eve were Russian. This reply prompted the Russian scientists to pursue the question further. "How do you know?" they asked the computer. And the computer faithfully replied: "To begin with, Adam and Eve had nothing to wear; they had only one apple between them; and in spite of all this, they still believed they were in paradise. Therefore, they must have been Russian."

During the last several months, it has been a rich experience for me, as chairman of the ad hoc Subcommittee on a National Research Data Processing and Information Retrieval Center, proposed in my bill H.R. 1946, to learn a great deal about some of the problems and solutions associated with data processing and information retrieval.

I am sure this audience is well versed in the staggering statistics on the production of scientific data, as well as the hopeless task our scientists are faced with in attempting to secure pertinent information from the flowing torrents of scientific documents.

As a Member of the Congress of the United States, I am deeply concerned about the future direction of our national effort in the area of data processing and information retrieval. The reasons are obvious:

First of all, my responsibilities to my constituents make it imperative that the mounting government costs in research are, in fact, spent for new and expanded research and not for a duplicate effort contained in some document drowned in an ocean of inaccessible information.

Secondly, it is my firm belief that unless our scientists are given better, faster, and more accurate information wherever and whenever needed, their valuable training and creative energies will be diluted to the level of insignificance.

Third, the emergence and advancement of scientific and technological competition from many countries makes it crystal clear that this Nation, in order to insure its economic survival, no longer can afford to ignore the development of its most important national asset: Scientific information.

We must recognize that some of the problems with which we are faced, although formidable, are not insurmountable.

Indeed, with the vision, dedication, and ingenuity which are so characteristic of our scientific achievements in the past, we shall succeed in our effort to meet this enormous challenge and develop our most neglected assets of scientific and technological information.

It is to our great benefit that the overwhelming majority of those engaged in scientific pursuits are becoming increasingly aware that a more effective method for the exchange of research data must be found: that scientific accomplishments and significant breakthroughs must be made quickly available to the entire scientific community to avoid unnecessary waste and duplication.

There is mounting concern, both in Congress and out of Congress, about the high cost of scientific research. There are those who would impose severe restrictions upon scientific research programs. It is ironic, and may be even ominous, that in the centennial year of the National Academy of Sciences, Congress has cut the National Science Foundation appropriation almost 50 percent.

I confess that I do not consider myself capable of sitting in judgment upon the efforts of any scientist. Nor do I believe that the overwhelming majority of those in the legislative and executive branches of the Government are capable of prejudging the merits of scientific research. Indeed, to attempt to do so would, in my judgment, be to engage in a space-age Scopes trial.

Yet, the mounting debate over research expenditures is a symptom of our times. It dramatizes concern over what some would call waste in the scientific effort.

I, for one, can think of nothing more disastrous to America and its struggle for survival than to place any controls and restrictions whatsoever upon the scientific community. Instead, it is my hope, as chairman of a congressional subcommittee, to help chart through Congress a program which will establish the most efficient method possible for making all scientific data and research quickly available to any scientist in the United States and throughout the world who may wish such information.

I am convinced that when we make scientific research data readily available to every scientist, the scientists themselves will then impose their own discipline against waste and duplication. It is difficult to imagine any scientist with any respect for his own ability who would wantonly and willfully duplicate research once he has discovered that this aspect of his research has already been developed by someone else.

If, indeed, there is duplication in scientific research, it is only because the scientific community does not have at its disposal adequate means for quick retrieval of research already accomplished.

I submit this is where research data processing and information retrieval through electronic aids come into play.

As I see it, this country will sooner or later have to establish a giant network of research information services throughout the United States, each dealing with its own particular scientific discipline, and each tied together by coaxial cable, closed circuit television, facsimile and other electronic devices to one central command post which, through the use of electronic computers and retrieval machines, will keep a constant inventory of what is being done, where and by whom, in this Nation's widespread scientific community.

This command post quickly would provide to any scientist a complete record of the scientific research being sought so that he would have at his fingertips all the work previously done in a given field. Through a highly developed system of abstracting and digesting, the information would come to the scientist in capsule form so his own reading time would be kept to a fractional minimum. He could then exert his own intellectual capability toward tying together the loose ends and exploring new concepts.

Make no mistake. What I propose here is no sport for men of narrow vision. It will be vast and perhaps costly, but its complete integration of the scientific effort will pay mankind dividends never before imagined possible.

How, then, can we accomplish this? We do not have, as yet, all the answers to this question. Nor can we wait until we do have all the answers.

Is H.R. 1946 the complete answer? Not at all. But it would provide a beginning for some of the operations, and their scope, which ultimately would be assumed by a national research data processing and information retrieval center.

H.R. 1946 is just the beginning, but as President Kennedy said recently, a journey of a thousand miles requires a first step.

Before I proceed further, let me hasten to point out to you briefly what this Center would not do.

It is not the purpose of the proposed National Information Center to carry out under one roof all the operations of collecting, processing, abstracting and coding scientific information. Clearly, this is physically impossible and operationally impractical at the present time.

For this purpose, we have hundreds of excellent documentation and abstracting services throughout the Nation, specializing in specific areas of science. As a matter of fact, our excellent network of abstracting societies gives America a clear-cut advantage in the field of abstracting, digesting and codifying scientific data. It would be a tragic mistake to dump them into a single monolithic intellectual compound.

The basic philosophy behind the National Information Center can be summed up in the following maxim:

Centralization without autonomy for decentralized satellite operations is blind: decentralization without central coordination is dead.

This maxim is a synthesis of corporate history in the free enterprise system. It is the elan vital behind the concept for a National Information Center.

I wish to stress that the purpose of the National Information Center is not to eliminate any of the existing indexing, abstracting and translating services, but rather to obtain their final work products in coded or other formalized form and make them available to the technical and business community.

Thus, the Center will gather data from all existing private and public sources wherever available. It will urge their expansion where necessary. The Center will also encourage the establishment of additional satellite centers wherever a need appears to exist.

For example, there is no abstracting service now available in the United States for the science of astronomy. What is even more appalling is the fact that the Russians do have an abstracting journal for astronomy. With an annual budget of $5 billion for space exploration, we can hardly afford to be without abstracts in this vitally important science.

It is planned that there ultimately would be a single, completely integrated index for the entire body of scientific and technical literature. However, the center would begin operation with all of the diverse indices which now exist, but with the important advantage that all such indices would be located in the same place and would be readily available for documentalists familiar with all of them.

Gradually, these diverse indices will be coordinated and integrated until the ideal of one master index is achieved.

As new advances in automatic documentation take place, the National Information Center will provide a base for augmenting the evolutionary growth and capability for rendering information retrieval services to the scientific community.

It is readily apparent that modern science no longer recognizes the boundaries of various scientific disciplines. What happens in biology may be important to the theory of information, as indeed it is. What happens in physics may be important to a chemist, geologist, astronomer, or biologist.

In short, the cross applications of various scientific disciplines provides a treasure house of important information. It is equally apparent that only a coordinating center in scope and function outlined here can hope to capitalize on and capture the cross-fertilization of scientific ideas and facts.

This will be possible through permanent communications links between the National Information Center and various satellites of specialized information centers.

The communications links will constantly provide the National Information Center with the latest scientific data processed in the various satellite centers. The center, in turn, will provide various services, including: 1. retrospective searches on any specific subject, 2. current awareness profiles, and 3. copies of references on request.

I am aware that to discuss this project in its entirety, we cannot ignore the fact that much remains to be done in development of methodology for more effective data processing and information retrieval.

But this is not to infer that much already is not being done. My committee has had the privilege of taking testimony from some of this Nation's most outstanding scientists.

Dr. Emanuel Piore, vice president of research engineering for IBM disclosed to my committee the fantastic gains by scientists in this country in the computer sciences.

I was particularly impressed by Dr. Piore's unequivocal statement that the state of the art in computer development today makes possible a significant start toward a national research data retrieval system.

I have described this central clearinghouse which would handle literally billions of bits of significant scientific data at one time or another.

Is this just a dream?

Not at all, according to Dr. Piore's professional judgment. Dr. Piore inspired the committee with his disclosure that IBM is developing storage capacities capable of handling a trillion bits of information with unheard-of speed.

Mr. Lee Johnson, vice president of Univac, also gave our committee a new sense of assurance when he described a most significant breakthrough by his company in the development of a low cost, rapid intercommunications computer which, in my judgment, could well serve as an integral part of our national retrieval systems by making this compact computer available to each of the supporting satellite activities scattered throughout the country.

Univac demonstrated that American industry already is tying together, through computers tied together by leased lines, information scattered in various cities of the country. We saw the speed with which this information can be exchanged between the independent outposts in each city through the central clearinghouse.

Perhaps even more reassuring to my committee was Univac's demonstration of the present state of the art in associative memories.

Those two actual demonstrations, plus a tremendous volume of other information being assembled by my committee leads me to the conclusion that those who would say we are not ready to start on the establishment of a national scientific research retrieval system are men of little faith and vision.

To stimulate greater activity in development of techniques, I have proposed the National Science Foundation make an annual award, to be known as the "Vannevar Bush Award," of $50,000 for the most important contribution in data processing and information retrieval.

This will, I hope, provide recognition and the incentive of stimulating and directing more scientific talent toward the solution of some of our most pressing problems in data processing and information retrieval.

I have described briefly some of the functions and concepts upon which the National Information Center would be based. These concepts are by no means exhaustive, nor final. But we do have to begin somewhere. We do have to mold a national image for the foundation upon which to develop our most important national resource: scientific information.

It is my fervent hope that the ACM Organization, through its exemplary pioneering efforts in the field of information retrieval will play an important role through its leadership in the establishment and guidance of the formative phases of the National Information Center.

It is my hope that other organizations, like the American Documentation Institute, Engineers Joint Council, American Federation for Information Processing Societies, and others will lend their valuable experience in a cooperative spirit to this great challenge.

It is my further hope that ACM and the other societies will actively participate in

**the resolution of problems in: First, referring and selecting research papers for publication in primary journals; second, publishing abstracting journals; third, indexing research papers; fourth, publishing critical review journals and perhaps even news-type periodicals and, most important, I would hope it would provide informative interdisciplinary guides and standards for authors of scientific papers.**

**The question is no longer are we going to do it? The question now is how soon we are going to realize it? The answer to the latter will depend on the efforts and dedication of all of us. I have no doubt that the efforts of my committee and the support and cooperation from this audience of outstanding scientists and professional societies will make it possible to plunge this Nation into the 21st century's challenge of research retrieval at least three decades early.**

**If I had the omnipotent power to move mountains to permit the light to shine through, I would use it to convince our American scientific community that America can no longer delay development of a more effective national system for research data processing and information retrieval.**

**Virtually every major nation of the world is developing today some form of national retrieval systems—Russia, France, England, Poland, West Germany, the Scandinavian countries, Italy, India; and even in Santiago, Chile, a national information center is being built with our foreign aid funds.**

**Will it take another Soviet breakthrough like sputnik in 1957 to wake this Nation out of its lethargy in research retrieval?**

**I hope not.**

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# SENATE

## Monday, October 21, 1963

*(Legislative day of Tuesday, October 15, 1963)*

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, our help in ages past, our hope for years to come: Grateful for that help and that hope, bowing in the peaceful stillness of this Chamber, a citadel of freedom where, in the yesterdays, fateful decisions have molded the life of the Nation. We beseech Thee to guide by Thy wisdom the pending legislation of this body, entrusted with power so vast that it awes and solemnizes our hearts.

Consecrate anew, we pray, these servants of the Republic, that they may be ministers of Thy will for this troubled generation heaving with the yeast of changing patterns.

Make plain to our understanding, as we read the signs of these times, that legal enactments in themselves are utterly futile to bring social salvation unless they are undergirded by inner integrity and reliance on spiritual resources, without which all else we may attempt are as bending props against a decaying house that the Lord hath not made.

In the Redeemer's name we pray. Amen.

## ASSISTANCE TO INSTITUTIONS OF HIGHER LEARNING

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, House bill 6143, the so-called higher education bill, on which there is a limitation of debate and controlled time.

The Senate resumed the consideration of the bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the instruction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions.

The VICE PRESIDENT. The committee substitute is open to amendment.

Mr. MANSFIELD. Mr. President, under the unanimous-consent agreement, the name of the Senator from New York [Mr. Javits] is listed as controlling a part of the time, whereas, when the request was made, it was made in behalf of the distinguished minority leader, the Senator from Illinois [Mr. Dirksen]. I ask that the name be changed accordingly.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORSE obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the majority leader.

## TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, notwithstanding the unanimous-consent agreement, there be a brief morning hour, not to exceed 15 minutes in length, during which time resolutions and memorials may be submitted, bills may be introduced, and Senators may speak for not to exceed 3 minutes, and also that a conference report may be considered in the meantime.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

## THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, October 17, 1963, was dispensed with.

## MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on October 18, 1963, the President had approved and signed the joint resolution (S.J. Res. 123) to authorize the printing and binding of an edition of "Senate Procedure" and providing the same shall be subject to copyright by the authors.

## REPORT ON OPERATION OF TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 170)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Finance:

*To the Congress of the United States:*

I hereby transmit the seventh annual report on the operation of the trade agreements program. The report covers the year in which the Trade Agreement Extension Act of 1958 expired and the Trade Expansion Act of 1962 took effect.

During this period of transition:

Free world trade continued to expand with exports climbing to a record of $124 billion and with U.S. exports alone reaching a new high of $20.9 billion—$4.5 billion more than our imports;

There was further freeing of trade in agriculture, helping U.S. farm exports to hold their own at the $5 billion mark;

The needs of the less-developed countries in their trade relations received more attention than ever before.

The advent of the Trade Expansion Act was followed almost immediately by actions described in this report (and others that have since taken place) to put its provisions into effect. These actions have gone forward on schedule despite the temporary setback in the movement toward European economic unity.

A new round of trade negotiations under the General Agreement on Tariffs and Trade has now been scheduled. The negotiations can lead to an expansion of free world trade in all products and in all directions. They can help deal with the problem of agricultural protectionism and the dilemma of hunger and glut. They can turn trade into a more effective tool of economic growth for the developing nations.

This report tells of barriers to U.S. trade that have been eliminated or reduced in the past year. It also describes some that still exist and new ones that have been created. Every nation maintaining old barriers or imposing new ones has a reason for doing so, but all nations, including our own, will benefit more from the expansion of trade than from restrictions that curtail trade.

The United States will continue to press for the removal of all restrictions that hinder our exports. It will also continue to follow a national policy of self-restraint in the use of restrictions and of confidence in the intentions of our trading partners to do the same. This is the policy laid down by the Trade Expansion Act. Our adherence to it is essential to the maintenance of the upward course of free world trade described in this report.

John F. Kennedy.

The White House, *October 21, 1963.*

## COMMITTEE MEETINGS DURING SENATE SESSION

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the Internal Security Subcommittee of the Judiciary Committee be authorized to meet during the session of the Senate today.

**Mr. KUCHEL.** Mr. President, reserving the right to object, I assume that all the requests for committee meetings during the session of the Senate have been cleared with the minority.

**Mr. MANSFIELD.** That is correct.

**The VICE PRESIDENT.** Is there objection? Without objection, it is so ordered.

**Mr. MANSFIELD.** Mr. President, I also ask that the Finance Committee be authorized to meet during the session of the Senate today.

**The VICE PRESIDENT.** Without objection, it is so ordered.

## EXECUTIVE SESSION

**Mr. MANSFIELD.** Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

## EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

**The VICE PRESIDENT.** If there be no reports of committees, the nominations on the Executive Calendar will be stated.

## THE COAST GUARD

The Chief Clerk proceeded to read sundry nominations in the Coast Guard which had been placed on the Secretary's desk.

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that these nominations be considered en bloc.

**The VICE PRESIDENT.** Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

**The VICE PRESIDENT.** Without objection, the President will be notified forthwith.

## LEGISLATIVE SESSION

**Mr. MANSFIELD.** Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

## APPOINTMENT BY THE VICE PRESIDENT

**The VICE PRESIDENT.** The Chair announces the appointment of the junior Senator from Alabama [Mr. SPARKMAN] as a delegate to the ninth NATO Parliamentarians' Conference, and chairman of the Senate delegation, to be held in Paris, France, November 4-9, 1963, vice the junior Senator from Arkansas [Mr. FULBRIGHT], who will be unable to attend the Conference.

## EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

### Report of Modification of Vertical Test Stand No. 3, Propulsion Field Laboratory, Santa Susana, Calif.

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the modification of Vertical Test Stand No. 3 (VTS-3), Propulsion Field Laboratory, Santa Susana, Calif.; to the Committee on Aeronautical and Space Sciences.

### Report on Number of Officers Assigned to Permanent Duty in the Executive Element of the Air Force at Seat of Government

A letter from the Secretary of the Air Force, reporting, pursuant to law, that as of September 30, 1963, there was an aggregate of 2,172 officers assigned to permanent duty in the executive element of the Air Force at the seat of Government; to the Committee on Armed Services.

### Report on Air Force Military Construction Contracts Awarded Without Formal Advertising

A letter from the Secretary of the Air Force, transmitting, pursuant to law, a report on Air Force military construction contracts awarded without formal advertising, for the period January 1, 1963, through June 30, 1963 (with an accompanying report); to the Committee on Armed Services.

### Report on Property Acquisitions of Emergency Supplies and Equipment, Office of Civil Defense

A letter from the Deputy Assistant Secretary of Defense, reporting, pursuant to law, a report on property acquisitions of emergency supplies and equipment, Office of Civil Defense, Department of Defense, for the quarter ended September 30, 1963; to the Committee on Armed Services.

### Report on Location, Nature, and Estimated Cost of Facilities Proposed To Be Undertaken for the Army National Guard

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on the location, nature and estimated cost of facilities proposed to be undertaken for the Army National Guard, dated October 14, 1963 (with an accompanying report); to the Committee on Armed Services.

### Report of Bureau of Commercial Fisheries

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, a report of the Bureau of Commercial Fisheries of the Department of the Interior (with an accompanying report); to the Committee on Commerce.

### Report on Backlog of Pending Applications and Hearing Cases, Federal Communications Commission

A letter from the Acting Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on the backlog of pending applications and hearing cases in that Commission as of August 31, 1963 (with an accompanying report); to the Committee on Commerce.

### Publication Entitled "All-Electric Homes, Annual Bills, January 1, 1963"

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate a copy of the Commission's publication entitled "All-Electric Homes, Annual Bills, January 1, 1963" (with an accompanying document); to the Committee on Commerce.

### Report of U.S. Information Agency

A letter from the Acting Director, U.S. Information Agency, Washington, D.C., transmitting, pursuant to law, the 20th semiannual report of that Agency, for the period January 1 to June 30, 1963 (with an accompanying report); to the Committee on Foreign Relations.

### Report on Overpricing of K-27 Tube Sheet Assemblies

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the overpricing of K-27 tube sheet assemblies procured from Fairbanks, Morse & Co., by Union Carbide Nuclear Co., under Atomic Energy Commission cost-type contract, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

### Report on Certain Unnecessary Procurement and Repair Costs by the Department of the Army

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary procurement and repair costs by the Department of the Army for J-2 gyro magnetic compass components available in the military supply systems, Department of Defense, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

### Report on Unnecessary Procurement of Specially Designed 60,000-B.T.U. Air Conditioners

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the unnecessary procurement of specially designed 60,000-B.T.U. air conditioners, Department of the Army, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

### Report on Unnecessary Costs in the Procurement of Clutch Pressure Plates

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs in the procurement of clutch pressure plates, Department of the Army, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

### Report on Deficiencies and Problem Areas Relating to Design and Construction Activities

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on deficiencies and problem areas relating to design and construction activities of the Federal-aid highway program in the State of Nebraska, Bureau of Public Roads, Department of Commerce, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

### Report on Need for Better Controls Over Manpower Utilization

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for better controls over manpower utilization and other aspects of buildings management activities, Public Buildings Service, General Services Administration, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

### REPORT ON IMPROPER INCLUSION OF MELAN BRIDGE COSTS, TOPEKA, KANS.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on improper inclusion of Melan Bridge costs in the cost of Keyway slum clearance and urban renewal project, Topeka, Kans., by Urban Renewal Administration, Housing and Home Finance Agency, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

### PROPOSED AMENDMENT TO CONCESSION CONTRACT, LAKE MEAD NATIONAL RECREATION AREA

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment to the concession contract with Overton Resort, Inc., at Overton Beach in Lake Mead National Recreation Area; also a copy of basic contract No. 14-10-304-342, with Wallace Jones and Ivan L. Jones and assignment documents transferring the contract to Overton Resort, Inc. (with accompanying papers); to the Committee on Interior and Insular Affairs.

### DISPOSITION OF CERTAIN PROPERTY AT HOT SPRINGS NATIONAL PARK, ARK.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the disposition of certain property at Hot Springs National Park, in the State of Arkansas, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

### RELIEF OF CERTAIN EMPLOYEES OF BUREAU OF INDIAN AFFAIRS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation for the relief of certain employees of the Bureau of Indian Affairs (with accompanying papers); to the Committee on the Judiciary.

### CONVENTION AND RECOMMENDATIONS OF INTERNATIONAL LABOR CONFERENCE

A letter from the Assistant Secretary of State, transmitting, pursuant to law, copies of (1) ILO convention (No. 117) concerning basic aims and standards of social policy; (2) ILO recommendation (No. 116) concerning the reduction of hours of work; and (3) ILO recommendation (No. 117)) concerning vocational training, all of which were adopted by the International Labor Conference at its 46th session at Geneva, June 22, 26, and 27, 1962 (with accompanying documents); to the Committee on Labor and Public Welfare.

### REPORT OF SECOND NATIONAL CONFERENCE ON PUBLIC HEALTH TRAINING

A letter from the Surgeon General of the United States, transmitting, pursuant to law, the report of the Second National Conference on Public Health Training (with an accompanying report); to the Committee on Labor and Public Welfare.

### REPORT ON NUMBER OF INDIVIDUALS IN EACH GENERAL SERVICE GRADE BY THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION UNDER THE CLASSIFICATION ACT OF 1949

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, the number of individuals in each general service grade employed by the National Aeronautics and Space Administration, under the Classification Act of 1949, as amended; to the Committees on Post Office and Civil Service, and the Appropriations Committee.

### AUTHORIZATION FOR APPROPRIATIONS TO ATOMIC ENERGY COMMISSION

A letter from the Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to amend Public Law 88-72 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (with an accompanying paper); to the Joint Committee on Atomic Energy.

## PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

A resolution adopted at the annual banquet of the Order of the Sons of Italy in America and the Knights of Columbus, held October 12, 1963, in Wilmington, Del., commending the Senators from Delaware, Mr. WILLIAMS and Mr. BOGGS, for their interest in the enactment of legislation to designate Columbus Day as a legal holiday; to the Committee on the Judiciary.

The petition of Jack Bates and sundry other citizens of the State of Kansas, praying for the enactment of legislation to allow prayer and Bible reading in public schools; to the Committee on the Judiciary.

The petition of Jay Creswell, Sr., of Orlando, Fla., praying for a redress of grievances; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RUSSELL, from the Committee on Armed Services, with an amendment:

H.R. 6500. An act to authorize certain construction at military installations, and for other purposes (Rept. No. 571).

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, with an amendment:

S. 1605. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes (Rept. No. 573).

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, with amendments:

S.J. Res. 49. Joint resolution authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas (Rept. No. 572).

By Mr. MOSS, from the Committee on Interior and Insular Affairs, with amendments:

S. 26. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes (Rept. No. 574).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1885. A bill to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes (Rept. No. 580).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

S. 16. A bill to provide for the establishment of the Ozark National Rivers in the State of Missouri, and for other purposes (Rept. No. 575).

By Mr. ALLOTT, from the Committee on Interior and Insular Affairs, without amendment:

S. 1594. A bill to determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes (Rept. No. 581).

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 2635. An act to amend the act of August 9, 1955, for the purpose of including the Fort Mojave Indian Reservation among reservations excepted from the 25 year lease limitations (Rept. No. 579).

By Mr. McGOVERN, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 844. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation (Rept. No. 576); and

H.R. 845. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Tribe of the Pine Ridge Reservation (Rept. No. 577).

By Mr. McGOVERN, from the Committee on Interior and Insular Affairs, with amendments.

S. 136. A bill to place in trust certain lands on the Rosebud Sioux Reservation in South Dakota (Rept. No. 578).

By Mr. JACKSON (for Mr. CHURCH) from the Committee on Interior and Insular Affairs, without amendment:

S. 2139. A bill to provide for the disposition of judgment funds on deposit to the credit of the Kootenai Tribe or Band of Indians, Idaho (Rept. No. 584);

H.R. 6225. An act to provide for the rehabilitation of Guam, and for other purposes (Rept. No. 586); and

H.R. 6481. An act to permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities (Rept. No. 587).

By Mr. JACKSON (for Mr. CHURCH) from the Committee on Interior and Insular Affairs, with an amendment:

S. 1718. A bill to amend the law with respect to trade with the Indians, and for other purposes (Rept. No. 583);

S. 2111. A bill to fix the beneficial ownership of the Colorado River Indian Reservation located in the States of Arizona and California (Rept. No. 585); and

H.R. 1989. An act to authorize the government of the Virgin Islands to issue general obligation bonds (Rept. No. 582).

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCARTHY:

S. 2248. A bill to amend the Packers and Stockyards Act, 1921, to provide that marketing agencies acting in good faith shall not be liable for selling livestock mortgaged under the Consolidated Farmers Home Administration Act of 1961, as amended (75 Stat. 307), until the Secretary of Agriculture has exhausted his civil remedies against the mortgagor; to the Committee on Agriculture and Forestry.

By Mr. JACKSON (for himself, Mr. DOUGLAS, Mr. HARTKE, Mr. BAYH, and Mr. ANDERSON):

S. 2249. A bill to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appears under a separate heading.)

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## INDIANA DUNES NATIONAL LAKESHORE

Mr. JACKSON. Mr. President, I introduce, on behalf of myself, the Senator from Illinois [Mr. Douglas], the Senator from Indiana [Mr. Hartke], the Senator from Indiana [Mr. Bayh] and the Senator from New Mexico [Mr. Anderson], a bill to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes.

This bill has been submitted by the Secretary of the Interior as the result of long and careful efforts to provide the best possible compromise in connection with our attempts to preserve this great natural area.

I ask unanimous consent that the bill and an accompanying letter from the Assistant Secretary of the Interior be printed at this point in the Record, and that the bill be held at the desk for the remainder of the week, to provide an opportunity for additional Senators to join in sponsoring it.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record, and the bill will remain at the desk, as requested by the Senator from Washington.

The bill (S. 2249) to provide for the establishment of the Indiana Dunes National Lakeshore, and for the other purposes, introduced by Mr. Jackson (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to preserve for the educational, inspirational, and recreational use of the public certain portions of the Indiana Dunes and other areas of scenic, scientific, and historic interest and recreational value in the State of Indiana, the Secretary of the Interior is authorized to establish and administer the Indiana Dunes National Lakeshore (hereinafter referred to as the "lakeshore") in accordance with the provisions of this Act. The lakeshore shall comprise the area within the boundaries delineated on a map identified as "A Proposed Indiana Dunes National Lakeshore," dated September 1963, and bearing the number LNPNE-1000-ID, which map is on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior.

Sec. 2. Within the boundaries of the lakeshore the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or otherwise. In order to enhance the recreational benefits of this Act, the Secretary also is authorized to acquire such easements or other interests as he deems necessary to assure public access to the beach and waters of Lake Michigan continuously from the western boundary of the lakeshore in section 21, township 37 north, Indiana Base, range 6 west, Second Principal Indiana Meridian, to the easternmost point of intersection of the lakeshore boundary with the shoreline. The Indiana Dunes State Park may be acquired only with the consent of the State of Indiana; and the Secretary is hereby directed to negotiate with the State for the acquisition of said park. In exercising his authority to acquire property by exchange for the purposes of this Act, the Secretary may accept title to non-Federal property located within the area described in section 1 of this Act and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary. Properties so exchanged shall be approximately equal in fair market value, as determined by the Secretary who may, in his discretion, base his determination on an independent appraisal obtained by him: *Provided,* That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

Sec. 3. As soon as practicable after the effective date of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area described in section 1 of this Act, which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Indiana Dunes National Lakeshore by publication of notice thereof in the Federal Register. Following such establishment and subject to the limitations and conditions prescribed in section 1 hereof, the Secretary may continue to acquire lands and interests in lands for the lakeshore.

Sec. 4. (a) The Secretary's authority to acquire property by condemnation shall be suspended with respect to all improved property located within the boundaries of the lakeshore for 1 year following the effective date of this Act. Thereafter such authority shall be suspended with respect to all improved property located within the boundaries of the lakeshore during all times when an appropriate zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary in accordance with the provisions of section 5 of this Act.

(b) The term "improved property", whenever used in this Act, shall mean a detached, one-family dwelling, construction of which was begun before April 20, 1961, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the land so designated. The amount of the land so designated shall in every case be not more than 3 acres in area, and in making such designation the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided,* That the Secretary may exclude from the land so designated any beach or waters, together with so much of the land adjoining such beach or waters, as he may deem necessary for public access thereto.

Sec. 5. (a) As soon as practicable after enactment of this Act, the Secretary shall issue regulations specifying standards for approval by him of zoning ordinances for the purposes of sections 4 and 6 of this Act. The Secretary may issue amended regulations specifying standards for approval by him of zoning ordinances whenever he shall consider such amended regulations to be desirable due to changed or unforeseen conditions. The Secretary shall approve any zoning ordinance and any amendment to any approved zoning ordinance submitted to him which conforms to the standards contained in the regulations in effect at the time of adoption of such ordinance or amendment by the zoning agency. Such approval shall not be withdrawn or revoked, by issuance of any amended regulations after the date of such approval, for so long as such ordinance or amendment remains in effect as approved.

(b) The standards specified in such regulations and amended regulations for approval of any zoning ordinance or zoning ordinance amendment shall contribute to the effect of: (1) Prohibiting the commercial and industrial use, other than any commercial or industrial use which is permitted by the Secretary, of all property covered by the ordinance within the boundaries of the lakeshore; and (2) promoting the preservation and development, in accordance with the purposes of this Act, of the area covered by the ordinance within the lakeshore by means of acreage, frontage, and setback requirements and other provisions which may be required by such regulations to be included in a zoning ordinance consistent with the laws of the State of Indiana.

(c) No zoning ordinance or amendment thereof shall be approved by the Secretary which: (1) contains any provision which he may consider adverse to the preservation and development, in accordance with the purposes of this Act, of the area comprising the lakeshore; or (2)) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment.

(d) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under or exception to such zoning ordinance, or is subjected to any use, which variance, exception, or use fails to conform to or is inconsistent with any applicable standard contained in regulations issued pursuant to this section and in effect at the time of passage of such ordinance, the Secretary may, in his discretion, terminate the suspension of his authority to acquire such improved property by condemnation.

(e) The Secretary shall furnish to any party in interest requesting the same a certificate indicating, with respect to any property located within the lakeshore as to which the Secretary's authority to acquire such property by condemnation has been suspended in accordance with provisions of this Act, that such authority has been so suspended and the reasons therefor.

Sec. 6. (a) Any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term of twenty-five years, or for such lesser time as the said owner or owners may elect at the time of acquisition by the Secretary. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for noncommercial residential purposes. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner.

(b) The Secretary shall have authority to terminate any right of use and occupancy retained as provided in subsection (a) of this section at any time after the date upon which any use occurs with respect to such property which fails to conform or is in any manner opposed to or inconsistent with the applicable standards contained in regulations issued pursuant to section 5 of this Act and which is in effect on said date: *Provided*, That no use which is in conformity with the provisions of a zoning ordinance approved in accordance with said section 5 and applicable to such property shall be held to fail to conform or be opposed to or inconsistent with any such standard. In the event the Secretary terminates a right of use and occupancy under this subsection, he shall pay to the owner of the right so terminated an amount equal to the fair market value of the portion of said right which remained unexpired on the date of termination.

SEC. 7. In the administration of the lakeshore the Secretary may utilize such statutory authorities relating to areas of the national park system and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act. Appropriate user fees may be collected notwithstanding any limitation on such authority by any provision of law.

SEC. 8. (a) There is hereby established an Indiana Dunes National Lakeshore Advisory Commission. Said Commission shall terminate ten years after the date of establishment of the national lakeshore pursuant to this Act.

(b) The Commission shall be composed of seven members, each appointed for a term of two years by the Secretary, as follows: (1) two members to be appointed from recommendations made by Porter County, Indiana; (2) two members to be appointed from recommendations made by La Porte County, Indiana; (3) two members to be appointed from recommendations made by the Governor of the State of Indiana; and (4) one member to be designated by the Secretary.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expense reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(e) The Secretary or his designee shall, from time to time, consult with the Commission with respect to matters relating to the development of the Indiana Dunes National Lakeshore and with respect to the provisions of sections 4, 5, and 6 of this Act.

SEC. 9. Nothing in this Act shall deprive any State or political subdivision thereof of its civil and criminal jurisdiction over the lands within this lakeshore, or of its right to tax persons, corporations, franchises, or other non-Federal property on the lands included in such lakeshore.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The letter presented by Mr. JACKSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
*Washington, D.C., October 18, 1963.*
Hon. LYNDON JOHNSON,
*President of the Senate,*
*Washington, D.C.*

DEAR MR. PRESIDENT: There is enclosed a draft of a proposed bill "to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes."

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

This Department strongly advocates the enactment of legislation which would authorize establishment of a national lakeshore in Indiana on the shores of Lake Michigan. The bill we propose would preserve in public ownership, as such lakeshore, significant beaches, dunes and marshes that have important natural values, and that would help to meet the vital need for additional recreational space near densely populated metropolitan areas.

Approximately 11,732 acres in Porter and La Porte Counties are encompassed by the proposed lakeshore boundaries, including the 2,181-acre Indiana Dunes State Park. The areas selected are those deemed most suitable for preservation and portrayal of the natural dunes, and for swimming beaches, campgrounds, picnic areas, hiking and riding trails, and nature study. A number of smaller inland areas are included which are especially suited for preservation as nature preserves or wildlife sanctuaries. Inclusion of the State park, in accordance with negotiations between the Secretary of the Interior and the State, would afford an opportunity to consolidate management of the entire lakeshore under one administration. This would be advantageous from the standpoint of comprehensive planning for the development, preservation, and use of the area. Additionally, the Secretary could acquire such easements or other interests as he deemed necessary for the purpose of providing public access to the beach and waters located in front of certain areas that would remain in private ownership.

The Indiana Dunes once comprised a 25-mile strip of uninhabited, tree-covered dunes, cattail marshes, and sandy beaches stretching continuously along the south shore of Lake Michigan from East Chicago to Michigan City. Here was a paradise for the bird watcher, the beachcomber, the botanist, the hiker, the tent camper, and sun and lake bathers, where scenic solitude was the keynote. As early as 1916, Stephen Mather, the first Director of the National Park Service, recommended this area as being worthy of establishment as a national park. This objective was thwarted by this country's involvement in World War I. In the meantime, industrial and residential development took place in the area and, by now, much of the natural scene has been destroyed. However, the remaining undeveloped beaches, dunes, and marshes along the Indiana shoreline and sections of the hinterland are still tremendously important and merit preservation and administration for public enjoyment and use. This importance is based not only on the value of these areas as natural scenic and scientific assets, but also takes into account the vital need for additional recreational space near highly concentrated centers of population. The area we envision for establishment as the Indiana Dunes National Lakeshore contains a unique combination of lakefront, dunes, and hinterland that is ideally suited to fulfillment of the recreational and open space needs of the people of this region; moreover, its scenic and scientific attractions would continue to draw people from all parts of our country.

The Indiana Dunes are intimately tied in with the history of northeastern Indiana. Following the recession of the last of the Wisconsin glaciers, barrier dunes paralleling the shoreline were built by wave action along the receding edge of glacial Lake Chicago. When the waters of Lake Chicago fell to a level of present-day Lake Michigan, and the waterline became stable, the main series of wind-built dunes were formed. These are much higher than the old barrier dunes inland and are characterized by their jumbled topography.

The flora of the area proposed for preservation as the Indiana Dunes National Lakeshore is outstanding. Following the slow retreat of the Wisconsin ice, the plants which are now characteristic of the northern forests moved through the dunes area northward. Where conditions of soil, moisture, and temperature were favorable, isolated colonies of northern species held on. Here in the dunes and in the well-drained, sandy flats—cooled by the moderating breezes of Lake Michigan—jack pine and white pine have managed to hang on south of their normal range. Behind and within the main dune complex are a number of low swamps and bogs. In these, northern plants lie cloistered within the larger world of central forest and prairie species. Tamarack, buckthorn, leather leaf, checkerberry, orchids and other unusual plants characterize these special environments. Here, and elsewhere throughout the proposed lakeshore, there is a mixture of plants of the northern and central forests and there are occurrences of flora of both the Prairie Peninsula and the Atlantic coastal plain species.

Combine the various plants of the marsh and pond environments with the varieties above described and the result is a natural scientific and scenic asset so diverse that it is difficult to equal anywhere in this country.

The area's recreational value is readily apparent. Nowhere on the Great Lakes is the need for additional shoreline recreation areas greater than here and only in very few places on the Great Lakes are factors more favorably alined for combined recreational use of the water, the waterfront and the hinterlands. Here at the south end of Lake Michigan, the water temperature rises above 60° F. during the latter part of June and stays above that point until late September. The combination of water warm enough for swimming and the wide clean beaches provide ideal conditions for the sunbather, the swimmer, and the beachcomber. Also, the combination of wooded dunes and sheltered marshes in the inland areas afford ample opportunity for scenic solitude, nature study, and appreciation of outdoor living.

Today, there are about 6½ million people living within a 50-mile radius of the Indiana Dunes. Another 3 million live within the 50- to 100-mile radial zone. Existing recreational facilities are inadequate to meet the present outdoor recreational demands of these people. By 1980, it is estimated that population figures within a 50-mile radius of this area could reach 8 million, with another 3½ million residing in the 50- to 100-mile radial zone. By that time or possibly sooner, annual visitation to the proposed lakeshore is expected to reach 2 million.

The value of the property within the proposed boundary is approximately $23 million. However, the acquisition cost will be less than this valuation because, as provided in the bill, residential improved property would continue exempt from acquisition by condemnation if approved zoning is in effect. Also, the Secretary may permit the continuance of commercial or industrial uses that are not incompatible with the purposes of the lakeshore. We have no way of foretelling the amount or value of the properties that will be exempt from acquisition under these circumstances. The above valuation estimate of properties within the lakeshore does not include the State park nor the value of any easements or other interests that may have to be acquired to assure public access to portions of the beach and waters of Lake Michigan.

The man-years and cost-data statement required by the act of July 25, 1956 (70 Stat. 652; 5 U.S.C. 642a), when annual expenditures of appropriated funds exceed $1 million, is enclosed.

The Bureau of the Budget has advised that the enactment of the proposed legislation would be in accord with the program of the President.

Sincerely yours,
JOHN A. CARVER, Jr.,
*Assistant Secretary of the Interior.*

*Estimated additional man-years of civilian employment and expenditure for the 1st 5 years of proposed new or expanded programs*

| Estimated additional man-years of civilian employment | 19CY | 19CY+1 | 19CY+2 | 19CY+3 | 19CY+4 |
|---|---|---|---|---|---|
| Executive direction: | | | | | |
| Superintendent | 1.0 | 1 | 1 | 1 | 1 |
| Acquisition project manager | 1.0 | 1 | 1 | 1 | 1 |
| Administrative assistant | .5 | 1 | 1 | 1 | 1 |
| Stenographer | 1.0 | 1 | 1 | 1 | 1 |
| Clerical | .5 | 1 | 2 | 2 | 1 |
| Total | 4.0 | 5 | 6 | 6 | 5 |
| Substantive: | | | | | |
| Chief ranger | .5 | 1 | 1 | 1 | 1 |
| Supervisory ranger | ---------- | 1 | 2 | 2 | 2 |
| Ranger | .5 | 1 | 2 | 3 | 4 |
| Ranger (seasonal) | ---------- | 4 | 6 | 8 | 10 |
| Life guards (seasonal) | 4 | 8 | 10 | 10 | 18 |
| Naturalist | .5 | 1 | 1 | 1 | 1 |
| Naturalists (seasonal) | ---------- | .5 | .5 | 1 | 1 |
| Stenographic and clerical | .5 | 1 | 2 | 2 | 2 |
| Engineer | .5 | 1 | 1 | 1 | 1 |
| Stenographer | .5 | 1 | 1 | 1 | 1 |
| Maintenance supervisor | ---------- | 1 | 1 | 1 | 1 |
| Foreman | ---------- | 2 | 2 | 2 | 2 |
| Maintenance man | ---------- | 2 | 3 | 4 | 4 |
| Laborers (seasonal) | ---------- | 1 | 2 | 4 | 6 |
| Total | 7 | 25.5 | 34.5 | 41 | 54 |
| Total, estimated additional man-years of civilian employment | 11 | 30.5 | 40.5 | 47 | 59 |
| Estimated additional expenditures: | | | | | |
| Personal services | $67,850 | $171,050 | $222,720 | $259,290 | $339,900 |
| All others | 2,511,976 | 4,125,117 | 5,563,045 | 6,076,434 | 5,597,037 |
| Total | 2,579,826 | 4,296,167 | 5,785,765 | 6,335,724 | 5,936,937 |
| Estimated obligations: | | | | | |
| Land and property acquisition | 5,000,000 | 5,000,000 | 4,000,000 | 3,000,600 | 2,037,600 |
| Development | ---------- | 75,000 | 2,731,000 | 1,957,000 | 1,004,260 |
| Operation (management protection and maintenance) | 79,826 | 221,167 | 285,765 | 335,724 | 436,937 |
| Total | 5,079,826 | 5,296,167 | 7,016,765 | 6,292,724 | 3,441,197 |

**Mr. DOUGLAS** subsequently said: Mr. President, an event of great importance in the conservation movement occurred today when the distinguished junior Senator from Washington [Mr. JACKSON] introduced, on behalf of himself, the Senator from New Mexico [Mr. ANDERSON], and others of us, the administration bill—S. 2249—to establish an 11,700-acre Indiana Dunes National Lakeshore. It is particularly heartening to cooperate in this effort with my two good friends, the distinguished Senators from Indiana [Mr. HARTKE and Mr. BAYH]; and it is also encouraging to have as additional cosponsors of the bill Senators HUMPHREY, GRUENING, MOSS, NEUBERGER, BURDICK, CLARK, DODD, MCCARTHY, MCGOVERN, NELSON, PROXMIRE, WILLIAMS of New Jersey, YARBOROUGH, and YOUNG of Ohio. These Senators are cosponsors of S. 650, the bill I introduced on February 4 of this year to create a 9,000-acre Indiana Dunes National Lakeshore. Some of these present cosponsors were supporters of similar bills which I introduced in the 85th, 86th, and 87th Congresses and it should be particularly noted that the Senator from Alaska [Mr. GRUENING], and the Senator from Utah [Mr. MOSS] introduced one of the first bills to rescue a portion of the Indiana Dunes, in the 86th Congress. Many bills to save the Indiana Dunes have been introduced in the House of Representatives since the 85th Congress when Congressman SAYLOR of Pennsylvania, and Congressman O'HARA of Illinois introduced the first Indiana Dunes National Monument bills in that body. The continued interest in rescuing the beautiful and irreplaceable dunes on the part of many Members of Congress may at last bear fruit in this administration-endorsed bill now being introduced by the Senator from Washington [Mr. JACKSON].

The bill will lie on the table for a week, and we heartily invite other Senators to become cosponsors. All Senators will be sponsors on equal terms. There will be no last nor first.

Mr. President, it is well known by now that the present bill to save the dunes is an administration bill which comes as part of a compromise decision of the Bureau of the Budget to permit the Burns Ditch Harbor report of the Corps of Engineers to come forward to the Congress, with certain conditions attached, and which pledges administration support for a national park in the Indiana Dunes. The unfortunate and disheartening part of the administration's decision is to except from the proposed park the central section of the dunes, which we have called unit 2 in previous dunes bills. This section was, and parts of it still are, the most beautiful and scientifically most valuable portion of the Indiana Dunes. While it is true that the Bethlehem Steel Co. has destroyed a large part of unit 2, about 700 acres of unspoiled shoreline dunes and beaches remain. It is a blow to have support for saving this section abandoned, as it is to have industrialization in the midst of the dunes encouraged. Nevertheless, we now have an opportunity to establish a fine park and to preserve many acres of priceless natural treasure. We should not fail to take advantage of it.

A recent editorial in the Washington Post described the administration compromise on the dunes as deserving "not three, not two, but one cheer." I would say it is worth a cheer and a half, Mr. President, possibly even two, and in my remarks today, I shall refer only to the cheerworthy part of the administration decision.

I can say with certainty that while our fight to save the dunes has not yet resulted in congressional approval of a national park, it has alerted the Congress and the Nation to the values of the dunes and the urgent need for rescuing them from further destruction. I first appealed to the Senate to rescue the central portions of the dunes from imminent industrialization on May 26, 1958. I did this at the request of the Save the Dunes Council, a group primarily of Indiana citizens formed in 1952, and only after the then senior Senator from Indiana rejected my plea that he lead the effort in Congress to save the Midwest's most priceless heritage of nature.

I mention that history so that no one will think that I injected myself without giving the then Senators from Indiana the opportunity to lead the fight.

Our effort to save the dunes through congressional action was opposed by increased demands for industrialization, but we were joined by many of the country's great newspapers. I wish particularly to thank the New York Times, the Washington Post, the Louisville Courier-Journal, the Milwaukee Journal, Chicago's American, the St. Louis Post Dispatch, and the Christian Science Monitor.

I also wish to thank a score and more Members of Congress, hundreds of thousands of citizens, and nearly every national conservation organization. Among the conservation organizations which have given full support to the establishment of a national park in the dunes are the National Parks Association, the Garden Clubs of America, the Izaak Walton League, the Wildlife Management Institute, the Sport Fishing Institute, the National Wildlife Federation, the Nature Conservancy, the National Council of State Garden Clubs, the Wilderness Society, the Sierra Club, the Citizens Committee for Natural Resources, the American Planning and Civic Association, and many others. The help from all these sources has been extremely important.

The Jackson bill will provide for an 11,700-acre park located mainly to the east of the beautiful area which was designated unit 2 in S. 650. The main body of the park will run from the Northern Indiana Public Service Co. boundary east to Michigan City, including a little over a half mile of lakefront in LaPorte County. This area will be bounded on the south by the Chicago, South Shore & South Bend Railroad, and will except the highly developed portions of Dune Acres and Beverly Shores and also the residential development at the southwest tip of the State park.

Then, immediately south of Dune Acres, State park, and Beverly Shores areas and the Chicago, South Shore &

South Bend Railroad, there would be an additional park unit running from near Meadowbrook to a point directly south of Beverly Shores. The park would also include the undeveloped lakeshore area between Gary and Ogden Dunes, bounded on the south by the New York Central tracks, plus the natural area immediately south and across the railroad tracks from this unit and Ogden Dunes. In addition, there would be preserved as part of the park five small units of nature areas including sections surrounding Mud Lake, Morgan, and Billington Lakes and a stretch of the Little Calumet River 5 miles south of Beverly Shores.

Since news of the bill was first made public, we have had offers from several private property holders in the area who, in a very public spirited manner, have offered to dispose of their land to the Federal Government for purposes of the proposed park. While it it was impossible to redraft the bill to take account of their very fine offers, that can be done by amendments in the committee.

The National Park Service recommendations foresee the following types of park usage for these areas: Intensive beach use would be made of the area between Gary and Ogden Dunes and the area east of the Beverly Shores residential development. The sections south of Ogden Dunes and Dune Acres, and the smaller parcels inland, would be preserved as natural areas with nature study preserves and nature trails. The unit south of the railroad and the Dune Acres State park section would be used as a nature center with associated day camps, youth camps, and picnic sites to the west, and with camping grounds and the park headquarters to the east.

The rights of property owners will be liberally protected in the administration bill by what has come to be called the Cape Cod formula, just as was provided in S. 650. This formula permits owners of improved—that is, having a house or cottage on it—residential property which falls within the park to retain the right of use and occupancy of the improved property for noncommercial residential purposes for as long as he or his heirs desire, providing the use is consistent with park purposes and the zoning regulations established by the Secretary of the Interior. Or, if an owner wishes, he may sell his improved property to the Government outright, or sell and retain the right of use and occupancy for noncommercial residential purposes for a term of 25 years or less, as he wishes. Improved residential property owners will have full retention and use of their improved property, and in addition, will have it protected from further encroachment by commercial, industrial, or residential development.

It is important to note that while the bill will propose that the Indiana Dunes State Park be made a part of the National Lakeshore, this will be entirely voluntary under the Cape Cod formula. If the State of Indiana prefers to keep an independent State park, then agreements will be negotiated between the State and the National Park Service to provide for cooperative and complementary development and administration of the entire area.

We shall seek also in this bill to provide for adequate and strong protection against the pollution of the air and water.

I believe that many of the difficulties which have held up the passage of this bill during the past 5½ years are now on the way to being removed. I hope very much that the Senate Interior and Insular Affairs Committee will speedily hold hearings on this bill, that it will be passed through the Senate this year, and that there will be action by the House next year.

Mr. President, I ask unanimous consent that a statement which I have prepared on this matter, which discusses the details of the administration's compromise proposal, may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, I also ask unanimous consent that two letters, with enclosures, from the Bureau of the Budget to the Secretary of the Army under date of September 24, 1963, also be printed in the RECORD at the conclusion of my remarks. The first letter is the report of the administration compromise plan; the second deals with the crucial matter of control of air and water pollution.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. DOUGLAS. Mr. President, earlier in the day a memorandum addressed to the President from the Assistant Secretary of the Interior, John A. Carver, Jr., together with the text of the bill, was printed in the RECORD on request of the junior Senator from Washington [Mr. JACKSON]. Senators will want to refer to this document for the details of the administration's recommendation for enactment of the Indiana Dunes National Lakeshore bill.

### EXHIBIT 1

### RECENT DEVELOPMENTS AFFECTING THE INDIANA DUNES

(Statement by Senator PAUL H. DOUGLAS)

I want to thank the conservation groups, various other organizations, many newspapers, and the thousands of individuals in this country and abroad for the effort we have all been making to save the beautiful Indiana Dunes from destruction. On September 24, as you probably know, the Bureau of the Budget released a letter on behalf of the national administration which makes a most important decision on that vital matter.

While the Bureau of the Budget letter fails to protect and rescue the beautiful central section of the Indiana Dunes, which we have called unit 2 in the bill to establish a national dunes park, it does pledge administration support for the creation of an 11,700-acre Indiana Dunes National Lakeshore to be located mainly to the east of the unit 2 section. It is indeed disheartening to think that the most beautiful and scientifically most valuable portion of the dunes is to be left to the bulldozer and the steel mills, but I believe that we must not fail to take full advantage of the chance which is now offered to establish a national dunes park that will preserve much of the remaining unspoiled dunes area. I therefore want to give you a full report on what has occurred so that you will understand our opportunity, as well as our loss, and I hope you will give continued support for the new park bill which will be introduced in the Senate soon.

In essence, the Bureau of the Budget letter of September 24 permits the Corps of Engineers report on Burns Ditch Harbor to go forward for congressional action without administration objection. But the Bureau also ordered that certain conditions bearing on the economic feasibility or justification of the proposed harbor must be met before Federal funds are requested for it. In my opinion, on the basis of my year and a half study of the Corps of Engineers report, there can never be a Federal harbor at the Burns Ditch site if the conditions laid down by the administration are enforced because those conditions never can be met. I want to discuss this matter more fully with you in a moment, but first let me give you a brief historical sketch of the developments over the last few years.

#### I. THE STRUGGLE TO SAVE THE DUNES

Probably few who see this statement will need to be told about the beauty and recreational and scientific values of the Indiana Dunes, nor of the urgency of our fight to save them. Carl Sandburg has written that the Indiana Dunes "are to the Midwest what the Grand Canyon is to Arizona and Yosemite is to California." A little more than a half century ago the Indiana Dunes ran unspoiled along the southern tip of Lake Michigan from Chicago on the west to Michigan City on the east. This remarkable area of beautiful beaches, "living" dunes, wooded areas, and lowlands became known over the world as one of nature's great wonders. Scientists from many countries came and still come to study in the Great Dunes Laboratory of Botany and Ecology, the science of the relationship of plants and animal life to their environment. Forty-five years ago, this entire area could have been preserved for the people at a cost of only a few million dollars. But the World War, the irresponsibility of the 1920's, the depression, and the Second World War shunted aside the dream of a national park in the Indiana Dunes. Gradually, industry and residential subdivisions pushed in on the dunes so that by 1950 less than about 12 miles of shoreline areas remained unspoiled. In the early 1950's the land speculators and the industrializers began to move in on the dunes in full force. By 1960, Midwest Steel Co. had erected a finishing mill east of Ogden Dunes and Bethlehem Steel had acquired several thousand acres of dunes land between Midwest and the new Northern Indiana Public Service Co. powerplant. An alarmed group of courageous and thoughtful people formed the Save the Dunes Council in 1952. This group began as a small organization of northern Indiana citizens, but soon grew to have national support and membership.

In 1958, the Save the Dunes Council approached me and asked if I would lead an effort in the Congress to save the remaining unspoiled areas of the Indiana Dunes in a national park. After the then senior Senator from Indiana rejected my plea that he lead the effort in Congress to rescue the dunes, I agreed to help the Save the Dunes Council. I then introduced a bill to establish an Indiana Dunes National Monument, which in later Congresses I enlarged to provide for a 9,000-acre Indiana Dunes National Lakeshore.

#### II. THE BATTLE OF BURNS DITCH HARBOR

At the same time, the forces seeking to industrialize the dunes area were pushing their plans for a federally financed harbor to be located in the midst of the Indiana Dunes between Gary and the town of Dune Acres.

They hoped that such a harbor would lead to the complete industrialization of the dunes and increase land values. This proposal came to be known as the Burns Ditch Harbor after the small drainage and small-boat stream located near the proposed harbor site. In October 1960, the port promoters succeeded in getting the local office of the Corps of Army Engineers to issue a report recommending that a Burns Ditch Harbor be constructed and stating that such a harbor would be economically justified. The criticisms which the Save the Dunes Council and I made of this Corps of Engineers' report, along with the firm support we received from public spirited newspapers and citizens, forced the Corps of Engineers to call a public hearing on the harbor proposal and withdraw that report. Despite the strong plea which we made for preservation of the irreplaceable dunes and the evidence we presented to show that there was little or no economic justification for building a fifth harbor for Indiana in the dunes, the corps issued a second report in February 1962, again favoring a harbor and alleging that it would be economically feasible.

The new report recommended that the Federal Government spend $25 million to construct an outer breakwater, on the promise that the State of Indiana and local interests would spend about $43 million for the necessary shore connections and public terminal facilities. It is interesting to note that while the 1960 report claimed a benefit-to-cost ratio—that is, the amount of benefits in dollars to be derived from the public harbor for each dollar of investment to build it—of nearly 6 to 1, the 1962 report reduced this ratio to about 1.5 to 1. This new report was released to the public only 2 days before the hearings were held by the Public Lands Subcommittee of the Senate on the bill I and six other Senators introduced in the 87th Congress to create the Indiana Dunes National Lakeshore.

Despite our request for a reasonable period in which to study the allegations of economic feasibility for the port which the Corps made, and for a further public hearing, the Board for Rivers and Harbors of the Corps of Army Engineers approved the district engineer's report and recommendations only a month later, without public hearings, without providing us with the evidence on which the district engineer allegedly based his conclusions, and without considering the objections and evidence which we presented to the Board. At the next step in the consideration of a Federal harbor project, namely, approval by the Chief of Army Engineers, we were again denied a hearing and consideration of our arguments. Over our protests and requests for fair procedure, the proposal was sent forward to the Bureau of the Budget which has the responsibility of coordinating the program of the President and in public works matters of clearing proposals on behalf of the President for submission to the Congress.

### III. APPEAL TO WHITE HOUSE BRINGS ORDER FOR BUDGET BUREAU REVIEW OF BURNS DITCH HARBOR

I then appealed to the Bureau of the Budget and directly to President Kennedy himself to give us a hearing on our plea to save the beautiful Indiana Dunes. I pointed out that the President, himself, had recommend to the Congress in his March 1961, conservation message that there be established in northern Indiana a national lakeshore area in the Indiana Dunes. Appeals were also made to the President by the Save the Dunes Council, conservationists, important newspapers, and thousands of citizens asking that the Indiana dunes be saved.

The report of the Rockefeller Commission on Outdoor Recreation had only recently pointed out that the most pressing need in America is for the preservation and creation of recreation areas close to where the people are. The Indiana Dunes, only an hour's travel from the center of a densely populated area of 7½ million people, was the best example of what the Rockefeller Commission was talking about. Here was an opportunity to save a beautiful and scientifically valuable area close to where the people are. When the administration indicated that the support of Indiana interests, including Governor Welsh of Indiana and members of the congressional delegation, prevented an outright rejection of the harbor proposals, we insisted that the Bureau of the Budget certainly could not let the harbor proposal go forward to the Congress without a thorough study of the economic issues involved. After some false starts and several anxious days at the conclusion of the 87th Congress, when it looked temporarily as if the harbor report would go forward, the Bureau of the Budget began to carefully study the objections which I and others had to the harbor proposal.

### IV. SAVE THE DUNES COUNCIL ENGINEERING COMMITTEE EFFECTIVELY CHALLENGES CORPS' FIGURES ON HARBOR

During the past year the engineering committee of the Save the Dunes Council, consisting of a few extremely competent and dedicated men who volunteered their services during their off-work hours, made an extraordinary and intensive study of the Corps of Engineers' recommendations. They discovered numerous errors of fact and argument and with their very fine help I was able to put this evidence before the Bureau of the Budget and in many cases to secure a revision of the corps' estimates.

I cannot go into these matters in detail here, but what we found was that the evidence contradicted the port promoters' claims of real public benefit from the proposed harbor. For example, we found that the corps' estimates of traffic through the harbor of coal, grain, and general cargo were excessive and that the volume of traffic, in fact, would be so slight as not to justify the expenditure of Federal funds for a harbor. We also found errors in the calculations made of supposed savings to shippers due to alleged reductions in shipping times and in tug and vessel delay costs. Most of our objections were recognized by the Bureau of the Budget in their letter of September 24, 1963. We also showed conclusively that the State of Indiana, which under their constitution would have to issue revenue bonds to pay for the $39 million cost of public terminal facilities, could not sell such revenue bonds because the expected revenue from the public terminal would be insufficient to pay for the retirement of the bonds.

I believe that the evidence we presented to the Bureau of the Budget showed conclusively that local commitments could not be met, that traffic in coal, grain, and general cargo would be insufficient to support the port, and generally that this harbor is not economically justified. Moreover, we pointed out again and again that the primary justification for the harbor was the alleged use to be made of it by the two steel companies which the port promoters said would someday build basic or integrated mills in the dunes. However, we pointed out that neither of the two steel companies would commit itself to whether it would definitely build an integrated mill or when such construction would ever begin.

While we were able to question successfully much of the alleged evidence in support of the economic justification for the harbor, the crucial problem remained the same with respect to the action to be taken by the Bureau of the Budget. The supporters of the national park in the Indiana Dunes asked that the proposed harbor report be rejected by the Bureau of the Budget on the grounds that its economic justification could not be shown. On the other hand, some officials argued that the traditional policy of the Bureau of the Budget has been to permit harbor proposals to go forward to the Congress for authorization, but with conditions attached which must be met before any Federal funds could be expended on the project. I pleaded that the fate of the Indiana Dunes was at stake and that, therefore, the administration should not follow such a policy. Nevertheless, the Bureau of the Budget and the White House felt, wrongly in my judgment, that this policy must be followed. The effect of our evidence on the question of economic feasibility was, therefore, to force the Corps of Engineers to rewrite their report and to cause the Bureau of the Budget to impose stringent conditions on the harbor proposal.

### V. UNLIKELY THAT BUDGET BUREAU'S CONDITIONS ON HARBOR CAN BE MET

In its comment on the harbor question, the Bureau of the Budget in its letter of September 24 says in part that no Federal funds may be used for the construction of a Burns Ditch Harbor unless:

(1) Both National and Bethlehem Steel give firm commitments to build integrated steel mills with a large volume of production and there is conclusive evidence that at least 5 million tons of independent coal will be shipped out of the harbor each year; or

(2) One steel company commits itself to build an integrated plan and it is proved than 10 million tons of nonsteel commodities annually would be transshipped out of the Burns Ditch Harbor. In either case, the Bureau said, the alleged benefit-to-cost ratio would be well below 1.3 to 1.

I believe that these requirements, as well as other requirements contained in the Bureau's letter, can never be met and hence that there will never be a Federal harbor in the dunes if the requirements are enforced. The steel companies, of course, as we have pointed out all along, still refuse to give commitments that they will build integrated mills. In addition, it is highly doubtful that coal traffic could ever approach the required volumes. We pointed out and the Bureau admits that the corps failed to take into account several important factors affecting the future coal traffic in the Chicago area. In fact, the Bureau ordered in its letter that there must be an interagency study of the coal question conducted by the Secretary of the Army, the Department of Commerce, the Federal Power Commission, and the Atomic Energy Commission, prior to any appropriations being requested for a Burns Ditch Harbor.

Moreover, the Corps of Engineers claim of coal benefits at Burns Ditch Harbor failed to take account of these very important factors: (1) Nearly all the coal which is transshipped out of the Chicago area is presently handled in the Calumet Harbor by the Rail-to-Water, Inc., facilities at 95th Street and the Calumet River; (2) this facility is owned by the railroads which ship the coal to the Chicago area for transshipment; (3) this facility will not move to Burns Ditch Harbor, which one railroad will monopolize, except on the payment of a huge bonus which the Indiana Port Commission cannot possibly afford to pay it; (4) Rail-to-Water, Inc., has a capacity of 15 million tons per year, which is three times the present movement of coal from rail to lake vessel in the Chicago area and twice the likely maximum future volume of coal traffic; and (5) the Monon Railroad has already received Interstate Commerce Commission approval for its plans greatly to increase its capacity at Michigan City for transferring coal from rail to water. The Monon Railroad, of course, is the main railroad serving the southern Indiana coal producers.

In addition to the conditions concerning integrated steel mills and coal traffic, the Bureau of the Budget letter set up a number of other conditions which would have to be met before appropriations are made. It will also be very difficult to meet many of these conditions. They include:

(1) The local interests must, prior to expenditure of Federal funds for construction, furnish assurances satisfactory to the Secretary of the Army that the items of local cooperation recommended by the Chief of Engineers will be complied with. These items of local cooperation include: Providing the land and rights-of-way for the harbor; assuming all responsibility for damage due to the construction and maintenance of the project, including damages for any shore erosion; reimbursing the U.S. Government for all excess cost for dredging should this work be done by other than hydraulic methods; providing and maintaining at local expense adequate public terminal and transfer facilities open to all on equal terms; providing and maintaining without cost to the U.S. Government depths in berthing areas and local access channels serving the terminals commensurate with the depths provided in the related project areas; and constructing adequate east and west shore connections having lengths of 1,820 feet and 2,500 feet, respectively.

The cost of meeting these requirements, of course, affects the ability of the port commission to secure sufficient revenues from the port to retire the revenue bonds which must be sold to pay for the public terminal facilities. When all these costs are taken into account, serious doubt is cast upon the ability of the port commission to sell these bonds.

(2) In addition to the above requirements which were recommended by the Chief of Engineers, the Bureau of the Budget requires also that before there can be expenditures of funds for construction there must be assurances that:

(a) "Arrangements and schedules for providing public terminals and transfer facilities are adequate to support the traffic on which project benefits are based and such facilities will be financed on a self-liquidating basis."

(b) "Water and air pollution sources will be controlled to the maximum extent feasible in order to minimize any adverse effects on public recreational areas in the general vicinity of the harbor." I shall discuss this condition in more detail in a moment.

(c) "There will be construction of two integrated steel mills on a schedule generally consistent with the completion of the harbor—or of one integrated steel mill if a detailed study by the Chief of Engineers of traffic related to the other mill, and to other transshipped commodities, clearly supports economic justification of the project. The study should be supplemented by an appraisal in collaboration with other interested Federal agencies of prospective coal shipments to the proposed harbor with appropriate consideration of other possible alternative modes of coal movement such as barge-to-lake vessel transshipment." This means that the Corps of Engineers alleged evidence on future coal movement in the Chicago area was successfully challenged by the Save the Dunes Council engineers with the result that the Bureau has ordered a new coal study.

In its letter, the Bureau says that while some growth of coal consumption in the Great Lakes area will take place, an assumption of the magnitude of that made by the Corps of Engineers "should be based upon further study by all the Federal agencies concerned." The report goes on: "For example, recent technological developments in rail transportation and electrical generation and transmission do not appear to have been fully considered in the division engineer's coal projection. In addition, we believe that more recent information with respect to the possibility of nuclear power generation in the area should be given further consideration."

Further, the Bureau concludes its letter by noting: "Subject to these understandings, you are advised that there would be no objection to the submission of the report to the Congress. No commitment, however, can be made at this time as to when any estimate of appropriation would be submitted for construction of the project, if authorized by the Congress, since this would be governed by the President's budgetary objectives as determined by the then prevailing fiscal situation."

Thus it is clear from the Bureau of the Budget's letter that the administration's approval of a Burns Ditch Harbor is subject to many conditions, which the port promoters will have great difficulty in meeting. For my part, I shall continue to point out the evidence which shows that the Burns Ditch Harbor is not economically justified. I shall also continue my appeal that industrialization in this area not be encouraged by the construction of a Federal harbor, particularly not by a harbor which is unsound economically, because we must preserve every possible inch of the Indiana Dunes for the generations to come. I shall present this evidence before the committees of the House and the Senate.

I would like to make it clear again, however, that I do not oppose Indiana having another harbor on Lake Michigan if it can be shown that it is economically justified. Four harbors already exist in Indiana along its short shoreline, two public and two private. Moreover, the Corps of Engineers is now in its second year of studying the proposed Tri-City Harbor which would be located in Lake County, in Indiana, near the cities of Whiting, Gary, and East Chicago. On the basis of present evidence I believe that the Tri-City Harbor proposal is much more justified than a Burns Ditch Harbor, and it would have the great advantage of confining further industrialization largely to the already industrialized Lake County.

### VI. ADMINISTRATION RECOMMENDS 11,700-ACRE DUNES PARK

While it is a disheartening experience to have lost support for the preservation of the beautiful unit 2 area, the new decision of the administration does provide us with "half a loaf" for which we can be greatful and of which we must take full advantage.

The administration has now given its pledge of support for an 11,700-acre Indiana Dunes National Lakeshore. This proposal excepts the unit 2 area, but if we are to be realistic we must push for enactment of the recommended park bill. We can do this in the hope that, if no Federal harbor is built at Burns Ditch and if Bethlehem Steel refrains from maliciously destroying the remaining unspoiled areas along the lake in unit 2, we might, once a park is established, amend the act to provide for inclusion in the park of whatever remains of value in unit 2.

Within a few days I expect to cosponsor in the Senate, along with the chairman and senior member of the Interior Committee and the two Senators from Indiana, the new Indiana Dunes National Lakeshore bill recommended by the administration. I am confident that we will be joined in sponsorship of this legislation by many members of the Senate Public Lands Subcommittee, by the cosponsors of the bill, S. 650, which I introduced earlier this year, and by other Senators as well. We will make every effort to secure immediate hearings by the Public Lands Subcommittee and action in the Senate as soon as possible. At the same time, I shall confer with leaders of the House of Representatives, including Congressman JOHN P. SAYLOR of Pennsylvania, the ranking Republican member of the House Interior Committee who introduced a companion bill to S. 650 earlier this year, in an effort to secure House action on the new administration bill.

The recommendations of the Bureau of the Budget with respect to the proposed national lakeshore in the Indiana Dunes deserve particular notice. In its letter the Bureau notes that the President endorsed the objective of establishing a national lakeshore in the dunes in his conservation message and that the administration supported congressional action to this end in comments on my bill which was considered by the Senate Subcommittee in the 87th Congress. The Bureau also notes that it has been particularly concerned in the last year with the preservation of unit 2, but that much of this area has recently been destroyed by the Bethlehem Steel Co. and leveled as a site for a finishing mill, leaving only about 675 acres of the original 2,000 acres in its natural state. The letter goes on to say that the Department of Interior has recently reviewed the remaining dunes area and has recommended an enlarged area which will fully meet the criteria for a national lakeshore. This report will be submitted to Congress very shortly.

The report says further, "It is the President's wish to see a deep draft harbor for Indiana made a reality, while at the same time preserving as much as possible of the priceless heritage of Indiana Dunes for future generations. Early acquisition of these natural areas is essential if they are to be preserved for public use and enjoyment. Accordingly, it would be highly desirable that the Congress give early consideration to both harbor and park proposals in order that appropriate plans for a balanced development of this important area may be made.

I have received assurances from the National Park Service and the White House of their earnestness about getting this park established. I shall do my best to secure the full assistance of the Secretary of the Interior and the President in promoting the park bill in the Congress.

### VII. NEW PARK BILL WILL LET DUNES RESIDENTS RETAIN OR SELL THEIR IMPROVED PROPERTY

The administration bill to create the Indiana Dunes National Lakeshore tentatively will provide for an 11,700-acre park located mainly to the east of the beautiful area which was designated unit 2 in S. 650. National Park Service is recommending that the main body of the park run from Northern Indiana Public Service Co. (Nipsco) boundary east to Michigan City including a little over a half mile of lakefront in LaPorte County. This area will be bounded on the south by the Chicago, South Shore, and South Bend Railroad, and will except the highly developed portions of Dune Acres and Beverly Shores and also the residential development at the southwest tip of the State park.

Then, immediately south of Dune Acres, State park, and Beverly Shores areas and the C.S.S. & S.B. Railroad, there would be an additional park unit running from near Meadowbrook to a point directly south of Beverly Shores. The park would also include the undeveloped lakeshore area between Gary and Ogden Dunes, bounded on the south by the New York Central tracks, plus the natural area immediately south and across the railroad tracks from this unit and Ogden Dunes. In addition, there would be preserved as part of the park five small units of nature areas including sections surrounding Mud Lake, Morgan, and Billington Lakes and a stretch of the Little Calumet River 5 miles south of Beverly Shores.

The National Park Service recommendations foresee the following types of park usage for these areas. Intensive beach use would be made of the area between Gary and Ogden Dunes and the area east of the Beverly Shores residential development. The sections south of Ogden Dunes and Dune Acres, and the smaller parcels inland, would be preserved as natural areas with nature study preserves and nature trails. The unit south of the railroad and the Dune Acres-State park section would be used as a nature center with associated day camps, youth camps, and picnic sites to the west and with camping grounds and the park headquarters to the east.

The rights of property owners will be liberally protected in the administration bill by what has come to be called the "Cape Cod formula," just as was provided in S. 650. This formula permits owners of improved (i.e., having a house or cottage on it) residential property which falls within the park to retain the right of use and occupancy of the improved property for noncommercial residential purposes for as long as he or his heirs desire, providing the use is consistent with park purposes and the zoning regulations established by the Secretary of the Interior. Or, if an owner wishes, he may sell his improved property to the Government outright, or sell and retain the right of use and occupancy for noncommercial residential purposes for a term of 25 years or less, as he wishes. Improved residential property owners will have full retention and use of their improved property, and in addition, will have it protected from further encroachment by commercial, industrial or residential development.

It is important to note that while the bill will propose that the Indiana Dunes State Park be made a part of the national lakeshore, this will be entirely voluntary under the Cape Cod formula. If the State of Indiana prefers to keep an independent State park, then agreements will be negotiated between the State and the National Park Service to provide for cooperative and complementary development and administration of the entire area.

### VIII. STRONG PROTECTION AGAINST AIR AND WATER POLLUTION NECESSARY

Of course, one of the major problems affecting this compromise proposal is the possibility that pollution from the industrialized areas in the dunes will destroy the recreational values of the national park. The danger of such pollution was one of the most important reasons for our plea that there should be no Burns Ditch Harbor and no encouragement whatsoever of industrialization in the Dunes. Nevertheless, we are faced with the decision to permit industrialization in the unit 2 area and so we must do all that is possible to see that the pollution will be controlled. I discussed this matter at length with the representatives of the Bureau of the Budget and the White House, and they agree that strong action must be taken against pollution. In their letter, the Bureau states:

"Successful functioning of the proposed park areas for public recreation use is closely related, of course, to possible adverse effects of water and air pollution that might result from present and future industrialization in the vicinity of the proposed harbor site. The Public Health Service, in a special report dated June 19, 1962 to the Corps of Engineers and by letter of August 8, 1962, to the Bureau of the Budget, has indicated that potential water and air pollution from existing and ultimate development in the harbor area, if adequately controlled, should not seriously interfere with public recreational use of the present and proposed dune park area to the east. We are informed that the Indiana Stream Pollution Board has adequate legislative authority to require abatement of existing and potential water pollution sources. We have also been advised that the town of Portage and Porter County have zoning regulations relating to air pollution, and that the State of Indiana has enacted an air pollution control law which provides a legal basis for effective air pollution control, including authority for the State to intervene if local agencies do not enforce their ordinances. Given adequate enforcement of controls on water and air pollution emanating from sources in the Burns Ditch area—assurances of which we believe should be made prerequisite to construction of the Burns Waterway project—it would appear that adverse effects of the proposed harbor development and related port complex on present and prospective recreational uses in the area would not be substantial."

I believe that we must seek full assurance that there will be adequate control of air and water pollution in the area. Legislation now pending in the Congress may give us satisfactory protection, but if not, then we may have to consider including in the dunes lakeshore bill special authority for the Secretary of the Interior to take action in court against pollution offenders. This will be extremely important.

### IX. YOUR HELP IS NEEDED

I hope you find this explanation of some help. We have suffered a great loss in the ruthless destruction of unit 2 by Bethlehem Steel, encouraged by the officials of the State of Indiana, and in the abandonment of this area to industrialization by the administration. But we now have an opportunity to save much of the remaining unspoiled area in the dunes. Even though we have promises of administration support, of course, we will not have an easy road in getting the park bill through the Congress. We are going to need the continued active support of the conservation groups, newspapers, and the hundreds of thousands of citizens who love beauty and want to preserve our natural heritage for the people of our crowded Nation of the future. If we delay, the dunes destroyers will move into the other areas which are now marked for rescue. If we delay long, there will be no dunes left to save. I hope you will continue to help us.

PAUL H. DOUGLAS,
*U.S. Senate.*

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EXHIBIT 2

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
*Washington, D.C., September 24, 1961.*

Hon. CYRUS R. VANCE,
*Secretary of the Army,*
*Washington, D.C.*

DEAR MR. SECRETARY: The Department of the Army submitted on June 27, 1962, a favorable report of the Chief of Engineers on Burns Waterway Harbor, Ind., in response to resolutions by the Committees on Public Works, U.S. Senate and House of Representatives, adopted May 18, 1956, and June 27, 1956, respectively, and to an earlier resolution of the Committee on Public Works of the House of Representatives, adopted March 15, 1949. Mr. Califano's letter of August 20, 1963, submitted a revised report in substitution therefor.

The Chief of Engineers recommends, subject to certain requirements of local cooperation, construction of a deep-draft harbor near Burns Waterway consisting of protective breakwaters with shore connections, approach and entrance channels, and an outer harbor area of 225 acres.

Based on November 1961 price levels, the Federal cost for construction is estimated at about $25 million and annual maintenance at about $100,000. The benefit-cost ratio, based on a 50-year period of analysis, is stated to be 1.65.

The report of the Chief of Engineers stipulates that, prior to construction, local interests agree to meet certain stated conditions of cooperation. These conditions include construction of one fully integrated steel mill, construction of east and west shore connections to the proposed Federal breakwaters at an estimated cost of $4.5 million, and provision and maintenance at local expense of adequate public terminal and transfer facilities open to all on equal terms.

Review of this project report by the Bureau of the Budget has been delayed by two factors. First, it has been necessary to examine in detail the estimated benefits and costs used by the Corps of Engineers in its initial report in determining the project's economic justification. Second, we have desired to give every consideration to the possibility of locating the project in such a manner as to preserve the maximum area possible for a national lakeshore dunes area, in accord with the President's stated objective in his message to the Congress of March 1, 1962.

In an effort to preserve a larger area for a national lakeshore dunes park, consideration has been given to alternative proposals developed by the Lake Michigan Regional Planning Council and the Save the Dunes Council which would place the harbor inland and westward from the location proposed by the Corps of Engineers. The Department of the Army has analyzed these proposals and has pointed out the greater cost and lesser operating efficiency of the alternative harbors and the fact that they have been rejected both by the Indiana Port Commission, the local sponsor for the harbor, and the two steel companies concerned. Therefore, the Department has informally concluded that the alternative harbors could not be recommended. The Bureau of the Budget concurs in this conclusion.

### ANALYSIS OF REVISED REPORT

The Chief of Engineers, in his revised report, has undertaken a detailed review of the project justification, taking into account a number of questions which had been raised with respect to the economic feasibility of the original project proposal. As a result, the revised report has reduced certain estimated project benefits. These reductions, assuming one integrated steel mill and annual shipments of 5 million tons of coal through the harbor, would reduce the project benefit-cost ratio from 1.52 to 1.03. The revised report assumes two integrated steel mills and an average annual shipment of coal through the harbor of 10 million tons. As a result the benefit-cost ratio in the revised report is estimated at 1.65.

The Bureau of the Budget has carefully reviewed the revised report. Our conclusions are as follows:

1. Aside from the assumptions with respect to the construction of two integrated steel mills and the volume of coal shipments from the Burns Ditch Harbor, the Bureau of the Budget believes that the net saving in vessel movement time for coal, grain, and general cargo used by the Corps of Engineers is excessive, based upon a full review of information provided by the Great Lakes Towing Co. subsequent to completion of the Chief of Engineers revised report. In addition, this information indicates that the number of tugs currently necessary for vessels equipped with bow thrusters is fewer than assumed by the Corps of Engineers. We also believe that the cost of bow-thruster equipment should not be specifically assessed against the cost of operating in the Calumet River, but should be regarded as part of the total operating cost of the vessels on which such equipment is installed—as would normally be the case with any other vessel improvement. Finally, we believe a minor additional reduction in benefits should be made to take into account the lower operating cost of foreign vessels utilizing the port.

2. The revised report of the Chief of Engineers assumes the need for a harbor adequate to provide for the requirements or two integrated steel mills with the result that the assumed benefits due to the construction of a public harbor are increased from $10 to $17 million. It is our understanding that both companies, the National Steel Corp. and the Bethlehem Steel Co., have stated their intention to add basic steel-making facilities to the rolling and finishing

mills now in operation or under construction, the timing to be determined in the light of economic and other considerations. The fact that timing of such action must necessarily be indefinite is understandable. However, this consideration is highly important as shipments into the harbor of iron ore, limestone, and coking coal, which constitute the underlying justification for the steel mill benefits claimed, are dependent upon the construction of such steelmaking facilities. We, therefore, believe that explicit arrangements should be made by the Secretary of the Army to obtain more specific assurances prior to submitting an appropriation request to undertake the construction of the harbor based upon these assumptions.

3. The Bureau of the Budget believes that uncertainties exist with respect to forecasting future trends in coal shipments which have been assumed in the revised report of the Chief of Engineers. The upward revision contained in the revised report is based upon a projection of total average annual coal shipments of 24 million tons from ports along the southern shore of Lake Michigan over the next 50 years developed by the division engineer in his 1961 coal traffic analysis. This latter report was developed as a general basis for analyzing various harbor project proposals in the Great Lakes area. It is noted, however, that coal shipments from south Lake Michigan ports, currently about 6 million tons annually, have shown no significant increase since 1957.

While we do not question the fact that considerable growth of coal consumption in the Great Lakes area will take place, particularly for electric power generation requirements, we believe that an assumption of this magnitude of growth should be based upon further study by all of the Federal agencies concerned. For example, recent technological developments in rail transportation and electric generation and transmission do not appear to have been fully considered in the division engineer's coal projection. In addition, we believe that more recent information with respect to the possibilities of nuclear power generation in the area should be given further consideration. Under these circumstances, the Bureau of the Budget believes that the Department of the Army should undertake immediately a review in cooperation with other interested Federal agencies of the estimates contained in the 1961 coal traffic analysis with a view to an early reappraisal of possible coal shipments from southern Lake Michigan ports and a determination of the effect upon the economic justification of the harbor.

The Bureau of the Budget has not questioned the assumption underlying the report that, should the overall volume of shipments be realized, adequate coal transfer facilities would be needed at both Calumet Harbor and Burns Waterway Harbor.

4. The Chief of Engineers' report states that under the standards for project formulation and evaluation approved by the President, it is permissible to use a 100-year period for evaluation, and that the resulting benefit-cost ratio would be increased by about 30 percent. Present standards do provide that the economic evaluation of a project shall encompass the period of time over which the project will serve a useful purpose and an evaluation period of up to 100 years is permissible where appropriate. However, in a project such as this an economic analysis over a period of as much as 100 years becomes exceedingly conjectural because of the difficulty of defining remote future conditions such as projected traffic patterns, trends in vessel development, and transportation technology. Accordingly, if an evaluation period significantly greater than 50 years were to be adopted for this project, we believe it should be based on a thorough evaluation and fully supported determination of physical and economic usefulness over such a period.

5. In the 1960 report of the district engineer on the Burns Waterway Harbor project, the economic costs of shoreline erosion expected to result to the west of the proposed harbor were included in the economic evaluation of the Federal project. In his 1961 report, on which the report of the Chief of Engineers is based, these effects are not similarly evaluated. The district engineer notes, however, that on January 5, 1961, a permit was issued by the Department of the Army to Midwest Steel Division of National Steel Corp. to construct bulkheads and riparian fill extending 2,500 feet into Lake Michigan. In his judgment, this bulkhead would intercept the littoral drift moving from east to west along the shore of Lake Michigan at that point. His report notes that matters regarding shore erosion due to the riparian fill and its bulkheads concern the shore owners and the permittee, not the United States. Accordingly, he now concludes that any shore erosion which might occur by reason of construction in the Burns Ditch area would be associated with the previously approved riparian fill. As the erosion would not be further aggravated by the proposed Burns Harbor breakwater, no economic cost associated with beach erosion is assessed against the harbor. The Bureau of the Budget believes this treatment to be in accord with normal project evaluation practice.

6. Questions have been raised regarding the ability of the State of Indiana to finance on a self-liquidating basis the transfer and terminal facilities and the other required items of local cooperation. While the Indiana port commission is currently obtaining more definite information on this matter through contract consultants, the Bureau of the Budget would regard the formal assurances that have been given by the Governor of Indiana as adequate for authorization purposes and in keeping with established practice for other projects of this type. We believe, however, that firm assurances on this matter should precede construction of the harbor.

### RECOMMENDED LAKESHORE AREA

In recent years, several legislative proposals have been advanced to establish an Indiana dunes national lakeshore to preserve a portion of remaining undeveloped beaches, dunes, and marshes for their high natural scenic, scientific, and recreational values. This objective was endorsed by the President in his message on conservation and supported by this administration in comments on legislation before the 87th Congress. The relationship of such proposals to development of a port and industrial complex associated with the proposed harbor has been a matter of considerable contention. Of particular concern was preservation of one tract of highly desirable duneland lying immediately adjacent to and east of the site of the proposed harbor. Much of this tract recently has been developed by its owner, the Bethlehem Steel Co., as a site for a rolling and finishing mill, leaving only about 675 acres of the original 2,054 acres in its natural state. The company has indicated its intention to use this remaining parcel for further expansion of its facilities.

The Department of the Interior has recently reviewed the remaining areas of Indiana dunes to determine those feasible for incorporation in a lakeshore park. While the tracts immediately adjacent to the harbor site are not proposed for acquisition, an area fully meeting the established criteria for a national lakeshore area has been developed by the Department of the Interior and will be submitted to the Congress shortly.

It is the President's wish to see a deep-draft harbor for Indiana made a reality, while at the same time preserving as much as possible of the priceless heritage of Indiana dunes for future generations. Early acquisition of remaining dunes and natural areas is essential if they are to be preserved for public use and enjoyment. Accordingly, it would be highly desirable that the Congress give early consideration to both harbor and park proposals in order that appropriate plans for a balanced development of this important area may be made.

Successful functioning of the proposed park areas for public recreation use is closely related, of course, to possible adverse effects of water and air pollution that might result from present and future industrialization in the vicinity of the proposed harbor site. The Public Health Service, in a special report dated June 19, 1962, to the Corps of Engineers and by letter of August 8, 1962, to the Bureau of the Budget has indicated that potential water and air pollution from existing and ultimate development in the harbor area, if adequately controlled, should not seriously interfere with public recreational use of the present and proposed dune park area to the east.

We are informed that the Indiana Stream Pollution Board has adequate legislative authority to require abatement of existing and potential water pollution sources. We have also been advised that the town of Portage and Porter County have zoning regulations relating to air pollution, and that the State of Indiana has enacted an air pollution control law which provides a legal basis for effective air pollution control, including authority for the State to intervene if local agencies do not enforce their ordinances. Given adequate enforcement of controls on water and air pollution emanating from sources in the Burns Ditch area—assurance of which we believe should be made prerequisite to construction of the Burns Waterway project—it would appear that adverse effects of the proposed harbor development and related port complex on present and prospective recreational uses in the area would not be substantial.

Administration endorsed legislation now pending before the Congress would go far in asserting a Federal responsibility to prevent air pollution in situations of this kind in the event that effective State and local action has not been taken.

### CONCLUSIONS

The Bureau of the Budget recommends the authorization of the Burns Waterway Harbor, provided that prior to expenditure of funds for construction, local interests furnish assurances satisfactory to the Secretary of the Army that the items of local cooperation recommended by the Chief of Engineers will be complied with and additionally that:

1. Arrangements and schedules for providing public terminals and transfer facilities are adequate to support the traffic on which project benefits are based and such facilities will be financed on a self-liquidating basis.

2. Water and air pollution sources will be controlled to the maximum extent feasible in order to minimize any adverse effects on public recreational areas in the general vicinity of the harbor.

3. There will be construction of two integrated steel mills on a schedule generally consistent with the completion of the harbor—or of one integrated steel mill if a detailed study by the Chief of Engineers of traffic related to the other mill, and to other transshipped commodities, clearly supports economic justification of the project. The study should be supplemented by an appraisal in collaboration with other interested Federal agencies of prospective coal shipments through the proposed harbor with appropriate consideration of other possible alternative modes of coal movement such as barge-to-lake vessel transshipment.

Subject to these understandings, you are advised that there would be no objection to the submission of the report to the Congress. No commitment, however, can be made at this time as to when any estimate of appropriation would be submitted for construction of the project, if authorized by the Congress, since this would be governed by the President's budgetary objectives as determined by the then prevailing fiscal situation.

Sincerely,

ELMER B. STAATS,
*Deputy Director.*

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EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
*Washington, D.C., September 24, 1963.*
Hon. CYRUS R. VANCE,
*Secretary of the Army,*
*Washington, D.C.*

DEAR MR. SECRETARY: In connection with the Bureau of the Budget's review of the report of the Chief of Engineers on Burns Waterway Harbor, certain information was requested of the Public Health Service with respect to air and water pollution which might be expected to occur in connection with the industrialization which is planned in the vicinity of the harbor.

The information requested was primarily to determine if the expected industrialization would significantly impair planned recreational use of beach and dunes areas contemplated under proposals for a national lakeshore area in that vicinity. The substance of the findings of the Public Health Service in this respect is set forth in our clearance letter on the Burns Waterway Harbor project report.

As an extension of their consideration of the effect of potential air pollution in relation to proposed recreational development, the Public Health Service has recently submitted an additional report on the possible additive effect on air pollution levels in the Gary-East Chicago area from pollution originating in the vicinity of Burns Waterway.

We suggest that this letter and the letter from the Public Health Service, attached, together with the letter and report previously made available to your staff on pollution matters, be made a part of the project report document on the Burns Waterway Harbor.

Sincerely,

ELMER B. STAATS,
*Deputy Director.*

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
PUBLIC HEALTH SERVICE,
*Washington, D.C., September 23, 1963.*
Hon. KERMIT GORDON,
*Bureau of the Budget,*
*Executive Office of the President,*
*Washington, D.C.*

DEAR MR. GORDON: This is in response to a request from your staff for a further analysis and judgment concerning the potential air pollution problems associated with proposed industrial developments along the Lake Michigan shore in northern Indiana, and more specifically as to the contribution of the proposed Burns Ditch developments to air pollution in the open dunes land areas immediately to the west of Ogden Dunes and in the Gary-East Chicago area.

Enclosed is a copy of a brief staff memorandum making the evaluation requested. Necessarily, because of limitations of time and existing available data, this evaluation is not nearly as complete as desirable. Nevertheless, it appears to be adequate to bringing into focus a potentially serious air pollution problem and it is our feeling that an extended evaluation would merely sharpen up values rather than change them significantly.

The Gary-East Chicago area is already one of the more highly polluted areas in the United States with respect to airborne particulate matter. Only limited information is available on this area with respect to airborne concentrations of sulfur oxides pollutants; available information, however, would indicate that such pollution is already at levels sufficiently high to be of concern.

Up to the present time, air pollution control programs operated by governmental agencies in this area are only of nominal extent. The city of East Chicago has a program which employs one man and Gary is reported to be developing a program. The State of Indiana is developing a control program under recently enacted legislation and currently has one engineer with full-time activities in this effort. None of the steel production furnaces in the Gary-East Chicago area have air pollution control equipment installed on them according to available information, although we understand that at least two of the companies are giving consideration to the installation of such controls. In addition, in this area there are other large potential sources of air pollution including oil refineries and utility company electric generating stations.

The enclosed memorandum would indicate that, for 2 to 4 percent of the time (7 to 14 days per year) the contribution of airborne particulates in the open dunes land area west of Ogden Dunes from the proposed Burns Ditch industrial development is estimated at 400 to 800 micrograms per cubic meter; somewhat higher levels would be expected in the community of Ogden Dunes, which has a population of about 1,000.

Also the enclosed memorandum would indicate that, for 2 to 4 percent of the time (7 to 14 days per year) the contribution of airborne particulates in the Gary area resulting from the proposed Burns Ditch industrial development is estimated at 200 to 400 micrograms per cubic meter. This, added to existing particulate pollution, would result in levels in the range of 400 to 650 micrograms per cubic meter with occasional levels of over 1,000.

In the period 1957–61, the results from the National Air Sampling Network show an average particulate loading of 118 micrograms per cubic meter for all urban stations, and 36 for all nonurban stations. In the United States only one jurisdiction has established standards for airborne particulates; the Oregon State standard specifies maxima of 150 and 250 micrograms per cubic meter above normal background levels for residential-commercial and for heavy industrial land use areas respectively.

The contribution to airborne concentrations of sulfur dioxide in the Gary area, from the Burns Ditch complex, when added to existing pollution levels would be expected to result in 24-hour average concentrations of 0.2 to 0.7 part per million for 7 to 14 days per year. These concentrations would exceed those which have been established by a number of official agencies in this and other countries. Recent research results on the effects of sulfur oxides pollution on human health give indication of a need for more stringent standards for this type of pollutant than have been considered necessary in the past. Somewhat lesser concentrations of sulfur dioxide, estimated at 0.13 to 0.16 part per million may be expected to result in the open dunes land area west of Ogden Dunes from operations of the proposed Burns Ditch industrial development.

Totally, with respect to air pollution in the open dunes land area to the west of Ogden Dunes, the contribution of air pollutants from the Burns Ditch industrial development is not expected to seriously interfere with any public recreational uses. However, the additive effect of air pollution frcm the proposed Burns Ditch industrial development plus existing pollution in the Gary-East Chicago and other permanently inhabited areas may be expected to result in a potentially serious problem. At a minimum, the alleviation of this problem can be expected to require much greater air pollution control efforts on the part of public agencies and industry. Satisfactory control of the sulfur oxides problem may in addition require the use of technology which is only now under development. A number of studies are currently being supported, by both industry and public agencies, concerned with improvement of technology for removal of sulfur from fuels and for removal of sulfur oxides from combustion gases. Several technically promising new processes, designed to recover elemental sulfur or sulfuric acid from flue gases, are in the pilot plant stage of investigation in this and in other countries.

The proposed Burns Ditch industrial development, the proposed Indiana Dunes lakeshore, and the existing Indiana Dunes State Park, are all in Porter County, Ind. Adjacent to the west in Lake County are located Hammond, Whiting, East Chicago, Gary, and other highly industrialized areas. Immediately across the State line in Illinois, is the highly industrialized Chicago metropolitan complex. For this entire area the ideal air pollution control district should be interstate in character and encompass the sources of potential pollution and the areas affected. As an alternate to a multicounty interstate air pollution control district, the creation of which might take years of negotiations, the State of Indiana should be able in a reasonably short time, to establish a bicounty air pollution control district comprising all of major portions of Lake and Porter Counties which, by virtue of involving a large enough population and tax base, should be a viable entity. If this air pollution control district were to adopt and enforce regulations reasonably directed to the control of air pollution in the district, then air pollution problems of the area could be alleviated. In addition to tax support within the two counties, it would be reasonable to assume that additional financial support might be forthcoming from the State of Indiana, and, should pending legislation be enacted, from the Federal Government. In addition, technical assistance, including the loan of equipment and personnel, should reasonably be anticipated from both the State of Indiana and the Public Health Service.

Regulatory control of air pollution in this bicounty area would be much more difficult to accomplish if it involved individual participation by the multiplicity of cities, towns, and unincorporated areas in the two counties. Some of these have air pollution control ordinances and regulations; others do not. In those which have them, the ordinances and regulations are not uniform. Many of these communities do not have a population or tax base large enough to support an adequate program. Collectively, however, they could work out both short- and long-range control programs with the major industries in the two counties which would, over a period of years, achieve the desired objective.

If we can be of further assistance in this matter, please let us know.

Sincerely yours,

V. G. MACKENZIE,
*Chief, Division of Air Pollution.*

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### STAFF MEMORANDUM

### DIVISION OF AIR POLLUTION—EVALUATION OF THE CONTRIBUTION OF THE BURNS DITCH—DEVELOPMENT TO AIR POLLUTION IN AREAS TO THE WEST OF OGDEN DUNES

1. This report is supplemental to the information contained in Mr. V. G. MacKenzie's letter to Mr. D. E. Bell, dated August 20, 1962. The analysis is based on a comparison of the situation for winds from the east as

compared to winds from the west as previously studied in relation to the dunes area.

2. The basic components affecting resulting pollution levels are four: (a) frequency of winds from the general direction of the source to the receptor; (b) frequency of winds such that individual effects of the sources are additive; (c) wind speed; and (d) background levels at the receptor.

3. Mr. MacKenzie's letter of August 20, 1962 and attachments indicated the following for the dunes area pollution problem:

(a) Frequency of winds from the proposed industrial area to the dunes area equal to 5 to 7 percent.

(b) Frequency of winds such that effects of sources are additive equal to 1 to 2 percent. Pollution levels resulting from this are shown in tab G, indicating particulate levels of 300–600 micrograms per cubic meter and $SO_2$ levels of 0.08 to 0.18 part per million.

(c) Windspeed of 9 to 11 miles per hour during the recreation season.

(d) Normal background levels of 50 micrograms per cubic meter of particulate with occasional levels of 100 to 150 $\mu g/^3$. Data for background levels for sulfur dioxide are not available, but would be expected generally to be quite low.

4. Comparison of these four factors for the area to the west of Burns Ditch indicates the following:

(a) Frequency of winds from the proposed industrial area toward Gary equal to about 11 percent. Note that this is the average figure for the year and not just during the summer as was used to evaluate the recreational aspect of the Dunes area to the east. This compares with 5 to 7 percent previously or an increase of 80 percent or so.

(b) Frequency of winds such that effects are additive is estimated to bear the same relationship to the general wind data as previously or roughly 2 to 4 percent.

(c) Wind speed of 11 to 13 miles per hour. This would result in an estimated 30 percent reduction in pollution levels from the Burns Ditch industrial complex as shown in 3(b) above. Resulting levels in the open dunesland area to the west of Ogden Dunes could range from 400 to 800 $\mu g/m^3$ for particulate and 0.13 to 0.16 part per million for $SO_2$ and in the Gary area would range from 200 to 400 $\mu g/m^3$ for particulate and 0.06 to 0.13 part per million for $SO_2$. The concentrations in Ogden Dunes, with a population of approximately 1,000, would be higher than in the open dunesland to the west.

(d) Backround levels for particulate in the Gary area average in the range of 200 to 250 $\mu g/m^3$ and 10 percent of the time they exceed 250–500 $\mu g/m^3$. Sulfur dioxide data for the Gary area are limited. Data from Chicago would indicate this to average about 0.1 part per million with 0.6 part per million being exceeded 10 percent of the time for 24-hour averaging periods.

(e) When the winds are from the west, they pass over Gary before arriving at the open dunesland area to the west of Ogden Dunes. Because of diffusion, the concentrations of pollutants in the open dunesland area should under these circumstances be lower than those in Gary itself. The order of magnitude should be, for particulate matter, an average of under 100 $\mu g/m^3$ with values for 10 percent of the time in the 150–200 $\mu g/m^3$ range. As noted above, there is insufficient data to estimate sulfur dioxide levels with a wind from the west.

5. Summarizing this data, the following is indicated:

A. Open dunesland area to the west of Ogden Dunes.

(a) Particulate: For from 2 to 4 percent of the time (7 to 14 days per year) the contribution of particulate to this area from the Burns Ditch industrial complex could result in levels of from 400 to 800 $\mu g/m^3$.

(b) Sulfur Dioxide: For from 2 to 4 percent of the time (7 to 14 days per year) the contribution of sulfur dioxide to this area from the Burns Ditch industrial complex could result in levels of from 0.13 to 0.16 part per million.

B. Gary, Ind.:

(a) Particulate: For from 2 to 4 percent of the time (7 to 14 days per year) the contribution of particulate in the Gary area from the Burns Ditch industrial complex could be 200 to 400 $\mu g/m^3$. This, when added to the background, would result in levels in the range of 400 to 650 $\mu g/m^3$ on about 7 to 14 days of the year with occasional levels over 1,000 $\mu g/m^3$.

(b) Sulfur dioxide: Contribution to levels Ditch complex would reach 0.06 to 0.13 part per million on from 7 to 14 days per year. Added to the background, this would result in levels in the range of 0.2 to 0.7 part per million for 24-hour averaging periods. Short-term levels as high as 2 parts per million might be expected to occur, particularly during the winter season.

Mr. BAYH. Mr. President, I am delighted to join with the distinguished Senator from Washington [Mr. JACKSON], with my colleague from Indiana [Mr. HARTKE], and our good neighbor from Illinois [Mr. DOUGLAS] is sponsoring legislation to create a national lakeshore park in the Indiana Dunes. I am pleased, too, that the bill is strongly supported by the administration.

As my colleague and I said in a joint statement, this bill allows Indiana to have a national lakeshore development without hampering its chances for a deepwater port.

But the important point that we should all keep in mind is that by sponsoring this bill we are recognizing the great need for having a park along Lake Michigan. The park is necessary because we need to preserve the dunes and because we must provide recreational land and clean beaches for our expanding population.

As the Assistant Secretary of the Interior pointed out in his letter of transmittal, there are about 6.5 million people living within a 50-mile radius of the Indiana Dunes. We may have 8 million within that radius by 1980.

When we have that many people close to an area that is blessed with forests and wild flowers and plants, living creatures, unspoiled natural dunesland, warm water, and wide beaches, we have a happy combination. I believe we must take advantage of this situation to provide all the recreational and educational benefits for the people of Indiana that we can possibly provide.

Most of us who are familiar with the park area can visualize a national park, and that is why we are particularly anxious that this legislation be passed.

Naturally, once the bill is sent to committee and hearings are held, there will be additions and subtractions. But our main concern is providing as many acres of recreation land as we can without causing any unnecessary harm to industry or to any property owners and residents of the area.

One of the best features of this bill is that it offers persons whose property may be included in the park area the option of remaining or having the Government provide other property for them. The bill also offers the State of Indiana the option of including the Indiana Dunes State Park in the national park.

In all, this legislation is a good framework in which to begin our discussions over the exact specifications the park shall have. I feel that the proper next step would be for all persons interested in the park to make their views known when the committee holds hearings on this legislation.

## IMPOSITION OF QUOTA LIMITATIONS ON IMPORTS OF FOREIGN RESIDUAL FUEL OIL—ADDITIONAL COSPONSORS OF BILL

Under authority of the orders of the Senate of September 26, October 2, and October 10, 1963, the names of Mr. BARTLETT, Mr. BAYH, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr. BREWSTER, Mr. BURDICK, Mr. CARLSON, Mr. DOMINICK, Mr. GRUENING, Mr. HILL, Mr. JOHNSTON, Mr. JORDAN of Idaho, Mr. LAUSCHE, Mr. McCARTHY, Mr. McGEE, Mr. METCALF, Mr. MOSS, Mr. MUNDT, Mr. PEARSON, Mr. SIMPSON, Mr. SPARKMAN, Mr. TOWER, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota, were added as additional cosponsors of the bill (S. 2185) to impose quota limitations on imports of foreign residual fuel oil, introduced by Mr. RANDOLPH (for himself and other Senators) on September 26, 1963.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1064) to amend the act redefining the units and establishing the standards of electrical and photometric measurements to provide that the candela shall be the unit of luminous intensity.

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H.R. 2268. An act for the relief of Mrs. Geneva H. Trisler; and

H.R. 6377. An act for the relief of Sp5c. Curtis Melton, Jr.

## ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

H.R. 7195. An act to amend various sections of title 23 of the United States Code relating to the Federal-aid highway systems; and

H.J. Res. 192. Joint resolution relating to the validity of certain rice acreage allotments for 1962 and prior crop years.

## REVIEW OF ST. LAWRENCE-GREAT LAKES SEAWAY

Mr. LAUSCHE. Mr. President, the St. Lawrence-Great Lakes Seaway is presently realizing only a modest proportion of available traffic despite abundant economic activity. It is doubtful whether the seaway will reach its estimated potential in 1965 of 66.2 million tons. At existing toll rates, 50 million tons a year are needed to liquidate the $130 million invested in the seaway. With proper assistance, seaway traffic can, at existing toll rates, assure coverage of the full cost of making the Great Lakes-St. Lawrence system a seaway with an impressive future. Without corrective measures, the seaway will fall into functional obsolescence far short of its 50-year accounting lifetime. So far this year, the total tonnage of the seaway is 18 percent ahead of last year, which was 25,593,600 tons. To grow to this figure from a starting point of 11 million tons in a 5-year period is a real accomplishment.

The response to the seaway opening by shippers has been slow, but encouraging. Total cargo in 1962 increased over 1960 by 5,283,254 tons, and was over double the tonnage moved through the St. Lawrence system in 1958, the year previous to the seaway opening. This steady upward spiral of shipping activities on the St. Lawrence-Great Lakes navigation in fact has had marked economic effects upon the industries and citizens of the midcontinent region.

Mr. President, if industrial growth, both planned and actual, is a measure of economic activities generated through improvements in transportation systems, we should take notice of a recent market survey which determined that the top managers of American industry today are looking to the east-north-central States of Ohio, Michigan, Indiana, and Wisconsin with the greatest favor for locating their new plants.

### I. ACHIEVEMENTS

First. It has permitted the import of iron ore to the steel mills of the Great Lakes at a reasonable rate, as the need for new sources of ore became critical.

Second. It has provided a less expensive rate for the farmers' produce, particularly grain. For instance, in the Toledo area, the farmers have averaged 6 cents per bushel more for their grain for shipping directly through the port.

Third. It has stimulated the export of general cargo from those previously land-locked regions.

Fourth. It serves the military needs in time of peace and war by reducing the cost of military goods, and by providing an additional 1,000 miles of protected passage, and by allowing shipyards of the Great Lakes to expand production of vessels.

Fifth. It has generated aid in the creation of jobs and the expansion of trade.

### II. PROBLEMS

Mr. President, the major problem affecting the normal growth of the St. Lawrence-Great Lakes Seaway system is elemental—it is a lack of regional industrial response to the advantages of international shipping through the seaway. Americans are not using the waterways. The reasons underlying this basic principle are:

First. Imbalance in inland freight-rate schedules favoring east coast and gulf coast ports precludes the seaway's realization of its full potential.

Second. Government cargoes originating in the midcontinent region are being routed to North Atlantic and gulf ports. Out of a total of 22.8 million tons of freight moved by the Government in 1962, only 160,000 tons moved through the seaway. Much of this cargo moved overland to these competing ports through the mechanism of section 22 freight rates. Since the seaway's opening, lake port efforts to secure their proper share of Government cargo, estimated to be 1 million tons annually, have been completely frustrated by rates created through this particular section of the Interstate Commerce Act. A flood of these rates in the last 2 years affecting movements of Government cargo from the Great Lakes area to the North Atlantic ports has diverted hundreds of thousands of tons from the St. Lawrence Seaway system. Last year, only 160,000 tons of defense and aid cargo out of an anticipated 1 million tons was shipped through the seaway.

Third. There has been a substantial lack of midcontinent response to the economy of seaway shipping. It has been virtually impossible in many cases to change ingrained shipping customs, in order to guide industries to trade routes of economic advantage. Industries lack knowledge concerning the services available in Great Lakes ports. European exporters and importers similarly lack knowledge of the strategic location of the Great Lakes States as international distribution points for goods.

U.S. traffic management is largely confined to only domestic shipments, with the result that export prices on goods on a basis of total cost at destination are rarely offered, apparently because American firms are uncertain of their traffic scales.

European selling efforts based upon f.o.b. terms of sale deprive American exporters of virtually their one and only cost-cutting tool—economic inland and ocean routes which would place them on equal footing with their foreign competitors.

### III. REMEDIES

Government traffic management agencies must be educated to the cost-saving values of using the seaway.

Inland carriers must be influenced and controlled in their ratemaking negotiations, to insure equal opportunity for all.

Seaway tools must be maintained at their present level, as increased charges would surely preclude development of new cargo movements through the seaway.

Federal legislation must be enacted to restrict those uses of section 22, which deprive the St. Lawrence-Great Lakes system of its logical share of military cargoes.

Enlightenment of American managers to the economic facts of life must not be left solely to port organizations. Department of Commerce programs, both national and regional, must be accelerated to influence the movement of cargo away from routes of economic disadvantages—which can be done only through the proper education of exporters and importers to the inherent advantages of seaway shipping.

There must be some changes in the national policies toward seaway development. The commerce clause in the Constitution delegates to the Government the power to regulate interstate commerce; and in 1865, the Supreme Court interpreted that clause to include control over all interstate navigable waters. With the exclusion of the Corps of Engineers dredging services in port channels, the U.S. Government has generally left seaway-port development entirely to local initiative in the various ports, which is traditionally undermanned, underfinanced, and continually under fire.

Mr. President, last week, the Senate Commerce Committee, under the chairmanship of the Senator from Washington [Mr. MAGNUSON] decided to study the present status of the Great Lakes-St. Lawrence Seaway, with the view of learning of its achievements, its problems, and needed remedies. This undertaking by the Commerce Committee is a worthy one, and will, in my opinion, produce results beneficial to the general economy of our Nation.

Mr. President, I am glad to report that the chairman of the Commerce Committee has agreed to conduct hearings in regard to the Great Lakes-St. Lawrence Seaway at various points on the lakes and on the river, with the purpose of ascertaining—

First. What have thus far been the achievements of the seaway?

Second. What are its problems?

Third. What cures, if any, to solve these problems can be provided by Congress?

I invite the attention of Senators from the Great Lakes States and from the States contiguous to the St. Lawrence Seaway to the contemplated study. Its objective is excellent; and I thank the chairman of the Commerce Committee for approving the project and going forward with it.

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## MENTAL RETARDATION FACILITIES AND COMMUNITY MENTAL HEALTH CENTERS CONSTRUCTION ACT OF 1963—CONFERENCE REPORT (H. REPT. NO. 862)

Mr. HILL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

Mr. HILL. Mr. President, as passed by the Senate, S. 1576 authorized $423 million for the construction of facilities for the mentally retarded and the mentally ill and for training grants, research, and demonstrations relating to the education of the handicapped.

For these purposes, the conference agreement authorizes $329 million, a decrease of $94 million for construction in the bill as passed by the Senate and an increase of $91 million over the amounts for construction in the House amendment.

In addition, the provisions of the Senate-passed bill authorized funds for the initial staffing of community mental health centers. These provisions have been deleted by the conference substitute as the overwhelming majority of the House conferees were adamant in their opposition to these provisions.

The total authorization of S. 1576 in the conference substitute amounts to $329 million divided among three titles:

### TITLE I—CONSTRUCTION OF RESEARCH CENTERS AND FACILITIES FOR THE MENTALLY RETARDED

Part A would authorize the appropriation of $26 million over the 4-year period beginning July 1, 1963, for project grants to pay for a maximum of 75 percent of the costs of constructing research centers that would develop new knowledge for preventing and combating mental retardation.

Part B would authorize the appropriation of $32.5 million over the 4-year period beginning July 1, 1963, for project grants to pay for a maximum of 75 percent of the costs of constructing college or university associated facilities for the care and treatment of the mentally retarded.

Part C would authorize the appropriation of $67.5 million over the 4-year period beginning July 1, 1964, for formula grants to be allocated among the States to pay 33⅓ to 66⅔ percent of the costs of constructing public and other nonprofit facilities for the care and treatment of the mentally retarded.

### TITLE II—CONSTRUCTION OF MENTAL HEALTH CENTERS

This title would authorize the appropriation of $150 million during the 3-year period beginning July 1, 1964, for formula grants to be allocated among the States to pay 33⅓ to 66⅔ percent of the costs of constructing public and other nonprofit community mental health centers.

### TITLE III—TRAINING OF TEACHERS OF MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

This title would authorize the appropriation of $47 million over the 3 years beginning July 1, 1963, to extend and strengthen the existing programs for training teachers of mentally retarded children and deaf children and to expand these programs to include the training of teachers of other handicapped children.

This title would also authorize the appropriation of $6 million over the 3 years beginning July 1, 1963, to finance grants for research or demonstration projects relating to the education of the handicapped.

In order to fully implement section 301—training of teachers of handicapped children—it is desirable to take advantage of the many fine undergraduate senior-year programs in the various areas of handicaps which lead to certification in the specialty at the baccalaureate degree level or to certification at the masters degree level.

Experience with the Public Law 87-276 program for training teachers of the deaf indicates that approximately one-third of the teacher-trainees are at the senior-year undergraduate level. It is expected that the situation with respect to need, opportunity, and demand would be somewhat similar in other areas of the handicapped. In a balanced national program to close the gap between the number of qualified teachers available and the number needed in each area of the handicapped, provision should be made to take advantage of strong existing senior-year undergraduate training programs as well as graduate programs. We expect that the additional funds authorized for this program of training teachers of handicapped children will be used for training the teachers themselves, rather than graduate students; at least until the needs for teachers of the handicapped have been met.

Under the program of training teachers for the deaf, an advisory committee was created which has been of great value in implementing the program. It is hoped that the Commissioner of Education will appoint advisory committees, similar to the committee for the deaf program, in other areas of the handicapped to assist him in implementing this program.

May I say that the enactment into law of S. 1576 will represent a legislative landmark in the history of the country with respect to the care and treatment of the mentally retarded and the mentally ill and with respect to the education of handicapped children.

For too long we have neglected the mentally retarded. Our research facilities to develop new knowledge in preventing mental retardation and our present facilities for the care of the mentally retarded are grossly inadequate. These deficiencies will be remedied as the programs authorized by S. 1576 are implemented.

The concept of treating those afflicted with mental illness in community mental health centers has proven its success in a number of locations across the country. This legislation will greatly facilitate the establishment of additional community centers in all of the States so that we can drastically reduce the prolonged period of disability now associated with mental illness. The population of our people relegated to enormous mental hospitals in isolated locations—where individual care and treatment are almost impossible—will gradually be decreased. We will offer new hope to those who in the past have been largely our forgotten people.

Approximately half of all the hospital beds in the United States are reported to be occupied by the mentally ill. Over 1 million patients are treated each year in public and private hospitals at a cost of over a billion dollars a year, practically all of which is borne by the taxpayers. In terms of days of service, more hospital care is provided for patients suffering from psychiatric illnesses than for patients of all other diagnoses together. At the present time, however, the hospitalization provided is little more than custodial in nature.

In the years ahead the community mental health centers authorized by S. 1576 will be used for the treatment of the majority of patients afflicted with mental illness. The State mental hospital as we know it today will no longer exist because it will be a different type of institution for those selected patients who need specialized types of care and treatment.

It is the intent of the conferees that the Public Health Service use its existing authorities and resources in addition to S. 1576 in the establishment of community mental health centers. It is absolutely essential that we press forward with all possible speed to alleviate the disability and decrease the expense that is caused by mental illness.

The community mental health center, as a vehicle for a truly comprehensive community mental health program, will become the focus of community activity in the mental health field.

As such it will undoubtedly develop as the future base of research, demonstration, and training in the community mental health area. This may take place by utilizing several existing legislative and programmatic mechanisms.

A vital partnership can be developed by collaborative undertakings between the community mental health center and the existing centers of research and training in our universities throughout the country. It would seem, therefore, while providing services for the population served, the center would be in a unique position to carry on research in new and developing areas of interest, such as, new therapeutic practices as well as field and demonstration studies which would make effective use of the center's unique capabilities as a base of epidemiological and field clinical research.

These centers, located as they will be at the community level, will provide resources for the demonstration of true public and private interagency coordination and collaboration as well as a base for the rapid dissemination of new information regarding new developments in the mental health field. The centers will be the ideal site for training a variety of professional and subprofessional personnel. This includes family physicians and other doctors who will have an opportunity not only to treat their own patients, but to receive needed training in expanding their mental health skills.

As recently demonstrated so vividly in the administration of the mental health planning grants, programs of this nature bring forth increased requests from the States for professional and technical assistance of all kinds. I believe we would be remiss were we not to encourage the support of training, research, and demonstrations to be carried out with these community mental health centers as a base.

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HILL. Mr. President, the report is signed by all the conferees on the part of the Senate and by all the conferees on the part of the House.

Mr. KUCHEL. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. KUCHEL. I understand that among those representing the Senate at the conference were the distinguished senior Senator from New York [Mr. JAVITS] and the distinguished junior Senator from Texas [Mr. TOWER]. Is that correct?

Mr. HILL. The Senator is correct.

Mr. KUCHEL. And the Senator from Alabama has now informed the Senate that a unique unanimity has been achieved in connection with the conference report; is that correct?

Mr. HILL. Again the Senator from California is correct.

Mr. KUCHEL. I thank the able Senator from Alabama.

Mr. HILL. Mr. President, I move the adoption of the report.

The report was agreed to.

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## COMMUNIST FUTURE NEED FOR U.S. WHEAT

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The VICE PRESIDENT. The limitation which has been agreed to is for 3 minutes. The Senator from Wisconsin asks unanimous consent that he may proceed for 5 minutes. Is there objection? The Chair hears none, and it is so ordered.

Mr. PROXMIRE. Mr. President, there is a very real prospect that the U.S.S.R. may be interested in buying American wheat and other agricultural products in the future at the subsidy price, the world price.

There are certain facts which we should clearly understand in deciding whether such a policy would be good or bad for the free world. The facts are these:

First. The Soviet Union has become a major exporter of grains, especially wheat. It has greatly increased its export of wheat in recent years. By last year, these grain exports had risen to 7.8 million tons, a 50-percent increase in 5 years.

Second. This huge increase in exports has taken place, although Secretary of Agriculture Freeman has reported that the Russians have not had a good grain crop since 1958.

Third. There is no evidence that there is any shortage of wheat for food in the Soviet Union. In fact, experts from the State Department and elsewhere assure us that the Soviets have ample food supplies. There has been no report of rationing in the Soviet Union.

Fourth. No American knows reliably how much wheat was produced in the U.S.S.R. last year.

### WHEAT FOR EXPORT

On the basis of these facts, it seems logical that the U.S.S.R. needs this additional wheat, not for the sake of feeding starving humanity, but in order to keep its heavy export commitments to its satellites in Eastern Europe and Cuba.

It is also evident that this additional wheat—including the vast amount from Canada and Australia—might put Russia in a position to drive a tough unifying bargain with the Red Chinese.

Experts differ on whether or not the Russian drop in grain production this year is likely to become chronic.

### U.S.S.R. MAY NEED U.S. WHEAT IN FUTURE

German experts told former Chancellor Konrad Adenauer last week that the U.S.S.R. will continue to suffer from low production. These German experts based their estimates on two facts: First, the soil in the virgin steppes can bring in only two or three crops before a year of failure; second, the U.S.S.R. which once imported a considerable amount of rice from Red China, no longer is getting it.

There is the additional established fact that collectivized farming has failed the Communists dismally throughout the world, and the Soviet Union can hardly expect to reverse this situation in the near future. The prime cause of the collectivized agricultural failures is the lack of incentive for the farmer to produce when he does not own his farm. To correct this basic defect under communism is like making water rush uphill.

Furthermore, there is a shortage of farm machinery and poor utilization of the machinery available in Russia. Russian farming methods are out of date. Research and education in modern methods are lagging. There is insufficient use of fertilizer. All of this will take time to change, if indeed it ever does, under communism.

### WHY U.S.S.R. BOUGHT U.S. WHEAT

Now, Mr. President, the important fact to recognize is that the Soviet Union is so anxious to export grains that it has enormously stepped up its export in the very years its production has fallen low. Why?

Why is the export of grain to satellite countries so enormously vital to the U.S.S.R. that it is willing to run this risk and make this sacrifice?

Why—after a year of apparent crop failure such as 1963—is Russia willing to expend such a huge amount of its limited gold and foreign exchange for wheat to export?

Whatever else can be said of Khrushchev, he is not stupid.

And yet he has bought a billion dollars' worth of wheat from the free world—Canada, United States, and Australia—in the past few weeks, although there is no rationing and no sign of any serious hunger in the U.S.S.R. today.

The answer is twofold:

First. Khrushchev understands that he cannot effectively hold together a solid and, what is just as important, a productive Communist bloc simply by military power. He cannot even do this in Eastern Europe. Of course the U.S.S.R. has the power to pulverize any Eastern European satellite country quickly; but military destruction of East Germany or Poland or Hungary would not increase the economic production of these countries.

And it is a central fact that Russian military force depends on the machine tools and other hard industry products made in East Germany and Czechoslovakia.

Second. Even within the Soviet Union Khrushchev, a far wiser tyrant than Stalin, understands that his people cannot be productive if they are not well fed and if there is not some economic reward—some incentive—for productivity. Peacetime rationing in the absence of any foreign threat would begin to smother the energizing incentive that is essential to persuade the Russian people to produce effectively in its modern technological economy.

### FREE WORLD SHOULD GET REAL CONCESSIONS

Mr. President, the President of the United States has acted to permit the sale of wheat this year to the U.S.S.R. This has been called a one-shot deal. We have been assured in Congress that this does not represent a change in policy toward the Soviet Union.

Mr. President, I hope and pray the President will take a long, hard look at this trade policy and inform the Congress and the Nation whether or not it should continue in view of the benefits to the U.S.S.R. and world communism in being able to buy this grain.

And finally, Mr. President, the one consistent argument that was made in favor of this sale of wheat to Russia was that if we do not sell our allies will. I hope that in view of the willingness of Mitchell Sharpe, the Canadian Minister of Trade, to clear the Canadian sale of wheat to Russia with our Government before the sale was consummated, and in view of the contention of former Chancellor Adenauer that Russia should have been required to make some concession regarding Berlin before we sold her wheat, that the President should discuss with the leading friendly, free nations of the world the full economic and military effects on communism and freedom of this trade and consider carefully the possibility of securing substantial concessions from Russia for freedom as a quid pro quo for the sale of wheat at the subsidized world price.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table showing Soviet export and import of grain over the past 5 years.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Soviet export and import of grain*

[In thousands of metric tons [1]]

| | Exports | | | Imports | | |
|---|---|---|---|---|---|---|
| | 1958 | 1961 | 1962 | 1958 | 1961 | 1962 |
| Grains, total | 5,100 | 7,482 | 7,814 | 761 | 679 | 45 |
| Wheat | 3,879 | 4,801 | 4,765 | 323 | 656 | 45 |
| Rye | 461 | 1,088 | 1,300 | ------ | ------ | ------ |
| Barley | 278 | 1,007 | 467 | 176 | ------ | ------ |
| Oats | 261 | 180 | 25 | ------ | ------ | ------ |
| Corn | 221 | 406 | 1,257 | 262 | 23 | ------ |

[1] 1 metric ton is equal to 37.6 bushels.

Source: Official foreign trade statistics of the U.S.S.R.

## TRIBUTE TO CHIEF JUSTICE EARL WARREN

**Mr. KUCHEL.** Mr. President, 10 years ago this month the Chief Justice of the United States, Earl Warren, began a decade of honorable and illustrious service to the people and to the Government of the United States. We Californians are proud that the Chief Justice, a native-born Californian, in his earlier years was one of our greatest Governors during a crucially important era in California when we began emerging as a great American commonwealth.

At its annual meeting in the city of San Francisco this month, the State bar of California honored Chief Justice Warren. All members of our Nation's highest tribunal, save one, were present at the appropriate ceremonies held by the bar.

It is the distinction of the Chief Justice to have been, and to continue to be in the forefront of the profound social changes which have taken the place and are taking place, among all the people of our country. Equal treatment under law is ceasing to be a myth and is becoming a constitutional reality. The Chief Justice is a strong and devoted advocate of the American constitutional system of government. The meeting of the State bar was unique in that the Chief Justice delivered a profound and illuminating address at the convention which attracted upward of 4,000 people. Subsequently, he spoke at a seminar at the University of California on the challenge of growth. Across our country great American newspapers editorially have commented and congratulated Chief Justice Warren on the courage and the vision, the honor, and the erudition which he has ever displayed as head of our country's highest Court.

I ask unanimous consent that there be printed at this point in the RECORD two addresses of the Chief Justice and also representative editorial comment from the Washington Post, the Washington Daily News, the St. Louis Dispatch, the Los Angeles Times, the San Francisco Chronicle, the San Jose Mercury, and the Sacramento Bee.

There being no objection, the addresses and editorials were ordered to be printed in the RECORD, as follows:

### ADDRESS BY EARL WARREN, CHIEF JUSTICE OF THE UNITED STATES, AT THE CONVENTION OF THE STATE BAR OF CALIFORNIA, SAN FRANCISCO, CALIF., SEPTEMBER 25, 1963

How good it is to be home—"right back where I started from."

It was 10 years ago almost to the day when the President of the United States announced my appointment to the Supreme Court. The State Bar of California was then about to convene in annual convention. Four days later, when I took my place on the bench, you were actually in session at Monterey. Had it not been for that appointment I would have attended as I had for 26 years before. I shall never forget the lift it gave me to receive the heartwarming telegram from that convention. Throughout the intervening years, it has been a source of inspiration to me to have the good wishes of the lawyers with whom I labored for so many years. It may be a matter of wonderment to some of you that, although invited, I have never attended one of your conventions since that time. Much as I would have liked to do so, there were two reasons for my absence—one was that the conventions are always at or about the time the Supreme Court convenes for its annual term, which under the statute is the first Monday in October. The second is that as soon as I became Chief Justice, I received so many invitations to speak before bar associations of cities, counties and States that I could not have accepted all of them except as a full-time job. To have accepted some and not others would have been difficult to explain, so I decided to accept none. My stated reason for declining was, and it was the truth, I could not take the time to prepare such speeches and travel to their conventions, without neglecting my duties. But the clincher in my declination was that I had not even accepted the invitations of my own State and local bar associations. So this is the first of its kind I have attended since leaving California. But last spring, when Bill Gray came to Washington and extended your invitation, it was so intriguing that I said, "Bill, I feel exactly like the fellow who boasted that he could withstand anything but temptation."

I accepted, and it would not be unnatural for some of you to wonder how I feel on such an occasion. My thoughts run wild, of course, when I review in my mind's eye the thousands of happy experiences I had among you for almost 40 years, and it is difficult to contain them in one answer. However, there is an old story that at least expresses the joy I feel in being back in the fold.

A mother bird made her nest in the woods and hatched her brood there. She scurried for food for the little ones, and taught them to fly by occasionally shoving them out of the nest and then returning them when they fluttered and fell to the ground. Finally she was convinced that one of them was prepared to see something of the outside world, so she smoothed his feathers, preened him in every respect, and gave him some parting words of advice not to be led into fights with other birds and to return within an hour. He took off, but did not return on schedule. After many hours, he barely made it back to the nest, disheveled, with most of his feathers gone, and his head scratched and beat up. The mother demanded to know what he had been doing, and he said, "Mother, everything was fine until I got caught in the middle of the doggonedest badminton game you ever saw. I was batted back and forth until I thought it would never end. I am sure glad to be home."

It was so generous of you to invite the entire Court, and it is a matter of great joy to me that they could be here to become acquainted with you. I am sure both you and they will enjoy the association it affords. And while they are all present, I would like to express my appreciation for the fellowship I have had on the Court. It has been both constant and pervasive through the years. It started on the day of my arrival and has existed to this day. If it had not been for this camaraderie, the lonesomeness for me would have been devastating.

I remember well the day of my arrival at the Court. It was Monday, October 5. I had only arrived in Washington about 10 o'clock the night before. I walked into the Supreme Court Building, and was ushered into the chambers of the Chief Justice by the marshal. There I was met by Mrs. McHugh, who had been the secretary of my predecessor, Chief Justice Vinson, and who incidentally is still there in the same capacity with me. There were also there awaiting me two very elderly messengers, one of whom soon passed away, and the other retired because of old age; and there were three young law clerks recently out of law school, two of whom the Chief Justice had appointed but had not yet seen.

That was my staff. Can you imagine the shock after the multiple secretariat and staff I had been accustomed to? And particularly when I had not been in active legal practice for almost 11 years. I made straightway for the chambers of Mr. Justice Black, the senior Justice. He welcomed me to the Court and offered his assistance in every possible way. He then took me to the chambers of the other members of the Court, who were also cordial in their welcome and generous in their offers of assistance. By that time, it was almost 12 o'clock noon. We robed and filed into the courtroom where I took the judicial oath, opened the 1953 term, and returned to the conference room where, in the course of a week, we acted on some 300 appeals and writs of certiorari that had accumulated during the summer vacation. I assure you it was not an easy transition for me, and if my brethren had not "tempered the wind to the shorn lamb," it would have been a nearly impossible one.

You have undoubtedly read on occasions about the terrible controversies that have raged in the Court. None of us have ever chosen to deny such things because it ill behooves the Court to deny any of the stories that are fabricated concerning it. However, because there is no such charge in the news at the present time, I feel free to say to you that all of them were unjustified by the facts. I could count on the fingers of my hands—possibly one hand—all the times that there has been even a flare of temperament in the conference room, and those have always subsided in a matter of minutes. I can truthfully say to you what Mr. Justice Holmes said 50 years ago. His words were, "We are very quiet there, but it is the quiet of a storm center as we all know." But there have been people on the outside who, for reasons of their own, have enlarged upon an occasional sharp retort in Court or a few caustic sentences in a dissenting opinion to build imaginary feuds that never existed.

We have disagreed, to be sure, on the interpretation of constitutional principles. But dissent is not a vice. Properly used, it is in the best tradition of the Court. How much poorer our jurisprudence would be today had it not been for some of the dissents of Holmes and Brandeis, and other great Justices of the past. How basic and prophetic was the dissenting statement of Mr. Justice Harlan No. 1 in *Plessy* v. *Ferguson*, 1897, to the effect that "the Constitution is colorblind," and cannot support the separate-but-equal doctrine. Dissent for dissent's sake serves no purpose, but when used to express a deep-felt belief concerning the application of a constitutional principle, it serves a good purpose.

The supreme courts of some countries do not have dissenting opinions, but those courts do not necessarily advance the rule of law more effectively than those that do.

A few years ago we had an unexpected visit from the chief justice of one of our South American countries. It was on a conference day, so we suspended our proceedings and invited him into the conference room. He had been a professor of law for many years before becoming chief justice, and in discussing legal matters he indicated he was very much in accord with our decisions. However, he showed a special interest in our dissenting opinions, and asked a number of questions as to who might write a dissenting opinion and under what conditions it was allowable. He seemed to be somewhat astounded when he was told that any member of the Court could write one whenever he disagreed with the Court opinion. Finally, I said to him, "Chief Justice, don't you have any dissenting opinions in your court?" "Oh, no," he said, "all of my colleagues were my law students."

Our people, lawyers and laymen alike, are conditioned to the principle of dissenting opinions. Sometimes the public goes so far as to demand them. I remember when the school desegregation opinions of 1954 were announced, the Clerk of our Court for weeks was beset by scores of requests for copies of "the dissenting opinion." When told that there was no dissenting opinion, many of them demanded to know by whose orders the dissenting opinion had been abolished. Others, believing that there must be a dissenting opinion, threatened to have him investigated for suppressing it.

I am not surprised that people would have such an idea because the wildest speculations were in the press while those cases were under submission. Only a few days before the opinions were handed down, one prominent columnist on "unimpeachable authority" wrote that the Court was bitterly divided four to four, and that both sides were making life miserable for me because I could not make up my mind. But the fact was that I wrote the opinions, and they were unanimous.

So, I imagine the dissenting opinion as an institution is here to stay without discredit to the Court. The first one was reported on August 11, 1792, in the case of *The State of Georgia* v. *Brailsford et al.*, and the latest one in *Gastelum-Quinones* v. *Kennedy*, on June 17, 1963, the last day of the past term. And so it goes in State supreme courts as well. I have even read some emanating from the Supreme Court of California, and they have in no way weakened its position in our great State.

This has been an interesting decade on the Court. The years have been challenging, and, I need hardly tell you, they have been controversial. However, it is not the Court that has made them controversial—it is the times in which we are living. The landmark cases that came to us were charged with great emotion. But the same can be said in varying degrees of almost all of the decades of our national life.

Since the Court came into existence almost 175 years ago, there have been few eras in which it has not been the center of intense controversy, and most of the climactic decisions of the Court have been rendered in an emotional atmosphere wherein any decision reached would be both praised and assailed by the contending interests.

In the first few decades, the important decisions revolved around the question of whether under our new Constitution we could be a strong Nation, capable of taking our rightful place in the family of nations, or whether we were destined to be a mere federation of States incapable of governing, such as we had been under the anemic Articles of Confederation. *McCulloch* v. *Maryland*, *Gibbons* v. *Ogden*, the *Dartmouth College* case, and others—all of them charged with the greatest emotion—established the fact that we were to be a Nation, and that the supremacy clause of the Constitution was to be a vital factor in the life of the Nation.

Following this was the territorial expansion of the Nation, and the struggle between the forces of slavery and abolition, climaxing in the Dred Scott decision.

In the years following the Civil War and up to the 1930's, the Court was concerned largely with the industrial revolution, the rights of corporations under the 14th amendment, the extent of the commerce clause, and the rights of the States and the Federal Government to enact social legislation. These issues rose to a crescendo in 1936. The decisions from the late thirties to the early forties, as highly controversial as any in our history, laid many of these questions to rest. They are now shorn of their emotion and are a part of the settled jurisprudence of the Nation.

Then came World War II, and the era of all human rights—not just the rights of property, but the rights of individuals to due process and equal protection of the laws. The cases in this area are typified by *Brown* v. *Board of Education* and *Gideon* v. *Wainwright*. It has been pointed out by Alpheus Mason in his splendid book on the Supreme Court that "In its 1936 term, there were 160 decisions in which opinions were written. Of these only two were in the area of civil rights and liberties," and that "During its 1960–61 term the Court handed down 120 decisions in which opinions were written. Of these 54 concerned civil rights and liberties."

This disparity is the cause of conjecture on the part of many people. They wonder why only a little over 1 percent of our decisions were in this area 25 years ago while almost 50 percent are in this area now. Many of them say, "Don't you think we are moving too fast in this area?" as though the Court could regulate the speed with which such cases come to it. There are many people, and I fear some lawyers, who believe that whenever the Court disapproves of some facet of American life, it reaches out and decides the question in accordance with its desires. I am sure many people do believe this to be true because they often say, "I do not disagree with your opinion, but do you believe this is a good time to decide such controversial questions?" Such a question, of course, entirely misconceives the function of the Supreme Court and the limitation of its jurisdiction to actual cases and controversies. It overlooks the fact that it is a court of review and, except in a very limited area, is never a court of original jurisdiction. It disregards the fact that every case we decide has a long and often a tortuous route to pursue before it ever reaches us, and that normally it must pass the scrutiny of the district court and the court of appeals, if in the Federal system, and if a State case, it must first run the gauntlet of the State judiciary and come to our Court only from the highest court of the State. We can reach for no cases. They come to us in the normal course of events or we have no jurisdiction. When they do come to us we decide them or we do not perform our duty. Even some lawyers who appear in our Court do not realize how limited is our jurisdiction under the Judiciary Act of 1789, which has served so well throughout the existence of the Court.

Mr. Justice Frankfurter tells the story of his first day on the Supreme Court. A lawyer from the Midwest was arguing his case, and was insistent on discussing the ultimate issue at the outset before settling a lurking jurisdictional question that was bothering the Court. Mr. Justice Frankfurter was insistent on knowing first whether he had satisfied the jurisdictional requirement for consideration by the Supreme Court. After failing to obtain a satisfactory answer to several of his questions, the Justice finally said, "Counsel, before you go any further, I want to know, how did you get to this Court?" Counsel, unaware of the significance of the question, responded, "I came on the Pennsylvania Railroad."

The main reason we have so many civil rights cases these days is because the very atmosphere in which we live is charged with that subject. It is not confined to our own country. It is worldwide in all its implications. World War II was fought to preserve freedom—not only the freedom of nations from aggression but freedom for the people of the world. The Atlantic Charter solemnly promised it. Our wartime President, Franklin D. Roosevelt, told the world that we were fighting the war to establish everywhere the four freedoms—freedom of speech and expression; freedom of every person to worship God in his own way; freedom from want; freedom from fear. "By winning now," he said, "we strengthen the meanings of those freedoms, we increase the stature of mankind, we establish the dignity of human life." People everywhere looked forward with hope. The Universal Declaration of Human Rights of the United Nations was designed to implement those promises. Colonialism has had a rapid demise since the war. Nation after nation has received its independence and has been admitted to the family of nations immediately. Their representatives, without regard to race, creed, or color, are admitted to the councils of the world on a basis of equality. Our greatest boast in America has been that here we have freedom and equality under the law. But, as we all know, there are those who have long been deprived of equality and they are now testing all our institutions to make certain that they too will be the beneficiaries of that doctrine. It is to claim these rights of freedom under our Constitution, which guarantees them, that thousands of cases are annually filed in both State and Federal courts. Many of them eventually find their way to our Court, and we decide them as our duty compels us to do. It is to remind us of this duty that inscribed in stone over the entrance to the Supreme Court are the words, "Equal Justice Under Law." This motto represents our ideal, our goal, and it is against this background that we must view all our courts, State and Federal. For the role of the courts is not merely to define the rights. It is also to administer the remedy.

Unless the remedy is equally applied to persons and things, the right is a mere pious idea, and more than that, unless the remedy is applied in seasonable time it still remains a delusion.

There are those who believe that in fulfilling this responsibility the Court is invading States rights. But really, where the supreme court of a State is vigilant in its protection of constitutional rights, as is the Supreme Court of California, few differences arise between it and the Supreme Court of the United States. I thought you might be interested in a few figures that would demonstrate the relationship between those two courts, and I researched the statistics for the 10-year period between the 1951–52 and the 1961–62 terms. First on the civil side. In those 10 years, 212 cases came to us from California. Of these, 195 were affirmed, 14 were reversed, and 3 vacated. Only 25 were even set down for argument.

On the criminal side, where many of the most emotional problems arise, 767 writs and appeals were filed. In 749 of these, the action of the Supreme Court of California was sustained summarily. Eighteen were argued, of which nine were affirmed, three were vacated, and six reversed. The three that were vacated were ultimately sustained after remand and, of the six reversed, three were sustained after retrial, and only three were eventually freed.

I quote these figures largely because they afford me an opportunity to express my admiration as a member of the supreme court and my appreciation as a citizen of California for the outstanding record of the Supreme Court of California. And the figures show that where the supreme court of a State is vigilant concerning constitutional rights, the Supreme Court of the United States is equally vigilant in supporting its decisions.

Our courts, State and Federal, are the distinctive symbol of the kind of government and society that the Founding Fathers created in the wilderness of this continent. They made this Nation, and the States of which it is composed, into a republic based on the concept of the rule of law; a society in which every man had rights—alienable rights—rights based not on creed or race or economic power or influence, but upon equality. In such a society the courts have the function of dealing not only with justice among citizens but of preserving justice between the citizen and the State. The founders of our country therefore adopted the principle that there is a fundamental law—expressed in the Constitution, and particularly in the Bill of Rights—to which every exercise of power must conform. The same concept is embodied in the constitution of the State of California. The ultimate purpose of this fundamental law is to protect the rights of the individual and to apply this law became the special task of the courts.

This is a great concept of justice. It distinguishes us from every totalitarian nation. It is the heart of government in community, state, and nation. But in order for the concept to be meaningful, it must be translated into realities in the everyday living of our people. The acid test of our system is the extent to which our ideals are given concrete reality in the lives of our people. A system of laws—however just—which existed only in theory would be a slim reed on which to base our claim that here in America justice is within the reach of every citizen.

The term we so often hear expressed—that we have a government of laws and not of men—has been used so much in recent years that we sometimes utter it without really appreciating its true meaning. To one person it means one thing while to another it may have a quite different significance. It is uncommon to find people who have a rounded concept of the rule of law. Too often we find people who believe fervently in that portion of the rule of law that protects them in their own sphere of activity but who are intolerant of that portion that protects other people. Many a person who believes implicitly that the Constitution is designed to protect him in the enjoyment and use of his property, has little patience with those who insist on freedom of expression, freedom to teach, freedom of association, freedom from discrimination, and freedom to participate fully in their government.

When we say we have a government of laws and not of men, we mean at the very least, that the law protects all men equally in their property and individual rights regardless of their race, religion, color or wealth. In America, and even in California where we have made great advances, we should not be complacent about the rule of law until we have first embraced and applied it at home and made it work in all its aspects. If we are honest with ourselves we must recognize that we are still working on a great unfinished job. This is our next and nearest step in developing a modern, adequate legal system, and the attainment of this goal should be a primary purpose of the bench and bar, both Federal and State.

At the present time and for some years past, one of our most pressing and difficult problems has been the attainment of better judicial administration. It is important to recognize that adequate judicial administration can never be achieved merely by adding new judges. Of course we do need to add judges from time to time in both the Federal and State judicial systems. But merely multiplying judges will not by itself produce the quality of judicial administration which our people so much need.

The fact is, there is no simple solution to this problem. The judiciary is an intrinsic part of this fast-moving world and, like all of the other parts, it must be properly geared and attuned to the realities of our time. We must not only sharpen our old working tools but we must fashion new ones that will enable us to do swiftly that which in more leisurely and simple times could have been done less promptly. We cannot afford a nostalgic look backwards to the conditions and practices which were in vogue a generation ago, or in any other past era. On the contrary, we must look forward to the day when judicial processes are so well organized, so simple, and so coordinated in effort that we can handle a greater volume of litigation than ever before and at the same time resolve with dispatch legal issues of greater complexity than we have ever encountered before. This need not and should not mean mass production of decisions. It has been well put in a lecture by an eminent jurist of New York, as follows:

"The priceless ingredient in the judicial product is the individual touch of a lawyer and judge, the conscientious discharge of a personal responsibility on the part of the lawyer who presents a case and on the part of the judge who decides it. There is no substitute for that professional and personal care which is the core of justice. We lawyers must not diminish or dilute that professional quality. But it does behoove us to frame a court system and fashion the procedures on a sound business basis, which will allow needed professional services to be rendered in a time and at a cost which will effect complete justice."

It is encouraging indeed to observe today the ever-increasing interest and activity in the betterment of judicial administration in many parts of the country in both the Federal and State systems.

What Chief Justice Taft described some years ago as "The pernicious tendency of each Federal judge to paddle his own canoe," is fast disappearing in favor of a very different attitude of cooperation and teamwork as between U.S. judges and courts.

In the electrical antitrust suits now pending in the Federal district courts we have a dramatic example of this new spirit of judicial cooperation and what it can accomplish. The situation was brought on by the conviction in Philadelphia of a number of the manufacturers of heavy electrical equipment of a conspiracy to violate the antitrust laws. Following, and as a result of these convictions, over 1,800 private antitrust suits for treble damages were filed against the convicted manufacturers in 33 different Federal district courts. While there are five different product lines involved in this litigation, most of the cases involving each product line are based upon practically the same allegations of conspiracy and necessarily require for their proof many of the same witnesses, documents and other items of evidence.

The situation was wholly without precedent. Unless some way could be found for systematizing the taking of depositions and the demands for the production of evidence, the Federal judicial system could not dispose of such a snarl of litigation and the administration of the law would break down.

The Federal judges, however, have proven equal to this emergency. A series of meetings have been held, attended by all the district judges who are assigned to any of these cases, and a plan for controlling, organizing and systematizing the entire process of discovery has been worked out and made applicable to every one of these numerous law suits by order of the individual judge before whom each suit was pending.

Some 20 national pretrial orders have now been entered applicable to and effective in each of these cases. The depositions of a large number of the common witnesses have been completed. Over 750,000 items of evidence have been assembled in two central places for the use of all, and it is confidently expected by the judges that the first of these cases will be ready for trial within a very few months.

A few years ago it would have been difficult indeed to imagine so many Federal judges cooperating successfully in any such massive administrative effort. It signifies a change in the times. The late lamented judge, John J. Parker, who was one of the founders of the Judicial Conference of the United States in 1922, said in a speech shortly before his death that one of the reasons for creating the conference was that in his own circuit, and others, many of the Federal judges who had served on the bench for years had not even met each other. We have moved a long way forward since those days. The judges concerned with administering these electrical suits are already aware that similar problems may result from future antitrust convictions and also that very similar problems of procedure and judicial administration are already present in the litigation that results from large air crashes, and similar common disasters.

It should be encouraging to all of us to find that our judges are equal to such emergencies and have the spirit, disposition, and ability to devise new methods of judicial administration to meet unprecedented problems.

Other equally clear evidences of an expanding interest in judical administration can be enumerated, but I think this one is enough to show the increasing attention being given to this subject in the Federal courts.

I have been interested in improved judicial administration all my adult life and of course these matters are close to my heart. It is encouraging to return to California after 10 years and find so much evidence here of interest and progress in judicial administration in the State courts.

A full list of the achievements in judicial administration of Chief Justice Gibson, the judicial council, the State bar, the Governor, and the legislature of the State during the last 10 years would be a formidable list indeed. But outstanding among the more recent developments in the administration of the California judicial system are: the amendment of the State constitution in 1960 modifying and modernizing the structure of the judicial council; the organization in 1962 for the first time of an effective staff agency for the judicial council under the title of the "Administrative Office of the California Courts" headed by a most capable director in Mr. Ralph N. Kleps; the use of judicial seminars and institutes to increase judicial effectiveness; a strong effort to simplify and shorten the trial of cases by developing an effective pretrial procedure; well-conducted studies and seminars to improve the procedures of juvenile and traffic courts; a restudy and improvement of the rules of procedure, both civil and criminal, and the projected revision of the entire penal code.

When I consider all this activity I am proud to be a Californian because it keeps California in the forefront of the struggle for improved judicial administration. The State bar of California can well be proud of the part it has played in this movement. And, of course, the progress could not have been made without the leadership of Chief Justice Phil Gibson. He has been a great leader in every advance in this field for the last quarter of a century. I am happy you are honoring him and the great court he has headed at the same time you are honoring the Supreme Court of the United States and me. I like to think that all of us are engaged in one big joint venture. We share each other's problems, we profit or lose as the prestige of the judiciary is enhanced or demeaned, and we derive our satisfactions from making the word "justice" meaningful in the lives of people.

We are grateful to you, our brethren of the bar, for the unflagging support you have given to all of our courts—both State and Federal. We congratulate President Bill Gray and his board of governors on a year of splendid accomplishment and we wish for Sam Wagener and his new board accelerated progress in the year to come.

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### ADDRESS BY EARL WARREN, CHIEF JUSTICE OF THE UNITED STATES, AT A SEMINAR ON "CALIFORNIA AND THE CHALLENGE OF GROWTH," UNIVERSITY OF CALIFORNIA, BERKELEY, CALIF., SEPTEMBER 27, 1963

It is somewhat presumptuous for me to talk to this group of people at this stage of your seminars on "California and the

Challenge of Growth." The subject has already been dissected on the several campuses of the university and the various facets of the subject have been explored by experts from all parts of the world. Most recently, and throughout the past 2 days, you have faced up to the future of our cities where more and more people are being concentrated and where changes basically affecting the life of the Nation are occurring at an accelerated rate. I wish I had been able to hear the discussions of those experts who have given so much thought to these changes and to the problems they raise. Other duties having deprived me of that opportunity, I find myself unable even to discuss the proposals which have been made here.

I am not a metropolitan planner; in fact, I cannot technically qualify as a planner of any kind. However, I do not shun the words "planner" and "planning" as do some people who give to those terms a sinister connotation. I am simply not a planner because that specific kind of activity has never been one of my skills. I do admire those who devote their talents to such causes, and I feel the necessity for supporting them when they devote their lives to that profession. I speak to you merely as a citizen of California who was born and reared here and who, by the grace of the voters of this State, was for many years afforded an opportunity to witness at close range and in a thought-provoking way many of the problems of growth of our great State.

When I was born here, the State of California had a population of about 1 million people. I notice that it is now estimated to have close to 18 million. Great changes have taken place during the period of that growth. When I first knew the State it was emerging from frontier days; now it is a dynamic commonwealth of tremendous proportions in the life of our Nation, economically, culturally and politically. It is bound to play a much greater part for good or evil as that growth continues. It is still a great State, and in my opinion is the greatest place on earth in which to live. This is probably not an unprejudiced opinion, but I am sure there are millions of people throughout the world who believe exactly as I do. If that were not true 1,500 or so people every day, year in and year out, would not be coming to California to cast their lots with us. They come here seeking to establish a good life for themselves and their children. I believe that working together we can make that possible for many more millions of people than we have today, if we will but realize that cities are built for the happiness of people, and that if happiness is to be achieved we must know the needs of our people under drastically changing conditions, and do the things that are essential to making such happiness possible. We can no longer wait until severe problems become critical and then try to solve them by patching together partial solutions in the nature of a crazy quilt. We must consider the lives of our people as a whole. We must consider those lives in the aggregate as the great responsibility of cities. Cities must be studied as a living organism with a body, a heart and bloodstream, a nervous system and a brain. We must not study only one or a few of its organs as they show deterioration. We must study cities and treat them as entities.

This we have not done to any degree of satisfaction in the past. We have recognized specific problems here and there, but we have not had the boldness to consider the city as a whole, and when I speak in this critical vein I do not mean that in California we are less attentive to the future than other States of the Union. I am thinking largely of the pattern throughout the Nation.

We have given much thought to water, and what we have done in that regard has contributed greatly to the development and welfare of our State. The plans for the future are exciting. We have given much attention to our highways which have also contributed greatly to the convenience and prosperity of our State. We have given some, but too little, attention to the pollution of our waterways, and we have given pitifully little attention to the pollution of the very air which we must breathe. It seems strange in these days when happily we are protecting all peoples of the world from nuclear fission by a test ban treaty that we would be reluctant to meet head on our air pollution problems here at home. I cannot refrain from commenting on an experience I had, as Governor, with this problem. For years it seemed to me that, if smog irritated the eyes and respiratory organs to the point of serious discomfiture, it might have more serious but less apparent consequences. There was some research being done at the universities and our department of public health had done what it could, but without funds appropriated for the purpose. On the advice of the department, I asked the legislature to appropriate a sufficient amount of money for it to make a comprehensive study of the problem and to consolidate the findings of the various educational institutions. The legislative reaction to the proposal was violent. The Los Angeles delegation in wrath said smog was their local problem and they did not want the State to interfere with its business; that this was but another example of State interference with local self-government. Because the Los Angeles area was the one most seriously affected, nothing was done with the proposal. But in the following 2 years the situation worsened to the extent that the farmers became concerned about the effect of smog on their poultry, dairy cattle, and hogs. The State was told it had a responsibility to know how serious the problem was and then to do something about it. The legislature without objection appropriated money to the department of public health for that purpose. In fairness I should say that the bill did permit the department also to consider the effect of smog on people. This kind of planning is similar to the railroad transportation problem in Chicago. That great city made no provision for a central railroad station and the terminals of the various railroads were scattered throughout the city. There were no passenger connections between them and it was impossible for a passenger to travel through Chicago either to the Atlantic or Pacific coasts. It was always necessary not only to change trains but stations as well, to the great inconvenience of the traveling public. But provision was made for routing cattle and hogs through the city without any transferring. As a result, it became a byword with the traveling public that nobody could go straight through Chicago unless he was a hog.

In other respects, we have done much for the health of our people in California through a farsighted department of public health and through the research of our splendid universities. We have gone a long way in education. No State has done more. But our needs are always a few steps ahead of our accomplishments. If we ever stand still, even for a moment, in this area, we will be so far behind that it will be almost impossible to catch up. We have done much in the field of agriculture, and are filling many of the needs of the Nation in that respect. But, have we adequately studied the relationship of urban growth to the agriculture of our State? Are the encroachments of suburbia and industry upon agriculture in our beautiful valleys always in the best interest of the ultimate development of our State? Many other problems of our growth have been studied with good results. Others have been left untouched. The thing we must now determine is whether we have the foresight and courage to tackle the problem as a whole. I know there are many people who believe that to do so reflects a desire to interfere with local self-government—to bring about regimentation. This is indeed shortsighted. The very fact that we do have local self-government and that we do have hundreds of cities in California, scores of which are so close to each other that only a surveyor could tell where one ends and the other begins, makes it necessary for us to plan on a regional or even statewide basis if we are to prevent one community from strangling its neighbors. The question is whether we can continue to grow satisfactorily while California becomes one mass of people from Crescent City to San Diego? And the population experts say that is exactly what the future holds for us.

In such circumstances, must we not, if we are thinking of the future, sit down and counsel together in order that some parts might not become a blight upon the rest? If we were living in a country with a unitary system, the central government could control such things, but in our country, where we have a federal system of 50 States, and thousands of cities and counties with local autonomy, it is only by planning and cooperation that such things can be controlled.

This summer I had the pleasure and great opportunity to visit in the Near East, and in those parts of that part of the world where civilization began, so far as we know at the present time. I was in Mesopotamia, in Egypt, and in Athens. In numerous places I saw the evidence of ancient cities which had once been great powers and that now are nothing but a few ruins. Many of them, of course, were the victims of destructive war, but others were the victims of strangulation because they grew without regard to the problems of the future. Some places where archeologists had been working it was evident that there were layers of cities which flourished centuries apart. I stood in the ruins of ancient Troy on the level of the city as Homer wrote about it 1,100 years before the birth of Christ. We were told that there were nine layers of cities on that very spot, and that the Troy which Homer wrote about was the seventh layer. As I looked at those ruins and realized how many cities have occupied that site only to wither and die, I wondered if the cities of this day were facing the same disintegration because of a failure to prepare for the future.

I stood among the ruins on the Acropolis at Athens and realized that what had once been the mistress of the Mediterranean had decayed and dwindled to a few shacks at the foot of the mountain. It was frightening to recall that it had remained in that condition until the present century. Again Athens is a city of 2 million people because people of the country have flocked to it seeking to establish a better life. I wondered if it was now preparing another layer, destined for oblivion, in spite of the fact that it is vibrant at the present time. I wondered if it, too, would strangle itself as had other cities in that part of the world for thousands of years.

However, before I left I had the great pleasure of visiting the Athens Technology Institute, where the future of Athens and other cities all over the world was being studied and planned, not just by architects and engineers, but by doctors, lawyers, and social scientists of all kinds. I saw the work that was being done for the ideal city of A.D. 2100. No one there claimed to have the answers to the problems of growth. Everyone expressed a sense of personal inadequacy but, on the other hand, all expressed a determination to know what will be necessary in the future to bring happiness to the people who live in present-day cities. I saw on the trestle boards plans in the making for cities of this country, in Greece, Pakistan, Ghana, and South American countries. None of these plans were completed but all were receiving the thought of all those disciplines that encompass the lives of people.

It was in the evening that I attended the institute, and as I looked from the mountainside on which we were, across the valley to the lighted Acropolis, I felt refreshed and again renewed my belief that our cities need not fall into decay, but that with proper research and planning and understanding they might continue to blossom and increasingly promote the welfare of our people.

I have always been an optimist about the future of California, and for a great many years have believed that the only thing which could mar that future would be indifference to the way we are growing. Twenty years ago I was privileged to be elected Governor of California. The main plank of my platform was that we should make no small plans for California; that it was destined to continue to grow, and that every plan we made should be in anticipation of California having 20 million people in 25 years. That figure shocked some of my friends who believed that it was extravagant. They said that the experts did not forecast such a tremendous growth, and that I would do better to say 15 instead of 20 million. I refused to change my figure saying that the growth of California should be predicted by optimists, not by experts. Of course, I had no way of knowing my prediction would come true, but I had watched our growth for many years, and I had the faith to believe that it would become an accomplished fact. As I read the estimate of 17,680,000 for our population on July 1 of this year, I had a tinge of satisfaction because at the rate we have grown these last 20 years, we are bound to have 20 million people in 1967, the end of the 25-year period covered in my forecast.

When I was a freshman at the university, I heard that great Englishman, Lord James Bryce, who wrote the "American Commonwealth," speak at the graduation exercises. What he said made a profound impression on me. At that time, he predicted that we would have 50 million people in California, and he challenged the graduating class to ascertain what the growth and acquisition of wealth in California was doing for the lives of the people. That is exactly our problem today. To a young freshman who had come from the then little town of Bakersfield, which was merely an oasis in a great area of sagebrush, this was an exciting prediction. However, I was prepared for it because a few years before my father had taken me to hear a famous lecturer on the chautauqua circuit. The subject of the lecture was "Acres of Diamonds." He told the story of a farmer in ancient Persia. The man was a prosperous farmer. He had good vines and trees and livestock. He was comfortable in every respect and happy with his lot. One day a stranger came to his home, and told him a story of how the world was created and how diamonds were formed in the creation. He said that a diamond was but a congealed drop of sunlight, and told of their great beauty and value. That night the farmer did not sleep because of his excitement, and he determined that he would search for diamonds and the wealth they would bring him. He immediately became unhappy with his lot as a farmer, sold his farm, sent his family to his relatives, and started out in the world to find a diamond mine. He traveled the world over, and finally when he was penniless and ill he destroyed himself by walking into the sea. In the meantime, the man who had bought the farm from him found a stone glistening in the stream on the property. It was later identified as a diamond, and his farm became the great diamond mine which for centuries supplied the jewels for the royalty of the world. The moral of his story, of course, was that we need not go away to search for diamonds; they surround us if we will but look for them. I remember that this lecture was delivered at the time when so many of our people were rushing up to Alaska in search of gold. I saw a number of them return emptyhanded to our little city. In the meantime, the great oil fields of Kern County had been discovered, and water had been brought to the arid soil making a garden spot out of what had been desert.

I have always remembered that lecture and I have always applied it to California. I still apply the moral of it to those who have the privilege of living here. The greatest diamond which has been discovered here is the University of California. It has brought enlightenment to every part of our State. It has prepared us for every opportunity which has presented itself. For almost 100 years, it has trained young men and women to assume the responsibilities of citizenship in this great State. It has prepared every element of our society for the problems they must meet. And now it is taking the leadership in meeting the challenge of the future of our cities. In this fast moving and ever changing world, it is one of the greatest challenges that confront us. I am happy that the university is accepting this challenge, and I am sure that now it has put its shoulder to the plow in this field it will not turn back. The university is the logical agency to supply this leadership. It can bring together all the disciplines that can evaluate the elements for the good life. It is statewide in its interests and its influence. It has the confidence of the people of California. It has the backing of an understanding State government. The Governors and legislatures have always trusted it. Now it has the greatest aggregation of scholars ever to be assembled in this country. It has a vision for the future of our State. If we continue to support it in proportion to the growth of California, it will always be the greatest diamond of all to come from our acres of diamonds.

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[From the Washington Post, Oct. 5, 1963]

### ANNIVERSARY

Ten years ago this day, Earl Warren took his seat as Chief Justice of the United States. No decade in American history has brought to the Supreme Court such a diversity of deeply troublesome and controversial questions—questions made troublesome and controversial in large measure because they had been long ignored by the Court and allowed to fester.

Racial segregation, for example, was allowed for three-quarters of a century to corrupt American social and economic life through adherence to the transparently false "separate but equal" gloss until the "Warren" Court at last set it straight in the school decisions of 1954. Gross inequities in State districting were permitted to impair political equality for many years on the basis of a fiction that they lay beyond judicial jurisdiction until recently the Court recognized that they involved a plain denial of constitutional rights. Some extremely lax State practices respecting the admissibility of evidence obtained in violation of the fourth amendment were tolerated out of deference to States rights until just lately the Court said firmly that it would hold State trials to Federal standards.

Most important of all, perhaps, is the fact that the Court grasped the nettle of church-state relations in the public schools. Various forms of religious observance were so commonplace in the schools that the wall of separation between church and state was in grave danger of crumbling until the Court resolutely recalled that the first amendment imposes on the American Government an absolute neutrality in all matters of religion.

Because all four of these major decisions came tragically late, they ran counter to settled convictions and rooted practices among many Americans. Thus they brought down upon the Court a storm of abuse and attack. It was a piece of magnificent good fortune that the chief justiceship was held during this trying period by a man of exceptional poise and strength and understanding. Knowing that it is the function of the Supreme Court at times to check the popular will, Chief Justice Warren has gone about his high duties with quiet equanimity. He can be sure that in the perspective of history he will have the deep gratitude of his countrymen. We wish the country a long continuation of his superb public service.

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[From the Washington Daily News, Sept. 30, 1963]

### EARL WARREN'S 10 YEARS

Ten years ago this week a husky, friendly man resigned as Governor of California and took a seat in Washington as Chief Justice of the United States.

Earl Warren had been one of the most popular politicians in the booming Western State, having been elected once as attorney general and three times as Governor—once with the nominations of both major parties. He had been his home State favorite son for President at three Republican conventions.

But as Chief Justice his popularity has been punctured by the series of controversial opinions handed down by the Court—especially the school desegregation opinions which he wrote in 1954 but on which the Court was unanimous.

The Chief Justice's adversaries, who are vehement and emotional, blame him for everything the Court has decided although there are eight other highly independent Justices.

It is possible, and reasonable, to disagree with some of the Chief Justice's opinions. On occasion, in these columns, we have. So, most of the time, have one or more of his colleagues on the high bench. It is more difficult, but possible and reasonable, to disagree with some of his philosophy (as against his interpretation of the law).

But it is not reasonable to question Chief Justice Warren's sincerity. He is a man of great heart and courage. He is the same husky, friendly man who used to be Governor of California. High position has not changed his principles or his humility. He has weathered the barbs (many of them personally vicious) which resulted from controversial decisions with fine dignity and undiminished belief in what he has done.

We think it is timely and eminently appropriate to speak well of him today.

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[From the St. Louis Post-Dispatch, Sept. 27, 1963]

### TEN BRIGHT CANDLES

His native State honored Chief Justice Earl Warren on the 10th anniversary of his appointment to the Supreme Court, yet if anything he was honored more by the High Court itself. Seven of the Associate Justices were present as Justice Warren addressed the California Bar Association in San Francisco. It was a mark of respect properly due a man who has led the Court in some of its most difficult years and against some of the bitterest criticism of it, and to the critics the Chief Justice had wise words to say.

The civil rights issues that have led to so much hostility toward the Court are worldwide in their implications, he said. They are part of a demand for individual and national freedom that is growing across the globe. Respecting America alone, however, these issues arrive at the Supreme Court uninvited. The Court does not initiate them, but as a court of review it cannot with justice ignore them or stand on old precedents against which the very times protest. If the Court blocked changes it would be unjust.

Finally, the Chief Justice offered sound advice to States rights advocates. If the State courts were vigilant in protecting individual liberty, he said, they would have no trouble with the Federal courts. It is State neglect, in law as in other fields, that has invited or commanded Federal action. As Governor of California, Justice Warren saw to the rights and responsibilities of his State. As Chief Justice, he has for a decade seen to the liberties of the American people.

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[From the Los Angeles Times, Sept. 30, 1963]

### Warren Before the Bar

Chief Justice Warren's statement before the California bar's convention last week was, in a way, a reply to the loud minority crying for his impeachment, but it will also be of permanent usefulness to the political scientists.

The Supreme Court, the Chief Justice was saying, is a creature (or victim) of its time, like the other limbs of Government. It is not elected, of course, but it stands neck-deep in the same currents that swirl around legislators and Presidents, holding its ammunition over its head and trying to keep it dry.

In his apologia for the Court, Mr. Warren noted that it does not generate the cases it decides. "We [the Court] can reach for no cases," he said. "They come to us in the normal course of events or we have no jurisdiction. When they do come to us we decide them or we do not perform our duty."

The main reason for so many civil rights cases (he sometimes uses the expression "human rights") is that the "very atmosphere we live in is charged with that subject." This is self-evident. The critics of the Court do not distinguish in their faultfinding between the matters forced on its consideration and its decisions in these cases.

It is every American's right to disagree with the Court majority if he chooses, but he is very wrong when he charges in his posters and pamphlets that the Court conspires to change the course of our political, social, and economic life by deliberately selecting cases which will have the greatest influence for change.

Mr. Warren implied that the Court would be happier if the State supreme courts would ease the burden of these invidious cases and soften the charge that it invades State rights.

"Where the supreme court of a State is vigilant of its protection of constitutional rights," he said, "as is the Supreme Court of California, few differences arise between it and the Supreme Court of the United States."

He could have made that statement more comprehensive, although it might not have been seemly for him to point out that if the legislative branch—Congress and the State legislatures—did its statutory duty, the Court, or the courts, would not be perpetually occupied with "making law" rather than interpreting it.

He did say that those who have long been deprived of equality "are now testing all our institutions to make sure that they, too, will be the beneficiaries" of them. Most of the testing, while the executive and legislative branches are less zealous than they should be, is bound to be done in the courts.

How else could it be done?

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[From the San Francisco Chronicle, Sept. 27, 1963]

### Warren Reports on the Court

Anything that a Justice of the U.S. Supreme Court says about its work is rare news, because the members of the Court seldom break the silence that surrounds their way of working together. Chief Justice Earl Warren's speech to the State bar Wednesday night was thus an extraordinary, immensely valuable contribution to the public's understanding of the Court.

Do the Justices feud? The Chief Justice disposed of this recurrent rumor by his remark that he could count "on the fingers of one hand" the occasions over the past 10 years when there has been a flareup of temperament in the conferences of the Justices. These have never been more than passing clashes of the moment, he said.

His main theme, however, was not to put "imaginary feuds" at rest, but to show how heavily involved the Court has become in the American struggle to protect all citizens equally in their rights. Of 120 decisions handed down by the Court in a recent year, the Chief Justice said, 54 dealt with these rights, and the cases came up in that volume because the "atmosphere in which we live" is charged with the demand for equality.

It is not the Court which is responsible for these controversies, but the failure of local, State and Federal Governments to live up to the Constitution; for it is the Constitution which both defines equal rights under the law and provides the means for vindicating them where they are denied.

The Court is frequently charged with invading States rights, Chief Justice Warren noted. His reply will bear pondering by lawyers and judges in the States-rights States: "Where the supreme court of a State is vigilant in its protection of constitutional rights (as is the Supreme Court of California), few differences arise between it and the Supreme Court of the United States."

This was not only a profound reminder to the courts of other States, but a high and particular compliment to the California Supreme Court. As a Californian, Chief Justice Warren expressed his pride in offering it, and by the same token, Californians should be gratified to hear it from the Nation's head judge.

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[From the San Jose Mercury, Sept. 27, 1963]

### Warren and Law

California this week is basking in the reflected glory of Chief Justice Earl Warren's "10 years of honorable and illustrious service," to borrow Senator Thomas Kuchel's phrase.

It was 10 years ago that President Eisenhower named the then Governor of California to be Chief Justice of the United States.

Apparently it is Warren's destiny to be in the forefront of social change. It was during his governorship that California's population boom got rolling at full speed. He did a remarkable job of gearing the State's antiquated governmental machinery to the needs of the day.

As Chief Justice, of course, Warren has provided leadership in a Supreme Court that has brought on a revolution in the field of human rights. His performance leaves no doubt he will go down in history as one of the Nation's strong Chief Justices. Inevitably his career on the Court has made him a controversial figure. Strong State rights advocates as well as the lunatic fringe of the political rightwing have singled the Chief Justice out for vicious attacks.

Warren took the occasion of the State Bar Association meeting in San Francisco this week to explain his interpretation of the inscription over the entrance to the Supreme Court: "Equal Justice Under Law."

The purpose of the Constitution is the protection of the rights of the individual. The United States attempts to reach this goal through a concept of law which "distinguishes us from every totalitarian nation," said Warren.

"It is the heart of government in community, State and Nation. But in order for the concept to be meaningful, it must be translated into realities in the everyday living of our people."

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[From the Sacramento Bee]

### Constitution Remains Living Instrument in Warren Court

The U.S. Supreme Court seldom has been under more emotional siege than is the present Court presided over by Chief Justice Earl Warren. One almost has to go back to the era of John Marshall in the early 1800's to find a comparison.

There are many similarities between both the Courts of Warren and Marshall and the men, Marshall and Warren. Marshall did not hesitate as Chief Justice to involve the Court in matters of the day, controversial though the decisions might be, and neither has Warren. Warren has an almost fierce dedication to the place and the integrity of the Court in American life, and so did Marshall.

It was Marshall who raised the prestige and the power of the Court and molded the American practice and image by the breadth and wisdom of his interpretations, despite quarrels with Presidents and embittered factions of the public. Before Marshall the Court was almost a disaster, a timid third person in government; under Marshall the Court took for itself the indisputable right to review Federal and State laws and pronounce final judgment in constitutionality. The Constitution, under its consideration, became a precise document and a living instrument, a guiding force in American life, not a thing for interpretation by any President or any Congress.

Warren has extended the Marshall doctrines by bringing the Court to face up to persistent and challenging questions of the times: The rights of the Negro; the separation of church and state; the relationship of the States and the Federal Government; the right of the citizen to seek redress in this involved age of government. Under Warren the Constitution again has become a precise and a living instrument and a guiding force and a document to be interpreted by a single standard reading with meanings the same for one as for all.

It is not for judges to listen to the voice of persuasive eloquence or popular appeal, as Justice Joseph Story once observed; the Court's duty, its province, as Justice Roger Taney said in another opinion, is to expound the law, not to make it.

If the judicial power falls short of giving effect to the laws of the Union, as they are written and not as one or another faction might wish to interpret them, the existence of the Federal Government is doomed. As Justice Benjamin Cardozo once said, since the courts are creatures of the state and its power while their life as courts continues, they must obey the law of their creator.

In faithfully interpreting the law, as the Warren Court has in the fundamental and explosive issues involving the rights of all and the separation of church and state, the judiciary in the highest sense remains a guardian of the conscience, just as much as a guardian of the law.

Justice William O. Douglas once said the strength of the judiciary is in the command it has over the hearts and the minds of men; only so long as it commands the mind and the heart will the Court survive as an institution.

Meantime, the controversy over the Warren Court continues. Men too blind to see that if the rights of a few are prejudiced the rights of all are in danger would impeach Warren; their hate is naked.

Marshall too was hated. In his time he perhaps was the most despised man in American life, in some quarters.

Now as then the provincial may protest and the angry declaim but the Court—because of men like Marshall and Warren—remains what it was intended to be, the faithful, final interpreter of the law as the law is written, and a place where none is turned away and where all are heard with equal patience and sympathy.

[From the Sacramento Bee, Sept. 27, 1963]

### WARREN GIVES BRILLIANT DEFENSE OF VITAL LAW

U.S. Chief Justice Earl Warren's speech in San Francisco should put to shame the rightist radicals who have asked for his impeachment. It was not a cold and remote defense of himself or against attacks on the Court. His response showed the law can be presented in human, warm terms far broader and more sagacious than might be used by those defending the Court against the raging controversy around it with cloud seven detachment.

Warren took particular note of rumors the Court is driven by internal controversies. Of course, such rumors are part of the general attack on the Court once so sacrosant to reactionaries and so dispensable to them now that it is showing heart for the common man.

Warren denied without rancor that there exists any destructive division within the Court. Then he turned the rumors against their mongers in a classical parry.

Said Warren:

"Dissent is not a vice. Properly used it is in the best tradition of the Court."

The Chief Justice said American jurisprudence would have been sterile but for the dissents of Oliver Wendell Holmes and Louis Brandeis.

In practically all branches of life there are growth, progress, and vigor in the clash between the majority and the minority. Those who find in dissent within the house of the law some great peril would detach law from life, from the needs of the people and from the need for correction of its past mistakes. Judges do not put on infallibility when they don their judicial robes. They are still men dealing, not with a dead thing, but with a living organism.

Warren's great service in his San Francisco speech was that he vitalized the law, presenting it as something written by men, not in the dead embers of absolutism, but in the living fire of minds clashing in creative purpose.

## THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that an additional 5 minutes be allotted outside the time limitation for the purpose of bringing before the Senate items on the calendar to which there is no objection, beginning with Calendar No. 541, and following in sequence.

The VICE PRESIDENT. Without objection, it is so ordered.

## CANCELLATION AND DEFERMENT OF CERTAIN IRRIGATION CHARGES

The bill (H.R. 641) to approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project, Washington, was considered, order to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 563), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

### PURPOSE

The twofold purpose of H.R. 641, is (1) to approve an order of the Secretary of the Interior canceling and deferring certain delinquent irrigation charges and penalties amounting to $4,494.58 and $10,356.03, respectively, owed by non-Indian landowners served by the Wapato Indian irrigation project, Washington, and (2) to eliminate 78.12 acres of nonirrigable land from that project.

### NEED

Enactment of this bill is needed to complete the action taken with respect to the Wapato project by the Secretary of the Interior under authority of the act of June 22, 1936 (49 Stat. 1803, 25 U.S.C., 389–389e). That act directed the Secretary "to determine whether the owners of non-Indian lands under Indian irrigation projects * * * are unable to pay irrigation charges" and, if so, to cancel or defer such charges. It also authorized him to eliminate permanently nonirrigable land from the project. Section 6 of the same act, however, provides that his actions under it should not be finally effective until approved by act of Congress. A summary of the Secretary's determinations is contained in the departmental report appended hereto. His action in this case is complementary to similar action already taken with respect to Indian-owned land under the project and to the provisions of the act of September 26, 1961 (75 Stat. 680), under which a final determination of the costs of the project and an allocation of those costs to the lands served by it were made.

### COST

H.R. 641 will require no Federal expenditure. It will, however, cancel and defer payment of irrigation charges as heretofore stated.

## WITHDRAWAL AND RESERVATION FOR THE NAVY OF CERTAIN PUBLIC LANDS

The bill (H.R. 4588) to provide for the withdrawal and reservation for the Department of the Navy at Mojave B Aerial Gunnery Range, San Bernardino County, Calif., and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 564), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

### NEED

H.R. 4588 describes the Mojave B Aerial Gunnery Range, which has been used by the Department of the Navy since 1942 following issuance of a permit by the Department of the Interior during the then existing unlimited national emergency. Following termination of the emergency period in 1952, an application was made to the Department of the Interior in 1953 for the withdrawal and reservation of the area. Before the withdrawal was completed, the act of February 28, 1958 (72 Stat. 27), became effective. It provides, among other things, that no withdrawal of more than 5,000 acres for a defense project or facility may be accomplished except by act of Congress.

During consideration of the bill, which was submitted as part of the Department of Defense legislative program for 1963, Navy witnesses demonstrated to the committee's full satisfaction the military need for use of the lands involved.

A House committee amendment limits the proposed withdrawal to 10 years with option to renew for an additional 5 years. Even though the Navy currently foresees a permanent requirement for the Mojave B Aerial Gunnery Range, the committee believes that the period of withdrawal should be limited in order to assure periodic review of that requirement at the higher levels of Government. This assures administrative review 10 years from now, and a further review at the end of 15 years. If the Navy then desires to extend its use beyond this term, it will have to request further legislative action, thereby assuring congressional scrutiny of the necessity of such continued use.

### COST

Enactment of H.R. 4588 will cause no increase in the budgetary requirements of the executive departments at this time. It is possible that, if present procedures are modified, additional funds may be required when military use of the property ends in order to effect a desirable degree of decontamination and dedudding. The amount likely to be required cannot be determined at this time.

## BIG FLAT UNIT OF MISSOULA VALLEY PROJECT, MONTANA

The bill (S. 1637) to approve the January 1963 reclassification of land of the Big Flat unit of the Missoula Valley project, Montana, and to authorize the modification of the repayment contract with the Big Flat Irrigation District was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized to negotiate and execute an amendatory contract amending the existing repayment contract between the United States and the Big Flat Irrigation District dated April 2, 1945, by reducing the construction charge obligation of the district in the amount of $7,190, representing the unmatured charges as of December 30, 1962, against one hundred and sixty-four and three-tenths acres of irrigable land presently classified as nonproductive. The reclassification of the lands of the Big Flat unit of the Missoula Valley project, Montana, dated January 1963, is hereby approved.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 565), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

### HISTORY

The Big Flat unit of the Missoula Valley project was authorized by the President on May 10, 1944, pursuant to the Water Conservation and Utilization Act of August 11, 1939, as amended. The unit is located on the west side of the Clark Fork River about 7 miles west of Missoula, Mont. Construction of works was begun in 1945 by the Bureau of Reclamation to develop a water supply for 900 acres of new land at a cost of $278,282.

### PURPOSE

The proposed legislation would authorize the Secretary of the Interior to negotiate and execute an amendatory contract with the Big Flat Irrigation District. The amendatory contract would reduce the construction charge obligation of the district in the amount of $7,190, which represents the unmatured charges as of December 30, 1962, against 164.3 acres of land which have been classified as permanently nonproductive. Also, it would approve the January 1963 reclassification of lands of the Big Flat unit which determined that this acreage was nonproductive.

Enactment of the bill would authorize a reduction in the total obligation of the district from $41,343 to $34,153 or $7,190. The remaining obligation of the district will be rescheduled over the 31 years remaining in the initial 40-year repayment period. It will also enable the Big Flat Irrigation District to become current in its payments, and it is expected to remain current thereafter.

The committee recommends enactment of S. 1687.

The bill will not require the expenditure of any Federal funds.

## CONTRACT NEGOTIATED WITH THE NEWTON WATER USERS' ASSOCIATION, UTAH

The bill (S. 1584) to approve a contract negotiated with the Newton Water Users' Association, Utah, to authorize its execution, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proposed contract designated "R.O. Draft 1/31/63; Rev. 3/12/63," negotiated by the Secretary of the Interior with the Newton Water Users' Association, Utah, to extend the period for repayment of the reimbursable construction cost of the Newton project and to establish a variable repayment schedule is approved and the Secretary of the Interior is hereby authorized to execute such contract on behalf of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 566), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The bill would approve a contract heretofore negotiated between the Department of the Interior and the Newton Water Users' Association of Utah. It would establish a variable repayment schedule for the construction charge allocated to irrigation based on $1.75 per acre-foot for the project water actually delivered to the users.

Because of the continuing extreme water shortage experienced on the project the formula is expected to extend the existing 40-year repayment schedule an estimated 5 or 6 years.

The repayment period will depend on the availability of water. It could be more or less than the estimate. The area has been subject to a continuous dry cycle and the users of the water from the Newton Dam have not been able to get the amount of water that was estimated to be delivered. As a result, the farmers have not been able to mature their crops and thus have not been able to keep up the repayment schedule.

COST

The bill will not require the expenditure of any Federal funds. It will extend the payout period for a short time.

## DEFERMENT OF CERTAIN CHARGES OF EDEN VALLEY IRRIGATION AND DRAINAGE DISTRICT

The Senate proceeded to consider the bill (S. 1299) to defer certain operation and maintenance charges of the Eden Valley Irrigation and Drainage District, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 5, after the word "the", to strike out "last one-half of calendar year 1963 as shown in the April 16, 1962, notices of 1963 water charges" and insert "first one-half of calendar year 1964 as shown in the May 17, 1963, notices of 1964 water charges"; in line 11, after the word "to", to strike out "June 1, 1963" and insert "December 1, 1963"; and on page 2, line 5, after the word "the", to insert "last one-half of"; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is authorized and directed to defer, without interest, the collection of irrigation operation and maintenance charges due for the first one-half of calendar year 1964 as shown in the May 17, 1963, notices of 1964 water charges to the Eden Valley Irrigation and Drainage District: *Provided,* That the Secretary and the district enter into a contract prior to December 1, 1963, for the payment by the district of such deferred charges during the sixty-year repayment period provided by the repayment contract of June 8, 1950, with said district: *Provided further,* That the Secretary of the Interior is authorized to defer all or any part of operation and maintenance charges due for the last one-half of calendar year 1964, to the extent that he determines that the water supply is inadequate to meet project needs, such deferment without interest, to be contingent upon the Secretary and the district entering into a contract prior to June 1, 1964, for the payment by the district of such deferred charges over the repayment period provided by the repayment contract herein referred to. Appropriations heretofore or hereafter made for carrying on the functions of the Bureau of Reclamation shall be available for operation and maintenance of the Eden project to the extent that funds for operation and maintenance are deferred hereunder and therefore are not advanced by the Eden Valley Irrigation and Drainage District.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 567), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The Eden project in Sweetwater County, Wyo., was approved for construction by the President on September 18, 1940, under the water conservation and utility provision of the Interior Department Appropriation Act of 1940 and reauthorized in 1949. The project was completed in 1959.

The settlement of the Eden project coincided with 4 consecutive years of near-record low streamflows. Drought conditions have imposed unreasonable hardships upon the project farmers.

Increasing operation and maintenance costs and lowered crop production, together with an inadequate water supply have so adversely affected the economic status of the settlers that they are without funds to meet their payments.

In an effort to seek a remedy to conditions on this and other Wyoming projects the House Interior and Insular Affairs Committee, suggested the appointment of a review commission to study the situation in that State. The survey team was appointed and has reported on several of the projects. It is anticipated that further legislation will be before the Congress that will furnish a permanent solution to the problems that face these irrigation districts.

The bill will not require the expenditure of any Federal funds.

## BILLS PASSED OVER

The bill (S. 2100) to continue certain authority of the Secretary of Commerce to suspend the provisions of section 27 of the Merchant Marine Act, 1920, with respect to the transportation of lumber, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The bill (H.R. 75) to provide for exceptions to the rules of navigation in certain cases was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

## CHANGE OF NAME OF ANDREW JOHNSON NATIONAL MONUMENT

The Senate proceeded to consider the bill (S. 1243) to change the name of the Andrew Johnson National Monument, to add certain historic property thereto, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 12, after the word "east", to strike out "94.3" and insert "93.4"; in line 19, after the word "There", to strike out "are" and insert "is"; and in the same line, after the word "appropriated", to strike out "such sums as are necessary to carry out the purposes of this Act" and insert "not to exceed $50,000 for acquisition of property under this Act"; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Andrew Johnson National Monument established by Proclamation Numbered 2554 of April 27, 1942 (56 Stat. 1955), pursuant to the Act of August 29, 1935 (49 Stat. 958), is hereby redesignated the Andrew Johnson National Historic Site.

Sec. 2. The Secretary of the Interior may procure with donated or appropriated funds, by donation, or by exchange the following described lands, or interests therein, located in Greeneville, Tennessee, and when so acquired such lands shall become a part of the Andrew Johnson National Historic Site:

Beginning at a point which is the intersection of the east right-of-way line of College Street and the north right-of-way line of Depot Street;

thence continuing along the north right-of-way line of Depot Street south 62¼ degrees east 165 feet to its intersection with the west side of Academy Street;

thence leaving the north right-of-way line of Depot Street and continuing along the west right-of-way of Academy Street north 38 degrees east 93.4 feet to a point;

thence leaving the west right-of-way of Academy Street north 64¾ degrees west 184 feet to a point on the east right-of-way line of College Street;

thence with the east right-of-way line of College Street south 25¾ degrees west 83.7

feet to the point of beginning, containing 0.35 acre, more or less.

SEC. 3. There is authorized to be appropriated not to exceed $50,000 for acquisition of property under this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 570), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

BACKGROUND

The Andrew Johnson tailor shop at Greeneville, Tenn., was acquired, enclosed in a larger brick structure and presented to the United States by the State of Tennessee. The tailor shop, where the former President was taught to read and write by Mrs. Johnson while he was engaged at his work, was designated, together with the cemetery in which he is buried nearby, as the Andrew Johnson National Monument and so established by Proclamation No. 2554 of April 27, 1942, pursuant to an act of Congress signed August 29, 1935.

The monument had 48,909 visitors in 1962. Parking facilities are inadequate for present attendance levels, and it is growing.

The Andrew Johnson home, located directly across the street from the tailor shop, was built by the former President and occupied by him from 1838 to 1851 while he was a member of the State senate and the House of Representatives for four terms.

PURPOSE OF ACQUISITION

Acquisition of the Johnson home will not only add a historic house to the Andrew Johnson site but protect the present tailor shop from potential undesirable adjacent development and afford an opportunity to provide more adequate parking facilities for visitors. Additionally, the National Park Service feels it would make possible a more complete portrayal of President Johnson's early life in Greeneville.

COST

Besides the approximate $50,000 acquisition cost for the home, the Department of Interior estimates that restoration of the home and development of the parking area will cost approximately $10,000 and that annual maintenance and administration of the monument will increase $1,500 a year.

CHANGE OF NAME

The bill changes the name of the Andrew Johnson National Monument to the Andrew Johnson National Historic Site in keeping with a policy of giving uniform designations to areas of like character and national significance which accurately portray to citizens the true nature of the establishment.

## HOT WIRE IS A-1 DEFROSTER

Mr. YOUNG of Ohio. Mr. President, a year ago this month America's greatest cold war triumph came when Khrushchev turned tail and withdrew his offensive missiles from Cuba. This victory was due to President Kennedy's firm, determined, and unyielding action toward Khrushchev and Castro, and to the wholehearted support given him at the time by all Americans.

Still another reason for our success was the fact that throughout that crisis our Government and that of the Soviet Union were in constant communication as the world teetered on the verge of nuclear war. One lesson we learned from that experience is the importance of maintaining readily accessible communications between our President and the leader of the Soviet Union.

To facilitate this, negotiations were conducted for the establishment of a direct telecommunications link, or so-called "hot line," between the Kremlin and the White House. Despite months of setbacks and discouragements, an agreement was finally reached, and this so-called "hot line" is presently in effect. It enables our President to confer informally and privately with Khrushchev at any time, day or night, speedily, directly, and effectively. This marks a new era in diplomacy.

Recent events have proven the wisdom of this action and also the necessity for improving communications between officials of the two Governments at lower levels. It is reported that one reason for the recent tense situation, when one of our military convoys was halted for a matter of hours on its way to West Berlin, was the lack of swift communications between military commanders representing the United States and our West European allies in Germany and their Soviet counterparts in East Berlin.

Alvin Silverman, chief of the Washington bureau of the Plain Dealer, one of the great newspapers of our Nation, discussed this problem on October 16 in an excellent column entitled, "Hot Wire Is A-1 Defroster." Mr. Silverman points out the fact that after receiving an oral protest from Secretary of State Rusk, the Soviet Ambassador to the United States required the assistance of the State Department in order to secure a radio-telephone connection to Moscow without delay.

Mr. President, I ask unanimous consent to have this article printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOT WIRE IS A-1 DEFROSTER

(By Alvin Silverman)

WASHINGTON.—Just about a year ago the world was on the verge of nuclear annihilation.

Russian missiles were pointed at the United States from Cuban emplacements. This country demanded their immediate removal and backed up its unmistakable words with the establishment of a naval blockade quarantine. The weapons were dismantled, presumably shipped back to the Soviet Union, along with some of their operators, and the spine-chilling crisis passed.

Looking back on the incident, knowledgeable observers are pretty much in agreement that two factors mainly caused the sane settlement.

One was the firmness of President Kennedy and the undivided Nation that supported him. The other, less publicized and perhaps still not recognized for its importance, was that the Governments of the United States and the Soviet Union did not break off relations but, instead, kept in close contact with each other throughout the crisis.

From the American and Soviet leaders' realization of how very close calamity had been came to a decision to set up a system that would allow the U.S. President and the Soviet chief to communicate almost instantly.

It took some time to work out the highly complicated procedure but there now is a so-called hot wire between the White House and the Kremlin.

And it's a lucky thing there is.

One of the main causes of the tense situation that developed last week on the Berlin autobahn was communications failures on the local level.

Western military commanders in Germany had some difficulty reaching their Soviet counterparts.

As a matter of fact, after receiving an oral protest from Secretary of State Dean Rusk, the Soviet Ambassador to the United States, Anatoly F. Dobrynin, needed the assistance of the State Department to get a radio-telephone connection to Moscow.

The Berlin blockade of the American military convoy demonstrated again how inflammable the deadlock there between the United States and the U.S.S.R. still is.

A number of reasons have been offered to explain why the Russians, at a time they seemingly were seeking a thaw in the cold war, would let a misunderstanding between local military commanders develop to such a serious point.

One is that the Soviets wished to emphasize that they have not changed their tough attitude in respect to West Germany and Berlin.

Another is that the Soviets were probing to see if the United States might be a little softer now that there is a prospect for peace talks. If there is to be what the diplomats call a detente, how "detentish" is America today?

Still another is that the situation got out of hand.

Whatever the real reason, official Washington and, undoubtedly, official Moscow, too, now are taking a close, quiet look at how communications on the lower levels can be improved, along the lines of the hot wire.

## ADDRESS BY PRESIDENT KENNEDY AT UNIVERSITY OF MAINE

Mr. MUSKIE. Mr. President, on Saturday, October 19, 1963, the State of Maine was honored by a visit by the President of the United States. He spoke at a special convocation at the University of Maine and made an aerial inspection of the Passamaquoddy Bay area, site of the proposed tidal power project.

Citizens of Maine from all walks of life and from both political parties greeted the President enthusiastically. He was accompanied on the trip to Maine by my senior colleague [Mrs. SMITH], by the Congressman from the First District of Maine [Mr. TUPPER], and by me. He was greeted in Maine by Governor Reed and the Representative from the Second District of Maine [Mr. MCINTIRE].

The President honored Maine with his presence and with a major address on foreign policy. It is a speech which has received thoughtful and favorable editorial comment.

I ask unanimous consent that the President's address at the University of Maine, two articles from the Portland, Maine, Sunday Telegram, and an editorial from the Washington Post and Times Herald be printed in the RECORD.

There being no objection, the address, articles, and an editorial were ordered to be printed in the RECORD, as follows:

ADDRESS BY PRESIDENT JOHN F. KENNEDY, UNIVERSITY OF MAINE, OCTOBER 19, 1963

In the year 1715, King George I of England donated a valuable library to Cambridge University—and, at very nearly the same time, had occasion to dispatch a regiment to Oxford. The King, remarked one famous wit, had judiciously observed the condition of both his universities—one was a learned body in need of loyalty and the other was a loyal body in need of learning.

Today some observers may feel that very little has changed in two centuries and a half. We are asking the Congress for funds to assist our college libraries, including those in Cambridge, Mass.; and it was regrettably necessary on one occasion to send troops to the campus at Oxford, Miss. And, more generally speaking, critics of our modern universities have often accused them of producing either too little loyalty or too little learning. But I cannot agree with either charge. I am convinced that our universities are an invaluable national asset which must be conserved and expanded. I am deeply honored by the degree you have awarded me today—and I think it is appropriate that I speak at this university, noted for both loyalty and learning, on the need for a more exact understanding of the true correlation of forces in the conduct of foreign affairs.

One year ago, this coming week, the United States and the world were gripped with the somber prospect of a military confrontation between two great nuclear powers. The American people have good reason to recall with pride their conduct throughout that harrowing week. For they neither dissolved in frightened panic nor rushed headlong into reckless belligerence. Well aware of the risks of resistance, they nevertheless refused to tolerate the Soviets' attempt to place nuclear weapons in this hemisphere—but recognized at the same time that our preparations for the use of force necessarily required a simultaneous search for fair and peaceful solutions.

The extraordinary events of that week and the weeks that followed are now history—a history which is differently interpreted, differently recounted and differently labeled among various observers and nations. Some hail it as the West's greatest victory, others as a bitter defeat. Some mark it as a turning point in the cold war, others as proof of its permanence. Some attribute the Soviet withdrawal of missiles to our military actions alone, while some credit solely our use of negotiations. Some view the entire episode as an example of Communist duplicity, while some others abroad have accepted the assertion that it indicated the Soviets' peaceful intentions.

While only the passage of time and events can reveal in full the true perspective of last October's drama, it is already clear that no single, simple view of this kind can be wholly accurate in this case.

While both caution and commonsense proscribe our boasting of it in the traditional terms of unconditional military victory, only the most zealous partisan can attempt to call it a defeat. While it is too late to say that nothing has changed in Soviet-American relations, it is too early to assume that the change is permanent. There are new rays of hope on the horizon—but we still live in the shadow of war.

Let us examine the events of 12 months ago, therefore—and the events of the past 12 months—and the events of the next 12 months—in a context of calm and caution.

It is clear that there will be further disagreements between ourselves and the Soviets as well as further agreements. There will be setbacks in our Nation's endeavors on behalf of freedom as well as successes. For a pause in the cold war is not a lasting peace—and a detente does not equal disarmament. The United States must continue to seek a relaxation of tensions—but we have no cause to relax our vigilance.

A year ago it would have been easy to assume that all-out war was inevitable—that any agreement with the Soviets was impossible—and that an unlimited arms race was unavoidable.

Today it is equally easy for some to assume that the cold war is over—that all outstanding issues between the Soviets and ourselves can be quickly and satisfactorily settled—and that we shall now have, in the words of the psalmist, an "abundance of peace so long as the moon endureth."

The fact of the matter is, of course, that neither view is correct. We have, it is true, made some progress on a long journey. We have achieved new opportunities which we cannot afford to waste. We have concluded with the Soviets a few limited, enforcible agreements or arrangements of mutual benefit to both sides and the world.

But a change in atmosphere and emphasis is not a reversal of purpose. Mr. Khrushchev himself has said there can be no coexistence in the field of ideology. In addition, there are still major areas of tension and conflict, from Berlin to Cuba to southeast Asia. The United States and the Soviet Union still have wholly different concepts of the world, its freedom and its future. We still have wholly different views on so-called wars of liberation and the use of subversion. And so long as these basic differences continue, they cannot and should not be concealed; they set limits to the possibilities of agreement; and they will give rise to further crises, large and small, in the months and years ahead, both in areas of direct confrontation—such as Germany and the Caribbean—and in areas where events beyond our control could involve us both—areas such as Africa, Asia, and the Middle East.

In times such as these, therefore, there is nothing inconsistent about signing an atmospheric nuclear test ban, on the one hand, and testing underground on the other; about being willing to sell to the Soviets our surplus wheat while refusing to sell strategic items; about probing their interest in a joint lunar landing, while making a major effort to master this new environment; or about exploring the possibilities of disarmament while maintaining our stockpile of armaments. For all of these moves, and all other elements of American and allied policy toward the Soviet Union, are directed at a single, comprehensive goal—namely, convincing the Soviet leaders that it is dangerous for them to engage in direct or indirect aggression, futile for them to attempt to impose their will and their system on other unwilling peoples, and beneficial to them, as well as all the world, to join in the achievement of a genuine and enforcible peace.

While the road to that peace is long and hard, and full of traps and pitfalls, that is no reason not to take each step we can safely take. It is in our national self-interest to ban nuclear testing in the atmosphere so that all our citizens can breathe easier.

It is in our national self-interest to sell surplus wheat in storage to feed Russians and Eastern Europeans who are willing to divert large portions of their limited foreign exchange reserves away from the implements of war. It is in our national self-interest to keep weapons of mass destruction out of outer space—to maintain an emergency communications link with Moscow—and to substitute joint and peaceful exploration for cold war exploitation in the Antarctic and in outer space.

No one of these small advances, nor all of them taken together, can be interpreted as meaning that the Soviets are abandoning their basic aims and ambitions.

Nor should any future, less friendly Soviet action—whether it is a stoppage on the autobahn, or a veto in the U.N., or a spy in our midst, or new trouble elsewhere—cause us to regret the steps we have taken. Even if those steps themselves should be undone—by the violation or renunciation of the test ban treaty, for example, or by a decision to decline American wheat—there would still be no reason to regret the fact that this Nation had made every reasonable effort to improve relations.

For without our making such an effort, we could not maintain the leadership and respect of the free world. Without our making such an effort, we could not convince our adversaries that war was not in their interest. And without our making such an effort, we could never, in case of war, satisfy our own hearts and minds that we had done all that could be done to avoid that holocaust of endless death and destruction.

Historians report that in 1914, with most of the world already plunged in war, Prince Bulow, the former German chancellor, said to the then Chancellor Bethmann-Hollweg: "How did it all happen?" And Bethmann-Hollweg replied: "Ah, if only one knew." My fellow Americans, if this planet is ever ravaged by nuclear war—if 300 million Americans, Russians, and Europeans are wiped out by a 60-minute nuclear exchange—if the pitiable survivors of that devastation can then endure the ensuing fire, poison, chaos, and catastrophe—I do not want one of those survivors to ask another "How did it all happen?"; and to receive the incredible reply: "Ah, if only one knew."

Therefore, while maintaining our readiness for war, let us exhaust every avenue of peace. Let us always make clear both our willingness to talk, if talk will help, and our readiness to fight, if fight we must. Let us resolve to be the masters, not the victims, of history, controlling our own destiny without giving way to blind suspicions and emotions. Let us distinguish between our hopes and our illusions, always hoping for steady progress toward less critically dangerous relations with the Soviets but never laboring under any illusions about Communist methods and goals.

Let us recognize both the gains we have made down the road to peace and the great distances yet to be covered. Let us not waste the present pause by either a needless renewal of tensions or a needless relaxation of vigilance.

And let us recognize that we have made these gains and achieved this pause by the firmness we displayed a year ago as well as our restraint—by our efforts for defense over the last 2 years as well as our efforts for peace.

In short, when we think of peace in this country, let us think of both our capacity to deter aggression and our goal of true disarmament. Let us think of both the strength of our Western alliances and the areas of East-West cooperation.

For the American eagle on the presidential seal holds in his talons both the olive branch of peace and the arrows of military might.

On the ceiling of my office, constructed many years ago, that eagle is facing the arrows of war on its left. But on the newer carpet, reflecting a change initiated by President Roosevelt and implemented by President Truman immediately after the war, that eagle is facing the olive branch of peace. I can assure you today the eagle continues to look to the olive branch of peace. And it is in that spirit—the spirit of both preparedness and peace—that this Nation today is stronger than ever before—strengthened by both the increased power of our defenses and our increased efforts for peace—strengthened by both our resolve to resist coercion and our constant search for solutions. And in the months and years ahead, we intend to build both kinds of strength—during times of detente as well as tension, during periods of conflict as well as cooperation—until the world we pass on to our children is truly safe for diversity and the rule of law covers all.

[From the Portland (Maine) Sunday Telegram, Oct. 20, 1963]

## J.F.K. Speaks at University of Maine—Peace Hopes Brighter, Kennedy Says—Crises, Setbacks Ahead, However, President Warns

(By Donald C. Hansen)

Orono.—President John F. Kennedy, squinting into a bright autumn sun, told a University of Maine audience of 15,000 persons Saturday that there are new rays of hope on the horizon in the area of world peace.

The President, here on a quick flying trip to receive an honorary degree of doctor of laws, took the occasion to deliver an assessment of U.S. foreign policy during the administration.

### INTERESTED IN MAN

But the shirt-sleeve, basically collegiate audience appeared less interested in the speech itself than in the man who was delivering it—the 35th President of the United States.

A mighty roar came from the record-breaking crowd as the President stepped from his helicopter at the edge of Alumni Field and strode smiling to the center of the field with University of Maine President Lloyd H. Elliott.

The audience again roared its appreciation and delight when Kennedy, following his address, stopped en route back to the helicopter to shake hands with several college students.

The President's visit was no disappointment to the crowd that jammed Alumni Field to catch a glimpse of the Chief Executive.

Kennedy broke into a broad grin when Dr. Elliott, in conferring the honorary degree, stipulated that with it went the requirement that "henceforth, wherever you may travel around the world, and in whatever circles you may find yourself—in stately halls with titled diplomats or in the playroom with Caroline and John—it will be your solemn obligation to stand and sing whenever you hear the Maine stein song."

Then as the convocation closed with the singing of the "Stein Song," the President did his best, but it was obvious he was not as familiar with the words as others on the platform.

It couldn't have been a better day for the President's quick visit. The temperature hung in the mideighties, in sharp contrast to the foggy weekend he spent in Maine last summer sailing off Boothbay Harbor.

### SEVERAL FAINT

An estimated 10,000 persons filled the football field's bleacher seats and another 5,000 were jammed 20 deep behind a low retaining fence at the south end of the field. Several persons fainted from the human crush and the heat and were treated at mobile university infirmaries.

The university visit was brief. Shortly after 11 a.m., three helicopters carrying the President and his party from Dow Air Force Base, Bangor, circled the field and set down behind the football scoreboard at the north end of the field.

By noon, the President was being airborne back to Dow and the presidential jet which carried him over Passamaquoddy Bay and on to Boston for a fundraising dinner Saturday night.

The gates to Alumni Field opened at 9 a.m. Saturday and by 9:30 the homecoming weekend crowd had filled it. Additional bleachers on the west side of the field could not be used for security reasons, because they were behind the President as he spoke.

With the President was the entire Maine congressional delegation, who flew from Dow to the Maine campus with him. Gov. John H. Reed greeted the President when he landed at the field and officially welcomed him to the State.

### APPLAUDS SOLONS

U.S. Air Force buses brought about 40 Washington correspondents that accompanied the President from Washington Saturday morning from Dow to the campus.

Causing almost as much of a stir as the President was May Craig, Washington correspondent for the Guy Garret Publishing Co., who accompanied the President from Dow to the campus by helicopter.

The chipper Mrs. Craig, wearing a bright red distinctive hat, was immediately recognized by the crowd as she alighted from the helicopter.

The crowd also applauded lustily as the Maine congressional delegation on the platform was introduced by Dr. Elliott. An especially enthusiastic roar went up when Democratic U.S. Senator Edmund S. Muskie was introduced. Hearty applause also went to U.S. Senator Margaret Chase Smith and U.S. Representatives Clifford G. McIntire and Stanley R. Tupper.

The President delivered his address after Reed extended the State's welcome and the Maine congressional delegation was introduced.

He defended the Nation's foreign policy during the past few years, an area where U.S. Senator Barry Goldwater, considered a prime Republican presidential nominee, has been extremely critical recently.

Kennedy, attired in academic cap and gown as were the other platform guests, didn't mention Goldwater either directly or indirectly. He stuck to foreign policy exclusively and saved his political speech for the Boston dinner.

Although the President said there were some hopeful signs leading in the direction of a permanent peace, he added that basic American-Soviet differences "will give rise to further crises, large and small, in the months and years ahead."

"There will be setbacks," Kennedy said, "in our Nations's endeavors on behalf of freedom as well as successes. For a pause in the cold war is not lasting peace—and a detente does not equal disarmament. The United States must continue to seek a relaxation of tensions—but we have no cause to relax our vigilance."

Kennedy said the United States must continue to attempt to convince the Soviet leaders "that it is dangerous for them to engage in direct or indirect aggression, futile for them to attempt to impose their will and their system on other unwilling peoples and beneficial to them, as well as all of the world, to join in the achievement of a genuine and enforcible peace."

### NO REGRETS

The President said that "any future, less friendly Soviet action—whether it is a stoppage on the autobahn, or a veto at the U.N." should not "cause us to regret the steps we have taken."

"Let us recognize," the President said, both the gains we have made down the road to peace and the great distances yet to be covered."

Then, as Dr. Elliott read the citation and conferred the degree, the academic hood was placed over the President's shoulders by Dr. H. Austin Peck, vice president for academic affairs and U. of M. Registrar George Crosby.

Dr. Lawrence M. Cutler, Bangor, president of the university's board of trustees, presented the President with the degree.

Before he left the platform, which was installed on the field's 50-yard stripe, the President was introduced to university trustees and faculty officials. Then he strode back down the cinder track that rings the football field and returned to Dow in his helicopter.

Dr. Elliott told the President that he was receiving the honorary degree "in recognition of what you are: the President of all the people of this land—the weak and the strong, the white and the colored, the rural and the urban, the rich and the poor, the young and the old.

"And as you carry the lonely burdens of your high office we in Maine shall bear a very special affinity for you, John Fitzgerald Kennedy, whose name shall forever be borne upon the rolls of this university."

The President again smiled broadly when Dr. Elliott humorously noted "that your mail will now include announcements of new academic offerings, programs aimed at improving physical fitness and pleas for financial help."

All members of Maine's congressional delegation except McIntire returned to Dow by helicopter with the President. McIntire, a university graduate, stayed behind to participate in homecoming activities.

### MEETS PARTY HEADS

At Dow, the President had a brief reception with Maine Democratic Party leaders, including State Chairman William D. Hathaway, National Committeeman Richard D. Dubord and National Committeewoman Gloria Latno.

Republican Governor Reed told the President that he was pleased that Kennedy could visit "the university where I was graduated and received the doctor of laws, which I also proudly hold."

Reed added that he was happy the President could also visit the Passamaquoddy area "that the people of Maine are so pleased you endorse."

While the overflow crowd was waiting for the President to arrive, they were entertained by high school bands from Bangor, Millinocket, Old Town, Guilford and Hermon. The 80-member University of Maine band played "Hail to the Chief," as the President walked to the platform, later the national anthem and finally the "Maine Stein Song."

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[From the Portland (Maine) Sunday Telegram, Oct. 20, 1963]

## President Gets Air View of Quoddy Project Site

(By May Craig)

Boston.—President Kennedy flew over the proposed Passamaquoddy tidal power project area Saturday after delivering a major foreign policy speech at the University of Maine.

Col. Robert C. Marshall, assistant director of the Civil Workers Office of the Corps of Army Engineers, pointed out the proposed dams and other project site works for the two-pool Quoddy tide-trap, while Senators Edmund S. Muskie and Margaret Chase Smith briefed the President on the history and prospects for the project.

Members of Maine's congressional representation accompanied the President on the Quoddy tour in his jet plane. The trip took an hour and 15 minutes—from the time his plane took off from Dow Air Force Base, Bangor, to the time it landed at Logan Airport, Boston.

The President's plane also flew over Canada to view parts of the St. John Valley area which is included in the proposed tidal power project.

Senator Smith, a member of the Senate Armed Services Committee, had the plane fly over the Cutler Naval Communications Station.

The President, having been in the Navy during World War II, was especially interested in this unique and highly secret installation with its forest of tall communication spires. Senator Smith is also on the defense subcommittee of the Appropriations Committee and is intimately acquainted with defense installations.

The President asked the plane's pilot to fly over Campobello Island where the old Roosevelt home is located. The home is slated to become a United States-Canadian memorial.

The plane also flew over Herring Bay where Roosevelt used to swim and where he "caught his death" by standing around cold and wet after swimming with his sons, which led to the polio which crippled him.

The President's plane touched Logan Airport at 1:15 p.m. After checking in at the hotel, the President attended the Harvard-Columbia game in Boston.

The ball game at his alma mater was not on his announced program and he made the Quoddy trip fast and high in his jet to touch down at Logan 15 minutes earlier than his schedule called for.

Saturday night, the President attended a jam-packed reception at Sheraton-Plaza Hotel and then spoke to a large cheering crowd at the Commonwealth Armory after a dinner there estimated to sweeten the Democratic campaign treasury by at least $500,000 after expenses.

His brothers, the Attorney General and Senator Edward Kennedy accompanied him on the Boston trip, attending the ball game, the reception and the dinner and speechmaking afterwards.

The President plans to go to Hyannis Port Sunday for a visit with his ailing father, and to leave for Washington Sunday after dinner, though he may stay the night and return to Washington Monday morning.

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[From the Washington Post, Oct. 21, 1963]

### Foreign Policy Poultice

The American public, last week, had a poultice put to one of its recurring ailments. This ailment involves an excessive passion for clear-cut alternative courses, a propensity for instant and final solutions, a vestigial taint of a manic-depressive phychosis causing a fluctuation of public temper from wild despair to extravagant hope.

The President supplied the exhortation in his address on foreign affairs at Orono, Maine. Events in Berlin and Scotland supplied the rest of the compress. It is to be hoped that the application will relieve the symptoms for a while even though it is too much to expect that it will entirely destroy the infection. It is too deep seated for that.

The University of Maine address presented an admirable balance. It skillfully set forth in juxtaposition the reasonable grounds for gratification and the stubborn occasion for anxiety. It tried to get the public to keep in mind the test ban treaty, the bomb-in-outer-space accord and the wheat shipments without forgetting the crisis in Berlin, the Soviet troops in Cuba and the unrelenting hostility of communism to the free world. It is only if these balancing considerations are simultaneously viewed that a coherent notion of our predicament can emerge.

Our policy, as the President sees it, must persuade the Soviet leaders that it is "dangerous for them to engage in direct or indirect aggression, futile for them to attempt to impose their will and their system on other unwilling peoples, and beneficial to them, as well as to the world, to join in the achievement of a genuine and enforceable peace." Such a policy requires an extraordinary subtlety in the conduct of foreign affairs. A government embarked upon such a policy may threaten one day, conciliate the next and do both on a third day. This will seem contradictory and confused to critics, especially to critics who wish things to be simple, uncomplicated and straightforward.

The Soviet Union, fortunately, gave the President a lot of help in his efforts to produce a balanced view. American convoys were interrupted at Berlin. British convoys also were stopped. Then Mr. Gromyko, stopping at Prestwick on the way home, gave a rude blast on the progress of the disarmament talks.

Thanks to the double-action poultice, it should be possible, for a while, to maintain a sounder outlook on world affairs. The basic tensions between the Soviet Union and the United States arise out of profoundly differing concepts of the organization of the world. As long as these differing concepts persist, trouble spots such as Berlin and Cuba will remain a constant threat to peace and safety. Somehow we must try to conduct our own policies so that these irreconcilable differences can be diminished over the years and the decades, without the calamity and catastrophe of thermonuclear war. We live, and our children and our grandchildren no doubt will have to live, in a time of precarious peace. It is not good, but it is better than war.

**Mr. HUMPHREY.** Mr. President, I would like to join with the Senator from Maine [Mr. Muskie] in calling attention to the President's excellent speech delivered on Saturday at the University of Maine, in which he reviews the record of our foreign relations over the past year. In reviewing the record since the Cuban crisis of last October, President Kennedy displays both the conciliatory approach to East-West relations taken in his American University speech and the firmness shown by his action in the Cuban crisis.

He concludes his evaluation of an eventful year that included the Cuban crisis and the test ban agreement with the following statement:

> Let us recognize both the gains we have made down the road to peace and the great distances yet to be covered. Let us not waste the present pause by either a needless renewal of tensions or a needless relaxation of vigilance. And let us recognize that we have made these gains and achieved this pause by the firmness we displayed a year ago as well as our restraint—by our efforts of defense over the last 2 years as well as our efforts for peace.

This I submit as an excellent guide to our relations with the Soviet bloc in the year ahead as well as in the year that just passed.

**The VICE PRESIDENT.** The time for consideration of morning business has expired.

## ASSISTANCE TO INSTITUTIONS OF HIGHER LEARNING

The Senate resumed the consideration of the bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the instruction, rehabilitation or improvement of needed academic and related facilities in undergraduate and graduate institutions.

**Mr. MORSE.** Mr. President, I ask unanimous consent that I may suggest the absence of a quorum and that the time necessary for the call of the roll not be charged to either side.

**The VICE PRESIDENT.** Without objection, it is so ordered.

**Mr. MORSE.** Mr. President, I suggest the absence of a quorum.

**The VICE PRESIDENT.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

**Mr. MORSE.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

**The PRESIDING OFFICER** (Mr. Proxmire in the chair). Without objection, it is so ordered.

**Mr. MORSE.** Mr. President, I yield myself 2 minutes.

May I have the attention of the Senator from New York [Mr. Keating]? It is my understanding that the Senator from New York intends to offer an amendment that can be characterized as a tax-deduction amendment. Would that be a fair characterization?

**Mr. KEATING.** I think it would.

**Mr. MORSE.** As the Senator knows, in my work in the Senate, when I have the responsibility for handling a bill, I consider it my duty to advise Senators whose position I oppose, as well as those who support my position, what my policy or procedure is to be.

I want the Senator to know, before I discuss the substantive nature of it, that when his amendment is called up, I intend to raise two points of order against it. I shall raise a point of order against it because it is not germane under the unanimous-consent agreement, and I shall raise a point of order that it is really a revenue measure which should originate in the House of Representatives, and not in the Senate. So I think I should serve notice that I intend to raise those points of order. However, I have no objection to the Senator's offering the amendment or discussing it, because I know how sincere he is in offering the substance of the amendment, but I thought he ought to know what the position of the Senator in charge of this bill will be.

**Mr. KEATING.** Mr. President, I appreciate the Senator's remarks. I recognize his responsibility as the Senator in charge of the bill. His point comes as no surprise to the Senator from New York. The Senator from Oregon is a good lawyer.

I should like to discuss the amendment. It may not become necessary for the distinguished Senator from Oregon to press his point.

Mr. President, I call up my amendment numbered 222.

**The PRESIDING OFFICER.** The amendment offered by the Senator from New York to the committee substitute will be stated.

**The Legislative Clerk.** It is proposed, at the end of the bill, to insert the following new title:

TITLE IV—INCOME TAX DEDUCTION FOR TUITION AND FEES PAID TO INSTITUTIONS OF HIGHER EDUCATION

*Allowance of deduction*

Sec. 401. (a) Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to additional itemized deductions for individuals) is amended by renumbering section 217 as 218, and by inserting after section 216 the following new section:

"Sec 217. Tuition and Fees Paid to Institutions of Higher Education

"(a) Allowance of Deduction.—In the case of an individual, there shall be allowed as a deduction amounts paid by the taxpayer during the taxable year to an institution of higher education for tuition and fees for the attendance of the taxpayer, his spouse, or a dependent at such institution of higher education, but only to the extent the amounts so paid exceed 5 percent of the taxpayer's adjusted gross income for the taxable year.

"(b) Limitation With Respect to Spouse.—Deduction shall be allowed under subsection (a) for amounts paid during the taxable year for tuition and fees for the spouse of the taxpayer only if—

"(1) the taxpayer is entitled to an exemption for his spouse under section 151(b) for the taxable year, or

"(2) the taxpayer files a joint return with his spouse under section 6013 for the taxable year.

"(c) Reduction for Certain Scholarships and Fellowships.—Amounts paid for tuition and fees with respect to any individual which (but for this subsection) would be taken into account under subsection (a) shall, under regulations prescribed by the Secretary or his delegate, be reduced by any amounts received by or for such individual during the taxable year as a scholarship or fellowship grant (within the meaning of section 117(a)(1)) which under section 117 is not includible in gross income.

"(d) Definitions.—For purposes of this section—

"(1) Dependent.—The term 'dependent' has the meaning assigned it by section 152(a).

"(2) Institution of higher education.—The term 'institution of higher education' has the meaning assigned to it by section 301(a) of the College Academic Facilities Act.

"(e) Trade or Business Expenses.—Subsection (a) shall not apply to any amount paid which is allowable as a deduction under section 162 (relating to trade or business expenses)."

(b) The table of sections for such part is amended by striking out:

"Sec. 217. Cross references."

and inserting in lieu thereof

"Sec. 217. Tuition and fees paid to institutions of higher education.
"Sec. 218. Cross references."

*Effective date*

Sec. 402. The amendments made by section 401 shall apply to taxable years beginning after December 31, 1963.

Mr. KEATING. Mr. President, is there a time limitation in effect?

The PRESIDING OFFICER. The Senator from New York has 45 minutes under the unanimous-consent agreement.

Mr. KEATING. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 10 minutes.

Mr. KEATING. Mr. President, my amendment to the College Academic Facilities Act would permit a taxpayer to deduct fees and tuition paid to all institutions of higher education to the extent that they exceed 5 percent of the taxpayer's adjusted gross income.

Over a period of some time I have sponsored legislation for a deduction by parents or others for tuition paid to any school.

In order to meet the question of germaneness, this amendment applies only to higher education.

Second, as I shall point out, the amendment is modified in order to meet certain conditions which have been raised by the Treasury Department and others.

Fees and tuition, of course, refer only to academic fees and do not include room and board. The meaning of institution of higher education is defined elsewhere within the act. This deduction would be permissible for part-time or full-time students, and would not hinge upon the student's intent to receive a bachelor of arts or bachelor of science or other degree, but would include any study at an institution of higher education.

The purpose of this amendment, which I originally introduced in a somewhat different form several years ago, is to provide a measure of relief and assistance to families with one or more dependents who are pursuing their education beyond the high school level. Let me make very clear that it is offered, not as a substitute for this measure, or a substitute for an increase in funds for NDEA loans, or a substitute for other types of Federal grant or loan assistance in the field of education. That is not the case. But it would be a very valuable supplement, especially for families of modest income.

I strongly support the student loan program, which is one of the most effective forms of Federal aid, as well as the fellowships offered for advanced education by a number of Government agencies. I also support and have voted for measures to assist the colleges themselves in providing for more students without prohibitively high charges.

This amendment is not a substitute for any of those endeavors—quite the contrary. It is an effort to widen the scope of interest and encouragement toward higher education by making available to families of modest income and to families of students who may not quite qualify for scolarships or loans an additional assistance or impetus to prepare themselves more thoroughly for life ahead.

Education—to the highest extent of each individual's natural capacity—is beyond any doubt strongly in the national interest. For this reason, the taxpayer is asked to subsidize higher education in a number of different ways, including not only the tax-free status of all educational institutions themselves, but also through his support for Federal programs that assist both colleges and those who seek to attend them. Yet, for the individual taxpayer in the modest income brackets, the taxpayer who pays the bulk of our Federal taxes, not only is there often no direct assistance, but also there is the added burden of years and years of increasingly heavy college education fees. As the situation now stands, this type of taxpayer gets no recognition whatsoever for his support of education, while being taxed to subsidize it for others.

The irony of this taxpayer's position is marked. If he makes a contribution to an educational institution so that others may be educated, it is deductible from his taxes, but if he pays fees and tuition so that his own child may be educated, that is not deductible. If he incurs a business expense, aimed at enhancing the economic status of his business, that is deductible, but the expense he incurs to increase the economic usefulness of his children in years to come, that is not deductible. If he invests in new equipment to meet the changing demands of technology, that can be promptly amortized through depreciation; but if he invests in new training for himself or dependents to meet the intellectual demands of new technology, that is not deductible.

In short, despite the increasing public awareness of the importance and ultimate economic return of a good education, there is no provision now within the tax laws, or within the proposals before us to facilitate the modest income taxpayer in pursuing this goal.

This charge may be denied in some quarters, and I know that even among those who favor upgrading the place of education in our society, there are some doubts as to the effectiveness of relief through tax deductions. But I believe there are answers to the arguments raised against this approach, answers that outweigh the objections.

It is said, for instance, that tax deductions for education are an expensive way to aid education, for most of those using it would send their children to college anyway.

I have talked to many families, troubled by the expenses of education, and I can certainly say that this is a No. 1 problem of parents of youngsters in high school. It is by no means certain that all of these youngsters will get to college, or complete it despite the determination of their parents, for the fact is that the sums required can range up to nearly $3,000 a year, a very real burden on nearly any family.

Furthermore, although the granting of this deduction may go to certain families who might educate their children even without it, this system does not require a costly Federal administrative structure, and thus there is a sizable saving involved also. Moreover, programs for Federal loans and grants inevitably involve an increasing degree of Federal oversight. There is also the problem of congressional renewal of programs and appropriation of sufficient funds in time to meet the demand. After last year's unfortunate experience with higher education legislation—in which no law emerged although both Houses of Congress had approved bills—no responsible parent can rely on Federal programs to the exclusion of planning on his own part.

The fact is, tax deduction is not the only solution, any more than grants are, or loans, or the building of new facilities for our colleges. But it can be an important way, so far neglected, to facilitate higher education for—not thousands—but millions of our citizens.

Tax deductions, loans, and fellowships together represent an all-out effort to make higher education more accessible and to upgrade its importance in our society. The direct and easiest method, which will have the greatest immediate impact, is by permitting a tax deduction.

Although I am not wedded to any one particular set of figures, or requirements for such a deduction, I do feel that this amendment meets one of the objections that has consistently been raised by the Treasury Department to such bills; namely, that those in the higher income brackets benefit most. My amendment, which is partially based upon the rationale of an early proposal of this administration, would allow a taxpayer to deduct fees and tuition that exceed 5 percent of his taxable income. In other words, if the income is $5,000, the deduction could be made for all fees over $250. If the income is $20,000, the deduction could not be made until educational fees exceed $1,000. A similar type of so-called floor, based on a certain percentage of income, is now in effect with regard to medical expenses. Earlier this year, the Treasury Department proposed extending it to all deductions. It has the merit of being simple and equitable for all, and at the same time of providing assistance on a level of need roughly determined by income.

What the exact cost of this amendment would be in taxes is extremely difficult to say. I am asking the Joint Economic Committee to prepare an estimate and I hope those figures, as well as the obvious advantages of a 5-percent floor or some floor, will be reviewed by all those Senators—and I know there are many—who sympathize with this simple and direct method of Federal aid to higher education.

Mr. President, I do not intend to press this amendment to a vote today, in the light of the statements made by the Senator from Oregon, that he would raise a point of order which, I have been informed, would be sustained. But I serve notice that I intend to press this principle, as an amendment to the tax bill, before the Finance Committee and if necessary on the Senate floor.

### TAX BILL—AMENDMENT NO. 230

Therefore, I submit at this time, and send to the desk, my proposal as an amendment to H.R. 8363, the tax bill, for consideration by the Finance Committee at the time of its deliberations on that bill.

The PRESIDING OFFICER. The amendment will be received, printed, and referred to the Committee on Finance.

Mr. KEATING. I know that other Senators are interested in the proposal, and are pursuing this objective with various formulas before the Finance Committee. Among them is the distinguished Senator from Connecticut [Mr. Ribicoff], whom I see in the Chamber. I add this method of approach in order that all of the formulas may be before the Finance Committee. I shall support a program of tax deduction for such expenses.

I am very happy to yield to the distinguished Senator from Connecticut such time as he may need. He has taken a very active interest in this program.

Mr. RIBICOFF. Mr. President, I thank the distinguished Senator from New York and commend him for his remarks.

I believe that what the Senator says makes sense and is absolutely essential if we are to help solve the problem of education at the college level.

Nineteen Senators have introduced bills in this session of Congress providing tax relief for the expenses of a college education. The details of these bills vary; some use the device of an additional income tax exemption, some use a deduction, and others use a credit. But all of these bills recognize and agree on the same point: Those who bear the costs of sending students through college face a severe financial burden which should be eased through some change in the income tax laws.

I ask unanimous consent to insert at this point in the Record a list of the bills on this subject that have been introduced in this session.

There being no objection, the list was ordered to be printed in the Record, as follows:

### Bills Concerning Tax Relief for College Expenses

(Eighty-eighth Congress, through October 16, 1963)

By Senator Pearson: S. 34. Amends the Internal Revenue Code of 1954 to allow an additional exemption of $600 for a dependent child of the taxpayer who is a full-time student above the secondary level.

By Senator Smathers: S. 62. Amends the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents.

By Senator Dominick: S. 98. Amends the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for certain amounts paid as educational expenses to public and private institutions of higher education.

By Senator Carlson: S. 111. Amends the Internal Revenue Code of 1954 to provide an additional income tax exemption of $1,000 for a taxpayer, spouse, or dependent who is a student at an institution of higher learning.

By Senators Randolph and Byrd of West Virginia: S. 248. Amends the Internal Revenue Code of 1954, so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents.

By Senator Scott: S. 259. Amends the Internal Revenue Code of 1954 so as to allow a deduction for certain amounts paid by a taxpayer for tuition and fees in providing a higher education for himself, his spouse, and his dependents.

By Senator Fulbright: S. 278. Amends the Internal Revenue Code of 1954 so as to allow a taxpayer to deduct certain expenses incurred by him in obtaining a higher education.

By Senator Fulbright: S. 279. Allows additional income tax exemptions for a taxpayer or a spouse, or a dependent child under 23 years of age, who is a full-time student at an educational institution above the secondary level.

By Senator Johnston: S. 286. Amends the Internal Revenue Code of 1954 so as to increase to $700 the amount of each personal exemption allowed as a deduction for income tax purposes, and to allow an additional exemption for a dependent child who is a full-time student attending college.

By Senator Long of Missouri: S. 407. Amends the Internal Revenue Code of 1954 to allow income tax deductions for certain payments to assist in providing higher education.

By Senator Cannon: S. 609. Amends the Internal Revenue Code of 1954 to allow an additional exemption of $600 to a taxpayer for each dependent son or daughter under the age of 23 who is a full-time student above the secondary level at an educational institution.

By Senator Dodd: S. 754. Amends the Internal Revenue Code of 1954 so as to allow an additional income exemption of $1,200 for an individual who is a student at an institution of higher education.

By Senator McCarthy: S. 800. Amends the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education.

By Senator McCarthy: S. 801. Amends the Internal Revenue Code of 1954 to allow an additional exemption to a taxpayer whose spouse is a full-time student and is receiving over half his support from the taxpayer.

By Senator McCarthy: S. 802. Amends the Internal Revenue Code of 1954 so as to allow an exemption for certain dependents whose gross income exceeds $600.

By Senator Hartke: S. 1114. Amends the Internal Revenue Code of 1954 so as to allow an additional income tax exemption for an individual who is a full-time student at an institution of higher education.

By Senator Keating: S. 1236. Amends the Internal Revenue Code of 1954 so as to allow a deduction for tuition and fees paid by an individual in providing an education for himself, his spouse, and his dependents.

By Senator Prouty: S. 1454. Amends the Internal Revenue Code of 1954 to allow a deduction to a taxpayer who is a student at a college for certain expenses incurred in obtaining a higher education.

By Senator McCarthy: S. 1491. Amends the Internal Revenue Code of 1954 to allow a deduction for certain expenses incurred by an individual in maintaining a foreign student as a member of his household.

By Senator Ribicoff: S. 1567. Amends the Internal Revenue Code of 1954 to allow a deduction for certain expenses incurred in obtaining or providing a higher education.

By Senator Humphrey: S. 1677. Amends the Internal Revenue Code of 1954 to allow a credit against the individual income tax for certain expenses paid by a taxpayer in obtaining a higher education or in providing a higher education for his children and dependents.

By Senator Hruska: S. 2123. Amends the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer, spouse, or dependent who is a student at an institution of higher learning.

Mr. RIBICOFF. Mr. President, in addition to the 19 Senators who have introduced these bills, similar bills were introduced in the 87th Congress by the senior Senator from Washington and the junior Senator from Alaska.

So there are 21 Members of this body who have introduced bills on this subject. And it is interesting to note that six of them are members of the Finance Committee. These Senators come from both parties and from all parts of the country. Their support of this type of proposal shows that the proposal deserves the serious consideration of the Finance Committee and of the Senate.

It is also pertinent, following the remarks of the Senator from New York, to point out that administration after administration, with Secretaries of the Treasury following one another, have advanced the same specious arguments against the allowance of a tax deduction for college expenses. One of these arguments is that this deduction favors the wealthy alone. But this deduction would affect taxpayers in the same way as every other tax deduction allowable to a taxpayer. Naturally, a person with a higher income derives a greater benefit because he is taxed at a higher rate. But that fact does not lead us to oppose all deductions, and it should not lead us to oppose this one either.

Another argument is that this deduction does nothing for the very low income groups who pay no taxes.

Yet the children of the lower income groups are the ones who qualify for scholarships from the colleges and universities. But the great burden falls upon the shoulders of people in the middle income groups, who might be earning about $10,000 a year. It is their children who fail to qualify for scholarships because colleges and universities feel that the income of their parents is adequate for the payment of tutition. Yet when it is considered that the cost of college education is so high, averaging about $1,800 a year for a State or public college or university, and about $2,400 a year at a private university, it is easily understood why parents in the middle income groups find it so difficult to finance the education of their children.

The Senator from New York may be interested in a colloquy I had last week with the Secretary of the Treasury, in which I stated my intention to try to have included in the forthcoming tax bill, when it reaches the floor of the Senate, an amedment such as the Senator from New York is discussing today. I told the Secretary that I would attempt to do this in committee, but that if I were unsuccessful in committee, I would offer such an amendment on the floor of the Senate.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the colloquy between Secretary of the Treasury Dillon and myself before the Committee on Finance last Tuesday.

There being no objection, the colloquy was ordered to be printed in the RECORD, as follows:

Senator RIBICOFF. Mr. Secretary, it is my intention to try to have added to this bill a provision allowing deduction for college expenses.

I happen to believe that parents who are trying to send their children to college should be given every possible assistance to do so.

I know that the Treasury and probably you are opposed to this, and I would like to ask a few questions for the purpose of the record at this time before I go forward, which I intend to do.

Would you please state for the record your objections to granting deductions to parents for the cost of college education?

Secretary DILLON. Our real objection to that, Senator, is that we feel that it is an inefficient and not particularly equitable way to handle the problem which we recognize.

The basic problem is to enable people who have difficulty in affording an education to go to college. A tax deduction or a tax credit, of course, will not help those people. It will only help those who have enough income so that they can afford this.

I would say that is the basic reason for which we have felt that this is unfortunate.

Now I think this has been recognized by many, because the primary job at the moment is buildings. We can't accommodate more students at college without adequate buildings.

I think that bill is being considered right now, and I would hope very much it would pass.

I would just like to point out as you undoubtedly know, that the American Council on Education, which is the senior body in this field, which used to sponsor a tax credit for tuition no longer includes such a proposal, I think for the same reason.

Senator RIBICOFF. Frankly, I am unimpressed with what professional organizations on education think about this.

Secretary DILLON. You have a great deal of experience.

Senator RIBICOFF. We should give assistance to colleges, and I am for that, and I believe the Senate will adopt this kind of a bill on Monday, but what has this got to do with the other provision to do something for the parents of children?

Secretary DILLON. We feel that it is a highly costly procedure in that many people who would get such a credit would send their children to college anyway, and are doing it and don't really need it. It might as a deduction pay 10, 15, or 20 percent of the tuition cost of the student, which would not be a decisive element as to whether that student could go to college or not go to college.

And so we have favored instead to achieve the same objective and we are in entire agreement on the objective, either a combination of an increase in funds available under the National Defense Education Act for scholarships, direct scholarships, or a guarantee program whereby the Government would guarantee loans that banks might make to students that would be repayable at low interest over 10, 12, 15 years after they graduate.

Senator RIBICOFF. With a guaranteed loan, what would you do for the women who want an education and then don't have an earning capacity when they get married. Is a husband to take the wife who is a college graduate with a mortgage on her?

Secretary DILLON. That would be a little difficult.

Now another problem which this raises which I am sure you are aware of is that if there is such an exemption for tuition, many colleges have made no secret of the fact that what they will do is simply increase—use this as a reason to increase—their tuition so as to get the benefit themselves, rather than have the benefit go to the student.

At that extent it might make it harder for many low income students to actually get their education than it would be otherwise.

Senator RIBICOFF. The colleges don't need any reason like that to raise their tuition.

As I read the papers and follow the history of increases in tuition rates, tuitions are being raised every year without this provision.

Secretary DILLON. That is right. They would just be raised faster with it.

Senator RIBICOFF. Coming back to scholarship aid, scholarships are usually given to the boys and girls of families in the lowest income groups where the taxes paid by the parents are the smallest amount. These are the students who are eligible for and receive scholarships.

What I am concerned about are the parents earning $8,000 or $10,000 a year, because at that level of income they often cannot get a scholarship, and yet there is a serious difficulty faced by these parents in sending their youngsters to college.

Now this is where the great burden falls.

What are we going to do to encourage these people to send their youngsters to college?

Secretary DILLON. That is where we have our proposal for a loan program. When I say our proposal I mean the administration proposal, it isn't just the Treasury, it is the Department of the Treasury and the administration proposal, to have a broad guarantee program of loans that could be repayable on easy terms.

Now certainly no program answers every possibility, but we recognize the problem lies where you say it lies, and we are trying to find something that would meet it with the least cost to the Government and the most effectiveness to the student.

We think a substantial loan program of that nature would be better for a family with an $8,000 income, that pays very little taxes anyway, and where the amount of credit they would get in their taxes would be very infinitesimal toward the cost of a college education.

Senator RIBICOFF. Last year you proposed a tax credit for business to encourage them to make capital investments.

This year you propose a deduction for all equipment devoted to research and development.

Now isn't the investment in the education of our children entitled to as much consideration and encouragement from the tax laws as investment in plant and equipment?

Secretary DILLON. Absolutely. It is just a question of how to do this most effectively.

Under this situation any bill that we have seen, and there have been a number of them, the bulk of the tax cost would go to families with incomes of over $10,000, not to the $8,000 to $10,000 group that we are talking about.

Senator RIBICOFF. Isn't that the case, Mr. Secretary, with every deduction? Every deduction you have in the tax laws, the people with the higher income get a larger proportion of the savings from the deductions and this would apply here?

Secretary DILLON. Yes. I don't mean just that. Of course, that is true, but I mean the resulting revenue cost to the Government, the bulk of the amount that would be deducted would be in this higher bracket class, just because those are the people that can afford the rest of what it takes to send their children to college, whereas the ones between $8,000 and $10,000, this wouldn't make enough difference to get very many of them to go. It would certainly have some effect.

We just think it is a costly and inefficient means to achieve a very worthy end, and I just want to be very clear that there is no difference in the aim.

Senator RIBICOFF. But you don't have any better means. You don't have a more efficient means or a more effective means.

The President proposes giving credits and deductions for contributions to political campaigns.

Why isn't it just as important to give a deduction for a child's education?

Secretary DILLON. We feel that the loan program that we recommend—and I am no expert, I feel quite at a loss trying to answer questions to someone like yourself who knows so much more about this.

Senator RIBICOFF. You see here is why I am pressing this. I am very sincere about this and I am going to make a hard try to do this, because administration after administration has opposed it.

I am not saying this about your arguments, but the arguments have been specious that have come from administration after administration and Treasury official after Treasury official.

There are over 100 bills before the Congress of the United States trying to achieve and accomplish this. Yet the pattern of no action has been repeated over a period of years.

A tax bill comes into the House under a closed rule so no one has an opportunity to put the amendment on. But we do have a problem, and I think it is a problem that we should try to tackle. I would rather see a loss of revenue from this type of deduction and close up some of the loopholes such as related by the Senator from Illinois or the Senator from Delaware, and make that money available for parents for tax deductions.

So it isn't a question of revenue, it is a question of burden.

Now we provide for deductions for a family that has extraordinary costs because of sickness.

We provide deductions for people who have casualty losses.

Now a family raises children, and then comes a 4-year period which to them is an extraordinary period because they want to send their son or daughter to college, but they face a serious financial burden in doing this.

Now if part of our tax laws are to alleviate some of the burdens for the unusually heavy costs that some families have to meet, why shouldn't we face up to the fact that college expenses are an unusually heavy basic cost that we should try to alleviate through the tax laws?

Secretary Dillon. It is my understanding that the Department of Health, Education, and Welfare, that has responsibility in the executive branch for this, feels that the loan program we recommend would be more effective in answering the problem.

Senator Ribicoff. You see this is the difference.

I am on this side of the table now instead of that side, and I am not bound any more as a U.S. Senator by what the Budget Bureau or the Secretary of the Treasury or the President of the United States may think.

So, therefore, as a Senator I do not have the same restrictions as to policy as I had as a member of the executive branch.

Now I can look at this realistically and try to accomplish things that I would have liked to have accomplished in the other position.

Senator Douglas. I will say this is a typical illustration of how a man's character improves when he moves out of the executive branch into the legislative branch.

Senator Ribicoff. I would agree without question.

Mr. RIBICOFF. Mr. President, Secretary Dillon, of course, repeated the traditional objections of the executive branch to this proposal. Having been in a position to know those objections, I am entirely familiar with them and well aware of their inadequacy.

At a future date I shall discuss this subject more fully. At the moment let me simply say that the essence of the administration's argument is that other forms of assistance do more to help provide a college education than does tax relief. To me that is no reason for rejecting tax relief. I support other forms of assistance. Today we are voting upon one form of such other assistance—funds to the colleges for help in construction of facilities. I am glad to support this measure and will support other measures that help our colleges.

But other proposals like today's bill do not persuade me that tax relief is not needed. I believe it is needed, no matter what other proposals are voted upon. And I intend to see to it that a constructive tax relief proposal is considered by the Finance Committee and that the Senate has an opportunity to consider such a proposal on its merits.

Mr. President, for the reasons I have stated, I welcome the expressions of the Senator from New York. I know that he has much to add to consideration of this issue that will be of great value. I hope that in the days ahead he and other Senators, including myself, will be able to prepare a program which will receive the support of the Senate and that it may be incorporated in the tax laws of our country.

Mr. KEATING. Mr. President, I am grateful to the Senator from Connecticut, who has shown great interest in this problem and who will be very useful in the Committee on Finance in behalf of this cause. I shall be happy to work with him.

As I said before, the particular formula that I have devised represents a modification of my own thinking and is certainly open to question and discussion. Perhaps it is not even the right formula.

In connection with the statement of the Senator from Connecticut, I should add that I have no nationwide figures on the subject, but I have some widely differing figures on a geographical basis. For example, a study made by the University of New Mexico shows that the largest percentage of students who receive scholarships come from families whose incomes are between $8,000 and $9,500 a year. Certainly those families would benefit by the proposed tax reduction.

At the University of Massachuetts, a study of the income of families of students in attendance showed that students from families having incomes between $4,000 and $10,000 represented nearly 70 percent of all the students attending that institution.

A study made at the University of Wisconsin showed that the median income of families who sent their children to that university was $9,000.

The amendment I propose would be of great value to families in those particular income brackets as well as lower ones. It would be fair and equitable and of some benefit to practically everyone who had dependents attending college.

Admittedly, the formula of allowing a deduction only above 5 percent of the net income would perhaps not be of much benefit to families having substantial income with only one child in college but they require less assistance. It strikes me as being about as close to a fair formula as could be devised. I hope the proposal will have the careful thought of members of the Committee on Finance. It is, as I said, not a substitute for, but a supplement to other types of assistance to higher education.

Mr. GOLDWATER. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield 5 minutes to the Senator from Arizona.

Mr. GOLDWATER. I am glad that the Senator from New York is discussing his amendment on the floor of the Senate today. I have been pursuing a similar course during the past three Congresses. The proposal offered by the Senator from New York is excellent. His approach is one that could solve problems that supposedly could be found in the elementary educational system as well as the college educational system. I hope that some time during this session of Congress the Committee on Finance will give attention to the Senator's amendment.

My own amendment is so drawn that it was referred to the Committee on Labor and Public Welfare. It was drawn purposely so that it would be referred to that committee. It contains a scholarship proposal that would not come within the purview of the Committee on Finance.

When I first proposed this approach to Congress, I attempted at the same time to interest the Republican administration in it, to no avail. I discussed it with the Secretary of the Treasury; and at the time he estimated that it would deprive the Government of about $3.2 billion.

My bill goes a little further than the bill of the Senator from New York, in that I would allow deductions for all taxes paid for local school purposes up to $100.

I told the Secretary that I thought his argument was rather weak, because even if the Federal Government lost $3.2 billion, it would be much better to have that money remain at home for local use than to have the Treasury sustain a loss of $5 billion, $6 billion, or $7 billion, according to how the program might progress in the future.

I do not wish to labor the point. I commend the Senator from New York for having offered his amendment. I realize that a point of order will be made on the ground that the amendment is not germane to the bill, and that the point of order probably will be upheld. Nevertheless, the Senator from New York has performed a good service in the cause of education by showing that tax relief is logical, sensible, and a proper approach to the solution of the problem.

Mr. President, I shall not take more of the time of the Senate. I ask unanimous consent that an explanation of the section of my bill that deals with tax relief for families having children attending college be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

### Tax Relief for Families With Children Attending College

A. The taxpayer is granted an additional deduction from his taxable income for the expenses incurred by him, his spouse, or his dependent or dependents, while attending college.

B. Expenses shall include tuition and fees charged by the college for a course of instruction and attendance at such college; books, supplies, and equipment; room and board, whether the student is living on or off the campus. The amount the taxpayer may deduct shall be the actual amount of expenses paid but not to exceed $2,000 for each child attending college. Of this amount, the cost of room and board may not exceed $90 a month while the student is in attendance at college ($45 in the case of a student living at home).

C. In addition to his child or children, the taxpayer may also deduct such expenses which he incurs as a student as well as those of his wife and anyone else whom the taxpayer can lawfully claim as a dependent.

D. The deduction is available to a taxpayer whose dependent is attending a college, university, or other institution of higher learning, such as medical school, dental school, law school, or other graduate school. This deduction is not available to a taxpayer whose dependent is attending a trade or vocational school or any other school which does not award a baccalaureate or higher degree.

E. The amount of expenses which the taxpayer may deduct from his taxable income shall be reduced by the amount by which the taxable income of the taxpayer exceeds $10,000 if the taxpayer is unmarried or if married, files a separate return or, $20,000 if the taxpayer is married and files a joint return or is a head of a household or a surviving spouse. Thus, if a taxpayer has $2,000 in educational expenses and a taxable income of $20,800, he would be entitled to a deduction of $1,200 ($2,000 less $800, the amount in excess of $20,000). The taxpayer thereby reduces his taxable income from $20,800 to to $19,600. If the taxpayer is in the 50-percent bracket, he would thereby reduce his tax by $600 (50 percent of $1,200).

Mr. GOLDWATER. Mr. President, I again compliment the distinguished Senator from New York. I believe he has made a real contribution, one to which we must pay attention, because the control of education belongs at home. This applies to elementary education as well as to advanced education. If the money can stay closer to home, and if families can be encouraged to send their children to institutions of higher education because they will receive tax benefits, we shall see the need for Federal intervention diminish to the vanishing point. To that end, the bill offered by the Senator from New York would serve a valuable purpose.

Mr. KEATING. Mr. President, I thank the Senator from Arizona for his kind remarks and for his support of the general principle involved. I know he has been interested in this subject. He and I differ, perhaps, in one respect, in that he would propose his amendment as a substitute for other programs. These benefits should not be offered as a substitute, but as a supplement to other programs.

I am grateful to the Senator from Arizona for his kindness and for his powerful support of the general principle involved.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the name of the Senator from Texas [Mr. TOWER] be added as a cosponsor of the bill that I introduced, S. 181.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, will the Senator from New York permit me to have 30 seconds on my own time to make an announcement before he withdraws his amendment?

Mr. KEATING. I yield for that purpose.

Mr. MORSE. I wish to make a brief statement for future reference in opposition to the Senator's amendment, but I shall not take long, and I will not raise any point of order during my statement, so the Senator from New York will have an opportunity to withdraw his amendment.

Mr. President, I yield myself 10 minutes.

I appreciate the cooperation I have received from the Senator from New York [Mr. KEATING] concerning this amendment. There is no question about the Senator's dedicated sincerity in support of his amendment.

I have already explained what will be my position as the Senator in charge of the bill if the amendment is pressed for a vote.

I suggest that the amendment is a far more appropriate vehicle for consideration before the Senate Finance Committee, for the amendment contemplates changes in the internal revenue of the Government. The Committee on Labor and Public Welfare really has no jurisdiction in this area. The House bill which we are debating is not a revenue bill. In my judgment, adoption of the amendment would make completely untenable an already difficult situation as regards a conference with the House. I fear that if the amendment were to be adopted, the House might consider it repugnant, as an invasion of the jealously guarded prerogative of that body with regard to the initiation of legislation affecting the raising of revenue.

For such procedural reasons, I do not think the amendment is in order; and, as the Senator from New York has pointed out, in due course of time he will withdraw the amendment, insofar as this bill is concerned. Later, in connection with other proposed legislation, he will press for the attainment of his objective.

With regard to the substantive proposal, even if there were no procedural difficulties, I would be constrained to object to the proposed adoption of the amendment, for, in my judgment, it should be rejected, inasmuch as it is clearly class legislation.

Second, the amendment would bring no immediate relief to educational institutions, nor in the long run would it assist the families or the college students, inasmuch as the probable increase in tuition charges would be found to more than offset any savings to the family.

Third, we have no data on the cost to the Treasury, but in all probability it would be great. It could run into many millions of dollars.

When the amendment was first suggested, I took up the matter with the Department of Health, Education, and Welfare, and discussed it with the Department. I now report to the Senate that the Department does not favor the use of tax deductions or tax credits as methods of aiding education. Some of the reasons given for this view by the Department are as follows:

First. The progressivity of the rate structure of the Federal income tax, which is designed to further the objectives of tax equity, makes the use of the tax singularly inappropriate for the purpose of advancing educational and related social objectives. Deductions from gross income for tuition payments tend to favor the high-income groups. A high-income taxpayer might have a tax saving of 50 percent or more; a taxpayer at the bottom of the income-tax brackets would have a maximum tax saving of 20 percent.

Mr. President, when we realize that our objective in dealing with Federal taxation is to provide for taxation on the basis of the ability to pay, it is clear that we should always be on guard against inequities against various groups of taxpayers. A moment ago, when I said the amendment is class legislation, I had in mind that the point is an obvious one, because if the amendment were to be adopted it would mean that benefits would be given to the parents of prospective college students, yet comparable tax benefits would be denied those who are not parents. This would mean that the parents of young people who wanted to go to college would have a smaller tax to pay. However, the necessary revenue must be raised. This means that taxpayers who are not the parents of prospective college students would, in essence, have to pay an additional amount in taxes. In short, our tax burden would in considerable part be transferred from the parents of young people who intend to go to college to taxpayers who are not parents. In my judgment, this would result in a misuse of the income tax. That is why the Department makes the point that the amendment would produce an inequity in the administration of the income tax; and I think the Department is correct.

Mr. RIBICOFF. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. BAYH in the chair). Does the Senator from Oregon yield to the Senator from Connecticut?

Mr. MORSE. I yield.

Mr. RIBICOFF. On the Senator's point that this deduction offers greater benefit to higher income groups, is not this the case with every deduction. Certainly it is the case with tax deductions for medical expenses and tax deductions for business expenses; these and all other deductions are of proportionally greater assistance to those with higher incomes.

So the question is whether this type of deduction is a sound proposal. This deduction should be dealt with on its merits, not on the basis of arguments that apply generally to all deductions.

Mr. MORSE. But my point is that it does not fall in the same classification with the allowable deductions the Senator from Connecticut has mentioned. I make that point for these reasons:

First, when we consider the deductions for medical expenses as a result of illness, we realize that no inequity is involved, because all humans are subject to illness. So, under such a deduction allowance, we lay down a general social public policy that in connection with expenses for medical treatment, the same policy will apply to all. Of course, it may be said that John Brown is healthier than Ed Smith, and that therefore John Brown will, in effect, have to pay, to some degree, the expenses of Ed Smith's illness, in that John Brown will not receive that tax deduction. However, he will receive it later on, if he has ulcers or gall bladder trouble or any other illness. This is a health program; we simply provide that a certain amount of tax deduction will be allowed to all who become ill.

We also have general public policies with regard to the operation of our economy, from which the taxes come in the first place. The taxes are derived from the operation of the economy and from the operation of the businesses in our economy. So we provide, as a matter of sound public policy, that before the business gross profit is taxed, we shall provide depreciation allowances, and also certain benefits in regard to capital gains, and also certain deductions in regard to certain types of losses. However, those allowances are uniform within each class or category of business operation in our economy.

On the other hand, if we now inject into the educational field, which already is highly controversial, the practice of singling out for tax benefits certain taxpayers we are adding to our troubles. We are identifying some citizens to whom the Federal Government says "Because you are parents, the Government will give you certain benefits which will not be given to citizens who are not parents." I think such a proposal clearly falls within the definition the tax economists have given it over the years—namely, special, singularized class favors. We think such special privileges are wrong, if we are to honor this principal that taxes are to be levied on the basis of ability to pay.

Mr. RIBICOFF. Mr. President, the argument of the Senator from Oregon surprises me a little. I can understand his opposition to this amendment; but I think the examples he has used avoid the basic issue. If it is proper to allow a business a deduction for its depreciation or for the expenses of research, we should consider this question: What is of greater value, as an investment for the future of the Nation, than the education of the children of this Nation?

Today 4 million of our young people are studying in our colleges. By 1970, 7 million of our young people will be engaged in college studies. Almost every adult has the ambition to send his children to college. I know that, basically, the Senator from Oregon and I agree that the greatest asset the country has is education for its people. No one is fighting harder for education for the people than is the distinguished Senator from Oregon. As I have said many times in the Senate and also from public platforms, no person in the United States is more dedicated to the cause of education than is the distinguished Senator from Oregon, who is piloting through the Senate this bill and all other important measures in the field of education.

Also, we must keep in mind that to the average family higher education is an extraordinary expense that comes at a certain stated period in their lives. A man and a woman raise children. When a child becomes 18 years of age, there follows a 4-year period during which the father and mother have an extra burden, the cost of an education for their children amounting to about $10,000 for each one. Our tax laws are designed to help ease the burdens that result if a person or a business is suddenly faced with extraordinary expenses. It is my contention that when a family is burdened with the extraordinary expense of a college education—and a college education is important not only for the child and for the parents, but also for the future of our Nation—I believe that we, as a matter of sound public policy, should take steps to ease that burden and to give inducements to parents to educate their children.

The difference between myself and the Senator from Arizona, as he has proposed his plan, is as follows: The Senator from Arizona has proposed his tax deduction proposals as a substitute for the program being advanced by the Senator from Oregon. I do not propose mine as a substitute, because I agree 100 percent with the Senator from Oregon that there is a role for the Federal Government to play in the field of education. That is why I enthusiastically support the present bill that the Senator from Oregon is now piloting through the Senate.

However, what I propose is an additional approach. As I understand his colloquy with the Senator from Oregon, the Senator from New York [Mr. KEATING] agrees with me that what we need is to have two things accomplished that are vitally needed in the field of higher education to assure that the United States will have ample facilities and ample teachers to educate our youth. We recognize that there must be some direct Federal assistance to the colleges and universities, but we also recognize that the Federal Government cannot accomplish the task by itself, and that, as a sound policy, we should have a tax relief proposal similar to that advanced by the Senator from New York and 20 other Senators.

So I should like to go in tandem with the Senator from Oregon. I disagree with the Senator from Oregon only when he contends that tax deductions are not necessary. I disagree with the Senator from Arizona when he says that tax deductions will be a substitute. I believe they are both essential.

Mr. MORSE. Mr. President, I yield myself another 10 minutes.

Speaking as a horseman, I believe tandem teams are not too efficient. I wish the Senator to get abreast of me and pull on the other side of the whippletree. I do not want to be hitched with him in tandem.

I wish to make clear that the distinction between the examples used by the Senator from Connecticut on the point I made in regard to class legislation are his examples and not mine. I shall be glad to discuss them. I point out that under our income tax structure, we tax all business, generally speaking, on the basis of its ability to pay. Business is subject to tax rules and regulations applicable uniformly to all businesses of a certain class that fall under individual rules and regulations. We say, "This is our corporate income tax structure. You, as businessmen, will be subject to the rules and regulations which are uniform to all that fall under that definition." That is the basic premise of our income tax program.

As yet, we do not say to our citizens, "We are going to tax you because you do not have children. We are not going to tax you because you do have children." We do not base our taxes on the status of parenthood per se. That is not the major premise of our tax structure. The major premise of our tax structure is the earning power of the individual, the company, or the corporation that falls within the rules and regulations.

Mr. RIBICOFF. Mr. President, will the Senator yield further?

Mr. MORSE. I should like to finish my statement, and then I shall yield.

So when an exemption based upon parenthood is proposed, we see that the proposal would transfer the tax burden to those who would qualify under the so-called educational exemption that the Senator seeks. We would thereby increase the taxes on one class of citizenry and decrease it on another, although the basic earning power is the same. That is where the discrimination develops.

What is the distinction? The distinction is parenthood. In my judgment, every taxpayer—parent and nonparent—has an obligation to support the schools of America. We have been struggling very hard to gain adoption of that principle at the national level. I could not have had better assistance than I have had from the Senator from Connecticut in attaining that objective of a general Federal aid to education program under which all, based upon their ability to pay and not based upon their parenthood, put their taxes into the Federal Treasury; and from the Treasury we seek to obtain Federal aid to support the facilities, the scholarships, or any of the other features of the general education program. If such a program is followed, there is no discrimination among the taxpayers based upon their ability to pay. But the proposal for a tax deduction to some person merely because he has a boy or a girl whom he wishes to go to college would be discriminatory against other parents. That is the thesis of my argument. I yield to the Senator from Connecticut.

Mr. RIBICOFF. The Senator from Oregon will find that as the years go by he will have an ally in the junior Senator from Connecticut in the entire field of education.

Mr. MORSE. I have now.

Mr. RIBICOFF. But I must point out that at present there is a discrimination in favor of parents. Under our present tax laws, we provide parents with a $600 exemption for each child who qualifies. We do not provide that exemption to people who do not have children. I am sure the Senator from Oregon would not advocate that we repeal the exemption provisions of our tax laws under which we give exemptions to parents with children. So the Senator will see that there is a discrimination in our tax laws between people who have children and those who have not.

Mr. MORSE. No. The Senator and I disagree on that tax theory. We are providing a dependency exemption. Because the dependent exists, an exemption is made available.

It is a uniform exemption for all dependents. It is a policy, uniform in nature, that we have established for a dependent, whether it is a child or a grandmother whose care the taxpayer has assumed. If such dependents were not taken care of within the family, we would have to take care of them in other ways with the money of taxpayers. But this point is not relevant in higher education.

Mr. RIBICOFF. I point out to the Senator that it is still the parent that benefits from the exemption. It is the parent who has the earning power. The greater his exemptions, the lower is his net taxable income. A couple with children pays a smaller amount of tax than a couple without children, though both couples earn the same amount of income. We ought to recognize that there is a difference in the burden between parents who have children that need a college education and people who do not have children. Parents with children who have to be educated have an extraordinary burden that a married couple that does not have children that would go on to college do not have. Our tax laws now recognize and help ease the burden of supporting a dependent child. What I am saying is that the burden of sending a child through college is an additional burden which should also be eased by use of the tax laws.

Mr. MORSE. On the dependency issue, I should like to say for the Record that we provide an exemption for dependency based upon the theory that the dependent will have to be taken care of in one way or another. In effect, the mother, the uncle, the grandfather, or whoever is aiding and supporting the child is performing a service for the State that otherwise all of us would have to assume. If a family does not take care of a dependent, the burden will have to be taken care of in some other way.

That principle does not follow in regard to the young man or woman who wishes to go to college.

There is no burden upon us to say to all taxpayers that they must see to it that funds are made available to parents in order to send a young man or young woman to college. Rather, in order to have uniformity, the approach should be that all funds for educational purposes would be raised from taxpayers. The funds should be raised on a uniform principle and put into the Treasury and paid out of the Treasury, again on a uniform basis, to avoid the objection of class legislation which I have raised.

Mr. RIBICOFF. I agree with the Senator from Arizona on the point that to the extent we allow parents a deduction to take care of some of the burdens of their children's education, to that extent the Federal Government or a State would have less of a burden in the whole educational picture. I look at the problem of education in its entirety. I believe, as the Senator from Oregon believes, that there is a role to play for every segment of society. To the extent private individuals and private corporations play a larger part of that role, to that extent there will be a lesser role for municipalities, States, and the Federal Government to play. I hope private individuals will play a larger and larger role in the educational process, if it can properly be done within sound public policy.

Mr. MORSE. As the Senator knows, I feel that to solve this particular problem of education, a general scholarship to come out of the Treasury of the United States would be much to be preferred over the approach that he would make.

Mr. President, I shall now run through the other objections, for the Record, and then I shall yield back my time.

Second. If an actual credit against the tax is intended, rather than a deduction from gross taxable income, the proposal would be somewhat more equitable as among low- and high-income taxpayers. This would be the case only if the maximum credit allowed does not exceed the tax liability of a large number of low-income taxpayers.

Third. A number of groups in the population could not benefit from either a tax deduction or tax credit proposal. These groups include families who are not financially able to send their children to college. A poor family, or a large family with modest income would receive little or no relief against the cost of sending a child to college.

Fourth. It is widely recognized that the full benefits would not necessarily accrue to the taxpayers since colleges would be expected to increase tuition charges. Some proponents of a deduction or a tax credit for college tuition in fact have urged its adoption as a way to make possible increases in tuition rates without additional costs to families who pay the tuition.

The analogy may not be on all fours, but there is some relationship to hospital insurance and the tuition increase problem that would be raised, I believe, by the amendment. I believe increases in school tuition under the amendment would be inevitable. The temptation would be too great for colleges to resist.

Many persons are insured with various hospital insurance plans. Periodically the rates on such insurances go up, and as the rates go up the hospital charges go up also. It becomes a spiral. Each time the insurance fund is filled the increase is absorbed by a yielding to the temptation to increase medical fees and hospital fees. Very little benefit thus really accrues to the prospective patient. I believe there is great danger that such a temptation would be yielded to in connection with increases in tuition fees.

Fifth. The loss in revenue, under the proposal would amount to hundreds of millions of dollars each year. This loss of revenue would have to be offset by increases in income tax rates, or by imposition of other taxes.

Sixth. A program of direct aid along the lines proposed by the President in his education message to the Congress on February 20 would seem to offer the most efficient and economical way of providing assistance to talented young people who desire to further their education and are in need of such assistance.

Mr. President, the deficiency of the amendment, in my view, is that despite its considerable cost—probably between $120 and $450 million annually—it would contribute very little toward the goal of enlarging the opportunity of the Nation's youth to obtain a college education or to engage in graduate work.

Realistically speaking, the higher education of children from families that enjoy a relatively large income would be unaffected, in the main, by the tax incentives proposed. These families will, in most cases, provide their children with a higher education in any event. On the other hand, low-income families would derive little or no benefit from the proposals because they pay little or no tax. Yet it is the low-income family that is most in need of assistance and encouragement in seeking to obtain a higher education for its children.

Within the spectrum of income lying between these poles, the amendment would provide assistance in inverse proportion to the taxpayer's need for such assistance.

In this regard, the proposal to allow a tax credit for tuition and fees would be less defective than those to allow a deduction for this purpose because, to the extent that the taxpayer has taxable income, the credit would give a benefit equal to a fixed percentage of educational expenses without regard to the size of such income. Nevertheless, the wealthy would enjoy the greatest benefit from a tax credit because their children are, in the main, educated at the more expensive schools. The poor, conversely, with little or no tax to pay, or with much smaller educational expenses, would derive correspondingly less benefit. As was pointed out in a recent note in the Harvard Law Review, 76 Harvard Law Review 369, 384, on "Tax Incentives for Education," in regard to bills which would allow a 30-percent tax credit for tuition:

> [Students in reduced circumstances] if they did attend college, probably would attend a public institution with low tuition, probably $400 or less. To such families the 30-percent credit would be worth about $120, and correspondingly less if the tax otherwise due were less than that amount. It seems doubtful that many students would be able to attend because of such a saving, when they faced room and board expenses of $500 or more.

Moreover, in view of the fact that tuition now averages $700 to $800 below the cost of the education furnished, the enactment of a bill affording a 30-percent credit for tuition might well result in no benefit to the student whatsoever, because of the substantial possibility that it would be the occasion for increases in tuition.

As the above-mentioned note points out:

> The value of a student dollar (to the students) under a 30-percent credit would be 43 percent greater than that of an ordinary dollar, so that a college could increase tuition by 43 percent without placing upon students a greater burden than existed prior to the credit; under such an increase the student would pass the benefit of the credit on to the school (at p. 385).

Indeed, the tax credit proposals might well worsen the financial position of the student with the least means, because not only would he be unable to avail himself of its benefits, but he would be required to meet the increased tuition charges that the enactment of the proposals would be likely to stimulate.

The instant amendment would not allow a tax credit, for meals and lodging of the student, nor would any such proposal be feasible. Not only would the cost be prohibitive, in relation to the advantage to be gained to the Government, but also, as in the case of the deduction, the families most in need of assistance do not now pay taxes that are sufficiently large to permit them to avail themselves satisfactorily of the benefits of such a proposal.

It has been argued that deductions or credits for educational expenses would release college and university scholarship funds to assist the neediest students. Granted that there may be some release of such of these funds as are expended to supplement the resource of students or their families. Granted also that this release might enable these families to derive sufficient benefit from the instant proposals to enable them to dispense with scholarship assistance. Nevertheless, the difficulty with the argument is that scholarship funds are now generally allocated to assist the neediest students. The problem is not in the allocation of institutional scholarships, but in their limited availability.

Unlike programs of direct aid, tax benefits are rarely reevaluated and modified in light of the purposes they were originally intended to serve. Moreover, the complexity of the tax law may conceal defects in the allocation or extent of the aid afforded. In my views, aid to the educational structure should be pinpointed to the need, as the President's proposal attempts, and should be in a form amenable to adjustment to the changing needs of education.

I am about to yield back my time, with this general observation. I speak most respectfully, but I believe it, when I say that various proposals of one type or another as substitutes for a general Federal aid to education bill will never do the job completely, will never be fully equitable, and will always be, partially at least, discriminatory. We must face what I think is the key question: Do the American people as taxpayers have an obligation to see to it that we proceed, without further delay, to meet the education crisis which now confronts the Republic? Do the American people appreciate the fact that in 17 short years, between now and 1980, we shall have to double the size of every college and university in this country, and establish at least 1,000 new colleges and universities, with an average enrollment of 2,500 students each, to meet the college crisis?

I do not want to divert the attention of the American people from that crisis. In my judgment, from the standpoint of legislative policy, it is a mistake to be giving attention to what I consider to be fringe proposals. They divert attention from the heart of the problem that confronts us. The heart of the problem is the necessity to stop wasting the potential brainpower of the youth of America, not only for their own good, not only for our good as American citizens, but for the good of future generations of Americans.

In my judgment, we cannot delay further, in regard to a general Federal aid program, the benefits which will result to higher education from this bill, the cost to be borne, so far as Federal participation is concerned, by the Treasury of the United States, into which all the taxpayers, without discrimination as far as their ability to pay is concerned, will be required to make a uniform contribution.

That is fair. I think that is an equitable approach. I believe that is an approach which will help to solve the problem.

That is why I believe it is necessary to object to other approaches. That is why I want to associate myself with the arguments presented today, through my lips, by the Department of Health, Education, and Welfare, speaking for the administration.

I yield back my time.

Mr. **KEATING**. Mr. President, I yield myself 5 minutes.

I am cognizant of the position of the Department of Health, Education, and Welfare. However, I am heartened that a distinguished Member of this body, who has just retired as Secretary of Health, Education, and Welfare, does not agree with the arguments advanced, and is supporting a proposal to grant tax deductions to parents or others who may have persons dependent upon them for the cost of education.

I repeat that the amendment is not intended as a substitute for other legislation which I have supported—and I intend to support the bill—but as a supplement to it.

The first argument made by the distinguished Senator from Oregon was that the amendment was class legislation. In the first place, a sincere effort has been made to fashion the amendment so that it would give the greatest benefit to those in more modest circumstances. Perhaps it does not go far enough, but it is tailored to make it possible for a man with a $5,000 income to get a greater benefit from it than would a man with a $10,000 or $15,000 or $20,000 income.

I call the attention of the Senate to the fact, in response to the argument, that already we are giving a special status in our tax law to those with dependents. One of the basic principles of our tax law is that if a man has 5 children, he gets a deduction of 5 times $600. Also, a taxpayer can deduct as a dependent anyone, whether his child or not, who is dependent upon the taxpayer to an extent beyond 50 percent for his support, exactly as could be done under the measure I am proposing. In other words, if an uncle or grandmother or grandfather is paying the expenses of the child in college and over half of the support of that child, he can take the deduction. The deduction can be taken for a wife; or some working wives can take it for their husband. It can also be taken for an individual who is working his own way through college, either part time or full time. Under this measure, the deduction would apply to anyone who pays educational fees and tuition and also pays income tax. It does not put a particular halo around a parent, speaking taxwise, but it does apply to anyone who has both taxable income and educational fees.

The Law Review article to which the Senator referred has to do with an entirely different approach, a 30-percent credit. A flat across-the-board approach on that proposal might be open to some of the arguments which the Senator has made in this respect, but it certainly does not apply to the proposal before us; nor does it apply to several of the other formulas that have been proposed.

Second, the point was made that education institutions would immediately raise their fees and tuition costs as a result of the passage of any such legislation. I do not think we can assume that. I have the honor to serve on the board of a great university. Boards of trustees of educational institutions do not sit around trying to figure out how much more they can take out of parents in their charge for tuition. They are considerate. They raise tuition charges, as they have done over the years, with great reluctance and with considerable dispute. That will continue to be the case.

I do not think we can assume that, if a measure like this should pass, it would immediately result in a rise in tuition rates.

As to the cost figures, we do not have exact figures as yet. I have no quarrel with those presented by the Senator. They are the closest to any figures that so far we have been able to get. The figures cover a rather wide range, from $120 million to $450 million.

The **PRESIDING OFFICER**. The time of the Senator has expired.

Mr. **KEATING**. I yield myself 1 additional minute.

I recognize, as we all do, that any deduction from taxes means some loss in revenue to the Federal Government. I am not at all sure that, if it resulted in more young people being able to get an education and paying taxes and contributing to the economic well being of the country, in the long run it would result in any loss to the Federal Treasury.

I recognize that there will be opposition from the Federal departments. As the Senator from Connecticut said, that has always been true. But I feel that when we hear from a Member of this body like the Senator from Connecticut [Mr. RIBICOFF], who has seen the other side of the picture, we should recognize that the arguments of the Government departments are without merit. He is serving this body now as the representative of the people of his State and the Nation. With help like that we feel we can succeed in getting such legislation on the statute books, despite the opposition of the Government departments.

Unless there are other Senators who wish me to yield time to them, I shall withdraw the amendment at this time.

The **PRESIDING OFFICER**. The amendment is withdrawn.

Mr. **GOLDWATER**. Mr. President, during the course of the colloquy between the distinguished Senator from Oregon and the distinguished Senator from Connecticut, I am afraid the inference may have been that my proposal on taxes would be a substitute for the bill. I wanted to make the record clear. In S. 181 I note that title II would apply only to public elementary and secondary schools.

In this provision a tax credit would be given after the taxes had been computed up to $100 for taxes paid for local school purposes. In the same bill, but in a separate section, I have provided for a deduction for expenses incurred in providing higher education. In the case of the first credit that I mentioned, this proposal, if enacted, would allow to stay at home something in the nature of $3 to $3¼ billion.

That seemed to be the expense President Kennedy envisioned if the Government provided Federal assistance for elementary education.

It has no bearing at all on higher education. It is true that I hope that by the enactment of title II of my bill the Federal Government would no longer cast its covetous eyes on local education. However, the section I have in the bill allowing for a deduction for expenses in providing higher education is substantially the same as the proposal made by the distinguished Senator from New York [Mr. KEATING] and the distinguished Senator from Connecticut [Mr. RIBICOFF].

Mr. MORSE. Mr. President, will the Senator yield on a procedural matter?

Mr. GOLDWATER. I yield.

Mr. MORSE. Will the Senator inform the Chair how much time he is yielding to himself?

Mr. GOLDWATER. I have an amendment which I intend to call up when the Senator from Oregon has completed the legislative work on the amendment offered by the Senator from New York.

Mr. MORSE. The Senator from New York has already withdrawn his amendment.

Mr. GOLDWATER. I am sorry; I did not understand that to be the case.

Mr. MORSE. The Senator has 45 minutes on his amendment.

Mr. GOLDWATER. I send an amendment to the desk and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 37, after line 2, it is proposed to strike out down to and including line 21, on page 49, as follows:

### PART A—GRANTS FOR CONSTRUCTION OF ACADEMIC FACILITIES

*Appropriations authorized*

SEC. 101. (a) In order to enable the Commissioner of Education (hereafter in this Act referred to as the "Commissioner") to make grants to institutions of higher education for the construction of academic facilities in accordance with the provisions of this part A, there is hereby authorized to be appropriated the sum of $180,000,000 for the fiscal year ending June 30, 1964, and each of the four succeeding fiscal years. In addition to the sums authorized to be appropriated under the preceding sentence, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1965, and each of the three succeeding fiscal years, for making such grants the difference (if any) between the sums authorized to be appropriated under the preceding sentence for preceding fiscal years and the aggregate of the sums which were appropriated for such preceding years under such sentence.

(b) Sums appropriated pursuant to subsection (a) of this section shall remain available for reservation as provided in section 107 until the close of the fiscal year next succeeding the fiscal year for which they were appropriated.

*Allotments to States*

SEC. 102. (a) Of the funds appropriated pursuant to section 101 for any fiscal year (1) one-half shall be allotted by the Commissioner among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-half as the number of students enrolled in institutions of higher education in such State bears to the total number of students enrolled in such institutions in all the States; and (2) the remaining one-half shall be allotted by him among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such remainder as the number of students enrolled in grades nine to twelve (both inclusive) of schools in such State bears to the total number of students in such grades in schools in all the States. For the purposes of this subsection, (A) the number of students enrolled in institutions of higher education shall be deemed to be equal to the sum of (i) the number of full-time students and (ii) the full-time equivalent of the number of part-time students as determined by the Commissioner in accordance with regulations; and (B) determinations as to enrollment under either clause (1) or clause (2) of this subsection shall be made by the Commissioner on the basis of data for the most recent year for which satisfactory data with respect to such enrollment are available to him.

(b) The amount of each allotment to a State under this section shall be available, in accordance with the provisions of this part A, for payment of the Federal share (as determined under sections 106(b)(3) and 121(d)) of the development cost of approved projects for the construction of academic facilities within such State by institutions of higher education. Sums allotted to a State for the fiscal year ending June 30, 1964, shall remain available for reservation as provided in section 107 until the close of the next fiscal year, in addition to the sums allotted to such State for such next fiscal year.

(c) All amounts allotted under this section for the fiscal year ending June 30, 1965, and each of the three succeeding fiscal years, which are not reserved as provided in section 107 by the close of the fiscal year for which they are allotted, shall be reallotted by the Commissioner, on the basis of such factors as he determines to be equitable and reasonable, among the States which, as determined by the Commissioner, are able to use without delay any amounts so reallotted. Amounts reallotted under this subsection shall be available for reservation until the close of the fiscal year next succeeding the fiscal year for which they were originally allotted.

*State commissions and plans*

SEC. 103 (a) Any State desiring to participate in the grant program under this part A shall designate for that purpose an existing State agency which is broadly representative of the public and of institutions of higher education in the State, or, if no such State agency exists, shall establish such a State agency, and submit to the Commissioner through the agency so designated or established (hereafter in this part A referred to as the "State commission"), a State plan for such participation. The Commissioner shall approve any such plan which—

(1) provides that it shall be administered by the State commission;

(2) sets forth, consistently with basic criteria prescribed by regulation pursuant to section 105, objective standards and methods (A) for determining the relative priorities of eligible projects for the construction of academic facilities submitted by institutions of higher education within the State, and (B) for determining the Federal share of the development cost of each such project (unless such plan provides for a uniform Federal share for all such projects);

(3) provides (A) for assigning priorities solely on the basis of such criteria, standards, and methods to eligible projects submitted to the State commission and deemed by it to be otherwise approvable under the provisions of this part A; and (B) for approving and recommending to the Commissioner, in the order of such priority, applications covering such eligible projects, and for certifying to the Commissioner the Federal share, determined by the State commission under the State plan, of the development cost of the project involved;

(4) provides for affording to every applicant, which has submitted to the State commission a project, an opportunity for a fair hearing before the commission as to the priority assigned to such project or as to any other determination of the commission adversely affecting such applicant; and

(5) provides (A) for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State commission under this part A, and (B) for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his functions under this part A.

(b) The Commissioner is authorized to expend not exceeding $3,000,000 during each of the first two fiscal years of the program under this Part A in such amounts as he may consider necessary for the proper and efficient administration of the State plans approved under this part A, including expenses which he determines were necessary for the preparation of such plans.

*Eligibility for grants*

SEC. 104. An institution of higher education shall be eligible for a grant for construction of an academic facility under this part A only if such construction is limited to structures, or portions thereof, especially designed, and to be used only for instruction or research in the natural or physical sciences or engineering or for use as a library, and only if such construction will, either alone or together with other construction to be undertaken within a reasonable time, (1) result in an urgently needed substantial expansion of the institution's student enrollment capacity, or (2) in the case of a new institution of higher education, result in creating urgently needed enrollment capacity.

*Basic criteria for determining priorities and Federal share*

SEC. 105. (a) As soon as practicable after the enactment of this Act the Commission shall by regulation prescribe basic criteria to which the provisions of State plans setting forth standards and methods for determining relative priorities of eligible construction projects, and the application of such standards and methods to such projects under such plans, shall be subject. Such basic criteria (1) shall be such as will best tend to achieve the objectives of this part A while leaving opportunity and flexibility for the development of State plan standards and methods that will best accommodate the varied needs of institutions in the several States, and (2) shall give special consideration to expansion of undergraduate enrollment capacity. Subject to the foregoing requirements, such regulations may establish additional and appropriate basic criteria, including provision for considering the degree to which applicant institutions are effectively utilizing existing facilities, provision for allowing State plans to group or provide for grouping, in a reasonable manner, facilities or institutions according to functional or educational type for priority purposes, and, in view of the national objectives of this Act, provision for considering the degree to which the institution serves students from two or more States or from outside the United States; and in no event shall an institution's readiness to admit such out-of-State students be considered as a priority factor adverse to such institution.

(b) The Commissioner shall further prescribe by regulation the basic criteria for determining the Federal share of the development cost of any eligible project under this part A within a State, to which criteria the applicable standards and methods set forth in the State plan for such State shall conform in the absence of a uniform statewide

Federal share specified in or pursuant to such plan. The Federal share shall in no event exceed 33⅓ per centum of the development cost of a project covered by an application approved under this part A.

*Applications for grants and conditions for approval*

Sec. 106. (a) Institutions of higher education which desire to obtain grants under this part A shall submit applications therefor at such time or times and in such manner as may be prescribed by the Commissioner, and such applications shall contain such information as may be required by or pursuant to regulation for the purpose of enabling the Commissioner to make the determinations required to be made by him under this part A.

(b) The Commissioner shall approve an application covering a project for construction of an academic facility and meeting the requirements prescribed pursuant to subsection (a) if—

(1) the project is an eligible project as determined under section 104;

(2) the project has been approved and recommended by the appropriate State commission;

(3) the State commission has certified to the Commissioner, in accordance with the State plan, the Federal share of the development cost of the project, and sufficient funds to pay such Federal share are available from the applicable allotment of the State (including any applicable reallotment to the State);

(4) the project has, pursuant to the State plan, been assigned a priority that is higher than that of all other projects within such State (chargeable to the same allotment) which meet all the requirements of this section (other than this clause) and for which Federal funds have not yet been reserved;

(5) the Commissioner determines that the construction will be undertaken in an economical manner and will not be of elaborate or extravagant design or materials; and

(6) the Commissioner determines that (in addition to the assurance required by section 304 and such assurance as to title to the site as he may deem necessary) the application contains or is supported by satisfying assurances—

(A) that Federal funds received by the applicant will be used solely for defraying the development cost of the project covered by such application,

(B) that sufficient funds will be available to meet the non-Federal portion of such cost and to provide for the effective use of the academic facility upon completion, and

(C) that the facility will be used as an academic facility during at least the period of the Federal interest therein (as defined in section 108).

(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulation, be subject to approval in the same manner as original applications.

(d) No institution which is eligible for a grant under title II shall be eligible for a grant under this part A.

*Amount of grant—payment*

Sec. 107. Upon his approval of any application for a grant under this part A, the Commissioner shall reserve from the applicable allotment (including any applicable reallotment) available therefor, the amount of such grant, which (subject to the limits of such allotment or reallotment) shall be equal to the Federal share (ascertained by him under section 106(b)(3)) of the development cost of the project covered by such application. The Commissioner shall pay such reserved amount, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine. The Commissioner's reservation of any amount under this section may be amended by him, either upon approval of an amendment of the application covering such project or upon revision of the estimated development cost of a project with respect to which such reservation was made, and in the event of an upward revision of such estimated cost approved by him he may reserve the Federal share of the added cost only from the applicable allotment (or reallotment) available at the time of such approval.

*Recovery of payments*

Sec. 108. (a) The Congress hereby finds and declares that, if a facility constructed with the aid of a grant or grants under this part A is used as an academic facility for twenty years following completion of such construction, the public benefit accruing to the United States from such use will equal or exceed in value the amount of such grant or grants. The period of twenty years after completion of such construction shall therefore be deemed to be the period of Federal interest in such facility for the purposes of this part A.

(b) If, within twenty years after completion of construction of an academic facility which has been constructed in part with a grant or grants under this part A—

(1) the applicant (or its successor in title or possession) ceases or fails to be a public or nonprofit institution, or

(2) the facility ceases to be used as an academic facility, or the facility is used as a facility excluded from the term "academic facility" by section 121(a)(2), unless the Commissioner determines in accordance with regulations that there is good cause for waiving the application of this paragraph to such facility or use,

the United States shall be entitled to recover from such applicant (or successor) an amount which bears to the then value of the facility (or so much thereof as constituted an approved project or projects) the same ratio as the amount of such Federal grant or grants bore to the development cost of the facility financed with the aid of such grant or grants: Provided, That the authority to waive the application of paragraph (2) of this subsection shall not apply to any case in which a facility (A) is used for sectarian instruction or as a place for religious worship or (B), although not used for a purpose described in clause (A), is used primarily for any part of a program of a school of divinity (as defined in section 122(a)(2)). Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated.

*Administration of State plans*

Sec. 109. (a) The Commissioner shall not finally disapprove any State plan submitted under this part A, or any modification thereof, without first affording the State commission submitting the plan reasonable notice and opportunity for a hearing.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State commission administering a State plan approved under this part A, finds—

(1) that the State plan has been so changed that it no longer complies with the provisions of section 103(a), or

(2) that in the administration of the plan there is a failure to comply substantially with any such provision, the Commissioner shall notify such State commission that the State will not be regarded as eligible to participate in the program under this part A until he is satisfied that there is no longer any such failure to comply.

**Mr. GOLDWATER.** Mr. President, essentially what the language provides is to strike out, in title I, part a, section 101, the 5 years at $180 million a year, or a total of $900 million. It leaves in title I, part b, section 113, the $120 million a year for 5 years, or a total of $600 million.

Therefore, what I am striking at is the $900 million that is proposed to be provided for grants, which the Senator from Texas [Mr. Tower] and I, serving on the Educational Subcommittee, feel are not needed. We have submitted minority views to that effect.

As passed by the House, H.R. 6143 provided a combination of grants and loans to public and private nonprofit institutions of higher education for the construction of undergraduate and graduate academic facilities. The committee adopted an amendment in the nature of a substitute providing grants for the construction of facilities to be used for teaching and research in the physical sciences, engineering, and libraries, as well as loans for the construction of undergraduate and graduate academic facilities and grants for the construction of public community college academic facilities.

For the past few years, the Congress has been subjected to a barrage of propaganda concerning the lack of academic facilities in our colleges and universities which prevent many thousands of our young men and women from pursuing a college education. When the committee reported out a higher education bill 2 years ago, we predicted in our minority views, filed with the report on the bill, that the present rapidly expanding rate of construction of academic facilities carried on by the States and private colleges might well result in an excess educational plant, some of which would remain unused. We pointed out further that there are many small colleges today which have never reached the point of fully utilizing their existing enrollment capacity and which, year after year, find themselves with a student body often considerably below the level which they can effectively and comfortably accommodate. If a problem of inadequate college academic facilities does exist, then it is a problem of maldistribution of students among the Nation's colleges rather than any absolute shortage.

The November 4, 1962, issue of This Week magazine contains an article entitled "The College Shortage Is a Myth," which bears out the prediction we made 2 years ago. Responding to the warning that the impending tidal wave of students would create an enrollment crisis threatening our colleges and universities, the author, Gene R. Hawes, conducted a survey of more than 2,000 colleges to determine their expansion plans for accommodating the anticipated increase in college enrollment. This survey revealed that, based on expected facility construction, the Nation's colleges and universities would have an enrollment capacity of as many as 5.4 million by 1965 and 7.1 million by 1970 as compared to the expected student enrollment of 5.2 million by 1965 and 6.8 million by 1970.

Thus it is clear that the evidence is at hand to combat the charge that the Nation's colleges and universities are so destitute of funds for constructing additional academic facilities that only the Federal Government can rectify their plight. As is true in the case of public elementary and secondary schools, the State, local communities, and private colleges have made the necessary preparations to meet the challenge of increased college student enrollment without relying on the Federal Government to assume their responsibilities.

Apart from the lack of any demonstrated need for this legislation, there are several other important factors which, if given serious consideration, would operate against the approval of this bill, now proposed as a 5-year program but certain to mature into a permanent and costly operation.

During the past decade, every level of education experienced a great expansion in enrollment. However, projections on enrollments conducted by the Bureau of Census indicate that from 1962 to 1970 enrollments in all levels of education will grow at about half the rate as compared with the past 8 years. Whereas college and professional schools experienced an enrollment increase of 74 percent between 1954 and 1962, the projected enrollment for the next 8 years will be only 51 percent. Even more encouraging is the fact that anticipated enrollments in secondary schools will fall off by more than 50 percent. Since the high school students of today will become the college students of tomorrow, it is evident that future enrollments in institutions of higher education will become stabilized to the point where college administrators will be able to cope with an increased student body under more normal conditions.

We have already pointed out that if a problem of inadequate college academic facilities does exist, it is a problem of maldistribution of students rather than any absolute shortage. As an illustration of this charge, the Prudential Insurance Co. prepared a study entitled "Facing Facts About College Admission," which revealed that literally hundreds of good but lesser known colleges and universities were actually seeking students and had the facilities to accommodate them. Many institutions have organized publicity campaigns, including newspapers, radio, and television advertising, in order to attract young men and women to their campuses. Contrary to the constant stream of propaganda flowing from the Office of Education bemoaning the fact that students are being turned away from college doors due to lack of adequate classrooms, laboratories, and libraries, a bulletin, "College Vacancies in the United States and Where To Apply," reports that, pursuant to a poll, nearly 800 accredited colleges and universities still had space available for qualified students when school opened this fall. Another significant fact produced by this poll is found in the statement of the authors, Dr. Benjamin Fine, former education editor of the New York Times, and Sidney A. Eisenberg, an independent educational researcher, that "while the Ivy League colleges may be swamped, the colleges with openings include many of the finest in the country."

In the past few years we have seen a trend among our colleges and universities toward better utilization of existing college facilities by adopting the trimester and quarter plans as a substitute for the conventional semester program. Recent studies have shown that most college classrooms are in use only about 40 percent of the time and laboratories about 25 percent. It is evident that if college facilities were in use year around as well as at night and on weekends, present facilities could more than adequately handle any increase in student enrollment.

A report by the fund for the Advancement of Education bears out this contention:

> Particularly in the use of space—classrooms, laboratories, and libraries—most colleges, and universities persist in traditional and inefficient practices that waste their resources and result in unneeded construction. Studies showing excessive waste of existing space were reported in the first manual on space utilization prepared with fund support by the American Association of Collegiate Registrars and Admissions Officers in 1955 and, again, in a brochure published in 1962 by the Educational Facilities Laboratories. Some institutions are now demonstrating that it is possible to have well-filled classrooms and laboratories throughout the day and in late afternoons, evenings, and Saturdays, and to use classrooms and laboratories during the summer without loss in quality of the educational program.

It is paradoxical that even though large-scale programs for expanding college physical plants have been going on ever since the end of World War II and, as pointed out above, will continue during the coming years, the committee bill would make available to institutions of higher education over a billion dollars to be expended for the construction of additional academic facilities, which may prove to be in excess of need. The very vital problems confronting our Nation's colleges and universities are not even considered and perforce will remain unsolved.

Rising educational operating expenses, increased tuition, and fees, primarily in private colleges, and the need for increasing faculty salaries continue to be the major headaches of institutions of higher education and of the parents with children attending those institutions.

During the hearings the committee received testimony from witnesses representing the presidents of 20 independent colleges and universities in support of aid to higher education through tax credits. Briefly, this proposal would amend the Internal Revenue Code to provide a tax credit for tuition and fees paid by a parent for a dependent attending college and also a tax credit for gifts and contributions made to colleges and universities.

Mr. President, this subject has been debated completely in the past several hours, but I should like to add the advantages contained in a program of this type.

The advantages of this proposal are as follows:

First. It would release increased funds which could be used for those purposes most directly related to the real needs of each institution, public or private. In most cases the most urgent financial needs have to do with the paying of salaries and other operating costs.

Second. It would help to preserve the diversity and flexibility of the whole American educational system which, we believe, is important in maintaining the freedoms and pluralism in our national life.

Third. It would offer a solution to the grave constitutional question which casts a dark shadow over the whole issue of aid to private, independent, and church-related colleges. Such tax credits would offer an acceptable means of channeling greatly enlarged new funds into education, tax-supported or privately supported, State-controlled or independent, secular or religious—and within the framework of a policy long established by the Congress of giving incentive to taxpayers to make voluntary contributions for the support of educational services of all types of organization, philosophy, and control.

Fourth. The independence of action of each institution would be strengthened and enhanced.

I ask unanimous consent to have printed at this point in the RECORD appendix A and appendix B, which appear on pages 27 and 28 of the committee report on H.R. 6143.

There being no objection, appendix A and appendix B were ordered to be printed in the RECORD, as follows:

### APPENDIX A

[In percent]

| | Actual enrollment increase, 1954–62 | Projected enrollment increase, 1962–70 (average of 4 projections) |
|---|---|---|
| All levels of education | 35 | 17 |
| Kindergarten and elementary | 27 | 11 |
| High school (grades 9 to 12) | 49 | 24 |
| Kindergarten to 12th grade | 32 | 14 |
| College and professional schools | 74 | 51 |

Source: Bureau of the Census, Current Population Reports, series P–20, Nos. 89 and 120, and series P–25, No. 232.

### APPENDIX B

### VACANCIES FOR STUDIES EXIST AT 795 COLLEGES

(By Dr. Benjamine Fine and Sidney A. Eisenberg)

A total of 795 accredited colleges and universities still have room for qualified students this fall, a survey shows.

While the Ivy League colleges may be swamped, the colleges with openings include many of the finest in the country. The authors polled 3,000 junior and senior colleges, technical schools, teachers colleges, and professional schools. Each college was asked:

"Did you have room for students at your college this past year?

"Should we refer students to you for admittance or financial aid?

"Do you have jobs available for students who wish to work their way?

"Are there jobs in the community for students for part-time work?"

The answers from 795 colleges to each of these four questions was "Yes."

These colleges are in all parts of the United States and cover a wide range of subjects from engineering to agriculture, teaching, business administration, music, art, or nursing. The range of courses is broad.

Students who haven't been accepted for the 1963–64 academic year may still get started on their college careers by applying to these institutions immediately.

The list is also useful to high school seniors who are now making plans for entering college in the 1964–65 year.

A candidate doesn't have to be an A student to get into college. These 795 colleges will consider a B or in many cases even a C student, if otherwise qualified.

We recommend applying to from three to five of these colleges.

Applicants should ask for college catalogs and application forms. Most colleges will ask for biographical sketches. Applicants should tell the facts about themselves in easy-to-read form, and be certain they do not misspell words or use ungrammatical expressions.

Many of the colleges offer scholarships, loans, grants, or campus jobs to help pay for tuition. Many loans are available either through Federal, State, local, or private sources.

The authors have prepared a bulletin listing the 795 colleges in the United States that have room for students. In addition, this bulletin gives instructions on what to do, how to act, and where to write.

**Mr. GOLDWATER.** Mr. President, to sum up my argument for the adoption of this amendment, in this year and in the coming years of increasingly high deficits, with no indication that there will be a lessening of demand for Federal spending, it is incumbent upon Congress, among its responsibilities and its duties, to eliminate expenditures wherever possible. I am offering an opportunity to eliminate $1.9 billion in the next 5 years. In my opinion, this will in no way affect the need for the bill; it will in no way affect the accomplishments of the bill. It merely recognizes that colleges and universities have been able to maintain their construction pace on their own. It also recognizes that the encouragement of this procedure is desirable.

I hope that Senators will realize the urgent need of protecting the economy anywhere, particularly in a place where I believe it is obvious that funds being authorized are not needed, nor will they be needed in the years ahead. As I recall, the President, in his message to Congress, asked only for loans. They were provided in S. 580. I would hope that we might be fashioning what the President has requested. I remember that last week the Senate authorized funds in the amount of 15 times what the President asked for. I find myself now on the side of President Kennedy, asking that we in Congress protect the economy and provide only for loans, as the President has asked.

Mr. President, I desire to ask for the yeas and nays on my amendment. I do not see a sufficient number of Senators in the Chamber at the moment.

**Mr. MORSE.** Mr. President, I suggest the absence of a quorum, the time for a quorum call not to be charged to either side.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

**Mr. MORSE.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. MORSE.** Mr. President, I ask for the yeas and nays on the Goldwater amendment.

The yeas and nays were ordered.

**Mr. MORSE.** Mr. President, I yield myself 10 minutes.

I urge the Senate to reject the amendment offered by the Senator from Arizona because, in my judgment, the effect of the amendment, if adopted, would be no bill. The vote on this amendment will determine whether the Senate wants a bill on higher education or not.

The amendment would eliminate all the grant provisions of H.R. 6143 in part A. It is an amendment which repudiates the House action, because the House has passed a general grant bill in part A. The Senate has already defeated the Prouty amendment, which would have had the Senate adopt the House bill with its across-the-board general grant provisions.

The Senate is being offered a categorical grant bill. It is being offered the bill of the conference committee last year, minus title II, which was a student loan assistance program. It was represented by the House last year that the conference report bill was defeated because of title II, so we have eliminated title II. We are merely saying, respectfully, to the House: "Let us take the conference bill of last year, in the main, which is a bill that provides for categorical use grants but also for some general purpose loans."

The Senator from Arizona would eliminate all grants found in title I, part A. In my judgment, to adopt his amendment would make the higher education bill in this session of Congress as dead as a dodo. We shall have trouble enough this year getting a conference bill out of the House, even a limited categorical use grant bill.

I ask for the rejection of the Goldwater amendment, not only from the standpoint of the legislative strategic problem which confronts the Senate; I ask for its defeat on the merits of the issue itself.

One-third matching grants are sorely needed. The construction needs to provide for increased facilities for higher education will not be met unless we provide for categorical use grants. The difference between the program offered by the Senator from Arizona [Mr. Goldwater] and the program offered by a majority of the committee on this issue is, "Is there a demonstrated need?" In essence, I think it is fair to say that the Senator from Arizona takes the position that there is no need for a grant program. I believe that is a fair summary of his position. He makes the following contentions on this point: That the present rapidly expanding rate of construction of academic facilities might result in an excess of facilities.

Mr. President, his position is quite different from the testimony given before our committee by witness after witness, educator after educator, and college president after college president. Their testimony supported the major argument which I have made for days in the Senate, in seeking to support the burden of proof, which is mine, that there is a need for the proposed legislation. If we cannot establish the need for it, of course my case will fail. However, I believe I have clearly shown the need.

Without going into too much detail, I reiterate the contention made by Dr. Logan Wilson, president of the American Council on Education, who points out that between the present time and 1980 we shall need to double the size of every existing university and college, and also to add 1,000 new colleges, with an average enrollment of 2,500 students each if we are to meet the human demand.

Mr. President, on page 5 of the committee report there is to be found further argument in support of this need. Without taking time to read that part of the report, I ask unanimous consent that an excerpt from the report, beginning on page 5, and going to the end of the first paragraph on page 6, be printed at this point in the Record.

There being no objection, the excerpt from the report (No. 557) was ordered to be printed in the Record, as follows:

On page 591 of the subcommittee hearings, in the recommendations on desirable national action for higher education presented by Dr. Mason Gross, president of Rutgers University, on behalf of the Association of State Universities and Land-Grant Colleges, there appear the following paragraphs:

"While our associations and others have repeatedly called attention to this approaching enrollment bulge, and while State universities and land-grant colleges have made almost desperate efforts to prepare for it, they are far behind in meeting the need for classrooms, laboratories, and libraries.

"We believe that 1963 is the fateful year, representing the last clear chance to provide these facilities in time to accommodate those who wish to and should utilize them. Even should appropriations for the construction of these buildings be available early in 1963, the buildings themselves could not possibly be completed before the end of 1964.

"Putting it in its simplest terms, unless funds for academic facilities construction become available in 1963, there will be many of the youth of the Nation who will not be educated at the college and university level.

"Our associations do not suggest that the Federal Government should or could be the sole source of these funds. On the contrary we believe that Federal support is relatively minor when compared with the support which has come and must come from State governments, municipal governments, individuals, business enterprises and voluntary associations. But Federal action is critically important now—in 1963—for without it higher education cannot meet the challenge of the future. Of greater importance—the Nation cannot either."

Dr. Donald E. Deyo, president of the American Association of Junior Colleges, in presenting the need for expansion of junior college facilities, said (p. 1066 of the hearings):

"We know, for example, that capital expenditures for public junior colleges rose from $41 million in 1960–61 to $55 million in 1961–62, an increase of 32 percent. In 20 States recently sampled, the aggregate State share of appropriations for operating expenses of junior colleges, will be approximately $81 million for 1962–63, a gain of a little more than 41 percent over comparable appropriations 2 years ago. In response to a survey conducted by the U.S. Office of Education, public junior colleges reported they would need approximately $82 million a year during the next 5 years just for expansion of existing plants to accommodate anticipated increases in enrollment. In light of the number of new institutions being established each year, estimated capital outlay

> requirements would, of course, be substantially higher."

Mr. MORSE. Mr. President, for the last 4 years for which construction data have been tabulated, 1957–61, the investment in academic, research, and general facilities would provide accommodations for approximately 150,000 additional students per year while enrollments have increased at an annual average of 205,000 during the same period. Considerable improvement in the utilization of existing plants has been accomplished, in order to accommodate more students each year. The construction of dormitories and other auxiliary facilities has been accelerated, because of the stimulus given to that type of construction by loans available from the Housing and Home Finance Agency, through the college housing loan program. The arguments of the distinguished Senator from Arizona failed to recognize that 20 percent of academic facilities presently in use are substandard and functionally obsolete. Serious facilities shortages in the areas of health and research have frequently been documented.

Mr. President, we also have the problem of getting rid of firetraps and other obsolete structures now in use. We will continue to use them until we can get them replaced, but I cannot feel that they are a substantial argument for saying that there is no need for additional facilities.

Second, it is also argued that many existing facilities are not fully utilized. This is true if one assumes that any student would be interested in the program offerings of any college having room for him. Because of the specific interests of students, they may not be interested in going to a junior college, a technical institute, a theological school, or even a college located in a distant community, just because it may have some extra space. Improvement can be made in space utilization, but it is only a partial solution to the need for more capacity; and such greater utilization will not begin to be more than a drop in the bucket, as compared with our need to have additional facilities built by the year 1980.

Third, it is argued by the Senator from Arizona that a survey made by Mr. Gene R. Hawes indicated that institutions had expansion plans to accommodate 7.1 million students by 1970, compared to expected student enrollments totaling only 6.8 million by 1970. He further claimed that evidence was at hand, based upon the Hawes' report, that would combat the charge that Federal assistance was needed.

It is interesting to note that the author of the survey purported by the Senator from Arizona to prove that no need for Federal assistance existed has denied Senator GOLDWATER's charge that the author's work made it clear that there was no essential need for Federal aid to higher education. Dr. Hawes stated:

> But Senator GOLDWATER failed to note that my figures represented planned expansion for which an estimated $15 billion will be needed for buildings alone, as I had also reported. No mention of Federal aid was made in the article, and his unfounded conclusion that no Federal aid is needed could lead to very serious consequences for the Nation's youth and future strength. Fellow Senators should not support Mr. GOLDWATER's bill on the basis of his mistaken interpretation.

The Hawes' study was based upon the answers received from institutions having 54.4 percent of total higher education enrollment to the single statement:

> To aid parents in long-range planning, please estimate what the institution's total full-time undergraduate capacity is likely to be by 1965 and by 1970.

The Office of Education made a study of enrollments and facilities for the 5-year period, 1961–65, with data obtained from institutions having 88 percent of total higher education enrollment. Included in the findings of this survey were: First, institutions would be able to accommodate 41 percent more students in 1965 than 5 years earlier, only if funds were obtainable; second, a net additional capacity of 174,000 students existed at that time—approximately one-half of the present annual rate of increase; third, overcrowding in dormitories was reflected by a net overcapacity of 2 percent in dormitories—thus, these facilities would need to be constructed at a continued accelerated rate; and fourth, almost $5 billion would need to be invested in instructional, research, and general facilities in the 1961–65 period, to meet their needed expansion. To reach this level, the institutions reported that they would need to obtain $808.5 million from sources not known at the time of reporting; $258.8 million from the Federal Government; $758.3 million from borrowing; $1,156.3 million from gifts; and the balance from State and local government sources—$1,710.3 million—and from other sources—$207.1 million. Thus, less than 55 percent of the amount needed to meet plans was expected to be available from historically traditional sources of State and local appropriations for public institutions and gifts for private institutions.

By way of comparison, for all types of academic needs in all higher education institutions, it is estimated that the rate of investment should be at an annual average rate of $1.5 billion at least through the balance of the decade of the 1960's. This excludes the needed investments in dormitories, dining halls, student centers, and other auxiliary facilities.

Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from a letter from Mr. Gene R. Hawes, the author of the survey from which the Senator from Arizona has quoted. The letter is dated January 22, 1963, and was written pursuant to a request I had made for clarification of the data. I also ask unanimous consent to have printed at this point in the RECORD certain other material alluded to in his letter bearing upon the article. I make this request in the interest of saving time.

There being no objection, the letter and the supplementary documents were ordered to be printed in the RECORD, as follows:

HAWTHORNE, N.Y.,
*January 22, 1963.*

DEAR ——: Enclosed is the material you requested by telephone yesterday in connection with Senator GOLDWATER's misinterpretation of my This Week magazine article. It consists of:

1. A tearsheet of the article with a vital qualification omitted by the Senator bracketed in red.
2. The draft of a statement I've asked my publisher to issue expressing my views specifically of Senator GOLDWATER's interpretation (feel free to use this statement whether my publisher decides to issue it or not).
3. My own detailed statement concerning the future capacity survey findings, an 8-page onionskin typed carbon. You may copy and use this in any way you wish, but I would appreciate its prompt return as it is my only copy; you may keep all other enclosures.
4. The publisher's news release on the future capacity survey findings, a sharply condensed version of the above statement that gives in addition the national percentage expansion by type of institution (last line, chart B).
5. For your general information, the earlier publisher's news release giving my tabulations of survey data concerning admissions policy selectivity.

I hope this may be helpful to you.

Sincerely,

GENE R. HAWES.

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### AUTHOR REFUTES SENATOR GOLDWATER CHARGE

NEW YORK.—Fellow Senators of the Honorable BARRY M. GOLDWATER, of Arizona, were asked not to join in sponsoring his Educational Opportunities Act of 1963 as Senator GOLDWATER had invited them to do by today (Friday) on the basis of a magazine article interpretation the Senator had made in support of his bill.

The author of the article denied yesterday (Thursday) Senator GOLDWATER's charge that his work made it clear that there was no essential need for Federal aid to higher education.

Gene R. Hawes, whose article appeared in the November 4, 1962, issue of This Week magazine, had based it on information gathered for the second edition of his book, "The New American Guide to Colleges." Through the publisher of the Signet Key paperback, the New American Library, he issued yesterday (Thursday) the following statement:

"My article did report that the Nation's colleges and universities, which I had surveyed for my guide to colleges, expect to expand enough to accommodate all the young men and woman predicted to want to attend through 1970. But Senator GOLDWATER failed to note that my figures represented planned expansion for which an estimated $15 billion will be needed for buildings alone, as I had also reported.

"No mention of Federal aid was made in the article, and his unfounded conclusion that no Federal aid is needed could lead to very serious consequences for the Nation's youth and future strength. Fellow Senators should not support Mr. GOLDWATER's bill on the basis of his mistaken interpretation."

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[From This Week magazine, Nov. 4, 1962]

### THE COLLEGE SHORTAGE IS A MYTH—HERE'S NEWS: A SURVEY OF 2,000 COLLEGES FORECASTS ROOM FOR EVERYONE WHO SERIOUSLY WANTS TO GO

(By Gene R. Hawes)

CHICAGO.—Ever since 1954, when Executive Dean Ronald B. Thompson, of Ohio State University, first warned of "the impending tidal wave of students," people have been hearing about the enrollment crisis threatening our colleges in the 1960's.

I can now report that, if present expansion plans are realized, there will be room in college—room for all of our children who seriously want to go—through the 1960's.

I know because I asked the colleges—all the colleges, more than 2,000 of them. This had never been done before.

Dean Thompson predicted 5,200,000 students by 1965 and 6,800,000 by 1970. My survey showed that the Nation's colleges, given reasonable help, should have a matching capacity of as many as 5,400,000 by 1965 and 7,100,000 by 1970.

Exciting expansion projects, I've learned, are going ahead in all sections. Lake Forest College in Lake Forest, Ill., reported building in progress and plans to expand full-time enrollment 50 percent. Newark State College, Union, N.J., said it will more than double capacity on its new New Jersey campus.

College after college told me of similar plans. I added and analyzed their figures with the help of an expert, Eugene T. Callahan, assistant head of data processing for the Chicago public schools. Our final grand totals wiped out the shadowy but alarming myth of a great college shortage ahead.

As yet, my figures on future capacity represent expansion planned by the colleges. They'll need $15 billion for buildings, alone, one authority estimates. However, there's every reason to believe they'll succeed in raising the money. In the past 20 years colleges have shown amazing ability to grow.

My survey revealed some other facts about colleges of the future. I learned that as they continue to grow, they'll change in important ways. Here are some of the new developments parents and college-bound children should be aware of:

Famous colleges: Some of the great private colleges like Yale and Harvard plan relatively limited or no expansion of their undergraduate facilities. But some, like Columbia, are projecting important growth. And several topnotch State universities, such as California and Wisconsin, are in the midst of tremendous expansion programs.

Lesser known colleges: There are hundreds of new or previously little-known schools now offering fine educations to a rapidly expanding body of students. Many are located in or near major cities.

Junior colleges: In general, public colleges and universities are expanding more rapidly than private ones. Perhaps the most dramatic growth is among publicly supported junior colleges. Most of these offer education of good quality, and many of their students graduate and then switch to a large university.

Big versus small colleges: Even though you yourself may have gone to a small college, be open-minded about the size of your children's future alma maters. There are important advantages in the big universities—wider curriculums, richer activities.

New ways of learning: Don't be surprised if your child's chosen college uses what strikes you as radical departures—such as year-round operation, very large lecture sections, television or teaching-machine instruction, or increased independent study.

New areas of learning: Programs for training vocational specialists like electronic technicians, jet-engine mechanics, medical aids, and computer operators have multiplied by the dozens, particularly in our junior colleges, alongside the traditional collegiate liberals arts and sciences.

Study abroad: Your youngster may have an opportunity to join the growing thousands of American students each year who get part of their college education at foreign universities.

Immediately ahead: College-admissions policies everywhere will be a little stiffer for the next 2 or 3 years. The numbers of applicants are expected to take a sudden 50 percent jump from 1963 to 1965, probably faster than the colleges will be fully ready.

Here are three admissions centers, run by groups of colleges, to which you can write for help in finding a college: College Admissions Center, 610 Church Street, Evanston, Ill.; College Admissions Assistance Center, 41 East 65th Street, New York 21, N.Y.; and Catholic College Admissions Center, 500 Salisbury Street, Worcester 9, Mass.

### REPORT ON THE FIRST NATIONAL SURVEY OF FUTURE COLLEGE CAPACITY: 1965 AND 1970

Will America's colleges have room enough for all the young people who will want a college education through the 1960's?

Parents are understandably worried for their children as gaining admission grows steadily more difficult and the numbers pressing into college continue to mount.

College enrollments in 1946 stood at 2 million. Ten years later, in 1956, they had neared 3 million. Today they have reached just about to the 4-million mark.

And the bulk of the tidal wave of students due through the 1960's still looms ahead.

The question of "Will there be room?" moved each house of Congress to authorize $1½ billion for constructing college facilities in the session ended just last month. But the measures, passed in separate bills, failed when differences between them could not be resolved in joint conference.

By contrast, a heartening answer to the question of "Will there be room?" has been given by the colleges themselves.

Their answer is a qualified but resolute, "Yes."

America's colleges and universities will have room for the unprecedented numbers of students due through the 1960's if their expansion plans can be realized.

This was found in a recent college-by-college survey of more than 2,000 institutions that is believed to be the first of its kind.

In earlier studies sponsored by the American Association of Collegiate Registrars and Admissions Officers, maximum enrollment projections have been made for each future year by Dr. Ronald B. Thompson, executive dean at Ohio State University. Dean Thompson first warned of the "impending tidal wave of students" in his now-famous phrase—and figures—in 1954.

His most recent figures on national enrollment demand include maximum projections of 5,200,000 for 1965 and 6,800,000 for 1970.

Matching maximum capacity figures in the new survey total 5,400,000 by 1965 and 7,100,000 by 1970 for all colleges and universities.

These totals were made public for the first time today (Sunday) in an article in This Week magazine by Gene R. Hawes, who conducted the survey for the second edition of his book "The New American Guide to Colleges."

The totals represent maximum expansion planned by the colleges, he stressed. Estimates of the funds that the colleges will need in order to expand on this large a scale range upward from $15 billion for buildings alone.

Future capacity figures for each institution are reported with other basic facts about the college in the second edition of his book, which was published earlier this year by the New American Library and Columbia University Press.

Being made public for the first time in this statement are the regional figures on future college capacity and expansion by type of college that follow:

*Amount by which colleges in major regions plan expansion by 1970*

| Region | Percentage by which will expand | 1961–62 enrollment | Amount by which will expand | Rank order by amount |
|---|---|---|---|---|
| Pacific [1] | 126 | 618,900 | 781,100 | 1st. |
| West South Central [2] | 107 | 323,200 | 347,800 | 4th. |
| East North Central [3] | 90 | 761,500 | 688,500 | 2d. |
| East South Central [4] | 90 | 200,700 | 181,300 | 7th. |
| Middle Atlantic [5] | 77 | 668,000 | 513,000 | 3d. |
| West North Central [6] | 72 | 346,700 | 251,300 | 6th. |
| Mountain [7] | 68 | 176,600 | 120,400 | 8th. |
| South Atlantic [8] | 68 | 450,200 | 307,800 | 5th. |
| New England [9] | 47 | 250,700 | 117,300 | 9th. |
| United States | 85 | [10] 3,891,000 | 3,308,500 | |

[1] Pacific: California, Oregon, Washington, Alaska, Hawaii.

[2] West south central: Arizona, Louisiana, Oklahoma, Texas.

[3] East north central: Illinois, Indiana, Michigan, Ohio, Wisconsin.

[4] East south central: Alabama, Kentucky, Mississippi, Tennessee.

[5] Middle Atlantic: New Jersey, New York, Pennsylvania.

[6] West north central: Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota.

[7] Mountain: Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Wyoming.

[8] South Atlantic: Delaware, District of Columbia, Florida, Georgia, Maryland, North Carolina, South Carolina, Virginia, West Virginia.

[9] New England: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.

[10] Includes 94,500 other (territories, military, etc.).

*New England (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont)*

[217 colleges, 8.4 percent of U.S. total; population, 5.8 percent of U.S. total]

| | 1965 | 1970 |
|---|---|---|
| College capacity (Hawes survey) | 306,000 | 368,000 |
| Enrollment demand (Thompson study) | 341,000 | 415,000 |
| Indicated shortage | 35,000 | 47,000 |

Types of colleges planning largest expansion by 1970 (and percentage expansion planned above 1961–62 enrollments):

| | Percent |
|---|---|
| Public junior colleges | 137 |
| Teachers and State teachers colleges | 98 |
| State universities | 73 |
| Private junior colleges | 65 |
| Private coed liberal arts colleges | 42 |
| Engineering and technical colleges (few institutions) | 69 |

(Expansion by 1970 above 1961–62 enrollments planned by other major types: Men's liberal arts colleges, 13 percent; women's liberal arts colleges, 13 percent; private universities, 11 percent.)

*Middle Atlantic (New Jersey, New York, Pennsylvania)*

[434 colleges, 16.7 percent of U.S. total: population, 19.1 percent of U.S. total]

| | 1965 | 1970 |
|---|---|---|
| College capacity (Hawes survey) | 924,000 | 1,181,000 |
| Enrollment demand (Thompson study) | 884,000 | 1,129,000 |

**Types of colleges planning largest expansion by 1970 (and percentage expansion planned above 1961–62 enrollments):**

| | *Percent* |
|---|---|
| Public junior colleges | 224 |
| State universities | 132 |
| Engineering and technical colleges (few institutions) | 180 |
| State colleges | 99 |
| Teachers and State teachers colleges | 89 |
| Private universities | 51 |
| Private coed liberal arts colleges | 45 |

(Expansion by 1970 above 1961–62 enrollments planned by other major types: Men's liberal arts colleges, 21 percent; women's liberal arts colleges, 23 percent; private junior colleges—few institutions, 61 percent; colleges in special fields, 36 percent.)

*South Atlantic (Delaware, District of Columbia, Florida, Georgia, Maryland, North Carolina, South Carolina, Virginia, West Virginia)*

[370 colleges, 14.3 percent of U.S. total; population, 14.3 percent of U.S. total]

| | 1965 | 1970 |
|---|---|---|
| College capacity (Hawes survey) | 609,000 | 758,000 |
| Enrollment demand (Thompson study) | 591,000 | 754,000 |

Types of colleges planning largest expansion by 1970 (and percentage expansion planned above 1961–62 enrollments):

| | *Percent* |
|---|---|
| Public junior colleges | 183 |
| State universities | 93 |
| Teachers and State teachers colleges | 82 |
| Private junior colleges | 73 |
| State colleges | 72 |
| Colleges in special fields | 73 |

(Expansion by 1970 above 1961–62 enrollments planned by other major types: Private coed liberal arts colleges, 34 percent; men's liberal arts colleges, 19 percent; women's liberal arts colleges, 28 percent; private universities, 40 percent; engineering and technical colleges, 14 percent.

*East north central (Illinois, Indiana, Michigan, Ohio, Wisconsin)*

[470 colleges, 18.1 percent of U.S. total; population, 20.2 percent of U.S. total]

| | 1965 | 1970 |
|---|---|---|
| College capacity (Hawes survey) | 1,090,000 | 1,450,000 |
| Enrollment demand (Thompson study) | 993,000 | 1,369,000 |

Types of colleges planning largest expansion by 1970 (and percentage expansion planned above 1961–62 enrollments):

| | *Percent* |
|---|---|
| Private junior colleges (relatively few institutions) | 317 |
| State colleges | 118 |
| State universities | 113 |
| Public junior colleges | 111 |
| Teachers and State teachers colleges | 101 |
| Colleges for Bible and religious studies few institutions) | 126 |

(Expansion by 1970 above 1961–62 enrollments planned by other major types: Private coed liberal arts, 57 percent; men's liberal arts colleges—relatively few institutions, 90 percent; women's liberal arts colleges, 59 percent; private universities, 43 percent; engineering and technical colleges, 68 percent; colleges in special fields—relatively few institutions, 75 percent.)

*East south central (Alabama, Kentucky, Mississippi, Tennessee)*

[191 colleges: 7.4 percent of U.S. total; population, 6.7 percent of U.S. total]

| | 1965 | 1970 |
|---|---|---|
| College capacity (Hawes survey) | 292,000 | 382,000 |
| Enrollment demand (Thompson study) | 275,000 | 351,000 |

Types of colleges planning largest expansion by 1970 (and percentage expansion planned above 1961–62 enrollments):

| | *Percent* |
|---|---|
| Public junior colleges | 93 |
| Private junior colleges | 91 |
| Engineering and technical colleges | 91 |
| State colleges | 88 |
| State universities | 80 |
| Private coed liberal arts college | 64 |

*West south central (Arkansas, Louisiana, Oklahoma, Texas)*

[230 colleges, 8.9 percent of U.S. total; population, 9.4 percent of U.S. total]

| | 1965 | 1970 |
|---|---|---|
| College capacity (Hawes survey) | 446,000 | 671,000 |
| Enrollment demand (Thompson study) | 465,000 | 608,000 |
| Indicated shortage | 19,000 | ---------- |

Types of colleges planning largest expansion by 1970 (and percentage expansion planned above 1961–62 enrollments):

| | *Percent* |
|---|---|
| Public junior colleges | 115 |
| Private junior colleges | 113 |
| Private coed liberal arts colleges | 82 |
| State colleges | 71 |
| Teachers and State teachers colleges | 67 |

(Expansion by 1970 above 1961–62 enrollments planned by other major types: Men's liberal arts colleges—few institutions, 130 percent; private universities 44 percent; State universities, 58 percent.)

*West north central (Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota)*

[279 colleges, 10.8 percent of U.S. total; population, 8.6 percent of U.S. total]

| | 1965 | 1970 |
|---|---|---|
| College capacity (Hawes survey) | 486,000 | 598,000 |
| Enrollment demand (Thompson study) | 450,000 | 607,000 |
| Indicated shortage | ---------- | 9,000 |

Types of colleges planning largest expansion by 1970 (and percentage expansion planned above 1961–62 enrollments):

| | *Percent* |
|---|---|
| State colleges | 92 |
| Public junior colleges | 82 |
| State universities | 70 |
| Teachers and State teachers colleges | 69 |
| Private universities | 67 |

(Expansion by 1970 above 1961–62 enrollments planned by other major types: Private coed liberal arts colleges, 53 percent; women's liberal arts colleges, 56 percent; men's liberal arts colleges, 41 percent; private junior colleges—relatively few institutions, 71 percent.)

*Mountain States (Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Wyoming)*

[118 colleges, 4.5 percent of U.S. total; population, 3.9 percent of U.S. total]

| | 1965 | 1970 |
|---|---|---|
| College capacity (Hawes survey) | 240,000 | 297,000 |
| Enrollment demand (Thompson study) | 239,000 | 345,000 |
| Indicated shortage | ---------- | 48,000 |

Types of college planning largest expansion by 1970 (and percentage expansion planned above 1961–62 enrollments):

| | *Percent* |
|---|---|
| Private universities | 102 |
| State universities | 78 |
| Private coed liberal arts colleges | 49 |

(Expansion by 1970 above 1961–62 enrollments planned by other major types: State colleges, 33 percent; few or relatively few institutions—public junior colleges, 116 percent; private junior colleges, 112 percent; teachers and State teachers colleges, 49 percent.)

*Pacific (California, Oregon, Washington, Alaska, Hawaii)*

267 colleges, 9.7 percent of U.S. total; population, 11.9 percent of U.S. total]

| | 1965 | 1970 |
|---|---|---|
| College capacity (Hawes survey) | 1,002,000 | 1,400,000 |
| Enrollment demand (Thompson study) | 968,000 | 1,238,000 |

Types of colleges planning largest expansion by 1970 (and percentage expansion planned above 1961–62 enrollments):

| | *Percent* |
|---|---|
| State colleges | 146 |
| State universities | 115 |
| Public junior colleges | 95 |
| Teachers and State teachers colleges | 107 |

(Expansion by 1970 above 1961–62 enrollments planned by other major types: private coed liberal arts colleges, 72 percent; men's liberal arts colleges, 64 percent; colleges in special fields, 112 percent.)

Total capacity figures in the new survey are maximum ones, Mr. Hawes points out. Computation of them was based on the assumption that nonrespondents in the survey would expand in the same proportions by region and type of institution as respondents.

Institutions representing 54.4 percent of the total U.S. college enrollment in 1961–62 responded in the survey, he states. Assuming no expansion on the part of nonrespondents gives U.S. total capacities of 4,672,000 by 1965 and of 5,542,000 by 1970.

Corresponding projections of minimum-maximum enrollment demand in Dr. Thompson's study are 4,566,000–5,206,000 by 1965 and 5,456,000–6,817,000 by 1970.

Eugene T. Callahan, assistant head of data-processing for the Chicago public schools, helped in the computation and analysis of data in the new survey.

In giving the future capacity figures in the survey, colleges answered the question: "To aid parents in long-range planning, please estimate what the institution's total full-time undergraduate capacity is likely to be by 1965 and 1970." Appropriate corrections were made in the figures received to make them directly comparable with Dr. Thompson's projections, which include graduate-level and part-time degree-credit students.

Likely future capacity figures are given for individual colleges in the "New American

> Guide to Colleges" so that parents might assess the prospects of their younger children for admission to particular colleges and types of colleges in future years.
>
> Findings of the future capacity survey for each major region of the country appear on the attached sheets.

The PRESIDING OFFICER. The time the Senator from Oregon has yielded to himself has expired.

Mr. MORSE. Mr. President, I yield myself an additional 5 minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 additional minutes.

Mr. MORSE. There is no question about the sincerity and conviction of the Senator from Arizona. He and I have served on the Committee on Labor and Public Welfare for many years. As chairman of the subcommittee, I am greatly indebted to him for the cooperation he has extended to me time and time again. We have found ourselves in agreement on a great many subjects. On such occasions, we have either been cosponsors of the proposal or we have argued together on the same side on the floor of the Senate or in committee.

He and I have a difference on the issue before the Senate, of the burden of proof, that is as deep and wide as any chasm could be. I believe that the evidence is against his position. There is such a crying need for rapid action in supplying facilities to the institutions of higher learning that if we do not undertake the program, we shall threaten the greatest security weapon we have, which as I have said so many times, is the development to the maximum extent possible of the potential brainpower of the youth of America.

We cannot do so unless we supply the necessary facilities that would make it possible for those who want to go to college to go to college.

Their numbers far exceed the predictions that my good friend the Senator from Arizona makes. I am greatly concerned.

To bring it close to home, last week, by way of an initiative in my State, the people of my State voted on the tax bill adopted by the last session of the legislature. I am glad that they had an opportunity to vote on the issue, because I am a strong supporter of the Oregon system of referendum and recall. The people thought there were a great many inequities in the tax structure adopted by the State legislature, and therefore, by an initiative vote of approximately 3 to 1, they canceled out the tax program of the legislature.

The Governor has had to call a special session of the legislature to determine what to do in relation to our tax structure. If this initiative decision of the people stands—and it will stand until the legislature adopts another tax program more to the liking of the people of our State—the cuts will have to be taken in two main areas—education and public welfare. Some savings undoubtedly will be made wherever they can be made in every department of State operation, but Senators should have been with me last Thursday afternoon when I sat with the president of Portland State College in Portland.

He said, "Senator, unless some funds are supplied, in view of the cuts that will have to be adopted as a result of the vote of the people last Tuesday, 1,800 to 2,000 students now enrolled in Portland State will have to be dismissed at the end of this quarter. We cannot even keep them here. We had already turned down, at the beginning of the present term, hundreds of students who wished to come in. But we have not the facilities for them."

That was not a single college president, speaking for himself. That is the burden of the testimony we received from college president after college president from coast to coast. We are already denying admission to the colleges of America to thousands of young men and women who wish to go to college. Now, in effect, it is proposed by the amendment to impose further restrictions. We cannot ignore the human factors. They are deeply involved in the bill for which I am pleading in the Senate. To illustrate, I should like to read a letter which is typical. It is dated October 5:

> DEAR SENATOR MORSE: I am writing to you in behalf of my 20-year-old son, Kenneth—

Giving his last name.

> He is desperate to get a college education. This is his junior year and he has had to work hard for money during the summer months. He has borrowed and paid back several college loans and has even forgone the pleasure of owning an automobile the whole time.
>
> This fall he registered at Portland State College in order to keep his job to pay his way and not go back to Oregon State University at Corvallis, where he has attended previously.

The boy was an honor student at Corvallis. We are talking about the plight of an honor student.

Continuing to read from the letter:

> He wants to major in medicine and has chosen to be a physician as his life profession. He played on the first team of football for his 4 years at Jefferson High School, was an honor student last year at OSU, and is a member of Alpha Tau Omega fraternity and in good standing.
>
> Now, after registering at Portland State College, the registrar has informed him that he cannot attend this term because all his classes that he signed up for are full and there is no room for him.
>
> The professors do not give him much satisfaction in trying to work out the problem and do not seem to show the interest that we think they should for one so interested in his education.
>
> This situation is a big disappointment to Ken and a vital concern to us, his parents, and we would surely appreciate anything you can do to help us.
>
> Very truly yours,
>
> ——— ———.

Mr. President, I cannot be of any help when the facilities do not exist.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I yield myself 2 more minutes.

We must build the facilities to meet the needs of such young men and women all over the country. We cannot do so unless the Federal Government assumes its fair share of the burden.

Mr. President, I urge that the Goldwater amendment be rejected. I urge the passage of the bill as the committee, by an overwhelming vote, reported it to the Senate.

I yield back the remainder of my time.

Mr. GOLDWATER. Mr. President, I yield myself 5 minutes.

The distinguished Senator from Oregon commented on the article of Mr. Gene Hawes, to which I referred in my minority views.

First, I do not believe I have said that Federal aid is not needed at higher educational levels. I do not find any reference to Federal aid in Mr. Hawes' article. I obtained my information in large measure from the survey of that distinguished man. Our contention is that grants are not needed, that the universities and colleges have been taking care of their building programs, and they have been more than adequately taking care of them. In his article Mr. Hawes said:

> As yet, my figures on future capacity represent expansion planned by the colleges. They'll need $15 billion for buildings alone, one authority estimates. However, there's every reason to believe that they'll succeed in raising the money. In the past 20 years colleges have shown amazing ability to grow.

I ask unanimous consent that the entire article by Mr. Hawes, entitled "The College Shortage Is a Myth," which appeared in This Week magazine on November 4, 1962, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### THE COLLEGE SHORTAGE IS A MYTH

(By Gene R. Hawes)

CHICAGO.—Ever since 1954, when Executive Dean Ronald B. Thompson, of Ohio State University, first warned of the impending tidal wave of students, people have been hearing about the enrollment crisis threatening our colleges in the 1960's.

I can now report that, if present expansion plans are realized, there will be room in college—room for all of our children who seriously want to go—through the 1960's.

I know because I asked the colleges—all the colleges, more than 2,000 of them. This had never been done before.

Dean Thompson predicted 5,200,000 students by 1965 and 6,800,000 by 1970. My survey showed that the Nation's colleges, given reasonable help, should have a matching capacity of as many as 5,400,000 by 1965 and 7,100,000 by 1970.

Exciting expansion projects, I've learned, are going ahead in all sections. Lake Forest College in Lake Forest, Ill., reported building in progress and plans to expand full-time enrollment 50 percent. Newark State College, Union, N.J., said it will more than double capacity on its new New Jersey campus.

College after college told me of similar plans. I added and analyzed their figures with the help of an expert, Eugene T. Callahan, assistant head of data processing for the Chicago public schools. Our final grand totals wiped out the shadowy but alarming myth of a great college shortage ahead.

As yet, my figures on future capacity represent expansion planned by the colleges. They'll need $15 billion for buildings alone,

one authority estimates. However, there's every reason to believe they'll succeed in raising the money. In the past 20 years colleges have shown amazing ability to grow.

My survey revealed some other facts about colleges of the future. I learned that as they continue to grow, they'll change in important ways. Here are some of the new developments parents and college-bound children should be aware of:

Famous colleges: Some of the great private colleges like Yale and Harvard plan relatively limited or no expansion of their undergraduate facilities. But some, like Columbia, are projecting important growth. And several topnotch State universities, such as California and Wisconsin, are in the midst of tremendous expansion programs.

Lesser known colleges: There are hundreds of new or previously little known schools now offering fine educations to a rapidly expanding body of students. Many are located in or near major cities.

Junior colleges: In general, public colleges and universities are expanding more rapidly than private ones. Perhaps the most dramatic growth is among publicly supported junior colleges. Most of these offer education of good quality, and many of their students graduate and then switch to a large university.

Big versus small colleges: Even though you yourself may have gone to a small college, be openminded about the size of your children's future alma maters. There are important advantages in the big universities—wide curriculums, richer activities.

New ways of learning: Don't be surprised if your child's chosen college uses what strike you as radical departures—such as year-round operation, very large lecture sections, television or teaching-machine instruction, or increased independent study.

New areas of learning: Programs for training vocational specialists like electronic technicians, jet-engine mechanics, medical aids, and computer operators have multiplied by the dozens, particularly in our junior colleges, alongside the traditional collegiate liberal arts and sciences.

Study abroad: Your youngster may have an opportunity to join the growing thousands of American students each year who get part of their college education at foreign universities.

Immediately ahead: College admissions policies everywhere will be a little stiffer for the next 2 or 3 years. The numbers of applicants are expected to take a sudden 50-percent jump from 1963 to 1965, probably faster than the colleges will be fully ready.

Here are three admissions centers, run by groups of colleges, to which you can write for help in finding a college: College Admissions Center, 610 Church Street, Evanston, Ill.; College Admissions Assistance Center, 41 East 64th Street, New York, N.Y.; and Catholic College Admissions Center, 500 Salisbury Street, Worcester, Mass.

Mr. GOLDWATER. All I can say is that if Mr. Hawes now disagrees with his own conclusions, I have to agree with them. That kind of article is written for the edification of the public and for the edification of people in public life. I find that his analysis of 2,000 colleges coincides with what I have suspected to be true. I am grateful to him for having provided the language. But I do not think he can back up on it, because these articles are written for us to gain our own conclusion.

I remind my distinguished friend from Oregon that when he states that the adoption of my amendment would mean no bill, at the last Congress we passed a bill very similar to the one now before the Senate but containing no grants. The bill provided only for loans. For the life of me I cannot understand why we have to go to grants when the colleges are perfectly willing to borrow the money. We make adequate money available. The interest rates are not difficult. Repayment is not difficult. The controls so far are not difficult or insurmountable. So I see no reason for us to suddenly go to grants, particularly if we are to follow the admonition of many Senators to adhere closely to the wishes of the President.

The President submitted a draft of a bill to strengthen and improve educational equality and educational opportunities in the Nation, under the title "Expansion and Improvement of Higher Education." In his message of January 29, 1963, relative to a proposed program for education, the President said:

> I recommend therefore the prompt enactment of a program to provide loans to public and nonprofit private institutions of higher education for the construction of urgently needed academic facilities.

So, although I do not often find myself in total or partial agreement with the President—a delightful person though he is—I now find myself in complete accord. I stand here as a Republican trying to help the New Frontier. I do not wish it to get out of bounds. I do not wish to see the mules galloping off in one direction and the wagon going in another.

The President has said he is going to control the spending by Congress by not asking for more programs that require more money. I suggest to Senators on both sides of the aisle that this is a golden opportunity to put our shoulders to the wheel and help the wagon master of the New Frontier to get the wagon train going down the trail of fiscal responsibility—down the trail that points to a more sound dollar—and also at the same time head it down a trail that points to better educational facilities.

As the Senator from Oregon knows, I have gone along with him on this type of legislation. He and I fought shoulder to shoulder last year in conference—futilely, I might say, because we never came up with a happy solution, but we tried. But my opposition to this proposal is based on the fact that, without any request from the President, there have been included grants to colleges. The colleges have been getting along perfectly well with loans. I see nothing wrong or dishonorable in the practice of Americans borrowing money and paying it back.

Mr. President, I have no further comment to make on my amendment. I urge Senators to support it so that they can help education and at the same time give the President an opportunity to say to the American people, "I meant what I said. Here is $800 million saved."

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on the amendment has now been yielded back.

The question is on agreeing to the amendment to the committee amendment offered by the Senator from Arizona. On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Maryland [Mr. BREWSTER], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Rhode Island [Mr. PELL], the Senator from Missouri [Mr. SYMINGTON], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

I further announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Mississippi [Mr. EASTLAND] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Rhode Island [Mr. PELL], the Senator from Missouri [Mr. SYMINGTON], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Texas [Mr. YARBOROUGH] would each vote "nay."

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Maryland would vote "nay," and the Senator from Colorado would vote "yea."

On this vote, the Senator from North Dakota [Mr. BURDICK] is paired with the Senator from Idaho [Mr. JORDAN]. If present and voting, the Senator from North Dakota would vote "nay," and the Senator from Idaho would vote "yea."

On this vote, the Senator from Indiana [Mr. HARTKE] is paired with the Senator from Oklahoma [Mr. EDMONDSON]. If present and voting, the Senator from Indiana would vote "nay," and the Senator from Oklahoma would vote "yea."

On this vote, the Senator from Idaho [Mr. CHURCH] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from Idaho would vote "nay," and the Senator from Mississippi would vote "yea."

On this vote, the Senator from Nevada [Mr. CANNON] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Nevada would vote "nay," and the Senator from Louisiana would vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. COTTON] is absent on official business as Congressional Advisor to the Radio Conference of the International Telecommunications Union, Geneva, Switzerland.

The Senator from Colorado [Mr. Dominick], the Senator from Idaho [Mr. Jordan], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Delaware [Mr. Boggs] and the Senator from South Dakota [Mr. Mundt] are absent because of illness.

The Senator from Kentucky [Mr. Morton] is detained on official business.

On this vote, the Senator from Delaware [Mr. Boggs] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from Delaware would vote "nay," and the Senator from Texas would vote "yea."

On this vote, the Senator from Idaho [Mr. Jordan] is paired with the Senator from North Dakota [Mr. Burdick]. If present and voting, the Senator from Idaho would vote "yea," and the Senator from North Dakota would vote "nay."

On this vote, the Senator from Colorado [Mr. Dominick] is paired with the Senator from Maryland [Mr. Brewster]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Maryland would vote "nay."

If present and voting the Senator from Kentucky [Mr. Morton] would vote "nay."

The result was announced—yeas 21, nays 53, as follows:

[No. 195 Leg.]

YEAS—21

Allott
Bennett
Byrd, Va.
Curtis
Dirksen
Ervin
Goldwater
Hill
Holland
Hruska
Lausche
McClellan
Mechem
Robertson
Russell
Saltonstall
Simpson
Sparkman
Stennis
Talmadge
Thurmond

NAYS—53

Aiken
Bartlett
Bayh
Beall
Bible
Byrd, W. Va.
Carlson
Case
Clark
Cooper
Dodd
Douglas
Fong
Gore
Gruening
Hart
Hickenlooper
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Keating
Kennedy
Kuchel
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Walters
Williams, Del.
Young, N. Dak.
Young, Ohio

NOT VOTING—26

Anderson
Boggs
Brewster
Burdick
Cannon
Church
Cotton
Dominick
Eastland
Edmondson
Ellender
Engle
Fulbright
Hartke
Hayden
Jordan, Idaho
Long, Mo.
Long, La.
Magnuson
Morton
Mundt
Pell
Symington
Tower
Williams, N.J.
Yarborough

So Mr. Goldwater's amendment to the committee amendment was rejected.

Mr. MORSE. Mr. President, I move that the Senate reconsider the vote by which the amendment was rejected.

Mr. RANDOLPH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, what is pending before the Senate? Is an amendment pending?

The PRESIDING OFFICER. The committee amendment is open to further amendment. If there be no further amendment to be offered, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

Without objection, the committee amendment as amended is agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. COOPER. Mr. President, I am compelled to vote against the bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education. It is difficult for me to vote against an education bill. I believe this may be the first one against which I shall have voted during my service in the Senate. In that time I have introduced, cosponsored, and supported many bills to provide assistance for primary and secondary schools and for colleges and universities. I supported the original bill and subsequent bills which have provided aid to public colleges and universities and housing loans for private, nonprofit colleges. I still support such aid.

I will vote against the pending bill because I believe its provision of loans for the general purposes of church-related schools contravenes the first amendment to the Constitution. In a number of cases decided in recent years, beginning with the Everson case in 1947, the Supreme Court has laid down the constitutional principle by which any State or Federal legislation providing aid to church schools must be tested. This constitutional principle interprets the first amendment to the Constitution, which provides in its first clause:

> The Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

Mr. President, I ask unanimous consent that an excerpt from the majority opinion written by Mr. Justice Black in the Everson case may be printed in the Record at this point. I will quote the essential statement of the constitutional principle as it applies to the pending bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

> The establishment of religion clause of the first amendment means at least this: Neither a State nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or nonattendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a State nor the Federal Government can, openly, or secretly, participate in the affairs of any religious organization or groups and vice versa. In the words of Jefferson, the clause against establishment of religion by law was intended to erect a wall of separation between church and state.

Mr. COOPER. Mr. President, it will be noted that the principle laid down is this:

> No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion.

I make the point that it is of no importance whether the aid is called a grant or loan. The gravamen of the issue is whether the aid is derived from tax funds. If there were no doubt about the constitutionality of the aid, the type of aid made available to all schools should be the same. As grants are made available to public institutions, grants ought to be made available to private institutions and church schools as well, if such general aid to church related schools is constitutional.

The Supreme Court, in the Everson case, approved the reimbursement to parents of the cost of bus transportation of their children to church schools upon the ground that transporting a pupil to a church school was for the direct benefit of the child and only of "incidental benefit" to the school.

Congress has enacted a number of laws providing various types of aid to students attending church schools. I have supported such bills. Among those are the provision of scholarship loans to high school graduates, and fellowships to university students under the National Defense Education Act, which I helped write as a member of the Committee on Labor and Education. Another is the provision of lunches to all school children, whether in public or private schools. Other legislation provides loans for the construction of college housing.

While these enactments have not been tested in the courts, I believe the court could decide that they are of primary benefit to the students, and only incidentally beneficial to the church-related colleges, and the aid provided is constitutional.

Other types of aid have been made available, such as the provision of scientific equipment and research grants to colleges and universities, which have been argued to be proper and constitutional upon the basis of their essentiality to national defense. Again, this type of aid has not been tested on the Courts, and I do not attempt to speculate upon the position the Supreme Court might take if such enactments were questioned.

The bill before the Senate proposes to go further in the extension of aid to church related schools than any other legislative proposal with which I am familiar. The bill would provide loans for the construction of "academic facilities." The "academic facilities," and the exclusions so far as they relate to church and private schools, are defined in section 121 of the bill. I ask unanimous consent that the applicable provisions of section 121 may be printed in the Record at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PART C—GENERAL PROVISIONS FOR LOAN AND GRANT

*Programs*

Definitions

Sec. 121. As used in this title—

(a) (1) Except as provided in subparagraph (2) of this paragraph, the term "academic facilities" means structures suitable for use as classrooms, laboratories, libraries, and related facilities necessary or appropriate for instruction of students, or for research, or for administration of the educational or research programs, of an institution of higher education, and maintenance, storage, or utility facilities essential to operation of the foregoing facilities.

(2) The term "academic facilities" shall not include (A) any facility intended primarily for events for which admission is to be charged to the general public, or (B) any gymnasium or other facility specially designed for athletic or recreational activities, other than for an academic course in physical education or where the Commissioner finds that the physical integration of such facilities with other academic facilities included under this title is required to carry out the objectives of this title, or (C) any facility used or to be used for sectarian instruction or as a place for religious worship, or (D) any facility which (although not a facility described in the preceding clause) is used or to be used primarily in connection with any part of the program of a school of divinity.

**Mr. COOPER.** The definition of academic facilities includes every type of facility and every type of building that can be constructed for the use of a church-related school, with the exception of buildings which would be used for religious instruction or worship buildings to which entrance fees could be charged the public and facilities designed for athletics or recreation. I know it will be argued that as the definition of "academic facilities" excludes those structures which would be used for sectarian instruction, or as a place of religious worship, the prohibition of the first amendment is satisfied.

Considering the principle laid down by the Supreme Court that no tax may be levied to "support any religious activities of institutions," this argument is not tenable. If tax funds can be provided to construct practically any type of buildings used by a church-related school, as this bill would do, it cannot be said that such support is of only "incidental benefit" to the college or university, within the exception laid down in the Everson case.

In the case of Illinois Ex. rel. McCollum against Board of Education, which followed the Everson case, the Supreme Court held that a public school building could not be used by a religious denomination for religious exercises during so-called released time. If a school building constructed by the use of taxes levied upon all the people cannot be loaned to conduct religious exercises, it is illogical for the Congress to say that loans from a tax levy against all citizens, can be made to a church school to construct practically all of its academic facilities.

In the "prayer cases," recently decided, the Supreme Court reaffirmed the constitutional provision cited in the Everson case. It seems clear that if a simple prayer exercise cannot be conducted in a public school because it is supported by tax funds, on the ground that to do so would tend to establish a religion, it is illogical to argue that tax funds can be made available to construct practically all of the facilities of a church-related college.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

**Mr. COOPER.** I yield myself 5 additional minutes.

In taking this position, I do so with full knowledge and appreciation of the great place that religious colleges have in our national life. They educate thousands of young men and women. They provide for them special values in the breadth of their teaching, and fundamental values in the teaching of religion.

My opposition to this provision of the bill rests upon constitutional grounds—the constitutional principle that has been determined by the Supreme Court in case after case since 1947. It may seem dull and theoretical to speak of a bill like this in constitutional terms; but we are talking about a constitutional principle—that of the separation of church and state—which has been held essential in our national life since the founding of the Republic. We cannot ignore it.

One who takes this position may run the risk of being charged with having bias or prejudice against some religious denomination. Our church schools are of all denominations—Protestant, Catholic, Jewish, Mormon, and other faiths. The principle runs across the whole breadth of our religious denominations. I am, therefore, not speaking about any particular religious denomination; the principle I support applies to all church-related schools.

I have had the honor of serving as a member of the board of trustees of Georgetown College, a Baptist college in Kentucky. I have the honor of serving as a trustee of a Presbyterian college in Kentucky, the second oldest college west of the Allegheny Mountains, Centre College which I attended for a year. I serve today as a member of the Yale Council of Yale University, a university which I attended. Thus, I make my statement upon the basis of what I consider to be the principle enunciated in the recent cases decided by the Supreme Court, without regard to any church-related college or university.

Last Tuesday, the distinguished senior Senator from North Carolina [Mr. Ervin] and I offered an amendment which, if it had been adopted would have stricken from the bill the provision of tax funds for the construction of academic facilities for church-related schools. The amendment was rejected by a vote of 55 to 26.

A second amendment which we offered provides a procedure by which a taxpayer will be enabled to test the validity of loans to church-related school for such general purposes as the construction of practically all its buildings. This amendment was adopted by a vote of 45 to 33. I hope that this second amendment will be retained in conference and will be approved by the House, because whatever one's opinions may be about the interpretation of the first amendment as it relates to Federal and State aid to church-related schools, it is important to the public schools, the church schools, and our country to have this issue settled.

As I said earlier, I have supported and helped write a number of measures in which aid of different types has been made available to students attending church-related schools—including college housing—because I consider such aid to be of direct benefit to the students and to be constitutional. But I cannot support this bill because it goes far beyond any previous legislative enactment. It is a measure which provides, in substance, general support to church-related schools. I believe it contravenes the first amendment to the Constitution as it has been interpreted by the Supreme Court in case after case since 1947.

**Mr. MORSE.** Mr. President, I yield as much time as he may require to the Senator from Rhode Island.

**Mr. PASTORE.** Mr. President, I intend to vote for the bill, but I shall do so with some reservations. I shall vote for it because I think the good in the bill greatly outweighs the bad. The advantages in the bill greatly outweigh the disadvantages.

I am much disturbed about an amendment which was adopted last week, the so-called second Ervin amendment, which has just been alluded to by the distinguished Senator from Kentucky [Mr. Cooper]. I take an exactly opposite view of that amendment. The amendment was represented as being an amendment to give to the taxpayer the right to challenge the constitutionality of the bill. I find no fault with that, and I said so on the floor of the Senate when the amendment was being debated. But there is a sleeper in the amendment. I should like to caution the conferees to give it a good, hard, long look.

The amendment provides, in part:

> Upon the bringing of such civil action, the Commissioner shall refrain from consummating the proposed grant or loan and withhold the amount of the proposed grant or loan until the final determination of the civil action.

I do not think the Senate gave sufficient thought to realizing exactly what it was doing in this respect. The meaning of the amendment is that any taxpayer who is dissatisfied for any reason, whether it be one of substance or one that is frivolous, may bring suit; and upon the bringing of the suit, the court cannot decide whether the suit is frivolous or not, either upon ex parte action or upon the bringing in of testimony before the court; but must decide it merely upon the bringing of the suit; and the Commissioner shall refrain from consummating the loan or grant until such time as the final determination has been made.

Mr. JAVITS. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. JAVITS. I wish to express agreement with the Senator from Rhode Island and to tell him that I did not vote for the amendment, because of my enormous respect for the courts and the law. The Senator is right in presenting this question for precisely that reason.

In my opinion, the amendment would deprive the court of its basic function to issue injunctive relief, not only if the suit was not frivolous, but also if the court did not believe there would be any damage that required the whole proceeding to be stayed.

Mr. PASTORE. There are many people in my State who believe that Brown University, of which I am proud to be a trustee, is a religious-affiliated institution. I do not believe it is, in the sense that has been spoken of on the floor of the Senate; but if there is in Rhode Island a taxpayer who merely thinks it is, he can come to the District of Columbia and seek a writ for a declaratory judgment. The minute he secures it, he ties the hands of the Government. I say that is wrong.

It is regrettable that Senators did not heed the admonition of the majority leader last Tuesday, when he said, in effect, "Will you please remain on the floor of the Senate to listen to the debate on this amendment, because we shall be voting on it within a matter of minutes?" What the Senate did by rejecting the first amendment offered by the senior Senator from North Carolina [Mr. Ervin] was to repudiate, with 55 votes, an amendment which would have denied any aid to an institution which was supposed to be religiously affiliated. That amendment was substantially defeated by the Senate.

But the Senate did not reject the second amendment, and what it did by adopting the second amendment was to put the bill to death. The Senate said it would give to the taxpayer—and I agree to that proposal—the right to challenge constitutionality, but would leave it to the court to determine whether the money should be held up for reasons to be given to the court. But we are not doing that. We are saying that the minute the taxpayer brings his action, we will leave it to one individual to say that thousands of young men and women, who possibly would be educated under the financing bill, could not have facilities until the taxpayer was satisfied that a final determination had been made. In any proposed legislation we have passed, we never have gone quite this far.

I repeat that I hope the conferees will take a good, long, hard look at this amendment, and will reserve, if they wish to, the right of the taxpayer to bring suit, but will not allow him to hold up the grants or the loans merely by his bringing the suit but will leave that judgment within the equity jurisdiction of the court. Any other arrangement would be self-defeating. If that provision were retained in conference, as the Senator from Kentucky has urged, it would be catastrophic.

Mr. President, I repeat that I shall vote for the bill; but when I vote for it, I shall have on my lips a fervent prayer that the conference will reject that part of the amendment which in my opinion is offensive.

Mr. JAVITS. Mr. President, will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. McIntyre in the chair). Does the Senator from Oregon yield to the Senator from New York?

Mr. MORSE. I yield to the Senator from New York such time as he may need.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I wish to speak in support of the position taken by the Senator from Rhode Island. I also wish to speak of the constitutional argument made by the Senator from Kentucky. Let me say that I am one of his greatest "fans."

First, Mr. President, let me say that I have voted against adoption of the amendment, although that does not mean that I will not do everything that I can, as one of the conferees, if I am appointed one of them, to preserve the part of the amendment which I think should be preserved in the conference, for that is the will of the Senate. But I think the amendment would give an unprecedentedly great power—and I use advisedly the word "power"—to the individual litigant, for by means of the amendment we have opened the door, as the Senator has argued. As I recall, he said, "Let us not shut the door of the court on the right to sue."

However, by opening the doors to the courts, I think we have shut the doors to the Treasury, and therefore have tended to defeat our purpose in connection with this measure. I am familiar with court cases that have dragged along 4, 5, 6, or 7 years, and in connection with this measure, we are racing against time.

I shall support the bill, because I think it is our duty to provide for the 7 million college students who are expected to be enrolled in our colleges and universities by 1970, as compared with the 3,600,000 enrolled in them today. I believe this is both our duty and our choice, because I believe that if we do not provide for the 94-percent increase in this decade, we shall leave our Nation defenseless in an area in which must be very vigorously strengthened; namely, in the area of science, technology, the education of its people and the capability of its industry and technology not only to keep abreast of the rest of the world, but also, if possible, to lead it.

Mr. President, so much for the amendment. I am very hopeful that we shall be able to find a way to retain its fundamental idea, so that this question may be tested, but without running into the difficulty of nullifying the entire act as a result of the unprecedented power which would be given the individual litigant.

Mr. President, as for the constitutional argument, it is very interesting to me to find that men of very enlightened minds, who know that the law matures and develops, and who have seen the Brown against Board of Education decision of 1954 succeed the separate-but-equal doctrine which came out in the last century, take the position that our courts will stand still in this area. As a matter of fact, the constitutional question was very carefully considered in the committee. The distinguished Senator who is in charge of the bill, and who is chairman of the subcommittee, is one of the most distinguished lawyers in the Senate. Others of us who serve on the subcommittee had very deep concern about our doing anything which we feel would not be in accord with the Constitution, because it is the traditional and historic duty of Congress to pass only the laws which it believes to be constitutional. I and other Senators have voted against bills which we liked very much, but which we did not think were constitutional. We did so because we believed that to be part of our responsibility.

However, Mr. President, instead of believing, as a lawyer, that this bill is unconstitutional, I have the very deep conviction that by means of this bill we are proceeding along the line of the logical extension of decisions already made by the Supreme Court. I do not believe the Court will take the narrow view that in order to be consistent with its philosophy and theory, we have no right to consider the needs and requirements of all students, both those who attend church-managed or church-supported colleges and those who attend public colleges or universities. I do not believe the courts will take the narrow view that the benefit must flow directly to the student, and may not flow to the sudent through the institution itself, provided we have taken the necessary precautions to make sure that in that process the purpose is not abused or distorted or that the law does not indirectly sustain the religious aspects of the institution concerned.

In short, Mr. President, I believe that the court would say, "The ultimates must be considered. Congress has taken action to benefit the students. If, in order to do that, Congress finds it more efficient to have the benefits it provides for the students go through the institution he attends, and if Congress has taken the necessary safeguards in order to be sure that channel is kept clear, we will go along with that measure." I believe that is what the court would rule.

I think we have taken another precaution—and this is why I very strongly support the bill, incorporating the categoric grant and loan proposal, because we have already given our strong support to education which is completely secular in character and which is essential in terms of the national security and the national defense. We have already done that most successfully, and now we are continuing in that tradition, by making an extension to the construction of the necessary facilities in order to give further support to the same principle.

Therefore, Mr. President, I believe that we are proceeding on constitutional grounds, for, first, we are proceeding in a way to benefit the students; and I believe that although we shall do so through the institutions concerned, the courts would go along with that procedure by allowing us to provide the means which will be of benefit to the students.

Second, I believe we have given an added sanction, in terms of the idea of categoric grants and loans, by taking the steps we should take in pursuance of our duty to safeguard the Constitution.

Therefore, Mr. President, I believe the bill meets the existing need in a way which cannot be achieved through any other means, and I believe it does so in a constitutional way. Furthermore, I believe the conferees will do their utmost to make sure that the citizens do have a right to test the constitutionality and the legality of the law, but without frustrating the entire congressional purpose in passing the bill.

Finally, Mr. President, inasmuch as I have demonstrated here on the floor my very great concern with the question of providing fuller and more equal opportunity, without regard to color, as regards those who might apply for admission to educational institutions, I should like to speak briefly on that point in connection with this bill. It is a fact that there are completely segregated institutions of higher learning in a number of the Southern States, as the U.S. Civil Rights Commission has documented as recently as August 1, 1963. I ask unanimous consent to have this information printed at this point in the RECORD.

There being no objection, the memorandum, followed by an addendum list, was ordered to be printed in the RECORD, as follows:

## SEGREGATED-DESEGREGATED STATUS OF INSTITUTIONS OF HIGHER LEARNING IN THE SOUTHERN UNITED STATES

(U.S. Commission on Civil Rights, August 1, 1963)

Colleges and universities listed as segregated restrict their enrollments, either by policy or statute, to students of only one race. Institutions listed as desegregated have been attended by students of more than one race, although the composition of the student body at the present time may or may not be biracial. Schools which have adopted policies of nondiscrimination in admissions, but which have not yet been attended by students of more than one race are noted separately.

Institutions have been accredited by the appropriate regional association unless noted (*) to indicate provisional or probationary status. Institutions offering less than a 4-year curriculum are designated (JR.). Enrollment figures given for public institutions are those of September 1962. (Source: Southern Education Reporting Service, statistical summary, November 1962). Enrollment figures given for private institutions are those of September 1961. (Source: 1962–63 Education Directory, pt. 3, Office of Education, U.S. Department of Health, Education, and Welfare.)

### ALABAMA

*I. Segregated—Public*

A. All White

Alabama College, Montevallo, 1,925.

Auburn University, Auburn, 14,519.

Florence State College, Florence, 3,109.

Jacksonville State College, Jacksonville, 3,906.

Livingston State College, Livingston, 1,215.

Troy State College, Troy, 3.298.

B. All Negro

Alabama State College, Montgomery, 3,300. (*)

*II. Segregated—Private*

A. All White

Athens College, Athens, 573 (*) (Southern Methodist).

Birmingham-Southern College, Birmingham, 1,108 (Southern Methodist).

Howard College, Birmingham, 2,188 (Southern Baptist).

Huntington College, Montgomery, 798 (Methodist).

Judson College, Marion, 329 (Southern Baptist).

Marion Institute (Jr.), Marion, 321 (Private corporation).

Sacred Heart College, Cullman, 172 (Roman Catholic).

St. Bernard College, St. Bernard, 577 (Roman Catholic).

Snead Junior College (Jr.), Boaz, 505 (Southern Methodist).

Southeastern Bible College, Birmingham, no accreditation (private corporation).

Southern Union College, Wadley, no accreditation (Jr.) (Congregational Christian).

Walker College, Jasper, 350 (private corporation).

B. All Negro

Miles College, Birmingham, 835 (Christian Methodist Episcopal Church (CME)).

Oakwood College, Huntsville, 313 (Seventh Day Adventist Church).

Stillman College, Tuscaloosa, 495 (Presbyterian).

Tuskegee Institute, Tuskegee, 2,365 (private corporation).

*III. Desegregated—Public*

A. Predominantly White

University of Alabama, Tuscaloosa, 27,048 (includes extension centers at Birmingham, Gadsden, Mobile, Montgomery, Dothan, Selman, and Huntsville (integrated, June 1963)).

B. Predominantly Negro

Alabama Agricultural and Mechanical College, normal, 1,981(*).

*IV. Desegregated—Private*

A. Predominantly White

Spring Hill College, Spring Hill, 1338 (Roman Catholic).

B. Predominantly Negro

Talladega College, Talladega, 412 (Congregational Christian).

### ARKANSAS

*I. Segregated—Public*

In policy all the public colleges and universities in Arkansas are desegregated. The University of Arkansas desegregated voluntarily in 1948. The seven other colleges adopted desegregation in principle in 1955 on the advice of the State attorney-general.

*II. Segregated—Private*

A. All White

Harding College, Searcy, 1,280 (Church of Christ).

Hendrix College, Conway, 610 (Methodist).

John Brown University, Siloam Springs, 325 (private corporation).

Little Rock University, Little Rock, 1,466 (private corporation).

Quachita Baptist College, Arkadelphia, 1,230 (Southern Baptist). (Two African graduate students were admitted in January 1962. The school has adopted a policy of admitting all qualified students from the foreign mission field if they are recommended by two Southern Baptist foreign missionaries.)

Southern Baptist College (JR.), Walnut Ridge, 198 (Southern Baptist).

B. All Negro

Shorter College (JR.), North Little Rock, 151 (African Methodist Episcopal Church).

*III. Desegregated—Public*

A. Predominantly White

Arkansas Agricultural and Mechanical College, College Heights, 1,109.

Arkansas Polytechnic College, Russellville, 1,646.

Arkansas State College, State College, 3,443.

Arkansas State Teachers College, Conway, 2,276.

Henderson State Teachers College, Arkadelphia, 1,741.

Southern State College, Magnolia, 1,435.

University of Arkansas, Fayetteville, 6,867. (As a general rule the university accepts qualified Negro students for graduate or undergraduate work not otherwise available to Negro students in the State.)

B. Predominantly Negro

Arkansas Agricultural, Mechanical and Normal, Pine Bluff, 2,288. (Policy only; no white student ever enrolled.)

*IV. Desegregated—Private*

A. Predominantly White

Arkansas College, Batesville, 232 (Presbyterian).

College of the Ozarks, Clarksville, 434 (Presbyterian).

B. Predominantly Negro

Philander Smith College, Little Rock, 619 (Methodist). (Policy only; no white student ever enrolled.)

### FLORIDA

*I. Segregated—Public*

Negroes have been admitted to the formerly all-white State 4-year schools in Florida, and segregation remains widespread at the junior college level. The 29 junior colleges are operated under the various county school boards. Theoretically their pupils are subject to the State pupil placement law. However, in fact, there are usually two junior colleges operated by the same board—Negroes being assigned to one and whites the other. About 800 Negroes have attended classes with whites at Dade County Junior College, and several other junior colleges (see below) each have a few Negro pupils.

*II. Segregated—Private*

A. All White

Embry-Riddle Aeronautical Institute, Miami, 333 (private corporation).

Florida Christian College, Tampa, 268 (junior) (private corporation).

Florida Southern College, Lakeland, 2,448 (Methodist).

Jacksonville University, Jacksonville, 1,733 (4-year school but has junior accreditation) (private corporation).

Rollins College, Winter Park, 1,585 (private corporation).

University of Tampa, Tampa, 2,614 (private corporation).

B. All Negro

Bethune-Cookman College, Daytona Beach, 680 (private).

Edward Waters College, Jacksonville, 736 (African Methodist Episcopal Church).

Florida Normal and Industrial Memorial College, St. Augustine, 328 (private corporation).

*III. Desegregated—Public*

A. Predominantly White

University of Florida, Gainesville, 14,289.

University of South Florida, Tampa, 3,618.

Florida State University, Tallahassee, 10,621.

Dade County Junior College, Miami.

Palm Beach County Junior College, St. Petersburg.

Daytona Beach Junior College, Daytona Beach.

Manatee Junior College, Bradenton.

Broward Junior College.

#### B. Predominantly Negro

Florida A. & M., Tallahassee, 2,867 (policy only).

### *IV. Desegregated—Private*

#### A. Predominantly White

Barry College, Miami, 799 (Roman Catholic).

Stetson University, Deland, 2,111 (Southern Baptist).

University of Miami, Coral Gables, 12,988 (private corporation).

## GEORGIA

### *I. Segregated—Public*

#### A. All White

Abraham Baldwin Agricultural College, Tifton, 808.

Augusta College, Augusta (Jr.), 1,059.

Columbus Junior College, Columbus, 763.

Georgia Military College (Jr.), Milledgeville, 245 (city controlled).

Georgia Southern College, Statesboro, 2,124.

Georgia Southwestern College (Jr.), Americus, 610.

Gordon Military College (Jr.), 290 (city controlled).

The Women's College of Georgia, Milledgeville, 937.

Medical College of Georgia, Augusta, 367.

Middle Georgia College (Jr.), Cochran, 660.

North Georgia College, Dahlonega, 886.

South Georgia Junior College, Douglas, 688.

Southern Technical Institute, Chamblee (branch of Georgia Tech.), 977.

Valdosta State College, Valdosta, 1,013.

#### B. All Negro

Albany State College, Albany, 987.

Fort Valley State College, Fort Valley, 1,035.

Savannah State College, Savannah, 1,160.

### *II. Segregated—Private*

#### A. All White

Andrew Junior College, Cuthbert, 244 (Methodist).

Berry College, Mount Berry, 735 (private corporation).

Brenau College, Gainesville, 458 (private corporation).

Emmanuel College, Franklin Springs, 211 (Pentecostal Holiness).

La Grange College, La Grange, 436 (Methodist).

Norman College (Jr.), Norman Park, 338 (Southern Baptist).

Piedmont College, Demorest, nonaccredited, 292 (private corporation).

Reinhardt College (Jr.) Waleska, 285 (Methodist).

Shorter College, Rome, 586 (Southern Baptist).

Tift College, Forsyth, 562 (Baptist).

Toccoa Falls Institute, Inc., Toccoa Falls, 179 (private corporation).

Wesleyan College, Macon, 510 (Methodist).

Young Harris College (Jr.), Young Harris, 599 (Methodist).

#### B. All Negro

Clark College, Atlanta, 799 (Methodist).

Morris Brown College, Atlanta, 902 (African Methodist Episcopal Church).

Paine College, Augusta, 426 (Methodist and Christian Methodist Episcopal Church).

### *III. Desegregated—Public*

#### A. Predominantly White

Georgia Institute of Technology, Atlanta, 5,976.

University of Georgia, Athens, 10,039.

Georgia State College of Business Administration, Atlanta, 3,872.

Armstrong College of Savannah (Jr.), Savannah, 800.

West Georgia College, Carrollton, 1,159 (4-year school, but accredited as junior college).

### *IV. Desegregated—Private*

#### A. Predominantly White

Agnes Scott College, Decatur, 647 (private corporation).

Columbia Theological Seminary, Decatur, 226 (Presbyterian).

Emory University, Atlanta, 4,664 (Methodist).

Oglethorpe University, Atlanta, 418 (private corporation).

Mercer University, Atlanta, 1,397 (Southern Baptist) (has voted to admit Negroes beginning in September 1963).

#### B. Predominantly Negro

Atlanta University System, Atlanta:

Atlanta University, 614 (private corporation).

Morehouse College, 796 (private corporation).

Spelman College, 558 (Baptist).

## LOUISIANA

### *I. Segregated—Public*

#### A. All White

Francis T. Nicholls State College, Thibodaux, 1,236.

Louisiana Polytechnic Institute, Ruston, 3,877.

Northeast Louisiana State College, 3,315.

Northwestern State College of Louisiana, Natchitoches, 3,459.

#### B. All Negro

Grambling College, Grambling, 3,050.

Southern University and A. & M. College, Baton Rouge, 4,795.

Southern University, New Orleans branch, 1,059.

### *II. Segregated—Private*

#### A. All White

Centenary College, Shreveport, 1,553 (Methodist).

Louisiana College, Pineville, 1,079 (Southern Baptist).

#### B. All Negro

Dillard University, New Orleans, 882 (private corporation).

Leland College, Baker, nonaccredited (Baptist).

Xavier University, New Orleans, 809 (Roman Catholic).

### *III. Segregated—Private*

#### A. Predominantly White

Louisiana State University, Baton Rouge, 12,275 (graduate level only).

Louisiana State University, New Orleans branch, 3,480.

Louisiana State University, Chambers branch, 402.

McNeese State College, Lake Charles, 2,991.

Southeastern Louisiana College, Hammond, 2,983.

University of Southwestern Louisiana, Lafayette, 4,739.

### *IV. Desegregated—Private*

#### A. Predominantly White

Immaculata Minor Seminary, Lafayette (Roman Catholic).

Loyola University, New Orleans, 2,732 (Roman Catholic).

New Orleans Baptist Theological Seminary, New Orleans, 750 (Southern Baptist).

Notre Dame Seminary, New Orleans (JR.), 141 (Roman Catholic).

Tulane University, New Orleans, 6,993 (private corporation).

## MISSISSIPPI

### *I. Segregated—Public*

#### A. All White

##### Senior colleges

Delta State College, Cleveland, 1,318.

University of Southern Mississippi, Hattiesburg 4,942.

Mississippi State College for Women, Columbus, 2,142.

Mississippi State University, State College, 5,131.

##### Junior colleges (controlled by county-State combination)

Copiah-Lincoln Junior College, Wesson, 504.

East Central Junior College, Decatur, 554.

Hinds Junior College, Raymond, 1,113.

Holmes Junior College, Goodman, 483.

Itawamba Junior College, Fulton, 628.

Jones County Junior College, Ellisville, 1,331.

Meridian Municipal Junior College, Meridian, 1,140.

Northeast Mississippi Junior College, Booneville, 659.

Northwest Mississippi Junior College, Senatobia, 718.

Pearl River Junior College, Poplarville, 649.

Perkinston Junior College, Perkinston, 1,032.

Southwest Mississippi Junior College, Summit, 356.

Sunflower (Mississippi Delta) Junior College, Moorhead, 356.

#### B. All Negro

##### Senior colleges

Alcorn A. & M. College, Lorman, 1,429.

Jackson State College, Jackson, 1,711.

Mississippi Vocational College, Itta Bena, 1,235.

##### Junior colleges

T. J. Harris Junior College, Meridian, 176.

Coahoma Junior College, Clarksdale, 427.

Utica Junior College, Utica, 452.

### *II. Segregated—Private*

#### A. All White

All Saints' Junior College, Vicksburg (NA) (Protestant Episcopal Church).

Belhaven College, Jackson, 260 (Presbyterian).

Blue Mountain College, Blue Mountain, 307 (Southern Baptist).

Gulf Park Junior College, Gulfport, 165 (private corporation).

Millsaps College, Jackson, 904 (Methodist).

Mississippi College, Clinton, 1,691 (Southern Baptist).

Our Lady of the Snows Scholasticate, Pine Hill (NA) (Roman Catholic).

Southeastern Baptist Junior College, Laurel (NA) (Baptist).

William Carey College, Hattiesburg, 505 (Southern Baptist).

Wood Junior College, Mathiston, 132 (Methodist).

#### B. All Negro

J. P. Campbell Junior College, Jackson (NA) (African Methodist Episcopal Church).

Mary Holmes Junior College, West Point, 182 (NA) (Presbyterian).

Mississippi Industrial College, Holly Springs, 521 (NA) (Christian Methodist Episcopal Church).

Okolona Junior College, Okolona, 237 (NA) (Protestant Episcopal).

Piney Woods Country Life School, Piney Woods, 128 (NA) (private corporation).

Prentiss Normal and Industrial Institute, Prentiss (NA) (private corporation).

Rust College, Holly Springs, 557 (NA) (Methodist).

### *III. Desegregated—Public*

#### A. Predominantly White

University of Mississippi, Oxford, 5,319.

### *IV. Desegregated—Private*

#### B. Predominantly Negro

Tougaloo Southern Christian College, Tougaloo, 496 (American Missionary Association).

## NORTH CAROLINA

### *I. Segregated—Public*

#### A. All White

All public colleges in North Carolina which formerly excluded Negroes are now desegregated. The extent to which Negroes have been enrolled is noted below (see Desegregated—Public) where necessary.

#### B. All Negro

Elizabeth City State Teachers College, Elizabeth City, 823.

Fayetteville State Teachers College, Fayetteville, 943.

Mecklenburg Junior College (formerly Carver), Charlotte (city-controlled, nonaccredited).

North Carolina College at Durham, Durham, 2,359.

Winston-Salem Teachers College, Winston-Salem, 1,078.

### *II. Segregated—Private*

#### A. All White

Atlantic Christian College, Wilson, 1,198 (Disciples of Christ Church).

Brevard College, Brevard, 389 (Methodist).

Campbell Junior College, Buies Creek, 1,246 (Southern Baptist).

Chowan Junior College, Murfreesboro, 701 (Baptist).

Elon College, Elon, 1,199 (Congregational Christian).

Lees-McRae Junior College, Banner Elk, 378 (Presbyterian).

Lenior Rhyne College, Hickory, 990 (Lutheran).

Louisburg Junior College, Louisburg, 551 (Methodist).

Mitchell Junior College, Statesville, 360 (private corporation).

Montreat Anderson Junior College, Montreat, 234 (Presbyterian).

Mount Olive Junior College, Mount Olive, 153 (Free Will Baptist).

Peace College, Raleigh, 260 (Presbyterian).

St. Mary's Junior College, Raleigh, 276 (Protestant Episcopal).

Salem College, Winston-Salem, 496 (Moravian).

Wingate Junior College, Wingate, 904 (Southern Baptist).

#### B. All Negro

Barber-Scotia College, Concord, 279 (*) (Presbyterian).

Johnson C. Smith University, Charlotte, 916 (Presbyterian).

Livingston College, Salisbury, 641 (African Methodist Episcopal Zion Church.

St. Augustine's College, Raleigh, 642 (Protestant Episcopal).

Shaw University, Raleigh, 563 (Baptist).

### *III. Desegregated—Public*

#### A. Predominantly White

Appalachian State Teachers College, Boone, 2,897.

Asheville-Biltmore Junior College, Asheville, 442.

East Carolina College, Greenville, 5,263 (Negroes enrolled in summer school only).

Charlotte Junior College, Charlotte, 881.

Pembroke State College, Pembroke, 570.

University of North Carolina at Chapel Hill, Chapel Hill, 9,076.

University of North Carolina at Greensboro (Woman's College), Greensboro, 3,110.

University of North Carolina at Raleigh (N.C. State), Raleigh, 7,081.

Western Carolina College, Cullowhee, 1,824 (Negroes enrolled in summer school only).

Wilmington Junior College, Wilmington, 673 (has all-Negro branch at Williston; main campus is desegregated).

#### B. Predominantly Negro

Agricultural and Technical College of North Carolina, Greensboro, 2,553 (desegregated during summer session).

### *IV. Desegregated—Private*

#### A. Predominantly White

Belmont-Abbey College, Belmont, 545 (Roman Catholic).

Catawba College, Salisbury, 901 (Evangelical Reformed).

Davidson College, Davidson, 976 (Presbyterian).

Duke University, Durham, 6,122 (Methodist) (to admit Negro undergraduates, September 1963; previous desegregation on graduate and professional level).

Gardner-Webb Junior College, Boiling Springs, 590 (Southern Baptist).

Guilford College, Guilford, 1,380 (Friends).

High Point College, High Point, 1,271 (Methodist).

Mars Hill Junior College, Mars Hill, 971 (Southern Baptist).

Meredith College, Raleigh, 774 (Presbyterian).

Queens College, Charlotte, 734 (announced nondiscriminatory admissions policy; no Negroes yet admitted).

Pfeiffer College, Misenheimer, 884 (Methodist).

Sacred Heart Junior College, Belmont, 188 (Roman Catholic).

Southeastern Baptist Theological Seminary, Wake Forest, 658 (Southern Baptist).

St. Andrews College, Laurinburg, 853 (Presbyterian).

Wake Forest College, Winston-Salem, 2,869 (Southern Baptist).

Warren Wilson Junior College, Swannanoa, 262 (Presbyterian).

College of the Albemarle, Elizabeth City, 183 (private corporation).

Greensboro College, Greensboro, 572 (Methodist).

#### B. Predominantly Negro

Bennett College, Greensboro, 592 (Methodist).

## SOUTH CAROLINA

### *I. Segregated—Public*

#### A. All White

The Citadel (Military College of South Carolina), Charleston, 1,989.

Medical College of South Carolina, Charleston, 648.

University of South Carolina, Columbia, 7,295 (scheduled to admit Negro coed in September 1963).

Winthrop College, Rock Hill, 2,110.

#### B. All Negro

South Carolina State College, Orangeburg, 2,169.

### *II. Segregated—Private*

#### A. All white

Anderson College, Anderson, 556 (Southern Baptist).

Bob Jones University, Greenville, 2,469, nonaccredited (private corporation).

Central Wesleyan College, Central (JR.), 182 (Methodist).

Coker College, Hartsville, 352 (private corporation).

College of Charleston, Charleston, 421 (private corporation).

Columbia College, Columbia, 906 (Methodist).

Converse College, Spartanburg, 621 (private corporation).

Erskine College, Due West, 659 (Reformed Presbyterian).

Furman University, Greenville, 1,536 (Southern Baptist).

Lander College, Greenwood, 428 (private corporation).

Limestone College, Gaffney, 458 (private corporation).

Lutheran Theological Southern Seminary, Columbia, 106 (Lutheran).

Newberry College, Newberry, 711 (Lutheran).

North Greenville Junior College, Taylors, 499 (Southern Baptist).

Palmer Junior College, Charleston, 425 (private corporation).

Presbyterian College, Clinton, 540 (Presbyterian).

Spartanburg Junior College, Spartanburg, 444 (Methodist).

Wofford College, Spartanburg, 780 (Methodist).

#### B. All Negro

Allen University, Columbia, 616 (*) (African Methodist Episcopal).

Benedict College, Columbia, 802 (*) (Baptist).

Claflin College, Orangeburg, 447 (Methodist).

Friendship Junior College, Rock Hill, nonaccredited (Baptist).

Morris College, Sumter, 405, nonaccredited (Baptist).

Vorhees School and Junior College, Denmark, 151 (Protestant Episcopal).

### *III. Desegregated—Public*

#### A. Predominantly White

Clemson Agricultural College, Clemson, 4,253.

### *IV. Desegregated—Private*

#### A. Predominantly White

Our Lady of Mercy Junior College, Charleston (Roman Catholic).

## TENNESSEE

### *I. Segregated—Public*

All Tennessee public colleges and universities now operate on a desegregated basis.

### *II. Segregated—Private*

#### A. All White

Belmont College, Nashville, 535 (Baptist).

Carson-Newman College, Jefferson City, 1,354 (Southern Baptist).

Cumberland University (JR.), Lebanon, 162 (private corporation).

David Lipscomb College, Nashville, 1,418 (Church of Christ).

Free Will Baptist Bible College, Nashville, 259 (Free Will Baptist).

Free-Hardman College, Henderson, 563 (private corporation).

Hiwassee Junior College, Madisonville, 384 (Methodist).

King College, Bristol, 284 (Presbyterian).

Lambuth College, Jackson, 610 (Methodist).

Lee College (JR.), Cleveland, 317 (Church of Christ).

Lincoln Memorial University, Harrogate, 451 (private corporation).

Martin College (JR.), Pulaski, 240 (Methodist).

Milligan College, Milligan, 540 (nonaccredited) (private corporation).

Owen College (JR.), Memphis, 320 (Southern Baptist).

Southern College of Optometry, Memphis, 211 (private corporation).

Southern Missionary College, Collegedale, 744 (Seventh Day Adventist).

Southwestern at Memphis, Memphis, 838 (Presbyterian).

Tennessee Wesleyan College, Athens, 629 (Methodist).

Trevecca Nazarene College, Nashville, 476 (Nazarene).

Union University, Jackson, 786 (Southern Baptist).

William Jennings Bryan College, Dayton, 210 (nonaccredited) (private corporation).

#### B. All Negro

Knoxville College, Knoxville, 675 (Presbyterian).

Lane College, Jackson, 501 (Christian Methodist Episcopal Church).

Le Moyne College, Memphis, 555 (American Missionary Association).

Morristown College, Morristown, 160 (Methodist).

### *III. Desegregated—Public*

#### A. Predominantly White

Austin Peay State College, Clarksville, 3,018.

East Tennessee State College, Johnson City, 5,485.

Memphis State University, Memphis, 7,542.

Middle Tennessee State College, Murfreesboro, 3,740.

Tennessee Polytechnic Institute, Cookeville, 3,347. (Desegregated in policy; no Negroes enrolled.)

University of Tennessee, all branches desegregated; Knoxville (main campus), 11,138; Martin, 1,361; Memphis, 1,478; Nashville, 1,220.

##### B. Predominantly Negro

Tennessee Agricultural and Industrial State University, Nashville, 4,136.

#### *IV. Desegregated—Private*

##### A. Predominantly White

Sienna College, Memphis, 335 (private corporation).

Bethel College, McKenzie, 528 (Presbyterian).

Christian Brothers College, Memphis, 793 (Roman Catholic).

George Peabody College for Teachers, Nashville, 1743 (scheduled to admit Negro undergraduates in September 1963; previous desegregation on graduate level only) (private corporation).

Maryville College, Maryville, 732 (Presbyterian).

Scarritt College for Christian Workers, Nashville, 156 (Methodist).

University of the South, Sewanee, 730 (Protestant Episcopal).

Tusculum College, Greenville, 473 (private corporation).

Vanderbilt University, Nashville, 3,826 (has announced open admissions policy, beginning in September 1963; previous desegregation limited to Negroes who could not obtain comparable courses elsewhere in Nashville) (private corporation).

Madison College, Madison, 493 (nonaccredited) (private corporation).

##### B. Predominantly Negro

Fisk University, Nashville, 907 (private corporation).

Meharry Medical School, Nashville, 370 (private corporation).

### TEXAS

#### *I. Segregated—Public*

##### A. All White

Alvin Junior College, Alvin, 759.

Blinn Junior College, Brenham, 631.

Henderson County Junior College, Athens, 524.

Panola County Junior College, Carthage, 355.

Ranger Junior College, Ranger, 193.

Sam Houston State College, Huntsville, 5,270.[1]

Stephen F. Austin State College, Nacogdoches, 2,740.[1]

Sul Ross State College, Alpine, 1,199.[1]

Tarleton State College, Stephenville, 1,154.[2]

Tyler Junior College, Tyler, 1,760.

##### B. All Negro

Prairie View A. & M. College, Prairie View, 3,282 (under same board which desegregated Texas A. & M.).

Tyler District Junior College, Tyler, 200.

#### *II. Segregated—Private*

##### A. All White

Baylor University, Waco, 5,709 (Southern Baptist).

Mary Hardin-Baylor College, Belton, 737 (Southern Baptist).

Rice University, Houston, 1,963 (private corporation).

University of Houston, Houston, 12,187 (private corporation).

##### B. All Negro

Bishop College, Marshall, 615 (Baptist).

Butler College, Tyler, nonaccredited (Baptist).

Huston-Tillotson College, Austin, 476 (private corporation).

Jarvis Christian College, Hawkins, 369 (*) (Disciples of Christ).

Paul Quinn College, Waco, 296 (non-accredited) (African Methodist Episcopal Church).

Texas College, Tyler, 376 (*) (Christian Methodist Episcopal Church).

Wiley College, Marshall, 527 (Methodist).

#### *III. Desegregated—Public*

##### A. Predominantly White

###### Senior colleges

Arlington State College, Arlington, 9,136.

East Texas State College, Commerce, 3,844.

Lamar State College of Technology, Beaumont, 7,250.

Midwestern University, Wichita Falls, 2,396.

Pan-American College, Edinburg, 2,123.

Texas A. & M. College, College Station, 8,126.

Texas College of Arts and Industries, Kingsville, 3,545.

Texas Technological College, Lubbock, 11,196.

Texas Western College (of University of Texas), El Paso, 5,499.

Texas Woman's University, Denton, 2,997.

Houston University, Houston, 13,866 (municipal control).

University of Texas, Austin, 21,590.

West Texas State College, Canyon, 3,760.

Southwest Texas State College, San Marcos, 3,463.

###### Junior colleges

Amarillo Junior College, Amarillo, 1,873.

Cisco Junior College, Cisco, 346.

Clarendon Junior College, Clarendon, 176 (*)

Cooke County Junior College, Gainesville, 623.

Del Mar Junior College, Corpus Christi, 2,539.

Frank Philips Junior College, Borger, 598.

Hill Junior College, Hillsboro, 170.

Howard Junior College, Big Springs, 798.

Kilgore Junior College, Kilgore, 1,534.

Laredo Junior College, Laredo, 879.

Lee Junior College, Baytown, 1,110.

Navarro Junior College, Corsicana, 811.

Odessa Junior College, Odessa, 1,730.

Paris Junior College, Paris, 548.

San Angelo Junior College, San Angelo, 1,058.

San Antonio Junior College, San Antonio, 7,559.

San Jacinto Junior College, San Jacinto, 1,360.

South Plains Junior College, Levelland, 616 (*)

Southwest Texas Junior College, Uvalde, 557.

Temple Junior College, Temple, 698.

Texarkana Junior College, Texarkana, 1,342.

Texas Southmost Junior College, Brownsville, 674.

Victoria Junior College, Victoria, 1,006.

Weatherford Junior College, Weatherford, 355.

Wharton County Junior College, Wharton, 1,272.

##### B. Predominantly Negro

Texas Southern State College, Houston, 3,841.

St. Phillips Junior College, San Antonio, 638.

#### *IV. Desegregated—Private*

##### A. Predominantly White

Abilene Christian College, Abilene, 2,625 (private corporation).

Austin Presbyterian Theological Seminary, Austin, 141 (Presbyterian).

Austin College, Austin, 920 (Presbyterian).

Dallas Theological Seminary, Dallas, 316 (private corporation).

DeMazenod Scholasticate, San Antonio, 54 (Roman Catholic).

Episcopal Theological Seminary of the Southwest, Austin, 65 (Protestant Episcopal).

Hardin-Simmons University, Abilene, 1,726 (Southern Baptist).

Incarnate Word College, San Antonio, 1,059 (Roman Catholic).

Lutheran Concordia Junior College, Austin, 137 (Lutheran).

McMurry College, Abilene, 1,438 (Methodist).

Our Lady of the Lake College, San Antonio, 923 (Roman Catholic).

Southern Methodist University, Dallas, 7,238 (Methodist, desegregated on the graduate level only).

Texas Christian University, Fort Worth, 6,309 (Disciples of Christ).

University of Dallas, Dallas, 660 (Roman Catholic).

Wayland Baptist College, Plainview, 582 (Southern Baptist).

St. Edwards College, Austin, 523 (Roman Catholic).

St. Mary's College of San Antonio, San Antonio, 2,266 (Roman Catholic).

Southwestern Baptist Theological Seminary, Fort Worth, 1,704 (Southern Baptist).

Texas Lutheran College, Sequin, 690 (Lutheran).

Trinity University, San Antonio, 1,729 (Presbyterian).

University of Corpus Christi, Corpus Christi, 503 (nonaccredited) (Southern Baptist).

### VIRGINIA

#### *I. Segregated—Public*

##### A. All White

Old Dominion College, Norfolk, 4,200.

Longwood College, Farmville, 1,199.

Madison College, Harrisonburg, 1,835.

Mary Washington College of the University of Virginia, Fredericksburg, 1,750 (a Negro attended the 1962 summer session, but officials announced this would not change the policy for the winter session).

Virginia Military Institute, Lexington, 1,080.

Clinch Valley (JR.) College, Wise 325.

Virginia Polytechnic Institute, Danville Branch (2-year college), 175.

George Mason College (JR.), Fairfax, 150.

Bland College (JR.), 270.

Christopher Newport College (JR.), 180.

Patrick Henry College (JR.), Martinsville, 100 (Negro attended for 1 day in fall 1962, but withdrew when the classes she wanted were full.)

Roanoke Technical College (JR.), Roanoke, 60.

##### B. All Negro

Virginia State College, Petersburg, 1,610.

Virginia State College, Norfolk, 3,700.

#### *II. Segregated—Private*

##### A. All White

Apprentice School, Newport News, 476 (nonaccredited) (private corporation).

Averett College (JR.), Danville, 332 (Southern Baptist).

Bluefield College (JR.), Bluefield, 335 (Southern Baptist).

Emory and Henry College, Emory, 769. (Methodist).

Ferrum (JR.) College, Ferrum 576 (nonaccredited). (Methodist).

Hampden-Sydney College, Hampden-Sydney, 470. (Presbyterian).

Hollins College, Roanoke, 696 (private corporation).

Lynchburg College, Lynchburg, 1,005 (Disciples of Christ).

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[1] These schools are controlled by the same board as West Texas State which was desegregated by court order in 1960 (see below).

[2] This school is controlled by the same board which voluntarily desegregated Arlington State College in 1962 and Texas A. & M. in 1963.

Marion Jr. College, Marion, 175 (nonaccredited). (Lutheran).

Marymount College (JR.), Arlington, 268 (Roman Catholic).

Randolph-Macon College, Ashland, 674 (Methodist).

Roanoke College, Salem, 922 (Lutheran).

St. Paul's College, Lawrenceville, 395 (Protestant Episcopal).

Shenandoah College, Dayton, 385 (Evangelical Baptist).

Shenandoah Conservatory of Music, Dayton, 64. (Evangelical Baptist).

Stratford College (JR.), Danville, 203 (nonaccredited) (private corporation).

Sullins College (JR.), Bristol, 350 (private corporation).

Sweet Briar College, Sweet Briar, 591 (private corporation).

University of Richmond, Richmond, 3,888 (Baptist).

Virginia Intermont College (JR.), Bristol, 486 (Southern Baptist).

Washington and Lee University, Lexington, 1,186 (private corporation).

### *III. Desegregated—Public*

#### A. Predominantly White

College of William and Mary, Williamsburg, 2,275 (graduate and professional level).

Richmond Professional Institute of the College of William and Mary, Richmond, 5,144 (graduate level only).

Medical College of Virginia, Richmond, 2,009.

Virginia Polytechnic Institute, Blacksburg, 6,202.

University of Virginia, Charlottesville, 5,263.

Radford College of Virginia Polytechnic Institute, Radford, 1,800.

### *IV. Desegregated—Private*

#### A. Predominantly White

Bridgewater College, Bridgewater, 640 (Brethren).

Eastern Mennonite College, Harrisonburg, 533 (Mennonite).

Union Theological Seminary, Richmond, 233 (Presbyterian).

The following all-white schools have announced changes in their admissions policy which will allow Negroes to be enrolled, but no Negroes have yet attended the school:

Mary Baldwin College, Staunton, 460 (Presbyterian).

Randolph-Macon Woman's College, Lynchburg, 734 (Methodist).

#### B. Predominantly Negro

Hampton Institute, Hampton, 1,587 (private corporation).

Virginia Union University, Richmond, 1,156 (Baptist).

Virginia Theological Seminary and College, Lynchburg, 295 (nonaccredited) (Baptist).

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### DESEGREGATION OF PRIVATE NEGRO COLLEGES IN THE SOUTH

Attached is a list of private Negro colleges in the South, previously classified by the Commission as segregated, which we have since learned do not utilize racial criteria in their admissions policies. They should now be listed as "Desegregated—predominantly Negro."

These institutions participate in the activities of the United Negro College Fund, a service agency with 32 member schools. Tuskegee Institute is the only member college which still maintains a policy of racial restriction, and efforts are currently underway to amend the institution's charter to permit white students to enroll.

Although not all these schools have actively recruited white students, their open enrollment policies have been publicized since 1954 by the United Negro College Fund. Information is currently being assembled on the extent to which white students have actually been enrolled at these colleges.

More precise information is not yet available on enrollment policies of Negro schools which do not participate in the UNCF program.

### PRIVATE NEGRO COLLEGES WITH OPEN ADMISSION POLICIES

(Previously classified as segregated by the Commission; now classified as "Desegregated—Predominantly Negro")

#### ALABAMA

Stillman College, Tuscaloosa, 495 (Presbyterian).

#### FLORIDA

Bethune-Cookman College, Daytona Beach, 680 (private corporation).

#### GEORGIA

Clark College, Atlanta, 799 (Methodist).

Morris Brown College, Atlanta, 902 (African Methodist Episcopal Church).

Paine College, Augusta, 426 (Methodist and Christian Methodist Episcopal Church).

#### LOUISIANA

Dillard University, New Orleans, 882 (private corporation).

Xavier University, New Orleans, 809 (Roman Catholic).

#### NORTH CAROLINA

Barber-Scotia College, Concord, 279[1] (Presbyterian).

Johnson C. Smith University, Charlotte, 916 (Presbyterian).

Livingstone College, Salisbury, 641 (African Methodist Episcopal Zion.

St. Augustine's College, Raleigh, 642 (Protestant Episcopal).

Shaw University, Raleigh, 563 (Baptist).

#### SOUTH CAROLINA

Benedict College, Columbia, 802[1] (Baptist).

#### TENNESSEE

Knoxville College, Knoxville, 675 (Presbyterian).

Lane College, Jackson, 501 (Christian Methodist Episcopal).

Le Moyne College, Memphis, 555 (American Missionary Association).

#### TEXAS

Bishop College, Marshall, 615 (Baptist).

Huston-Tillotson College, Austin, 476 (private corporation).

Wiley College, Marshall, 527 (Methodist).

Mr. JAVITS. Mr. President, the law against discrimination in publicly supported institutions of higher education was established by a series of Supreme Court decisions long before the separate-but-equal doctrine was put to rest for primary and secondary education in the Brown against Board of Education, 1954 decision. As the memorandum shows, some progress has been made toward desegregation in almost every Southern State, although the problems remaining are still enormous. Because of the long history of decisions in this field, I simply call to the attention of the Department of Health, Education, and Welfare the facts as they now are and the clear import of the law, which was stated without contradiction by a distinguished panel of legal experts before the Education Subcommittee in hearings on May 17, 1963. The witnesses cited abundant authority for the proposition that the Department not only is authorized, but has a constitutional duty, to withhold Federal tax moneys from institutions which practice racial discrimination or segregation. I expect that the Department in administering this measure if it ultimately becomes law—as I devoutly hope that it shall—will bear in mind what has been said here upon this subject and the basic policy of the United States.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. RANDOLPH. I wish to state for the RECORD that in the State of West Virginia attention has been given to the subject under discussion by the Senator from New York. To my personal knowledge, as a member of two boards of trustees of institutions of higher learning in our State, there has been a recognition of the needs of education for all who are qualified. We met the problem in a forthright manner. Educational institutions at the college and university level in West Virginia have realized that race or religion is not a bar to a college training.

Mr. JAVITS. I am very grateful to my colleague for his announcement and the word of confirmation and reassurance which he has given to all of us.

Mr. MORSE. Mr. President, I yield myself 3 minutes.

I wish to associate myself with the remarks of the Senator from Rhode Island [Mr. PASTORE] and the Senator from New York [Mr. JAVITS]. I agree with everything that they have said in respect to the amendment that was adopted the other day. I also agree with the observations of the Senator from New York on the so-called civil rights issue.

I owe it to the Senate to make clear before the vote what my position will be in conference, because I agree with the Senator from Rhode Island and the Senator from New York that the amendment adopted last week will have to be very carefully considered by the conferees. I shall do everything I can to uphold the Senate in respect to the legitimate objective that I thought the Senate had in mind in connection with the amendment. But I think the Senator from Rhode Island put it very well when he spoke about the "sleeper" provision in the amendment.

We tried to point out to the Senate before the vote was taken that in its form the amendment would be very damaging to the bill. I am not even sure we shall even be able to get into conference with the amendment on the bill. We have had no assurance or indication yet that we have a very good chance to obtain a rule. I hope we can. We are working on it.

As the Senator from Rhode Island has pointed out, the amendment does damage to the equity jurisdiction of the courts. To the extent that we can improve the language of the amendment in order to protect the equity powers of the courts and give the courts an opportunity to pass upon frivolous actions brought, I wish the Senator to know that I shall be openminded in considering arguments from the House in that respect. I refuse to believe that denying accessibility of any funds whatsoever for the many years that it may take in some jurisdiction for a case to go through the courts was contemplated by the proponents of the amendment. I would not wish anyone to say afterward, if I should recommend in conference that a modification of the amendment be accepted, that the senior Senator from Oregon in some way betrayed the Senate. Senators know that in conference we shall have to come to a compromise on the bill in several respects in order to get a bill at all. I will do my best to sustain in conference what I believe to be the objectives of the Senator from North Carolina and the Senator from Kentucky. But I also know that many Senators who were not aware of what was involved in the amendment voted for it. They have said so since. The Democratic whip came to me and said that many Senators had spoken to him about it. They have also spoken to me about it.

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[1] Accredited on probation.

They did not know that the amendment was as broad as the Senator from Rhode Island pointed out. I believe it is only proper for me to say that if we go to conference on the bill, if it is passed in the next few minutes, I shall not sit in the conference and take the position that under no circumstances will I agree to any modification of the bill. If a proposed modification of the bill is made that I think is not just, reasonable, and within the framework of the duty of a conferee to negotiate, of course, I shall not vote for the modification. But I do not wish anyone to believe that I will go into a conference and take the position that I shall not bring back a report unless the House is willing to accept the Ervin-Cooper amendment, because we, as conferees of the Senate, may find that the merits of the situation warrant a modification of the amendment along the lines that the Senator from Rhode Island and the Senator from New York have suggested.

So far as the other arguments of the Senator from Kentucky are concerned, I have answered them so many times during the course of the debate—and, in my judgment, the committee report answers them—that I do not wish to take any more time, other than to say that it seems to me that the hurdle that the Senator from Kentucky has not even come anywhere near getting over in his argument is the already established policy of the Congress of the United States in connection with various programs that involve categorical grants to religious colleges.

Although the Senator will say that he did not vote for it because he was not present, the fact remains that not so long ago the Senate passed a bill which provided for grants to medical colleges, many of which are operated by church-affiliated organizations, to the tune of many millions of dollars. No Ervin-Cooper amendment was attached to that bill. In fact, there has not been an Ervin-Cooper amendment attached to any of the other measures proposed.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. COOPER. Whether I was present or not when the bill was voted on, has nothing to do with either my convictions or the principle involved in the bill. I pointed out in my statement that I have voted for various types of aid advanced to students attending church-related schools. I am very glad that I did so. I believe that they are within the scope of the Supreme Court's interpretation of the first amendment. I am not arguing today the constitutionality of Federal laws to church-supported hospitals or church-supported medical colleges. I do not know what the Court would do in such a case. In the case of hospitals it could very well determine, as I think it should, that such aid is for the primary benefit of the patients in the hospital.

What I said was that I believed that this bill—embracing practically all facilities which, except for a few exclusions, can be built by the use of tax funds—would go far beyond anything that Congress has ever done before and contravenes the first amendment. I state what I believe it to be.

I did not draft the second amendment which Senator ERVIN and I offered, and which was adopted, providing a procedure to test the constitutionality of the loans we question. I cannot speak for the Senator from North Carolina. I can only say that as far as I am concerned, the interest I have is in enabling this issue to reach the Supreme Court so that a determination of constitutionality can be made.

As we pointed out last week, the Frothingham case makes it difficult if not impossible to have this matter tested in the Federal courts, and I am certain the interest of those who voted for the amendment, which is now the Senate amendment, was to make certain that this important question could be tested in the Supreme Court. I believe the conferees should, and will, insist that it be maintained in conference with the House.

Mr. MORSE. As I am sure the distinguished Senator from Kentucky knows I am always pained when he and I are in disagreement. We seem to be in complete disagreement at this time. Perhaps we should agree to disagree.

The point I am making is that in my judgment we cannot justify applying the policy of the Ervin-Cooper amendment to institutions which would be involved under this bill and not apply it to the medical schools. I am not talking about hospitals, although that raises an interesting point, too. Medical schools are institutions of higher education. They are medical colleges, Mr. President. They are colleges as much as any other higher education school can be, and we have provided for millions and millions of dollars of Federal aid to them, even though no such proposal was attached to them.

I have already pointed out that there are 10 Federal programs to which such a proposal has not applied, and if Senators believe we have not been making grants to religious schools, I can cite examples, as I did earlier in the debate, as long as my arm of specific project grants to such religious schools.

Let me dramatize one. An atomic reactor, one of the greatest in the country, was obtained by Notre Dame University under a Federal program. That was a grant. Within a stone's throw of the Capitol, figuratively speaking, Georgetown University has received many grants for various items. Of course we have been making categorical grants, but we have never restricted them by making such conditions as those which would be imposed under the Ervin-Cooper amendment.

The only point I am now making is that I owe it to Senators, since I will probably be a member of the conference, to forewarn them that we may have to take some modifications of this amendment in conference. If we do, I would support an amendment which sought to eliminate the possibility of frivolous action being brought, as the Senator from Rhode Island has pointed out, because I do not believe we should adopt an amendment that, in effect, would take away the jurisdiction of courts of equity.

I do not see how we can escape the fact that the amendment would do so, because we put in a strict prohibition in regard to making any funds available until the case has run its course. The court cannot pass judgment at that point as to whether it is a frivolous case or not.

In all fairness I needed to say what I have said, but I wish the Senator from North Carolina and the Senator from Kentucky to know that, as a conferee, I shall do everything I can in conference to retain the major objective of their amendment.

However, I do not consider myself bound to a position which I cannot compromise in conference. I intend to go into conference to listen to any compromise which is justified on the merits of the arguments made.

Mr. President, I now yield to the Senator from Minnesota [Mr. McCARTHY].

Mr. McCARTHY. Mr. President, I wish to commend the Senator from Oregon and members of the Labor and Public Welfare Committee who worked with him in drafting this aid to higher education bill. I am of the opinion that we could pass an aid to higher education bill which would go far beyond the physical sciences and mathematics.

Because of some Supreme Court decisions and some attitudes existing in the United States, I believe the action taken by the committee under the leadership of the Senator from Oregon was a genuine demonstration of prudence that quite properly attempted to limit this bill—and did limit it—to areas which are really outside the area of controversy.

The justification for all this is twofold. First is the existing court decision. In addition to that is the great need which exists for aid to higher education. We are 2 or 3 years late with this program.

Congress—and particularly the Senate Committee on Labor and Public Welfare—has made two or three serious attempts to meet this particular need in the past and has been frustrated in its efforts.

The Senate quite properly has backed off and said, "Let us have a limited program, a restricted program, a program which could not be subject to or should not be subject to criticism or to court tests."

In the long run, I believe, some of the court decisions will probably be reversed or some of the opinions which have been written will in some way be modified. I believe in this country we suffer somewhat from the great precedent and tradition which has arisen from the fact that Oliver Wendell Holmes was once on the Supreme Court. Some members on the Court now apparently would prefer to be remembered for a well-turned phrase rather than for the decisions which have been made. But this is a fact of life, with which we must necessarily live in the year 1963.

I was somewhat surprised by the support which the Ervin-Cooper amendment received from some Senators who, at least within recent months and years, have been most critical of the Supreme Court, and who have been most ready to assert that the initiative for action should remain with the legislative branch of the Government. The action supported would put the courts in the legislative process even before the law we enact becomes operative. One might have expected those Senators to say, "Let us have a test, but a test only after this legislation has been passed and after a program has been put into operation." In the case of this amendment we have found them supporting an amendment which would inject the Court into the procedure even before the action of the Congress became operative. I would hope, certainly, if the restriction in the Senate bill regarding the use of the grants and loans should be sustained in conference, that there would then be no need for the Ervin-Cooper amendment. Even if the limitations are not accepted in conference, the provisions of the Ervin amendment, which would provide for a prior test and would have the effect of stopping the program altogether, at least should be changed in conference.

Mr. MORSE. I thank the Senator from Minnesota.

Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I yield 5 minutes to the Senator from Colorado [Mr. ALLOTT].

Mr. ALLOTT. Mr. President, I intend to vote against the pending bill, and I wish to explain why I intend to do so, since I dislike having to do something that on the surface appears to be against education.

We have just heard a most ingenious argument. It is an argument of rationalization. The rationalization is that—whether we know it or not—we have already been doing this, so we must therefore continue to commit ourselves to do something in which we do not believe.

Mr. President, with respect to the basic question, it took many hundreds of years to separate the government and the churches of the world. This involves all churches. I am not singling out any particular one. It merely depends upon when and where it was.

Our forefathers put a provision in the Constitution, in the first amendment, which was intended to keep the state and any church separated forever.

When I came to the Senate, I took an oath that I would uphold the Constitution to the best of my ability. As I view the situation today—though others may differ—I would be violating the oath of office I took in January 1955, before this body, if I voted for the pending bill.

I know that what the senior Senator from Oregon has stated is true. I was shocked, I was stunned, I was surprised last Friday to learn that NASA, for example, now has 750 fellowships at its command, which it is dispensing at an annual cost of $5¼ million; that they want 1,000 this year; and that they hope by next year to have 3,000 of them, at a cost of approximately $21 million.

No one can possibly assert that every young man and woman in the United States has an equal and fair chance at those fellowships, because they are too tightly controlled in the hands of a few men in a few institutions.

But laying that argument aside as irrelevant, what do we intend to do? If we take this step, never more can we say that the United States is not bound to support every institution of higher learning in this country, not only by way of teachers, not only by way of assistance in the science class, and assistance in languages, but also by way of assistance in the construction of buildings. When we give a grant to construct a building, and that building then becomes the property of a private institution, particularly if that private institution happens to be a church, no matter which church, even if it were my own, I believe we have overstepped the bounds of propriety.

I would much rather face this issue directly, with an effort to repeal the first amendment in part, to see if the people of America, if they had an opportunity, would favor the repeal of the first amendment even in part. I think we would be astounded at the ground swell that would come from every corner of this country saying, "Do not repeal the first amendment in part."

I am perfectly aware, as a lawyer, of the so-called weaknesses in the Ervin-Cooper amendment. I voted for it. I would vote for it again because, even with those weaknesses, we cannot afford to take this step, where we are dabbling—and I use the word advisedly—with the first amendment of the Constitution. We cannot afford to send this bill to the President for his signature without the Ervin-Cooper amendment, and not give to some man or woman in the country the opportunity to go to the Supreme Court and say, "I believe this is unconstitutional."

The distinguished Senator from North Carolina explained very well the other day how the interest of a single individual is de minimis, an interest that is so small that the Supreme Court will not permit him to bring an action in court.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield 2 additional minutes to the Senator from Colorado.

Mr. ALLOTT. The fact is that this is the only way we can do it. Perhaps there are ways to modify the amendment, but one thing we must not do; we must not yield on the basic point that anyone in this country has the right to test the constitutionality of this particular bill. It is particularly so because we go along with the rationalization that, perhaps, having done something before, we should do it again; that perhaps having done something that should not have been done before, we should do it again.

I say this not because I do not have an interest in education. I have had such an interest all my life. I have voted for such measures. I was the coauthor of the National Defense Education Act, and some provisions were my own, particularly the language provisions. But because to me the bill is a violation of the first amendment of the Constitution—that is the way I interpret it, although others may have different views—I did not feel I would be living up to my responsibilities in the office in which my people have placed me when they sent me here if I voted for the measure.

I yield back the remainder of my time.

Mr. MORSE. Mr. President, I yield myself 1 minute. I can appreciate the position of the distinguished Senator from Colorado on final passage of the bill. We were opposed on the Prouty amendment to the bill, and on the Ervin-Cooper amendents to the bill. It is to be expected that we will differ on final passage.

I now yield 1 minute to the Senator from Minnesota [Mr. HUMPHREY].

## VISIT TO THE SENATE BY DR. KURT GEORG KIESINGER, PRESIDENT OF THE BUNDESRAT, FEDERAL REPUBLIC OF GERMANY, AND OTHER DISTINGUISHED PERSONS

Mr. HUMPHREY. Mr. President, we are privileged to have with us today Dr. Kurt Georg Kiesinger, President of the Bundesrat, Federal Republic of Germany.

Before I proceed further, I ask unanimous consent that the Ambasador from the Federal Republic of Germany, His Excellency Heinrich Knappstein; Mr. Georg von Lilienfeld, Minister; Mr. Friedrich Ruth, Second Secretary; and Dr. Otto Rundel, personal aid to Dr. Kiesinger, who are present with him, may have the privilege of the floor while these distinguished visitors are presented to the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. The United States is honored to have with us today Dr. Kurt Georg Kiesinger, President of the Bundesrat of the Federal Republic of Germany, which is the Upper House of West Germany, as well as the other gentlemen I have named. Dr. Kiesinger will be with us for some time, to meet with officials of our Government, and to deliver lectures at leading universities on the subject of "Germany, After the Adenauer Era."

Dr. Kiesinger is a member of the Bundesrat by virtue of his elected office as Minister President of Baden-Wuerttemberg, a state in southwest Germany. He is a prominent member of the Christian Democratic Party, and one of the leading officials of the German Federal Republic.

We are honored to have him with us, and we look with great honor, respect, and pride upon the close alliance between the United States of America and the Federal Republic of Germany.

I need not say what an important and vigorous role the Federal Republic of Germany has played in building a strong home for freedom in Western Europe. The West German participation in NATO and in other European organizations such as the Council of Europe has been largely responsible for the growth in economic, social, military and democratic resources on the side of the West. We are proud to be allied with West Germany in furthering this great cause.

I should like to present to our colleagues Dr. Kurt Georg Kiesinger, who has been with us in the Senate Committee on Foreign Relations, as well as his personal aid, Dr. Otto Rundel; his Excellency Heinrich Knappstein, Ambassador; Mr. Georg von Lilienfeld, Minister; and Mr. Friedrich Ruth, Second Secretary.

[Applause, Senators rising.]

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the Record, at this point, a biographical sketch of Dr. Kiesinger.

There being no objection, the sketch was ordered to be printed in the Record, as follows:

### Biography of Dr. Kurt Georg Kiesinger

Dr. Kiesinger is Minister President of the state of Baden-Wuerttemberg. Currently he is serving as the President of the Bundesrat, the Upper House of the German Parliament.

Dr. Kiesinger was born on April 6, 1904, in Ebingen, a town in the southern state of Wuerttemberg. He studied philosophy, history, and law at the universities of Tuebingen and Berlin. He was admitted to the bar in 1934 and practiced law in Berlin. During the war he served in the German Foreign Office.

In 1947 he resumed the practice of law in Tuebingen. In the same year he became a member of the Christian Democratic Party and was elected to the Bundestag in 1949 in the first general election held in the Federal Republic of Germany. He was reelected in 1953 and 1957.

From 1954 to 1958 Dr. Kiesinger was chairman of the Bundestag Committee for Foreign Affairs. From 1950 to 1958 he was a member of the Consultative Assembly of the Council of Europe. In 1958 Dr. Kiesinger was elected Minister President of the state of Baden-Wuerttemberg, by the state's parliament.

Dr. Kiesinger has studied and lectured in the United States and is fluent in English. He is married and has two children. His daughter, Viola, is currently studying at Georgetown University.

## ASSISTANCE TO INSTITUTIONS OF HIGHER LEARNING

The Senate resumed the consideration of the bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the instruction, rehabilitation or improvement of needed academic and related facilities in undergraduate and graduate institutions.

Mr. JAVITS. Mr. President, I yield 5 minutes to the Senator from North Carolina [Mr. Ervin].

Mr. ERVIN. Mr. President, I shall vote against the bill because it constitutes a violation of the first amendment of the Constitution. The bill ought to be entitled "An act to give the religious denominations of the United States access to the public purse."

I maintain that that is the inevitable result of the bill. There is really nothing except lipservice paid by the provisions of the bill to the proposition that tax moneys cannot be used to finance religious institutions. That is true because under the provisions of the bill any building erected in part with loans to a religious college or university can be used from the beginning for any purpose which that religious college or university sees fit to put it. And any building constructed in part with grants for the benefit of any religious college or university can be used for any purpose the college or university sees fit to put it to after the expiration of 20 years.

The Supreme Court of the United States has declared in case after case that tax moneys cannot be used to support religious institutions, and that is precisely what the bill does. The Supreme Court has declared in several cases that tax moneys cannot be used to aid all religious institutions.

The bill would authorize the use of tax money to enable religious colleges and universities to acquire fee simple title to many millions of dollars worth of property.

When the Constitutional Convention of 1787 completed its work, Benjamin Franklin said, "We have given you a republic, if you can keep it."

The only reason why the Republic has endured thus far is that most Americans in public positions have seen fit to adhere to constitutional principles. We have before us a bill which does violence to constitutional principles. It gives religious denominations access to the public purse in violation of the first amendment.

That is surprising enough to me, as a Member of a body whose Members are sworn to uphold the Constitution of the United States. But it is even more surprising to me to be told that the conferees of the House might wish to nail the courthouse door shut, and not allow American citizens to test the constitutionality of the bill in the courts.

Congress cannot possibly justify denying the people of America access to the Federal courts to obtain an adjudication on whether or not Congress has exceeded the powers it has under the Constitution by passing a bill of this character.

I trust that the conferees will keep in the bill the amendment which makes it certain that the people of the United States can find out whether Congress is exceeding its powers under the Constitution and nullifying the first amendment, and doing what Thomas Jefferson said was a sinful and tyrannical act; that is, compelling men to make contributions of tax moneys for the propagation of religious doctrines which they disbelieve.

When we add the Members of the Senate who voted for the Cooper-Ervin amendment, and those who were paired in favor of the amendment, and those who gave me their private assurances that they favored it, but who were absent and not recorded on the final vote, we find that there were approximately 62 Members of the Senate who favored the amendment according to the votes, pairs, and assurances.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield to the Senator such time as he may require.

Mr. ERVIN. I am opposed to the bill because it gives to the religious denominations of this country access to the public purse in a wholesale fashion in violation of the first amendment. The retention of the Cooper-Ervin amendment in the bill is essential if we are to obtain a judicial determination whether Congress is exceeding its powers under the Constitution. I sincerely trust that the House and Senate conferees will manifest their devotion to that part of the Constitution which clearly contemplates that controversies about the meaning of the Constitution shall be decided by the Federal courts and sustain the position the Senate took in connection with the amendment.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

Mr. JAVITS. I yield 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I contemplate voting against the pending measure on three grounds. First, if the plan is adopted, it will destroy the incentive of private philanthropists and State and local governments in attempting to solve the problem which confronts them.

The record is clear that vacancies exist in countless universities, which can accommodate our youth who want to attend an institution of higher learning.

Several years ago a study was made of the subject of facilities. The record shows that the facilities of our institutions of higher learning throughout the country were used approximately 40 percent of the available time. We know that throughout the past the problem of educating our children in public schools and in institutions of higher learning has been the responsibility of State and local governments, with the aid of individuals and foundations which were willing to contribute their money for the maintenance of that system.

First, as I have already stated, with the Federal Government entering the field of financing, all incentive for local and State governments and individuals to solve the problem will be destroyed.

In Ohio there is on the ballot a bond issue of $250 million, $175 million of which would be used to finance the provision of equipment and new buildings. The moment the National Government enters this field, it might as well be written in black, bold type, that the efforts of local and State governments and private individuals in solving the problem will be at an end.

Second, I will vote against the pending measure because, as I have already said, we are steeped in the mire of a national debt of more than $300 billion.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I yield 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. The debt, instead of having decreased after World War II, as it has in the past, following wars, today is $35 billion more than it was in 1946. Those who advocate spending at no time make mention of how the spending should be financed. If anything, they aggravate the problem by recommending less revenue and increased spending. This year our deficit will be approximately $8 billion.

It is anticipated that the deficit will continue into the next 3 years. On that basis I do not believe the bill should be passed.

Finally, in my judgment the bill should not be passed because it would destroy the traditional method of State and community support without a new Federal subsidy.

The argument is made that a large number of facilities will be required in order to solve the problem. It is pointed out that students will be enrolled in the next 10-year period in such numbers as definitely to require facilities which cannot be financed by the local and State governments.

In 1955, while I was Governor of Ohio, President Eisenhower called a national conference for the purpose of studying the adequacy of the facilities of our public schools. It was then argued that unless the Federal Government came to the aid of local governments, the public school system would fail. It is now 1963. Eight years have passed. Instead of looking prospectively, we can look retrospectively to see what the facts are. Every argument made in 1955 with regard to the only method of solving the public school problem has been refuted by the facts. If the words spoken in 1955 were true, there would have been a complete collapse of the public school system by today.

Eight years have passed. No bill has been passed to provide the subsidies then recommended. Yet the problem has been solved in substantial degree.

Of course, the program now under consideration has an appeal to many persons. It has an appeal to those who are in charge of our institutions of learning. But the course that has been followed in the last 15 years has been: "Tell them the Federal Government will give them something for nothing, and they will take it." That is what we shall be doing by passing the bill.

For the three reasons I have enumerated, I shall vote against the measure.

Finally, it is my sincere hope that a legitimate effort will be made to insure that a taxpayer who believes that his constitutional rights have been violated will be enabled to enter any of the courthouses of our country and have a hearing on his complaint.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. JAVITS. I yield an additional minute to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, the Senator from Oregon [Mr. MORSE] has been a teacher of law. I am sure that if there is one principle that stands out in law, especially in our democracy, it is that no citizen, regardless of how rich or how poor he may be, shall be denied the right to have his complaint heard by a duly constituted judicial tribunal. No blacker day, no graver cloud could fall upon our system of jurisprudence than to have it said that Congress ingeniously and cleverly concocted a scheme to bar a citizen from going into court and asking for an adjudication of a complaint which he believed he had.

I am now willing to go along with the proposition that this is a controversial issue; but I believe a citizen should have the right to be heard in court.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield me 1 minute?

Mr. MORSE. I yield 1 minute to the majority leader.

Mr. MANSFIELD. Mr. President, I have listened with much interest, as always, to the distinguished Senator from Ohio. However, I do not like the use of the words which were contained in his last statement relative to the honesty and integrity of Members of this body. I assure him, the distinguished senior Senator from North Carolina [Mr. ERVIN], and the distinguished senior Senator from Kentucky [Mr. COOPER] that the first thing the distinguished Senator from Oregon [Mr. MORSE], who is in charge of the bill, told me, as soon as the Ervin-Cooper amendment had been adopted, was that, so far as he was concerned, the Senate having spoken its mind, he would do his very best to retain the amendment in conference, even though he personally opposed it. The RECORD ought to be clear, so far as concerns the intent and integrity of Senators, that there should be no question about their doing their duty.

Mr. JAVITS. Mr. President, I yield myself 30 seconds. I support, from this side of the aisle, what the distinguished majority leader has said. I was a conferee on the last higher education bill. If the Senate so wills, I shall be a conferee on this bill.

In my main speech, in which I analyzed my reasons for supporting the bill, I made clear what I considered to be my duty. The Senate having adopted the Ervin-Cooper amendment, it is the duty of the conferees to do their utmost to sustain the Senate in this very important vote. As a conferee, I shall proceed in precisely that way.

Mr. MORSE. Mr. President, I yield myself 2 minutes. I appreciate the remarks of the Senator from New York. I have explained my position. Every Senator knows that we cannot go to conference and dictate the terms of the conference. We must do our utmost to bring back as much of the contents of the Senate version as we can. I want to bring back the backbone of what the Senator from North Carolina and the Senator from Kentucky have proposed.

The Senator from Ohio [Mr. LAUSCHE] has raised a question about the nonprotection of the taxpayers under the Ervin-Cooper amendment, with respect to frivolousness.

There is great merit in that contention. The conferees will do everything possible to retain the main objectives sought by the Senator from North Carolina. But I thought it only ethical and proper for me to say—and I repeat it now—that I shall not go to conference under any mandate that would restrict my right to negotiate to get the best bill from the conference, even though it might mean some modification of the amendment.

I yield 2 minutes to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I have a basic belief in the principle of separation of church and state. I am sure that the Chairman of the Committee on Labor and Public Welfare [Mr. HILL] and the Chairman of the Subcommittee on Education [Mr. MORSE] would reaffirm that perhaps no member of the committee has been more concerned over this vital issue in a deeper sense than the Senator from West Virginia, who now urges the passage of the pending bill.

However, I feel that in the measure now before us, no violence is done to the Constitution as it is applied to the first amendment. I realize that there is a difference of opinion. There is a conviction which varies within the membership of this body. My correspondence from back home reflects dissent and approval. So this is a difficult determination for me to make. But I shall support the measure, believing it to be in the public interest and commensurate to that degree—I use the expression "that degree"—which I feel does no violation to my basic belief in the principle of the separation of church and state. My approval is not predicated on what vote is the expedient vote. My action squares with my conscience.

Mr. MORSE. I yield 1 minute to the Senator from Michigan.

### URGENT NEED FOR COLLEGE FACILITIES

Mr. HART. Mr. President, since we began debating H.R. 6143, to assist institutions of higher education in financing academic facilities, there has come to my attention a pertinent article from the Detroit News of October 12, 1963, by William W. Lutz. This article cites chapter and verse the need of the Michigan small colleges and universities for this very type of assistance.

Especially noteworthy are the concluding sentences, to the effect that these colleges "have been crowding additional students into existent facilities for so long that they have come to the end of the line. None expects a miracle to correct the system. But they worry that crowding may adversely affect quality."

This reporter found a crisis in the higher education situation in Michigan, which the bill before us could help alleviate. As I urged in debate last week, I hope we will pass it in a form that will have maximum likelihood of reaching the President's desk.

Mr. President, I ask unanimous consent that the article from the Detroit News to which I have referred be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Detroit News, Oct. 12, 1963]

### FACE MORE GROWING PAINS: MICHIGAN'S SMALL COLLEGES BULGING

(EDITOR'S NOTE.—A new era has arrived for Michigan's former teachers colleges, now sizable universities. And the growth continues, Detroit News Reporter William W. Lutz says in the seventh article of his series on "Michigan's Crisis in Higher Education.")

(By William W. Lutz)

Michigan's small public colleges and universities—now as big as the major universities were a few years ago—see no end to their growing pains.

Even in this year of comparative quiet before the 1964–65 enrollee storm, many classrooms overflow and, at some schools, three students are housed in rooms built for two.

Laboratories and libararies are taxed beyond long-established limits.

### EXPECT BIGGER BOOST

None care to look past 1965 when the enrollment crisis will worsen because of an increased wartime birthrate. By 1970, statewide enrollments are expected to total 318,000. The unofficial count this fall was 193,000.

Population increases, plus an increasing desire of high schoolers to go to college, are expected to keep enrollments high thereafter.

The greatest enrollment surprise of the fall fell upon Eastern Michigan University, at Ypsilanti, a school racked much of last year by administrative controversies.

### SERVING FINAL YEAR

Eastern, with its president, Eugene B. Elliott, serving out a lameduck final year at the State Board of Education's ultimatum, boosted its enrollment by 1,300 to 7,200.

Western Michigan University at Kalamazoo increased it student body by 900—to 12,000. It is the largest of the State's quartet of universities that were founded originally as regional teacher colleges.

Northern Michigan University at Marquette moved its enrollment from 3,000 to 3,500, a large increase for a school which draws 78 percent of its student body from its immediate surroundings in the Upper Peninsula.

### FERRIS ROLLS UP

Central Michigan University at Mount Pleasant pushed its total to 6,500.

Ferris State College, offering a broad program that especially attracts the technically minded, bloomed to 4,775, an increase of 550.

Grand Valley State College, Grand Rapids, opened the doors of its first building to a freshman class of 236. The class was filled 2 weeks ahead of actual registration.

### SAY FUNDS LAG

All but Grand Valley complain, as they have for several years, that State appropriations lag behind actual need and do not provide funds to build against the day when campuses will be jammed even more.

By lengthening the school day, enlarging class sizes, and doubling up, all the schools say they can "make do" for another year, aided by construction underway.

"But, we are packed like sardines," says James W. Miller, WMU president.

An education building, costing $3,500,000, will provide more office and classroom space but it won't be completed for a year.

Four residence halls, costing $5 million, also are going up.

Coming are a $2 million addition to the student center and a $1,700,000 extension to the fieldhouse.

### ASK FOR PATIENCE

Only the education building required a State appropriation. The others are being financed through self-liquidating bonds. Of course, all the buildings create an expansion which eventually will show up in requests for a larger operating fund.

"We are asking students and faculty members to practice patience," Miller says.

But even when the buildings are completed, they will ease crowding only for a short time.

EMU expects some relief from a residence hall under construction and a second soon to be started. Both will be self-liquidating.

### STRUCTURES IN FUTURE

Elliott says the school for years has needed a fine arts and industrial building and additions to a library and student union.

This year it received planning money, but the structures are sometime in the future.

Elliott asserts present EMU residence halls are operating "at a 28 percent overload." Many students are rooming in houses near the university.

"Students tolerate crowded classes and labs because they have no choice," he comments. "If they could go somewhere else, more comfortably, they would."

### BUILDINGS GOING UP

New construction also is continuing at Central Michigan where a State financed $2,750,000 science building is underway, to be ready next fall.

Two residence halls and a married students complex—both self-amortizing—also are being built.

CMU has added two "post sessions" to its two-semester curriculums which will allow students to acquire up to 10-credit hours during the summer.

Enrollment is expected to rise to 10,000 by 1970.

### NMU EXPANDING

Northern Michigan University also has been expanding. Under construction are a residence hall and food center, both to be completed next September. An addition to the school's university center will open in January.

The school recently occupied a new fine and practical arts building, costing taxpayers $2,600,000. It marked the first classroom building to be erected on the campus since 1915, according to Edgar L. Harden, president.

But the school still needs a science building, a new heating plant and additional library facilities. Some 340 students are being boarded in private homes, Harden says.

### SEEK TRADE BUILDING

Ferris is expanding with two self-financed residence halls and a $1,750,000 State appropriated health and physical education center, part of which will open in December. A trade technical building is sought so that the school can accept a larger enrollment in this area.

"We are at capacity now," reports Victor F. Spathelf, president. "We tugged and pulled to get in this fall's added enrollment.

"Next year the pressure will be greater, but the stretch is all gone—we won't be able to do anything about it."

### FIVE HUNDRED ON WAITING LIST

Ferris this fall turned away hundreds of students, but kept 500 on a waiting list to fill places vacated by dropouts at midterm.

In the last 12 years Ferris has added 4,000 to its enrollment. In 1951 it was a school of only 775.

Each school's problems vary, necessarily, but most administrators declare they have been crowding additional students into existent facilities for so long that they have come to the end of the line.

None expects a miracle to correct the system. But they worry that crowding may adversely affect quality.

**Mr. MORSE.** Mr. President, I yield 7 minutes on the bill to the Senator from Minnesota [Mr. Humphrey].

**Mr. HUMPHREY.** Mr. President, I wish to speak on behalf of the bill now before us. In light of the demands which the Nation faces for expanded facilities for higher education and for more technical schools, this legislation is urgently necessary. I support this bill and am proud to be a cosponsor of the Senate bill which would fulfill the same purposes and objectives.

On October 8, I had placed in the Record, tables of "Payments to States and Individuals Under Selected Programs of the Federal Government Relating to Education, 1938–63 Fiscal Years." Among other things, those tables showed that currently we are spending at less than our 25-year average for education compared to the gross national product, the national budget, or the number of people educated. At a time when educated, informed citizens are unquestionably our most vital national resource, the facts indicate that we have not been alert to our responsibilities.

At some appropriate occasion I wish to put some flesh and blood on those figures I presented, in order to indicate more fully some of the economic and human values we have been reaping from our investments in education. At this time, however, I wish to emphasize:

First. That the Federal Government's responsibility in education is a well-established principle.

Second. In terms of benefits to the Nation, Federal participation in the cost of education should be seen as an investment, not an expense.

Third. Federal participation has not had any of the stultifying effect of control in education. On the contrary, it has been a stimulus to freedom, and a protection to a diversified system of education.

Fourth. The extraordinary demands on education in the decade ahead of us, cannot be met by State-local-private sources alone.

Fifth. The Federal responsibility, long recognized and established in principle, has chiefly been exercised in times of educational crisis. I urge that we look ahead with planning and foresight to avoid crises in the future.

### DOES THE FEDERAL GOVERNMENT HAVE A RESPONSIBILITY?

The question of whether the Federal Government should participate in educational support, or if it has any responsibility was answered 100 years ago by the passage of the first Morrill Act. The answer then was "yes" and that affirmation has been reiterated time and again. That legislation started the land-grant colleges. Today these 68 colleges and universities enroll approximately one-fifth of the total college enrollment in the United States, although they constitute only one-thirtieth of the institutions of higher learning.

### VOCATIONAL EDUCATION

In this century we have recognized a Federal responsibility in the support of vocational education by the passage of the Smith-Hughes Act and the George-Barden Act. Since World War II a variety of special needs have elicited Federal help as a necessary component.

### UNIVERSITIES AND THE GOVERNMENT

The Government relies on the universities to do those things which cannot be done by Government personnel in Government facilities. It turns to the universities for basic research in the field of agriculture. The remarkable competence of American agriculture is due in no small part to this research, experimentation, and extension work of the universities. The Federal Government, however, has had to turn to the universities in many other fields: defense, medicine, public health, to name a few. Today it is for the conquest of space. Tomorrow our concerns may reach beyond the stars.

### RETURN ON EDUCATIONAL INVESTMENT

In all these ways, the Government has a tremendous investment in education. However, there has been a dollars-and-cents return of impressive proportions. A publication of the Chase Manhattan Bank summarized one economic study as indicating that 24 percent of the increase in the gross national product from 1929 to 1957, and 44 percent of the increased production per worker, could be attributed to the higher level of education in the labor force. In addition, it was reported, increased knowledge and its application accounted for another 17 percent of the growth in the gross national product, and 31 percent of the rise in the output per employee.

The publication states:

> The record shows that the growth in the gross national product resulting from education has been sufficient to cover much of the cost of our school system despite the rapid rise in enrollment and expenditures. Thus, year-for-year, as well as over time, a large part of the expenditure on education is self-financed.

They are speaking of the total expenditures for education at all levels. The Federal amounts spent are an extremely small part of total costs. In fact, the total is less than 4 percent.

National defense and security, national health, and national economic growth are a direct reflection of the skills and resources developed by our schools. Nowhere have we gotten so much for so little cost. Here is the ultimate line of defense for our country.

### IS THERE FEDERAL CONTROL?

Nor has there been, in the long and happy history of this Federal-educational partnership, any hint of Federal control. The bogey is continually raised, but never with evidence.

The agricultural and mechanical colleges which the Federal Government subsidized 100 years ago and ever since, had a specific purpose. How to implement this purpose, interference with subject matter or teaching methods, has never remotely been involved. The experimental stations and extension programs in which the Department of Agriculture has participated with the land-grant schools, have been free to initiate and carry out any research deemed necessary. The 10,000 county agents and home demonstrators in 3,000 counties in America are as free as the individuals they work with.

President Pusey of Harvard reported his view, and that of all of the university presidents who participated with him in the Carnegie report, that the Federal participation in education did not imply control.

How free is a scientist if he does not have equipment and facilities with which to do research? How free is a college to do a good job in language training if it cannot afford laboratories and modern equipment? How free is an able student to get into college if there is no dormitory there to house him, teachers to teach him, or classrooms to study in?

Not only has the heavy hand of control upon thought or academic discipline never been present, not only has freedom of opportunity been an outstanding hallmark of the Federal program, but the strength of the diversity of our higher educational system has been reinforced.

### PUBLIC AND PRIVATE COLLEGES

In the history of Federal aid to higher education, Congress has not drawn a line between public and private colleges and universities. In the beginning, Brown, Yale, Cornell, Rutgers, and other schools of a private nature—some denominational and some not—were given grants. Today, of the 100 universities which receive 90 percent of all Federal research funds, 55 are public, and 45 are private. In the top 10 universities receiving 38 percent of the funds, the division is even—5 to 5. The ratio of private to public institutions in the United States is almost 2 to 1. Despite the number of private institutions, the ratio of students in private as opposed to public institutions has declined from one-half to less than one-third in the past 20 years. This trend will continue, but it would be accelerated if private schools are excluded from our consideration.

It is generally estimated that the institutions of higher learning will have to spend approximately $10 billion annually for educational and general purposes by 1970. This compares to a rate of $3.7 billion in 1957–58, of which $1.2 billion came from State and local sources. Their amount of support might go to $3 billion or, by virtue of Herculean effort, to $6 billion. They simply cannot carry the total load.

States, in all but several instances, are heavily committed to their State institutions. Increases from the States will go almost entirely to those public institutions. On the other hand, only a handful of private colleges and universities have the endowment resources to hope to keep up. Given the total State debt which is much more significant than that of the Federal Government, and the limited sources of funds for private institutions, not only is it going to be difficult for a State-local effort to stay even, but higher education will lose ground unless the Federal Government continues to discharge its responsibility.

### GRANTS AND LOANS

A Federal program of adding matching grants to loans for facilities is an important stimulus to funds from other sources. The Federal loan program to colleges has worked magnificently. Since 1950, some 900 colleges and universities, enrolling 85 percent of the college student population have received housing loans. Never in the program's history has there been a default on a loan, and interest payments by the participating institutions in 1962 exceeded by $2.5 million the interest the Government paid for outstanding loans.

Tremendous as the record is, the crushing needs of the tidal wave of students coming in demand accomplishing more than can be done by the loan route alone.

The legislation before us is modest in its provisions. It does not begin to have either the imagination or the courage shown by the Congress in 1862 when they made a response as big as the need they were trying to serve. The Nation was then tearing itself apart. It was nearly bankrupt. The Congress could have taken the attitude of holding public lands, and speculating in values with a hope of balancing the budget. Let us give thanks that they did not. Let us have something of their vision. The costs we bear now will be as nothing compared to the penalties of neglect.

### EDUCATION AND CRISIS

Finally, let me say that it is time to stop legislating for education only under the impetus of crisis. It is time we took a long look ahead, surveyed the total need, anticipated developments, and formed an understanding of the continuing Federal role in a balanced, overall program.

The dates of major legislation in education in this century, tell the story of acting under crisis. In 1917 the Smith-Hughes Act responded to the spur of wartime needs. The GI Bill of Rights after World War II did likewise. It is generally conceded that the Russian "Sputnik" jarred us into the realization of the need for the NDEA, by showing us that the Soviets had done some shrewd planning to develop an educational system with which to move into a scientific age and exploit its technology.

Now we are seeing that we have many other problems. Our vocational education is woefully out of date. We do not begin to have the educational plant to take care of the rising student population. We have not realized fully the degree to which the national strength in defense, the vitality of the economy, and social and human welfare depend upon our people being given the most complete opportunity to education in the arts and skills of the new age and thereby enabling them to cope with the challenge of automation. The final responsibility in such a case for a coordinating and balance-wheel role lies with the Congress. I hope we build upon our present legislation, watch closely to learn from its experience, and instead of waiting for future crises, resolve to anticipate and avoid them.

Equality of opportunity in education, not only for all individuals, but also for all of the arts and skills a free nation needs, requires a continuing Federal commitment. This philosophy was never better put than by the early advocates of the land-grant universities in their plea for the Federal assistance. President Joseph R. Williams, a Michigan pioneer, protested education being reserved for a favored few when "seven-eighths of a race, on whose toil all subsist, have been deemed unworthy of mental cultivation." Justin Morrill, in one of many eloquent passages, criticizes the philosophy of education for the few:

> All persons, however humble their pursuits, become more valuable by education, more useful to themselves and to the com-

> munity, and especially so where each one has a visible and responsible share in the Government under which he lives.

The pleas 100 years ago were for an opportunity for education for everyone. The Government responded and has reaped a tremendous harvest from its response. Today the special forms of education have changed, but the principles, from a national point of view, have not.

We are not too poor to meet our responsibilities. We do not have other needs that are greater. We do have the wit and wisdom to take a long look at the total picture. The legislation before us is good. However, I hope we do not think of it as the keystone, much less the whole arch of the educational structure, which needs our continuing interest as long as there are citizens to educate, a country to defend, and new vistas to be explored.

The bill that we pass today will help us maintain our position in this vital race between education and possible disaster. It is a step in the right direction and, as has been elucidated above, it is a step in the best tradition of American democracy and free education. This bill helps meet the need so eloquently described by the President when he requested this legislation.

> Aid to college students will be to no avail if there are insufficient college classrooms. The long-predicted crisis in higher education facilities is now at hand. For the next 15 years, even without additional student aid, enrollment increases in colleges will average 340,000 each year. If we are to accommodate the projected enrollment of more than 7 million college students by 1970—a doubling during the decade—$23 billion of new facilities will be needed, more than three times the quantity built during the preceding decade. This means that, unless we are to deny higher education opportunities to our youth, American colleges and universities must expand their academic facilities at a rate much faster than their present resources will permit.
>
> In many colleges, students with adequate modern dormitories and living quarters—thanks to the College Housing Act—are crammed in outmoded, overcrowded classrooms, laboratories, and libraries. Even now it is too late to provide these facilities to meet the sharp increases in college enrollment expected during the next 2 years. Further delay will aggravate an already critical situation.

Title I(a) of this bill will provide for, first, the construction of much needed graduate and undergraduate academic facilities; second, expansion of existing facilities; third, acquisition of land and site improvement; and fourth, $180 million a year for 5 years which, while not sufficient, will indicate the Federal desire to help meet the financial crisis facing our educational system.

Title II will provide funds for the construction of community colleges. These will fill an urgent need for higher education facilities within commuting distance of the students and thereby bring such education within the financial means of many who would otherwise be excluded.

Title I(b) will provide $120 million per year for 5 years for loans for the construction of graduate and undergraduate academic facilities of public and other nonprofit institutions of higher learning.

Regrettably there have been amendments offered to this legislation which will serve to weaken and dissipate its effect. I am sure that this was not intended by those who proposed or those who voted for these amendments. However, there is little question that the amendment which will provide for taxpayer suits under the first and fifth amendments or other constitutional provisions will only serve to hamper the implementation of this program. It will also delay the availability of funds, with suits possibly initiated for a variety of reasons not intended by those who supported this amendment.

During consideration in conference committee, I am in hopes that this amendment will be deleted and that we will pass a bill with no weakening or dilatory provisions.

Only in this way can we meet the challenge of a growing population, a burgeoning technology, and a shrinking planet.

Mr. **MORSE**. Mr. President, does the Senator from Florida wish me to yield time to him?

Mr. **HOLLAND**. No.

Mr. **MORSE**. I am ready to yield back the remainder of my time.

Mr. **JAVITS**. I yield back the remainder of my time.

The **PRESIDING OFFICER** (Mr. McIntyre in the chair). The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **LAUSCHE** (when his name was called). On this vote, I have a pair with the Senator from Pennsylvania [Mr. Clark]. If the Senator from Pennsylvania were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. **HUMPHREY**. I announce that the Senator from Maryland [Mr. Brewster], the Senator from Nevada [Mr. [Cannon], the Senator from Idaho [Mr. Church], the Senator from Pennsylvania [Mr. Clark], the Senator from Louisiana [Mr. Ellender], the Senator from Indiana [Mr. Hartke], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Maine [Mr. Muskie], the Senator from Rhode Island [Mr. Pell], and the Senator from Oklahoma [Mr. Edmondson] are absent on official business.

I also announce that the Senator from California [Mr. Engle] is absent because of illness.

I further announce that the Senator from North Dakota [Mr. Burdick] and the Senator from Mississippi [Mr. Eastland] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from California [Mr. Engle], the Senator from Indiana [Mr. Hartke], and the Senator from Rhode Island [Mr. Pell] would each vote "yea."

On this vote, the Senator from North Dakota [Mr. Burdick] is paired with the Senator from Colorado [Mr. Dominick].

If present and voting, the Senator from North Dakota would vote "yea" and the Senator from Colorado would vote "nay."

On this vote, the Senator from Nevada [Mr. Cannon] is paired with the Senator from Mississippi [Mr. Eastland].

If present and voting, the Senator from Nevada would vote "yea" and the Senator from Mississippi would vote "nay."

On this vote, the Senator from Washington [Mr. Magnuson] is paired with the Senator from Louisiana [Mr. Ellender].

If present and voting, the Senator from Washington would vote "yea" and the Senator from Louisiana would vote "nay."

On this vote, the Senator from Louisiana [Mr. Long] is paired with the Senator from Idaho [Mr. Jordan].

If present and voting, the Senator from Louisiana would vote "yea" and the Senator from Idaho would vote "nay."

On this vote, the Senator from Oklahoma [Mr. Edmondson] is paired with the Senator from Maine [Mr. Muskie].

If present and voting, the Senator from Oklahoma would vote "nay" and the Senator from Maine would vote "yea."

Mr. **KUCHEL**. I announce that the Senator from New Hampshire [Mr. Cotton] is absent on official business as congressional adviser to the Radio Conference of the International Telecommunications Union, Geneva, Switzerland.

The Senator from Colorado [Mr. Dominick], the Senator from Idaho [Mr. Jordan], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Delaware [Mr. Boggs] and the Senator from South Dakota [Mr. Mundt] are absent because of illness.

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Delaware [Mr. Boggs]. If present and voting, the Senator from Texas would vote "nay" and the Senator from Delaware would vote "yea."

On this vote, the Senator from Colorado [Mr. Dominick] is paired with the Senator from North Dakota [Mr. Burdick]. If present and voting, the Senator from Colorado would vote "nay" and the Senator from North Dakota would vote "yea."

On this vote, the Senator from Idaho [Mr. Jordan] is paired with the Senator from Louisiana [Mr. Long]. If present and voting, the Senator from Idaho would vote "nay" and the Senator from Louisiana would vote "yea."

The result was announced—yeas 60, nays 19, as follows:

[No. 196 Leg.]

YEAS—60

Aiken
Anderson
Bartlett
Bayh
Beall
Bible
Byrd, W. Va.
Carlson
Case
Dirksen
Dodd
Douglas
Fong
Fulbright
Gore
Gruening
Hart
Hayden
Hickenlooper
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Keating
Kennedy
Kuchel
Long, Mo.
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf

Miller
Monroney
Morse
Morton
Moss
Nelson
Neuberger
Pastore
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smathers
Smith
Symington
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—19

Allott
Bennett
Byrd, Va.
Cooper
Curtis
Ervin
Goldwater
Hill
Holland
Hruska
McClellan
Mechem
Robertson
Russell
Simpson
Sparkman
Stennis
Talmadge
Thurmond

NOT VOTING—21

Boggs
Brewster
Burdick
Cannon
Church
Clark
Cotton
Dominick
Eastland
Edmondson
Ellender
Engle
Hartke
Jordan, Idaho
Lausche
Long, La.
Magnuson
Mundt
Muskie
Pell
Tower

So the bill (H.R. 6143) was passed.

The title was amended, so as to read: "An act providing Federal assistance for the construction of college academic facilities."

Mr. MORSE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. RANDOLPH. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized, in the engrossment of the Senate amendments, to make certain technical and clerical corrections and changes; and I also ask unanimous consent that the bill as passed by the Senate be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I move that the Senate insist upon its amendments and request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Hill, Mr. McNamara, Mr. Morse, Mr. Yarborough, Mr. Clark, Mr. Randolph, Mr. Goldwater, Mr. Prouty, and Mr. Javits conferees on the part of the Senate.

### TRIBUTES TO SENATORS

Mr. MORSE. Mr. President, I should like to express my sincere thanks to the majority leader and the minority leader for their unfailing courtesy and assistance to the senior Senator from Oregon in connection with the handling of the education bill which has just passed the Senate.

I wish to thank the members of the subcommittee and the full committee for their unfailing assistance to me at all times as over the months we worked getting the bill ready for the final vote, which has just occurred.

I wish to express my appreciation to the counsel for the committee, Mr. John S. Forsythe, and Mr. Charles Lee, professional staff member; Mr. Michael J. Bernstein, counsel and Mr. Raymond D. Hurley, assistant counsel for the minority for their great assistance to me.

With respect to this bill, as with previous educational bills on behalf of the committee, I wish to acknowledge the debt of gratitude owed for the splendid assistance provided to us by Secretary Celebrezze, Dr. Wilbur Cohn, Commissioner Kippel, and their hard working associates in the Department of Health, Education, and Welfare.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the majority leader.

Mr. MANSFIELD. Mr. President, what the distinguished Senator from Oregon has said is deserved by everyone except the majority leader. I make that statement in good heart and good faith. Once again the Senator has displayed his usual superb skill, his fine sense of understanding, and his good generalship in piloting through this body a measure of major importance. I assure the Senate again that, so far as the Senator from Oregon and his colleagues on the conference are concerned, they will do their very best to uphold the actions taken by the Senate in the consideration of any and all amendments before this body. Again I congratulate the Senator for a task well done.

Mr. YARBOROUGH. Mr. President, will the Senator yield to me?

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Texas.

Mr. YARBOROUGH. I thank the distinguished minority leader.

I commend the distinguished chairman of the Subcommittee on Education, the senior Senator from Oregon [Mr. Morse]. As a member of that subcommittee I have watched him in the subcommittee and in the full Committee on Labor and Public Welfare. Early in the 87th Congress the Senator started holding long and patient hearings. He heard the leading educators of America. That education bill bogged down in conference.

Again in the 88th Congress, during many trying days, the Senator from Oregon presided over and attended the hearings day after day. He has written a record of fidelity to the hearings on the bills before him that is seldom equaled by a chairman in the Senate. I commend him for his patience, his fidelity, and his hard work. I think he has performed an outstanding example of good work in the Senate.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Vermont.

Mr. PROUTY. Mr. President, I have already commended the chairman of the subcommittee for his excellent work, but I wish to add to what has again been said by his colleagues on the subcommittee. As a conferee, I shall do my utmost to see that the sentiment of the Senate is upheld.

I also take this opportunity to express my personal appreciation to Mr. Bernstein and Mr. Hurley, who are members of the minority staff on the Committee on Education and Public Welfare.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes.

## INCORPORATION OF THE CATHOLIC WAR VETERANS OF THE UNITED STATES OF AMERICA AND THE JEWISH WAR VETERANS OF THE UNITED STATES OF AMERICA

The PRESIDING OFFICER. Under the unanimous-consent agreement entered into on Thursday last, the Chair lays before the Senate the bills, S. 1914, and S. 1942, which will be stated.

The Legislative Clerk. A bill (S. 1914) to incorporate the Catholic War Veterans of the United States of America; and (S. 1942) a bill to incorporate the Jewish War Veterans of the United States of America.

The PRESIDING OFFICER. Under the unanimous-consent agreement there is a limitation of 30 minutes of debate on the question of final passage of the two bills now being considered en bloc, at the conclusion of which a single yea-and-nay vote will be taken on the two bills.

The Senate resumed consideration of S. 1914, a bill to incorporate the Catholic War Veterans of the United States of America; and S. 1942, a bill to incorporate the Jewish War Veterans of the United States of America.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from New York.

Mr. KEATING. Mr. President, the major objection leveled against the grant of Federal charters to the Catholic War Veterans and Jewish War Veterans is that it is a step in the direction of approved segregation. I, too, would join the forces of the opponents if this were the effect of S. 1914 and S. 1942. The grant of Federal charters to these fine veterans organizations in no way advances the cause of enforced exclusion.

Both the Catholic and Jewish War Veterans are groups with two specific interests: one of military background and one of community of belief. They are voluntary organizations giving expression to their unity of interests.

If the sole test for a grant of a charter to a veterans organization is service to country, then we have erred in granting charters to more than one group. I cannot subscribe to the thesis that service to country should be the only criterion. This country has gained through diversity of institutions and we must never confuse unity with conformity. By granting Federal charters to various veterans organizations we have allowed greater participation by a greater number of veterans. The result has been to make us all more aware of our great institutions with the presence of more voices emanating from these different organizations.

The Jewish War Veterans and Catholic War Veterans maintain the spirit of patriotism, loyalty tc the Constitution, engender goodwill and understanding, commemorate the campaigns of wartime service, and foster associations of veterans of faiths who served together in the defense of our country.

The test of a Federal charter should be whether we approve the purpose of the organization and the record it has established. The service of the Jewish War Veterans and the Catholic War Veterans to our country is a matter of public record and I urge that we now grant them the prestige of national charters, which they so richly deserve.

I ask unanimous consent for the correction in the spelling of seven of the names listed as incorporators in section 1, page 2 of the bill S. 1492, to incorporate the Jewish War Veterans. I send to the desk a list of the names as they should be correctly spelled.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **McCARTHY**. Mr. President——

Mr. **HICKENLOOPER**. Mr. President, what time is yielded to the Senator from Minnesota?

Mr. **JAVITS**. Mr. President, I yield 1 minute to the Senator from Minnesota [Mr. McCarthy].

## SUPPORT OF THE SALE OF WHEAT TO THE SOVIET UNION BY THE NATIONAL CATHOLIC RURAL LIFE CONFERENCE

Mr. **McCARTHY**. Mr. President, there has been some debate about the question of the sale of wheat to the Soviet Union on the basis of moral principles. This issue was discussed at a recent meeting of the board of directors of the National Catholic Rural Life Conference, and the board issued a resolution supporting the wheat sale. I ask unanimous consent that the news report and the text of the resolution, appearing in the Catholic Bulletin of St. Paul on October 18, be printed at this point in the Record.

There being no objection, the article and resolution were ordered to be printed in the Record, as follows:

### Wheat Sale Decision Hailed

Grand Forks, N. Dak.—The National Catholic Rural Life Conference (NCRLC) has endorsed the sale of U.S. wheat to Russia and Soviet satellite countries at its board of directors meeting here.

Prompted by President Kennedy's October 9 announcement that he had approved the sale of 7 million tons of wheat valued at $375 million, the NCRLC said in a telegram to the President that there are "both moral and practical reasons" for stepped-up trade relations with Communist bloc nations, including the wheat sale.

The resolution adopted at the meeting October 8 and 9, said "only the most serious reasons justify our withholding food from hungry people regardless of the nation in which they live."

The text of the NCRLC resolution follows:

"For many year the U.S. Government has made it a policy to avoid, though not totally to exclude, trade with Russia, China, and most Communist satellite nations. That policy is now being reconsidered. Specifically, consideration is being given to selling wheat to such nations.

"Communist nations repeatedly fail to provide the food needed by their people, while U.S. farmers produce a great abundance of food. This is clear proof of the superiority of our free, family-type farms over the state-operated farms of Communist nations. All the peoples of the world should be informed of these facts.

"Almighty God gave us the resources to produce an abundant food supply to nourish people. Christ our Lord warns that severe judgment will be meted out to those who refuse to feed their hungry brethren: 'Depart from Me, accursed ones, into the everlasting fire * * * For I was hungry, and you did not give me to eat * * *' (Matthew 25: 41–42). Hence, only the most serious reasons justify our withholding food from hungry people regardless of the nation in which they live.

"Pope John XXIII in his encyclical Pacem in Terris, reminded us that, although communism is in error and error may never be embraced, still movements such as Communist governments are affected by current economic, political, and social climate and may change to such a degree that a new policy toward them can be considered.

"He elaborates as follows: 'But to decide whether this moment has arrived and also to lay down the ways and degrees in which work in common might be possible for economic, social, cultural, and political ends which are honorable and useful—these are the problems which can only be solved with the virtue of prudence. * * *

" 'Therefore, so far as Catholics are concerned, this decision rests primarily with those who live and work in the specific sectors of human society in which those problems arise, always, however, in accordance with the principles of the natural law, with the social teaching of the church, and with the directives of ecclesiastical authority' (par. 160).

"Accordingly, we urge our national leaders to reexamine trade policies with Communist nations. Specifically, we suggest that consideration be given to selling wheat to Russia's satellites and perhaps even to Russia herself. We see both moral and practical reasons why, with proper regard to prudence and national security, we should consider entering into such transactions."

## DEATH OF HENRY ARENS, FORMER MEMBER OF CONGRESS, FROM JORDAN, MINN.

Mr. **McCARTHY**. Mr. President, I have received word of the death of a former Member of Congress, Mr. Henry Arens, of Jordan, Minn., and I wish to take this opportunity to pay tribute to a good citizen who for many years conscientiously served his State and the Nation in elective office.

Mr. Arens died on October 6 at the age of 89. He was one of the leaders of the Farmer-Labor Party in Minnesota in the 1930's, before this party joined with the Democratic Party to form the Democratic-Farmer-Labor Party. He served in both the House of Representatives and the Senate of the Minnesota State Legislature before he was elected as Lieutenant Governor of Minnesota in 1930. In 1932 he was elected to the U.S. House of Representatives from the Second Congressional District, and he served one term in the House.

Mr. Arens had not been active in politics for many years, but I recall having visited with him on several occasions and being impressed by his continued interest in the welfare of citizens, particularly of farmers.

I ask unanimous consent that the news story about Mr. Arens which appeared in the Minneapolis Tribune, October 7, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Minneapolis Morning Tribune, Oct. 7, 1963]

### Henry Arens, Former State Politician, Dies

Henry Arens, former Lieutenant Governor and U.S. Congressman from Minnesota, died Sunday at Valley View Hospital in Jordan, Minn. He was 89.

Mr. Arens was elected Lieutenant Governor in 1930 as a candidate of the Farmer-Labor Party. He served one term under Gov. Floyd B. Olson and then rejected his party's renomination to run for Congress.

Mr. Arens was the first non-Republican to hold the State's second highest executive post since the Civil War and his decision to seek a congressional seat in 1932 spurred a hasty party decision to get him to change his mind.

Mr. Arens refused, however, and won his race for Congress. He served one term before being defeated in a bitter reelection struggle by Elmer Ryan. At the end of that campaign, Mr. Arens said he was convinced "that politics is not worthwhile, and that never again will I ask favors of the electorate."

The German-born Mr. Arens had made his home in Jordan since 1890 and served 2 years in the lower house of the State legislature, and 8 years as a State senator before his election as Lieutenant Governor.

He was regarded as a pioneer in the Farmer-Labor Party and was a firm supporter of farm legislation both in Minnesota and in Washington, D.C.

Mr. **SMATHERS**. Mr. President, will the Senator yield me 1 minute?

Mr. **JAVITS**. Mr. President, I yield the Senator 1 minute.

The **PRESIDING OFFICER**. The Senator from Florida is recognized for 1 minute.

## TAX REDUCTION BILL

Mr. **SMATHERS**. Mr. President, now that the Congress is considering the tax reduction bill the question that keeps arising and recurring is whether we need tax reduction in order to stimulate the economy. The contention of those who support tax reduction is that it will stimulate the economy. In order to fortify that argument, I ask unanimous consent to have printed in the Record an article which was published in this morning's Wall Street Journal, entitled "Steel Outlay Surge," written by John F. Lawrence.

The article states, in part:

> The mills began to get some added cash last year with the change in depreciation guidelines, which allowed faster write-offs of new facilities for tax purposes, and with a new tax credit for equipment purchases. Reflecting the new guidelines, the industry's depreciation charges jumped 26 percent to $928 million in 1962, easing its tax burden.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Steel Outlay Surge—Price Boosts Help Lift Spending Sharply To Modernize Plants—Republic Expects To Double Budget for 1964; Cost Cuts Sought To Battle Imports—Depreciation Cash Builds Up

(By John F. Lawrence)

Pittsburgh.—Steel producers, having received some of the depreciation reform and price relief they argued were needed to provide funds to modernize mills, are wasting no time putting their money where their argument was.

"Our capital spending is going to be very greatly accelerated" because of this year's steel price increases and the 1962 U.S. Treasury change in depreciation guidelines, says Thomas F. Patton, president of Republic Steel Corp. The company's directors last month approved some major new appropriations and Republic now expects its 1964 spending to be "more than twice" this year's $65 million, says Mr. Patton. Earlier, next year's spending had been pegged only slightly higher.

Other mills are making similar, if less sweeping decisions, say the companies that engineer and build steel mill machinery. Most of these report a sharp jump in requests for bids in the past 2 months. "The biggest problem of some mill machinery companies right now is finding enough manpower to work up bids on all the inquiries they're getting," says a sales official for one mill supplier.

### A 25-PERCENT RISE?

The upshot: Combined plans of seven of the biggest steelmakers for 1964 capital spending now add up to a rise of 25 percent over this year. Industrywide, such a gain would boost spending to more than $1.5 billion, the highest total since 1960 and close to the 1957 peak of $1.7 billion. Steel's 1963 spending for new plant and equipment is expected to top $1.2 billion, a 33-percent rise over 1962.

Many of the projects being approved or discussed in the current round of spending plans won't be completed next year. So industry officials already forecast a further climb in capital spending in 1965.

Spurring this uptrend, say steel men, is severe competitive pressure from lower priced foreign steel and from aluminum, plastics and other materials. Critics of the industry have thought this pressure to be an argument against raising steel prices. But such steel executives as United States Steel Corp. Chairman Roger Blough have long argued that steel could meet the competition only by bringing production costs down, that it could do this only by a major plant modernization program, and that to carry out that program the industry needed an immediate transfusion of ready cash.

### DEPRECIATION HELP

The mills began to get some added cash last year with the change in depreciation guidelines, which allowed faster writeoffs of new facilities for tax purposes, and with a new tax credit for equipment purchases. Reflecting the new guidelines, the industry's depreciation charges jumped 26 percent to $928 million in 1962, easing its tax burden.

Developments in recent weeks have given considerably more impetus to spending plans. Demand for steel is rising steadily and producers since August have been able to boost prices on products accounting for 38 percent of the industry's shipments. This is on top of boosts last spring that covered an equally broad segment of the market. The resulting 2 percent increase in the average selling price of all steel products means added annual revenues of $280 million for the industry at this year's selling price.

With more cash now coming in, steelmen are drafting plans to spend it just the way they said they would. "The corporation is in the mood to spend" on new facilities, says a high executive of United States Steel. The company's spending already had been expected to rise next year from the 1963 level, which in turn is well above last year's $201 million, he says. But he now foresees a further boost in the 1964 budget.

Another steel executive expects every penny raised by higher prices to go into modernization, rather than into dividend increases because "the rest of the world has moved faster than we, and we've got to catch up."

### WHERE MONEY WILL GO

Most of the new expenditures will be aimed at replacing aging facilities and taking advantage of technological advances that promise cost cuts. Steel companies often won't say officially exactly what new facilities they plan. But informed sources indicate these are some of the major projects in the works but not yet announced:

National Steel Corp. in the past 6 weeks has appropriated money for a new 80-inch-wide mill for producing cold-rolled sheet steel at its Great Lakes Steel Corp. subsidiary plant in Detroit. The new mill and supporting equipment, which could cost as much as $50 million, will replace an older facility and help keep the company competitive with similar new mills already announced for the Midwest by United States Steel, Bethlehem Steel Corp. and Youngstown Sheet & Tube Co. One industry official calculates the new mill will cut per ton rolling costs in half compared with the present unit.

United States Steel plans to buy an 80-inch hot strip mill for its Gary, Ind., works. The new mill is expected to be one of the fastest in the world. It will cost more than $80 million and will add 6 million tons to United States Steel's present 3-million-ton hot rolled sheet capacity at Gary, unless some older Chicago area units are closed. This will help the company go after a bigger share of the big Midwest automotive and appliance markets for flat-rolled steel. United States Steel also is talking of at least one other rolling mill at Gary.

Republic, which had been taking its time letting contracts for a previously announced new bar mill at its South Chicago plant and for basic oxygen furnaces to melt raw steel at three other plants, now is speeding up both projects. The company also is discussing putting in new bar-making facilities at its Youngstown plant.

Bethlehem at its Sparrows Point, Md., plant complex, and Weirton Steel Division of National each plan a second new rolling mill for producing thin tinplate, a relatively new product used in cans. Each mill will cost about $25 million. The new mills will lower cost and add to capacity for the product, which is growing rapidly in use.

Some companies had budgeted heavily for 1964 and beyond even before the latest price boosts. Bethlehem this year is spending only about $200 million of a 3-year, $750 million appropriation that runs through 1965. The biggest project is the company's first midwestern facility, a new Burns Harbor, Ind., finishing plant announced last December. Inland Steel Co. recently reported plans to spend $100 million next year, against $85 million this year and $42 million in 1962.

Among other major producers, Youngstown Sheet & Tube currently expects to spend $75 to $80 million next year, about double its 1963 outlay. Armco Steel Corp. is winding up a major program begun in 1959 and expects a lull in spending next year, with outlays dropping to $60 million from this year's $80 million to $90 million, but it's now developing another 3- to 5-year program, says D. E. Reichelderfer, executive vice president. Recent price boosts undoubtedly will make it possible to move ahead sooner than otherwise on some projects he adds.

Improved demand this fall, which would have boosted profits available for investment even if there had been no price increase, is adding steam to the spending push. Output of raw steel now appears headed for 108 million tons this year, highest since 1957. Shipments of finished steel are expected to rise to 75 million tons, 7 percent over 1962, lifting industry profits at least 15 percent from last year's 10-year low of $567 million.

In addition, says one mill machinery supplier, the mills "a while ago were forecasting the economy would turn down in the first half next year. Now they figure it may rise." If it does, of course, the rise could spur increased spending in other industries, too.

In part, the step-up in steel spending also reflects the increased research efforts mills have made in recent years. These efforts have developed new products that require new equipment—the new mills for producing thinner tinplate are an example—and new methods of making steel more cheaply.

Such developments are coming so fast that Jones & Laughlin Steel Corp. and United States Steel have established new forward planning units within the past 2 months to oversee capital spending programs. Their big job: Get new equipment into operation soon enough to keep up with or beat competition, but not so soon that the company misses some of the technological improvement and winds up with a new facility outmoded before it opens. Such fears have helped to hold back the launching of some big projects, including Bethlehem's mill at Burns Harbor, in recent years.

While some of the new spending undoubtedly will go into new basic oxygen furnaces, which trim the cost of making raw steel, the emphasis in the new round of spending is likely to be on finishing facilities to take advantage of technological advances in rolling mills and other finishing processes. A Republic official calculates 27 new finishing mills have been announced by the 8 biggest steel producers since January 1962, and predicts this concentration will continue.

The industry's increased spending can hardly be justified, of course, in terms of need for more tonnage output. Even with operations improved this fall the industry is running at only 62 percent of capacity. Raw steel capacity was estimated at 162 million tons annually at the beginning of 1963.

Capacity nonetheless continues to grow as a result of new facilities being installed primarily to cut costs. Armco figures a new basic oxygen furnace at Ashland, Ky., adds 1.4 million ingot tons to the company's annual capacity. Inland is building new oxygen furnaces capable of turning out 2 million tons of ingots yearly, but will offset half of this by closing older furnaces.

Mr. SMATHERS. Mr. President, I believe this article demonstrates conclusively that what we did last year in changing the depreciation allowance and allowing the investment credit of 7 percent has done as much to stimulate the fine business condition now existing as anything else; and it demonstrates that if there should be a further tax reduction the economy would be further stimulated.

## INCORPORATION OF THE CATHOLIC WAR VETERANS OF THE UNITED STATES OF AMERICA AND THE JEWISH WAR VETERANS OF THE UNITED STATES OF AMERICA

The Senate resumed the consideration of the bills (S. 1914) to incorporate the Catholic War Veterans of the United States of America; and (S. 1942) to incorporate the Jewish War Veterans of the United States of America.

Mr. SALTONSTALL. Mr. President, will the Senator from New York yield me 30 seconds?

Mr. JAVITS. I yield 1 minute to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 1 minute.

Mr. SALTONSTALL. Mr. President, I was one of the sponsors of one of these bills. I did so because both of these organizations have units in Massachusetts. Most of the members are also members of the American Legion and the Veterans of Foreign Wars, or one of those two great major national organizations. This program has worked well in Massachusetts. The veterans have all cooperated. For that reason, I hope these two organizations may be nationally constituted at the present time.

**Mr. HICKENLOOPER.** Mr. President, I do not intend to take much of the time of the Senate today. The issues are pretty clear. As I said last Thursday when this matter was under consideration, we hear much about segregation in this country. We hear people make speeches and read newspaper articles about segregation and how wrong it is. I agree that it is wrong.

This is one of the most glaring segregation proposals, sponsored by the same people who are making the greatest effort against segregation. These bills represent support of segregation based upon service to one's country in time of war and based on segregating servicemen by their religion. That is all there is to these bills.

I have the highest respect for the Catholic War Veterans association. I have the highest respect for the Jewish War Veterans association. I have the highest respect for the Masonic War Veterans association. I have the highest respect for the association of any other religious group that calls itself a veterans organization, if the members care to combine themselves into a club based upon common religious ideas and religious views. That is all right. But a Federal charter which would operate directly and diametrically opposed to the things that most of us are trying to do now—that is, to avoid segregation in this country—is offensive to me. It is offensive to me in principle, and it would violate the movement down the road that I hope this county will go.

The Federal charter which is being requested is not required. Neither does it follow the general purpose that a veterans organization chartered by the National Government should require for basic membership qualifications that grow out of service to one's country.

The Veterans of Foreign Wars are chartered. The Amercan Legion is chartered. The Disabled American Veterans are chartered. But the disabled veterans' disabilities grow out of their service. The foreign war experience of Veterans of Foreign Wars grows out of their service to their country.

The basis for membership in these organizations, in addition to service to their country, is association with or adherence to a certain religious group. It is just as wrong for those of my religion to ask for such a charter as for anyone else of another religion to ask for it. I believe it is wrong in principle.

There does not seem to be great interest in this proposal one way or the other. It has been beaten every time it has come up in the past 15 years. We have considered various groups. The French-American War Veterans wanted a national charter. There is nothing wrong with the Italian-American War Veterans asking for a Federal charter. There is nothing wrong with the German-American War Veterans asking for a Federal charter. The point is that they are establishing qualifications. They are combining the service to their country in time of war with a qualification on a religious basis of a religious background. That is wrong. It is just as wrong as it can be.

I venture to say that some Senators who will vote for the charters today in the Senate upon reflection will come to the firm conclusion that their vote has been wrong.

Mr. President, that is the sum total of my argument. I thought this issue had been laid to rest a long time ago. There are certain club privileges, I understand, which flow from a Federal charter. They cannot be obtained without a Federal charter. I do not know exactly what those club privileges are.

I repeat that I have nothing but the utmost of respect for these organizations as groups combining together with a common cause, which is their general religious orientation. That is perfectly fine. It is perfectly fine for all of us to do that. We have our own church. We have our own beliefs. We have our own organizations. But I believe it is wrong to base a Federal charter upon qualifications of religious association and then attempt to explain it, or base it, or bottom it upon a common mutual service to country.

I am not going to labor the point any longer, Mr. President. I say it is segregation. It is one of the most glaring forms and would retrograde the objective which many of us have in mind—which is nonsegregation.

It would be just as much in order to grant a Federal charter to the white veterans of the United States, or to the colored veterans of the United States, or to any other particular specialized group. I would oppose those just as much as I would oppose these. I believe it is wrong fundamentally. I believe it is wrong in concept.

I honor the right of these people who have been servicemen to get together in their own club groups, but to grant an overall approval of a Federal charter to a segregated group, I believe, would violate the things that most of us believe should be the order of the day. These two bills are segregation bills, and make no mistake about that.

Mr. President, that is all I have to say at this moment; and I reserve the remainder of my time.

**Mr. JAVITS.** Mr. President, I yield myself 2 minutes.

**The PRESIDING OFFICER.** The Senator from New York is recognized for 2 minutes.

**Mr. JAVITS.** Mr. President, we went over this question in rather great detail the other day before it was laid over for a vote. Two points were made by the Senator from Iowa with respect to this matter. The first related to giving a Federal charter and thereby proliferating our veterans' associations. The second related to the question of segregation.

Mr. President, there is a real basis for association. The Jewish War Veterans have been organized since 1896. Not only has this group done everything the other veterans' organizations have done, but also it has taken a most valiant part, in an extremely patriotic way, in such incidents as those which occurred before World War II when the Nazi doctrine was being openly espoused by assorted bigots and anti-Semites on the streets of New York and other large cities. It fought manfully. I honor the organization for it. I believe that is what veterans are for when they organize.

Mr. President, we have not hesitated to give other veterans' organizations charters; like the Amvets, Veterans of World War II, and the Veterans of Foreign Wars, who place a premium on oversea service. The American Legion covers everybody who is a veteran who served at home or abroad. So I see no reason why we cannot and should not—when an organization has earned its spurs, as these two organizations have—give similar recognition, which is what a Federal charter really means in its fundamentals.

On the issue of segregation, I yield to no one in my feeling about that matter. The segregation which we fight about constantly is segregation which is enforced contrary to the civil rights——

**The PRESIDING OFFICER.** The time of the Senator from New York has expired.

**Mr. JAVITS.** Mr. President, I yield myself 1 additional minute.

That segregation is enforced contrary to the civil rights, under the Constitution, of American individuals to access to public facilities which exist in interstate commerce, which can be regulated by the United States; to desegregated education, when the school is supported by public moneys; to participate in a program without segregation when the United States contributes to that program; and to the right to vote, which is a right guaranteed by law.

None of us has ever contended that one must have dinner with a Negro because he is a nice fellow, or receive him at one's home, or join in association with that particular person. It is up to the individual to make that choice.

So it is in this case. I cannot see the segregation argument because we are not dealing with a situation in which any legal right is involved to have desegregation, and we are not dealing with a civil right or anyone under the Constiution. We are not dealing with desegregation, which is a matter of enforcement of any law. On the contrary, we are dealing with people who are associating together, people who have a common interest.

Finally—and probably this point is more decisive than any of the others—there is no restriction on membership, for example, in the Jewish War Veterans. There are some members of the organization who are not Jewish. I am a member of the Jewish War Veterans, and I also am a member of the American Legion and Veterans of Foreign Wars, and am very proud of it.

This question has not been raised for years. My colleague [Mr. KEATING] felt it to be his duty and responsibility to raise the question. It has been advanced on the Senate floor for a vote. I feel that the reasons which have been made for voting against it are not valid, with the greatest of respect for my colleague, the Senator from Iowa. I have made this argument not because I would have brought the matter up in the first place, but the fact is it is here, and therefore it would constitute a disservice to this organization if the matter, having advanced this far, were to be turned down, for to do so would be unthinkable. Inasmuch as the question must be voted on, I hope the Senate will vote "yea."

Mr. HICKENLOOPER. Mr. President——

Mr. ALLOTT. Mr. President, will the Senator yield for a question?

Mr. HICKENLOOPER. Mr. President, how much time have I?

The PRESIDING OFFICER. Nine minutes.

Mr. HICKENLOOPER. I yield 1 minute to the Senator from Colorado.

Mr. ALLOTT. I wonder if the distinguished Senator is aware that on October 16 my colleague and I introduced a bill for the incorporation of the U.S. Submarine Veterans of World War II.

Mr. HICKENLOOPER. I have heard of the bill.

Mr. ALLOTT. S. 2239.

Mr. HICKENLOOPER. I have heard of it. I draw a sharp distinction between that bill and these two, because the specialization of the submariners grows out of their war service.

Mr. ALLOTT. That is the reason why I am raising the question. That organization grows out of their class of war service.

Will the Senator yield to me for the purpose of asking unanimous consent that the bill to which I have referred may be offered as an amendment to the pending bill?

Mr. HICKENLOOPER. I will yield for that purpose, without losing the floor.

Mr. ALLOTT. Mr. President, I ask unanimous consent that S. 2239 may be offered now and considered as an amendment to the pending bill.

The PRESIDING OFFICER. Is there objection?

Mr. KEATING. Mr. President, reserving the right to object, the Committee on the Judiciary has before it a considerable number of bills to incorporate various organizations, including the——

Mr. HICKENLOOPER. Mr. President, whose time is this discussion coming out of?

Mr. KEATING. I yield myself 3 minutes. The Senator has already taken time. Now I am taking a couple of minutes to state my position.

The Judiciary Committee has before it a number of bills to incorporate veterans' organizations and other organizations. If this bill has been offered by the distinguished Senator from Colorado, it will in due course be considered by our subcommittee. I know nothing about the organization. I know of no reason why I would oppose the measure. I simply do not know about it, and we have not had the consideration which has been accorded to the two bills before us, which have been, as has been said, before this body for years.

Until the committee has had an opportunity to do so, and as the Senator in charge of the bill on this side, at the request of the distinguished minority leader, I would have to object to this unanimous-consent request.

Mr. HICKENLOOPER. Mr. President, I yield myself 1 minute.

I realize the great political pressures that are on this bill. I am fully aware of that fact. I am quite a realist. So I realize the political push that is on this bill.

Objection has been made to the request of the Senator from Colorado to include the submariners measure as an amendment to the bill. The submariners' qualifications arise from their service, not from their religion.

I repeat, I have nothing but the greatest respect for the religion of anybody, but when we begin to put religious qualifications into religious charters for servicemen, that is segregation by anybody's standards, which I think Senators will realize if they stop to consider it fully.

Mr. JAVITS. Mr. President, I am prepared to yield back the remainder of my time on the bills, if the opposition is prepared to yield back its time.

The PRESIDING OFFICER. Is all remaining time on the bills yielded back?

Mr. HICKENLOOPER. Mr. President, I am prepared to yield back the remainder of my time.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. How many votes are there to be? One or two?

The PRESIDING OFFICER. There will be one vote on the two bills.

Under the unanimous-consent agreement, the question is on the passage en bloc of S. 1914, a bill to incorporate the Catholic War Veterans of the United States of America, and S. 1942, a bill to incorporate the Jewish War Veterans of the United States of America.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Maryland [Mr. BREWSTER], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Virginia [Mr. BYRD], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Louisiana [Mr. ELLENDER] the Senator from Indiana [Mr. HARTKE], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PELL], and the Senator from Tennessee [Mr. GORE] are absent on official business.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

I further announce that the Senator from North Dakota [Mr. BURDICK] and the Senator from Mississippi [Mr. EASTLAND] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Indiana [Mr. HARTKE], the Senator from Washington [Mr. MAGNUSON], the Senator from Maine [Mr. MUSKIE], and the Senator from Rhode Island [Mr. PELL] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. COTTON] is absent on official business as Congressional Adviser to the Radio Conference of the International Telecommunications Union, Geneva, Switzerland.

The Senator from Colorado [Mr. DOMINICK], the Senator from Idaho [Mr. JORDAN], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Delaware [Mr. BOGGS] and the Senator from South Dakota [Mr. MUNDT] are absent because of illness.

The Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. MORTON], and the Senator from Nebraska [Mr. CURTIS] are detained on official business.

If present and voting, the Senator from Delaware [Mr. BOGGS], the Senator from Nebraska [Mr. CURTIS], the Senator from Idaho [Mr. JORDAN], the Senator from Colorado [Mr. DOMINICK], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 65, nays 10, as follows:

[No. 197 Leg.]

YEAS—65

Aiken
Allott
Anderson
Bayh
Beall
Bennett
Bible
Byrd, W. Va.
Case
Cooper
Dirksen
Dodd
Douglas
Ervin
Fong
Goldwater
Hart
Hayden
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Keating
Kennedy
Kuchel
Lausche
Long, Mo.
Mansfield
McCarthy
McClellan
McGee
McIntyre
McNamara
Monroney
Morse
Moss
Nelson
Pastore
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—10

Bartlett
Fulbright
Gruening
Hickenlooper
McGovern
Mechem
Metcalf
Miller
Neuberger
Simpson

NOT VOTING—25

Boggs
Brewster
Burdick
Byrd, Va.
Cannon
Carlson
Church
Clark
Cotton
Curtis
Dominick
Eastland
Edmondson
Ellender
Engle
Gore
Hartke
Jordan, Idaho
Long, La.
Magnuson
Morton
Mundt
Muskie
Pell
Tower

So the bills (S. 1914 and S. 1942) were passed, as follows:

S. 1914

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following persons:

Right Reverend Monsignor Edward J. Higgins, Austoria, New York;

Edward F. McElroy, Chicago, Illinois;

Reverend John J. Garry, Chicago, Illinois;
Charles F. Shelley, Brooklyn, New York;
William W. Histon, Southington, Connecticut;
Walter D. Hyle, Junior, Baltimore, Maryland;
Gerald M. Collins, Middle Village, New York;
Joseph F. Reilly, New York, New York;
Cresenzi W. Castaldo, Bayonne, New Jersey;
William T. Dzurko, Glassport, Pennsylvania;
Margaret E. Leafhill, East Orange, New Jersey;
Leo Courchesne, Manchester, New Hampshire;
Doctor Raymond Wargovich, McKeesport, Pennsylvania;
Frank J. Kozicki, Lancaster, Pennsylvania;
Henry J. Saindon, Manchester, New Hampshire;
Vincent A. Hanna, Havertown, Pennsylvania;
James Hamilton, Bronx, New York;
John Greenwood, Levittown, New York;
William Salamone, Milwaukee, Wisconsin;
John M. Dealy, Port Washington, New York;
Edward T. McCaffrey, Bronx, New York;
Nicholas J. Wagener, Detroit, Michigan;
Donald J. McQuade, Bakersfield, California;
Thomas J. Cuite, Brooklyn, New York;
William J. Gill, Connellsville, Pennsylvania;
Peter J. Hopkins, Yonkers, New York;
Robert T. O'Leary, Baltimore 13, Maryland;
James W. Fay, New York, New York;
Albert J. Schwind, Clifton, New Jersey;
Thomas M. Bailey, Baltimore, Maryland;
Joseph L. Kokoszka, Middletown, Connecticut;
Arthur B. O'Hurley, Hartford, Connecticut;
Samuel Zuraw, Shelton, Connecticut;
Paul P. Zawicki, Baltimore, Maryland;
Harry L. Merdzinski, Grand Rapids, Michigan;
Frank J. Quinn, Grand Rapids, Michigan;
Joseph Czarnowski, Grand Rapids, Michigan;
Edward R. Sieracki, Grand Rapids, Michigan;
Louis Gruver, Cincinnati, Ohio;
Melvin Lawicki, Toledo, Ohio;
Henry A. Jagielski, Youngstown, Ohio;
John C. Mongan, Manchester, New Hampshire;
Roger E . Brassard, Manchester, New Hampshire;
Romeo V. Chagnon, Manchester, New Hampshire.
Henry Saindon, Manchester, New Hampshire;
Roy Rickert, Appleton, Wisconsin;
Henry Woyach, Milwaukee, Wisconsin;
Frank Ott, Wauwatosa, Wisconsin;
Jerome P. Malin, Onalaska, Wisconsin;
Nicholas M. Nimitz, Newark, New Jersey;
Frank R. Wesolowski, Livingston, New Jersey;
Augustus J. Poleto, Green Island, New York;
Francis X. McBarron, Brooklyn, New York;
Kameel J. Habib, Brooklyn, New York;
James F. X. Carney, Hicksville, New York;
Robert Hilber, Fargo, North Dakota;
Fred W. Colby, Fargo, North Dakota;
George Kuntz, Belfield, North Dakota;
J. C. Mosbrucker, Glen Ullin, North Dakota;
Gordon E. Banbury, Seattle, Washington;
Paul C. Maurice, Seattle, Washington;
George Mullins, Yakima, Washington;
Miss Mary Fleming, Seattle, Washington;
Robert Shugrue, Chicago, Illinois;
Marion Mueller, Belleville, Illinois;
Frank Middleton, Chicago, Illinois;
George H. Sansom, Smithon, Illinois.
Martin G. Riley, Philadelphia, Pennsylvania;
Elwood Terway, Philadelphia, Pennsylvania;
Harold Stevens, Sharon Hill, Pennsylvania;
Michael J. Stepien, McKees Rocks, Pennsylvania;
Kika de la Garza, Mission, Texas;
Arturo Vasquez, Corpus Christi, Texas;
Alvino C. Campos, Corpus Christi, Texas;
Gilbert L. Herrera, Corpus Christi, Texas;
A. C. Tiepney, Cincinnati, Ohio;
Leo Gildea, West Wyoming, Pennsylvania;
Joseph F. Flynn, Omaha, Nebraska;
John D. Kofflin, Grand Rapids, Ohio;
John J. Wallace, New York, New York;
Lawrence M. Wolf, Cleveland, Ohio;
Lawrence M. Wolf, Cleveland, Ohio;
Bede Scully, Wassaic, New York;
Rufus Wicelinski, Martinsburg, West Virginia;
Charles Hacherl, Toledo, Ohio;
Joseph E. O'Brien, New York, New York;
Aloysius S. Carney, Newark, New Jersey;
Francis Gilliam, Washington, District of Columbia;
Geoffrey O'Flynn, Washington, District of Columbia;
John Joseph Saunders, Washington, District of Columbia;
Edward S. J. Peters, Washington, District of Columbia;
Stephen L. Burns, Burke, Virginia;
Albert Virbeke, Arlington, Virginia;
James J. Rau, Falls Church, Virginia;
Richard Frakes, Fairfax, Virginia;
Thomas Langer, La Crosse, Wisconsin;
Rolland Belanger, Laconia, New Hampshire;

and their successors are hereby created and declared to be a body corporate by the name of the Catholic War Veterans of the United States of America (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations and restrictions herein contained.

### COMPLETION OF ORGANIZATION

Sec. 2. The persons named in the first section of this Act are authorized, a majority concurring, to complete the organization of the corporation by the selection of officers and employees, the adoption of constitution and bylaws, not inconsistent with this Act, and the doing of such other acts as may be necessary for such purpose.

### OBJECTS AND PURPOSES OF CORPORATION

Sec. 3. The purposes of the corporation shall be to commemorate the wars and campaigns of the Armed Forces of the United States of America and to foster the association of veterans of the Catholic faith who have served in such wars and campaigns in the Armed Forces of the United States of America, and are as follows:

1. To cooperate to the fullest extent and in a harmonious manner with all veterans' organizations to the end that the best interests of all veterans of all wars in which the United States of America has participated, and the widows and orphans of deceased veterans of such wars, may be best served;
2. To stimulate communities and political subdivisions into taking more interest in veterans of wars and campaigns of the United States of America, the widows and orphans of such deceased veterans, and the problems of such veterans and their widows and orphans;
3. To collate, preserve, and encourage the study of historical episodes, chronicles, mementos, and events pertaining to wars and campaigns of the United States of America;
4. To fight vigorously to uphold the Constitution and laws of the United States, as well as the individual States of the Union and to foster the spirit and practice of true Americanism;
5. To fight unceasingly for our national security in order to protect Americans from enemies within our borders, as well as those from without, to the end that our American way of life be preserved;
6. To fight to the utmost all those alien forces, particularly forces such as communism, whose objectives are to deny our very existence as a free people; and
7. To do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

### POWERS OF CORPORATION

Sec. 4. The corporation shall have power—

1. to have succession by its corporate name;
2. to sue and be sued, complain and defend in any court of competent jurisdiction;
3. to adopt, use, alter a corporate seal;
4. to choose such officers, managers, agents, and employees as the activities of the corporation may require;
5. to adopt, amend, and alter a constitution and bylaws not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;
6. to contract and be contracted with;
7. to take by lease, gift, purchase, grant, devise, or bequest from any public body or agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;
8. to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property;
9. to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws; and
10. to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

### MEMBERSHIP

Sec. 5. Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall be determined as the constitution and bylaws of the corporation may provide, but in no case shall eligibility for membership include persons who did not serve honorably in the Armed Forces of the United States during a war or campaign of the United States of America.

### GOVERNMENT; COMPOSITION; FORMS; MEETING PLACES

Sec. 6. (a) The supreme governing authority of the corporation shall be the national convention thereof, composed of such officers and elected representatives from the several States and other local subdivisions of the corporate organization as shall be provided by the constitution and bylaws, each of such duly elected representatives to be entitled to one vote at such national convention. The form of the government of the corporation shall always be representative of the membership at large and shall not permit the concentration of the control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national convention may be held in any State or territory or in the District of Columbia.

(b) Each member of the corporation, other than associate or honorary members, shall have the right to one vote on each matter submitted to a vote at all other meetings of the members of the corporation.

### BOARD OF ADMINISTRATION; COMPOSITION

SEC. 7. (a) During the intervals between the national convention, the board of administration shall be the governing board of the corporation and shall be responsible for the general policies, programs, and activities of the corporation.

(b) Upon the enactment of this Act the membership of the initial board of administration of the corporation shall consist of such of the following present members of the board of administration of the Catholic War Veterans of the United States of America, Incorporated (the corporation described in section 3 of this Act) as qualify for membership under section 5 of this Act and who are qualified members of said board of administration, to wit:

Edward J. Higgins, Astoria, New York;
John J. Garry, Chicago, Illinois;
Edward F. McElroy, Chicago, Illinois;
Charles F. Shelley, Brooklyn, New York;
William W. Histon, Southington, Connecticut;
Walter D. Hyle, Junior, Baltimore, Maryland;
Gerald M. Collins, Middle Village, New York;
Joseph F. Reilly, New York, New York;
Cresenzi W. Castaldo, Bayonne, New Jersey;
William T. Dzurko, Glassport, Pennsylvania;
Mrs. Margaret E. Leafhill, East Orange, New Jersey;
Leo Courchesne, Manchester, New Hampshire;
Doctor Raymond Wargovich, McKeesport, Pennsylvania;
Frank J. Kozicki, Lancaster, Pennsylvania;
Henry J. Saindon, Manchester, New Hampshire;
Vincent A. Hanna, Havertown, Pennsylvania;
James Hamilton, Bronx, New York;
John Greenwood, Levittown, New York;
William Salamone, Milwaukee, Wisconsin;
John M. Dealy, Port Washington, New York;
Edward T. McCaffrey, Bronx, New York;
Nicholas J. Wagener, Detroit, Michigan;
Donald J. McQuade, Bakersfield, California;
Thomas J. Cuite, Brooklyn, New York;
William J. Gill, Connellsville, Pennsylvania;
Peter J. Hopkins, Yonkers, New York;
Robert T. O'Leary, Baltimore, Maryland;
James W. Fay, New York, New York;
Albert J. Schwind, Clifton, New Jersey;
A. C. Tiepney, Cincinnati, Ohio;
Leo Gildea, West Wyoming, Pennsylvania;
Joseph F. Flynn, Omaha, Nebraska;
John D. Koffiin, Grand Rapids, Ohio;
John J. Wallace, New York, New York;
Lawrence M. Wolf, Cleveland, Ohio;
Bede Scully, Wassaic, New York;
Rufus Wicelinski, Martinsburg, West Virginia;
Charles Hacherl, Toledo, Ohio;
Joseph E. O'Brien, New York, New York;
Aloysius S. Carney, Newark, New Jersey.

(c) Thereafter, the board of administration of the corporation shall consist of not less than seven members elected in the manner and for the term prescribed in the constitution and bylaws of the corporation.

### OFFICERS OF CORPORATION: SELECTION, TERMS, DUTIES

SEC. 8. The officers of the corporation shall be the founder, a national commander, three national vice commanders, a national adjutant, and adjutant general (which latter two offices may be held by one person), a national judge advocate, a national treasurer, a national officer of the day, a national historian and six national trustees, and such other officers as may be prescribed in the constitution and bylaws. The officers of the corporation shall be selected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

### PRINCIPAL OFFICE: TERRITORIAL SCOPE OF ACTIVITIES

SEC. 9. (a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may be determined by the board of administration; but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, the District of Columbia, and territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept services of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, will be deemed notice to or service upon the corporation.

### DISTRIBUTION OF INCOME OR ASSETS TO MEMBERS; LOANS

SEC. 10. (a) No part of the income or assets of the corporation shall inure to any of the members or officers as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the board of administration who votes for or assents to the making of a loan or advance to an officer or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

### NONPOLITICAL NATURE OF CORPORATION

SEC. 11. The corporation and its officers and agents as such shall not contribute to or otherwise support or assist any political party or candidate for public office.

### LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 12. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

### PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 13. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

### BOOKS AND RECORDS; INSPECTION

SEC. 14. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national convention and board of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

### AUDIT OF FINANCIAL TRANSACTIONS; REPORT TO CONGRESS

SEC. 15. (a) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such independent audit shall be submitted to the Congress not later than six months following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and include such statements as are necessary to present fairly the corporation's assets and liabilities, surplus or deficit with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the corporation's income and expenses during the year including the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, together with the independent auditor's opinion of those statements. The report shall not be printed as a public document.

### ACTIVITIES REPORT TO CONGRESS

SEC. 16. On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year. Such report shall not be printed as a public document.

### EXCLUSIVE RIGHT TO NAME EMBLEMS, SEALS, AND BADGES

SEC. 17. The corporation and its subordinate divisions shall have the sole and exclusive right to use the name "Catholic War Veterans of the United States of America, Incorporated". The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as it may legally adopt, and such emblems, seals, and badges as have heretofore been used by the New York corporation described in section 18 of this Act and the right to which may be lawfully transferred to the corporation.

### ACQUISITION OF ASSETS AND LIABILITIES OF EXISTING CORPORATION

SEC. 18. (a) The corporation may acquire the assets of the Catholic War Veterans of the United States of America, Incorporated, a corporation organized under the laws of the State of New York, upon discharging or satisfactorily providing for the payment and discharge of all of the liability of such corporation and upon complying with all laws of the State of New York applicable thereto.

### DISSOLUTION OR LIQUIDATION

SEC. 19. The national convention may, by resolution, declare the event upon which the corporate existence of the organization is to terminate and provide for the disposition of any property remaining to the corporation after the discharge or satisfaction of all outstanding obligations and liabilities. A duly authenticated copy of such resolution shall be filed in the office of the United States District Court for the District of Columbia. Upon the happening of the event thus declared, and upon the filing of a petition in said United States district court reciting said facts, said court shall take jurisdiction thereof, and upon due proof being made the court shall enter a decree which shall be effectual to vest title and ownership in accordance with the provisions of such resolution.

### RESERVATION OF RIGHT TO AMEND OR REPEAL ACT

SEC. 20. The right to alter, amend, or repeal this Act is expressly reserved.

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### S. 1942

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following-named persons, to wit, Morris J. Mendelsohn, Brooklyn, New York; Abraham Kraditor, New York City, New York; Harry Schaffer, Pittsburgh, Pennsylvania; Frederick S. Harris, Meriden, Connecticut; Benjamin Kaufman, Trenton, New Jersey; Maxwell Cohen, Boston, Massachusetts; Milton H.

Richman, Bloomfield, Connecticut; Major General Julius Klein, Chicago, Illinois; Meyer Dorfman, St. Paul, Minnesota; Jackson J. Holtz, Boston, Massachusetts; Henry Albert, Jamaica, New York; Paul Ginsberg, Atlanta, Georgia; Harry T. Madison, Oak Park, Michigan; Joseph F. Barr, Washington, District of Columbia; Rubin Kaminsky, Hartford, Connecticut; William Karmen, Brookline, Massachusetts; Benjamin J. Chasin, New York, New York; Samuel Shalkowitz, Saint Louis, Missouri; Bernard Abrams, Jersey City, New Jersey; L. Feuer, Youngstown, Ohio; Theodore Brooks, Brooklyn, New York; Martin L. London, Teaneck, New Jersey; Daniel M. Heller, Miami, Florida; Morris Lurier, Worcester, Massachusetts; Freman Miller, Syracuse, New York; Samuel Michelson, Baltimore, Maryland; Alfred Schwartz, Atlanta, Georgia; Frederick R. Turkow, Fort Wayne, Indiana, and their associates and successors, are hereby created a body corporate by the name of "Jewish War Veterans of the United States of America" (hereinafter referred to as the "corporation").

Sec. 2. The persons named in section 1 of this Act, or their successors, are hereby authorized to meet to complete the organization of the corporation by the selection of officers, the adoption of a constitution and bylaws, and the doing of such other acts as may be necessary for such purpose.

Sec. 3. The objects and purposes of the corporation shall be—

(a) to maintain true allegiance to the United States of America;

(b) to foster and perpetuate true Americanism;

(c) to combat whatever tends to impair the efficiency and permanency of our free institutions;

(d) to uphold the fair name of the Jew and fight his battles wherever assailed;

(e) to encourage the doctrine of universal liberty, equal rights, and full justice to all men;

(f) to combat the powers of bigotry and darkness wherever originating and whatever their target;

(g) to preserve the spirit of comradeship by mutual helpfulness to comrades and their families;

(h) to instill love of country and flag and to promote soundness of mind and body in the members and children of members of the corporation;

(i) to preserve the memories and records of patriotic service performed by the men and women of the Jewish faith and to shield from neglect the graves of the heroic dead of the Jewish faith.

Sec. 4. Eligibility for membership in the corporation and the rights and privileges of members shall be determined according to the constitution and bylaws of the corporation.

Sec. 5. (a) The corporation shall be nonpolitical and, as an organization, shall not promote the candidacy of any person seeking public office.

(b) The corporation shall have no power to issue capital stock or engage in business for pecuniary profit or gain.

Sec. 6. The corporation shall have perpetual succession and power—

(a) to sue and be sued;

(b) to take, hold, and dispose of such real and personal property as may be necessary for its corporate purposes;

(c) to accept gifts, legacies, and devises which will further the corporate purposes;

(d) to adopt and alter a corporate seal;

(e) to adopt and alter a constitution and bylaws not inconsistent with law;

(f) to establish and maintain offices for the conduct of the affairs of the corporation;

(g) to establish, regulate, and discontinue subordinate regional, departmental, and district subdivisions and local chapters or posts;

(h) to promote the formation of subordinate ladies' auxiliaries and youth organizations, the membership requirements of which shall be determined according to the constitution and bylaws of the corporation:

(i) to publish a magazine or other publications;

(j) to adopt emblems and badges; and

(k) to do any and all acts and things necessary and proper to carry into effect the purposes of the corporation.

Sec. 7. The corporation may acquire any or all of the assets of the existing organization known as Jewish War Veterans of the United States of America, or any auxiliary thereof, upon discharging or satisfactorily providing for the payment and discharge of all its liabilities.

Sec. 8. The corporation and its regional departmental, and district subdivisions and local chapters or posts shall have the sole and exclusive right to use in carrying out its purposes the name of "Jewish War Veterans of the United States of America".

Sec. 9. (a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may be determined by the corporation; but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, the District of Columbia, and territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept services of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, will be deemed notice to or service upon the corporation.

Sec. 10. (a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual, necessary expenses in amounts approved by the board of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the corporation who votes for or assents to the making of a loan or advance to an officer or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

Sec. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

Sec. 12. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national convention and board of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

Sec. 13. (a) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such independent audit shall be submitted to the Congress not later than six months following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and include such statements as are necessary to present fairly the corporation's assets and liabilities, surplus or deficit with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the corporation's income and expenses during the year including the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, together with the independent auditor's opinion of those statements. The report shall not be printed as a public document.

Sec. 14. On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year. Such report shall not be printed as a public document.

Sec. 15. The provisions of this Act shall take effect on the filing, in the office of the clerk of the United States District Court for the Southern District of New York, of affidavits signed by the incorporators named in section 1 of this Act, to the effect that the corporation known as the Jewish War Veterans of the United States of America has been dissolved in accordance with law, but only if such affidavits are filed within one hundred and twenty days after the date of enactment of this Act.

Sec. 16. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Mr. DIRKSEN. Mr. President, I move to reconsider the votes by which the bills were passed.

The PRESIDING OFFICER. S. 1914 and S. 1942 have been previously passed and the votes reconsidered.

The bills having been again passed, and the previous decision affirmed, a second motion to reconsider is, therefore, not in order.

## EXCEPTIONS TO RULES OF NAVIGATION IN CERTAIN CASES

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar 547, H.R. 75.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 75) to provide for exceptions to the rules of navigation in certain cases.

## LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, will the distinguished majority leader inform the Senate of the program for tomorrow and as far into this week or next week as he can see?

Mr. MANSFIELD. First, there will be no more votes this afternoon.

It is anticipated that following the passage of the bill which is about to be considered, the Senate will turn to the consideration of Calendar No. 546, S. 2100, which will be made the pending business.

Mr. DIRKSEN. I understand that the distinguished Senator from Vermont has some objection to having the Senate consider Calendar No. 546.

Mr. AIKEN. Mr. President, I do not find this bill on the calendar for today. It may be recalled that last week I raised a question as to why it was impossible to get American ships to carry grain on the Great Lakes from Milwaukee and other points to Montreal. I should like to have an opportunity to look into that situation.

I have received a reply from one shipping company, intimating that it would like to carry grain; but I find they were asked to submit quotations but did not quote. There is some indication that some stalling may be taking place. I should like to examine into that situation, although I have no objection to the bill so far as it goes.

Mr. MANSFIELD. The question raised by the distinguished senior Senator from Vermont is perfectly valid. The leadership will be delighted to withhold action on that bill at this time.

## INABILITY OF SENATORS TO VOTE ON VETERANS' BILLS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration——

Mr. GORE. Mr. President, before the Senator makes his motion, will he yield?

Mr. MANSFIELD. I yield.

Mr. BYRD of Virginia. Mr. President, the bell in the room of the Committee on Finance did not ring. I do not know what can be done about it.

Mr. GORE. We have missed a yea-and-nay vote because the bell did not ring. We had no notice that a vote was taking place.

Mr. MANSFIELD. Mr. President, I ask unanimous consent, if it is permissible, that the distinguished Senators, in view of circumstances over which they had no control, be allowed to cast their votes at this time. I understand that under unanimous consent almost anything can be done. This is one time when we will see if unanimous consent can be granted.

Mr. GORE. I doubt whether that can be done. Let the RECORD show that we were in the Committee on Finance, were not notified, and therefore were unable to vote.

The PRESIDING OFFICER. The Parliamentarian informs the Chair that the last sentence of rule XII, section 1, provides that "no motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent."

Mr. MANSFIELD. But, Mr. President, it is understood, is it not, that the absence from the Chamber at that time of the distinguished Senators from Virginia, Tennessee, and Nebraska was through no fault of their own, but was due to the fact that the bell in the Finance Committee room did not ring; and, therefore, even though they were able, willing, and eager to vote, it was not possible for them to come to the Chamber to cast their votes? They did come assoon as possible; but by that time the vote had been completed, and it was then too late to vote.

The PRESIDING OFFICER. The RECORD will so show.

Mr. CURTIS. Mr. President, I make the point of order that there cannot be a yea-and-nay vote without having the bells rung; I think an examination of the rule will indicate that when a yea-and-nay vote is to be taken, the bells shall be rung. But we have the statement of the distinguished Senator from Virginia [Mr. BYRD] that no bell was rung in the Finance Committee room; and we have a like statement by the distinguished Senator from Tennessee [Mr. GORE]—that no bell was rung there. Therefore, any mistaken indication that a yea-and-nay vote was taken should be stricken from the RECORD. If the bells had been rung once and if, therefore, a lawful vote had been taken, I would have been present and would have voted for passage of the bill.

So, Mr. President, I ask for a ruling on my point of order—namely, that there can be no legal vote in the Senate without the ringing of the bells.

The PRESIDING OFFICER. The Chair's ruling is against the point of order as raised by the Senator from Nebraska. Nothing in the rules requires that any notice of a pending yea-and-nay vote be given.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Nebraska will state it.

Mr. CURTIS. Does not the rule provide that the bells shall be rung when a yea-and-nay vote is to be taken?

The PRESIDING OFFICER. The Parliamentarian informs the Chair that such a proposal may be in order if made before the Committee on Rules and Administration, but it is not in order at this time before the U.S. Senate.

Mr. CURTIS. Mr. President, a further parliamentary inquiry: Does not one of the rules of the Senate now provide that when a yea-and-nay vote is to be taken, the bells shall be rung once?

The PRESIDING OFFICER. The answer is in the negative, the Parliamentarian informs the Chair.

Mr. CURTIS. Then, Mr. President, why do the bells ring now and then? The Chair is propounding a very strange doctrine—namely, that there can be yea-and-nay votes without the giving of notice to the Members of the Senate.

The PRESIDING OFFICER. The Chair states that the bells are rung as a matter of the procedure devised by the Committee on Rules and Administration.

## EXCEPTIONS TO RULES OF NAVIGATION IN CERTAIN CASES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 547, House bill 75, and that it be laid down and made the pending business.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H.R. 75) to provide for exceptions to the rules of navigation in certain cases was considered, ordered to a third reading, was read the third time, and passed.

## EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the protocols and conventions on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

## PROTOCOL TO AMEND CONVENTION ON INTERNATIONAL CIVIL AVIATION; CONVENTION ON EXTRADITION WITH SWEDEN; ADDITIONAL PROTOCOL TO THE TREATY OF EXTRADITION WITH BRAZIL; EXTRADITION CONVENTION WITH ISRAEL; CONSULAR CONVENTION WITH KOREA; CONSULAR CONVENTION WITH JAPAN

The Senate, as in Committee of the Whole, proceeded to consider the protocol, Executive D (88th Cong., 1st sess.), to amend the Convention on International Civil Aviation; the convention, Executive E (87th Cong., 2d sess.), on extradition with Sweden; the additional protocol, Executive F (87th Cong., 2d sess.), to the Treaty of Extradition with Brazil; the extradition convention, Executive E (88th Cong., 1st sess.), with Israel; the consular convention, Executive B (88th Cong., 1st sess.), with Korea; and the consular convention, Executive I, (88th Cong., 1st sess.), with Japan, which were read the second time, as follows:

### EXECUTIVE D, 88TH CONGRESS, 1ST SESSION

### PROTOCOL RELATING TO AN AMENDMENT TO THE CONVENTION ON INTERNATIONAL CIVIL AVIATION, SIGNED AT ROME, ON SEPTEMBER 15, 1962

The Assembly of the International Civil Aviation Organization,

Having met in its Fourteenth Session, at Rome, on the twenty-first day of August, 1962,

Having noted that it is the general desire of contracting States that the minimum number of contracting States which may request the holding of an extraordinary meeting of the Assembly should be increased from the present figure of ten,

Having considered it proper to increase the said number to one-fifth of the total number of contracting States,

And having considered it necessary to amend for the purpose aforesaid the Convention on International Civil Aviation done at Chicago on the seventh day of December 1944,

Approved, on the fourteenth day of September of the year one thousand nine hundred and sixty-two, in accordance with the provisions of Article 94(a) of the Convention aforesaid, the following proposed amendment to the said Convention:

In Article 48(a) of the Convention, the second sentence be deleted and substituted by "An extraordinary meeting of the Assembly may be held at any time upon the call of the Council or at the request of not less than one-fifth of the total number of contracting States addressed to the Secretary General."

Specified, pursuant to the provisions of the said Article 94(a) of the said Convention, sixty-six as the number of contracting States upon whose ratification the proposed amendment aforesaid shall come into force, and

Resolved, that the Secretary General of the International Civil Aviation Organization draw up a protocol, in the English, French and Spanish languages, each of which shall be of equal authenticity, embodying the proposed amendment above mentioned and the matter hereinafter appearing.

Consequently, pursuant to the aforesaid action of the Assembly.

This Protocol has been drawn up by the Secretary General of the Organization;

This Protocol shall be open to ratification by any State which has ratified or adhered to the said Convention on International Civil Aviation;

The instruments of ratification shall be deposited with the International Civil Aviation Organization;

This Protocol shall come into force in respect of the States which have ratified it on the date on which the sixty-sixth instrument of ratification is so deposited;

The Secretary General shall immediately notify all Contracting States of the date of deposit of each ratification of this Protocol;

The Secretary General shall immediately notify all States parties or signatories to the said Convention of the date on which this Protocol comes into force;

With respect to any contracting State ratifying this Protocol after the date aforesaid, the Protocol shall come into force upon deposit of its instrument of ratification with the International Civil Aviation Organization.

In faith whereof, the President and the Secretary General of the Fourteenth Session of the Assembly of the International Civil Aviation Organization, being authorized thereto by the Assembly, sign this Protocol.

Done at Rome on the fifteenth day of September of the year one thousand nine hundred and sixty-two in a single document in the English, French and Spanish languages, each of which shall be of equal authenticity. This Protocol shall remain deposited in the archives of the International Civil Aviation Organization; and certified copies thereof shall be transmitted by the Secretary General of the Organization to all States parties or signatories to the Convention on International Civil Aviation aforementioned.

R. M. MACDONNELL
*Secretary General of the Assembly*
E. ORTONA
*President of the Assembly*

Certified to be a true and complete copy.

P. K. ROY
(For Secretary General).

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EXECUTIVE E, 87TH CONGRESS, 2D SESSION

### CONVENTION ON EXTRADITION BETWEEN THE UNITED STATES OF AMERICA AND SWEDEN

The United States of America and the Kingdom of Sweden desiring to make more effective the cooperation of the two countries in the repression of crime, have resolved to conclude a Convention on Extradition and for this purpose have appointed the following Plenipotentiaries: The President of the United States of America: Dean Rusk, Secretary of State of the United States of America, and His Majestey the King of Sweden: Gunnar Jarring, Ambassador Extraordinary and Plenipotentiary of Sweden to the United States of America who, having communicated to each other their respective full powers, found to be in good and due form, agree as follows:

#### *Article I*

Each Contracting State undertakes to surrender to the other, subject to the provisions and conditions laid down in this Convention, those persons found in its territory who have been charged with or convicted of any of the offenses specified in Article II of this Convention committed within the territorial jurisdiction of the other, or outside thereof under the conditions specified in Article IV of this Convention; provided that such surrender shall take place only upon such evidence of criminality as, according to the laws of the place where the person sought shall be found, would justify his commitment for trial if the offense had been there committed.

#### *Article II*

Extradition shall be granted, subject to the provisions of this Convention, for the following offenses:

1. Murder, including infanticide; the killing of a human being when such act is punishable in the United States as voluntary manslaughter, and in Sweden as manslaughter.

2. Malicious wounding; mayhem; willful assault resulting in grievous bodily harm.

3. Kidnapping; abduction.

4. Rape; abortion; carnal knowledge of a girl under the age specified by law in such cases in both the requesting and requested State.

5. Procuration, defined as the procuring or transporting of a woman or girl under age, even with her consent, for immoral purposes, or of a woman or girl over age, by fraud, threats, or compulsion, for such purposes with a view in either case to gratifying the passions of another person; profiting from the prostitution of another.

6. Bigamy.

7. Robbery; burglary, defined to be the breaking into or entering either in day or night time, a house, office, or other building of a government, corporation, or private person, with intent to commit a felony therein.

8. Arson.

9. The malicious and unlawful damaging of railways, trains, vessels, aircraft, bridges, vehicles, and other means of travel or of public or private buildings, or other structures, when the act committed shall endanger human life.

10. Piracy; mutiny on board a vessel or an aircraft for the purpose of rebelling against the authority of the Captain or Commander of such vessel or aircraft; or by fraud or violence taking possession of such vessel or aircraft.

11. Blackmail or extortion.

12. Forgery, or the utterance of forged papers; the forgery or falsification of official acts of Government, of public authorities, or of court of justice, or the utterance of the thing forged or falsified.

13. The counterfeiting, falsifying or altering of money, whether coin or paper, or of instruments of debt created by national, State, provincial or municipal governments, or of coupons thereof, or of banknotes, or the utterance or circulation of the same; or the counterfeiting, falsifying or altering of seals of State.

14. Embezzlement by public officers; embezzlement by persons hired or salaried, to the detriment of their employers; larceny; obtaining money, valuable securities or other property by false pretenses, or by threats of injury; receiving money, valuable securities or other property knowing the same to have been embezzled, stolen or fraudulently obtained.

15. Making use of the mails or other means of communication in connection with schemes devised or intended to deceive or defraud the public or for the purpose of obtaining money under false pretenses.

16. Fraud or breach of trust by a bailee, banker, agent, factor, trustee or other person acting in a fiduciary capacity, or director or member or officer of any company.

17. Soliciting, receiving, or offering bribes.

18. Perjury; subornation of perjury.

19. Offenses against the laws for the suppression of slavery and slave trading.

20. Offenses against the bankruptcy laws.

21. Smuggling, defined to be the act of willfully and knowingly violating the customs laws with intent to defraud the revenue by international traffic in merchandise subject to duty.

22. Offenses against the laws relating to the traffic in, use of, or production or manufacture of, narcotic drugs or cannabis.

23. Offenses against the laws relating to the illicit manufacture of or traffic in poisonous chemicals or substances injurious to health.

24. The attempt to commit any of the above offenses when such attempt is made a separate offense by the laws of the Contracting States.

25. Participation in any of the above offenses.

#### *Article III*

1. The requested State, shall, subject to the provisions of this Convention, extradite a person charged with or convicted of any offense enumerated in Article II only when both of the following conditions exist:

(a) The law of the requesting State, in force when the offense was committed, provides a possible penalty of deprivation of liberty for a period of more than one year; and

(b) The law in force in the requested State generally provides a possible penalty of deprivation of liberty for a period of more than one year which would be applicable if the offense were committed in the territory of the requested State.

2. When the person sought has been sentenced in the requesting State, the punishment awarded must have been for a period of at least four months.

#### *Article IV*

1. Extradition need not be granted for an offense which has been committed within the territorial jurisdiction of the requested State, but if the offense has been committed in the requested State by an officer or employee of the requesting State, who is a national of the requesting State, the executive authority of the requested State shall, subject to its laws, have the power to surrender the person sought if, in its discretion, it be deemed proper to do so.

2. When the offense has been committed outside the territorial jurisdiction of the requesting State, the request for extradition need not be honored unless the laws of the requesting State and those of the requested State authorize prosecution of such offense under corresponding circumstances.

3. The words "territorial jurisdiction" as used in this Article and in Article I of this Convention mean: territory, including territorial waters, and the airspace thereover, belonging to or under the control of one of the Contracting States; and vessels and aircraft belonging to one of the Contracting States or to a citizen or corporation thereof when such vessel is on the high seas or such aircraft is over the high seas.

#### *Article V*

Extradition shall not be granted in any of the following circumstances:

1. When the person sought has already been or is at the time of the request being proceeded against in the requested State in accordance with the criminal laws of that State for the offense for which his extradition is requested.

2. When the legal proceedings or the enforcement of the penalty for the offense has become barred by limitation according to the laws of either the requesting State or the requested State.

3. When the person sought has been or will be tried in the requesting State by an extraordinary tribunal or court.

4. When the offense is purely military.

5. If the offense is regarded by the requesting State as a political offense or as an offense connected with a political offense.

6. If in the specific case it is found to be obviously incompatible with the requirements of humane treatment, because of, for example, the youth or health of the person sought, taking into account also the nature of the offense and the interests of the requesting State.

#### *Article VI*

When the person sought is being proceeded against in accordance with the criminal laws of the requested State or is serving a sentence in that State for an offense other than that for which extradition has been requested, his surrender may be deferred until such proceedings have been terminated or he is entitled to be set at liberty.

### *Article VII*

There is no obligation upon the requested State to grant the extradition of a person who is a national of the requested State, but the executive authority of the requested State shall, subject to the appropriate laws of that State, have the power to surrender a national of that State if, in its discretion, it be deemed proper to do so.

### *Article VIII*

If the offense for which extradition is requested is punishable by death under the law of the requesting State and the law of the requested State does not permit this punishment, extradition may be refused unless the requesting State gives such assurance as the requested State considers sufficient that the death penalty will not be carried out.

### *Article IX*

A person extradited by virtue of this Convention may not be tried or punished by the requesting State for any offense committed prior to his extradition, other than that which gave rise to the request, nor may he be re-extradited by the requesting State to a third country which claims him, unless the surrendering State so agrees or unless the person extradited, having been set at liberty within the requesting State, remains voluntarily in the requesting State for more than 45 days from the date on which he was released. Upon such release, he shall be informed of the consequences to which his stay in the territory of the requesting State might subject him.

### *Article X*

To the extent permitted under the law of the requested State and subject to the rights of third parties, which shall be duly respected, all articles acquired as a result of the offense or which may be required as evidence shall be surrendered.

### *Article XI*

1. The request for extradition shall be made through the diplomatic channel and shall be supported by the following documents:

(a) In the case of a person who has been convicted of the offense: a duly certified or authenticated copy of the final sentence of the competent court. However, in exceptional cases, the requested State may request additional documentation.

(b) In the case of a person who is merely charged with the offense: a duly certified or authenticated copy of the warrant of arrest or other order of dentention issued by the competent authorities of the requesting State, together with the depositions, record of investigation or other evidence upon which such warrant or order may have been issued and such other evidence or proof as may be deemed competent in the case.

2. The documents specified in this Article must include a precise statement of the criminal act with which the person sought is charged or of which he has been convicted, and the place and date of the commission of the criminal act. The said documents must be made accompanied by an authenticated copy of the texts of the applicable laws of the requesting State including the laws relating to the limitation of the legal proceedings or the enforcement of the penalty for the offense for which the extradition of the person is sought, and data or records which will prove the identity of the person sought as well as information as to his nationality and residence.

3. The documents in support of the request for extradition shall be accompanied by a duly certified translation thereof into the language of the requested State.

### *Article XII*

1. The Contracting States may request, through the diplomatic channel, the provisional arrest of a person, provided that the offense for which he is sought is one for which extradition shall be granted under this Convention. The request shall contain:

(a) A statement of the offense with which the person sought is charged or of which he has been convicted;

(b) A description of the person sought for the purpose of identification;

(c) A statement of his whereabouts, if known; and

(d) A declaration that there exist and will be forthcoming the relevant documents required by Article XI of this Convention.

2. If, within a maximum period of 40 days from the date of the provisional arrest of the person in accordance with this Article, the requesting State does not present the formal request for his extradition, duly supported, the person detained will be set at liberty and a new request for his extradition will be accepted only when accompanied by the relevant documents required by Article XI of this Convention.

### *Article XIII*

1. Expenses related to the transportation of the person extradited shall be paid by the requesting State. The appropriate legal officers of the country in which the extradition proceedings take place shall, by all legal means within their power, assist the officers of the requesting State before the respective judges and magistrates. No pecuniary claim, arising out of the arrest, detention, examination and surrender of fugitives under the terms of this Convention, shall be made by the requested State against the requesting State other than as specified in the second paragraph of this Article and other than for the lodging, maintenance, and board of the person being extradited prior to his surrender.

2. The legal officers, other officers of the requested State, and court stenographers in the requested State who shall, in the usual course of their duty, give assistance and who receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the requesting State the usual payment for such acts or services performed by them in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

### *Article XIV*

1. Transit through the territory of one of the Contracting States of a person in the custody of an agent of the other Contracting State, and surrendered to the latter by a third State, and who is not of the nationality of the country of transit, shall, subject to the provisions of the second paragraph of this Article, be permitted, independently of any judicial formalities, when requested through diplomatic channels and accompanied by the presentation in original or in authenticated copy of the document by which the State of refuge has granted the extradition. In the United States of America, the authority of the Secretary of State of the United States of America shall be first obtained.

2. The permission provided for in this Article may nevertheless be refused if the criminal act which has given rise to the extradition does not constitute an offense enumerated in Article II of this Convention, or when grave reasons of public order are opposed to the transit.

### *Article XV*

To the extent consistent with the stipulations of this Convention and with respect to matters not covered herein, extradition shall be governed by the laws and regulations of the requested State.

### *Article XVI*

1. This Convention shall be ratified and the ratifications shall be exchanged at Stockholm as soon as possible.

2. This Convention shall enter into force upon the exchange of ratifications. It may be terminated by either Contracting State giving notice of termination to the other Contracting State at any time, the termination to be effective six months after the date of such notice.

In witness whereof the respective Plenipotentiaries have signed this Convention and have affixed hereunto their seals.

Done, in duplicate, in the English and Swedish languages, both versions being equally authentic, at Washington this twenty-fourth day of October 1961.

For the United States of America:
[SEAL] Dean Rusk
For Sweden:
[SEAL] Gunnar Jarring

### Protocol

At the time of the signing of the Convention on Extradition this day concluded between the United States of America and Sweden, the undersigned Plenipotentiaries,

Considering that the Swedish Penal Code provides for two general types of penalties of deprivation of liberty, namely, simple imprisonment ("fängelse") and imprisonment with hard labor ("straffarbete"), and that Article IV of the Swedish Extradition Act of December 6, 1957, provides that no person may be extradited unless the crime for which extradition is requested corresponds to an offense for which a sentence of imprisonment with hard labor ("straffarbete") may be imposed according to Swedish law, and

Realizing that it is the intention of the Government of Sweden to present to the Riksdag a bill to amend the Swedish Penal Code so as to eliminate those two types of deprivation of liberty, replacing them with only one type, namely, imprisonment ("fängelse"), and, also, as a consequence thereof to amend accordingly Article IV of the Swedish Extradition Act,

Agree upon the following provisions respecting the application of paragraph 1 of Article III of the Convention:

1. In the event of a request by the United States for extradition from Sweden, the offense for which extradition is requested must be punishable,

a. under United States law, by a possible deprivation of liberty for a period of more than one year and,

b. under Swedish law, had the offense been committed in Sweden, by a possible imprisonment with hard labor ("straffarbete") for a period of more than one year.

2. In the event of a request by Sweden for extradition from the United States, the offense for which extradition is requested must be punishable,

a. under Swedish law, by a possible imprisonment with hard labor ("straffarbete") for a period of more than one year and,

b. under United States law, had the offense been committed in the United States, by a possible deprivation of liberty for a period of more than one year.

This protocol shall enter into force upon entry into force of the Convention, and shall be considered an integral part thereof, if the aforedescribed amendments to the Swedish Penal Code and the Swedish Extradition Act shall not then have taken place and become effective.

This protocol shall terminate on the date upon which the aforedescribed amendments of the Swedish Penal Code and the Swedish Extradition Act become effective. The Government of Sweden shall notify the Government of the United States in writing of such date.

In witness whereof the respective Plenipotentiaries have signed this protocol and have affixed hereunto their seals.

Done in duplicate, in the English and Swedish languages, both versions being equally authentic, at Washington this twenty-fourth day of October 1961.

For the United States of America:

[SEAL] DEAN RUSK

For Sweden:

[SEAL] GUNNAR JARRING

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### EXECUTIVE F, 87TH CONGRESS, 2D SESSION

### ADDITIONAL PROTOCOL TO THE TREATY OF EXTRADITION OF JANUARY 13, 1961, BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED STATES OF BRAZIL

The United States of America and the United States of Brazil,

Having concluded at Rio de Janeiro, on January 13, 1961, a Treaty of Extradition for the purpose of making more effective the cooperation between the two countries in the repression of crime,

And desiring to make clear that their respective nationals will be subject to extradition only if the constitutional and legal provisions in force in their territories permit it,

Have resolved to sign an Additional Protocol to the aforementioned Treaty of Extradition and, to this end, have appointed the following Plenipotentiaries:

The President of the United States of America: His Excellency Lincoln Gordon, Ambassador Extraordinary and Plenipotentiary to Brazil, and

The President of the Republic of the United States of Brazil: His Execellency Francisco Clementino de San Tiago Dantas, Minister of State for External Relations,

Who, having communicated to each other their respective full powers, found to be in good and due form, agree as follows:

#### *Article I*

Article VII of the Treaty of Extradition concluded between the two countries at Rio de Janeiro, on January 13, 1961, shall be interpreted as follows:

"The Contracting Parties are not obliged by this Treaty to grant extradition of their nationals. However, if the Constitution and laws of the requested State do not prohibit, its executive authority shall have the power to surrender a national if, in its discretion, it be deemed proper to do so."

#### *Article II*

The present Protocol shall enter into force on the same date as the Treaty of Extradition of January 13, 1961, and shall cease to be effective on the date of the termination of the Treaty.

IN WITNESS HEREOF, the respective Plenipotentiaries have signed the present Additional Protocol and have fixed hereunto their seals.

DONE in duplicate, in the English and Portuguese languages, both equally authentic, at Rio de Janeiro, on this eighteenth day of June, one thousand nine hundred sixty-two.

LINCOLN GORDON.
SAN TIAGO DANTAS.

[SEAL]

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### EXECUTIVE E, 88TH CONGRESS, 1ST SESSION

### CONVENTION ON EXTRADITION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE STATE OF ISRAEL

The Government of the United States of America and the Government of the State of Israel, desiring to make more effective the cooperation of the two countries in the repression of crime, agree as follows:

#### *Article I*

Each Contracting Party agrees, under the conditions and circumstances established by the present Convention, reciprocally to deliver up persons found in its territory who have been charged with or convicted of any of the offenses mentioned in Article II of the present Convention committed within the territorial jurisdiction of the other, or outside thereof under the conditions specified in Article III of the present Convention.

#### *Article II*

Persons shall be delivered up according to the provisions of the present Convention for prosecution when they have been charged with, or to undergo sentence when they have been convicted of, any of the following offenses:

1. Murder.
2. Manslaughter.
3. Malicious wounding; inflicting grievous bodily harm.
4. Rape.
5. Abortion.
6. Unlawful carnal knowledge of a girl under the age specified by the laws of both the requesting and requested Parties.
7. Procuration.
8. Willful non-support or willful abandonment of a minor or other dependent person when the life of that minor or that dependent person is or is likely to be injured or endangered.
9. Kidnapping; abduction; false imprisonment.
10. Robbery.
11. Burglary; housebreaking.
12. Larceny.
13. Embezzlement.
14. Obtaining money, valuable securities or goods by false pretenses or by threats or force.
15. Bribery.
16. Extortion.
17. Receiving any money, valuable securities or other property knowing the same to have been unlawfully obtained.
18. Fraud by a bailee, banker, agent, factor, trustee, executor, administrator or by a director or officer of any company.
19. Forgery, including forgery of banknotes, or uttering what is forged.
20. The forgery or false making of official documents or public records of the government or public authority or the uttering or fraudulent use of the same.
21. The making or the utterance, circulation or fraudulent use of counterfeit money or counterfeit seals, stamps, dies and marks of the government or public authority.
22. Knowingly and without lawful authority making or having in possession any instrument, tool, or machine adapted and intended for the counterfeiting of money, whether coin or paper.
23. Perjury; subornation of perjury.
24. Arson.
25. Any malicious act done with intent to endanger the safety of any persons travelling upon a railway.
26. Piracy, by the law of nations; mutiny on board a vessel for the purpose of rebelling against the authority of the Captain or Commander of such vessel; by fraud or violence taking possession of such vessel.
27. Malicious injury to property.
28. Smuggling.
29. False swearing.
30. Offenses against the bankruptcy laws.
31. Offenses against the laws relating to dangerous drugs.

Extradition shall be granted for any of the offenses numbered 27 through 31 only if the offense is punishable under the laws of both Parties by a term of imprisonment exceeding three years.

Extradition shall also be granted for attempts to commit or conspiracy to commit any of the offenses mentioned in this Article provided such attempts or such conspiracy are punishable under the laws of both Parties by a term of imprisonment exceeding three years.

Extradition shall also be granted for participation in any of the offenses mentioned in this Article.

#### *Article III*

When the offense has been committed outside the territorial jurisdiction of the requesting Party, extradition need not be granted unless the laws of the requested Party provide for the punishment of such an offense committed in similar circumstances.

The words "territorial jurisdiction" as used in this Article and in Article I of the present Conventon mean: territory, including territorial waters, and the airspace thereover, belonging to or under the control of one of the Contracting Parties, and vessels and aircraft belonging to one of the Contracting Parties or to a citizen or corporation thereof when such vessel is on the high seas or such aircraft is over the high seas.

#### *Article IV*

A requested Party shall not decline to extradite a person sought because such person is a national of the requested Party.

#### *Article V*

Extradition shall be granted only if the evidence be found sufficient according to the laws of the place where the person sought shall be found, either to justify his committal for trial if the offense of which he is accused had been committed in that place or to prove that he is the identical person convicted by the courts of the requesting Party.

#### *Article VI*

Extradition shall not be granted in any of the following circumstances:

1. When the person whose surrender is sought is being proceeded against, or has been tried and discharged or punished, in the territory of the requested Party for the offense for which his extradition is requested.
2. When the person whose surrender is sought has been tried and acquitted, or undergone his punishment, in a third State for the offense for which his extradition is requested.
3. When the prosecution or the enforcement of the penalty for the offense has become barred by lapse of time according to the laws of the requesting Party or would be barred by lapse of time according to the laws of the requested Party had the offense been committed in its territory.
4. When the offense is regarded by the requested Party as one of a political character or if the person sought proves that the request for his extradition has, in fact, been made with a view to trying or punishing him for an offense of a political character.

#### *Article VII*

When the offense for which the extradition is requested is punishable by death under the laws of the requesting Party and the laws of the requested Party do not permit such punishment for that offense, extradition may be refused unless the requesting Party provides such assurances as the requested Party considers sufficient that the death penalty shall not be imposed, or, if imposed, shall not be executed.

#### *Article VIII*

When the person whose extradition is requested is being proceeded against or is serving a sentence in the territory of the requested Party for an offense other than that for which extradition has been requested, his surrender may be deferred until the conclusion of the proceedings and the full execution of any punishment he may be or may have been awarded.

#### *Article IX*

The determination that extradition based upon the request therefor should or should not be granted shall be made in accordance with the domestic law of the requested Party and the person whose extradition is sought shall have the right to use such remedies and recourses as are provided by such law.

### *Article X*

The request for extradition shall be made through the diplomatic channel.

The request shall be accompanied by a description of the person sought, a statement of the facts of the case, the text of the applicable laws of the requesting Party including the law prescribing the punishment for the offense as well as the law relating to the limitation of the legal proceedings or the enforcement of the penalty for the offense.

When the request relates to a person who has not yet been convicted, it must also be accompanied by a warrant of arrest issued by a judge or commissioner of the requesting Party and by such evidence as, according to the laws of the requested Party, would justify his arrest if the offense had been committed there.

When the request relates to a person already convicted, it must be accompanied by the judgment of conviction and sentence passed against him in the territory of the requesting Party and by a statement showing how much of the sentence has not been served.

The warrant of arrest and depositions or other evidence, given under oath, and the judicial documents establishing the existence of the conviction, or certified copies of these documents, shall be admitted in evidence in the examination of the request for extradition, when, in the case of a request emanating from Israel, they bear the signature or are accompanied by the attestation of a judge, magistrate or other official or are authenticated by the official seal of the Ministry of Justice and, in any case, are certified by the principal diplomatic or consular officer of the United States in Israel, or when, in the case of a request emanating from the United States, they are authenticated by the official seal of the Department of State.

The documents in support of the request for extradition shall be accompanied by a certified translation thereof into the language of the requested Party.

### *Article XI*

In case of urgency a Contracting Party may apply for the provisional arrest of the person sought pending the presentation of the request for extradition through the diplomatic channel. The application shall contain a description of the person sought, an indication of intention to request the extradition of the person sought and a statement of the existence of a warrant of arrest or a judgment of conviction against that person, and such further information, if any, as would be necessary to justify the issue of a warrant of arrest had the offense been committed, or the person sought been convicted in the territory of the requested Party.

On receipt of such an application the requested Party shall take the necessary steps to secure the arrest of the person claimed.

A person arrested upon such an application shall be set at liberty upon the expiration of sixty days from the date of his arrest if a request for his extradition accompanied by the documents specified in Article X shall not have been received. However, this stipulation shall not prevent the institution of proceedings with a view to extraditing the person sought if the request is subsequently received.

### *Article XII*

If the requested Party requires additional evidence or information to enable it to decide on the request for extradition, which evidence or information shall be submitted to it within such time as that Party shall require.

If the person sought is under arrest and the additional evidence or information submitted as aforesaid is not sufficient or if such evidence or information is not received within the period specified by the requested Party, he shall be discharged from custody. However, such discharge shall not bar the requesting Party from submitting another request in respect of the same offense.

### *Article XIII*

A person extradited under the present Convention shall not be detained, tried or punished in the territory of the requesting Party for any offense other than that for which extradition has been granted nor be extradited by that Party to a third State unless:

1. He has left the territory of the requesting Party after his extradition and has voluntarily returned to it;
2. He has not left the territory of the requesting Party within 60 days after being free to do so; or
3. The requested Party has consented to his detention, trial, punishment or extradition to a third State for an offense other than that for which extradition was granted.

These sipulations shall not apply to offenses committed after the extradition.

### *Article XIV*

A requested Party upon receiving two or more requests for the extradition of the same person either for the same offense, or for different offenses, shall determine to which of the requesting States it will extradite the person sought, taking into consideration the circumstances and particularly the possibility of a later extradition between the requesting States, the seriousness of each offense, the place where the offense was committed, the nationality of the person sought, the dates upon which the requests were received and the provisions of any extradition agreements between the requested Party and the other requesting State or States.

### *Article XV*

The requested Party shall promptly communicate to the requesting Party through the diplomatic channel the decision on the request for extradition.

If extradition is granted, the person sought shall be conveyed by the authorities of the requested Party to the frontier or port of embarkation or airport in the territory of that Party which the diplomatic or consular agent of the requesting Party shall designate.

If a warrant or order for the extradition of a person sought has been issued by the competent authority and he is not removed from the territory of the requested Party within such time as may be prescribed by the laws of that Party, he may be set at liberty and the requested Party may subsequently refuse to extradite that person for the same offense.

### *Article XVI*

To the extent permitted under the law of the requested Party and subject to the rights of third parties, which shall be duly respected, all articles acquired as a result of the offense or which may be required as evidence shall, if found, be surrendered if extradition is granted.

### *Article XVII*

The right to transport through the territory of one of the Contracting Parties a person surrendered to the other Contracting Party by a third State shall be granted on request made through the diplomatic channel accompanied by the documents referred to in Article X of the present Convention provided that conditions are present which would warrant extradition of such person by the State of transit and reasons of public order are not opposed to the transit.

The Party to which the person has been extradited shall reimburse the Party through whose territory such person is transported for any expenses incurred by the latter in connection with such transportation.

### *Article XVIII*

Expenses related to the transportation of the person sought shall be paid by the requesting Party. The appropriate legal officers of the country in which the extradition proceedings take place shall, by all legal means within their power, assist the officers of the requesting Party before the respective judges and magistrates. No pecuniary claim, arising out of the arrest, detention, examination and surrender of persons sought under the terms of this Convention, shall be made by the requested Party against the requesting Party other than as specified in the second paragraph of this Article and other than for the lodging, maintenance and board of the person sought.

The legal officers, other officers of the requested Party, and court stenographers, if any, of the requested Party who shall, in the usual course of their duty, give assistance and who receive no salary or compensation other than specific fees for services performed, shall be entitled to receive from the requesting Party the usual payment for such acts or services performed by them in the same manner and to the same amount as though such acts or services had been performed in ordinary criminal proceedings under the laws of the country of which they are officers.

### *Article XIX*

This Convention shall be ratified and the ratifications shall be exchanged in Israel as soon as possible.

This Convention shall enter into force upon the exchange of ratifications. It may be terminated by either Contracting Party giving notice of termination to the other Contracting Party at any time and the termination shall be effective six months after the date of receipt of such notice.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention.

DONE in duplicate at Washington this tenth day of December, one thousand nine hundred sixty-two, corresponding to the thirteenth day of Kislev, five thousand seven hundred and twenty-three, in the English and Hebrew languages, both versions being equally authentic.

For the Government of the United States of America:

DEAN RUSK.

For the Government of the State of Israel:

AVRAHAM HARMAN.

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## EXECUTIVE B, 88TH CONGRESS, 1ST SESSION

## CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA

The United States of America and the Republic of Korea,

Being desirous of regulating the consular affairs of each state in the territory of the other,

Have decided to conclude a Consular Convention and have appointed as their plenipotentiaries for this purpose:

The President of the United States of America: His Excellency Samuel D. Berger, Ambassador Extraordinary and Plenipotentiary, and

The Acting President of the Republic of Korea: His Excellency Choi Duk-Shin, Minister of Foreign Affairs,

Who, having communicated to each other their respective full powers, which were found in good and due form, have agreed as follows:

### *Article 1—Assignment*

(1) Each High Contracting Party shall have the right to send to the other High Contracting Party consular representatives who, after having been recognized in a consular capacity, shall be provided, free of charge, with exequaturs or other authorization.

(2) The sending state shall have the right, subject to the procedures established by paragraph (1) of this Article, to assign one or

more members of its diplomatic mission accredited to the receiving state to the performance of consular functions. Such persons shall be entitled to the benefits, and be subject to the obligations, of this Convention, without prejudice to any additional privileges to which they may be entitled by virtue of being members of the diplomatic mission of the sending state.

(3) The location of the consular offices and the limits of the consular districts will be determined by agreement between the receiving state and the sending state.

### *Article 2—Lands and Buildings*

(1) The sending state shall have the right, in the territory of the receiving state, to acquire, own, lease for any period of time, or otherwise hold and occupy such lands, buildings, and appurtenances as may be necessary and appropriate for governmental purposes, including residences for personnel attached to diplomatic and consular establishments.

(2) The sending state shall have the right to erect buildings and appurtenances on land which it owns or leases in accordance with paragraph (1) of this Article, subject to compliance with local building, zoning, or town planning regulations applicable to all land in the area in which such land is situated.

### *Article 3—Inviolability of Offices and Archives*

(1) The archives of a consular office shall be inviolable. Offices used exclusively for consular purposes shall not be entered by the police or other authorities without the consent of the consular officer, except that, in the case of fire or other disaster, or if the authorities have probable cause to believe that a crime of violence has been or is about to be committed in the consular office, consent to entry shall be presumed. In no case shall they examine or seize the papers there deposited.

(2) The national flag of the sending state and its consular flag may be flown at the consular office and at the residence of the consular officer in charge of such office, or on any vehicle, vessel, or aircraft used by him in the performance of his official duties. In times of emergency such flags may be flown at the residence and on the vehicle, vessel, or aircraft of any consular officer of the sending state. The sending state may affix to the buildings in which its consular offices are located signs bearing its coat-of-arms and the designation of the office.

### *Article 4—Notarial services and miscellaneous functions*

A consular officer shall be permitted within his consular district:

(a) to issue and amend visas and passports and to issue such notices to, and receive such declarations from, a national of the sending state as may be required under the laws of the sending state;

(b) to prepare, attest, receive the acknowledgments of, certify, authenticate, legalize, and, in general, take such action as may be necessary to perfect or to validate any act, document, or instrument of a legal character, as well as copies thereof, including commercial documents, declarations, registrations, testamentary dispositions, and contracts, whenever such services are required by a national of the sending state for use outside the territory of the receiving state or by any person for use in the territory of the sending state;

(c) to take evidence, on behalf of the courts of the sending state, voluntarily given by any person in the receiving state, and administer oaths to such persons, in accordance with the law of the sending state;

(d) to obtain copies of or extracts from documents of public registry;

(e) to inquire of local authorities on behalf of a national of the sending state into matters concerning his person, holdings, or interests, including shares in estates, pension rights, insurance or workmen's compensation benefits, and the like;

(f) to further the commercial, artistic, scientific, professional, cultural, and educational interests of the sending state.

### *Article 5—Protection of nationals*

(1) A consular officer shall have the right within his district to interview, communicate with, assist, and advise any national of the sending state and, where necessary, arrange for legal assistance for him, provided such national so requests, or comes voluntarily to the consular office, or does not object to inquiry from or visit by the consular officer. The receiving state shall in no way restrict the access of any national of the sending state to its consular establishments.

(2) The appropriate authorities of the receiving state shall, at the request of any national of the sending state who is under arrest or otherwise detained in custody, immediately inform a consular officer of the sending state, who shall be accorded full opportunity to visit and communicate with such a national in order to safeguard his interests.

(3) A consular officer of the sending state shall have the right to visit and communicate with, subject to prison regulations, a national of the sending state who is serving a sentence of imprisonment.

(4) For the purposes of the provisions of paragraphs (1) and (2) of this Article, the phrase "national of the sending state" shall be deemed to apply also to any person employed on a vessel or aircraft of the sending state, who is not a national of the receiving state.

### *Article 6—Estates*

(1) In the case of the death of a national of the sending state in the territory of the receiving state, without leaving in the territory of his decease any known heir or testamentary executor, the appropriate local authorities of the receiving state shall as promptly as possible inform a consular officer of the sending state.

(2) A consular officer of the sending state may, within the discretion of the appropriate judicial authorities and if permissible under then existing applicable local law in the receiving state:

(a) take provisional custody of the personal property left by a deceased national of the sending state, provided that the decedent shall have left in the receiving state no heir or testamentary executor appointed by the decedent to take care of his personal estate; provided that such provisional custody shall be relinquished to a duly appointed administrator;

(b) administer the estate of a deceased national of the sending state who is not a resident of the receiving state at the time of his death, who leaves no testamentary executor, and who leaves in the receiving state no heir, provided that if authorized to administer the estate, the consular officer shall relinquish such administration upon the appointment of another administrator;

(c) represent the interests of a national of the sending state in an estate in the receiving state, provided that such national is not a resident of the receiving state, unless or until such national is otherwise represented; provided, however, that nothing herein shall authorize a consular officer to act as an attorney at law.

(3) Unless prohibited by law, a consular officer may, within the discretion of the court, agency, or person making distribution, receive for transmission to a national of the sending state who is not a resident of the receiving state any money or property to which such national is entitled as a consequence of the death of another person, including shares in an estate, payments made pursuant to workmen's compensation laws, pension and social benefits systems in general, and proceeds of insurance policies. The court, agency, or person making distribution may require that a consular officer comply with conditions laid down with regard to (a) presenting a power of attorney or other authorization from such non-resident national, (b) furnishing reasonable evidence of the receipt of such money or property by such national, and (c) returning the money or property in the event he is unable to furnish such evidence.

(4) Whenever a consular officer shall perform the functions referred to in paragraphs (2) and (3) of this Article, he shall be subject, with respect to the exercise of such functions, to the laws of the receiving state and to the jurisdiction of the judicial and administrative authorities of the receiving state in the same manner and to the same extent as a national of the receiving state.

### *Article 7—Shipping and aviation*

(1) A consular officer may take measures to enforce the shipping laws of the sending state and for this purpose may visit vessels and be visited by the masters and crews of vessels of the sending state. A consular officer may also visit vessels of any registry destined to a port of the sending state to execute documents or to obtain information required by the sending state.

(2) Without prejudice to the superior right of the administrative and judicial authorities of the receiving state to take cognizance of crimes or offenses which disturb the peace of the port or to enforce the laws of the receiving state applicable to vessels of any state within its waters, a consular officer may exercise jurisdiction pursuant to the law of the sending state over controversies, including wage and contract disputes, aboard vessels of the sending state which are in the waters of the receiving state, and may conduct investigations and convene boards of inquiry. A consular officer may request the assistance of competent authorities of the receiving state in performance of such duties. The peace of the port may be considered to be disturbed when an offense is committed aboard a vessel within the waters of the receiving state which constitutes a serious crime according to its laws.

(3) In any case where the authorities of the receiving state arrest or otherwise detain in custody any person who is not a national of the receiving state and who is aboard or who is an officer or crew member of a vessel under the flag of the sending state, or seize any property aboard such a vessel, the competent authorities of the receiving state shall inform a consular officer of the sending state thereof and shall accord the consular officer full opportunity to visit and communicate with such person and to take appropriate measures to safeguard the interests of such person or such vessel.

(4) If a vessel of the sending state is wrecked in waters of the receiving state, the appropriate authorities of the receiving state shall inform the consular officer and shall take all practicable measures for the preservation and protection of the vessel, persons, and property on board. If the owner, or anyone he has authorized to act for him, is unable to make necessary arrangements in connection with the vessel or its cargo, the consular officer may make arrangements on his behalf. The consular officer may under similar circumstances make appropriate arrangements in connection with cargo owned by nationals of the sending state and found or brought into port from a wrecked vessel of other registry, except a vessel of the receiving state. No customs duties shall be levied against a wrecked vessel of the sending state, or its cargo or stores unless they are delivered for use in the receiving state.

(5) The term "vessel," as used herein, means all types of vessels, whether privately owned or operated, or publicly owned or operated; but this term does not, except with

reference to paragraph (4) of this Article, include vessels of war. For the purposes of this Article, the term "vessel" shall be deemed to include aircraft, the term "shipping laws" shall be construed, as applied to aircraft, to refer to aviation laws, and the term "waters" shall be construed, as applied to aircraft, to refer to territory of the receiving state.

*Article 8—Additional functions*

In addition to the functions specified in this Convention, a consular officer shall be permitted to perform such other consular and related functions as are recognized by the receiving state as being appropriate to his office.

*Article 9—Right of communication*

(1) A consular officer shall have the right to communicate with his government or with the diplomatic mission and consular offices of the sending state in the receiving state or with other diplomatic missions and consular offices of the sending state, making use of all public means of communication. In addition, a consular officer shall have the right to send and receive official correspondence, by courier or by means of sealed official pouches and other official containers, or by public communications facilities, either in clear or secret language.

(2) The official correspondence referred to in this Article shall be inviolable and the authorities of the receiving state shall not examine or detain it. Sealed official pouches and other official containers shall be inviolable when they are certified by a responsible officer of the sending state as containing only official correspondence.

(3) Even in the event the receiving state should be engaged in armed conflict, it will not restrict the right of communication between the consular officer and his government and between the consular officer and the diplomatic mission of the sending state in the receiving state.

*Article 10—Immunities*

(1) A consular officer of employee shall not, except with the consent of the sending state, be subject to the jurisdiction of the courts of the receiving state in respect of acts performed by him within the scope of his official duties, other than as provided in Article 6(4).

(2) A consular officer or employee shall have the right to refuse a request from the administrative or judicial authorities of the receiving state to produce any documents from the consular archives or to give evidence relating to matters falling within the scope of his official duties. Such a request, however, as well as requests for testimony, shall be complied with in the interests of justice if it is possible to do so without prejudicing the interests of the sending state. The administrative or judicial authorities requiring testimony shall take all reasonable steps to avoid interference with the performance of official duties and, wherever possible or permissible, arrange for the taking of such testimony, orally or in writing, at the residence or office of the consular officer or employee.

(3) A consular officer or employee shall, except as provided in Article 15, be exempt from arrest or prosecution in the receiving state except when charged with the commission of a crime which, upon conviction, might subject the individual guilty thereof to a sentence of imprisonment for a period of more than one year. The exemption set forth in this paragraph may be waived by the sending state. Furthermore, even in cases where such officers and employees are exempt from arrest or prosecution they nonetheless should observe local laws and regulations, including traffic regulations.

(4) A consular officer or employee and his wife, minor children, and other dependents residing with him, shall, except as provided in Article 15, enjoy exemption in the receiving state from service in the armed forces, jury duty, or any other type of compulsory service, and from any contribution in lieu thereof.

(5) A consular officer or employee and his wife, minor children, and other dependents residing with him, shall, except as provided in Article 15, be exempt in the receiving state from any requirements with regard to the registration of aliens, the obtaining of permission to reside, and similar regulations applicable generally to aliens.

*Article 11—Customs privileges*

(1) The sending state shall have the right to import into the receiving state, free from customs duties and internal revenue or other taxes imposed upon or by reason of importation, material and equipment for the construction, alteration, repair, maintenance, and operation of buildings and appurtenances erected in accordance with paragraph (2) of Article 2, or otherwise held or occupied in accordance with paragraph (1) of Article 2.

(2) All articles, including vehicles, vessels, and aircraft, required exclusively for the performance of official governmental functions or for the construction, maintenance, and operation of property held by the sending state in accordance with Article 2, paragraphs (1) and (2), shall be exempt within the territories of the receiving state from all customs duties and internal revenue or other taxes imposed upon or by reason of importation.

(3) The baggage, effects, and other articles, including vehicles, vessels, and aircraft, imported exclusively for the personal use of a consular officer or employee, his wife, minor children, and other dependents residing with them, shall, except as provided in Article 15, be exempt from all customs duties and internal revenue or other taxes imposed upon or by reason of importation. Such exemptions shall be granted with respect to the property accompanying the person entitled thereto on first arrival and on subsequent arrivals, and to that consigned to such officers and employees during the period in which they continue in status.

(4) It is understood, however, that: (a) paragraph (3) of this Article shall apply as to consular officers and employees only when their names have been communicated to the appropriate authorities of the receiving state and they have been duly recognized in their official capacity; (b) in the case of consignments, the receiving state may, as a condition to the granting of exemption, require that a notification of any such consignment be given in a prescribed manner; and (c) nothing herein authorizes importations specifically prohibited by law.

*Article 12—Tax privileges*

(1) Lands and buildings situated in the territory of the receiving state, of which the sending state is the legal or equitable owner and which are used for the purposes specified in paragraph (1) of Article 2, shall be exempt from taxation of every kind, national, state, provincial, and municipal, other than assessments levied for services or local public improvements by which the premises are benefited.

(2) The sending state shall, with respect to all matters relating to the performance of consular functions or to the construction, maintenance, and operation of property held in accordance with Article 2, paragraphs (1) and (2), be exempt from the payment of all taxes and similar charges of any kind imposed by the receiving state or any local subdivision thereof for the payment of which the sending state would otherwise be legally liable, including taxes and similar charges payable in connection with the acquisition or rendition of services and the ownership, acquisition, operation, possession, or sale of immovable and movable property, including vehicles, vessels, and aircraft.

(3) A consular officer or employee who is not a national of the receiving state and who does not have the status in the receiving state of an alien lawfully admitted for permanent residence shall be exempt from the payment of all taxes or similar charges of any kind imposed by the receiving state or any local subdivision thereof on the official emoluments, salaries, wages, or allowances received by such officer or employee from the sending state.

(4) A consular officer or employee shall, except as provided in paragraph (5) of this Article and Article 15, be exempt from the payment of all taxes or similar charges of any kind imposed by the receiving state or any local subdivision thereof for the payment of which the officer or employee would otherwise be legally liable.

(5) The exemption provided for in the preceding paragraph shall not apply with respect to taxes or similar charges upon:

(a) the acquisition, ownership, or occupation of immovable property situated in the receiving state;

(b) income received from sources within the receiving state other than income described in paragraph (3);

(c) the passing at death of property in the receiving state; and

(d) the transfer by gift of property in the receiving state.

(6) Notwithstanding the provisions of paragraph (5)(c) of this Article, the movable property belonging to the estate of a deceased consular officer or employee and used by him in the performance of his official duties shall, except as provided by Article 15, be exempt from all estate, inheritance, succession, or similar taxes imposed by the receiving state or any local subdivision thereof. Any part of the estate of a deceased consular officer or employee which does not exceed in value two times the amount of all official emoluments, salaries, and allowances received by such consular officer or employee for the year immediately preceding his death shall be deemed conclusively to constitute property used by him in the performance of his official duties.

*Article 13—Insurance*

All vehicles, including automobiles, vessels, and aircraft, owned by the sending state and used for consular purposes, and all vehicles, vessels, and aircraft owned by a consular officer or employee of the sending state or his wife, minor children, and other dependents, shall be adequately insured against third party risks; provided that this Article shall not apply to any person who is a national of the receiving state or has the status in the receiving state of an alien lawfully admitted for permanent residence.

*Article 14—Diplomatic officers and employees*

The provisions of Articles 11, 12, and 13 shall have like application to diplomatic officers and employees, without prejudice to such rights and benefits as they may have under international law.

*Article 15—Limitations*

The privileges and immunities conferred by Article 10 (3), (4), and (5), Article 11(3), and Article 12 (4) and (6) shall not be accorded to a consular officer or employee, or his wife, minor children, and other dependents, if such officer or employee is a national of the receiving state, or has the status in the receiving state of an alien lawfully admitted for permanent residence, or is engaged in any private occupation for gain in the receiving state, or is other than a full-time officer or employee of the sending state.

*Article 16—Settlement of disputes*

Any dispute concerning the interpretation or application of the present Convention which is not settled by negotiation may be referred, at the option of either party, to the

International Court of Justice for decision, provided (1) that matters falling within the discretion of either party under the Convention shall not be subject to the Court's jurisdiction, and (2) that neither party may refer a dispute to the Court until it has exhausted its legal remedies in the territory of the other Party, in the same manner as would a private person claiming rights, exemptions, and immunities under local laws and regulations.

### *Article 17—Territorial application*

The territories to which the provisions of this Convention shall apply shall be understood to comprise all areas of land and water subject to the sovereignty or authority of the High Contracting Parties, except the Panama Canal Zone.

### *Article 18—Entry into force*

1. The present Convention shall be ratified, and the ratifications thereof shall be exchanged at Washington as soon as possible.

2. The present Convention shall enter into force on the thirtieth day following the day of exchange of ratifications. It shall remain in force for ten years and shall continue in force thereafter until terminated as provided herein.

3. Either High Contracting Party may, by giving one-year's written notice to the other High Contracting Party, terminate the present Convention at the end of the initial ten-year period or at any time thereafter.

IN WITNESS WHEREOF the respective Plenipotentiaries have signed the present Convention and have affixed hereunto their seals.

DONE in duplicate, in the English and Korean languages, at Seoul this 8th day of January, 1963.

For the United States of America:
[SEAL] SAMUEL D. BERGER.
For the Republic of Korea:
[SEAL] CHOI DUK-SHIN.

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EXECUTIVE I, 88TH CONGRESS, 1ST SESSION

## CONSULAR CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND JAPAN

The United States of America and Japan, being desirous of regulating the consular affairs of one country in the territories of the other, have decided to conclude a Consular Convention and have appointed as their Plenipotentiaries for this purpose:

The United States of America:
Edwin O. Reischauer, Ambassador Extraordinary and Plenipotentiary, and
Japan:
Masayoshi Ohira, Minister for Foreign Affairs who, having communicated to each other their respective full powers, which were found in good and due form, have agreed as follows:

### *Part I. Application and definitions*

### Article 1

The territories of the High Contracting Parties to which the provisions of this Convention apply shall be understood to comprise all areas of land and water subject to the sovereignty or authority of either High Contracting Party, except the Panama Canal Zone.

### Article 2

For the purpose of this Convention:

(1) The term "sending state" means the High Contracting Party by which a consular officer is appointed;

(2) The term "receiving state" means the High Contracting Party within whose territories a consular officer of the sending state exercises his functions;

(3) The term "nationals" means

(a) in relation to the United States of America, all citizens of the United States and all persons under the protection of the United States, including, where the context permits, all juridical entities duly created in or under the laws of any of the territories of the United States to which the Convention applies;

(b) in relation to Japan, all persons possessing the nationality of Japan, including, where the context permits, all juridical entities duly created under the laws of Japan;

(4) The term "person" shall be deemed to include any individual or juridical entity;

(5) The term "vessel", unless otherwise specified, means any ship or craft documented under the laws of any of the territories of the sending state to which the Convention applies;

(6) The term "consular office" shall, when used to describe or identify physical property, be deemed to refer to the premises used by the sending state for the conduct of official consular business;

(7) The term "consular establishment" shall be deemed to include all immovable property used or held by the sending state for a consular office, for residences for one or more consular officers or employees or for related purposes, all movable property required to furnish, equip and operate such immovable property and, in general, all property needed for the effective performance of consular functions, including vehicles, vessels and aircraft;

(8) The term "consular officer" means any individual authorized by the sending state to exercise consular functions who is granted an exequatur or provisional or other authorization by the appropriate authorities of the receiving state;

(9) The term "consular employee" means any individual, other than a consular officer, who performs administrative or technical work or belongs to the service staff of a consular office provided that his name has been duly communicated to the appropriate authorities of the receiving state in accordance with the provisions of paragraph (2) of Article 6;

(10) The term "archives" shall be deemed to include official correspondence, documents, papers, books, records, cash, stamps, seals, filing cabinets, safes and other similar items held or used for official purposes;

(11) The term "local subdivision" shall be deemed to refer to any political or administrative subdivision of one of the High Contracting Parties, including, by way of example and not by way of limitation, any state, prefecture, county or municipality;

(12) The term "authorities of the receiving state" shall be deemed to include the authorities of the receiving state and of any local subdivision thereof;

(13) The term "laws" shall be deemed to include the laws, decrees, regulations, ordinances and similar measures having the force of law in the territories of either High Contracting Party or in any local subdivision thereof.

### *Part II. Appointments and districts*

### Article 3

(1) The sending state may establish and maintain consular offices in the territories of the receiving state at any place where the receiving state agrees to the establishment thereof.

(2) The sending state may, subject to the right of the receiving state to object thereto, prescribe the limits of its consular districts in the receiving state and shall keep the receiving state informed of such limits.

(3) A consular officer may, upon notification to and in the absence of objections from the receiving state, perform consular functions outside his consular district.

### Article 4

(1) The sending state may assign or appoint consular officers of such number and rank as it may deem necessary to any of its consular offices in the receiving state. The sending state shall notify the receiving state in writing of the assignment or appointment of a consular officer to a consular office in the receiving state.

(2) The receiving state shall, on presentation of the officer's commission or other notification of assignment or appointment, grant as soon as possible and free of charge such consular officer an exequatur or other authorization to perform consular functions. The receiving state shall, when necessary, pending the grant of an exequatur or other authorization, grant the consular officer a provisional authorization.

(3) The receiving state may not refuse to grant an exequatur or other authorization without good cause.

(4) The receiving state shall not, except as otherwise specifically provided in this Convention, be deemed to have consented to having a consular officer acting as such or to have extended to him the benefits of this Convention prior to the grant of an exequatur or other authorization, including provisional authorization.

### Article 5

(1) The receiving state shall, upon request, inform without delay its appropriate authorities of the name of any consular officer entitled to act under this Convention.

(2) As an official agent of the sending state, a consular officer shall be entitled to special protection and to the high consideration of all officials of the receiving state with whom he has official intercourse.

(3) The receiving state may revoke the exequatur or other authorization of a consular officer whose conduct has given serious cause for complaint. The reason for such revocation shall, upon request, be furnished to the sending state through diplomatic channels.

### Article 6

(1) A consular officer or employee may be assigned temporarily in an acting capacity to perform duties of a consular officer who has died or is unable to act through illness, absence or other cause. Pending the return of the former officer, the assignment of a new officer or the confirmation of the acting officer, such acting officer may perform the duties and enjoy the benefits of the provisions of this Convention upon notification to the Government of the receiving state.

(2) The sending state shall be free to employ the necessary number of consular employees at its consular offices, but the appropriate authorities of the receiving state shall be informed of the name and address of each employee. It will be for the Government of the receiving state to designate the particular authority to whom this information is to be given.

(3) The sending state may, with the permission of the receiving state, and in accordance with the provisions of Article 4, assign one or more members of its diplomatic mission accredited to the receiving state to the performance of consular functions. Such members shall be entitled to the benefits, and be subject to the obligations, of this Convention, without prejudice to any additional personal privileges to which they may be entitled by virtue of being members of the diplomatic mission of the sending state.

(4) The receiving state may refuse to accept a size of the consular staff exceeding what is reasonable and normal having regard to circumstances and conditions in the consular district, and to the needs of the particular consular office.

### *Part III. Legal rights and immunities*

### Article 7

(1) The sending state may acquire under such form of tenure as it may choose, whether on lease, in full ownership, or under such other form of tenure as may exist under the laws of the receiving state, and may thus hold and occupy, either in its own name or in the name of one or more persons acting

on behalf of the sending state, land, buildings, parts of buildings, and appurtenances located in the receiving state and required by the sending state for the purposes of a consular office, or of a residence for a consular officer or employee, or for other purposes to which the receiving state does not object, arising out of the operation of a consular establishment of the sending state. If, under the laws of the receiving state, the permission of the authorities of the receiving state must be obtained as a prerequisite to any such acquisition, such permission shall be granted on request.

(2) The sending state shall have the right to erect, as part of its consular establishments, buildings and appurtenances on land which it so owns or holds on lease.

(3) It is understood that the sending state shall not be exempt from compliance with any local building, zoning or town planning regulations applicable to all land in the area in which such land is situated.

(4) The phrase "one or more persons acting on behalf of the sending state" shall, within the meaning of Articles 7 and 12, be deemed to refer to any person or persons holding property in a trust or similar capacity for the benefit of the sending state.

### Article 8

(1) The consular officer in charge may place, outside the consular office, the coat-of-arms or national device of the sending state and an appropriate inscription in the official language of the sending state designating such office.

(2) The consular officer in charge may fly the flag of the sending state and the consular flag at the consular office. Any consular officer may also place the coat-of-arms or national device and fly the flag of the sending state and its consular flag on the vehicles, vessels and aircraft which he employs in the exercise of his duties. Such flags may also be flown on suitable occasions at the residence of the consular officer in charge and in times of emergency at the residence of any consular officer.

(3) (a) The archives of the consular office shall be kept in a place entirely separate from the place where the private or business papers of consular officers and employees are kept. This provision does not require the separation of diplomatic from consular archives when a consular office forms part of the diplomatic mission.

(b) The archives, kept in a consular office of the sending state, shall at all times be inviolable, and the authorities of the receiving state may not, under any pretext, examine or detain them.

(4) A consular office shall not be entered by the police or other authorities of the receiving state, except with the consent of the responsible consular officer or, if such consent cannot be obtained, pursuant to appropriate writ or process and with the consent of the Secretary of State when the United States of America is the receiving state or the Minister for Foreign Affairs when Japan is the receiving state. The consent of the responsible consular officer shall be presumed in the event of fire or other disaster or in the event that the authorities of the receiving state have probable cause to believe that a crime involving violence to persons or property has been, or is being, or is about to be committed in the consular office.

(5) A consular office shall not be used to afford asylum to fugitives from justice. If a consular officer refuses to surrender a fugitive from justice on the lawful demand of the authorities of the receiving state, such authorities may, in accordance with the procedures established by paragraph (4) of this Article, enter the consular office to apprehend the fugitive.

(6) Any entry into a search of a consular office pursuant to paragraphs (4) and (5) of this Article, shall be conducted with due regard to the inviolability of the consular archives.

### Article 9

(1) The sending state shall enjoy an exemption from all military requisition, contributions or billeting with respect to property forming part of its consular establishments in the receiving state, including all vehicles, vessels and aircraft. Immovable property may, however, be seized or taken for purposes of national defense or public utility in accordance with the laws of the receiving state.

(2) A consular officer or employee shall enjoy an exemption from all military requisition, contributions or billeting with respect to the private residence and the furniture and other household articles and all vehicles, vessels and aircraft held or possessed by him. Such private residence may, however, be seized or taken for purposes of national defense or public utility in accordance with the laws of the receiving state.

(3) In any of the cases referred to in paragraphs (1) and (2) of this Article, every effort shall be made to avoid interference with the performance of consular functions.

(4) The sending state or the consular officer or employee shall receive due compensation for all such property seized or taken. Compensation shall be payable in a form readily convertible into the currency of and transferable to the sending state, not later than three months from the date on which the amount of compensation has been finally fixed.

### Article 10

(1) A consular officer may be in communication with his Government or with the diplomatic mission and consular offices of the sending state in the receiving state or with other diplomatic missions and consular offices of the sending state, making use of all public means of communication. This includes the right to make use of secret language. In addition, a consular officer may send and receive official documents, either in clear or secret language, by courier or by means of sealed official pouches and other official containers. In sending or receiving consular pouches through postal channels, a consular officer shall be subject to the postal laws of the receiving state, provided that the provisions of this paragraph shall not be affected thereby.

(2) The official documents referred to in this Article shall be inviolable and the authorities of the receiving state shall not examine or detain them. Sealed official pouches and other official containers shall be inviolable when they are certified by a responsible officer of the sending state as containing only official documents.

(3) During such time as the receiving state is engaged in armed conflict, the right of communication, other than that relating to communications between the consular officer and his Government and between the consular officer and the diplomatic mission of the sending state in the receiving state, may be subject to reasonable restriction by the receiving state.

### Article 11

(1) (a) A consular officer or employee shall not, except with the consent of the sending state notified to the receiving state in writing through diplomatic channels, be subject to the jurisdiction of the courts of the receiving state in respect of acts performed in his official capacity, falling within the functions of a consular officer under this Convention. However, the courts of the receiving state shall not be precluded from exercising jurisdiction over a consular employee who is a national of the receiving state in respect of acts committed through willful misconduct or gross negligence.

(b) A consular officer shall be exempt from arrest or prosecution in the receiving state except when charged with the commission of a crime which, upon conviction, might subject the individual guilty thereof to a sentence of imprisonment for a period of one year or more.

(2) It is understood that the provisions of subparagraph (1)(a) of this Article do not preclude a consular officer or employee from being held liable in a civil action arising out of a contract concluded by him in his private capacity and not within the scope of his official duties, and that the provisions of subparagraph (5)(b) of this Article do not entitle a consular officer or employee to refuse to produce any document or to give evidence relating to such a contract.

(3) When the receiving state is permitted to exercise its jurisdiction over a consular officer or employee, it must exercise its jurisdiction in such a manner as not to interfere unduly with the performance of consular functions.

(4) A consular officer or employee shall enjoy exemption from military, naval, air, police, administrative or jury service of every kind, and from any contribution in lieu thereof.

(5) (a) A consular officer or employee may be required to give testimony in either a civil or a criminal case, except as provided in subparagraph (b) of this paragraph. The administrative or judicial authorities requiring his testimony shall take all reasonable steps to avoid interference with the performance of his official duties and, where possible or permissible, arrange for the taking of such testimony orally or in writing, at his office or residence.

(b) A consular officer or employee shall be entitled to refuse a request from the administrative or judicial authorities of the receiving state to produce any documents from the consular archives or to give evidence relating to matters falling within the scope of his official duties. Such a request shall, however, be complied with in the interests of justice if it is possible to do so without prejudicing the interests of the sending state. A consular officer or employee is also entitled to decline to give evidence as an expert witness with regard to the laws of the sending state.

(6) A consular officer or employee and members of his family forming part of his household shall be exempt in the receiving state from any requirements with regard to the registration of foreigners and the obtaining of permission to reside. Such members of the family of a consular officer or employee shall not receive the benefits of this paragraph if gainfully employed in the receiving state.

(7) A consular officer shall not, while holding his exequatur or other authorization, including provisional authorization, be subject to deportation.

(8) All vehicles, vessels and aircraft owned by the sending state and used for consular purposes, and all vehicles, vessels and aircraft owned by a consular officer or employee of the sending state shall be adequately insured against third party risks, with an insurance company authorized to do, and actually carrying on, business in the receiving state. Any claim arising under any such policy shall be deemed to be a claim arising out of a contract involving liability in a civil action, as contemplated in paragraph (2) of this Article.

## *Part IV. Financial privileges*

### Article 12

(1) The sending state, or one or more persons acting on behalf of the sending state, shall, with respect to its consular establishments in the receiving state, be exempt from the payment of all taxes or similar charges

of any kind imposed by the receiving state or by any local subdivision thereof for the payment of which the sending state, or one or more persons acting on behalf of the sending state, would otherwise be legally liable, with respect to—

(a) the acquisition, ownership, use or possession of immovable property, owned or otherwise held or occupied by the sending state and used exclusively for any of the purposes specified in paragraph (1) of Article 7, except taxes or other assessments imposed for services or local public improvements by which and to the extent that such property is benefited;

(b) the acquisition, ownership, possession or use of movable property, including vehicles, vessels and aircraft, owned or used by the sending state exclusively for any of the purposes specified in paragraph (1) of Article 7;

(c) the fees received in compensation for consular services and the receipts given for the payment of such fees;

(d) any other acts or transactions, including the acquisition or rendition of services, incident to the operation of a consular establishment of the sending state.

(2) No provision of subparagraph (1)(d) of this Article shall be construed to accord the sending state, or one or more persons acting on behalf of the sending state, exemptions from the taxes on electricity and gas to be imposed on the use of electricity or gas at a consular establishment used or held for residence for a consular officer or employee or for related purposes, unless:

(a)(i) such consular establishment is owned by the sending state, or

(ii) such consular establishment is used or held by the sending state on a lease, during a period of time not shorter than a year and irrespective of changes in residents, and

(b) the sending state is the party to the contract on the use of electricity or gas and is liable for the payment of charges for electricity or gas.

(3) The foregoing exemptions shall not apply with respect to taxes or other similar charges of any kind for which some other person is legally liable, notwithstanding that the burden of the tax or other similar charge may be passed on to the sending state or one or more persons acting on behalf of the sending state.

### Article 13

(1) Any consular officer or employee who is a national of the sending state, whether or not he is a national of any other state, shall be exempt from the payment of all taxes or similar charges of any kind imposed by the receiving state or any local subdivision thereof on the official emoluments, salaries, wages, or allowances received by such officer or employee from the sending state.

(2) (a) A consular officer, or a consular employee who performs administrative or technical work and who does not belong to the service staff shall, except as otherwise provided in paragraph (3) of this Article, be exempt from the payment of all taxes or similar charges of any kind, including taxes or similar charges incident to the licensing, titling, registration, use and operation of vehicles owned by such officer or employee, imposed by the receiving state or any local subdivision thereof for the payment of which such officer or employee would otherwise be legally liable. The number of vehicles entitled to such exemption shall be decided in accordance with the laws of the receiving state, provided that such officer or employee shall be entitled to such exemption for at least one vehicle. The exemption of taxes or similar charges on imports shall be as provided in Article 14.

(b) The foregoing exemption shall not apply with respect to taxes or other similar charges of any kind for which some other person is legally liable, notwithstanding that the burden of the tax or other similar charge may be passed on to such officer or employee.

(3) The provisions of subparagraph (2)(a) of this Article shall not apply to:

(a) taxes imposed on the acquisition, ownership or occupation of immovable property situated in the receiving state;

(b) taxes imposed on income derived from sources within the receiving state, other than those stipulated in paragraph (1) of this Article;

(c) taxes on instruments effecting transactions, such as stamp duties imposed or collected in connection with the transfer of property, or taxes on the transfer of securities;

(d) taxes on the use of amusement facilities, the amusement tax including any hotel and restaurant tax, the spa tax, the traveling tax, taxes on electricity and gas, and the diesel oil delivery tax;

(e) taxes imposed by reason of or incident to the transfer by gift of property located in the receiving state;

(f) taxes imposed by reason of or incident to the passing on death of property located in the receiving state, such as estate, inheritance, and succession taxes.

(4) (a) Notwithstanding any provisions of the preceding paragraphs of this Article, no such tax as estate, inheritance or succession tax shall be imposed or collected by the receiving state or any local subdivision thereof by reason of or incident to the passing of movable property located in the receiving state upon the death of a consular officer or employee in respect of that part of such movable property which the deceased consular officer or employee owned within the receiving state solely in connection with the performance of his official duties, and which does not exceed in value two times the amount of all official emoluments, salaries and allowances received by the consular officer or employee for the year immediately preceding his death.

(b) For the purpose of paragraph (4)(a) of this Article and subject to the limitations thereof, household and personal effects, personally owned vehicles and demand deposit accounts or time deposit accounts with a term shorter than one year of the deceased consular officer or employee shall be deemed conclusively to constitute property owned by him solely in connection with the performance of his official duties.

### Article 14

(1) The sending state may import into the receiving state, free of all custom duties and internal revenue or other taxes imposed upon or by reason of importation by the receiving state or by any local subdivision thereof, all articles, including vehicles, vessels and aircraft, intended for official use in the receiving state in connection with any of the purposes specified in paragraph (1) of Article 7.

(2) A consular officer may import into the receiving state, free of all custom duties and internal revenue or other taxes imposed upon or by reason of importation by the receiving state or by any local subdivision thereof, a reasonable quantity of baggage, effects and other articles, including vehicles, vessels and aircraft, required for the exclusive personal use of himself or members of his family forming part of his household. Such exemption from duties and taxes shall be granted, during the entire period such officer serves in the receiving state, with respect to—

(a) articles accompanying him to his consular post on first arrival or on any subsequent arrival;

(b) articles consigned to him or withdrawn by him from customs custody for the abovementioned purposes.

(3) A consular employee who performs administrative or technical work and who does not belong to the service staff shall also enjoy the privileges specified in the preceding paragraph with respect to articles imported at the time of his first arrival.

(4) It is, however, understood that—

(a) the receiving state may, as a condition to the granting of the exemption provided in this Article, require that a notification of any importation be given in such manner as it may prescribe;

(b) the exemption provided in this Article, being in respect of articles imported for official or personnel use only, does not extend to, inter alia, articles imported as an accommodation to others or for sale or for other commercial purposes. However, articles imported as samples of commercial products solely for display within a consular office shall not be regarded as excluded from the exemption provided in this Article;

(c) the receiving state may determine that the exemption provided in this Article does not apply in respect of articles grown, produced or manufactured in the receiving state which have been exported therefrom without payment of or upon repayment of taxes or duties which would have been chargeable but for such exportation;

(d) nothing in this Article shall be construed to excuse compliance with customs formalities, or to permit the entry into the receiving state of any article the importation of which is specifically prohibited by the laws of the receiving state;

(e) the laws of the receiving state shall apply to the disposition of the articles imported under paragraphs (1), (2), and (3) of this Article; and

(f) paragraph (1) of this Article and paragraph (5) of Article 17 shall not be construed to prejudice the laws of the receiving state concerning the importation of cinema films for a consular office excluding films for academic or cultural use, and films which are in fact documentary or newsreels, imported exclusively for official use.

### *Part V. General consular functions*

### Article 15

(1) A consular officer shall be entitled within his consular district to—

(a) interview, communicate with, assist and advise any national of the sending state;

(b) inquire into any incidents which have occurred affecting the interests of any such national;

(c) assist any such national in proceedings before or in relations with the authorities of the receiving state and, where necessary, arrange for legal assistance for him.

(2) For the purpose of protecting nationals of the sending state and their property and interests, a consular officer shall be entitled to apply to and correspond within his consular district with the appropriate authorities, including the appropriate departments of the central government of the receiving state. He shall not, however, be entitled to correspond with or to make diplomatic representations to the Department of State when the United States of America is the receiving state or the Ministry of Foreign Affairs when Japan is the receiving state except in the absence of any diplomatic representative of the sending state.

(3) A consular officer may also communicate with the authorities of the receiving state within his consular district on any other matters falling within his competence.

(4) A national of the sending state shall have the right at all times to communicate with the appropriate consular officer and, unless subject to lawful detention, to visit him at his consular office.

### Article 16

(1) The appropriate authorities of the receiving state shall, at the request of any national of the sending state who is confined in prison awaiting trial or is otherwise

detained in custody within his consular district, immediately inform a consular officer of the sending state. A consular officer shall be permitted to visit without delay, to converse privately with, and to arrange legal representation for any national of the sending state who is so confined or detained. Any communication from such a national to the conuslar officer shall be forwarded without undue delay by the authorities of the receiving state.

(2) Where a national of the sending state has been convicted and is serving a sentence of imprisonment, a consular officer in whose consular district the sentence is being served shall, upon notification to the appropriate authorities of the receiving state, have the right to visit him in prison. Any such visit shall be conducted in accordance with prison regulations, which shall permit reasonable access to and opportunity of conversing with such national. The consular officer shall also be allowed, subject to the prison regulations, to transmit communications between the prisoner and other persons.

### Article 17

(1) A consular officer may within his consular district:

(a) receive such declarations as may be required to be made under the nationality laws of the sending state;

(b) issue such notices to, receive such declarations from and provide for such medical examinations of a national of the sending state as may be required under the laws of the sending state with regard to compulsory national service;

(c) register a national of the sending state, register or receive notifications of the birth or death of a national of the sending state, record a marriage celebrated within the receiving state when at least one of the parties is a national of the sending state, and receive any such declarations pertaining to family relationships of a national of the sending state as may be required under the laws of that state;

(d) issue, amend, renew, validate and revoke, in conformity with the laws of the sending state, visas, passports and other similar documents;

(e) (i) serve judicial documents, on behalf of the courts of the sending state, upon, or

(ii) take depositions, on behalf of the courts or other judicial tribunals or authorities of the sending state, voluntarily given, or

(iii) administer oaths to any person in the receiving state in accordance with the laws of the sending state and in a manner not inconsistent with the laws of the receiving state;

(f) obtain copies of or extracts from documents of public registry;

(g) issue, with regard to goods, certificates of origin and other necessary documents for use in the sending state.

(2) It is understood that the registration or the receipt of notifications of a birth or death by a consular officer, the recording by a consular officer of a marriage celebrated under the laws of the receiving state, and the receipt by a consular officer of declarations pertaining to the family relationships in no way exempts a person from any obligation laid down by the laws of the receiving state with regard to the notification to or registration with the appropriate authorities of the receiving state, of births, deaths, marriages, or other matters pertaining to family relationships of a person.

(3) A consular officer may also within his consular district:

(a) authenticate or certify signatures;

(b) translate into the language of one of the High Contracting Parties acts and documents of any character drawn up in the language of the other High Contracting Party and certify to the accuracy of the translation thereof;

(c) prepare, attest, receive the acknowledgments of, certify, authenticate, legalize and in general take such action as may be necessary to perfect or to validate any act, document or instrument of a legal character as well as copies thereof, including declarations, testamentary dispositions and contracts.

(4) A consular officer may perform the services specified in paragraph (3) of this Article whenever such services are required by a national of the sending state for use outside the territories of the receiving state, or by any person for use in the territories of the sending state or are rendered in accordance with procedures, not prohibited by the laws of the receiving state, established by the sending state for the protection of its nationals abroad or for the proper administration of its laws.

(5) A consular officer may further the cultural, artistic, scientific, commercial, professional and educational interests of the sending state.

### *Part VI. Estates and transfers of property*

### Article 18

(1) In the case of the death of a national of the sending state in the territory of the receiving state, without having in the territory of his decease any known heir or testamentary executor, the appropriate local authorities of the receiving state shall as promptly as possible inform a consular officer of the sending state.

(2) A consular officer of the sending state may, within the discretion of the appropriate judicial authorities and if permissible under the then existing applicable local laws in the receiving state:

(a) take provisional custody of the personal property left by a deceased national of the sending state, provided that the decedent shall have left in the receiving state no heir or testamentary executor appointed by the decedent to take care of his personal estate; provided that such provisional custody shall be relinquished to a duly appointed administrator;

(b) administer the estate of a deceased national of the sending state who is not a resident of the receiving state at the time of his death, who leaves no testamentary executor, and who leaves in the receiving state no heir, provided that if authorized to administer the estate, the consular officer shall relinquish such administration upon the appointment of another administrator;

(c) represent the interests of a national of the sending state in an estate in the receiving state, provided that such national is not a resident of the receiving state, unless or until such national is otherwise represented; provided, however, nothing herein shall authorize a consular officer to act as an attorney at law.

(3) Unless prohibited by the laws of the receiving state, a consular officer may, within the discretion of the court, agency or person making distribution, receive for transmission to a national of the sending state who is not a resident of the receiving state any money or property to which such national is entitled as a consequence of the death of another person, including shares in an estate, payments made pursuant to workmen's compensation laws, pension and social benefits systems in general, and proceeds of insurance policies. The court, agency or person making distribution may require that a consular officer comply with conditions laid down with regard to—

(a) presenting a power of attorney or other authorization from such nonresident national,

(b) furnishing reasonable evidence of the receipt of such money or property by such national, and

(c) returning the money or property in the event he is unable to furnish such evidence.

(4) Whenever a consular officer shall perform the functions referred to in paragraphs (2) and (3) of this Article, he shall be subject, with respect to the exercise of such functions, to the laws of the receiving state and to the jurisdiction of the judicial and administrative authorities of the receiving state in the same manner and to the same extent as a national of the receiving state.

### *Part VII. Shipping*

### Article 19

(1) When a vessel visits a port (which includes any place to which a vessel may come) in the receiving state, the master and members of the crew of the vessel shall be permitted to communicate with and, subject to immigration laws of the receiving state, visit a consular officer in whose district the port is situated. For the purpose of performing any of the duties he is authorized to perform by this Convention, a consular officer, accompanied, if he desires, by one or more consular officers or employees on his staff, may proceed on board the vessel after she has received pratique.

(2) A consular officer may request the assistance of the authorities of the receiving state in any matter pertaining to the performance of such duties, and they shall give the requisite assistance unless they have special reasons which would fully warrant refusing it in a particular case.

### Article 20

(1) A consular officer may question the master and members of the crew of a vessel, examine her papers, take statements with regard to her voyage and her destination and generally facilitate her entry and departure. When custom house brokers or shipping agents are available, however, a consular officer shall not undertake to perform functions normally within the scope of their activities.

(2) A consular officer or employee may appear with the master or members of the crew of a vessel before the local administrative and judicial authorities, and may lend his assistance, including, where necessary, arranging for legal assistance and acting as interpreter in matters between them and such authorities.

(3) A consular officer may, provided that the judicial authorities of the receiving state do not exercise jurisdiction in accordance with the provisions of Article 21, decide or arrange for the settlement of disputes between the master and members of the crew of a vessel including disputes as to wages and contracts of service in accordance with the laws of the sending state, arrange for the engagement and discharge of the master and members of the crew, and take measures for the preservation of good order and discipline on the vessel.

(4) A consular officer may take measures for the enforcement of the shipping laws of the sending state.

(5) A consular officer may, where necessary, make arrangements for the repatriation and the treatment in a hospital of the master or members of the crew or the passengers of a vessel.

### Article 21

(1) Except at the request or with the consent of a consular officer, the administrative authorities of the receiving state shall not concern themselves with any matter concerning the internal management of the vessel. The judicial authorities of the receiving state may, however, exercise any jurisdiction which they may possess under the laws of the receiving state with regard to disputes as to wages and contracts of service between the master and members of the crew of a vessel. The administrative and judicial authorities shall not interfere with the detention in custody on a vessel of a seaman for disciplinary offenses, provided that such detention is lawful under

the laws of the sending state and is not accompanied by unjustifiable severity or inhumanity.

(2) Without prejudice to the right of the administrative and judicial authorities of the receiving state to take cognizance of crimes or offenses committed on board a vessel when she is in the ports or in the waters of the receiving state or to enforce the laws of the receiving state applicable to vessels of any state in its ports and its waters or to persons and property thereon, it is the common intention of the High Contracting Parties that the administrative authorities of the receiving state should not, except at the request or with the consent of the consular officer—

(a) concern themselves with any matter taking place on board a vessel except for the preservation of peace and order or in the interests of public health or safety, or

(b) institute prosecutions in respect of crimes or offenses committed on board a vessel in the ports or in waters of the receiving state unless they are of a serious character or involve the tranquillity of the port or unless they are committed by or against persons other than members of the crew who are not nationals of the receiving state.

Crimes or offenses against the laws of the receiving state regarding public health, customs or immigration committed on board a vessel in the ports or waters of that state shall be deemed to be included in the crimes or offenses involving the tranquillity of the port.

(3) The provisions of the preceding paragraph shall not be construed as affecting the rights of vessels in innocent passage through the territorial sea. Such rights are determined by international law.

(4) If, for the purpose of exercising the rights referred to in paragraph (2) of this Article, it is the intention of the authorities of the receiving state to arrest or question any person or to seize any property or to institute any formal inquiry on board a vessel, the master or other officer acting on his behalf shall be given an opportunity to inform the consular officer, and unless this is impossible on account of the urgency of the matter, to inform him in such time as to enable the consular officer or a consular employee on his staff to be present if he so desires. If a consular officer has not been present or represented, he shall be entitled, on his request, to receive from the authorities of the receiving state full information with regard to what has taken place. The provisions of this paragraph do not apply to routine examinations by the authorities of the receiving state with regard to customs, health and the admission of aliens, or to the detention of a vessel or of any portion of her cargo arising out of civil or commercial proceedings in the courts of the receiving state.

### Article 22

(1) A consular officer may visit at ports within his consulate district a vessel of any flag destined to a port of the sending state, at the request or with the consent of the master of that vessel, in order to enable him to procure the necessary information to prepare and execute such documents as may be required by the laws of the sending state as a condition of entry of such vessel into its ports, and to furnish to the competent authorities of the sending state such information with regard to sanitary or other matters as such authorities may require.

(2) In exercising the rights conferred upon him by this Article, the consular officer shall act with all possible dispatch.

### Article 23

(1) If a vessel of the sending state is wrecked in the receiving state, the consular officer in whose district the wreck occurs shall be informed as soon as possible by the appropriate authorities of the receiving state of the occurrence of the wreck.

(2) The appropriate authorities of the receiving state shall take all practicable measures for the preservation of the wrecked vessel, of the lives of persons on board, of the cargo and of other property on board, and for the prevention and suppression of plunder or disorder on the vessel. These measures shall also extend to articles belonging to the vessel or forming part of her cargo which have become separated from the vessel.

(3) If the vessel is wrecked within a port or constitutes a navigational hazard within the territorial waters of the receiving state, the authorities of the receiving state may also order any measures to be taken which they consider necessary with a view to avoiding any damage that might otherwise be caused by the vessel to the port facilities or navigation.

(4) If the owner of the wrecked vessel, his agent, or the underwriters concerned, or the master are not in a position to make arrangements for the disposal of the vessel in accordance with the relevant provisions of the laws of the receiving state, a consular officer shall be deemed to be authorized to make, acting for the owner, the same arrangements as the owner himself could have made if he had been present.

(5) Where any articles belonging to or forming part of a wrecked vessel of any flag (other than that of the receiving state), or belonging to or forming part of the cargo of any such vessel, are found on or near the coast of the receiving state or are brought into any port of that state, the consular officer in whose district the articles are found or brought into port shall be deemed to be authorized to make, acting for the owner of the articles, such arrangements relating to the custody and disposal of the articles as the owner himself could have made if—

(a) in the case of articles belonging to or forming part of the vessel, the vessel is a vessel of the sending state or, in the case of cargo, the cargo is owned by nationals of the sending state; and

(b) neither the owner of the articles, his agent, the underwriters nor the master of the vessel is in a position to make such arrangements.

### Article 24

For the purposes of Articles 19 to 23, the term "vessel" shall be deemed to include aircraft, and the term "shipping laws" shall be construed, as applied to aircraft, to refer to aviation laws, and the term "waters" shall be construed, as applied to aircraft, to refer to territory of the receiving state.

## *Part VIII. Final provisions*

### Article 25

(1) The privileges and immunities conferred by paragraphs (2) and (4) of Article 9, subparagraph (1)(b) and paragraphs (4) and (6) of Article 11, paragraphs (1), (2) and (4) of Article 13 and paragraphs (2) and (3) of Article 14 shall not be accorded to a consular officer or employee, or members of his family forming part of his household, if such officer or employee is a national of the receiving state, or has the status in the receiving state of an alien lawfully admitted for permanent residence, or is engaged in any private occupation for gain in the receiving state, or is other than a full-time officer or employee of the sending state.

(2) The privileges and immunities conferred by paragraph (1) of Article 7, paragraph (4) of Article 8 and paragraph (2) of Article 12 shall not be accorded to the sending state with respect to a consular office in the charge of a consular officer or employee referred to in the preceding paragraph, or with respect to a resident for such consular officer or employee.

### Article 26

(1) The provisions of Articles 15 to 23 relating to the functions which a consular officer may perform are not exhaustive. A consular officer shall be permitted to perform other functions, involving no conflict with the laws of the receiving state, which are either in accordance with international law or practice relating to consular officers recognized in the receiving state or are acts to which no objection is taken by the receiving state.

(2) It is understood that in any case where any Article of this Convention gives a consular officer the right to perform any functions, it is for the sending state to determine to what extent its consular officer shall exercise such right.

(3) Nothing contained in this Convention shall be construed to permit a consular officer or employee to take advantage of the rights, immunities or privileges accorded thereby for any purposes other than those for which these benefits have been granted by the terms of this Convention.

(4) A consular officer may levy the fees prescribed by the sending state for the performance of consular services.

### Article 27

(1) This Convention shall be ratified and the instruments of ratification thereof shall be exchanged at Washington. The Convention shall enter into force on the thirtieth day after the date of exchange of the instruments of ratification and shall continue in force for the term of five years.

(2) Unless six months before the expiration of the aforesaid term of five years either High Contracting Party shall have given notice to the other of the intention to terminate this Convention, the Convention shall continue in force after the aforesaid term and until six months from the date on which either High Contracting Party shall have given to the other notice of termination.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed this Convention and have hereunto affixed their seals.

DONE in duplicate, in the English and Japanese languages, both texts being equally authentic, at Tokyo, this twenty-second day of March, one thousand nine hundred sixty-three.

For the United States of America:
EDWIN O. REISCHAUER [SEAL]
For Japan:
MASAYOSHI OHIRA [SEAL]

### Protocol

At the time of signing the Consular Convention between the United States of America and Japan, the undersigned Plenipotentiaries, duly authorized by their respective Governments, have further agreed on the following provisions, which shall be considered integral parts of the aforesaid Convention:

1. Notwithstanding the provisions of Article 1, this Convention shall not apply to any area set forth in Article 3 of the Treaty of Peace with Japan signed at the city of San Francisco on September 8, 1951, as long as any such area has not been returned to Japanese jurisdiction.

2. The phrase "one or more persons acting on behalf of the sending state" referred to in Articles 7 and 12 includes, when the United States of America is the sending state, the Secretary of State, the Chief of the Diplomatic Mission in Japan, or any other officer of the United States of America acting on its behalf; but does not include any private individual or juridical entity.

3. Notwithstanding the provision of paragraph (5) of Article 2, the term "vessel" shall, for the purpose of paragraph (1) of Article 19, paragraphs (1), (2), (3) and (5) of Article 20 and paragraphs (1) and (4) of Article 21, be deemed to include:

(a) any vessel of the receiving state or any third country chartered on bare boat terms by a national or nationals of the sending state; and

(b) any vessel of the sending state except that chartered on bare boat terms by a national or nationals of the receiving state.

4. Without derogation of such rights and benefits as the sending state may have under international law with respect to diplomatic property, the provisions of Article 12 (except subparagraphs (b) and (c) of paragraph (1)) shall likewise apply with respect to immovable property owned or otherwise held or occupied by the sending state and used either for embassy purposes or for residences for one or more officers or employees of the embassy.

5. The term "members of his family forming part of his household" referred to in paragraph (6) of Article 11, paragraph (2) of Article 14 and paragraph (1) of Article 25 shall be understood to include only those persons residing in the receiving state who are substantially dependent upon the consular officer or employee for support.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed this Protocol and have hereunto affixed their seals.

DONE in duplicate, in the English and Japanese languages, both texts being equally authentic, at Tokyo, this twenty-second day of March, one thousand nine hundred sixty-three.

For the United States of America:
EDWIN O. REISCHAUER.
For Japan:
MASAYOSHI OHIRA.

Mr. MANSFIELD. Mr. President, on the basis of the information available to me, I point out to the Senate that these protocols and conventions are noncontroversial. Explanations will be given on the morrow by the distinguished Chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT]. In view of the fact that these protocols and conventions will not be disposed of tonight, and also due to the fact that there will be a yea-and-nay vote on the question of agreeing to the resolutions of ratification, and also due to the fact that Senators will be given due notice, I ask unanimous consent—and the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], joins me in this request—that the following protocols and conventions be considered and voted on en bloc; Executive Calendars No. 3, 4, 5, 6, 7, and 8—Executive D (88th Cong., 1st sess.); Executive E (87th Cong., 2d sess.); Executive F (87th Cong., 2d sess.); Executive E (88th Cong., 1st sess.); Executive B (88th Cong., 1st sess.); and Executive I (88th Cong., 1st sess.).

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. In addition, Mr. President, I ask that the yeas and nays be ordered on the question of agreeing, en bloc, to the resolutions of ratification of all these protocols and conventions.

The yeas and nays were ordered.

## LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is anticipated that tomorrow the Senate will take up the military construction bill. Following the disposition of that bill and any other measures on the calendar which are disposable, it is anticipated that the Senate will go over until Thursday, at which time whatever bills may be on the calendar will be considered. In addition, there will be memorial services for our late distinguished colleague, Senator Kefauver, of Tennessee.

It is anticipated that, if nothing unforeseen develops, at the conclusion of the remarks of Senators concerning the late Senator Kefauver, of Tennessee, the leadership will bring up the foreign aid bill. It is possible, time permitting, that the distinguished chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], will make his opening remarks on the bill that evening. But, regardless of whether he makes his remarks then or later, it is anticipated—again, barring unforeseen developments—that from that day, Thursday, the Senate will go over until the following Monday, at which time the foreign aid bill will continue to be the business of the Senate. I assume that its consideration will require some time.

## ORDER FOR ADJOURNMENT TO NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its session this afternoon, it adjourn until noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SENATOR PASTORE AND CIVIL RIGHTS

Mr. BARTLETT. Mr. President, the senior Senator from Rhode Island [Mr. PASTORE] has once again delivered an eloquent speech. This time, speaking before the Rhode Island affiliate of the American Civil Liberties Union, he has very briefly and forcefully summed up the urgent need for the pending civil rights legislation. This is a statement that should be read by all Americans—and was spoken by a man who has been a moving force in the Commerce Committee's consideration of the public accommodations section recently ordered reported by a vote of 14 to 3. Therefore, I ask unanimous consent that Senator PASTORE's remarks be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

It is a privilege and a pleasure to be with you on this occasion of your annual meeting. October 20—it so happens—marks a most important milestone in our country's history.

At Philadelphia on this date in 1774 53 members of the First Continental Congress signed the report forming "The Association of American Colonies." The historian tells us that this deed and this day really signifies the birth of the American Nation.

John Adams wrote home that this was "a diversity of religions, educations, manners, interests such as it would have seemed impossible to unite in one line of conduct."

Two years later they showed that united conduct in the Declaration of Independence pledging their lives, their fortunes, and their sacred honor to a belief that all men are created free and equal.

A century ago the Emancipation Proclamation showed that we mean that all men are free and equal—and this year in our Senate Commerce Committee we took further steps to make sure that public accommodations are equal for all men.

All through the month of July and into August in Washington we held hearings to the amount of two volumes and 1,500 pages of testimony as we labored to secure emancipation from humiliation.

Is it so crucial to this Nation of ours whether a Negro can buy a cup of coffee in a corner drugstore? Is it a matter of grave concern whether a family, tired and worn from a day of travel, can purchase lodging for the night even though they be dark-skinned? I think it is. The issue is not merely whether a Negro can buy a cup of coffee, or secure lodging, but whether a nation founded on the concept of human rights and dignity of man can secure those rights for all its citizens. If we fail in the quest of human rights for all, then the very purpose for which this Nation exists is defeated.

If it is simply a matter of human rights—why are the people of this Nation so slow to deal with the problem? After all, nearly 200 years ago we declared that equality of man was self evident. We have built our Nation on this principle. A long and costly Civil War was fought to prove we meant to fulfill our promise of human rights for persons of every race and creed. And we have engaged in wars to preserve the right of people of other nations to enjoy our formula for dignity if they so choose. How, then, can a people more expert in the meaning of human rights than any people in the world fail to recognize a deprivation of those rights in their own backyard?

Perhaps we have been so busy preserving the right of all nations to apply and enjoy our principles that we have neglected them ourselves. Rather like a doctor who is so busy treating others he neglects his own health. This would be a most sympathetic excuse if it were true.

We have found time for gold and sports cars, for mink stoles and suburbia, for martinis at lunch, for hula hoops and bridge games. How, then, could we have been too busy to insure the dignity of our fellow citizens?

I suppose it is to be expected that a proud people—such as we—are slow to admit, or even realize, we have not entirely succeeded in securing that principle so many thousands of our youth have died to protect.

Each day, however, more of our citizens are realizing that the dilemma prompting public accommodations legislation involves human rights and the dignity of man; and I am not dismayed that those who see the issue for what it is are nonetheless perplexed about how to correct the inequality now existing in our society. Perplexity is really a very valuable human trait. When one is perplexed or confused about how to proceed, he does not dismiss any reasonable solution without careful scruitiny. This is how to approach the subject of human rights. We cannot seek a fast "cure all" remedy for a problem so exceedingly complex.

We must endeavor to secure human rights while still preserving the ideals and principles of that system which demands such rights be secured.

I was privileged to chair the inquiry and deliberation involved in reaching the Commerce Committee decision on the public accommodations measure. As you may know, that bill is being reported out favorably for Senate action.

During the months of hearings and committee discussion on the bill, I was compelled to reexamine my thoughts on this matter many times in every day. Those whose positions I disagreed with were every bit as sincere as I in the quest to do what is just. There are honest differences of opinion about how to deal with this problem.

Yet I am convinced that we must have legislation of this type. I am convinced that human rights will be advanced by such action. All legislation involves a weighing and balancing of competing interests. The interest this bill serves far outweighs, in my mind, the arguments advanced against Federal public accommodations legislation.

It seems not at all unreasonable to require one holding himself out as willing to deal with the public for commercial gain to stick to his bargain, unless he has some reasonable grounds to withdraw his offer.

How can the color of a man's skin, or his religion be considered a reasonable ground for excluding a person from a benefit admittedly intended to be conferred upon the public?

I am not speaking of excluding a person because he is dirty, improperly attired, or of an unruly or boisterous nature. I am speaking of a respectable and well behaved person. If he is otherwise, then it seems entirely reasonable that the proprietor refuse him the services of his establishment. One should not be required to cater to those who conduct themselves in a manner that disrupts the business of an establishment, or offends members of the public who wish to deal with that establishment. Refuse such persons service regardless of the color of their skin * * * not because of the color of their skin.

However, those deserving of dignity should be treated with dignity. Color, religion, or national origin must not be the criteria by which we measure one's right to dignity. It must, rather, be measured by the way that person conducts himself in relation to other members of society. This is the purpose of public accommodations legislation. This is also the requirement imposed upon us all if we intend to serve the cause of human rights and the dignity of man.

Much of the debate and controversy in regard to this bill has been devoted to issues other than the reasonableness or need of such legislation. There has been considerable concern over use of the commerce clause of the Constitution as a basis for legislation in aid of human rights. It is argued that use of the commerce clause for such a purpose is unconstitutional, and if this bill should be sustained on that basis, the result would be a complete distortion of the historical purpose and meaning of that clause. I do not share that concern.

This legislation would not, as some argue, open the door wide to regulation of every facet of our lives. Sustaining this legislation on the basis of the commerce clause would be entirely consistent with the history and interpretation of that clause through the years. In 1914 the U.S. Supreme Court held that the Federal Government could regulate purely intrastate rail rates because they affected interstate rail rates.

Innumerable subsequent decisions have advanced the proposition that Congress may constitutionally legislate with regard to so-called "local matters" if they affect interstate commerce.

Only establishments affecting interstate commerce are subject to the provisions of the public accommodations bill. There is, then, clearly no extension or distortion of the commerce clause. Nor does the fact that the bill has a purpose in addition to protecting and fostering interstate commerce detract from its validity. The Supreme Court has said that: "The motive and purpose of a regulation of interstate commerce are matters for the legislative judgment upon the exercise of which the Constitution places no restriction and over which the courts are given no control."

Regulation of commerce has been the means to serve many purposes. Congress has used this power to discourage various practices deemed undesirable. The commerce clause served as a vehicle to make the transporting of women across State lines for immoral purposes a Federal crime. Congress has strictly regulated the transportation of liquor. Illegal gambling is deterred by commercial clause legislation requiring those in the business of taking wagers pay a tax and disclose their names and addresses. In the area of civil rights Congress has used its commerce powers to combat bombing of schools or religious structures by making the transportation of explosives in interstate commerce for such purpose a Federal crime.

The Supreme Court has already ruled that Congress has authority to prevent racial discrimination in interstate commerce. The Interstate Commerce Act forbids discrimination in interstate commerce common carriers, and grants all persons, regardless of their race or color, a right to be served in restaurants within the carrier terminal. The Supreme Court sustained this as a valid and proper exercise of the commerce clause power.

It seems clear that Congress may regulate that which affects interstate commerce for any reason that seems just and necessary to Congress. I feel that the public accommodations measure is necessary. It usurps no freedom or liberty of the individual. It is intended to preserve and promote the liberties of all.

But there is more to human rights than buying a cup of coffee—or seeing a movie—or securing a lodging. There is the right to compete with your fellowman. Do we all have that opportunity now? Not really. It is hard to compete if you do not have the education modern society requires to excel in any field. The Negro does not have that now. There must be a two-pronged attack on this problem. We must encourage the education process by ending discrimination in public schools—and at the same time we must be willing to utilize the skills of the educated Negro. Labor unions and the professions, business and trade associations must not deny membership on account of race, color, religion, or national origin.

We must always preserve the concept that ability, desire, decency, and honest perseverance are the necessary prerequisites of those who would command respect and dignity. The labor union owes nothing to a man who is not willing to work and apply his faculties in a productive manner. Nor am I interested in permitting a man to practice law or medicine when he is not competent—whether he be black or white. But there must be no discrimination beyond character, competence, and conduct.

Those who practice such discrimination must come to realize that they are harming themselves by this action. Denying human rights to others creates a serious weakness in our social system. By denying to the Negro his human rights we pave the way for someone to deprive others of their rights. We are involved in a struggle not merely to secure equal rights for nonwhites. It is an effort to secure human rights for each and every one of us.

In that far-off year of 1774 at the start of the First Continental Congress, it was thought there could be no opening prayer because of the diversity of religions. But upon motion of the Puritan Sam Adams a local Episcopalian minister was called and gave the prayer.

There was the beginning of our national unity. There was the beginning of tolerance.

As we mean to perpetuate this country of our opportunities, let us resolve to perpetuate that tolerance. It is a resolution that we make naturally in this community of Roger Williams. It is a resolution that we take as Americans—that, under God, ours may forever be the land of the equal and the home of the free.

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## U.S. MILITARY OFFICERS IN VIETNAM

**Mrs. SMITH.** Mr. President, in recent weeks we have read of derogatory remarks made about U.S. military officers in Vietnam.

To those who would impugn the motives of such officers and who seek to deprecate them back here in the United States while they are risking, and giving, their lives for the cause of freedom on the other side of the world, I would call attention to the case of Naval Lt. Wesley Hoch, of Rockland, Maine—son of one of my very best friends in Maine, Mrs. Ruth Hoch.

What young Lieutenant Hoch is so heroically doing in South Vietnam has been related by Orville Schell in the Boston Sunday Globe of October 20, 1963. I ask unanimous consent that Mr. Schell's piece be placed in the body of the Record at this point because it is a thundering answer to those who seek to discredit our military officers in South Vietnam.

There being no objection, the article was ordered to be printed in the Record, as follows:

### A Legend in Remote Seas: Maine Navy Lieutenant Leads Viet Junks

(By Orville Schell)

Antoi, Vietnam.—On a remote island off the tip of southern Vietnam, a Navy lieutenant from Rockland, Maine, lives an almost squalid life among Vietnamese who man junks in patrols along the swampy, treacherous delta coastline of the Ca Mau Peninsula.

The junks stop and search craft that might be secretly bringing arms and supplies to Communist guerrillas in the area.

In his sea-sprayed New England twang, Lt. Wesley Hoch, barefoot and dressed in a baggy black tunic that is the uniform of junkmen, sounds peculiarly out of place standing at the door of the structure that is his district headquarters. Before him, out in the harbor beyond the barbed wire, is part of his fleet—a motley collection of junks.

Hoch is as much at home with the Vietnamese as if he were born in one of the small grass roof shacks that make up the village out of which he operates.

#### RARE RAPPORT

He has a rare rapport with the junkmen, with whom he works. They, in turn, are devoted to him.

For Dai Wei Hoch (their name for him) is one of them—24 hours a day.

He wants no escape to separate quarters, clean restrooms, Western food, military clubs, and air-conditioned rooms when 5 o'clock rolls around.

Unlike so many other American advisers in Vietnam, Hoch lives, sleeps, eats and fights 24 hours a day, every day, with his junkmen. He refuses to accept any privilege for himself that he cannot give his men. He says he hates to see stuff sit in Saigon warehouses rotting when his men are cold at night, wet during the day, undernourished and manning junks that are short of arms.

He has been known, when making one of his rare trips to Saigon, to drive a borrowed truck up to a warehouse during lunch hour and just start loading things into it—as if he owned the place. In this way he brings precious things to people fighting a war with empty stomachs and hardly a shirt on their backs.

The first thing he did when he arrived at Antoi, a small fishing village on the island of Pho Quoc, was to rip the sign off his door that said Cam Vao (do not enter). He runs an austere mobile force that fights the Vietcong guerrillas on their own terms. He does not want a large-scale, superorganized force that would sacrifice the comradeship of his smaller group of men who can live off the land and trust one another.

In the life of Lt. Wesley Hoch—in a war most Americans forget—there is no time for the beer runs and the endless movies that keep most other American advisers entertained at night. There is no hot water heater that will be transported at the expense of something more necessary to the people or the war.

He says that one has to give everything or nothing at all, or one will fail. This is the creed he lives by.

### PRICE ON HEAD

The result: His men respect him. And the enemy has placed a 500,000 piastre bounty (about $7,000) on his head.

When not out on patrol, Hoch lives in the sparse remains of a garrison building the French vacated. Two rickety double-decker bunks junkmen share with him (depending on who gets tired first), a gas ice box filled with medicine and a few squash or melons are the only furnishings. The kitchen consists of a tub of water.

On the wall, several .45 automatics and a rack of M1 rifles and clips complete the scene. The "Antoi Hilton," as Hoch calls his quarters, sits close to the beach looking to a number of tropical islands in the distance. Behind his small compound sits the village of Antoi.

And behind the village, a hill rises. Almost every other night the Vietcong muster on the hill after dark and launch an attack. During the day the Vietcong are too wary to attack.

When at the base he does anything from writing reports to requesting more equipment to distributing whatever he has managed to beg, borrow or otherwise appropriate from what he calls the "air conditioned empire" of Saigon. Other days are spent trying to get damaged junks back into working order.

For a week, Hoch will put to sea in one of his patrol junks to check posts up and down the coast. He takes no special rations for himself. Instead, he brings paper, pencils, books, shoes, medical supplies, and food to the people who live in the forgotten backwaters of this embattled nation.

If the men catch no fish on their long sea journeys, he goes hungry with them; if the mosquitoes are biting, he is fair game. If the area is dangerous, he shares in the danger.

He is a strange mixture of soldier, sailor, dentist, mechanic, linguist (he speaks a fractured Vietnamese), doctor and teacher. He claims to have no special proficiency in any of these things, but maintains that anything that one can do as an amateur is better than sitting around doing nothing at all.

### BEYOND CALL

Most of the small coastal villages to which he goes are dirty, poverty-stricken areas accessible only by sea. What is more, they are infested with the enemy.

Hoch runs his junk force in a way that is seldom found in the impersonality and coldness of the war here in Vietnam. He is a man who has been presented the job of building an effective junk patrol force for the Navy. He has done this, but he has not stopped there.

Hoch has a private theory, that if one will only sacrifice a little more, share a little more the dirty work with the people about whom the war is being fought—then it will be won a lot sooner.

To him, this does not mean going on a dangerous mission and then returning with relief to the comfort of Saigon, leaving the men who were being advised behind in the mud.

The war, for him, is not like holding your nose for a brief moment through a bad smell. He is in it the whole time and asks no exceptions because he is an American.

This rare dedication has one visible side effect among the sincere and grateful Vietnamese: To them, Dai Wei Hoch already is a living legend.

### LIEUTENANT HOCH, MARITIME GRADUATE

Lt. Wesley A. Hoch, 31, is the son of Mrs. Ruth Hoch of Glen Cove, Rockland, Maine, and the late Raymond Hoch. He is single.

He was graduated from Rockland High School in 1950 and the Maritime Academy with honors in 1953, with a B.S. in marine science. He went to sea for a year in the maritime service before joining the Navy.

He served with the Navy in the installation of the DEW (distant early warning) line before his assignment to the Republic of Vietnam as an adviser to its junk fleet in December 1962.

He has two brothers, David, superintendent of the Rockland-Rockport Lime Co., and William, a student at the University of Maine.

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## ART BUCHWALD

Mrs. SMITH. Mr. President, the art of satire is truly rare. Many aspire to be satirists but few make the grade. I speak specifically of satire that is genuinely delightful in its good-natured humor and not of that all too prevalent type of satire that is sadistic and petty and seeks to make someone or something the target of negative and cruel ridicule.

Satire is doubly delightful when it combines defense of the underdog with good-natured humor—when it praises with wit that which has been heretofore riddled with ridicule.

Art Buchwald is such a satirist. He is in a class by himself and other would-be satirists would do well to emulate him. His most recent piece is easily one of the best things of its kind ever. I like it because he defends that underdog that practically all of us at one time or another have maligned and picked to pieces—the TV commercial.

Because I feel that his article of October 20, 1963, is delightful reading and will bring smiles, laughs, and a refreshing contrast to the less pleasant side of life, I ask unanimous consent that it be placed in the body of the RECORD at this point and I invite the attention of all Members to it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### COMMERCIAL ADDICT: MORE TIME TO DRINK BEER THAN ANYBODY

(By Art Buchwald)

There has been a great deal of talk lately about the number of commercials on television. The Federal Communications Commission Chairman, William Henry, has complained, as have the viewers, who, for some reason, think they have rights.

We happen to be one of those who think there aren't enough commercials on TV. After watching what the new television season has to offer we have decided we'd rather watch commercials. But every time we tune in one we discover it's interrupted by a program. Some of the commercials would make wonderful shows if there weren't so many programs scheduled on the air.

For example, we always get terribly frustrated when we see a young woman and a young man lolling on the grass with the breeze blowing in their hair. Suddenly the man lights up a cigarette and then places it in the girl's mouth. She puffs deeply as he looks into her eyes. You get the feeling they understand each other, but before anything happens, we're switched back to Chet Huntley complaining about something happening in the United Nations.

A few weeks ago we were watching a wonderful scene of a plane following a beautiful girl in her car down the highway. The plane landed and the pilot got out and went up to the girl and asked her the name of her car. "It's a Dodge, of course," she said. But before she could ask the pilot what kind of plane he was flying, the commercial was interrupted by a stupid world series game and they never did get gack to the couple.

It's the same with the toothpaste commercials. We happen to enjoy toothpaste commercials, particularly the ones that tell you how half the school used a certain kind of toothpaste and half the school didn't. Its revealed that the half that used the special toothpaste had far less cavities than the half that didn't.

But they never show you the half that didn't get to use the special toothpaste. We'd be interested to know how they felt about being given the wrong toothpaste. Surely the parents must have been furious to have to pay for all those cavities. Perhaps the kids with fewer cavities had their teeth knocked out by the kids who were forced to go to the dentist.

But nobody knows, because just when the commercial gets interesting somebody like Ben Casey or Perry Mason comes on the screen and spoils the show.

It's the same with headache commercials. Some kid is screaming and the teacher shouts at him.

"Control yourself," her subconscious tells her, so she takes a couple of pills and pretty soon she's smiling again. So far, so good. But we'd like to see how she made it up to the kid. Maybe she gave him an A. Maybe she let him go home from school. Maybe she slipped him a couple of pills. But you never find out.

Then there are the deodorant advertisements. A girl complains to her girl friend that no one ever takes her out on dates. The friend whispers the name of a deodorant in the girl's ear. Sure enough, in the next scene she's dancing at the prom. Will the guy ask her to marry him? Will he ask her the name of the deodorant? Will he ask her the name of her girl friend? Nobody knows.

We guess the most maddening commercials are the ones for soap. We see a beautiful girl getting into a shower. She starts sudsing herself up real good and tells you how wonderful the soap feels on her skin. You wait patiently for her to rinse herself off and step out of the shower. Wouldn't anybody? But just at the moment when the shower door opens, you find yourself staring at "Wagon Train" and some dirty old ranch hand eating beans with his fingers.

These are only a few examples of how television is cheating the audiences out of good commercials. If we were the Chairman of the FCC, we'd do away with television programs and just let them broadcast commercials. There is more plot, more substance, and better writing in one detergent ad than in most of the stuff they show on the air.

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## HERBERT H. LEHMAN VILLAGE

Mr. HUMPHREY. Mr. President, I was pleased to hear recently of the dedication of an important New York City public housing project in honor of one of America's great public servants, my friend, the distinguished former member of this body, Senator Herbert H. Lehman.

On the occasion of the dedication of the Herbert H. Lehman Village, the Honorable Robert F. Wagner, mayor of the city of New York, made an address in which he not only dedicated the village in Senator Lehman's honor, but also presented to Senator Lehman the Gold Medal of Honor of New York.

Joining with Mayor Wagner in the ceremony was Manhattan Borough President Edward R. Dudley.

I know that my colleagues share with me deep pride in this latest honor to a former colleague who continues to hold our admiration and affection.

I ask unanimous consent, Mr. President, to have printed in the RECORD at this point the remarks of Mayor Robert F. Wagner and of Edward R. Dudley on Wednesday, September 11, 1963, in New York City.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

### REMARKS OF MAYOR ROBERT F. WAGNER

Today, in the name and praise of a beloved New Yorker, we dedicated the increase of our city's supply of decent, modern home facilities by 622 new units.

We call them units, but each unit is for a family and as a family, it is a man and his wife, in the case of elderly couples—and in this village there are 83 specially designed apartments for elderly couples. The rest of the units are for regular families: For small families, middle-size families, and big families, for Negro families, Puerto Rican families, Italian, Greek, Jewish—in short, for American families, for New York families.

The families that will live in this village will be distinguished by one common characteristic: they will be families whose overall incomes are low. They will be families needing the help which government can and must provide, to make homes available, at rents they can afford.

The Herbert H. Lehman Village is called a "village" because it is a village, a community, with a school on the site and others nearby, with its own community facilities and services, a community that will become part of a neighborhood that is part of our city.

New York City is proud of what we have been able to do here with the indispensable help of the Federal Government and its Housing Administration, the head of which is here today, a man President Kennedy picked right out of my administration, a very distinguished American, Bob Weaver, of New York City.

The 622 units in Herbert H. Lehman Village are part of the 120,600 units of low-income families which we in New York City have already completed, to date, in the 26 years the low-income housing program has been in operation. Last year alone we completed 3,226 apartments in this category, housing 13,455 individuals. In the past 9 years, we have built 53,000 public housing apartments for low-income families.

Today the New York City Housing Authority is the beneficent landlord for half a million New Yorkers.

In the past 5 years, we have been moving ahead to eliminate slum conditions. We have also built many new schools, new streets, new hospitals and many other public improvements requiring the relocation of low-income families. Many of these low-income families can find adequate shelter only in public housing. Today our need for low-income housing is greater than ever before. Today, public housing for low-income families holds the main key to our urban renewal programs. But at this very moment, we are at the end of our Federal allocations. The State government has actually been holding back on us. I am determined to fight as hard as I know how for all the authority and money that is needed—Federal and State—for more public housing for low-income families, and, in general, for more housing opportunities for low-income families, housing that will be integrated, housing that will provide sound home conditions for the raising of families and the building of that healthy family life that is the basis of a sound city.

Of course, today it gives me special pleasure—indeed, it is a great privilege—for me, for the housing authority, and for the city of New York to give this village the name of Herbert Lehman.

Herbert Lehman has become not only a legend in his own time but to represent a noble tradition—a tradition of public integrity, of pure and unsullied purpose, of zealous dedication to high principle, and finally of a generous and modest humanitarianism.

Herbert Lehman represents all these values and more. He represents them because he practices them, because he embodies them.

The tradition of Herbert Lehman in public and political life is one of the chief treasures of our city, State and country—as precious as any I can think of—because that tradition is a standard by which other public men and women are and will be measured in the future. Herbert Lehman's life is an invitation to greatness on the part of others still to come, in generations yet to come.

This is why I am so greatly pleased with the naming of this development after Governor Lehman. To the extent that his valiant spirit may affect and inspire the people living here, this neighborhood as well as the city will benefit.

The life of Herbert Lehman has been one of devotion to the welfare of people, especially underprivileged people.

He has been not only a friend of the underprivileged but their fighting champion.

I know how proud he must feel to have this development in this neighborhood bear his name.

In the name of the people of the city of New York and of the government of the city of New York, I now declare the Herbert H. Lehman Village to be formally and officially dedicated and named.

Now I have an additional privilege. It is a surprise—a secret that I have been keeping for almost 6 months now—since March 28, which was Governor Lehman's birthday. That day, March 28, I proclaimed as Herbert Lehman Day—one of the few occasions in which a day has been proclaimed in honor of a living, a very much living, New Yorker.

In honor of that day, I gave an order which is finally going to be carried out today. I ordered that New York City's Gold Medal of Honor, usually reserved for visiting sovereigns, kings, and presidents, be awarded to Governor Lehman. Today I present to you, Herbert Lehman, the Gold Medal of Honor of the city of New York for all the many great works and generous acts you have performed during all the fruitful years of your life, for the people of this city of ours.

It is my proud privilege now to introduce to this audience for a brief response the patron of this development, former Governor, former Senator, the Honorable Herbert H. Lehman.

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### REMARKS BY EDWARD R. DUDLEY, PRESIDENT, BOROUGH OF MANHATTAN

This is an appropriate occasion to acknowledge a debt and express a feeling of gratitude to Herbert Lehman.

Our form of government is not a static concept, like a rock that has been carefully hewn and placed in a perfect vacuum.

It is organic. It changes and expands in scope to meet changing conditions and to serve better the needs of those governed. This elasticity of our Constitution is a major hallmark of the genius of the Founding Fathers who wrote it.

But the Constitution itself is not a self-changing document. It must be implemented by men. And, in a manner reminiscent of Lincoln and Franklin D. Roosevelt, Herbert Lehman dedicated much of his life to fighting social inertia and making our form of government reflect the aspirations and meet the needs of our people.

I do not pretend to know why this man, born into a family of substantial means, devoted the last ounce of his enormous energy to an all-out crusade for the common man.

Perhaps the reason is that the small man's greatest need is to have a big man speak and fight in his behalf * * * and God provides.

Perhaps the light that illuminates men with greatness shines into all homes, irrespective of race, creed, national origin, or economic status and only too infrequently finds a man who can reflect the warmth of its rays.

This much I do know. Herbert Lehman reached for the stars in his unending campaign to improve the lot of the common man whether he was acting as philanthropist, administrator of great humane enterprises, or as the holder of office of great public trust.

He demonstrated a soaring, almost poetic, view—in all his activities of the role America should play in promoting domestic tranquillity and in exercising internationa leadership for peace and freedom. And he implemented that vision with remarkable industry, courage, and adherence to principle.

He proved anew that this Nation's greatest need is men in public life whose idealism and compassion and sincerity, and force of personality equip them to attack the walls of greed, prejudice and special interest with the force of a battering ram.

Herbert Lehman is one of these men. And I think I can say that the fury of his assault on the forces of reaction benefited peoples abroad as well as at home.

For America truly has been called the arsenal of democracy in time of war. Just as truly, it might be called the arsenal of democratic leadership, democratic ideals, and international good works in time of peace.

And it is fighters for social justice like Herbert Lehman who keep that arsenal of democracy strong against constant attacks by petty men who have no inkling of the glorious significance of the Declaration of Independence and the Constitution.

By his campaign to expand democracy at home, he not only helped make our form of government conform to the needs of our time; he helped maintain hope and inspiration for the oppressed in many corners of the earth.

I speak as the representative of Manhattan, where Herbert Lehman, and the wonderful family that has been such an inspiration to him, reside. I think it is particularly apt that I speak for Manhattan. For this is a many-splendored island. And chief among its glories have been and are the poor and the persecuted—formerly they came from many lands, now they come from many parts of our own Nation—who have fought and are fighting for liberty and freedom. It can truly be said that Herbert Lehman has done much for them.

It is in their name and my own and in the name of men of good will everywhere that I acknowledge a debt and express a feeling of gratitude to Herbert Lehman for idealism translated into action that has benefited all of us.

Therefore, it is fitting and proper that these buildings bear his name and I congratulate those responsible for this ceremony for their perception and their sense of fitness.

To Herbert Lehman and Mrs. Lehman, the people of Manhattan express their best wishes for many serene years.

## FREE ELECTIONS AND THE POWER OF CONGRESS OVER VOTER QUALIFICATIONS

**Mr. TALMADGE.** Mr. President, there appeared in the October 1963, Journal of the American Bar Association, a scholarly essay concerning free elections and the authority of the Congress with reference to voter qualifications. This timely article was written by Wilfred J. Ritz, professor of law at Washington and Lee University.

Thoroughly documented and based on sound principals of constitutional law, Professor Ritz' essay makes the point that the qualifications of electors is a matter which addressed itself to the individual State and outside the purview of Congress.

Furthermore, with reference to alleged voter discrimination, Professor Ritz declares with great truth that the Federal Government already has sufficient and far-reaching power to eliminate such discrimination as this. He contends that the constitutional guarantee of free elections should not be infringed upon by congressional action in the area of voter qualifications.

Mr. President, Professor Ritz' paper, which won first place in the 1962 Samuel Pool Weaver constitutional law essay competition, should be studied carefully by all of those who urge the Congress to exceed its authority in this regard, and I ask unanimous consent that it be printed in the Record.

There being no objections, the essay was ordered to be printed in the Record, as follows:

### Free Elections and the Power of Congress Over Voter Qualifications

(By Wilfred J. Ritz, professor of law, Washington and Lee University)

The group of Americans meeting at Philadelphia in 1787 to draft a Federal Constitution did not have a crystal ball to reveal the parts of their final product that would endure and those that would soon become obsolete. The course of future events soon demonstrated, though, that one of the constitutional provisions was unsatisfactory and essentially unworkable. This was the third clause of article II, section 1, providing for the election of a President and a Vice President.

No other provision of the Constitution was as lengthy; none was more detailed or drafted with greater care. And yet, in this provision, the Founding Fathers had entirely failed to foresee the rise of political parties.[1] As a result, the constitutional machinery for election of the Chief Executive worked well only while the people were agreed that a national hero should be the President—a phenomenon extremely rare in American life.[2]

After President Washington had retired from political life, the system survived the close election of 1796,[3] but very nearly broke down in the election of 1800, when the electoral votes were equally divided between Thomas Jefferson and Aaron Burr. Cooler heads prevailed and the tie was broken without disruption of the American experiment in government.[4] Nevertheless, if the situation had been oft repeated, the developing passions of the period most probably would soon have torn the American system of government apart.

After due deliberation, Congress in December of 1803 submitted to the states a proposed amendment to the Constitution to remedy the situation. The proposal received the speedy consideration it deserved, and by the end of July 1804, had been ratified by three-fourths of the States. As the 12th amendment it was operative for the next presidential election, held in November 1804.[5]

Unlike the lengthy and detailed clause covering the method of election of a President and Vice President which so quickly proved unsatisfactory, the original Constitution contains short and simple clauses covering the elections of Senators and Representatives. Their very simplicity, suggesting casualness of draftsmanship, can be misleading. Actually, the clauses are among the most carefully constructed in the document, and they are designed to carry out a basic constitutional purpose, a purpose that was continued when the 17th amendment was added in 1913.

The records of the Convention[6] show that it was deeply concerned with problems relating to the election of officials of the Federal Government. The Convention adopted a plan for the indirect election of the President and Vice President by use of an electoral college. Article II provides: "Each State shall appoint in such manner as the legislature thereof may direct, a number of electors," thereby leaving the method of selection and qualifications to the States, although Congress was authorized to establish the time of their choosing.

In the election of Members of Congress, the Convention was concerned with four principal problems: (1) The method of election of Senators, which was resolved by giving the power to the State legislatures; (2) the method of election of Representatives, which initially involved a decision as to whether they should be chosen by the people or by their legislatures; (3) after popular election of Representatives had been decided upon, it was necessary to establish the qualifications of their electors; and (4) the extent to which the States and Congress, respectively, should participate in regulating the times, places, and manner of holding elections of Senators and Representatives.

On May 29, 1787, Edmund Randolph, on behalf of the Virginia delegation, presented the resolutions known as the Virginia plan, which provided the basic framework for the Constitution.[7] Randolph proposed a National Legislature to consist of two branches, the Members of the first to be elected by the people of the several States and the Members of the second to be elected by the first branch from persons nominated by the State legislatures. The National Executive was to be elected by the National Legislature.[8]

Sitting on May 31 as a Committee of the Whole House, the Convention approved the resolution calling for a national legislature to consist of two branches. It then considered and debated the resolution calling for election of the first branch by the people, adopting it by a vote of six States to two, with two States divided.[9] A few days later the Convention reconsidered, and again upheld popular election, this time by a vote of eight States to three.[10]

The New Jersey (or Patterson) plan, presented to the Convention on June 18, did not differ from the Virginia plan on this subject,[11] but during its consideration still another attack on popular election was narrowly defeated, when another motion to reconsider was voted down by six States to four, with one divided.[12] The Convention then agreed to election by the people of the first branch, with nine States in favor, only New Jersey opposed, and Maryland divided.[13]

On July 24 the Convention named a committee of detail to report a constitution conformable to the resolutions that had been adopted, among which were those calling for election of the Members of the first branch of Congress by the people and of the second branch by the State legislatures.[14] Election of Senators by the State legislatures, without more, established the qualifications of electors of Members of one branch of the Congress. In order to provide for popular election of Representatives, the committee had to consider alternative methods of defining the qualifications of their electors.

### CONSIDERATION OF ELECTION OF REPRESENTATIVES

The papers of the committee of detail show consideration was given to setting forth in the Constitution qualifications based on citizenship, manhood, sanity, residence, possession of real property or military service.[15] The committee also considered adopting the qualifications established by the States, with Congress given authority to alter or suspend them.[16] The final draft shows that the committee considered and deliberately struck out of its report a provision under which Congress would have been given the power to alter and supersede State provisions as to the qualifications of electors. Instead, the committee defined the qualifications of electors in the Constitution, denying the power of change to either the States or to Congress. This was done by providing that electors for the most numerous branch of the State legislatures should be electors for Representatives.[17] Except for minor stylistic changes, the final draft of the committee of detail was printed and delivered to the Convention on August 6.[18]

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[1] Cunningham, "The Jeffersonian Republicans," 3–32 (1957); Miller, "The Federalist Era," 99–125 (1960).

[2] George Washington received all the electoral votes in the elections of 1789 and 1792.

[3] The electoral college gave votes to 13 candidates. John Adams with 71 electoral votes was elected President and Thomas Jefferson with 68 votes was elected Vice President.

[4] The electoral vote was 73 for Jefferson and 73 for Aaron Burr, thus throwing the election into the House of Representatives, where on the 36th ballot Jefferson was elected, receiving the vote of 10 States to four for Burr, with two not voting. Miller, op. cit. supra note 1, at 268.

[5] Virginia Commission on Constitutional Government, "The Constitution of the United States," 39–41 (1961); Corwin, "The Constitution of the United States of America," S. Doc. No. 170, 82d Cong., 2d sess. 942 (1953).

[6] Farrand, "The Records of the Federal Convention of 1787," 4 vols. (rev. ed. 1937), hereinafter cited as Farrand.

[7] 1 Farrand 20.

[8] 1 Farrand 20–21, 27–28.

[9] 1 Farrand 46, 47–50, 54–55, 55, 56, 60. Election by the people was favored by Massachusetts, New York, Pennsylvania, Virginia, North Carolina and Georgia. New Jersey and South Carolina were opposed. Connecticut and Delaware were divided.

[10] 1 Farrand 118, 124, 130, 132–138, 140–141, 142–144, 145, 147. The six States previously favoring popular elections were joined by Delaware and Maryland, while Connecticut voted with the States favoring election by the State legislatures.

[11] 1 Farrand 291, 300.

[12] 1 Farrand 353, 358–360, 364–365, 367, 368. The motion was defeated by the votes of Massachusetts, New York, Pennsylvania, Virginia, North Carolina and Georgia. The motion was favored by Connecticut, New Jersey, Delaware, and South Carolina. Maryland was divided.

[13] Farrand 353, 360, 365. Before the final vote General Pickney withdrew a motion that the election by the people should be "in such mode as the legislatures should direct," when it was hinted that this might properly be left to the committee on detail, 1 Farrand 360.

[14] 2 Farrand 106, 129.

[15] 4 Farrand 40; 2 Farrand 151.

[16] 2 Farrand 153, 163–165.

When the convention on August 7 considered the report an effort was made to limit the suffrage to freeholders. After full and extended debate the motion to make the change was defeated by the vote of seven States, with only Delaware in favor and Maryland divided.[19] On the following day further doubts were expressed as to the wisdom of popular election, but the provision was approved without any State dissenting.[20] This ended the debate on the qualifications of voters.

On August 9 the Convention considered the power to be given to Congress to supersede State regulations as the time, place, and manner of holding elections. The debate shows Congress was given power to do so to insure the fair conduct of elections in the event some State legislature should attempt manipulation for selfish or nefarious purposes and that the provision has nothing to do with voter qualifications.[21]

On September 8 the convention named a committee of style, which rearranged the articles and phrased them somewhat more felicitously.[22] With only one change, made by the convention to deny Congress any power over the place of election of Senators,[23] the provisions relating to elections were adopted and became a part of the completed Constitution.[24]

### CONSTITUTION USES TERM "ELECTORS"

In summary, then, it can be said that under the original Constitution representatives were the only Federal officials to be elected by the people directly. Article I, section 2, provides that representatives shall be "chosen every second year by the people." The phrase "by the people" simply means that representatives are to be elected by the people and not by State legislatures.

A different term is used to define the electorate, that is, the group of individuals who may actually vote for representatives. This term, used throughout the Constitution, is "electors." Article I, section 2, also expressly defines, indirectly, the qualifications of electors for representatives. It says that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

The very simplicity of the clause invites use of a shorthand form of expression, and has led to statements to the effect that the States establish the qualifications of electors for Representatives. As the U.S. Supreme Court pointed out in *United States* v. *Classic*, 313 U.S. 299 (1941), "in a loose sense, the right to vote for Representatives in Congress is sometimes spoken of as a right derived from the States." Nevertheless, as the Classic case also pointed out, the qualifications of electors for Representatives are defined in the Constitution and are not defined by the States. The definition is in imperative terms—"the electors shall have."

Under article I, section 2, a State has no power to deny the right to vote for a U.S. Representative to a person qualified to vote as an elector for the most numerous branch of a State legislature, nor any power to give the right to vote for a Representative to a person who is not so qualified. Just as clearly, Congress has no power to deny the right to vote for a Representative to a person who is qualified to vote as an elector for the most numerous branch of his State's legislature, nor any power to give the right to vote to a person who is not so qualified.

### CONSTITUTIONAL AMENDMENTS ON VOTING ARE MANY

Elections and voting have been the subject of more constitutional amendments than any other single topic, as a listing of the amendments shows:

The 12th amendment, ratified in 1804, revised the method of electing the President and Vice President.

The 14th amendment, ratified in 1868, affects the subject in two respects: It provides for a reduction of representation in the House of Representatives whenever the right of male citizens 21 years of age and over to vote is abridged by a State for any reason other than participation in rebellion or other crimes. It disqualifies from further Federal or State officeholding any officeholder who having sworn to support the U.S. Constitution engages in insurrection or rebellion. The first provision has never been invoked to deny representation to a State, and the second has become obsolete with the passage of time.

The 15th amendment, ratified in 1870, prohibits denial or abridgment of the right to vote on account of "race, color or previous condition of servitude."

The 17th amendment, ratified in 1913, provides for the popular election of Senators. It follows the pattern set forth in the original Constitution by defining the qualifications of electors for this office. The electors in each State shall "have the qualifications requisite for electors of the most numerous branch of the State legislatures."

The 19th amendment, ratified in 1920, prohibits denial of the right to vote on account of sex.

The 20th amendment, ratified in 1933, revises and clarifies the method of election of the President in unusual situations.

Two of these amendments, the 15th and 19th, place direct restrictions on the qualifications the States may require of electors for State officials, and so indirectly these restrictions become limitations on the qualifications, as defined in the original Constitution and in the 17th amendment, of electors for Representatives and Senators. Otherwise, there are no constitutional restrictions on the qualifications the States may require of electors for State officials, and so also of electors of Federal officials.

In the summer of 1962 Congress adopted Senate Joint Resolution 29 proposing to the States another constitutional amendment dealing with voting qualifications. The proposed amendment prohibits the denial of a right to vote for President, Vice President, Senator, or Representative because of a failure "to pay any poll tax or other tax." [25] In this resolution the pattern of previous amendments is departed from, in that a State is permitted to establish a different qualification for electors to the most numerous branch of its own State legislature than the State can establish for the election of Federal officials. The proposed amendment, however, continues the present policy of denying to Congress all power to establish or change the qualifications of electors for Federal officials.

### COURT DECISIONS DEAL WITH SUFFRAGE QUESTIONS

Since the Constitution so clearly defines the qualifications of the persons who shall be electors for Federal officials, no litigation involving the point could arise until after the adoption of the 14th and 15th amendments. In *Minor* v. *Happersett*, 88 U.S. (21 Wall.) 162 (1875), a woman claimed that, since presidential electors in Missouri were elected by the people, she as a citizen of the United States was entitled to vote in such elections, so that the denial of the vote to her was prohibited by the privileges and immunities clause of section 1 of the 14th amendment. In accordance with the authoritative construction placed on that clause in the *Slaughter-House* cases, 83 U.S. (16 Wall.) 36 (1873), the Supreme Court rejected the contention, pointing out that the 14th amendment did not confer a right of suffrage on anyone. If the 14th amendment had done so, the 15th amendment would have been unnecessary.

The 15th amendment, as it applies to State elections, was construed by the Supreme Court in *United States* v. *Reese*, 92 U.S. 214 (1876), in which the Court said: "The 15th amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption, this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property, or education. Now it is not.[26]

In a series of cases the U.S. Supreme Court has considered the power of Congress under article I, section 4, of the Constitution to regulate the manner of holding elections. In these cases the Supreme Court has repeated time and again that the qualifications of electors are defined in the Constitution, and so are not subject to change either directly by the States or directly or indirectly by Congress. In a leading case, *Ex parte Yarbrough*, 110 U.S. 651 (1884), the Court said: "The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualifications for voters for those eo nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualifications thus furnished as the qualifications of its own electors for Members of Congress." [27]

This 1884 interpretation has not been departed from. The Supreme Court has recognized the power of the States to determine voter qualifications through the use of literacy tests [28] and poll taxes.[29] The Court has rejected the contention that since they are Federal officials some undefined power over the elections of Senators and Representatives rests in Congress.[30]

### IMPLICATION OF CLASSIC CASE IS UNSUPPORTED

The principal judicial support for a view that Congress has some power over voter qualifications is found in a dictum by Chief Justice Stone (then an Associate Justice) in *United States* v. *Classic*, wherein he said: "While, in a loose sense, the right to vote for Representatives in Congress is sometimes spoken of as a right derived from the States, * * * this statement is true only in the sense that the States are authorized by the Constitution to legislate on the subject as provided by section 2 of article I, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4 and its more general power under article I, section 8, clause 18." [31]

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[17] 2 Farrand 163–165.

[18] 2 Farrand 176, 177, 178–179.

[19] 2 Farrand 194, 201–208, 209–210

[20] 2 Farrand 213, 215–216, 225.

[21] 2 Farrand 229, 239–242, 244.

[22] 2 Farrand 547, 553, 554, 590, 592.

[23] 2 Farrand 613.

[24] 2 Farrand 651, 653.

[25] S.J. Res. 29, 87th Cong., 2d sess., 108 CONGRESSIONAL RECORD 16589.

[26] See also *United States* v. *Cruickshank*, 92 U.S. 542 (1876).

[27] See also *Swafford* v. *Templeton*, 185 U.S. 487 (1902).

[28] *Guinn* v. *United States*, 238 U.S. 347 (1915); *Lassiter* v. *Northampton County Board of Elections*, 360 U.S. 45 (1959).

[29] *Breedlove* v. *Suttles*, 302 U.S. 277 (1937). See also *Pirtle* v. *Brown*, 118 F. 2d 218 (6th Cir. 1941), cert. denied, 314 U.S. 621 (1941); *Butler* v. *Thompson*, 341 U.S. 937 (1951), aff'g 97 F. Supp. 17 (E.D. Va. 1951).

[30] *Newberry* v. *United States*, 256 U.S. 232 (1921).

The implication that the powers of Congress under section 4 of article I may be used to restrict the powers of the States under section 2 of the same article is entirely without support in the history of the Federal convention of 1787 or in the prior decisions of the Court. If the reference had been to the power of the States to legislate under section 4, instead of section 2, the statement would have been in complete accord with the language and history of the Constitution and the judicial precedents. Consequently, there is a strong probability that the reference to section 2 was a slip rather than a considered citation.

### CIVIL RIGHTS COMMISSION MAKES RECOMMENDATIONS

In its 1961 report the Civil Rights Commission made a general finding No. 1: "There are reasonable grounds to believe that substantial numbers of Negro citizens are, or recently have been denied the right to vote on grounds of race or color in about 100 counties in eight Southern States." [32] To eliminate this discrimination a majority of the commission recommended that Congress adopt legislation prohibiting the States from denying the right to vote to any citizen of the United States "except for inability to meet reasonable age or length-of-residence requirements uniformly applied to all persons within a State, legal confinement at the time of registration or election, or conviction of a felony".[33] Two commissioners dissented from this recommendation.

The Civil Rights Commission unanimously recommended that Congress adopt legislation specifically directed at State literacy tests. A sixth-grade education, under the proposed legislation, must be accepted by a State as sufficient compliance with a literacy test so as to qualify the applicant to vote.[34] A bill to carry out this recommendation was introduced into the 2d session of the 87th Congress, but, in the face of a southern filibuster, failed of adoption. It has been argued, as by the Attorney General, that such legislation would not establish a voting qualification, but only substitute "an objective and easily ascertainable requirement" for determining a previously established voter qualification,[35] and so is within the constitutional power of Congress. This argument has been vigorously opposed.[36]

Technically, the subject of what is or is not a voter qualification is outside the scope of this paper. However, since the purpose of legislation, such as that proposed in 1962 to restrict State use of literacy tests, is to permit persons to vote who otherwise would not be allowed to do so, the legislation necessarily restricts State control over voter qualifications to some extent. In this sense, whatever the particular terminology used, the proposed legislation gives Congress some control over voter qualifications. Consequently, it is appropriate to inquire into the reasons being offered for giving Congress power of this nature over voter qualifications.

### ARGUMENTS FOR LEGISLATION ARE FOUND TO BE WEAK

Essentially, the arguments in favor of Congress's having power to establish voter qualifications are two: (1) to eliminate restrictions on the exercise of a right of suffrage, such as the poll tax; and (2) to eliminate discrimination in the qualification of voters, as in the administration of a literacy test.

The force of the first reason is relatively weak, as is shown by the fact that the constitutional amendment proposed by the 87th Congress regarding poll taxes wholly prohibits the use of a tax as a voter qualification in Federal elections, leaving no discretion with Congress to abolish or establish this type of qualification. Consequently, the principal argument for having Congress assert some power over voter qualifications is based on the thought that the exercise of the power will enable Congress to eliminate discrimination in the administration of qualification tests more effectively than can be done under its present powers.

This raises the question whether there are not other remedies now available to eliminate discrimination. Ever since the post-Civil War period there has been Federal legislation, which has been frequently augmented, designed to protect American citizens in the exercise of their right to vote. The effectiveness of this legislation has been debated. After Attorney General Kennedy, in testimony before the Senate Judiciary Subcommittee holding hearings on the literacy test bill, referred to particular examples of discrimination, the following verbal exchange took place between him and the chairman, Senator Ervin, of North Carolina:

Senator Ervin. And I think all those situations could be cleared up with a few old-fashioned criminal prosecutions in the Federal courts.

Attorney General Kennedy. Well, I appreciate your support on that, Mr. Chairman, but I tell you we are bringing those, but it is going to take a long, long period of time.

And I would like to have you join us in attempting to try to get rid of it so that it just does not go on, and we can pass legislation to deal with that problem and get rid of it much quicker than we could by bringing lawsuit after lawsuit.[37]

This colloquy shows that even the proponents of congressional power over voter qualifications recognize that the Federal Government already has sufficient power to eliminate voter discrimination. The basic disagreement is not whether discrimination is to be eliminated, but how soon and by what methods.

Recent Federal court decisions do not show any lack of power in the Federal Government to eliminate voter discrimination. The activities of the Civil Rights Commission have been sanctioned by the U.S. Supreme Court.[38] Powers given by Congress to the Attorney General to inspect Federal election records have been upheld and implemented.[39] Furthermore, when the Federal courts have found discrimination to exist as a fact, they have affirmatively ordered the registration of persons qualified to vote.[40]

The establishment of voter qualifications under the Federal Constitution is based on the principle that complete objectivity and self-interest are mutually exclusive concepts. Since the Members of Congress have a large self-interest in their own elections, and in certain instances they may be required to participate in the election of the President and Vice President, Congress can never take a wholly disinterested view toward the subject of voter qualifications.

This was recognized by the Federal Convention of 1787, and so power over voter qualifications was entirely denied to Congress. Similarly, in 1913, when the Constitution was amended so as to require popular election of Senators, the policy of denying to Congress power over voter qualifications was continued.

Conditions have changed since 1787. As time has gone by, the right to vote has been accorded ever greater significance in the pattern of American government. Even so, the primary, if not the only, purpose to be served by having Congress assert power to fix voter qualifications seems to be to provide an additional weapon against voter discrimination. Discrimination must be eliminated and can be with the powers now available to Congress. As important as the objective is, an even more fundamental right is involved.

The basic right guaranteed to the people of the United States by the Federal Constitution, particularly by article I, section 2, and the 17th amendment, is a right of free elections. Truly free elections can exist only if the elected cannot influence their continued election by manipulation of the members of the group that constitutes their electors. For this reason, the Constitution establishes the qualifications of electors for Federal officials by a readily ascertainable and completely objective standard. This objective standard is beyond the power of the Federal Government to change, except by going to the States and the people to seek a change through the process of constitutional amendment. History demonstrates that when change has been needed, the necessary constitutional amendments have been forthcoming.

Under the Federal Constitution the people have reserved to themselves power to change the qualifications of voters for Federal officials. Since this is the fundamental principle on which the American system of free elections is based, the present constitutional guarantee of free elections should not be weakened by giving Congress power to establish voter qualifications.

## SOCIETY OF THE CINCINNATI

**Mr. SIMPSON.** Mr. President, Wyoming is justly proud of the fact that she is represented in the House by a direct descendant of the great Benjamin Harrison of Virginia, who was speaker of the Virginia House of Delegates and Governor of Virginia, who was a signer of the Declaration of Independence and a member of the Virginia convention which ratified the Constitution, and who was the father of President William Henry Harrison and the great grandfather of President Benjamin Harrison. Representative William Henry Harrison of Wyoming is a direct descendant of both of these Presidents and is a cousin some generations removed of Senator A. Willis Robertson, of Virginia, who is a direct descendant of Nathaniel Harrison, a brother of Gov. Benjamin Harrison.

Last Saturday Senator Robertson was admitted to membership in the Society of the Cincinnati, a patriotic society originating at the close of the Revolutionary War under the leadership of George Washington, its first president general, and limited in membership to officers who had served in the continental service for 3 years during the Revolutionary War and their descendants, preference being given in each line of descent to the eldest son.

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[31] 313 U.S. at 315.

[32] U.S. Commission on Civil Rights Report, Book 1, voting 135.

[33] Id. at 139.

[34] Id. at 141.

[35] Hearings on S. 480, S. 2750, and S. 2979 before the Subcommittee on Constitutional Rights of the Committee on the Judiciary, U.S. Senate, 87th Cong., 2d sess. 263, 265, 310 (1962).

[36] See, for example, comments made by Senator Ervin during testimony of Attorney General Kennedy. Hearings, supra note 41, at 261–291.

[37] Id. at 273.

[38] *Hannah* v. *Larche,* 363 U.S. 420 (1960).

[39] *Kennedy* v. *Lynd,* 306 F. 2d 222 (5th Cir. 1962); *Kennedy* v. *Bruce,* 298 F. 2d 860 (5th Cir. 1962); *Dinkens* v. *Attorney General,* 285 F. 2d 430 (5th Cir. 1961); *In re Coleman,* 208 F. Supp. 199 (S.D. Miss. 1962).

[40] *Alabama* v. *United States,* 304 F. 2d 583 (5th Cir. 1962). On October 22, 1962, the U.S. Supreme Court granted certiorari in this case and in a per curiam opinion affirmed the judgment below. 371 U.S. 37. *United States* v. *Manning,* 206 F. Supp. 623 (W.D. La. 1962).

The meeting of the Virginia society, held at the Commonwealth Club in Richmond, Va., on the anniversary of the surrender of Lord Cornwallis and Washington's victory in the Revolutionary War, was attended by the president general of the society, Mr. Francis Whiting Hatch of Massachusetts, and Col. Charles Warren Lippitt of Rhode Island, the vice president general. Mr. Hatch wore at the meeting on the lapel of his dinner coat the diamond studded emblem of the society made by a famous jeweler in Paris and presented to George Washington by the French naval officers who had served under him during the Revolutionary War. Vice President General Lippitt wore the original emblem of the society, which was designed by the great French engineer, Pierre L'Enfant, which was worn by George Washington up to the time he received the diamond studded emblem. After Washington's death, his widow presented the diamond studded emblem to Alexander Hamilton, the society's second president general. Later the emblem was formally presented to the society, which preserves it at its national headquarters in Washington, Anderson House, except when it is being worn by the president general at annual meetings and other state occasions. The other Washington emblem is likewise preserved at Anderson House, except when it is being worn by the vice president general at state occasions.

Information about these famous emblems of the Nation's most exclusive patriotic society and much additional information about the society are set forth in an interesting paper by Mr. Foster Stearns entitled, "The Society of the Cincinnati in New Hampshire."

Mr. President, I ask that excerpts from the essay may be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

### THE SOCIETY OF THE CINCINNATI IN NEW HAMPSHIRE

(A paper read before the Exeter Historical Society, February 10, 1953, by Foster Stearns)

I don't know whether it makes it easier or harder in talking about the Society of the Cincinnati that it should be unlike anything else. Those who drew up its so-called "institution" had no precedents to guide them, and the more recent patriotic societies have not, for the most part, attempted to imitate it in any detail. So it remains in a class by itself, going its own way by its own rules.

The New Hampshire Society is the only one of the 13 State societies to own real estate, and I suspect it is that constant reminder of its existence, the old house around whose sloping grounds cars swing when entering the center of the town, that has led your committee to ask me to tell its story this evening.

The first distinctive feature of the Cincinnati to be mentioned is that membership was restricted originally to officers of the Continental Line, and descent from such officers is, with rare exceptions, the present requirement for belonging to it. Everyone knows that the American Revolution was begun by minutemen—the local militia. James Stevens of Andover, Mass., kept a diary which begins abruptly: "April ye 9, 1775. This morning about seven o'clock we had alarum that the Regulars was going to Concord. We gathered at the meeting house and then started for Concord." He remained in camp at Cambridge, and on July he says, "We preaded to receive the new general (Washington). The general come in about noon."[1]

This was the homespun sort of material that offered the first opposition to King George's redcoats. The minutemen acted at the risk of their lives, and their descendants have just cause to be proud of them. The fact remains however that for the most part they were not very soldierly material; and the general from Virginia had some pretty unkind things to say about them in his diary.

From then on, until Cornwallis' surrender at Yorktown presaged the end of the war, it was Washington's chief concern to replace the local militia, paid by and responsible to the several Colonies, by what we should call now a "Regular" Army—troops enlisted for a longer period of service, organized, indeed, by States, but paid (when they were paid at all) by the Continental Congress. This "Continental Line," under the discipline and training of competent officers sprung from the soil like Gen. Henry Knox, together with experienced Europeans like the Baron von Steuben, had been formed into an effective fighting force with a high morale—high, at least, compared to their brethren of the militia. These latter had long since been dispersed to their homes when in May of 1783 the Regular Army was lying in cantonments near Newburg on the Hudson, awaiting the news of the signing of the treaty of peace which would be the signal for them in turn to be disbanded.

The idea of a postwar association seems to have originated with General Knox, who was talking of something of the kind as early as 1776. It was the sort of idea that would make something to discuss in the long winter evenings when the troops were in winter quarters; and Knox consulted von Steuben about European practices. All we know is that when the matter came to a head, these two were the leading spirits.

A meeting was called, composed of one officer from each regiment and all the general officers, who met on May 10, 1783, and went over, paragraph by paragraph, a proposal which had been drawn up for their consideration. A committee took 3 days to incorporate amendments into a revised draft, and at another meeting held at General von Steuben's quarters in the Verplanck House at Fishkill on May 13, 1783, the proposals were signed, and the Society of the Cincinnati came into being. The Verplanck House, birthplace of the society, stood till 20 years or so ago, when it was destroyed by fire.

Let us look a little more closely at the newborn fraternity.

In the first place, its name. I assume you all remember from your schooldays the story of Lucius Quintus Cincinnatus, as told by Livy; but perhaps I may be permitted to remind you of the details. In the early days of Rome, Livy tells us,

"Five horsemen bore tidings to Rome that the army was besieged. The people were sorely dismayed, * * * nor * * * saw they any man that might be sufficient in this time of peril, save Lucius Quintus Cincinnatus. By common consent, therefore, he was appointed Dictator for six months and messengers were sent to tell him. He was cultivating with his own hands a plot of ground and when the messengers of the people came they found him plowing. The messenger said: 'Put on thy robe and hear the words of the people.' Then Cincinnatus, astonished, called to his wife Racilia, that she should bring forth his robe from the cottage. So she brought it forth, and the man washed from himself the dust and the sweat and stood before the messengers. These said unto him: 'The people of Rome make thee Dictator and bid thee come forthwith to the defence of the land.' Under the lead of Cincinnatus the invader was soon driven out of the country. Thereupon he resigned his dictatorship, and returned to the plow."

It was this last point especially that led the founders of the society to give his name to their child. They wrote: "The officers of the American Army having been generally taken from the citizens of America, possess high veneration for the character of that illustrious Roman, Lucius Quintus Cincinnatus, and being resolved to follow his example, by returning to their citizenship (i.e., to civilian status) they think they may, with propriety, denominate themselves the Society of the Cincinnati." Note that the word "Cincinnati" is in the plural. Every officer returning to his farm, or whatever, was a modern Cincinnatus, and banded together they formed a Society of Cincinnatnuses.

In the early days of expansion of the new nation, in 1791, a town was laid out on the banks of the Ohio River, to which the army officer in charge, a Colonel Symmes, gave the name of Cincinnati, apparently as a compliment to Gen. Arthur St. Clair, an original member of the society, who was then in command in the Northwestern Territory. This is the origin of the name of the great Ohio city of today, which must have puzzled many people, especially with its curious ending in "i."

The founders declared that "the officers of the American Army do hereby in the most solemn manner associate, constitute, and combine themselves into one Society of friends, to endure as long as they shall endure, or any of their eldest male posterity and, in failure thereof, the collateral branches, who may be judged worthy of becoming its supporters and members;" and having explained their choice of a name, they went on to set forth the principles of their order in noble words which are still read at the opening of every meeting:

"The following principles shall be immutable and form the basis of the Society of the Cincinnati:

"An incessant attention to preserve inviolate those exalted rights and liberties of human nature for which they have fought and bled and without which the high rank of a rational being is a curse instead of a blessing.

"An unalterable determination to promote and cherish, between the respective states, that union and national honor so essentially necessary to their happiness and to the future dignity of the American empire.

"To render permanent the cordial affection subsisting among the officers. This spirit will dictate brotherly kindness in all things, and particularly extend to the most substantial acts of beneficence towards those officers and their families who unfortunately may be under the necessity of receiving it."

Of course there was but one thought as to who should be the first president general of the new society, and a committee was appointed "to wait upon his excellency the commander in chief, with a copy of the Institution, and request him to honor the society by placing his name at the head of it." Washington accepted at once. He still held the office at the time of his death, 17 years later, and always took a real and active part in its affairs.

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[1] Essex Institute Historical Collection, 48: 41 489.

The institution called for the organization of State societies. A call to New Hampshire officers was issued by Gen. John Sullivan of Durham for a meeting to be held at the Folsom Tavern in Exeter; and there, on November 18, 1783, the New Hampshire Society had its birth.

It was by no means all plain sailing for the new organization. There were perils within and perils without. In the first place, the need for "acts of beneficence" was not imaginary. Life was hard in the unorganized little nation, and many of the retired officers could not afford even the donation of 1 month's pay which was all that was asked of them as a membership fee, and this was truer in New Hampshire than in the larger States. Others, no doubt, were just not interested, and the work of getting organized was slow everywhere. Nonetheless, it was accomplished; and the task of caring for needy comrades, and for widows and orphans of those who had fallen, began at once.

No sooner had the news of this first "veterans' association" reached the public, however, than a fierce and quite unlooked-for storm burst upon it. The first attack came from Judge Aedanus Burke, of South Carolina, who sought to prove, according to the title page of his pamphlet, "that it creates a race of hereditary patricians or nobility." This animosity to the hereditary feature was easily fanned into a flame among democratic Americans. As a general thing, leading men who had rendered military service were favorable to it, even when themselves not eligible for membership; but John Adams took a strong line against it, even going to the trouble of trying to show that the late L. Q. Cincinnatus was a much overrated hero; while Jefferson was perhaps the most excited of all. Politicians had their ear to the ground then as now, and in some State legislatures there was talk of taking action to prohibit the society, but nothing of the sort was actually done anywhere.

All this unexpected opposition worried Washington considerably. In his thorough and methodical way he wrote to correspondents all over the country, sounding out opinion, and when the first triennial general meeting assembled in Philadelphia in the following May, with Washington in the chair, it was voted to abolish the hereditary principle. However, the institution provides that legislation by the general meeting must be ratified by the State societies before it becomes effective. This was never done; the excitement died down almost as quickly as it had arisen, and the hereditary feature has kept the society alive to the present day—nor has it wrecked our American democracy, as its critics were so sure it would do.

Another provision of the institution was for the designing of a medal to be worn by the members. With the zeal of amateurs they rashly went into minute details as to what was to be put on this decoration—and like most amateurs, they wanted to crowd on too much. By good fortune the matter was put into capable hands, those of Major L'Enfant, the French engineer who later laid out the city of Washington. He objected to the idea of a medal, and submitted a design for a badge in the form of an eagle, bearing the general design of the medal miniature on its breast. This was fortunately accepted, and Major L'Enfant undertook to have a supply of them made in France.

As I have said, societies were at once started in each of the 13 Original States. There was another group however which wanted to be in on any new decorations that were being distributed; namely, the officers of the French Army and Navy who had served with the forces that cooperated with Washington. A French Society was thereupon organized. It was disrupted by the French Revolution which broke out in the next decade, but has been revived, and despite a rather checkered career it still exists today. The last roster of this society lists over 100 hereditary members, descended from our French allies of the 1780's, and the French Society sent delegates to the last triennal (Charleston, 1950).

The Comte de Ségur has something to tell in his "Mémoires" of the interest that the new decoration aroused in France:

"At this time I received, like all the French colonels who had served in the American war, authorization to wear the decoration of the American Association of Cincinnatus, which the illustrious General Washington sent us. * * * This decoration was a gold eagle suspended from a blue ribbon with white border; on one side Cincinnatus was depicted leaving his rustic hearth to take up arms as a dictator; on the other he was seen laying down his sword and shield and resuming the plow. A decoration so novel, so republican, shining in the midst of the capital of a great monarchy, might have given much to think about, but no one bothered about that. However, evident was the impression produced by the sight of this warrior's palm on our breasts, and of attracting to ourselves, in the public promenades, the stares of a crowd of idlers such as the least novelty attracts and gathers."[2]

The French naval officers were responsible for what is perhaps the most interesting Washington relic in existence—an eagle of the society executed in diamonds, which they presented to Washington. The general's widow gave it to Alexander Hamilton, who succeeded him as president general. It is now the property of the general society, for whom it is held by three trustees; and it is worn by the president general at triennial meetings and on other occasions of state. It is worth seeing in itself, aside from its historical importance.

As the years passed, and the original members with them, it was shown how idle were the fears that had been excited by the hereditary feature. Some failed to take up their fathers' membership; many moved away from old surroundings to the new lands in the West, and gradually a good many of the State societies simply petered out and ceased to be. Only Massachusetts, New York, New Jersey, Maryland, Pennsylvania, and South Carolina have maintained an unbroken existence. At the turn of the century, however, when the centennial of Washington's inauguration in 1789 brought an increased interest in historical studies, the other 7 societies were reborn, and all 13 are now in a flourishing condition.

I spoke at the beginning about the limited field of eligibility for membership. Without going into details, which would bore you, and which differ slightly in the different States, I would like to tell you that the Cincinnati is not quite so exclusive as it is often accused of being. In the first place, of course, the names of all the officers of the Continental Line are on record, and the society has published a list of them, to the number of over 5,700.

The hereditary membership is now the largest it has ever been since the first early days (over 1,600 in 1950), which means that several thousand lines have no representative. A certain proportion of these officers simply dropped out of sight leaving no trace, but it still remains true that there are plenty of vacancies in the society's ranks, and the society, far from being exclusive, is anxious to see them filled. The New Hampshire Society recently prepared a list of officers who are not today represented, and published it in the genealogical register, with an invitation to descendants to prove their lines and claim membership, but the responses have been few. The rules of inheritance are much like those for any other property—a direct heir in the male line has first right, but failing any such, a female line or even a collateral line may make claim. In this case, however, there is no division as there might be in settling an estate; the one male person who can show he is nearest of kin bears away the palm (or in this case, the eagle).

While quite a number of Presidents of the United States have been elected honorary members, only one besides Washington has been a hereditary member, and that was New Hampshire's Franklin Pierce. Old General Pierce, his father, was a lieutenant in a Massachusetts regiment, and an original member of the Massachusetts Society. At his death the membership passed to his eldest son, and from him to his younger brother Franklin. There died recently a Col. Chandler Smith, who was the grandson of an original member, but of course that can never happen again.

Two things more about membership need mention. I have spoken of State societies; and to this day there are in this country only the 13 societies established in 1783. By the very nature of the hereditary principle a membership remains in the society in which it originated, so that one normally belongs where one's ancestor belonged, regardless of one's place of residence. In the case of New Hampshire, comparatively few of its members are residents of the State, though several have summer homes here. The Honorable Sinclair Weeks is an example of one who belongs to New Hampshire by heredity, although he has always lived in Massachusetts.

You may notice that I keep speaking of "hereditary" members. Some people are surprised and even shocked to learn that such an institution has any honorary members. Provision was made for these, however, in the original institution; they are to be admitted without rights of succession, "provided always that the number of honorary members in each State does not exceed a ratio of four to one of the officers or their descendants."

As a matter of fact this type of membership has always been much more sparingly bestowed, and many distinguished Americans have been proud to accept it, including, as I have said, a number of Presidents of the United States. I was the guest of the Virginia Society at a meeting held in the pre-Revolutionary Rising Sun Tavern in Fredericksburg in 1941, when the eagle of the society was conferred on General Marshall as an honorary member.

Although New Hampshire is the only State society to own a house, the general society has in recent years acquired a most impressive home in the National Capital, and this too has its connection with New Hampshire. Capt. Larz Anderson, of Cincinnati, Ohio, was a hereditary member of the Virginia Society. He married Isabel Weld Perkins, of Boston and Contoocook, N.H., whose father, Commodore George H. Perkins, USN, is commemorated by a statute on the grounds of the State House in Concord, and they built a magnificent house—palace is really the proper word for it—in Washington. During the Theodore Roosevelt administration Captain Anderson was Minister to Belgium and later Ambassador to Japan. He died in 1937, and his widow, in accordance with his expressed wishes, presented the house to the general society. He had had this in mind when he built it, and the eagle emblem is carved in its stonework in several places. The house is used for general headquarters and meetings, and is often the scene of distinguished gatherings for which it is lent by the society.

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[2] Mémoires, Souvenirs et Anecdotes par M. le Comte de Ségur, Paris, 1826, Vol. 2, pp. 43–47.

I have rambled in the bypaths of history, mentioning things that came to mind, and perhaps leaving out some important ones. I hope, however, that I have given you some ideas of the nature of this unique society, and have explained the reason for its interest in the Gilman house. It remains only to say how grateful not only we, but succeeding generations should be to patriotic groups such as the New Hampshire Cincinnati, who undertake the preservation and maintenance of some of the few historic houses that still remain to us, and by their restoration and furnishing help to make history live again.

## SENATOR GOLDWATER

Mr. SIMPSON. Mr. President, no name since Eisenhower has inspired the peoples of the free world like that of BARRY GOLDWATER. To people on both sides of the Iron Curtain Senator GOLDWATER's name has become synonymous with words like victory and freedom. In America the name GOLDWATER has rekindled our belief in "America's national interest" and other terms which some in our midst seem to consider corny.

The extent to which Senator GOLDWATER's philosophy and views have been disseminated can be understood from an October 15 editorial by Alice Widener which first appeared in U.S.A. magazine. Miss Widener notes that "Senator BARRY GOLDWATER wants Uncle Sam's hand to be strong, free, generous but thrifty, friendly, but not open to blackmail, and holding up the American flag as a symbol of our inviolate national sovereignty. What BARRY GOLDWATER obviously wants for the United States," the writer continues, "is protection of our own best interests and the offering of hope to enslaved people."

Although Miss Widener takes strong exception with the thesis of a New York Times editorial, her article nevertheless presents an important insight into the GOLDWATER image abroad.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### GOLDWATER AND OUR NATIONAL INTERESTS

(By Alice Widener, publisher, U.S.A. magazine)

NEW YORK CITY.—James Reston, New York Times bureau chief in Washington, D.C., recognized as a fact in his column of October 9 that Senator BARRY GOLDWATER has become the American presidential candidate for 1964 most dedicated to serving and protecting our country's own national interests first. Thereafter, Mr. Reston made the most outrageously prejudiced statement against Senator GOLDWATER that has so far appeared in a major newspaper.

After conceding "BARRY makes them think," Mr. Reston went on to state, "He is almost the only thing all the allies, all the enemies, and all the neutrals agree on: they don't want him."

I shall not pretend to speak for all our allies, all our enemies, and all the alleged "neutrals." All I can do is to report faithfully on what I read and heard in London, Brussels, Milan, Turin, Rome, NATO Headquarters at Naples, and Madrid during May-June-July 1963. And in Madrid I was the only American journalist at an international information conference attended by outstanding representatives from 22 nations in Europe, Asia, Africa, and Latin America. Moreover, I feel compelled to explain in all due modesty that while abroad I can read a great deal of what people are writing, and overhear what they are saying in public, because it happens I understand and read French, German, Spanish, Russian, and Italian.

Last spring and summer in Europe, I heard many people ask one another hopefully, "Do you think GOLDWATER has a chance?" and "If only GOLDWATER were President, things might be better." Everywhere I found among intelligent anti-Socialists a very great dissatisfaction with U.S. foreign policy as practiced by our present administration. Not once did I hear the name "Secretary Rusk." He seemed to be the man who wasn't there. But I often heard critical mention of the names "Arthur Schlesinger" and "Jerome Wiesner" and "Walt Rostow." Also I heard much criticism of "Mr. McNamara" and "Mr. Bundy" and "Mr. Bohlen." The main accusations against the administration were "They are trying to create Socialist governments everywhere"; and "They are endangering the advanced nations' prosperity by their extravagance and Utopian schemes undermining the U.S. dollar."

James Reston, a "liberal" Democrat and partisan columnist openly backing one major political party in our country, writes as if all worthwhile foreigners also were fellow partisans sharing his own ideology. They are not. But pretense that they are so left-of-center is the main intellectual misdeed of our "liberals" and is largely responsible for our Nation's major defeats in foreign policy.

Throughout the world there are brilliant, honorable men and women holding executive positions in government and all other fields who are goodhearted conservatives, wishing to preserve the best historical traditions of human society and believing that charity begins at home through protection of their own country's individual best interests. Moreover, these men and women believe that patriotic nationalism such as Senator GOLDWATER professes is the soundest basis for promotion of peaceful international relations among nations.

Scornfully, James Reston coined the smart aleck adjective "De Gaulledwater" and charged that the more French Foreign Minister Maurice Couve de Murville "argues against Kennedy, the more ammunition he provides for GOLDWATER."

What kind of ammunition is M. de Murville passing out? Not potshots at our country, but telling arguments against the Kennedy administration's "grand design" for accommodation with Khrushchev, for neutralization of West Europe, for agreement to the permanent captivity of East Europe, and for cutting down U.S. military superiority to effect a balance of power between our great Nation and a near-bankrupt, hungry Russia ruled by a cruel Red dictatorship bent on world domination.

The ammunition used by De Murville was taken from the arsenal of General de Gaulle's great moral stronghold in a France which he miraculously rescued in 1958 from political, social, and economic chaos resulting from years of inefficient, corrupt Socialist governments. De Murville drew heavily in his recent talks with President Kennedy on General de Gaulle's speech at Lyons on September 29. In it, De Gaulle said:

"Though we see in the United Nations Organization a useful forum * * * we would not agree to its building itself up into a sort of superstate which would try to impose on us anything whatsoever that concerns us.

"Though we consider the Atlantic Alliance to be absolutely necessary, we reject for ourselves in its organization any system that would deprive us of the disposition of our forces and the responsibility for our defense."

De Gaulle also hoped that France would offer to all kinds of nations a good example and "a consolation," and he asked, "In Europe, how many of those now bent under the foreign yoke of the Soviets draw secret hope from this?"

What BARRY GOLDWATER obviously wants for the United States is protection of our own best interests and the offering of hope to enslaved people through our good example and effective consolation.

James Reston, of the New York Times, asserted, "BARRY is the bogeyman of almost all ambassadors in the capital; the hard man on foreign aid, the Russians, the test ban, and Castro."

Mr. Reston chose to overlook the fact that many ambassadors are sent to Washington with hat in hand for U.S. Government handouts, and are instructed not to bite the hand that feeds them U.S. taxpayers' earnings, even though that hand may eventually be crippled from overextending giveaways and overmeddling in other nations' internal affairs. Mr. Reston also omits mention of the fact that only three of all ambassadors in Washington represent nations with nuclear power.

Senator BARRY GOLDWATER wants Uncle Sam's hand to be strong, free, generous but thrifty, friendly but not open to blackmail, and holding up the American flag as symbol of our inviolate national sovereignty. If that makes him a bogeyman and an American unwanted by all our allies and enemies, and by all neutrals (how can a true neutral be against anyone?), then we Americans might as well drop dead now and not wait for our Nation to be wiped off the face of the earth.

## BETANCOURT OF VENEZUELA

Mr. HUMPHREY. Mr. President, I would like to call attention to the excellent column by Rowland Evans and Robert Novak appearing in this morning's Washington Post analyzing the challenge to constitutional government in Venezuela, and describing President Betancourt's vigorous and courageous response to it. Despite an organized assault by terrorists on the left and periodic pressure from dissident reactionaries on the right, Betancourt has persevered in his determination to bring social and economic progress to Venezuela within the framework of free democratic constitutional government. He is determined to be the first Venezuelan President to serve out his full 5-year term, and he is going to succeed in this.

Mr. President, I have stated several times that the Government of Venezuela must receive our priority support in this hemisphere. We cannot permit it to be toppled either by the violent attacks of the left or by the plotting of any generals on the right. In the light of recent events in the Caribbean, our Government must leave no one in doubt that Venezuela enjoys top priority for support, that the United States stands ready to give it all possible assistance. This should be well understood by any military plotters on the right who might be tempted to emulate their colleagues in certain other countries. It is a tribute to the large majority of the military in Venezuela that they have continued to support the constitutional government of President Betancourt. This should be a lesson to be followed by other military groups in this hemisphere.

Mr. President, as we move to debate on the foreign aid bill in the Senate next week, I believe my colleagues should take notice of the accomplishments of President Betancourt's government under the

Alliance for Progress as he nears the completion of his term. Venezuela is one country which has preserved constitutional government and has moved ahead to implement the social and economic reforms called for under the Alliance for Progress.

Mr. President, I ask unanimous consent that the column by Mr. Evans and Mr. Novak to which I earlier referred be printed at this point in the Record.

I also ask unanimous consent that an article from the New York Times of October 17, 1963, entitled "Betancourt Calls Social Reform Key to Red Defeat," be printed at this point in the Record.

There being no objection, the column and article were ordered to be printed in the Record, as follows:

[From the Washington Post, Oct. 21, 1963]

### BETANCOURT'S SURVIVAL

(By Rowland Evans and Robert Novak)

Caracas.—Though gunshots still echo through the streets of Caracas each night, Venezuela's President Romulo Betancourt has in fact won his war of survival against the Communists—a victory that drives home two lessons for Latin America.

First, there is no substitute for physical repression in subduing armed Communist insurgents. Social reform, exhortation, and democratic tactics are not enough. Betancourt began to contain Communist terrorism only 2 weeks ago when he ordered the arrest of Communist congressmen and dispatched the army into the streets to track down terrorists.

Second, and more important, this kind of anti-Communist crackdown need not be the excuse for a military takeover and suspension of civil liberties. Betancourt has shown that a left-of-center reformist can rough up the Communists. What makes this performance the more remarkable is that it hasn't interfered with a vigorous seven-man race for the presidency (Betancourt cannot succeed himself).

Actually, the goal of Communist terrorists in recent months has been prevention of the December 1 election by provoking a rightwing military coup. Industrialized and urbanized Venezuela today is no banana republic, where 10 generals can oust a government in 10 minutes. An attempted coup here might produce another Spanish civil war with Communists as part of a popular front.

That's precisely what the Communists want, and so they concentrated all summer on terrorizing the army. They raided army barracks, burglarized officers' homes, even attempted to assassinate the Defense Minister at the Air Force's skyscraper headquarters in the heart of downtown Caracas.

This led to demands last month from one group of officers for tougher treatment of Communists. But Betancourt stubbornly insisted on working within the framework of constitutional democracy.

After a poll of army barracks around the country showed most officers loyal to him, the President refused to grant the demands.

But on September 29, Communist provocations hit a new low. Red gunmen shocked the country by murdering five members of the National Guard (an elite force, roughly equivalent to the Canadian Mounties) on an excursion train.

Whether the military then forced Betancourt's crackdown or whether the President acted on his own is academic. Probably it was a combination of the two. The generals no longer would tolerate half measures, but Betancourt himself was so incensed by the train massacre that he was determined to act. At any rate, his action removed the danger of an army coup.

This climax was another in a long string of Communist failures. Attempts at outright insurrection by Communist-infested marine detachments, assassination of Betancourt, sabotage of vital oil production, guerrilla activity in the Falcon Mountains—all have flopped.

But communism's real failure here is its inability to win men's minds in a poverty pocked land, theoretically vulnerable to Red doctrine. It has been 2 years since the Communists attempted a street rally. Nor have there been any demonstrations against the present crackdown. On the contrary, tired of being kept awake by terrorists' machinegun fire every night, Caracas residents welcome a get-tough anti-Communist policy.

In truth, communism has no real mass movement today in Venezuela, its principal South American target. Communists have no following of substance in the labor movement or even the hideous slums of Caracas. Instead of aiding Communist guerrillas in the hills, the peasantry turns them in to the authorities.

What's causing all the trouble is a small (probably less than a thousand) band of young, middle-class Caracas intellectuals, many of them students. Nobody believes these well-armed, fanatical terrorists will be wiped out any time soon. Betancourt's successor will have his hands full.

Yet, it will be an impressive feat in itself if Betancourt becomes the first Venezuelan President ever to complete his constitutional term of office, as now seems probable. It excuses obvious shortcomings by Betancourt's government in attacking economic and social problems. When somebody's trying to burn the house down, it's not easy to fix the roof.

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[From the New York Times, Oct. 17, 1963]

### BETANCOURT CALLS SOCIAL REFORM KEY TO RED DEFEAT

Caracas, Venezuela, October 16.—Romulo Betancourt jabbed his desk with his stubby forefinger and spoke in bursts of urgent, forceful Spanish.

"The Communist threat in Latin America is real, but we cannot believe that only repressive measures against Communists are sufficient," the Venezuelan President said in an interview. "We must combat poverty, poor distribution of wealth and antiquated structures of Latin-American economies."

"The effort in this decade to face these problems is decisive."

He stopped, clinched bomb-scarred hands together and thought for a moment.

"The experience of Venezuela demonstrates it can be done," he added.

At 55 years of age Dr. Betancourt has run a democratic Government in Venezuela for 4½ years. To keep it going he has fought Communists and rightwing terrorists alike. He has built schools, homes and hospitals, and has introduced land reforms. He has started to clean up massive city slums and to diversify industry and agriculture.

#### STRUGGLE TO CONTINUE

Nearing the end of his elected 5-year term, President Betancourt is convinced that Venezuela's achievements prove that battles with communism and rightist dictatorships in the hemisphere can be won. But he recognizes that the struggle is still far from over in Venezuela and elsewhere.

Better than most, Dr. Betancourt can appreciate the dangers that lie ahead for he has been both ruler and revolutionary.

A stocky, dynamic man who speaks insistently and gestures frequently, he has a reputation for courage, honesty, idealism and a wily sense of politics. His greatest voter strength has been among back-country peasants and labor elements. His greatest weakness is said to be in administrative ability, but he has some able administrators under him.

The red scars on his hands came from burns he received in a 1960 bomb attack that nearly killed him. The attack was the work of rightwing terrorists, backed by the Trujillo dictatorship then ruling the Dominican Republic.

In the streets of Caracas a Communist terror campaign that has gripped the nation for 3 years continues. Troops guard strategic buildings and seal off some old sections of the city. Heavily armed policemen patrol the business district in pairs.

Dr. Betancourt expressed confidence that, despite the terrorism, national elections would be held on schedule December 1 and a new government would take office in March.

Discussing the Alliance for Progress, he said he favored greater participation by Latin-American governments.

Following are key questions and answers in the interview:

Question. Do you consider that success in carrying through the December 1 elections and installing a new government will be a decisive defeat for the Communist terror campaign? Or do you foresee a long struggle?

Answer. The fact that 92 out of every 100 persons have registered voluntarily indicates the will of the Venezuelans to go through with the elections. Hundreds of public gatherings are held daily by the presidential candidates. There are speeches over the radio and television. In none of these activities is there interference by the Government.

The other aspect of the question is whether terrorism will continue in Venezuela. This terrorist campaign is not only in Venezuela but also in Colombia and, sporadically, in other places in Latin America. This campaign is very closely connected with the international situation and the survival of the regime of Fidel Castro.

It is from Cuba that this terrorist campaign is stimulated and guided against the democratic governments of America.

Question. How much popular support do the Communists have? Is it declining or growing?

Answer. The arrests of the chiefs of the Communist Party have aroused no repercussions of protest among the people. This confirms the position of my government that the Communist Party has been reduced in Venezuela to small terrorist bands with no popular backing, no support within the movements of workers or peasants.

Question. Do you think that the Communist threat to the hemisphere is a serious one? In what ways is it most serious?

Answer. The Communist threat is real, and we cannot believe that only repressive measures against the Communists are sufficient. We must combat the poverty, the poor distribution of wealth, the antiquated structures of Latin-American economies, especially in reference to the distribution of the land.

If the Communists have been so hostile to my regime, it is not only for international reasons but also because we are carrying out the type of social action that strips the Communists of support and followers.

Labor-management relations are regulated by collective contracts that permit the workers to obtain stable salaries. Continuous efforts are being made to absorb unemployment. The Government is aggressively carrying out programs of housing.

## INTERIOR DEPARTMENT REPORTS INCREASE IN WILDLIFE RESULTING FROM RIVER DEVELOPMENT PROJECTS AND THE PERTINENCE OF FINDINGS TO THE PROPOSED DAM AT RAMPART ON THE YUKON

**Mr. GRUENING.** Mr. President, the Bureau of Reclamation issued a press release last week of great interest to those of us concerned with conservation of natural resources and protection of wildlife.

It has been found, after years of experience with construction and operation of the extensive resource development projects of the Bureau of Reclamation that the great reservoirs, canals, and related facilities built to conserve water resources and incidental to dam construction have resulted in an unexpected increase in wildlife resources. The Bureau reports that "waterfowl, upland game birds, and other game are thriving in increasing numbers" in the Columbia River Basin, San Joaquin Valley, the Lower Colorado River Basin, the Upper Colorado and Bonneville Basin, the lower Rio Grande and Arkansas River Basins and the Missouri River Basin. In all these areas there have been impressive water conservation projects that have expanded water acreage, improved weather conditions in northern breeding grounds and generally provided an enhanced environment for wildfowl.

The Bureau reports the enrichment of these areas for wildlife, as a result of its development, together with the establishment of game management projects, taking advantage of the improved land areas, means more sport for hunters—increased bag limits, extended seasons and an expanding supply of game.

The report of the Bureau of Reclamation calls special attention to Lake Powell, the partly filled reservoir now being created behind Glen Canyon Dam in northern Arizona. There will be hunting here for the first time this year. Further, the construction of Lake Powell makes accessible by boat the wilderness of southeastern Utah previously too remote to enjoy.

This good news for lovers of wildlife is of special importance just now that interest in the Great Rampart Dam on the Yukon River in Alaska is growing rapidly. The Rampart project, which would provide the free world with its most powerful source of hydroelectricity, takes on new significance as a potential conservation achievement. We who have been urging construction of Rampart for the last several years have always known it is fully justified as a water conservation project. Here, at the only site on the North American Continent where a hydroelectric power installation can be built to match the enormous dams constructed by the Soviet Union, one of which is now in production, we shall harness and use the great waters of the Yukon now flowing wastefully to the sea. It will supply electricity at the lowest cost then available under the American flag which our industries will require.

The report of the Bureau of Reclamation now points the way to an additional conservation objective of Rampart—the enhancement of the environment for wildlife. The Rampart area bids fair to become another sportsman's paradise, with its traversible reservoir—bigger than Lake Erie—that will not only improve conditions for producing wildlife, but will, as in the case of Lake Powell, make accessible wilderness areas now impossible to approach by any form of transportation.

I ask unanimous consent that the press release of the Department of Interior of October 16, 1963, Waterfowl and Game Plentiful in Reclamation Areas Throughout the West be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

### Waterfowl and Game Plentiful in Reclamation Areas Throughout the West

Field reports indicate that waterfowl, upland game birds, and other game are thriving in increasing numbers on and around the Bureau of Reclamation's farflung water conservation projects in the Western United States, the Department of the Interior reported today.

The opening of five new hunting areas connected with reclamation projects, and the expansion and improvement of many previously established areas, forecast good news and heavy game bags for sportsmen during the 1963 hunting season.

Partly filled Lake Powell, which now makes the wilderness of southeastern Utah accessible by boat for 120 miles upstream from Glen Canyon Dam, will be open to hunting for the first time. Hunting also will start on Navajo Reservoir in northern New Mexico, and on two reservoirs (Sherman and Arcadia) in Nebraska. Waterfowl hunting is expected to be good this fall at a recently established State game management area on Altus Reservoir, Okla.

In several established wildlife areas on and adjacent to reclamation projects, increasing populations of birds and other game have resulted in a lengthening of the hunting season and an increase in bag limits. Prospective hunters should check with State and local authorities for information on hunting season dates and regulations, the Department advised.

Reports received by the Bureau of Reclamation attribute the increase in birds and other game on reclamation project areas to three major factors:

The constantly expanding water acreage (reservoirs, canals, drainage ditches) that attracts migratory and resident ducks, geese and other waterfowl, and provides drinking holes for upland game birds and other game; development of irrigated farmlands which provide more feeding areas and better wildlife habitat and cover; and the establishment of reclamation-connected wildlife refuges and game management areas which offer optimum environment for birds and other game. In the case of migratory waterfowl, improved weather conditions on northern breeding grounds was also a major factor.

Particular locations where reclamation projects promise good opportunities for public hunting during the 1963 season follow:

Columbia River Basin; Reservoirs on the Boise project (Idaho-Oregon) provide nesting areas for ducks and gesse, the most popular reservoirs for hunting being Lake Lowell and Black Canyon and Cascade Reservoirs. Duck hunting is permitted in designated sections only on Lake Lowell, now included in the Deer Flat National Wildlife Refuge, where the provision of nesting places, cover, and feed has greatly enhanced hunting prospects in the surrounding areas.

Owyhee Reservoir and reservoirs on the Vale, Baker, and Burnt River projects (all in Oregon) attract considerable numbers of migratory waterfowl, but hunting pressure has been light due to the remoteness of the impoundments. The recently constructed Bully Creek Reservoir, Vale project, is more accessible and should prove to be a popular hunting area for migratory waterfowl and upland game birds.

The Rogue River Basin project (Oregon) is off the main flyway for migratory birds, but the reservoirs and canals on the project are used extensively for nesting and feeding areas by local game birds and hunting activity there is increasing yearly.

The Yakima Valley, Wash., is considered one of the top pheasant hunting areas in the State, having gained this position through the irrigation development of nearly 500,000 acres on the Yakima project. The average annual pheasant kill in the Yakima project area is approximately 120,000 birds, and about 150,000 quail are taken annually. Waterfowl hunting has been greatly enhanced by construction of irrigation waterways and the resultant drainage canals and ponds. It is estimated that from 200,000 to 250,000 ducks winter on these and adjoining areas, and that about 60,000 ducks are produced annually because of the increase of food, cover, and open water brought about by irrigation development. About 80,000 ducks are bagged annually on the Yakima project. It is expected that 1963 will be a better than average year for upland game birds and ducks.

On the Columbia Basin project (Washington) hunting prospects have been improving yearly since 1951, when irrigation releases began from Banks Lake. About 10,000 irrigable acres of land are added to the growing project each year, and the additional acres and the water to serve them continually provide more food, cover, and breeding areas for waterfowl and other wildlife.

The growth of fine hunting on the Columbia Basin project is attributable to several factors: Provision of approximately 100 bodies of water scattered across the once mostly dry region, the crops grown on irrigated lands, and wildlife management practices carried out by State and Federal agencies. The Washington Department of Game has planted over 2 million trees and shrubs in the Columbia Basin over the past 10 years and makes yearly releases of about 12,000 pheasants and 400 to 500 chukars. (Importations of chukars, an Asian partridge began in the 1940's, and the birds have successfully adapted themselves to many areas throughout the West.)

On the Columbia National Wildlife Refuge, near the center of the Columbia Basin project, hunters bagged about 8,000 ducks last hunting season. Many local farms are cooperating with the farmer-sportsmen program, and about 70,000 acres of project lands are open to hunters under hunting-by-permission arrangements.

California, southern Oregon, and western Nevada: Some of the best waterfowl hunting in California is found on four waterfowl management areas in the lower San Joaquin Valley: Los Banos and Mendota State Refuges, Merced National Wildlife Refuge, and the San Luis wasteway, a 3,000-acre Reclamation tract leased to the State. Practically all the water delivered to these areas for the flooding of waterfowl ponds is pumped from the Sacramento-San Joaquin delta by Reclamation's giant pumping plant at Tracy. The plant is a feature of the Central Valley project.

During 1962, eight reservoirs in the region (including San Luis wasteway and national wildlife refuges at Tule Lake, Lower Klamath Lake, and Clear Lake) provided resting, feeding, or nesting grounds for ducks and geese on 7,000 acres of water surface and 122,000 acres of surrounding lands. During the year, hunters took 21,500 ducks and 13,400 geese.

Pheasants are the most important upland game bird on irrigated lands in the region, with the provision of Reclamation water making a substantial contribution to the habitat of these highly prized birds, particularly on the Central Valley project, the Klamath project in Oregon-California, and on the Newlands and Humboldt projects in Nevada. California hunters took 724,600 pheasants during the 1962 season, and fish and game officials in both California and

Nevada expect increases in the pheasant population for the 1963 hunting season.

Lower Colorado River Basin: On Lake Mead and adjacent areas behind Hoover Dam, waterfowl hunting is largely confined to the Overton Wildlife Managment Area and the Virgin Arm of the lake. The acreage in improved feeding grounds for wildlife has been increased during the past year, which should result in greater numbers of pheasants, ducks, Gambel quail, and geese. Last season pheasants led the list of game birds killed in the area, with 540 being bagged.

Along the lower Colorado River, increasing numbers of Canada geese have been noted on the Bill Williams Arm. These birds are also found in the Topock Swamp Wildlife Management Area and the Havasu Lake and Imperial National Wildlife Refuges. Additional acreages planted to Bermuda grass, barley, alfalfa, and rye in the Topock Swamp, Imperial, and Havasu Lake Refuges, and Cibola Valley areas will all tend to increase the numbers of ducks and geese migrating to the Lower Colorado River during the hunting season. In the Yuma area the dove population has increased during the year, especially in the Wellton-Mohawk Valley.

Upper Colorado and Bonneville Basin: Partly filled Lake Powell, behind Glen Canyon Dam in northern Arizona, will be open to hunting this year for the first time, as will the New Mexico portion of Navajo Reservoir. No information is available yet on the effects Lake Powell will have on populations of ducks, geese, or other game birds. Hunting prospects are considered very good in the Navajo Reservoir area. Creation of this new lake, the largest body of water in northwestern New Mexico, is expected greatly to improve waterfowl hunting in the area. Funds have been appropriated for developing a waterfowl management area in the upper part of the reservoir near the Colorado State line. No hunting is to be permitted this year on the new Flaming Gorge Reservoir in northern Utah and southern Wyoming.

In Colorado, newly formed reservoirs on the Paonia, Smith Fork, and Collbran projects are used by migrating birds in the early fall, and about 100 ducks are taken annually in each reservoir area. Increases in the irrigated areas on the Paonia and Smith Fork projects are expected to result in greater harvest of upland game birds. On the Fruitgrowers Dam project, also in Colorado, about 200 ducks are bagged annually. All the foregoing are high altitude reservoirs and freeze over rather early in the season.

Over the past several years, water distribution and drainage systems on the Eden project, Wyoming, have increased acreages of grass and alfalfa, resulting in increased populations of ducks, geese, and sage grouse. The season and bag limits for sage grouse have been increased.

Due to reclamation developments, it is estimated that hunting has been improved by as much as 25 percent on the Hyrum and Newton projects, in northern Utah, and on the Preston Bench project in southeastern Idaho.

Lower Rio Grande and Arkansas River Basins: Establishment of the Washita National Wildlife Refuge on 8,094 acres in the Foss Reservoir area, Oklahoma, should result in good waterfowl hunting in the project area, although hunting will not be allowed on the refuge itself. Equally favorable waterfowl prospects are reported in the Altus Reservoir area, also Oklahoma. A State game management area has been established on a 3,530-acre section of the upper reservoir.

Missouri River Basin: The 24 reservoirs constructed by the Bureau of Reclamation in the upper Missouri watershed, together with their associated irrigated lands, provide good resting places, cover, and forage for waterfowl, upland game birds, and animals. A considerable number of ducks, especially mallards, winter in open water below these major reclamation reservoirs: Tiber and Canyon Ferry (Montana), Buffalo Bill (Montana-Wyoming), Boysen (Wyoming), and Angostura (South Dakota).

Montana authorities report that the Sun River project provides "one of the best pheasant hunting areas in the State." Duck and goose hunting in the area have been enhanced by a State game management area associated with the project. The Milk River project, which follows the Milk River Valley for some 160 road miles, provides much of the hunting potentials for people living along the northern Montana "highline."

Reclamation projects along the Yellowstone River (Wyoming-Montana), with a total irrigable area of some 150,000 acres, provide excellent habitat for pheasants and waterfowl.

The Shoshone and Riverton projects continue to provide excellent pheasant hunting every year. Development of a refuge area at Ocean Lake, fed by return flows from Riverton project lands, has increased the number of wild ducks and geese available to hunters.

Reclamation has about 120 acres of wildlife habitat plantings in the Heart Butte Reservoir area, North Dakota, and these have been instrumental in providing excellent pheasant and sharp-tailed grouse hunting.

The Angostura, Belle Fourche, and Shadehill Reservoirs, S. Dak., are resting areas for migrating waterfowl and have helped increase populations of waterfowl, pheasants, and other upland game.

Reclamation's new Sherman Reservoir and Arcadia Diversion Dam, in Nebraska's high-density upland game region, are expected to provide excellent public hunting this season.

## UNITED STATES ADHERES TO OECD FILM CODE

Mr. JAVITS. Mr. President, I am gratified to note that, following the recommendation of the Joint Labor Management Committee on Foreign Film Production of the American motion picture industry, the United States has adhered to the film code of the Organization for Economic Cooperation and Development—OECD.

Secretary Wirtz, in announcing U.S. adherence to the OECD film code, stated that this move would permit full U.S. participation in the proceedings of this OECD forum concerning motion pictures and would enable U.S. officials to work more effectively for fair competitive conditions for American-made films abroad. It is clearly essential to restore the competitive position of the U.S. film industry and to make it as attractive as possible to make films in the United States.

I ask unanimous consent to have printed in the RECORD the letter of Assistant Secretary of Labor George L-P Weaver informing me of this development and a Labor Department release explaining the significance of the U.S. adherence.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE ASSISTANT SECRETARY,
*Washington, October 15, 1963.*

The Honorable JACOB K. JAVITS,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR JAVITS: As you may recall, the Department of Labor is seeking measures to alleviate unemployment problems in the American film industry. Part of the difficulty, according to the Joint Labor-Management Committee on Foreign Film Production, stems from considerable foreign production by U.S. motion picture producers.

It was the recommendation of the Joint Labor-Management Committee that if the United States should adhere to the film code of the Organization for Economic Cooperation and Development (OECD), American film makers would have a greater voice in seeking fair competitive conditions for U.S.-made films abroad. Therefore, as one step to take in dealing with this problem, the United States will adhere to the OECD films provisions. I expect to announce this fact at a meeting with the Joint Labor-Management Committee in Hollywood on Wednesday, October 16. The attached press release, which will be issued at that meeting, explains in detail the significance of our OECD film code adherence.

I thought you would find this information useful.

Sincerely yours,
GEORGE L-P WEAVER,
*Assistant Secretary, International Affairs.*

### LABOR SECRETARY WIRTZ ANNOUNCES U.S. ADHERENCE TO OECD FILM CODE PROVISIONS

In order to deal more effectively with international questions of governmental policy affecting trade and employment in the motion picture industry, the United States has established a closer relationship with the member countries of the Organization for Economic Cooperation and Development (OECD), Secretary of Labor W. Willard Wirtz announced today.

The administration took this step by notifying the OECD at its headquarters in Paris that the United States was adhering to the organization's code of rules for international trade and financial transactions involving motion picture films.

A Joint Labor-Management Committee on Foreign Film Production of the American motion picture industry had petitioned Secretary Wirtz earlier this year to help in reducing the industry's unemployment. One of the recommendations of the joint committee was that the U.S. adhere to the OECD film code.

The joint committee attributes much of the industry's unemployment to foreign production by U.S. motion picture producers. Subsidies provided by certain European governments help to make it attractive for U.S. filmmakers to produce films within their countries.

Adherence to the OECD film code, Secretary Wirtz explained, would permit full U.S. participation in the proceedings of this OECD forum concerning motion pictures. In this way U.S. officials may work more effectively for fair competitive conditions for American-made films abroad.

The OECD's regular consultations on trade policy and liberalization of restrictions on international financial transactions provide opportunities for frank discussions among officials of member nations about the problems they share. The OECD holds periodic meetings of motion picture experts to give effect to its program of liberalization.

The OECD's rules on films constitute an annex to the Code of Liberalization of Current Invisible Operations. The OECD code sets forth obligations to remove restrictions from current international transactions and payments. The United States adhered to the main body of the code in 1961. Article 2 of the annex of the code provides that production subsidies for full-length feature films "should be abolished to the extent that they significantly distort international competition in export markets."

The terms of accession to the OECD will involve no change in American laws or regulations affecting the use of imported films, nor will they affect the treatment to which American films are entitled under the General Agreement on Tariffs and Trade (GATT).

Member countries of the 20-nation OECD include the United States, the countries of Western Europe, and Canada. Japan's accession is expected soon. The membership thus includes almost all of the world's largest producers of motion pictures.

Labor and management representatives of the American motion picture industry have held a series of meetings this year with Assistant Secretary of Labor George L-P Weaver whom Secretary Wirtz had asked to find ways for easing the industry's unemployment problems. Mr. Weaver, in turn, has brought in representatives of the Departments of State, Commerce and Treasury.

"The American motion picture industry should benefit by our country's adherence to the OECD's provision on films," Secretary Wirtz said. "We will continue our efforts on behalf of the industry."

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U.S. Department of Labor,
Office of the Assistant Secretary,
*Washington, October 15, 1963.*

Hon. Jacob K. Javits,
*U.S. Senate,*
*Washington, D.C.*

Dear Senator Javits: As you may recall, the Department of Labor is seeking measures to alleviate unemployment problems in the American film industry. Part of the difficulty, according to the Joint Labor-Management Committee on Foreign Film Production, stems from considerable foreign production by U.S. motion picture producers.

It was the recommendation of the Joint Labor-Management Committee that if the United States should adhere to the film code of the Organization for Economic Cooperation and Development (OECD), American filmmakers would have a greater voice in seeking fair competitive conditions for U.S.-made films abroad. Therefore, as one step to take in dealing with this problem, the United States will adhere to the OECD films provisions. I expect to announce this fact at a meeting with the Joint Labor-Management Committee in Hollywood on Wednesday, October 16. The attached press release, which will be issued at that meeting, explains in detail the significance of our OECD film code adherence.

I thought you would find this information useful.

Sincerely yours,
George L-P Weaver,
*Assistant Secretary,*
*International Affairs.*

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## THE NEW AMERICAN LEGION COMMANDER

**Mr. HUMPHREY.** Mr. President, on October 12, 1963, the national commander of the American Legion, Daniel F. Foley, came home to Minnesota after his election as national commander by that great organization of veterans.

At the homecoming ceremony in Minneapolis, Minn., Lt. Gen. John W. O'Daniel, U.S. Army, retired, made a stirring speech, part of which I would like to quote because of its aptness and sentiment concerning my very dear friend, Commander Foley.

General O'Daniel said:

What I know of Dan Foley as a soldier, as an active member of his community, as head of a fine family, of his participation in work for the State of Minnesota, his honesty and integrity, indicates that you of the Legion are to be congratulated upon choosing a real man as national commander of the great American Legion.

Dan Foley has the desirable qualifications as appealed for by Robert W. Service in his poem which I have changed somewhat for the occasion:

"Give us a man with the strength of a giant
A man with the scorn of the stars and a
a heart defiant
Knowledge and wisdom for our cause
uniting
A song on his lips as his sword is smiting
That the flag by his strength will be served
for wrong's quick righting
Death in our boots for some might be—
But always fighting, fighting."

You have such a man: congratulations Dan Foley. I'm glad to know you and that you are my friend.

Mr. President, this was fitting tribute from a distinguished American soldier and one that every friend of Dan Foley deeply appreciates.

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## ADDRESS BY GOVERNOR HUGHES OF NEW JERSEY BEFORE REGIONAL PLAN ASSOCIATION

**Mr. WILLIAMS** of New Jersey. Mr. President. on October 15 Gov. Richard J. Hughes, of New Jersey, presented an outstanding address to the 18th annual conference of the Regional Plan Association on the importance of governmental coordination and action at all levels to the achievement of the goals that will make our metropolitan areas good places in which to live and work.

Mr. President, in my judgment, Governor Hughes has provided outstanding leadership as Governor of the most heavily urbanized State in the Nation in helping meet city and suburban problems and in encouraging regional planning and cooperation.

I ask unanimous consent that the text of Governor Hughes' address be included in the Record at this point.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of Gov. Richard J. Hughes to 18th Annual Regional Plan Conference, New York, N.Y., October 15, 1963

As one who has followed and admired the work of the Regional Plan Association, I am particularly pleased to be here with you today. Most of you are aware of my strong advocacy of regional planning and cooperation as an eminently sensible way to approach the many interrelated problems of our urban civilization.

While experience has indicated that the public and, indeed, many public officials, continue to be skeptical when we "experts" try to tell them what is best for them, I remain an optimistic believer in the ultimate good sense of the people. In other words, I share with the members of the Regional Plan Association an abiding faith in the ability of people to make intelligent decisions when they are presented with the facts and the alternative approaches to public problems.

This requires a good deal of public education. The theme of this conference is a reflection of your belief in the efficacy of public education and your awareness that broad public support is necessary if we are to make any progress in implementing those plans and programs designed to make this metropolitan region a good place in which to live and work.

It has become commonplace to observe that the forces of urbanization transcend geographic and political boundaries. The full awareness of this fact has been slow in developing even though experience has shown that the nature of the problems preclude solutions by one municipality or one county or one State. There must be regional team efforts and with an increased recognition of the forces of urbanization, it is to be hoped that there will emerge a greater willingness for regional planning and cooperation.

New Jersey has a long record of cooperation with other States for common goals. As early as 1935, we established a commission on interstate cooperation and our participation in such joint enterprises as the Port of New York Authority and the interstate sanitation commission testify to the early recognition of the interdependence of a major part of our State with the entire port area that serves the business, industrial, and residential needs of millions of people in the New York-northeastern New Jersey metropolitan area.

We have since taken a keen interest in the activities of such interstate organizations as the Tri-State Transportation Committee and the Penn-Jersey Transportation Studies which are attempts to deal with common transportation concerns of the two metropolitan areas at either end of our State.

More recently with the emergence of the concept of the eastern seaboard megalopalis which places New Jersey at the hub of this complex, an ever greater awareness has developed in New Jersey of the challenges and potentialities of the regional concept.

As a result of this new view of New Jersey's position in the metropolitan complex plus the hard facts of our transportation problems, it became apparent that an integrated approach to our problems required a new commission, responsible directly to the Governor, with authority to develop overall transportation policy and to recommend the coordination of transportation policies and programs in the areas where the State exercises control and influence. As most of you know, I recently appointed three distinguished citizens to the New Jersey Transportation Commission and expect that it will greatly enhance our ability to work effectively with all those private and public agencies concerned with transportation problems.

Not long ago, I had the opportunity to appear before the National Resources and Power Subcommittee of the U.S. House Committee on Government Operations, as it inquired into the efforts of the various governmental agencies in the Delaware Valley in the almost endless battle against water pollution. I pointed out that New Jersey considers that the most effective approach for protecting the quality of our surface water resources is through regional programs. Such agencies as the Delaware Basin Commission, working in close cooperation with the States to assure compliance with certain minimum standards essential to an interstate basin, are ideally suited for this responsibility. And State officials can exercise controls over intrastate streams, even within a basinwide or interstate framework.

It should also be noted that New Jersey has recognized the need for regional action along its other river border, the Hudson. It is the partner of Connecticut and New York in the Interstate Sanitation Commission, the pollution control agency in the New York metropolitan area.

But I must add that our view of interstate cooperation recently received somewhat of a jolt by the recent action of our sister State of New York which would have resulted in the lowering of the standards of control so that a pure, natural stream would become a completely polluted water resource. And I am glad to say that our protest remains under consideration by the State of New York.

Attention has been focused on the regional aspects of recreation in recent months with the creation of the Tocks Island Reservoir and National Recreation Area along the upper Delaware River. Here is a further opportunity for Federal-State partnership in a conservation and outdoor recreation program that is bound to have a very substantial interstate impact. The size and character of the project offers tremendous potential in its proximity to urban concentrations. In regional impact and extent of use, it may well prove unique among Federal park facilities.

And I should mention that our Green Acres program, although mainly oriented toward intrastate needs, nevertheless will have important effects on recreation and open space uses beyond our borders. Any program of this sort which attempts to provide for the acquisition and protection of open land in a State as highly urbanized as New Jersey will have regional consequences for land use patterns. An example of this thinking is the 400-acre Liberty Park on the Jersey City waterfront which has been proposed by the State of New Jersey.

At this point I would like to comment on U.S. Senate bill 855 which has as one of its sponsors our own Senator HARRISON WILLIAMS of New Jersey. As you know, this bill would require the establishment by June, 1965, of State, metropolitan or regional planning agencies in standard metropolitan statistical areas as defined by the Bureau of the Budget. These planning groups would have to be empowered under State or local law or interstate compact to perform metropolitan or regional planning. They would be required to review and make comment on applications involving Federal funds falling within the metropolitan areas under their jurisdiction. There would be no veto power involved. The aim of the bill is to stimulate comprehensive planning on a regional basis through advisory opinions made by agencies taking a broad view of interrelated areas. S. 855 has my full support and I would hope for a speedy approval of this legislation by the Congress.

On another level, the active support of the State government is directly behind the organizations of local government officials in the New York-New Jersey regions as well as the Pennsylvania-New Jersey region. The metropolitan regional council is currently operating informally in the New York metropolitan area. It is my belief that there is a great deal of potential benefit in this organization's existence because it can serve as a much-needed vehicle for the discussion of mutual problems. Local officials can find out what needs their neighbors are faced with and how they are planning to meet them. This affords a vastly increased opportunity for areawide cooperation, while at the same time it decreases the chance of the municipalities' working at cross purposes.

A comparable organization has developed in the southern portion of our State. The Regional Council of Elected Officials in the Camden-Philadelphia metropolitan area is performing substantially the same function as the metropolitan regional council.

In discussing the responsibilities of different levels of government, we must take into account the tradition of home rule to which New Jersey, at least, has been committed since colonial times. This is a cherished principle but it can survive only if local governments are prepared to deal realistically with the problems of urban and suburban life. However, it is possible that if local governments fail to adapt to the demands of the times, then, by default, effective control could pass out of the hands of local communities.

None of us, I am sure, wants such a development. It is for this reason that we in New Jersey have a firm belief in the usefulness of regional planning. The advantages of such planning should excite the imagination of local government officials. As I had occasion to point out at a Penjerdel conference last year:

"Regional planning offers an approach to the many complex problems of urban civilization which at once maintains the initiative and responsibility in the hands of local officials and provides for an efficient distribution of resources and services."

Our efforts to develop a long-range plan and program for the New Jersey Meadows is a good example of this approach. As you may know, 13 municipalities with common interests in the Meadows along with the State of New Jersey have formed a Meadowlands Regional Development Agency looking forward to a comprehensive development program for the 15,000 acres of marsh and wetlands that occupy such a strategic position in our metropolitan area.

In recent months activity has been stepped up so that now our State and 10 municipalities in the Meadowlands Regional Development Agency have appropriated funds toward a study and plan that will spell out the most appropriate uses in the Meadows. Such a master plan, both comprehensive and long-range in character, will implement and provide a realistic framework for the U.S. Corps of Engineers' study of the feasibility of reclaiming the Meadows. If feasible, the U.S. Congress will be called upon in the near future to consider an appropriation for the reclamation works and it is therefore obvious that we must accelerate the tempo of our efforts.

We are, in addition, considering a variety of techniques for the kind of intergovernmental cooperation that will be necessary to carry forward a Meadowlands development program. You can be sure that all of these activities are viewed by us within a metropolitan context.

If the experiences of recent years have any lesson for us I hope that, at least, we have learned this: That the most fruitful approach to metropolitan problems seems to lie in all levels of Government working together with each contributing the services of which it is most capable. And I would include the services of those fine private voluntary agencies which have made such splendid contributions to planning both in concept and in organization.

The State, however, occupies a crucial position in intergovernmental cooperation. It possesses the power and authority with which it can deter undue dependence on the National Government, yet it provides organizing and financial resources beyond the scope of county or local governments. If we are to have successful regional plans and programs, there must be positive and sustained State leadership and a dedication to Government responsive to the needs of the people and the communities in which they live—Government which will act in the people's service.

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## CONTRIBUTIONS MADE BY NEGROES TO AMERICA'S GROWTH

Mr. WILLIAMS of New Jersey. Mr. President, few of us today truly know all that they should of the many contributions made by Negroes to America's growth. These contributions have been many and varied, but our textbooks and other sources of information to students have, for the most part, been less informative than they should have been.

Fortunately this deficiency has been recognized, and I would like to call the attention of the Senate today to a project begun in my State this summer. It is sponsored by two chapters of the national Alpha Kappa Alpha sorority of professional and career women and radio station WLIB in New York City. WLIB also serves the northern half of my State.

Their work was inspired by the long effort made by the National Association for the Study of American Negro Life and History. This association, located here in Washington, began a drive 48 years ago to end the old deficiencies in our understanding and knowledge. It established, for example, a library to collect memorable facts about Negroes and to disseminate this information nationally. One of its primary goals has been to persuade publishers to improve traditional grade school texts.

Last year the group had its first major success in this area. The boards of education of two metropolitan cities, New York and Newark in my own State, told these publishers they would only accept bids on new texts that had been rewritten properly to specify Negro contributions to our history.

Knowing that sales in at least two large areas were now assured, two publishers have commissioned historians to rewrite their texts. But unfortunately good books cannot be produced at short notice. As a result, though boards of education and teachers are anxious to spell out American history in its fullest light as quickly as possible, they cannot start by still using texts written as before.

Recognizing the immediate need for a better educational atmosphere, particularly during this year of climactic uniquely dedicated rights actions, the management of WLIB and Alpha Kappa Alpha developed the radio series called "Negroes of New Jersey." Two prominent members of this sorority, Dr. Myra L. Smith, a physician practicing in Vaux Hall, N.J., and Mrs. Vera McMillon, an official of the Newark Municipal Welfare Department, were spokeswomen for the Sunday broadcasts. Each week they spelled out little-known but important facts about Negroes who were pacemakers in New Jersey's growth to the eighth largest State in our land and one of its most prosperous and industrious.

Now a similar feature for New York is also scheduled by WLIB—with New York chapters of Alpha Kappa Alpha involved.

Naturally, such weekly broadcasts require large and extensive research. Twenty-five sorority members in New Jersey took time from professional and home responsibilties to devote themselves to this task.

In so doing they discovered source material widely scattered, tightly held or buried deep in State files—material so limited and difficult to find as to be most frustrating. Authoritative accounts of 18th and 19th century Negro activities, for example, could be found only in the few out-of-print works now available only to professional historians, teachers and students specially preparing these for postgraduate honors. A most definitive account of "The Underground Railway," its development, hazards encountered and overcome both by conductors and passengers and its importance in American history was written by a self-educated Negro named William Still. But only one, dry, extremely brittle copy remains today—and this is securely kept in a temperature-controlled library vault.

Broadcast material in New Jersey legislative records dating to the 1790's had to be ferreted from old books stored deeply in the cellars in our State House, Trenton. They found other information in uncollated personal letters, pamphlets, tracts and private papers and private printings that either are museum held or in closed private collections.

And, in parallel with their Still book experience, they also found 13 other texts that, were they generally available, would increase understanding about the Negro for all of us.

From these research tasks has stemmed the collateral project to which I referred earlier—a drive to get thousands of these texts reprinted for general distribution to school and municipal libraries.

The sorority and radio station WLIB sincerely believe general availability of such literature for general readership and study would overcome and override many of the blocks and hurdles now handicapping and limiting progress in establishing equal rights for all.

In this way they feel, too, the understanding and comprehension so essential to gain the equal respect Negroes seek so avidly would be theirs more swiftly and effectively.

I concur in this belief. Even though new texts do become available to our impressionable grade-school youngsters by next year, the need would still exist for more detailed outlines of specific case histories of individual heroisms, ingenuities, educational advancements, and genuine leaderships with which Negroes have established their own marks in New Jersey's growth and heritage patterns.

This is a most worthy project. I commend it highly to your attention—the entire project from initial educational broadcasts to reprint aftermaths. I should like to compliment, too, the Alpha Kappa Alpha sorority sisters, their two broadcast spokeswomen, Dr. Smith and Mrs. McMillon, radio station WLIB and its general manager, Harry Novik, and any others involved in this vigorous and monumental effort.

The American Negro himself has been a vigorous, progressive force in our history, dating from the colonial days of the early 1700's. His contributions deserve detailing in fullest measure and correct perspective so that his dignity as a man and his proved responsibility as a citizen can be acknowledged.

Whatever official weight we lend personally to this or similar projects are efforts pointed in the proper direction.

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## THE UNITED STATES A CHRISTIAN NATION

Mr. ROBERTSON. Mr. President, the Supreme Court of the United States has in recent months rendered decisions in three school prayer cases which are very disturbing to all of us who believe that we were founded as a Christian nation and do not wish to see that faith destroyed.

The first was a decision last year in the case of Engel against Vitale.

In that case the Supreme Court decided by a 6-to-1 majority that the daily recitation of a short prayer by New York schoolchildren was unconstitutional as violative of the 1st and 14th amendments of the Constitution.

This short nondenominational prayer contained the following words:

> Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country.

The State Board of Regents of New York, which wrote the prayer, recommended that each school board in the State adopt this prayer, although the school boards were not required to do so. Participation by the student was entirely voluntary. Any student could remain completely mute, or, with the permission of his parent or guardian, be excused from class during the prayer.

The Court held that the procedure violated the 1st amendment of the Constitution which declares that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof" as made applicable to the States by virtue of the 14th amendment. Mr. Justice Black stated in his opinion:

> It is no part of the business of the Government to compose official prayers for any group of the American people to recite as a part of the religious program carried on by government.

*School District of Abington Township, Pennsylvania* v. *Schempp & Murray* v. *Curlett*, 374 U.S. 203 (1963): On June 17 of this year, the Supreme Court struck down, as unconstitutional, statutes of both Pennsylvania and Maryland requiring that there should be Bible reading, or in Maryland, as an alternative, the Lord's Prayer, without comment, at the beginning of each public school day. Any child could be excused at the written request of his parent or guardian.

The Court held that the Government must be completely neutral with regard to religion. It must neither aid nor hinder religious activity in any respect. Mr. Justice Clark summed up the Court's viewpoint on page 19 of his opinion:

> The test may be stated as follows: What are the purposes and the primary effect of the enactment? If either is the advancement or inhibition of religion then the enactment exceeds the scope of legislative power as circumscribed by the Constitution.

***Chamberlin* v. *Dade County Board of Public Instruction*, 374 U.S. 487 (1963):** Recently, a lower Florida State court held that the observance of religious holidays, such as Christmas, and Easter by pageants and plays at public schools, were contrary to the provisions of the Constitution. These celebrations were characterized as religious teachings on school property, and their further continuation was prohibited.

No appeal on this issue appears to have been taken from the lower Florida court, and there is no discussion of the issue in the Florida Supreme Court or in the U.S. Supreme Court.

The case also involved Bible readings. The Florida Supreme Court held that such readings were constitutional, but the U.S. Supreme Court reversed the Florida decision relying on Murray against Curlett.

Parker Against Board of Education: We are advised that a case is now pending before the Los Angeles Superior Court where the petitioner, a public school teacher, challenges the right of the local School Board to compel him to repeat the words, "Under God," in the pledge of allegiance to the United States.

The U.S. Supreme Court has not yet been called upon to make a decision in connection with this particular point.

Immediately after the decision in the Pennsylvania and Maryand cases, I said on the floor of the Senate:

> The decision announced on Monday of the U.S. Supreme Court in the prayer cases from Pennsylvania and Maryland is so long, so involved, and so contradictory, it is difficult to accurately appraise what it actually means. Of course, it carries forward the two basic errors of the New York prayer case of last year, namely, a misinterpretation of the meaning of the words "establishment of religion" and the application of the due process clause of the 14th amendment to State laws on the subject of prayers in public schools.
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> As I pointed out last year, and as my distinguished colleague from Georgia [Mr. TALMADGE] so effectively pointed out on the NBC television program last Monday night, what Jefferson, Madison, and other advocates of separation of church and state complained of in colonial days was the maintenance by taxation of an official State religion. In Virginia, it was the Church of England. There can be no doubt about the fact that when Madison framed the first amendment and used the words "establishment of religion," he used them in the sense that everybody in his day and time used that phrase, mainly to designate a religious institution commonly called a church. That interpretation was concurred in by the Congress which shortly after the adoption of the first amendment voted to employ chaplains for the House and Senate and for the Armed Forces. Needless to say, the authority under the first amendment to spend taxpayers' money to employ a minister to offer official prayers in the House and Senate was challenged on the ground that it violated the first amendment. By a very substantial majority, the Congress voted against that contention.
>
> Of course, logic is reduced to a farce when the Supreme Court holds that if a schoolchild reads a sentence from the Bible or the class joins in the recitation of the Lord's Prayer, and attendance at such exercises is not compulsory, it is an exercise of religion which amounts to the establishment of a religious institution, namely, a church, but when taxpayers' money is appropriated for the employment of a minister who, under the law is required to offer a prayer at the opening each day of both House and Senate, that is not a religious exercise but simply a ceremony.
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> What I wish to point out today is, first, the Court has continued to misconstrue the meaning of the first amendment, and, secondly, it has continued to abuse the due process clause of the 14th amendment by applying it to State laws relating to school prayers just as it abused it when it was applied to the question of segregation in public schools.

Mr. President, it pleased me today to find in the U.S. News & World Report, one of the finest and best-edited weekly magazines in the Nation, excerpts from the remarkable speech delivered at Haverford College, in 1905, by Mr. Justice David J. Brewer of the U.S. Supreme Court, entitled, "The United States a Christian Nation." In presenting excerpts from that speech, to his readers, the distinguished editor, David Lawrence, said:

> Atheism a few months ago scored its biggest triumph when the Supreme Court of the United States was persuaded to forbid prayer in public schools. Was this judicial evolution? Has the attitude of the American people toward the importance of the Judeo-Christian concept as a paramount factor in American life undergone any change? Are the Ten Commandments obsolete just because of the passage of time? Shall we see more evolution now, such as a Court order to remove the word "God" from the pledge of allegiance to the flag? Is voluntary prayer by a majority in the schoolroom to be tabooed by the Court because a minority is unwilling to let other pupils pray?
>
> Congress is forbidden by the Constitution to pass any law prohibiting the "free exercise" of religion. But has the Supreme Court the right to limit the "free exercise" of religion?
>
> Such questions may be left to the reader to answer for himself after examining the extracts quoted below from a lecture at Haverford College entitled "The United States a Christian Nation." It was delivered by a Supreme Court Justice in 1905.

Mr. President, I have been able to secure the full text of Mr. Justice Brewer's Haverford College address and ask unanimous consent that it may be printed in the RECORD, at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### THE UNITED STATES A CHRISTIAN NATION

We classify nations in various ways, as, for instance, by their form of government. One is a kingdom, another an empire, and still another a republic. Also by race. Great Britain is an Anglo-Saxon nation, France a Gallic, Germany a Teutonic, Russia a Slav. And still again by religion. One is a Mohammedan nation, others are heathen, and still others are Christian nations.

This Republic is classified among the Christian nations of the world. It was so formally declared by the Supreme Court of the United States. In the case of *Holy Trinity Church* v. *United States*, 143 U.S. 471, that Court, after mentioning various circumstances, added, "These and many other matters which might be noticed, add a volume of unofficial declarations to the mass of organic utterances that this is a Christian nation."

But in what sense can it be called a Christian nation? Not in the sense that Christianity is the established religion or that the people are in any manner compelled to support it. On the contrary, the Constitution specifically provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Neither is it Christian in the sense that all its citizens are either in fact or name Christians. On the contrary, all religions have free scope within our borders. Numbers of our people profess other religions, and many reject all. Nor is it Christian in the sense that a profession of Christianity is a condition of holding office or otherwise engaging in the public service, or essential to recognition either politically or socially. In fact the government as a legal organization is independent of all religions.

Nevertheless, we constantly speak of this Republic as a Christian nation—in fact, as the leading Christian nation of the world. This popular use of the term certainly has significance. It is not a mere creation of the imagination. It is not a term of derision but has a substantial basis—one which justifies its use. Let us analyze a little and see what is the basis.

Its use has had from the early settlements on our shores and still has an official foundation. It is only about three centuries since the beginnings of civilized life within the limits of these United States. And those beginnings were in a marked and marvelous degree identified with Christianity. The commission from Ferdinand and Isabella to Columbus recites that "it is hoped that by God's assistance some of the continents and islands in the ocean will be discovered." The first colonial grant, that made to Sir Walter Raleigh, in 1584, authorized him to enact statutes for the government of the proposed colony, provided that "they be not against the true Christian faith now professed in the Church of England." The first charter of Virginia, granted by King James I, in 1606, after reciting the application of certain parties for a charter, commenced the grant in these words: "We, greatly commending, and graciously accepting of, their desires for the furtherance of so noble a work, which may, by the providence of Almighty God, hereafter tend to the glory of His Divine Majesty, in propagating the Christian religion to such people as yet live in darkness and miserable ignorance of the true knowledge and worship of God." And language of similar import is found in subsequent charters of the same colony, from the same king, in 1609, and 1611. The celebrated compact made by the Pilgrims on the *Mayflower*, in 1620, recites: "Having undertaken for the glory of God and advancement of the Christian faith and the honor of our king and country a voyage to plant the first colony in the northern parts of Virginia."

The charter of New England, granted by James I, in 1620, after referring to a petition, declares: "We, according to our princely inclination, favoring much their worthy disposition, in hope thereby to advance the enlargement of Christian religion, to the glory of God Almighty."

The charter of Massachusetts Bay, granted in 1629 by Charles I, after several provisions, recites: "Whereby our said people, inhabitants there, may be so religiously, peaceably and civilly governed as their good life and orderly conversation may win and incite the natives of the country to their knowledge and obedience of the only true God and Saviour of mankind, and the Christian faith, which in our royal intention and the adventurers free profession, is the principal end of this plantation," which declaration was substantially repeated in the charter of Massachusetts Bay granted by William and Mary, in 1691.

The fundamental orders of Connecticut, under which a provisional government was instituted in 1638–39, provided: "Forasmuch as it has pleased the Almighty God by the wise disposition of His divine providence so to order and dispose of things that we, the inhabitants and residents of Windsor, Hartford and Wethersfield, are now cohabitating and dwelling in and upon the River of Connecticut and the lands thereto adjoining; and well knowing where a people are gathered together the word of God requires that to maintain the peace and union of such a people there should be an orderly and decent government established according to God, to order and dispose of the affairs of the people at all seasons as occasion shall require; do therefore associate and conjoin ourselves to be as one public state or commonwealth; and do for ourselves and our successors and such as shall be adjoined to us at any time hereafter enter into combination and confederation together to maintain and preserve the liberty and purity of the gospel of our Lord Jesus which we now profess, as also the discipline of the churches, which, according to the truth of the said Gospel, is now practiced amongst us." In the preamble of the Constitution of 1776 it was declared, "the free fruition of such liberties and privileges as humanity, civility and Christianity call for, as is due to every man in his place and proportion, without impeachment and infringement, hath ever been, and will be the tranquility and stability of churches and commonwealths; and the denial thereof, the disturbance, if not the ruin of both."

In 1638 the first settlers in Rhode Island organized a local government by signing the following agreement:

"We whose names are underwritten do here solemnly in the presence of Jehovah incorporate ourselves into a Bodie Politick and as He shall help, will submit our persons, lives and estates unto our Lord Jesus Christ, the King of Kings and the Lord of Lords and to all those perfect and most absolute laws of His given us in His holy word of truth, to be guided and judged thereby." (Exodus 24: 3, 4; II Chronicles 11: 3; II Kings 11: 17.)

The charter granted to Rhode Island, in 1663, naming the petitioners, speaks of them as "pursuing, with peaceable and loyal minds, their sober, serious and religious intentions, of godly edifying themselves and one another in the holy Christian faith and worship as they were persuaded; together with the gaining over and conversion of the poor, ignorant Indian natives, in these parts of America, to the sincere profession and obedience of the same faith and worship."

The charter of Carolina, granted in 1663 by Charles II, recites that the petitioners, "being excited with a laudable and pious zeal for the propagation of the Christian faith."

In the preface of the frame of government prepared in 1682 by William Penn, for Pennsylvania, it is said: "They weakly err, that think there is no other use of government than correction, which is the coarsest part of it; daily experience tells us that the care and regulation of many other affairs, more soft, and daily necessary, make up much of the greatest part of government; and which must have followed the peopling of the world, had Adam never fell, and will continue among men, on earth, under the highest attainments they may arrive at, by the coming of the blessed second Adam, the Lord from heaven." And with the laws prepared to go with the frame of government, it was further provided "that according to the good example of the primitive Christians, and the ease of the creation, every first day of the week, called the Lord's Day, people shall abstain from their common daily labor that they may the better dispose themselves to worship God according to their understandings."

In the charter of privileges granted, in 1701, by William Penn to the province of Pennsylvania and territories thereunto belonging (such territories afterwards constituting the State of Delaware), it is recited: "Because no people can be truly happy, though under the greatest enjoyment of civil liberties, if abridged of the freedom of their consciences as to their religious profession and worship; and Almighty God being the only Lord of Conscience, Father of Lights and Spirits, and the author as well as object of all divine knowledge, faith and worship, who only doth enlighten the minds and persuade and convince the understandings of the people, I do hereby grant and declare."

The Constitution of Vermont, of 1777, granting the free exercise of religious worship, added, "Nevertheless, every sect or denomination of people ought to observe the Sabbath, or the Lord's Day, and keep up and support some sort of religious worship, which to them shall seem most agreeable to the revealed will of God." And this was repeated in the Constitution of 1786.

In the Constitution of South Carolina, of 1778, it was declared that "the Christian Protestant religion shall be deemed and is hereby constituted and declared to be the established religion of this State." And further, that no agreement or union of men upon pretense of religion should be entitled to become incorporated and regarded as a church of the established religion of the State, without agreeing and subscribing to a book of five articles, the third and fourth of which were "that the Christian religion is the true religion; that the holy scriptures of the Old and New Testament are of divine inspiration, and are the rule of faith and practice."

Passing beyond these declarations which are found in the organic instruments of the colonies, the following are well-known historical facts: Lord Baltimore secured the charter for a Maryland colony in order that he and his associates might continue their Catholic worship free from Protestant persecution. Roger Williams, exiled from Massachusetts because of his religious views, established an independent colony in Rhode Island. The Huguenots, driven from France by the Edict of Nantes, sought in the more southern colonies a place where they could live in the enjoyment of their Huguenot faith. It is not exaggeration to say that Christianity in some of its creeds was the principal cause of the settlement of many of the colonies, and cooperated with business hopes and purposes in the settlement of others. Beginning in this way and under these influences it is not strange that the colonial life had an emphatic Christian tone.

From the very first efforts were made, largely it must be conceded by Catholics, to bring the Indians under the influence of Christianity. Who can read without emotion the story of Marquette, and others like him, enduring all perils and dangers and toiling through the forests of the West in their efforts to tell the story of Jesus to the savages of North America?

Within less than 100 years from the landing at Jamestown three colleges were established in the colonies: Harvard in Massachusetts, William and Mary in Virginia, and Yale in Connecticut. The first seal used by Harvard College had as a motto, "In Christi Gloriam," and the charter granted by Massachusetts Bay contained this recital: "Whereas, through the good hand of God many well devoted persons have been and daily are moved and stirred up to give and bestow sundry gifts * * * that may conduce to the education of the English and Indian youth of this country, in knowledge and godliness." The charter of William and Mary, reciting that the proposal was "to the end that the church of Virginia may be furnished with a seminary of ministers of the gospel, and that the youth may be piously educated in good letters and manners, and that the Christian faith may be propagated amongst the western Indians, to the glory of Almighty God" made the grant "for propagating the pure gospel of Christ, our only Mediator, to the praise and honor of Almighty God." The charter of Yale declared as its purpose to fit "young men for public employment both in church and civil state," and it provided that the trustees should be Congregational ministers living in the colony.

In some of the colonies, particularly in New England, the support of the church was a matter of public charge, even as the common schools are today. Thus the constitution of Massachusetts, of 1780, part I, article 3, provided that "the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic or religious societies to make suitable provision at their own expense for the institution of the public worship of God and for the support and maintenance of Protestant teachers of piety, religion and morality in all cases where such provision shall not be made voluntarily."

Article 6 of the bill of rights of the constitution of New Hampshire, of 1784, repeated in the constitution of 1792, empowered "the legislature to authorize from time to time, the several towns, parishes, bodies corporate, or religious societies within this State, to make adequate provision at their own expense for the support and maintenance of public Protestant teachers of piety, religion and morality." In the fundamental constitutions of 1769, prepared for the Carolinas, by the celebrated John Locke, article 96 reads: "As the country comes to be sufficiently planted and distributed into fit divisions, it shall belong to the parliament to take care for the building of churches, and the public maintenance of divines to be employed in the exercise of religion according to the Church of England, which being the only true and orthodox and the national religion of all the King's dominions, is so also of Carolina, and, therefore, it alone shall be allowed to receive public maintenance by grant of parliament."

In Maryland, by the constitution of 1776, it was provided that "the legislature may, in their discretion, lay a general and equal tax for the support of the Christian religion."

In several colonies and States a profession of the Christian faith was made an indispensable condition to holding office. In the frame of government for Pennsylvania, prepared by William Penn, in 1683, it was provided that "all treasurers, judges * * * and other officers * * * and all members elected to serve in provincial council and general assembly, and all that have right to elect such members, shall be such as profess faith in Jesus Christ." And in the charter of privileges for that colony, given in 1701 by William Penn and approved by the colonial assembly it was provided "that all persons who also profess to believe in Jesus Christ, the Saviour of the World, shall be capable * * * to serve this government in any capacity, both legislatively and executively."

In Delaware, by the constitution of 1776, every officeholder was required to make and subscribe the following declaration: "I, A. B., do profess faith in God the Father, and in Jesus Christ His Only Son, and in the Holy Ghost, one God, blessed forevermore; and I do acknowledge the Holy Scriptures of the Old and New Testament to be given by divine inspiration."

New Hampshire, in the constitutions of 1784 and 1792, required that Senators and Representatives should be of the "Protestant religion," and this provision remained in force until 1877.

The fundamental constitutions of the Carolinas declared: "No man shall be permitted to be a freeman of Carolina, or to have any estate or habitation within it that doth not acknowledge a God, and that God is publicly and solemnly to be worshipped."

The constitution of North Carolina, of 1776, provided: "That no person who shall deny the being of God or the truth of the Protestant religion, or the divine authority either of the Old or New Testaments, or who shall hold religious principles incompatible with the freedom and safety of the State, shall be capable of holding any office or place of trust or profit in the civil department within this State." And this remained in force until 1835, when it was amended by changing the word "Protestant" to "Christian," and as so amended remained in force until the constitution of 1868. And in that constitution among the persons disqualified for office were "all persons who shall deny the being of Almighty God."

New Jersey, by the constitution of 1776, declared "that no Protestant inhabitant of this colony shall be denied the enjoyment of any civil right merely on account of his religious principles, but that all persons professing a belief in the faith of any Protestant sect, who shall demean themselves peaceably under the government as hereby established, shall be capable of being elected into any office or profit or trust, or being a member of either branch of the legislature."

The constitution of South Carolina, of 1776, provided that no person should be eligible to the senate or house of representatives "unless he be of the Protestant religion."

Massachusetts, in its constitution of 1780, required from governor, lieutenant governor, councillor, senator, and representative before proceeding to execute the duties of his place or office a declaration that "I believe the Christian religion, and have a firm persuasion of its truth."

By the fundamental orders of Connecticut the Governor was directed to take an oath to "further the execution of justice according to the rule of God's word; so help me God, in the name of the Lord Jesus Christ."

The Vermont Constitution of 1777 required of every member of the house of representatives that he take this oath: "I do believe in one God, the creator and governor of the universe, the rewarder of the good and punisher of the wicked, and I do acknowledge the scriptures of the Old and New Testaments to be given by divine inspiration, and own and profess the Protestant religion." A similar requirement was provided by the constitution of 1786.

In Maryland, by the constitution of 1776, every person appointed to an office of profit or trust was not only to take an official oath of allegiance to the State, but also to "subscribe a declaration of his belief in the Christian religion." In the same State, in the constitution of 1851, it was declared that no other test or qualification for admission to any office of trust or profit shall be required than the official oath "and a declaration of belief in the Christian religion; and if the party shall profess to be a Jew the declaration shall be of his belief in a future state of rewards and punishments." As late as 1864 the same State in its constitution had a similar provision, the change being one merely of phraseology, the provision reading, "a declaration of belief in the Christian religion, or of the existence of God, and in a future state of rewards and punishments."

Mississippi, by the constitution of 1817, provided that "no person who denies the being of God or a future state of rewards and punishments shall hold any office in the civil department of the State."

Another significant matter is the recognition of Sunday. That day is the Christian Sabbath, a day peculiar to that faith, and known to no other. It would be impossible within the limits of a lecture to point out all the ways in which that day is recognized. The following illustrations must suffice: By the U.S. Constitution the President is required to approve all bills passed by Congress. If he disapproves he returns it with his veto. And then specifically it is provided that if not returned by him within 10 days, "Sundays excepted," after it shall have been presented to him it becomes a law. Similar provisions are found in the constitutions of most of the States, and in 36 out of 45 is the same expression, "Sundays excepted."

Louisiana is one of the nine States in whose present constitution the expression, "Sundays excepted," is not found. Four earlier constitutions of that State (those of 1812, 1845, 1852, and 1864) contained, while the three later ones, 1868, 1879, and 1881, omit those words. In *State ex rel.* v. *Secretary of State*, a case arising under the last constitution, decided by the Supreme Court of Louisiana (52 La. An. 936), the question was presented as to the effect of a Governor's veto which was returned within time if a Sunday intervening between the day of presentation of the bill and the return of the veto was excluded, and too late if it was included; the burden of the contention on the one side being that the change in the phraseology of the later constitutions in omitting the words "Sundays excepted" indicated a change in the meaning of the constitutional provision in respect to the time of a veto. The court unanimously held that the Sunday was to be excluded. In the course of its opinion it said (p. 944):

"In law Sundays are generally excluded as days upon which the performance of any act demanded by the law is not required. They are held to be dies non juridici.

"And in the Christian world Sunday is regarded as the 'Lord's Day,' and a holiday—a day of cessation from labor.

"By statute, enacted as far back as 1838, this day is made in Louisiana one of 'public rest.' (Rev. Stat., sec. 522; Code of Practice, 207, 763.)

"This is the policy of the State of long standing and the framers of the constitution are to be considered as intending to conform to the same."

By express command of Congress studies are not pursued at the Military or Naval Academies, and distilleries are prohibited from operation on Sundays, while chaplains are required to hold religious services once at least on that day.

By the English statute of 29 Charles II, no tradesman, artificer, workman, laborer, or other person was permitted to do or exercise any worldly labor, business or work of ordinary calling upon the Lord's Day, or any part thereof, works of necessity or charity only excepted. That statute, with some variations, has been adopted by most if not all the States of the Union. In Massachusetts it was held that one injured while traveling in the cars on Sunday, except in case of necessity or charity, was guilty of contributory negligence and could recover nothing from the railroad company for the injury he sustained. And this decision was affirmed by the Supreme Court of the United States. A statute of the State of Georgia, making the running of freight trains on Sunday a misdemeanor, was also upheld by that Court. By decisions in many States a contract made on Sunday is invalid and cannot be enforced. By the general course of decision no judicial proceedings can be held on Sunday. All legislative bodies, whether municipal, State, or National, abstain from work on that day. Indeed, the vast volume of official action, legislative and judicial, recognizes Sunday as a day separate and apart from the others, a day devoted not to the ordinary pursuits of life. It is true in many of the decisions this separation of the day is said to be authorized by the police power of the State and exercised for purposes of health. At the same time, through a large majority of them, there runs the thought of its being a religious day, consecrated by the Commandment: "Six days shalt thou labor, and do all thy work: but the seventh day is the Sabbath of the Lord thy God; in it thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor the stranger that is within thy gates."

While the word "God" is not infrequently used both in the singular and plural to denote any supreme being or beings, yet when used alone and in the singular number it generally refers to that Supreme Being spoken of in the Old and New Testaments and worshiped by Jew and Christian. In that sense the word is used in constitution, statute, and instrument. In many State constitutions we find in the preamble a declaration like this: "Grateful to Almighty God." In some he who denied the being of God was disqualified from holding office. It is again and again declared in constitution and statute that official oaths shall close with an appeal, "So help me, God." When, upon inauguration, the President-elect each 4 years consecrates himself to the great responsibilities of Chief Executive of the Republic, his vow of consecration in the presence of the vast throng filling the Capitol Grounds will end with the solemn words, "So help me, God." In all our courts witnesses in like manner vouch for the truthfulness of their testimony. The common commencement of wills is "In the name of God, Amen." Every foreigner attests his renunciation of allegiance to his former sovereign and his acceptance of citizenship in this Republic by an appeal to God.

These various declarations in charters, constitutions and statutes indicate the general thought and purpose. If it be said that similar declarations are not found in all the charters or in all the constitutions, it will be borne in mind that the omission oftentimes was because they were deemed unnecessary, as shown by the quotation just made from the opinion of the Supreme Court of Louisiana, as well as those hereafter taken from the opinions of other courts. And further, it is of still more significance that there are no contrary declarations. In no charter or constitution is there anything to even suggest that any other than the Christian is the religion of this country. In none of them is Mohammed or Confucius or Buddha in any manner noticed. In none of them is Judaism recognized other than by way of toleration of its special creed. While the separation of church and state is often affirmed, there is nowhere a repudiation of Christianity as one of the institutions as well as benedictions of society. In short, there is no charter or constitution that is either infidel, agnostic or anti-Christian. Wherever there is a declaration in favor of any religion it is of the Christian. In view of the multitdue of expressions in its favor, the avowed separation between church and state is a most satisfactory testimonial that it is the religion of this country, for a peculiar thought of Christianity is of a personal religion between man and his Maker, uncontrolled by and independent of human government.

Notice also the matter of chaplains. These are appointed for the Army and Navy, named as officials of legislative assemblies, and universally they belong to one or other of the Christian denominations. Their whole range of service, whether in prayer or preaching, is an official recognition of Christianity. If it be not so, why do we have chaplains?

If we consult the decisions of the courts, although the formal question has seldom been presented because of a general recognition of its truth, yet in *The People* v. *Ruggles*, 8 John 290, 294, 295, Chancellor Kent, the great commentator on American law, speaking as chief justice of the Supreme Court of New York, said: "The People of this State, in common with the people of this country, profess the general doctrines of Christianity, as the rule of their faith and practice." And in the famous case of *Vidal* v. *Girard's Executors*, 2 How. 127, 198, the Supreme Court of the United States, while sustaining the will of Mr. Girard, with its provision for the creation of a college into which no minister should be permitted to enter, observed: "It is also said, and truly, that the Christian religion is a part of the common law of Pennsylvania."

The New York Supreme Court, in *Lindenmuller* v. *The People*, 33 Barbour, 561, held that:

"Christianity is not the legal religion of the State, as established by law. If it were, it would be civil or political institution, which it is not; but this is not inconsistent with the idea that it is in fact, and ever has been, the religion of the people. This fact is everywhere prominent in all our civil and political history, and has been, from the first, recognized and acted upon by the people, as well as by constitutional conventions, by legislatures, and by courts of justice."

The South Carolina Supreme Court, in *State* v. *Chandler*, 2 Harrington, 555, citing many cases, said:

"It appears to have been long perfectly settled by the common law that blasphemy against the Deity in general, or a malicious and wanton attack against the Christian religion individually, for the purpose of exposing its doctrines to contempt and ridicule, is indictable and punishable as a temporal offense."

And again, in *City Council* v. *Benjamin*, 2 Strobhart, 521:

"On that day we rest, and to us it is the Sabbath of the Lord—its decent observance in a Christian community is that which ought to be expected.

"It is not perhaps necessary for the purposes of this case to rule and hold that the Christian religion is part of the common law of South Carolina. Still it may be useful to show that it lies at the foundation of even the article of the Constitution under consideration, and that upon it rest many of the principles and usages, constantly acknowledged and enforced, in the courts of justice."

The Pennsylvania Supreme Court, in *Updegraph* v. *The Commonwealth*, 11 Sergeant and Rawle, 400, made this declaration:

"Christianity, general Christianity, is, and always has been, a part of the common law of Pennsylvania; Christianity, without the spiritual artillery of European countries; for this Christianity was one of the considerations of the royal charter, and the very basis of its great founder, William Penn; not Christianity founded on any particular religious tenets; not Christianity with an established church, and tithes, and spiritual courts; but Christianity with liberty of conscience to all men."

And subsequently, in *Johnson* v. *The Commonwealth*, 10 Harris, 111:

"It is not our business to discuss the obligations of Sunday any further than they enter into and are recognized by the law of the land. The common law adopted it, along with Christianity, of which it is one of the bulwarks."

In *Arkansas*, *Shover* v. *The State*, 10 English, 263, the Supreme Court said:

"Sunday or the Sabbath is properly and emphatically called the Lord's Day, and is one amongst the first and most sacred institutions of the Christian religion. This system of religion is recognized as constituting a part and parcel of the common law, and as such all of the institutions growing out of it, or, in any way, connected with it, in case they shall not be found to interfere with the rights of conscience, are entitled to the most profound respect, and can rightfully claim the protection of the lawmaking power of the State."

The Supreme Court of Maryland, in *Judefind* v. *The State*, 78 Maryland, 514, declared:

"The Sabbath is emphatically the day of rest, and the day of rest here is the Lord's Day or Christian's Sunday. Ours is a Christian community, and a day set apart as the day of rest is the day consecrated by the resurrection of our Saviour, and embraces the 24 hours next ensuing the midnight of Saturday. But it would scarcely be asked of a court, in what professes to be a Christian land, to declare a law unconstitutional because it requires rest from bodily labor on Sunday (except works of necessity and charity) and thereby promotes the cause of Christianity."

If now we pass from the domain of official action and recognition to that of individual acceptance, we enter a field of boundless extent, and I can only point out a few of the prominent facts:

Notice our educational institutions. I have already called your attention to the provisions of the charters of the first three colleges. Think of the vast number of academies, colleges and universities scattered through the land. Some of them, it is true, are under secular control, but there is yet to be established in this country one of those institutions founded on the religions of Confucius, Buddha or Mohammed, while an overwhelming majority are under the special direction and control of Christian teachers.

Notice also the avowed and pronounced Christian forces of the country, and here I must refer to the census of 1890, for the statistics of the census of 1900 in these matters have not been compiled: The population was 62,622,000. There were 165,000 Christian church organizations, owning 142,000 buildings, in which were sittings for 40,625,000 people. The communicants in these churches numbered 20,476,000, and the value of the church property amounted to $669,876,000. In other words, about one-third of the entire population were directly connected with Christian organizations. Nearly two-thirds would find seats in our churches. If to the members we add the children and others in their families more or less connected with them, it is obvious that a large majority were attached to the various church organizations. I am aware that the relationship between many members and their churches is formal, and that church relations do not constitute active and paramount forces in their lives, and yet it is clear that there is an identification of the great mass of American citizens with the Christian church. It is undoubtedly true that there is no little complaint of the falling off in church attendance, and of a lukewarmness on the part of many, and on the other hand there is a diversion of religious force along the lines of the Young Men's Christian Association, the Christian Endeavor Society, and the Epworth League. All these, of course, are matters to be noticed, but they do not avoid the fact of a formal adhesion of the great majority of our people to the Christian faith; and while creeds and dogmas and denominations are in a certain sense losing their power, and certainly their antagonisms, yet as a vital force in the land, Christianity is still the mighty factor. Connected with the denominations are large missionary bodies constantly busy in extending Christian faith through this Nation and through the world. No other religious organization has anything of a foothold or is engaged in active work unless it be upon so small a scale as scarcely to be noticed in the great volume of American life.

Again, the Bible is the Christian's book. No other book has so wide a circulation, or is so universally found in the households of the land. During their century of existence the English and American Bible societies have published and circulated 250 million copies, and this represents but a fraction of its circulation. And then think of the multitude of volumes published in exposition, explanation and illustration of that book, or some portion of it.

You will have noticed that I have presented no doubtful facts. Nothing has been stated which is debatable. The quotations from charters are in the archives of the several States; the laws are on the statute books; judicial opinions are taken from the official reports; statistics from the census publications. In short, no evidence has been presented which is open to question.

I could easily enter upon another line of examination. I could point out the general trend of public opinion, the disclosures of purposes and beliefs to be found in letters, papers, books, and unofficial declarations. I could show how largely our laws and customs are based upon the laws of Moses and the teachings of Christ; how constantly the Bible is appealed to as the guide of life and the authority in questions of morals; how the Christian doctrines are accepted as the great comfort in times of sorrow and affliction, and fill with the light of hope the services for the dead. On every hilltop towers the steeple of some Christian church, while from the marble witnesses in God's acre comes the universal but silent testimony to the common faith in the Christian doctrine of the resurrection and the life hereafter.

But I must not weary you. I could go on indefinitely, pointing out further illustrations both official and nonofficial, public and private; such as the annual Thanksgiving proclamations, with their following days of worship and feasting; announcements of days of fasting and prayer; the universal celebration of Christmas; the gathering of millions of our children in Sunday Schools, and the countless volumes of Christian literature, both prose and poetry. But I have said enough to show that Christianity came to this country with the first colonists; has been powerfully identified with its rapid development, colonial and national, and today exists as a mighty factor in the life of the republic. This is a Christian nation, and we can all rejoice as truthfully we repeat the words of Leonard Bacon:

"O God, beneath thy guiding hand
  Our exiled fathers crossed the sea,
And when they trod the wintry strand,
  With prayer and psalm they worshiped Thee.
"Thou heardst, well pleased, the song, the prayer—
  Thy blessing came; and still its power
Shall onward through all ages bear
  The memory of that holy hour.
"Laws, freedom, truth, and faith in God
  Came with those exiles o'er the waves,
And where their pilgrim feet have trod,
  The God they trusted guards their graves.
"And here Thy name, O God of love,
  Their children's children shall adore,
Till these eternal hills remove,
  And spring adorns the earth no more."

## AMERICAN BAR FOUNDATION PRIZE CONSTITUTIONAL LAW ESSAY

**Mr. ERVIN.** Mr. President, each year the American Bar Foundation sponsors the Samuel Pool Weaver Constitutional Law Essay Competition; and the winning essay for 1962 is one which every Member of the Senate should read. This paper, entitled "Free Elections and the Power of Congress Over Voter Qualifications," by Prof. Wilfred J. Ritz, of the Washington and Lee University Law School, has been published in the most recent issue of the American Bar Journal. Mr. Ritz, who is an acknowledged authority in the field of constitutional law, received his A.B. degree from Washington and Lee University, his LL.B. degree from the University of Richmond, and his master of laws and doctor of juridical science degrees from Harvard University.

In his essay, Professor Ritz traces the history and development of the Constitution's provisions relating to qualifications of voters; and he concludes that Congress should not legislate and, indeed, cannot legislate constitutionally, to alter the qualifications as prescribed by the States. Such an alteration is, of course, exactly what is provided for in title I of S. 1731, the administration's civil rights bill. This invidious proposal evidently evolved from the Civil Rights Commission's report and recommendations of 1961. It is interesting to note, however, that in its 1959 report the Commission recommended that the same objective be accomplished by the time-honored and only constitutional method of doing so—by amending the Constitution. I do not know what precipitated the Commission's remarkable turnabout; but I do know that if title I is adopted, it will be the first time in history that Congress has attempted to shortcut the amendment process and to prescribe qualifications by legislation.

Professor Ritz is not the first constitutional law professor to hold that congressional legislation in this area would be unconstitutional. The Subcommittee on Constitutional Rights, in preparing for the hearings on the administration's so-called literacy bill, S. 2750, during the last Congress, requested opinions on the constitutionality and desirability of the measure, from constitutional law professors at every accredited law school in the country. At least half of the replies from professors, including those from distinguished law schools, such as the University of Michigan and George Washington University, agreed with Professor Ritz' thesis. S. 2750 did not pass either House in the 87th Congress, and I trust that the fate of title I of S. 1731 in this Congress will be equally deserved.

Mr. President, I ask unanimous consent that Professor Ritz' essay, from the October 1963, American Bar Association Journal, be printed at this point in the body of the RECORD.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

### FREE ELECTIONS AND THE POWER OF CONGRESS OVER VOTER QUALIFICATIONS

(By Wilfred J. Ritz, professor of law, Washington and Lee University)

The group of Americans meeting at Philadelphia in 1787 to draft a Federal Constitution did not have a crystal ball to reveal the parts of their final product that would endure and those that would soon become obsolete. The course of future events soon demonstrated, though, that one of the constitutional provisions was unsatisfactory and essentially unworkable. This was the third clause of article II, section 1, providing for the election of a President and a Vice President.

No other provision of the Constitution was as lengthy; none was more detailed or drafted with greater care. And yet, in this provision, the Founding Fathers had entirely failed to foresee the rise of political parties.[1] As a result, the constitutional machinery for election of the Chief Executive worked well only while the people were agreed that a national hero should be the President—a phenomenon extremely rare in American life.[2]

After President Washington had retired from political life, the system survived the close election of 1796,[3] but very nearly broke down in the election of 1800, when the electoral votes were equally divided between Thomas Jefferson and Aaron Burr. Cooler heads prevailed and the tie was broken without disruption of the American experiment in government.[4] Nevertheless, if the situation had been oft repeated, the developing passions of the period most probably would soon have torn the American system of government apart.

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[1] Cunningham, "The Jeffersonian Republicans" 3–32 (1957); Miller, "The Federalist Era," 99–125 (1960).

[2] George Washington received all the electoral votes in the elections of 1789 and 1792.

[3] The electoral college gave votes to 13 candidates. John Adams with 71 electoral votes was elected President and Thomas Jefferson with 68 votes was elected Vice President.

[4] The electoral vote was 73 for Jefferson and 73 for Aaron Burr, thus throwing the election into the House of Representatives, where on the 36th ballot Jefferson was elected, receiving the vote of 10 States to 4 for Burr, with two not voting. Miller, op. cit. supra note 1, at 268.

After due deliberation, Congress in December of 1803 submitted to the States a proposed amendment to the Constitution to remedy the situation. The proposal received the speedy consideration it deserved, and by the end of July 1804, had been ratified by three-fourths of the States. As the 12th amendment it was operative for the next presidential election, held in November 1804.[5]

Unlike the lengthy and detailed clause covering the method of election of a President and Vice President which so quickly proved unsatisfactory, the original Constitution contains short and simple clauses covering the elections of Senators and Representatives. Their very simplicity, suggesting casualness of draftsmanship, can be misleading. Actually, the clauses are among the most carefully constructed in the document, and they are designed to carry out a basic constitutional purpose, a purpose that was continued when the 17th amendment was added in 1913.

The records of the Convention [6] show that it was deeply concerned with problems relating to the election of officials of the Federal Government. The Convention adopted a plan for the indirect election of the President and Vice President by use of an electoral college. Article II provides: "Each State shall appoint in such mannner as the legislature thereof may direct, a number of electors," thereby leaving the method of selection and qualifications to the States, although Congress was authorized to establish the time of their choosing.

In the election of Member of Congress, the Convention was concerned with four principal problems: (1) the method of election of Senators, which was resolved by giving the power to the State legislatures; (2) the method of election of Representatives, which initially involved a decision as to whether they should be chosen by the people or by the legislatures; (3) after popular election of Representatives had been decided upon, it was necessary to establish the qualifications of their electors; and (4) the extent to which the States and Congress, respectively, should participate in regulating the times, places and manner of holding elections of Senators and Representatives.

On May 29, 1787, Edmund Randolph on behalf of the Virginia delegation presented the resolutions known as the Virginia plan, which provided the basic framework for the Constitution.[7] Randolph proposed a national legislature to consist of two branches, the members of the first to be elected by the people of the several States and the members of the second to be elected by the first branch from persons nominated by the State legislatures. The National Executive was to be elected by the National Legislature.[8]

Sitting on May 31 as a Committee of the Whole House, the Convention approved the resolution calling for a National Legislature to consist of two branches. It then considered and debated the resolution calling for election of the first branch by the people, adopting it by a vote of six States to two, with two States divided.[9] A few days later the Convention reconsidered, and again upheld popular election, this time by a vote of eight States to three.[10]

The New Jersey (or Patterson) plan, presented to the Convention on June 18, did not differ from the Virginia plan on this subject,[11] but during its consideration still another attack on popular election was narrowly defeated, when another motion to reconsider was voted down by six States to four, with one divided.[12] The Convention then agreed to election by the people of the first branch, with nine States in favor, only New Jersey opposed, and Maryland divided.[13]

On July 24 the Convention named a committee of detail to report a constitution conformable to the resolutions that had been adopted, among which were those calling for election of the Members of the first branch of Congress by the people and of the second branch by the State legislatures.[14] Election of Senators by the State legislatures, without more, established the qualifications of electors of Members of one branch of the Congress. In order to provide for popular election of Representatives, the committee had to consider alternative methods of defining the qualifications of their electors.

### CONSIDERATION OF ELECTION OF REPRESENTATIVES

The papers of the committee of detail show considerations was given to setting forth in the Constitution qualifications based on citizenship, manhood, sanity, residence, possession of real property or military service.[15] The committee also considered adopting the qualifications established by the States, with Congress given authority to alter or suspend them.[16] The final draft shows that the committee considered and deliberately struck out of its report a provision under which Congress would have been given the power to alter and supersede State provisions as to the qualifications of electors. Instead, the committee defined the qualifications of electors in the Constitution, denying the power of change to either the States or to Congress. This was done by providing that electors for the most numerous branch of the State legislatures should be electors for Representatives.[17] Except for minor stylistic changes, the final draft of the committee of detail was printed and delivered to the Convention on August 6.[18]

When the Convention on August 7 considered the report an effort was made to limit the suffrage to freeholders. After full and extended debate, the motion to make the change was defeated by the vote of seven States, with only Delaware in favor and Maryland divided.[19] On the following day further doubts were expressed as to the wisdom of popular election, but the provision was approved without any State dissenting.[20] This ended the debate on the qualifications of voters.

On August 9 the Convention considered the power to be given to Congress to supersede State regulations as to the time, place, and manner of holding elections. The debate shows Congress was given power to do so to insure the fair conduct of elections in the event some State legislature should attempt manipulation for selfish or nefarious purposes and that the provision has nothing to do with voter qualifications.[21]

On September 8 the Convention named a committee of style, which rearranged the articles and phrased them somewhat more felicitously.[22] With only one change, made by the Convention to deny Congress any power over the place of election of Senators,[23] the provisions relating to elections were adopted and became a part of the completed Constitution.[24]

### CONSTITUTION USES TERM "ELECTORS"

In summary, then, it can be said that under the original Constitution Representatives were the only Federal officials to be elected by the people directly. Article I, section 2, provides that Representatives shall be "chosen every second year by the people." The phrase "by the people" simply means that Representatives are to be elected by the people and not by State legislatures.

A different term is used to define the electorate, that is, the group of individuals who may actually vote for Representatives. This term, used throughout the Constitution, is "electors." Article I, section 2, also expressly defines, indirectly, the qualifications of electors for Representatives. It says that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

The very simplicity of the clause invites use of a shorthand form of expression, and has led to statements to the effect that the States establish the qualifications of electors for Representatives. As the U.S. Supreme Court pointed out in *United States* v. *Classic,* 313 U.S. 299 (1941), "in a loose sense, the right to vote for Representatives in Congress is sometimes spoken of as a right derived from the States." Nevertheless, as the Classic case also pointed out, the qualifications of electors for Representatives are defined in the Constitution and are not defined by the States. The definition is in imperative terms—"the electors shall have."

Under article I, section 2, a State has no power to deny the right to vote for a U.S. Representative to a person qualified to vote as an elector for the most numerous branch of a State legislature, nor any power to give the right to vote for a Representative to a person who is not so qualified. Just as clearly, Congress has no power to deny the right to vote for a Representative to a person who is qualified to vote as an elector for the most numerous branch of his State's legislature, nor any power to give the right to vote to a person who is not so qualified.

### CONSTITUTIONAL AMENDMENTS ON VOTING ARE MANY

Elections and voting have been the subject of more constitutional amendments than any other single topic, as a listing of the amendments shows:

The 12th amendment, ratified in 1804, revised the method of electing the President and Vice President.

The 14th amendment, ratified in 1868, affects the subject in two respects: It provides for a reduction of representation in the House of Representatives whenever the right of male citizens 21 years of age and over to vote is abridged by a State for any reason other than participation in rebellion or other crimes. It disqualifies from further Federal or State officeholding any officeholder who, having sworn to support the U.S. Constitution, engages in insurrection or rebellion. The first provision has never been invoked to deny representation to a State, and the second has become obsolete with the passage of time.

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[5] Virginia Commission on Constitutional Government, the Constitution of the United States, 39–41 (1961); Corwin, "The Constitution of the United States of America," S. Doc. No. 170, 82d Cong., 2d Sess. 942 (1953).

[6] Farrand, "The Records of the Federal Convention of 1787," 4 vols. (rev. ed. 1937), hereinafter cited as "Farrand."

[7] 1 Farrand 20.

[8] 1 Farrand 20–21, 27–28.

[9] 1 Farrand 46, 47–50, 54–55, 56, 60. Election by the people was favored by Massachusetts, New York, Pennsylvania, Virginia, North Carolina, and Georgia. New Jersey and South Carolina were opposed. Connecticut and Delaware were divided.

[10] 1 Farrand 118, 124, 130, 132–138, 140–141, 142–144, 145, 147. The six States previously favoring popular elections were joined by Delaware and Maryland, while Connecticut voted with the States favoring election by the State legislatures.

[11] 1 Farrand 291, 300.

[12] 1 Farrand 353, 358–360, 364–365, 367, 368. The motion was defeated by the votes of Massachusetts, New York, Pennsylvania, Virginia, North Carolina, and Georgia. The motion was favored by Connecticut, New Jersey, Delaware, and South Carolina. Maryland was divided.

[13] 1 Farrand 353, 360, 365. Before the final vote General Pickney withdrew a motion that the election by the people should be "in such mode as the legislatures should direct," when it was hinted that this might properly be left to the Committee on Detail, 1 Farrand 360.

[14] 2 Farrand 106, 129.

[15] 4 Farrand 40; 2 Farrand 151.

[16] 2 Farrand 153, 163–165.

[17] 2 Farrand 163–165.

[18] 2 Farrand 176, 177, 178–179.

[19] 2 Farrand 194, 201–208, 209–210.

[20] 2 Farrand 213, 215–216, 225.

[21] 2 Farrand 229, 239–242, 244.

[22] 2 Farrand 547, 553, 554, 590, 592.

[23] 2 Farrand 613.

[24] 2 Farrand 651, 653.

The 15th amendment, ratified in 1870, prohibits denial or abridgment of the right to vote on account of "race, color, or previous condition of servitude."

The 17th amendment, ratified in 1913, provides for the popular election of Senators. It follows the pattern set forth in the original Constitution by defining the qualifications of electors for this office. The electors in each State shall "have the qualifications requisite for electors of the most numerous branch of the State legislatures."

The 19th amendment, ratified in 1920, prohibits denial of the right to vote on account of sex.

The 20th amendment, ratified in 1933, revises and clarifies the method of election of the President in unusual situations.

Two of these amendments, the 15th and 19th, place direct restrictions on the qualifications the States may require of electors for State officials, and so indirectly these restrictions become limitations on the qualifications, as defined in the original Constitution and in the 17th amendment, of electors for Representatives and Senators. Otherwise, there are no constitutional restrictions on the qualifications the States may require of electors for State officials, and so also of electors of Federal officials.

In the summer of 1962 Congress adopted Senate Joint Resolution 29 proposing to the States another constitutional amendment dealing with voting qualifications. The proposed amendment prohibits the denial of a right to vote for President, Vice President, Senator or Representative because of a failure "to pay any poll tax or other tax."[25] In this resolution the pattern of previous amendments is departed from, in that a State is permitted to establish a different qualification for electors to the most numerous branch of its own State legislature than the State can establish for the election of Federal officials. The proposed amendment, however, continues the present policy of denying to Congress all power to establish or change the qualifications of electors for Federal officials.

### COURT DECISIONS DEAL WITH SUFFRAGE QUESTIONS

Since the Constitution so clearly defines the qualifications of the persons who shall be electors for Federal officials, no litigation involving the point could arise until after the adoption of the 14th and 15th amendments. In *Minor* v. *Happersett*, 88 U.S. (21 Wall.) 162 (1875), a woman claimed that, since presidential electors in Missouri were elected by the people, she as a citizen of the United States was entitled to vote in such elections, so that the denial of the vote to her was prohibited by the privileges and immunities clause of section 1 of the 14th amendment. In accordance with the authoritative construction placed on that clause in the *Slaughter-House Cases*, 83 U.S. (16 Wall.) 36 (1873), the Supreme Court rejected the contention, pointing out that the 14th amendment did not confer a right of suffrage on anyone. If the 14th amendment had done so, the 15th amendment would have been unnecessary.

The 15th amendment, as it applies to State elections, was construed by the Supreme Court in *United States* v. *Reese*, 92 U.S. 214 (1876), in which the Court said: "The 15th amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference in this particular, to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption, this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property, or education. Now it is not."[26]

In a series of cases the U.S. Supreme Court has considered the power of Congress under article I, section 4, of the Constitution to regulate the manner of holding elections. In these cases the Supreme Court has repeated time and again that the qualifications of electors are defined in the Constitution, and so are not subject to change either directly by the States or directly or indirectly by Congress. In a leading case, *Ex parte Yarbrough*, 110 U.S. 651 (1884), the Court said: "The States in prescribing the qualifications of voters for the most numerous branch of their own legislatures, do not do this with reference to the election for Members of Congress. Nor can they prescribe the qualifications for voters for those to nomine. They define who are to vote for the popular branch of their own legislature, and the Constitution of the United States says the same persons shall vote for Members of Congress in that State. It adopts the qualifications thus furnished as the qualifications of its own electors for Members of Congress."[27]

This 1884 interpretation has not been departed from. The Supreme Court has recognized the power of the States to determine voter qualifications through the use of literacy tests[28] and poll taxes.[29] The Court has rejected the contention that since they are Federal officials some undefined power over the elections of Senators and Representatives rests in Congress.[30]

### IMPLICATION OF CLASSIC CASE IS UNSUPPORTED

The principal judicial support for a view that Congress has some power over voter qualifications is found in a dictum by Chief Justice Stone (then an Associate Justice) in *United States* v. *Classic*, wherein he said: "While, in a loose sense, the right to vote for representatives in Congress is sometimes spoken of as a right derived from the States, * * * this statement is true only in the sense that the States are authorized by the Constitution to legislate on the subject as provided by section 2 of article I, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4 and its more general power under article I, section 8, clause 18."[31]

The implication that the powers of Congress under section 4 of article I may be used to restrict the powers of the States under section 2 of the same article is entirely without support in the history of the Federal convention of 1787 or in the prior decisions of the Court. If the reference had been to the power of the States to legislate under section 4, instead of section 2, the statement would have been in complete accord with the language and history of the Constitution and the judicial precedents. Consequently, there is a strong probability that the reference to section 2 was a slip rather than a considered citation.

### CIVIL RIGHTS COMMISSION MAKES RECOMMENDATIONS

In its 1961 report the Civil Rights Commission made a general finding No. 1: "There are reasonable grounds to believe that substantial numbers of Negro citizens are, or recently have been denied the right to vote on grounds of race or color in about 100 counties in 8 Southern States."[32] To eliminate this discrimination a majority of the Commission recommended that Congress adopt legislation prohibiting the States from denying the right to vote to any citizen of the United States "except for inability to meet reasonable age or length-of-residence requirements uniformily applied to all persons within a State, legal confinement at the time of registration or election, or conviction of a felony."[33] Two Commissioners dissented from this recommendation.

The Civil Rights Commission unanimously recommended that Congress adopt legislation specifically directed at State literacy tests. A sixth-grade education, under the proposed legislation, must be accepted by a State as sufficient compliance with a literacy test so as to qualify the applicant to vote.[34] A bill to carry out this recommendation was introduced into the second session of the 87th Congress, but, in the face of a southern filibuster, failed of adoption. It has been argued, as by the Attorney General, that such legislation would not establish a voting qualification, but only substitute "an objective and easily ascertainable requirement" for determining a previously established voter qualification,[35] and so is within the constitutional power of Congress. This argument has been vigorously opposed.[36]

Technically, the subject of what is or is not a voter qualification is outside the scope of this paper. However, since the purpose of legislation, such as that proposed in 1962 to restrict State use of literacy tests, is to permit persons to vote who otherwise would not be allowed to do so, the legislation necessarily restricts State control over voter qualifications to some extent. In this sense, whatever the particular terminology used, the proposed legislation gives Congress some control over voter qualifications. Consequently, it is appropriate to inquire into the reasons being offered for giving Congress power of this nature over voter qualifications.

### ARGUMENTS FOR LEGISLATION ARE FOUND TO BE WEAK

Essentially, the arguments in favor of Congress having power to establish voter qualifications are two: (1) to eliminate restrictions on the exercise of a right of suffrage, such as the poll tax; and (2) to eliminate discrimination in the qualification of voters, as in the administration of a literacy test.

The force of the first reason is relatively weak, as is shown by the fact that the constitutional amendment proposed by the 87th Congress regarding poll taxes wholly prohibits the use of a tax as a voter qualification in Federal elections, leaving no discretion with Congress to abolish or establish this type of qualification. Consequently, the principal argument for having Congress assert some power over voter qualifications is based on the thought that the exercise of the power will enable Congress to eliminate discrimination in the administration of qualification tests more effectively than can be done under its present powers.

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[25] S.J. Res. 29, 87th Cong., 2d sess., Congressional Record, vol. 108, pt. 13, p. 17654.

[26] See also, *United States* v. *Cruickshank*, 92 U.S. 542 (1876).

[27] See also, *Swafford* v. *Templeton*, 185 U.S. 487 (1902).

[28] *Guinn* v. *United States*, 238 U.S. 347 (1915); *Lassiter* v. *Northampton County Board of Elections*, 360 U.S. 45 (1959).

[29] *Breedlove* v. *Suttles*, 302 U.S. 277 (1937). See also *Pirtle* v. *Brown*, 118 F. 2d 218 (6th Cir. 1941), *cert denied*, 314 U.S. 621 (1941); *Butler* v. *Thompson*, 341 U.S. 937 (1951), *aff'g* 97 F. Supp. 17 (E.D. Va. 1951).

[30] *Newberry* v. *United States*, 256, U.S. 232 (1921).

[31] 313 U.S. at 315.

[32] 1961 U.S. Commission on Civil Rights Report, Book 1, voting 135.

[33] Id. at 139.

[34] Id. at 141.

[35] Hearings on S. 480, S. 2750, and S. 2979 Before the Subcommittee on Constitutional Rights of the Committee on the Judiciary, U.S. Senate, 87th Cong., 2d sess. 263, 265, 310 (1962).

[36] See, for example, comments made by Senator Ervin during testimony of Attorney General Kennedy. Hearings, supra note 41, at 261–291.

This raises the question whether there are not other remedies now available to eliminate discrimination. Ever since the post-Civil War period there has been Federal legislation, which has been frequently augmented, designed to protect American citizens in the exercise of their right to vote. The effectiveness of this legislation has been debated. After Attorney General Kennedy, in testimony before the Senate Judiciary Subcommittee holding hearings on the literacy test bill, referred to particular examples of discrimination, the following verbal exchange took place between him and the chairman, Senator ERVIN, of North Carolina:

"Senator ERVIN. And I think all those situations could be cleared up with a few old-fashioned criminal prosecutions in the Federal courts.

"Attorney General KENNEDY. Well, I appreciate your support on that, Mr. Chairman, but I tell you we are bringing those, but it is going to take a long, long period of time.

"And I would like to have you join us in attempting to try to get rid of it so that it just does not go on, and we can pass legislation to deal with that problem and get rid of it much quicker than we could by bringing lawsuit after lawsuit."[37]

This colloquy shows that even the proponents of congressional power over voter qualifications recognize that the Federal Government already has sufficient power to eliminate voter discrimination. The basic disagreement is not whether discrimination is to be eliminated, but how soon and by what methods.

Recent Federal court decisions do not show any lack of power in the Federal Government to eliminate voter discrimination. The activities of the Civil Rights Commission have been sanctioned by the U.S. Supreme Court.[38] Powers given by Congress to the Attorney General to inspect Federal election records have been upheld and implemented.[39] Furthermore, when the Federal courts have found discrimination to exist as a fact, they have affirmatively ordered the registration of persons qualified to vote.[40]

The establishment of voter qualifications under the Federal Constitution is based on the principle that complete objectivity and self-interest are mutually exclusive concepts. Since the Members of Congress have a large self-interest in their own elections, and in certain instances they may be required to participate in the election of the President and Vice President, Congress can never take a wholly disinterested view toward the subject of voter qualifications.

This was recognized by the Federal Convention of 1787, and so power over voter qualifications was entirely denied to Congress. Similarly, in 1913, when the Constitution was amended so as to require popular election of Senators, the policy of denying to Congress power over voter qualifications was continued.

Conditions have changed since 1787. As time has gone by, the right to vote has been accorded ever greater significance in the pattern of American Government. Even so, the primary, if not the only, purpose to be served by having Congress assert power to fix voter qualifications seems to be to provide an additional weapon against voter discrimination. Discrimination must be eliminated and can be with the powers now available to Congress. As important as the objective is, an even more fundamental right is involved.

The basic right guaranteed to the people of the United States by the Federal Constitution, particularly by article I, section 2, and the 17th amendment, is a right of free elections. Truly free elections can exist only if the elected cannot influence their continued election by manipulation of the members of the group that constitutes their electors. For this reason, the Constitution establishes the qualifications of electors for Federal officials by a readily ascertainable and completely objective standard. This objective standard is beyond the power of the Federal Government to change, except by going to the States and the people to seek a change through the process of constitutional amendment. History demonstrates that when change has been needed, the necessary constitutional amendments have been forthcoming.

Under the Federal Constitution the people have reserved to themselves power to change the qualifications of voters for Federal officials. Since this is the fundamental principle on which the American system of free elections is based, the present constitutional guarantee of free elections should not be weakened by giving Congress power to establish voter qualifications.

## THE PROBLEM OF EQUALITY

Mr. ERVIN. Mr. President, on September 15, 1963, Dr. Walter R. Courtenay, pastor of the First Presbyterian Church, of Nashville, Tenn., delivered a sermon upon the theme of Christianity and democracy. This sermon contains a magnificent analysis of the basic things which we call equality and liberty. It ought to be made available to all Members of the Congress. For this reason, I ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

### THE PROBLEM OF EQUALITY

(1 Corinthians 11: 17–34)

During the past summer the air was filled with the raucous sounds of conflict in Birmingham, Chicago, New York, and Danville. It was also redolent with discord within the United Nations, and within the backward countries demanding recognition. Accompanying these was the endless struggle of labor and capital, and the seemingly endless drain of our resources into the giveaway programs at home and abroad. The air was charged with social electricity as individuals, groups, and nations fought for new status under the banner of equality.

Equality has intoxicated the modern world. Men walk starry-eyed through streets and halls dreaming of new days and improved status. The whole world seems in a pep-rally mood, and the bonfires grow larger and burn more fiercely, even as the songs, chants, and shouts of the participants become louder and more fervent. In a thousand tongues men scream their demands for equality, for place, for recognition, for "rights," for privileges.

As one listens he frequently hears the words, "All men are created equal, and are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness." But the words never end there, but hurry on to declare that it is the responsibility of Government to make all men equal and to maintain equality amongst men. Still other words are heard, declaring that democracy has failed to establish equality, and that men therefore must now turn to socialism and communism.

In my summer setting, close to nature, I looked around for evidences of equality in nature, and found none. Trees and hills are not the same in breadth and height. Rivers and lakes are not of uniform size. Not all animals and birds are swift and beautiful. The lion does not recognize the equalness of the antelope, nor the fox the rabbit. Some fields are fertile and others sterile, and clouds and puddles are not the same, though both are water created. In nature inequality seems to prevail, and yet the inequalities of nature produce the beauty we admire.

As I thought of it the same seemed to be true of history. Nations and races do differ in size, wealth, prestige, power, creativity, and vision. Some soar like eagles. Some build like beavers. Some grow like vegetables and weeds in the garden called the earth. Between individuals, races, groups, and nations there are broad differences, and equality is not a characteristic of either nature or human nature.

Having reached this point my mind asked the question, can we have both freedom and equality? Someone has said, "Freedom without equality tends to become license. Equality without freedom tends to produce stagnation." How can these great objectives be secured without damage to the highest social system men have yet devised, democracy?

Looking back across history, I realized that the Jews preached concern for the poor, but not equality. The Greeks preached democracy, but not equality. The Romans preached justice under law, but not equality. The Middle Ages in Europe preached Christ, but not equality. In fact, not until the French Revolution did men openly affirm that "Men are born and always continue free and equal in respects to their rights," and not until our Declaration declared that "All men are created equal" did the world come alive to the possibilities of equality. These two events placed a new chemical in the cup of life, and the contents of that cup are changing men.

Here I paused to rethink the words, "All men are created equal." Are they? I could see that all men are created equally helpless, equally ignorant, equally inexperienced, equally sin-touched, but I could not see how they could be said to be created equal in any other sense. Men do not begin life with an even start for all. Their beginnings are marked by differences in pedigrees, health, educational and moral levels, economic strength, social status, and personality potentials. There are broad differences in temperament, talents, drives, and desires. They do not begin life on a common line.

And what of the so-called "unalienable rights, such as life, liberty and the pursuit of happiness"? Life is the gift of God, and so are liberty and happiness—in a certain sense. But being born is never enough. Getting here alive is only a beginning. In order to really live one needs medical science, proper nutrition, adequate care, and a chance to become educated and equipped for adult responsibilities. As to liberty, it is not something that comes with birth. Liberty is man created, man achieved, and man maintained. God approves it, but man must win it. Happiness is a byproduct of a way of life rather than something granted us by birth. It, too, is something we achieve by effort. It depends on many things: employment, purpose, personal development, and the right use of the opportunities and duties of life. Life God gives, but liberty and happiness we must achieve.

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[37] Id. at 273.

[38] *Hannah* v. *Larche*, 363 U.S. 420 (1960).

[39] *Kennedy* v. *Lynd*, 306 F. 2d 222 (5th Cir. 1962); *Kennedy* v. *Bruce*, 298 F. 2d 860 (5th Cir. 1962); *Dinkens* v. *Attorney General*, 285 F. 2d 430 (5th Cir. 1961); In re *Coleman*, 208 F. Supp. 199 (S.D. Miss. 1962).

[40] *Alabama* v. *United States*, 304 F. 2d 583 (5th Cir. 1962). On October 22, 1962, the U.S. Supreme Court granted certiorari in this case and in a per curiam opinion affirmed the judgment below. 371 U.S. 37. *United States* v. *Manning*, 206 F. Supp. 623 (W.D. La. 1962).

Having reached that state of mind, I wondered why men ever thought that government could make men equal and keep them equal. How can mere laws produce equality amongst men on a heart level? How can coerced fellowship ever become real fellowship?

That government has a role to play in the mighty, moving drama of man's progress is not to be denied. Our Constitution and our Bill of Rights stand to affirm it. It is the function of government to state the conditions of liberty, equality, and responsibility, but unless it is the will of the people to give life to the law, it will not work. The Prohibition era proved that beyond our contesting.

Then why do we believe and state in our legal documents that "All men are created equal," and have "unalienable rights"?

I presume it is because we must find some means of limiting the powers of the powerful and of protecting the rights of the weak. Great power, unpoliced, tends to become destructive power. The rights of the weak tend to be lost in a land where only the strong prevail.

We all understand this, even as we all realize that the clamor for equality is always a push from below rather than a pull from above, although it has often been both in these United States. Slaves have never enjoyed being slaves. The poor have never enjoyed being poor. The exploited have never been happy with exploitation. Those who fail have never been proud of their shortcomings, and the employed have always felt that it would be better if they were the employers. It is from this level of life that the hunger for equality rises. It is here that Utopia displays its broad green fields and still waters. It is from here that the valley of Shangri-La appears as the answer to all the ills of man. It is the hopelessness of the masses that provides the soil for hope in those who will not surrender to the accidents of birth and environment, and it is well that it is so.

And yet, one must face facts. In any classroom of pupils only a few qualify under the letter A. Below these leaders of the class are the B students, and then the C's and then the D's, and then the F's. Some by ability and effort rise to the top, while others because of lack of ability or application take their places on the descending curve of scholarship.

In every nation it is the same. Only a small percentage of people have the ability, the desire, the drive, the willingness to work and sacrifice, to foresee and prepare for success in any realm. The people who struggle to succeed are never interested in equality, but in superiority. Their goal is never the level of the masses, but a level above the masses. They endorse and espouse liberty because it creates for them a favorable climate in which to think, plan, create, work, and achieve according to their abilities and desires. They never pace themselves by the speed of the mediocre, but by the speed of the best. They are never satisfied by crumbs; they want half loaves and whole loaves.

It is such people who made America possible, and who have always led men in the upward climb. They are in truth the benefactors of the race. It is their ideas and creativeness that establish businesses and industries, thereby providing employment for others, and the taxes that make community and national progress possible. They furnish our best leadership, and give to the Nation our best guarantee of security. It is because of them that progress is produced in all areas of life, the intellectual, the artistic, the economic, the governmental, and the social. While they did not build America alone, they provided the means whereby our Nation came into existence and has continued on its upward way.

Looking critically at such a line of thought, I suddenly realized that the success of the few creates the inequalities that loom large in the minds of the many. The haves highlight the have-nots. It is the successful who outlive the failures and all others who take their places on the curve of life as it sweeps downward.

During my summer days it seemed to me that:

It is the nature of some men to succeed, and others to fail.

It is the nature of some men to get by, and others to achieve.

It is the nature of the have-littles to want more.

It is the nature of the successful to seek to dominate.

It is the nature of those who are unsuccessful to resent it.

It is the nature of the poor to envy.

It is the nature of the wealthy to assume unjust privileges.

It is the nature of those who inherit wealth to use it well, to misuse it, or to feel guilty because they have it.

It is the nature of the intellectuals who receive their compensation from taxes or the gifts of the economically successful to advocate a change of system in order to get one wherein the intellectuals will be as generously rewarded as business executives under free enterprise.

It is because men are unequal in ability and drive, in opportunities for recognition and advancement, in rewards for work done and services rendered that people become restless socially. It is the inequalities of humanity that create the crusaders for equality. In the 18th century men looked to democracy as the answer to the inequalities amongst men, and now in the 20th men look toward socialism and communism.

Democracy as we have tried to shape it in America has been heavily impregnated with the Ten Commandments of Judaism and the Spirit of Jesus. Because of this we are suspicious of any system that advocates the big lie, covetousness, greed, the stealing of property, the destruction of life, and the taking away of liberties. Democracy condemns without reservations the confiscation of private property and capital by the state and the regimenting of human beings like animals on a farm. Our democracy is not perfect. Imperfections exist, but its virtues exceed those of any other system mankind has tried.

These observations moved me then to reach certain opinions concerning American democracy.

1. Democracy was never created to be a leveler of men. It was created to be a lifter, a developer of men.

2. Democracy was created to let the gifted, the energetic and the creative rise to high heights of human achievement, and to let each man find his own level on the stairway of existence.

3. Democracy was created to help men meet responsibilities and shirk no duties. That is why our Nation has been concerned about the honest needs of its citizens. We lead the world in justice, even though justice does not always move with prompt alacrity. Our Nation has been noted for the size of its heart and not merely for the size of its pocketbook.

4. Democracy demands that the nation be governed by the capable, the honorable, the farseeing, the clear seeing, and not by mediocre men. In the beginning it was so. May it be so again.

5. Democracy demands more from men than any other system in the realm of self-discipline, dependability, cooperativeness, industry, thrift, and honor. Democracy will not work when party politics are not guided by basic ethical principles. For a party to foster class consciousness, class conflict, misrepresentation, covetousness, violence, theft, and an open defiance of established law is to breed anarchy.

6. Democracy must give to all its people the following rights: The right to equal learning. The right to equal employment. The right to equal treatment. The right to equal justice. The right to adequate housing. The right to vote.

The mediations of the summer convinced me that governments of themselves cannot make men equal or remake men into the beings they ought to be. That is a spiritual venture, not an economic and political one. A change from democracy to either socialism or communism, or a change from private capitalism to state capitalism, will not solve the basic problems of mankind; it merely shifts the areas of power.

I am disturbed, therefore, when church leaders and church groups seem to advocate socialistic means and objectives as the answer to the problems of democracy, and especially the problems of equality. This is especially true when certain leaders voice slogans that appear logical and Christian, but are not. Let me name four:

1. "The world owes every man a living." No, it doesn't. Christian ethics have never said so, and I have never known any man worth his salt who has claimed special rights under such a slogan. It is the cry of the lazy, the inept, and the failures. Such a slogan is a far cry from our meeting the needs of the needy, which, of course, is our duty.

2. "Production for use, and not for profit." That sounds good, but it is as phony as a Russian promise. It is profits that have produced the blessings of our Nation and enabled her to be a blessing to the nations of the world. Profits are essential to the general well being of society. When the state takes over under the slogan of "use, not profits" men lose their liberties and their standard of living. Such a switch merely augments the insatiable appetite of the state.

3. "Human rights, not property rights." As I look out over the world, one thing is clear: where there are not private property rights there are no human rights. Private property rights form the seed bed in which human rights mature. As long as private property rights are clear human rights will flourish.

4. "The end justifies the means." According to Christian ethics the statement is not true. It was just such a statement that produced the crucifixion of Jesus, the torture of the martyrs, the burning of witches, and the denial of life and liberty to the inhabitants of current communistic lands.

Churchmen, whether lay or clerical, who seek to solve the problems of our society through socialistic processes rather than democratic ones within the free enterprise system are heading down a road that leads toward darkness. Only by encouraging Christians to envy, to covet, to be class conscious, to foster class conflict, and to approve stealing and even murder, can such objectives be attained. To realize them would bring about a broad denial of law and order, and the orderly handling of social problems. Whenever we as a church, an educational system, or a supreme court encourage people to misrepresent facts, to use force wrongfully, to flaunt law and order and to stimulate bitterness and hatred, we depart from logic, Americanism and Christianity.

I unhesitantly oppose the use of socialistic and communistic methods in the solving of the problems of our free enterprise democracy. Our problems are problems of human nature rather than of economics and sociology. The man who has two cars is not preventing another from having one. The man who earns $50,000 a year is not robbing him who receives $300 a month. The man who owns a good house does not thereby force another man to dwell in the slums. And the people who prosper under our system cannot be blamed for the problems that plague the lives of those who compose the lower 25 percent of the Nation. The so-called privileged are not always a credit to either church or state, but they are not in the main parasites on the body politic. We are therefore wrong when we damn the successful, the wealthy, the enlightened, and the patriotic in order to gain what we call equality.

Having said that let me hasten to add that the redistribution of wealth will not solve the human problem that plagues us. Wealth is not fairly distributed in any land under the sun; it never has been and I presume never will be. Nor do we solve social predicaments when we blame the top 20 percent of our people for the inequities that seem to mark the 80 percent. Nor is it logical for our Government to be forever emphasizing the neglected duties of the employer while ignoring almost totally the neglected duties of the rest of us. The wealthy have many sins to confess, but so do we all. And when we come to the advocacy of moving from private capitalism to state capitalism, and the listing of the sins of democracy while ignoring its multiple virtues, and assuming that virtue resides in the have-nots, but not in the haves, I can only shake my head at the presumed wisdom of such positions.

Let no one hearing my voice conclude that I am speaking as a have or a defender of the haves. Let no one believe that I am unconcerned about those in our midst whose rights are often ignored and whose status is questioned. I am not blind to the sins of the privileged any more than I am the sins of the underprivileged. The business leaders do not need my voice to defend their position; they are strong defenders of themselves. But I have walked the roads of life with men of all classes, and have reached one conclusion, "there is none righteous, no, not one!" We are all bearers of the telltale gray of selfishness. The 5-o'clock shadow is on all our faces.

The Lord I love and serve was not overly optimistic about humanity. He knew man as he is, and worked with him for what he could become. He ministered to the multitude, teaching, healing, feeding, encouraging, comforting, but he never assumed that equality was part of the human scene. He talked of love and neighborliness, but not equality.

Perhaps that is why the New Testament puts the emphasis on brotherhood and not equality. It emphasizes responsibilities, not privileges. It stresses love toward God and love toward neighbor. It seeks to create a church that will be brotherly within, and concerned for those without. It urges men to find the God-way to selfhood, success, and happiness, and offers a heat-treated cell to all who misuse life, be they rich or poor.

Paul, in his letter to the Church of Corinth, denounced the lack of brotherhood within the church, and urged men to be concerned for one another, but he did not assume equality to be one of the "must" characteristics of Christianity. It was not a matter of love without differences, but love in spite of them.

The church, as someone has said, learned a long time ago that it is easier to create liberty than it is to establish equality. It has always known that equality can only be had by a loss of certain liberties. If men want equality above all else they may best find it in communism. If men want liberty and a fair portion of equality they must turn toward democracy.

What the world needs is a change of heart, a change of climate born of faith in God, a reaching up that there may be a reaching out, a confession that produces a new dedication. This government and laws cannot create, for governments and laws are but the reflection of the standards of a people. Everything in social Christianity depends on the wise use of possessions, time and talents, and only when we, Christian members of a democracy, become good stewards of the things that bless life do we begin to move in the direction of righteousness and justice, peace and true prosperity.

The problem of equality may be in many ways the greatest problem of our day. We cannot solve it by government, and we shall not solve it en masse. Only when we as Christians take seriously the teachings and examples of Jesus shall equality and liberty exist without detraction or subtraction. Only when we stand before God confessing our needs shall we be empowered to meet the needs of others.

If I must choose between liberty and equality, I must choose liberty and then hope and work for equality, for such seems to me to be the Christian's way.

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## WORLD BANK AID FOR DISTRESSED RAILROADS

Mr. KEATING. Mr. President, Mr. Arne C. Wiprud, a well-known and distinguished attorney and transportation consultant, former director of the New York State Office of Transportation and now an informal adviser to the State of New York on transportation matters, recently stirred up a healthy discussion of the situation of the Nation's railroads through a thoughtful article in the July 27, 1963, issue of Traffic World. Response to the article was widespread and evoked a subsequent editorial in the September 7 issue of the same publication in which Mr. Wiprud's further comments and observations were reported. Both the original article and the editorial are of public importance, in my judgment, and I ask unanimous consent that they be printed in the RECORD following my remarks.

There being no objection, the article and editorial were ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. KEATING. Mr. President, Mr. Wiprud's thesis is that the Nation's railroads, especially those in sore distress, and State and local government officials, may be overlooking an untapped source of financial aid which could be of immeasurable assistance in putting some of the roads, so to speak, back on the right track. Mr. Wiprud analyzes with care the legal and financial organization of the International Bank of Reconstruction and Development, commonly known as the World Bank, traces its role in uplifting the rail transport system of war-torn and underdeveloped nations during the postwar period, and concludes that, given simple implementing legislation by the Congress, World Bank resources could be put to work in this country by affording to eligible railroads in regions of viable traffic potential a means of rehabilitating and modernizing their equipment and facilities.

EXHIBIT 1

[From Traffic World magazine, July 27, 1963]

### CANNOT U.S.-SUPPORTED INTERNATIONAL BANKS AID NEEDY, ESSENTIAL U.S. RAILROADS, TOO?

(By Arne C. Wiprud)

At a time when U.S. agencies and U.S.-supported international agencies have provided loans and grants to the railroads of foreign countries totaling $2,686,800,000, one may legitimately ask whether it would not be appropriate for distressed railroads of the United States to gain some benefit from one or another of the international lending agencies through loans that would enable them to rehabilitate and modernize their essential services. The means are at hand, the need is apparent—yet this opportunity to restore and modernize vitally needed railroad transportation in the United States seems to have been overlooked.

Throughout the world in the postwar period, emphasis on economic growth and development has given strategic importance to the provision of adequate, modern transportation. In Europe where railroads were largely destroyed by the war, the rebuilding of the railroad networks was recognized as the first essential in economic reconstruction, although the war in the European theater had been fought largely with transport provided by highways and by air. Even where railroads had not been destroyed under enemy attack, as in the United States and other non-European countries, shortages of materials had resulted in the accumulation of deferred maintenance which required substantial reconstruction of existing track and virtual replacement of exhausted rolling stock. Underdeveloped nations seeking to industrialize—India is a conspicuous example—have made the modernization and expansion of railroad plants and facilities a first prerequisite to lifting the general productivity of the economy. Thus, despite the great wartime reliance upon highway and air transport (in addition, of course, to water transportation), neither the industrialized nations nor countries seeking industrial development have doubted that the railroads provide the most economical means of supplying mass transportation.

In the United States, railroad managements affirmed their faith in the future economic role of the railroads by devoting substantial proportions of the profits accrued during the war years to extensive modernization programs. These programs have included far-reaching improvements in facilities and services, the dieselization of virtually all lines, automated freightyards and centralized traffic control made possible by the application of electronics, mechanized maintenance, the extensive development of containerization and trailer-on-flatcar operations, and the development of improved rolling stock, both for passenger service and for specialized freight services. The economies inherent in these earlier improvements have been largely absorbed in mounting operating costs and dissipated through declining traffic during recession years. Meanwhile technology has continued to progress so that large opportunities for cost savings and for improved performance standards create an acute need for large capital expenditures. These opportunities are largely frustrated so long as depressed earnings preclude many carriers from securing funds from internal sources or on reasonable terms from capital markets.

#### GOVERNMENT LOANS TO AID RAILROADS IN FOREIGN COUNTRIES

Since World War II, the Federal Government, through the Agency for International Development (AID) and predecessor agencies and the Export-Import Bank of Washington, has provided $1,538,100,000 in loans and grants to rehabilitate, improve and modernize railroads in foreign countries. Of this amount the Export-Import Bank has loaned $816,900,000; and AID reports that it and its predecessor agencies have made loans and grants of $721,200,000.[1]

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[1] There have been a number of predecessor agencies of AID beginning with the Economic Cooperation Administration established in 1948 to administer the Marshall plan. The amount shown is determinable from reports and compilations of AID. However, since

In addition, the International Bank for Reconstruction and Development, commonly called the World Bank, has loaned $1,067,200,000 to foreign countries to improve and construct railroads. The Bank's affiliate, the International Development Association (IDA), has provided an additional $81,500,000 for the assistance of foreign railroads

The World Bank has 85 stockholders, or member countries who have subscribed to the Bank's capital of $20,484,800,000 (of which $18,435,270,000 remain subject to call). The United States is the largest stockholder, having subscribed $6,350 million or 31 percent of the Bank's capital. The United Kingdom subscribed 12.69 percent, and France and Germany, 5.13 percent each. The remaining 46.05 percent of the capital stock was subscribed by 81 other countries in amounts ranging from 0.005 percent to 3.90 percent. Voting power is roughly proportional to subscribed capital.

Loans are made by the World Bank only to member countries or to political subdivisions and public or private enterprises of member countries with the guarantee of the member country. Rates of interest have ranged from 3 percent (in the Bank's earlier years) to 6 percent per annum. Loans are commonly made for a 20-year period, with a grace period of 4 to 6 years before repayments of principal begin. These are hard loans which, as stated by an officer of the Bank, are made only to viable enterprises or to those that can be made viable through financial assistance.

Loans made by the International Development Association (IDA), an affiliate of the World Bank, are generally termed "development credits" or, more popularly, soft loans. Of the total subscribed capital of $917,160,000 made by 62 countries, IDA has received $385,953,361 as its operating capital. International Finance Corporation (IFC), another affiliate of the World Bank, operating with a capital of $96,469,000 subscribed by 63 countries, makes loans to private industrial enterprises or invests in their stock without benefit of government guarantee.

Loans made by the Bank, or by its affiliate IDA, to various member countries, or to their political subdivisions or to their public or private enterprises for the rehabilitation, improvement and modernization of all modes of transportation, including railroads, reached a total of $2,415,800,000 as of March 31, 1963.[2] No loans have been made by the Bank or its affiliates to the United States or to any of its political subdivisions or to any of its public or private enterprises.

To repeat, since World War II a grand total of $2,686,800,000 has been loaned or granted to foreign countries by these international and U.S. agencies for the construction or the improvement and modernization of their railroad systems.

The loans identified above generally do not include such items as coal and steel provided, for example, by AID through loans and grants and used for foreign railroads, since such items were included in account categories other than "railroad improvements." Further, there are other items in the accounts of all the agencies above mentioned which may include loans applied in part for the benefit of foreign railroads. For example, the $15 million loans made by the World Bank to the Herstelbank (guaranteed by the Netherlands) is for "capital for industry, transport and commerce." The amount involved in such items for foreign railroad assistance is not determinable from the published reports, but the amount could be quite large.

Such foreign aid is unquestionably important for the economic and political security of the Western World, but it is equally important to bolster and make more secure the economy of our Nation through the maintenance of a sound transportation system within the United States. If we do not do so, then the economy of our own country may falter. A sound national transportation industry requires urgently needed financial assistance for the rehabilitation, improvement and modernization of the essential plant and equipment of distressed U.S. railroads, especially of those railroads that have been and are adversely affected by governmental policies and actions.

The largest aggregate of foreign loans for transportation has been made to India. The World Bank made nine loans to India during the years 1949 to 1961, totaling $379 million. These sums were used to modernize the Government owned and operated Indian Railways so that it could run heavier trains at higher speeds and thus handle added traffic. Diesel locomotives were bought, 1,300 route-miles of track electrified, large-capacity freight cars were acquired, heavier track laid, and improvements made in workshops, bridges, traffic and signaling.

In addition, the bank's affiliate IDA, on March 22, 1963, made a 50-year soft loan to India in the amount of $67,500,000 to help the Indian railways to finance imports of materials and equipment needed during 1963 for the railways' development program. This loan bears on interest, and the repayment of the principal begins May 1, 1973, with 1 percent of the principal repayable annually for 10 years and 3 percent repayable annually for the final 30 years. A service charge of three-fourths of 1 percent per annum on the amount withdrawn and outstanding is made to cover IDA's administrative costs.

Further, the Agency for International Development (AID) has made loans to India during the years 1958 to 1963, totaling $173,900,000 for the modernization of the Indian railways, including a loan of $15,900,000 made March 30, 1963. These are all soft loans, made for 40-year terms, with no interest charge (only a service charge by AID of three-fourths of 1 percent) and with repayment of principal beginning after 10 years.

Thus it appears that loans made by these agencies to India for the expansion and modernization of its railway system, which is central to India's overall economic development program, have totaled $620,400,000.

Among other loans made by the World Bank for railroads in foreign countries are: $76,100,000 to Colombia for railway modernization; $80 million to Japan to aid the Japanese National Railways in the construction of a modern, high-speed railroad between Tokyo and Osaka; $93,700,000 to Pakistan for railroad rehabilitation and modernization; $72,600,000 to South Africa for railroad expansion and improvement; $85 million to the United Kingdom for railroad improvement in Nigeria, Rhodesia, and Nyasaland; $61 million to Mexico for railroad rehabilitation.

In addition to the loans specifically enumerated for the countries named, there have been loans and grants made by AID and the Export-Import Bank.

What have been the sources from which capital funds have been drawn to support economic development around the world, including the construction and rehabilitation of transportation facilities? In the case of U.S. agencies—AID and the Export-Import Bank—the source of funds is clearly the Federal Treasury. For the international credit agencies operating with governmental subscriptions, these funds have come immediately from the subscriptions credited to the respective member governments, but indirectly many of these subscriptions have come from other credits granted by the more advanced industrial countries. The World Bank publishes detailed information with respect to its funded debt, which on June 30, 1962, amounted to approximately $2,500 million. The funded debt plus the paid-in subscriptions of approximately $2,050 million provide the principal sources from which the loans of the Bank are made. Of the total funded debt, $1,900 million, or 75 percent, was in U.S. dollar bonds; the remaining issues are payable in deutsche marks, Swiss francs, pounds sterling, Canadian dollars, Netherlands guilders, Italian lire, and Belgian francs. It is a reasonable assumption that a large proportion of the funds raised through U.S. dollar bonds has been drawn from the capital markets of the United States, although an indeterminate portion has been purchased by investors, institutions and others outside of the United States. Certainly much investment capital of U.S. origin has been channeled abroad to support, among other development projects, railroad expansion and rehabilitation in countries receiving World Bank loans.

### CAPITAL NEEDS OF U.S. RAILROADS

The capital starved condition of many railroads continues to be a critical feature of the railroad crisis in the United States. Why, in capital-rich United States, which has contributed so largely to the investment needs of other economies, has a basic industry been unable to secure needed capital on reasonable terms? The answer is not to be found in any lack of capital seeking investment, nor in any lack of industrial capacity to produce equipment and supplies; there is no problem of providing foreign exchange to purchase equipment and materials from abroad. The basic difficulty lies in public policies that have tended to depress railroad earnings and hence to suppress railroad investment.

In 1958, the Congress of the United States authorized the Interstate Commerce Commission to guarantee repayment of the principal and interest on loans made by "any public or private financing institution" to railroads which would not otherwise be able to obtain essential capital on reasonable terms. Fourteen railroads have obtained loans totaling $220,400,000 under this authorization. This aid program for distressed U.S. railroads lapsed on June 30, 1963. There is today no U.S. agency to which financially distressed railroads can turn for needed assistance to rehabilitate, improve and modernize, no matter how vital their services may be to the national economy. In contrast, all levels of government, Federal, State and local, are continually expending large sums in aid of other modes of transportation.

### WORLD BANK FINANCING FOR DISTRESSED U.S. RAILROADS

Lacking such an aid program and in this emergency, why should not distressed railroads in the United States apply for financial assistance to the international agencies which the United States has so generously supported? Specifically, the World Bank

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some of the predecessor agencies of AID kept records under different classifications of functions than AID does today, extensive research of underlying records of these agencies would be necessary to obtain the actual amounts loaned or granted to foreign countries for their railroads.

[2] The Export-Import Bank has provided loans for the expansion and modernization of transportation in foreign countries (railroads, aircraft and airports, highways, automotive equipment, harbor development, vessels, construction equipment) totaling $1,980,600,000; the amount loaned and granted by the Agency for International Development (AID) and its predecessor agencies for this purpose totals $2,340 million; with the amount loaned by the World Bank and its affiliates as noted above, a grand total of financial assistance by these agencies to restore, make viable and modernize transport in foreign countries of $6,736,400,000 has been provided.

has demonstrated notable competence in assisting in railroad construction and modernization in countries in all stages of economic development.

The United States is a member of the World Bank. Under the articles of agreement establishing the Bank, the United States enjoys all the rights of other members. This includes the right to obtain loans from the Bank for the purposes set forth in the articles of agreement, and on the same terms and under the same conditions as apply to other member countries. The articles of agreement provide that "the Bank may guarantee, participate in, or make loans to any member or any political subdivision thereof and any business, industrial, and agricultural enterprise in the territories of a member," subject to specified conditions. The most important condition requires that when the member country in whose territories the project is located is not itself the borrower, "the member or the Central bank or some comparable agency of the member which is acceptable to the Bank [shall] fully guarantee the repayment of the principal and the payment of interest and other charges on loan." The guarantee required by the Bank on loans for the rehabilitation and modernization of essential but distressed U.S. railroads could be administered by the Interstate Commerce Commission, or some comparable agency, upon authorization and within the standards established by Congress.

The World Bank is the one experienced and available agency that could assist distressed U.S. railroads to become viable and thus bolster and make more secure the economy of the United States. Over the years it has mobilized the financial resources, managerial talent, and a worldwide organization, including highly skilled experts, for the accomplishment of such tasks. The Bank's experts carefully investigate each loan application to determine that the enterprise—for example, a railroad—can with adequate financial and technical assistance become viable through loans from the Bank.

Technical assistance is an important adjunct to the lending activities of the World Bank. In 1956, the Bank established a staff college on economic development—the Economic Development Institute—which organized various training programs for officials from less developed countries. In 1961, responsive to an increasing demand, the Bank established a new department, the Development Service Department, which administers the technical assistance work of the Bank and its liaison activities with other organizations in the field, such as the U.N. Technical Assistance Board; it also includes the Economic Development Institute and another new instrument set up by the Bank in 1962, the Development Advisory Service. Some member countries employ experts to make the feasibility studies needed to prepare a project or program for submission, examination and analysis by the Bank. During the fiscal year 1961–62, the Bank financed project and sector assistance studies in a number of countries, including a general transportation study in Colombia, a highway and transport study in Peru, a railway survey in Bolivia, and a general transportation study in Ecuador.

The Bank's long experience and its vast resources for economic development should not be denied to a member because it is the largest stockholder.

This proposal that distressed railroads in this country should have recourse to the World Bank will inevitably generate both skepticism and objections. Four possible objections merit consideration here.

1. The World Bank and other international financing and development institutions have been established and have operated primarily for the benefit of those countries whose economies and capital markets have been subject to wartime dislocations or have not yet developed to the state where national industry can be financed from domestic sources. This is a historical argument that looks only to the past. In the future it may be anticipated that the World Bank and similar institutions will continue to have a function in assisting the growth and allocation of world resources and the flow of international trade.

2. It may also be objected that there should be no necessity for any developed industry in the United States to go outside of our own capital markets to secure necessary investment funds. This objection is valid inasmuch as a large proportion of the investment capital employed by international lending agencies originates in the capital accumulations of U.S. investors. However, it may be noted that there have been other segments of the American economy which have not been able to draw on capital markets to finance their economic growth, just as industries abroad have been unable to rely on their domestic resources during the postwar years. The inability of particular sectors of the economy to attract capital was recognized by the Congress when it provided special financial institutions to serve the needs of agriculture and small business, but no comparable institutions have been created, except on an emergency basis during depressions, to provide financial assistance for established industries in the United States.

3. The Federal Government might be unwilling to undertake the requisite guarantee of credits extended for railroad rehabilitation and modernization. The Government guarantee is, as noted above, an essential condition for the extension of credit by the World Bank. The reluctance of the Government to guarantee credits from the World Bank might reflect acquiescence in the attitude noted in the first objection, namely, that international financial assistance is intended to support underdeveloped and dislocated economies. Also, there might be political objections to the railroads resorting to such lending institutions, the objections coming from those who are basically unsympathetic to foreign aid and who might regard World Bank loans to railroads as strengthening a domestic special interest that would support foreign aid. It is difficult to provide answers to such objections.

4. The most serious objection to credit applications by U.S. railroads to the World Bank is that the distressed railroads could not satisfy the "financial viability" test for hard loans. If this objection has validity it is neither because the railroads do not have an essential role in the economy, nor because new capital investment cannot achieve large economies in their operations, but rather because the framework of public policy within which the railroad industry operates provides no assurance that economies will suffice to assure their financial viability. The failure to maintain a sound national transportation policy, which has brought the railroad industry to a crisis, stands as the most serious barrier to effective action for financial rehabilitation of the industry.

If for any reason, World Bank and international capital are not available to restore distressed railroads, then only two alternatives remain. If the Federal Government would act promptly to create a framework of law and regulation and encourage an industry structure in which privately operated railroads can survive, it might then be possible (1) that private capital would become available in adequate amounts to accomplish a comprehensive modernization of the railroads, or (2) that Government guarantees under suitable safeguards might be set up, perhaps through a Railroad Redevelopment Corporation, to revitalize the financially distressed but essential railroads. A failure to adopt and implement promptly the first alternative will confront the Nation with no choice other than the piecemeal and progressive subsidization and ultimate nationalization of the common carrier industry.

### AN ESSENTIAL U.S. RAILROAD IN DISTRESS

Among hard-pressed U.S. railroads that urgently need financial assistance to rehabilitate and modernize, the New York, New Haven & Hartford Railroad Co. tops the list and will serve as an example.

The New Haven Railroad is the only direct rail link between southern New England and the South and is a principal rail link between southern New England and the West. Its continued operation is essential to the welfare of all New England, the large metropolitan areas which it serves, and indeed to the United States. Yet the continued operation of the New Haven is in jeopardy.

The complex of difficulties that has long faced the New Haven Railroad is well known. The much-debated question of management aside, the difficulties arose largely from the disastrous Connecticut floods of 1955, the sharp downturn in industrial production in 1957, increased competition from trucks following the opening of the New England Throughway in 1957, which parallels New Haven's right-of-way and which has severely reduced its freight revenues, rising costs in the face of declining revenues, and heavy taxes unrelated to earning capacity. And along with other railroads, the New Haven has been adversely affected by the lack of a sound national transportation policy.

The assistance given by the Federal Government in the form of Interstate Commerce Commission guaranteed loans, made in amounts of $5 million to $7½ million over a period of several years, and totaling $35,600,000, and by the States of New York, Connecticut, and Rhode Island in the form of substantial tax and other relief, has enabled the New Haven to continue operations, though on an ever-decreasing scale.

This assistance has proved inadequate. It has been a limited-objective approach as contrasted with the comprehensive program—such as the World Bank adopts in granting loans—to make the railroad a fully viable undertaking. Clearly, the continuance of New Haven's services depends upon a comprehensive approach which will assure the full rehabilitation and complete modernization of essential plant and equipment and its merger with a larger railroad system.

The development of a comprehensive rehabilitation and modernization program for the New Haven Railroad is the responsibility of management. No such program has thus far been developed, though various studies have been made. With a sound rehabilitation and modernization program and with assurance that management will complete it, an application for a loan adequate to finance that program could be made through an appropriate national agency to the World Bank. Adequate financial assistance for this distressed but essential railroad, plus the assistance which the States mentioned above should continue to give and in which all the States served by the New Haven should participate, would insure the viability of the New Haven Railroad as part of a larger railroad system.

### A NATIONAL TRANSPORTATION POLICY

The foundation for any solution of the urgent problems besetting the railroad industry must be the adoption of a consistent national policy for the entire transportation industry. On April 5, 1962, the President of the United States sent a transportation message to the Congress which recognized the impossibility of continuing with conflicting responsibilities divided among some 31 Federal agencies and departments, and which emphasized the importance of creating a framework for the transportation industry which would assure equality of competitive opportunity. The President's message stopped short of what appears to be essential: it did not provide a blueprint of the specifics of a national transportation policy, nor did it propose to go beyond a coordination of various governmental agencies.

The Congress has the ultimate responsibility for setting down precisely what the national transportation policy shall be and how it shall be achieved. Thus far Congress has failed to demonstrate any sense of urgency in seeking a solution to the transportation problem, a fact which attests to the political difficulties inherent in resolving conflicts among interest groups within the transportation industry. As a matter of political reality it might be well to recognize that the Congress is unlikely to become the prime mover in resolving the crisis in the transportation industry. Historically, Congress has shown a tendency to enact piecemeal legislation and to be unaware of the necessity for a comprehensive, coherent program for the entire industry.

The most feasible proposal for the achievement of a comprehensive national transportation policy has been offered by Gov. Nelson A. Rockefeller, of New York. On September 11, 1961, Governor Rockefeller restated his proposal for the creation of a Federal Department of Transportation, whose first responsibility should be the formulation of a national transportation policy competent to preserve the railroads and other common carriers as viable segments of a private-enterprise economy. Giving effect to such a national transportation policy would result in a consistent pattern of Federal and State regulation, the removal of regulatory and other obstacles to efficient operations, and the creation of an industry capable of providing the efficient, self-supporting services which the economy requires.

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[From Traffic World magazine, Sept. 7, 1963]

THE WORLD BANK AND NEEDY U.S. RAILROADS

For those U.S. railroads that face a bleak future because they can't obtain the large loans they need in order to modernize their facilities and install new equipment to replace outworn rolling stock, an available avenue of aid was pointed out by Arne C. Wiprud, of Washingtn, D.C., in an article published in the July 27 issue of Traffic World, beginning on page 62. The theme of the article was that since the U.S. Government program of loan guaranties for financial troubled railroads (a program administered by the Interstate Commerce Commission) had expired on June 30, 1963, efforts should be made to get help for such carriers from one of the international lending agencies (such as the International Bank for Reconstruction and Development, commonly called the World Bank) for which the United States has put up more money than any other country.

Mr. Wiprud, former director of the New York State Office of Transportation, now consultant to the State of New York on transportation matters, has received letters from State government officials of New York and of the New England States commenting, generally favorably, on the article written by him for Traffic World. This is the substance of Mr. Wiprud's suggestion: Distressed transportation companies of this country that are needed for public service and can be restored to health should be allowed to share in the redevelopment loan programs of U.S.-supported international agencies such as the World Bank. Loans by the World Bank are made available, as a matter of policy, only to public or private establishments of foreign lands, but in its charter are no restrictions against loans to industries of this country.

The World Bank makes no loans to any public or private enterprise unless repayment of the loan is guaranteed by the government of the country in which the enterprise is located. Accordingly, in order to enable any U.S. industry to get a World Bank loan, Congress would have to enact loan-guarantee legislation similar to that which expired June 30. The guarantee provisions could be subject to approval by the ICC or by the Department of Commerce, in the case of loans to transportation companies. To obtain a loan from the World Bank, the railroad applying would have to be found by the World Bank to be capable of becoming viable if granted a loan; in other words, the loan will not be forthcoming unless the World Bank concludes that the borrowing enterprise is capable of living, growing, and developing.

One U.S. Senator from New England voiced an objection to Mr. Wiprud's suggestion that financially troubled U.S. railroads look to the World Bank for help. How, he wanted to know, could one justify the placing of a large loan from the World Bank in the hands of a railroad management that had proved itself to be incompetent and improvident? Some readers of Mr. Wiprud's loans-for-troubled-railroads proposal have indicated that they find it difficult to understand why the New Haven and other unhappily situated railroads have not looked into the possibility of obtaining government-guaranteed loans from the World Bank. Answers to those and other questions have been found by Mr. Wiprud in the course of further research.

Referring to the Senator's query about entrusting a big loan to an incompetent management, Mr. Wiprud believes the procedure employed by the World Bank should allay the Senator's fears. These are the procedural steps:

First, the World Bank's experts study the economy of the region in which the applicant's property is located and the purposes for which the loan is sought. In the latter phase of the study the World Bank experts are accompanied by representatives of the prospective borrower. The investigators for the World Bank then make their report and their recommendations to the Board of Governors of the Bank. If the Board approves the loan requested, funds are advanced, as work on the project progresses, not to the borrower itself, but to the manufacturer and/or supplier of the equipment or materials used or installed, to the construction contractor, etc., as verified bills are forwarded by the borrower to the World Bank. From time to time thereafter, experts from the World Bank inspect the project to determine progress and the quality of the work performed.

It should be clear, therefore, that the World Bank is vigilant in ascertaining that the money it lends to a private or public enterprise for the making of specified improvements is used only to cover the costs of those improvements and is not diverted into other channels. Similar safeguards should be in legislation that would revive the government loan-guarantee program for U.S. railroads that are "in the red."

Now, to those who wonder why railroads in search of a solution of their problem of trying to convert deficits into net income have failed to explore the possibility of getting help from the World Bank, Mr. Wiprud says the simple answer seems to be that the New Haven and other carriers have overlooked this opportunity for financial and other aid that the World Bank can give to hard-pressed but essential railroads. It's possible, he suggests, that the railroads, or some of them, have been unaware of the fact that loans may be made by the World Bank to applicant enterprises from all of the member countries, including the United States, for the purposes set forth in the bank's charter.

Anyone who discusses problems of deficit-ridden railroads inevitably gets around to the question, "What's going to happen to the New Haven?" The assistance that the Federal Government gave that carrier, in the form of ICC-approved guarantees of loans, prior to expiration of the loan-guarantee law was in amounts of $5 to $7.5 million and over a period of several years amounted to $35.6 million—but it fell far short of meeting the railroad's long-term needs. The New Haven cannot now get any financial help from any Federal Government agency. Its earnings suffice to cover current wage and other expenses, but unless it can get a Government-guaranteed loan large enough to enable it to improve its roadway and structures and replace its outworn fleet of cars it will face ultimate cessation of operation as a private business enterprise. The New Haven is the only direct rail link between southern New England and the South and is a principal rail link between southern New England and the West. Its continued operation is essential to the welfare of New England "and indeed to the United States," says Mr. Wiprud.

United action by the congressional delegations of New York and New England to make relief from the World Bank available will be a big step toward restoring the health of the New Haven. No less important, of course, will be the taking of action by the New Haven itself toward obtaining such relief.

## ADJOURNMENT

**Mr. SPARKMAN.** Mr. President, I move, pursuant to the previous order, that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 25 minutes p.m.) the Senate adjourned, in executive session, under the previous order, until tomorrow, Tuesday, October 22, 1963, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate October 21 (legislative day of October 17), 1963:

### PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

*To be senior assistant sanitary engineers*

Charles D. Larson
Francis M. McGowan
Donald W. Mantay

*To be assistant sanitary engineer*

Robert D. Shankland

*To be senior assistant sanitarian*

Gerald J. Lauer

### IN THE COAST GUARD

The following-named persons to be commanders in the U.S. Coast Guard:

William R. Gill
Frederick H. Raumer
David S. Williams
Ward R. Turner
William Miller

The following-named persons to be lieutenant commanders in the U.S. Coast Guard:

Russell D. Erickson
Milo A. Jordan
Wilbur E. Harris
Stephen P. Bunting
Roger F. Erdmann
Harry N. Hansen
John E. Cavanaugh
John Atherton
Clarence J. Pare, Jr.
Melvin H. Handley
Ezekiel D. Fulcher, Jr.
Christy R. Mathewson
Warren H. Wilmot
"A" "J" Beard
Lavine Hubert
Alvin L. Kool
Orval K. Beall
Philip S. Lincoln
Marin M. Cornell
Lyle W. Glenny
Richard R. Hoover
Ludwig K. Rubinsky
Victor Koll
Lawrence O. Hamilton
Eugene C. Colson
John A. Packard
Victor W. Sutton
George E. Cote
Melvin H. Eaton
Victor M. Adams
Lee W. Bothell
Talmadge H. Sivils
Charter D. Edwards
Robert P. Harmon
Claude W. Jenkins
George D. Miller, Jr.

Eugene Linnemann
Carl H. Mortensen
Harry A. Lessey
Robert F. Anderson
Daniel C. Giller
Lester W. Willis
Allen M. Wilson
William R. Claborn
Lynn I. Decker
Phillip M. Griebel
Rudolph E. Anderson
Donald H. R. Fraser
Donald Cobaugh
William K. Cooper
Christian A. Weitzel
Gerald M. Davis
Fred M. Guild, Jr.
Herbert L. Johnson
Howard H. Istock
Benjamin F. Weems
Harold W. Woolley
Robert J. Hanson.
William I. Janicke
Edward E. Walker
John A. Dearden
Charles H. Sanders
Richard F. Goward
Eugene P. Farley
Joseph A. Haynes

## POSTMASTERS

### ALABAMA

Percy O. Morris, Demopolis, Ala., in place of J. T. Monnier, deceased.

Malcolm M. Walding, Dothan, Ala., in place of J. H. Saxon, retired.

David Barnhill, Robertsdale, Ala., in place of H. J. Wilters, retired.

John A. Kelley, Uniontown, Ala., in place of E. M. Setzer, retired.

### ALASKA

Oscar R. Haynes, Pelican, Alaska, in place of D. Z. Sadlier, resigned.

### ARIZONA

Jane T. Williams, Patagonia, Ariz., in place of W. A. Gatlin, retired.

Charles H. Archibald, San Luis, Ariz., in place of L. M. Verdugo, retired.

Emert W. Hawkins, Thatcher, Ariz., in place of F. M. Martin, removed.

### ARKANSAS

Jacob F. Dickerson, Evening Shade, Ark., in place of Rex Hutchison, transferred.

Wilford W. Taylor, Hoxie, Ark., in place of J. N. Cooper, deceased.

### CALIFORNIA

Olive A. Jones, Castella, Calif., in place of B. M. Freese, retired.

Leonard O. Moody, Redondo Beach, Calif., in place of R. C. Durant, retired.

Ramona C. Hilliard, Williams, Calif., in place of H. A. Smith, deceased.

### COLORADO

Ralph M. Apple, Crowley, Colo., in place of C. E. Robison, resigned.

Louis Bruder, Jr., Oak Creek, Colo., in place of W. F. Luedke, retired.

### CONNECTICUT

Helen T. Fiddner, Brookfield Center, Conn., in place of L. S. McLeod, retired.

Edmund W. Vallera, Higganum, Conn., in place of R. A. Brookes, retired.

John B. Condon, South Britain, Conn., in place of D. L. Condon, retired.

### FLORIDA

Charles A. Miller, Bay Pines, Fla., in place of G. H. Sadler, retired.

### GEORGIA

Charles J. Cunningham, Madison, Ga., in place of W. W. Baldwin, retired.

### IDAHO

Harold K. Beaudreau, Nampa, Idaho, in place of W. C. Peebles, retired.

Frederic M. Sanger, Twin Falls, Idaho, in place of W. W. Frantz, retired.

### ILLINOIS

Glenn E. Jones, Bulpitt, Ill., in place of M. N. Ceyte, deceased.

William J. Winget, Clayton, Ill., in place of R. E. Gibbs, retired.

Elmer C. Kerley, Colp, Ill., in place of Raleigh Miller, retired.

Bennett V. Dickman, Edwardsville, Ill., in place of R. A. Hanser, retired.

William L. Parker, Genoa, Ill., in place of J. R. Sester, removed.

Richard W. Kempster, London Mills, Ill., in place of L. M. La Tourette, deceased.

Chris T. Stathis, Montgomery, Ill., in place of B. M. Paris, retired.

Ernest W. Bradley, Jr., Raleigh, Ill., in place of E. L. Glascock, retired.

William E. Manley, Sherman, Ill., in place of L. M. Allmon, resigned.

### INDIANA

James Neugebauer, Gary, Ind., in place of Sid Charais, deceased.

Leo C. Christensen, Hammond, Ind., in place of D. F. Clark, retired.

Roger J. McKee, Michigan City, Ind., in place of W. L. Gilmore, retired.

### IOWA

Izetta C. Bopp, Brayton, Iowa, in place of L. F. Matthews, deceased.

Bernard F. Snyder, Larchwood, Iowa, in place of A. E. Walsh, retired.

Orval C. McCormac, Letts, Iowa, in place of J. B. Thompson, transferred.

Mary E. Dardis, Peosta, Iowa, in place of I. E. Heffernen, retired.

Dorothy M. Lowell, Postville, Iowa, in place of Keith Gray, retired.

Willard E. Leiran, Waterville, Iowa, in place of L. V. Benda, transferred.

### KANSAS

John H. Grentner. Junction City, Kans., in place of J. S. Shilling, retired.

Harold A. Tongish, McDonald, Kans., in place of J. W. Boyle, retired.

### LOUISIANA

George C. Grammer, Benton, La., in place of R. M. Ivey, retired.

George G. Benefiel, Kenner, La., in place of J. N. Martin, deceased.

Lee L. Blanchard, Paincourtville, La., in place of F. J. Dugas, resigned.

Pat W. Almond, Port Allen, La., in place of J. E. Butler, Jr., transferred.

Rena G. Langlinais, Youngsville, La., in place of C. R. Dupleix, retired.

### MAINE

Norris L. Marston, Lubec, Maine, in place of W. E. Baker, retired.

Leo P. Pinette, Westbrook, Maine, in place of G. C. Robinson, retired.

### MARYLAND

William Telemeco, Maugansville, Md., in place of M. D. Rice, retired.

George R. Parsons, Sr., Rock Hall, Md., in place of H. R. Price, retired.

Albert N. Golliday, Severn, Md., in place of N. W. Clark, retired.

### MASSACHUSETTS

John F. Bresciani, Hopedale, Mass., in place of William Larson, retired.

Murray Trilling, Richmond, Mass., in place of G. N. Wheeler, deceased.

### MICHIGAN

Harry L. Faling, Clarklake, Mich., in place of Dell Merry, retired.

Linden F. Tibbits, Columbiaville, Mich., in place of Orville Fader, Jr., removed.

Frederick A. Heileman, Dutton, Mich., in place of M. E. Leatherman, retired.

### MINNESOTA

Anton J. Foss, Houston, Minn., in place of A. S. Peterson, retired.

Ervin T. Wiebolt, Ogema, Minn., in place of D. C. Groth, transferred.

### MISSISSIPPI

Malcolm D. McAuley, Byhalia, Miss., in place of E. E. Perry, retired.

Charles H. Hughes, Cleveland, Miss., in place of J. W. Webb, resigned.

### MISSOURI

Arthur L. Giffin, Guilford, Mo., in place of E. B. Sympson, retired.

Morris W. Templeman, Meadville, Mo., in place of A. M. Gooch, transferred.

Joe J. Kirkman, Osage Beach, Mo., in place of R. M. Laurie, resigned.

Forrest B. Thompson, Richmond, Mo., in place of Ivan Weber. retired.

### MONTANA

Leslie O. Smith, Victor, Mont., in place of J. E. Babbitt, retired.

### NEBRASKA

Raymond O. Johnson, Butte, Nebr., in place of E. L. Kimball, retired.

Gerald V. Caldwell, Campbell, Nebr., in place of E. V. Balthazor, retired.

### NEW JERSEY

Michael Arillo, Jr., Allenwood, N.J., in place of W. A. Allen. retired.

John B. White, Brielle, N.J., in place of A. L. Kroh, retired

Paul J. Sulla, Manville, N.J., in place of W. F. Janusz, retired.

Warren T. Moulton, Rahway, N.J., in place of M. F. Gettings, deceased.

Peter G. Bakutes, Somerville, N.J., in place of A. M. Lewis, retired.

Francis A. Newman, Spring Lake, N.J., in place of C. W. Brahn, retired.

### NEW YORK

A. Joseph Boulet, Gouverneur, N.Y., in place of F. E. Price, removed.

Edward A. Lesson, Greenwich, N.Y., in place of W. J. Whitney, retired.

John M. Hickey, Round Lake, N.Y., in place of R. S. Allen, resigned.

Margaret B. Forbes, Smithtown, N.Y., in place of F. T. Nichols, retired.

Paul G. Kenna, Wyoming, N.Y., in place of G. F. Powers, Jr, transferred.

Edna E. Grossman, Woodmere, N.Y., in place of Maryan Batt, retired.

### NORTH CAROLINA

Francis P. Martin, Danbury, N.C., in place of G. O. Petree, transferred.

Eugene B. Quinn, Hendersonville, N.C., in place of Columbus Few, retired.

Mattie L. Weathers, Lattimore, N.C., in place of L. M. Wilson, retired.

Herbert Long, Jr., Leland, N.C., in place of M. L. Rourk, retired.

John M. McNair, Jr., Nashville, N.C., in place of H. A. Valentine. retired.

James D. Malloy, Parkton, N.C., in place of V. D. Martin, retired.

### NORTH DAKOTA

Harley S. Durward, Bowbells, N. Dak., in place of D. J. Dolan, retired.

George G. Schmidt, Minnewaukan, N. Dak., in place of C. M. Chapman, retired.

### OHIO

Glenn G. Isenman, Canton, Ohio, in place of W. E. Dornan, retired.

Orval V. Grove, Centerburg, Ohio, in place of H. E. McCracken, removed.

Marcella V. Fedderke, Jewell, Ohio, in place of Jennie Spangler, retired.

Anthony Alferio, Jr., Kipton, Ohio, in place of J. M. Brumby, resigned.

Doris E. Thompson, Monroe, Ohio, in place of J. L. Bolin, retired.

Billy L. Flint, New Vienna, Ohio, in place of F. L. Carey, transferred.

### OKLAHOMA

Cora H. Gossmann, Arapaho, Okla., in place of E. E. Wiley, retired.

Frank H. Hall, Seminole, Okla., in place of W. E. Logan, retired.

### OREGON

Stephen N. Blackmore, Cave Junction, Oreg., in place of C. Y. Arnold, retired.

James P. Sandoz, The Dalles, Oreg., in place of Bertha Darnielle, retired.

PENNSYLVANIA

Edward L. Ricci, Ambridge, Pa., in place of E. L. Sohn, retired.

Catherine S. Golobish, East Millsboro, Pa., in place of Besse Daugherty, retired.

Roy S. King, Pitcairn, Pa., in place of P. C. Rupp, retired.

Walter P. Quintin, Thornton, Pa., in place of Lawson Stinson, resigned.

Rudolph M. Gallup, Ulster, Pa., in place of C. F. Mowry, deceased.

Florence E. Miller, Utica, Pa., in place of H. C. Brandt, retired.

PUERTO RICO

Jose D. Candelas, Jr., Manati, P.R., in place of P. M. Rivera, deceased.

SOUTH DAKOTA

Elnora L. Kempton, Peever, S. Dak., in place of A. O. Sundheim, deceased.

TENNESSEE

Curtis S. Lowery, Brownsville, Tenn., in place of J. A. Hudson, deceased.

Melvin L. Kilgore, Richard City, Tenn., in place of J. B. Hackworth, removed.

George L Brown, Woodbury, Tenn., in place of A. M. Houston, deceased.

TEXAS

Robert E. Baccus, Athens, Tex., in place of G. A. Boswell, transferred.

James R. Smart, Farwell, Tex., in place of N. N. Lokey, resigned.

Wright H. Williams, Friona, Tex., in place of J. P. Fortenberry, declined.

Howard W. Curtis, Galena Park, Tex., in place of E. P. Minnock, removed.

Willis H. Robertson, Jr., Grand Saline, Tex., in place of B. E. Chevalier, retired.

Eugene J. Dworaczyk, Hobson, Tex., in place of S. L. Pollok, transferred.

Finis L. Jeter, Kemp, Tex., in place of H. W. Haynis, retired.

Ernest C. Minyard, Sudan, Tex., in place of S. D. Hay, retired.

Leo Strange, Trinidad, Tex., in place of W. A. Trotman, retired.

VIRGINIA

Mildred M. Hill, Claudville, Va., in place of M. E. Anderson, retired.

Marquard L. Chandler, Exmore, Va., in place of M. L. Gladstone, retired.

Robert J. Owens, Ivor, Va., in place of J. C. Raiford, resigned.

Warner T. Crocker, Lovingston, Va., in place of M. L. Sheffield, retired.

George T. Cook, Jr., Newsoms, Va., in place of R. O. Griffin, retired.

LeRoy N. Hilton, Jr., St. Paul, Va., in place of M. V. Damron, retired.

WASHINGTON

Donald E. Nelson, Edmonds, Wash., in place of O. N. Sorensen, retired.

Max A. Gaston, Monitor, Wash., in place of W. M. Strutzel, retired.

Orval B. Senff, Olga, Wash., in place of W. B. Bradshaw, deceased.

Jerome W. Pfeifer, Ridgefield, Wash., in place of E. J. Claiborne, retired.

Helen M. Carlson, Skykomish, Wash., in place of John Maloney, Jr., retired.

WEST VIRGINIA

French B. Powers, East Rainelle, W. Va., in place of U. W. Grimes, retired.

Ruby E. Blevins, Hemphill, W. Va., in place of P. J. Groseclose, retired.

WISCONSIN

Eldon R. Rode, Cambria, Wis., in place of M. N. Ross, retired.

Loren G. Nelson, Cushing, Wis., in place of O. W. Lindall, retired.

Adolph L. Somers, Custer, Wis., in place of L. M. Hickey, deceased.

Michael J. Finnane, Evansville, Wis., in place of R. J. Antes, retired.

WYOMING

Ellen R. Smith, Medicine Bow, Wyo., in place of Bessie Adkins, retired.

## CONFIRMATIONS

Executive nominations confirmed by the Senate October 21 (legislative day of October 15), 1963:

IN THE COAST GUARD

The nominations beginning Russell A. Serenberg, Jr., to be captain, and ending Edward A. Walsh, to be lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on Oct. 3, 1963.

# HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 21, 1963

The House met at 12 o'clock noon.

Dr. Arthur McKinley Reynolds, Arlington Forest Methodist Church, Arlington, Va., offered the following prayer:

Eternal God our Heavenly Father, who hath brought into being individuals and nations to serve Thee not as slaves but as freemen and who caused honor and liberty to burn so brightly in the hearts of our ancestors that we are here today, we thank Thee for this Nation of ours and pray that we shall cherish these virtues so highly that we shall be able to bequeath to oncoming generations that which has come to us.

Let Thy blessings be upon this distinguished branch of our Government and may their actions this day and every day bring courage to the free nations of the world and hope to the enslaved millions of the earth.

Hear us as we pray through Jesus Christ, our Lord. Amen.

## THE JOURNAL

The Journal of the proceedings of Thursday, October 17, 1963, was read and approved.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On September 24, 1963:

H.R. 5081. An act to authorize the Commissioners of the District of Columbia to sell a right-of-way across a portion of the District Training School grounds at Laurel, Md., and for other purposes;

H.R. 5623. An act to amend the provisions of title 14, United States Code, relating to the appointment, promotion, separation, and retirement of officers of the Coast Guard, and for other purposes; and

H.R. 6012. An act to authorize the President to proclaim regulations for preventing collisions at sea.

On October 2, 1963:

H.R. 5555. An act to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes.

On October 5, 1963:

H.R. 5250. An act to amend section 411(a) of title 38, United States Code, to increase the rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected disabilities; and

H.R. 8100. An act to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes.

On October 8, 1963:

H.R. 6118. An act to amend the act providing for the admission of the State of Alaska into the Union with respect to the selection of public lands for the development and expansion of communities.

On October 11, 1963:

H.R. 1191. An act for the relief of Wilmer R. Bricker;

H.R. 1280. An act for the relief of Jan Koss;

H.R. 1281. An act for the relief of Capt. Leon M. Gervin;

H.R. 2303. An act for the relief of Elizabeth Kolloian Ismirian;

H.R. 2485. An act to amend the act entitled "An act to authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases," approved August 11, 1939, as amended;

H.R. 3648. An act for the relief of Fiore Luigi Biasiotta;

H.R. 3762. An act for the relief of Anna C. Chmielewski;

H.R. 4075. An act for the relief of Noriyuki Miyata;

H.R. 5888. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes; and

H.R. 7022. An act for the relief of Marguerite Lefebvre Broughton.

On October 16, 1963:

H.R. 772. An act to provide for the transfer for urban renewal purposes of land purchased for a low-rent housing project in the city of Detroit, Mich.;

H.R. 1192. An act for the relief of William C. Doyle;

H.R. 1458. An act for the relief of Kathryn Marshall;

H.R. 1459. An act for the relief of Oliver Brown;

H.R. 1696. An act defining the interest of local public agencies in water reservoirs constructed by the Government which have been financed partially by such agencies;

H.R. 1709. An act to establish a Federal Commission on the Disposition of Alcatraz Island;

H.R. 1726. An act for the relief of William H. Woodhouse;

H.R. 2256. An act for the relief of Jose Domenech;

H.R. 2751. An act for the relief of Mrs. Jesse Franklin White;

H.R. 2770. An act for the relief of Mrs. Justine M. Dubendorf;

H.R. 2845. An act to provide that the district courts shall be always open for certain purposes, to abolish terms of court, and to regulate the sessions of the courts for transacting judicial business;

H.R. 3219. An act to provide for the payment of a reward as an expression of appreciation to Edwin and Bruce Bennett;

H.R. 3450. An act for the relief of Herbert B. Shorter, Sr.;

H.R. 3843. An act for the relief of Wallace J. Knerr;

H.R. 4965. An act for the relief of certain employees of the Foreign Service of the United States;

H.R. 5307. An act for the relief of Edward T. Hughes;

H.R. 5811. An act for the relief of L. C. Atkins & Son;

H.R. 5812. An act for the relief of Quality Seafood, Inc.;

H.R. 6373. An act for the relief of Robert L. Nolan; and

H.R. 6443. An act for the relief of Mrs. Margaret L. Moore.

On October 17, 1963:

H.R. 242. An act to amend section 1820 of title 38 of the United States Code to provide for waiver of indebtedness to the United States in certain cases arising out of default on loans guaranteed or made by the Veterans' Administration;

H.R. 3369. An act for the relief of Mrs. Elizabeth G. Mason;

H.R. 4842. An act to amend the Federal Credit Union Act to extend the time of annual meetings, and for other purposes;

H.R. 6246. An act relating to the deductibility of accrued vacation pay; and

H.R. 7179. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 192. Joint resolution relating to the validity of certain rice acreage allotments for 1962 and prior crop years.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4638. An act to promote the orderly transfer of the Executive power in connection with the expiration of the term of office of a President and the inauguration of a new President.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 283. An act to amend the Small Reclamation Project Act of 1956;

S. 979. An act to amend section 332 of title 28, United States Code, in order to provide for the inclusion of a district judge or judges on the judicial council of each circuit; and

S. 1543. An act to repeal that portion of the act of March 3, 1893, which prohibits the employment, in any Government service or by any officer of the District of Columbia, any employee of the Pinkerton Detective Agency or any similar agency, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1576) entitled "An act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes."

## NAVY SECRETARY FRED KORTH GUILTY OF CONFLICT OF INTEREST

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, several weeks ago and on the basis of evidence then accumulated by the McClellan investigating committee in connection with the award of the multibillion-dollar TFX fighter plane contract to the General Dynamics Corp., I insisted that Navy Secretary Fred Korth was guilty of conflict of interest.

The revelations of recent days, showing that Korth has been using his office as Navy Secretary, including stationery and a Navy yacht, to promote business for the Continental National Bank of Fort Worth, Tex., of which he was the president, furnish further proof that he has violated the code of conduct pertaining to his high office.

There is also the revelation that he has been named a defendant in a suit charging fraud against a Texas insurance company.

Mr. Speaker, in view of the evidence, Secretary of Defense McNamara ought to immediately cancel the TFX contract, and President Kennedy should immediately state publicly whether Navy Secretary Fred Korth was permitted to voluntarily resign, effective November 1, or whether he was fired.

## CONFERENCE REPORT AND STATEMENT ON S. 1576 (H. REPT. NO. 862)

Mr. HARRIS submitted a conference report and statement on the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community health centers, and for other purposes.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that it may be in order, notwithstanding that the privileged report has just been presented, to call up the conference report this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. SCHENCK. Mr. Speaker, reserving the right to object, may I inquire of the chairman of the committee if he intends to fully explain the conference report when it is brought up?

Mr. HARRIS. I may say to the gentleman it is my intention with other members of the conference committee to explain in full the conference report. I should like to say to the gentleman I do this because we did not have the privilege of filing the report last week prior to adjournment of the House. We had no idea that the conferees would get together on the bill. We were at an impasse and it looked like it would be impossible to reach agreement and, therefore, I did not ask permission to file it at that time. To our amazement and complete satisfaction the conferees did agree. I have just now had the opportunity of filing the report. I am leaving late this afternoon as one of the delegates appointed by the Speaker to the U.S. delegation at an international conference in Geneva, and I would like to get the report considered before I leave. That is the reason for asking for this privilege.

Mr. SCHENCK. Mr. Speaker, may I say we are perfectly willing to have the report brought up at this time because it is the unanimous report of all the conferees on the part of the House and the Senate. The House conferees did maintain the position taken by the House, also the Senate adopted and approved it. Also, Mr. Speaker, in view of the fact that our chairman is leaving for this important official assignment, it would seem to us we should make an exception today and agree to take up this report.

Mr. ARENDS. Mr. Speaker, reserving the right to object, and I shall not object, in view of the circumstances explained by the gentleman from Arkansas. May I ask the chairman if you have agreed on any time later in the day for consideration of this conference report?

Mr. HARRIS. That is up to the Speaker. It is his prerogative. I assume it will be following the Consent Calendar, and disposition of the bill to be considered under suspension, but that is up to the Speaker.

Mr. ARENDS. I understand. The only statement I should like to make to the gentleman is that I trust this action later today will not in any way set a precedent. It is unusual procedure, but under the circumstances that prevail at the moment I voice no objection to consideration of the conference report later on in the day.

Mr. HARRIS. I would not want it to be a precedent.

Mr. GROSS. Mr. Speaker, reserving the right to object, I want it clearly understood that this is not to be considered as establishing any kind of precedent. It is extremely fast action to bring a conference report to the House and within an hour or so consider it without having conformed to the rules which require that it lay over. I want it thoroughly understood, therefore, this is not to be considered as a precedent but, rather, in the nature of an accommodation under the circumstances to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. I thank the gentleman very much. I would not have made this request except for the unusual circumstances.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

## OPERATION OF THE TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 170)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed with illustrations:

*To the Congress of the United States:*

I hereby transmit the seventh annual report on the operation of the trade agreements program. The report covers the year in which the Trade Agreement Extension Act of 1958 expired and the Trade Expansion Act of 1962 took effect.

During this period of transition:

Free world trade continued to expand with exports climbing to a record $124 billion and with U.S. exports alone reaching a new high of $20.9 billion—$4.5 billion more than our imports.

There was further freeing of trade in agriculture, helping U.S. farm exports to hold their own at the $5 billion mark.

The needs of the less-developed countries in their trade relations received more attention than ever before.

The advent of the Trade Expansion Act was followed almost immediately by actions described in this report (and others that have since taken place) to put its provisions into effect. These actions have gone forward on schedule despite the temporary setback in the movement toward European economic unity.

A new round of trade negotiations under the General Agreement on Tariffs and Trade has now been scheduled. The negotiations can lead to an expansion of free world trade in all products and in all directions. They can help deal with the problem of agricultural protectionism and the dilemma of hunger and glut. They can turn trade into a more effective tool of economic growth for the developing nations.

This report tells of barriers to U.S. trade that have been eliminated or reduced in the past year. It also describes some that still exist and new ones that have been created. Every nation maintaining old barriers or imposing new ones has a reason for doing so, but all nations, including our own, will benefit more from the expansion of trade than from restrictions that curtail trade.

The United States will continue to press for the removal of all restrictions that hinder our exports. It will also continue to follow a national policy of self-restraint in the use of restrictions and of confidence in the intentions of our trading partners to do the same. This is the policy laid down by the Trade Expansion Act. Our adherence to it is essential to the maintenance of the upward course of free world trade described in this report.

John F. Kennedy.

The White House, *October 21, 1963.*

## MRS. GENEVA H. TRISLER

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2268) for the relief of Mrs. Geneva H. Trisler, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Strike out all after the enacting clause and insert: "That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Geneva H. Trisler, of Baton Rouge, Louisiana, the sum of $322.56. This sum represents the amount remaining due as compensation for services rendered the United States Post Office, Baton Rouge, Louisiana, during the period November 1, 1949, to and including May 7, 1952: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

## SP5C. CURTIS MELTON, JR.

Mr. ASHMORE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6377) for the relief of Sp5c. Curtis Melton, Jr., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Page 1, line 6, strike out "$1,180.95" and insert "$1,000".

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

## CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

## ACQUISITION OF PROPERTY IN SQUARE 758 IN THE DISTRICT OF COLUMBIA

The Clerk called the bill (S. 254) to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

## DEPARTMENT OF AGRICULTURE

The Clerk called the bill (H.R. 7155) to facilitate the work of the Department of Agriculture, and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

## PAYMENT OF TRANSPORTATION OF PRIVATE VEHICLES OF GOVERNMENT EMPLOYEES IN ALASKA

The Clerk called the bill (H.R. 1959) to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CONTE. Reserving the right to object, Mr. Speaker, the last time we were considering this bill my colleague from Michigan [Mr. Ford] asked a question of the Member in charge of the bill, who said he would do some research on the question and would have the answer today.

Mr. ROSENTHAL. Mr. Speaker, on October 10 the chairman of the Committee on Government Operations, the gentleman from Illinois [Mr. Dawson], wrote to the gentleman from Michigan [Mr. Ford] and I think answered all the inquiries he raised. The gentleman from Michigan's [Mr. Ford] inquiries were directed to the question of whether there was any intention on the part of the military or whether there was included in the legislation any provision for the military to be included and for their vehicles to be transported. I will read the portion of the letter which I think is pertinent to the inquiry:

> I have had this matter investigated to make certain of the facts. Under Section 2634 of title 10 of the United States Code the authority to transport motor vehicles for military personnel is given in the following language:
>
> "When a member of an Armed Force is ordered to make a permanent change of station, one motor vehicle owned by him and for his personal use may be transported to his new station at the expense of the United States (1) on a vessel owned by the United States; or (2) by privately owned American shipping services."
>
> The bill, H.R. 1959, as reported by our committee, does not diminish, enlarge, or in any way affect present law for the military and would set no precedent for them in any way. The bill relates only to civilian employees of the Government and provides for them a benefit that the military already possesses.

I think that should adequately answer the inquiry.

Mr. CONTE. Mr. Speaker, I withdraw my reservation of the right to object.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

That section 1(f) of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-1(f)) is amended by adding at the end thereof a new sentence as follows: "For the purposes of this subsection, Alaska shall be considered to be outside the continental limits of the United States."

With the following committee amendment:

Page 1, line 6, insert "and subsection (e)" immediately before the comma.

The committee amendment was agreed to.

Mr. ROSENTHAL. Mr. Speaker, I offer a technical amendment to the committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 6, delete the comma after "subsection" and insert a comma after "(e)".

The amendment to the amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska, and for other purposes."

A motion to reconsider was laid on the table.

## AUTHORIZING ESTABLISHMENT OF THE ST. GAUDENS NATIONAL HISTORIC SITE, N.H.

The Clerk called the bill (H.R. 4018) to authorize establishment of the St. Gaudens National Historic Site, N.H., and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

## RESEARCH INTO SPINAL CORD INJURIES

The Clerk called the bill (H.R. 8677) to amend title 38, United States Code, to set aside funds for research into spinal cord injuries and diseases.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HARSHA. Mr. Speaker, reserving the right to object, as I understand it this administration is not too enchanted with this legislation. I notice from the information that I have that the Bureau of the Budget has not indicated its views with respect to this legislation. Under the rules, by which the official objectors generally proceed, there is a requirement that if the views of the Bureau of the Budget are not indicated that the situation would be explained to the House. I wonder if the gentleman could tell us the situation with regard to the Bureau of the Budget.

Mr. DORN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a letter by Mr. William P. Green, national director of the Paralyzed Veterans of America, Inc.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the bill provides that funds appropriated for research in the Veterans' Administration shall have set aside in each fiscal year beginning on July 1, 1964, and ending June 30, 1970, a total of not less than $100,000 for research into spinal cord injuries and diseases and other diseases that lead to paralysis of the lower extremities.

This bill was introduced at the request of the Paralyzed Veterans' Association and would accomplish this simple purpose stated in the paragraph above and would not cause any additional appropriation.

Section 216(c) of title 38 specifically directs the Administrator to conduct research in the field of prosthetic appliances, prosthesis, and similar devices. The present research program in the Veterans' Administration in this general field totals approximately three times the dollar amount set forth in this bill. Currently the VA is spending $338,000 on this item. Enactment of this bill will serve to focus attention on the needs of this particular group and will in no way, in the opinion of the committee, interfere with the research program of the Veterans' Administration.

Naturally, I will say to my distinguished friend, the gentleman from Ohio, that the Bureau would concur in the objection of the Veterans' Administration. However, I hope my distinguished and able friend will not object to this bill because I think it is a means and the only means we have to bring to the attention of this country the condition of some of our paralyzed veterans. This bill is advocated by the Paralyzed Veterans of America, Inc. The Veterans' Administration spends approximately $30 million annually on research and this only sets aside $100,000 of this $30 million for research spent annually by the Veterans' Administration to focus attention upon this particular ailment and to further research and study of the spinal cord and the effect on the lower extremities of the body of any injury to this vital organ in cases involving our paralyzed veterans.

Mr. Speaker, this bill was reported unanimously by the committee and I think it is a good bill.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman.

Mr. LAIRD. I would like to direct a question to our colleague on the Committee on Veterans' Affairs. The gentleman has mentioned about $100,000 in research work in this area. We are presently spending many times that amount in grants on research in this specific area at the National Institutes of Health. I wonder how much consideration the Veterans' Committee gave to this work that is presently being carried out at the National Institutes of Health. We have some 15 grants going to colleges and medical schools throughout the United States, specific grants in this area. Some of these grants are as old as 7 and 8 years. Effective research work is going on in this area and I am sure the Veterans' Administration is aware of this program. Did the committee give any consideration to it?

Mr. DORN. I can assure my friend, the gentleman from Wisconsin, that the committee was aware of vast expenditures in other categories and the NIH I am glad to say, makes research grants to the VA.

Mr. LAIRD. No, this is earmarked for this kind of work. This is a specific grant.

Mr. DORN. I would also like to point out that this $30 million for research is being spent by the Veterans' Administration annually. This bill does not involve one single new appropriation of 5 cents. It does focus, I would like to say to my friend, the attention of the country on this peculiar situation. Paralyzed veterans came before the committee.

Mr. LAIRD. If I may point out to the gentleman, I am afraid what it is doing is playing down the significance of the large amount—of the $900 million—given to the NIH and the some 15 to 24 grants specifically in this area which run much larger than $100,000.

Mr. DORN. I can assure my friend there is no effort on the part of this committee to play down that noble undertaking and the vast expenditure of money in these areas.

The committee is endeavoring to emphasize this study just as the gentleman from Wisconsin has by his helpful statement. Work performed by the NIH will benefit both veteran and nonveteran and the same will be true of work performed in this field by the Veterans' Administration. The neurology office at the NIH has advised me that currently that agency has assigned $182,863 for intramural research on spinal cord diseases; $125,185 for extramural research on spinal cord diseases and of this latter amount $96,671 is earmarked for study of paraplegics. May I again thank the gentleman for his helpful comment in stressing the importance of this type of study and setting the record straight as to the intent of the Congress on this point. Of course the Committee on Veterans' Affairs intends to upgrade such study by this action.

I do hope the gentlemen will interpose no real objection to this bill which will not cost one additional red cent.

Mr. Speaker, at this point I would like to include a letter by Mr. William P. Green, national director of the Paralyzed Veterans of America, Inc., showing what that organization is doing in this field.

The letter referred to is as follows:

Paralyzed Veterans of America, Inc.,
*Needham, Mass., October 18, 1963.*
Hon. Olin Teague,
*Chairman, House Veterans Affairs Committee, House Office Building, Washington, D.C.*

Dear Mr. Teague: We are following our conversation of H.R. 8677 for spinal cord research with this short summary of PVA's efforts and projects in this area.

In 1947, as a means of fulfilling one of our purposes, we sponsored the National Paraplegia Foundation, and until this year channeled all our efforts through that organization. Our efforts in their behalf have helped to keep them functioning in the areas of research and education for 15 years.

In the past year, our fundraising greeting card program has expanded so that we are able to plan a 2-year program for spinal cord injury research rehabilitation and education as follows:

First, $15,000 for the National Paraplegia Foundation, to help finance a three-State study on paraplegia needs.

Second, $10,000 to the Dr. Bors research project in Long Beach, Calif.

Third, $7,000 a year ($14,000) to be donated in the names of PVA chapters to their designated projects.

Fourth, $2,000 per year ($4,000) for the medical student spinal cord essay contest.

These projects total $43,000 over the 2-year period.

In addition to these direct projects, we are attempting to find funds to publish a book by Dr. Ernest Comar and our chapters are engaged in public education projects.

These efforts on our part are sincere attempts to better the treatment of spinal cord injury or disease patients. Twenty years ago, the term paraplegia was known to the medical profession; lay people couldn't even pronounce it. Today, it is recognized; and there are a few good centers for treatment. We hope to make further advances.

The particular bill, H.R. 8677, calling for $100,000 a year for spinal cord research by the Veterans' Administration is an excellent means of strengthening and bettering the VA's program of treatment for spinal cord injury. It should serve to attract doctors into the VA spinal cord injury services—a much needed and desired goal.

Speaking for the PVA and a host of civilian paraplegias and those who unforunately will be paraplegias, I can say that the Congress will be doing a great service to all by passing H.R. 8677.

Respectfully,
William P. Green,
*National Director.*

**Mr. HARSHA.** I thank the gentleman from South Carolina. Mr. Speaker, I have no objections, and I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 216(c) of title 38, United States Code, is amended by adding at the end thereof the following: "For each fiscal year in the period beginning July 1, 1964, and ending June 30, 1970, the Administrator shall set aside not less than $100,000 of such appropriated funds for the conduct of research into spinal cord injuries and diseases, and other disabilities that lead to paralysis of the lower extremities."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

**Mr. SAYLOR.** Mr. Speaker, I ask unanimous consent to extend my remarks immediately after the passage of the bill, H.R. 8677.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

**Mr. SAYLOR.** Mr. Speaker, I rise in support of H.R. 8677. This bill will authorize $100,000 of the funds appropriated for research in the field of prosthetic appliances, orthopedic appliances and similar devices to be specifically earmarked for the conduct of research into spinal cord injuries and diseases and other disabilities leading to paralysis of the lower extremities. The bill provides that this authority shall exist for a period of 6 years. The Veterans' Administration indicates that its present research expenditures now approximates and possibly exceeds $100,000 a year. Enactment of the bill will, therefore, not result in the expenditure of additional funds. Instead, it will make mandatory the expenditure of an amount approximate to that already being expended for this worthy purpose. Enactment of this bill will serve to focus attention on the specialized needs of paralyzed veterans. I urge its approval.

## GETTYSBURG ADDRESS DAY

The Clerk called the resolution (H. J. Res. 747) authorizing and requesting the President to proclaim November 19, 1963, as Gettysburg Address Centennial Day.

There being no objection, the Clerk read the resolution, as follows:

Whereas November 19, 1963, will mark the one hundreth anniversary of Abraham Lincoln's Gettysburg Address: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized and requested to issue a proclamation designating November 19, 1963, as Gettysburg Address Centennial Day, and calling upon the people of the United States to observe that event with appropriate ceremonies on that date and during the week of November 17 through November 23, 1963.

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

## LAKE ERIE SESQUICENTENNIAL

The Clerk called the bill (S. 1828) to amend the joint resolution establishing the Battle of Lake Erie Sesquicentennial Celebration Commission so as to authorize an appropriation to carry out the provisions thereof.

**Mr. ASPINALL.** Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado.

## CANDELA AS THE UNIT OF LUMINOUS INTENSITY

The Clerk called the bill (S. 1064) to amend the act redefining the units and establishing the standards of electrical and photometric measurements to provide that the candela shall be the unit of luminous intensity.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act to redefine the units and establish the standards of electrical and photometric measurements" (Act of July 21, 1950; 64 Stat. 370) is amended by deleting the word "candle" wherever it appears and inserting in lieu thereof the word "candela".

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

## AMEND ORGANIC ACT OF THE NATIONAL BUREAU OF STANDARDS

The Clerk called the bill (H.R. 5838) to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to make certain improvements of fiscal and administrative practices for more effective conduct of its research and development activities.

The **SPEAKER.** Is there objection to the present consideration of the bill?

**Mr. GROSS.** Mr. Speaker, reserving the right to object, I would like to ask a question or two of someone who is familiar with this bill, specifically with reference to language to be found in the report on page 3, which says that "this bill is necessary, therefore, to provide the National Bureau of Standards with the necessary authority to furnish direct service to other countries" and so on and so forth.

What countries are to be provided service and in what amount?

**Mr. MILLER** of California. Mr. Speaker, will the gentleman yield?

**Mr. GROSS.** I yield to the gentleman from California.

**Mr. MILLER** of California. I would say that this is a reciprocal matter that takes place in countries that are friendly to us. I do not know that there is any money involved, but it allows them to exchange these services with other countries.

**Mr. GROSS.** What is the purpose of the bill, if the gentleman will explain it briefly?

**Mr. MILLER** of California. The purpose of the bill is to allow the Bureau of Standards to update its practices with respect to a number of items where over the years it has slipped. It is very simple. There is no money involved in the bill except for the use of certain unappropriated funds in the amount of not to exceed $1,000 a year that can be used by the Bureau of Standards for entertainment purposes. Visiting scientists come here and are entertained as a matter of courtesy just as our scientists are entertained when they go abroad. There is no money provided or appropriated by Congress for this, but an old practice is that all funds earned or honorariums which are paid to members of the staff for speeches or articles that are made by them are deposited with the Bureau of

Standards. We are asking that they be allowed to use $1,000 a year from these funds for this purpose.

Mr. GROSS. I am still concerned with the language which again I find on page 1 as well as page 3 of the report:

> Permit the Bureau to perform services for international organizations and governments of free countries and their laboratories.

Perhaps there is no additional money in this bill, but if they are going to expand to the point where they provide services for foreign governments, then someone will be here with a bill asking for additional money for that purpose and they will point to this bill and say, "You made this possible; you agreed to approve this bill," and away we will go again with an additional appropriation.

Mr. MILLER of California. No. I think the gentleman misses the point. If he as an individual or if General Motors Corp. should go to the Bureau of Standards and ask them to perform some service, they are paid for that service and there is a fee attached to it. They pay this fee. This allows the National Bureau of Standards to do the same thing and sell them certain standard samples that are used to gage other things by, and it allows them to do this for friendly countries just as they do it for our own people.

Mr. GROSS. I see no analogy between the General Motors Corp. and at least one of the stated purposes of this bill—in connection with performing of additional services for international organizations and governments.

Mr. Speaker, until I can learn more about what is contemplated under this provision, I must ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

## FUNCTIONS OF THE BEACH EROSION BOARD

The Clerk called the bill (S. 1523) to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Board established by section 2 of the River and Harbor Act approved July 3, 1930, as amended (33 U.S.C. 426), referred to as the Beach Erosion Board, is hereby abolished. There shall be established under the Chief of Engineers, United States Army, a Coastal Engineering Research Center which, except as hereinafter provided in section 2 hereof, shall be vested with all the functions of the Beach Erosion Board, including the authority to make general investigations as provided in section 1 of the Act approved July 31, 1945 (59 Stat. 508), and such additional functions as the Chief of Engineers may assign.

SEC. 2. The functions of the Coastal Engineering Research Center established by section 1 of this Act, shall be conducted with the guidance and advice of a Board on Coastal Engineering Research, constituted by the Chief of Engineers in the same manner as the present Beach Erosion Board.

SEC. 3. All functions of the Beach Erosion Board pertaining to review of reports of investigations made concerning erosion of the shores of coastal and lake waters, and the protection of such shores, are hereby transferred to the Board established by section 3 of the River and Harbor Act approved June 13, 1902, as amended (33 U.S.C. 541), referred to as the Board of Engineers for Rivers and Harbors.

With the following committee amendment:

On page 1, line 9, strike out "2" and insert in lieu thereof "3".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

## PROJECT ON THE MISSISSIPPI AT MUSCATINE, IOWA

The Clerk called the bill (H.R. 5244) to modify the project on the Mississippi River at Muscatine, Iowa, to permit the use of certain property for public park purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the project on the Mississippi River at Muscatine, Iowa, authorized in section 101 of the Rivers and Harbors Act, 1950, is hereby modified to provide—

(a) that in addition to all other purposes set forth in House Document 733, Eightieth Congress, to which local interests agreed to put the real property described in section 2 of this Act, such property may be used by the city of Muscatine, Iowa, for public park and recreation purposes;

(b) that local interests shall only be required to furnish for said project such commercial harbor facilities as the local governmental body charged with the control and supervision of the public lands described in section 2 of this Act shall deem necessary or advisable to met the public demand for commercial harbor facilities.

SEC. 2. The real property referred to in the first section of this Act is a tract of land situated in the county of Muscatine, State of Iowa, being part of the original town of Muscatine, located in the southwest quarter section 36, township 77 north, range 2 west, of the fifth principal meridian, more particularly described as follows:

Beginning at the intersection of the extension of the westerly line of Orange Street of said original town of Muscatine and the southerly right-of-way line of the Chicago, Rock Island, and Pacific Railroad; thence southeasterly along said westerly line of Orange Street extended to a point 265 feet from the southeasterly corner of block 16 of said original town of Muscatine; thence northeasterly to a point on the extension of the easterly line of said Orange Street, 265 feet from the southwesterly corner of block 17; then continuing southeasterly along said easterly line of said Orange Street extended a distance of 450 feet, more or less, to the harbor line established by the United States Government at the city of Muscatine, Iowa; thence northeasterly and upstream along said harbor line to a point on the extension of the northeasterly line of lot 3, block 19, of the original town of Muscatine, Iowa; thence northwesterly along said line to the southerly right-of-way line of the Chicago, Rock Island, and Pacific Railroad; thence southwesterly along said right-of-way line to the point of beginning; containing 10 acres, more or less.

With the following committee amendments:

Page 2 strike out lines 3 through 8, and insert in lieu thereof the following:

"(b) that local interests shall provide and maintain at local expense adequate public terminal and transfer facilities open to all on equal terms."

Page 3 strike out line 2, and insert in lieu thereof the following: "proposed harbor line as set forth on plate 1 of House Document Numbered 733, 80th Congress,".

Page 3, line 4, immediately after "said" insert "proposed".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

## CONVEY PROPERTY TO WAUKEGAN PORT DISTRICT, ILL.

The Clerk called the bill (H.R. 6001) to authorize the conveyance to the Waukegan Port District, Ill., of certain real property of the United States.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Army is authorized and directed to convey to the Waukegan Port District, Illinois, without monetary consideration, all of the right, title, and interest of the United States in and to the real property described in section 2 of this Act, subject to the condition that such port district will maintain the existing steel sheet pile bulkhead in such condition as to prevent the escape of material into the harbor and that such property will be used for public harbor purposes. If such real property shall ever cease to be used for such purposes, all the right, title, and interest to such property shall revert to the United States, which shall have the immediate right to entry thereon.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows:

That part of fractional section 22, township 45 north, range 12 east of the third principal meridian, described as follows: Beginning at a point 181.5 feet north of the one-half section line of said section 22, and 1,131.5 feet, more or less, east of the west line of said section 22, which point is on the westerly line of the pier or dock forming the east side of Waukegan Harbor, thence due east 100 feet, thence due south 375 feet, more or less, to the southwest face of pier or dock, thence north approximately 42 degrees west 146 feet, more or less, along the face of said dock to its junction with north and south dock, thence north 262 feet, more or less, along face of said dock, to the point of beginning, situated in the county of Lake and State of Illinois, excepting therefrom that part thereof, now submerged, lying west of the existing steel sheet pile bulkhead now forming the east side of Waukegan Harbor, which part was heretofore cut away by the United States for the purpose of widening and improving Waukegan Harbor for the benefit of navigation passing to and from docks in slip numbered 1 and along the inner basin to the north.

With the following committee amendment:

Page 1, beginning in line 9, strike out "in such condition as to prevent the escape of material into the harbor," and insert in lieu thereof "in good condition for the protection of passing navigation and prevention of the escape of material into the harbor".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, the bill just passed by the House (H.R. 6001) will enable the Waukegan Port District to acquire jurisdiction of the balance of the property lying within the area of the Waukegan Harbor.

Construction of the harbor at Waukegan, Ill., which is the largest city in my congressional district—the 12th Illinois Congressional District, Lake, McHenry, and Boone Counties—was authorized by the Rivers and Harbors Act of June 14, 1880:

> In compliance with a requirement that the site and a free right-of-way to all points of the harbor be transferred to the United States free of cost as a prerequisite to construction of the harbor, the city of Waukegan, by deed dated August 24, 1880, donated to the United States approximately 5.2 acres of land along the west shore of Lake Michigan. As a result of the construction additional land area was formed through accretion.
>
> Part of the accreted area was conveyed to the city of Waukegan on May 28, 1926, by the Secretary of War, under authority of the act of June 13, 1902 (32 Stat. 373), for a consideration of $1,000 and on condition that the city would obtain from the State of Illinois a conveyance to the United States of another parcel of land in the harbor area. In fulfillment of this condition, the State of Illinois conveyed the designated parcel of land to the United States on August 30, 1929. The land described in H.R. 6001 is the remaining portion of the land conveyed to the United States by the State. Since that time, however, approximately 23 percent of the area has been cut away for harbor improvement. The presently remaining portion of the land contains no improvements or facilities except two sheet pile bulkheads, now forming the westerly and southerly sides of the land. (H. Rept. No. 850, Oct. 14, 1963.)

It was my privilege, as a member of the Illinois State Senate, to sponsor a bill providing for the creation of the Waukegan Port District. Under the authority of this legislation, as implemented by modest appropriations of State funds and improvements effected by the U.S. Corps of Engineers, the Waukegan Harbor has been developed for commercial traffic. It has facilities for accommodating domestic shipping as well as for ships entering the Great Lakes through the St. Lawrence Seaway from ports throughout the world.

Excellent freight service is available at the Waukegan Port over the tracks of the Chicago & Northwestern Railway, as well as the Elgin, Joliet & Eastern Railway. This rail service coupled with the convenient access to the harbor by major highways for motor transportation portends a promising future for the Port of Waukegan.

The board members of the Waukegan Port District are now devoting attention to the establishment of a marina, on this great western shore of Lake Michigan, to serve the mounting interest in pleasure craft.

In the passage of H.R. 6001, the position of the Waukegan Port District will be strengthened in its efforts to further improve the Waukegan Harbor for commerce as well as for the recreational activities of the residents and neighbors of the 12th Congressional District of Illinois.

I commend the Waukegan Port District board members for devoting themselves to the work of developing the Waukegan Port District. This includes the past president, William F. O'Meara, president, Citizens National Bank, Waukegan; the new chairman, Gen. Joseph A. Teece, U.S. Army, retired, vice president, Fansteel Metallurgical Corp., North Chicago; Joseph L. Rayniak, executive vice president, Outboard Marine Corp., Waukegan; Elwyn F. Wightman, CLU, Waukegan; William T. Kirby, counselor at law, Waukegan; Richard F. Kennedy, assistant to the publisher of the Waukegan News-Sun; and a former very active member of the board as well as a leading citizen, F. Ward Just, publisher of the Waukegan News-Sun. They have all worked without compensation and, frequently, at substantial personal expense.

I appreciate the cooperation of the U.S. Corps of Engineers who recognized the wisdom of this bill to authorize the conveyance of Federal property to the Waukegan Port District. I am grateful also to my colleagues for their support, in behalf of the Waukegan community as well as the welfare of all of the residents of the 12th Congressional District of Illinois.

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## CALL OF THE HOUSE

Mr. EVERETT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 175]

Abele
Ayres
Barrett
Barry
Bass
Berry
Blatnik
Bolling
Bolton,
  Frances P.
Brock
Bromwell
Broyhill, Va.
Bruce
Cahill
Cameron
Celler
Chelf
Clancy
Cohelan
Collier
Cooley
Corbett
Corman
Cunningham
Daddario
Denton
Derwinski
Devine
Diggs
Dulski
Dwyer
Elliott
Ellsworth
Fallon
Feighan
Findley
Fogarty
Ford
Foreman
Frelinghuysen
Fuqua
Glenn
Goodell
Griffiths
Gurney
Hagan, Ga.
Hall
Halleck
Halpern
Hoeven
Hoffman
Holland
Jennings
Joelson
Kelly
Keogh
Kilburn
Kluczynski
Knox
Kyl
Landrum
Lipscomb
Long, La.
McDade
McDowell
McIntire
McLoskey
Macdonald
Mailliard
Martin, Mass.
Michel
Miller, N.Y.
Monagan
Montoya
Moorhead
Morrison
Moss
Multer
Neisen
Nix
O'Brien, Ill.
Osmers
Passman
Patman
Pepper
Poage
Powell
Price
Reifel
Rivers, S.C.
Roberts, Ala.
Robison
Rodino
Rogers, Tex.
Roosevelt
Rostenkowski
Roudebush
St. George
St. Onge
Shelley
Shriver
Sibal
Slack
Smith, Iowa
Springer
Staebler
Steed
Stubblefield
Teague, Tex.
Thompson, La.
Thornberry
Tollefson
Tuck
Vinson
Watson
Westland
Whalley
Whitten
Willis
Wilson,
  Charles H.

The SPEAKER. On this rollcall, 311 Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

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## AUTHORIZATION FOR CERTAIN RIVER BASIN PLANS

Mr. DAVIS of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8667) authorizing additional appropriations for the prosecution of comprehensive plans for certain river basins.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) in addition to previous authorizations, there is hereby authorized to be appropriated the sum of $4,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in central and southern Florida, authorized by the Act of June 30, 1948, as amended and supplemented.

(b) In addition to previous authorization, there is hereby authorized to be appropriated the sum of $14,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the Brazos River Basin, authorized by the Flood Control Act of September 3, 1954, as amended and supplemented.

(c) In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $31,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the Arkansas River Basin, authorized by the Flood Control Act of June 28, 1938, as amended and supplemented.

(d) In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $1,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the White River Basin, authorized by the Flood Control Act of June 28, 1938, as amended and supplemented.

(e) In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $47,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the Ohio River Basin, authorized by the Flood Control Act of June 22, 1936, as amended and supplemented.

(f) In addition to previous authorizations there is hereby authorized to be appropriated the sum of $12,000,000 for the prosecution of the comprehensive plan for flood control and other purposes in the Los Angeles-San Gabriel River Basin authorized by the Flood Control Act of August 18, 1941, as amended and supplemented.

(g) In addition to previous authorizations, there is hereby authorized to be appropriated the sum of $36,000,000 for the projects and plans for the Columbia River Basin, including the Willamette River Basin, authorized by the Flood Control Acts of June 28, 1938, August 18, 1941, December 22, 1944, July 24, 1946, May 17, 1950, September 3, 1954, July 3, 1958, July 14, 1960, and October 23, 1962.

The SPEAKER. Is a second demanded?

Mr. ALGER. Mr. Speaker, I demand a second.

Mr. OLSEN of Montana. Mr. Speaker, a parliamentary inquiry.

Mr. SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. OLSEN of Montana. Mr. Speaker, I am against the bill. I ask whether or not the gentleman qualifies.

The SPEAKER. The Chair will ask the gentleman, in the light of the parliamentary inquiry, is the gentleman from Texas opposed to the bill?

Mr. ALGER. I am opposed to the bill, Mr. Speaker.

The SPEAKER. The gentleman qualifies, and without objection a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Tennessee is recognized for 20 minutes.

Mr. DAVIS of Tennessee. Mr. Speaker, this is an urgent piece of legislation. If I may beseech, for the few minutes we have, your undivided attention, I should like to give you as thorough an explanation and as chronological an explanation of this bill as it is possible for me to give. So, then, with your attention, I should like to say at the outset that I was assigned to the full Committee on Flood Control before the Reorganization Act of 1946, about 20 years ago. I have served on the Committee on Public Works since that time. I am now the chairman of the Subcommittee on Flood Control of the Committee on Public Works where the gentleman from New York, the Honorable Charles A. Buckley, serves with distinction as the chairman of the full committee. In all of those years, my colleagues, I have sought to follow the Golden Rule. I have tried to look after my associates as I would like them to look after me. Over the years it has been my privilege to work with a fine committee and to be supported almost wholeheartedly by the able members of the representation on the minority side in the presentation of a great number of omnibus bills. These bills are not easy to draft. Hearings of great length are required.

Mr. Speaker, I may say by preface that the first comprehensive river basin bill was passed in 1936. Subsequently, usually at 2-year intervals, other similar bills were passed.

Now, if I may use a general illustration, seeing my good friend, the gentleman from Ohio [Mr. Brown], sitting here, say the Ohio River Basin was authorized as a comprehensive plan in the sum of $100 million. Then as individual projects were authorized and the Appropriations Committee appropriated the money, the limit of $100 million was, as I like to term it, a credit ceiling. Then as these individual projects progressed and they would be without funds, the Congress reserved to itself the opportunity and the responsibility of reviewing the projects possibly making appropriate changes or adding to it the necessary money requirements to complete them.

So, then, last year we had a bill which took a great many weeks, and you will recall that in the last hours of the night before we adjourned on Saturday last year, we passed an omnibus bill authorizing $2.3 billion worth of projects. We were able to accommodate the wishes and the desires and the merits of a great number of our colleagues who were interested in meritorious projects.

It was necessary for us to go to conference because the other body added some highly controversial projects which have not been reviewed by the House committee. We appeared before the Committee on Rules and were granted a rule. While I, just like you, are here to work we literally spent hours in the day and in the night on the bill. I shall forever remember the gentleman from Alabama [Mr. Jones], the gentleman from Minnesota [Mr. Blatnik], the gentleman from California [Mr. Baldwin], and the gentleman from Florida [Mr. Cramer], as we sat together to work out the differences in the Senate and House bills.

Mr. Speaker, I promised the House at that time that as chairman of the conference I would sustain as far as possible the position of this body. Fortunately, I say it with all modesty, we were able to sustain that position. So, then, there were some seven highly controversial projects, some supported most vigorously and some opposed just as vigorously.

So I, and the late Senator Kerr, for whose memory I have the deepest affection, agreed that so far as the House was concerned we would hold hearings this year on those highly controversial projects which we excluded from the bill. I am delighted to report that we have conducted those hearings and they have been with thoroughness.

Now, Mr. Speaker, the committee has not yet acted formally upon those projects. That does not mean that we may not act this year nor certainly early next year because in my own personal judgment an omnibus bill is necessary and essential because a great number of favorable projects have been received, yea, in the last few weeks.

Now, Mr. Speaker, where does that bring us? In May of this year we learned that the Los Angeles drainage project was out of money, and it is out of money today. It would have been stopped had it not been for a utility district or some district out there loaning the money for the contractor to continue that work.

Then, on June 24 we passed a simple bill authorizing for emergency projects the increase in the river basins, an increase in amount of money to take care of them for fiscal years 1964 and 1965. When our bill got to the other body they added more than half a billion dollars worth of projects on which we have not as yet had authorization in this body. They cut down the basin river authorization from 2 years to 1 year. I am sure they acted in good faith.

By the way, Mr. Speaker, we passed our bill on June 24 and they passed their bill on July 30.

When that bill as amended was returned to this body I asked unanimous consent that the bill as amended go to conference, and for the first time since I have been here—some 23 years—more than 20 Members stood up and objected.

So we did some more thinking. Recognizing that this emergency was on top of us, and not being ready to authorize certain additional new projects which have been added in the other body, we came in with a bill following exactly the money value of the other body and extending our authorization for 1 year so that these 55 projects involved would not be shut down, affecting possibly life, and certainly property and employment.

On October 2 when I sought to bring that bill up by unanimous consent it was objected to. Now we have come back with this bill, H.R. 8667, which provides an increase of $145 million to take care of these river basins.

Let me tell you the basins involved. We have 21 comprehensive basins in the country. We passed 10 originally for 2 years. The other body cut that down to seven. We accepted the seven and used their figures.

The basins involved are the Central and Southern Florida, the Brazos River, very important down in Texas, the Arkansas River, White River, Ohio River, and the Columbia River.

It may interest you to know if this bill is not passed and does not pass the other body, in Arkansas there will be 13 projects involved subject to cessation of work. There is the Brazos project, very important. A total of 55 in all.

I will skip on down to the Los Angeles project, which is now by the board, except for the fact they borrowed money and are continuing the contract.

There is the Ohio River in which a great many of you are interested. There are 19 projects involved there at the moment.

Then of course there is the White, which has four projects and, including the Los Angeles project, makes a total of 55.

All we are asking in this bill is to maintain the integrity of the House of Representatives and the integrity of the Committee on Public Works which has had hearings, which recognizes the trouble in Los Angeles, and these other six basins. We are here asking you to vote in favor of this bill so that the Appropriations Committee will have the necessary authority and ceiling to appropriate the money.

I remind you that the public works appropriations bill has not as yet been presented to the House. There is ample time to take care of the extreme emergency in Los Angeles. My colleague, the gentleman from California [Mr. McFall], was interested in the bill that was passed and sent over to the other body, H.R. 7268, which would have taken care of Los Angeles separately.

We come to you in ample time to protect the people involved in these 55 projects. So long as I am a Member of this House I shall be determined to maintain the Golden Rule to best of my ability and look after, as I have in other years, together with my colleagues on this committee, hundreds of Members of this House. But I want to maintain the integrity of the committee, and I want to maintain the integrity and the responsibility of the House of Representatives so that you will have an opportunity to know what is in these authorized projects and not be content to let a conference committee of five work your will. That is not the way it should be done.

These additional projects are highly controversial, though I suggest to you that we have had hearings and we are going to do our best to work our will in committee. The total value of the projects, included in the other body, amounts to $806 million. That is almost a billion dollars. But we have 2 months left in this session and all the year long befor this session is concluded.

One project in those added in the other body will cost $3 million less than a quarter of a billion dollars. I think you should have a thorough debate on that one. You should have a thorough debate on all the others.

One project added in the other body was defeated in this House last year on a record vote on a motion to recommit. I voted with my colleague and I lost, as he did.

So I urge you to support this committee as we seek to take care of the emergency needs only, with the addition of no new projects. This is to take care of the continuation of the work on projects previously authorized and on which this Government has a moral commitment.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield.

Mr. JONES of Alabama. Mr. Speaker, I am privileged to rise today in support of H.R. 8667, which is necessary legislation to provide additional authorization for seven river basins which will, during fiscal year 1964, run out of funds unless this authorization is passed by the House today. I am particularly gratified to rise on this occasion in support of this legislation because it is being handled by a distinguished and old friend of mine, the gentleman from Tennessee, the Honorable CLIFFORD DAVIS, the chairman of the Subcommittee on Flood Control of the Committee on Public Works. It has been my privilege to be a Member of this body for 17 years. During this period I have served on the Committee on Public Works along side of CLIF DAVIS not only in the full committee but as a member of the Subcommittee on Flood Control which he so ably chairs.

I have had many an opportunity to observe CLIFFORD DAVIS in action. I have watched him preside with tact and patience over many a difficult meeting both in public and executive sessions. I have seen his incomparable skill in conference when he has many, many times so ably protected the House's position on vital water resources legislation. I know CLIFFORD DAVIS as a friend and as an able legislator and I know that any legislation that he brings to the floor of the House has been given full and proper attention, has been carefully considered and carries with it the stamp of an experienced and conscientious Member of Congress. I am proud to call CLIF DAVIS my friend and to salute him once again today as he appears on this floor in support of this much needed legislation.

CLIFFORD DAVIS is a real Member of the House. He is a real legislator, an expert in the field of water resources and a credit to his city, his State, and his country.

Mr. AUCHINCLOSS. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from New Jersey.

Mr. AUCHINCLOSS. I merely want to add my word in corroboration of what the gentleman said. I have listened to him carefully. His enthusiasm and his zeal are unquestioned, and I subscribe to everything he has said. I hope the House will vote this measure today without any question, because it is deserving and it has been thoroughly thought out and canvassed by the Committee on Public Works.

Mr. DAVIS of Tennessee. I thank the senior member of our committee representing the minority.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I should like to join the chairman of the subcommittee in urging approval of this bill as reported by the committee. As the gentleman well knows, I certainly favor some of the projects in this bill, including each of the projects in Oklahoma. I recognize the urgency of the situation that confronts us, and I think it is necessary that we get this bill passed as soon as possible.

The arguments in support of the Waurika project are sound and valid arguments, and the project has a very favorable benefit-cost ratio. Our colleague from Oklahoma, the Honorable VICTOR WICKERSHAM, has worked tirelessly to bring home to the committee the urgent need for the project, and I believe the majority of the committee are convinced of the project's justification.

At the same time, however, we have been confronted with a parliamentary situation in which the passage of this emergency measure appears imperative, without the inclusion of the projects on which there is some committee disagreement.

Because of the urgent nature of the situation, and the impending shutdown of work on the Arkansas Basin and other major basin projects unless this basin authorization is adopted, I urge the approval of the bill.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and also that all Members may extend their remarks at this point in the RECORD on this bill.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, I would like to take this opportunity to associate myself with the remarks of my distinguished colleague, the Honorable CLIFFORD DAVIS, of Tennessee, cosponsor of this bill.

My interest in this bill stems not only from the fact that it will aid completion of the J. Percy Priest Dam and Reservoir in my district but because a delay in these projects, within the bill, have been authorized previously and much effort and money already has been invested in them. Curtailment of construction on any of these projects at this time will be a waste of moneys already spent and could increase the cost of future construction. Therefore, Mr. Speaker, in the name of economy alone, it is essential that we continue these projects without any unnecessary interruption or delay which might well increase their final cost to the taxpayer.

When completed, the J. Percy Priest Reservoir will provide much needed flood control, power, and recreation facilities for the residents of Tennessee's Davidson, Wilson, and Rutherford Counties. The expected annual benefits of this project, moreover, will pay for its final construction in an estimated 13 years. In addition, this project will make available to the people of all middle Tennessee an area of 14,000 acres for public recreational usage.

It is particularly fitting that this imposing project is named for my distinguished predecessor, J. Percy Priest, whose untimely death in October of 1956 deprived this House of a man of great ability, outstanding courage, and demonstrated devotion to public service.

Mr. Speaker, this project is an example of the continuance by the Congress of a policy of sound and comprehensive water development. This reservoir is part of a coordinated plan in which the individual projects in Tennessee are interrelated not only with each other, but also with all those in the Ohio River Basin.

Mr. CLARK. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from Pennsylvania.

Mr. CLARK. I want to join our colleague in expressing our thanks to the gentleman from Tennessee [Mr. DAVIS] for telling us the story about this emergency bill. May I say that we as Members of the House and I as a member of the Committee on Public Works feel that we must discharge our responsibility here today and pass this bill.

Mr. DAVIS of Tennessee. I thank the gentleman very much.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman from South Carolina.

Mr. DORN. I should like to concur in everything that my distinguished subcommittee chairman has said here today. He is absolutely right. This is an emergency legislation. This is an opportunity to uphold the integrity of our committee and the House of Representatives. As my distinguished subcommittee chairman has said, it is at the expense of no one. This legislation should go through today.

Mr. Speaker, the construction and basin improvement provided by this bill is noncontroversial, is absolutely necessary and is urgent. This bill should pass in order that the construction can continue uninterrupted on these noncontroversial river basin authorizations. A vote to suspend the rule and pass this bill today is a vote of confidence in the

Public Works Committee of the House, is a vote of confidence in our distinguished and able subcommittee chairman, the gentleman from Tennessee [Mr. DAVIS]. I know of no one who has labored more faithfully, more ardently, and beyond the call of duty, to get this bill approved at this session of Congress so that this necessary work can continue.

My distinguished chairman, the gentleman from Tennessee [Mr. DAVIS], has been fair. He has labored long and hard to be just to all of his fellow colleagues. He deserves a vote of confidence today. A vote for this bill today is a vote for the integrity of the House and its leadership.

There is no opposition to this bill. There is only an attempt to tie on to this bill certain highly controversial projects that need further study. These highly controversial and expensive projects need time to soothe ruffled feelings, time to get our colleagues together and to iron out differences. To tie these highly controversial projects to this bill is an attempt to hitch a weak horse to the same team with a good horse. Mr. Speaker, you know and I know that this policy will kill both horses. Each project in this country should stand on its own merit and not be predicated upon the merit of other projects; nor should there be an attempt to tie a weak project to a good and much needed project which is noncontroversial.

Mr. Speaker, may I give you one example. In May 1961 I introduced, along with my two distinguished South Carolina representatives in the other body, a bill which would permit Duke Power Co. to build the largest steamplant in the world on the Savannah River between South Carolina and Georgia. No one opposed the Duke project anywhere in the United States; at least I have no letters, telegrams, or phone calls from any American citizen opposing the Duke project. It would have been a credit to the South and to the United States of America to have had the largest steamplant in the world for the generation of electricity. Duke was desperately needed in the area because they can generate power cheaper than the two large Federal dams northwest and southeast of its proposed location. Duke was and is needed as a yardstick to keep Federal Government power rates down and in line. Duke could generate over 20 times more electricity than both of the large Government dams on the Savannah at Clark Hill and Hartwell.

Duke would have required a simple authorization in this Congress—the same bill as passed some years ago for a steamplant on the Dan River between North Carolina and Virginia. The Duke authorization passed this House last year without a single vote against it, without a word against it, and then went to the other body where a government proposal, unheard of when Duke was introduced—Trotters Shoals—was tied on to it without hearings, without a complete study, without approval of the Governor and delegation from South Carolina, and without any consultation whatsoever with me as the Representative in that area, living closest to the project. I believe this is without precedent and parallel in the entire history of the U.S. Congress.

Of course this Trotters Shoals Federal dam proposal killed the Duke authorization and Duke Co. proceeded to build a generating plant in another State. Of course the proponents of Trotters Shoals knew that no fair Representative in this Congress would agree to a Government dam of the magnitude of Trotters Shoals without hearings and without hearing from his people. Therefore, Trotters Shoals positively did deny to the people of the United States the largest steamplant in the world.

H.R. 6016 passed this House in June this year and went to the other body. While efforts were being made to get Duke Power to reconsider its plans and again consider the possibility of a steamplant on the Savannah River, Trotters Shoals was added to H.R. 6016 in the other body before the hearing on Trotters Shoals in the Public Works Committee of the House were even printed; ignoring the opposition of our new dynamic, progressive Governor of South Carolina, the overwhelming majority of the South Carolina delegation and its legislature; ignoring the the fact that this is a two-State project and should have the approval of both States; and again without any consultation whatsoever with the Congressman from the district most affected and living closest to the project.

Now not only the Duke steamplant is involved, but even more important, the Mead Corp. is seriously considering the construction of a huge pulp and paper mill on a site that would be completely ruined by a Federal dam at Trotters Shoals. A Mead pulp and paper plant on its Savannah River site would purchase pulpwood from a 20-county area in South Carolina and Georgia. It would be the greatest single boost for the economy of this area in the entire history of this section of South Carolina and Georgia. This area is a depressed area with unemployment and sagging pulpwood prices. This is the pine belt where 62 percent of the land is in forest, and most of it owned by small landowners.

Mr. Speaker, listen to these facts and figures as to what Mead and Duke would mean to this area in lieu of Trotters Shoals. Pulpwood purchases would amount to $9,500,000 annually; over 2,500 people to be employed on farms and in woods; 35,000 truckloads of wood would be hauled annually with each pulpwood truck contributing over $25,000 to the economy of the community; over 20,000 freight cars of wood would be hauled annually with an annual freight bill of $4,500,000; the mill would employ 675 people with an annual payroll of $5 million; 1,400 men would be required to construct the plant with a payroll during construction of $10 million alone; after the plant is completed, new capital investment required would be over $1 million annually. Mr. Speaker, Mead would purchase 450,000 cords of wood annually from this 20-county area, and benefits would be derived by South Carolina and Georgia tree farmers for a 75-mile radius since they could deliver pulpwood straight to the mill at great savings. Local, State, and National taxes paid by Mead annually would be about $4 million.

Private capital invested by Duke Power Co. for their steamplant would be over $210 million. The steamplant would consume 3,880,000 tons of coal annually and Duke would spend another $3 million annually for the operation and maintenance of the steamplant. They would pay over $7 million annually in local and State taxes; they would also pay over $7,400,000 annually in Federal income taxes. Thus, Duke and Mead taxes would be $17 million or more annually. During the 50 years that taxpayers would be paying for Trotters Shoals, Mead and Duke alone would pay local, State, and Federal taxes totaling approximately $850 million. Other industries would swell the tax total much higher. If Trotters Shoals is not built, Duke and Mead will be only two dynamic, modern industrial plants to be located in this area. There are 14 excellent industrial sites in the area and more plants will come if Trotters Shoals is not built.

If it were possible, it would pay the States of South Carolina and Georgia to pay the Federal Government several million dollars a year not to build Trotters Shoals, and thus permit Mead and Duke to build. Pulpwood prices continue to decline in the area. Cattle prices have fallen. With Trotters Shoals, our farmers in this area of South Carolina and Georgia would be faced with a bleak future indeed.

In reference to Mead, here is what Mr. Aubrey J. Wagner, Chairman of the great Tennessee Valley Authority, said on August 9, 1963, in a speech at Tennessee Polytechnic Institute in Cookeville. "Important as it can be, we must not assume that recreation alone can solve the economic problems of any sizable area. Rarely, if ever, is this true. I have pointed out that $156 million has been invested in water-based recreation facilities in the Tennessee Valley. The waterfront docks and resorts directly furnish the equivalent of 2,000 full-time jobs. These are impressive figures. Yet a single newsprint mill in the valley provides more employment than all of the boat docks, and its investment surpasses the entire investment in recreation on all of TVA's reservoirs. This is an important comparison to remember."

These are the problems that need to be resolved. We need time to determine what is best for the Savannah River. A Government dam at Trotters Shoals is purely and simply an atttempt to tie a weak project without approval of the Bureau of the Budget, and without complete study, to a good horse. I have never experienced anything like this in my 15 years in Congress.

In the name of justice, fairness, protocol, and congressional courtesy, this bill should be passed today under suspension of the rules. These noncontroversial projects should be permitted by this bill today to proceed without a dissenting vote. The controversial projects can and should be considered separately on the merit of each. Differences between the two great bodies of Congress should be resolved on each project in a proper and just manner.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield.

Mr. ROGERS of Florida. Mr. Speaker, I rise in support of H.R. 8667, that provides increased authorizations for the prosecution of river basin plans for flood control and related purposes under the jurisdiction of the Secretary of the Army and the Chief of Engineers. The appropriations intended to be covered by these increased authorizations are only those for fiscal year 1964.

The people of my district and all of Florida have an urgent interest in this legislation, because the Central and Southern Florida Flood Control District is in dire need of funds if it is to continue to progress and offer vital protection against flood damage and possible loss of life.

We are now in the fourth month of fiscal year 1964 and are faced with a needed $14 million appropriation which is included in the 1964 budget to continue work in the flood control district for this fiscal year. At present there are $10 million authorized for the district, however, there is still needed an additional $4 million authorization in order to cover the budget figures. This bill, H.R. 8667 if enacted will provide for this needed $4 million authorization, and give the flood control district a total $14 million authorization. If we fail to act the Central and Southern Florida Flood Control District faces a shutdown of projects and surveys due to a lack of funds to pay their contractors. This shutdown would be unwise and unbusinesslike, because the flood control district has a high and very favorable benefit-cost ratio of 4.2 to 1, and although the construction in the district is only one-third completed, there has already been $84 million worth of flood damage prevented. To have a shutdown now will cause needless extra expense and delay in needed construction, as well as posing a danger to property and life in our State from floodwater destruction.

Mr. DAVIS of Tennessee. Mr. Speaker, I am ashamed that I took so much time from my colleagues who are so well informed and so well prepared to discuss this matter.

I do not have a single item in my whole area, but I have always maintained that what is found to be good and sound after thorough and complete hearings and after the full committee has found that a project is meritorious, that what is good for one section of the country is good for the balance of the country.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Tennessee. I yield to the gentleman.

Mr. BOLAND. Mr. Speaker, as a member of the Subcommittee on Public Works of the Committee on Appropriations, I want to commend the gentleman for his very fine explanation of the bill. Those of us who have served on the Committee on Appropriations are concerned as to the responsibility the Federal Government has to State and local governments in these many projects. Failure to pass this bill, as the gentleman has so well pointed out, will bring a number of these projects, totaling, I think, about 55, to a halt. In my opinion, this would be catastrophic in a great number of instances. I think we ought to take the advice of the gentleman who has spent many, many hours with his committee to bring this bill to the floor of the House for our consideration. I suggest that the House pass this bill by an overwhelming vote.

Mr. DAVIS of Tennessee. I thank the gentleman.

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman has expired.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. WICKERSHAM] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, there are several Members who feel that the committee should have requested a rule or gone to conference on this matter.

We are not opposed to the provisions of this bill before you today, but do feel that the seven projects which were included by the Senate, should be considered on their merits.

Included among these projects is the Waurika project in Oklahoma. Hearings have been held. No one personally appeared to object to the project. A favorable report was filed by the U.S. Engineers. The Bureau of the Budget filed a favorable report.

The late Senator Robert S. Kerr had his heart and soul in the Waurika project. The Members of the House from Oklahoma, Senator Kerr and Senator MIKE MONRONEY did everything within their power to secure enactment of the authorization.

Mr. Speaker, may I refer to a statement made by the gentleman from Tennessee, Mr. CLIFF DAVIS, chairman, on the floor of the House, in response to inquiries, on October 12, 1962, as shown in the CONGRESSIONAL RECORD, volume 108, part 17, page 23415:

> We recognize that the basin authorizations must be taken up early next year. With the consideration of the basin authorizations we are going to take up the Duke Power project, the Trotty Shoals project, along with, if I may say, the Devil's Jump project, the Knolls project, the Flint River project, the Cape Fear project, the Burns Creek project, and the Waurika project, along with the basins. We have promised and reduced it to writing in the conference report that early in January we will have further hearings in order to bring them out to the floor in advance of any consideration that the Appropriations Committee will give to these projects in the late spring or early summer.

Mr. Speaker, I quote further from the CONGRESSIONAL RECORD, volume 108, part 17, page 23415, wherein I [Mr. WICKERSHAM] asked the gentleman to yield, and the gentleman from Tennessee [Mr. DAVIS] yielded. I asked the gentleman from Tennessee this question:

> I thank the gentleman for saying that Waurika project will be considered in January. This does not preclude the consideration of other projects which were not considered in this bill, does it?

Mr. DAVIS of Tennessee answered, saying:

> That is correct.

Mr. Speaker, I urge the committee to act favorably upon these projects, including the Waurika project in Oklahoma.

Mr. ALGER. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, I want it clearly understood that I am among those who, while I want to hear the merits of this bill, and I shall listen closely to hear them, I am opposed to this bill because we cannot even consider carefully the merits, because of deficit financing. Who is going to foot the bill? We are talking about another $133 million. Granted—once you put money into a project, you must protect your investment. But I am still waiting to see what spending priority we will set up, that many of us spoke about when we had the tax bill before us, we were voted down over here on tying tax cuts to spending level by those on the other side who said they would be frugal in expenditures in the future.

All of us know that we ought to have a balanced budget and not deficit spending. We have to operate on the principle of a spending priority. We cannot call every project an emergency if we are going to be fiscally responsible.

I recognize also that this is an authorization bill and an authorization, of course, does not spend money. So we are told, do not worry about it. But once we put an authorization through here, the next thing is an appropriation bill and somebody, the taxpayer, has to foot that bill.

I recognize there are many reasons why these specific bills and particular projects may be meritorious. Personally, I have been criticized and I am sure others have when we have voted against trying to be fiscally responsible. I stand in that consistent position today. If I am the last man in this body, I shall not approve money for some public works projects when we have deficit financing.

Mr. Speaker, with that little preamble and in view of the fact that I have had a large number of requests for time, and I understand that some Members here object to this bill on the ground that they would like to add money to it. I respect their views and there are others, of course, who would like to hold this spending at some lower level, but as I said, Mr. Speaker, I have a number of requests for time and will do the best I can to accommodate my colleagues.

Mr. Speaker, at this time I yield 5 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Speaker, I thank the gentleman from Texas for his courtesy in yielding.

Mr. Speaker, I commend the gentleman from Tennessee for the outstanding presentation that he has made today on the floor of this House in behalf of this bill. I might say it has been my privilege to work with the gentleman from Tennessee for the last 9 years, as long as I have served as a Member of this House. There is no man who has worked more diligently and more faithfully to represent the interests of the citizens of the United States and defend the integrity of this House than the gentleman from Tennessee [Mr. Davis].

Mr. Speaker, the issue today on this particular bill is whether the House will give priority to a group of seven river basins which already have been authorized by the House as overall basin projects and authorize the necessary funds to allow the Corps of Engineers to continue work that has already been begun and carry it through the fiscal year 1964. I do not think anything could be more disastrous than to require contracts that are half-way completed to be stopped at that point and the contractor and his equipment to be taken off the job. In some cases the flood danger from a half completed project would be worse than if the project had not been started at all. It is essential, therefore, that these projects be carried through.

There has been a memorandum sent to every Member of the House by those who say that this bill should be defeated. But if you would check that memorandum carefully, you will find not a single one of those who signed the memorandum have expressed any opposition to the specific projects in this bill. There is not a word in that memorandum indicating that the projects in this bill are not meritorious. The only desire of those who signed that memorandum is that $450 million of additional controversial projects should be added to this bill. May I say those projects would fall in a different classification than this bill. This bill is limited to river basins, all of which have already been authorized by the Congress.

Under the river basin procedure we periodically have to add authorizations for the actual funds to be spent to carry out the announced objectives of Congress.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from California.

Mr. ROOSEVELT. I thank the gentleman for yielding. I want to say I am supporting this bill today because I think it reaffirms the important issues. I happen to have three of these projects in my district and this bill makes sure that this House does not go forward with a program and then cut it off at the expense of the people who are now operating it. To illustrate how right the bill is, the county of Los Angeles had to advance funds to the Federal Government in order to protect the lives of people that might be lost if we had a flood today. I can only hope that the other body will see the justness of this and act on this legislation, but I would add if they do not, I hope the leadership in this House will find some way to rectify an impossible situation.

Mr. BALDWIN. I thank the gentleman from California. If I may, I want to say something about the memorandum that was sent out. It does not argue in opposition to anything in this bill. There has been no argument made against the justification of these projects at all. The only issue involved is that those who signed the memorandum would like to add to this bill about $450 million of additional controversial projects. We pass an omnibus flood control bill normally every 2 years. We passed one last year, and our committee is scheduled to act on another next year. The omnibus bills come out on the House floor under an open rule, and at that time anyone who wants to offer an amendment to it can do so. When a larger river basin bill was brought before this House 3 months ago, it came out under an open rule and any Member of this House could have offered an amendment at that time to it, but no one offered an amendment with regard to any one of these seven controversial projects even though there was an open rule at that time. Any one who wanted to could do so at that time, so certainly anyone who wanted to offer an amendment this year had the opportunity. However, now we do have an emergency. The gentleman from California [Mr. Roosevelt] has pointed out that already in Los Angeles contractors were forced to stop work. Congressmen Lipscomb and Smith of California have also been deeply anxious to find a prompt solution which will expedite work on the Los Angeles project. It is therefore essential that this bill be passed on an urgent basis.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ALGER. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. Cramer].

Mr. CRAMER. Mr. Speaker, I support this legislation for a number of reasons. In the first place, this is another example of the other body attaching unjustified riders to bills sent over by this body, and I think it is about time for this body to express itself particularly where the cost of accepting a rider put on in the other body is as great as it is in this instance, namely, an amount of $695 million more in the eventual cost of new projects. These projects were added by the other body as riders to the bill containing basin authorizations passed by this House. A vote for this bill is a vote for sustaining the House position, and it is also a vote for economy. It contains less dollar authorization than the bill passed previously by this House in June. This bill is less than the bill passed in June. This bill calls for authorizations in the amounts of $133 million plus $12 million in an amendment to the Los Angeles project as compared to $161 million in the Senate version of the basin authorizations and as compared to the bill that passed the House which was in the amount of $161 million for 1 year and $784 million for 2 years. So this is an economy vote no matter how you slice it.

Let us get to the crux of the issue. Here is the issue involved. Is the House going to accept the riders adopted by the other body in the eventual amount of $695 million and present amount of $448 million for new projects? They say it is $448 million, but they arrived at that figure by providing only for a $50 million authorization for Knowles Dam, which everyone knows will cost $247 million before it is finished. So you are actually considering an increased authorization by the other body for new projects eventually amounting to $695 million.

Now, why is this an emergency at the present time and thus, this bill must be passed? As has been expressed before, one Federal project has already had the funds cut off. That is the Los Angeles project. What is going to happen with regard to the other projects contained in this authorization? The Committee on Appropriations cannot act even on the appropriations for the items which were in the budget without these increased authorizations. These are budgeted items which were in the budget submission. Unless additional authorization by Congress is given, the Committee on Appropriations cannot act to continue these projects.

This will be an economy vote also because if you have to stop a project, it will cost a lot more money to get it started again. Los Angeles has already had a project cut off, and what is going to happen to the rest of them? I will read you the list. This is what is going to happen: Central and southern Florida, flood control, which has a $4 million appropriation and has no local funds it can transfer, as does Los Angeles, would get a 30-day cutoff notice on the first of next month. The Brazos River would get cutoff notices on November 1, 1963. The Arkansas River would get cutoff notices on December 1. The White River would get cutoff notices on January 1, 1964. The Ohio River would get cutoff notices October 15, 1963, and the Columbia River would get cutoff notices January 1, 1964.

So, Mr. Speaker, these are the reasons why this additional authorization is absolutely essential.

Mr. Speaker, it is true that there have been some suggestions with regard to these new projects that have been made by the Members who represent the districts affected. I can understand their concern. I was one of the conferees when the final authorization bill was under consideration last year and these projects were in the Senate version but eliminated in conference because the House had never considered them.

Mr. Speaker, these are difficult projects. They are controversial projects in many instances and should be considered by this body. Each project should be considered by this body, and properly so, rather than as a rider to the bill in the other body. That is an improper way of considering the matter, as suggested by the other body, and going to conference would force the conferees into considering those additional projects. This is the only way you can avoid it.

Mr. Speaker, I say to the Members of the House that if they want an economy vote, this is a good economy vote and a vote for the continuation of sound existing projects.

Mr. HARDING. Mr. Speaker, will the gentleman from Texas [Mr. ALGER] yield?

Mr. ALGER. I yield to the gentleman.

Mr. HARDING. Mr. Speaker, the rules of the House wisely provide that there shall be 20 minutes allotted to both the pro and con on each piece of legislation under a suspension of the rules of the House.

Mr. Speaker, inasmuch as the gentleman from Texas [Mr. ALGER] has only used 2 minutes in opposing this bill, I would like to ask unanimous consent that those people who are opposed to it be allotted an additional 18 minutes in which to state our case.

The SPEAKER pro tempore (Mr. ALBERT). The Chair cannot entertain that motion under the rules of the House at this time.

Mr. ALGER. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. WEAVER].

Mr. WEAVER. Mr. Speaker, I am for this bill.

Mr. Speaker, H.R. 8667, which is before this body today, contains an appropriation for a vital project in the Ohio River Valley that involves the 24th Congressional District—the Shenango River Reservoir.

For many years the residents of the Shenango Valley have fought for this dam, whose prime purpose is to eliminate the floods that have caused millions of dollars in damages.

To further delay this project may subject the people of the valley to more floods and great personal hardship.

Without this additional appropriation it would be necessary to suspend work indefinitely. This suspension would disrupt the Shenango Reservoir construction timetable and result in increased project costs when work is resumed.

This disruption would have its effect on the economy of this distressed area. The project employs a substantial work force. Furthermore, the incentive for continued industrial development of the Shenango Valley would be impaired.

This project is scheduled for completion in June 1965. The sooner this dam in the Ohio River Basin is completed the more complete will be the protection for the Shenango Valley.

Mr. ALGER. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, I support H.R. 8667, particularly because it contains the Los Angeles-San Gabriel flood control project.

Mr. Speaker, this program has been going on for many years. Each year the Corps of Engineers programs additional projects several years in advance. As congressional authorization is granted, these projects take effect. Early this year contracts were let for several projects in Los Angeles County. Congressional authorization was until July 31, 1963. Possibly the contracts should not have been let without complete authorization. But I am informed that this has been regular procedure in the past and that authorization has always been forthcoming to complete these projects which had been planned several years in advance.

To obtain further authorization, the House passed H.R. 6016 on June 24 to take care of 10 basins which would have deficits during 1964 and 1965. The Los Angeles flood control projects under construction were included therein. The Senate amended into H.R. 6016 a number of projects not related to basin authorizations, and passed the bill as amended on July 30. When the request was made on August 6 to disagree in the Senate amendments and go to conference, objection was made, and the same has been pending in rules since August 6.

In an effort to take care of the projects in Los Angeles County under construction, the House by unanimous consent passed H.R. 7638 on July 24, 1963. However, our efforts were in vain, because the other body has refused to act on this measure until H.R. 6016 is taken to conference.

When the authorization and funds expired, the various contractors, with the thought of trying to inconvenience the residents as little as possible from a delay standpoint if work were stopped, personally borrowed funds to continue for a time with the hope that Congress would act. One contractor borrowed $320,000, another $400,000; another $175,000 and another $300,000. After their borrowing authority was exhausted, a plea was made to Los Angeles County, and they loaned several million to the U.S. Government in order to carry on work for a few more weeks, still hoping that Congress would carry out its responsibility to enact appropriate authorizing legislation.

The project in my district goes up streets in a nice residential district to the foothills. For months the residents have not been able to get their cars into their homes, but have had to park on side streets and walk. They are unable to get deliveries of milk, groceries, laundry, and so forth. Once a week cans, rubbish, and trash are collected by the city. These trucks cannot get up the streets, which has added considerably to the cost of collection. It is bad enough to be so inconvenienced for 6 to 8 months while this is being done under ordinary conditions. But to now have to face a delay of many more months, because Congress has not passed authorization authority, is intolerable.

We have before us here today, H.R. 8667, which will be amended by the motion of the gentleman from Tennessee to include the Los Angeles-San Gabriel Basin. The other projects therein are either now in the same position as Los Angeles from a standpoint of expiring authorization, or will be by the end of February 1964. If we pass this measure, and if the other body does likewise, then work can again start in Los Angeles County. But my concern is whether the other body will act on this bill, or simply wait until the House goes to conference on H.R. 6016. No one has indicated to me that this measure will be given any more consideration in the other body than has taken place to date on the other bills mentioned.

If the other body does not act immediately on this measure, then the only solution I can see is for the House to go to conference on H.R. 6016. And at the first meeting inform the other conferees, that further conferences will be held and the controversial projects considered, after H.R. 8667 is passed to take care of the pending emergency. Otherwise I see no solution to this terrible situation.

Mr. Speaker, I urge the distinguished gentleman from Tennessee [Mr. DAVIS] to continue to do everything in his power to bring this Los Angeles-San Gabriel Flood Control Basin emergency to a conclusion as soon as he possibly can. I urge support for this measure with that hope in mind.

Mr. ALGER. Mr. Speaker, I yield such time to the gentleman from Indiana [Mr. HARVEY] as he may desire.

Mr. HARVEY of Indiana. Mr. Speaker, I rise in support of this bill.

Mr. Speaker, I wish to call to the attention of my colleagues two resolutions which I have requested to be included in the daily RECORD. These resolutions emphasize the importance of the Ohio and Wabash River basins and adequately represent the views of my constituency.

Mr. ALGER. Mr. Speaker, I yield the balance of the time on this side to the gentleman from Ohio [Mr. HARSHA].

Mr. HARSHA. Mr. Speaker, I join my colleagues in suporting this legislation. Contrary to what some have said, an emergency does exist with reference to the development and control of the water resources of these seven river basins.

I shall cite you an example, and as that example, I shall use the Ohio River Basin, simply because it contains the greatest number of projects involved, affecting the largest number of States.

The Corps of Engineers' civil works construction in the Ohio River Basin is subject to a monetary limitation on the amount which may be appropriated for carrying out the authorized work. This monetary ceiling has periodically been increased by the Congress when the need therefor has become apparent. At the present time, the remaining monetary authorization for the Ohio River Basin is about $13 million. This amount is only adequate to cover scheduled expenditures on contracts in force, together with associated Government costs, through early December 1963. Most construction on 11 flood control projects in the basin will have to stop early in December unless further monetary authorization is provided. Preconstruction planning work on eight other projects will need to be suspended shortly thereafter. The projects affected are:

CONSTRUCTION

Allegheny River Reservoir, Pa. and N.Y.

Barren River Reservoir, Ky.

Evansville local protection project, Indiana.

Fishtrap Reservoir, Ky.

Green River Reservoir, Ky.

J. Percy Priest Reservoir, Tenn.

John W. Flannagan Reservoir, Va.

Mason J. Niblack levee, Indiana.

Monroe Reservoir, Ind.

Shenango River Reservoir, Pa. and Ohio.

Summersville Reservoir, W. Va.

PLANNING

Big Darby Creek Reservoir, Ohio.

Brookville Reservoir, Ind.

Cave Run Reservoir, Ky.

Deer Creek Reservoir, Ohio.

East Lynn Reservoir, W. Va.

Lake Chautauqua and Chadakoin River, N.Y.

Paint Creek Reservoir, Ohio.

Tri Pond levee, Illinois.

Notices of exhaustion of funds are being issued immediately to the 20 affected contractors. Work remaining under these 20 contracts has an approximate value of $52,200,000. The termination or suspension of these contracts will have a serious impact on the progress of the program as well as result in project cost increases. It will delay completion of the projects, thereby deferring realization of benefits from flood control, water supply, power, and other authorized purposes. It will add to the unemployment problem and, in some cases, could possibly result in needless destruction of the partial construction—even endanger life, limb, and property in the extreme cases.

This legislation will allow the other body to approve the orderly continuation of this program without yielding its position on the original authorization bill. It will permit the resolution of problems regarding the original basin authorization bill, H.R. 6016, to be accomplished at a later date, while allowing the continuation of the normal water resources development program of the Corps of Engineers.

Many of you are in receipt of a letter from various Members of this body, stating, among other things, that the rule of comity between the other body and the House is at least strained by supporting this legislation. The idea that there must be comity between the House and the other body involves the principle that each of the two coequal Houses of Congress should treat the other in an orderly and courteous manner, as is conducive to friendly relations between the two bodies and the orderly passage of legislation. It rests on the premise that the two Houses are on a plane of equality—neither is inferior to the other.

Since the House is not inferior to the other body, comity does not require that the House must change its position on any matter merely so as to conform to the wishes or desires of the other body. If comity requires this, then that principle would make the House inferior to the other body. Since the Constitution clearly intended a Congress of two equal Houses, such an interpretation of comity would be clearly contrary to the Constitution. This is the best possible evidence that the Constitution does not require that the House yield to the other body and, of course, the argument that the rule of comity is at least strained is fallacious.

I urge your support of this legislation.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill H.R. 8667, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

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## AID FOR THE MENTALLY RETARDED

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 862)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following: "That this Act may be cited as the 'Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963'.

"TITLE I—CONSTRUCTION OF RESEARCH CENTERS AND FACILITIES FOR THE MENTALLY RETARDED

*"Short title*

"SEC. 100. This title may be cited as the 'Mental Retardation Facilities Construction Act'.

"Part A—Grants for Construction of Centers for Research on Mental Retardation and Related Aspects of Human Development

"SEC. 101. Title VII of the Public Health Service Act is amended by adding at the end thereof the following new part:

" 'Part D—Centers for Research on Mental Retardation and Related Aspects of Human Development

*" 'Authorization of appropriations*

" 'SEC. 761. There are authorized to be appropriated $6,000,000 for the fiscal year ending June 30, 1964, $8,000,000 for the fiscal year ending June 30, 1965, and $6,000,000 each for the fiscal year ending June 30, 1966, and the fiscal year ending June 30, 1967, for project grants to assist in meeting the costs of construction of facilities for research, or research and related purposes, relating to human development, whether biological, medical, social, or behavioral, which may assist in finding the causes, and means of prevention, of mental retardation, or in finding means of ameliorating the effects of mental retardation. Sums so appropriated shall remain available until expended for payments with respect to projects or which applications have been filed under this part before July 1, 1967, and approved by the Surgeon General thereunder before July 1, 1968.

*" 'Applications*

" 'SEC. 762. (a) Applications for grants under this part with respect to any facility may be approved by the Surgeon General only if—

" '(1) the applicant is a public or nonprofit institution which the Surgeon General determines is competent to engage in the type of research for which the facility is to be constructed; and

" '(2) the application contains or is supported by reasonable assurances that (A) for not less than twenty years after completion of construction, the facility will be used for the research, or research and related purposes, for which it was constructed; (B) sufficient funds will be available for meeting the non-Federal share of the cost of constructing the facility; (C) sufficient funds will be available, when the construction is completed, for effective use of the facility for the research, or research and related purposes, for which it was constructed; and (D) all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the center will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have, with respect to the labor standards specified in clause (D) the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

" '(b) In acting on applications for grants, the Surgeon General shall take into consideration the relative effectiveness of the proposed facilities in expanding the Nation's capacity for research and related purposes in the field of mental retardation and related aspects of human development, and such other factors as he, after consultation with the national advisory council or councils concerned with the field or fields of research involved, may by regulation prescribe in order to assure that the facilities constructed with such grants, severally and together, will best serve the purpose of advancing scientific knowledge pertaining to mental retardation and related aspects of human development.

*" 'Amount of grants; payments*

" 'SEC. 763. (a) The total of the grants with respect to any project for the construction of a facility under this part may not exceed 75 per centum of the necessary cost of construction of the center as determined by the Surgeon General.

" '(b) Payments of grants under this part shall be made in advance or by way of reimbursement, in such installments consistent with construction progress, and on such conditions as the Surgeon General may determine.

" '(c) No grant may be made after January 1, 1964, under any provision of this Act other than this part, for any of the four fiscal years in the period beginning July 1, 1963, and ending June 30, 1967, for construction of any facility described in this part, unless the Surgeon General determines that funds are not available under this part to make a grant for the construction of such facility.

### " '*Recapture of payments*

" 'SEC. 764. If, within twenty years after completion of any construction for which funds have been paid under this part—

" '(1) the applicant or other owner of the facility shall cease to be a public or nonprofit institution, or

" '(2) the facility shall cease to be used for the research purposes, or research and related purposes, for which it was constructed, unless the Surgeon General determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility.

### " '*Noninterference with administration of institutions*

" 'SEC. 765. Except as otherwise specifically provided in this part, nothing contained in this part shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirement or condition with respect to, the research or related purposes conducted by, and the personnel or administration of, any institution.

### " '*Definitions*

" 'SEC. 766. As used in this part—

" '(1) the terms "construction" and "cost of construction" include (A) the construction of new buildings and the expansion, remodeling, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered;

" '(2) the term "nonprofit institution" means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.'

## "Part B—Project Grants for Construction of University-Affiliated Facilities for the Mentally Retarded

### "*Authorization of appropriations*

"SEC. 121. For the purpose of assisting in the construction of clinical facilities providing, as nearly as practicable, a full range of inpatient and outpatient services for the mentally retarded and facilities which will aid in demonstrating provision of specialized services for the diagnosis and treatment, education, training, or care of the mentally retarded or in the clinical training of physicians and other specialized personnel needed for research, diagnosis and treatment, education, training, or care of the mentally retarded, there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1964, $7,500,000 for the fiscal year ending June 30, 1965, and $10,000,000 each for the fiscal year ending June 30, 1956, and the fiscal year ending June 30, 1967. The sums so appropriated shall be used for project grants for construction of public and other nonprofit facilities for the mentally retarded which are associated with a college or university.

### "*Applications*

"SEC. 122. Applications for grants under this part with respect to any facility may be approved by the Secretary only if the application contains or is supported by reasonable assurances that—

"(1) the facility will be associated, to the extent prescribed in regulations of the Secretary, with a college or university hospital (including affiliated hospitals), or with such other part of a college or university as the Secretary may find appropriate in the light of the purposes of this part;

"(2) the plans and specifications are in accord with regulations prescribed by the Secretary under section 133(3);

"(3) title to the site for the project is or will be vested in one or more of the agencies or institutions filing the application or in a public or other nonprofit agency or institution which is to operate the facility;

"(4) adequate financial support will be available for construction of the project and for its maintenance and operation when completed; and

"(5) all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

### "*Amount of grants; payments*

"SEC. 123. (a) The total of the grants with respect to any project for the construction of a facility under this part may not exceed 75 per centum of the necessary cost of construction thereof as determined by the Secretary.

"(b) Payments of grants under this part shall be made in advance or by way of reimbursement, in such installments consistent with construction progress, and on such conditions as the Secretary may determine.

### "*Recovery*

"SEC. 124. If any facility with respect to which funds have been paid under this part shall, at any time within twenty years after the completion of construction—

"(1) be sold or transferred to any person, agency, or organization which is not qualified to file an application under this part, or

"(2) cease to be a public or other nonprofit facility for the mentally retarded, unless the Secretary determines, in accordance with regulations that there is good cause for releasing the applicant or other owner from the obligation to continue such facility as a public or other nonprofit facility for the mentally retarded,

the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a facility which has ceased to be a public or other nonprofit facility for the mentally retarded, from the owners thereof) an amount bearing the same ratio to the then value (as determined by the agreement of the parties or by action brought in the district court of the United States for the district in which the facility is situated) of so much of the facility as constituted an approved project or projects, as the amount of the Federal participation bore to the cost of the construction of such project or projects.

### "*Nonduplication of grants*

"SEC. 125. No grant may be made after January 1, 1964, under any provision of the Public Health Service Act, for any of the four fiscal years in the period beginning July 1, 1963, and ending June 30, 1967, for construction of any facility for the mentally retarded described in this part, unless the Secretary determines that funds are not available under this part to make a grant for the construction of such facility.

## "Part C—Grants for Construction of Facilities for the Mentally Retarded

### "*Authorization of appropriations*

"SEC. 131. There are authorized to be appropriated, for grants for construction of public and other nonprofit facilities for the mentally retarded, $10,000,000 for the fiscal year ending June 30, 1965, $12,500,000 for the fiscal year ending June 30, 1966, $15,000,000 for the fiscal year ending June 30, 1967, and $30,000,000 for the fiscal year ending June 30,1968.

### "*Allotments to States*

"SEC. 132. (a) For each fiscal year, the Secretary shall, in accordance with regulations, make allotments from the sums appropriated under section 131 to the several States on the basis of (1) the population, (2) the extent of the need for facilities for the mentally retarded, and (3) the financial need of the respective States; except that no such allotment to any State, other than the Virgin Islands, American Samoa, and Guam, for any fiscal year may be less than $100,000. Sums so allotted to a State for a fiscal year for construction and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted, to such State for such next fiscal year.

"(b) In accordance with regulations of the Secretary, any State may file with him a request that a specified portion of its allotment under this part be added to the allotment of another State under this part for the purpose of meeting a portion of the Federal share of the cost of a project for the construction of a facility for the mentally retarded in such other State. If it is found by the Secretary that construction of the facility with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this part, such portion of such State's allotment shall be added to the allotment of the other State under this part, to be used for the purpose referred to above.

"(c) Upon the request of any State that a specified portion of its allotment under this part be added to the allotment of such State under title II, and upon (1) the simultaneous certification to the Secretary by the State agency designated as provided in the State plan approved under this part to the effect that it has afforded a reasonable opportunity to make applications for the portion so specified and there have been no approvable applications for such portion, or (2) a showing satisfactory to the Secretary that the need for the community mental health centers in such State is substantially greater than for the facilities for the mentally retarded, the Secretary shall, subject to such limitations as he may by regulations prescribe, promptly adjust the allotments of such State in accordance with such request and shall notify such State agency and the State agency designated under the State plan approved under title II, and thereafter the allotment as so adjusted shall be deemed the State's allotments for purposes of this part and title II.

### "*Regulations*

"SEC. 133. Within six months after enactment of this Act, the Secretary shall, after consultation with the Federal Hospital Council (established by section 633 of the Public Health Service Act and hereinafter in this part referred to as the 'Council'), by general regulations applicable uniformly to all the States, prescribe—

"(1) the kinds of services needed to provide adequate services for mentally retarded persons residing in a State;

"(2) the general manner in which the State agency (designated as provided in the State plan approved under this part) shall determine the priority of projects based on the relative need of different areas, giving special consideration to facilities which will provide comprehensive services for a particular community or communities;

"(3) general standards of construction and equipment for facilities of different classes and in different types of location; and

"(4) that the State plan shall provide for adequate facilities for the mentally retarded for persons residing in the State, and shall provide for adequate facilities for the mentally retarded to furnish needed services for persons unable to pay therefor. Such regulations may require that before approval of an application for a facility or addition to a facility is recommended by a State agency, assurance shall be received by the State from the applicant that there will be made available in such facility or addition a reasonable volume of services to persons unable to pay therefor, but an exception shall be made if such a requirement is not feasible from a financial viewpoint.

### *"State plans*

"SEC. 134. (a) After such regulations have been issued, any State desiring to take advantage of this part shall submit a State plan for carrying out its purposes. Such State plan must—

"(1) designate a single State agency as the sole agency for the administration of the plan, or designate such agency as the sole agency for supervising the administration of the plan;

"(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) hereof will have authority to carry out such plan in conformity with this part;

"(3) provide for the designation of a State advisory council which shall include representatives of State agencies concerned with planning, operation, or utilization of facilities for the mentally retarded and of nongovernment organizations or groups concerned with education, employment, rehabilitation, welfare, and health, and including representatives of consumers of the services provided by such facilities;

"(4) set forth a program for construction of facilities for the mentally retarded (A) which is based on a Statewide inventory of existing facilities and survey of need; (B) which conforms with the regulations prescribed under section 133(1); and (C) which meets the requirements for furnishing needed services to persons unable to pay therefor, included in regulations prescribed under section 133(4);

"(5) set forth the relative need, determined in accordance with the regulations prescribed under section 133(2), for the several projects included in such programs, and provide for the construction, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

"(6) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"(7) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of facilities which receive Federal aid under this part;

"(8) provide for affording to every applicant for a construction project an opportunity for hearing before the State agency;

"(9) provide that the State agency will make such reports in such form and containing such information as the Secretary may from time to time reasonably require, and will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

"(10) provide that the State agency will from time to time, but not less often than annually, review its State plan and submit to the Secretary any modifications thereof which it considers necessary.

"(b) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

### *"Approval of projects*

"SEC. 135. (a) For each project for construction pursuant to a State plan approved under this part, there shall be submitted to the Secretary through the State agency an application by the State or a political subdivision thereof or by a public or other nonprofit agency. If two or more such agencies join in the construction of the project, the application may be filed by one or more of such agencies. Such application shall set forth—

"(1) a description of the site for such project;

"(2) plans and specifications therefor in accordance with the regulations prescribed by the Secretary under section 133(3);

"(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or other nonprofit agency which is to operate the facility;

"(4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed;

"(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

"(6) a certification by the State agency of the Federal share for the project.

The Secretary shall approve such application if sufficient funds to pay the Federal share of the cost of construction of such project are available from the allotment to the State, and if the Secretary finds (A) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing rates of wages and overtime pay; (B) that the plans and specifications are in accord with the regulations prescribed pursuant to section 133; (C) that the application is in conformity with the State plan approved under section 134 and contains an assurance that in the operation of the facility there will be compliance with the applicable requirements of the State plan and of the regulations prescribed under section 133(4) for furnishing needed facilities for persons unable to pay therefor, and with State standards for operation and maintenance; and (D) that the application has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the regulations prescribed pursuant to section 133(2). No application shall be disapproved by the Secretary until he has afforded the State agency an opportunity for a hearing.

"(b) Amendment of any approved application shall be subject to approval in the same manner as an original application.

### *"Withholding of payments*

"Sec. 136. Whenever the Secretary after reasonable notice and opportunity for hearing to the State agency designated as provided in section 134(a)(1), finds—

"(1) that the State agency is not complying substantially with the provisions required by section 134 to be included in its State plan or with regulations under this part;

"(2) that any assurance required to be given in an application filed under section 135 is not being or cannot be carried out;

"(3) that there is a substantial failure to carry out plans and specifications approved by the Secretary under section 135; or

"(4) that adequate State funds are not being provided annually for the direct administration of the State plan,

the Secretary may forthwith notify the State agency that—

"(5) no further payments will be made to the State from allotments under this part; or

"(6) no further payments will be made from allotments under this part for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph (1), (2), (3), or (4) of this section,

as the Secretary may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments from such allotments may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurance or plans and specifications or to provide adequate State funds, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

### *"Nonduplication of grants*

"SEC. 137. No grant may be made after January 1, 1964, under any provision of the Public Health Service Act, for any of the four fiscal years in the period beginning July 1, 1964, and ending June 30, 1968, for construction of any facility for the mentally retarded described in this part, unless the Secretary determines that funds are not available under this part to make a grant for the construction of such facility.

## "TITLE II—CONSTRUCTION OF COMMUNITY MENTAL HEALTH CENTERS

### *"Short title*

"SEC. 200. This title may be cited as the 'Community Mental Health Centers Act'.

### *"Authorization of appropriations*

"SEC. 201. There are authorized to be appropriated, for grants for construction of public and other nonprofit community mental health centers, $35,000,000 for the fiscal year ending June 30, 1965, $50,000,000 for the fiscal year ending June 30, 1966, and $65,000,000 for the fiscal year ending June 30, 1967.

### *"Allotments to States*

"SEC. 202. (a) For each fiscal year, the Secretary shall, in accordance with regulations, make allotments from the sums appropriated under section 201 to the several States on the basis of (1) the population, (2) the extent of the need for community mental health centers, and (3) the financial need of the respective States; except that no such allotment to any State, other than the Virgin Islands, American Samoa, and Guam, for any fiscal year may be less than $100,000. Sums so allotted to a State for a fiscal year and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted for such State for such next fiscal year.

"(b) In accordance with regulations of the Secretary, any State may file with him a request that a specified portion of its allotment under this title be added to the allotment of another State under this title for the purpose of meeting a portion of the Federal share of the cost of a project for the construction of a community mental health center in such other State. If it is found by the Secretary that construction of the center with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the allotment of the other State under this title to be used for the purpose referred to above.

"(c) Upon the request of any State that a specified portion of its allotment under this title be added to the allotment of such State under part C of title I and upon (1) the simultaneous certification to the Secretary by the State agency designated as provided in the State plan approved under this title to the effect that it has afforded a reasonable opportunity to make applications for the portion so specified and there have been no approvable applications for such portion or (2) a showing satisfactory to the Secretary that the need for facilities for the mentally retarded in such State is substantially greater than for community mental health centers, the Secretary shall, subject to such limitations as he may by regulation prescribe, promptly adjust the allotments of such State in accordance with such request and shall notify such State agency and the State agency designated under the State plan approved under part C of title I, and thereafter the allotments as so adjusted shall be deemed the State's allotments for purposes of this title and part C of title I.

### *"Regulations*

"SEC. 203. Within six months after enactment of this Act, the Secretary shall, after consultation with the Federal Hospital Council (established by section 633 of the Public Health Service Act) and the National Advisory Mental Health Council (established by section 217 of the Public Health Service Act), by general regulations applicable uniformly to all the States, prescribe—

"(1) the kinds of community mental health services needed to provide adequate mental health services for persons residing in a State;

"(2) the general manner in which the State agency (designated as provided in the State plan approved under this title) shall determine the priority of projects based on the relative need of different areas, giving special consideration to projects on the basis of the extent to which the centers to be constructed thereby will, alone or in conjunction with other facilities owned or operated by the applicant or affiliated or associated with the applicant, provide comprehensive mental health services (as determined by the Secretary in accordance with regulations) for mentally ill persons in a particular community or communities or which will be part of or closely associated with a general hospital;

"(3) general standards of construction and equipment for centers of different classes and in different types of location; and

"(4) that the State plan shall provide for adequate community mental health centers for people residing in the State, and shall provide for adequate community mental health centers to furnish needed services for persons unable to pay therefor. Such regulations may require that before approval of an application for a center or addition to a center is recommended by a State agency, assurance shall be received by the State from the applicant that there will be made available in such center or addition a reasonable volume of services to persons unable to pay therefor, but an exception shall be made if such a requirement is not feasible from a financial viewpoint.

### *"State plans*

"SEC. 204. (a) After such regulations have been issued, any State desiring to take advantage of this title shall submit a State plan for carrying out its purposes. Such State plan must—

"(1) designate a single State agency as the sole agency for the administration of the plan, or designate such agency as the sole agency for supervising the administration of the plan;

"(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) hereof will have authority to carry out such plan in conformity with this title;

"(3) provide for the designation of a State advisory council which shall include representatives of nongovernment organizations or groups, and of State agencies, concerned with planning, operation, or utilization of community mental health centers or other mental health facilities, including representatives of consumers of the services provided by such centers and facilities who are familiar with the need for such services, to consult with the State agency in carrying out such plan;

"(4) set forth a program for construction of community mental health centers (A) which is based on a statewide inventory of existing facilities and survey of need; (B) which conforms with the regulations prescribed by the Secretary under section 203 (1); and (C) which meets the requirements for furnishing needed services to persons unable to pay therefor, included in regulations prescribed under section 203(4);

"(5) set forth the relative need, determined in accordance with the regulations prescribed under section 203(2), for the several projects included in such programs, and provide for the construction, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

"(6) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"(7) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of centers which receive Federal aid under this title;

"(8) provide for affording to every applicant for a construction project an opportunity for hearing before the State agency;

"(9) provide that the State agency will make such reports in such form and containing such information as the Secretary may from time to time reasonably require, and will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

"(10) provide that the State agency will from time to time, but not less often than annually, review its State plan and submit to the Secretary any modifications thereof which it considers necessary.

"(b) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

### *"Approval of projects*

"SEC. 205. (a) For each project for construction pursuant to a State plan approved under this title, there shall be submitted to the Secretary through the State agency an application by the State or a political subdivision thereof or by a public or other nonprofit agency. If two or more such agencies join in the construction of the project, the application may be filed by one or more of such agencies. Such application shall set forth—

"(1) a description of the site for such project;

"(2) plans and specifications therefor in accordance with the regulations prescribed by the Secretary under section 203(3);

"(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or other nonprofit agency which is to operate the community mental health center;

"(4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed;

"(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

"(6) a certification by the State agency of the Federal share for the project.

The Secretary shall approve such application if sufficient funds to pay the Federal share of the cost of construction of such project are available from the allotment to the State, and if the Secretary finds (A) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing rates of wages and overtime pay; (B) that the plans and specifications are in accord with the regulations prescribed pursuant to section 203; (C) that the application is in conformity with the State plan approved under section 204 and contains an assurance that in the operation of the center there will be compliance with the applicable requirements of the State plan and of the regulations prescribed under section 203(4) for furnishing needed services for persons unable to pay therefor, and with State standards for operation and maintenance; (D) that the services to be provided by the center, alone or in conjunction with other facilities owned or operated by the applicant or affiliated or associated with the applicant, will be part of a program providing, principally for persons residing in a particular community or communities in or near which such center is to be situated, at least those essential elements of comprehensive mental health services for mentally ill persons which are prescribed by the Secretary in accordance with regulations; and (E) that the application has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the regulations prescribed pursuant to section 203(2). No application shall be disapproved by the Secretary until he has afforded the State agency an opportunity for a hearing.

"(b) Amendment of any approved application shall be subject to approval in the same manner as an original application.

### *"Withholding of payments*

"SEC. 206. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency designated as provided in section 204(a)(1), finds—

"(1) that the State agency is not complying substantially with the provisions required by section 204 to be included in its State plan, or with regulations under this title;

"(2) that any assurance required to be given in an application filed under section 205 is not being or cannot be carried out;

"(3) that there is a substantial failure to carry out plans and specifications approved by the Secretary under section 205; or

"(4) that adequate State funds are not being provided annually for the direct administration of the State plan,

the Secretary may forthwith notify the State agency that—

"(5) no further payments will be made to the State from allotments under this title; or

"(6) no further payments will be made from allotments under this title for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph (1), (2), (3), or (4) of this section,

as the Secretary may determine to be appropriate under the circumstances; and except with regard to any project for which the application has already been approved and which is not directly affected, further payments from such allotments may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurance or plans and specifications or to provide adequate State funds, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

### *"Nonduplication of grants*

"SEC. 207. No grant may be made after January 1, 1964, under any provision of the Public Health Service Act, for any of the three fiscal years in the period beginning July 1, 1964, and ending June 30, 1967, for construction of any facility described in this title, unless the Secretary determines that funds are not available under this title to make a grant for the construction of such facility.

## "TITLE III.—TRAINING OF TEACHERS OF MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

### *"Training of teachers of handicapped children*

"SEC. 301. (a) (1) The second sentence of the first section of the Act of September 6, 1958 (Public Law 85-926), is amended by striking out 'Such grants' and inserting in lieu thereof 'Grants under this section' and by striking out 'fellowships' and inserting in lieu thereof 'fellowships or traineeships'.

"(2) Such section is further amended by inserting before the second sentence thereof, the following new sentence: 'He is also authorized to make grants to public or other nonprofit institutions of higher learning to assist them in providing professional or advanced training for personnel engaged or preparing to engage in employment as teachers of handicapped children, as supervisors of such teachers, or as speech correctionists or other specialists providing special services for education of such children, or engaged or preparing to engage in research in fields related to education of such children.'

"(3) The first sentence of such section is amended by striking out 'mentally retarded children' and inserting in lieu thereof 'mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education (hereinafter in this Act referred to as 'handicapped children'. Section 2 of such Act is amended by striking out 'mentally retarded children' and inserting in lieu thereof 'handicapped children'.

"(4) The second sentence of section 3 of such Act is repealed. Section 7 of such Act is amended to read as follows:

" 'SEC. 7. There are authorized to be appropriated for carrying out this Act $11,500,000 for the fiscal year ending June 30, 1964; $14,500,000 for the fiscal year ending June 30, 1965; and $19,500,000 for the fiscal year ending June 30, 1966.'

"(5) The amendments made by this subsection shall apply in the case of fiscal years beginning after June 30, 1963, except that deaf children shall not be included as 'handicapped children' for purposes of such amendments for the fiscal year ending June 30, 1964.

"(b) Effective for fiscal years beginning after June 30, 1964, the first section of such Act is amended by adding at the end thereof the following new sentence: 'The Commissioner is also authorized to make grants to public or other nonprofit institutions of higher learning to assist them in establishing and maintaining scholarships, with such stipends as may be determined by the Commissioner, for training personnel preparing to engage in employment as teachers of the deaf.'

"(c) (1) The first sentence of subsection (a) of section 6 of the Act of September 22, 1961 (Public Law 87-276, 20 U.S.C. 676) is amended by inserting immediately before the period at the end thereof the following: ', and $1,500,000 for the fiscal year ending June 30, 1964'.

"(2) Subsection (b) of such section 6 is amended by striking out '1963' and inserting in lieu thereof '1964'.

### *"Research and demonstration projects in education of handicapped children*

"SEC. 302. (a) There is authorized to be appropriated for the fiscal year ending June 30, 1964, and each of the next two fiscal years, the sum of $2,000,000 to enable the Commissioner of Education to make grants to States, State or local educational agencies, public and nonprofit private institutions of higher learning, and other public or nonprofit private educational or research agencies and organizations for research or demonstration projects relating to education for mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education (hereinafter in this section referred to as 'handicapped children'). Such grants shall be made in installments, in advance or by way of reimbursement, and on such conditions as the Commissioner of Education may determine.

"(b) The Commissioner of Education is authorized to appoint such special or technical advisory committees as he may deem necessary to advise him on matters of general policy relating to particular fields of education of handicapped children or relating to special services necessary thereto or special problems involved therein.

"(c) The Commissioner of Education shall also from time to time appoint panels of experts who are competent to evaluate various types of research or demonstration projects under this section, and shall secure the advice and recommendations of such a panel before making any such grant in the field in which such experts are competent.

"(d) Members of any committee or panel appointed under this section who are not regular full-time employees of the United States shall, while serving on the business of such committee or panel, be entitled to receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, but not exceeding $75 per day, including travel time; and, while so serving away from their homes or regular place of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

"(e) The Commissioner of Education is authorized to delegate any of his functions under this section, except the promulgation of regulations, to any officer or employee of the Office of Education.

## "TITLE IV—GENERAL

### *"Definitions*

"SEC. 401. For purposes of this Act—

"(a) The term 'State' includes Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia.

"(b) The term 'facility for the mentally retarded' means a facility specially designed for the diagnosis, treatment, education, training, or custodial care of the mentally retarded, including facilities for training specialists and sheltered workshops for the mentally retarded, but only if such workshops are part of facilities which provide or will provide comprehensive services for the mentally retarded.

"(c) The term 'community mental health center' means a facility providing services for the prevention or diagnosis of mental illness, or care and treatment of mentally ill patients, or rehabilitation of such persons, which services are provided principally for persons residing in a particular community or communities in or near which the facility is situated.

"(d) The terms 'nonprofit facility for the mentally retarded', 'nonprofit community mental health center', and 'nonprofit private institution of higher learning' mean, respectively, a facility for the mentally retarded, a community mental health center, and an institution of higher learning which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and the term 'nonprofit private agency or organization' means an agency or organization which is such a corporation or association or which is owned and operated by one or more of such corporations or associations.

"(e) The term 'construction' includes construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings (including medical transportation facilities); including architect's fees, but excluding the cost of off-site improvements and the cost of the acquisition of land.

"(f) The term 'cost of construction' means the amount found by the Secretary to be necessary for the construction of a project.

"(g) The term 'title', when used with reference to a site for a project, means a fee simple, or such other estate or interest (including a leasehold on which the rental does not exceed 4 per centum of the value of the land) as the Secretary finds sufficient to assure for a period of not less than fifty years undisturbed use and possession for the purposes of construction and operation of the project.

"(h) The term 'Federal share' with respect to any project means—

"(1) if the State plan under which application for such project is filed contains, as of the date of approval of the project application, standards approved by the Secretary pursuant to section 402 the amount determined in accordance with such standards by the State agency designated under such plan; or

"(2) if the State plan does not contain such standards, the amount (not less than 33⅓ per centum and not more than either 66⅔ per centum or the State's Federal percentage, whichever is the lower) established by such State agency for all projects in the State: *Provided*, That prior to the approval of the first such project in the State during any fiscal year such State agency shall give to the Secretary written notification of the Federal share established under this paragraph for such projects in such State to be approved by the Secretary during such fiscal year, and the Federal share for such projects in such State approved during such fiscal year shall not be changed after such approval.

"(i) The Federal percentage for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States, except that the Federal percentage for Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 66⅔ per centum.

"(j) (1) The Federal percentages shall be promulgated by the Secretary between July 1 and August 31 of each even-numbered year, on the basis of the average of the per capita incomes of the States and of the United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such promulgation; except that the Secretary shall promulgate such percentages as soon as possible after the enactment of this Act, which promulgation shall be conclusive for the fiscal year ending June 30, 1965.

"(2) The term 'United States' means (but only for purposes of this subsection and subsection (i)) the fifty States and the District of Columbia.

"(k) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

### *"State standards for variable Federal share*

"Sec. 402. The State plan approved under part C of title I or title II may include standards for determination of the Federal share of the cost of projects approved in the State under such part or title, as the case may be. Such standards shall provide equitably (and, to the extent practicable, on the basis of objective criteria) for variations between projects or classes of projects on the basis of the economic status of areas and other relevant factors. No such standards shall provide for a Federal share of more than 66⅔ per centum or less than 33⅓ per centum of the cost of construction of any project. The Secretary shall approve any such standards and any modifications thereof which comply with the provisions of this section.

### *"Payments for construction*

"Sec. 403. (a) Upon certification to the Secretary by the State agency, designated as provided in section 134 in the case of a facility for the mentally retarded, or section 204 in the case of a community mental health center, based upon inspection by it, that work has been performed upon a project, or purchases have been made, in accordance with the approved plans and specifications, and that payment of an installment is due to the applicant, such installment shall be paid to the State, from the applicable allotment of such State, except that (1) if the State is not authorized by law to make payments to the applicant, the payment shall be made directly to the applicant, (2) if the Secretary, after investigation or otherwise, has reason to believe that any act (or failure to act) has occurred requiring action pursuant to section 136 or section 206, as the case may be, payment may, after he has given the State agency so designated notice of opportunity for hearing pursuant to such section, be withheld, in whole or in part, pending corrective action or action based on such hearing, and (3) the total of payments under this subsection with respect to such project may not exceed an amount equal to the Federal share of the cost of construction of such project.

"(b) In case an amendment to an approved application is approved as provided in section 135 or 205 or the estimated cost of a project is revised upward, any additional payment with respect thereto may be made from the applicable allotment of the State for the fiscal year in which such amendment or revision is approved.

### *"Judicial review*

"Sec. 404. If the Secretary refuses to approve any application for a project submitted under section 135 or 205, the State agency through which such application was submitted, or if any State is dissatisfied with his action under section 134(b) or 204(b) or section 136 or 206, such State, may appeal to the United States court of appeals for the circuit in which such State is located, by filing a petition with such court within sixty days after such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

### *"Recovery*

"Sec. 405. If any facility or center with respect to which funds have been paid under section 403 shall, at any time within twenty years after the completion of construction—

"(1) be sold or transferred to any person, agency, or organization (A) which is not qualified to file an application under section 135 or 205, or (B) which is not approved as a transferee by the State agency designated pursuant to section 134 (in the case of a facility for the mentally retarded) or section 204 (in the case of a community mental health center), or its successor; or

"(2) cease to be a public or other nonprofit facility for the mentally retarded or community mental health center, as the case may be, unless the Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to continue such facility as a public or other nonprofit facility for the mentally retarded or such center as a community mental health center.

the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a facility or center which has ceased to be public or other nonprofit facility for the mentally retarded or community mental health center, from the owners thereof) an amount bearing the same ratio to the then value (as determined by the agreement of the parties or by action brought in the district court of the United States for the district in which the center is situated) of so much of such facility or center as constituted an approved project or projects, as the amount of the Federal participation bore to the cost of the construction of such project or projects. Such right of recovery shall not constitute a lien upon such facility or center prior to judgment.

### *"State control of operations*

"Sec. 406. Except as otherwise specifically provided, nothing in this Act shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any facility for the mentally retarded or community mental health center with respect to which any funds have been or may be expended under this Act.

### *"Conforming amendment*

"Sec. 407. (a) The first sentence of section 633(b) of the Public Health Service Act is amended by striking out 'eight' and inserting in lieu thereof 'twelve'. The second sentence thereof is amended to read: 'Six of the twelve appointed members shall be persons who are outstanding in fields pertaining to medical facility and health activities, and three of these six shall be authorities in matters relating to the operation of hospitals or other medical facilities, one of them shall be an authority in matters relating to the mentally retarded and one of them shall be an authority in matters relating to mental health, and the other six members shall be appointed to represent the consumers of services provided by such facilities and shall be persons familiar with the need for such services in urban or rural areas.'

"(b) The terms of office of the additional members of the Federal Hospital Council authorized by the amendment made by subsection (a) who first take office after enactment of this Act shall expire, as designated by the Secretary at the time of appointment, one at the end of the first year, one at the end of the second year, one at the end of the third year, and one at the end of the fourth year after the date of appointment."

And the House agree to the same.

Amend the title to read as follows: "An Act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction of community mental health centers, and for other purposes."

Oren Harris,
Kenneth A. Roberts,
George M. Rhodes,
Leo W. O'Brien,
Paul G. Rogers,
J. Arthur Younger,
Paul F. Schenck,
Ancher Nelsen,
Donald G. Brotzman,
*Managers on the Part of the House.*
Lister Hill,
Ralph Yarborough,
Harrison A. Williams, Jr.,
Claiborne Pell,
J. K. Javits,
John G. Tower,
*Managers on the Part of the Senate.*

### Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House struck out all of the Senate bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the Senate bill and the House amendment. Except for clarifying, clerical, and necessary conforming changes, the differences between the House amendment and the conference substitute are set out below.

### General

As passed by the House, S. 1576 authorized appropriations aggregating $238 million for a 3-year program of construction of certain mental retardation centers; a 2-year progam of assistance for construction of certain other mental retardation facilities and community mental health centers; and a 3-year program of training grants and research and demonstration projects relating to education of teachers of handicapped children.

The conference agreement authorizes appropriations aggregating $329 million, an increase of $91 million over the aggregate figure for construction contained in the House amendment, and a reduction of $94 million below the authorizations for construction contained in the bill as passed by the Senate.

The provisions of the Senate-passed bill authorizing $427 million for initial staffing of community mental health centers are deleted by the conference substitute.

The conference substitute authorizes a 4-year program of assistance in the construction of mental retardation research centers, and facilities for the mentally retarded; a 3-year program of construction of community mental health centers, and a 3-year program of training grants and research and demonstration projects for teachers of handicapped children. The following tables show the differences between the authorizations contained in the House amendment and the conference substitute:

*Authorizations under S. 1576, as passed by the House*

In millions of dollars]

| Program | 1964 | 1965 | 1966 | Total |
|---|---|---|---|---|
| Mental retardation: | | | | |
| Research centers | 6.0 | 8.0 | 6.0 | 20.0 |
| Facilities: | | | | |
| University grants | 5.0 | 7.5 | 10.0 | 22.5 |
| State grants | ------ | 12.5 | 15.0 | 27.5 |
| Subtotal, title I | 11.0 | 28.0 | 31.0 | 70.0 |
| Mental health centers: Construction | ------ | 50.0 | 65.0 | 115.0 |
| Subtotal, title II | ------ | 50.0 | 65.0 | 115.0 |
| Teachers of handicapped: | | | | |
| Training grants | 13.0 | 14.5 | 19.5 | 47.0 |
| Research and demonstrations | 2.0 | 2.0 | 2.0 | 6.0 |
| Subtotal, title III | 15.0 | 16.5 | 21.5 | 53.0 |
| Grand total | 26.0 | 94.5 | 117.5 | 238.0 |

*Authorizations under S. 1576, as agreed to by conferees*

[In millions of dollars]

| Program | 1964 | 1965 | 1966 | 1967 | 1968 | Total |
|---|---|---|---|---|---|---|
| Mental retardation: | | | | | | |
| Research centers | 6 | 8.0 | 6.0 | 6 | ---- | 26.0 |
| Facilities: | | | | | | |
| University grants | 5 | 7.5 | 10.0 | 10 | ---- | 32.5 |
| State grants | ---- | 10.0 | 12.5 | 15 | 30 | 67.5 |
| Subtotal, title I | 11 | 25.5 | 28.5 | 31 | 30 | 126.0 |
| Mental health centers: Construction | ---- | 35.0 | 50.0 | 65 | ---- | 150.0 |
| Subtotal, title II | ---- | 35.0 | 50.0 | 65 | ---- | 150.0 |
| Teachers of handicapped: | | | | | | |
| Training grants | 13 | 14.5 | 19.5 | ---- | ---- | 47.0 |
| Research and demonstrations | 2 | 2.0 | 2.0 | ---- | ---- | 6.0 |
| Subtotal, title III | 15 | 16.5 | 21.5 | ---- | ---- | 53.0 |
| Grand total | 26 | 77.0 | 100.0 | 96 | 30 | 329.0 |

### TITLE I—CONSTRUCTION OF RESEARCH CENTERS AND FACILITIES FOR THE MENTALLY RETARDED

### *Part A—Grants for construction of centers for research on mental retardation and related aspects of human development*

The Senate bill provided for a 5-year program of grants for construction of centers for research on mental retardation and certain related areas, covering fiscal years 1964 through 1968. The House amendment provided for a 3-year program covering fiscal years 1964 through 1966. The amount authorized by the Senate bill was $30 million and the amount authorized by the House bill was $20 million. The conference substitute provides for a 4-year program covering the fiscal years 1964 through 1967 with an authorization of $6 million for fiscal year 1964, $8 million for fiscal year 1965, and $6 million each for fiscal years 1966 and 1967; in the aggregate $26 million.

The House amendment contained a provision prohibiting grants for centers for research on mental retardation and related aspects of human development from being made under other provisions of the Public Health Service Act for the period of the program provided in this part. The Senate bill contained no comparable provisions. The conference substitute retains the House provision with a modification which provides that after January 1, 1964, funds may not be granted under other parts or titles of the Public Health Service Act with respect to such a center (if authorized therein) unless the Surgeon General determines that, due, for example, to insufficiency of funds or lack of priority, funds are not available under this part to make a grant for construction of such center.

At four places in the House amendment, reference was made to the applicability of the Contract Work Hours Standards Act to compensation of laborers and mechanics employed on construction projects under the bill. The conference substitute deletes these references, since that act, by its terms, is already applicable to such compensation.

### *Part B—Project grants for construction of university-affiliated facilities for the mentally retarded*

The Senate bill provided for a 5-year program of grants for construction of university-affiliated facilities for the mentally retarded covering fiscal years 1964 through 1968. The House amendment provided for a 3-year program covering fiscal years 1964 through 1966. The Senate bill authorized appropriations of $42.5 million for the period of its operation and the House amendment authorized $22.5 million for the period of its operation. The conference substitute provides for a 4-year program covering the fiscal years 1964 through 1967 with an authorization of $5 million for fiscal year 1964, $7.5 million for fiscal year 1965, and $10 million each for fiscal years 1966 and 1967; in the aggregate, an authorization of $32.5 million.

The House amendment contained a provision prohibiting grants for the construction of facilities for which grants could be made under this part from being made under provisions of the Public Health Service Act for the period of the program provided in this part. The Senate bill continued no comparable provisions. The conference substitute retains the House provision with a modification which provides that after January 1, 1964, funds may not be granted under the Public Health Service Act for construction of such a facility (if authorized therein) unless the Secretary of Health, Education, and Welfare determines that, due, for example, to insufficiency of funds or lack of priority, funds are not available under this part to make a grant for the construction of such facility.

### *Part C—Grants for construction of community facilities for the mentally retarded*

The Senate bill authorized a 4-year program of grants to the States for construction of facilities for the mentally retarded, following in general the pattern of the Hill-Burton hospital construction program, covering fiscal years 1965 through 1968. The House amendment provided for a 2-year program covering fiscal years 1965 and 1966. The Senate bill authorized appropriations of $67.5 million in the aggregate for the period of its operation with $10 million authorized for fiscal year 1965, $12.5 million for fiscal year 1966, $15 million for fiscal year 1967, and $30 million for fiscal year 1968. The House amendment authorized appropriations of $27.5 million for the period of its operation. The conference substitute is the same as the Senate bill.

Section 133 of the House amendment provided that the Secretary should, by general regulations applicable uniformly to all the States, prescribe regulations relating to community facilities for the mentally retarded constructed with assistance under this part. The Secretary was required to obtain the approval of such regulations by the Federal Hospital Council. The conference substitute provides that the Secretary shall consult with the Federal Hospital Council before issuing such regulations. The requirement that regulations apply uniformly to all the States was retained by the conferees with the understanding that this language is a clarifying amendment, making explicit what is otherwise implicit in this provision as contained elsewhere in the law.

The House amendment contained a provision prohibiting grants for the construction of community facilities for the mentally retarded from being made under the Public Health Service Act for the period of the program provided in this part. The Senate bill contained no comparable provisions. The conference substitute retains the House provision with a modification which provides that after January 1, 1964, funds may not be granted under the Public Health Service Act for construction of such a facility (if authorized therein) unless the Secretary of Health, Education, and Welfare determines that, due, for example, to insufficiency of funds or lack of priority, funds are not available under this part to make a grant for the construction of such facility.

### TITLE II—CONSTRUCTION OF COMMUNITY MENTAL HEALTH CENTERS

Title II of the Senate bill consisted of two parts, part A, providing for construction grants for community mental health centers, which, in most respects, was the same as title II of the House amendment, and part B, providing for grants for initial staffing of community mental health centers affording comprehensive services, which had no counterpart in the House amendment. The conference substitute, like the House amendment, contains no provisions with respect to staffing.

Part A of title II of the Senate bill provided for a 4-year program covering the fiscal years 1965 through 1968 for the construction of community mental health centers. Title II of the House amendment provided a 2-year program for the construction of such centers covering fiscal years 1965 and 1966. The Senate bill authorized $230 million for such construction and the House amendment authorized $115 million. The conference substitute provides for a 3-year program covering the fiscal years 1965 through 1967 and authorizes the appropriation of $35 million for fiscal year 1965; $50 million for fiscal year 1966; and $65 million for fiscal year 1967; in the aggregate, an authorization of $150 million.

Section 203 of the House amendment provided that the Secretary should by general regulations applicable uniformly to all the

States prescribe regulations relating to community facilities for the mentally retarded constructed with assistance under this title. The Secretary was required to obtain the approval of such regulations by the Federal Hospital Council. The conference substitute provides that the Secretary shall consult with the Federal Hospital Council and with the National Advisory Mental Health Council before issuing such regulations. The requirement that regulations apply uniformly to all the States was retained by the conferees with the understanding that this language is a clarifying amendment, making explicit what is otherwise implicit in this provision as contained elsewhere in the law.

The House amendment contained a provision prohibiting grants for the construction of community mental health centers under the provisions of the Public Health Service Act for the period of the program providing such grants. The Senate bill contained no comparable provisions. The conference substitute retains the House provision with a modification which provides that after January 1, 1964, funds may not be granted under the Public Health Service Act for the construction of a community mental health center (if authorized therein) unless the Secretary of Health, Education, and Welfare determines that, due, for example, to insufficiency of funds or lack of priority, funds are not available under this part to make a grant for the construction of such center.

Section 205(a)(4) of the House bill required that applications for approval of projects for construction of facilities for community mental health centers would contain reasonable assurance that adequate financial support would be available for the maintenance and operation of the project, including staffing, when the project was completed. The phrase "including staffing" was deleted by the conferees, since this feature is covered by the preceding phrase relating to maintenance and operation.

The conference substitute does not contain any authorization for assistance in the staffing of community mental health centers. Th Senate bill authorized $427 million in appropriations for this purpose. The deletion of this authorization and of the reference to staffing discussed in the preceding paragraph do not affect authority contained in other provisions of law.

TITLE III—TRAINING OF TEACHERS OF MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

Section 301—Training of teachers of handicapped children:

This section provides for the training of teachers of handicapped children, and increases the authorization for appropriations to be used for this purpose.

Subsection (b) of this section, as passed by the Senate, contained an amendment to the act of September 6, 1958, which would, for fiscal years beginning after June 30, 1964, permit the Commissioner of Education to make grants to public or other nonprofit institutions of higher learning to assist them in establishing and maintaining scholarships for training personnel preparing to engage in employment as teachers of the deaf. This is a continuation of the program now being carried on under the act of September 22, 1961 (Public Law 87-276; 20 U.S.C. 676), which under both the Senate bill and the House amendment would be extended to, but terminated as of, June 30, 1964. The House amendment contained no comparable provision for such scholarships. The conference substitute is, in this respect, the same as the Senate bill.

Section 302—Research and demonstration projects in education of handicapped children:

Subsection (a) of section 302 of the Senate bill permitted grants for research and demonstration projects relating to education of handicapped children to be made directly to local educational agencies and to public or nonprofit educational agencies which are not either State educational agencies or institutions of higher education. The House amendment required that all grants to local educational agencies be made through the State educational agencies and eliminated as direct recipients of such grants public or nonprofit educational agencies which were not State educational agencies or institutions of higher learning. The conference substitute is, in this respect, the same as the Senate bill.

Subsection (d) of the Senate bill permitted the Secretary of Health, Education, and Welfare to fix the compensation of individuals on panels or advisory committees advising him with respect to research and demonstration projects covered by this section at up to $75 per day. The House amendment fixed a limit of $50 per day as the amount which the Secretary could fix for the compensation of such individuals. The conference substitute is the same, in this respect, as the Senate bill.

TITLE IV—GENERAL

The Senate bill defined the term "community mental health center" so as to include facilities for the treatment of narcotic addicts if such facilities were part of facilities providing services for other mentally ill persons. The House amendment contained no comparable provision. The conferees agreed that the reference, in the definition of the term "community mental health center," to mentally ill patients would include mentally ill persons who are also narcotic addicts. Therefore, specific reference to mentally ill persons who are narcotic addicts not only is unnecessary but might be misinterpreted so as to exclude other categories of mentally ill persons. It is not intended that community mental health centers deny their services to any category of mentally ill persons.

OREN HARRIS,
KENNETH A. ROBERTS,
GEORGE M. RHODES,
LEO W. O'BRIEN,
PAUL G. ROGERS,
J. ARTHUR YOUNGER,
PAUL F. SCHENCK,
ANCHER NELSEN,
DONALD G. BROTZMAN,
*Managers on the Part of the House.*

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Arkansas [Mr. HARRIS] is recognized.

Mr. HARRIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Members will recall when we had this bill before us, it was quite obvious it was one of the most important programs the 88th Congress had considered up to that time and, perhaps, one of the most important we will have before us during this entire Congress insofar as the health and welfare of certain of our people are concerned.

Mr. Speaker, this bill was reported by our committee, as our committee agreed to it, by a unanimous vote. It passed the House after full debate by a vote of 335 to 18. There were differences between the House version and the Senate version. The major difference was the staffing with reference to the mental hospitals as proposed in title II of the bill. That was a difficult issue. The conferees on the part of the House insisted on maintaining the position of the House. We reached compromises in title I, part A of title II and title III. We had very little difficulty reaching an understanding with reference to these provisions.

I think we have brought you a better bill from that standpoint even than when it passed the House. The major difference, that is, staffing, was the issue. The other body for a long time in several meetings insisted on their version. The House Members stood in support of the position of the House. In our last meeting an agreement was reached. The other body receded and yielded to the House insofar as that major part of the proposed legislation is concerned.

I want to compliment the committee. I think it has done a tremendous job. The subcommittee under the chairmanship of the gentleman from Alabama [Mr. ROBERTS] and with the assistance of the ranking member, the gentleman from Ohio [Mr. SCHENK], and the other members of the subcommittee on both sides, have done a tremendous job and I compliment them on the splendid work they have done on a complex and extremely important piece of legislation.

Mr. Speaker, I was complimented, as was the committee, by the overwhelming vote this House gave to us on this matter. I want to commend the conferees for the attention they have given to these problems during the interesting and controversial sessions that we went through. Our staff has done a great job and I want to thank the staff and commend them for the assistance they have given to us on these highly complicated questions.

So, Mr. Speaker, this conference report which we bring before you today was signed by all members. It is unanimous and represents what we think is a sound and constructive compromise on the part of the two Houses.

There was a lot of concern expressed by many Members of the House, you will recall, over these features and certain features of the bill as originally passed with reference to the staffing of community mental health centers. After three meetings of the Committee of Conference, all points in disagreement were finally resolved with the exception of this final issue. Then finally the other body reluctantly yielded and the conference report now before us does not authorize assistance for staffing. In other words, in respect to staffing of community mental health centers, the conference agreement is the same as the bill passed by the House.

Other points in disagreement involved assistance for the construction of facilities. The House bill provided a program which was shorter in point of time and smaller from the point of view of the appropriation authorization and the Senate version. The conference agreement involves an increase of $91 million over the House version and represents a reduction of $94 million on these particular programs as was contained in the Senate authorization bill for construction.

With respect to the duration of the program, the conferees with one exception split the difference. In other words, where the House bill involved a 3-year program of assistance and the Senate version authorized a 5-year program, the conference substitute authorizes a 4-year program.

In one respect the conference agreement is the same as the Senate bill in this area. That has to do with a 4-year program of grants to the States for the construction of facilities for mentally retarded. As you will recall, the House had provided for a 2-year program in this particular item, and the conferees receded and we accepted the Senate version.

The Senate bill provided for a 5-year program of grants for the construction of centers for research on mental retardation and certain related areas covering fiscal years 1964 through 1968. The House amendment provided a 3-year program covering the fiscal years 1964 through 1966. The amount authorized by the Senate bill was $30 million and the amount authorized by the House was $20 million. The conference substitute provides for a 4-year program covering the fiscal years 1964 through 1967 with an authorization of $6 million for the fiscal year 1964, $8 million for the fiscal year 1965, and $6 million for each of the fiscal years 1966 and 1967, or an aggregate of $26 million.

The Senate bill provided for a 5-year program of grants for the construction of university affiliated facilities for the mentally retarded covering fiscal years 1964 through 1968. The House amendment provided a 3-year program covering the fiscal years 1964 through 1966. The Senate bill authorized appropriations of $42.5 million for the period of its operation. The House amendment authorized $22.5 million for the period of its operation. The conference substitute provides for a 4-year program covering the fiscal year 1964 through 1967 with an authorization of $5 million for the fiscal year 1964, $7.5 million for the fiscal year 1965, and $10 million each for the fiscal years 1966 and 1967, or an aggregate in authorizations of $32.5 million.

At four places in the House amendment reference was made to the applicability of the Contract Work Hours Standards Act to compensation of laborers and mechanics employed on construction projects under the bill. The conference substitute deletes these references since the act by its terms is already applicable to such compensation. I want to make that very clear, because there is some interest in it. The act by its terms is already applicable to such compensation.

The Senate bill authorized a 4-year program of grants to the States for the construction of facilities for the mentally retarded following in general the pattern of the Hill-Burton hospital program covering the fiscal years 1965 through 1968. The House amendment provided for a 2-year program covering the fiscal years 1965 and 1966. The Senate bill authorized appropriations of $67.5 million in the aggregate for the period of its operation, with $10 million authorized for fiscal year 1965, $12.5 million for 1966, $15 million for fiscal year 1967, and $30 million for fiscal year 1968. The House had authorized an appropriation of $27.5 million for the period of its operation. The conference substitute in this respect is the same as the Senate bill.

Title II of the Senate bill consisted of two parts, part A providing for construction grants for community mental health centers, which in most respects was the same as title II of the House amendment. Part B provided for grants for initial staffing of community mental health centers affording comprehensive services, which had no counterpart in the House amendment.

Mr. Speaker, the conference substitute, like the House amendment, contains no provision with respect to staffing.

Part A of title II of the Senate bill provided for a 4-year program covering the fiscal years 1965 through 1968 for the construction of community mental health centers. Title II of the House amendment provided a 2-year program for the construction of such centers covering fiscal years 1965 and 1966. The Senate bill authorized $230 million for such construction and the House amendment authorized $115 million. The conference substitute provides for a 3-year program covering the fiscal years 1965 through 1967 and authorizes the appropriation of $35 million for fiscal year 1965; $50 million for fiscal year 1966; and $65 million for fiscal year 1967; in the aggregate $150 million.

This section provides for the training of teachers of handicapped children, and increased the authorization for appropriations to be used for this purpose. We expect that the additional funds authorized for this program of training teachers of handicapped children will be used for training the teachers themselves, rather than graduate students; at least until the needs for teachers of the handicapped have been met.

Subsection (b) of section 301 of the Senate bill contained an amendment to the act of September 6, 1958, which would, for fiscal years beginning after June 30, 1964, permit the Commissioner of Education to make grants to public or other nonprofit institutions of higher learning to assist them in establishing and maintaining scholarships for training personnel preparing to engage in employment as teachers of the deaf. This is a continuation of the program now being carried on under the act of September 22, 1961 (Public Law 87-276; 20 U.S.C. 676), which under both the Senate bill and the House amendment would be extended to, but terminated as of, June 30, 1964. The House amendment contained no comparable provision for such scholarships. The conference substitute is, in this respect, the same as the Senate bill.

Members may recall that the bill as reported by our committee to the House, in this regard, was the same as the Senate bill. On the House floor, the gentleman from Minnesota [Mr. QUIE] offered an amendment which deleted this provision for scholarships for teachers of the deaf, and at the time that I agreed to accept the amendment, I stated that this might create serious problems and that, we, therefore, would study the impact of the amendment on the existing program and see what could be worked out in conference. It developed, after the bill had passed the House, that this amendment would have a detrimental effect upon the existing program in a number of States which do not have programs for training teachers at the graduate level. For this reason, the House conferees agreed to accept the Senate version. This provision, by the way, follows existing law in this regard.

Subection (a) of section 302 of the Senate bill permitted grants for research and demonstration projects relating to education of handicapped children to be made directly to local educational agencies and to public or nonprofit educational agencies which are not either State educational agencies or institutions of higher learning. The bill, as reported by the committee, was the same in this regard as the Senate bill. On the House floor, an amendment was agreed to, which would have required that all grants to local educational agencies be made through the State educational agencies and eliminated as direct recipients of such grants public or nonprofit educational agencies which were not State educational agencies or institutions of higher learning.

The Senate conferees were opposed to this amendment, because they felt that it deprived the Commissioner of Education of necessary flexibility in the administration of this program, and the House conferees receded on this point.

Mr. Speaker, I believe that I have covered the major points in disagreement between the two Houses.

Now, Mr. Speaker, let me ask the particular attention of my colleagues at this point. I want all Members to hear this, because it is important.

We have had from throughout the country much insistence for giving in on the staffing of these centers, including wires and other communications of all kinds, as well as letters. We have received and, perhaps, you have also received, wires from certain people who are interested and who have told us that they have polled the House membership. We have communications saying in this respect that they have polled so many Members. They have told us that so many Members said they would vote for this provision. I do not quarrel with that effort. I think it is their privilege to try to tell us, the representatives of the people, what they want. Sometimes I question the authenticity of the information, perhaps, that they give, particularly those of us who have been in it, because as an example, I would like to say for the record that some of the Members that they say have told them they would vote for this provision, I happen to know from my experience, that these Members vote the other way and have said they would never give in to it.

Now, Mr. Speaker, we cannot take for granted this kind of information that comes to us. We of the conference committee had to consider this information as we tried to consider this tremendously important problem.

Mr. Speaker, I want every Member to know that there are organizations—the mental health organizations of the States and other national organizations—which are interested in this field. Some have gone so far as to say, "If you cannot give us this, we do not want anything at all."

Now, Mr. Speaker, I do not believe they meant it. I just do not see how they could mean it, because we know from our years of experience here that there have been so many things that we could not have just like we wanted them, each of us, and therefore we have had to do the best we could.

What is happening here, Mr. Speaker, is as every member of our committee knows, we are trying to bring about a new concept in dealing with the mentally ill of this country, instead of continuing to put them in a State hospital in one center primarily within the State and have many of them forgotten for the rest of their lives. We propose to establish local mental health centers where those unfortunates to be treated will be close to their families—where the families can help look after them. That concept has never been put into operation before in this country.

Mr. Speaker, we have learned from the hearings that if we did not do something at this point to bring about this new approach, we were going to reach a stage in our States where these facilities would be so congested that people would be treated, not like human beings in some instances, but like animals themselves. I do not think we want that to happen in this country.

So, Mr. Speaker, I give the Members of the House this explanation in order to show the problems that we had.

I may say to the Members of the House that I voted for a certain type of staffing in the committee. Certain others did too, but for the operation here, we have given them the best program that we could come together with. We have unanimously reached this conclusion.

Mr. Speaker, I bring it to the Members of the House with the unanimous approval of the conferees. It has already been adopted by the other body.

Mr. Speaker, I urge the adoption of this report today in order that we might send it on to final approval.

**Mr. HARRIS.** Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. SCHENCK].

**Mr. SCHENCK.** Mr. Speaker, our Subcommittee on Health and Safety has considered this measure extensively and thoroughly. The full Committee on Interstate and Foreign Commerce also considered the matter completely and thoroughly. As a result of all of the action taken by our committee, both the subcommittee and the full committee, the bill was brought into the House and approved in the form recommended by our committee.

Mr. Speaker, it was a privilege and a pleasure to serve on the joint conference committee with my colleagues. I just want to take this opportunity to express my own appreciation and the appreciation of the other minority members on the conference committee to the chairman of our committee, the gentleman from Arkansas [Mr. HARRIS], for his forthright support and insistence upon the position taken by the House at the time the legislation was considered here in the House.

Chairman HARRIS earlier stated for the RECORD that his personal views differed somewhat from the action taken by our committee. Nevertheless, he felt obligated, as he always does, to support the committee decision and in the conference he refused to yield from the House position.

Mr. Speaker, I urge adoption of this conference report.

**Mr. HARRIS.** Mr. Speaker, I yield 10 minutes to the chairman of the subcommittee who worked so diligently and long on this, and together with his subcommittee did such a good job, the distinguished gentleman from Alabama [Mr. ROBERTS.]

**Mr. ROBERTS of Alabama.** Mr. Speaker, I thank the distinguished gentleman from Arkansas for his remarks. I would like to pay tribute and thanks to the members of the subcommittee who worked on this bill for several days of hearings and several days of executive sessions.

Mr. Speaker, I rise in support of the conference report on S. 1576, the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963.

As passed by the other body the largest sum of money in this bill was for staffing of the community health centers. The House after consideration of this phase of title II eliminated this feature of the bill although, as stated by the chairman, a good many, and I was among that number, wanted a limited type of staffing. An amendment was offered by the gentleman from Florida [Mr. ROBERTS], which was, I believe, unanimously supported by the subcommittee, to provide for staffing on a 54-month basis, starting with a top percentage of 50, then gradually eliminating it at the end of 4 years. This was rejected by the full committee and, as the bill passed the House, it was eliminated from the House bill.

As the chairman has mentioned, there has been a good deal said about the need for staffing. I believe we will have an opportunity to watch this program develop and if it does appear it cannot get off the ground without additional psychiatrists, psychologists, and nurses trained in this field, I hope to offer a bill later on to accomplish these purposes. However, I feel that we should take the position this bill, which contains about $329 million attacking the twin problems of mental illness and mental retardation, is a step in the right direction, and a very important step in the right direction.

Although since the beginning of the attack on this problem, mental illness has been subject to State socialized medicine, this bill will utilize and encourage private medicine to make its best contribution. In many of these cases patients are shunted off to an isolated spot in some State institution where they receive little more than a minimum amount of custodial care. This for the first time will eliminate or help remove the stigma of being afflicted with mental illness. It will keep the problem at home—it will keep it in the locale where the patient has the ultimate chance for recovery and rehabilitation. We have about 17 million people in this country who are afflicted with this illness. We believe this is a bold, new approach to this problem, and we believe it can show wonderful results.

In the conference, as has been true in the House, there was very little objection to title I, which is composed of three parts. Part A provides for the regional mental retardation centers for research. Part B provides for the university affiliated facilities primarily concerned with clinical training of doctors, nurses, and other people in this field. Part C establishes a community facility approach to the problem of mental retardation.

Part B of title I, the university-affiliated facilities part, provides for construction of facilities for both care and research.

Title III of the bill includes a provision authorizing scholarships for teachers of the deaf. Section 302 of the bill will provide for demonstration projects as to new ways of teaching and improved techniques in handling handicapped children.

I believe that for these 5.5 million children who have been neglected throughout our history this is a new day. I sincerely believe that many of these children, as has been demonstrated in some of these schools and medical institutions throughout the country, can be restored to the point that they can make a living for themselves. Many of them by the use of proper teachers and techniques will undoubtedly improve and again in many cases be made self-sustaining.

I do not believe that there is a more important health measure that has come before this body in my 13 years on the Committee on Interstate and Foreign Commerce and in my 7 or 8 years as chairman of the Subcommittee on Public Health and Safety. I commend this report to the House and I sincerely hope it will be adopted overwhelmingly.

**Mr. HARRIS.** Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. ROGERS].

**Mr. ROGERS of Florida.** Mr. Speaker, I rise in support of the conference report on S. 1576, Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963. The position of the House was in the main sustained in conference and the report will bring about an effective program to meet the rising problem of mental health and mental retardation in our country.

As has been explained by the chairman of the committee, the gentleman from Arkansas [Mr. HARRIS], the House bill provided for an expenditure of $238 million, whereas the Senate bill provided for $850 million, which included $427 million for staffing of community mental health centers. As Members recall, the House did not approve of staffing by the Federal Government of the community mental health centers. This, therefore, reduced the Senate bill $427 million and on those items that were compromised by the two bodies, the Senate reduced its figures an additional $94 million and the House increased its figure $91 million. This then was a total reduction of $521 million.

Members will note the importance the committee attached to initiating an effective research and treatment program for mental retardation. I think it can be said without contradiction that it was a strong feeling of the members of the Health and Safety Subcommittee, as well as the members of the full Committee on Interstate and Foreign Commerce, that increased emphasis should be given to this portion of the approved program.

It is the intention and hopes of the committee also that action be taken as soon as possible to bring this program into reality and make it effective. I am sure that our Subcommittee on Health and Safety will expect reports as to progress being made and will be anxious to follow what we are assured will be success in this field.

As to the community mental health centers, here, too, the committee expects prompt action as soon as State programs can be formulated, and effective programs will be initiated to help cure the mentally ill in this dramatic new approach. If the testimony which we heard during the consideration of this legislation bears out the limited experience connected with treatment at community health centers, then we can expect in the years ahead, a dramatic increase in the number of cures to be effected, the rehabilitation of persons otherwise completely lost to society, and reduced cost of meeting the problem of the treatment of the mentally ill.

Although, the House agreed to a modification of the nonduplication amendment because we did not desire to prevent present efforts in this field being prohibited, we nevertheless expect a good-faith administration of the amendment by the Department of Health, Education, and Welfare for actually preventing duplication of these programs from other parts of the Public Health Act. It is my hope and feeling that the Subcommittee on Health and Safety will next year in the consideration of the Hill-Burton Act, go into this problem thoroughly so there will be a clearer statement of nonduplication in this entire field.

Title 3 of the bill of course will provide aid which is so badly needed in helping to train teachers of mentally retarded and other handicapped children. This part of the program should be instituted immediately upon the approval of this legislation and the funding of this program. The Congress in passing this legislation will be initiating a major step to help diagnose, treat, and eliminate the age-old problems of retardation and mental illness. Members can take pride in supporting this legislation.

Mr. HARRIS. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. Rhodes].

Mr. RHODES of Pennsylvania. Mr. Speaker, as a member of the subcommittee and also as a member of the conference committee which studied this legislation, I am disappointed that the staffing provision contained in the original Harris bill was eliminated.

This provision was in the bill which passed in the other body with only one opposing vote. It was in the bill which passed unanimously in the House Subcommittee on Public Health and Safety. It was eliminated by a 15-to-12 vote in the full committee.

It is my opinion, Mr. Speaker, that staffing is of much importance to the success of this program. The view of those most competent within organized medicine to make a judgment on this issue has been in favor of the staffing funds. Dr. Lindsay E. Beaton, a physician representing the American Medical Association, testified in support of the staffing provision before the Health and Safety Subcommittee. Dr. Beaton is a specialist in the field of mental retardation and mental health.

On last September 26, Mr. Speaker, the 15th Annual Mental Hospital Institute Meeting in Cincinatti passed a resolution by a unanimous vote asking the Senate-House conference committee to restore the initial staffing provision.

More than 500 State commissioners of mental health, mental hospital superintendents, physicians, psychologists, social workers, chaplains, nurses, and many other mental hospital personnel attended this important meeting.

I feel certain that they represent the overwhelming sentiment of many thousands of dedicated people who work in the public and private mental hospitals of America.

I quote their resolution:

> *Be it resolved,* That this institute go on record as urging the Senate and House conference committee to restore support for the initial staffing of the community mental health centers contemplated by S. 1576. It is our conviction that such temporary operational support is absolutely essential to getting the community centers launched and firmly established in the community; be it further
>
> *Resolved,* That we who have labored so long in mental hospitals under the handicaps of personnel shortages know that buildings alone are not enough. It will be the services provided that count. Once the centers are operationally underway they can be paid for in local communities like other medical facilities. But they need this initial help to establish their roots in the communities of our Nation; be it further
>
> *Resolved,* That a great opportunity is at hand to bring the mentally ill back into the mainstream of medicine. We urge you not to allow this bill to pass without some initial support for operational services in the centers.

Mr. Speaker, anyone acquainted with the difficulty in recruiting qualified specialists and technicians to fill vacancies in State hospitals and institutions can understand why staffing is so essential to an effective program of this kind.

Nevertheless, I support this conference report and I agree with our distinguished committee chairman, Congressman Oren Harris, that the bill is better than it was when it passed the House.

I want to commend both the chairman of the subcommittee, the distinguished gentleman from Alabama [Mr. Roberts], and the chairman of the full Commerce Committee, our distinguished colleague, the gentleman from Arkansas [Mr. Harris], for the time, effort, and leadership they have provided in the thoughtful consideration that has been given to this legislation and in bringing it to the House floor for a decision. All members of the House subcommittee are to be commended for their efforts and time they have given to consideration of this important and needed legislation.

None of the committee denied the importance of the staffing provision. I could not agree, however, with those who felt that funds for initial staffing was entirely State or local responsibility. Nor could I agree with those who thought that the cost of the program could not be justified because of the budgetary problem.

Funds for this program are a good investment in our human resources and in a healthier people and stronger America.

Mr. HARRIS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken, and the Speaker pro tempore announced that the ayes seemed to have it.

Mr. LAIRD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 299, nays 13, not voting 121, as follows:

[Roll No. 176]

YEAS—299

Abele
Abernethy
Addabbo
Albert
Anderson
Andrews
Arends
Ashley
Ashmore
Aspinall
Avery
Baker
Baldwin
Baring
Barry
Bates
Battin
Becker
Beckworth
Bell
Bennett, Fla.
Bennett, Mich.
Betts
Boggs
Boland
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bow
Brademas
Bray
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Buckley
Burke
Burkhalter
Burton
Byrne, Pa.
Byrnes, Wis.
Cannon
Carey
Casey
Cederberg
Chamberlain
Chenoweth
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Colmer
Conte
Cramer
Curtin
Curtis
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Derounian
Devine
Dingell
Dole
Donohue
Dorn
Downing
Duncan
Edmondson
Edwards
Elliott
Ellsworth
Everett
Evins
Farbstein
Fascell
Finnegan
Fino
Flood
Flynt
Fogarty
Forrester
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Gary
Gathings
Giaimo
Gibbons
Gilbert
Gill
Gonzalez
Goodling
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.
Griffin
Gross
Grover
Gubser
Hagen, Calif.
Haley
Hanna
Hansen
Harding
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Holifield
Horan
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord

Jarman
Jensen
Johnson, Calif.
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kilgore
King, Calif.
King, N.Y.
Kirwan
Kornegay
Kunkel
Laird
Langen
Lankford
Latta
Leggett
Lennon
Lesinski
Libonati
Lindsay
Lloyd
Long, Md.
McClory
McCulloch
McFall
McMillan
MacGregor
Mahon
Marsh
Martin, Calif.
Mathias
Matsunaga
Matthews
May
Meader
Miller, Calif.
Milliken
Mills
Minish
Minshall
Moore
Morgan
Morris
Morrison
Morse
Mosher
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Norblad
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Ostertag
Patten
Pelly
Perkins
Philbin
Pike
Pirnie
Poff
Pucinski
Purcell
Quie
Quillen
Rains
Randall
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Roberts, Ala.
Roberts, Tex.
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Roosevelt
Rosenthal
Roudebush
Roush
Roybal
Rumsfeld
Ryan, Mich.
St Germain
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Secrest
Selden
Senner
Sheppard
Shipley
Short
Sickles
Sikes
Siler
Sisk
Skubitz
Slack
Smith, Calif.
Snyder
Stafford
Staggers
Stephens
Stinson
Stratton
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Toll
Trimble
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Van Pelt
Waggonner
Wallhauser
Watts
Weaver
Weltner
Wharton
White
Wickersham
Wilson, Bob
Wilson, Ind.
Winstead
Wright
Wydler
Wyman
Young
Younger
Zablocki

## NAYS—13

Abbitt
Ashbrook
Beermann
Burleson
Dowdy
Fisher
Foreman
Johansen
Martin, Nebr.
Pillion
Pool
Smith, Va.
Williams

## NOT VOTING—121

Adair
Alger
Auchincloss
Ayres
Barrett
Bass
Belcher
Berry
Blatnik
Bolling
Brock
Bromwell
Broyhill, Va.
Bruce
Cahill
Cameron
Celler
Chelf
Cohelan
Collier
Cooley
Corbett
Corman
Cunningham
Daddario
Denton
Derwinski
Diggs
Dulski
Dwyer
Fallon
Feighan
Findley
Ford
Frelinghuysen
Fuqua
Gallagher
Glenn
Goodell
Griffiths
Gurney
Hagan, Ga.
Hall
Halleck
Halpern
Hoeven
Hoffman
Holland
Jennings
Joelson
Kee
Kelly
Keogh
Kilburn
Kluczynski
Knox
Kyl
Landrum
Lipscomb
Long, La.
McDade
McDowell
McIntire
McLoskey
Macdonald
Madden
Mailliard
Martin, Mass.
Michel
Miller, N.Y.
Monagan
Montoya
Moorhead
Morton
Moss
Multer
Nelsen
Nix
O'Brien, Ill.
O'Brien, N.Y.
Osmers
Passman
Patman
Pepper
Pilcher
Poage
Powell
Price
Reifel
Rivers, S.C.
Robison
Rodino
Rogers, Tex.
Rooney, N.Y.
Rostenkowski
Ryan, N.Y.
St. George
St. Onge
Shelley
Shriver
Sibal
Smith, Iowa
Springer
Staebler
Steed
Stubblefield
Teague, Tex.
Thompson, La.
Thornberry
Tollefson
Tuck
Vinson
Watson
Westland
Whalley
Whitener
Whitten
Widnall
Willis
Wilson, Charles H.

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Nelsen for, with Mr. Hoffman against.

Until further notice:

Mr. Keogh with Mr. Adair.
Mr. Multer with Mr. Shriver.
Mr. Cooley with Mr. Bromwell.
Mr. St. Onge with Mr. Frelinghuysen.
Mr. Whitener with Mr. Auchincloss.
Mr. Hagan of Georgia with Mr. McLoskey.
Mr. Pepper with Mr. Kilburn.
Mr. Montoya with Mr. Halpern.
Mr. Steed with Mr. Ayres.
Mr. Corman with Mr. Corbett.
Mr. Dulski with Mr. Halleck.
Mr. Powell with Mr. Osmers.
Mr. Price with Mr. McIntire.
Mr. Nix with Mr. Reifel.
Mr. Madden with Mr. Cahill.
Mr. Celler with Mr. Brock.
Mrs. Kelly with Mr. Ford.
Mr. O'Brien of New York with Mr. Widnall.
Mr. Joelson with Mr. Mailliard.
Mr. Holland with Mr. Hoeven.
Mr. Macdonald with Mr. Belcher.
Mr. Cameron with Mrs. Dwyer.
Mr. Blatnik with Mr. Bruce.
Mr. Patman with Mr. Michel.
Mr. Moss with Mr. Lipscomb.
Mr. Barrett with Mr. Knox.
Mr. Jennings with Mr. Westland.
Mr. Teague of Texas with Mr. Springer.
Mr. Thompson of Louisiana with Mr. Broyhill of Virginia.
Mr. Daddario with Mrs. St. George.
Mr. Cohelan with Mr. Glenn.
Mr. Fallon with Mr. McDade.
Mr. Feighan with Mr. Kyl.
Mr. Fuqua with Mr. Berry of South Dakota.
Mrs. Griffiths with Mr. Sibal.
Mr. Rooney with Mr. Goodell.
Mr. Ryan of New York with Mr. Findley.
Mr. Shelley with Mr. Alger.
Mr. Rostenkowski with Mr. Collier.
Mr. Monagan with Mr. Morton.
Mr. McDowell with Mr. Hall.
Mr. Stubblefield with Mr. Tollefson.
Mr. Charles H. Wilson with Mr. Cunningham.
Mr. Kluczynski with Mr. Robison.
Mr. Diggs with Mr. Gurney.
Mr. Gallagher with Mr. Martin of Massachusetts.
Mr. Chelf with Mr. Derwinski.
Mr. O'Brien of Illinois with Mr. Miller of New York.
Mr. Rogers of Texas with Mr. Whalley.
Mr. Long of Louisiana with Mr. Watson.
Mr. Staebler with Mr. Whitten.
Mr. Moorhead with Mr. Tuck.
Mr. Willis with Mr. Thornberry.
Mr. Bass with Mr. Rivers of South Carolina.
Mr. Vinson with Mr. Passman.
Mr. Pilcher with Mrs. Kee.
Mr. Landrum with Mr. Smith of Iowa.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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## SUBCOMMITTEE NO. 4 OF THE COMMITTEE ON SMALL BUSINESS

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 4 of the House Small Business Committee may be allowed to sit during the remainder of the afternoon.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

## VISIT OF TWO AFRICAN PRESIDENTS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include the full text of the address at the luncheon given by Secretary of State Rusk on Friday.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, for the first time in the history of our country, as far as I know, two heads of state were honored jointly in Washington by an American Secretary of State when President Ahmadou Ahidjo of the Federation of the Cameroon and President Moktar Ould Daddah of the Islamic Republic of Mauritania were the luncheon guests of Secretary of State Rusk. It was a memorable and historic event. It served to weave even more closely the ties of friendship of our country with the new governments of Africa.

I have spoken often of the importance of Africa in the world of the tomorrow. There is a keenly awakened interest in Africa among the people of the United States, but there is still a scant understanding of the tremendous potentialities of the African Continent. The visit to Washington of President Ahmadou Ahidjo and President Moktar Ould Daddah has served the very useful purpose of deepening that understanding.

Mauritania for the most part is a desert, almost 400,000 square miles of desert. It has a population of less than 1 million persons. That is one side of the picture.

Here is the other side, accentuated by the visit of President Moktar Ould Daddah. The mountains of Mauritania are literally filled with iron ore, constituting one of the world's greatest sources of supply. But there was no adequate transportation between the iron ore country and the port for shipment. That problem has now been solved by the construction of a railroad from the mines at Fort Guard to Port Etienne. This railroad was constructed at a cost of $190 million, $66 million of which was financed by a loan from the International Bank, the remainder being private capital in which an agency of the French Government owns a 37-percent interest with private investors in France, the United Kingdom, Germany, and Italy holding the other 63 percent.

With the completion of this railroad, export of ore already has started and will work up to a rate of 4 million tons per annum after 5 years and 6 million tons after 10 years. The Government of Mauritania receives 50 percent of the firm's profits and in addition a 9-percent ad valorem export royalty.

The economic future of Mauritania is thus assured. Indeed, it is unlikely that there is another country in the world with a population of less than 1 million persons with such a bright and dazzling economic future.

This should go a long way to dispell the doubts of some Americans of the soundness of African loans and African investments.

Unfortunately, there is very little published material in English on Mauritania. There are no known American investments there and, few if any, American residents, but Mauritania does have a future and that future is that of a prosperous and not a poor member of the family of nations. President Moktar Ould Daddah is a strong friend of the United States and a warm admirer of President Kennedy.

The Federation of the Cameroon also has a brilliant future. While its economy at present is based almost entirely on agriculture in which 90 percent of the population is engaged, it is making slow but sure progress in industrial development that fits into its agriculture framework. In recent years several new industries, chiefly for the processing of agricultural and forestry products, have been established. These include an aluminum plant at Edea which enjoys the advantage of low cost hydroelectric power from Edea Falls. The factory now is turning out 45,000 metric tons of aluminum annually. Under the Cameroon's 5-year development plan several further industrial plants will be installed including a cement plant at Douala.

The Federal Republic of Cameroon is the 13th largest independent country in sub-Sahara Africa. With an estimated population of 4.3 million, it is the 10th most populous independent nation in that area. Some 400 Americans now live there.

President Ahidjo is a young man of warm personality and of dedication to public service. He joined with President Daddah in expressing his friendship for the Government and the people of the United States and of admiration for President Kennedy.

The visit of these two distinguished African leaders, as the Presidents of nations recently come into independence, has strengthened greatly our understanding of and our friendship with the nations of the African Continent.

Mr. Speaker, by unanimous consent, I am extending my remarks to include the full text of the addresses of Secretary of State Rusk, of President Moktar Ould Daddah, and of President Ahmadou Ahidjo at this historic luncheon:

### Secretary Rusk's Remarks at the End of the Luncheon He Offered in Honor of President Ahidjo, of Cameroon, and President Moktar, of Mauritania

President Ahidjo, President Moktar, gentlemen, on behalf of the President and in my own name I would like to express our pleasure at having you with us in Washington and today in the Thomas Jefferson Room.

Thomas Jefferson was one of our great revolutionaries and the founder of the independence of the United States; thus we feel that we are receiving two of the eminent Presidents of the newly independent countries of Africa in very sympathetic surroundings.

I would like to express our particular thanks to Congressman O'Hara who is one of our great legislators and the chairman of the African Affairs Subcommittee of the House. Day after day he has labored so that our policies toward Africa would be strong, just, and moderate.

I know that in his conversations with President Ahidjo and President Moktar, President Kennedy has spelled out for them the ambitions of the United States with respect to their two countries. Our only ambition is that their countries and their people should be independent, secure, and prosperous; if this ambition becomes fulfilled we shall have no other.

I would like to recall that we have something more in common with Cameroon and Mauritania and that is the support of the principles of the Charter of the United Nations to make a world where each country will have the occasion to turn to its unfinished business.

When I first represented my country at the United Nations, three or four countries spoke for Africa. Today the voices of Africa represent one-third of the membership of the organization. I would like to pay my respects to the quality of that voice, a strong advocate for order.

In conclusion, I would like to remark that this is probably the first occasion where, as Secretary of State, I have entertained two chiefs of state jointly. We have therefore entered into a treaty of protocol whereby the two Presidents have agreed to join me in a toast and I ask you to stand with me for the President of Cameroon, the President of Mauritania, and the President of the United States.

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### Response of President Ahmadou Ahidjo

Mr. Secretary, it is a great pleasure for us to be in your country with you. We know the great interest that the President, his Government, and the American people take in the underdeveloped countries, even those as far removed as Africa. We are greatly touched by this interest, particularly as we know that American aid to underdeveloped countries is not only a material contribution but a very essential contribution to the liberation of the young American countries.

We are also very happy that the United Nations have their headquarters in the United States since it affords some of us the occasion to come to New York once in a while and also to Washington to present our respects to your President and to express in person our gratitude for all the assistance we have received.

We know that you are convinced that this assistance is a great investment, since aiding underdeveloped countries like ours to acquire a better standard of living and a better education constitutes a contribution to the whole of mankind. In conclusion may we thank you for the very friendly welcome you have extended to us today. Gentlemen, we raise our glass to the health of President Kennedy.

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### Response of President Moktar Ould Daddah

Mr. Secretary, Chairman O'Hara, gentlemen, my good friend President Ahidjo has once again greatly facilitated my task by saying everything that I could have said. May I simply add that I concur with everything he has said and make his words fully mine.

I would like to add a few words on the occasion of what was my first personal contact with President Kennedy and I would like to share with you the very strong impression that the President has made on me.

Nowadays it is a difficult task to be head of a state. To be the President even of a small republic like Mauritania is a crushing burden. It is all the more so to be President of the United States at this juncture when your country carries such a heavy burden of responsibility. This is not the result of your own actions but is caused by the nature of your commitments derived from your own importance in the world of today.

In spite of this I have found your President to be a man open and dynamic and I am convinced that, in speaking only of the present because the future belongs to God, the United States is fortunate today to have a President who is young and dynamic and so well surrounded by young and dynamic associates, most of whom, I am pleased to say, are lawyers.

I invite you to drink to the President of the United States, the prosperity of the American people and not only to friendship between the African people and the American people but to friendship between all the peoples of the world.

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## BIRMINGHAM PROUD OF ECONOMIC GROWTH

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include tables and other extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, the economic growth and expansion of the city of Birmingham and Jefferson County, Ala., is a phenomenon not difficult to ascertain. In every industrial and commercial area growth and expansion continue at a substantial pace.

To give some indication of the progress of our great area, I enclose hereunder pertinent statistics which will show that all segments of our economy are moving ahead:

*Sales of natural gas in thousand cubic feet, Alabama and Jefferson County[1]—Percent change, first 8 months of 1963 to first 8 months of 1962*

| Type of customer | State total [1] | Jefferson County |
|---|---|---|
| Small commercial and industrial | +8 | +9 |
| Large commercial and industrial | +8 | +10 |

[1] Service area, Alabama Gas Corp.

Source: Alabama Gas Corp.

*Total telephones gained, Southern Bell Telephone & Telegraph Co.*

| | September 1963 | September 1962 | Percent change |
|---|---|---|---|
| Birmingham metropolitan area | 1,006 | 896 | +12.3 |
| 1st 9 months | 7,495 | 6,732 | +11.3 |
| State of Alabama | 5,615 | 5,308 | +5.8 |
| 1st 9 months | 33,175 | 28,290 | +17.3 |

Source: Southern Bell Telephone & Telegraph Co.

*Nonagricultural wage and salary employment*

BIRMINGHAM, ALA.

| | September 1963 | September 1962 | Percent change |
|---|---|---|---|
| SES [1] nonagricultural placements | 1,766 | [2] 1,662 | +6.3 |
| SES [1] job applications initial | 1,878 | 2,456 | −23.5 |
| SES [1] job applications, 30-day active file | 8,076 | 9,272 | −12.9 |

[1] State employment service.

[2] Excludes 300 seasonal placements as vendors for park board to work 1 day at Legion Field for Auburn-Tennessee football game.

JEFFERSON COUNTY

| | September 1963 | September 1962 | Percent change |
|---|---|---|---|
| Unemployment claims, initial | [1] 2,676 | 2,928 | −8.6 |
| Continued weekly claims filed for State unemployment compensation | 17,236 | 26,786 | −35.7 |

| | Aug. 15, 1963 | Aug. 15, 1962 | Percent change |
|---|---|---|---|
| Manufacturing employment, Jefferson County | 61,450 | 58,350 | +5.3 |
| Unemployment, Jefferson County | 11,150 | 16,800 | −33.6 |

[1] Excludes 350 workers temporarily laid off by 1 industry.

NOTE.—Unemployment in Jefferson County as of Aug. 15, 1963, was 4.6 percent. Unemployment in Jefferson County as of Aug. 15, 1962, was 6.8 percent. This is the 5th consecutive month that unemployment in Jefferson County has been below 8 percent.

Source: Alabama State Employment Service, affiliated with U.S. Employment Service.

*Construction activity, actual starts*

| | 1st 8 months, 1963 | 1st 8 months, 1962 | Percent change |
|---|---|---|---|
| JEFFERSON COUNTY | | | |
| Nonresidential projects (excluding public works) | 224 | 213 | +5.2 |
| Dollar volume | $22,610,000 | $18,696,000 | +20.9 |
| Residential dwelling units | 3,165 | 2,634 | +20.2 |
| Dollar volume | $37,116,000 | $35,041,000 | +5.9 |
| STATE OF ALABAMA | | | |
| Nonresidential projects (excluding public works) | 941 | 876 | +7.4 |
| Dollar volume | $110,273,000 | $122,630,000 | −10.1 |
| Residential dwelling units | 17,637 | 12,123 | +45.5 |
| Dollar volume | $224,599,000 | $148,098,000 | +51.7 |

Source: F. W. Dodge Corp. construction reports.

*Postal receipts, Birmingham, Ala.*

| | 1963 | 1962 | Percent change |
|---|---|---|---|
| September | $859,040 | $691,900 | +24.2 |
| 1st 9 months | 7,879,190 | 6,747,057 | +16.8 |

*Sales tax receipts*

JEFFERSON COUNTY

| | 1963 | 1962 | Percent change |
|---|---|---|---|
| September [1] | $1,961,675 | $1,926,447 | +1.9 |
| 1st 9 months [1] | 17,515,229 | 17,499,651 | +0.09 |

STATE OF ALABAMA

| | | | |
|---|---|---|---|
| September [1] | $7,694,289 | $7,630,687 | +0.8 |
| 1st 9 months [1] | 68,197,157 | 66,060,205 | +3.2 |

[1] Adjusted for 3 to 4 cents as of Aug. 1, 1963.

*Life insurance sales (ordinary)*

| | Alabama | United States |
|---|---|---|
| August 1963 | $80,633,000 | $5,047,000,000 |
| Percent change, August 1962 | +110 | +111 |
| 1st 8 months 1963 | $657,626,000 | $40,062,000,000 |
| Percent change 1st 8 months 1962 | +112 | +109 |

Source: Life Insurance Agency Management Association, Hartford, Conn. (represents 83 percent of all insurance sold in the United States).

*Debits to demand deposit accounts of individuals, partnerships, and corporations, and of States and political subdivisions (insured commercial banks in the 6th district)*

| | Thousand dollars | | Percent change | |
|---|---|---|---|---|
| | August 1963 | August 1962 | From August 1962 | Year to date, 8 months, 1963 from 1962 |
| Alabama, total | 2,784,907 | 2,509,138 | +11 | +11 |
| Birmingham | 1,017,022 | 918,731 | +11 | +10 |

Source: Research department, Federal Reserve Bank of Atlanta.

*Bank clearings in Birmingham, Ala.*

| | 1963 | 1962 | Percent change |
|---|---|---|---|
| September | $1,449,040,301 | $1,319,981,856 | +9.8 |
| 1st 9 months | $13,068,503,307 | $12,102,624,204 | +8.0 |

*Total deposits, Birmingham banks* [1]

| | |
|---|---|
| Sept. 30, 1963 | $686,807,360 |
| Sept. 28, 1962 | $643,035,144 |
| Percent change | +6.8 |

[1] Excluding Steiner Bros. Bank with deposits of approximately $3,500,000.

*Seasonally adjusted indexes of retail sales, Alabama and United States*

[1957–59=100]

| Month | Alabama retail sales, by retail concerns | | U.S. estimated retail sales, all retail stores [1] | |
|---|---|---|---|---|
| | 1962 | 1963 | 1962 | 1963 |
| January | 128 | 143 | 111 | 118 |
| February | 138 | 145 | 111 | 119 |
| March | 141 | 146 | 113 | 119 |
| April | 130 | 147 | 115 | 119 |
| May | 139 | 148 | 114 | 118 |
| June | 141 | 148 | 112 | 120 |
| July | 136 | 144 | 116 | 121 |

[1] Source: U.S. Department of Commerce, Monthly Retail Trade Report.

*Sales at retail, by kind of business, Alabama and Jefferson County—Percent change from July 1962 to July 1963*

| Kind of business | State total | Jefferson County |
|---|---|---|
| Retail concerns: | +6.1 | +7.9 |
| Food | +7.1 | −1.8 |
| General stores with food and gas | +2.0 | +5.4 |
| General merchandise | +1.3 | +.8 |
| Apparel | −0.7 | +2.7 |
| Furniture, furnishings, etc | −8.6 | +6.8 |
| Automotive | +15.2 | +20.1 |
| Gas service stations | +5.4 | +10.5 |
| Lumber and building materials | +2.5 | −8.8 |
| Hardware and farm implements | +5.1 | +11.2 |
| Eating places | +3.9 | +5.1 |
| Drugstores | −7.1 | −4.1 |
| All other retail | +8.7 | +19.9 |

Source: Alabama Retail Trade, monthly publication of the Bureau of Business Research. Percent changes based on special tabulation prepared by Alabama Department of Revenue describing reported sales of identical firms.

*Motor vehicle registration, Jefferson County*

| | |
|---|---|
| September 1963 | 1,689 |
| September 1962 | 1,466 |
| Percent change | +15.2 |
| 12 months ending Sept. 30, 1963 | 265,581 |
| 12 months ending Sept. 30, 1962 | 254,868 |
| Percent change | +4.2 |

*Gasoline sales in gallons, Jefferson County*

| | |
|---|---|
| September 1963 | 17,775,651 |
| September 1962 | 16,998,772 |
| Percent change | +4.6 |
| 12 months ending Sept. 30, 1963 | 195,384,225 |
| 12 months ending Sept. 30, 1962 | 191,590,039 |
| Percent change | +2.0 |

*Alabama Power Co., kilowatt-hour sales—Percent change 1st 8 months of 1963 to 1st 8 months of 1962*

| | |
|---|---|
| Alabama Power Co., all divisions: | |
| Territorial sales | +6.6 |
| Industrial sales | +5.2 |
| Commercial sales | +8.9 |
| Residential sales | +7.0 |
| Birmingham division (Jefferson County): | |
| Total sales | +3.4 |
| Industrial sales | +.8 |
| Commercial sales | +8.6 |
| Residential sales | +4.3 |

## IN DEFENSE OF ITALIAN-AMERICANS

**Mr. FARBSTEIN.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. FARBSTEIN.** Mr. Speaker, the sensational declarations emanating from the current Senate hearings, declarations which, because of the tremendous national coverage by press, radio, and television, created a distorted image of the Italian-American as being associated with crime and violence. I feel I must speak out as the representative of many thousands of Americans of Italian descent resident in the 19th Congressional District of New York, which I have the honor to represent, to set the record straight. The real basic fact of which we must not lose sight is that the great mass of Americans of Italian origin constitutes one of the most wholesome segments of American life; a people who are peaceful, law abiding, and useful citizens making an heroic contribution to the greatness of America in every field of human endeavor in direct contrast to the small coterie of hoodlums whose misdeeds have been recited, chapter and verse, across the length and breadth of the land.

But how often are the names hammered home of the great, the industrious, the sincere, the humble Americans of Italian descent? The answer is not often. Yet they certainly far outnumber the renegades. Their contributions to America have been great. But these names do not sell newspapers.

In view of the bad light that recent events have cast on our citizens of Italian descent, I feel this is a good time to remind ourselves of the richness of our Italian heritage. America has been called the "melting pot of civilization," and for good reason. Every conceivable nationality has added to the legacy of this Nation. Definitely, the Italians have been no exception. They have not been a separate part of our culture.

The simple fact is that Italian immigrants and their children have made their mark in every possible occupation, in the most artistic and highest paid, as well as in the hardest and humblest. There are few industries in which Italians are not active as officers, directors, clerks, and employees.

Not all of us, unfortunately, have been able to grasp the importance or significance of the great contribution these fine people have made to the development and enrichment of our great country, since its discovery by the immortal Genoese navigator, Christopher Columbus. Since that time many courageous people of Italian descent have planted, created, built, and died for this Nation. Italians fought for our independence. William Paca was a signer of the Declaration of Independence. Yes, the history of our country, which was named for Amerigo Vespucci, is replete with Italians like Fra Marco da Nizza, who explored what is today Arizona; Francesco Chino, who laid the foundation for the great cattle industry in the Southwest; Enrico Tonti, who founded the first trading post in Chicago and was one of the founders of the colony of Louisiana; his brother Alfonso Tonti, who helped Cadillac found the city of Detroit; Umberti Beltrami who discovered the sources of the Mississippi; and Dr. Filippo Mazzei, physician and counselor to President Thomas Jefferson, who incorporated the philosophy of Mazzei in the Declaration of Independence with the immortal words "That all men are created free and equal."

How many of our citizens know that an American patriot of Italian origin made possible the victory of Gen. George Rogers Clark which enabled him to open up the great Northwest? And how many know that it was Col. Francis Vigo who financed the expedition and also furnished the military information which brought about the defeat of the Indians in this crucial period in American history?

Right here in the Capitol you will find indelible marks of Italian culture. Ninety percent of the art work, the frescoes, paintings and sculptures are the work of Italian artists such as Constantine Brumidi, Joseph Franzoni, John Andrei.

This Nation can be not only proud but grateful to one of the outstanding scientists of our time. Enrico Fermi, an American by choice, initiated research that paved the way for the atomic bomb which, with Einstein, he helped to develop. His accomplishments in the field of science earned him the Nobel Prize and the Hughes Medal of the Royal Society. A member of the General Advisory Committee of Scientists for the Atomic Energy Commission, he was one of the five top scientists given the Medal of Merit in 1946, the highest award that this Government can make to civilians. Right here in Washington another great scientist is helping our defense effort. He is Assistant Secretary of Defense, Dr. Eugene Fubini.

And in education, we find names like Angelo Patri, considered America's greatest child psychologist; Dr. Rettagliata, president of the Illinois Institute of Technology; Dr. Edward Mortola, president of Pace College; Dr. Mario Pei, world renowned philologist, whom George Bernard Shaw cited as a master of the English language; Dr. Francis Verdi, professor of surgery at Yale University, who has left a heritage of distinguished pupils in the field of American surgery.

Many great captains of industry contribute to the enrichment of the Nation. Men like Giannini, who founded the greatest banking institution in the world; the Vaccaros of Louisiana and the Di Giorgios, fruit kings of America; the Cuneo brothers, operators of the greatest printing establishment in the world. As businessmen, as industrialists, as worthwhile Americans, it is difficult to try to enumerate all the contributions of Italians to this country. The magnitude, alone, makes it difficult. Each year the Vigo Press publishes a book, "Italian-American Who's Who." The latest edition is its 19th volume. In this one volume, hundreds of outstanding men and women of Italian descent are listed in its 391 pages.

And in the field of labor we have such outstanding leaders as Luigi Antonini, first vice president of the ILGWU; August Bellanca, vice president of the Amalgamated Clothing Workers of America; George Baldanzi, Howard Molisani, Vincent La Capria, Al Manuti.

These gallant people have produced men in our political life who have made and are making a notable contribution to our laws and to our Government: Senator Pastore, Governor Rosellini, Secretary Celebrezze, Governor Di Salle, Fiorello La Guardia, Judge Musmanno, and a great many other distinguished jurists and legislators, among whom I count many of my colleagues in this present Congress.

Americans of Italian origin have produced famous men in the food industry, vintners, restaurateurs.

In the field of music education and development, the Italians have always played a preponderant role—way out of proportion to their numbers. Their compositions have been popular from colonial times to the present. In opera they have seldom been rivaled. In 1883 the Metropolitan Opera House was opened with Cleofanti Companini as conductor. He was succeeded in 1895 by Luigi Mancinelli. More recently, singers like Enrico Caruso, Anna Moffo, Mario Lanza, Frank Sinatra, Perry Como, Joni James; band leaders like Guy Lombardo; stage personalities like Dean Martin, Jerry Colonna, Jimmy Durante, and Lou Costello have all given us rich moments of enjoyment. There is no reason to expect Italian contributions in these fields to cease.

In the United States today, there are more than 5,000 physicians and dentists, besides some 3,000 pharmacists, possibly more, of Italian birth or extraction. Many of them have served as presidents of State, county, and local professional organizations. A considerable number are full professors in America's leading medical schools. It is no exaggeration to suggest that in any hospital of note in this country, one would find some Italian-American physician or surgeon in a responsible position.

I could go on and on, in this field and that, sure to point out men of achievement, fine Americans all. But I want to conclude with this magnificent group's contribution to the defense of our country in all the wars it has fought to preserve its birthright. Men such as Felippo Mazzei and Francesco Vigo distinguished themselves in the American Revolution. In World War II, Italian-Americans again exemplified their love and loyalty for this country. An estimated 845,000 men and women of Italian descent served in our Armed Forces. Twenty of the war's 500 Medal of Honor winners were of this group. Francis Spinola was a Congressional Medal of Honor winner in the Civil War, promoted to brigadier general by President Lincoln for gallantry in action.

It has not been easy. The greatest influx of Italian immigrants came to this country after 1880. These did not find acceptance as easily as their predecessors. The jobs available to most of them were humble. They had the barrier of a foreign tongue. Their customs were different. Our laws were unfamiliar. And often ignorant prejudice, that insidious distrust of anything strange, was aimed against them.

Yet, despite all these things, they became a part of America and they did so with dignity. Recognizing the handicaps they labored under, one can better appreciate the gallantry of the Italian immigrants in their efforts to orient themselves to American life.

We are fortunate that they came. They have enriched the life of every city in which they have settled. Love of their country and a keen sense of responsibility toward both their own people and their community have been characteristic. They have set an example of tolerance we would do well to follow in their friendly attitude toward other racial segments of our society.

These are the sons of Columbus, who gave America to the world. I salute these fine Americans of Italian origin whose success has made a better life for all of us. These are the upright, stalwart citizens who are an integral part of the American community of Italian origin. They are true Americans to the core and we are proud of their achievements in behalf of all Americans, regardless of their national origin.

## HELLER CHALLENGED ON LAGGING DEMAND THEORY

Mr. HARSHA. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, the President's Council of Economic Advisers is once again demonstrating its extraordinary ability to resist new information which threatens to upset its carefully devised economic theories. One would think that the substantial body of evidence building up to support the idea that our unemployment is primarily structural in nature and related to labor market imbalances would be affecting Council thinking. A recent speech by Dr. Walter W. Heller, Chairman of the Council, shows that this, regrettably, is not the case.

Speaking before the American Council of Education in Washington on October 4, Dr. Heller tried once again to show that structural unemployment is not a growing proportion of unemployment, but that "high employment must be laid primarily at the door of insufficient demand." Dr. Heller called the inadequacy of demand "an old-fashioned economic ailment, for which the major cure is the forceful use of fiscal policy, coupled with a facilitative monetary policy."

Dr. Heller says—and I agree with him—that if automation were generating a new surge of technological unemployment, "it would surely be reflected in rising relative unemployment of those with low educational attainment and shrinking relative rates for those with college educations."

Is this happening? A careful and scholarly study of this subject made recently by a professional in this field, Dr. Charles C. Killingsworth of Michigan State University, shows that this is, indeed, the case.

Dr. Heller, however, comes to a different conclusion. He compares the unemployment rate for male workers for 1957—a year in which unemployment was 4.7 percent—to 1962—when unemployment was 5.6 percent. Aside from the questions that might be raised about comparing two years with such different unemployment rates, Dr. Heller shows that the unemployment rate for male workers with an eighth grade education or less rose by about one-half during the period, but that for college graduates, it more than doubled. He also supports his point by noting that the unemployment rate for highly trained personnel was 1.7 percent in both 1954 and 1962. Of course, an unemployment rate of 1.7 percent is surely about as low as one can hope to get the rate for any educational attainment group without encountering serious manpower bottlenecks. It looks mighty good alongside the administration's full employment target of 4 percent.

Let us look at Dr. Killingsworth's more thorough analysis. In a paper presented to the Subcommittee on Employment and Manpower of the U.S. Senate, on September 20, Dr. Killingsworth says that the Council's view that lagging demand, rather than structural factors, is the primary cause for the gradual creep of unemployment above the 4-percent level of 1957 is mistaken. The Council, he says, is "the victim of a half-truth." While the administration's tax cut may be desirable, Dr. Killingsworth says that he believes the administration's economic program is "seriously incomplete." He says:

> It gives woefully inadequate attention to what I regard as a key aspect of the unemployment problem of the 1960's—namely, labor market imbalance.

Dr. Killingsworth says that automation is pushing down the demand for workers with little training, while pushing up the demand for workers with large amounts of training. The shift from goods to services, he says, is a second major factor which is twisting the labor market in the same way.

Dr. Killingsworth then shows the relationship between the rates of unemployment and levels of education of males in 1950 and 1962. Although the unemployment rate was substantially the same in both years, there was a redistribution of unemployment between the 2 years. The unemployment rates at the top of the educational attainment ladder went down while those at the middle or lower rungs of the ladder went up substantially. For example, for those with 16 years or more of school completed, the unemployment rate between 1950 and 1962 declined more than 36 percent. The unemployment rate for those with less than 7 years increased by 9.5 percent, and by over 13 percent for those with less than 11 years of schooling. Under unanimous consent, I include a table prepared by Dr. Killingsworth at this point in the RECORD:

*Education and unemployment, April 1950 and March 1962 (males 18 and over)*

| Years of school completed | Unemployment rates (percent) | | Percentage change, 1950-62 |
|---|---|---|---|
| | 1950 | 1962 | |
| 0 to 7 | 8.4 | 9.2 | +9.5 |
| 8 | 6.6 | 7.5 | +13.6 |
| 9 to 11 | 6.9 | 7.8 | +13.0 |
| 12 | 4.6 | 4.8 | +4.3 |
| 13 to 15 | 4.1 | 4.0 | −2.4 |
| 16 or more | 2.2 | 1.4 | −36.4 |
| All groups | 6.2 | 6.0 | −3.2 |

Sources:

1950 data: Educational attainment distribution from "1950 Census, Special Reports," table 9, 5B–73 (U.S. Department of Commerce, Bureau of the Census); other data from 1950 Current Population Reports, "Labor Force," series P–57, No. 94, May 5, 1950, table 6 (also Bureau of the Census).

1962 data: Unpublished worksheets provided by U.S. Department of Labor, Bureau of Labor Statistics, entitled "Educational Attainment of Workers, March 1962."

These unemployment rates do not tell the whole story. The worsening unemployment prospects for lower educational attainment groups forces down the labor force participation rate of these groups. It squeezes out of the labor market altogether, a large number of people who have given up the active search for jobs. At the same time, it improves job prospects for the better educated, pulling more people into the labor market and raising the labor force participation rate for these groups. Dr. Killingsworth shows that this is exactly what has happened since 1950. He also points out that—

> All of the improvement in the unemployment situation in 1962 as compared with 1950 was concentrated in the elite group of our labor force—the approximately 20 percent with college training. In all of the other categories, which have about 80 percent of the labor force, unemployment rates were substantially higher in 1960 than in 1950. These figures * * * substantiate the thesis that the patterns of demands for labor have been twisted faster than the patterns of supply have changed, and that as a result we had a substantially greater degree of labor market imbalance in 1962 than in 1950.

It is said by the administration that the hard core of unemployment is made of ice, and that it would melt away if overall demand rose high enough. According to Dr. Killingsworth:

> This line of reasoning assumes—either implicity or sometimes explicitly—that no serious bottlenecks of labor supply would appear before the achievement of the overall unemployment rate of 4 percent. I seriously question the validity of this critically important assumption under the labor market conditions of today and the foreseeable future.

Looking at experience, since 1950, Dr. Killingsworth says that unemployment at the bottom of the education scale was relatively unresponsive to general increases in the demands of labor, while there was very strong response at the top of the education scale. Dr. Killingsworth concludes that—

> Before we could get down to an overall unemployment rate as low as 4 percent, we would have a severe shortage of workers at the top of the educational ladder. This shortage would be a bottleneck to further expansion of employment.

The Killingsworth study has such an important bearing upon the administration's fiscal policies that it should be "must reading" for every Member of Congress, professional economists, and the members of the press who help shape the public's thinking on economic questions.

## THE UNEMPLOYED DOLLAR

**Mr. HARSHA.** Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

**Mr. CURTIS.** Mr. Speaker, during the recent public hearings of the Ways and Means Committee on the proposed tax bill and the two bills to increase the Federal debt ceiling, I questioned Secretary of Treasury Dillon about the rather unusual corporate liquidity which existed in our economy at the present time. I coupled this, in my questioning, with the continued increases in consumer purchasing power throughout all the World War II recessions.

In light of the high incidence of corporate liquidity and vastly increased consumer purchasing power, disregarding other factors, how could one base a case for a tax cut on a need to increase corporate investment dollars or consumer purchasing dollars, I argued? A logical answer to this argument in my judgment has yet to be presented.

The case for the tax cut, and it is a strong case, lies not in removing the impediments our Federal tax structure creates to the power to buy or to the power to invest, but rather on the impediments it creates to the incentives to earn and to the incentives to invest. It lies in tempering the Federal tax system's deleterious effect on the proper economic climate which is necessary if the private enterprise system is to flourish.

The real enemy of economic growth is hoarding. Hoarding is unused or under-used capital or labor. What are the motivations that lead to hoarding? What are the motivations that lead to investing? What are the motivations for the worker to work or earn more, or conversely to work less and earn less? How does our tax structure affect these motivations?

In my judgment the Federal tax structure is undermining in an erosive way the incentive to invest and the incentive to earn. Continued Federal deficits undermine these incentives even more than high taxes. Therefore, to stop this erosion on incentive we must cut both taxes and deficits. This means we must cut Government expenditures to fit the cloth of revenues derived from a sound tax structure. We certainly must not create more erosion through further and greater Federal deficits through cutting revenues without cutting expenditures.

I was deeply interested in reading an article entitled "The Unemployed Dollar" which appeared in the Financial View in New York section of the New York Herald Tribune on October 6, 1963.

So little has been said along this line that the public in general and many persons wise in taxation and finance have just assumed that there is a pinch in the area of corporate liquidity, when the reverse seems to be the case. The question we need to ask is what has happened to our business climate which fails to encourage the saver having saved to invest instead of to hoard. The Federal tax structure seems to be part of the cause, but I wonder if it is not more a symptom of the disease than the disease itself.

The article from the New York Herald Tribune follows:

### The Unemployed Dollar

(By Ben Weberman)

While the country's economic planners and monetary policymakers have been considerably concerned about underutilization of labor (unemployment) and underutilization of plant (excess productive capacity) they have overlooked the phenomenon of underutilization of corporate capital.

Never before in history have company treasurers had so much cash on hand which has not been needed for use in the business. One school of thought holds this position to be quite enviable. There is no need to worry about funds in the event of a business setback. Such an idea, however, is held to be as old fashioned as the theory that borrowing is an indication of financial weakness.

The real problem stems from the fact that it is not possible to generate much of a return on cash which is invested in deposits or U.S. Treasury securities. A company can get, perhaps, 2 percent, tax free, on an investment in short-term municipal bonds.

One corporation with excess cash lending directly to another through the form of commercial paper may be able to earn 4 percent on its funds. A deposit in a commercial bank which stays for 6 months or longer will draw interest at an annual rate of 3⅞ percent.

But, these are not the most profitable uses which a company can make of its financial resources. Well-managed enterprises can easily generate a return of 10 to 15 percent on net worth. Thus, utilizing funds wisely for expansion, acquisition or even for repurchase of shares when stock prices are not excessively high could be more profitable than investment.

A Securities and Exchange Commission survey of all corporations at the end of June uncovered $38 billion in cash on hand and in banks and an additional $20 billion in Government securities. This $58 billion total compared with $55 billion a year earlier.

Giant General Motors has a short-term portfolio worth more than $1.7 billion, up from $861 million 3 years earlier. If the company would buy in common stock without raising the price of its shares on the open market, it would have been able to increase earnings by as much as 30 cents a share. If the money could have been put to work in the business and continue to generate profit at the same rate of return as other funds invested in the business, the cash would add about 40 cents to 50 cents a share.

Eastman Kodak holds about $300 million in cash. The company's 1-year profit comes to $140 million after taxes. On a somewhat smaller scale, Beech-Nut Life Savers, Inc., held $27 million in cash at the end of last year. It reported net income of $11.5 million for the year.

In one sense, if the companies holding large sums of money would undertake a program of aggressive research and development it could come up with some product or service which would in the long run pay off in products of significant market potential or of ways to distribute much more cheaply.

## TAX COMMITTEE SAYS EXPENDITURE CONTROL MUST ACCOMPANY TAX CUTS

Mr. HARSHA. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, the Committee on Federal Tax Policy, which was organized in 1962 to undertake a study of our Federal tax system, has rendered an important public service in its report issued in September. The report, entitled "Financing America's Future: Taxes, Economic Stability, and Growth," was signed by the chairman of the committee, Roswell Magill, former Under Secretary of the Treasury; and by Charles A. Agemian, vice president and comptroller of the Chase Manhattan Bank; Alfred G. Buehler, professor of public finance at the University of Pennsylvania; Leonard E. Kust, general tax counsel of the Westinghouse Corp.; and Leslie Mills, senior tax partner of Price, Waterhouse & Co., New York. Professor C. Lowell Harriss, of Columbia University, served as director of research, and Alfred Parker, executive secretary of the Tax Foundation, served as the committee's project director.

The committee, which is composed of an able and informed group of men, believes that our tax structure is obsolete and wastefully complex and that tax revision is long overdue. It makes the point, however, that the required revision of the tax system is inextricably related to Federal expenditures.

Tax relief on the scale needed, the committee believes, is possible only as Federal spending is reduced or as the economy grows and Government expenditures are held at a level which will permit reductions of tax rates without continuing deficits. It views "with great skepticism" the efficacy and advisability of tax reduction without reductions in spending.

Deficits as a way of life,

It says—

invite uncontrolled spending, price inflation, and a further weakening of the dollar.

The committee believes that substantial tax reduction is possible without continuing deficits if the administrative budget can be held to $95 billion for 1964 and if future increases in Federal expenditures are rigidly limited.

The committee also recognizes that longrun considerations call for tax reductions which encourage investment as a means of increasing consumption. The excessive progression in the rates of the individual income tax and the unduly high rates of the individual and corporate income taxes are serious deterrents, the committee says, to initiative, savings, and risk-taking.

Unlike many groups which discuss tax reduction, the committee devotes considerable attention to Federal spending, the growth of such spending in recent years and possible ways to better control it. It suggests that a permanent commission on government efficiency and economy be created, a proposal which is similar to that made by the minority members of the Joint Economic Committee in their 1963 annual report.

The tax committee also discusses the danger of budget deficits and questions whether deficit financing can substantially reduce our persistent unemployment. It believes continued deficit financing poses serious inflationary risks, particularly because of the nature of much of our current unemployment, which arises not so much from lagging demand, as from a number of structural forces. The committee also believes that much of our so-called excess capacity is obsolete. "America must not jump at tax cuts which would bring creeping price inflation," the committee says. Unlike many economic analysts, the committee also discusses the difficult problem of financing budget deficits, which involves either unleashing inflationary forces or reducing some of the stimulative impact of tax reduction.

As a member of the Joint Economic Committee, I was particularly pleased to see that so many of the points made by the minority in its views in the 1963 committee report were also made by the Committee on Federal Tax Policy. I think it is also noteworthy that, contrary to the view of some advocates of tax cuts and increased spending, there are scholars who believe that expenditure control must accompany tax cuts. By no means is the administration's position universally accepted by those with competence in this field. The committee's report is most timely, and I strongly urge that members of the press, Members of Congress, and Government officials and the public generally give it the careful attention which it deserves.

## THE POWER STRUGGLE AND SECURITY IN A NUCLEAR-SPACE AGE

**Mr. HARSHA.** Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

**Mr. RUMSFELD.** Mr. Speaker, with the announcement by the President that he has submitted the nomination of Paul H. Nitze, Assistant Secretary of Defense, for the post of the Secretary of the Navy, it is appropriate for both the Congress and the country as a whole to consider Mr. Nitze's qualifications for this important position.

In this connection, I wish to cite the report of the Fifth World Order Study Conference which was held in Cleveland, Ohio, November 18–21, 1958, titled, "Christian Responsibility on a Changing Planet." The conference was convened by the department of international affairs of the National Council of the Churches of Christ in the U.S.A. It was divided into four sections, section II being involved with "The Power Struggle and Security in a Nuclear-Space Age." The chairman of this section was Mr. Paul H. Nitze, and cochairman, Mr. Kenneth W. Thompson. Rapporteurs were Messrs. Harold E. Stassen, Raymond E. Wilson, and George W. Rathjens, Jr.

The report of section II is brief, and I will include it in the RECORD in its entirety, along with an editorial from the Chicago Tribune of Monday, October 21, 1963. However, I wish to call particular attention to the following excerpts from this report. The report states:

> As citizens we have a natural concern for the security of our Nation. As Christians we have a wider concern for the security of mankind. We cannot, therefore, view with equanimity preparations for nuclear war which might result in the genetic distortion of the human race as well as widespread destruction of civilized life. Since we as Christians could not ourselves press the buttons for such destruction, we must now declare our conviction that we cannot support the concept of nuclear retaliation or preventive war.

It goes on to say:

> The United States should—
>
> 1. Seek continuation over a 5-year period of the International Geophysical Year.
> 2. Extend trade and travel with mainland China, Eastern Europe and the Soviet Union.
> 3. Encourage association and fellowship of various professions and groups across the Iron Curtain, for example, exchange of farmers, students and religious groups.
> 4. Explore more effective use of its surplus food for distribution in Communist countries and in underdeveloped nations.
>
> In the interest of greater stability in the Far East, Washington should encourage the Chinese Nationalist Government to evacuate exposed positions that may be militarily unsound and politically detrimental, and submit to the U.N. the question of securing peace and security in the area of Formosa.
>
> At minimum, the Western world should not be prevented from liberalizing trade relations with any Far Eastern country. The United States should liberalize its policies with respect to travel of Chinese nationals in the United States and of U.S. citizens within Communist China. At the same time, our policy should move in the direction of an acceptable solution of the problems of participation by the People's Republic of China in the councils of the United Nations and the establishment of diplomatic relations with that Government by the United States.

It is my hope that the other body will carefully question Mr. Nitze to determine the extent to which his views were represented in this report, to determine the extent to which his views today coincide with this report, and to evaluate whether or not this man has a realistic appreciation for the present world situation. Certainly some aspects of this report could lead a reasonable man to believe that its author could be an unfortunate choice for the sensitive post of Secretary of the Navy.

The complete report of section II of the Fifth World Order Study Conference and the Chicago Tribune editorial of October 21, 1963, follow:

### THE POWER STRUGGLE AND SECURITY IN A NUCLEAR-SPACE AGE

(Report of section II, chairman, Paul H. Nitze; cochairman, Kenneth W. Thompson; rapporteurs, Harold E. Stassen, Raymond E. Wilson, George W. Rathjens, Jr.)

#### I. THREATS TO SECURITY

We remind ourselves, in considering this subject, that we are thinking and speaking, not only as citizens but more particularly as Christians. Ours must be a sustained effort to relate the love of God as revealed in Jesus Christ to the complex problems of our time. Two temptations must be resisted: on the one hand, the temptation to be so impressed with complexities and difficulties that we fail to say clear words on issues that require moral judgment, and on the other hand, the equally strong temptation to overleap concrete problems in the enunciation of general principles.

Christians have a loyalty which transcends the nation. The security they seek cannot be limited to any nation or group of nations. Their obligation is to God-given life. All of it. But this, again, does not mean that Christians should be indifferent to the survival of the nation. For the survival of a nation may be important to the defense of human personality, as the Christian faith understands it.

In the contemporary world situation, the question for Christians in the United States is not simply whether the Nation is righteous but also whether our national existence is valuable, both to the people of this country and to the life of mankind. Some aspects of life in the United States could, without loss, perish, just as some characteristics of life in nations opposing us are worthy of survival. Nor should Americans claim that this Nation, taken as a whole, is better for human life than any other nation. We can, however, say that the present and potential character of our country makes it possible for the United States to be of continued service to human welfare. Not to try to preserve the security of our Nation could be moral dereliction to mankind. Although the Christian's national loyalty is always qualified, it may, nevertheless, be a part of his loyalty to mankind. This does not exclude recognition of the possibility that mankind may be served and enriched by a wide variety of social forms and cultures.

It is implicit in what we have said that security should not be thought of primarily in national terms. The Christian obligation to mankind and the technical developments of our time now combine to make a purely national concept of security wrong from every point of view. Freedom, justice, social welfare, and security are indivisible. And the nationalistic approach to these goods is both morally and practically obsolete.

What today threatens our security? The manifold aspects of the revolution of our time constitute both a profound challenge and a threat to the basic security of the United States and others of the older nations. The continuing security problem comes from the age-old problem of nations struggling for strategic advantage and competing in national armaments, in a situation lacking order and often approaching anarchy. The growth of Russian and Chinese military power controlled by and coupled with the Communist movement and ideology constitute the present focus of this struggle.

The Marxist-Leninist view of man and society, coupled with a national and personal urge to worldwide power, make the contemporary struggle profoundly serious. The Communist powers are resolved to win the worldwide struggle. They expect to win. They will acquiesce in a genuine coexistence only when their own continued existence clearly demands it, or when, with the passing of time, some of their basic convictions have been eroded.

That the intransigence and aggressive tactics of the Communist powers are caused, in part, by fear for their own security is not to be denied. The tragic experience of the Russian people in two world wars and the history of Western imperialism must be taken into account if we are to understand contemporary Communist attitudes. American nuclear stockpiles and widely scattered military bases, some of them near the borders of the Soviet Union, arouse apprehension. Accordingly we, on our part, must try, more earnestly than we have done, so to conduct ourselves that Communist nations will have less cause to fear our intentions. But their fear also arises out of a legitimate Western response to their aggression. The aggressive aims of the Communists are a real and formidable factor in world tensions and a responsible national policy must take this into account.

From some such appraisal of the threat to security, all considerations of the most effective methods of dealing with the threat should start. It should be added that our response to communism should always include the recognition that the whole Western World, and particularly the Christian Church in prerevolutionary Russia, carries heavy responsibility for the movement's emergence, because of an inadequate emphasis on social justice and human welfare. Communism is, in part, a judgment upon our sins of omission and commission. Humility and repentance are incumbent upon us. But to underrate the threat is no service to human well-being or to world peace.

#### II. THE SECURITY ROLE OF THE UNITED NATIONS

Neither the United States nor any other nation can insure its security in the years ahead through the unilateral development of military or other power. It is our firm conviction that the best hope for the creation of a system of world order lies in an increase in the power of the United Nations to assume wider responsibilities. Very frequently it may appear that actions taken by that body, in the resolution of disputes, will not be, from the short-term point of view, to the best interests of the United States. We hold, however, that there must be an increased recognition that U.S. interests can find their long-term satisfaction only within a far wider structure of interests that includes those of the rest of mankind. The United States should show a greater willingness than has heretofore been demonstrated to resolve disputes through the organs of the United Nations including the World Court.

We are agreed that if military force is to be used it should be sanctioned by, and under the control of the United Nations.

The United Nations in deterring aggression and in resolving disputes relies upon the authority and moral force of its recommendations backed by the support of those nations committed to the principles of the charter.

Much more emphasis must be placed upon the development of economic and political stability, efforts to settle disputes as early as possible, and the amelioration of situations before they break down into armed conflict or result in situations that invite aggression.

Our basic goal would be a system of international disarmament and security to supersede continued reliance upon military pacts and alliances such as SEATO and the Baghdad Pact.

### III. TOWARD THE CONTROL, REDUCTION, AND ABOLITION OF ARMAMENTS

Progress toward the goal of universal disarmament is of major importance in the achievement of world order, in reducing the threat of war, and in lessening the tensions of the power struggle. It is urgent that greater emphasis and multiplied efforts be made by the United States and other nations to reach disarmament agreements because of the rapidly increasing destructiveness of nuclear weapons and intercontinental missiles; because of the growing difficulty of bringing these weapons under adequate inspection and control, and because of the large sums now being spent on armaments compared to aid and technical assistance, in a world characterized by widespread hunger, disease, and illiteracy.

It is not possible at a conference such as this to spell out the process of arms reduction and control in detail, but the following are suggestions for continued efforts. In its efforts toward world disarmament, the United States should:

1. Assume greater initiative toward bringing national armaments under international inspection and control in a process directed toward their consequent limitation, reduction, and eventual abolition.

Toward this end, we should follow up on the progress of the United Nations negotiations and the successful Geneva scientific talks and keep pressing for an early agreement to stop nuclear weapons tests and to install a United Nations inspection system to verify the fulfillment of the agreement, along the lines recommended by the conference of scientists at Geneva. We believe the U.S. Government should continue its present suspension of tests, unilaterally if necessary, for a sufficient period of time to permit full exploration of the possibilities of arriving at a definitive international agreement.

2. Follow up this significant first step of inspection and limitation by additional steps of international control and reduction.

3. Continue to seek an international agreement setting up a U.N. agency for the peaceful exploration of outer space, and a control system to assure the use of outer space for peaceful purposes.

4. Cooperate in establishing the proposed inspection system of the International Atomic Energy Agency in the hope that this may help furnish the pattern necessary for supervising worldwide cessation of production of nuclear weapons.

5. Continue negotiations with the U.S.S.R. for a mutual aerial and ground inspection system to guard against surprise attack and thus seek to aid in creating a climate where more far reaching disarmament negotiations may be undertaken.

6. Recognize the close relationship between political settlements and disarmament and be more willing to broaden the framework of disarmament negotiations. These discussions might include the possibility of mutual withdrawal of nuclear forces from points of closest proximity, and disengagement in areas such as the Middle East or Central Europe.

7. Work to reopen, as soon as possible, disarmament discussions within the U.N. for the purpose of prohibiting production of nuclear weapons and for other weapons of mass destruction, to transfer nuclear weapons stockpiles to peaceful purposes, and to begin the process of reducing arms and armed forces.

8. Press for the creation of a permanent U.N. police force for border patrol, inspection, and the various functions of a genuine international police system.

Within its governmental system, the United States should:

1. Enlarge the staffs and strengthen the programs of the executive branch for studying the problems of world disarmament and formulating workable plans for its accomplishment. The proposal of a carefully worked out, safeguarded, comprehensive disarmament plan by the United States would serve as a focus for specific negotiations and for rallying world opinion.

2. Expand and make permanent the important work of the Special Subcommittee on Disarmament of the Senate Foreign Relations Committee.

3. Undertake a coordinated program among Government agencies to work in cooperation with management and labor for making the transition in as orderly a manner as possible, to an economy less dependent on military expenditures, and to remove the fears that disarmament steps will result in a depression.

4. Offer to devote a substantial percentage of the savings from armaments to allocations for development of underdeveloped countries, using the United Nations as far as possible.

5. Abolish the system of military conscription and allow the authority of the Selective Service System to draft men to lapse on its expiration next June. The Government should consider ways of encouraging recruitment to meet those of its manpower requirements as would result from following the interim military policy suggested in the next section of this report.

### IV. INTERIM MILITARY POLICY

Until substantial progress has been made toward disarmament, we must use all our influence to see that wisdom and imagination are used in limiting and controlling military force.

As citizens we have a natural concern for the security of our Nation. As Christians we have a wider concern for the security of mankind. We cannot, therefore, view with equanimity preparations for nuclear war which might result in the genetic distortion of the human race as well as widespread destruction of civilized life. Since we as Christians could not ourselves press the buttons for such destruction, we must now declare our conviction that we cannot support the concept of nuclear retaliation or preventive war.

During the interim period prior to a strengthened system of world order, law, and disarmament:

1. We urge our Government to consider all methods for contributing to world security other than reliance upon nuclear weapons.

2. If the Government continues to rely in any way upon nuclear defenses, we urge that it be only for the deterrent effect that their possession by us may have on their possible use by anyone else.

3. If any such weapons are to remain in United States possession, we urge that the U.S. Government shift the character of the nuclear weapons it is developing away from systems implying very rapid and inadequately considered decision in the event nuclear warfare is believed to have, or has been initiated by others. Weapons systems more nearly invulnerable to surprise attack would permit time for political consideration, for negotiation, for the exercise of third party judgment, and for the force of the moral opinion of mankind to be brought to bear before a decision would have to be made as to the appropriate reaction in such a crisis. Such a shift in weapon systems would materially reduce the danger of nuclear war arising from misunderstanding or error.

With respect to providing military aid to other nations, the United States should give due regard to the character and objectives of the recipient governments, the effects of the aid on their economic and political systems, and the effects on neighboring states.

### V. PEACEFUL COMPETITION AND INTERNATIONAL COOPERATION

The nuclear stalemate prompts both U.S.S.R. and ourselves to shift competition to nonmilitary fields. Presumably, American leaders ought to welcome peaceful competition in ideas, institutions, and opposing conceptions of the good life. Yet, up to the present, national initiative has not been equal to the task. Why have American policies been unsuccessful in this sphere?

Five reasons are advanced for these failures. First, American attitudes have been too one sided in seeing the cold war in simple, military terms. The power of communism rests in part in its offering, opportunities for rapid economic development to technologically underdeveloped nations. In the next decade, the results of Chinese and Indian experiments will be watched for the object lessons they carry for other new nations.

Second, we have hesitated to accept the fact of living with two major Communist nations for an indefinite period and of recognizing that hostile grimaces and provocative acts will be of no avail.

Third, we have not seized every opportunity to react creatively to more hopeful developments within the Communist world, particularly within the so-called satellite nations.

Fourth, Americans are disposed to see the present struggle as a conflict between good and evil. A simple black and white moralistic approach may impair the effectiveness of our policies toward satellite countries or those whose political goals are not immediately our own.

Fifth, many assume that the world is and must be divided into two ideological blocs. In fact, an important part of the world's peoples are not alined with either side. More understanding and effective policies must be evolved for cooperation with this part of mankind.

The United States should:

1. Seek continuation over a 5-year period of the International Geophysical Year

2 Extend trade and travel with mainland China, Eastern Europe and the Soviet Union.

3. Encourage association and fellowship of various professions and groups across the Iron Curtain, for example, exchange of farmers, students and religious groups.

4. Explore more effective use of its surplus food for distribution in Communist countries and in underdeveloped nations.

5. Evolve more seminars and conferences for social scientists and scientists from the Soviet bloc and the West. We commend the Department of State for persisting in negotiating an agreement for expanded exchange of persons with the Soviet Union and urge the lifting of restrictions on the travel of Soviet visitors in the United States.

6. Implement programs for common attacks on basic human problems of disease, such as malaria, and threats to crops such as wheat rust, that may be carried across national boundaries.

7. Invite wider participation by the U.S.S.R. in U.N. technical assistance programs.

8. Encourage private investments in underdeveloped areas with appropriate safeguards both for the private investor and for the host nation.

9. Encourage the religious and philosophic dialog above the level of present political struggles. In particular, we urge that all

opportunities be utilized, through the World Council of Churches and other channels, for meetings of churchmen from the Soviet nations and the West.

### VI. POINTS OF POLICY WITH RESPECT TO SPECIFIC AREAS

Several of the areas of the world pose particular challenges to American foreign policy at this time.

With respect to China, U.S. policy has not been responsive to the realities. While we cannot condone many of the things for which communism stands, it is the part of wisdom to admit that we see no reasonable alternative open to us other than to recognize that Communist China is a nation of tremendous and growing importance with whom we must live. To continue to treat this great power as an outcast can serve only to deepen existing tensions and to further developments in China which we must deplore. Moreover, continuation of such a policy by the United States is indefensible. We feel that the stiffness of our attitude has already cost us dearly in world opinion, and has made the resolution of our difficulties with China more difficult than might have been the case had there been official channels of communication from the beginning.

The Section would urge a more flexible approach to the Far Eastern problem in the interest of a more adequate representation of American purposes and objectives. In the interest of greater stability in the Far East, Washington should encourage the Chinese Nationalist Government to evacuate exposed positions that may be militarily unsound and politically detrimental, and submit to the U.N. the question of securing peace and security in the area of Formosa. The people on Formosa should be protected in their right freely to determine their own future.

At minimum, the Western World should not be prevented from liberalizing trade relations with any Far Eastern country. The United States should liberalize its policies with respect to travel of Chinese nationals in the United States and of U.S. citizens within Communist China. At the same time, our policy should move in the direction of an acceptable solution of the problems of participation by the People's Republic of China in the counsels of the United Nations and the establishment of diplomatic relations with that government by the United States.

We feel that, with respect to peaceful competition with communism, one of the most crucial contests is that being waged in India. Inevitably, all of the underdeveloped nations of the world will compare progress in India with that in China; it will be tragic if the comparison is unfavorable. We, therefore, urge that special consideration be given to providing India with sufficient economic and technical assistance to insure the success of her development program. The fact that India has been unwilling to identify itself with us in our military policy should not deter us in this. Rather, we should welcome the fact that free, uncommitted nations can exist in the world today, and that they may facilitate settlement of disputes in which any of the great powers is involved.

At the heart of any settlement of European problems is the question of the two Germanys. Moreover, the continued isolation of West Berlin is clearly a source of great vulnerability to the West. We see no means of materially reducing tensions in this part of the world while remaining faithful to our obligations to the people of West Germany, and of Berlin particularly, other than in unification. We, therefore, urge that our Government continue to support the unification of Germany.

We are deeply concerned that Christians better understand the involved and explosive situation in the Middle East. With humility and penitence we confess that our own lack of understanding and sympathy, both in our reluctance to resettle in Christian countries the oppressed Jews of Europe, and in our disregard of Arab rights, has contributed to the tragedy of Palestine. We believe that Christians must join with Muslims, Jews and others in a continuing search for just and durable peace in the area. We urge that every effort be continued to find agreement by negotiation whether under the U.N. or by direct consultation among the governments immediately concerned. Particularly we call for the implementation of the U.N. resolutions providing for the return, where possible, of the Arab refugees to their homes; and, where not possible, for adequate compensation for their loss. We believe the Christian community should stand ready to assist in the repatriation or resettlement of the Arab refugees.

We call on our government to support the legitimate aspirations of the Arabs for unity; and of Israel to survive in peace.

We firmly record our support of the U.N. recommendation providing for the internationalization of Jerusalem and its environs.

In general, we feel that our attitudes toward the whole Middle East should be conditioned less by our fear of Soviet expansion into the area and become more responsive to the needs of the peoples of the region. We must recognize the aspirations of the people in the area for independence and economic development. The United States should generously support a widespread program for economic development of that region. We feel that the Baghdad Pact and the Eisenhower doctrine are not responsive to the major problems of the area, and that the former in particular, may have hindered the development of peaceful solutions to Middle East problems.

### VII. CALL TO THE CHURCHES

We call upon the members of the Christian churches:

To dedicate themselves to the task of working in a spirit of Christian love for the healing of the nations;

To pray for a spirit of penitence for the selfishness of our affluent society in a world of hunger and need;

To make common cause with the disadvantaged and dispossessed for the realization of their hopes and freedoms;

To transfer the conflict of ideas and ideologies from the battlefield to the realm of peaceful competition and the rule of law;

To translate into reality the old Russian proverb, "Mountains may never come together but men can;"

To multiply their efforts toward beating swords into plowshares and achieving a warless world.

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## RESOLUTIONS ADOPTED BY THE CONFERENCE RELATED TO SECTION II

### RESOLUTION ON NUCLEAR RETALIATION, PREVENTIVE WAR, AND THE ELIMINATION OF WAR

The conference, in receiving the report of section II and commending it to the churches for study and appropriate action, wishes to record that there were differences of views in the conference on certain statements in that report, specifically, regarding the fourth sentence of part IV[1] of the Section Report.

Members of the conference agree in categorically rejecting the concept of preventive war.

There are many of us who emphatically do not agree with the inference that deterrence through the capability for nuclear retaliation is to be bracketed with preventive war.

Such peace as there is today, precarious as it may be, rests to some measure upon the capability for nuclear retaliation. The world's hope of achieving international agreements leading toward universal disarmament may similarly rest in part upon that capability.

In expressing these views, it was made clear that this is not to be taken as approval by the conference of the moral acceptability of all-out nuclear retaliation, or as modification of the view of the conference that the elimination of nuclear warfare and of war itself is a Christian imperative. The problem of whether or not a Christian can support nuclear warfare in any form must be squarely and prayerfully faced by the churches.

The conference directs that this resolution be recorded in the appropriate place with the published version of section II's report.

### RESOLUTION ON THE MIDDLE EAST

We are deeply concerned that Christians understand better the involved and explosive situation in the Middle East. With humility and penitence we confess that our own lack of understanding and sympathy, both in our reluctance to resettle the oppressed Jews of Europe in Christian countries, and in our disregard of Arab rights, has contributed to the tragedy of Palestine. We believe that Christians must join with Muslims, Jews and others in a continuing search for just and durable peace in the area. We urge that every effort be continued to find agreement by negotiation whether under the United Nations or by direct consultation of the governments immediately concerned. Particularly we call for the implementation of United Nations resolutions providing for the return, where possible, of the Arab refugees to their homes; and where not possible, for adequate compensation for their loss. We believe the Christian community should stand ready to assist in the repatriation or settlement of the Arab refugees, and in the meantime should urge less grudging and more generous support of the United Nations Relief and Works Agency for Palestine Refugees in the Near East.

We firmly record our support of the United Nations recommendation providing for the internationalization of Jerusalem and its environs.

The United States should support the legitimate aspirations of the Arabs for unity, of Israel for survival in peace, and of both for political and economic progress. In particular, our country should continue its search for plans satisfactory to both the Arab States and Israel for the development, to their mutual benefit, of water and other resources.

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[From the Chicago Tribune, Oct. 21, 1963]

### A DEPTH CHARGE FOR THE NAVY?

For the third time in his administration President Kennedy has a new Secretary of the Navy, Paul H. Nitze. To run the Nation's seagoing combat arm, the President chose a man who for the last 3 years, as Assistant Secretary of Defense for International Security Affairs, has been working the opposite side of the street—how to disarm the Nation.

Nitze, 56, a New York investment banker who made his pile on Wall Street before taking a wartime Government job with the Roosevelt administration, was chief adviser on national security policy to Mr. Kennedy during the presidential campaign. The President, in giving him the Defense appointment, said he expected Nitze to play "a key role in the development of new disarmament plans."

The onetime chief policy planner for former Secretary of State Dean Acheson during the Truman administration has played just such a key role in disarmament as one of the Pentagon intellectuals closest to Defense Secretary Robert S. McNamara. But not always to the satisfaction of Members of Congress.

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[1] This sentence reads: "Since we as Christians could not ourselves press the buttons for such destruction, we must now declare our conviction that we cannot support the concept of nuclear retaliation or preventive war."

Last May, the Kennedy administration sent up a trial balloon suggesting that Nitze would replace the retiring Roswell Gilpatric as Deputy Secretary of Defense. When congressional reaction was less than enthusiastic, the balloon was pulled in. Congress still may have some sharp questions for Nitze on defense philosophy when his appointment comes up for confirmation in the Senate.

Only 4 months after joining the Kennedy administration Nitze, in April 1960, expounded some curious views at a California seminar. He suggested that nuclear superiority over the Soviets was no longer desirable and that we start unilateral disarmament to produce reciprocal action by our enemies and thus slow the arms race. Nitze also proposed that we scrap our fixed base missile and bomber bases and place the Strategic Air Command (SAC) first under NATO command and finally under the United Nations.

Earlier, in November 1958, this philosophy was reflected in a report submitted by a section, of which Nitze was chairman, to a world order study conference of the National Council of the Churches of Christ in Cleveland.

This report, stressing international disarmament as a basic goal, rejected the concept of nuclear retaliation, urged the United States to continue suspension of nuclear tests, unilaterally if necessary, and declared that military force should be used only under control of the United Nations. The Nitze report also recommended a U.S. policy move toward seating Red China in the U.N. and recognizing the Peiping regime and encouragement of Nationalist China to abandon the offshore islands of Quemoy and Matsu.

Such views might be welcome at a meeting of churchmen seeking to relate Christian responsibility to all mankind. They are hardly calculated to bring joy to admirals trying to build and preserve a strong naval power. Their last civilian chief, Fred Korth, a Texas banker, resigned after losing a battle with McNamara to get a nuclear supercarrier. Their new one looks like a McNamara depth charge.

## CHANGE IN LEGISLATIVE PROGRAM FOR THIS WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time for the purpose of advising the House of a change in the legislative program.

Mr. Speaker, the bill H.R. 8427, regarding an improved retirement and disability system for certain employees for the Central Intelligence Agency, will be brought up on Wednesday or Thursday rather than as previously announced.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Ohio.

Mr. HARSHA. May I inquire if there is any legislative program for tomorrow?

Mr. ALBERT. The only legislative program for tomorrow is that which was previously announced, namely, H.R. 8821, which will be called up by the gentleman from Arkansas [Mr. MILLS] under unanimous consent.

Mr. HARSHA. I thank the gentleman.

## DR. ERNESTO GALARZA

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. EDWARDS] is recognized for 60 minutes.

Mr. EDWARDS. Mr. Speaker, on September 17, 1963, at a private Southern Pacific Railroad crossing near Chualar, Calif., 32 Mexican agricultural workers were killed in a bus-freight train accident. These men were braceros, imported to the United States pursuant to the provisions of Public Law 78.

It was a horrible tragedy, Mr. Speaker, the worst such accident in the history of California, and we all share in the grief which has been thrust upon wives, children, relatives and neighbors of these fine men from our sister Republic.

From reading California newspapers, the CONGRESSIONAL RECORD, and other publications I am gratified to learn that there are presently underway at least 10 different investigations of the accident, and already the results of these investigations are beginning to bear fruit. For example, the investigation by the California Farm Research and Legislative Committee, Mrs. Grace McDonald, executive secretary, has disclosed that rural California is virtually infested with improperly protected railroad crossings which are continuing to result in a tragically unnecessary number of accidents and deaths.

On my part I welcome each and every one of these investigations. Let us find out exactly why these accidents occur, and let us do something about it.

From the newspapers and from the remarks of several of my colleagues from the other side of the aisle, I have learned that among the investigations presently underway is one authorized by the House Education and Labor Committee. I am told that this investigation is being conducted by two staff members of the House Education and Labor Committee, and that in searching for a consultant with farm labor experience, the Committee has retained Dr. Ernesto Galarza, 1031 Franquette Avenue, San Jose, Calif.

Mr. Speaker, I have the honor of representing the area where Dr. Galarza lives. He is my constituent and a friend of 19 months. Mrs. Edwards and I enjoyed the hospitality of Dr. and Mrs. Galarza at tea in their home last autumn. We had a delightful visit. Mrs. Galarza is a charming lady of outstanding courtesy and kindness.

During the past few days there have been, however, some doubts raised by my Republican colleagues regarding the qualifications of Dr. Galarza for this job, and I am making these remarks today to tell my colleagues more about Dr. Galarza, his background and education.

Mr. Speaker, Dr. Ernesto Galarza is one of California's most distinguished citizens. Born in Mexico in 1905, he came to America as a child. He worked his way through grammar school and high school, taking any job that would allow him to pursue his studies—farmworker, cannery hand, Western Union messenger, interpreter, musician, gardener.

Upon being graduated from high school he continued his education, supporting himself again with various jobs — tutoring, dishwasher, lecturer, translator, social worker. He got the education and three degrees, the B.A. plus Phi Beta Kappa key from Occidental College, Los Angeles; the M.A. at my alma mater, Stanford, in Latin American History and modern languages; and the Ph. D. at Columbia. His doctoral dissertation was an economic monograph on the electric light and power industry in Mexico. It was published in Spanish by the Fondo de Cultura Economica, Mexico.

Mr. Speaker, I will sketch only the highlights of Dr. Galarza's career during the past 20 years. From 1936 to 1947 he was at the Pan American Union here in Washington, D.C., the last 7 years as Chief, Division of Social and Labor Information. In addition to administrative work, his duties concerned research and editing on labor and social conditions in the Americas. He also prepared or edited a number of reports and articles on Latin American conditions in the field of labor and social assistance. He participated in the initial discussions leading to the first bracero agreement of 1942.

Among the honors bestowed upon Dr. Galarza is that of the Republic of Bolivia, the Order of the Condor, given to Dr. Galarza for his outstanding contributions in the relations between our country and Bolivia.

Mr. Speaker, I have received numerous wires, telephone calls, and letters from people in my district in support of the integrity and good name of Dr. Galarza. Typical of the many statements which I have received is one from Mr. Jesus A. Cardenas of Union City, Calif.

He says in part:

> Dr. Galarza is respected and admired by the entire Mexican-American community for dedicating a lifetime to the problems of the Mexican-Americans and farm problems.

Mr. W. J. Lopez, of San José, president of the United Latin-American Council of Santa Clara County, which represents 22 organizations, urged that I make a public presentation of Dr. Galarza's record and qualifications.

From 1948 to 1960 Dr. Galarza was director of education and research of the National Farm Labor Union and National Agricultural Workers Union. In this capacity he worked as an organizer; he did economic research on the agricultural industry, appeared at legislative hearings, did social work, assisted the braceros, and performed the numerous other duties in connection with this job.

I pause at this point, Mr. Speaker, to point out the tribulations encountered by anyone who attempts to work in the field of endeavor I have just described. No subject is more controversial and fraught with high feeling than that of the unionization of America's farm laborers who are the most underprivileged and underpaid segment of our labor population. Most of the social legislation that has been enacted through the years to govern the labor of other industry is absent insofar as the farm labor market is concerned. Our farmworkers are usually excluded from the protection of unemployment compensation laws, minimum wage laws, workmen's compensation laws, and the laws granting the right to organize. The Department of Labor tells us that there are 2½ million of these workers, together with their families, and that the average total wage for the year, per worker, is $1,054.

Dr. Galarza spent 12 years working with this underprivileged segment of our labor force. He fought hard for his programs. The farmers fiercely resisted all attempts to organize the Nation's farmworkers. They still do. Dr. Galarza is a scarred veteran of many battles. He has powerful enemies. But he has persisted in pursuit of his goals, which are to rescue from poverty and underprivilege this large segment of our laboring population, the farmworker.

Yes, Mr. Speaker, Dr. Ernesto Galarza is a fierce partisan where the welfare of the farmworker is concerned and where the welfare of our Mexican-American people are concerned. But he is also a man of integrity and honor, and he will do a searching and painstaking job as consultant to the staff members of the House Education and Labor Committee investigating the bus accident. He is an ardent opponent to the legislation which extends the bracero program, but this does not disqualify him. Oftentimes truths are discovered only by partisans.

I must now, Mr. Speaker, turn to another subject which I feel must be brought to the attention of the House of Representatives. It has been mentioned in connection with Dr. Galarza, and I think that the record should be cleared on this subject once and for all.

In the Congressional Record of Thursday, March 9, 1950, appears the extension of remarks of the Honorable Thomas H. Werdel, of California. The gentleman from California inserted a document which he described as the majority report of Special Subcommittee No. 1, Committee on Education and Labor, House of Representatives, Honorable Cleveland M. Bailey, chairman. It states that it is the report of an investigation made by Subcommittee No. 1 on November 12–13, 1949, at Bakersfield and Di Giorgio, Calif.

I am told, Mr. Speaker, that on a number of occasions this insertion in the Record has been referred to as an official report of the House Committee on Education and Labor, and as an official report of Subcommittee No. 1.

I am told that this insertion in the Record has even been used as evidence in a court of law as a genuine congressional committee report.

Naturally, Mr. Speaker, since this Record insertion has been represented for so many years as official committee action, efforts have been made to test its reliability, its authenticity, its official status. One of my office staff checked with the Committee on Education and Labor and inquired about the insertion. She was advised that the minutes of Subcommittee No. 1 show no trace of any discussion or action by the subcommittee or full committee regarding this matter. Further, she was advised that no official report was ever reported to the full committee by the chairman of the subcommittee on this matter.

I am also advised, although my office has not as yet had the opportunity to double check this information, that—

First. An inquiry has been made at National Archives and there is no record at Archives of such a report.

Second. There is no record of any order for printing of any official report in the 81st Congress concerning this matter.

Third. There is no report listed in the "Monthly Catalog of Government Publications" for the 81st Congress on this subject by this subcommittee or committee.

Fourth. There is no entry in the serial list of House reports and documents, for this committee on this subject, of the 81st Congress.

Fifth. There is no record in the minutes of the subcommittee or the committee of a regular or specially called meeting to discuss and approve any such report.

Sixth. There is no record in the Library of Congress of any such report or document.

Seventh. There is no entry in the Journal of the House at any time during the 81st Congress of any report on this subject by this subcommittee or committee.

Eighth. There is nothing in the proceedings of the House as reported in the Congressional Record on this subject.

Ninth. The printed hearings of the subcommittee in Bakersfield in November 1949—hearings, Subcommittee No. 1, Committee on Education and Labor, 81st Congress, 2d session—printed in April 1950 do not have the text of any report.

Tenth. The tally clerk of the House has no record of such a report being filed.

Eleventh. There is no record in the files of the committee of any vote on such a report.

Twelfth. There is no record in any issue of the Daily Digest of the House of any such document being reported out by any committee.

The Congressional Record on the date this famous insertion was put in, reflects that Congressman Werdel requested unanimous consent to insert in the Record a report of a subcommittee—another curious event in the complex history of this insertion.

Mr. Speaker, I understand that reprints of this insertion in the Record have been widely circulated and represented as an official report of a House committee. I thought it only fair to present the facts that I have outlined above so that the record is more accurate. I do not think that something should be presented as genuine unless it can be proven, and as of this date this cannot be said to be true of this curious insertion. I therefore respectfully request that an official investigation be conducted on this matter by the appropriate House Committee and a full report submitted to the membership.

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## LAIRD CHARGE THAT ADMINISTRATION VIOLATED LAW NOW UPHELD BY COMPTROLLER GENERAL

The SPEAKER pro tempore (Mrs. Green of Oregon) Under previous order of the House, the gentleman from Wisconsin [Mr. Laird] is recognized for 20 minutes.

Mr. LAIRD. Madam Speaker, my office has just received a ruling from the Comptroller General of the United States which was handed down in response to an inquiry submitted by me on July 18, 1963. The Comptroller General has ruled that the Executive is in violation of section 107(b) of the Foreign Aid Appropriation Act of 1963 which states, in part:

> No economic assistance shall be furnished to any country which sells, furnishes, or permits any ships under its registry to carry items of economic assistance to Cuba so long as it is governed by the Castro regime.

At the conclusion of my remarks, I ask unanimous consent to insert in the Record the full text of the Comptroller General's letter to me.

The fact that the administration chose to ignore this provision in the law until the Comptroller General, at my request, instituted proceedings to determine whether it had been violated, demonstrates this administration's reluctance to discharge its duty to uphold all laws whether or not it finds itself in agreement with them. The further fact that after the investigation was begun, the administration bent over backward to find nebulous loopholes to justify its failure to act, demonstrates that the administration is more interested in finding loopholes in a law that is unpalatable to the Executive than it is in executing that law in conformity with the intent of Congress.

My office has a list of free world ships that have engaged in the Cuban trade. Several of these ships carried cargoes from Communist bloc countries to Cuba. The cargoes in these ships contained items of economic assistance as the following quote from a letter written by AID to the Comptroller General will demonstrate:

> Based upon our information regarding the Bloc-Cuba aid and trade relationship, we assume that any cargo transported from the Bloc to Cuba is composed, in whole or in part, of items of economic assistance unless the contrary is shown.

Mr. Speaker, the list I have in my possession which covers the period from April 1963 through October 9, 1963, shows that a large number of free world ships have transported cargoes from bloc countries to Cuba.

For example, the Lebanese ship *Akamas* left Novorossiysk, Soviet Union in early April 1963, and arrived in Havana on May 2, 1963.

The Greek ship *North Queen* originated in Odessa, Soviet Union, arriving in Havana on May 29, 1963.

The Lebanese ship *Vassiliki* left Leningrad, Soviet Union, on July 27 and arrived in Havana on August 26, 1963.

The West German ship *Adolf Leonhardt* traveled from Red China to Havana, arriving there on May 18, 1963.

There are dozens of additional examples on the list in my office. I will list several of these at the conclusion of my remarks.

These countries receive economic assistance from the United States. The law states that such aid should be denied unless the President determines that the continuation of such aid is in the national interest and informs certain committees of the Congress of his reasons for not complying with the law.

The aid has continued to these countries and other countries that have engaged in the Cuban trade in obvious violation of the law. Yet the President has not seen fit even to inform the appropriate committees of the Congress of the reasons for his actions.

It is possible Mr. Speaker, that there is good reason for continuing economic assistance to Greece, Lebanon, and other countries that have violated the provisions of our law. The Congress foresaw this possibility and provided a certain discretionary authority for the President to exercise if the necessity arose. But, the Congress also stated explicitly and clearly that the President must, if he deems it necessary to bypass the law, inform "the Foreign Relations and Appropriations Committees of the Senate and the Foreign Affairs and Appropriations Committees of the House of Representatives." The law also stated that "reports made pursuant to this subsection shall be published in the Federal Register within 7 days of submission to the committees and shall contain a statement by the President of the reasons for such determination."

To the best of my knowledge this has not been done on a single occasion since the Foreign Assistance Act of 1963 became effective.

This can be interpreted in no other way than as a flagrant disregard of the law of the land. The executive has taken upon itself the authority to vest in itself an item veto not on a bill passed by both Houses of the Congress but on a law signed by the President and already in effect.

It is clear from the AID letter to the Comptroller General that the administration is aware that violations of the law have been occurring on a continuous basis. The only justification given for the Executive's failure to comply with the law boils down to a tortuous resort to semantics. For example, after admitting that certain Greek tankers "carried cargoes proscribed by subsection (b) of No. 107," the AID letter states:

> However, subsection (b) requires termination of economic assistance in such a case only if the Government of the aid recipient country "permitted" the voyage to occur. In the case of the Greek tankers, the voyages were all made in fulfillment of charter arrangements entered into prior to the effective date of the Appropriation Act.

The Comptroller General, in commenting on this language, stated:

> Section 107 of the act is applicable to countries which "permit" ships under their registry to engage in the proscribed carriage to Cuba. As stated in 70 C.J.S. permit, page 566, "permit" is not a technical word, and in English it has two significations, the first being where the mind consents to the act, the second where the mind does not affirmatively agree to the act, but, having the right and the means to interfere to prevent it from transpiring, fails to do so. The second signification is applicable, in our opinion, to section 107 of the act and in order to obtain the benefits of foreign assistance it would seem to be incumbent upon an aid recipient country to promptly take steps to prevent ships of its registry from carrying proscribed shipments to Cuba. * * * The administrative position (AID letter) that the Greek Government did not "permit" the voyages in question excuses a country from taking prompt action to protect its receipt of assistance in apparent disregard of the basic purpose of section 107.

The upshot of this is that the AID Appropriation Act was clear and explicit. It was up to the country involved to terminate shipping to Cuba. If the President felt that such termination should be delayed for national interest reasons, it was incumbent upon him to so inform the appropriate committees. This, he did not do. Even at this late date, the Congress would still be very much interested in the President's reasons for failing at least to make the requisite reports to the appropriate committees of the Congress.

At the same time, the Undersecretary of Commerce, Mr. Roosevelt, might issue an explanation for his having accepted Greek favors on a Greek yacht at a time when Greek ships continue to engage in the Cuban trade and continue to receive U.S. assistance in direct violation of U.S. law. The Congress took action to bar Members of Congress from traveling on foreign ships either at reduced rates or free of charge. It seems to me this should apply to executive officials, if not actually by law, at least by voluntary compliance inasmuch as the laws of prudence and discretion would dictate such a course. Perhaps it would not be unprofitable to call Mr. Roosevelt before the appropriate committees of the Congress to testify on the reasons for his having accepted the invitation of a Greek shipping magnate at this particular time.

It is an unfortunate commentary on the present state of our Government when a President feels that he can wink at a clear-cut provision of a duly enacted law of the United States and get away with it. Hopefully the Congress will come more and more to insist upon the proper execution of the laws it has enacted.

The letter from the Comptroller General of the United States, referred to above, follows. It will be noted that the first part of the letter deals with my original charge that strategic goods were carried in British, Norwegian, Italian, and Greek tankers. The administration has defined "petroleum," as proscribed by the act, as not including crude oil. The letter of the law may well bear this out, but certainly the intent of Congress and the spirit of the law would indicate that crude oil should come under the definition of proscribed items. Hopefully, this will be made quite clear in this year's act.

The letter follows:

Comptroller General
of the United States,
*Washington, D.C., October 16, 1963.*

Hon. Melvin R. Laird,
*House of Representatives,*
*Washington, D.C.*

Dear Mr. Laird: This refers to your letter of July 18, 1963, concerning facts coming to your attention indicating that the executive branch of the Government has violated the provisions of section 107 of the Foreign Aid and Related Agencies Appropriation Act, 1963, approved October 23, 1962, Public Law 87–872, 76 Stat. 1165, and requesting that our office investigate this matter in order to ascertain whether the provisions have in fact been violated.

The information upon which your inquiry is based is that tankers from the United Kingdom, Italy, Norway, and Greece have traveled to Cuba in the first 6 months of 1963, and that these countries continue to receive assistance from the United States, which appears to be in violation of section 107(a) of the act.

Section 107 of Public Law 87–872 provides:

"(a) No assistance shall be furnished to any country which sells, furnishes, or permits any ships under its registry to carry to Cuba, so long as it is governed by the Castro regime, under the Foreign Assistance Act of 1961, as amended, any arms, ammunition, implements of war, atomic energy materials, or any articles, materials or supplies, such as petroleum, transportation materials of strategic value, and items of primary strategic significance used in the production of arms, ammunition, and implements of war contained on the list maintained by the Administrator pursuant to title I of the Mutual Defense Assistance Control Act of 1951, as amended.

"(b) No economic assistance shall be furnished to any country which sells, furnishes, or permits any ships under its registry to carry items of economic assistance to Cuba so long as it is governed by the Castro regime, under the Foreign Assistance Act of 1961, as amended, unless the President determines that the withholding of such assistance would be contrary to the national interest and reports such determination to the Foreign Relations and Appropriations Committees of the Senate and the Foreign Affairs and Appropriations Committees of the House of Representatives. Reports made pursuant to this subsection shall be published in the Federal Register within seven days of submission to the committees and shall contain a statement by the President of the reasons for such determination."

Upon receipt of your inquiry information was requested from the Agency for International Development and by letter of September 24, 1963, the Agency furnished a report in the matter. The contents of the report is set forth below together with our comments on the various points.

"The first point stated in the inquiry is that tankers from the United Kingdom, Italy, Norway, and Greece have traveled to Cuba in the first 6 months of 1963 and that these countries continue to receive assistance from the United States. The inquiry states that these facts indicate a violation of section 107(a) of the Appropriation Act.

"While the facts stated are correct, the conclusion is not. The conclusion is predicated on the assumption that section 107 (a) prohibits assistance to any country whose ships carry any form of petroleum product. A more precise reading makes clear, however, that section 107(a) only applies to ships carrying petrolum products contained on the Battle Act, title I list.

"The items proscribed by section 107(a) are described as follows: 'Arms, ammunition, implements of war, atomic energy materials, or any articles, materials, or supplies, such as petroleum, transportation materials of strategic value, and items of primary strategic significance used in the production of arms, ammunition, and implements of war contained on the list maintained by the Administrator pursuant to title I of the [Battle Act].'

"The phrase 'contained on the list maintained by the Administrator pursuant to title I of the [Battle Act]' qualifies all of the descriptive words appearing before that phrase. The reference to petroleum is not to petroleum per se, but to petroleum which is an article used in the production of arms, ammunition, and implements of war and which is contained in the Battle Act, title I list. This interpretation of section 107(a) is further sustained by the fact that the descriptive words used in section 107(a) are taken directly from title I of the Battle Act. Section 103(a) of the Battle Act provides in pertinent part, as follows:

" 'The Administrator is hereby authorized and directed to determine within thirty days after enactment of this Act * * * which items are for the purpose of this Act, arms, ammunition, and implements of war, atomic energy materials, petroleum, transportation materials of strategic value, and those items of primary strategic significance used in the production of arms, ammunition, and implements of war which should be embargoed to effectuate the purposes of this Act.'

"Where Congress in one statute uses certain descriptive words and then repeats these words in a subsequent statute at the same time referring to the first, it must be assumed that the words of the subsequent statute were intended to relate to the same things as the first statute.

"Furthermore, the congressional intent to be assumed from the statutory language was made explicit in the following colloquy which took place on the Senate floor in connection with the Senate Appropriations Committee's version of section 107(a), from which the present section 107(a) was drawn:

" 'Mr. HUMPHREY. * * * I ask the chairman of the Appropriations Committee whether I understand correctly that the shipping controls under this provision would be administered in the same manner as strategic trade controls under the Battle Act and that similar guidelines would be used to determine what items are controlled and when violations occur so that U.S. assistance must be withheld?'

" 'Mr. HAYDEN. Yes; the Senator is correct.' (CONGRESSIONAL RECORD, volume 107, part 16, page 21483.)

"Thus, where there is no evidence that Battle Act, title I items were carried on a particular voyage, section 107(a) is not legally applicable.

"On the basis of the foregoing analysis it can be readily demonstrated that no violation of section 107(a) occurred by reason of the voyages to Cuba by British, Italian, Norwegian, and Greek tankers during the first 6 months of 1963. Some of these tankers traveled to Cuba in ballast (empty). Many of these tankers were vessels specially constructed to carry liquid molasses. Of the tankers which carried cargoes to Cuba, all but one tanker carried crude oil exclusively, and crude oil is not on the list of strategic cargoes maintained under title I of the Battle Act. Present evidence shows that one tanker on two voyages carried other types of petroleum products, but none of the information now available regarding these products indicates that they are on the title I, Battle Act list. Merely because we do not now have sufficient specifications on these items to conclusively determine that they are not on the Battle Act, title I list does not mean that we must presume that this voyage violated section 107(a). Concrete evidence that Battle Act items were carried is necessary."

The provisions of the Battle Act cited above are codified in 22 U.S.C. 1611.

We believe the administrative view to be legally sound and that the word "petroleum" as used in section 107(a) does not include crude oil. We note that further information in regard to this matter and the weaknesses of section 107 to control shipments to Cuba is included in the discussions appearing in the CONGRESSIONAL RECORD for August 22, 1963, pages 15583 through 15591, when the Foreign Assistance Act of 1963, H.R. 7885, was on the floor of the House for consideration. Congressman FASCELL's statement, beginning on page 15585, indicates an awareness that section 107(a) pertains only to commodities embargoed under the Battle Act and that crude oil is not such a commodity.

The administrative report continues as follows:

"While the first part of the congressional inquiry relates only to subsection (a) of section 107, a word might be said with respect to the application of subsection (b) to the British, Norwegian, Italian, and Greek tankers in question. First, since subsection (b) prohibits only economic assistance and Britain, Norway, and Italy receive no such assistance, subsection (b) has no application to voyages by vessels of these countries. Second, Greece does, however, receive economic assistance and, based upon our information regarding the bloc-Cuba aid and trade relationship, we assume that any cargo transported from the bloc to Cuba is composed, in whole or in part, of 'items of economic assistance' unless the contrary is shown. Thus, it appears that the Greek tankers in question carried cargoes proscribed by subsection (b) of section 107. However, subsection (b) requires termination of economic assistance in such a case only if the government of the aid recipient country 'permitted' the voyage to occur. In the case of the Greek tankers the voyages were all made in fulfillment of charter arrangements entered into prior to the effective date of the Appropriation Act.

"A factor, if not the determining factor, in deciding whether a country permitted a voyage is whether the country took any steps to prevent the voyage. Whether any particular preventive action is sufficient to excuse the country from responsibility under section 107 for the voyage, must be judged by the likelihood that such action will succeed. A country cannot be excused merely because it took token steps which could not reasonably be expected to prevent a voyage. Thus, the sole question in the case of the Greek tankers is whether section 107 required the Government of Greece to force termination of existing charters as the minimal preventive action sufficient to excuse that Government from responsibility for the voyage. In our opinion section 107(b) does not require such action.

"Charter parties are binding contractual obligations. There is little likelihood that shipowners would be relieved of liability to shippers under force majeure for breach of these charters had they been forced by the Greek Government to do so. Such action by the Greek Government, therefore, could in most cases have exposed shipowners to substantial liabilities. Section 107 must be interpreted in accordance with the basic principle of fairness which runs throughout U.S. law, that people should not be penalized for entering into contracts which fail to meet a legal standard if the contract is made before the legal standard is promulgated. Nothing in section 107—such as provision for indemnification of shipowners—indicates that Congress intended to depart from this basic principle and require aid recipient governments to take actions exposing their shipowners to substantial liabilities. No such intent, of course, can be attributed to general statements of the congressional desire to terminate aid recipient country shipping to Cuba.

"Moreover, the Greek Government, within 6 months of the passage of the appropriation act, issued a decree prohibiting carriage of cargoes to Cuba by any ships of Greek registry under charters concluded subsequent to the promulgation of the decree. This further demonstrates, in our view, that the Government of Greece did not 'permit' the voyages in question."

Section 107 of the act is applicable to countries which "permit" ships under their registry to engage in the proscribed carriage to Cuba. As stated in 70 C.J.S. permit, page 566, "permit" is not a technical word, and in English it has two significations, the first being where the mind consents to the act, the second where the mind does not affirmatively agree to the act, but, having the right and the means to interfere to prevent it from transpiring, fails to do so. The second signification is applicable, in our opinion, to section 107 of the act and in order to obtain the benefits of foreign assistance it would seem to be incumbent upon an aid recipient country to promptly take steps to prevent ships of its registry from carrying proscribed shipments to Cuba. Further, the section is not concerned with liabilities that may be incurred by violations of charter parties but to precluding shipments of Battle Act items and economic assistance items through the penalty of termination of assistance, in the absence of a determination by the President, as provided in section 107(b), that termination would be contrary to the national interest. The administrative position that the Greek Government did not "permit" the voyages in question excuses a country from taking prompt action to protect its receipt of assistance in apparent disregard of the basic purpose of section 107.

The remainder of the administrative report concludes as follows:

"The second point raised in the inquiry relates to countries which trade with Cuba; a list of such countries covering calendar year 1962 is offered. The implication here is that under section 107(b) of the appropriation act continuation of this trade would require termination of assistance to these countries.

"Three of the countries can be excluded from consideration since they were furnished no assistance under the 1963 appropriation act. These countries are Canada, Sweden, and Switzerland. We are currently reviewing the situation with regard to Poland where the only assistance furnished is assistance to the children's hospital in Krakow, pursuant to section 214(b) of the Foreign Assistance Act of 1961. We will, of course, advise you of our disposition in this matter. As to the rest of the countries, despite extensive information received and collected from all the sources available to the U.S. Government, we have seen no evidence that, since the effective date of the appropriation act, an aid recipient country has extended economic assistance to Cuba or has sold or furnished Battle Act, title I, items to Cuba as prohibited by section 107(a). Indeed, our information indicates that to the extent there have been shipments of arms to Cuba they have been entirely from Communist bloc countries.

"Some aid recipient countries continue to trade with Cuba although the volume has decreased markedly: Cuban imports from the free world decreased from $678.5 million in 1959 (Cuba's first year under Castro) to $84.8 million in 1962. However, trade on nonconcessional terms does not constitute assistance.

"Several barter arrangements between aid recipient countries and Cuba have been examined carefully, but no evidence has been found to indicate they involved any extension of economic assistance to Cuba."

The foregoing does not appear entirely responsive insofar as ships under the registry of aid recipient countries are concerned, since it is only stated that there is no evidence that any aid recipient country has extended economic assistance to Cuba or has sold or furnished Battle Act, title I, items to Cuba. Our Office is not in a position to furnish information as to the caroges carried by ships under registry of the countries concerned. It is noted from the administrative report that the situation with regard to Poland is currently under review.

Sincerely yours,

JOSEPH CAMPBELL,
*Comptroller General of the United States.*

A partial list of free world ships that have engaged in the Cuban trade during the months, March 1963 through October 9, 1963, and whose voyages originated in a Communist bloc country—thus setting up the presumption that they carried economic assistance to Cuba—follows:

### NAME OF SHIP, CUBAN PORT, AND ORIGIN OF VOYAGE

#### GREEK SHIPS

*Americana*, Havana, April 27, 1963, Kherson, Soviet Union/Gibraltar, April 2, 1963.

*Sirius* (tanker), Santiago, May 24, 1963, Black Sea port (not Istanbul).

*Western Trader*, Nuevitas, April, Rijeka, Poland, April 8, 1963.

*North Queen*, Havana, May 29, 1963, Odessa, Soviet Union.

*Aegaeon*, Cienfuegos, May 28, 1963, Black Sea port/Gibraltar, May 11.

*Apollon*, Mariel, June 4, 1963, Novorossiysk, Soviet Union/Gibraltar, May 22.

*Aldebaran*, Havana, June 13, 1963, Black Sea port, May 23, 1963.

*Tina*, Havana, July 1, 1963, China/Gibraltar, June 16, 1963.

*Sirius* (tanker), Santiago, August 28, 1963, Black Sea/Gibraltar, August 17, 1963.

*North Queen*, Havana, September 21, 1963, Leningrad, Soviet Union, early September.

*Apollon*, Havana, September 24, 1963, Novorossiysk, Soviet Union, September 6, 1963.

#### LEBANESE SHIPS

*Akamas*, Havana, May 2, 1963, Novorossiysk, Soviet Union/Gibraltar, April 9.

*Noemi*, Preston, April 12, 1963, Gdynia, Poland/Kiel, Germany, March 22.

*Giorgos Tsakiroglou*, Havana, May 4, 1963, Gdynia, Poland/Kiel, Germany, April 11.

*Malou*, Havana, May 4, 1963, Black Sea/Gibraltar, April 17.

*Astir*, Havana, June 5, 1963, Shanghai, China/Suez, May 14.

*San Spyridon*, Cienfuegos, July 16, Haiphong, North Vietnam/Ceuta, June 20.

*Vassiliki*, Havana, August 26, Leningrad, Soviet Union, July 27, 1963.

*Ilena*, Cuba, July 28, Black Sea/Ceuta, July 12, 1963.

*Olga*, Havana, October 8, Ventspil, Soviet Union, September 18.

#### WEST GERMAN SHIPS

*Adolf Leonhardt*, Havana, May 18, 1963, Red China.

Mr. Speaker, in addition to this partial list, there are several more instances both in these and other countries of free world ships in the Cuban trade carrying cargoes that orginiate in Communist bloc countries. Some of these countries, like Britain, Italy, and Norway, receive no economic assistance from the United States. Others do receive such assistance. It is difficult to obtain data on the origin of voyages that engage in the Cuban trade. It would be most helpful, I think, if the Congress requested the administration to include in the list published in the Federal Register the point of origin of each ship listed for each voyage to Cuba. In this way, the determination of whether a free world country has furnished, sold, or permitted ships under its registry to supply economic assistance to Cuba would be greatly facilitated.

Mr. GUBSER. Madam Speaker, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from California.

Mr. GUBSER. Madam Speaker, I thank the gentleman for yielding.

It is not my purpose to engage in debate with my colleague from California [Mr. EDWARDS], who has just left the well of the House. However, the gentleman's remarks clearly implied that I used certain material in my speech to the House on last Wednesday which lacks credibility. The statement was made that the majority report of a committee of Congress which I referred to had not been filed with the Clerk of the House and could not be found in the Archives. I cannot allow this implication to stand without rebuttal.

Madam Speaker, in my speech as reported on page 19618 of the CONGRESSIONAL RECORD for October 16, 1963, I clearly and openly identified the source of my information as the CONGRESSIONAL RECORD for March 9, 1950. Madam Speaker, this RECORD can be found in the Archives and I might point out that the report is rendered by the majority of a Subcommittee on Education and Labor which investigated the DiGiorgio strike. I quoted directly from this report and I point out now that it was signed by the Honorable Richard Nixon, the Honorable THOMAS STEED, and the Honorable THRUSTON MORTON, a majority of a duly constituted subcommittee of Congress. No one can deny that a majority of this committee has signed a statement which enumerated the various falsehoods which Dr. Ernesto Galarza has perpetrated. I stand on what I have said in this matter; namely, that the majority of a duly constituted committee of Congress has said in writing that the film "Poverty in the Valley of Plenty" with which Dr. Galarza has admitted a connection, is, and I quote, "a shocking collection of falsehoods."

Madam Speaker, it should be further pointed out that much of the evidence presented in my statement was presented as direct quotation from the printed hearings of this subcommittee which investigated the DiGiorgio strike. At one point in my remarks I quoted the page number of the printed hearings, a volume which can be found in the Archives. The title of the volume is "Investigation of Labor-Management Relations" published in 1950.

Madam Speaker, I fairly represented the evidence in my speech of last Wednesday. I presented it for what it is and I truly believe that it constitutes a valid presumption that Dr. Galarza cannot be relied upon to make an objective investigation of this matter.

Mr. TALCOTT. Madam Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from California.

Mr. TALCOTT. Madam Speaker, I would like to say one more thing in regard to this investigation of the accident. I am pleased to report that Miss Corrine Huff of the Committee on Education and Labor of the House of Representatives has been to California and is making an investigation. Miss Huff was once "Miss Universe."

So, Mr. Speaker, we are having a very thorough investigation of this accident.

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## REPORT NO. 2: JAPAN

The SPEAKER pro tempore (Mrs. GREEN of Oregon). Under previous order of the House, the gentleman from Illinois [Mr. LIBONATI] is recognized for 60 minutes.

Mr. LIBONATI. Madam Speaker, at the invitation of the Secretary of the Army, Elvis J. Stahr, Jr., Representative Roland V. Libonati, Democrat, of Illinois, as chairman, member of the House Committee on the Judiciary; Representative John M. Slack, Jr., Democrat, of West Virginia; Representative George E. Shipley, Democrat, of Illinois, and Mr. George A. Urian, professional staff member of the House Committee on Appropriations, accompanied by Lt. Col. William D. Lynch, Department of the Army representative, visited several countries of the Orient, and Alaska, to study field operations, modernization, availability, training programs, including contributions of the services to the American image, the reaction of the people to American intervention and interest, the philosophical, historical, and social background of these states, together with a study of their economy, problems, and attitudes toward the Western nations.

We were well received and thoroughly briefed and documented on all phases of interest by the services. Among the experts addressing our group were the commanding general, U.S. Army, Japan, Maj. Gen. Jean E. Engler and his chiefs of staff; the commander, U.S. Forces, Japan, Lt. Gen. Jacob E. Smart, U.S. Air Force; the U.S. Ambassador, Hon. Edwin O. Reischauer; the chief, military assistance advisory group, Brig. Gen. J. M. Worthington, U.S. Army; and the Army attaché, Col. John C. Parker.

### KYUSHU, SHIKOKU, HONSHU, AND HOKKAIDO

Japan proper, including small islands off her shores, has an area of 147,709 square miles. In the 19th and 20th centuries, Japan extended her rule over the Kurile, Ryukyu, Bonin, and Pescadores Islands, Formoso—Taiwan, Karafuro—Southern Sakhalin, Korea, and as a mandatory power after World War I over the Marianas, Caroline, and Marshall Islands—with these additions the Empire had a total of 263,050 square miles. Manchukuo which became a Japanese protectorate in 1932 was 503,013 square miles. At the height of the conquests in 1942, Japan held and controlled an area of 3,250,000 square miles with a population of 300 million. The population of postwar Japan was in excess of 73 million.

The four islands lying off the east coast of Asia are within the ranges of latitude similar to those of the eastern coast of the United States, from Maine to Georgia. Their total area is about that of California. The islands enjoy a temperate climate and are of great scenic beauty. The mineral resources are negligible. But the mountainous area—about 80 percent of the area—and heavy rainfall are natural resources for the development of abundant utility power. The land left for cultivation represents less than 20 percent of the entire area.

Japan is a democratic monarchy. The Emperor, a symbol of the past, and a bicameral elected Diet or Parliament. The latter, together with a cabinet responsible to the Diet, advise, direct, and control practically all legislative and executive power. The members of the Diet and thousands of local officials are elected by the people under universal suffrage. A bill of rights protects the liberty of the people under the Constitution adopted in 1946—control of the Diet and Cabinet dominated for a period by the supreme commander for the Allied Powers called SCAP and the occupation services.

A few years ago, August 1945, Japan was ruled under a constitution, although modern in its concept was actually medieval in its language and spirit. The first article—adopted in 1889—of the Constitution proclaimed:

> The Empire of Japan shall be reigned over and governed by a line of Emperors unbroken for ages eternal.

Every schoolchild was taught that the Emperor was divine—kami—and descended from the sun goddess, Amaterasu-o-mikami, whose great grandson, Jimmu Tenno, the first mortal Emperor of Japan, began his reign in 660 B.C. The Emperor was a being of worship—a god whose personal name—Hirohito—must not be spoken or given to any of his subjects. No one must look upon his person from a height above him. His pictures are banned on coins and stamps exposed to deflement. His photograph is held in holy reverence in a sacred place, and only to be exposed to the students on anniversaries by awe-stricken pupils. Veneration of the Emperor and belief in his divine origin were the core of state Shinto, Japan's official religion.

The Japanese people believed they were descended from gods of lesser illustrious importance than their Emperor. Their islands were considered the blessed abode of the divine. They believed that the Emperor was destined to become the ruler of the world. Hakko ichiu—"Eight corners under one roof"—was a slogan attributed to the first human Emperor, Jimmu Tenno, and revived in the 1930's. The eight corners were interpreted as East Asia, Greater East Asia, the world. The one roof was the Emperor and his government.

There is no question that many Japanese doubted this mythology. The first two decades of the 20th century reflected this skepticism as a result of scientific approach to the study of history and political science.

Professors, in their published works, either disregarded the myth entirely, or referred to the Emperor as the organ of government. Some even went so far as to assert that the Emperor derived his powers from the people.

But, in 1930, upon the birth of the militaristic control, books were suppressed, offending professors disgraced and attacked physically, belief in the myths was a test of loyalty.

As in the 1870's, the clever statesmen and military leaders revived the Emperor symbol to build up patriotism and use the power of that symbol to facilitate plans under the guise of being good for the state.

The history books are repleat with references, over the centuries, in which the Emperor's power was nil, while the state was ruled by others; of rival Emperors from different branches of the imperial family; of Emperors deposed and assassinated; of Emperors in such dire poverty that their families could not pay for their burials. Yet, there always was an Emperor and he always came from the same family—the Yamato line—sometimes by adoption, that no other official, however great his power, ventured to place himself on the imperial throne. Even in times of great eclipse of power and authority, Emperors lived in an aura of sanctity. Even in the tribal era, the chiefs of the Yamata tribe had convinced their neighboring chiefs and rivals that they had some special claim to respect.

There is no question that Japan has established a democracy simulating our own to the letter. Her people have embraced American customs, including dress and entertainment. Jazz and rock 'n' roll are the vogue. Our sport world, both in games and the fairplay demanded by fandom, have permeated the very spirit of the people. We have captivated the entire nation to our way of living and thinking—they are the Americans of the Orient and look to us to reestablish Japan as the ruling nation of the Orient. Their loyalty to the Western cause is unwavering and sincere. The appreciation of the Japanese—postwar—for the American aid given them in rebuilding cities and reorganizing a disrupted government, and the extension of credit and money to a bankrupt people in defeat, is deeply rooted.

Her entry into the circle of freedom-loving nations and, later, the official recognition in welcoming her officials in international affairs, have given the Japanese people confidence in their future and a feeling of pride in their recognized accomplishments.

The stability of her economy, the development of her meager resources and the present expansion of international trade, has gained for the Japanese people a high place among the prosperous and powerful nations of the world. It is predicted that in 5 or 10 years Japan will be the most powerful nation in Asia. The consensus among some of the strategists, who are toying with the idea that a new policy of our United States Government may be resolved—in the not-too-distant future—to appoint Japan as a coprotectorate nation over its interests in several lands now policed or militarily advised, and supported economically, by the United States that are of Japanese derivative lineage.

Japan, a confirmed ally of the United States if when it becomes the dominant nation in influence and power for peace, could be trusted with this responsibility under the supervision and control of our Government. To be sure, her present change of the philosophy of government must be impressed upon the populace of those countries that have experienced the heavy, militaristic hand of the proselyting Japanese war lords of past history, who at some time or other, and recently, were subject to sanguine experiences at their hands. Japan has won her right to merit the respect and friendship of our Nation.

Compared to the new Constitution, the Emperor, perhaps, reigns but does not govern, nor is there any assertion that his line is "unbroken for ages eternal." He shall be the symbol of the state and of the unity of the people, deriving his position from the will of the people, with whom resides the soverign power. The advice and approval of the Cabinet shall be required for all acts of the Emperor in matters of state and the Cabinet must be responsible therefor. The Emperor shall perform only such matters of state provided for in the Constitution and he shall not have powers related to the government.

He enjoys the power purely ministerially and, after approval of the Cabinet or Diet, the apportionment of Chief Judge—Supreme Court, promulgation of laws, treaties, constitutional amendments, etc., convenes the Diet; dissolves the House of Representatives; proclaims general elections; attests appointments and dismissals, amnesties, and commutation of punishments; awards honors; receives foreign ambassadors and ministers, and performs the functions of a formal and ceremonial character. He does nothing without the approval of the Cabinet, and the Cabinet is responsible to the Diet not to the Emperor.

Succession to the throne is subject to regulation by the Diet. All property of the imperial household rests in the state. He cannot give or receive gifts without the sanction of the Diet.

Japan, a nation in transition, has expanded her trade relations with many nations and has passed through the development phase as a semiadvanced country to a modernized industrial nation.

The Government has used its influence to advance business and industrial mergers in order to reduce costly internal competition and inefficiency and thus be better able to meet the competitive prices of the nations of the world.

Her recent decision to accept the invitation to join the Organization for Economic Cooperation and Development places her presently protected industries in competition with those of other nations. Her trading nations demand the liberalization of her import policies.

Her present trade expansion program includes the Communist bloc, Western Europe, and South America. A group of Japanese bankers and industrialists have visited the nations comprising the European Common Market and the European Free Market Association. The negotiations considered the reducing of their restrictions on Japanese goods. The Japanese Government, on August 30, 1962, removed exchange controls on 35 categories of goods—a strong bargaining point for successful results.

The following nations hold restrictions on imported Japanese goods: France, 84 items; Italy, 92 items; and West Germany, 28.

The Common Market countries, France, West Germany, Italy, Belgium, the Netherlands, and Luxembourg, are preparing a uniform policy for trade with Japan, and the importance of reducing these items of restrictions is evident before the joint formula is determined.

Japanese trade with Western Europe is increasing. Its entry in OECD added to its prestige in being a member of an organization of the advanced industrial nations of Europe and North America. There are, to be sure, problems and inevitable disadvantages—but she has been singled out as a qualified member nation industrially important.

Japan in its trade problems with the United States is alerted to the terrific impact upon American industry such as textile, rubberized goods, toys, radios, cameras, and so forth. The tariff negotiations in Geneva were somewhat disappointing to the expectations of the Japanese delegates.

Tariff cuts effect heavy industry and chemicals, and slashes in agricultural duties upsets the rural economy. Yet Japan committed to the principle of freer trade approved across the board tariff cuts. The protests at the industrial level are that great hardships would be the result of unfavorable negotiation, requiring changes adverse to local industry.

The President's proposal of an interest—equalization tax by U.S. citizens on purchases of foreign securities caused great concern in business circles.

The treatment accorded Japan on the U.S. negotiations at the Government and commercial levels have forced the Japanese to promote other export outlets.

The need for credit is unlimited—the need for raw materials to produce and export manufactured products means survival of prosperity.

The Japanese are intelligent, honest and laborious in their work. They are worthy of credit. The economy must rely on their export trade to pay for food, clothing, and raw material. The problem of keeping the total cost, including labor, within the range of competitive foreign products is of paramount importance.

Thus, salaries are not in conformity with those of the United States. A young high school graduate starts out at a salary of $500 per year; college graduate, $650. Small increases are given from time to time in the nature of bonuses—equal to about 3 to 7 months pay. The president of the bank receives $3,000 per year and with bonuses and other fringe benefits—amounting to another $3,000.

Pensions are important in that every employee must retire at 55 years of age.

The stability of the Japanese is nurtured by their traditional respect of custom, their realistic acceptance of the economic problems, and the wonderful social norms of respect, loyalty, and warmth of feeling toward family and one another in their employments and contracts.

We must do everything to aid Japan in becoming the most powerful nation of the East Asian countries.

*Summary statement and forecast of Japanese basic balance of payments, 1957–62*

[In millions of dollars]

| | 1957 | 1958 | 1959 | 1960 | 1961 | Estimate, 1962 |
|---|---|---|---|---|---|---|
| Trade balance | −553 | 372 | 271 | 147 | −932 | 275 |
| Service balance | 169 | 139 | 68 | −36 | −153 | −170 |
| Current account | −384 | 511 | 339 | 111 | −1,085 | 105 |
| Net long-term capital | [1] −10 | [1] 90 | [1] −27 | 2 | 162 | 225 |
| Basic balance of payments | −394 | 601 | 312 | 113 | −923 | 330 |
| Reserves at end of year | 524 | 861 | 1,322 | 1,824 | 1,486 | [2] 1,805 |

[1] Fiscal years; calendar years not available.

[2] As of Oct. 31, 1962.

Nov. 15, 1962.

*Components of the Japanese current account*

[Dollar amounts in millions]

| | 1957 | 1958 | 1959 | 1960 | 1961 | Estimate, 1962 |
|---|---|---|---|---|---|---|
| Exports | $2,914 | $2,841 | $3,280 | $3,874 | $3,992 | $4,750 |
| Percent change | | −2.6 | 15.5 | 18.1 | 3 | 19 |
| (AID) | (128) | (101) | (111) | (147) | (74) | (8) |
| Invisibles | 698 | 600 | 634 | 714 | 784 | 820 |
| (U.S. forces) | (449) | (404) | (378) | (413) | (389) | (390) |
| Total receipts | 3,612 | 3,441 | 3,914 | 4,588 | 4,776 | 5,570 |
| Imports | 3,467 | 2,469 | 3,009 | 3,727 | 4,924 | 4,475 |
| Percent change | | −28.8 | 21.9 | 23.7 | 32.1 | −9.9 |
| Invisibles | 529 | 461 | 566 | 750 | 937 | 990 |
| Total payments | 3,996 | 2,930 | 3,575 | 4,477 | 5,861 | 5,465 |
| Current account balance | −384 | 511 | 339 | 111 | −1,085 | 105 |

Nov. 15, 1962.

*Bilateral balance of payments between Japan and the United States*

[In millions of dollars]

| | Trade balance | | Service balance | | Donations | Current account balance | Long-term capital | Balance of payments |
|---|---|---|---|---|---|---|---|---|
| | Total | (AID) | Total | (U.S. forces) | | | | |
| 1951 | −368.0 | | 599 | (580.0) | 168 | 399.0 | 26.0 | 425.0 |
| 1952 | −389.0 | | 681 | (740.0) | −10 | 282.0 | 51.0 | 333.0 |
| 1953 | −408.0 | | 727 | (772.0) | 17 | 336.0 | 6.0 | 342.0 |
| 1954 | −445.0 | | 487 | (574.0) | −6 | 36.0 | 50.0 | 86.0 |
| 1955 | −114.0 | (70) | 431 | (501.0) | 34 | 351.0 | 15.0 | 366.0 |
| 1956 | −197.0 | (123) | 418 | (483.0) | 36 | 257.0 | 84.0 | 341.0 |
| 1957 | −472.0 | (128) | 358 | (449.0) | 34 | −80.0 | 43.0 | −37.0 |
| 1958 | −102.0 | (101) | 333 | (404.0) | 39 | 270.0 | 57.0 | 327.0 |
| 1959 | 190.0 | (111) | 269 | (378.0) | 33 | 492.0 | 82.0 | 574.0 |
| 1960 | −71.0 | (147) | 251 | (413.0) | 45 | 225.0 | 19.0 | 244.0 |
| 1961 | −591.0 | (74) | 133 | (389.0) | 50 | −408.0 | 218.0 | −190.0 |
| Total | −2,967.0 | (754) | 4,687 | (5,683.0) | 440 | 2,160.0 | 651.0 | 2,811.0 |
| Average | −269.7 | | 426 | (516.6) | 40 | 196.4 | 59.2 | 255.5 |

Prepared by Prof. Kiyoshi Kojima, of Kitotsubashi University, Nov. 1, 1962.

*Special dollar receipts of Japan*

[Millions of U.S. dollars]

| | 1961 | 1962 (January–June) |
|---|---|---|
| Official U.S. Government expenditures | 242.8 | 102.6 |
| Goods | 126.7 | 44.7 |
| Services | 116.1 | 57.9 |
| Quasi-official organization expenditures (base exchanges, clubs, messes, etc.) | 74.4 | 40.1 |
| Individual yen purchases | 59.6 | 30.9 |
| Total | 376.8 | 173.6 |

Source: Disbursing officer, U.S. Forces, Japan, Aug. 31, 1962.

*Special dollar receipts of Japan*

[Millions of U.S. dollars]

| | 1961 | 1962 (Jan.–June) |
|---|---|---|
| Official expenditures: | | |
| Goods | 126.7 | 44.7 |
| Trucks | 61.7 | 23.5 |
| Cement | .3 | .3 |
| Shoes (jungle) | .8 | .6 |
| Truck parts | 8.0 | 2.9 |
| Food | 10.5 | 4.5 |
| Textiles | 1.0 | .4 |
| General machinery | .8 | .7 |
| Electric machinery | 2.3 | .8 |
| Optical instruments | 2.5 | 1.0 |
| Others | 38.8 | 10.0 |
| Official expenditures: | | |
| Services | 116.1 | 57.9 |
| Labor cost | 52.8 | 28.5 |
| Electricity | 1.9 | 2.0 |
| Telephone and telegraph | 25.0 | 11.0 |
| Railroad | 1.9 | 1.0 |
| Bus and trucking services | 2.5 | 1.4 |
| Aircraft repair | 1.1 | .6 |
| Technical services | 1.7 | 1.1 |
| Furniture repair | 1.2 | .4 |
| Construction | 18.0 | 6.3 |
| Loading and unloading | 1.8 | 1.0 |
| Warehousing services | 1.2 | .6 |
| Others | 7.0 | 4.0 |
| Grand total | 242.8 | 102.6 |

Source: Disbursing officer, U.S. Forces, Japan, Aug. 31, 1962.

Mr. Speaker, upon our arrival in Japan we were briefed, on MAAG, at the organization and operation level, by the commanding general, U.S. Army, Japan, Maj. Gen. Jean E. Engler. Further, the general and his chiefs of staff covered the entire phase of the development of Japan's postwar advances in industry and reorganized government operation under the new constitution.

Also, the great contribution of the Japanese people and their leaders to give strength to cooperation and support of the American forces in East Asia and the Far East. The expansion of improved communications installations throughout the land with mutual cooperation. The prevention of the pilfering of U.S. property and supplies of the U.S. forces stored in warehouses; the checkmate inventories of parts and materiel to prevent the scandal of overstocked stockpiles again, and the regulation control over inventoried supplies needed at other depots which, heretofore, remained unnoticed in stock at center storehouses—utterly forgotten, through gross negligence, resulting in surplus reorders—a costly waste of money and loss of time awaiting delivery. These reforms resulted in the saving of millions of dollars in transportation costs alone. We, further, saved millions in entering into contracts with the Japanese for machine and heavy units, and autos, trucks, heavy armament, and so forth. Just the costs of shipping the same from the United States, that is, Detroit, Mich., and so forth, would double the cost of each unit—mainly due to the freight costs because of the great distance of the haul, together with the cost of handling, to say nothing of the long delay of shipment by land and sea.

Also, the advantages to the services in the technical training of the native, in mechanics as well as other vocations, and the needed sitmulation to the Japanese economy. He spoke of the building of a strong Japanese army, navy, marine, and air force—through field adviser instructors and academic instruction. The instituted non-com school for instruction in field operations, military tactics in the field, and the conduct of modern warfare. A discussion of our military officers and personnel in their conduct toward the natives. Our servicemen are carefully selected, by type, to carry the message of the United States to every individual, of our reason for being there. By display of personal friendliness and cooperation, and interest in their problems. It is the showing of cooperative interest in their welfare, and the sincere manifestation of the protection of their nation, together with the freedom of their institutions and liberties that they accept us. We, as representatives of a sympathetic nation, serving in a capacity of high trust at the request of the Secretary of the Army, reflected in our every action the great respect for the privilege and honor of meeting and conferring with high officials of the Japanese Government, our friends in the common cause of freedom.

Mr. Speaker, the United States has no ally more dedicated to the American philosophy of life than Japan. Its people, from the very beginning, have accepted their lot as a conquered foe. Her leaders accepted the policy of total disarmament.

But, when the Korean war started—June 25, 1950—a change in this policy became necessary to relieve the U.S. forces stationed in Japan for their required entry of the combat zone.

Gen. Douglas MacArthur, supreme commander of the Allied Powers, in his letter to Prime Minister Shigeru Yoshida, authorized the Japanese Government to establish a national police reserve of 75,000 men, and further to expand the number of personnel serving under the maritime safety board by an additional 8,000 in order "to maintain peace and order and safeguard the public welfare."

Concurrently with the establishment of the national police reserve, the United States established its first advisory and assistance again to Japan.

Gen. Whitfield P. Shepard commanded the civil affairs section annex—CASA—fulfilled the requirement of recruiting, uniforming, equipping, billeting, and supplying the national service reserve in 60 days in order to facilitate the deployment of the U.S. combat forces in Japan to Korea. Furthermore, it all had to be implemented in the face of the depleted economic situation in postwar Japan. CASA gave NPR major assistance in overcoming the extensive procurement and supply problems.

Japan realized after gaining her independence—April 28, 1952, San Francisco Peace Treaty—and also under a simultaneously concluded joint United States-Japan security treaty that she must increasingly "assume responsibility for its own defense against direct and indirect aggression."

The national police reserve was renamed the national safety force, August 1, 1952. It differed from the NPR in that it coordinated the two services and its mission was changed to that of coping with outside aggression and was increased from 75,000 to 110,000 men.

Simultaneously, the U.S. advisory organization underwent changes: The civil affairs section annex was discontinued April 28, 1952, and its functions, as adviser and assistance to NSF, were transferred to the security advisory section, Japan, of the Far East Command, now quartered in Tokyo at the former home of the Imperial Army's Third Azabu Regiment.

On December 31, 1952, the security advisory section, Japan, was redesigned as the safety advisory group, effective January 1, 1953. This organization is now a major command, with headquarters located in Hokkaido, Kyushu, Kinki, and Kanto. The personnel consists of 700 military and 900 civilians.

It was expanded to include, first, advice and assistance; second, supply of military equipment; third, training of national safety force in Japan and dispatch of selected personnel to training schools in the United States; fourth, coordination of certain portions of the offshore procurement program; and fifth, control of supplies and materiel provided by the United States.

Japan's defense forces entered a new phase of their development—July 1954—under new laws establishing the defense agency and the ground marine, and air self-defense forces.

The latter, in order to protect the peace and independence of our country and to safeguard its security, shall have as their principle mission the defense of our country against both direct and indirect aggression and will take steps, whenever necessary, to maintain peace and order.

This resulted in a change in the U.S. Advisory Organization, in order to better support the newly created ASDF. The safety advisory group, Japan, was redesigned May 13, 1954, the military assistant advisory group, Japan.

The basic organization of MAAG has remained the same since its formation.

The office of chief of MAAG, composed of members of all three services, with a mission of working closely to the joint staff council and the various bureaus of the Japan Defense Agency. Three service section agencies utilize a similar counterpart system in maintaining close work relationship with their opposites in the Japan self-defense forces.

The mission of MAAG, Japan, has been to further U.S. foreign policy for the defense of the free world in the Far East, by assisting the Government of Japan to organize, equip, train, and maintain a force of sufficient military strength to protect her from internal aggression and to assist in the defense against external aggression.

To this end, MAAG, Japan, functions include—

The programing for equipment and training of the self-defense forces.

Advising on defense matters as requested by the Government of Japan.

Reporting to the Department of Defense on the utilization of equipment provided, and the personnel trained, under the military assistance program.

In carrying out these functions, the chief of MAAG, Japan, serves two Departments of the U.S. Government: State and Defense. For matters of primary interest to the Department of State, the chief of MAAG, Japan, is directly responsible to the U.S. Ambassador, who exercises supervision over the MAAG to the extent provided by law and in accordance with Executive orders.

As a member of the Ambassador's country team, the chief of MAAG, Japan, is charged with providing the Ambassador with such information concerning military assistance matters as he may require in exercising general direction and control of the mutual security program in Japan, and with keeping the Ambassador fully informed concerning current and prospective military assistance plans and programs and MAAG activities.

For matters of primary interest to the Department of Defense, the chief of MAAG, Japan's chain of command is through the commander in chief, Pacific—CINCPAC, to the Department of Defense. While the commander, U.S. Forces, Japan, is not in the MAAG chain of command, he is a member of the country team and, as the senior military commander in Japan, is charged with the defense of Japan. Therefore, he is vitally interested in the status of the Japanese self-defense forces and the United States and Japanese plans and programs for the further development, growth, and increased effectiveness of that force. A very close relationship endures between his staff and MAAG, Japan.

During the course of its existence as MAAG, Japan, the headquarters was located first at New Hardy Barracks, former site of the Japanese Imperial Army's 1st Regiment. In November 1959 it shifted to its present location at Camp Ichigaya—formerly Pershing Heights. Location at Camp Ichigaya places MAAG, Japan, in the same compound with headquarters, eastern army; joint services staff college; ground self-defense forces staff school; maritime self-defense force staff school; air self-defense force staff school; 32d Infantry Regiment.

It also locates MAAG, Japan, in close proximity to the Japan Defense Agency, Japan self-defense force staff officers, and the Japanese Government ministries and agencies.

Chief brigadier general, U.S. Army, J. M. Worthington, in his salutary greeting:

> MAAG, Japan, welcomes this opportunity to brief you on various aspects of its operations, problems, and overall accomplishments.
>
> The camp to which you have come today is a part of what, for 64 years, was the Imperial Army Military Academy. Subsequently, it became the Grand Imperial Headquarters, Imperial Army. After the war the demobilization bureau used it and the International War Crimes Tribunals were held here. The United States eventually located its headquarters, Far East Command and United Nations Command, within this compound. And now it is shared by MAAG, Japan, and several organizations and units of the three Japan self-defense forces.
>
> The transition in the use of these facilities since 1871 is symbolic. It reflects Japan's growth as a modern power, followed by a tragic war with an equally tragic aftermath; then a period of reconstruction and rehabilitation; and, finally, the development of Japan as an important ally.
>
> It is in this latter period of molding Japan into a strong ally that MAAG, Japan, has been making a contribution to defense of the free world. We have done our utmost "to further the policy of the United States for the defense of the free world in the Far East by assisting the Government of Japan in organizing, training, and equipping its defensive forces in sufficient military strength to defend Japan against internal or external aggression; we are insuring that Japan's obligations under the Security Treaty with the United States are met."
>
> We are looking forward to the day when these facilities will be exclusively occupied by the Japan self-defense forces, since this will be symbolic of the completion of the mission of MAAG, Japan, and the coming of age of Japan's postwar military effort.

Mr. Speaker, the military assistance advisory group, Japan, chiefs briefing our group were the following illustrious and proved military leaders:

Chief, Brig. Gen. James M. Worthington, U.S. Army, since May 1, 1962.

Chief, Army section, Col. George C. Dalia, U.S. Army, since May 1, 1962.

Chief, Navy section, Capt. Hugh I. Murray, U.S. Navy, since March 30, 1962.

Chief, Air Force section, Malcolm A. Moore, U.S. Air Force, since May 9, 1962.

As indicated by the foregoing U.S. efforts to make Japan strong, the future of Japan as the ruling nation in East Asia lies within the decision of the United States, to continue to foster and promote her future before she assumes a role of power among Asian nations. But, it is also true that Japan must remove all doubts of her sincerity, by maintaining and conforming to the strict mandates of her Constitution as a democracy and the protection of the rights of all of the free people and the freedom of the democracies of the world.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PEPPER (at the request of Mr. LIBONATI), for today, on account of official business.

Mr. GURNEY (at the request of Mr. HARSHA), for today and tomorrow, Tuesday, October 22, 1963, on account of official business.

Mrs. REID of Illinois, for October 24, 1963, through November 4, 1963, on account of official business, having been designated by the Speaker to attend the international trade negotiations in Geneva, Switzerland, for the Committee on Interior and Insular Affairs.

Mr. BURTON, for October 24 through November 12, 1963, on account of official business, having been designated by the Speaker to attend the international trade negotiations in Geneva, Switzerland, for the Committee on Interior and Insular Affairs.

Mr. WHITE, for October 23 through November 12, 1963, on account of attending the International Lead-Zinc Study Group meeting at Geneva, Switzerland.

Mr. FALLON (at the request of Mr. GARMATZ), for today through October 24, 1963, on account of official business.

Mr. WATSON (at the request of Mr. ASHMORE), for today, on account of official business.

Mr. MULTER (at the request of Mr. FARBSTEIN), for week of October 21, 1963, on account of official business.

Mr. RYAN of New York (at the request of Mr. FARBSTEIN), for week of October 21, 1963, on account of illness.

Mr. STEED (at the request of Mr. ALBERT), for today and the balance of the week, on account of official business.

Mr. KEOGH (at the request of Mr. FARBSTEIN), for today and the balance of the week, on account of official business.

Mr. STUBBLEFIELD (at the request of Mr. NATCHER), for 10 days, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. LAIRD, for 20 minutes, today, and to include extraneous matter and tables showing the traffic in goods between Communist nations and Cuba in free world bottoms.

Mr. LIBONATI (at the request of Mr. ALBERT), for 1 hour, today, and to revise and extend his remarks and include extraneous matter.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BOLAND and to include extraneous matter.

Mr. FINO and to include extraneous matter.

(The following Member (at the request of Mr. HARSHA) and to include extraneous matter:)

Mr. ALGER.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. HÉBERT.

Mr. O'NEILL.

## SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 283. An act to amend the Small Reclamations Project Act of 1956; to the Committee on Interior and Insular Affairs.

S. 979. An act to amend section 332 of title 28, United States Code, in order to provide for the inclusion of a district judge or judges on the judicial council of each circuit; to the Committee on the Judiciary.

S. 1543. An act to repeal that portion of the act of March 3, 1893, which prohibits the employment, in any Government service or by any officer of the District of Columbia, any employee of the Pinkerton Detective Agency or any similar agency, and for other purposes; to the Committee on Government Operations.

## ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 7195. An act to amend various sections of title 23 of the United States Code relating to the Federal-aid highway systems; and

H.R. Res. 192. Joint resolution relating to the validity of certain rice acreage allotments for 1962 and prior crop years.

## BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on October 17, 1963, present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H.R. 7544. An act to amend the Social Security Act to assist States and communities in preventing and combating mental retardation through expansion and improvement of the maternal and child health and crippled children's programs, through provision of prenatal, maternity, and infant care for individuals with conditions associated with childbearing which may lead to mental retardation, and through planning for comprehensive action to combat mental retardation, and for other purposes; and

H.J. Res. 724. Joint resolution to provide additional housing for the elderly.

## ADJOURNMENT

Mr. HECHLER. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 5 minutes p.m.) the House adjourned until tomorrow, Tuesday, October 22, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1308. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 11, 1963, submitting a report, together with accompaning papers, on an investigation concerning cost sharing of the Calcasieu River salt water barrier in response to an item in section 101 of the River and Harbor Act approved October 23, 1962. (H. Doc. No. 169); to the Committee on Public Works and ordered to be printed.

1309. A letter from the Comptroller General of the United States, transmitting a report on the improper inclusion of Melan Bridge costs in the cost of the Keyway slum clearance and urban renewal project, Topeka, Kans., by the Urban Renewal Administration, Housing and Home Finance Agency; to the Committee on Government Operations.

1310. A letter from the Comptroller General of the United States, transmitting a report on the need for better controls over manpower utilization and other aspects of the buildings management activities under the Public Buildings Service, General Services Administration, pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

1311. A letter from the Comptroller General of the United States, transmitting a report on deficiencies and problem areas relating to design and construction activities of the Federal aid highway program in the State of Nebraska, as administered by the Bureau of Public Roads, Department of Public Roads, Department of Commerce, pursuant to the Budget and Accounting Act, 1921 (30 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67); to the Committee on Government Operations.

1312. A letter from the Administrator, Federal Aviation Agency, transmitting a report of the commissary and messing facilities operations for fiscal year 1963, pursuant to (63 Stat. 907); to the Committee on Interstate and Foreign Commerce.

1313. A letter from the Acting Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases in the Federal Communications Commission as of August 31, 1963, pursuant to section 5(e) of the Communications Act as amended; to the Committee on Interstate and Foreign Commerce.

1314. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation, entitled, "A bill to authorize the disposition of certain property at Hot Springs National Park, in the State of Arkansas, and for other purposes"; to the Committee on Interior and Insular Affairs.

1315. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation, entitled, "A bill to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes"; to the Committee on Interior and Insular Affairs.

1316. A letter from the Assistant Secretary of the Interior, transmitting a proposed amendment to the concession contract with Overton Resort, Inc., for services at Overton Beach in Lake Mead National Park Service, in accordance with the act of July 31, 1953 (67 Stat. 271), as amended by the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

1317. A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation, entitled, "A bill for the relief of Maj. Victor R. Robinson, Jr., U.S. Air Force"; to the Committee on the Judiciary.

1318. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation, entitled, "A bill for the relief of certain employees of the Bureau of Indian Affairs"; to the Committee on the Judiciary.

1319. A letter from the Secretary of the Navy, transmitting a report on the settlement of claims during the fiscal year 1963, beginning July 1, 1962, and ending June 30, 1963, pursuant to section 2673 of title 28, United States Code, also under section 2672 of such title; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of October 16, 1963, the following bill was reported on October 18, 1963:

Mr. MILLS: Committee on Ways and Means. H.R. 8821. A bill to revise the provisions of law relating to the methods by which amounts made available to the States pursuant to the Temporary Unemployment Compensation Act of 1958 and title XII of the Social Security Act are to be restored to the Treasury; with amendment (Rept. No. 860). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of October 17, 1963, the following bill was reported on October 18, 1963:

Mr. POWELL: Committee on Education and Labor. H.R. 8720. A bill to amend the Manpower Development and Training Act of 1962; without amendment (Rept. No. 861). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS: Committee of conference. S. 1576. A bill to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes; placed on the calendar (Rept. No. 862). Ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 8864. A bill to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes; to the Committee on Ways and Means.

By Mr. BONNER:

H.R. 8865. A bill to correct and improve the Canal Zone Code, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DEL CLAWSON:

H.R. 8866. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. FULTON of Pennsylvania:

H.R. 8867. A bill to amend the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

H.R. 8868. A bill to amend chapter 15 of title 38, United States Code, to liberalize the basis on which pension is payable by providing that public or private retirement payments shall not be counted as income and that the income of the spouse shall be disregarded in the determination of annual income of a veteran; to eliminate the "net worth" eligibility test; and to repeal the requirement of reduction of pension during hospitalization for veterans with dependents; to the Committee on Veterans' Affairs.

By Mr. PUCINSKI:

H.R. 8869. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. RAINS:

H.R. 8870. A bill to amend the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

By Mr. TAFT:

H.R. 8871. A bill to amend the Davis-Bacon Act to require the establishment of special wage rates for apprentices, student-learners, and other trainees in on-the-job training programs; to the Committee on Education and Labor.

By Mr. FASCELL:

H.J. Res. 778. Joint resolution to provide for participation by the Government of the United States in the Hague Conference on Private International Law and the International (Rome) Institute for the Unification of Private Law, and authorizing appropriations therefor; to the Committee on Foreign Affairs.

H.J. Res. 779. Joint resolution to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1964 and 1965; to the Committee on Foreign Affairs.

By Mrs. GREEN of Oregon:

H. Con. Res. 225. Concurrent resolution relative to planning for peace; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FASCELL:

H.R. 8872. A bill for the relief of Saverino Ferrari; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 8873. A bill for the relief of Fritz Tasch; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 8874. A bill for the relief of Marco Yedid, his wife, Clara Yedid, and their daughter, Fortunata Yedid; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 8875. A bill for the relief of Antonio Pereira; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 8876. A bill for the relief of Estela Banaszewska; to the Committee on the Judiciary.

H.R. 8877. A bill for the relief of Helen Castro Dionisio; to the Committee on the Judiciary.

By Mr. RICH:

H. R. 8878. A bill for the relief of Caroline G. Junghans; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 8879. A bill for the relief of Maryellen Boone; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 8880. A bill for the relief of Mrs. Joanna Ryten Zund; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

377. By the SPEAKER: Petition of the supreme recording secretary, Order Sons of Italy in America, Philadelphia, Pa., petitioning consideration of their resolution with reference to the enactment of legislation pertaining to aid to education; to the Committee on Education and Labor.

378. Also, petition of the president, Association to Acquire Compensation for Damages Prior to Peace Treaty, Naha, Okinawa, petitioning consideration of their resolution with reference to an expeditious solution of the problem of compensation for damages sustained by the people of the Ryukyu Islands prior to the peace treaty; to the Committee on Foreign Affairs.

379. Also, petition of Steven Douglas Hughes, Salem, Oreg., with reference to creating a position of Delegate of the territory of Guam as a nonvoting Member of the House of Representatives; to the Committee on Interior and Insular Affairs.

380. Also, petition of the president, National Council of Women of the United States, Inc., New York, N.Y., petitioning consideration of their resolution with reference to pledging renewed efforts in the promotion of human rights in our country; to the Committee on the Judiciary.

381. Also, petition of the president, the American Institute of Architects, petitioning consideration of their resolution to the proposal to extend the west front of the National Capitol; to the Committee on Public Works.

382. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to reporting monthly total employment figures of all nonsecret Federal agencies; to the Committee on Appropriations.

383. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to passing legislation immediately seating a nonvoting, popularly elected Delegate from the District of Columbia to the U.S. House of Representatives, also legislation giving said District as many U.S. Representatives as its population warrants; to the Committee on the District of Columbia.

384. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to providing for a suitable memorial to Tom Paine; to the Committee on House Administration.

385. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to providing for a suitable memorial to Charles Willson Dorr, of Rhode Island; to the Committee on House Administration.

386. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to a popularly elected nonvoting Delegate to the House of Representatives from the various territories and possessions; to the Committee on Interior and Insular Affairs.

387. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to legislation that would provide for a nonvoting Delegate to the U.S. House of Representatives from the Virgin Islands, from the Panama Canal Zone, and from America Samoa; to the Committee on Interior and Insular Affairs.

388. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to passing legislation providing for a nonvoting, popularly elected Delegate to the U.S. House of Representatives from the American-occupied Ryukyu Islands; to the Committee on Interior and Insular Affairs.

389. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to providing for the study of epileptics confined to State hospitals; to the Committee on Interstate and Foreign Commerce.

390. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to urging legislation to provide for not more than 20 new metropolitan city-States; to the Committee on the Judiciary.

391. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to at large congressional districts; to the Committee on the Judiciary.

392. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to the provisions of article IV, section 4, clause 1, of the U.S. Constitution, and violations thereof in the various States, and citing an Ohio case as an example; to the Committee on the Judiciary.

393. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to liquidation of the Tennessee Valley Authority; to the Committee on Public Works.

394. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to the method of voting on appropriation bills; to the Committee on Rules.

395. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to making a study of certain activities in the U.S. Coast Guard; to the Committee on Rules.

396. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to the method of selection of membership in the standing committees in the U.S. House of Representatives; to the Committee on Rules.

397. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to Congress providing funds for a study of "why Americans of Irish descent apparently can take 'hoboing around' without apparently evidencing any defects, mental or physical, which seem to attract themselves to all others 'on the bum' or euphemistically 'hoboing around' "; to the Committee on Rules.

398. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to passing legislation abolishing the oil depletion allowance in computing the Federal income tax of those concerned; to the Committee on Ways and Means.

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# EXTENSIONS OF REMARKS

## No. 18—West Virginia: The Gamblers' Paradise

EXTENSION OF REMARKS

OF

### HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 21, 1963*

Mr. FINO. Mr. Speaker, today, I would like to tell the Members of this House, more particularly the congressional delegation from the State of West Virginia, about the billion dollar taxfree gambling business in that State.

Last year, the parimutuel turnover in West Virginia hit $91 million from which the State derived almost $6 million in revenue. But this was only a small part of the action. Illegal gambling was the real big action.

Off-track betting alone, on the basis of the estimates presented to the McClellan committee, reached a level of more than $500 million in 1962. This figure must be doubled in order to ascertain the sum total of all kinds of illegal gambling in West Virginia. It can be estimated that illicit gambling in that State stands at a billion dollars a year.

The gambling syndicates, Mr. Speaker, hang on to about 10 percent of this loot as gross profit—$100 million. Money that could be used to rebuild West Virginia's sagging economy is being sucked into gangster coffers because of the hypocritical ignorance of those who refuse to recognize the natural gambling urge of the people. Part of these profits go to corrupt law enforcement and governmental process.

The moralist contingent has been the greatest benefactors of the State's underworld gravy train—just as the bluenose prohibitionists were the gullible patsies of the bootleggers.

I wonder if the West Virginia congressional delegation is aware of the extent to which their State's economy is being bled for the comfort of the vice lords? Many millions of dollars gambled and lost which should go into the State's treasury wind up lining hoodlum pockets.

Mr. Speaker, only a Government-run lottery can strike a lethal blow at organized crime. Government control and regulation of gambling would cut deeply into this illicit activity so that States like West Virginia would cease to be looting grounds for the mob.

## Washington Report

EXTENSION OF REMARKS

OF

### HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 21, 1963*

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of October 19, 1963:

WASHINGTON REPORT: THE GRIM WORLD OF THE BROTHERS WONDERFUL

(By Congressman BRUCE ALGER, Fifth District, Texas)

Failure, broken promises, doubletalk, evasion, confusion, are the key words which describe the record of the Kennedy administration in its first 3 years in power in what has been summed up as "the grim world of the brothers wonderful." A recitation of the sorry record makes it clear President Kennedy does not understand, or chooses to ignore, the Communist conspiracy to rule the world, and on domestic issues, does not understand our private enterprise system, capitalism, or is doing his best to change it for a planned society directed from Washington.

### FAILURES

1. Cuba: Dating from the Bay of Pigs fiasco, Soviet domination of Cuba has been strengthened. Subversion and sabotage throughout South America with Cuba as a base, has increased.

2. Latin America: Although millions of dollars of American taxpayers' money have been poured into Latin America through the Alliance for Progress, American prestige continues to drop and the danger of Communist takeover has increased. Six Latin American governments have been overthrown since the disaster of the Bay of Pigs—Argentina, Ecuador, Peru, Guatemala, Honduras, and the Dominican Republic.

The administration has expressed alarm, dismay, and exhibited more than a little bit of confusion, each time such a government has fallen. It is becoming increasingly clear that the Kennedy administration does not fully comprehend exactly what there is to be alarmed and dismayed about. They do not understand that the instability of many of these governments has been caused by the ruthless campaign conducted by Moscow through Havana to seize power in every Latin American nation. In these circumstances, it is not surprising that men decide that weak and unstable governments lead inevitably to Communist chaos and must therefore be overthrown before they are undermined by the Communists.

3. Despite solemn reassurances by the administration, the fear of possible devaluation of the dollar continues to be very real as our balance-of-payments situation worsens and there is increased pressure on our gold supply.

4. Violence, heartbreak, and finally murder have been the results of the Kennedy efforts to use the civil rights issue for political expediency.

5. On the economic front Federal spending is running wild with bigger and bigger deficits, a recordbreaking public debt, and a tax bill which is going to cause disillusionment for every taxpayer.

Omnibus is the word for the New Frontier—something for everyone. The tragedy is that the people must pay for the failures and the experiments—pay in increased taxes, chaos, perhaps war, and eventually with our freedom.

### STRANGE POLICIES

1. Giving respectability to the enemy: As Columnist Henry J. Taylor points out, we have given Tito, an artful, two-faced con man, $3.2 billion of the taxpayers' money, in spite of his record, one of doubledealing, backstabbing, and deceit. He has announced his total allegiance to the Communist conspiracy. He has proven his Godless attitude by banning religion and imprisoning priests. He has opposed the United States in every confrontation with the Soviet Union. For this he is rewarded by being received at the White House as the respectable head of a friendly nation.

2. Moonshot: Columnist Peter Edson reports that up until mid-September the Vice President and all the congressional administration drumbeaters were emphasizing the need to spend $20 billion to beat the Russians to the moon. Then President Kennedy calmly rejected this theory and told the U.N. we should conduct a joint moon venture.

3. Workweek: In 1960, Kennedy said the Nation had to buckle down to work. He opposed a shortened workweek. Following his nonpolitical tour, Kennedy said, "We're going to find the workweek reduced."

4. Vietnam: American boys are being killed, but the President says we are not at war. He says the CIA is following orders, then recalls the head of the mission.

### THE PLAN AND THE ARCHITECTS

The Americans for Democratic Action has made no secret of its aim "to tailor our Constitution to fit its peculiar measurement of a Socialist welfare state." Members of the ADA, close to the President and helping direct administration policy, to name a few: Secretary of Agriculture Orville Freeman; on the White House staff, Theodore Sorenson, Lawrence O'Brien, Arthur Schlesinger, Jr., in the State Department, Chester Bowles, Averell Harriman, G. Mennen Williams, Carl Rowan.

The choice the American people face: A leadership which will state its principles and stick to them, or the New Frontier attempting to be all things to all pressure groups by abandoning one policy after another and reversing positions to sail with the popular tide.

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## Address of Congressman Edward P. Boland at Ground-Breaking Ceremonies of $2,800,000 Flood Control Project in Chicopee Falls, Mass.

EXTENSION OF REMARKS

OF

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 21, 1963*

Mr. O'NEILL. Mr. Speaker, our colleague, the gentleman from Massachusetts, Congressman Edward P. Boland, was the principal speaker Saturday, October 19, at the ground-breaking ceremonies in Chicopee Falls, Mass., for a flood control project in which he can take particular pride. For it was Congressman Boland who sponsored the authorizing legislation for flood protection in the Chicopee River Basin in Massachusetts after that area had been devastated by the ravaging flood and hurricane of August 1955, with the resulting loss of millions of dollars in property damages to industry and homes, and it was he who, as a member of the Appropriations Subcommittee on Public Works, shepherded through the appropriations needed for this vital project.

In his speech, Congressman Boland underscored his philosophy with respect to public works projects, which are so often attacked as pork barrel legislation, with these words:

> As a Member of Congress that sits on the Appropriations Subcommittee on Public Works, I have been invited and have traveled to many places in the United States to join in ground-breaking and dedication ceremonies. But none have given me a greater sense of personal pride and satisfaction than those I have been invited to in the New England region, and particularly in our own community.
>
> It has been written and said, many times, that the public works bill is the pork barrel legislation of the Congress, that it provides taxpayers money for unneeded and wasteful projects, that it is fattened by politics and that it is a gigantic boondoggle.
>
> The programs and projects that come from public works and reclamation are an investment in America. They preserve our land and conserve our natural resources. If it had not been for these programs this great Nation of ours would be stripped bare by the ravages of storms, the rapaciousness of rivers, the savage winds, and driving rains. It would lie wasted by the ferociousness of forest fires and floods, and, sometimes too often, by the greed of man. These projects contain the elements and enable the river, the rains, the harbors, and the mountains to work for mankind, and not against mankind.

Mr. Speaker, Hurricane Diane struck with devastating force on August 19, 1955, and caused nearly $3 million in losses to the industrialized area along the Chicopee River in Chicopee Falls. Three major plants, forming the greater part of the area's economic base and representing $100 million in production annually and $60 million worth of plant facilities, were damaged. Water reached a height of 16 feet within the lower basements of some buildings. Congressman Boland filed the legislation necessary to authorize the flood control projects needed for future protection of the area. The Chicopee Falls local protection project was authorized by Congress in 1960. It is located in the Chicopee River Basin, the largest tributary basin in the Connecticut River system. In conjunction with the existing Barre Falls Reservoir and the authorized Conant Brook Reservoir, this local protection system will provide major flood protection for Chicopee Falls. In a recurrence of the flood of August 1955, the project is designed to prevent $2,700,000 in damages, over and above damages prevented by the existing and authorized reservoirs.

The site of the project is along the south and east banks of the Chicopee River. Dikes and floodwalls will extend from the Chicopee Dam downstream for nearly 1 mile to high ground. About 3,300 feet of channel improvement modifications will be made on the west bank at the lower end of the project. Surface drainage will require two pumping stations with a total pumping capacity of 4,500 gallons per minute. They will be installed at Main and Oak Streets. The contractor, awarded by contract by the U.S. Army Corps of Engineers, New England Division, is the Daniel O'Connell's Sons, Inc., of Holyoke. The project cost is estimated at $2,800,000 of which the Federal cost is $2,290.000. The Commonwealth of Massachusetts and the city of Chicopee are cooperating in the project at a cost of $510,000.

Mayor Edward Lysek, of Chicopee, in his address, thanked Congressman Boland for the great role he played in bringing the flood control project to reality, and he also thanked the members of the State legislature and the members of the Chicopee government for their cooperation in passing the necessary State and city legislation and orders for the project. The master of ceremonies was Raymond W. Gelinas, chairman, Chicopee Industrial Development Commission; the invocation by Rev. Father Emil Majchrzak, pastor of St. Stanislaus Church, and the benediction by Rev. B. B. Earnhart, pastor of the Chicopee Falls Methodist Church. Brig. Gen. Peter C. Hyzer, division engineer, U.S. Army Engineers, New England division, also spoke and the musical selections were by the 8th Air Force Band, Westover Air Force Base, under Capt. Edward D'Alfonso, director. Telegrams from Senators Leverett Saltonstall and Edward M. Kennedy and State Senator Maurice A. Donahue, majority leader of the Massachusetts Senate, were read. State Representative Mitsie T. Kulig, of Chicopee, was present for the ground-breaking ceremony.

Mr. Speaker, I include with my remarks in the RECORD the following news story from the Holyoke Transcript-Telegram of October 19, relating the Chicopee Falls project ground-breaking ceremonies:

GROUND BREAKING HELD FOR $2 MILLION CHICOPEE RIVER FLOOD CONTROL PROJECT

Credit to the industrialists and businessmen of the area in bringing about the Chicopee River flood control project, ground breaking for which was held this morning, was paid by Congressman EDWARD P. BOLAND, of Springfield, at the formal exercises held on the riverbank at the rear of the Chicopee Manufacturing Co., in Chicopee Falls.

The Second District Representative in Congress told how the directors of the Chicopee Manufacturers Association met with city officials and taxpayer group leaders following Hurricane Diane's nearly $3 million damage to this industrial area in July 1955, and set in motion a chain of events that culminated in today's start on a flood control project which will avert such costly consequences.

There were some 200 persons on hand for the exercises which were held in a large tent set up by the Army Engineers.

Telegrams to Mayor Lysek were read from U.S. Senators Leverett Saltonstall and Edward M. Kennedy and State Senator Maurice A. Donahue wishing the city excellent results from the project and regretting that previous commitments make it unable for the officials to attend.

There was only one change in the scheduled program. Rev. B. B. Earnhart, pastor of the Chicopee Falls Methodist Church, gave the final benediction instead of Rev. Robert H. Cummings, of Grace Episcopal Church of Chicopee, who was unable to be present.

Congressman BOLAND's talk was the highlight of a program attended by National, State, and local officials, representatives of the U.S. Army Corps of Engineers, Daniel O'Connell's Sons, Holyoke contractor in charge of the projects which will cost in excess of $2 million, as well as many interested citizens.

The flood control work is expected to be completed in 21 months.

The program opened at 11 o'clock with the playing of the national anthem by the 8th Air Force Band from Westover Air Force Base. Raymond W. Gelinas, chairman of the Chicopee Industrial Development Commission and master of ceremonies for the proceedings, gave the welcome, and the invocation was given by Rev. Emil Majchrzak, pastor of St. Stanislaus Church, Chicopee.

Following introduction of guests there were remarks by Mayor Lysek of Chicopee, Brig. Gen. Peter C. Hyzer, division engineer, U.S. Army Engineer Division, New England, and Congressman Boland.

Continuing on the reaction of the city leaders to the disaster and the effect of the consequent flood on industry and home, Congressman BOLAND said in part:

"Engineering studies were made of the damages suffered in the hurricane and of how a repetition of such losses might be averted.

"The question of building a Federal protection project, initially considered in 1936, was reviewed at my request, in the light of new evidence of its economic justification, as demonstrated by the destruction brought about by Hurricane Diane.

"The industrialists and the businessmen of this area played a vital role in securing this project. They were in no mood to endure a continuing Sword-of-Damocles existence. Floods had damaged their plants, impaired their production, and had threatened the economic life of the community.

"This community has acted wisely in asking help from the Army Corps of Engineers, which is the agency of the U.S. Government entrusted with nationwide responsibility for flood control.

"You may wonder why the Federal Government steps in on such matters. The answer is a simple one. The damages from floods adversely affect the economy of an entire region and ultimately the Nation. Thus, the benefits of flood protection spread throughout the national economy. Hence it is appropriate that the cost of flood protection should be shared by the taxpayers of the United States, along with those of a particular community.

"Shortly after the Hurricane Diane disaster, I received an urgent communication over the signatures of S. E. Harrison, factory manager, Chicopee plant of the U.S. Rubber Co.; Oliver M. Knode, vice president, Savage Arms Corp., and John F. Shaw, vice president, Chicopee Manufacturing Corp. They pointed out the severe losses sustained by their firms and asked me to consider the long history of economic stability which their plants represented.

"Even more significant, however, was an ominous reference to what the future might hold for the economic health and welfare of the plants and for the thosuands of men and women who derived a living from them.

"The project we inaugurate today will be a monument to the faith of both the people in this community, and of the Federal Government in the economic future of Chicopee. I am sure that it will serve you well and that you will make good use of the stability it provides, as a foundation for further growth.

"This project will be an integral part of the flood control systems in the Connecticut River Basin, which stretches from the Canadian border to Long Island Sound and is the largest in New England.

"Here some 15 local protection systems have been completed, or are under construction or design in the basin. Just as in the case of this project, all were authorized by Congress following demonstration of their need and economic justification."

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## The Gesell Report and Mr. Gesell and How the Department of the Navy Feels About the Report

EXTENSION OF REMARKS

OF

### HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 21, 1963*

Mr. HÉBERT. Mr. Speaker the strange silent voice of the infamous and vicious Gesell report, which has put the military in tailspin and has driven the morale of the forces to a new low, is that of Mr. Gesell himself.

Ever since the Gesell report became the subject of discussion nobody has heard a word either in defense or in apology from the individual whose name the report bears.

Some weeks ago an exchange of correspondence was turned over to me by an old friend of Mr. Gesell's who was shocked to learn that his old schoolmate "had been taken in" by others.

I have a copy of Mr. Gesell's reply which I have been given permission to use as I see fit. I wrote Mr. Gesell on October 9 and called to his attention how little knowledge he had of his own report and how he had been most inaccurate in stating the Navy's position on the report.

To this date I have not even received an acknowledgment from the gentleman. I think I have given him enough time to reply, and not having received a reply, I am directing the attention of the Members of the House to my letter to Mr. Gesell which speaks for itself.

The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., October 9, 1963.*

Mr. GERHARD A. GESELL,
*Covington & Burling,*
*Union Trust Building,*
*Washington, D.C.*

DEAR MR. GESELL: Our mutual friend, C. Horton Smith of New Orleans, has made available to me the exchange of correspondence between you and him regarding the so-called Gesell report. He has given me permission to use this exchange of correspondence as I see fit and I am seizing that opportunity because I am somewhat puzzled about the statements which you make and which do not conform to the facts.

To begin with, I realize that you did not write the report which bears your name, but at least I thought you had read it. The indications are you did not, because you could not have made the following statement in your letter to Hort: "The Navy attitude is quite different from that which prevailed in 1946 when you were an ACI officer. Indeed, many of the recommendations in the report including the ones I believe you refer to were already an established part of Navy policy before the Committee was appointed." Now, as a matter of fact, I don't know of anybody, including myself, who vigorously rejects and is most critical of the report, who has challenged the right of the military to make its own rules and regulations on base. The military has been integrated for years under a special executive order by President Truman, but never has the military been ordered by executive order to advocate and influence social reforms off base.

While I admit I am suspect in anything I might say because of the geographical location of my district, I do not approach my criticism of the report on the basis of segregation or integration. I criticize the report and assail it because of the misuse of the Department of Defense and its military components in putting into effect that which has not been authorized by the Congress.

Now I believe in being specific and dealing in facts, and I can say to you without equivocation or hesitation, that to the date of this writing I have not found, not only in the Navy but in the Air Force and the Army, a single officer who concurs and favors this report. On the contrary, every man in uniform that I have talked with is horrified and shaken by the use which the military is being put. I am amazed that you make the further statement: "You are mistaken in assuming that we proposed any preferential treatment for Negro members of the Armed Forces." It would be well if you would read the report and place this statement against the statements made page after page. If the proposals of the report were as you say, "simply designed to eliminate aspects of discrimination which impair the effectiveness of the military in carrying out its important mission," then I assure you the exact opposite has been the result. I have never known the morale of the military to be so affected negatively by a proposal as in this instance. It is the most destructive document that has ever been issued and its effect upon the military has been appalling.

Now as to the Navy's position which you indicate in your letter is favorable to this report, I call your attention to these facts. In the official position of the Navy submitted to the Secretary of Defense, at his direction. This report is an official report submitted to the Assistant Secretary of Defense for Manpower in a memorandum dated July 10, 1963, subject: Report of the President's Committee on Equal Opportunity in the Armed Forces, and reference: (a) Secdef memo of June 27, 1963, and it is most interesting to note that this report says:

The Navy rejects the contention that Negro officers have been discriminated against when it comes time for promotion. The Navy stated that it has been its experience that its Negro officers have achieved marked success even though the competition is stiff.

The Navy rejects any implication that officers serving on a promotion board would, contrary to their statutory oaths, practice bias.

The Navy rejects the Committee's recommendation that photographs and racial designations be eliminated from officers' records jackets. The Navy stated that such photographs are necessary, and that promotion board members are required by statutory oath to perform their duties without prejudice.

The Navy rejects the contention that new techniques be developed to assure that promotion board members are free from bias. The Navy stated that the oath required of all officers serving on selection board is all that is considered necessary.

The Navy rejects the suggestion that a detailed manual be developed for officers handling alleged discrimination grievances. The Navy said that in view of the ready availability of policy directives in this area, little purpose would be served by the issuance of such a manual.

The Navy rejects the Committee's suggestion that special consideration for promotion and career advancement be given to officers who promote integration. The Navy stated that officers should be rated on how they manage their entire commands, and not selected segments of it.

The Navy rejects the recommendation that the history of Negro participation in the Armed Forces and the alleged problems which he confronts be made a part of the curriculum at all levels of officer and command training. The Navy stated that such an action would only accentuate interracial problems.

"The Navy rejects the suggestion that economic sanctions be leveled at offbase establishments which practice segregation. The Navy pointedly stated that public accommodations legislation is in the hands of the Congress. It added that the command-community relationship should not be abandoned for the economic boycott type action.

"The Navy flatly rejects the suggestion that curtailment or termination of activities at certain military installations be considered as an ultimate lever of force. The Navy tersely commented that base siting is based upon military requirements."

The Navy rejects the recommendation that officers be established in each Service for the purpose of handling cases of alleged descrimination. The Navy said the present staffing is considered adequate.

The Navy rejects the suggestion that personnel working toward a college degree be required to attend integrated colleges in all instances. The Navy said if a student covers his own tuition costs, the choice of colleges should be primarily his own. When the Government covers the cost of tuition, the Navy stated, it will endeavor to be responsive to the desires of the individual when it is not in conflict with the best interests of the Government.

I might add that the reports of the Air Force and the Army is consistent with the negative attitude of the Navy toward the very important proposals to which so many Americans object and which I have emphasized above with quotation marks.

I assure you that it is my intention to give this letter the greatest circulation possible because it exemplifies and clearly demonstrates the complete lack of knowledge and the misleading, inaccurate statements which have come from you whose name the report bears, and who must assume the responsibility for its contents even though not written by you.

I shall anticipate your appearance before the House Committee on Armed Services when the bill introduced by the Honorable CARL VINSON of Georgia negating the damaging directive, which has been issued by the Department of Defense as a result of the report which bears your name, is considered. At that time I anticipate asking you many pertinent questions which I hope you will be prepared to answer.

Yours very truly,

EDWARD HÉBERT.

## Address of U.S. Senator Edward M. Kennedy, of Massachusetts, Before the 115th Annual Convention of the Hampden County Teachers Association in Springfield, Mass., October 18, 1963

EXTENSION OF REMARKS

OF

### HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 21, 1963*

Mr. BOLAND. Mr. Speaker, the 115th Annual Convention of the Hampden County Teachers Association, held at Springfield, Mass., last Friday, October 18, heard an address by U.S. Senator EDWARD M. KENNEDY who developed the theme of the Federal Government's role in education, and the importance of good education to prepare the next generation to meet its domestic and worldwide responsibilities. The junior Senator from Massachusetts was presented to the 3,000 assembled teachers in Springfield Municipal Auditorium by Joseph P. Quinlan, of Chicopee, president of the Hampden County Teachers Association. Under unanimous consent, I include in the CONGRESSIONAL RECORD the text of Senator KENNEDY's address and the newspaper account of the meeting taken from the Springfield Daily News of October 18:

HAMPDEN COUNTY TEACHERS ASSOCIATION, FRIDAY, OCTOBER 18, 1963

It is a privilege to be with you today at your annual meeting. I feel at home with members of the teaching profession, not only because my mother once taught school in Boston, but also because earlier this year I was in the classroom myself. I took a course in Washington in speed reading, so that I can keep up with the material that comes across my desk; and so that I can keep up with certain members of my family.

This course has been given for Senators for a few years. The trick is to read faster and still remember all you read. Last year, one of my Senate colleagues took it, and was told that he should practice the techniques 1 hour each day. So on a trip back to his State, he purchased five murder mysteries at the airport. He went through the first one, turning pages. And after a few minutes he finished the book and handed it to his assistant, who was traveling with him. The Senator said: "OK, quiz me on it."

His assistant said: "Who was murdered?"

(Pause) "I think it was the girl."

"How do you know?"

"Because her picture is on the cover with a knife in her back."

I have had the opportunity in recent months to meet with teachers throughout the Commonwealth, and to see your representatives on their visits to Washington. The Hampden County Teachers Association is an outstanding organization here in central Massachusetts. You are a united voice for progress, for better education and for all that is so important to the boys and girls of this area.

Your organization goes back 115 years. While the methods of teaching have changed greatly in these years, the role of the teacher—and her central place in our society—will never change. You have an opportunity that come to very few: You can shape the development of human beings. You can give your students a knowledge and a discipline that will be with them always. A distinguished educator once said, "Everything we may build, skyscrapers, bridges, and highways, will eventually crumble into dust. But put an idea into the mind of a child, and it stays there forever."

Last spring I had an opportunity to visit two high schools in the Washington, D.C. area. These schools had a dropout rate of 20 percent. These are considered problem schools with troubled students. And yet I was extremely impressed by the effort being made by the teachers and by the quiet manners of the students despite the difficult conditions for these children, in school and at home. Many of them are anxious to learn, and to make a real contribution to society. These schools showed me how far we still have to go to bring opportunity in education to all our children. But it also made me very proud of the job you are doing here in Massachusetts. The contribution of our teachers, over many years, has made our State a primary center of educational achievement—not just in our colleges and universities, not just in our private schools, which attract students from all over the country, but in our public schools as well. Massachusetts is sixth in the Nation in the percentage of public school teachers with master's degrees. That is a good indication of the efforts you are making to improve your skills.

I come to you today from the city of Washington where decisions are being made that will affect the future of all of us. Changes are taking place throughout the world. In the last 2 or 3 months we have seen a great division in the Communist world. We see new democratic leaders moving into power in England and in Germany; and new dictators moving into power in Latin America.

Two weeks ago we welcomed to our country the Emperor of Ethiopia, Haile Selassie. This summer, in his capital city of Addis Ababa, 30 African nations met to sign a charter of African unity. If their hopes are realized, they will weld together a national force greater in population and resources than the United States: A mighty force to be reckoned with in our planning for the future.

The nations of Europe, which went their separate ways for hundreds of years, have formed the economic union of the Common Market. Their goods are now on the shelves of almost every store in America. Massachusetts workers have lost jobs because of this development. But our companies always have the opportunity to create even more jobs by selling their products in the Common Market.

No government can be effective; no nation can fulfill its responsibilities in the world unless the people are prepared for the work ahead. And that preparation can only take place in the schools and classrooms of the nation.

If we are to defend democracy abroad, our children must learn the meaning of democracy at home.

If we are to compete economically, our students must be trained in the skills they need to get jobs.

If we are to have the trained leadership we need in America, we cannot be satisfied with a situation in which only 2 children out of 10 finish college.

We are already paying the price for our failure to adequately support education in the past. Our space program is having trouble recruiting scientists and engineers. It must compete with private industry in this field. By 1970 we will need to graduate 7,500 Ph. D.'s each year in the physical sciences, mathematics, and engineering if we are to continue our economic growth and preserve our military security—but in 1960 we graduated only 3,000. We have unemployment in Massachusetts. Yet companies with job opportunities for skilled workers cannot find the people to fill them.

Our selective service tells us that one out of every three young men is rejected as physically unfit. A great deal has been done in the last 2 years to increase interest in physical fitness in schools. But had this been done 10 years ago, we would be better off today.

We hear complaints about the quality of the programs on television. Yet the polls show broadcasters are giving the people what they want. If we had more interest in the schools in the arts and humanities, in literature and the theater, would not popular taste be higher and television better?

The lesson of these developments is very clear: If we want to avoid difficulties in the future, we must make investments in education now. If this can be done, then future shortages and future shortcomings could disappear.

It is essential, in our educational programs, that we build better facilities, pay better salaries, and provide our teachers with the modern techniques that can make their work more effective.

There is little controversy over the fact that this job must be done. But there is much controversy over who should do it. I think the record is clear that State governments, and especially local governments, have strained to the limit of their resources in supporting education. In 1962, 95 percent of the funds for public education in the Commonwealth came from State and local government. Almost 30 percent of all our tax dollars was spent for education. To call upon State and local taxes, which are already heavy, which bear most heavily on citizens least able to afford them, would be a mistake in my opinion. New support must come from the Federal Government.

Two years ago the Senate passed a bill that would provide a billion dollars a year for 4 years, for school construction and improvement of teachers' salaries. The decision of how this money is to be spent would be made locally, where it should be made. This year the President has recommended a bill of equal proportions. No unresolved controversy over religion, or race, or local control should be allowed to further delay this vital assistance for our schools. The debate, delay and indecision have gone far enough. Now is the time for action by Congress. And you can be sure that my best efforts, as a member of the Education Committee of the Senate, will be directed toward passing this legislation which means so much to our children.

In conclusion I want to say that you are preparing your students to be not only good Americans, but citizens of the world. Last year, 12 million Americans traveled abroad—over twice as many as 10 years ago. The number of companies doing business abroad has increased remarkably, as better living standards in other nations have made them customers for American products. The Breck Shampoo Co. here in Springfield has just received an award for export expansion. The chemical paper, and machine tool industries of this area have customers in Germany, Brazil and even Africa.

We are going to see more of this, not less. By 1970, the trip from Boston to Paris will take 3 hours and the fare should be less than $100. In the world in which your students are going to live, an education that stops at our borders will not be enough.

This summer I had the privilege of assisting a group of senior high school students in Quincy with a most worthwhile project. As students in a class on problems on democracy, they had studied the careers of the leaders of European countries. Through the enthusiasm of their teacher and generosity of citizens of that area, and with the assistance of our State Department, they were able to go to Europe and meet these leaders in person. It was an experience they will never forget.

I would like to see schools here in Hampden County, and throughout the Commonwealth, explore such programs where possible.

You who teach in the schools of this county have a critical assignment. You must prepare the next generation for its responsibilities. If you succeed, the communities you live in will grow and develop the way they should. So let all of us—teachers, educators, parents, citizens—work together to do the best we can for our children, who are our most precious possession and our greatest responsibility, as a people and as a nation.

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[From the Springfield Daily News, (Mass.) Oct. 18, 1963]

### FEDERAL AID TO EDUCATION—SENATOR KENNEDY FOR LOCAL ADMINISTRATION OF FUNDS

U.S. Senator EDWARD M. KENNEDY told about 3,000 Hampden County teachers today that he supports Federal aid to education and drew loud applause when he added that local authorities should control the administration of Federal funds.

The Massachusetts Democrat was speaking before the 115th annual convention of the Hampden County Teachers Association held today in municipal auditorium.

He declared that no one seriously questions the need for higher teachers' salaries and better facilities, but noted the controversy was over whether or not the Federal Government should assist states and local communities.

He said that State and local authorities have "strained" their resources in support of education, noting that Massachusetts, on a State and local level, spent 30 percent of its tax money last year for education.

"New support must come from the Federal Government," he asserted. The Senator drew applause for the first time during his speech when he quickly added: "The decision as to how and where the money is to be spent should be locally made."

He noted that U.S. Representative EDWARD P. BOLAND, Democrat, second district, who was seated on the platform with Senator KENNEDY today, was making efforts to guide the aid-to-education bill through the U.S. House with minimum "debate and delay."

When he mentioned Representative BOLAND, who did not address the gathering, he drew applause for the second time.

#### NINETY-FIVE PERCENT

Senator KENNEDY noted that 95 percent of education expenses in Massachusets is being financed by the State and local communities.

He noted that the European Common Market is resulting in "displacement of opportunities" for Massachusetts workers. He cited the simultaneous need, however, for more skilled labor, and said that education must meet this challenge.

He said this country's educational programs must also meet the challenge posed by the signing this summer of an African unity treaty by 30 nations on that continent.

He said that Africa represents a region with "greater population than the United States and greater natural resources than the United States." He added: "It is a power the United States will have to reckon with."

In his opening remarks, the President's brother credited the HCTA with being "a united voice for progress and for better education." He said "the role of the teacher and its central place in our society will never change."

He noted that there have been complaints about the quality of U.S. television, but said polls show the broadcasters are "giving the people what they want." "Better education," he said, "would improve the popular taste."

He said the Nation's space program is currently in difficulty as far as recruiting scientists and engineers. He said that the country will need to graduate 7,500 Ph. D.'s in 1970 in order to preserve "our economic growth and our military superiority." He noted that the year 1960 saw only 3,000 doctorates granted.

In conclusion, he termed "inadequate" education which "stops at the country's boundaries." He declared that the "enthusiasm" of teachers is one of the greatest assets in furthering education for the Nation's schoolchildren, "our most precious possession, and our greatest responsibility."

On the platform with Senator KENNEDY and Representative BOLAND were Mayor Charles V. Ryan, Rev. Edmund B. Walsh of St. Patrick's Church, Chicopee Falls, and HCTA President Joseph P. Quinlan of Chicopee.

Prior to Senator KENNEDY's speech, the association held a business meeting in which five resolutions were adopted on voice vote without discussion or debate.

#### NO NEW NOMINATIONS

Officers for the coming year were elected to their posts in the same fashion with no new nominations coming from the floor.

The meatiest resolution passed proposed that school systems in Hampden County strive for a minimum of 50 teachers for every 1,000 students, a limit to the "noninstructional tasks required of a teacher," and a minimum of 25-to-1 pupil-teacher ratio in elementary schools.

Other resolves urged increased unity in the teaching profession, expressed continued support for raising certification standards, called on school departments to establish uniform, well-defined personnel policies, and recommended increased efforts to promote public understanding of education.

New officers-elect are Millicent G. Green of Wilbraham, president; John J. Sullivan of this city, first vice president; Ralph L. Shindler of Longmeadow, second vice president; Elizabeth A. Sullivan of West Springfield, secretary; and Charles B. Thompson, treasurer. Mr. Thompson is the only one who has not been an officer for the past year.

In the business session, Albert M. Johnson, Massachusetts director of the National Education Association, reminded the teachers that the goal for next year was to have NEA's membership total 1 million. Current mem- the tide of dropouts.

PAST YEAR GROWTH

Dr. Theodore Toporowski, second vice president of the Massachusetts Teachers Association, said that MTA grew by 3,000 membership is 859,000.

Alton S. Cavicchi, president of the Massachusetts Association of School Committees, said the help of teachers was needed to stem bers in the past year to 31,000.

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# HOUSE OF REPRESENTATIVES

## Tuesday, October 22, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Corinthians 10: 12. *Wherefore let him, who thinketh he standeth, take heed lest he fall.*

O Thou God of might and of mercy, may we daily take heed unto ourselves and be more fully aware that our individual and national life has a vulnerable side and that we cannot breast the storms and headwinds of subtle temptations and meet and master them with our own puny strength.

We penitently confess that irreligion and indifference to the spiritual ideals seem to have become the habit of life for many. Grant that our own loyalty and devotion to fundamental religious principles may never be weakened and dissipated by feelings of complacency.

Help us to see clearly that our faith must always be kept vivid and vital for experience teaches us that eternal vigilance is the price of a faith that is strong and steadfast as truly as it is the price of a freedom that is coordinated with rigid discipline.

Hear us in the name of the Author of our faith and the Captain of our salvation. Amen.

### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 75. An act to provide for exceptions to the rules of navigation in certain cases;

H.R. 641. An act to approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project, Washington, and for other purposes; and

H.R. 4588. An act to provide for the withdrawal and reservation for the Department of the Navy of certain public lands of the United States at Mojave B Aerial Gunnery Range, San Bernardino County, Calif., for defense purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1243. An act to change the name of the Andrew Johnson National Monument, to add certain historic property thereto, and for other purposes;

S. 1299. An act to defer certain operation and maintenance charges of the Eden Valley Irrigation and Drainage District;

S. 1584. An act to approve a contract negotiated with the Newton Water Users' Association, Utah, to authorize its execution, and for other purposes;

S. 1687. An act to approve the January 1963 reclassification of land of the Big Flat unit of the Missoula Valley project, Montana, and to authorize the modification of the repayment contract with the Big Flat Irrigation District;

S. 1914. An act to incorporate the Catholic War Veterans of the United States of America; and

S. 1942. An act to incorporate the Jewish War Veterans of the United States of America.

### CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 177]

Ashley
Bass
Berry
Blatnik
Brock
Bromwell
Broyhill, Va.
Bruce
Buckley
Cahill
Celler
Chelf
Cooley
Derwinski
Diggs
Dorn
Dulski
Fallon
Feighan
Findley
Ford
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Gray
Gurney
Halleck
Harris
Hébert
Hoeven
Hoffman
Jensen
Jones, Mo.
Kee
Kelly
Keogh
Kilburn
King, Calif.
Kunkel
Lipscomb
Long, La.
McDade
McIntire
McLoskey
Macdonald
Mailliard
Martin, Calif.
Martin, Mass.
Michel
Miller, Calif.
Miller, N.Y.
Moss
O'Brien, Ill.
O'Konski
Patman
Pepper
Pilcher
Poage
Rivers, S.C.
Ryan, N.Y.
St. Onge
Shelley
Sibal
Sickles
Smith, Iowa
Springer
Steed
Stubblefield
Taylor
Thompson, N.J.
Thornberry
Vinson
Westland
Whitten
Wilson, Bob
Wilson, Charles H.

The SPEAKER. On this rollcall 357 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

### AN ACT TO ESTABLISH A REVOLVING FUND FROM WHICH THE SECRETARY OF THE INTERIOR MAY MAKE LOANS TO FINANCE THE PROCUREMENT OF EXPERT ASSISTANCE BY INDIAN TRIBES IN CASES BEFORE THE INDIAN CLAIMS COMMISSION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 3306) to establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, strike out lines 1 to 6, inclusive, and insert:

"Sec. 2. No loan shall be made under this Act to a tribe, band, or group if it has funds available on deposit in the Federal Treasury or elsewhere in an amount adequate to obtain the expert assistance it needs or if, in the opinion of the Secretary, the fees to be paid the experts are unreasonable in light of the services to be performed by them."

Page 3, after line 2, insert:

"Sec. 7. After the date of the approval of this Act, the Secretary of the Interior shall approve no contract which makes the compensation payable to a witness before the Indian Claims Commission contingent upon the recovery of a judgment against the United States."

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. Aspinall]?

Mr. GROSS. Mr. Speaker, reserving the right to object, I see no one on the minority side on the floor in connection with this bill. I assume that calling this up has the approval of the minority?

Mr. ASPINALL. It has the approval of Representatives from the minority side. The gentleman from Pennsylvania [Mr. Saylor], has given his consent and he has spoken to the leadership on the gentleman's side.

Mr. GROSS. Are all of the amendments to this bill germane to the bill?

Mr. ASPINALL. The amendments are not only germane but they serve as a limitation on the funds so that they are not additional funds that are provided for this purpose.

Mr. GROSS. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

### PREVENTION OF AIR AND WATER POLLUTION

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I have introduced a bill to encourage the prevention of air and water pollution by allowing the cost of treatment works for the abatement of air and water pollution to be amortized at an accelerated rate for income tax purposes. The principle of the bill is similar to the rapid amortization law which was in effect for industry during the Korean war. It would provide a 5-year period during which every person at his election would be entitled to a deduction with respect to the amortization of any waste treatment works.

I have long been concerned about the ever increasing problem we face in the United States is controlling and abating aid and water pollution, and I have supported programs to provide Federal assistance where necessary in these areas, for I feel that we must now take positive action to preserve our natural resources for the future of America. With industrial and other wastes being poured into our rivers and streams and the poisoning of the air we breathe, the problem grows graver every day.

Many industries have, of course, installed equipment to help control the pollution and I believe they should be further encouraged to do so, but too frequently the costs of installing such equipment are prohibitive, so I feel that if they were able, for income tax purposes, to amortize at a rapid rate such costs, they would be encouraged to take immediate steps to install such equipment.

Numerous benefits will occur. The American taxpayer will benefit because the Federal Government expends huge sums annually to combat the effects of pollution; when industry installs the equipment pollution will be prevented, making it cheaper in the long run. Ultimately the Nation as a whole will be the true beneficiary. I urge immediate and favorable action on this legislation.

## THE CUBAN CRISIS

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, 1 year ago today the President informed the American people of the Cuban crisis and his dramatic and effective steps to force Russia to back down from converting Cuba into an offensive missile base. Yet, today, Cuba is still an armed Russian camp, used as a base to subvert Latin America. Russian troops remain in Cuba, and Russian economic assistance keeps Castro in power.

Last year the Congress wrote strong language into the Foreign Assistance Act to prevent aid-recipient nations from aiding Castro. Yet this aid continues, and in fact has been on the increase since January. Yesterday our colleague the gentleman from Wisconsin [Mr. LAIRD] addressed the House on this subject, and presented an opinion from the Comptroller General of the United States which said that this act of the Congress was being violated by interpretation.

It was the clear intent of the Congress that aid be cut off from any country giving aid or permitting its ships to carry aid to Cuba. Apparently "charters of convenience" are being used by the international shipping companies who want to profit from the Cuban trade. This is the dodge being used by Greece and others.

Since the Agency for International Development has decided to use an interpretation to avoid complying with the act of Congress, it is of utmost importance that the Congress, this year, insure that no loopholes exist. It is of sufficient importance to prevent the enactment of any foreign aid bill this year, if AID refuses to implement provisions of law.

When the foreign aid authorization bill was before the House earlier this year, our colleague the gentleman from Florida [Mr. FASCELL] and I offered amendments, which were adopted, to put teeth in the shipping ban. It is my understanding that the Senate Foreign Relations Committee has adopted similar language but that the Senate version needs strengthening. It is my hope that this will be done on the floor of the Senate. If it is not, then certainly the House should insist on our stronger provisions in conference. Without the prohibition to aid countries aiding or shipping to Cuba, there should be no foreign aid authorization this year.

## GOVERNMENT HARASSMENT OF BUSINESS

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, I have never known a time in our history when the business community, to which we look to provide jobs for our people and taxes to support the Government, has been so harassed as it is today by the forms businessmen are receiving from departments of Government, particularly the Bureau of the Census. I hold in my hand one form that was received, from which the firm has removed its name. With this form is a letter from the Director of the Census that the officer of this firm must read. With this form is another booklet of 56 pages he must read, so he can know what to do. Together with that is another article of 31 pages of instructions on how to fill out this form.

This might be a good way to put more people on the payroll of the Federal Government—to provide this harassment of business, with the taxpayers paying for it. If we are going to increase our gross national product and provide more jobs, I think the Committee on Government Operations ought to investigate all of this business and get our Government bureaus off the backs of businessmen and let them get to work and provide jobs.

## COMMITTEE ON BANKING AND CURRENCY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may be permitted to sit during general debate on October 22, 23, and 24.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## ALGER HISS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SNYDER. Mr. Speaker, on October 8 I inserted in the CONGRESSIONAL RECORD two editorials from the Chicago American which indicated that the State Department was considering bringing Alger Hiss back into the Department.

Under date of October 17, 1963, the Honorable Frederick G. Dutton, Assistant Secretary of State, wrote to me in response to my inquiry to them—and the pertinent part of his letter states:

> There has never been any discussion or intention by the Department of State about bringing Mr. Alger Hiss back into the Department. Any such report is false, and the idea is inconceivable.

Mr. Speaker, I wish to compliment the Department of State for their position on this particular matter. This position makes us all feel a little bit better.

## RESTORATION OF TEMPORARY UNEMPLOYMENT COMPENSATION ACT AMOUNTS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 8821), to revise the provisions of law relating to the methods by which amounts made available to the States pursuant to the Temporary Unemployment Compensation Act of 1958 and title XII of the Social Security Act are to be restored to the Treasury, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I do so only for the purpose of asking the chairman if he would give a brief explanation of the provisions of this bill for the benefit of the Members.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. MILLS. Mr. Speaker, as my friend, the gentleman from Wisconsin, knows, the bill, H.R. 8821, is jointly sponsored by the gentleman from Wisconsin and myself. The bill was reported unanimously by the Committee on Ways and Means and it is designed to facilitate the restoration to the Federal Treasury of moneys made available to the States under the Temporary Unemployment

Compensation Act of 1958 and under title XII—the loan fund provisions—of the Social Security Act. In brief, the legislation would accomplish this by, first, modifying the rate of employer repayment and, second, by permitting at the option of the State each year installment repayment by the States in lieu of additional employer taxes.

This legislation, Mr. Speaker, does not provide for any forgiveness of any amount which is involved in this matter, but it does facilitate the repayment by providing for a somewhat longer period of time within which repayment can be accomplished.

It should be borne in mind, Mr. Speaker, that there is some degree of overlap with respect to repayment of funds made available to the States under the Temporary Unemployment Compensation Act of 1958 and the Temporary Unemployment Compensation Act of 1961. What we are doing here is to facilitate the repayment of these moneys by providing an easier method to the States and a less onerous burden upon the employers in the States involved. There will be no effect upon the total repayment. The law would still require that every dollar of it be repaid.

This legislation, Mr. Speaker, has been approved by the Bureau of the Budget. It has been sought by employer groups. It is endorsed wholeheartedly by the Department of Labor as well.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. GROSS. Do I understand that someone is in arrears—the employers or the States?

Mr. BYRNES of Wisconsin. No; no one is in arrears.

Mr. MILLS. Under the provisions of existing law, there will be a reduction in the 90-percent credit against the Federal unemployment tax in the States concerned until the amount outstanding is restored. So there will be an additional tax placed upon the employers until this amount is repaid or unless the State will, in 1 year, make restitution from its own funds to the Federal Treasury of the whole amount of the obligation. So here we are saying that the States may make this restitution not in the total amount at one time but in installments not to exceed 5 years. In the process of making these installment payments out of existing unemployment funds, the State may prevent the increase in the tax upon the employer for this purpose. The TUC tax without this legislation would start at 0.15 percent and would go up each year in 0.15-percent steps until the amount made available to the State is restored. The tax could go as high as 0.6 percent. Under the bill, however, the TUC tax would go no higher than 0.3 percent.

Mr. GROSS. Are the States that are particularly affected to be found on page 5 of the report?

Mr. MILLS. On page 3 in summary and on page 5 in detail; yes. There are 17 jurisdictions that borrowed money in 1958, initially. One of those jurisdictions, the District of Columbia, proceeding under the provisions of existing law, made restitution in 1 year of the total amount it borrowed. The other States have not done so, so actually there are 16 States involved in this proposition.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) section 3302(c)(2)(A) of the Internal Revenue Code of 1954 is amended to read as follows:

"(A) in the case of a taxable year beginning on January 1, 1963 (and in the case of any succeeding taxable year beginning before January 1, 1968), as of the beginning of which there is a balance of such advances, by 5 percent of the tax imposed by section 3301 with respect to the wages paid by such taxpayer during such taxable year which are attributable to such State; and".

(b) Section 3302(c)(2)(B) of such Code is amended by striking out "beginning with a consecutive January 1" and inserting in lieu thereof "beginning on or after January 1, 1968,".

(c) Section 3302(c)(2) of such Code is amended by adding after subparagraph (B) the following:

"At the request (made before November 1 of the taxable year) of the Governor of any State, the Secretary of Labor shall, as soon as practicable after June 30 or (if later) the date of the receipt of such request, certify to Governor and to the Secretary of the Treasury the amount he estimates equals .15 percent (plus an additional .15 percent for each additional 5-percent reduction, provided by subparagraph (B)) of the total of the remuneration which would have been subject to contributions under the State unemployment compensation law with respect to the calendar year preceding such certification if the dollar limit on remuneration subject to contributions under such law were equal to the dollar limit under section 3306(b)(1) for such calendar year. If, after receiving such certification and before November 10 of the taxable year, the State pays into the Federal unemployment account the amount so certified (and designates such payment as being made for purposes of this sentence), the reduction provided by the first sentence of this paragraph shall not apply for such taxable year."

(d) The amendments made by subsections (a), (b), and (c) of this section shall apply only with respect to taxable years beginning on or after January 1, 1963.

SEC. 2. Section 104 of the Temporary Unemployment Compensation Act of 1958, as amended (42 U.S.C. 1400c), is amended to read as follows:

"SEC. 104. The total credits allowed under section 3302(c) of the Federal Unemployment Tax Act (26 U.S.C. 3302(c)) to taxpayers with respect to wages attributable to a State shall be reduced—

"(1) for the taxable year beginning on January 1, 1963, by 5 percent of the tax imposed by section 3301 of the Federal Unemployment Tax Act, and

"(2) for any succeeding taxable year, by 10 percent of the tax imposed by said section 3301,

unless and until the Secretary of the Treasury finds that before November 10 of the taxable year there have been restored to the Treasury the amounts of temporary unemployment compensation paid in the State under this Act (except amounts paid to individuals who exhausted their unemployment compensation under title XV of the Social Security Act and title IV of the Veterans' Readjustment Assistance Act of 1952 prior to their making their first claims under this Act), the amount of costs incurred in the administration of this Act with respect to the State, and the amount estimated by the Secretary of Labor as the State's proportionate share of other costs incurred in the administration of this Act. In applying clauses (1) and (2) of the preceding sentence, the tax imposed by section 3301 of the Federal Unemployment Tax Act shall be computed at the rate of 3 percent in lieu of the rate provided by such section. At the request (made before November 1 of the taxable year) of the Governor of any State, the Secretary of Labor shall, as soon as practicable after June 30 or (if later) the date of the receipt of such request, certify to such Governor and to the Secretary of the Treasury the amount he estimates for the taxable year beginning on January 1, 1963, equals .15 percent (and for any succeeding taxable year equals .3 percent) of the total of the remuneration which would have been subject to contributions under the State unemployment compensation law with respect to the calendar year preceding such certification if the dollar limit on remuneration subject to contributions under such law were equal to the dollar limit under section 3306(b)(1) of the Federal Unemployment Tax Act for such calendar year. If, after receiving such certification and before November 10 of the taxable year, the State restores to the general fund of the Treasury the amount so certified (and designates such restoration as being made for purposes of this sentence), the reduction provided by the first sentence of this section shall not apply for such taxable year."

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 8821, which was reported unanimously by the Committee on Ways and Means, is to facilitate the restoration to the Federal Treasury of moneys made available to the States under the Temporary Unemployment Compensation Act of 1958 and under title XII of the Social Security Act. In brief, it would accomplish by, first, modifying the rate of employer repayment, and second, by permitting, at the option of the State each year, installment repayment by States in lieu of additional employer taxes. This legislation, Mr. Speaker, does not provide for any forgiveness of repayment of any amount which is involved, but it does facilitate the repayment by providing for a somewhat longer period of time within which it can be accomplished.

Mr. Speaker, permit me to explain something of the background of this legislation. As Members will recall, the Temporary Unemployment Compensation Act of 1958 provided for temporary additional unemployment compensation benefits for covered employees who had exhausted their benefits under State and specified Federal laws. Participation was voluntary on the part of the States. That legislation was financed by Federal money made available to the States out of the general funds of the Treasury. Provision was made in that legislation for the ultimate restoration to the Treasury of the amounts so made available to the States not by requiring repayment by the States, but through the exercise of the Federal taxing power.

This was to be accomplished by a reduction in the 90-percent credit against the Federal unemployment tax, so that the credit was required to be reduced by 5 percent of the basic 3-percent tax—0.15 percent—for the taxable year beginning on January 1, 1963, and by another 5 percent—0.15 percent—of the tax for each succeeding year until the amount outstanding is restored. Such reduction in the allowable credit would have had the effect of increasing the net Federal unemployment tax in the first year of its operation from 0.3 to 0.45 percent, and in the second year the tax would have been increased to 0.6 percent by the second consecutive reduction of the allowable credit, and so on. Provision was further made in that legislation that the increased Federal tax for any year was not to apply if the amount expended from the general funds of the Treasury has been otherwise restored before November 10 of the taxable year.

The repayment of advances made before September 13, 1960, to State unemployment funds under title XII of the Social Security Act is provided for under present law substantially in the same manner as provided in the case of the TUC.

When the temporary increases in the Federal unemployment tax for taxable year 1962 and 1963 were imposed by the Congress in the Temporary Extended Unemployment Act of 1961, a further problem was created for those employers who would have to pay also additional Federal taxes to repay advances under title XII of the Social Security Act, and to restore the cost of the 1958 Temporary Unemployment Compensation Act, or both.

As I have indicated, H.R. 8821 simply facilitates the repayment of these moneys to the Federal Treasury. More specifically, this would be accomplished by:

First. Establishing the tax rate for repayment of advances under title XII of the Social Security Act at 0.15 percent for 5 taxable years, 1963–67. After taxable year 1967, the rate increases by a 0.15-percent step each year until the advance is repaid. The bill provides that a State can avoid the automatic tax increase on its employers for any year by an installment repayment—or, as under present law, by total repayment—made before November 10 of the taxable year;

Second. Freezing the rate of restoration of the costs of the TUC program of 1958 at 0.30 percent, the 1964 level under the present law until the funds are restored. For taxable year 1963, the rate remains at 0.15 percent. The bill provides that a State can avoid the tax increase for any year by an installment restoration—or, as under present law, by total restoration—made before November 10 of the year; and

Third. Providing for installment repayment by the State for either TUC moneys or title XII advances. The amount of the State installment for a year is to be determined by the Secretary of Labor at the request of the Governor and is to be certified by the Secretary to the Governor and to the Secretary of the Treasury. The installment is to be computed by applying the tax rate for the year involved to State taxable wages for the prior year adjusted for the excess, if any, of the State taxable wage base over the Federal taxable wage base.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, as cosponsor of this legislation, I urge its favorable passage by this body.

As the gentleman from Arkansas, Chairman Mills, has already indicated, this bill would provide a "stretchout" for repayment of amounts advanced to several States under the 1958 temporary unemployment compensation program and under title XII of the Social Security Act. The bill does not forgive any amount so advanced to the States. Instead, it spaces out the repayment of the advances in a manner more acceptable from a fiscal standpoint.

While there are several States involved, this legislation particularly affects the States of Alaska, Michigan, and Pennsylvania. I am sure my colleagues are aware of the above-average unemployment rate in the latter two States. It is prudent at this time to allow the States a more reasonable time in which to repay these advances. Not only will it be beneficial to the employers who would pay the additional tax necessary for the States to make the repayment, but it would also be beneficial to the States themselves.

I would call your attention to the committee report containing several tables setting forth the repayment schedule under existing law as compared with the repayment schedule under the chairman's bill, H.R. 8821, and my identical bill, H.R. 8822. Without going into great detail at this time, I wish simply to point out that these tables indicate the advantage to be gained by the stretching out of the installment repayment of the advances under the two programs.

I also wish to compliment the new administrations of the States of Michigan and Pennsylvania for the constructive action which has been taken to place their respective unemployment compensation programs on a sound fiscal basis.

While this legislation will not solve the unemployment problem or increase benefits to the unemployed, it will have a very salutary effect as to those States presently in debt to the Treasury because of advances under the two programs. I strongly recommend immediate passage of this legislation.

Mr. RIVERS of Alaska. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Alaska?

There was no objection.

Mr. RIVERS of Alaska. Mr. Speaker and Members of the House, having worked upon this employment security problem during the 87th Congress, and having joined in the introduction of one of the bills on the subject this year, you will understand why I am keenly interested in this legislation. Although my State of Alaska participated under both the Temporary Unemployment Act of 1958—TUC—and under the Temporary Extended Unemployment Act of 1961—TEUC—simultaneously with other States and must meet its share of the repayment obligations on that score, it is one of only three States that have borrowed money from the Federal Unemployment Trust Account, commonly referred to as the Reed fund—title XII of the Social Security Act. These last mentioned three States, therefore, are confronted with overlapping repayment requirements in the field of employment security which are at the point of being burdensome. This occurs because under the automatic repayment provisions of the 1958 TUC and the Reed fund loans, the rate of repayment escalates each year by an additional 0.15 percent of the aggregate of the first $3,000 of all employee's earnings.

The three States I mention whose employment security systems find themselves under this squeeze are Alaska, Michigan, and Pennsylvania. Alaska's debt to the Reed fund is $8,765,000—less two installments which have already been paid—Michigan $113 million—less one such installment—Pennsylvania $111,200,000 with regard to which the first installment is just falling due.

Alaska's employers, taxed under the reduced credit provisions, are faced with their third installment on the Reed fund debt this coming January, with another escalation which constitutes a very burdensome situation unless this bill passes during this year. As shown on page 7 of the committee report, Alaska's employers would pay the base rate and TEUC of 0.65 percent, plus 0.45 percent on Reed fund reduced credits, plus 0.15 percent on TUC for a total of 1.25 percent, all of these percentages being upon the basis of a $3,000 taxable wage base. In fact, however, the taxable base in Alaska for carrying out the unemployment compensation program each year is $7,200.

From these figures it is understandable why the people of Alaska will appreciate the stretchout of the repayment installments as provided for in this bill. Inasmuch as Michigan and Pennsylvania are following close behind in terms of facing the relentless annual escalation of the rate of repayment of their loans, I have no doubt that the people of those two great States will be comparably appreciative of the passage of this legislation.

In closing, I wish to express my admiration of the fine work which has been done by our distinguished chairman of the Ways and Means Committee, the gentleman from Arkansas [Mr. Mills], and the ranking minority member on that committee, the gentleman from Wisconsin [Mr. Byrnes], and the other members of the committee in processing the technical and difficult subject matter involved in this matter and bringing to the floor this excellent solution of what most of us regard as a serious situation.

I urge the passage of this legislation.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Knox] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KNOX. Mr. Speaker, I rise in strong support of the bill, H.R. 8821. My colleagues from Michigan and many other Members of the body, I am sure, are familiar with the unemployment problems we have been facing in our State. I am proud to have been able to participate on the Ways and Means Committee in the reporting of this bill. Its passage will be most helpful to my State as well as those other States which are obligated to make repayments under the 1958 temporary unemployment compensation program and title XII of the Social Security Act.

This legislation will be particularly beneficial to employers who otherwise would be paying a considerably larger annual tax to facilitate the repayment of these advances. Briefly, the bill provides for a "stretching out" for the repayment of amounts advanced under the 1958 TUC program and under title XII of the Social Security Act. I am sure my colleagues can realize the importance of this to employers already burdened by the regular unemployment compensation tax, social security tax, and other Federal, State, and local levies.

When this legislation was introduced I immediately contacted Gov. George Romney of Michigan advising him of the provisions of the bill and suggested that he request the Michigan Legislature to enact the proper legislation in order to place the Michigan State unemployment compensation fund on a sound fiscal basis and provide for the repayment of funds borrowed under the act of 1958.

On May 21, 1963, the Michigan State Legislature enacted legislation providing that the cost of the temporary unemployment compensation benefits paid and repayable under the act of 1958 and remaining unpaid on October 31, 1966, shall be paid from the unemployment fund to the U.S. Treasury on that date. The Michigan Employment Security Commission is to seek an agreement at the Federal level to pay these funds out of increased Federal taxes on wages paid during 1963, 1964, and 1965 which will be payable by Michigan employers under the reduced credit provisions of the 1958 act. The balance of the advance to Michigan in 1958 and remaining due on October 31, 1966, will be repaid from the unemployment fund to the Federal unemployment account in the Federal unemployment trust fund on that date.

The Michigan law further provides that in the event the trust fund balance is less than $150 million at that time the Michigan Security Commission shall assess against all employers in Michigan an additional contribution with respect to wages paid in 1967 at a percentage rate determined by dividing the amount of such repayment by the total of the taxable wages of all employers for the 12 months ending on June 30, 1966, and adjusting the resulting percentage to the nearest multiple of one one-hundredth of 1 percent.

I wish to thank Governor Romney of Michigan for his cooperation, and that of his staff, in working out an acceptable solution with respect to the repayment of these advances. This legislation is much needed by my State as well as many other States who accepted advances under the two programs. I urge your support of this bill.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Schneebeli] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHNEEBELI. Mr. Speaker, I was pleased to be able to work with the Ways and Means Committee in arriving at a satisfactory solution with respect to the repayment of advances to certain States, including my home State of Pennsylvania, under the temporary unemployment compensation program of 1958 and title XII of the Social Security Act. I would emphasize that this bill does not forgive any amount owed by the States under these two programs. It does provide, however, for the spacing out of the installment repayment of these advances.

We are all aware of the heavy burden accruing to employers with respect to the unemployment tax and, furthermore, the difficulties encountered especially by those States which have had above-average unemployment. The spacing out of the installment repayment of these advances made by the Treasury should help to shore up the unemployment compensation programs in those States which otherwise would be making heavy repayments over the next few years.

With respect to my own State, I wish to express my appreciation to Governor Scranton and his administration for their cooperation in working out the solution we are considering here today. The passage of this bill will be most helpful to Pennsylvania employers as well as employers in the other States faced with repayments. I earnestly request that this body give its wholehearted support to this bill.

### GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that other Members desiring to do so may extend their remarks in the Record at this point on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 11, strike out "October" and insert "November".

Page 4, line 13, strike out "October" and insert "November".

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HARSHA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 350, nays 1, not voting 81, as follows:

[Roll No. 178]

YEAS—350

Abbitt
Abele
Abernethy
Adair
Addabbo
Albert
Alger
Anderson
Andrews
Arends
Ashbrook
Ashmore
Aspinall
Auchincloss
Avery
Ayres
Baker
Baldwin
Baring
Barrett
Bass
Bates
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Fla.
Bennett, Mich.
Betts
Boland
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Bow
Brademas
Bray
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Burke
Burkhalter
Burleson
Burton
Byrne, Pa.
Byrnes, Wis.
Cannon
Carey
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conte
Cooley
Corbett
Corman
Cramer
Cunningham
Curtin
Curtis
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Denton
Derounian
Devine
Dingell
Dole
Donohue
Dowdy
Downing
Duncan
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Everett
Evins
Farbstein
Finnegan
Fino
Fisher
Flood
Flynt
Fogarty
Foreman
Forrester
Fountain
Fraser
Friedel
Fuqua
Gallagher
Garmatz
Gary
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Goodling
Grabowski
Grant
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halpern
Hanna
Hansen
Harding
Hardy
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Horan
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jarman
Jennings
Joelson
Johansen
Johnson, Calif.
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kilgore
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Knox
Kornegay
Kyl
Laird
Landrum
Langen
Lankford
Latta
Leggett
Lennon
Lesinski
Libonati
Lindsay
Lloyd
Long, Md.
McClory
McCulloch
McDowell
McFall
McLoskey
McMillan
MacGregor
Madden
Mahon
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Meader
Milliken
Mills
Minish
Minshall
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
Norblad

O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patten
Pelly
Perkins
Philbin
Pike
Pillion
Pirnie
Poff
Pool
Price
Pucinski
Purcell
Quie
Quillen
Rains
Randall
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Roberts, Ala.
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan, Mich.
St. George
St Germain
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Selden
Senner
Sheppard
Shipley
Short
Shriver
Sickles
Sikes
Siler
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Va.
Snyder
Staebler
Stafford
Staggers
Stephens
Stinson
Stratton
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, Tex.
Thomson, Wis.
Toll
Tollefson
Trimble
Tuck
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Van Pelt
Waggonner
Wallhauser
Watson
Watts
Weaver
Weltner
Whalley
Wharton
White
Whitener
Wickersham
Widnall
Williams
Willis
Wilson, Ind.
Winstead
Wright
Wydler
Wyman
Young
Younger
Zablocki

### NAYS—1

Secrest

### NOT VOTING—81

Ashley
Barry
Berry
Blatnik
Boggs
Bolling
Brock
Bromwell
Broyhill, Va.
Bruce
Buckley
Cahill
Cameron
Chelf
Chenoweth
Daddario
Dent
Derwinski
Diggs
Dorn
Dulski
Fallon
Fascell
Feighan
Findley
Ford
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Gathings
Gray
Gurney
Halleck
Harris
Hoeven
Hoffman
Jensen
Kee
Kelly
Keogh
Kilburn
Kunkel
Lipscomb
Long, La.
McDade
McIntire
Macdonald
Mailliard
Martin, Calif.
Martin, Mass.
Michel
Miller, Calif.
Miller, N.Y.
Moss
Multer
O'Brien, Ill.
Patman
Pepper
Pilcher
Poage
Powell
Reid, Ill.
Rivers, S.C.
Rogers, Tex.
Rooney, N.Y.
Ryan, N.Y.
St. Onge
Shelley
Sibal
Smith, Iowa
Springer
Steed
Stubblefield
Thompson, La.
Thompson, N.J.
Thornberry
Vinson
Westland
Whitten
Wilson, Bob
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh with Mr. Berry.
Mr. Multer with Mr. Hoeven.
Mr. Macdonald with Mr. Martin of California.
Mr. Shelley with Mr. Broyhill of Virginia.
Mrs. Kelly with Mr. Halleck.
Mr. St. Onge with Mr. Mailliard.
Mr. O'Brien of Illinois with Mr. Kunkel.
Mr. Pepper with Mr. Barry.
Mr. Patman with Mr. Frelinghuysen.
Mr. Ryan of New York with Mr. Bob Wilson.
Mr. Smith of Iowa with Mrs. Reid of Illinois.
Mr. Thompson of Louisiana with Mr. Bromwell.
Mr. Stubblefield with Mr. McIntire.
Mr. Vinson with Mr. Gurney.
Mr. Charles H. Wilson with Mr. Fulton of Pennsylvania.
Mr. Thompson of New Jersey with Mr. Cahill.
Mr. Moss with Mr. Springer.
Mr. Fallon with Mr. Derwinski.
Mr. Buckley with Mr. Michel.
Mr. Powell with Mr. Kilburn.
Mr. Rooney of New York with Mr. Ford.
Mr. Whitten with Mr. Bruce.
Mr. Gathings with Mr. Miller of New York.
Mr. Chelf with Mr. Lipscomb.
Mr. Feighan with Mr. Hoffman.
Mr. Fascell with Mr. Brock.
Mr. Harris with Mr. Martin of Massachusetts.
Mr. Long of Louisiana with Mr. Westland.
Mr. Boggs with Mr. Findley.
Mr. Blatnik with Mr. Chenoweth.
Mr. Cameron with Mr. Jensen.
Mr. Rogers of Texas with Mr. McDade.
Mr. Steed with Mr. Sibal.
Mr. Dorn with Mr. Pilcher.
Mr. Dent with Mr. Fulton of Tennessee.
Mr. Daddario with Mr. Rivers of South Carolina.
Mr. Dulski with Mr. Diggs.
Mr. Gray with Mrs. Kee.
Mr. Miller of California with Mr. Ashley.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

### COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Friday, October 25, 1963, to file a report on the bill, H.R. 8864, to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes, along with any separate views.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, it is so ordered.

There was no objection.

### FEDERAL SUPPORT OF SCIENCE

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, in view of the concern of the Congress about the rapidly increasing Federal budget for scientific research and development, I ask unanimous consent that a very penetrating and thought-provoking article by Dr. Alvin M. Weinberg, the Director of our Oak Ridge National Laboratory and a former member of the President's Science Advisory Committee, be printed in the RECORD following my remarks. This article, entitled "Criteria for Scientific Choice," appeared in the winter, 1963, issue of Minerva, a British publication.

Two points made in the article are of special interest to me because they reinforce my own thinking with respect to the grant review machinery used by the National Institutes of Health. Reference was made to this matter in my remarks last month which appear on pages 17941–17942 of the RECORD for September 24.

Dr. Weinberg's observations on the weaknesses of the advisory panels which serve the President's Science Advisory Committee are equally applicable to the advisory councils and study sections which, for all practical purposes, determine the grantees of the National Institutes of Health and also strongly influence the level of funding for the agency. Dr. Weinberg says:

> The panel system, however, suffers from a serious weakness. Panels usually consist of specialized experts who inevitably share the same enthusiasms and passions. To the expert in oceanography or in high-energy physics, nothing seems quite as important as oceanography or high-energy physics. The panel, when recommending a program in a field in which all its members are interested, invariably argues for better treatment of the field—more money, more people, more training.
>
> The panel system is weak insofar as judge, jury, plaintiff, and defendant are usually one and the same.
>
> The panel is able to judge how competently a proposed piece of research is likely to be carried out; its members are all experts and are likely to know who are the good research workers in the field. But just because the panel is composed of experts, who hold parochial viewpoints, the panel is much less able to place the proposal in a broader perspective and to say whether the research proposal is of much interest to the rest of science.

In a broader context, Dr. Weinberg wisely distinguishes between the "internal" criteria directed to the question of how well a particular research project is done, and the "external" criteria concerned with the question of whether the work should be pursued at a given level or even pursued at all. Substantial doubt exists that the important external criteria relating to the scientific and social merit of research undertakings are adequately taken into consideration at present when the Government supports "big science." Dr. Weinberg writes:

> I believe, however, that it is not tenable to base our judgments entirely on internal criteria. As I have said, we scientists like to believe that the pursuit of science as such is society's highest good, but this view cannot be taken for granted. For example, we now suffer a serious shortage of medical practitioners, probably to some extent because many bright young men who would formerly have gone into medical practice now go into biological research; Government support is generally available for postgraduate study leading to the Ph. D. but not for study leading to the medical degree. It is by no means self-evident that society gains from more biological research and less medical practice. Society does not a priori owe the scientist, even the good scientist, support any more than it owes the artist or the writer or the musician support. Science must seek its support from society on grounds other than that the science is carried out competently and that it is ready for exploitation; scientists cannot expect society to support science because scientists find it an enchanting diversion.

I commend this excellent article to the administrators of our Federal science agencies as well as to the Members of Congress.

## CRITERIA FOR SCIENTIFIC CHOICE

(By Alvin M. Weinberg)

### I

As science grows, its demands on our society's resources grow. It seems inevitable that science's demands will eventually be limited by what society can allocate to it. We shall then have to make choices. These choices are of two kinds. We shall have to choose among different, often incommensurable, fields of science—between, for example, high-energy physics and oceanography or between molecular biology and science of metals. We shall also have to choose among the different institutions that receive support for science from the Government—among universities, governmental laboratories and industry. The first choice I call scientific choice; the second, institutional choice. My purpose is to suggest criteria for making scientific choices—to formulate a scale of values which might help establish priorities among scientific fields whose only common characteristic is that they all derive support from the Government.

Choices of this sort are made at every level both in science and in Government. The individual scientist must decide what science to do, what not to do: the totality of such judgments makes up his scientific taste. The research director must choose which projects to push, which to kill. The Government administrator must decide not only which efforts to support; he must also decide whether to do a piece of work in a university, a national laboratory, or an industrial laboratory. The sum of such separate decisions determines our policy as a whole. I shall be concerned mainly with the broadest scientific choices: how should Government decide between very large fields of science, particularly between different branches of basic science? The equally important question of how Government should allocate its support for basic research among industry, governmental laboratories, and universities will not be discussed here.

### II

Most of us like to be loved; we hate to make choices, since a real choice alienates the party that loses. If one is rich—more accurately, if one is growing richer—choices can be avoided. Every administrator knows that his job is obviously unpleasant only when his budget has been cut. Thus the urgency for making scientific or institutional choices has in the main been ignored both in the United States and elsewhere because the science budget has been expanding so rapidly: the U.S. Government spent $1,600 million on research and development in 1950, $9 billion in 1960, $14 billion (including space) in 1962.

Though almost all agree that choices will eventually have to be made, some well-informed observers insist that the time for making the choices is far in the future. Their arguments against making explicit choices have several main threads. Perhaps most central is the argument that since we do not make explicit choices about anything else, there is no reason why we should make them in science. Since we do not explicitly choose between support for farm prices and support for schools, or between highways and foreign aid, why should we single out science as the guinea pig for trying to make choices? The total public activity of our society has always resulted from countervailing pressures, exerted by various groups representing professional specialties, or local interests, or concern for the public interest. The combination that emerges as our Federal budget is not arrived at by the systematic application of a set of criteria: even the highest level of authority, in the United States, the President, who must weigh conflicting interests in the scale of the public interest, is limited in the degree to which he can impose an overall judgment by the sheer size of the budget if by nothing else. But because we have always arrived at an allocation by the free play of countervailing pressures this does not mean that such free interplay is the best or the only way to make choices. In any case, even if our choices remain largely implicit rather than explicit, they will be more reasonable if persons at every level, representing every pressure group, try to understand the larger issues and try to mitigate sectional self-interest with concern for broader issues. The idea of conflicting and biased claims being adjudicated at one fell swoop by an all-knowing supreme tribunal is a myth. It is much better that the choices be decentralized and that they reflect the concern for the larger interest. For this reason alone philosophic debate on the problems of scientific choice should lead to a more rational allocation of our resources.

A second thread in the argument of those who refuse to face the problem of scientific choice is that we waste so much on trivialities—on smoking, on advertising, on gambling—that it is silly to worry about expenditures of the same scale on what is obviously a more useful social objective—the increase of scientific knowledge. A variant of this argument is that with so much unused steel capacity or so many unemployed, we cannot rightly argue that we cannot afford a big cyclotron or a large manned-space venture.

Against these arguments we would present the following considerations on behalf of a rational scientific policy. At any given instant, only a certain fraction of our society's resources goes to science. To insist or imply that the summum bonum of our society is the pursuit of science and that therefore all other activities of the society are secondary to science—that unused capacity in the steel mills should go to "big science" rather than a large-scale housing program—is a view that might appeal strongly to the scientific community. It is hardly likely to appeal so strongly to the much larger part of society that elects the members of the legislature, and to whom, in all probability, good houses are more important than good science. Thus as a practical matter we cannot really evade the problem of scientific choice. If those actively engaged in science do not make choices, they will be made anyhow by the congressional Appropriations Committees and by the Bureau of the Budget, or corresponding bodies in other governments. Moreover, and perhaps more immediately, even if we are not limited by money, we shall be limited by the availability of truly competent men. There is already evidence that our ratio of money to men in science is too high, and that in some parts of science we have gone further more quickly than the number of really competent men can justify.

### III

Our scientific and governmental communities have evolved institutional and other devices for coping with broad issues of scientific choice. The most important institutional device in the United States is the President's Science Advisory Committee, with its panels and its staff in the Office of Science and Technology. This body and its panels help the Bureau of the Budget to decide what is to be supported and what is not to be supported. The panel system, however, suffers from a serious weakness. Panels usually consist of specialized experts who inevitably share the same enthusiasms and passions. To the expert in oceanography or in high-energy physics, nothing seems quite as important as oceanography or high-energy physics. The panel, when recommending a program in a field in which all its members are interested, invariably argues for better treatment of the field—more money, more people, more training. The panel system is weak insofar as judge, jury, plaintiff, and defendant are usually one and the same.

The panel is able to judge how competently a proposed piece of research is likely to be carried out: Its members are all experts and are likely to know who are the good research workers in the field. But just because the panel is composed of experts, who hold parochial viewpoints, the panel is much less able to place the proposal in a broader perspective and to say whether the research proposal is of much interest to the rest of science. We can answer the question "how" within a given frame of reference; it is impossible to answer "why" within the same frame of reference. It would therefore seem that the panel system could be improved if representatives, not only of the field being judged but also representatives of neighboring fields, sat on every panel judging the merits of a research proposal. A panel judging high-energy physics should have some people from low-energy physics; a panel judging low-energy physics should have some people from nuclear energy; a panel judging nuclear energy should have some people from conventional energy; and so on. I should think that advice from panels so constituted would be tempered by concern for larger issues; in particular, the support of a proposed research project would be viewed from the larger perspective of the relevance of that research to the rest of science.

In addition to panels or the bodies like the President's Science Advisory Committee as organizational instruments for making choices, the scientific community has evolved an empirical method for establishing scientific priorities, that is, for deciding what is important in science and what is not important. This is the scientific literature. The process of self-criticism, which is integral to the literature of science, is one of the most characteristic features of science. Nonsense is weeded out and held up to ridicule in the literature, whereas what is worthwhile receives much sympathetic attention. This process of self-criticism embodied in the literature, though implicit, is nonetheless real and highly significant. The existence of a healthy, viable scientific literature in itself helps assure society that the science it supports is valid and deserving of support. This is a most important, though little recognized, social function of the scientific literature.

As an arbiter of scientific taste and validity, scientific literature is beset with two difficulties. First, because of the information explosion, the literature is not read nearly as carefully as it used to be. Nonsense is not so generally recognized as such, and the standards of self-criticism, which are so necessary if the scientific literature is to serve as the arbiter of scientific taste, are inevitably looser than they once were.

Second, the scientific literature in a given field tends to form a closed universe; workers in a field, when they criticize each other, tend to adopt the same unstated assumptions. A referee of a scientific paper asks whether the paper conforms to the rules of the scientific community to which both referee and author belong, not whether the rules themselves are valid. So to speak, the editors and authors of a journal in a narrowly specialized field are all tainted with the same poison. As Einstein said, "Eigener Dreck stinkt nicht."[1]

Can a true art of scientific criticism be developed, i.e., can one properly criticize a field of science beyond the kind of criticism that is inherent in the literature of the field? Mortimer Taube in "Computers and Common Sense"[2] insists that such scientific criticism is a useful undertaking, and that, by viewing a field from a somewhat detached point of view, it is possible to criticize a field meaningfully, even to the point of calling the whole activity fraudulent, as he does in the case of nonnumerical uses of computers. I happen to believe that Taube does not make a convincing case in respect to certain nonnumerical uses of computers, such as language translation. Yet I have sympathy for Dr. Traube's aims—that, with science taking so much of the public's money, we must countenance, even encourage, discussion of the relative validity and worthwhileness of the science which society supports.

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[1] As quoted by Dyson, Freeman J., in a review of Sweber, S. S., Mesons and Fields, in "Physics Today," IX (May 1956), pp. 32–34.

[2] (New York: Columbia University Press, 1961).

IV

I believe that criteria for scientific choice can be identified. In fact, several such criteria already exist; the main task is to make them more explicit. The criteria can be divided into two kinds: internal criteria and external criteria. Internal criteria are generated within the scientific field itself and answer the question: How well is the science done? External criteria are generated outside the scientific field and answer the question: Why pursue this particular science? Though both are important, I think the external criteria are the more important.

Two internal criteria can be easily identified: (1) Is the field ready for exploitation?; (2) Are the scientists in the field really competent? Both these questions are answerable only by experts who know the field in question intimately, and who know the people personally. These criteria are therefore the ones most often applied when a panel decides on a research grant; in fact, the primary question in deciding whether to provide governmental support for a scientist is usually: How good is he?

I believe, however, that it is not tenable to base our judgments entirely on internal criteria. As I have said, we scientists like to believe that the pursuit of science as such is society's highest good, but this view cannot be taken for granted. For example, we now suffer a serious shortage of medical practitioners, probably to some extent because many bright young men who would formerly have gone into medical practice now go into biological research; Government support is generally available for postgraduate study leading to the Ph. D. but not for study leading to the medical degree. It is by no means self-evident that society gains from more biological research and less medical practice. Society does not a priori owe the scientist, even the good scientist, support any more than it owes the artist or the writer or the musician support. Science must seek its support from society on grounds other than that the science is carried out competently and that it is ready for exploitation; scientists cannot expect society to support science because scientists find it an enchanting diversion. Thus, in seeking justification for the support of science, we are led inevitably to consider external criteria for the validity of science—criteria external to science, or to a given field of science.

V

Three external criteria can be recognized: technological merit, scientific merit, and social merit. The first is fairly obvious, once we have decided, one way or another, that a certain technological end is worthwhile, we must support the scientific research necessary to achieve that end. Thus, if we have set out to learn how to make breeder reactors, we must first measure painstakingly the neutron yields of the fissile isotopes as a function of energy of the bombarding neutron. As in all such questions of choice, it is not always so easy to decide the technological relevance of a piece of basic research. The technological usefulness of the laser came after, not before, the principle of optical amplification was discovered. But it is my belief that such technological bolts from the scientific blue are the exception, not the rule. Most programmatic basic research can be related fairly directly to a technological end at least crudely if not in detail. The broader question as to whether the technological aim itself is worthwhile must be answered again partly from within technology through answering such questions as: Is the technology ripe for exploitation? Are the people any good? Partly from outside technology by answering the question: Are the social goals attained, if the technology succeeds, themselves worthwhile? Many times these questions are difficult to answer, and sometimes they are answered incorrectly. For example, the United States launched an effort to control thermonuclear energy in 1952 on a rather large scale because it was thought at the time that controlled fusion was much closer at hand than it turned out to be. Nevertheless, despite the fact that we make mistakes, technological aims are customarily scrutinized much more closely than are scientific aims; at least we have more practice discussing technological merit than we do scientific merit.

VI

The criteria of scientific merit and social merit are much more difficult: scientific merit because we have given little thought to defining scientific merit in the broadest sense, social merit because it is difficult to define the values of our society. As I have already suggested, the answer to the question: Does this broad field of research have scientific merit? cannot be answered within the field. The idea that the scientific merit of a field can be judged better from the vantage point of the scientific fields in which it is embedded than from the point of view of the field itself is implicit in the following quotation from the late John von Neumann: "As a mathematical discipline travels far from its empirical source, or still more, if it is a second and third generation only indirectly inspired by ideas coming from reality, it is beset with very great dangers. It becomes more and more pure aestheticizing, more and more purely l'art pour l'art. This need not be bad if the field is surrounded by correlated subjects which still have closer empirical connections or if the discipline is under the influence of men with an exceptionally well-developed taste. But there is a grave danger that the subject will develop along the line of least resistance, that the stream, so far from its source, will separate into a multitude of insignificant branches, and that the discipline will become a disorganized mass of details and complexities. In other words, at a great distance from its empirical source, or after much abstract inbreeding, a mathematical subject is in danger of degeneration. At the inception the style is usually classical; when it shows signs of becoming baroque, then the danger signal is up".[3]

I believe there are any number of examples to show that von Neuman's observation about mathematics can be extended to the empirical sciences. Empirical basic sciences which move too far from the neighboring sciences in which they are embedded tend to become "baroque". Relevance to neighboring fields of science is, therefore, a valid measure of the scientific merit of a field of basic science. Insofar as our aim is to increase our grasp and understanding of the universe, we must recognize that some areas of basic science do more to round out the whole picture than do others. A field in which lack of knowledge is a bottleneck to the understanding of other fields deserves more support than a field which is isolated from other fields. This is only another way of saying that, ideally, science is a unified structure and that scientists, in adding to the structure, ought always to strengthen its unity. Thus, the original motivation for much of high-energy physics is to be sought in its elucidation of low-energy physics, or the strongest and most exciting motivation for measuring the neutron capture cross sections of the elements lies in the elucidation of the cosmic origin of the elements. Moreover, the discoveries which are acknowledged to be the most important scientifically, have the quality of bearing strongly on the scientific disciplines around them. For example, the discovery of X-rays was important partly because it extended the electromagnetic spectrum but, much more, because it enabled us to see so much that we had been unable to see. The word "fundamental" in basic science, which is often used as a synonym for "important," can be partly paraphrased into "relevance to neighboring areas of science." I would therefore sharpen the criterion of scientific merit by proposing that, other things being equal, that field has the most scientific merit which contributes most heavily to and illuminates most brightly its neighboring scientific disciplines. This is the justification for my previous suggestion about making it socially acceptable for people in related fields to offer opinions on the scientific merit of work in a given field. In a sense, what I am trying to do is to extend to basic research a practice that is customary in applied science; a project director trying to get a reactor built on time is expected to judge the usefulness of component development and fundamental research which bears on his problems. He is not always right; but his opinions are usually useful both to the researcher and to the management disbursing the money.

VII

I turn now to the most controversial criterion of all—social merit or relevance to human welfare and the values of man. Two difficulties face us when we try to clarify the criterion of social merit: first, who is to define the values of man, or even the values of our own society; and second, just as we shall have difficulty deciding whether a proposed research helps other branches of science or technology, so we will have even greater trouble deciding whether a given scientific or technical enterprise indeed furthers our pursuit of social values, even when those values have been identified. With some values we have little trouble: adequate defense, or more food, or less sickness, for example, are rather uncontroversial. Moreover, since such values themselves are relatively easy to describe, we can often guess whether a scientific activity is likely to be relevant, if not actually helpful, in achieving the goal. On the other hand, some social values are much harder to define; perhaps the most difficult is national prestige. How do we measure national prestige? What is meant when we say that a man on the moon enhances our national prestige? Does it enhance our prestige more than, say, discovering a polio vaccine or winning more Nobel Prizes than any other country? Whether or not a given achievement confers prestige probably depends as much on the publicity that accompanies the achievement as it does on its intrinsic value.

Among the most attractive social values that science can help to achieve is international understanding and cooperation. It is a commonplace that the standards and loyalties of science are transnational. A new element has recently been injected by the advent of scientific research of such costliness that now it is prudent as well as efficient to participate in some form of international cooperation. The very big accelerators are so expensive that international laboratories such as CERN at Geneva are set up to enable several countries to share costs that are too heavy for them to bear separately. Even if we were not committed to improving international relations we would be impelled to cooperate merely to save money.

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[3] Heywood, R. B. (ed.), "The Works of the Mind" (University of Chicago Press, 1947), p. 196.

Bigness is an advantage rather than a disadvantage if science is to be used as an instrument of international cooperation: a $500 million cooperative scientific venture—such as the proposed 1,000 Bev intercontinental accelerator—is likely to have more impact than a $500,000 Van de Graaff machine. The most expensive of all scientific or quasi-scientific enterprises—the exploration of space—is, from this viewpoint, the best suited instrument for international cooperation. The exchange between President Kennedy and Chairman Khrushchev concerning possible increased cooperation in space exploration seems to have been well received and, one hopes, will bear ultimate fruit.

### VIII

Having set forth these criteria and recognizing that judgments are fraught with difficulty, I propose to assess five different scientific and technical fields, in the light of these. The five fields I choose are molecular biology, high-energy physics, nuclear energy, manned-space exploration, and the behavioral sciences. Two of these fields, molecular biology and high-energy physics, are, by any definition, basic sciences; nuclear energy is applied science, the behavioral sciences are a mixture of both applied and basic science. Manned exploration of space, though it requires the tools of science and is regarded in the popular mind as being part of science, has not yet been proved to be more than quasi-scientific, at best. The fields which I choose are incommensurable: how can one measure the merit of behavioral sciences and nuclear energy on the same scale of values? Yet the choices between scientific fields will eventually have to be made whether we like it or not. Criteria for scientific choice will be most useful only if they can be applied to seemingly incommensurable situations. The validity of my proposed criteria depends on how well they can serve in comparing fields that are hard to compare.

Of the scientific fields now receiving public support, perhaps the most successful is molecular biology. Hardly a month goes by without a stunning success in molecular biology being reported in the "Proceedings of the National Academy of Sciences." The most recent has been the cracking by Nierenberg and Ochoa of the code according to which triples of bases determine specific amino acids in the living proteins. Here is a field which rates the highest grades as to its ripeness for exploitation and competence of its workers. It is profoundly important for large stretches of other biological sciences—genetics, cytology, microbiology—and, therefore, according to my criterion, must be graded A+ for its scientific merit. It also must be given a very high grade in social merit, and probably in technological (that is, medical) merit—more than, say, taxonomy or topology. Molecular biology is the most fundamental of all the biological sciences. With understanding of the manner of transmission of genetic information ought to come the insights necessary for the solution of such problems as cancer, birth defects, and viral diseases. Altogether, molecular biology ought, in my opinion, to receive as much public support as can possibly be pumped into it; since money is not limiting its growth, many more postgraduate students and research fellows in molecular biology ought to be subsidized so that the attack on this frontier can be expanded as rapidly as possible.

The second field is high-energy physics. The field of endeavor originally sought as its major task to understand the nuclear force. In this it has been only modestly successful; instead, it has opened an undreamed-of subnuclear world of strange particles and hyperons, a world in which mirror images are often reversed. The field has no end of interesting things to do, it knows how to do them, and its people are the best. Yet I would be bold enough to argue that, at least by the criteria which I have set forth—relevance to the sciences in which it is embedded, relevance to human affairs, and relevance to technology—high-energy physics rates poorly. The nuclear forces are not being worked on very directly—the world of subnuclear particles seems to be remote from the rest of the physical sciences. Aside from the brilliant resolution of the $\tau$-particle paradox, which led to the overthrow of the conservation of parity, and the studies of mesic atoms (the latter of which is not done at ultra-high energy), I know of few discoveries in ultra-high-energy physics which bear strongly on the rest of science. (This view would have to be altered if machines such as the Argonne Zero Gradient Synchrotron were exploited as very strong, pulsed sources of neutrons for study of neutron cross sections.) As for its bearing on human welfare and on technology, I believe it is essentially nil. These two low grades would not bother me if high-energy physics were cheap. But it is terribly expensive—not so much in money as in highly qualified people, especially those brilliant talents who could contribute so ably to other fields which contribute much more to the rest of science and to humanity than does high-energy physics. On the other hand, if high-energy physics could be made a vehicle for international cooperation—if the much-discussed intercontinental 1,000 Bev accelerator could indeed be built as a joint enterprise between East and West—the expense of high-energy physics would become a virtue, and the enterprise would receive a higher grade in social merit than I would now be willing to assign to it.

Third is nuclear energy. This being largely an applied effort, it is very relevant to human welfare. We now realize that in the residual uranium and thorium of the earth's crust, mankind has an unlimited store of energy—enough to last for millions of years; and with an effort of only one-tenth of our manned-space effort we could, within 10 or 15 years, develop the reactors which would tap this resource. Only rarely do we see ways of permanently satisfying one of man's major needs—in this case energy. In high-conversion-ratio nuclear reactors we have such means, and we are close to their achievement. Moreover, we begin to see ways of applying very large reactors of this type to realize another great end, the economic desalination of the ocean. Thus, the time is very ripe for exploitation. Nuclear energy rates so highly in the categories of technical and social merit and timeliness that I believe it deserves strong support, even if it gets very low marks in the other two categories—its personnel and its relationship to the rest of science. Suffice it to say that in my opinion the scientific workers in the field of nuclear energy are good and that nuclear energy in its basic aspects has vast ramifications in other scientific fields.

Next on the list are the behavioral sciences—psychology, sociology, anthropology, economics. The workers are of high quality; the sciences are significantly related to each other, they are deeply germane to every aspect of human existence. In these respects the sciences deserve strong public support. On the other hand, it is not clear to me that the behavioral scientists, on the whole, see clearly how to attack the important problems of their sciences. Fortunately, the total sum involved in behavioral science research is now relatively tiny—as it well must be when what are lacking are deeply fruitful, and generally accepted, points of departure.

Finally, I come to manned-space exploration. The personnel in the program are competent and dedicated. With respect to ripeness for exploitation, the situation seems to me somewhat unclear. Our "hardware" is in good shape, and we can expect it to get better—bigger and more reliable boosters, better communication systems, etc. What is not clear is the human being's tolerance of the space environment. I do not believe that either the hazards of radiation or of weightlessness are sufficiently explored yet positively to guarantee success in our future manned-space ventures.

The main objection to spending so much manpower, not to say money, on manned-space exploration is its remoteness from human affairs, not to say the rest of science. In this respect space (the exploration of very large distances) and high-energy physics (the exploration of very small distances) are similar, though high-energy physics has the advantage of greater scientific validity. There are some who argue that the great adventure of man into space is not to be judged as science, but rather as a quasi-scientific enterprise, justified on the same grounds as those on which we justify other nonscientific national efforts. The weakness of this argument is that space requires many, many scientists and engineers, and these are badly needed for such matters as clarifying our civilian defense posture or, for that matter, working out the technical details of arms control and foreign aid. If space is ruled to be nonscientific, then it must be balanced against other nonscientific expenditures like highways, schools, or civil defense. If we do space research because of prestige, then we should ask whether we get more prestige from a man on the moon than from successful control of the waterlogging problem in Pakistan's Indus Valley Basin. If we do space research because of its military implications, we ought to say so—and perhaps the military justification, at least for developing big boosters, is plausible, as the Soviet experience with rockets makes clear.

### IX

The main weight of my argument is that the most valid criteria for assessing scientific fields come from without rather than from within the scientific discipline that is being rated. This does not mean that only those scientific fields deserve priority that have high technical merit or high social merit. Scientific merit is as important as the other two criteria, but, as I have argued, scientific merit must be judged from the vantage point of the scientific fields in which each field is embedded rather than from that of the field itself. If we support science in order to maximize our knowledge of the world around us, then we must give the highest priority to those scientific endeavors that have the most bearing on the rest of science.

The rather extreme view which I have taken presents difficulties in practice. The main trouble is that the bearing that one science has on another science so often is not appreciated until long after the original discoveries have been made. Who was wise enough, at the time Purcell and Bloch first discovered nuclear magnetic resonance, to guess that the method would become an important analytical tool in biochemistry? Or how could one have guessed that Hahn and Strassmann's radiochemical studies would have led to nuclear energy? And indeed, my colleagues in high-energy physics predict that what we learn about the world of strange particles will in an as yet undiscernible way teach us much about the rest of physics, not merely much about strange particles. They beg only for time to prove their point.

To this argument I say first that choices are always hard. It would be far simpler if the problem of scientific choice could be ignored, and possibly in some future millennium it can be. But there is also a more constructive response. The necessity for scientific choice arises in "big science," not in "little science." Just as our society supports artists and musicians on a small scale, so I have no objection to—in fact, I strongly favor—our society supporting science that rates zero on all the external criteria, provided it rates well on the internal criteria (ripeness and competence) and provided it is carried on a relatively small scale. It is only when science really does make serious demands on the resources of our society—when it becomes "big science"—that the question of choice really arises.

At the present time, with our society faced with so much unfinished and very pressing business, science can hardly be considered its major business. For scientists as a class to imply that science can, at this stage in human development, be made the main business of humanity is irresponsible—and, from the scientist's point of view, highly dangerous. It is quite conceivable that our society will tire of devoting so much of its wealth to science, especially if the implied promises held out when big projects are launched do not materialize in anything very useful. I shudder to think what would happen to science in general if our manned space venture turned out to be a major failure, if it turned out, for example, that man could not withstand the reentry deceleration forces after a long sojourn in space. It is as much out of a prudent concern for their own survival, as for any loftier motive, that scientists must acquire the habit of scrutinizing what they do from a broader point of view than has been their custom. To do less could cause a popular reaction which would greatly damage mankind's most remarkable intellectual attainment—modern science—and the scientists who created it and must carry it forward.

## MERITED RAISES

**Mr. UDALL.** Mr. Speaker, I ask unanimous consent to addres the House for 1 minute, to revise and extend my remarks, and to include two editorials.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

**Mr. UDALL.** Mr. Speaker, part of the folklore of American politics is that editors and constituents will uniformly rise up in indignation at any suggestion of salary increases for public officials, especially Members of Congress. I do not believe it.

Salary legislation is like any legislation which costs money. It must be clearly necessary and fair. If it is not, it cannot be defended. If it is proper and necessary, reasonable people will support it.

Too often we in the Congress sell the American people short. We imply by our hesitancy to support good causes that our constituents will be unreasonable, that they will punish us for doing what is right. This is sheer nonsense. I have enough faith in the commonsense and judgment of the American people to believe they will support any legislation that is necessary and fair.

Recently my colleague, the gentleman from Virginia [Mr. BROYHILL], and I introduced legislation to provide salary increases for all levels of the Federal civilian service, including Members of Congress, the Cabinet, top level civil servants, the judiciary, the classified service, and the postal field service. I am happy to say that, contrary to the pessimism and fears of some advocates, support for this legislation is coming in from far and near. For example, the American Bar Association has given the proposal a ringing endorsement, and its national magazine will have a major article in support of Federal pay raises next month. The National Civil Service League has given the legislation its support. And a great many other groups and organizations are making themselves heard on the need for these long-overdue pay adjustments.

Mr. Speaker, colleagues have brought to my attention two newspaper editorials published in their own districts in recent days which strongly support this legislation. Under unanimous consent, I include them with my remarks at this point in the RECORD:

[From the Trenton (N.J.) Evening Times, Oct. 16, 1963]

### MERITED RAISES

Searching inquiry by disinterested, nonpartisan groups into the sagging levels of Federal salaries has resulted in an inescapable determination.

This is it: judicial and congressional pay scales have for a long time been grossly inadequate.

As compared with what men in private enterprise receive, men with comparable talent and responsibilities, they are far out of line. They have even lagged behind adjustments granted most officials and employees of the Federal service.

Those in the classified positions have received boosts, and now the members of the Armed Forces have had their pay reasonably increased.

There are inequity in the other departments. The low salary rates tend to limit these positions to persons of independent wealth or outside earnings. Federal judges cannot practice privately, and their acceptance of positions in the U.S. judiciary represents a sacrifice.

A district judge, for instance, earns $22,500, the same as Congressmen. An example of disproportion exists in Pennsylvania, where State court judges in many cases receive $5,000 a year more than the chief judge and the other judges of the U.S. Court of Appeals.

Naturally, all of us are aware of the urgency of decreasing the expenditures of the Federal Government. However, the cost of any increase in judicial and congressional pay which any responsible source would recommend would be nominal when compared with the advancement of the public interest which would be served.

Some of the most important cases in recent legal history have been decided in U.S. District Court here. Giant corporations represented by the most expensive lawyers in the land have pleaded their causes. Sitting in judgment, ironically, is a man whose salary is a fraction of the fees paid the battery of counsels that face him and must abide by his rulings.

The American Bar Association has overwhelmingly supported Federal judicial raises. The President's own pay panel has recommended them.

Members of Congress are naturally reluctant to raise their own pay, being fearful of the reaction at home. They should not be so coy. They spend more money for more purposes than any body of men on this planet. Commonsense demands that they devote a tiny fraction of their appropriations to making the top jobs of statecraft inviting to the persons best fitted to hold them.

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[From the Michigan City News-Dispatch, Oct. 2, 1963]

### PAY RAISES NEEDED

Businessmen know that few things cost them more than bad managers. Ineptitude or stupidity at the top inevitably multiplies as it filters down through management levels, creating great waste.

At least one businessman believes the same thing holds true in government—and he's trying to do something about it.

Clarence Randall, retired steel executive, headed a presidential advisory panel which made a penetrating study of federal salaries.

In August the panel submitted its report and recommendations. Randall has capsuled its essence in one succinct paragraph:

"Never has our Federal Government had greater need for able men in posts of executive, legislative and judicial responsibility. Yet we are asking our Federal officials to accept these responsibilities at salaries much less than they can obtain elsewhere and much less than the level that would make it possible for them to serve the Government."

Energetic and outspoken, Randall did not conclude his mission with submission of the panel's report. He has since crusaded vigorously for congressional approval of its recommendations.

Specifically, the panel would boost Cabinet salaries from $25,000 to $50,000, Supreme Court Justices from $35,000 to $60,000 and Members of Congress from $22,500 to $35,000.

Comparable salary increases are recommended for other top Federal executives, such as assistant secretaries and bureau chiefs. Says Randall:

"Without adjustment at the top, executives in key Federal positions * * * cannot receive realistic compensation for their important work. Their part in the successful conduct of Government cannot be overemphasized. Their responsibilities generally equal those of a top corporation executive."

Randall dramatizes existing inequities with two revealing examples:

1. In one western city, 28 top executives are paid more than Federal Cabinet members * * * and the comptroller of one southern State gets more pay than the U.S. Secretary of the Treasury.
2. Mayors and managers of at least 24 cities get as much salary as Cabinet members.

Randall, who well knows the cost of inferior management in business, says bluntly:

"It is poor economy to make it impossible to obtain the best available top management for programs that cost the taxpayer hundreds of millions of dollars. Seen as a question of good business judgment, the present salary practices of Government cannot be justified.

"Now is the time to overhaul our [Federal] * * * pay structures. The cost is small—less than the going price of one destroyer escort vessel. We should make the investment required to provide * * * the ablest executives, judges and legislators our society can produce.

Randall is right—but without widespread public understanding and support his sensible proposals may languish. Congress probably won't get to them until 1964, a big election year when salary raises might alienate uninformed voters.

## VOLUNTARY ACCOMMODATIONS ACT

**Mr. BENNETT of Florida.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

**Mr. BENNETT of Florida.** Mr. Speaker, I have today introduced a bill in the House of Representatives to provide a voluntary solution to the problem of Negro travelers in finding adequate motel, restaurant, and other facilities on the Nation's highways.

The voluntary accommodations legislation would make possible low interest rate loans for the construction of such facilities for members of the Negro race.

This legislation would complement and support the freedom of association constitutional amendment which I introduced several weeks ago. This constitutional amendment would preserve the right of freedom of association in private business, housing, and educational institutions.

A Negro traveling some of the highways in America has difficulty in finding adequate accommodations for himself and his family. I believe it is unconstitutional to force private business to accept persons whom the property owners do not wish to accept or serve. These points were strongly presented in the recent hearings on the proposed public accommodations section of the civil rights legislation now before the Congress.

This Voluntary Accommodations Act, which would assure adequate housing, motel, hotel, and eating accommodations for all people in the United States, would do away with the atmosphere of apprehension or ill will now prevalent in many parts of the country. A Negro could have the assurance of a safe and sound night's sleep, and there would be no need for the compulsive, and probably unconstitutional legislation introduced by administration leaders.

There is nothing new to my approach to help solve this pressing social problem in America.

The first speech I made on the floor of the House of Representatives 15 years ago was in support of legislation to provide funds for construction of schools on the basis of population in the schools attributable to Negroes and Indians. This bill, along with the one I have introduced today, has nothing to do with segregation or integration. It is long overdue.

There is great fear throughout the country that the administration's proposal for public accommodations would force many private businesses out of business. I believe the answer to the problem is this Voluntary Accommodations Act. The bill follows:

H.R. 8881

A bill for voluntary accommodations, to assure the provision of decent, safe, and sanitary housing and adequate motel, hotel, and eating accommodations for all Americans

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Voluntary Accommodations Act".

SEC. 2. The Congress hereby finds that in many areas of the United States additional decent, safe, and sanitary housing and more motel, hotel, and eating accommodations are needed that will be made available to Negroes, and that they are not being provided either with or without the assistance of existing Federal housing or other programs.

SEC. 3. In order to assure the provision of adequate housing and motel, hotel, and eating accommodations for all the people in the United States, the Housing and Home Finance Administrator is authorized to make and to enter into commitments to make loans for—

(1) the purchase or construction of dwellings to be owned and occupied by the borrowers as their homes;

(2) the repair, alteration, or improvement of dwellings owned or to be owned and occupied by the borrowers;

(3) the construction or repair and rehabilitation of multifamily housing projects and related facilities; and

(4) the construction or repair and rehabilitation of motel or hotel accommodations and related facilities, and eating accommodations.

SEC. 4. Assistance provided under this Act shall be subject to the following conditions:

(a) The Administrator shall find, before making a loan, or a commitment to make a loan, that in the area in which the housing or accommodations are or are to be located more decent, safe, and sanitary housing, or more motel, hotel, and eating accommodations, as the case may be, are needed to assure their availability to Negroes, and that the housing or accommodations cannot be provided with the assistance of any other Federal housing or other program, or by any other reasonable method.

(b) The Administrator shall determine that the applicant for a loan is a satisfactory credit risk.

(c) In the case of an applicant for a loan pursuant to paragraph (3) or (4) of section 3 the applicant shall agree that it will provide the type of housing or accommodation that is needed, and that during the time any part of the loan remains unpaid the borrower will be regulated or restricted by the Administrator as to rents or sales, charges, capital structure, rate of return, and methods of operation to such extent and in such manner as the Administrator determines will provide reasonable rentals and charges and amortization of the project or accommodations.

(d) The amount of a loan made pursuant to—

(1) Paragraph (1) of section 3 may not exceed $10,000 or the value of the property including the land;

(2) Paragraph (2) of section 3 may not exceed $5,000 or the sum of the estimated cost of repair and rehabilitation and the Administrator's estimate of the value of the property (including the land) before repair and rehabilitation;

(3) Paragraph (3) or (4) of section 3, may not exceed $100,000 or the estimated value of the property (including the land and necesary site improvement) when construction is completed in the case of new construction, or, in the case of repair and rehabilitation, the estimated cost of repair and rehabilitation and the Administrator's estimate of the value of the property (including the land and necessary site improvement) before repair and rehabilitation.

(e) A loan shall be secured by a mortgage which shall provide for complete amortization by periodic payments within such term up to 40 years as may be prescribed by the Administrator, except that the term of a loan made under paragraph (4) of section 3 may not exceed 25 years.

(f) A loan shall bear interest at 3 per centum per annum on the amount of the principal obligation outstanding at any one time, except that the interest rate may be increased to not more than 6 per centum if, with the approval of the Administrator, an obligor other than the original borrower assumes the obligation of repayment of the loan or any outstanding balance of the loan.

(g) A loan shall be subject to such terms and conditions as may be imposed by the Administrator to carry out the purposes of this Act, including agreement by the borrower that without the approval of the Administrator (1) the property purchased, constructed, or rehabilitated with assistance of the loan will not be sold, and (2) no person other than the original mortgagor will assume payment of the mortgage given to secure the loan.

(h) The housing and accommodations assisted under paragraphs (3) and (4) of section will be made available to Negroes.

SEC. 5. There are authorized to be appropriated such sums as may be necessary to constitute a revolving fund for use by the Administrator in carrying out this Act.

SEC. 6. The Administrator shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors and subcontractors in the construction, repair, or rehabilitation of housing and accommodations assisted under this Act shall be paid wages at rates not less than those prevailing in the locality involved for the corresponding classes of laborers and mechanics employed on construction of a similar character, as determined by the Secretary of Labor in accordance with the Act of March 3, 1931, as amended (the Davis-Bacon Act); but the Administrator may waive the application of this section in cases or classes of cases where laborers or mechanics, not otherwise employed at any time in the construction of such housing or accommodations, voluntarily donate their services without full compensation for the purpose of lowering the costs of construction and the Administrator determines that any amounts saved thereby are fully credited to the borrower undertaking the construction, repair, and rehabilitation.

SEC. 7. In the performance of, and with respect to, the functions, powers, and duties vested in him by this Act the Administrator shall (in addition to any authority otherwise vested in him) have the administrative and fiscal functions, powers, and duties which are necessary or appropriate to enable him to carry out this Act, as set forth in section 402 (except subsection (c)(2)) of the Housing Act of 1950. The Administrator may utilize the facilities and services of any other Federal department or agency and may delegate the performance of any of his functions, except the making of regulations, to any officer or employee of any other Federal department or agency. Any such utilization or delegation shall be pursuant to proper agreement with the Federal department or agency concerned, and payment to cover the cost thereof shall be made either in advance or by way of reimbursement, as may be provided in the agreement.

SEC. 8. As used in this Act, the term "United States" includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

## NAVY SECRETARY FRED KORTH

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa.

There was no objection.

Mr. GROSS. Mr. Speaker, I wish to call the attention of the House to the following articles that are of some significance in the conflict-of-interest role of Navy Secretary Fred Korth. The articles are:

The story by Cecil Holland, of the Washington Star, appearing October 20, 1963, dealing with the Korth correspondence on Navy Department stationery to promote the business of his bank. It also includes Korth's claim that he was not asked to resign.

The story by Max Frankel, of the New York Times, appearing October 20, 1963, dealing with the reports that Korth was forced to resign. It also dealt with Korth's use of the Navy yacht the *Sequoia*, for the entertainment of officials of his bank and the extra good customers of Korth's Continental National Bank in Fort Worth.

The story by Clark Mollenhoff, of the Des Moines Register and Tribune and Minneapolis Star and Tribune, appearing October 20, 1963, dealing with the part a high General Dynamics official—Mr. Frank Pace—played in steering an insurance deal to Korth that netted Korth stock worth a quarter of a million dollars. The report states that Korth admitted he did not have to risk a penny of his own money to make this huge profit.

The article in the October 25, 1963, issue of Time magazine which states that Defense Secretary Robert McNamara advised President Kennedy to demand the resignation of Korth; that on October 11, 1963, Korth had breakfast with McNamara and that same afternoon the Navy Secretary personally handed in his resignation at the White House. The White House made the resignation public on October 14, 1963, "but did not," said Time, "reveal that Korth had, in fact been fired."

Put the facts in those stories together with the McClellan Investigating Subcommittee record, and see what you have.

Korth approved a $400,000 loan for General Dynamics in the months just prior to becoming Navy Secretary. Although he resigned as president of the bank, he retained 160,000 shares of stock.

Now we see that Korth continued to steer clients to his bank, wrote letters on Navy stationery to promote the bank's business, and entertained the bank's extra good customers on the Navy yacht *Sequoia*.

Now, we see that Korth had good reason to be grateful to many high officials of General Dynamics, because of the deposits of from $100,000 to $500,000 that General Dynamics carried with the Continental National Bank of Fort Worth. We see that officials of the Continental National Bank looked forward to a much improved business position if the General Dynamics firm won the TFX contract, and these officials were elated to have General Dynamics win the award.

In the face of all those facts, Fred Korth did not disqualify himself on the TFX contract. He took part and overruled the judgment of the top military officers and civilian technical experts who felt the contract should be to Boeing.

Korth should have been fired for not disqualifying himself in the TFX award. The more facts we learn, the more it becomes clear that there was a conflict of interest.

His TFX role was grounds for firing him. His activity in this insurance deal, in which he voted approval of the transactions with Ben Jack Cage should have been grounds for firing him.

Korth's correspondence on Navy stationery to promote his bank's business was grounds for firing him.

If the Justice Department did not clear Korth, then the Attorney General should state that this is so in a loud and clear voice, and let it be known that Korth was wrong and his pattern of activity will not be tolerated.

The pattern of coverup we have been treated to in the Korth affair does not stimulate the belief that there is a proper atmosphere to promote honest government.

First. The atomic carrier story was a phoney "cover story" to mislead the public on the reason for Korth's resignation.

Second. We were told that Korth's resignation had nothing to do with TFX. This was someone's cute and clever way of misleading the public into believing that the McClellan Investigating Subcommittee's work had nothing to do with Korth's resignation. Now it is becoming clear that the letters uncovered by the McClellan staff were at the bottom of the forced resignation. Even this is an effort to avoid admission that Korth's conflict of interest is involved, for that might contaminate the whole TFX contract and force reconsideration.

Third. Korth now says that no one asked him to resign. This is another bit of wording that is intended to mislead the press and the public into believing that top officials of the Kennedy administration have absolved Korth of wrongdoing. I do not think he would be resigning if the top officials were so convinced he was not at least indiscreet.

It is time for the administration to end this doubletalk and this coverup. It is time to quit shielding Korth and others involved in the mismanagement and the misdoings in the TFX warplane contract. It is time for the President to take a forthright stand for strong steps to clean up this TFX mess.

## THE BUCKET ARGUMENT

Mr. HALL. Mr. Speaker, I ask unan- from Iowa? imous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, Members of the House will recall that I did my utmost during the recent debate on the foreign aid authorization bill to attach an amendment which would limit our contributions to United Nations Assistant Agencies to not more than 33⅓ of the total budgets of those agencies. This is the same limitation now applicable by law to the Federal United Nations Budget and our contributions thereto.

The Wall Street Journal reports that the United Nations Special Fund now seeks a $28 million boost in its budget for 1964. This would be more than a third greater than the 1963 budget and we already contribute 40 percent of the United Nations Special Funds budget. It appears that while we are finally tightening up our foreign aid budget, we are losing our savings through the back door to the United Nations aid program. I urge the Members of the House to read the following editorial from the Wall Street Journal.

### THE BUCKET ARGUMENT

The United Nations Special Fund, an outfit that provides technical assistance to underdeveloped nations, is seeking a $28 million boost in its budget for 1964.

In case anyone thinks this a bit steep—it would be up more than a third from 1963—the Fund's managing director, Paul G. Hoffman, implies that it's a drop in the bucket compared with the $120 billion U.N. members will spend on defense this year.

A number of questions can be raised about this whole Special Fund undertaking, or at least the heavy U.S. support of it. The United States, after all, runs an extremely expensive foreign aid program of its own. And some of the U.N. Special Fund money has gone to peculiar places like Communist Cuba.

Apart from all that, what interests us is this drop-in-the-bucket argument, which is getting so familiar in so many areas. We are constantly told, for example, that the outlay for books or concerts or whatever is only a drop in the bucket compared with national spending on liquor and cigarets, just as though there were some relevant connection.

Or that the Government foreign aid program is only a drop in the total budget. Or, for an intriguing variation, that the public debt, which is rapidly rising, is actually getting smaller as a percentage of gross national product or something. Or, for a further variation, that a particular pork-barrel project costs hardly anything—the first year, that is.

Somehow the bucket-arguers never seem to reflect on the obvious: That all those drops quickly became raging oceans of spending and, in the cases of the United States and the U.N., red ink.

## CUBA

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Montana [Mr. BATTIN] is recognized for 1 hour.

Mr. BATTIN. Mr. Speaker, today is an anniversary—the anniversary of the President's address to the Nation announcing that there were indeed missile sites in Cuba. In this speech the President announced his intention to impose a partial blockade—which he called a quarantine—to prevent the arrival of further offensive military equipment in Cuba.

Last Saturday, recalling the events of the crisis of October 1962, the President declared that the outcome of that crisis could not be considered either "a victory in the usual military sense" or a defeat. He left the Nation in considerable doubt as to just what the outcome should be considered.

The results are indeed difficult to assess. If one does not limit himself to the events of the week of October 22, 1962, but looks at these events in the broader context of the events that preceded and the events that followed the week of the missile crisis, one is in a better position to judge whether the Soviet Union or the United States obtained a net advantage. In this larger context, the Soviet Union has scored a victory by establishing in this hemisphere a substantial military base, whether that base is at present equipped with missiles or not. Khrushchev has successfully defied the historic policy of the United States, the Monroe Doctrine, by political and military intervention in this hemisphere. Khrushchev has done what Adolph Hitler was forbidden to do by Franklin D. Roosevelt—Khrushchev has done what no foreign power was permitted to do in the past 100 years.

The massive Soviet military buildup began in the summer of 1962. This fact has been admitted by the administration itself. In a statement of the Special Committee on Communist Subversion of the OAS—a committee which included the former American Ambassador to the Organization, Mr. deLesseps S. Morrison, we read:

> The military intervention of the Soviet Union in this hemisphere began to assume important proportions with the arrival in Cuba, in the middle of July 1962, of large shipments of Soviet war materials and military personnel. This fact introduced a new and dangerous element into the extracontinental intervention, which until then had primarily consisted of political and economic penetration.

A formidable military force exists in Cuba today, and as long as that force is there it is idle to deny that Khrushchev has scored a victory.

Let us look at the other aspects of the missile crisis. The President declared in his speech of October 22, 1962:

> Our goal is not the victory of might, but the vindication of right—not peace at the expense of freedom, but both peace and freedom, here in this hemisphere, and, we hope, around the world. God willing, that goal will be achieved.

It is quite obvious that we have not achieved the goal which the President laid down—freedom has not been brought to Cuba. Using the standard that the President himself laid down in his speech 1 year ago, again we are forced to conclude that the outcome of the missile crisis was not victory for the United States.

Again in his speech 1 year ago, the President called for "the prompt dismantling and withdrawal of all offensive weapons in Cuba, under the supervision of U.N. observers, before the quarantine can be lifted." In his correspondence with Khrushchev the President insisted on some form of onsite inspection, but the quarantine was lifted without securing the inspection which the President had told the world he was demanding. This retreat cannot be considered a victory for the United States.

No one can be sure whether Soviet missiles remain in Cuba. The Senate Preparedness Subcommittee has said:

> Strategic weapons may or may not be now in Cuba. We can reach no conclusion on this because of the lack of conclusive evidence.
>
> Ironclad assurance of the complete absence of Soviet strategic missiles in Cuba can come only as a result of thorough, penetrating onsite inspection by reliable observers. The current intelligence estimate that they are not present is based largely on the negative evidence that there is no affirmative proof to the contrary. This, of course, was precisely the status of the matter prior to last October 14.
>
> There is no doubt that there are literally thousands of caves and caverns in Cuba and that it is feasible to use many of these for the storage and concealment of strategic missiles and other offensive weapons. It is also true that military activity has been observed in connection with these caves.

The basis that is usually given for the claim that the United States scored a victory is the withdrawal of Soviet missiles but we are not sure that they are all withdrawn or that others have not been introduced since last October. Aerial surveillance of the island is clearly not enough to tell us that there are no missiles in Cuba.

The Soviet Union insists that it received from the administration a promise that this country would not invade Cuba nor would it permit an invasion from other Latin American countries. Administration officials have indicated that they do not concur in this conclusion but in the published correspondence between the President and Khrushchev there is no statement by President Kennedy that Khrushchev's interpretation of their understanding is wrong. A large part of public opinion of the world believes that the United States made the commitment that Khrushchev maintains was made. President Kennedy has not effectively dispelled the doubt that exists on this point. This is at least a propaganda victory for the Soviet Union.

Early in 1963 the United States withdrew its missiles from Turkey and Italy, giving credence to the belief that Khrushchev had forced this concession from President Kennedy. A responsible semiofficial French military publication has flatly charged that the withdrawal of these missiles was part of a bargain struck by the President of the United States and the leader of the U.S.S.R. Here again was a victory for the Soviet Union.

The Federal Government cracked down on raids against Cuba and against shipping destined for Cuba by exiles. This was an action which Fidel Castro had listed as one of his five demands on the United States on October 28, 1962.

Shortly thereafter, Dr. Miro Cardona, leader of the Cuban Revolutionary Council, broke with the Kennedy administration alleging that the administration had been guilty of bad faith—that it had promised United States support of another invasion of Cuba and had gone back on its word.

Castro continues a campaign of terrorism and subversion from one end of Latin America to the other. He invades British islands 30 miles from Florida with impunity to kidnap Cuban exiles, in spite of the repeated promises of President Kennedy that Cuba would not be permitted to export its revolution.

In January of this year the Committee on Security of the OAS declared "it is no exaggeration to say that Cuba has now been converted into a Soviet military camp." The Committee further said that "the Cuban regime has begun a new phase of promoting and encouraging violent subversion in other countries of the hemisphere." This statement was signed by the American Ambassador to the OAS, the representative of President Kennedy.

As I survey the panorama of events at the time of the missile crisis and after, I cannot see victory of any kind for the United States. The administration backed down from its announced objective. Castro is still on the loose throughout Latin America. Soviet power remains strongly entrenched in Cuba. This is not victory as Americans have understood the word.

Yes, as we stood eyeball to eyeball the Soviets did blink but at that moment they saw a great weakness. We forced Russia to take one step backward and then allowed her to take three forward. In fact we still have not blinked but rather seem to be in a fixed position as if in a trance. We won the battle of the day but we are losing the war that has followed. Our friends in all of Latin America are being subverted by communism and as a result they are forced to suspect the good intentions of the United States. We stand unblinking to be sure, fixed and sinking in the sea of executive confusion on what our hopes are for the achievements of the people of Central and South America.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I would like to commend the gentleman on his statement marking the anniversary of the President's Cuban statement.

### THE WORLD TODAY

Mr. Speaker, just 1 year ago this country was in the midst of the Cuban missile crisis. The mood of the country was one of determination, anxiety, resolve, and outrage. We were determined and resolved to get those Russian missiles and troops out of Cuba. We were anxious about the consequences of our actions but we went ahead because we had to. We were outraged at the deceit and duplicity of the Russians who had time and again assured us that only defensive weapons had gone into Cuba.

Today, just 1 year later, we have already signed and ratified a test ban treaty; we are ready to sell wheat to Russia and some of her satellites; and our President has invited the Soviets to join us in a cooperative moon venture. In selling wheat to the Russians at a subsidized price—U.S. taxpayers contribute 60 cents a bushel—momentarily we help our farm surplus problem. This sale undeniably strengthens the Communists where they are weak. We evidently have waited 17 years for a weak spot in order to dash in to fill it by cash sales. We seem to overlook the additional bargaining position our agricultural abundance could secure for freedom and peace in our world today.

It is particularly necessary to take stock of the world situation because our attitudes of 1 year ago have changed so drastically. What, for example, has happened in the intervening 12 months that has convinced us of a new sincerity on the part of the Communists?

In Cuba, Russian military weapons and troops still remain. Castro continues to carry on a highly stepped-up infiltration campaign into the Latin American countries. In British Guiana, Cheddi Jagan is an avowed Marxist-Leninist. In Venezuela and Brazil, Communist activity is assuming alarming proportions. In all of Latin America, Castro-trained and Russian-financed agitators are stirring up trouble.

In southeast Asia, the Communists continue their relentless drive to take over that entire area. Every day in Laos, they violate the Geneva agreements. Over half of the most strategic part of that country is under the firm control of the Communist Pathet Lao.

In South Vietnam, the prospects of a free world victory are still very remote because the Communist Vietcong can retreat to the privileged sanctuary of Communist North Vietnam with impunity. Russian weapons are being used every day against our American troops.

In Europe, the Berlin wall still stands, a monument to the true character of international communism. In the Middle East, in Asia, in Africa, the Communist grand design continues to be carried out relentlessly. These are some of the problems that were with us last October and still remain.

Mr. Speaker, there are other, very far-reaching problems that we must also consider regarding free world policies and the effect some of our recent proposals will have on them. The NATO alliance, for example, must be strengthened, not weakened. Yet, the more we convince ourselves that true cooperation is possible with the Communists, the less we will believe in the need for greater deterrent strength. If we are right in believing in the Communists' new found sincerity, then nothing is lost. If we are wrong, however, everything could be lost. This in itself is ample reason to go slow in pursuing a policy of all-out cooperation with the Communists. We should at least demand some concrete demonstrations on the part of the Communists such as the dismantling of the Berlin wall or the removal of troops and weapons from Cuba before we continue to collaborate with them in other areas.

More than at any other time in the cold war, this particular period of apparent eased tensions is the time to proceed cautiously and slowly lest we do in haste what we will one day regret more bitterly than anything else we have done thus far.

I thank the gentleman for yielding.

Mr. BATTIN. I thank the gentleman from Wisconsin for his contribution.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, the Kennedy administration has been pursuing a policy of coexistence with Cuba through accommodations since the missiles were supposedly removed last year. I think on the occasion of this anniversary, which is not one of which the American people can be proud as it relates to what has happened since then, it would be well to review for a few moments just exactly how many accommodations have been made to Fidel Castro's Communist Cuba, and the extent to which accommodations have been sought and have been acquiesced in by this country.

Mr. Speaker, this year of indecision, vacillation and accommodation leads me to the conclusion that the New Frontier lacks both the will and the determination necessary to win the cold war struggle against communism in this hemisphere. Events following the crisis started with the scrapping of the Monroe Doctrine. As the gentleman from Montana [Mr. BATTIN] mentioned, failure to insist upon, at a time when we had the position of strength from which we could have been successful, onsite inspection followed by other events, have substantiated my worst fears. The Soviet missiles were withdrawn, if they were withdrawn, at the expense, apparently from the development subsequently, of de facto recognition of Castro's island as a permanent Communist foothold in the Western Hemisphere.

That hands off Cuba was the quid pro quo Khrushchev demanded for withdrawing his missiles is evidenced by the New Frontier actions since the crisis.

Ever since the missile crisis, this administration has used every force at its command to restrain Cuban exiles from winning back their freedom. They have halted exile raids, seized their weapons, disbanded effective anti-Communist exile groups, and arrested men who were bent on destroying Cuba's economy by flooding it with bogus Cuban money, and just the day before yesterday, according to press reports, some 22 exiles were stopped in three boats from going to Cuba in attempting to win back their freedom.

I would like to call attention to the fact that on October 28 at the very time this missile crisis was at its height, Fidel Castro made five demands on the United States. One of those was that all exile raids from the United States and Puerto Rico be stopped. That demand is being met.

The New Frontier has stood idly by while fleeing Cubans have been captured by Castro's warships, and it has withdrawn support of anti-Communist Cuban espionage agents in Latin America and in Cuba. The New Frontier has refused to take effective steps to halt the flow of free world ships carrying goods, including strategic materials, to Cuba, has refused to close the Panama Canal to ships carrying such goods to Cuba, and has violated the laws and clear intent of Congress in failing to advise Congress why it continues to send U.S. foreign aid money to nations trading with Cuba.

Of course, the House of Representatives does not have a much better record in that they did not vote favorably on the amendment offered first by the gentleman from Montana and secondly the amendment by myself that would have mandatorily cut off such aid which could have been brought about by my amendment to the foreign aid bill.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. I would like to point out to the gentleman, if he will recall, that the Battin amendment actually had in it a waiver clause. I understand that is what the gentleman is referring to. As I recall, the gentleman spoke in favor of that amendment which had the waiver provision in it, and then voted for the provision. Later on the gentleman presented an amendment which the House did not accept. I want to keep the record straight.

Mr. CRAMER. I will be delighted to straighten the record out.

Mr. ROGERS of Florida. I think the record is straight if the gentleman will refer to it.

Mr. CRAMER. I proposed on the House floor and was in support of an even stronger amendment with no discretion left in the President, as the gentleman knows, requiring the withholding of funds, foreign aid funds, to any nation that did business with Fidel Castro. The gentleman knows that has been my position from the outset. The gentleman from Florida along with the other gentleman from Florida [Mr. FASCELL], having been the ones who proposed the Democratic version, which was a watered down, Milquetoast version, which left in the President the same discretion he has had, in effect, and which has resulted in the very thing the gentleman has day after day taken the floor of the House and complained about, and rightly so. That is that over 50 percent of the ship bottoms carrying goods to Cuba still are free nation bottoms and there is no intention, will or desire on the part of the New Frontier to stop it so long as it retains discretion under the law to permit such shipping. The only way it could have been stopped was to adopt the Cramer amendment which would have made it mandatory that all such funds be withheld. I think it is unfortunate, and particularly that the gentleman from Florida, who has day after day taken the floor and complained about free world shipping continuing to go to Cuba, did not see fit to support my amendment which would have done the job.

Mr. ROGERS of Florida. The gentleman from Florida [Mr. CRAMER] states he offered amendment to a watered-down version of the Fascell-Rogers amendment.

Mr. CRAMER. That is precisely correct.

Mr. ROGERS of Florida. Which actually had no waiver provision in it, and if the gentleman from Florida will recall he did not offer his amendment to the Battin amendment which he supported and which had a specific provision for waiver in it.

Mr. CRAMER. The record is very clear, I will say to the gentleman.

Mr. ROGERS of Florida. Exactly.

Mr. BATTIN. I would say to the gentleman that I offered a substitute for the Fascell amendment, which dealt only with shipping. My amendment provided for both shipping and aircraft, and it provided that a waiver was not available to the President except for humanitarian reasons and emergencies at sea. It was voted down.

Mr. CRAMER. The gentleman knows full well that the amendment he and Mr. FASCELL offered did not cure the presently existing discretion to waive which was left in the law by the Fascell-Rogers amendment any time the President wanted to permit friendly nations to continue to ship to Cuba and still get our aid. It was the purpose of my amendment to remove the waiver provisions making it mandatory to withhold aid to nations trading with Cuba. The gentleman knows full well that is what the amendment would have done. If the gentleman had voted for it it would have passed, because it ended up a tie, 162 to 162, with the chairman having to vote against it.

**Mr. ROGERS of Florida.** There is a general waiver provision in the foreign aid bill. The President could waive the provisions of the law only when it was in the interest of the national security of the United States. The House in its wisdom felt it was wise for the President to have this opportunity to waive it whenever the security of the United States was involved. For instance, if Nicaragua or some country were allowing its ships or its planes to carry goods to the exiles in Cuba who were trying to fight the Castro regime, the President could waive this provision and say that those countries could still be allowed aid if it was in the interest of the national security of the United States.

**Mr. CRAMER.** Those are the very actions the President is cutting off today by not even permitting the exiles from this country to try to win back the freedom of their country while at the same time he is permitting friendly nations to receive aid and still trade with Cuba.

I say to the gentleman that the President is permitting these goods to continue to go to Cuba in free-world bottoms. The only way to stop it, and the gentleman knows the only way to stop it, would be to adopt the Cramer amendment, with no discretion to permit those goods to continue to go to Cuba. Any country desiring to aid the exiles outside the United States would not be affected by my amendment.

**Mr. ROGERS of Florida.** Since the last statement of the gentleman is not so, Mr. Speaker, will the gentleman yield further?

**Mr. BATTIN.** I will say to the gentleman from Florida that I would like the other gentleman from Florida [Mr. Cramer] to finish. I have other requests for time.

**Mr. CRAMER.** Further, with regard to the New Frontier attitude toward Cuba in the last year, it allows Cuban planes—and I think it is well to review this record at this time—it allows Cuban planes to overfly the United States on a Canada-Havana route, so long as they stop for inspection. It allows Castro to select the exiles that came to America on the returning ransom ships—50 percent of them having been selected by Fidel Castro himself. And, it turned around and ran instead of pursuing those Cuban airplanes that took potshots at American fishing vessels. This is the record.

It has entered into a wheat deal with Russia, the final results of which will most probably see American wheat in some form ending up in Cuba.

It has failed miserably to come up with any plan to rid communism from Cuba and from this hemisphere and, thus, put vitality into the Monroe Doctrine.

One year after the so-called missile crisis, Castro is in a stronger position than before the crisis. This administration has acceded to Castro's demand that we hold back Cuban exiles working for his overthrow and this gives the Communists a permanent military establishment 90 miles from our shores in a hemisphere formerly free from communism. To add insult to injury, we have acceded to some of Castro's demands without even getting on-site inspection.

Subsequent to the missile crisis, the United States withdrew its missiles from Italy and Turkey and has reduced the number of long-range nuclear bombers in Europe. In the light of these and other circumstances, I must look upon the anniversary of the missile crisis as a day of mourning over our continuing failure to oust Castro, and sincerely believe the President should, instead of issuing gold engraved calendars to commemorate this armed foothold for communism in this hemisphere, issue black arm bands to remind us of our failures and of the demise of the Monroe Doctrine.

**Mr. BATTIN.** Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Shriver] may extend his remarks at this point.

**The SPEAKER pro tempore.** Is there objection to the request of the gentleman from Montana?

There was no objection.

**Mr. SHRIVER.** Mr. Speaker, Communist domination and occupation of Cuba today remain as serious a problem to the security and freedom of the United States and other Western Hemisphere governments as 1 year ago.

The presence of Soviet military forces and/or technicians in Cuba, growing operations of Russian fishing trawlers and other vessels between North Atlantic fishing banks and Cuba, and the instability of many Latin American governments point up the problem which just has not gone away with last year's confrontation with the Soviet Government over Russian offensive missiles.

On this anniversary date it is important that the administration, the Congress, and the American people be reminded that the problem which we faced so determinedly a year ago remains the same—only the tension is lessened.

The Soviets are in Cuba primarily for the purpose of increasing and spreading communism's influence and power in Latin America and they are exploiting their foothold to the greatest extent possible.

Earlier this year, we were reminded in an interim report issued by the Preparedness Investigating Subcommittee of the Committee on Armed Services in the U.S. Senate:

> The paramount danger * * * is that the nations of this hemisphere may be subverted one by one and be exploited, in turn, for subversive and revolutionary activities. By this process of erosion our neighbors to the South may fall nation by nation until the entire hemisphere is lost and the Communist goal of isolating the United States has been attained.

Mr. Speaker, since the ill-fated Bay of Pigs invasion in 1961, six Latin American governments have fallen. Others are in danger of falling. This instability within these Latin American governments provides great opportunities for infiltration by Castroites and the eventual achievement of Communist objectives.

The people of the Western Hemisphere look to the United States to provide the leadership in the development of a policy and program which will soon lead to the removal of Soviet military forces and the elimination of the Communist regime in Cuba.

It is essential that neither the administration nor the Congress forget the Cuban people who have been promised time and again that the flag of freedom will again fly on that oppressed island. The entire Cuban problem should be given the highest possible priority by the U.S. Government to the end that the evil threat which hangs over this hemisphere will be eliminated at an early date.

**Mr. BATTIN.** Mr. Speaker, I yield to the gentleman from Minnesota [Mr. MacGregor].

**Mr. MacGREGOR.** Mr. Speaker, let me quote the following:

> The cost of freedom is always high—but Americans have always paid it. And one path we shall never choose is the path of surrender or submission.

These are fine words expressing a noble concept. They come not from any one of the so-called extremist groups of the country, but rather from President Kennedy in his remarks of a year ago today on the Cuba crisis.

Mr. Kennedy also in that notable address of October 22, 1962, called our attention to what he called the clear lesson of the 1930's. He said aggressive conduct, if allowed to grow unchecked and unchallenged, ultimately leads to war. I want to suggest that this is the same lesson taught us not only in the 1930's, but throughout the 1940's, 1950's, and right down to the present moment in history. It is a lesson which we as Americans have been all too slow to learn, and there is considerable doubt as to whether we have yet learned it.

One of the questions, for example, that all Americans might ask now is whether our current situation with relation to Cuba amounts to the kind of submission President Kennedy spoke of a year ago today. We should recall that in 1961 Mr. Kennedy assured us that we would not tolerate communism in Cuba for long.

Now, in 1963, are we being asked to tolerate communism in Cuba after all? And are we being asked to believe that we have won a notable victory in the reported departure of Russian missiles and military personnel from Cuba?

I believe it is incumbent on all of us to recall that we have never received full assurance that the Russian military presence in Cuba does not continue. In fact, when Mr. Sterling Cottrell, the Deputy Assistant Secretary of State for Latin America testified on August 13 to a House Appropriations Subcommittee, he said the Russians in Cuba were only "thinning out" and that they are giving extensive training to Cubans in the use of military equipment such as surface-to-air missiles and Mig-21's. And we also need to remind ourselves of the export of subversives and subversive equipment from Cuba to other Latin American countries where the cumulative effects of Communist subversion are becoming more serious every day.

And even if we were to assume that we have reverted to the conditions existing in the summer of 1962, is this a victory? Has the Kennedy administration managed already to make Americans believe that a Communist Cuba is a satisfactory situation after the assurances given us only 2 years ago?

In Latin America today the essential ingredient for long-term progress is economic and social stability. It is U.S. policy, or nonpolicy, which is one of the major contributors to the lack of stability. It is the paralysis of will which somehow has deprived us of the ability to take action where needed in defense of freedom. It is the administration's obvious lack of intent to support its articulate words which gives us the biggest problem in the world today. It is not military takeovers which we need to fear the most. We need to avoid continued instability of the kind which fosters other Cubas. We need to support stability, not only in eloquent praise of idealistic goals, but in solid action which will give notice to Latin America that we intend to support what we used to call the "legitimate aspirations" of free people everywhere for peace, progress, and freedom.

The lesson of the 1930's and also the lesson of October 22, 1962, is that when we take the proper kind of action, and not just talk about action, our allies will support us. The Organization of American States was only lukewarm in support of U.S. speeches about Castro and communism. After the action of a year ago today the OAS backed us strongly and unanimously, and indicated support for us. We also had the support of our NATO allies. When we choose again to lead we will again be leaders.

Our failure in the past 2½ years has been that we have chosen not to lead. We have chosen not to learn the lesson of the 1930's. When we begin to show leadership, when we begin to match words with deeds, then and only then will we give meaning to that noble Kennedy thought of a year ago today—"The cost of freedom is high."

Mr. BATTIN. I thank the gentleman from Minnesota for his contribution. It is interesting to note, that on this, the anniversary date of the firm action of the President, other nations in the world are celebrating it too. I have in my hand a UPI release of this date where it is stated:

> An American-owned freighter was strafed for over an hour off the Cuban coast but there were no casualties, it was reported today.
>
> A spokesman for Universe Tank Ships, Inc., of New York, said it received a radiogram from Captain Krause of the freighter *J. Louis* saying planes had made 16 passes over the vessel in the course of 61 minutes. Krause reported damage to the superstructure and the hull above the waterline and a fire that took 2 hours to bring under control.
>
> The *J. Louis* is chartered to the Caribbean Steamship Co. and flies the Liberian flag. It was en route from Ocho Rios, Jamaica, to Corpus Christi, Tex., with 31,500 tons of bauxite for the Reynolds Metal Co.
>
> According to Krause, the attack took place 12 miles off Cape Corriente, Cuba, at 12:40 a.m. e.d.t. and lasted until 1:41 a.m.

Here is another UPI story adding to this:

> In Washington, officials later said U.S. military aircraft were sent out from Key West, Fla., to investigate but when they reached the scene the offending aircraft had disappeared.
>
> The Coast Guard also reported getting a radio message from the freighter.
>
> The ship, built in 1961, is listed by Lloyd's Registry as a 20,253-ton vessel.

Maybe that is the anniversary present we are receiving from Castro.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I will be happy to yield to the gentleman from Ohio.

Mr. DEVINE. I think it is also meaningful that the Washington Daily News carried a headline today to the effect that Castro asked the United States to lift its embargo on Cuba.

I would like to join with my colleague, the gentleman from Montana [Mr. BATTIN], in pointing out again to the American people that 1 year ago today, October 22, the President took to the airways and pointed out that the administration had "suddenly" discovered the presence of what they then described as offensive missiles on the island of Cuba. Now it appears that the administration, because of the policy they have followed during the past year, is embarrassed about this situation and would like very much to sweep it under the rug.

The gentleman from Montana is rendering a great service to this country in pointing out the history of the past year. He is also chairman of the Republican task force for investigating subversive matters in the Western Hemisphere. I would like to ask the gentleman from Montana if in his capacity as chairman he has been able to determine either an investigation was made or information is available from the administration as to whether or not any inspection of any nature has been conducted to determine if in fact all of the missiles have been removed from the island of Cuba.

Mr. BATTIN. I would have to say to the gentleman that we have no such information from the administration or any of the executive agencies, but we have had reports from clandestine sources in Cuba and from people who have recently found their way out of Cuba into this country, that there still are, in fact, missiles in the country and in caves. Whether they are ready for use at this moment or not is doubtful. The fact that they are there, just as they were 1 year ago today, and could be used, is the thing that is most frightening to me.

Mr. DEVINE. Mr. Speaker, I think the gentleman would agree with me that when the President, a year ago this evening, went before nationwide television and made this revelation to the American people, the American people stood by the position he took at that time 100 percent. However, would not the gentleman agree that there has appeared to be a backing off, that our situation today does not appear to be any better in the island of Cuba; that Castro is still there, that the Russian troops are still there and in all probability many of the missiles are still there?

Mr. BATTIN. I would say to the gentleman that we have witnessed perhaps the greatest job of public relations that has ever been unleashed on the American people. We have gone from the Bay of Pigs fiasco to the Russian offensive missiles buildup in Cuba to successful subversion in Latin America. What is a very blighted part of our history is now being made by the public relations experts into a victory for the Kennedy administration. Personally I am not willing to buy what they are trying to sell and that is why I am on the floor of the House of Representatives today.

Mr. DEVINE. Of course, some newspapers have suggested that the timing of this, which was just 2 weeks before the congressional elections in 1962 may have had something to do with this revelation. So maybe there is hope that preceding the next congressional election next year, some other affirmative action may be taken by the administration that will give the American people some hope of removing communism from this hemisphere.

Mr. BATTIN. Mr. Speaker, I thank the gentleman.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I was very interested in the gentleman's comment with regard to an anniversary present. This is reminiscent to me of the fact that Mr. Gromyko was the very man who was telling the President of the United States a year ago just a day or so before this anniversary date that there were no missiles in Cuba. This same man who should be persona non grata in the United States, after lying in his teeth to the President of the United States and to the American people, is the same man who comes back to this country a year later and sits in the White House and is welcomed with open arms, making all sorts of so-called commitments on behalf of the Russian people. I think it is interesting to note that we also had a little present there, too; at the very time the wheat deal was settled, and he was there talking to the President about it at the White House, at that very time they were holding up our troops and our goods in the corridor going to Berlin, contrary to their specific agreements previously entered into.

It raises a question in my mind, when can you believe the Russians? When do they mean what they say? And why do we welcome Mr. Gromyko, who lied in his teeth just a year ago, and then permitted this corridor incident to occur right after the wheat deal was entered into? I ask the gentleman: Does he not agree with me on that matter?

Mr. BATTIN. I certainly do. And if the gentleman is asking me at what point I am willing to trust them I would have to say that point is not in the foreseeable future.

Mr. Speaker, I see on the front page of the afternoon papers that Castro is asking the United States to lift the embargo. It seems that every time somebody asks us to do something, whether it is in our best interests or not, we respond.

Mr. CRAMER. Mr. Speaker, will the gentleman yield further?

Mr. BATTIN. I yield.

Mr. CRAMER. Is not that demand being made today a repeat of the demand made on October 28 of last year, one of the five demands made by Castro, including keeping exiles from attacking Cuba from the United States and Puerto Rico?

Second, our withdrawal from Guantanamo.

Third, the very demand he is making here today, that we stop the economic quarantine or embargo to the extent to which it is effective at the present time.

Mr. BATTIN. The gentleman is correct.

Mr. CRAMER. If the gentleman will yield further, I would like to ask the gentleman further with respect to this strafing incident, what happened to the policy, or I thought was the supposed policy, of the United States if it happened again—in that it took over an hour for our planes to arrive after the shooting started—that we were going to use the hot-pursuit approach as suggested by the gentleman from the other body? If we had made it known that we were going to use hot pursuit, that we were not going to let this happen again, then it is possible that this additional incident would not have occurred and it is possible that additional American lives and additional ships would not be jeopardized by Castro's armed raids at the present time.

Does not the gentleman think we should let Castro know we are not going to put up with the firing by the Communist armed forces upon U.S. ships, personnel, and our allies?

Mr. BATTIN. I would say to the gentleman that his position is certainly that of mine. We misunderstood the meaning of the doctrine of hot pursuit. The way it has been applied, it means the harassment and pursuit of the Cuban exiles currently based in this country who are trying to win their island back. That is the hot pursuit they refer to, to get the Cubans back on the shores of the United States and keep them away from Cuba.

Mr. CRAMER. If the gentleman will yield further, that is the only hot pursuit we have had thus far, is it not?

Mr. BATTIN. Yes; I would say so. We do find evidence, and I have the photographs as to what happened in the Bahamas, where Castro's forces using patrol boats and helicopters prevented Cubans from leaving the control of Castro.

That is the type of incident we allow to happen, and I have no doubt that our neighbors in South and Central America wonder what the United States would do if we were confronted with more aggression within the hemisphere in violation of the Monroe Doctrine.

Mr. CRAMER. Yes; letting Castro, in effect, invade British-owned property. Great Britain is one of our allies. Letting him invade those islands in order to get refugees and return them to the firing squad in Cuba, and we do not even enter a protest. We let Great Britain do it.

Mr. BATTIN. Not even the doctrine of humanitarianism that we have followed on the high seas for years was followed in this instance.

Mr. BEERMANN. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Nebraska.

Mr. BEERMANN. I thank the gentleman for yielding.

Pursuing this afternoon's story about Castro asking the United States to lift the embargo, he makes his pitch on the basis that hurricane Flora created so much devastation that the United States ought to lift its economic embargo against Cuba.

It seems to me like this might be a lesson in timing. I understand that President Kennedy is having some problems in delivering the wheat to Russia in U.S. bottoms, because the freight rate might be $22 to $23 a ton and foreign ships will transport it for $12 or $13 a ton. The President is having trouble in delivering the wheat based upon the sales which have been made thus far because there are not enough ships to go around.

Perhaps, the time is just right so that if the United States lifts the embargo on Cuba and we insist upon shipping wheat in U.S. bottoms, the freight rate will be much less to Cuba or possibly about the same from the U.S. ports to Cuba as it is from Canada to Cuba or from New Zealand, Australia, or elsewhere to Russia and back to Cuba.

So, maybe, the timing is just right to ship U.S. wheat at the world price, subsidized by the American taxpayers, in American bottom ships so that Khrushchev can meet his commitments to Dictator Castro.

This is just an observation that I make based upon looking at the news today.

Mr. Speaker, I want to compliment the gentleman from Montana [Mr. BATTIN] for helping the United States celebrate this anniversary.

Mr. BATTIN. I thank the gentleman from Nebraska.

Mr. MORTON. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Maryland.

Mr. MORTON. I thank the gentleman from Montana very much for yielding.

I would like to ask a question concerning the American property that was confiscated at the time of the establishment of the Castro regime in Cuba. Has there been any discussion or negotiations with either the Cuban Government or the Russian Government in an effort to get this property back?

Mr. BATTIN. I will have to say to the gentleman from Maryland there has not been any and up until recently our own Government would not even admit they were negotiating with the Russian Government on the sale of wheat. No negotiations have taken place and there has been no public information that I know of that would indicate such a subject has ever been discussed.

Mr. MORTON. I have heard it said in very high places that more American property was confiscated by the Castro regime than in all other wars or any other acts by other foreign governments. Is that correct?

Mr. BATTIN. I do not have the figures, but I may say to the gentleman I have been informed of the same circumstances and realizing the investment we had in the private sector in Cuba, as well as the friendship of the Cuban people, we not only lost materially from the take over by Castro, but we have lost considerably the friendship of the people of that country.

Mr. MORTON. I thank the gentleman very much. I want to go on record as saying that the fact that Americans have lost literally millions of dollars worth of property as the result of revolutionary action and that our Government has not done anything as far as I can see to recover that property in value or in kind leaves me with some loss of faith as to our policy and our willingness to defend American property throughout the world.

Mr. BATTIN. I thank the gentleman for his contribution.

Mr. ALGER. Mr. Speaker, I join with the gentelman from Montana [Mr. BATTIN] in calling attention to the first anniversary of an infamous episode in American history.

One year ago President Kennedy challenged aggression by Soviet Russia in Cuba. The entire Nation supported the brave words of the President little knowing that the bravery was all in the words and that within a few short days our position would be reversed.

There has never been satisfactory proof that Russian missiles were removed from Cuba. Thousands of Soviet troops are still there in defiance of our demands that they be removed. Adding to our shame, yesterday, on the eve of the first anniversary of the Cuban crisis, newspapers around the world carried the story of how American custom agents seized the boat and the equipment of freedom fighters seeking to return to Cuba to fight communism.

Mr. Speaker, the policies of the Kennedy administration have proven ineffective against communism everywhere in the world and especially in Cuba and Latin America. Is it not time we adopt a policy of victory over communism instead of accommodation or more rightly, appeasement?

## A SALUTE TO THE AREA REDEVELOPMENT ADMINISTRATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from South Carolina [Mr. HEMPHILL] is recognized for 30 minutes.

Mr. HEMPHILL. Mr. Speaker, at a time when so many seem to have so much pleasure in criticizing, I rise to do the rather unusual; that is, to pay tribute to a Department of the Government of the United States which in its effort to carry out the legislative mandates of the Congress of the United States has done so much for the economy of the congressional district which I am privileged to represent. So I come here today to salute the Area Redevelopment Administration—because of a recent and gratifying recapitulation of the number of jobs, the resulting flourishing of the economy, the production and the other incidental benefits which we have received from the various programs, the various projects which my district has had the privilege of having instituted under the area redevelopment program.

I recall, Mr. Speaker, it has been only 2 years since this particular agency of the Government was created. I recall that my particular vote at the time in favor of it was highly criticized. I recall also that I knew at the time, and my feelings have been justified, that we could use this particular program to continue the promotion, the profit and the protection of the private enterprise system of which the American people can justly be proud, and my district has benefited greatly, and continues to do so.

This agency has performed every task given to it by the Congress of the United States with efficiency, courage, and courtesy. I salute it.

We who are in the Congress have daily contact with many of the agencies and departments of the U.S. Government. These contacts are necessary in order to present to the agencies prospectives on the problems arising in the various congressional districts. Most of the agencies my office has contacted in the 7 years I have been in Congress have been most helpful, courteous, and I, for one, have seen very little of the bureaucracy and redtape that many want to be critical of.

The Area Redevelopment Administration, which was created by the Area Redevelopment Act of 1961, has, in my district, and I am sure in hundreds of other congressional districts, performed magnificiently in producing the employment and the jobs visualized by the President in asking that the Congress pass such an act. It is by far the most productive piece of legislation the Congress has passed under this administration, and has meant more to the economy of our State than any legislation passed during my tenure here of 7 years.

Not only has this administration performed nobly on its own; it has coordinated with the Community Facilities Administration, the Housing and Home Finance Agency, Small Business Administration, and others, to strengthen the economy of this Nation.

Let me begin by paying tribute to the Administrator here in Washington and his able staff. On many occasions I have telephoned or asked for a personal audience to discuss problems in my district. In every instance I was received with courtesy, efficiency, and in a climate of helpfulness. Certainly this is the kind of public service we all desire in the various agencies of our Government—Federal, State, or otherwise. The staff here in Washington is not only courteous and efficient but will use extra effort to help solve the local problem.

Most of my dealings has been with the regional office in Atlanta. The public servants I have dealt with in that office are as efficient as any businessman I have ever contacted in my 25 years of practicing law or serving in various positions with county, State, and Federal governments. I know of not one instance in which I could have anything but the highest praise for their response to our inquiry and our problems. I will not name any of them by name—suffice it to say that they have done the job they are supposed to do, and in the manner they are supposed to, and the results have been beneficial to thousands of people in the Fifth Congressional District of South Carolina. But let me give you the real facts and figures that show their help.

When the Area Redevelopment Act was first passed, I asked for conferences with the officials here in Washington because I recognized quickly the potentiality of the new organization. We had a conference in my office in which various representatives quickly assured me of their ambition to be of help and followed up with their magnificent effort. At that time I only represented seven counties in the Fifth South Carolina Congressional District, and four of those counties were classified as depressed area counties because of statistical unemployment rate, as compiled by the Employment Security Commission of South Carolina and certified by the Department of Labor of the United States. Today, I represent eight counties and five of the eight have been classified as depressed area counties. We needed jobs badly and as soon as we applied to the Area Redevelopment Administration for help we received help.

We initiated the program in my district by a meeting in Chesterfield, S.C., on August 12, 1961. Gathered at that meeting were representatives of various counties involved, four in my district and four in the district of my distinguished colleague, Congressman JOHN L. McMILLAN. Mr. Wayne Shields was kind enough to come and give us his advices on how to proceed with applications. His discussions were good and we have all since benefited from that meeting and from what followed.

### CHESTERFIELD COUNTY

Chesterfield County, S.C., had the highest unemployment rate in 1961 of any of the counties in the Fifth Congressional District. I would like to quote here the facts which caused me to know that the Area Redevelopment Act offered us great opportunity to increase employment. The South Carolina Employment Security Commission, South Carolina State Employment Service affiliated with the U.S. Employment Service:

#### CHESTERFIELD COUNTY

#### POPULATION AND LABOR FORCE

The number of inhabitants of Chesterfield County increased less than 1 percent from 1940 to 1950 but declined 7 percent from 1950 to 1960. The white population increased 3 percent. From 1950 to 1960 the white population declined 4 percent and the nonwhite 12 percent.

The total labor force increased 4 percent from 1940 to 1950. Estimates for 1960 indicate that a slight decline has occurred in the past decade.

#### PRINCIPAL ECONOMIC ACTIVITIES AS MEASURED BY EMPLOYMENT

Despite heavy declines in farm employment in the past two decades, agriculture continues to be the major industry. Manufacturing is the largest of the nonfarm industries, accounting for more than 40 percent of the nonfarm wage and salary workers. Manufacturing employment has not increased significantly in the past decade.

#### UNEMPLOYMENT AND UNDEREMPLOYMENT

The county has been experiencing a high level of unemployment. The major manufacturing industries, textiles, lumber and wood products, and apparel, have contributed to unemployment from both seasonal and recessionary influence. A rough estimate placed total unemployment close to 8 percent of the total labor force in August 1961. In the midweek, approximately 11.8 percent of the workers covered by the South Carolina Unemployment Compensation Law were claiming benefits.

We now know that we have created 998 jobs, many of them permanent through ARA help in Chesterfield County, and I would like to list here a breakdown of those jobs:

| | *Number employed* |
|---|---|
| Jefferson: | |
| Building reservoir and filter plant | 26 |
| Building addition to bleachery 30,000 square feet | 35 |
| Stimulated building new homes—providing employment for additional carpenters | 12 |
| Providing sufficient water kept Jefferson bleachery from moving—providing employment | 300 |
| When reservoir and filter plant is complete the bleachery should provide employment for | 50 |
| Pageland: | |
| Construction of Pageland Manufacturing Co | 15 |
| Pageland Manufacturing Co., now employing | 80 |
| Construction of A. W. Schefrar plant | 30 |
| A. W. Schefrar Co. employment (now) | 20 |
| Employment of A. W. Schefrar plant when in full operation | 65 |
| Building and installing water tanks and sewer | 40 |
| Stimulated building new homes provided employment for additional carpenters | 15 |
| Remodeling Chesterfield Garment Corp | 7 |
| Chesterfield Garment Corp. will employ when complete (Negroes) | 50 |
| Cheraw: | |
| Installation of water and sewer lines | 27 |
| Pee Dee, Inc. (new plant) | 110 |
| Chesterfield: | |
| Installation of water and sewer lines | 50 |
| Stimulated building of new homes | 15 |
| Remodeling of U.S. post office | 12 |
| Wildlife area, improving wildlife area for recreation | 39 |
| Total | 998 |

These statistics alone do not reflect the genuine improvement in the whole economic picture in Chesterfield County. I was in Pageland, S.C., on Saturday, October 12, 1963, and the streets were humming with people—a wonderful picture for a community with a stimulating economy, stimulated with the help, assistance, and guidance of the Area Redevelopment Administration. For the people of Chesterfield County, I say "Thanks from the bottom of our hearts."

### KERSHAW COUNTY

Recently I wrote a friend of mine in Kershaw County, the able and brilliant State senator, asking him for the impact of the ARA assistance in Kershaw County. I quote from his letter:

> I hope that you will make one of your usually strong speeches about the ARA and certainly the Elgin, S.C., project is a dramatic example of what this program has done for our area. Regardless of the many criticisms which well-meaning people direct at what they term "socialistic tendencies," the ARA assistance given in our case has, in my opinion, been an outstanding example of a relatively small Government investment producing major benefits to many citizens.
>
> It was just a year ago this month that the President announced that $74,500 had been allocated to the town of Blaney, S.C., for assistance in constructing a waterworks system under the ARA program. You will, of course, recall that announcement and the pride we both felt in it, especially when we were informed that it was the first, or one of the first in the United States.
>
> At the time of the announcement, we had completed negotiations with the Elgin National Watch Co. to build a new plant at Blaney, S.C., provided the town of Blaney would erect a waterworks system. Blaney, up to that time, was a small, sleepy, somewhat typical southern community, midway between Camden and Columbia. It had been in existence for some 50 years and was named for an official of the Seaboard Railroad, whose main line runs through the town. The total population was approximately 300. Citizens of the town and surrounding area were engaged mostly in farming. The town itself included several stores and one cotton gin. The only other industrial establishment, a sawmill, had closed several years before. The decline in agriculture which has been general throughout the South had shown its effects on Blaney and its immediate area. Employment opportunities were nonexistent, except in Camden and Columbia, a distance of 15 miles to each. Even there, the employment opportunities were limited because of the competition of persons living in that area, as well as a general lack of demand for basically unskilled workers.
>
> When the Elgin Watch Co. was surveying sites, the location and availability of labor in the Blaney area were persuasive factors. However, the cost of installing a water system was estimated to be approximately $150,000, and the existence of such a system was a condition precedent to the building of a plant. The total taxable wealth in the corporate limits of Blaney was, according to one estimate, only about $1,300,000. To finance a $150,000 waterworks system would have been both a legal and a practical impossibility.
>
> The passage of the ARA legislation seemed almost like a godsend to us wrestling with the problem of providing the waterworks system. With a grant of approximately 50 percent of the cost, the revenue bond issue of the remaining half seemed barely possible. The encouragement given by the Government grant caused the town officials and interested citizens to swing their weight behind an election to authorize the bond issue, as well as to change the name of the town to Elgin in honor of the new industry.
>
> By February 1, the new water system had been completed to the extent that the new plant could formally open. Job opportunities were provided initially to over 100 persons of the area, mostly women.
>
> Today, in a conversation with the plant manager, he tells me that approximately 300 persons are employed, more than 80 percent from Kershaw County, and the remaining almost entirely from adjacent counties. The annual payroll is approximately a million and one-half dollars. The response of the people in the area has been magnificent. School authorities have cooperated in the establishment of a training program in conjunction with the State Technical Education Committee. The workers have shown an attitude and a desire to learn that has been an inspiration to the whole new enterprise. At present, a training program is underway to provide additional employees, so that the expected employment before the end of another year will probably be in excess of 600 persons.
>
> In addition to the 300 permanent jobs, the town's economy got a real boost during the construction period. The waterworks system cost approximately $150,000 and the building constructed for the plant involved a cost of approximately $700,000. This boost in the economy, of course, was not limited to the Blaney-Elgin area alone but spread over into Columbia, Camden, and other adjacent cities and communities.
>
> Perhaps the most satisfying thing about the whole project is to see the achievements of individual workers. Heretofore, the job opportunities for females in the area were limited to sewing rooms in Camden or Columbia or employment in local mercantile establishments. The result was that few women were employed.
>
> Today, weekly paychecks to women who are working on production oftentimes exceed $100 per week. One lady of the area who, I know, had had an especially hard time with her farm family, is already talking of a savings program to send her children to college. A year ago, she was worried about buying groceries and paying house rent.
>
> Another equally satisfying phase of the program is the satisfaction of the Elgin Watch Co. itself with the new operation. Although I cannot speak for the company, it was my understanding that the watch industry generally had been squeezed by foreign imports to the point that only two companies in the United States still produced watches entirely with American labor. Most of the other companies import the movements and market them under their established trade names. Elgin was one of the companies striving to keep the watchmaking industry alive in the United States. However, in order to meet the press of foreign competition, new efficiencies and new economies had to be found. This, I believe, has been accomplished in the Elgin, S.C., plant, which is one of the most modern in the world, and where American labor with its skill and ingenuity is showing that it can produce profitably even in competition with the low-wage areas of Europe and Asia.
>
> To me, this example of the ARA program is in the best tradition of Government and private industry working together to promote and help the great majority of our peoples.

### LANCASTER COUNTY

I do not have all the statistics for Lancaster County, S.C., but our most recent help came from the ARA in a loan, through the Small Business Administration, under the guidance of the Area Redevelopment Administration, in the amount of $300,460, to the Heath Springs Manufacturing Co., Inc., which will mean 250 direct new jobs in the Health Springs community, not to mention hundreds of other benefits from the fact that the employment is increased and consumer money is being paid out.

The Department of Agriculture, with the assistance of ARA, loaned or granted to the rural community water district of Lancaster, $375,000 for the development of a rural water system which will benefit more than 400 farm and rural homes, and, while we have no direct estimate of the number of new jobs which will be created, we can assure the Congress and the people of this country, that this is a great shot in the arm for the rural development of Lancaster County, increasing not only the comforts and sanitation potential of all involved, but making land and location more valuable—truly a worthwhile, praiseworthy project.

We are working on a program for the town of Kershaw for the improvement of water and sewer facilities, this being partially in Lancaster County. This would insure direct jobs of 100 or more.

### CHESTER COUNTY

In Chester County, S.C., we have plans for a water system which would be second to none. We are assured that if the plans mature for this water system that we can create, within 5 years, a minimum of 1,000 new jobs.

### OTHER AREAS

In the town of Blacksburg, Cherokee County, S.C., the Community Facilities Administration participated with the Area Redevelopment Administration in cooperation for a $241,000 filter system in that community enabling them to seek new industry. We have no record of the number of jobs involved but it follows that new jobs will be created and the economy will be improved.

While at home last weekend, I telephoned my good friend, the Honorable John Gaddy, progressive mayor of Hickory Grove, S.C. The Hickory Grove community had been recipient of a Housing and Home Finance Administration participation in the installation of a modern water system for the amount of $65,000. Mayor Graves told me that indirectly 20 or 25 new jobs were created and as soon as they could furnish water, an industry, employing 300 people, was on the scene. The president of the company, the Oxford Manufacturing Co., pointed to the water tank and made the remarks to the mayor that without the water, his company never could have afforded to establish in Hickory Grove. Thanks again to the Housing and Home Finance Agency, the Community Facilities Administration, and the Area Redevelopment Administration.

We have other projects in mind. I will not take the time to point them out. It is time someone told the good things about Government effort. It is time the people in this agency know that we are grateful for their public service in assisting and helping the economy of the Fifth South Carolina Congressional District and the various communities. To be sure, this is not the only Government agency that has helped us—I hope to speak of others at a later date—but their record of assistance and their record of production of jobs speaks so well of the efficiency and personnel involved, and I hope that each one of them that reads of this salute knows that we are glad to salute every single individual who participates.

Now I know there are those who want to keep Government out of everything. If they criticize these programs, they are criticizing the finest governmental program for the development of private enterprise I have ever known about. Except to make sure that the money is spent wisely and carefully, and except to make sure that the financing and debt service is carried on in a businesslike manner, there is no Federal control. To be sure, they demand that jobs be created, but what better economic position could any public service, or departmental agency have?

Suppose we have just created 2,000 jobs in about 2 years. Suppose those people only make $50 per week per person, and I am sure that is a low average. The private enterprise payroll increase in the Fifth Congressional District of South Carolina has been at a minimum of $100,000 a week in consumer dollar. We cannot count the happiness, the joy, the security that these new jobholders have found. I can tell you, however, that I have visited many of the plants and many people are conscious of the wonderful help the Area Redevelopment Administration has given our economy and join me in saluting the ARA.

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## CANAL ZONE CRISIS: PLAN FOR ACTION

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The Speaker pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. FLOOD. Mr. Speaker, over a period of years in addresses before this body and elsewhere, I have dealt at length with the danger zone in the Caribbean, in which the Panama Canal is the key target in the long-range program for Soviet revolutionary conquest of that strategic area. As those who have followed this subject closely know, the sovereign rights, power, and authority of the United States over the canal enterprise are being subverted through the salami process of piecemeal erosion. Aided, if not instigated, by international Socialist elements in the Department of State, this program of liquidation is far more advanced than the people of our country and the Congress have been permitted to know. The inevitable result of such denial of news has been that growing numbers of our patriotic citizens instinctively suspect that something is seriously wrong with the conduct of our Isthmian policy. Moreover, they are writing letters asking searching questions as to how the succession of surrenders at Panama, made or contemplated, are going to affect the ability of the United States in meeting its treaty obligations for the maintenance, operation, sanitation, and protection of the Panama Canal. Also they are demanding that the Congress take the necessary steps to clarify and make definite our Nation's interoceanic canal policy. So far as my information goes, the American people are practically a unit in their emphatic demand that our Government retain in full vigor the indispensable authority and control over the Canal Zone with respect to its sacred treaty obligations.

In contrast to what I have observed as a rising tide of patriotism, there is a spirit abroad in the world today, including the United Nations, which strongly favors not only internationalization of the Panama Canal, but also the abrogation of the Monroe Doctrine in its entirety. This doctrine, designed for the protection of all the Americas and in the past so promptly and effectively upheld by the actions of Presidents Cleveland and Theodore Roosevelt, has greater need of enforcement today than ever. Unless it is fully enforced, the failure to do so will lead to the complete communistic revolutionary takeover of all Latin American and West Indian countries.

### HISTORIC CARIBBEAN POLICY OF UNITED STATES

What is the historic policy of the United States as regards the defense of our interoceanic canal against aggression? Evolved after more than a century's experience in meeting the problems of the Caribbean danger zone, it is extensively recorded in our diplomatic history and epitomized in treaty.

In brief, it is not to yield to any power, or combination of powers, the control of the Panama Canal or of the approaches to it, or to permit the securing of any position, either on the mainland or on the islands of the Caribbean, that would interfere with the protection of the canal by the United States, menace our country's communications, or destroy our integrity or prestige. This policy, involving as it does the inherent right of defense, is basic; and any threat to it is a challenge to the United States as well as to all Latin American and West Indian countries, and cannot be safely ignored.

This policy, Mr. Speaker, proclaimed to the world in thoughtful diplomatic papers by some of our greatest statesmen, is recorded in the libraries and chanceries of all important powers.

What were some of the implementing policies of which I speak?

### ELIHU ROOT AND CUBAN SECURITY

One of the important tasks facing the United States following the Spanish American War was that of aiding the people of Cuba to set up a constitutional government to replace the military government. For this, it was fortunate that one of our country's greatest lawyers was the Secretary of War—Elihu Root.

Understanding the strategic significance of the Caribbean to hemispheric security, Secretary Root realized that Cuba, located on the northern flank of the Atlantic approaches to the future Isthmian Canal, was vital for its defense. Though he saw how the Monroe Doctrine would serve as a means to warn European powers against intervention in the domestic affairs of Cuba or seizure of the island, he felt that the authority of this doctrine should be fortified by international law.

In 1901, when the time approached for the withdrawal of U.S. forces, Secretary Root drafted what is known as the Platt amendment to the military appropriations bill, requiring Cuba to embody provisions in its Constitution that would remove pretexts for intervention in that country by other powers by giving the right of such intervention to the United States. These provisions, which served to guarantee the freedom of Cuba, were also embodied in treaty.

The Platt amendment remained in effect until it was hurriedly abrogated in 1934 to appease the insistent demands of Cuban radicals.

### CONQUEST THROUGH NEGOTIATION AT PANAMA

After dealing with the problem of Cuban security the next focal point of attention by the United States was the projected canal across the American Isthmus. As part of the inducement to construct this canal at the Panama site rather than at Nicaragua, the fledgling Republic of Panama granted to the United States in perpetuity exclusive sovereignty over the Canal Zone for the construction of the Panama Canal and its perpetual maintenance, operation, sanitation, and protection. Article I of this treaty provided that the United States would guarantee and maintain the independence of Panama—a provision that became known as the Panamanian Platt amendment. This article remained in effect until abrogated, at the request of Panama, in the 1936–39 treaty.

Other sections of the 1903 treaty provided for the use of the waters from the Chagres River Valley, the exercise of the right of eminent domain within the Republic of Panama for canal purposes and, in event of the inability or failure of Panama to enforce sanitation ordinances or to maintain public order in the terminal cities of Panama and Colon, the right and authority of the United States to enforce them.

When serious discussion of revising the 1903 canal treaty started in 1932, far-visioned U.S. officials on duty in the Canal Zone foresaw the dangers. In fact, some of them even then warned that should the United States yield to those demands for the first treaty revision that such surrender would mean the ultimate loss of the Panama Canal.

Notwithstanding such warnings, our Government did yield. In 1936, it signed a new treaty which was not ratified by the U.S. Senate until 1939 and then only because the eruption of World War II was clearly in sight. This treaty, in addition to rescinding the guarantee by the United States of Panamanian independence, abrogated the right of eminent domain of the United States in Panama, and revoked the authority of the United States to maintain public order in the terminal cities of Panama and Colon.

The Panama Canal Treaty structure was further weakened in 1955 with further surrenders by the United States, and without reciprocal or compensatory accommodations by Panama. The story of these two treaties form a case history of conquest through negotiation.

The elimination of the protective feature of the 1903 treaty as to Panama was induced, as was the elimination of the Platt amendment for Cuba, by the insistent demands of radicals; and those thus motivated thought it was best for political purposes to bring about such elimination on the proclaimed theory that the respective nations have come to such stature as not to require such protection. Those actions, in their practical aspects, were not justified and were not best for either of these countries or for the United States because the nations at large came to believe that the Monroe Doctrine was being undermined and destroyed and the Communist countries so believing have infiltrated all Latin countries, including Panama and Cuba, with disastrous results.

### CHAGRES RIVER WATER THREAT

Despite the generous treatment that Panama received in two revisions of the basic 1903 treaty, that country is now strenuously pressing for another and more radical revision. Because of Panamanian threats in March of this year at the San Jose conference to take "radical action" in event of failure to meet its demands, many have pondered what such threat portends.

Recently, I received information to the effect that radical elements in Panama will urge the Panamanian Government to bill the United States for $850 millions for the water that it has used in operating the canal. The arguments presented are that this water comes from the Chagres River Basin; that, as recognized by all nations, this water is a natural resource of Panama; and that securing compensation for it is a suitable case for adjudication before the World Court.

Mr. Speaker, for the benefit of our friends in Panama, officials of our Government who may be faced with this demand, and the Congress, which, under the Constitution, is the ultimate authority in matters of national policy, I would invite attention to article IV of the 1903 treaty.

In this article, the Republic of Panama, in addition to the grants set forth in articles II and III, granted "in perpetuity" to the United States "the right to use the rivers, streams, lakes and other bodies of water within its limits for navigation, the supply of water or waterpower or other purposes, so far as the use of said rivers, streams, lakes, and bodies of water and the waters thereof may be necessary and convenient for the construction, maintenance, operation, sanitation, and protection" of the Panama Canal.

This grant in the 1903 treaty, Mr. Speaker, specifically covers the rights of our country to the runoff of the Chagres River Valley, which was a part of the incentive to construct the canal at Panama. If there is to be any modification of the 1903 treaty in this regard, experience has shown that such change should be aimed at extending the boundaries of the Canal Zone to include the entire watershed of the Chagres River Valley. This area including the part already in the zone is approximately 1,320 square miles. Moreover, the need for such extension of the Canal Zone was officially recognized as early as 1916 by Gen. Clarence E. Edwards, then in command of the U.S. Army in the zone, but nothing was done.

This proposal to bill the United States for water used to operate the canal as clearly granted in the 1903 treaty is of the same category as the additional claim of the Panamanian Government for a $50 million interim compensation for the use of the canal pending the negotiation of a new treaty. If such fantastic demands were granted, the overburdened American taxpayers would be called to pay for these demands. Yet our Department of State seriously considers such unrealistic and unjust claims instead of forthrightly rejecting them.

### THREATS ABOUT A SECOND CANAL

In addition to threats about the summit-level water supply billing, I have also received reports that certain interests in Panama may push a proposal for the government of the country to ask for bids, on a worldwide basis, for the construction of a second canal as a national undertaking of Panama, the contract to be awarded to the lowest bidder.

Under the conditions now prevailing in Panama, with pro-Castro elements in its national assembly, such award would undoubtedly go to the Soviet or to a Soviet agency. Is this, Mr. Speaker, the real radical action in the minds of Panamanian politicians who are attempting to blackmail the United States? If it is, the sooner the truth is known the better, for such award could well be the start of the gravest threat to the security of the United States and the entire Western Hemisphere since the 1861 intervention by European powers in Mexico and the setting up of the unfortunate Maximilian as Emperor. In any event, it could lead to the creation of a Soviet satellite in Panama, and the Monroe Doctrine would, indeed, be dead.

### PLAN FOR CONGRESSIONAL ACTION

Mr. Speaker, where does our country stand today as regards its sovereignty over the Canal Zone and Panama Canal and what should be done about the situation? I know of no way to judge the future except by the past.

In 1934, our country withdrew its guarantee of Cuban independence and in 1959 Soviet power filled the vacuum created. In 1939, the United States revoked its guarantee of Panamanian independence and the power vacuum has yet to be filled.

Today, the flag of Panama is officially displayed at various places in the Canal Zone equal with the flag of the United States. This display, supported by international Socialist elements in the Department of State in violation of law, treaty, and international usage, is being hailed in many countries as symbolizing U.S. recognition of Panamanian sovereignty over the Canal Zone, and plans are underway to obtain still further concessions from our country.

Mr. Speaker, the time has come to stop the policy of liquidation at Panama and to reaffirm our long established policy. Instead of merely reacting to contrived situations, our country must return to the spirit of Theodore Roosevelt and defend its just rights on the isthmus; and for this reversal the Congress, as a separate and independent agency of our Government having ultimate authority, can and must take the lead by appropriate actions. What are they?

The steps which would protect our country's vital interests at Panama are:

First. Enact H.R. 3999 to prevent future giveaways of U.S. land and property in the Canal Zone as now proposed by the Department of State, which unanimously passed the House and was sent to the Senate.

Second. Prohibit by statute the expenditure of any public funds for the formal display of any flag at any place in the Canal Zone other than the flag of the United States.

Third. Adopt House Concurrent Resolution 105, introduced by Chairman CANNON of the House Committee on Appropriations, to clarify and make definite the exclusive sovereignty of the United States over the Canal Zone and Panama Canal as was fully and indispensably provided by the 1903 treaty under which the canal was constructed and has been subsequently operated.

Fourth. Adopt measures, such as House Resolution 451, reaffirming the Monroe Doctrine.

Mr. Speaker, what is taking place in Panama is absolutely astounding to patriotic citizens of our Nation at home and abroad. It does seem that those who represent our Government in transactions affecting the Panama Canal are either childish in their capacity as negotiators or downright incompetents. In this connection, Mr. Speaker, I would emphasize that no matter what type of military assistance is given to any or all Latin American nations, they know and the world knows that the United States of America bears the ultimate responsibility for protecting the Western Hemisphere.

Mr. Speaker, the program enumerated above will protect our interests at Panama and those of all Western nations. Moreover, I wish to warn the Congress and the Nation at large that unless our position at Panama is clarified as previously outlined, bad matters will become worse and chaos will follow, with the probable withdrawal of the United States from control of the Canal Zone and the utter abandonment of the Monroe Doctrine, with the Soviet flag replacing the Panama flag in the zone.

As partial documentation for my remarks, I quote a significant news story from an isthmian newspaper:

[From the Panama Star and Herald, July 24, 1963]

### PROSPECTS OF TREATY REVISION MOUNT—DISBAND COMMISSION BUT TALKS CONTINUE

Prospects of a Panama Canal Treaty revision increased yesterday with the announcement that points of dissatisfaction still remain to be worked out between Panama and the United States.

A joint communique announced action taken by the Panama-United States Commission on six questions.

But, Foreign Minister Galileo Solis said, a number of points of dissatisfaction remain pending. Some of these points, official sources here and in Washington said, would imply the revision of the canal treaty.

Since such revisions have been carried out twice, once in 1936 and again in 1955, officials would not rule out the possibility of another review of the treaty.

The joint communique made one expected development official—the disbanding of the Commission created by Presidents Chiari and Kennedy in June 1962 to discuss points of dissatisfaction between the two countries. The members of the Commission were Foreign Minister Solis and Dr. Octavio Fabrega, for Panama, and Ambassador J. S. Farland and Canal Zone Gov. R. F. Fleming for the United States.

Now, pending issues are to be resolved through normal diplomatic channels or, as Foreign Minister Solis said yesterday, between Presidents or between the Foreign Ministry and the State Department.

At least two of the pending issues would require revision of the present treaty or negotiation of a new one. These are (1) Panama's request for an increase in the annuity paid by the United States for the use and control of the Canal Zone and (2) the Panamanian commercial companies greater opportunities in the Canal Zone.

The joint communique issued yesterday listed the second set of agreements between the two countries in accordance with an agreement on principle reached between the two Presidents in June 1962. The first set of agreements, which included the display of the Panamanian flag in the Canal Zone, was announced last January.

The communique listed the agreements reached since last January as follows:

1. Agreement on the creation of a joint labor advisory committee to consider labor disputes in the Canal Zone.

2. The U.S. Government has prepared a draft bill to be presented to Congress which would make available to Panamanian employees in the Canal Zone the same health and life insurance benefits which are available to North Americans.

3. There was a full discussion on equal employment opportunities although no agreement has been reached. While the minimum wage in the Canal Zone has been increased twice, in 1962 and 1963, and a further increase next year is envisaged, the Panamanian representatives have requested greater increases.

4. The United States has agreed to withhold Panamanian income tax from wages and salaries of those employees in the Canal Zone required to pay income tax to Panama.

5. Panama has requested jurisdiction in a corridor connecting the capital city with the rest of the territory, including jurisdiction over the Balboa bridge. The United States is preparing counterproposals.

6. Panama also has requested that piers No. 6 and No. 7 in Cristobal be licensed to the Colon free zone. The United States is now preparing the terms of an agreement for consideration by Panama.

The communique did not talk about points where no agreement could be reached. At his press conference yesterday, Foreign Minister Solis mentioned them as follows:

1. Greater utilization by Panamanian industry and commerce of the Canal Zone market, including transiting ships.

2. The use of Panamanian stamps in the Canal Zone. (This appears to have run into difficulties because of international postal regulations.)

3. Display of the Panamanian flag on transition ships and at military posts in the Canal Zone.

4. Transfer to Panama of areas for the expansion of Colon.

5. Reduction of "security" positions in the Canal Zone and greater opportunities for Panamanians to fill higher positions.

6. Return to Panama of lands and waters not required for the maintenance and operation of the Canal.

7. An increase in the annuity paid by the United States to Panama for the use and control of the Canal Zone.

8. Curtailment of commercial and industrial activities on the part of U.S. agencies in the Canal Zone.

### MORE MANAGED NEWS?

**Mr. BEERMANN.** Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

**Mr. BARRY.** Mr. Speaker, after 20 years of Communist duplicity it is amazing that any American can believe that Russian peace talk is more than a tactical smokescreen.

While it is undoubtedly true that the Russians do not want a shooting war with us, it is equally true that they have not given up their stated aims of global domination.

Following the administration's attempt to conclude a wheat deal with the Russians, Khrushchev decided to put pressure on us in Berlin. The administration claims this was merely an error by the local Soviet commander. However, the Russians proved the administration wrong by stopping a British convoy. The following item from the Yonkers (N.Y.) Herald Statesman of October 17 proves the point and says:

#### More Red Harassment on Autobahn Proves It Isn't Merely Confusion

The British are the latest victims of Soviet harassment of allied troops using the Berlin autobahn.

When American convoys were held up last week, because their commanders refused to have the men dismount from their vehicles to be counted, the U.S. State Department maintained, after the crisis had passed, that it had been due to local confusion among low-ranking Red officers.

If that had been the case, the Russians, in the light of the furor raised by the Americans, had had plenty of time by yesterday to have cleared up any such confusion among their officers, among them at least one not-so-low-ranking colonel. Hence, the British yesterday took the position that interference with their convoy was part of a deliberate Soviet program of harassment. They refused to knuckle under to it.

Whether or not the purpose of these shenanigans has been and is to enable the controlled Russian press to persuade the Russian people that Mr. Khrushchev still is running the world, it somehow must be gotten over to Moscow's Red moguls that they are inviting serious trouble.

Mr. Speaker, in our postwar relations with Moscow, there has been an alternation between peace talk and Communist harassment. You might say that the Russians attempt to produce a Pavlovian reaction in the West. The following chronology of Mr. Gromyko's "smiles" proves this point. The dates are very significant because those of 1962 relate to the Cuban missile crisis, while those of 1963 relate to a new Berlin crisis. The chronology is as follows:

Murrey Marder, Washington Post, October 11, 1963: "Gromyko * * * emerged from the White House meeting in what was, for him, a relatively jovial and loquacious mood. In diplomatically good spirits, Gromyko said he will return to the United Nations and leave there in mid-October. 'For Moscow?' asked one newsman. 'For Moscow,' Gromyko replied jokingly. 'You thought to the moon, maybe?' "

Murrey Marder, Washington Post, October 12, 1963: "* * * Gromyko, in his 2-hour meeting with President Kennedy on Thursday, and later at a Soviet Embassy dinner for Rusk and other officials, said he was 'unaware' of any unusual activity on the Berlin autobahn and said he would inquire about it. Gromyko and Soviet Ambassador to Washington Anatoly F. Dobrynin affably assured U.S. officials that the Soviet Union sought only to reduce further East-West tension."

New York Herald Tribune, October 11, 1963: "* * * Gromyko had a cordial exchange of views on lessening cold war tensions with President Kennedy yesterday. * * * President Kennedy, it was reported, knew of the Red roadblock when Mr. Gromyko arrived to see him. * * * Mr. Gromyko seemed genuinely surprised, a Government official said, when the President told him of the blockade."

Marguerite Higgins, New York Herald Tribune, October 12, 1963: "President Kennedy began the effort to convey to Moscow the seriousness of the situation by making a protest to Mr. Gromyko during a White House visit Thursday. During and after the White House meeting, Mr. Gromyko exuded sweetness and light, in the pattern of last October."

Murrey Marder, Washington Post, October 19, 1962: "* * * the Soviet posture was smiles and hopefulness. * * * Gromyko was in jovial good humor as he chatted with newsmen * * * Gromyko told reporters in a genial vein: 'Both countries must work together in the direction of improved relations between them.' * * * Gromyko joked with newsmen: 'Why are you not sleeping?' Gromyko said he plans to return to New York today and he expects to head back to Moscow Sunday to report to the Kremlin."

Marguerite Higgins, New York Herald Tribune, October 19, 1962: "* * * Gromyko emerged. * * * [Gromyko's] moods are often international weathervanes. * * * Mr. Gromkyo's smiling good humor [is] viewed here as Moscow's tactic of cooling down the Berlin crisis in light of signs that an international explosion could result from continued pressure. Washington feels that the administration's stern series of public warnings * * * may have influenced Moscow once again to postpone action in favor of talking. * * * Mr. Gromyko was exuding good humor as he arrived. * * * In President Kennedy's office there were jokes, small talk reminiscences. * * * 'We consider Ambassador Thompson as a Muscovite,' said Mr. Gromyko with a big smile."

President Kennedy, October 22, 1962, speech to the Nation on Cuba: "This action * * * contradicts the repeated assurance of Soviet spokesmen, both publicly and privately delivered, that the arms buildup in Cuba would retain its original defense character, and that the Soviet Union had no need or desire to station strategic missiles on the territory of any other nation. * * *

"Only last month * * * the Soviet Government publicly stated on September 11 that, and I quote, 'the armaments and military equipment sent to Cuba are designed exclusively for defensive purposes,' unquote. * * * That statement also was false.

"Only last Thursday, as evidence of this rapid offensive buildup was already in my hand, Soviet Foreign Minister Gromyko told me in my office that he was instructed to make it clear once again, as he said his Government had already done, that Soviet assistance to Cuba, and I quote, 'pursued solely the purpose of contributing to the defense capabilities of Cuba,' unquote. That, and I quote him, 'training by Soviet specialists of Cuban nationals in handling defensive armaments was by no means offensive,' and that if it were otherwise, Mr. Gromyko went on, 'the Soviet Government would never become involved in rendering such assistance.' That statement also was false."

Mr. Speaker, the Patent Trader, of Mount Kisco, N.Y., has not been fooled by Russian tactical changes. On October 17, 1963, this great biweekly newspaper ran the following editorial entitled "Let's Keep Our Guard Up":

#### Let's Keep Our Guard Up

The misunderstanding resulting in a 48-hour delay for a U.S. convoy en route to Berlin last week has been greeted skeptically in some quarters, and for what appears good reason. One of the advantages of a totalitarian regime is that it can move fast over a wide area. Since Soviet Ambassador Gromyko was informed of the situation fairly early in the game, it is to say the least surprising that it took 2 days to get the convoy through.

If the dove of peace were truly in the ascendant in the Soviet Union, it would seem reasonable to expect that the word would have gone out—no "incidents." The fact that such an ominous confrontation could take place points rather to the inference that the Russians have not abandoned their old strategy; yielding in one area, probing in another, and constantly testing the strength and determination of the other side.

This country has not gone in for probing and testing, but it has maintained a solid defensive stance. Last week's episode indicates that the stance should not be abandoned, even if the Russians generously swap spies for American citizens. It's worth noting that their spies were of recent capture, while one American had been detained 23 years by the Soviets.

Mr. Speaker, the seal of the United States is a wonderful emblem. The eagle holds arrows in one talon and the olive branches in the other talon. America has always extended the talon with the olive branches first.

## NATIONAL CAPITAL AREA OPEN-SPACE LAND GRANTS

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MATHIAS. Mr. Speaker, I have today introduced a resolution designed to clarify the intent of the House with respect to the restriction placed on use of funds for the National Capital Area from open-space land grants written into the House Appropriations Committee report.

I feel that the directive included in the Appropriations Committee report is an unfortunate example of a too frequent practice used by committees when inclusion of such a restriction in a bill would create legislative problems. We make legislative history by incorporating our views as dicta in the committee report.

In the case of the exclusion of the National Capital Area from any additional grants, the facts do not justify such either direct or indirect discrimination. I append for the information of the Members of the House an information sheet which points out that both Chicago and New York have received grants equal to or greater than the National Capital Area and yet they are not excluded from additional allocations.

Every Member of the House will do well to take cognizance of this unfortunate practice, which can only be corrected by passage of my resolution.

The Housing Act of 1961 (title VII—"Open Space Land") authorizes the Housing and Home Finance Agency to make grants totaling $50 million to States and local public bodies to assist in the acquisition of land in urban areas "to be used as permanent open-space land." These grants may include from 20 to 30 percent of the total cost of the land. The objectives of the legislation are "to help curb urban sprawl and prevent the spread of urban blight and deterioration, to encourage more economic and desirable urban development, and to help provide necessary recreational, conservation, and scenic areas." Total allocations under the program have been $3,224,666 for fiscal year 1962, and $14,730,900 for fiscal year 1963.

A report of the House Appropriations Committee, Subcommittee on Independent Offices, states:

"It is noted that the National Capital Area has already received substantial grants under this program (open-space land program). The committee directs that no part of the funds provided be used for additional grants in this locality." (P. 14, report on appropriation bill, Housing and Home Finance Agency.)

The subcommittee approved a $15 million appropriation for fiscal year 1964. The committee's directive will affect not only a recent application already submitted by the Maryland-National Capital Park and Planning Commission for $1,758,994, but will also affect plans of the Northern Virginia Regional Park Authority to acquire additional holdings in the Bull Run Watershed and in the Potomac Palisades, and plans of other northern Virginia and Maryland agencies for the acquisition of open space.

In the first 2 years of operation (fiscal year 1962 and fiscal year 1963), eight grants have been made to the National Capital region under this program to purchase 5,738 acres of open space. The Chicago and New York regions have received amounts equal to or greater than that received by agencies in the National Capital region. Chicago leads all areas in the United States, having received open-space grants of $3,518,547 (through fiscal year 1963). The New York City region has received $2,813,378, while the National Capital region has received $2,844,534.

Grants to the National Capital region have been made for the acquisition of land in Montgomery and Prince Georges Counties in Maryland, and in Fairfax, Arlington, and Prince William Counties, and the city of Alexandria, in Virginia. Lands have included those overlooking the Potomac and those located in the rural-urban fringes of the region, such as Bull Run Regional Park in Fairfax and Prince William Counties. There has been great interest in increasing the progress made so far under this program.

*Allocation of title VII funds to major metropolitan areas, fiscal years 1962 and 1963*

| S.M.S.A. | Number of grants | Grant total | Total acres |
|---|---|---|---|
| Buffalo, N.Y | 5 | $348,248 | 2,649 |
| Chicago, Ill | 6 | 3,518,547 | 5,700 |
| Detroit, Mich | 6 | 539,897 | 2,027 |
| Los Angeles, Calif | 3 | 628,000 | 2,264 |
| New York-northern New Jersey | 11 | 2,485,244 | 15,100 |
| San Francisco, Calif | 6 | 290,367 | 1,026 |
| Seattle, Wash | 3 | 577,400 | 834 |
| Washington, D.C | 8 | 2,844,534 | 5,738 |
| Total | 48 | 11,232,237 | 35,338 |

*Approved Federal open space land grants, National Capital region*

| Agency | Acres | Federal grant | Total cost |
|---|---|---|---|
| Maryland-National Capital Park and Planning Commission: | | | |
| (1) | 3,940 | $2,108,785 | $7,029,285 |
| (2) | 87 | 99,535 | 331,782 |
| Northern Virginia Regional Park Authority: | | | |
| (1) | 1,338 | 261,840 | 872,801 |
| (2) | 43 | 96,789 | 322,631 |
| Rockville | 82 | 109,500 | 364,850 |
| Somerset | 2 | 75,000 | 250,000 |
| Alexandria | 18 | 26,430 | 132,150 |
| Fairfax County Park Authority | 163 | 66,700 | 333,500 |

## REPORT NO. 3—FAR EASTERN OUTPOSTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. LIBONATI] is recognized for 60 minutes.

### REPORT NO. 3. TAIWAN—PART 1

Mr. LIBONATI. Mr. Speaker, the most important outpost of the free world holding China at bay is Taiwan with Matsu the key to its defense and stands sentinel against any assault. Matsu, despite its size—10.44 nautical miles—guards the entire western Pacific. As a matter of fact these outer islands, Matsu—Iles, Kimen—Quemoy, Tungung, and Wuchiu are the threat to Red China and the military blockade to its aim for expansion, control, and domination of Near East and east Asia.

A geographical, historical, and economic study of Taiwan and its people will illuminate the understanding and acquaint the American people with the great contribution made to the cause of liberty through the sponsorship and aid of the United States.

The Armed Forces are a credit to the efforts of their officers and military leaders: Gen. Peng Mina-Chi, Chief of Staff; Executive Vice Chief of General Staff Ma Chi-Chuang, Vice Chief of General Staff Lt. Gen. Lai Ming-Tang, Vice Chief of General Staff Tang Shu-Chih, all assistants of the Chief of the General Staff. For individual services as commanders, Gen. Liu An-Chih, Army; Adm. Ni Yue Si, Navy; Air Gen. Chen Chia Shung, Commander in Chief of the Combined Services, Gen. Sih Chueh, commander in chief, garrison forces—security of Taiwan—Gen. Hung Chein.

The total personnel strength of the services are fixed at slightly above 600,000—army, 400,000; navy and marines, 50,000; air force, 80,000; services, and so forth, 70,000—composed of 21 infantry divisions, 2 armored divisions, and such special units as Nike-Hercules battalion.

The Signal Corps, Engineering Corps and so forth are functioning units.

The Chinese Navy is composed of 140 vessels of various types up to destroyers in size. It is organized in squadrons according to the nature of the mission.

The Chinese Marine Corps consists of one division and one brigade.

The Chinese Air Force is equipped with F-86's and F-100's as the main combat strength. However, they are being replaced by F-104's.

The combined service force is in charge of the procurement and supply of military materials, the management for the welfare services of both military personnel and their dependents. Any male Chinese citizen is eligible for military service at the age of 19 years. Active service in the army is 2 years, including the first 4 months of initial training. After the 2 years—5 years in the reserves—attend camp service 1 month each year. Thereafter placed in a reserve pool to be called in a national emergency until he attains 45 years of age.

Navy and air force required 3 years of active service and reserves for 4 years.

### TAIWAN, THE COUNTRY

#### GENERAL DATA

Status: Seat of the Government of the Republic of China, and a province of the Republic.

Area: 13,885 square miles.

Population: 11,375,085 in mid-1962.

National capital: Taipei—963,640 in mid-1962.

Agricultural products: Sugar, rice, potatoes, bananas, tea, pineapples.

Industries: Sugar refining, canning, cement, chemicals, textiles, shipbuilding, electric power, petroleum refinery.

Minerals: Coal and small quantities of gold, silver, and sulfur.

#### HISTORICAL INFORMATION

Since the first Chinese official set foot on the island in A.D. 607, Taiwan has undergone many vicissitudes. However, the island has doggedly held out against alien rulers—Dutch, Spanish, and Japanese—throughout the succeeding centuries. The island became a protectorate of the Chinese Empire in 1206, was under Japanese rule during most of the present century, and was restored to China in 1945 after V-J Day.

The Chinese Empire, under successive imperial dynasties, had kept only remote control of the Taiwan area until Dutch adventurers tried to seize the Penghu—Pescadores—Islands in 1602. After several unsuccessful attempts, the Dutch finally occupied the Penghus with a fleet of 17 warships in 1622. In 1624, the Dutch bore down on Taiwan itself from the Penghus. Two years later Spanish marauders made a landing in force at Keelung and occupied this port on Taiwan's northern shore. They were ousted by the Dutch in 1641.

In 1661-62, Cheng Cheng-kung—Koxinga—now idolized by the native people as a deity, wrested control of the island from the Dutch and built up a strong military base. He intended to overthrow the Manchu rulers who held sway at that time over the entire Chinese mainland. However, this ambitious plan collapsed after Koxinga's untimely death and the Manchus conquered the island in 1683. Taiwan was added to the imperial domain as a new Province in 1686.

Taiwan was ceded to Japan at the end of the first Sino-Japanese War in 1895, under the Treaty of Shimonoseki. However, Chinese and aboriginal patriots fought the Japanese. In the same year they declared the island a republic, the first ever proclaimed in Asia. The Japanese had to employ an overwhelming military force to crush these independence movements and revolts.

The island was returned to the Republic of China at the end of World War II, in accordance with the provisions of the Cairo Declaration of 1943. The Chinese administration took over Taiwan from the Japanese in October 1945. Taiwan was made the provisional capital of China in 1949.

The Government of the Republic of China, which moved to Taiwan from the mainland in 1949, is composed of five yuan—executive, legislative, judicial, control, and examination. These five cardinal branches of government are all responsible to the President, who is elected every 6 years by a peoples' representative body—the national assembly. The executive yuan is analagous to a cabinet and the legislative yuan to a parliament.

Taiwan being a Province of the Republic, its workaday administrative routine is largely handled by the Taiwan Provincial Government. The Provincial Governor is appointed by the Central Government but he is answerable to the Taiwan Provincial Assembly, which is elected by the islanders through universal suffrage. Mayors and magistrates, all popularly elected, are governing five cities and 16 counties which also have local peoples' councils to which local administrations are responsible.

In the Western World, Taiwan is often incorrectly called Formosa. This sobriquet, meaning "Beautiful Island," was first suggested by Portuguese sailors. The Chinese name for the island, however, is the proper title, and is used exclusively in official documents and formal dossiers. In literal translation, Taiwan means "Terraced Bay." This is more or less in accordance with its topographical features. From coastal plains to mountainous hideouts, rising layer after layer, are foothills with terraced rice paddy fields.

#### ECONOMY AND INDUSTRY

Predominantly agricultural, the island has significant economic potentials which are made doubly rich by a bland climate and fertile soil. The lot of the farmers, who constitute 60-percent-plus of the population, has been greatly improved with the successful completion of an epoch-making land reform program. In the past decade most of the erstwhile tenant farmers have become independent tillers.

Rice is the kingpin product. Its yearly crops, two in the north and three in the south, have increased in recent years. In view of the comparatively limited arable acreage—about one-third of the total area of the island—the unit productivity is high.

Sugar and tea are the two chief foreign exchange earners. Sweet potatoes, peanuts, and vegetables are also produced in sizable quantity. Animal husbandry, particularly in raising hogs and cattle, has been greatly improved since 1951.

Towering mountains, thundering rapids, and swirling rivers constitute natural sources of hydroelectric power. The first hydroelectric power station was opened near Taipei in 1904. Development of the hydroelectric potential is being given considerable emphasis.

Sugar leads the industries, with food products and tea as close runners-up. Aluminum, cement, alkali, paper, metals, and textiles are the other major industrial items.

Considerable mining is also done on the island. Coal and sulfur take the lead. Gold, copper, and silver are also produced in some quantity. Fisheries are on the upswing—fish is a major food item for the islanders.

The special feature of the past decade, however, is the development of the textile industry and other light industries. Beginning almost from scratch, textile manufacturing has developed to a point where it can adequately rival its counterparts in Japan and Hong Kong. Cotton and woolen textile piece goods have virtually glutted the domestic market and are now spilling over into other southeast Asian areas. The supply of major consumer goods has increased so rapidly that imports of such items could be entirely shut off in the not too distant future.

#### GEOGRAPHY

Taiwan is an oblong-shaped island. It lies about 100 miles east of the south China coast, with the churning Taiwan Strait to the west and the expansive Pacific Ocean to the east. The island is approximately 250 miles from tip to tip, measures 90 miles at its widest point, and is embraced by 1,062 miles of coastline.

There are two main mountain ranges on the island. The central range bisects the island into rocky and rugged regions in the east, and wide, fertile plains in the west. The eastern coastal—Taitung—range parallels the central range and stretches from Hualien on the northeast coast to Taitung in the southeast.

#### CLIMATE

The climate is subtropical. The average temperature is 70° Fahrenheit in the north and 75° Fahrenheit in the south. Summer lasts from May to September. December through February are the winter months but are quite mild. Humidity in the north crowds 100 percent year round.

Rainfall in the north is heavy, averaging 100 inches per year. More rain falls in the north than in the south, and the northern port of Keelung has been dubbed "the rainiest city in the world." Typhoons are yearly occurrences in the seas south of Taiwan. Most of them rage during the summer, and especially in July, August, and September. Although many veer away without hitting the island, they still bring deluges of rain and high winds lasting several days.

#### PEOPLE

Most of the inhabitants are of Chinese stock, including approximately 180,000 aboriginal tribesmen in the mountainous interior. The number of females is slightly greater than males. Both sexes are given equal rights, including freedom of speech, assembly, worship, and abode. This premise also extends to education, participation in politics, and other fields.

The majority of the people are farmers. Industrial workers form the second largest group. The living standard on the island is the highest in Asia with the exception of Japan, and the people are industrious and contented.

The Chinese people are deeply religious. All shades of religious beliefs flourish in free China. Buddhism has the biggest following. Protestantism, Catholicism, Taoism, and Islamism have their own flocks. People of the various sects live together in harmony, because religious bigotry and intolerance have never been part of the Chinese people's cultural heritage.

#### THE OFFSHORE ISLANDS

General: The Government of the Republic of China holds four strategic island groups off the Chinese Mainland coast. They are: Kinmen—Quemoy Islands, Matsu Islands, Tungyung Islands, and Wuchiu Islands. The Tungyung group is located about midway between Kinmen and Matsu in the middle of the Taiwan Straits. The Wuchiu group lies northeast of the Matsu Islands. Most interest is centered on the Kinmen and Matsu groups.

### KINMEN (QUEMOY) COMPLEX

Location: Kinmen is 18 nautical miles from the Red-held port city of Amoy in Fukien province. The shortest distance to Red-held territory is 2.5 miles from Red-held Chaio-you to Ma-Shan on Kinmen. Kinmen is 202 nautical miles from Keelung and 156 nautical miles from Kaohsiung, Taiwan. These islands block the mouth of Amoy Bay.

Size: The complex consists of Kinmen proper, Little Kinmen, Ta-Tan, Erh-tan and 10 other satellite islets. The total area is 68 square miles. Kinmen proper is shaped like a butterfly and measures 13.5 miles in length, 9.3 miles in width at one end, 6.8 miles in width at the other and 2.5 miles at the narrowest point. The Kinmen proper area is 62.4 square miles.

Population: 46,536—1960 census exclusive of military garrison.

Principal agricultural crops: Sweet potatoes, peanuts, soybeans, kao-liang, wheat barley and watermelons.

Principal minerals: Porcelain clay, aluminum ore, coal, quartz and salt.

### MATSU

Location: Northwest of Taiwan 114 nautical miles from Keelung, Taiwan and 114 nautical miles from Kinmen.

Size: There are 19 islets in the group none of which is named Matsu. The name Matsu comes from a harbor on Nankan, the main island of the group. Besides Nankan other islands in the group are: Peikan, Kaoteng, Tungkun, and Hsikun. Kaoteng is the closest point to the mainland—5.5 nautical miles. Total land area for the group is 11.3 square miles. Nankan Island is 10.44 square miles.

Industry: The chief industry is fishing. Some sweet potatoes, barley, rice, wheat and vegetables are also grown. The islands are self-sufficient in vegetables and fresh water.

Population: 10,460 civilians.

Mr. Speaker, the U.S. Ambassador, Adm. Alan G. Kirk, U.S. Navy, retired, discussed the strong military and stable economy of Taiwan as exceptionally favorable to the reduction of the U.S. contribution to the national budget. The increase of cultivated manmade lands on the islands meant bumper crops in agricultural products and industrial expansion was indicative of a prosperous era.

Defense Commander Adm. C. L. Melson, Maj. Gen. Kenneth O. Sanborn, U.S. Air Force, Chief Military Assistance Advisory Group, and Army Attaché Col. James F. Henderson, arranged the lengthy briefings and later conferences with several members of the Taiwan Cabinet.

Our flight to Matsu unfolded a miraculous revelation of the workings of men's minds stimulated by a driving patriotic spirit to build an impregnable stronghold and powerful immovable force of men trained to the desperate purposes of war. Gen. Peng Meng Chi, Chief of Staff, and his staff escorted our party through the honeycombed rooms connected by corridors winding through miles of mountain ranges—cannon mounted toward the mainland—Red China—18 miles distant. These brave troops alerted to the enemy's constant bombardment at least every other day—these are the men who do not ask anyone else to die for their country—each one is proud to face the test and pay the highest price for the liberties of their people and the freedom of the free nations of the world. The defenders of Taiwan as well as the other islands—coordinating with the navy unit's PT boats and air corps planes—F-86's and F-104's—have repulsed the enemy so close and yet have kept him so far—the distance in fear of these fighters may as well be a thousand miles.

The growing military importance of Taiwan as a delaying or obstructionist force is becoming more and more apparent since the invasion of India by Red China. This push to extend her empire alarmed Russia and alerted Japan, Indonesia, Australia, and every other country in the area. Russian diplomacy changed its hard-bitten course of bitterness and affrontry to one of friendliness, sympathy, and cooperation toward countries within the sphere of China's intended aggression. This overt act sealed the growing animosity between the two most powerful partners in communism. The United States and England became equally apprehensive of the immediate dangers of all-out hot war. The United States increased its commitments to governments in southeast Asia seeking to counteract any apprehensions of fear or abandonment and inculcating a spirit of supreme confidence in our pledges to stand firm behind them.

China can only be strong if a strong government follows a policy promising expansion of its borders to spill its millions of subjects over productive agricultural lands of their neighbors to relieve the internal pressures by its impoverished, starving masses who seek to toil on fertile soils to thus produce abundant crops for their livelihood. The government in desperation was forced into this critical dilemma and determined that conquest for land would serve best in its desire to solidify the people solidly behind Communist control, because other glowing promises of improving their way of life had failed to materialize. China, seeking her rightful place among the powerful nations in world affairs and seeking to alleviate her falling economy, assertive of her assumed sovereign right to claim formerly Chinese-held lands regardless whether they are held by Chiang Kai-shek or the present governments of independent nations such as Korea, Vietnam, Thailand, Cambodia, Burma, Malaya, Indonesia, Taiwan, part of the Philippines, as well as northeast India, Mongolia, and some of the Asian territory of the Soviet Union. Her other reasons for this action also include her interest in her own security problems created by strange nations operating in interest so near, and second, because of her historic hegemony over these regional areas.

This is the answer in sending her armies in support of North Korea, Laos, Vietnam, and the exerted pressure in Burma, Cambodia, and Indonesia.

China eyes Japan's industrial prosperity, and believes that she is entitled to participate in the fruits of her climbing economy. She is staging an economic offensive there. Pro-Chinese colonist settlers are filtering in large numbers and operating in Malaya, Singapore, and British Borneo, soon to be united with the new state of Malaya. Hong Kong as a free port under English control is of benefit to the Chinese economy as an outlet and therefore secure.

The loyalty of the Near East Communists favors China primarily by reason of basic race affinity although in Vietnam a split and a division in India and Burma. But those in Japan, North Korea, Indonesia, Burma, Malaya, Singapore hold advantages in Asia, Africa, Latin America, and Albania or wherever Chinese influence exists. Moscow holds Mongolia.

Peiping's advocacy of violent revolution as the best means of correction of social inequalities will be responsible for her doom. An overt act against India with serious incidents causing a full-scale hot war means intervention by the Western Powers and then Russia must choose sides.

If unfortunately her choice means standing with her quarrelsome former partner China, then the two powerful nations who hold the trigger key to wage atomic warfare hold the future of mankind in the balance. The terrific pressures for survival will decide the fate of all nations alined on either side.

The competition between China, Russia, and the United States to control the small nations in this area of influence to dominate East Asia are fast approaching a final determination. Russia and the United States are pledged to an unfortunate neutral Laos. China and Russia to North Vietnam. Indonesia is under Russian influence. Cambodia and Burma are shaky neutrals. Malaya is allied with Britain. Thailand and the Philippines are pro-Western, having military alliances with United States.

United States with MAAG in defense of Japan as well as South Korea and South Vietnam. Okinawa and Guam are American protectorates. Recently India received jet fighters from Russia and military advisers and aid from the United States and Britain.

Taiwan is the corridor to the Chinese mainland and a base for military operations.

### PART 2: LAOS

The one good American influence in Laos is the American Ambassador, Leonard Unger, who served for a long time as assistant to the Ambassador of Thailand. He is popular and enjoys the friendship of the neutralists and prowesterns. He has the respect of the Russians and their Ambassador and succeeded in securing their approval in a mutual education program. The erection of two primary grade schools, and a secondary school building. The Russians did likewise. Both United States and Russia are building, together, a junior college. The United States built a 120-bed hospital and the Russians a 110-bed hospital. The only opposition to these projects for the benefit of the civilians was the Red Chinese Ambassador, who accused Premier Prince Souvanna Phouma that he was procapitalist and pro-American.

His Cabinet, representative of the different factions, pro, con, and neutrals, have yet to agree on any major issue. The Prince is considered by the Western Powers, Russia, and most of the politically alert Laotians as the only one who can keep the nation from civil war and hold together the extremists among the pros, cons, and neutralists in government.

Twice in the last 5 years, the United States, supporting the rightists, overthrew two governments under the Prince—accusing him of being too soft on communism. Today, the Communist factions are waging a civil war, claiming the Premier favors the West.

The present task of the United States is to keep the Premier in power.

The fighting is on a company basis but the continuing losses may result in the loss of General Kong Le's army. A defeat of the neutralist forces may result in a general assault upon the Communist bastions or Western-supported states in other areas of southeast Asia, bringing about war on a full scale.

### PART 3: OKINAWA

The Ryukyu Islands headquarters U.S. Army IX Corps and the varied facilities at Fort Buckner under the command of Paul W. Caraway, lieutenant general, U.S. Army, a famous officer and brilliant administrator whose many duties of different import bestir the admiration of the natives, the officers of his command, and the personnel of all the services. As High Commissioner he governs and administers to the people of the islands, controlling and advising a locally improvised government as to its laws, regulations, and controls, together with a supervisory enforcement thereof.

We were appreciative of the extended hospitality of General Caraway and his staff and his aide, 1st Lt. Donald L. McDaniel, on the island of Ie Shima which I visited. I viewed the sacred spot where Ernie Pyle was killed—mourned by all the services and his buddies—the GI's. As a brave, popular, and loved newspaperman he went with the boys in battle—ever celebrated and talented in his work—may God bless him.

The Ryukyuan Archipelago, a curvilinear chain about 374 miles long, consists of three major island groups; Okinawa, Miyako, and Yaeyama. These 3 guntos of 64 islands comprise a land area of 542,281 acres. There are 49 inhabited islands of which 25 are considered important.

Known as the Keystone of the Pacific, Okinawa, the most important island, is 840 miles southwest of Tokyo, 355 miles northwest of Taipei, 785 miles northeast of Manila, and 887 miles northeast of Hong Kong.

The islands are within the North Temperate Zone but have a semitropical climate due to the influence of the Japanese Current which warms and humidifies the constant monsoonal winds.

The mean daily minimum for February, the coolest month, is 50° F.; the mean daily maximum for July, the warmest month is 88.3° F. The highest recorded temperature was 96° F., recorded in Naha on July 21, 1916.

Precipitation is heavy, ranging throughout the islands from 53 to 115 inches. The average annual rainfall in Naha is 84.3 inches. The heaviest precipitation is during the so-called rainy season during May and June.

The humidity is excessive, averaging 80 percent throughout the year. An alleviating factor is the constant monsoonal winds that blow from the north and west during the winter and from the south and east during the summer.

The Ryukyu Islands lie within the typhoon belt of the East China Sea. As many as 45 typhoons form within this area each year and from 3 to 6 of these can be expected to affect Okinawa directly. The typhoon season is from April to October and it is exceptional, but not unheard of, for a typhoon to strike between November and April.

The Ryukyu Islands have been heavily populated for centuries. When Commodore Perry visited the islands in 1853 he estimated that the Great Lew Chew—Okinawa—had from 100,000 to 200,000 inhabitants, or 310 to 412 persons per square mile.

The first official census made by the Japanese Government in 1920 indicated a total population throughout the Ryukyus as 856.892. Emigration from the islands has been quite common; however, by 1940 the population had dropped to 839,449. Of this number, 435,681 persons lived on Okinawa.

As of December 1, 1958, the entire population of the Ryukyus was estimated to be 847,000 persons. Of this total, 720,000 persons lived in Okinawa Gunto. The present population density is estimated to be about 1,450 persons per square mile.

Written records of the Ryukyus begin about A.D. 600 in Chinese and Japanese documents. In A.D. 605 and 606, the Chinese engaged in an episode of foreign expansion when they sent missions to Okinawa to demand tribute and submission, demands which the Okinawans refused with vigor and impunity. The Japanese in A.D. 714 undertook a similar expansion which was not vigorously pursued in the Ryukyus. During the next few centuries contacts with China and Japan were infrequent and irregular. The period was of independent Okinawan development with the island divided into many tiny feudal states whose petty lords built themselves fortified castles and supported small armies of retainers.

About the beginning of the 19th century, the Western Powers began to take an interest in Okinawa. In 1840 the British and French both tried to negotiate trade agreements and both smuggled in semiofficial missionary representatives. In 1853 Commodore Perry visited Okinawa and secured a trade agreement. Also, land was purchased at Naha for a U.S. naval coaling station. In the International Cemetery near Naha are the graves of several American sailors who died on Okinawa in 1853.

Racially, Okinawans are similar to the Japanese. Both seem to represent mixtures of four types of people; first, the early Ainus, a stocky light-skinned, hairy people; second, a prehistoric wave of immigrants from the south, Malayan in blood and resembling the aborigines of Formosa and the Philippines; third, an early Mongoloid stock migrating by way of Korea, and later an infiltration of more advanced Mongolian people also by way of Korea. The Ainu characteristics are more predominant among the Ryukyuans than among the Japanese. Further, during early historical periods the Chinese intermingled with the Ryukyuans to some extent.

Standard Japanese has been taught in the Ryukyu schools for more than 50 years and is widely spoken throughout the islands. Formerly, Japanese was spoken in Okinawa's court circles. The Okinawans, however, do have colloquialisms which are not readily intelligible to the Japanese. Some of these are from their original language commonly called Luchuan. This language is no longer used commonly except among the older people and in the rural areas of the Ryukyus. Pronunciations vary somewhat throughout the islands, just as they do from one area to another in many countries.

The religions of the Ryukyus are not nearly as standardized as the most popular religions of Western civilization and it is a bit difficult to define exactly the common religious beliefs of these islands. Primarily the average Okinawan's religion is based on animism, which is a form of nature worship in which the believer regards impersonal objects as having life or a soul. The native animism has been tempered considerably by the influence of Shintoism, Buddhism, Confucianism and Christianity.

The Okinawans generally do not have religious meeting places comparable to Western churches. Religious observances commonly take place in the home, family tombs, outdoor shrines and temples and other outdoor sites. Subsequent to World War II many churches have been built by religious groups in the Ryukyus.

Under the terms of the Treaty of Peace with Japan, the United States exercises any and all powers of administration, legislation, and jurisdiction over the Ryukyu Islands. The agency of U.S. civil authority is the U.S. Civil Administration of the Ryukyu Islands (USCAR) which advises the indigenous Government of the Ryukyu Islands which was established in April 1952 as the central governmental authority. This agency has an appointed Chief Executive, an independent judiciary and an elected unicameral legislature.

Before 1945 the Ryukyu Islands was basically an agricultural economy. Prewar employment in agriculture and forestry produced 48 percent of the total national income. However, in fiscal year 1958 only about 18 percent was obtained from these activities. Presently about one-third of the national income is derived from commercial industries supported mainly from earnings obtained from activities concerned directly or indirectly with construction and maintenance of the U.S. forces on Okinawa.

Basic crops are sugar cane, pineapples, rice, sweet potatoes, soy beans, and other fruits and vegetables. Cash crops are sugar cane which is exported as black sugar, pineapples which are canned or sold as fruit, and vegetables which are sold to U.S. military forces on Okinawa and in Korea.

The major industries are concerned with consumption goods, mainly food, either for export or to fulfill domestic needs. With the establishment of the U.S. dollar currency as the legal tender in the Ryukyus, there has been created much interest by foreign investors in the investment opportunities in the Ryukyu Islands.

During 1958 total imports were $99 million, while total exports were $16.5 million.

The recent years since 1951 have been characterized by the development of private enterprise, by the growth of local financial institutions, by the expansion of private trade, and by social and cultural improvements in the diverse fields of education, public health and welfare, and public safety.

The commander in chief, U.S. Pacific Fleet, briefed us on operations:

### Operations Briefing

My comments concerning the operational aspects of our functions in the Pacific Fleet, are based on the assumption that, in your profession, you have a pretty good feel for the military, and if the probabilities remain the same as they have in the past, that some of you, over a period of time, have had close relationship with the naval service. I propose to cover our forces in being, their operations in face of the threat, and I would like to touch upon a few of our major problems. I don't plan to go into great detail on our administrative setup here in the Pacific, but I do feel that it is in order that you have some feel for the functions of our major commands, in particular their relationships to other major commands and how we control a force of this size.

But before I do, I feel we have two major considerations which bear on our area which you should know about. The first is the fact that this will be strictly a Navy briefing but we don't want to infer that we can do this job out here ourselves. As you probably recall, about 2 years ago there was a reorganization in the Pentagon, when the control of the Armed Forces was given directly to the Joint Chiefs of Staff. It was at that time the Joint Chiefs of Staff created the unified commanders or the specified commanders depending on the circumstances. Here in the Pacific we operate under the commander in chief, Pacific, who is Admiral Felt at Camp Smith. Admiral Sides, commander in chief, U.S. Pacific Fleet, is a component of this unified command along with the Air Force and the Army. I would like to point out that all of the component commanders are completely aware of the tremendous task here in the Pacific and no matter what you might read in the newspapers, cooperation and coordination amongst these three commanders are exemplary. The second consideration is the size of the area of which we are talking about. The commander in chief of the Pacific Fleet's area runs from the North Pole down the western coast of North America and South America to the South Pole—the border of Asia down to a point south of Calcutta and through the middle of the Indian Ocean. This is 70 million square miles or 40 percent of the earth's surface. To give you a little different perspective I would like to have you look at this picture of the globe.

The mission of the commander in chief, U.S. Pacific Fleet, is simply to protect and advance the interest of the United States and its associated partners in the Pacific Ocean area. You will find this mission expanded and interlaced in the discussions that follow.

Starting with the major commands, we have first the type commanders; five of which are located on the western coast of the United States, and three here at Pearl Harbor. The first is commander, Naval Air Force, U.S. Pacific Fleet who is physically located on North Island at San Diego. He controls the attack carriers, the antisubmarine carriers, the seaplane tenders and all the naval aircraft in the Pacific. Along with commander, Naval Air Force, U.S. Pacific Fleet in San Diego is commander, Cruiser-Destroyer Force, U.S. Pacific Fleet who is located in his flagship in San Diego Harbor. He controls all cruisers, destroyer leaders, destroyers, destroyer escorts and destroyer tenders, which are the mobile repair ships. Also in San Diego there is commander, Amphibious Force. U.S. Pacific Fleet. Under his control, is the attack carrier which has been converted to an amphibious assault ship, used for vertical envelopment for the Marines. In addition he has the cargo ships, transport ships and various other ships associated with amphibious landings. In Long Beach, Calif., is commander, Mine Force, U.S. Pacific Fleet who naturally is responsible for all the mine activities here in this area. This happens to be a wooden hull-type minesweeper. There is one other type commander in San Diego, I will come back to. However, here in Pearl Harbor, we have commander, Submarine Force, U.S. Pacific Fleet, who naturally controls all of our submarines, submarine rescue vessels and submarine tenders, which are also mobile repair ships. Across the street adjacent to this building, is commander, Service Force, U.S. Pacific Fleet, who is the commander in chief's Logistics Command. He is the "beans and bullets" man in the Pacific. He has all the ammunition ships, the fleet oilers which you see on your left, cargo ships and associated auxiliary ships throughout the Pacific. Also here in Pearl Harbor, we have Fleet Marine Force, U.S. Pacific Fleet, which is also located at Camp Smith. He has two Marine divisions, two Marine air wings for a total of 68,000 men. Back to the type commander on the west coast. To preclude any duplication of training effort here in this area, we have established commander, Training Command, Pacific. This command handles all of our training ashore and afloat. He is completely responsive to the other type commanders and they lay their requirements on him. His training is divided into two parts; the first is short courses on the beach that train individuals in such things as fire fighting, damage control, and maintenance programs. He also helps to mold individuals into teams for use on a ship. Underway, he trains the ships for the type commanders, putting aboard highly experienced personnel who literally look over the shoulders of the people on board and help the ships to train themselves.

As I said, this was the first step in the command buildup. These type commanders that I have just mentioned are responsible for the manning of the ships, the maintenance, training and the establishment of standards.

They are the people who mold the ships into individual units. After this, and when directed by the commander in chief, these ships are turned over to commander, 1st Fleet who operates in the Eastern Pacific. He is responsible for the training and readiness of all ships. He takes the individual ships and molds them together as a fleet. In addition he has on 74 hours' notice, an attack carrier group and on 96-hour notice, an amphibious and logistics group. When directed he deploys fleets or units of fleets to the 7th Fleet, who works in the western part of the Pacific. This gentleman is our Sunday punch. This is a powerful, mobile outfit capable of action or reaction across the broad spectrum of violence from the cold war manipulations of the enemy through a nuclear conflict.

This is the fleet structure, and in support of this structure, we have designated throughout the Pacific area various frontier or sea frontier commanders. These people are responsible for sea and air rescue operations within their areas, control and surveillance of shipping and unidentified contact investigation. They do not have forces as such, but as required, forces are deployed to them from either the type commanders or the fleet commanders as the situation merits. In addition to the commanders I have discussed so far, we have two special commanders here in the Pacific which we think are worthy of mention. The first is commander, Barrier Force Pacific. He has under his control about 36 radar-configured aircraft with which he maintains a constant barrier from the Aleutian Chain to Midway Island. This ties into the continental defense as an extension of the DEW line, and he is in direct communication and is completely responsible to the Continental Defense Command in Colorado. The second commander is commander, Antisubmarine Forces, Pacific. Over 99½ percent of all cargo and logistic support for our sister service and our allies in this area travel on the surface of the ocean, so the problem here is to control these sealanes and lines of communication. We have created commander, Antisubmarine Forces, Pacific, who is Admiral Thach and is located here in Hawaii, to coordinate the antisubmarine effort here in the Pacific, to develop new tactics in submarine warfare and to care for the research and development of new techniques in this field.

And finally, we have our own commander in chief, Admiral Sides, who is physically located in this building. It is interesting to note also that this building served as another Texan's headquarters, Admiral Nimitz, during World War II.

Now within this control structure we have 425 ships, at the present time. We have 200,000 naval personnel, 68,000 marines, with associated aircraft and 3,000 naval aircraft. I would like to have it understood that the 7th Fleet and the 1st Fleet are both deployed. The 1st Fleet, although not in the same area, spends as much time at sea, virtually, as the 7th Fleet. This point I want to make because of subsequent discussion. Further, because of the expanse of this ocean, 17 percent of our forces are in transit at all time.

Now for the air units, we have eight air units festooned throughout the Western Pacific, starting down the west coast with two—Alaska, Hawaii, Guam, Formosa, Japan and the Philippines. These are the patrol planes, as you well know. These are patrol squadrons who maintain varied patrols throughout the waters of the Pacific that we at this time feel is necessary.

Now our marines. Our 1st Marine Division is located in Camp Pendleton and consists of 18,000 men. This division is in the buildup state. However, I want to recall the fact that this particular division of marines was deployed to Korea on very short notice. In Hawaii we have 4,000 more marines. On Okinawa we have the 3d Marine Division with 15,000 marines. As you well know, these marines are there without their families. They are extremely mobile and are not tied down to commissaries and diaper service. They can move almost instantaneously. From these marines in the 3d Division, we have 1,400 marines embarked in an amphibious landing group in southeast Asia. This group is capable of either on-the-beach landings or over-the-beach landings. They are able to sustain themselves for about 5 or 6 days without outside support.

Having looked at these forces and the control they function under, let us now take a look at the role they play in general, limited, and cold war. As you know, we have nine attack carriers here in the Pacific. We maintain three of these carriers in Westpac at all times, and where possible, we always keep two of these carriers at sea. We also have five Regulus-carrying submarines, three missile cruisers, seven destroyers and destroyer leaders. All of these forces are capable of handling nuclear weapons. They can strike from this particular area all the way down the littoral of this continent, and deep enough to cover any targets specified—any targets that would be a threat to these forces. I must point out that these targets are naturally tied in with the rest of the nuclear capability of this country, under the Joint Target Group in Omaha, Nebr.

I don't think it is necessary for me to go into too much detail on the Navy's capability in limited war—you have seen the threat and you also well know our exhibition in World War II and Korea. I would like to point out though that it is extremely important in a limited situation to keep these lines of supply open.

The cold war picture: Naturally we think our most important contribution is the 7th Fleet itself. It has and can be used as a show of force, and is quite influential in southeast Asia laying off the coast. In addition to this show of force, we have four programs which we feel are worthy of mention. The first is Operation Handclasp. This is the program whereby our ships upon return to continental limits of the United States will pick up, from various agencies, food, clothing, etc., and transport it to specified places in the Orient. This has been a highly effective program thanks to the ingenuity of the sailor. He gets out there and delivers his gear and the first thing we know, he is back on the ship getting a hammer and nail or a paintbrush to go back and work with the local people in rehabilitating their buildings. It has been very effective. The second is the way we train our crews. We have stressed to these people the role they play out here. They are completely trained in the mores of the community and the importance of their conduct ashore. We think that the record of our sailors in the Western Pacific speaks for itself. We also have MTT teams, which are mobile training teams, which we send to the various parts of Asia in company with U.S. equipment that has been given to these countries. This is a very selective program. These are highly motivated people and we try to get them with some language background. If not, we do give them as much training in a language as is possible. The last one that I think is worthy of mention, is our joint exercises with our allies in Southeast Asia. There is no better way to develop comradery and respect than to do it under war conditions, and these exercises are under war conditions. I can sum up the whole cold war effort with a quote from Vice Admiral Griffin, former 7th Fleet commander, "The days are over when the single concern of the American fighting man is to win a war. Today's military man has to be a good will ambassador and a diplomat also. I feel a person-to-person good will program is an extremely important part of everything we do. We have millions of soldiers, sailors and marines and airmen who can do this work. An interchange of information between people in different countries of the world is necessary before we can think of peace."

I am sure you can appreciate that we cannot run an organization of this size, especially at the tempo that we are running it, without some problems. I would like to mention some of the more major problems we have because we feel that, first, they are interrelated and, second, that public awareness is in order if we ever expect to get a solution.

First we do not have enough ships or aircraft to meet all of our commitments at one time, nor do we have enough ships and aircraft to meet any single commitment without emergency procedures. Now this in itself rings of the old hue and cry of the military for more bullets, however, as it relates to subsequent problems, it takes on more significance. I would like to mention here that the commitments of which I speak are, for the most part, commitments laid on us by higher echelons of the Government and not by the Navy Department.

The second is tempo of operations. For the past 10 years, or since Korea, the Pacific Fleet has been on a wartime footing. The average ships spends from 6 to 7 months in deployment to WESTPAC. Upon completion of this deployment, she returns to the continental limits of the United States where she undergoes a brief period of leave and upkeep. Then she starts her rotation back to the 1st Fleet. Now I would like to relate this process to the average destroyer, from one yard overhaul period to the next, or a period of 2 years. We calculate that the average destroyer spends, in his home port, approximately 30 percent of that entire period. Now that's under normal conditions. If there is any manipulation of the enemy, say in Laos or Vietnam, or if there are any air-sea rescue operations that must be cared for or any unidentified submarine contacts, this degrades that 30 percent.

And third is maintenance. For all practicable purposes we are still operating, for the greater part, with World War II ships with the same plumbing, electrical work and the same turbines. As time goes on they naturally get older and there is more maintenance involved. Now we do have a program which we call our FRAM program or fleet rehabilitation program, which is designed to put new equipment into the old hulls. Over the next 5 years we expect that this program will care for approximately 20 percent of our fleet. In addition we are receiving newer type ships in the fleet, virtually every year. But the total of these two efforts will possibly fend off for awhile but will not stop what is expected to be block obsolescence of the greater portion of our fleet in the next several years.

These problems, coupled with the fact that we cannot nor do we expect to compete with the booming economy, leads us to our most immediate problem: personnel. Of the 200,000 men here in the Pacific Fleet, we lose about 20,000 yearly to civilian life, and naturally they are replaced with new recruits. This problem isn't new to the services, we have been living with it for some time, but thanks to a highly trained cadre of petty officers we've been able to keep ourselves in a comparatively high state of readiness. However, there are several factors which bear on this problem that can move it to a critical stage. First we have reached the 20-year anniversary of World War II wh'ch also marks the beginning of the elig:ble retirement period for these people. Now they, as I have said, are a highly motivated, hard working group, but they are also a married group and the pressures of the distaff side for a more stable homelife are starting to tell.

The second point is in World War II we were able to put together a guncrew in about 3 to 4 months, but today with our new and more sophisticated equipment we are lucky to get a man trained to the point where he even knows the rudiments of the system before he is eligible for release.

And last—is the new recruit in the 17- to 18-year-old group, is really not academically prepared to give us a hand with this new equipment without further training. This isn't to say that he can't learn, but when we receive him he needs considerable help before he is able to contribute much, and at this point he is normally ready for release.

All of these problems are being wrestled with at the appropriate levels of our Government, but we feel that the solutions will be much easier to come by with a public awareness of these problems, and with a public awareness of the fact that we cannot, without a lot of work, keep the military on a war footing with a nation at peace.

The battle for Okinawa ended the Japanese challenge for supremacy of the Pacific and Asia. It was the cruelest and bloodiest engagement of the war. The toll of human lives on both sides gave the answers to the full meaning of war.

One of the best kept secrets of the war was plans for Operation Iceberg, the seizure of Okinawa, an accomplishment that brought imperial Japan to its knees.

Actually Operation Iceberg was first conceived as Operation Causeway, the invasion of Formosa which was bypassed in favor of Okinawa—began with plane raids on October 10, 1944, by Vice Adm. Marc C. Mitscher's Task Force 58 of the 3d Fleet.

The Japanese plan of defense on Okinawa was not to attempt destruction of the invading forces at the beaches, but to have the 32d Army offer a strong resistance around a central fortified position. A decisive land battle was to be avoided until the Kamikaze planes and the Japanese fleet could destroy the American warships and transports.

The principal defenses were established in the rugged ground north of Naha, Shuri, and Yonabaru. Landings north of the line were only slightly opposed. If landings had been made south of this line, they would have been met along the beaches. The forward Shuri defenses were along a natural barrier formed by Urasoe-maru escarpment, Kakazu Ridge, Nishihara Ridge, Tombstone Ridge, Tanabaru escarpment, and Skyline Ridge, a line running generally east and west from the Machinato Inlet to the northern end of the Yonabaru airfield. The defense zone extended south from this line to a depth of approximately 5 miles.

The defense was planned as a series of concentric positions adapted to the contours of the area. Caves, emplacements, blockhouses, and pillboxes were built into the hills and escarpments connected by elaborate underground tunnels and skillfully camouflaged; many of the burial tombs were fortified. The Japanese took full advantage of the terrain to organize defensive areas and strong points that were mutually supporting, and they fortified the reverse as well as the forward slopes of hills. Their reverse slope defenses were most effective and formidable in slowing up of attacks on their positions.

As L-day drew near, troops were staged on Oahu and in the Philippines. To prepare for this combined operation, Army, Navy, and Marine officers and men worked side by side and across from one another at the same desks. Most of those working on the operation did not know what island or what spot was to be the target since "Iceberg" was a code name identified with Okinawa only to the top commanders and the few enlisted personnel who were sworn to secrecy in the security rooms at 10th Army Headquarters.

On March 17, 1945, the initial preinvasion tactics began with repeated air attacks on Okinawa by the famed Task Force 58, which only shortly before had been causing the Japanese homeland no end of trouble.

Then on March 25, 1945, the initial surface bombardment of Okinawa was begun by Task Force 54. A day later the landings were made on Kerama Retto by units of the 77th Infantry Division. That group of islands southwest of Okinawa was secured by March 29, providing a safe passage for the major invasion fleet which passed in the channel between them and the larger island.

Finally, on Easter morning, April 1, 1945, the Japanese observed the first landing attempts on Okinawa as the 2d Marine Division and XXIV Corps began a feint attack on the southeast coast to draw the enemy's attention from the main landing which began at 8:30 on the Hagushi beaches. The 7th and 96th Infantry Divisions and the 1st and 6th Marine Divisions found comparatively slight resistance to their landings at Hagushi.

In 1 day the beachhead was established with the capture of both Kadena and Yontan Airfields. By the 2d of April, the 7th Infantry Division had completely severed the island in the drive to the west coast. By the 5th, phase I of the campaign was completed. The XXIV Army Corps, under command of Maj. Gen. John R. Hodge, formed a battle line to the south, while the III Amphibious Marine Corps, under Lieutenant General Geiger, began its push to the northern tip of the island.

On the southern Army front, scattered Japanese resistance gave way until Army units reached the first prepared defense area on the approaches to the Machinato Line, running from the north end of Machinato Airstrip to the north end of Yonabaru Airstrip, and including Kakazu and Hacksaw Ridges.

On the northern front, moderate opposition was encountered by the Marines, and the northern point of the 60 mile island—some 40 miles from the invasion beaches—was reached and secured by May 5 without any significant battles.

Meanwhile on April 16, the 77th—Statue of Liberty—Division had begun working on phase II of the campaign, by striking the tiny Japanese airbase on Ie Shima. Ie Shima was dominated by Igegusukuyama, the only promontory on the otherwise level, airfield-covered island.

The battle revolved around the capture of this peak, and within 5 days it was secured. Ie Shima is now world-famous not for the battle but as the place where the soldiers' favorite correspondent, Ernie Pyle, was killed and buried. A monument with a plaque "At this Spot the 77th Infantry Division Lost a Buddy—Ernie Pyle—April 18, 1945," marks the spot. His body was later removed to Hawaii. It is also noted as the historic airstrip on which the Japanese peace envoy-laden planes landed enroute to Manila.

On the south front the 96th and 27th Divisions' advance was still held up at the Machinata line. Tanks were brought into play but were alarmingly decommissioned by the sting of Japanese 47-millimeter antitank guns which seemed to be firing out of the solid coral hills.

On April 24, a 27th Division combat team finally broke through the cave fortifications at Kakazu Ridge and Item Pocket on the Japanese left flank, and Skyview Ridge. The enemy troops still in the Hacksaw Ridge fortifications were finally eradicated with burning gasoline, flamethrowers, and final assault by the 77th Division from the crest of the hill with cargo nets and hand grenades in some of the fiercest hand-to-hand battles of the campaign.

Finally, the main element of the Japanese force retreated, only slightly further south to the most formidable defenses of the campaign the Naha-Shuri-Yonabaru line.

At the time, the line contained three divisions: The 96th replaced the 7th on the east; the 27th took the west flank; and the 77th was in the center. On May 5, the III Amphibious Corps was called in to replace the 27th which took up the security mission in the northern part of the island. On May 13, the 96th captured a strategic hill to begin the encirclement of Shuri from the south and east, along with the units of the 7th which were returning to the lines.

On the right flank, the marines fought their first major battles of the campaign with the capture of Sugar Loaf Hill and heavily mined city of Naha. The 1st Marine Division shot a spearhead into Shuri from Naha and the 77th Army Division, pushing on through such Japanese defenses as Chocolate Drop Hill, hit Shuri from the north. From the south, the 7th, now back in line, and the 96th increased the pressure of the encircling movement and on May 21, Shuri fell to the victorious 10th Army.

Meanwhile the rainy season on Okinawa had set in and like the mud, the Japanese Army oozed southward, never establishing a main line of defense. We pushed rapidly onward and the 7th Division reached the southeast coast of the Chinen-Mara Peninsula on June 3. On the west coast, the 6th Marine Division climaxed an amphibious landing from Naha Bay on the Oroku Peninsula on June 4 with the capture of Naha Airfield 2 days later. The peninsula was secured on the 13th when the 1st and 2d Marine Divisions wiped out last enemy resistance in the Naha area with the annihilation of a strong pocket of crack Japanese naval troops, in the south outskirts of Naha.

The 96th and 7th Army Divisions along with the 6th Marine Division continued their push until finally the Japanese line held at their last stronghold, Yadjudake Escarpment, running east from Itoman. Army and Navy guns shelled the last stronghold and Marine planes dropped makeshaft napalm bombs made with auxiliary airplane gas tanks filled with flame thrower fluid and ignited with an impact fuse. Five hundred foot hoses were attached to flame-throwing tanks and the cliff defenses were saturated with gasoline which was touched off with dynamite charge to clean the Japanese from the last stronghold.

On June 18, the 10th Army was shocked by the death of its commander, Gen. S. B. Buckner, who was killed as he viewed the battle from an observation point on the front lines. Had he lived but 3 days longer, he would have seen the Japanese surrendering at the rate of 2,000 daily and the securing of the island on June 21, with the flag raising ceremony at 10th Army Headquarters. Captured Japanese gave rumors of the purported large-scale Japanese reinvasion of Okinawa by a Formosan task force but even General Ushijima, commander in chief of Okinawa troops, did not believe it. He and his chief of staff committed hara-kiri.

On June 24, Gen. Joseph W. Stilwell took command of the 10th Army vacating his position as Chief of Army Ground Forces. Several other phases of the campaign were canceled until other smaller islands, such as Iheya Shima, Kume Shima, and Aguni Shima were taken without event by reconnaissance units. As a security measure, a final meticulous shore-to-shore sweep of the island was made with tens of thousands of troops fanned out and covering every square yard, this time moving from north to south. Caves were sealed with bulldozers and blasting charges, and isolated snipers eliminated. Slight opposition was encountered in the area south of Kadema but many islolated groups of Japanese fanatics held out for months in northern Okinawa.

On September 10, 1945, surrender of the Ryukyus was completed on the same spot at 10th Army Headquarters on which the flag was first raised when the island was secured. Promptly at 1430, the general's flourishes were sounded, then General Stilwell, followed closely by his chief of staff General Merrill, strode out of his camouflaged headquarters quonset to take his place in front of the table. It was one of the few occasions on which the well-liked general wore the four stars of his rank, but he wore no other decorations. After a few curt orders through an interpreter, the Japanese signed, then General Stilwell signed. General Stilwell was heard to remark, as the soldiers, generals, and admirals mingled, shook hands, slapped backs: "There go the warlords of the Pacific," as the realization of the complete victory brought jubilation for the first time. All that remained was to send out a task force to the remaining Ryukyu Islands to see that surrender terms were carried out. This was done a few weeks later.

The price paid for Okinawa was dear. The final toll of American casualties was the highest experienced in any campaign against the Japanese. Total American battle casualties were 49,151, of which

12,520 were killed or missing and 36,631 wounded. Army losses were 4,582 killed, 93 missing, and 18,099 wounded; Marine losses, including those of the Tactical Air Force were 2,938 killed or missing and 13,708 wounded; Navy casualties totaled 4,907 killed or missing and 4,824 wounded. Nonbattle casualties during the campaign amounted to 15,613 for the Army and 10,598 for the Marines. The loss in ships was 36 sunk and 368 damaged, most of them as a result of air action. Losses in the air were 763 planes from April 1 to July 1.

The Ryukyu Islands are the most important real estate we hold for the protection of our interest in Asia. It is our storehouse of materiel: fuel, armament, and supply. It has natural harbors that serve the purposes of our naval requirements for ships and submarines; airport facilities and the proximity of the island are vital to our military operations as a natural base. Its natives are loyal and appreciative for the rebuilding of their cities and our contribution to their economy. They are anxious to become Americans. Lieutenant General Caraway, as commissioner, is in sympathy with their request to be given U.S. recognition either as a Commonwealth or a territory if not a State. Under their present status they hold an anonymous relationship to the world. Not being a nation or recognized as an integral part under a government they have no rights to a passport under which any nation could have a request for a visa.

It is about time to give some attention to their international blackout of their legal rights as inhabitants of a homeland that we have assumed complete control as occupied territory, a result of the fortunes of war. The loyalty and cooperation given to our forces of liberation during hostilities and the deep sense of appreciation displayed since to our command and troops merits serious consideration to remedy their present plight as being a people without a country. It is about time we adopted them and returned their citizens the rights and dignities of other nationalities throughout the world. If their homeland is utilized for our purposes, to preserve the freedoms and liberties of the people of the neighboring nations, then we should extend the hand of Uncle Sam to return to them a status of identified citizenship. We congratulate General Caraway for his farsighted interest in a friendly and wonderful people—our strongest ally.

### PART 4: HONG KONG

Mr. Speaker, at Hong Kong the American consulate has been doing an admirable job among the refugees—Red China—through the activities of the refuge and migration unit headed by its Chief Robert A. Aylward.

Our Consul General, Marshall Green, has a myriad of functioning areas of responsibility—several of which are of great importance to the security of the United States—also the study of economic and other relationships with Red China. It is interesting to analyze these functions and determine interpretively the valued services of these dedicated Americans.

### THE ECONOMY OF HONG KONG

Hong Kong and Macau are the last important areas on the China coast remaining under European control and serving as the principal points of contact between Communist China and the free world. Hong Kong is the more prosperous of the two. Its prosperity has been built around an excellent harbor which is the best on the coast of Asia. Its status as an essentially free port is coupled with such facilities as large banking and insurance houses, deepwater wharves and numerous warehouses, stable and efficient government, and the resourcefulness and enterprise of its merchants, manufacturers and Chinese labor force. These assets are reflected in the success the Colony has enjoyed thus far in coping with the very serious problems it has faced as an aftermath of both World War II and the Communist takeover of the China mainland.

### THE DECLINE OF THE CHINA TRADE

Hong Kong's economy, traditionally, has been tied to the China mainland. Since the British occupation in 1841, the development of this small tract of land into a prosperous city of over 3,000,000 persons has been the result of the need for efficient foreign trade facilities on the South China coast. Special services and facilities were set up to collect, grade, and market raw produce of China; most Hong Kong firms had branches in Canton and other cities of China's southern provinces; and the major portion of the trade of these provinces was financed through Hong Kong. The degree of interdependence was such that when China abandoned the silver standard in 1935, the Hong Kong currency was devalued in concert. On the average in the prewar period, the China mainland provided a market for about half of Hong Kong's exports and supplied about one-fourth of its imports.

After World War II, trade with mainland China never regained its prewar volume except for a frantic spurt in 1950–51 when the Chinese Communists tried to import as much as possible for their war needs. The United Nation's controls, which became effective May 18, 1951, cut off much of Hong Kong's export trade to Communist China; but even before that time, the Chinese Communists had begun to reorient their foreign trade toward the Soviet bloc and were sending more and more of their exports overland to the U.S.S.R. In recent years, moreover, it has become apparent that the Chinese Communists are pursuing a carefully calculated policy of bypassing Hong Kong as much as possible as a source of imports, procuring their requirements directly from Europe while at the same time keeping up a steady flow of exports to Hong Kong thus maintaining the net foreign exchange receipts derived from trade with the colony.

This tactic is clearly reflected in the trade figures for 1961. During last year Hong Kong's exports to Communist China amounted to US$17.24 million, which was below the 1960 figure of US$21 million and far below the 1953 figure of US$90.2 million and the 1951 peace year level of US$251 million.

Imports from Communist China have fallen from US$180 million in 1959 to US$178 million in 1961. These imports consist of foodstuffs, textiles, and a variety of light industrial manufactures, most of which are consumed in the colony, but a portion of which is reexported through the facilities of Hong Kong to other Asian countries.

As a result of this trading pattern, Communist China's net earnings from its visible trade with Hong Kong rose from US$52.9 million in 1953 to US$186 million in 1960. This export surplus dropped by 13 percent in 1961 to US$161.6 million and trade with Communist China, as a proportion of Hong Kong's total trade, dropped to 11 percent in 1961 as compared to about 13 percent for 1960 and 20 percent for 1958. While China's trade remains essential to the colony's needs, it has now taken second place to the United States followed by the United Kingdom. Nevertheless Communist China secured another favorable balance in trade with Hong Kong for the 10th consecutive year bringing the visible earnings from sales to the colony since 1952 to US$1,324.6 million. As 1962 draws to a close, it is noted that Communist China's trade with the colony continues strongly in its favor. Through the third quarter, China's exports to Hong Kong amounted to US$147.68 million which was an increase by 14.9 percent over that for the comparable period in 1961.

### TRADE WITH UNITED STATES

Hong Kong's trade with the United States was reduced in 1951 as a result of the United States and United Nations controls on trade with Communist China. Since that time, however, there has been a steady increase in this trade. In 1961 total trade with the United States was over US$248 million, compared with US$14.4 million in 1949, prior to the beginning of the Korean war, to make the United States the colony's most important trading partner. U.S. foreign assets controls forbid the export to the United States of Chinese Communist products, but the establishment of a comprehensive certificate of origin system has stimulated the export of traditional Chinese type goods made in Hong Kong to the United States. In 1961, exports to the United States were over US$121 million, a 3-percent decrease from 1960 and still about a tenfold increase over 1954. Although down from the spectacular levels set in 1960, the United States was still the best market for Hong Kong's products, absorbing 23 percent of the local goods manufactured for sale abroad. A sharp expansion in exports of cotton garments to the United States has been a major factor in this rise. Imports have also increased sharply. From a low of US$34.4 million in 1952 they rose to US$126.86 million in 1961.

Thus far in 1962—for example, through the third quarter—Hong Kong's exports to the United States amounted to US$113.53 million which was an increase of 45.1 percent over that for the comparable period of 1961; whereas, exports from the United States to Hong Kong during the same period totaled

US$109.14 million. Although this represented an increase of 7.7 percent over the same period for 1961, the colony had a net favorable balance of trade amounting to US$4.39 million.

### RISE OF INDUSTRY

Two developments have aided Hong Kong in its attempts to overcome the effects of reduction in the export trade to China: These are the expansion of its trade with other countries and the establishment of new local industries.

Hong Kong found new export outlets in southeast Asia early in the postwar period, partly because its free currency market enabled Asian purchasers to obtain goods from hard currency areas. Its entrepot facilities were enhanced by the establishment of new industries to render it more useful to the economy of the small Asian nations which have found it increasingly convenient to obtain supplies for their expansion programs through Hong Kong. In addition, Hong Kong has been an important entrepot for Japanese goods being shipped into southeast Asia, largely because it represents a convenient channel for circumventing currency and payments difficulties arising in direct trade.

Of greater long-term significance to employment and income in the colony has been the development of industry—a development that was stimulated principally by the influx of Chinese refugee capital and technical skills following the Communist seizure of the mainland. A wide range of new light industries was established and, to an increasing extent, their products have been successfully marketed abroad. These industries include cotton textiles, which made up nearly two-thirds of Hong Kong's manufactures, enamelware, a variety of food manufacturing establishments, and numerous other light industries including rubber-soled footwear, plastic products, and flashlights.

Hong Kong's heavy industry is limited and consists chiefly of its shipbuilding and repair facilities, but there are also a number of iron foundries and rolling mills operating on raw materials from local ship breaking. Several factories also make machines for light industries.

Probably the most encouraging feature of the colony's overall trade in recent years has been the buoyancy in demand for the products of its growing domestic industry. Currently, domestic manufactures are estimated to comprise about 70 percent of the total export trade.

A severe shortage of land and fresh water imposes a serious obstacle to further industrial expansion. The Hong Kong Government has been working on the reclamation of land suitable for new industrial sites, but the development of such factory sites, which will be somewhat removed from the present centers of population, will take time. Additionally, the Hong Kong Government is building a large new reservoir on Lantao Island to alleviate the severe water shortage and is exploring othe rsources of supply. Some capital shortage for industry exists because of the reluctance of southeast Asian Chinese—whose capital comes here in large quantities—to invest in industry when profitable real estate and stock market ventures are available.

### TOURISM

Tourism has risen sharply in importance during the past several years to become one of the colony's leading sources of foreign-exchange earnings, second only to the textile industry. The beauty of the colony's landscape and the shopping facilities of the free port have attracted an increasing number of visitors which amounted to over 220,000, including 78,000 Americans, in 1961. The overall total of civilian visitors in 1961 was 35 percent higher than in 1960. In addition about 132,000 American servicemen visit Hong Kong every year. The income from tourism contributes an estimated US$100 million to Hong Kong's foreign exchange reserves each year.

The completion of Hong Kong's new city hall and convention center early in 1962 and a boom in hotel construction which will soon bring the colony's hotel room capacity to over 7,000 has further spurted the growth in tourism. Figures through the third quarter of 1962 show that there has been a further 14-percent rise in American tourists visiting the colony.

### GOVERNMENT POLICY

Hong Kong's finances are in excellent condition. The public debt is virtually negligible, and the Government has managed regularly to have a budgetary surplus. Last year the surplus was HK$14 million but a deficit was expected for the 1961 budget year, as the Government makes large expenditures on public works to cope with the problem of the colony's refugees who have become a permanent fixture. However, current estimates for the 1962–63 financial year show that revenues will be HK$1,058 million and that expenditures will be HK$1,225 million, resulting in a deficit of HK$167 million. Taxes are low and duties are levied only upon a restricted list of commodities. Revenues have risen to meet these rising public expenditures, largely additional rather than through a raise in the tax rates or an extension of the list of taxable objects. The currency of the colony is linked to the sterling area, but it is allowed to fluctuate freely in Hong Kong in terms of all other currencies in the world.

The Government has embarked on a bold public works program which will last for the rest of this decade. The cost of the overall program may range to US$550 million of which US$185 million will be for the provision of waterworks and US$24 million for construction of the new international airport. Other major public works abuilding include land reclamation, road construction, erection of schools, hospitals, flatted factories and apartment houses for resettlement of the refugee squatters.

### OUTLOOK

Hong Kong's appearance of prosperity should not obscure the very serious problems it continues to face. For many years, for example, the colony has had a remarkable record of peace in labor-management relations. On past occasions when there have been threats to strike, the situation has been stabilized by firm police action. Nevertheless, the Communists have succeeded in penetrating many of the plants employing skilled labor, and the Communist-controlled Federation of Trade Unions is the stronger of the two local labor federations. Through this labor organization as well as through other pressures they can employ, the Communist authorities in China have the power to create serious labor unrest in Hong Kong. The outbreak of violence in October 1956 in industrial areas showed how vulnerable Hong Kong is to political disturbances.

The census taken in March 1961 revealed that the colony's population was 3,128,044; whereas, in a recent address before the Jaycee World Congress held in Hong Kong, the Colonial Secretary stated that by November 1962 the population had already grown to approximately 3.5 million. Eighty percent of these people are under 40 years of age and 42 percent or 1.3 million are 14 years of age or under. During the next 5 years many of these young people will be coming onto the labor market and it is doubtful whether the expansion of local industry can keep pace. In addition, the colony's refugee problem is not resolved and recently there have been indications that the Communist China authorities may be making it easier for mainland city dwellers to go to Hong Kong. While 422,000 of the colony's workers including many who are refugees from China have been rehoused in the Government-sponsored resettlement projects at an estimated cost of HK$13.2 million, the majority of workers are still dependent on crowded tenement type housing or are living in hillside squatter encampments. In his budget address for 1961, the Colonial Secretary estimated that US$15,617 million was spent on resettlement and US$24,486 million on low-cost housing projects, or 33.4 percent of the total nonrecurrent public works. Impressive as these developments are, the Hong Kong Government has stated that there are plans to resettle a further 500,000 people during the next 5 years.

Average wages are low, ranging from US$0.52 to US$3.67 a day, hours of work are generally long, and most important, the labor supply is to a large degree unskilled. The colony's new labor law which imposed a 10-hour workday and a 6-day workweek and no night work for women has already significantly altered labor conditions and costs in the important cotton textile and garment industries; labor conditions elsewhere in the colony are beginning to be affected and there is a current shortage of skilled labor. To deal with these problems, Hong Kong for some time to come will be under constant pressure to expand trade, develop new industries, and make larger expenditures on public works.

### CHINESE REFUGEES IN HONG KONG

The British Crown Colony of Hong Kong has traditionally been a major outpost of British political and commercial interests in the Far East, a warehouse for the great market of China, and a center of Western orientation for Chinese people. Geographically, economically, and politically, Hong Kong is a vital crossroads of the Far East. It is also a chief point of exit and entry for the Communist-dominated China mainland.

At the time of the British reoccupation in September 1945, Hong Kong had about 600,000 people. At the present time the population is reliably estimated at 3.4 million. This is likely to increase to more than 3½ million persons by the end of 1962. Thus Hong Kong, with a land area of 392 square miles—of which only 62 are usable—is faced with supporting a population about equal to that of the Republic of Ireland, without having any appreciable natural resources upon which to develop its economy. Some of this increase is accounted for by the return of residents previously expelled by the Japanese, by increase of births over deaths, and by nonrefugee immigration. However, by far the largest element consists of over 1 million refugees who have fled into Hong Kong since 1949 when the Communists completed their seizure of mainland China. They constitute the largest single group of anti-Communist refugees in the world. By the end of 1962 it is estimated that approximately 145,000 refugees will have arrived in the colony. In addition, the net increase of births over deaths in 1962 may be 90,000.

The influx of this large number of refugees plus their subsequent offspring has posed an enormous problem for the Hong Kong Government. Due to the extremely limited possibilities for emigration abroad, the colony has become not only the country of first asylum but the country of final resettlement for the majority of these people. The Hong Kong Government has fully accepted responsibility for providing minimum standards of housing, education, health, and welfare services. In the budget estimate for 1962–63, totalling US$215,060,000, approximately US$128 million or 60 percent will be used for nonrecurrent public works and the social services, including schools, hospitals, housing, clinics, roads, bridges, and the various community activities required to cope with the dilemma caused by the influx of the largest group of refugees from communism in Asia. It does not discriminate between refugee and Hong Kong-born, and it is stated Government policy to work toward the integration of the refugee into the local society and economy.

Housing: During the past 10 years the Hong Kong Government has realistically accepted the semipermanent nature of the refugee problem. Following the disastrous fire in the Shek Kip Mei squatter area on Christmas Eve 1953 which destroyed the homes of 58,000 in a single night, the Government embarked on a major scale construction of resettlement estates. It has committed itself to a program of long-term public housing with 440,000 persons already in stone cottages and multistory blocks. In the current year it plans to add housing for an additional 120,000, a level to be maintained for the next 5 years. The Government estimates that there are still 500,000 living on the hillsides in squatter shacks and at least another 75,000 in improvised huts on rooftops. Others sleep in stairways with no fixed abode, and large numbers live on junks and sampans in the harbor. At least 250,000 additional persons live in substandard tenements, where frequently a bed space 6 feet long, 3 feet wide, and 3 feet high is a family's only home.

Education: With 40 percent of the total population under the age of 15 according to March 1961 census, adequate schooling facilities are a critical problem. Despite strenuous efforts by the Government to provide places in primary schools for all, as of the summer of 1961 there were 194,000 children for whom there was no room. Except for a half-dozen institutions, all schools in the colony have separate morning and afternoon sessions with many having a third shift in the evening. At the secondary school level the situation is even more critical, with thousands of children in the 13 to 17 age bracket for whom no educational opportunity exists and yet who are too young for regular employment.

Health: Fortunately Hong Kong has not experienced any serious epidemic since the war. A cholera scare in the summer of 1962 was effectively controlled by the prompt and competent actions of the Department of Medical and Health Services. Tuberculosis continues to be the most critical health problem with an estimated 2 percent of the adult population having active cases. In recent years a colonywide BCG vaccination program for children appears to now be having a marked effect on reducing incidence among that age group. The number of hospitals and clinics is still woefully inadequate despite the combined efforts of both Government and the voluntary agencies to increase their facilities. The present level of hospital beds is 1.77 per thousand population. A new 1,300-bed public hospital in Kowloon is scheduled for completion in 1963.

U.S. Government programs: As a part of the worldwide U.S. escapee program, the Far East refugee program—operating through the Refugee and Migration Unit of the Consulate General—was established in Hong Kong in 1954 to demonstrate U.S. concern for the welfare of refugees from Communist China. It is actively engaged in supplementing the efforts of the Hong Kong Government and the voluntary agencies to cope with the problems of this swollen population. By establishing contracts with accredited American and international voluntary agencies, programs have been created to assist the refugees. These include resettlement abroad, local integration, disaster relief, medical care, housing, construction of hospitals, clinics and day nurseries, vocational training, aid to college students, and development of refugee handicrafts. In addition, to strengthen and make more effective the surplus food program, FERP has supported the establishment of school feeding programs, milk bars, bakeries, and noodle plants. Distribution of U.S. surplus food is handled entirely by the local offices of Church World Service, CARE, Catholic Relief Services, Lutheran World Federation, and the Seventh Day Adventist Welfare Service. Since the enactment of Public Law 480, title III, in 1954 through the end of 1962, the value of the surplus agricultural commodities received in Hong Kong totaled $30 million. The Hong Kong Government provides free unloading, warehousing, and all inland transportation. During 1962 these voluntary agencies distributed a total of 12.7 million pounds of wheat flour, over 3.4 million pounds of cornmeal, 3.8 million pounds of milk powder, 8.4 million pounds of rice, 5 million pounds of Bulgur wheat, and 3.6 million pounds of vegetable oils produced by the American farmer.

As an added demonstration of concern of the American people for these refugees, the U.S. Government contributed an additional $1 million during World Refugee Year. These funds were used to construct special technical schools, hospitals, community centers, clinics, day nurseries, and to strengthen further the surplus food program. The present level of the Far East refugee program is $1 million annually, plus about $5 million of surplus food. Despite improvements in the local economy and the vast increase of the Hong Kong Government and voluntary agency efforts in the refugee field, the original purpose of the program remains valid as long as Hong Kong remains the haven of hope to thousands who risk death or imprisonment to flee here annually.

Hong Kong authorities consider that the refugees have brought three significant contributions to the economy: an energetic labor force; new techniques from North China; and new venture capital and entrepreneurial ability. Despite these very real contributions, the unemployment and low living standards of the mass of refugees makes them a heavy burden on the economic life of the colony, and necessitates the diversion of large sums from development projects to relief projects. Adequate improvement of their lot will depend on the future expansion of the economy and the development of the social institutions of Hong Kong.

### ORGANIZATION OF THE AMERICAN CONSULATE GENERAL AT HONG KONG

The functions performed by the consulate general and other U.S. Government agencies with representatives in Hong Kong are summarized in the following pages.

### PRINCIPAL PERSONNEL

Consul general, Marshall Green.

Deputy principal officer, John A. Lacey.

Chief, consular section, Frederick E. Farnsworth.

Chief, political section, John H. Holdridge.

Chief, economic section, Lynn H. Olson.

Administrative officer, Earl R. Michalka.

Chief, refugee and migration unit, Robert A. Aylward.

Regional officer, foreign buildings operations, William E. Babcock.

Public affairs officer, USIS, Earl J. Wilson.

Army liaison officer—also serves as executive agent, joint liaison offices—Col.

Samuel E. Shoemaker. Naval liaison officer, Comdr. C. L. Keedy, Jr.

Air liaison officer, Col. Daniel F. Tatum.

Agricultural officer, Brice K. Meeker.

Special representative of the director foreign assets control, Harvey Leve.

Senior customs representative, Harold Smith.

Medical officer-in-charge, U.S. Public Health Service, Dr. Horace Delien.

Officer in charge, Immigration and Naturalization Service, Francis J. Noble.

### POLITICAL SECTION

The main function of the political section consists of reporting to the State Department on political developments, primarily developments relating to Communist China—domestic and international—and secondarily developments in Hong Kong and Macau.

### ECONOMIC SECTION

The work of the economic section is broadly divided into four categories:

First. Promoting U.S. trade and facilitating U.S. commercial activities in Hong Kong.

Second. Reporting and interpreting economic conditions and developments in Hong Kong and Macau.

Third. Carrying out trade controls required by U.S. restrictions on trade and financial relations with Communist China.

Fourth. Following and analyzing economic developments in Communist China.

### CONSULAR SECTION

The consular section consists of the following three units. The functions of those units and some of the problems inherent in their work are set forth below:

Citizenship and passport unit: The work of this unit is complicated by the inability of many applicants of Chinese origin to present acceptable documentary evidence of births, marriages, divorces, or deaths since such vital statistics have not heretofore been subject to civil jurisdiction or made of record on the mainland of China. The unavailability of such records lends itself to a high incidence of frauds perpetrated by persons who misrepresent their identities and family relationships in an effort to obtain passport facilities illegally. In addition to providing passport and citizenship services to the estimated 1,800 American citizens residing in the colony, the unit also extends services to the many transient visitors in Hong Kong having a claim to citizenship of the United States.

Visa unit: Accepts visa applications and issues or refuses visas based on a determination of an applicant's eligibility under the law. The principal problem in the visa unit has been the high incidence of fraud which stems from quota immigration restrictions for Chinese applicants and the lack of civil records which would permit the proper identification of applicants. These circumstances place a heavy burden of responsibility and good judgment upon the visa officer who must determine an applicant's identity and family relationship based on fragmentary evidence, testimony, and official records. Another problem relates to the implementation of the security provisions of our immigration laws for recent arrivals from Communist China. Still another problem has been the determination of bona fide nonimmigrant status for the large number of applicants who apply for visas as visitors, students, or in transit.

Special consular services unit: Functions comprise a broad range of activities including welfare and protection services, services to vessels and seamen, civil aviation, and affairs relating to the deaths and estates of American citizens in Hong Kong. Certain of these functions are complicated by special circumstances as, for example, the welfare and protection function by the detention on mainland China of certain American citizens, and the notarial function by services performed in connection with the Foreign Assets Control regulations and the reexport of certain goods of American origin to South Korea, Thailand and Taiwan. In addition, this Unit is responsible for the processing of applications for entry permits to Okinawa and for obtaining Taiwan entry permits for holders of U.S. diplomatic and special passports. A major portion of the work of this unit consists of the delivery of U.S. Treasury checks to Federal beneficiaries and recipients of military services allotments or pensions. This function is complicated by the manifold problems involved in the establishment of identity as indicated above in the description of the functions of the visa and citizenship units.

### ADMINISTRATIVE SECTION

The administrative section operates as a joint administrative services organization supporting all U.S. Government activities and agencies attached to the consulate general. It is responsible for the management functions as well as preparation of budget estimates, administrative support agreements, and controls the expenditure of funds, the general overall physical operation of the consulate general and the supervision of the personnel unit, security unit, budget and fiscal unit, general services unit, and communications unit.

### REFUGEE AND MIGRATION UNIT

This unit contracts with nonprofit international voluntary agencies for services in the implementation of approved projects designed; first, to resettle abroad bona fide refugees from Communist-dominated areas; and second, to integrate refugees into the local economy on a self-supporting basis.

The projects include such services as documentation and visa processing assistance, temporary shelter, supplementary food and clothing, economic aid, personal counseling, medical and dental care, overseas transportation, vocational training and low-cost housing. Contracts are currently in operation in Macau, Hong Kong and Taiwan and have been negotiated with the National Catholic Welfare Conference of America—NCWC; Aid Refugee Chinese Intellectuals Inc.—ARC; Lutheran World Federation—LWF; Free China Relief Association—FCRA; Catholic Foreign Mission Society of America—Maryknoll Mission—CFMS; Church World Service—CWS; the World Council of Churches—WCC; and International Social Service—ISS.

Since September 1953, these voluntary agencies have assisted with the resettlement abroad of over 19,000 refugees and have provided direct help in the local integration of over 156,000 refugees.

Office of Foreign Buildings Regional Office: Region includes Hong Kong, Taiwan, Philippines, Laos, Thailand, Burma, Japan, Korea, Okinawa.

Responsible for foreign buildings operations at all posts in the region, including acquisition, disposal, construction major repairs, alterations, improvements and furnishings. Advises on all technical aspects of the maintenance of Government-owned property; provides technical inspection of maintenance and operation practices; advises posts on leasing; and furnishes technical advice to other Government agencies when requested.

### U.S. PUBLIC HEALTH SERVICE

The overall function of the Public Health Service officer assigned to Hong Kong is to act as the medical adviser to the consulate general. The principal function under this category consists in the examination, both physical and mental, of all types of visa applicants who are presented to the U.S. Public Health Officer here for that purpose by the Visa Unit of the consulate general. In addition, advice is given regarding the conduct of blood grouping and results of blood grouping on visa and citizenship applicants. The medical director also advises members of the consulate staff in regard to their personal medical problems and helps them with the selection of doctors. The officer is not permitted by Hong Kong law to actually conduct the treatment of an individual any further than to advise him regarding his condition.

The medical officer is also available for consultation regarding the public health of housing or any other sanitary or public health condition which might affect members of the staff. He keeps headquarters, USPHS, Washington informed regarding the general health conditions, outbreaks of epidemics, and so forth, which might be of interest to the department.

### ARMED SERVICES ATTACHÉS

The Army, Air Force, and Navy maintain liaison offices here to report to their respective departments the activities of the British armed forces stationed in this area. The officers are accredited as attachés or assistant attachés to the American Embassy in London, but are resident in Hong Kong.

### U.S. TREASURY—BUREAU OF CUSTOMS

Represents the U.S. Bureau of Customs, the Narcotics Bureau and the U.S. Secret Service in the Far East. Primary functions are to prevent the international movement of illicit merchandise and to advise manufacturers, exporters, and other interested parties regarding requirements relative to legal shipping to the United States. Inquiries are conducted relative to value of merchandise being offered for shipment to the United States.

### U.S. TREASURY—FOREIGN ASSETS CONTROL

Administers the foreign assets control regulations, a primary purpose of which is to deny foreign exchange to Communist China through the freezing of the U.S. assets of persons or firms in Communist China and denying the U.S. market to products of Communist China.

### U.S. IMMIGRATION AND NATURALIZATION SERVICE

Receives and adjudicates various applications for benefits under the immigration laws filed by U.S. citizens and resident aliens who are temporarily within the jurisdiction of its office; advises State Department personnel on matters pertaining to the Immigration and Naturalization Service; and acts as liaison between the Hong Kong immigration authorities and the Immigration and Naturalization Service in the United States on matters pertaining to deportation of aliens.

### USIS—HONG KONG

USIS, Hong Kong, authorized 12 Americans, 66 local employees, and a budget for fiscal year 1963 of $552,000. The program is unique and operates in three spheres:

The Hong Kong-Macau program: This is a limited program directed toward audiences living in Hong Kong and Macau using mass media and cultural activities to: first, explain American foreign policy and gain support for its activities; second, help maintain a favorable image of the United States and for American activities here through public relations for the consulate general, American aid to refugees, cultural representation, visiting U.S. Navy ships, etcetra; and third, demonstrate the traditional interest and friendship of the United States for the people of China. The main target audience is youth.

The Chinese language program: This program produces materials such as books, pamphlets, periodicals and taped radio programs in the Chinese language for use among the 15 million oversea Chinese, largely in southeast Asia. Some of these materials are also used by USIS, Taipei, and locally in Hong Kong. Through them we seek to create a sympathetic understanding of American life and the international goals of the United States, and to encourage oversea Chinese to resist the efforts of the Chinese Communists to use them as an instrument of subversion.

The worldwide China reporting program: The task of this program is to collect, process, and distribute to USIA and the Voice of America in Washington, and to USIS posts worldwide, corrective information on Communist China and the threat posed by it to other countries. The program relies mainly on news, features, articles, books, commentaries and graphics produced by this office.

Organization: USIS, Hong Kong, is an integrated part of the consulate general and has its main offices there.

## COMMUNIST CHINA

### CHINA UNDER COMMUNIST RULE

After more than 13 years of Communist rule, China remains a predominantly agricultural country presenting massive problems of development compounded by the political ambition of its leaders. One simple statistic illustrates the variety of natural difficulties which would plague any Chinese regime. China has three and a half times the population of the United States living in an area roughly comparable in total size but having only one-third as much arable land. This inherent challenge has, however, been magnified by the impatience of Peiping's leaders who have strained every resource of the country in an effort to transform China into a modern industrial state with sufficient power to dominate Asia and play a major world role. The predominant characteristics of the Chinese revolutionary leaders have been their internal cohesion, their assertiveness in pursuing Communist and nationalist goals, their pretense of infallibility, their confidence in being the only creative inheritors of the Marxist-Leninist mantle, and their doctrinaire faith in the efficacy and need of controls in every phase of society.

The Chinese Communist regime began its formal rule in October 1, 1949, with a number of major assets. The Communist Party and People's Liberation Army provided devoted and uniquely disciplined instruments with which the regime rapidly extended its new organization throughout China. Civil peace and physical unification were brought about with a finality lacking for a century; and the Communists came to power with at least latent acceptance on the part of a substantial portion of China's population. Moreover, certain elements, such as the youth, displayed genuine enthusiasm—derived primarily from nationalism rather than from communism—over Communist promises to break with China's past weakness and corruption and swiftly develop a powerful egalitarian "new China" with its rightful place in the sun.

Up through 1957, Peiping achieved an impressive record of development which helped neutralize or mitigate widespread personal deprivations as the Communist regime rounded out its authoritarian controls. The regime forcibly reduced consumption in favor of a state investment program which was impressive both in terms of dimension and speed of growth; old centers of heavy industry were restored and expanded and new centers established; rail and highway communications were extended; agricultural production was increased adequately to feed a steadily growing population; and the regime's vigorous approach created a plausible image of a resurgent China rapidly on its way to occupy a position of major world significance.

Communist China's campaign of agricultural collectivization and socialization of the economy in 1955–56 was a disillusioning step for the majority of China's population, who hoped to retain some vestige of traditional patterns as well as the land distributed to the peasants under the Communists relatively popular land reform of a few years before. Nevertheless, Peiping deliberately proceeded with this drastic transformation because it was discontented with the existing pace of development, convinced that its long-range revolutionary program would founder if the peasantry's "spontaneous tendency toward capitalism" were left unchecked, but confident that a doctrinally rigid approach would bring success. Two years later a not dissimilar combination of impatience and doctrinaire confidence led Peiping to introduce two radical programs. One of these, the "Great Leap Forward," was directed at industry and designed to mobilize China's greatest asset—labor—in a dizzy campaign of forced-pace production. The other, the "people's communes," was directed primarily at agriculture. It involved huge rural organizations, embracing all functions of the countryside, and included radical communal features abhorent to China's peasantry. Both programs failed with catastrophic results and brought China's population close to starvation. The root of the difficulty was nonsensical economic theory and organization combined with an almost total elimination of material incentives in favor of controls, and these weaknesses were aggravated by 3 years of bad weather. Moreover, in the midst of the chaos, the Chinese leaders recklessly closed off the only potential source of substantial external assistance and chose an "independent" economic course as a result of their sharp dispute with the Soviet Union.

During the first half of 1961 the Communist leaders recognized that the vaunted leap forward and commune programs were a costly fiasco. Under the guise of the same old slogans, the schemes were set aside while the leaders tried to sustain the population at minimal nutritional levels and salvage the economy through a massive organizational retreat. The order of economic development was painfully shifted from achieving large-scale industrialization in a decade to a sober program of gradual development with primary emphasis on agriculture. The watchwords for the economy as a whole were readjustment and consolidation. Most important, a degree of incentive was reintroduced along with major concessions to the peasantry, notably by permitting private plots and breaking down communes into much smaller collective units.

Toward the end of 1962 Communist China's leaders displayed confidence that they had turned the corner of their crisis as a result of slight improvements in the 1962 harvests and a slowing down of the general decline. Their response was to continue the policies of economic consolidation, agricultural priority, and gradual development, but to call a halt to further improvisation or retreats from the Socialist road. The danger of further retreat in terms of the party's revolutionary dynamism was specifically emphasized by bitter denunciations of revisionist enemies inside the Chinese Communist Party. The leaders announced that party discipline and controls would be tightened, collective style organization would be strengthened, and that China would have to gird itself for the long task of modernizing itself by its own efforts. While thus sobered by the effects of their earlier miscalculation, Peiping's leaders manifested a kind of defiant confidence that their basic program of forced growth through controls was the only correct path for a Communist state, along with concern that compromise would undermine the Socialist foundations of their revolutionary program for China.

### MORALE

Although the enthusiasm of the party functionaires and some other groups remained high through 1959, public morale was progressively diminished by various Communist campaigns, such as the socialization-collectivization campaign of 1955–56, which hit the small businessmen and peasantry, and the "antirightist" campaign of 1957, which hit the intellectuals, and many others. In the bitter wake of the "leap forward", this lack of enthusiasm deteriorated into apathy, resentment, and spiritual disaffection. Critically low public morale—dramatically illustrated by the exodus of thousands of refugees into Hong Kong in May of 1962—was, moreover, accompanied by a precipitous decline in the Communist Party's prestige and ability to maintain discipline. With the improvement of food supplies in late 1962, the populace demonstrated a sense of relief, but apathy still remained widespread, and there were no signs of regenerating enthusiasm on which the regime had drawn so heavily in the past.

### PARTY AND SECURITY CONTROLS

The ability of the Communist regime to remain in power despite this popular disillusionment can be explained in terms of the complete organizational controls which the regime possesses over the people. The core of this system is the Chinese Communist Party which numbers some 17 million. Party control is supported by an extensive security apparatus together with a vast, well indoctrinated military establishment of more than two and a half million men. Party membership places an individual in the highest social stratum of this "classless" society and is a virtual prerequisite to further advancement. The pinnacle of the structure is the senior leadership headed by Mao Tse-tung, a leadership which has demonstrated the greatest degree of internal cohesion and stability of any Communist Party over the past three decades.

### ECONOMIC PROSPECTS

Despite some impressions to the contrary, China is a still economically backward and underdeveloped country of 700 million people of whom some 80 percent depend on agriculture. Heady ideas of forced-draft industrialization have been at least temporarily set aside in favor of an all-out campaign to modernize agriculture and increase its production. However, the regime will remain seriously handicapped in its effort to feed a population which increases at about 2 percent per annum while simultaneously trying to accumulate capital for investment. Among the major problems it faces are: the constricting circumstances of Chinese agriculture, which will not at present permit more than slight annual production increases; an attendant scarcity of investment capital; shortages of technical skills; the lack of incentive in a Communist economic organization; and the difficulty of repairing the political and economic damage wrought by the "great leap forward" campaign. China needs but has no prospect of substantial external aid beyond limited foreign credits and its foreign trade, which reached $4.2 billion in 1959 but fell to $2.9 billion in 1961. Strained relations with the Soviet Union, deferral of heavy industrialization, and the need to import vast amounts of grain, have reduced trade conducted with Communist countries to less than 50 percent of its total trade for the first time since 1951.

### FOREIGN POLICY OBJECTIVES

The international policies of the Chinese Communists are inspired by both Communist and nationalist objectives. The nationalist objectives, currently exemplified by Sino-Indian relations, are to establish direct control over all territories that Peiping considers historically Chinese, and to build China's relative power position in keeping with the chauvinist assumption that China is the center of Asia. The Communist objectives are to promote communism in Asia through a "continuing revolution," and in the long run to transform non-Communist states into Communist states.

Peiping's leaders adhere firmly to the conviction that the "east wind prevails over the west wind," and that the Communist revolution will eventually envelop the world. They have assumed for themselves a major responsibility to press the cause for communism in colonial areas and among newly independent countries in Asia, Africa and Latin America. Because of their own revolutionary history and agrarian background, the Chinese Communists view themselves as best suited to provide guidance and protection to revolutionary movements in similar agrarian-based countries. They, therefore, offer and force their own experience as a pattern for all backward countries to follow in seeking a break from the past. Most of Peiping's leaders, however, have not had any extensive experience abroad or any real comprehension of the world outside of Communist China. As a result, their policies frequently reflect ignorance of the countries to which these policies are directed, as well as of the nationalisms which they try to exploit.

Despite the powerful bonds of a common ideology and vital interests, Sino-Soviet relations have been progressively strained over the last few years to the point where there is a considerable display of disunity and antagonism within the Communist bloc. The strain has developed with China's chafing under Soviet domination of the bloc, its competition for the allegiance of other Communist Parties, its bitter resentment over what it considers a sorry record of inadequate Soviet military and economic support, and clashes of personality between Mao and Khrushchev. One of the most decisive elements, however, has been Chinese Communist fear that the Soviets will compromise the revolutionary force of other Communist revolutions through policies associated with Khrushchev's slogans of "peaceful coexistence" and economic competition. Peiping's leaders seem convinced that their own radical program of "continuing revolution" will fail if it slackens and hence their stress on militance and unflagging struggle against sharply defined "enemies" centering around the United States. They also appear concerned over the possibility that a Soviet detente with the United States and the West will leave them in the lurch without having acquired all the physical attributes they consider essential to great power status. An intensification rather than relaxation of the Sino-Soviet strain is most likely, but both countries still share a common hostility toward the non-Communist world and neither can be considered in isolation from the other in calculations of world security.

In the area of Sino-United States relations, there are two major factors to consider: U.S. strength and policies in Asia have been the major stumbling block for the Chinese Communists in the pursuit of their objectives; furthermore, for the ideological reasons, the United States as the major non-Communist power, has been seized as the arch enemy of the Chinese Communists. Peiping's leaders have sought to associate the United States with all developments adverse to their interests. The United States is portrayed as provoking India to resist China's incursions; the United States is alleged to be behind Japan's reluctance to normalize relations with Communist China; the United States is made synonymous with "imperialism," is accused of every sort of aggressive machination, and alleged to have suppressed independence movements in Asia and Africa. But above all, the United States is charged with the occupation of Taiwan, which the Chinese Communists claim to be their rightful territory. In making these charges, the Chinese Communists know that it is the United States, acting in concert with other free nations, which stems Peiping's aggressive designs in the Far East.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PEPPER (at the request of Mr. SIKES), for Tuesday, October 22, 1963, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HEMPHILL (at the request of Mr. ROGERS of Florida), for 30 minutes, today, to revise and extend his remarks, and include extraneous matter.

Mr. GUBSER (at the request of Mr. BEERMANN), for 1 hour, on Thursday, October 24.

Mr. LIBONATI, for 60 minutes, today, and to revise and extend his remarks and include extraneous matter.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mr. HEMPHILL) and to include extraneous matter:)

Mr. HÉBERT.
Mr. ROGERS of Colorado.
Mr. BURKE.
Mr. ROBERTS of Alabama.

## SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1243. An act to change the name of the Andrew Johnson National Monument, to add certain historic property thereto, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1299. An act to defer certain operation and maintenance charges of the Eden Valley Irrigation and Drainage District; to the Committee on Interior and Insular Affairs.

S. 1584. An act to approve a contract negotiated with the Newton Water Users' Association, Utah, to authorize its execution, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1687. An act to approve the January 1963 reclassification of land of the Big Flat unit of the Missoula Valley project, Montana, and to authorize the modification of the repayment contract with the Big Flat Irrigation District; to the Committee on Interior and Insular Affairs.

S. 1914. An act to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

S. 1942. An act to incorporate the Jewish War Veterans of the United States of America; to the Committee on the Judiciary.

## ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 75. An act to provide for exceptions to the rules of navigation in certain cases;

H.R. 641. An act to approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project Washington, and for other purposes;

H.R. 2268. An act for the relief of Mrs. Geneva H. Trisler;

H.R. 4588. An act to provide for the withdrawal and reservation for the Department of the Navy of certain public lands of the United States at Mojave B Aerial Gunnery Range, San Bernardino County, Calif., for defense purposes; and

H.R. 6377. An act for the relief of Sp5c. Curtis Melton, Jr.

## BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on October 21, 1963 present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H.R. 7195. An act to amend various sections of title 23 of the United States Code relating to the Federal-aid highway systems; and

H.J. Res. 192. Joint resolution relating to the validity of certain rice acreage allotments for 1962 and prior crop years.

## ADJOURNMENT

Mr. HEMPHILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 8 minutes p.m.) the House adjourned until tomorrow, Wednesday, October 23, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1320. A letter from the Secretary of the Interior, transmitting supplemental report on the Auburn-Folsom South Unit, Central Valley project, California, pursuant to section 9(a) of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. No. 171); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

1321. A letter from the Comptroller General of the United States, transmitting a copy of the Department of Defense reply to B–113763, June 28, 1963, relative to the failure of the Department of the Navy to fully recover excessive administrative cost allowances included in fixed prices negotiated with Brown-Raymond-Walsh (a joint venture) under Contract NOy 8–3333 for the Spanish base construction program; to the Committee on Government Operations.

1322. A letter from the Comptroller General of the United States, transmitting a report on weaknesses in administration of the hospital research grant program, Public Health Service, Department of Health, Education, and Welfare; to the Committee on Government Operations.

1323. A letter from the Under Secretary of the Interior, transmitting 25 copies of Trident, the long-range report of the Bureau of Commercial Fisheries, pursuant to the Fish and Wildlife Act of 1956, and a wide variety of other statutes enacted over the years, which authorize a broad range of activities by the Bureau; to the Committee on Merchant Marine and Fisheries.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Florida:

H.R. 8881. A bill for voluntary accommodations, to assure the provision of decent, safe, and sanitary housing and adequate motel, hotel, and eating accommodations for all Americans; to the Committee on Banking and Currency.

By Mr. CORMAN:

H.R. 8882. A bill to amend the Civil Rights Act of 1960 to authorize the Attorney General to reduce, in certain circumstances, the period of time for which certain election records are otherwise required to be retained; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 8883. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 8884. A bill to amend the Internal Revenue Code of 1954 to encourage the prevention of air and water pollution by allowing the cost of treatment works for the abatement of air and water pollution to be amortized at an accelerated rate for income tax purposes; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 8885. A bill to amend title 38 of the United States Code to provide special housing and automobiles for certain disabled veterans; to the Committee on Veterans' Affairs.

By Mr. ROGERS of Colorado:

H.R. 8886. A bill to amend section 201 of the Antidumping Act, 1921, with respect to the determination of injury or threatened injury to an industry in the United States; to the Committee on Ways and Means.

By Mr. HANNA:

H.J. Res. 780. Joint resolution to request the President to negotiate with the Mexican Government for the purpose of setting up a joint United States-Mexican Commission to investigate the flow of marihuana, narcotic drugs, and dangerous drugs between the United States and Mexico; to the Committee on Foreign Affairs.

By Mr. HAYS:

H. Res. 551. Resolution declaring the House delegation to the North Atlantic Treaty Organization Parliamentary Conferences to be an appropriate committee of the House of Representatives for the purpose of implementing the act of July 11, 1956 (Public Law 689, 84th Cong.); to the Committee on Rules.

By Mr. SCHWENGEL:

H. Res. 552. Resolution to provide for an official picture of the House of Representatives; to the Committee on Rules.

By Mr. MATHIAS:

H. Res. 553. Resolution expressing the sense of the House with respect to expenditure of certain funds; to the Committee on Appropriations.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. UDALL:

H.R. 8887. A bill for the relief of Penelope Ann Roland; to the Committee on the Judiciary.

By Mr. AVERY:

H.R. 8888. A bill to provide for the advancement on the emergency officers' retired list of the Army of John W. McManigal; to the Committee on Armed Services.

By Mr. BURKE:

H.R. 8889. A bill for the relief of Dina Cohen nee Levin; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

399. The SPEAKER presented a petition of Henry Stoner, Old Faithful Station, Wyo., with reference to special requirements for the admission to any legal bar or roster of attorneys, which was referred to the Committee on the Judiciary.

# SENATE

### TUESDAY, OCTOBER 22, 1963

The Senate met, in executive session, at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, our Father, in the stillness of prayer, as the loud poundings of the Nation's builders cease, always we are conscious of a persistent knocking at our heart's door, and of a tender pleading Voice which steals into the emptiness of our self-content and our self-sufficiency, calling: "If any man will open the door, I will come in."

Solemnize us with the realization that only our hand on the inside can open the door that keeps Thee out of our lives, which, without Thee, are but vanity and vexation of spirit.

If Thou should come to us dressed drably as duty, may we earn at the last Thy "Well done." If Thou should come in the disappointment of hopes deferred, still keep our eyes upon the shining goals to which Thou art the way. If Thou comest in the white garments of truth, may we not fail to follow the road, though rough and steep.

As we fare forth in Thy fear, prosper us this day in all our toiling. So may we fulfill our daily tasks with honor bright, walking ever in the ways of Thy commandments.

In the Redeemer's name we ask it. Amen.

## PROTOCOL TO AMEND CONVENTION ON INTERNATIONAL CIVIL AVIATION; CONVENTION ON EXTRADITION WITH SWEDEN; ADDITIONAL PROTOCOL TO THE TREATY OF EXTRADITION WITH BRAZIL; EXTRADITION CONVENTION WITH ISRAEL; CONSULAR CONVENTION WITH KOREA; CONSULAR CONVENTION WITH JAPAN

The VICE PRESIDENT. The six protocols and conventions shown on the Executive Calendar, which were taken up yesterday, are now before the Senate, for consideration en bloc, as in Committee of the Whole.

Without objection, the titles of the protocols and conventions will be printed in the Record, without being read.

The Senate, as in the Committee of the Whole, resumed the consideration of the protocol, Executive D (88th Cong., 1st sess.), to amend the Convention on International Civil Aviation; the convention, Executive E (87th Cong., 2d sess.), on extradition with Sweden; the additional protocol, Executive F (87th Cong., 2d sess.), to the Treaty of Extradition with Brazil; the extradition convention, Executive E (88th Cong., 1st sess.), with Israel; the consular convention, Executive B (88th Cong., 1st sess.), with Korea; and the consular convention, Executive I, (88th Cong., 1st sess.), with Japan.

The VICE PRESIDENT. Amendments to the text of the protocols and conventions are now in order.

## THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Monday, October 21, 1963, was dispensed with.

## LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business, for the purpose of having a morning hour.

The VICE PRESIDENT. Without objection, it is so ordered.

## TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there now be a morning hour, with statements in connection therewith limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1523) to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 1959. An act to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska, and for other purposes;

H.R. 6001. An act to authorize the conveyance to the Waukegan Port District, Illinois, of certain real property of the United States;

H.R. 8667. An act authorizing additional appropriations for the prosecution of comprehensive plans for certain river basins;

H.R. 8677. An act to amend title 38, United States Code, to set aside funds for research into spinal cord injuries and diseases; and

H.J. Res. 747. Joint resolution authorizing and requesting the President to proclaim November 19, 1963, as Gettysburg Address Centennial Day.

## HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H.R. 1959. An act to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska, and for other purposes; to the Committee on Government Operations.

H.R. 6001. An act to authorize the conveyance to the Waukegan Port District, Illinois, of certain real property of the United States; and

H.R. 8667. An act authorizing additional appropriations for the prosecution of comprehensive plans for certain river basins; to the Committee on Public Works.

H.R. 8677. An act to amend title 38, United States Code, to set aside funds for research into spinal cord injuries and diseases; to the Committee on Labor and Public Welfare.

H.J. Res. 747. Joint resolution authorizing and requesting the President to proclaim November 19, 1963, as Gettysburg Address Centennial Day; to the Committee on the Judiciary.

## COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Committee on the District of Columbia and the Committee on Finance were authorized to meet during the session of the Senate today.

## APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. Ribicoff in the chair). The Chair wishes to make the following announcement:

Under authority of Senate Resolution 168, agreed to by the Senate on July 11, 1963, the Vice President appoints the following Members of the Senate as the delegation to attend the meeting of the Commonwealth Parliamentary Association, to be held in Kuala Lumpur, Malaya, on November 4–11 next; namely, the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Bartlett], the Senator from Pennsylvania [Mr. Scott], and the Senator from Hawaii [Mr. Fong].

Under further authority of the resolution, the Vice President designates the Senator from Arkansas [Mr. Fulbright] as the chairman of the delegation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations, with an amendment:

H.R. 7885. An act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes (Rept. No. 588).

By Mr. JACKSON (for Mr. Church), from the Committee on Interior aand Insular Affairs, with amendments:

H.R. 2073. An act to place certain submerged lands within the jurisdiction of the governments of Guam, the Virgin Islands, and American Samoa, and for other purposes (Rept. No. 589).

By Mr. PROUTY (for Mr. Morse), from the Committee on Labor and Public Welfare, with amendments:

S. 569. A bill to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education (Rept. No. 590).

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 2250. A bill for the relief of Elefterios Kostas Botsaris; to the Committee on the Judiciary.

By Mrs. NEUBERGER:

S. 2251. A bill to amend the Internal Revenue Code of 1954 to allow to individuals a credit against Federal income tax for State income taxes paid by them; to the Committee on Finance.

(See the remarks of Mrs. Neuberger when she introduced the above bill, which appear under a separate heading.)

By Mr. PEARSON:

S. 2252. A bill for the relief of Phoebus Tongas; to the Committee on the Judiciary.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—AMENDMENTS (AMENDMENTS NOS. 231, 232, AND 233)

**Mr. GRUENING.** Mr. President, I am today resubmitting three amendments to the foreign assistance bill, H.R. 7885. These amendments had been previously introduced as amendments to the Senate bill, S. 1276, but since the Senate committee has now reported the House-passed bill, H.R. 7885, I have redrafted these amendments to make them applicable to the House bill.

The first amendment, formerly numbered 174, I introduce on behalf of myself and Senators JAVITS and MORSE. This amendment is identical to a provision contained in the House-passed bill. It would deny assistance to any country which the President determines is engaged in or preparing for aggressive military efforts directed against the United States or any nation receiving assistance from the United States.

The second amendment, formerly numbered 132, I introduce on behalf of myself and Senators SIMPSON, ERVIN, MOSS, CANNON, DOMINICK, MORSE, YARBOROUGH, BIBLE, and SMATHERS. This amendment would require that loans under the program should bear interest at the same rate as the United States must pay to borrow money.

The third amendment, formerly numbered 175 would require the country aided to agree not to levy import taxes on goods imported which have been purchased with AID funds.

Mr. President, I ask unanimous consent that these three amendments be printed, lie at the desk, and be printed in the RECORD at the conclusion of these remarks.

**The PRESIDING OFFICER.** The amendments will be received, printed, and lie on the table; and, without objection, the amendments will be printed in the RECORD.

The amendments are as follows:

AMENDMENT NO. 231

On page 51, between lines 13 and 14 insert the following new subsection:

"(f) No assistance shall be provided under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which the President determines is engaging in or preparing for aggressive military efforts directed against—

"(1) the United States,

"(2) any country receiving assistance under this or any other Act, or

"(3) any country to which sales are made under the Agricultural Trade Development and Assistance Act of 1954,

until the President determines that such military efforts or preparations have ceased and he reports to the Congress that he has received assurances satisfactory to him that such military efforts or preparations will not be renewed. This restriction may not be waived pursuant to any authority contained in this Act."

AMENDMENT NO. 232

On page 50, delete beginning at line 8 through line 17, and between lines 3 and 4 insert the following new section:

"(6) In the case of loans under part I shall establish terms under which interest shall be at a rate not less than the rate arrived at by adding one-quarter of 1 per centum per annum to the rate which the Secretary of the Treasury determines to be equal to the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the date the application for the loan is approved and by adjusting the result so obtained to the nearest one-eighth of 1 per centum;"

Renumber the remaining sections appropriately.

AMENDMENT NO. 233

On page 51, between lines 13 and 14, insert the following new subsection:

"(f) No loan or grant shall be made under any provision of this Act to any country. or to any recipient therein, unless such country shall have agreed to exempt from all customs duties or other import taxes levied by such country any articles procured in the United States or any of its territories with the proceeds of such loan or grant, including any amounts thereof loaned by the original recipient to borrowers within such country."

## RELIEVING THE STATES TAX SQUEEZE

**Mrs. NEUBERGER.** Mr. President, last Tuesday, the voters of Oregon, by a stunning 3½-to-1 referendum vote, repudiated a $24 million a year State income tax increase enacted by the State legislature. Governor Hatfield has now called the Oregon Legislature into a special session to be devoted solely to budget reduction. Unhappily, the budget-cutting ax is expected to fall most heavily upon critical welfare services and school fund appropriations.

Already the State public welfare administrator has announced cuts in welfare affecting food standards, medical care, and nursing care for the aged and underprivileged, to take effect November 1.

Doubtless the decision of the Oregon voters represented diverse, even conflicting, motives, but it is clear that the dominant sentiment reflected in the vote was that State income taxes were already as high as the citizens of Oregon were willing to pay or were capable of bearing.

As national legislators, we may be tempted to say that Oregon's fiscal woes merit our sympathy, but nothing more. This attitude would be a grave error. The plight of Oregon reflects a national crisis which threatens the very integrity of our Federal-State system, for if the State governments are unable to sustain the financial burden of their responsibilities, the Federal Government will inevitably be forced to fill the vacuum in essential services.

Oregon's crisis is dramatic, but it is by no means unique. For years our most distinguished officials and our most respected economists have been warning of the pending exhaustion of State fiscal resources.

Moreover, the efforts of State legislators to retain a progressive tax structure have long been clouded by the fear that industry and risk capital would tend to flee to neighboring States which choose to rely heavily upon regressive sales and other excise taxes.

Is there, then, no method by which Congress can alleviate the plight of States such as Oregon, without raising the specter of Federal control? I believe there is one such method, and it is this: that Congress allow a credit against Federal individual income-tax liability for State individual income-tax payments.

This is by no means a novel proposal. The tax credit idea has won support from such diverse figures as Orville Freeman, Walter W. Heller, George Meany, Robert R. Nathan, Harvey Brazer, Stanley H. Ruttenberg, Morton Grodzins, and John W. Gardner. Neither do we lack precedent for this precise technique of Federal relief to the State taxing structure. When, in 1926, the Federal Government determined to yield to the States the greater part of death tax revenues, Congress enacted an 80 percent Federal death tax credit for State taxes paid. Again, in 1935, Congress adopted a tax credit for State unemployment insurance taxes against the Federal unemployment insurance tax.

The individual income tax credit is admirably suited to serve two primary goals: First, the tax credit would relieve the acute pressure on the State tax-collection machinery, with no attendant increase in Federal control of State operations; second, a tax credit for State income taxes would stimulate State reliance upon progressive income taxes, thus encouraging uniform and progressive—rather than regressive—State taxation, and reducing the threat of interstate migration of industry and wealth.

I am, therefore, today introducing a bill to provide a 7-percent Federal income tax credit for State individual income-tax payments. In operation, this bill would provide that a taxpayer whose Federal income-tax liability was $100 would be entitled to reduce his payment to the Federal Government by $7, assuming that he paid at least $7 in State income tax.

What would this mean for such States, such as Oregon, which now have their backs to the wall? Immediately, since Oregon now has a relatively heavy income-tax structure, the Oregon taxpayer would benefit by the full 7-percent credit. Since Oregon's tax liability for 1960, the latest year for which figures are available, was $383,156,000, the value of the credit to Oregon taxpayers would be a total of $26,820,920. This money would be freed, either to be taxed by the State, or, if the State should choose not to increase income rates, to serve as a tax reduction to Oregon taxpayers.

Second, the tax-credit legislation would induce States with minimal or no income-tax structures to adopt at least a minimum credit-absorbing personal income tax. This, in turn, would relieve the pressure on Oregon lawmakers to turn to a regressive sales or excise tax, in order to compete with neighboring States in attracting wealth and industry.

The case for Federal income-tax credits was forcefully and succinctly put by Walter W. Heller, now Chairman of the President's Council of Economic Advisors, in a report to the House Ways and Means Committee in 1959. At that time, Mr. Heller wrote, in support of a tax credit:

> Its most fundamental purpose is to protect the power of the purse underlying State

sovereignty and local independence. Moreover, Federal credits, while certain to bring about greater uniformity not only in income tax burdens but also in the structure of income taxation at the State level, leave ample room for variations in State definitions of income, exemptions, and tax rates.

I ask unanimous consent that the bill to amend the Internal Revenue Code of 1954, to allow individuals a credit against Federal income tax equal to 7 percent of State income taxes paid by them, be printed in the RECORD at the close of my remarks, and that it be held at the desk for a period of 7 days, for cosponsors.

I also ask unanimous consent that a table showing the maximum authorized value of the tax credit to each State be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and chart will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Oregon.

The bill (S. 2251) to amend the Internal Revenue Code of 1954 to allow to individuals a credit against Federal income tax for State income taxes paid by them, introduced by Mrs. NEUBERGER, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by renumbering section 39 as section 40, and by inserting after section 38 the following new section:

"SEC. 39. STATE INCOME TAXES.

"(a) GENERAL RULE.—In the case of an individual who has paid State income taxes during the taxable year, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to so much of the State income taxes paid as does not exceed 7 percent of the individual's Federal income tax liability for the taxable year.

"(b) FEDERAL INCOME TAX LIABILITY.—For purposes of subsection (a), the term 'Federal income tax liability' means the tax imposed by this chapter for the taxable year reduced by the credits allowable under—

"(1) section 33 (relating to foreign tax credit),

"(2) section 34 (relating to credit for dividends received by individuals),

"(3) section 37 (relating to retirement income credit), and

"(4) section 38 (relating to credit for investment in certain depreciable property).

"(c) DEFINITIONS AND SPECIAL RULES.—

"(1) STATE.—For purposes of this section, the term 'State' includes the District of Columbia; but such term does not include any political subdivision of a State.

"(2) INCOME TAXES MUST BE DEDUCTIBLE.—An amount of State income tax paid by an individual shall be taken into account in determining the credit under subsection (a) only if such amount is allowable as a deduction to the individual under section 164."

(b) The table of sections for such subpart is amended by striking out

"Sec. 39. Overpayments of tax."

and inserting in lieu thereof

"Sec. 39. State income taxes.

"Sec. 40. Overpayments of tax."

SEC. 2. The amendments made by this Act shall apply to taxable years beginning after December 31, 1963.

The table presented by Mrs. NEUBERGER is as follows:

*Tax credit proposal—State-by-State breakdown of 7-percent credit*

[U.S. taxable income=$171,931,909,000; U.S. income tax after credits=$39,545,386,000]

| State | Federal tax liability (1) | 7 percent of (1) (2) |
|---|---|---|
| Alabama | $384, 260, 000 | $26, 898, 200 |
| Alaska | 56, 262, 000 | 3, 938, 340 |
| Arizona | 253, 511, 000 | 17, 745, 770 |
| Arkansas | 164, 662, 000 | 11, 526, 340 |
| California | 4, 516, 589, 000 | 316, 161, 230 |
| Colorado | 398, 589, 000 | 27, 901, 230 |
| Connecticut | 834, 911, 000 | 58, 443, 770 |
| Delaware | 166, 581, 000 | 11, 660, 670 |
| District of Columbia | 272, 534, 000 | 19, 077, 380 |
| Florida | 851, 475, 000 | 59, 603, 250 |
| Georgia | 517, 492, 000 | 36, 224, 440 |
| Hawaii | 154, 450, 000 | 10, 811, 500 |
| Idaho | 103, 661, 000 | 7, 256, 270 |
| Illinois | 2, 950, 920, 000 | 206, 564, 400 |
| Indiana | 997, 294, 000 | 69, 810, 580 |
| Iowa | 477, 063, 000 | 33, 394, 410 |
| Kansas | 396, 367, 000 | 27, 745, 690 |
| Kentucky | 375, 528, 000 | 26, 286, 960 |
| Louisiana | 448, 224, 000 | 31, 375, 680 |
| Maine | 147, 835, 000 | 10, 348, 450 |
| Maryland | 802, 038, 000 | 56, 142, 660 |
| Massachusetts | 1, 361, 979, 000 | 95, 338, 530 |
| Michigan | 1, 907, 963, 000 | 133, 557, 410 |
| Minnesota | 640, 702, 000 | 44, 849, 140 |
| Mississippi | 163, 794, 000 | 11, 465, 580 |
| Missouri | 884, 223, 000 | 61, 895, 610 |
| Montana | 110, 088, 000 | 7, 706, 160 |
| Nebraska | 262, 493, 000 | 18, 374, 510 |
| Nevada | 88, 831, 000 | 6, 218, 170 |
| New Hampshire | 124, 505, 000 | 8, 715, 350 |
| New Jersey | 1, 738, 877, 000 | 121, 721, 390 |
| New Mexico | 145, 092, 000 | 10, 156, 440 |
| New York | 5, 076, 664, 000 | 355, 366, 480 |
| North Carolina | 519, 969, 000 | 36, 397, 830 |
| North Dakota | 75, 016, 000 | 5, 251, 12 |
| Ohio | 2, 384. 896, 000 | 166, 942, 720 |
| Oklahoma | 364, 287, 000 | 25, 500, 090 |
| Oregon | 383, 156, 000 | 26, 820, 920 |
| Pennsylvania | 2, 586, 134, 000 | 181, 029, 380 |
| Rhode Island | 186, 292, 000 | 13, 040, 440 |
| South Carolina | 227, 103, 000 | 15, 897, 210 |
| South Dakota | 77, 376, 000 | 5, 416, 320 |
| Tennessee | 474, 265, 000 | 33, 198, 550 |
| Texas | 1, 693, 213, 000 | 118, 524, 910 |
| Utah | 152, 870, 000 | 10, 700, 900 |
| Vermont | 55, 892, 000 | 3, 912, 440 |
| Virginia | 676. 256, 000 | 47, 337, 920 |
| Washington | 661, 813, 000 | 46, 326, 910 |
| West Virginia | 268, 931, 000 | 18, 825. 170 |
| Wisconsin | 842, 739, 000 | 58, 991, 730 |
| Wyoming | 70, 643, 000 | 4, 945, 010 |
| Other areas | 69, 078, 000 | 4, 835, 460 |
| Total | 39, 545, 386, 000 | 2, 768, 177, 020 |

Source: "Individual Income Tax Returns for 1960," U.S. Treasury Department, Internal Revenue Service, p. 78, table No. 12 ("Income Tax After Credits").

## REPORT ENTITLED "A BUILDING FOR A MUSEUM OF HISTORY AND TECHNOLOGY FOR THE SMITHSONIAN INSTITUTION" (S. DOC. NO. 40)

Mr. ANDERSON. Mr. President, pursuant to the requirements of section 4 of Public Law 106, 84th Congress, 69 Stat. 189, I submit to the Senate, from the Joint Congressional Committee on Construction of a Building for a Museum of History and Technology for the Smithsonian Institution, a report entitled "A Building for a Museum of History and Technology for the Smithsonian Institution," and ask unanimous consent to have it printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MCNAMARA:

Text of statements by Senator MUNDT and Senator MUSKIE on the Northwestern University radio program dealing with the question: "What Should Be the Role of the Federal Government in Providing Medical Care to the Citizens of the United States?"

By Mr. CASE:

Sundry editorials and an article; also a letter dated October 17, 1963, from himself to the Attorney General, dealing with civil rights demonstrations in Georgia.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 3306) to establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission.

## ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 75. An act to provide for exceptions to the rules of navigation in certain cases;

H.R. 641. An act to approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project, Washintgon, and for other purposes;

H.R. 2268. An act for the relief of Mrs. Geneva H. Trisler;

H.R. 4588. An act to provide for the withdrawal and reservation for the Department of the Navy of certain public lands of the United States at Mojave B Aerial Gunnery Range, San Bernardino County, Calif., for defense purposes; and

H.R. 6377. An act for the relief of Sp5c. Curtis Melton, Jr.

## NEED FOR RETURN OF BOXCARS

Mr. MANSFIELD. Mr. President, one of the needs of Montana and the West is to have returned to our operating railroads—the Great Northern, the Northern Pacific, and the Milwaukee—the boxcars which now are scattered all over the United States. We need them to move our wheat, lumber, and livestock to their destinations. We cannot get them for our own use, because the eastern lines have hogtied them, through payments on a per diem basis and a refusal to build their own boxcars.

One way to alleviate this shortage is for the Commerce Committee to report Senate bill 1063, which will increase the per diem that the railroads which use other railroads' boxcars have to pay. Another way is for the Interstate Commerce Commission to order the prompt return to the western roads of the boxcars which belong to them, and to forbid the eastern railroads to keep them perpetually in bondage on the basis of a low-cost per diem scale.

This is a perennial problem in Montana and the West, and we are getting sick and tired of a practice which permits boxcars needed and built for our section of the country to be siphoned off and kept in bondage by railroads operating in the other sections of the Nation.

I call upon the Association of American Railroads, the Interstate Commerce Commission, and the Commerce Committee to correct this unhealthy situation—and soon.

## UNITED NATIONS INTERNATIONAL TRADE CONFERENCE

Mr. LAUSCHE. Mr. President, I am apprehensive about the purpose and possible results of the Soviet-proposed United Nations International Trade Conference, which is scheduled to meet in Geneva early next year.

For a number of years, Russia has been promoting talks, conferences, or discussions of the problems of international trade. The United States has resisted, because of the obvious attempt of the Soviets to use such talks as forums for propaganda.

The lack of success of the Soviets has not diminished their fervor. The sudden enthusiasm for the proposed conference on the part of the developing countries is undoubtedly the result of several years of propaganda work among them by the Soviets. The United States now faces a demand for such a conference, and has agreed, although under conditions which our diplomats hope will prevent too much Communist control of the subject matter.

Somehow the developing countries feel that they have been deliberately left out of GATT; and even though the United States has had a far-reaching program for aiding these countries, they have been led to feel that they are being exploited and not treated as equals. This is the Communist line, pure and simple.

Whether the so-called safeguards under which the conference is being planned can be maintained is a serious question. There is little question but that the Soviets will do all possible to inject extraneous issues, publicize errors the United States may have made, and generally create the impression that the capitalistic nations are exploiting those less developed.

The extent to which the Soviet line is accepted will be evident when the votes on the various issues raised are cast. The United States is now on the defensive, and the conference will place us more and more in that posture. Can the West gain by the conference? Can we gain as much as we stand to lose?

The recent switch from a policy of little or no trade with the Communists to one of open competition for the Russian market has set the stage for a wide-open conference, with Russia in a position to "call most of the shots." Russia has flipped the coin—heads, the Russians win; tails, the United States loses.

Many questions about such a conference arise in my mind; and I believe the Congress should explore them fully, in order that the answers may be determined:

First. How certain and secure are the limitations on the subjects to be discussed, as outlined by the Preparatory Committee?

Second. Will the suggestions and recommendations to be made by the members of the conference come by majority vote? Will there be "vetos," reports by the majority, or reports by a minority?

Third. What will be the lineup of the countries participating in any voting that may transpire? Will each country have one vote? Is there any hope that the United States can hold the line before the conference or during the conference?

Fourth. Is it true that one of the major points to be discussed is the method by which developing countries may obtain increased financial assistance—from the United States, as well as from other countries—on more liberal terms than in the past?

Fifth. Is it true that one of the prime purposes of the conference is to discuss the creation of some new world trade organization? Will it be similar to the defunct ITO—the International Trade Organization—or the OTC—the Organization for Trade Cooperation—both of which could not "get off the ground" in the United States?

Sixth. Is the planned new world trade organization to be under the control of the United Nations? Is it to be related in any manner to the United Nations? By what means will Russia be excluded from membership in the new international trade group; or is it intended that the Communist countries will be full participants?

Seventh. When the suggestions or recommendations of the members of the conference are up for review, acceptance, or rejection, what will be the role of the United Nations?

Eighth. After all of the above questions are answered, will those answers give us any assurance that the United States will be able to maintain its position that the conference shall not develop into a forum for Soviet bloc propaganda?

Ninth. Does the United States sincerely desire to be a member of an international trade organization to which many Communist-dominated countries will belong? What is there to prevent Red China and Cuba from becoming members?

Tenth. Do our diplomats feel that with this conference, they can create a real "first"—a breakthrough—and can outmaneuver the professionals? Has anyone weighed carefully the possible gains against the almost sure losses?

Mr. President, present at the conference in Geneva, next year, will be representatives of many of the nations of Africa, the Far East, and the Middle East. It is claimed that safeguards adopted in regard to the agenda will preclude any effort to make those at the meeting overlook the existing policy with regard to international trade with the Sino-Soviet bloc.

My purpose in making this statement today is to point out that I am gravely apprehensive about what will happen in 1964. Our voice at the conference will be limited in its effect. Undoubtedly, Red Russia will use the meeting as a platform from which to propagandize against us.

It is my hope that the ultimate result of the conference—which will be held at the same time that the GATT conference will be held—will be to protect the interests of the citizens and the businesses of the United States.

## PROPOSED SALARY INCREASES

Mr. LAUSCHE. Mr. President, I wish to express my opposition to the pending proposal to increase the salaries of high-echelon officials of the Government.

It is contemplated to raise the salaries of Members of Congress from $22,500 to $35,000; to raise the salaries of Cabinet officers from $25,000 to $40,000; to raise the salaries of the Deputy Secretary of Defense, the Under Secretary of State, the Administrators of AID, HHFA, NASA, and VA and the chiefs of mission, who now receive $27,500, to the top level of a new salary of $38,500.

It is proposed that another class of Federal officials receive a pay raise from a present level of $25,000 to a new level of $36,500. If the bill is enacted into law, Supreme Court judges will receive a salary increase from a present level of $35,000 to a new level of $60,000. Legislative employees and others will also be affected by the bill.

In my judgment, a grave mistake will be made if the bill is passed. If anything, the Congress of the United States and the high echelon officials ought to set an example, proclaiming to the people of the Nation that this is a time when we should ask not what the Government will do for us but what we can do for Government.

The example proposed in the bill will rise to plague us. We will be rendered defenseless against the increasing demands that will come from Federal employees for increased salaries and wages.

The argument is made that we cannot get judges, that we cannot get people to run for membership in the House of Representatives or in the Senate, and that we cannot get prosecutors and top level officials to work for the Federal Government.

To that argument I say, "Balderdash."

Mr. KUCHEL. Mr. President, will the Senator yield for a question?

Mr. LAUSCHE. In a moment I shall yield. For every Senator in Congress there are 100 persons who would like to displace him. For every Member of the House of Representatives there are 500 persons who would like to have the job.

I wish to repeat what I said some time ago: If one should come to the Congress with a loaded shotgun and threaten to use it, he could not get out of the Capitol the Members of the House and the Members of the Senate. Yet it is argued that unless we increase salaries, our country will go to the dogs because no one will run for the Senate or for the House. I cannot subscribe to that argument.

A proposal has been made to raise the salaries of Supreme Court judges from $35,000 to $60,000. I wonder if there is a Senator or a Representative who can point to one instance in which an appointment to the Supreme Court has been declined by a lawyer because the salary is inadequate? For every judicial vacancy that exists on the Federal bench in Ohio, I have at least 30 applicants for the post. Let us not forget that the judges are not only remunerated liberally but also receive other benefits. The other day I read in the newspaper that certain judges of the District of Columbia who are performing work akin to the duties of a municipal judge of Cleveland become entitled, at the end of 10 years' service, to a full salary for the remainder of life. If that is not robbing the taxpayer, I do not know what theft means.

I have been in office for some time in my life. I have learned one principle: If you want to possess the ability to turn down improper demands, keep yourself clean. Keep yourself in a position in which you can say, "I have denied myself of this benefit which you ask me to give."

But I suppose that before the present year has passed away the bill providing for increased salaries for top-level Federal employees will be passed.

I now ask Senators to listen particularly to some information which will be startling to them. On the basis of reports made in October 1962, the average weekly earnings of full-time State employees, except those in education, is $91 a week. For the same period in 1962 the average Federal employee's wage was $113 a week. Throughout the country the average weekly compensation of State employees is $91, and the average for Federal employees is $113.

In Ohio the average State employee's salary is $86. Ohio must compete with the salaries and wages paid to Federal employees, who in Ohio are now earning $117 a week. In Ohio the Federal employees are earning $35 a week more than the State employees.

The information which I am stating is the product of a tabulation made by a U.S. public official in Ohio. The tabulation states:

> It is interesting to note that there are nearly two Federal employees in Ohio for every State employee.

That is another bit of shocking information: For every State employee there are two Federal employees. The way we are moving forward, the time will soon be at hand when there will probably be three to one.

The author of the tabulation further states:

> It is also noteworthy that average earnings of Federal employees in Ohio are 35 percent higher than those of State employees.

Mr. President, that fact is true practically everywhere.

I ask unanimous consent that the tables to which I have referred be printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

*Average weekly earnings of full-time State employees, except in education, October 1962*

| Rank and State | Full-time State employees | Average weekly earnings |
|---|---|---|
| All States | 1,088,715 | $91.42 |
| 1. Alaska | 3,129 | 147.38 |
| 2. California | 93,619 | 124.69 |
| 3. Hawaii | 5,924 | 114.38 |
| 4. Nevada | 2,705 | 111.60 |
| 5. Michigan | 34,315 | 109.71 |
| 6. New York | 109,104 | 104.94 |
| 7. Washington | 20,468 | 101.68 |
| 8. Wisconsin | 16,972 | 101.48 |
| 9. Oregon | 15,863 | 99.54 |
| 10. Illinois | 44,654 | 98.85 |
| 11. Colorado | 11,741 | 98.36 |
| 12. Utah | 5,803 | 97.16 |
| 13. Connecticut | 20,352 | 96.07 |
| 14. Arizona | 8,313 | 96.03 |
| 15. Vermont | 3,917 | 95.79 |
| 16. Montana | 5,925 | 95.72 |
| 17. Minnesota | 19,075 | 94.67 |
| 18. Wyoming | 3,355 | 94.15 |
| 19. Massachusetts | 37,710 | 93.13 |
| 20. New Jersey | 28,670 | 92.99 |
| 21. Idaho | 5,392 | 91.50 |
| 22. New Hampshire | 5,191 | 89.46 |
| 23. New Mexico | 6,799 | 88.61 |
| 24. Iowa | 16,532 | 88.13 |
| 25. Pennsylvania | 77,405 | 87.63 |
| 26. Rhode Island | 7,399 | 86.68 |
| 27. Ohio | 46,838 | 86.56 |
| 28. Maryland | 20,100 | 86.30 |
| 29. North Dakota | 4,511 | 85.55 |
| 30. North Carolina | 28,555 | 85.36 |
| 31. Kansas | 14,223 | 84.90 |
| 32. South Dakota | 4.986 | 84.90 |
| 33. Maine | 8,987 | 82.69 |
| 34. Kentucky | 19,385 | 80.91 |
| 35. Indiana | 23,126 | 79.74 |
| 36. Georgia | 20,435 | 79.44 |
| 37. Missouri | 23,757 | 79.06 |
| 38. Virginia | 30,470 | 77.71 |
| 39. Nebraska | 9,717 | 76.59 |
| 40. Texas | 46,862 | 76.52 |
| 41. Florida | 30,989 | 75.10 |
| 42. Alabama | 17,229 | 75.19 |
| 43. Louisiana | 31,197 | 74.56 |
| 44. Delaware | 4,886 | 73.89 |
| 45. South Carolina | 15,003 | 73.04 |
| 46. Oklahoma | 16,520 | 72.79 |
| 47. West Virginia | 15,598 | 68.62 |
| 48. Mississippi | 12,638 | 67.96 |
| 49. Arkansas | 11,767 | 65.40 |
| 50. Tennessee | 20,605 | 65.08 |

Source: Bureau of the Census, "State Distribution of Public Employment in 1962," April 1963; Washington, D.C. Computed from October 1962 full-time equivalent employment and total payroll, for functions other than education.

*Average weekly earnings of Federal employees covered by unemployment compensation, 1962*

| Rank and State | Average Federal employees | Average weekly earnings |
|---|---|---|
| All States | 2,504,131 | $113.29 |
| 1. District of Columbia | 212,830 | 136.32 |
| 2. Alaska | 14,796 | 135.22 |
| 3. Alabama | 67,684 | 121.11 |
| 4. California | 266,249 | 118.57 |
| 5. Maryland | 77,436 | 117.97 |
| 6. Ohio | 95,740 | 117.12 |
| 7. Hawaii | 27,771 | 116.36 |
| 8. Oregon | 22,724 | 116.04 |
| 9. New Jersey | 59,783 | 115.99 |
| 10. New Hampshire | 13,934 | 115.80 |
| 11. Pennsylvania | 136,036 | 114.93 |
| 12. Utah | 30,237 | 113.87 |
| 13. Tennessee | 39,533 | 113.35 |
| 14. New York | 185,735 | 113.07 |
| 15. Florida | 55,880 | 112.83 |
| 16. Washington | 52,416 | 112.82 |
| 17. Massachusetts | 68,196 | 112.72 |
| 18. Colorado | 39,097 | 112.37 |
| 19. Virginia | 87,809 | 112.05 |
| 20. New Mexico | 26,044 | 111.98 |
| 21. Michigan | 48,105 | 110.72 |
| 22. Connecticut | 16,113 | 110.58 |
| 23. Nevada | 7,216 | 109.82 |
| 24. Arizona | 22,806 | 109.47 |
| 25. Rhode Island | 13,695 | 109.21 |
| 26. Oklahoma | 47,220 | $108.69 |
| 27. Missouri | 56,048 | 108.62 |
| 28. Wyoming | 6,023 | 108.49 |
| 29. Delaware | 4,204 | 108.11 |
| 30. Illinois | 106,954 | 107.92 |
| 31. Montana | 11,528 | 107.31 |
| 32. Louisiana | 26,249 | 107.05 |
| 33. Texas | 129,770 | 106.15 |
| 34. Georgia | 65,545 | 105.79 |
| 35. Indiana | 35,776 | 105.02 |
| 36. Vermont | 3,522 | 104.84 |
| 37. Minnesota | 28,015 | 104.33 |
| 38. Idaho | 9,053 | 103.80 |
| 39. Kentucky | 32,884 | 103.65 |
| 40. Wisconsin | 23,092 | 102.65 |
| 41. South Carolina | 28,141 | 102.37 |
| 42. West Virginia | 11,699 | 102.18 |
| 43. Mississippi | 19,465 | 101.82 |
| 44. Nebraska | 19,402 | 99.41 |
| 45. Kansas | 25,091 | 98.66 |
| 46. Arkansas | 16,630 | 97.58 |
| 47. Maine | 9,243 | 97.34 |
| 48. Iowa | 20,325 | 97.15 |
| 49. North Dakota | 8,504 | 96.38 |
| 50. South Dakota | 11,364 | 95.83 |
| 51. North Carolina | 37,007 | 93.17 |
| 52. Virgin Islands | 14,210 | 91.19 |
| 53. Puerto Rico | 9,302 | 87.62 |

Source: U.S. Bureau of Employment Security, from tabulations of State agencies.

**Mr. LAUSCHE.** So the band begins to play, the hurdy-gurdy moves on, and the Congress contemplates making things worse than they are. The bill of which I speak ought not to be passed. If it is passed, it will rise to plague every Member of Congress. It will rise to plague us because we shall be rendered defenseless in saying to pressure groups, "I cannot give you what you ask. You are not entitled to it." The pressure groups will answer, "You gave yourself a pay raise of $12,500. You gave the Supreme Court judges a pay raise of $25,000, and a 50-percent raise in pay to district judges."

My inquiry is, How will we answer those statements? We shall not be able to do so.

Mr. President, I believe the Senator from California [Mr. KUCHEL] wanted to ask me a question.

**Mr. KUCHEL.** I noticed in the press the other day that a comparison was made between the Secretary of Defense, Mr. Robert McNamara, who receives $25,000 a year for administering a $50,000 million a year defense budget, vis-a-vis the police chief of Chicago, as I recall, who receives, I believe, $30,000 a year.

**Mr. LAUSCHE.** What is it the Senator wishes to ask me?

**Mr. KUCHEL.** I must say I believe that is not defensible.

**Mr. LAUSCHE.** If we are going to fix salaries on the basis of the magnitude of the moneys expended, we shall be in an indefensible and absurd position. If I were to tell the people of the State of Ohio that I want to be in the Senate merely because of the $35,000, they would have a right to tell me to get out.

**Mr. KUCHEL.** The Senator from Ohio, I believe, is correct, but if he will let me comment further——

**Mr. LAUSCHE.** I will allow the Senator to ask his question.

**Mr. KUCHEL.** I believe that the people of the United States need to attract to a position such as that of Secretary of Defense the finest, the most able, the most competent person that we can find for that very important job. The comparison I have just made demonstrates that, although the skills which are required by a law enforcement officer in an American city are not to be underestimated, they are hardly to be compared with the skills and techniques required by the Office of the Secretary of Defense.

It occurs to me that this indicates there is something wrong with laws which downgrade, in my judgment—and I am not going to make a long speech on this subject—the qualifications for and the salary of one of the most important positions in the Federal Government. That is the only thing that I suggest.

**Mr. LAUSCHE.** If that were the only basis on which we would pay to attract people to enter Government service, we would be doomed to destruction. If a soldier who is called to duty should demand that he be paid in accordance with the significance of the work that he is doing, there would be no end to the pay.

Mr. President, I repeat that if we are to be able to withstand the inordinate demands, we should make certain that we follow a course of conduct that will place armor upon our bodies to enable us to say "No," rather than to weaken ourselves through the act of granting increased pay, and thus render ourselves incapable of saying "No" when the time comes.

**The PRESIDING OFFICER.** Has the Senator from Ohio concluded?

**Mr. LAUSCHE.** I have concluded, and I thank the Chair for his courtesy to me.

## VISIT TO THE SENATE BY GAETANO MARTINO, PRESIDENT OF THE EUROPEAN PARLIAMENT

**Mr. MANSFIELD.** Mr. President, Mr. Gaetano Martino, President of the European Parliament, has honored the Senate by visiting us in this Chamber today.

The European Parliament is a 142-member body which is the parliamentary branch of 3 European communities. Its membership includes the leading parliamentarians of the Six—France, West Germany, Italy, Belgium, the Netherlands, and Switzerland—and it already is the most responsible interparliamentary group in Europe. During the next several years it will almost certainly acquire increased responsibility and, in time, become of greater significance in the affairs of Europe.

As President of the European Parliament and as a well-known statesman in his own right—he is a former NATO "wise man" and Italian Foreign Minister—President Martino is a man of respect and authority among the European parliamentarians.

We are indeed fortunate and honored to have him visit with us today. [Applause, Senators rising.]

**The PRESIDING OFFICER.** On behalf of the Senate, the Chair extends a cordial welcome to our distinguished guest.

## COMPUTATION OF PROPOSED INCOME TAX REDUCTIONS

**Mr. SMATHERS.** Mr. President, on October 15, 1963, the able and distinguished chairman of the Senate Finance Committee had inserted in the RECORD a table prepared by the staff of the Joint Committee on Internal Revenue Taxation indicating the average annual tax reduction per individual income taxpayer under the tax bill, H.R. 8363, as passed by the House of Representatives.

The table was prepared on the assumption that persons filing a joint return should be counted as two taxpayers.

Inasmuch as persons filing a joint return represent one economic unit, I asked the Treasury Department to furnish comparable figures for me to indicate the average annual tax reduction counting joint returns as a single taxpayer, which I believe gives a more realistic picture.

Because of the great interest in this matter, I ask unanimous consent at this time to have the table prepared by the Treasury Department comparing these two methods of computing the tax reduction inserted in the body of the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*Estimated average annual tax reduction per taxpayer under H.R. 8363 when fully effective, by adjusted gross income class*

| Adjusted gross income class | Tax reduction (joint committee calculation)[1] | Tax reduction [2] |
|---|---|---|
| 0 to $3,000 | $49 | $57 |
| $3,000 to $5,000 | 67 | 100 |
| $5,000 to $10,000 | 90 | 159 |
| $10,000 to $20,000 | 165 | 312 |
| $20,000 to $50,000 | 560 | 1,020 |
| $50,000 and over | 2,194 | 2,625 |
| All taxpayers | 110 | 174 |

[1] As estimated by Joint Committee on Internal Revenue Taxation (Oct. 14, 1963) and shown in table which treats joint returns as 2 taxpayers. Table is labeled "Estimated average annual tax reduction per individual income taxpayer."

[2] Excluding capital gains; joint returns counted as 1 taxpayer.

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Oct. 17, 1963.

## WISE MEN ARE ABLE TO REVISE THEIR THINKING: EISENHOWER ON POPULATION CONTROL

**Mr. GRUENING.** Mr. President, when I discussed at some length on October 10 the population problem confronting mankind I pointed to the paradoxical situation which exists when we provide technical and economic assistance to nations, thereby helping developing nations grow more food with which they barely keep alive their burgeoning populations. Such assistance, I repeat, merely helps the world take a step backward.

Therefore, I am pleased today to call to the attention of the Senate nearly similar words written by former President Eisenhower in his article "Let's Be Honest With Ourselves," part 2, appearing in the October 26, 1963, issue of the Saturday Evening Post.

Says President Eisenhower:

> The time has come, also, when we must take into account the effect of the population explosion on our mutual-assistance system. * * * Unless we do, it may smother the economic progress of many nations which, with our technical and economic assistance are striving to build a decent standard of living. * * * There is no real progress or security to a nation which, with outside help, raises its productive capacity by 2 percent a year while the population rises 3 percent.

Such thinking is welcomed and realistic and I commend the former President for reversing his earlier thinking, and frankly admitting that he has, as he does in his article when he says:

> Population control is a highly sensitive problem, of course. When I was President I opposed the use of Federal funds to provide birth-control information to countries we were aiding because I felt this would violate the deepest religious convictions of large groups of taxpayers. As I now look back, it may be that I was carrying that conviction too far. I still believe that as a national policy we should not make birth-control programs a condition to our foreign aid, but we should tell receiving nations how population growth threatens them and what can be done about it. Also, it seems quite possible that scientific research, if mobilized for the purpose, could develop new biological knowledge which would enable nations to hold their human fertility to nonexplosive levels without violating any moral or religious precepts.

I should also, at this time, like to quote from my speech on this particular matter as follows:

> There is an urgency involved in the need to discuss population control.
>
> As the Senate debates the upcoming foreign aid authorization and appropriation bills, attention must be given to the problem, literally overwhelming, of the world's rapidly expanding population.
>
> It does us little, if any, good to provide economic or technical assistance to nations which show no concern for their population explosion.
>
> Granted, we can help a developing nation grow more food by teaching its citizens better use of their land. But when such new skills simply keep that nation's burgeoning population merely alive, and no more, that part of the world will have taken a step backward—with our assistance.

## MINING—ECONOMIC BOON TO UTAH

**Mr. MOSS.** Mr. President, my State of Utah this year is paying official recognition to an industry which has played a continuing and important role in the economic development of the State. The year 1963 has been declared the centennial year of the mining industry in Utah.

Perhaps the most significant feature of the mineral industry in Utah has been its great stability, in contrast to that of many other areas. Although my State was a relatively late starter in mineral production, compared with other Western States, the value of output from Utah mines has held steady for more than half a century, being about 2 percent of the total U.S. mine production value.

The soundness of the mineral industries of Utah reflects the earnest and industrious nature of the early settlement of the territory. The early Mormon settlers largely disregarded or opposed gold and silver mining, devoting their full energies to the development of an agriculture-based society that could provide self-sufficiency in food, shelter and clothing. The mineral wealth of the area could not be denied, however, and about the turn of the 20th century—40 years after the first mining claim was staken in then Utah Territory, the State fully emerged as one of the important mining areas of the Nation.

Today, despite the enormous pressure of a century of rapid national growth and industrialization, including the drains of two major wars, Utah looks forward with confidence to retaining and even expanding its capacity to serve the mineral needs of the future.

From its very beginnings a century ago, when California miners dressed in the blue uniforms of Union volunteers were stationed along the Overland route through Utah, the area's mineral potential has brought new people, new industry and new wealth into Utah. Commercial production of coal, gold, silver, lead, zinc and copper started almost simultaneously in the early 1860's. Along with the influx of prospectors, miners and speculators, there came capital from outside the territory to find its way into mine development and mill and smelter construction. The agricultural Mormon society found that the mineral industries offered new markets for farm products, as well as job opportunities for people in mining, ore transport and the crafts. The precious and base metals shipped eastward provided the exchange needed to bring in manufactured goods and other supplies not available locally.

Mineral development grew steadily and at the half-century mark—1913—Utah's coal output was 2.5 million tons per year and the annual value of Utah's gold, silver, lead, zinc, and copper production was $44 million.

As mining in the State increased, Utah also developed into an important western mining center in other respects. Smelters and refineries in Salt Lake and Tooele Counties made the area the top world nonferrous metal smelting center, treating not only Utah ores but those from other States also. The availability of fine quality metallurgical coke made from Utah coal and the strategic situation of the Salt Lake Basin on north-south and east-west transportation routes were natural advantages that stimulated the development of metallurgical industries.

The inauguration of moderate-scale pig iron production in the midtwenties, and steel production and fabrication in the early forties further strengthened the role of minerals in producing jobs and wealth in Utah.

Since World War II the State has seen the uranium boom, an expansion of chemical and fertilizer industries, and rapid growth in demand for construction materials for roads, water projects, and buildings. Utah mineral industries thus have increased in diversity and have become woven closely into the industrial fabric of the State.

Minerals are a significant factor in the employment picture of Utah. Direct employment in metal and nonmetal mining and processing in the State in 1960 was 18,800 persons, nearly 6 percent of the State's total employment. In addition, there were 14,600 employees in the energy and fuels and metal fabrication sectors, all directly related to minerals. Thus, of 283,000 Utah workers classified by major categories, 33,400 were in mineral industries or closely related occupations.

In terms of value, the raw mineral materials produced in Utah exceed $400 million each year. By comparison, annual farm cash receipts for Utah have averaged $160 million in recent years. And, in 1958, the most recent year for which data are available, the value of manufacturing in Utah was $411 million.

For those who are not as familiar with Utah's mineral wealth as we natives are, let me touch upon a few highlights of specific portions of the industry.

Without doubt the most widely known feature of Utah mining is the great open pit of Kennecott Copper Corp. at Bingham Canyon. A large part of the 18 billion pounds of copper mined in Utah has come from this one mine which by now is a manmade bowl 2 miles across and four-tenths of a mile deep. It is a tourist attraction of great interest, and the onlooker absorbs a sense of its great and continuous activity as he watches ore and waste being removed at a rate exceeding a quarter of a million tons per day—100 million tons per year. The Bingham Canyon pit has particular significance in the 1963 celebration of the centennial of Utah mining because the first claim was located at its site.

Copper from Bingham Canyon has supplied an essential ingredient for today's better life. In 1882 when Thomas A. Edison started the Pearl Street generating station to light the streets of New York City, it was apparent that the distributing of electrical energy for widespread daily use could be achieved only if a low-cost electrical conductor material was available. Copper was known to be an ideal material, but the potential copper resource in high-grade deposits was too small to meet the possible need, and commercial methods to mine large low-grade deposits such as that at Bingham Canyon were not known. In 1899, however, a report by D. C. Jackling and Robert C. Gemmell outlined a plan to mine this 2-percent Utah copper ore profitably. This marked the beginning of an era still underway, during which technology at Bingham and elsewhere has enabled progressively poorer ore to be mined and treated—and not only holding the price, but producing copper relatively more cheaply.

Iron ore production records in Utah date back to 1885, perhaps because of its local utility first as a pigment and later in making pig iron and steel. In 1924–26 pig iron and, subsequently, cast iron pipe plants were built in the State. And since 1944 when steel production started at the Geneva plant of United States Steel Corp., Utah has become the largest western iron ore producing State and has one of the three major western steel producing complexes.

The emergence of Utah as a steel producer hinges in large part on the availability of high quality coking coal. This valuable mineral resource continues to serve both the ferrous and nonferrous smelting and refining industries of Utah and other Western States.

For many years Utah has been the leading western coal producer and now ranks eighth among all the States. The enormous coal resource of Utah has been an important factor in the State's economy, with employment peaks of nearly 5,000 men being reached in 1922 and again in 1950. In recent years Utah's coal mine employment has declined along with that of other coal mining areas of the Nation while increasing productivity per man has been recorded. Direct employment in Utah's coal mines now is about 2,200 men. Coal research efforts of the Federal Government and other technological changes affecting coal offer hope of increasing the market for the fuel in the near future. With increasing efficiency of Utah's mines, and new concepts in transportation of coal and coal-produced electric energy, Utah coal should continue to hold its strong competitive place in the western energy field.

Other fuels also have a place in Utah's future. Petroleum and natural gas output is growing and exploration is continuing at an active pace. New attention is being directed toward the Nation's immense oil shale resource, of which a great portion is in Utah, and this fuel may add its production to the State's wealth within a few years.

A key to the development of this mineral wealth of all types is in Salt Lake City and vicinity. Salt Lake City became a major Western mining center at an early date, and continues to hold this position. Mining consultants, financial organizations and machinery suppliers and distributors in Salt Lake City serve the whole of the Intermountain West. Salt Lake City also has become a mining and metallurgical research center for industry, government and institutions of learning. A major contributor to the development of western mineral resources and also to the general advance of metallurgical technology has been the Salt Lake City Metallurgy Research Center of the Bureau of Mines, started one-half century ago.

All of these major developments in Utah's mineral industries have been accompanied by a host of other events. The Salt Lake City valley long has been a major nonferrous metal smelting and refining center. Utah has its share of uranium ore, discovered and developed under the Atomic Energy Commission program, and is one of the top three producing States. Salt, phosphate rock, gypsum, molybdenum and many other mineral commodities are produced. Mine development is underway to expand potash output. The rising demand for fertilizer materials should lead to greater exploitation of Western phosphate rock deposits in northern Utah. A major new lead-zinc-silver deposit is being explored in the famous Tintic district. Promising beryllium deposits in the Spor mountain area may become commercial as the use of beryllium metal and compounds increases.

Population growth in the Rocky Mountain States will be accompanied by rising demand for cement, concrete aggregates and other construction materials. As improving technology leads to fuller use of unusual or rare mineral resources, there may be new plants to recover and refine a larger share of the vanadium, rhenium, tellurium, molybdenum and other elements in nonferrous or uranium ores. Chemical industries, too, may be attracted by the abundant and varied resources of the State. Truly, Utah faces a second great century of mineral progress which will benefit her people—a century of even greater promise than that which is being commemorated this year.

## TARIFF NEGOTIATIONS UNDER TRADE EXPANSION ACT OF 1962

Mr. JAVITS. Mr. President, according to the New York Times of this morning, President Kennedy formally notified American industry today that almost the entire U.S. tariff list would be subject to major reductions in the forthcoming GATT negotiations.

I am gratified that despite the setbacks caused by the EEC rejection of British membership; the disagreements existing between the United States and the Common Market over how the forthcoming trade talks should be approached; over the question of U.S. poultry exports; and, over the disparities issue, the United States is proceeding, determined to conduct meaningful tariff reduction negotiations in 1964.

I ask unanimous consent that the New York Times article, dated October 22, by Edwin L. Dale, Jr., entitled "Kennedy Says Most Tariffs on the List Are Negotiable," as well as two recent New York Times articles by Mr. Dale, regarding the grave problems surrounding the forthcoming talks, be inserted in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, Oct. 22, 1963]

### KENNEDY SAYS MOST TARIFFS ON THE LIST ARE NEGOTIABLE—EXCLUDES ONLY DUTIES FIXED BY STATUTE—LENGTHY HEARINGS ARE EXPECTED ON PLEAS FOR FURTHER EXEMPTIONS

(By Edwin L. Dale, Jr.)

WASHINGTON, October 21.—President Kennedy formally notified American industry today that almost the entire U.S. tariff list—covering nearly 6,000 individual products—would be subject to major reduction in the forthcoming global trade negotiations with the European Common Market and others.

It was the first time in history that the United States had approached a tariff negotiation by throwing the whole tariff list "on the block." At the last round of negotiations, for example, the United States excluded 75 percent of the items in the tariff list from the bargaining before the negotiations began.

Individual companies and industries will now have an opportunity, at hearings beginning December 2 and lasting at least 4 months, to try to persuade the Government to reserve specific products from the final negotiating list. All indications were that it would be an uphill fight for industry, though the final list undoubtedly would exclude at least a few items especially vulnerable to import competition.

Only 10 items were kept off the list from the beginning, all required by law. Nine of them were products subject to past "escape clause" actions, under which the tariff was raised because of a finding of damage from import competition.

They were carpets, glass, lead, zinc, watch movements, stainless-steel table flatwear, clinical thermometers, safety pins and cotton typewriter-ribbon cloth. The 10th item was petroleum and petroleum products. Oil imports are under quota restriction under a "national security" clause of earlier trade legislation.

Because petroleum still is permitted to enter in sizable quantities, this statutory reserve list covers 13 percent of American imports.

Today's proclamation by the President said all the rest of the tariff list would be subject to reductions of up to 50 percent. In addition, there were three suplemental lists of items for which the duty theoretically could be reduced to zero.

One list covered about 400 tariff headings where the U.S. duty is 5 percent or less.

The second was a short list of about 30 tropical products not produced in the United States and on which there are still duties. These can be cut to zero if the Common Market takes similar action.

The third list was largely academic. It covered almost all agricultural products. Duties on these can be reduced to zero under certain special conditions in an agreement with the Common Market, but today's announcement said, "Strict statutory requirements make it unlikely that very many of these items will in fact qualify for elimination of duty."

The hearings, to begin December 2, will be held by the Tariff Commission and the newly established Trade Information Committee. The Tariff Commission is required to report, in secret, to the President on the economic impact of duty reductions, product by product. The Trade Information Committee will largely be trying to learn about the foreign obstacles to U.S. exports, tariff and otherwise, that American industry would like to see reduced.

#### FINAL DECISION IN MAY

About next May, the President will make his final decision on what products to exclude from the bargaining, but he will not make the list public. The United States and all other parties to the negotiations are already formally committed to keeping their reserve lists "to a minimum." The Common Market countries have strongly intimated that if the United States has a long reserve list, the negotiation would be impossible.

The formal beginning of the negotiations is set for May 4 in Geneva. However, crucially important bargaining on the "ground rules" for the negotiations is already underway. Progress has been slow, but these questions must be settled before the Kennedy round of tariff negotiations can begin.

Thus the outlook for success or failure of the negotiations is still uncertain. But today's announcement said that, "as presently conceived the forthcoming negotiation will be the most comprehensive of its kind ever attempted." Authority for U.S. participation stemmed from last year's Trade Expansion Act.

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[From the New York (N.Y.) Times, Oct. 15, 1963]

### U.S. TARIFF TALKS TO EXTEND TO 1965—NEGOTIATIONS ON SPECIFIC LEVIES ARE NOT EXPECTED UNTIL NEXT SEPTEMBER—FARM ISSUE UNSOLVED—QUESTIONS OF DISPARITIES ALSO SNAGS BARGAINING WITH WESTERN EUROPE

(By Edwin L. Dale, Jr.)

WASHINGTON, October 13.—It will be well into 1965 before the Kennedy round of tariff negotiations is completed—if it is completed at all.

This is the present Washington assessment at high official level.

General bargaining on actual tariffs is not expected to begin until next September and cannot possibly be concluded before the American election, though the purely formal scheduled opening date of May 4 may be adhered to.

The bargaining will not even begin next September unless agreement can be reached first on two exceptionally thorny questions—how to deal with agriculture and how to deal with tariff "disparities."

#### BARGAINING DRAGS

Bargaining on these issues is proceeding at a sluggish pace, with no sign of agreement yet between the United States and the European Common Market—France, Italy, West Germany, Belgium, the Netherlands and Luxembourg.

The ultimate fate of the negotiations will be determined not only by success or failure to solve these two questions. It will also be profoundly affected by the outcome of the impending showdown within the Common Market in December, mainly over agriculture.

If the members fail to reach agreement on a number of highly difficult issues, the fate of the Common Market itself will be in doubt. A crisis or collapse in the community would throw the entire Kennedy round out of kilter.

#### DISPARITIES UNSOLVED

Meanwhile, it is becoming clear here that last May's showdown in Geneva at a ministerial meeting of the member nations of the General Agreement on Tariffs and Trade in no way solved the disparities issue.

This is the problem of the existence in the U.S. tariff schedule of a number of unusually high tariffs and some very low ones, while the Common Market tariffs fall in a general range of 10 to 25 percent.

The United States continues to insist that there should be special rules for deeper cuts in very high tariffs only where the existence of disparities can be shown to have affected trade.

The Common Market—its line as hard as ever—insists that there can be no meaningful statistical demonstration of the effects on trade. It wants a general rule to apply to all cases. This is a position strongly held by France.

Computers in the Department of Commerce here are cranking out statistics to support the U.S. case. But the Common Market has not budged.

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[From the New York (N.Y.) Times, Oct. 18, 1963]

### TRADE POLICY DILEMMA: U.S. INDUSTRY SEEKING MORE PROTECTION AS ADMINISTRATION WORKS TO REDUCE IT

(By Edwin L. Dale, Jr.)

WASHINGTON, October 17.—A meeting at the White House with President Kennedy present, devoted to the seemingly banal question of the import of shoes, illustrated vividly today a serious dilemma that is rapidly approaching for the administration.

Expressed in its simplest form, the dilemma is that while several highly sensitive and important domestic industries are pressing for more protection, the President may have to diminish protection to assure success of next year's Kennedy round of tariff negotiations with the European Common Market and others.

Today's meeting, backed up by the signatures of no fewer than 250 members of the House of Representatives, was devoted to a plea to the President to do something to try to curb "excessive" imports of shoes. Yet an Italian official, speaking in diplomatic language, said "the whole scope of the Kennedy round will be remarkably reduced for us" if shoes and one other major product, woolen textiles, are kept off the tariff-cutting list next year.

The woolen case is almost identical with that of shoes. A part of the chemical industry is another example, and there are several others.

### TWO-SIDED PRESSURE

In each of the problem areas, the administration is under extremely strong pressure from two exactly opposite directions.

The pressure from the domestic industry is familiar enough. It believes itself damaged by imports with tariffs at their present levels. It not only wants to keep the products in question off the tariff negotiation list, but also wants additional protective measures. The shoe industry, for example, would like to see an international agreement similar to that in effect for cotton textiles. And the industry has plants in many States.

Less familiar is the pressure from the opposite direction. In brief, the President will run a severe risk of failure of the entire Kennedy round if the U.S. reserve list of products excluded from bargaining is too long or includes too many important products. The whole basis of the negotiation is that, for the first time, it will involve a cut in tariffs essentially "across the board."

For example, Italian support for a successful negotiation will be vitally important in the internal decisions to be made by the Common Market as the bargaining proceeds. But if woolens and shoes are on the "reserve list," Italy will largely lose interest because these two products alone make up nearly a quarter of Italy's exports to the United States.

### RESERVE LIST SLATED

Next week the long process begins of deciding what the U.S. "reserve list" will be.

The Government will publish a list of items subject to negotiation that will cover the entire U.S. tariff except for a handful of statutory exceptions.

After that, domestic industry will have a chance to try to get individual products removed from the list, mainly through hearings before the Tariff Commission that will begin in December and run through March.

When the Commission reports, the President must decide. The Common Market countries have intimated strongly that a long reserve list might make the whole negotiation impossible, partly because it is very difficult for them to agree on an exception list of their own.

Today the President took the immediate heat off the shoe situation by setting in motion a plan to try to arrange industry-to-industry talks between the American industry and those of Italy and Japan. It is not even sure that the foreign industries will agree to talks and highly doubtful that they will do anything to restrict their exports.

But the problem will not die. It will become red hot again when the President makes his reserve-list decision about next April or May. The industry welcomed today's move, and its congressional supporters were also pleased. But the ultimate outcome may be a lowering, not a raising, of protection against imports of shoes.

## WATER RESOURCES DEVELOPMENT

**Mr. BURDICK.** Mr. President, the Minot Daily News, Minot, N. Dak., recently carried an editorial and an article praising the officials of the Bureau of Reclamation for their devotion to water resources development not only in North Dakota but throughout the United States.

The article "River Plumbers Meet Here" notes that the officials of the Bureau of Reclamation in their Minot meeting dispelled a number of myths about the value of reclamation and irrigation projects.

I recommend both of these clippings to my colleagues and ask unanimous consent that they be printed at this point in the Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Minot (N. Dak.) Daily News]

### They Came To Work and Did

"Bushed" is a fair word to describe the 60 top officials of the Bureau of Reclamation as they departed Minot Friday at the end of their weeklong workshop.

Let there be no misunderstanding. The word "workshop" was not abused in describing this gathering. The men were at their desks promptly at 8 a.m. each day and worked through to 5 p.m. No interruptions were permitted except by authorization.

Many devoted noon hours and evenings to meeting with delegations interested in one or more of the multitude of water and power projects in which the Bureau deals.

Out of it all came a reasonably firm work schedule for the current fiscal year and a somewhat more "iffy" plan for the fiscal year beginning next July 1.

The "ifs" are not of the Bureau's doing. As Commissioner Floyd E. Dominy explained it, the Bureau doesn't know yet what Congress will appropriate for the current year and is even more in the dark on what will be forthcoming for fiscal 1965.

This doesn't make much sense in a long-range program such as reclamation. From here it doesn't seem too much to ask that Congress advance a couple of jumps and chart—through project authorizations and appropriations—a clearer course for the Bureau.

At the very least, the Bureau should know by July 1 what work it is going to be permitted to do in the year that begins on that date.

It was nice having the Bureau executives and other personnel and we hope they'll schedule another session here in the not distant future.

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[From the Minot (N. Dak.) Daily News]

### Inside North Dakota: "River Plumbers" Meet Here

(By Dick Dobson)

Reclamation Commissioner Floyd E. Dominy and about 60 of his "river plumbers" have just concluded their weeklong workshop in Minot.

During the annual program conference, the Bureau of Reclamation's key personnel mapped the plans of the agency for the next year and more.

Since its inception about 60 years ago, the Bureau has worked to harness the great rivers of the West in order to produce low-cost electric power and funnel the precious water onto semiarid lands.

Less than 1 cent of every 2 Federal tax dollars is spent for reclamation projects in the 17 Western States and Alaska.

But it became evident to anyone who stopped to look in on the workshop that the Bureau's investments are made only after careful planning and study.

A number of "myths," mostly promulgated ouside of North Dakota, were exploded at the conference. They included:

(1) Reclamation projects are "pork barrel" jobs and a waste of public funds.

Opening the conference, Dominy quoted Representative Michael J. Kirwin, Democrat, of Ohio, as follows:

"The fact is that 92.2 percent of the cost of all authorized projects is repaid to the Government. Less than 8 percent—representing flood control, fish and wildlife and recreational benefits—has been declared by Congress to be in the public interest and nonreimbursable."

(2) Irrigation contributes to the mounting surplus of agricultural products.

Representative J. Edgar Chenoweth, Republican, of Colorado, reported in June to the National Rivers and Harbors Congress:

"Only about 2 percent of these surplus crops constituting the total of Commodity Credit Corporation loans and inventories are grown on Federal irrigation projects."

Chenoweth pointed out that irrigation encourages a farmer to convert land producing surplus crops to other uses, such as stockraising.

(3) The Federal Government bureaucracy is growing to a monstrous size.

Dominy noted that the Bureau's staff has expanded 11 percent since the end of World War II. At the same time, he said, the Bureau's annual program has been increased from $155 to $420 million.

Representative Morris K. Udall, Democrat, of Arizona, in a recent article in the New Republic magazine, said: "In 1946 out of every thousand persons in the United States, 19 were civilian employees of the Federal Government. Today that number has dropped to 13, and 6 of these 13 are civilian employees of the Armed Forces."

Assistant Secretary of the Interior Kenneth Holum never hesitates to hand out political bouquets when he speaks in North Dakota.

At a banquet in Minot this week, Holum praised Gov. William L. Guy and Senator Quentin N. Burdick, Democrat, of North Dakota, for their work on behalf of the Garrison diversion project.

He also hailed the efforts of Senator Milton R. Young, Republican, of North Dakota, and the late Representative Hjalmar C. Nygaard, Republican, of North Dakota.

Rather conspicuously, it seemed, Holum overlooked Representative Don L. Short, Republican, of North Dakota, who left the banquet to return to Washington before Holum spoke.

But the Interior Department official didn't forget the Kennedy administration. Holum said he enjoyed supporting Garrison diversion, "a reclamation project so good that it has the personal endorsement of President Kennedy."

## JORDAN AND ITS ARAB NEIGHBORS

**Mr. SCOTT.** Mr. President, there was an article in the New York Times on October 10, which deserves the attention of this body. I refer to a dispatch by Mr. Dana Adam Schmidt from Beirut.

He reports that the King is disturbed by the threat to his country from fellow Arab leaders—from President Nasser of Egypt to the south, and from a Baathist Party which is seeking to unite Baghdad and Damascus to the north.

King Hussein has always been regarded as a stanch pro-Western leader. He was aided by the British, and our own Government assumed responsibility for economic development in Jordan after the British withdrew. Thanks to our assistance, Jordan has made steady progress toward economic viability and there is now hope that Jordan may become economically independent in the not-too-distant future.

I have often been critical of the failure of our foreign aid program to distinguish between friends and foes of the United States. Here is a good example of a friend. I hope that we shall continue to grant that nation economic assistance and to accelerate progress.

Hussein feels himself threatened by Nasser as an external foe and as an instrument of subversion. And we are partly responsible for that. In his article, Mr. Schmidt points out that King Hussein has shown increasing disappointment in the United States because we gave Nasser assistance after he tried to subvert Jordan and after he sent a military expedition into Yemen. Mr. Schmidt also reports that Jordan resents the pressure the United States has exerted to persuade that country to halt the flow of military supplies to the Yemen royalists.

There is a final point. And that, Mr. Schmidt reports, is that King Hussein has also been disturbed by the U.S. effort to reduce aid to Jordan. I am quoting from the Times:

> Budgetary support has been cut several million dollars annually in recent years. As a result, the Jordanian Government is hard pressed for cash.

And that leads me to another report on this subject. Within the last few days, our distinguished colleague, ERNEST GRUENING, senior Senator from Alaska, has published a report of a study on U.S. foreign aid in 10 Middle Eastern and African countries. During the course of a 2-month visit to the Middle East, Senator GRUENING surveyed our economic aid programs in Turkey, Iran, Syria, Lebanon, Jordan, Israel, Greece, Tunisia, Libya, and Egypt. As a result, he has been able to present to the Senate Committee on Government Operations a 470-page document, which I think all of us could examine with profit. It is an encyclopedia on the problems which confront these countries and some of the international problems in which they are involved. I commend this volume to my colleagues in the Senate and I would like to congratulate Senator GRUENING on a distinguished contribution to our thinking on these matters.

Now, Senator GRUENING has voted against the foreign aid program, not because he is against foreign aid but because he is critical of some of the procedures that have been followed. Under the circumstances, any recommendation on his part calling for increased economic aid becomes of considerable importance.

Therefore, I call attention to the chapter in his report on our aid to Jordan and development in that country. Senator GRUENING takes note of the tremendous political and economic problems which confront the courageous young ruler of Jordan and comments:

> In the face of this constant propaganda against him, it is almost miraculous that King Hussein still holds the throne of Jordan and, it is just as miraculous that many have now come to the conclusion that if he continues to reign he may in time even make of Jordan a nation with a viable economy.

Senator GRUENING'S reports on Jordan's agricultural and industrial growth are most encouraging. He recommends that U.S. economic assistance should be continued at the same or higher levels, with a review of our technical assistance projects to concentrate more upon projects of a more immediately beneficial nature toward economic development. He says:

> Jordan's future economic success is most important to the United States. This is so not only because Jordan is oriented to the free world and stands as a buffer state between Israel and a militantly hostile Arab world, it is especially important because Jordan seeks its economic development, not through socialism, which so many of the Arab nations espouse, but through the free enterprise system. In many of the other Arab countries assisted by U.S. economic aid, it can be said that we are literally using our dollars to prove that socialism is as good or better than our own system of free enterprise. That is not the case in Jordan.

And, he finds:

> Under the enthusiastic leadership of King Hussein, Jordan is making progress on the road to becoming a viable nation. Its leaders have the will to do so and should be given every encouragement by the United States in achieving their goal. The excellent leadership of our able Ambassador, William Macomber, who believes that this desirable objective might be achieved in a decade, is really making the country team approach work in Jordan.

Mr. President, I am glad to call both this newspaper report and Senator GRUENING'S constructive recommendations to the attention of the Senate. They should be read together. They stress an important aspect of our aid program. Where our program is working, it is desirable to maintain and perhaps increase it so that it will work better and faster and perhaps bring its termination closer because of its success. And, certainly, this kind of approach is appropriate in the case of a country which is subjected to the political problems which Jordan confronts because of the attitude of its Arab neighbors.

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## THE LIGHTS GO ON IN THE YAAK

Mr. METCALF. Mr. President, this month the lights went on in the beautiful Yaak Valley of northwestern Montana.

Central station power finally became available, thanks to many years of work by officials of Northern Lights, Inc., a rural electric cooperative—and particularly its general manager, Bill Nordeen. Cooperating too were the Bonneville Power Administration and the Rural Electrification Administration.

Russell W. Holt, assistant to Administrator Charles Luce of the Bonneville Power Administration, delivered an excellent address at the October 10 dedication of the Yaak substation at Troy. He described the role of the Bonneville Power Administration in getting low-cost power to the people and stressed the need for construction of Knowles Dam. Time magazine was there and told, in its October 18 issue, how Bonnie Franke is looking forward to that waffle iron—"It's been a long time since this family sat down to waffles"—how she and others can finally have an electric iron, washing machine, dryer and water pump.

Mr. President, among the finest examples of rugged individualism and free enterprise today are the rural electric cooperatives, the membership and leadership of oragnizations such as Northern Lights, Inc., who brought power to the Yaak Valley. The job of electrifying the rest of rural America requires that kind of leadership. One farm in 20 in Montana is still without electrification. I salute the leaders of the rural electric cooperatives who believe in Government partnership in the utility business.

Mr. President, I ask unanimous consent to insert in the body of the RECORD, immediately following these remarks, Mr. Holt's address of October 10, entitled "What Low-Cost Power Means to Western Montana," the October 18 Time magazine article entitled "Montana—The Lights Go On in the Yaak River Valley" and an Associated Press story appearing in the October 18 issue of the Daily Missoulian, entitled "Babcock Says Co-op Image Has Suffered."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

### WHAT LOW-COST POWER MEANS TO WESTERN MONTANA

(Remarks of Russell W. Holt, assistant to the Administrator, Bonneville Power Administration, dedicating the Yaak Substation, Troy, Mont., October 10, 1963)

The coming of electricity to the Yaak Valley makes this a great day for the valley. You have a beautiful valley. Now you have the electricity to put lights in your homes, electric tools in your shops, overhead lights in your yards, washers and driers in your kitchens, more water on your lands. You are now in the position to leapfrog decades of darkness and become full partners in the wonders and comforts of electrical living in the 20th century.

We're proud as a nation that some 97 percent or more of our farms are lighted, and here in the Northwest that the figure is close to 99 percent. But I don't imagine this figure has been a lot of comfort to you who have done without electricity until now, or to the few remaining areas of the Nation which lack central station service.

Getting power to remote areas is an important part of what BPA is all about, just as it is what the Rural Electrification Administration is all about. The Bonneville Project Act says, "the Bonneville project shall be operated for the benefit of the general public, and particularly of domestic and rural consumers." It also says that preference and priority shall be given to public bodies and cooperatives.

When BPA came along in 1937 only about 35 percent of the farms in the Northwest were electrified; today nearly 99 percent. In Montana, in 1935, only 5 percent were electrified, today about 95 percent. To say it another way, in 1935 about 95 percent of Montana farms were in darkness, today 95 percent are in light.

This is not to say that BPA alone is responsible for electrification of Montana or of the Northwest, or for bringing power to the Yaak Valley. To give proper credit, you have to go back to the dreamers who fought for Grand Coulee Dam, the Rural Electrification Act, the Bonneville Project Act, and those who have fought for public power down through the years. Here in the Yaak Valley, we are doing our share by providing the substation which we dedicate today. I might say that this substation is of new and ingenious design, representing a substantial savings in cost over comparable facilities. I hope this design will lead to new economies throughout our system.

Your co-op, Northern Lights, Inc., and its general manager, Bill Nordeen, deserve much of the credit for the electric service you are about to receive. Northern Lights is building the line, at a total cost of about $125,000.

It may interest you to know that Northern Lights was incorporated 28 years ago and received the first REA loan west of the Mississippi River. It started with fewer than 100 customers and today has almost 4,000. You people of the Yaak Valley will push Northern Lights over the 4,000 mark. When the co-op first went into business, it took its wholesale power supply from private utilities; in 1943 BPA was able to start supplying the co-op. Rates of 8 cents per kilowatt-hour 28 years ago have dropped to 2 cents or less today.

There are still others who made today's occasion possible—the U.S. Forest Service and the General Telephone Co. who owned the right-of-way.

And not the least of all, your congressional delegation—Congressman OLSEN, Senator METCALF, and Senator MANSFIELD. They were responsive to your pleas and wrote letters and strongly urged BPA to provide this service which you need, and which you deserve, and which meets the tests of financial feasibility. I know how much they regret not being here today, because just as this service fulfills a dream of the people of the valley, so it is for them realization of another milestone in better electric service and economic opportunity for the people of their State.

A moment ago I said rural electrification is part of what BPA is all about. Let me tell you what BPA is. We are an agency of the Department of the Interior, with headquarters in Portland, Oreg. We don't build the dams—the Corps of Engineers and the Bureau of Reclamation do that. But we market the power, sell it wholesale to public and private utilities and to large industries, and repay the Treasury for power's share of the cost of the dams. Today we are the power marketing agency for 27 Northwest Federal multipurpose dams, 20 completed and 7 under construction, which produce more than half of all the electric power in the Northwest.

We have the obligation to repay the Treasury some $1.8 billion representing power's share of the cost of these dams. As of last June 30, we had taken in $937 million in power revenues, of which $246 million went to pay our own operations and maintenance expenses, $334 million went for interest, and the remaining $357 million was applied to repayment of the capital investment—to reduce the mortgage, so to speak.

We're proud that we pay our way, with interest. And contrary to what you may have heard, BPA today is still $20 million ahead of schedule in meeting its obligations to the Treasury.

We intend to stay that way, to maintain our fiscal integrity, our fiscal responsibility, if you please. We have programs to accomplish this goal—the new Hanford steamplant, the Canadian Treaty, the California intertie and, to the extent necessary, a rate increase. We also have made changes in our financial accounting practices to bring them more into line with those followed by Federal agencies in other river basins.

The Hanford steamplant will add more than 900,000 kilowatts of salable firm power to our resources, and will prevent a power brownout with which the region would have been threatened in 1965–66 should we have encountered critical year streamflow conditions then. The steamplant puts to work otherwise waste steam which is produced as a byproduct of plutonium production at Hanford. During the dual purpose period, when the new Hanford reactor is used to produce both plutonium and power, power costs will be less than our historic basic rate of $17.50 per kilowatt year. Later, when the reactor is operated to produce only power, costs will be comparable to then available alternative steamplants.

The treaty with Canada for joint development of the Columbia River will provide both the United States and Canada each with a great new block of low-cost power. This additional power will be produced at existing U.S. dams as a result of storage dams to be built by Canada north of the border, and will be divided equaly between the two countries. The treaty has not yet been implemented because Canada has decided she wishes to sell her share of power in this country and use the revenues to finance Canadian projects. The problem is to find buyers and agree on a price. A great deal of work is going on right now to resolve this problem, and we remain hopeful the treaty will go forward in the near future.

The California intertie is vital to enable us to sell some of the surplus power. A hydro system, such as ours, produces amounts of power which vary with streamflow. When streamflows are high, which is often, we can produce for periods of time a lot of extra power. We call this secondary, or interruptible, power. There is a limited market for this kind of power in the Northwest, but it can be sold in California. We estimate that when the intertie is built, BPA net revenues will increase by $8 to $25 million per year for the first 10 years, depending on a number of variables including who builds the facilities, whether there be one or two lines, and so on. You have a stake in this intertie because to the extent that it increases our revenues it will reduce the need for a rate increase. The intertie would not affect in any way the Montana reservation of power from Hungry Horse Dam. You should know, too, that Bonneville does not propose to sell any power over an intertie, no matter who builds it, until Congress has passed the Northwest power marketing bill assuring Northwest customers of first call on Federal power produced here. We want to sell only our surplus, California utilities want to buy our surplus, and there will be great benefits to both regions when we are able to do that.

There has been no increase in Bonneville's rates in the 26 years we have been selling power, but it appears as if we must have at least a small rate increase next year. We should know within the next couple of months the extent of the rate increase necessary.

Another important part of Bonneville's job is to plan for the orderly development of resources to meet the region's power needs. This is why we strongly support the Knowles project and why we are cooperating to the fullest with Canadian authorities to implement the treaty with Canada for joint development of the Columbia River. The treaty was ratified by the U.S. Senate 2½ years ago, but has not yet been ratified by Canada. Canada apparently will not ratify until arrangements satisfactory to her are worked out concerning disposal of her share of treaty power.

Under the treaty, not only would Canada build storage dams on her side of the border which would substantially increase generation at American dams downstream, but also the treaty permits us to build Libby Dam which, as you realize, would back water 42 miles across the border into Canada.

Knowles is important any way you look at it, but should the Canadian treaty fail to be implemented it becomes an absolutely vital storage project on our side of the border. Without the treaty dams, Knowles Dam would produce 267,000 kilowatts at site, and its stored waters would produce 747,000 additional kilowatts at downstream plants, public and private, for a total of 953,000 kilowatts. This is about six times as much power as would be produced by the proposed alternative two small run-of-the-river plants in the same stretch of the river. If the treaty storage projects are built first, they would get credit for much of the extra downstream kilowatt potential of Knowles, but Knowles would still be responsible for 336,000 kilowatts at site and downstream. This is about three times as much as the two proposed alternative run-of-the-river plants would produce under the same treaty conditions.

Basically, the role of BPA is to get low-cost power to the people for their personal comforts and for economic growth; that is, for job opportunity and business opportunity.

We are proud of the fact that BPA serves 18 big electroprocess industries in the Northwest which employ 15,000 northwest citizens directly, with a payroll of more than $80 million annually. These 18 industries make possible employment, indirectly, of another 30,000, if you assume two jobs in service and supporting industries for every job in primary industry. They pay between $6 and $7 million annually in State and local taxes, buy about $50 million per year worth of northwest goods and services, and pay some $50 million per year in freight charges.

We're proud, also, to know that our wholesale power sold through Northern Lights is going to mean a lot to the economy of the Yaak Valley. For example, Mr. Leighty's sawmill now will be able to operate the year around. This means more jobs on top of the 25 men he already employs at the mill and the 25 in the woods who supply logs for the mill. His power bill for four diesel units has averaged between $8,000 and $9,000 a month. It will be cut in half. I understand he's already added a planer to the mill in anticipation of this new power supply.

Also, Mr. Thornton's gold mine expects to utilize this new source of power for a more efficient and profitable operation.

This is only a small example of what Bonneville power means to the economy of western Montana. Consider the Anaconda Alumimum Co. at Columbus Falls and the Victor Chemical Co. at Silver Bow, which are served directly by BPA.

Anaconda and Victor, between them, employ 850 people. These people were put to work between 1950 and 1960, a period during which total employment in western Montana fell about 3,500, due chiefly to a downturn in mining operations. If it were not for these two industries, and the low-cost power which made their location possible, the total employment loss would have been more on the order of 6,000—again assuming two indirect jobs for every one of 850 people employed in these two basic industries.

Just recently Anaconda announced it will add a third potline to the two already operating at Columbia Falls. This could increase employment at the plant by another 200 or 300 workers.

And another new industry is coming to western Montana based on low-cost BPA power. This is the Montana Phosphate Products Co., which is investing $6 million in a phosphate mining and beneficiating plant near Philipsburg. When completed next year, it will employ about 125 men.

You may be interested to know that the proportion of BPA sales to industry in Montana is higher than in any other State. Of the total 1.9 billion kilowatt-hours we sell in Montana, about 1.4 billion go to industry. Low-cost power helps Montana industry offset the twin disadvantages of distance from markets and high freight rates.

Furthermore, in some years Montana gets gets from BPA three times as much power as is actually generated at Hungry Horse Dam. Generation at Hungry Horse, of course, varies from year to year, depending on streamflow and whether water must be held in the reservoir for later use downstream.

But no matter how the actual production at Hungry Horse varies, BPA still supplies a steady, constant amount of power to Montana.

In fact, BPA supplies more than 40 percent of all the power consumed in Montana or, to put it another way, more than double the electricity used in all the homes of Montana. Montana Power Co. is one of our customers.

What does all this really mean in terms of the people of Montana? It means lower light bills and more dollars in your pockets. It means those jobs for 850 of your fellow Montanans at the two big industrial plants served directly by BPA. This leads to another 1,700 indirect jobs, or a total of 2,500 jobs dependent upon BPA power. Figure that on the average one wage earner supports 4 persons, and you find about 10,000 western Montanans who derive their support from low-cost power.

It means more. It means increased opportunity for people to work and earn a decent living, to stand on their own feet and to make a better life for themselves and their children. It means opportunity for businessmen on Main Street to sell more goods of every kind. Perhaps most important of all, it means opportunity for Montana kids to grow up and find jobs in Montana, without having to leave their home State to make their way in life.

Do you know, for instance, that between 1950 and 1960 the population of western Montana increased by 15,000 people, but that the natural increase—births over deaths—was actually 28,000 people, meaning that 13,000 people left western Montana in those 10 years? Or that the bulk who left were in the 20 to 29 age group?

These are sobering thoughts, and I don't want to belabor them on this happy occasion. But I think they illustrate the importance of power to western Montana, especially at a time when mining and lumber are hurting, when young people are leaving, when there are jobs to be developed, business opportunities to be created, and a better life to be earned.

It is significant that around the world where energy use is high, the economy is strong, and where energy use is low, the economy is weak. So it is in our own country. I hope what we have seen in western Montana so far is only the beginning of a brighter future for you and the rest of the people of this great State, based on low-cost electric energy.

To dedicate means to set aside for future use. It is now my privilege and pleasure to dedicate the new Yaak Substation to the service of the people of this valley, their children, and their children's children for generations to come.

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[From Time magazine, Oct. 18, 1963]

### MONTANA: THE LIGHTS GO ON IN THE YAAK RIVER VALLEY

In the rugged, remote northwest corner of Montana, the Yaak River Valley is a picture postcard of some yesteryear. Moose muse among the willows. Elk graze on the slopes. White-tailed deer browse in the bottom land. Deep among the whispering pine and the hemlock, among the silver aspen and birch, the bears dig into windfalls for grubs. Rainbow trout, cutthroat and whitefish tumble in Beetle and Winkum Creeks.

In that bucolic 45-mile-long valley, 83 families live peacefully in humble cabins and fine log homes. Hunting rifles adorn their walls and fishing rods and boots occupy the corners of the rooms. In cabin after cabin, there is a color picture of the President of the United States. "Yes, sir," says one oldtimer gesturing to a photo on the wall, "he was a great man, that Franklin D. Roosevelt." And over in the Dirty Shame Saloon, Grocery Store and Gas Station, Proprietor "Buster" Bray, formerly of San Francisco, says: "I wouldn't trade any of this for Third and Market Streets—not ever again."

#### HAND PUMPS

But progress has finally come to the Yaak River Valley—and last week, amid modest ceremony, the inhabitants observed the first linking-in of the area's electric powerline. The valley will never be the same again—a fact observed with pleasure by most, but with misgivings by some.

True, a few families have had a minimum amount of power. 'Buster" Bray has kept the Dirty Shame alight with electricity generated by a diesel Caterpillar in a shed behind the saloon. But "the Monster," as he calls it, has been running night and day for 3 years. It costs $26 a day, and, when it coughs at night, it wakes up folks for miles around. Bray is waiting impatiently for the rural cooperative to string its powerline to his part of the valley.

One of the first to connect his home with the power was Harry Franke, 40. A onetime truckdriver, Franke moved into the Yaak with his family 3 years ago to exchange the nerve-racking tumult of Chicago life for a small cattle spread. "I didn't know how to live without electricity," says his wife Bonnie, "but we had to learn." The Frankes used kerosene lamps, traded their electric refrigerator for one that ran on propane gas, swapped their radio for an old battery set. Says Bonnie: "The ironing baffled me for a time, but I finally found a couple of flatirons and a gasoline iron." A hand pump provided water for the toilet, and the rest of the household water was hauled up to the house in buckets from a spring.

Now Bonnie can hardly wait to get an electric iron, an electric water pump, a new washing machine, and a dryer. A television set, she says, is at the bottom of the shopping list. She would much rather have her three children explore the Yaak than vegetate before the magic eye. "Later," she says, "we'll buy a freezer, and after that a waffle iron. It's been a long time since this family sat down to waffles."

#### TOO MANY PEOPLE

Anton Obermayer, a 75-year-old Bavarian-born brewmaster, plans to take the service, too, but he will use it only on a limited basis. He is proudly self-sufficient. He built his own home, cabinets and furniture, grows his own vegetables. His wife Mary Monica, 74, makes her own soap. "When I came here in 1917," says Obermayer, "it was a wilderness. It is not so good now. There are too many people, and they are making too many roads. They kill all the animals. Oh, well, when electricity comes, we will get an electric stove and put it beside the wood stove."

Torjus "Gunnysack" Johnson, 66, was not so sure he wanted electricity. Gunnysack and his wife, Mamie, subsist on social security money, and they did not know if they could afford the $10-a-month minimum charge for electricity. Besides, says Mamie Johnson, 79, "I'd rather have spent the money for a game license. I do some fishing, but I'd like to get me a deer this fall, and a bear. I'd sure like to get the juice from a fat bear. Makes a fine oil for salad." Nevertheless, the Johnsons have signed up.

Similarly, Charles Fields, 80, and his wife, Martha, 79, sense that the coming of electricity will intrude on their remembrances of long-gone times. Says Charlie Fields, slapping his thigh: "Back when I was a young fellow, I lived in southern Colorado. I was a gunslinger." Today the Fields' combined income is only $99 a month and a memory a day. But, says Martha, "we're going to go ahead and get the house wired. At our age, anything can happen. We don't have any electric appliances, and I guess we won't get any. But we'll have lights."

The lights in the Fields' place—and appliances and television and all the rest in the valley—may illuminate much that has lain dark and shadowy for the people of the Yaak. At the Fields' place, for example, the lights will brighten walls that are hung with old rifles, a couple of powder horns, pictures of relatives in high lace collars and, of course, a photo of the President of the United States—Abe Lincoln.

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[From the Missoulian, Oct. 18, 1963]

### BABCOCK SAYS CO-OP IMAGE HAS SUFFERED

HAVRE.—Concern was expressed by Gov. Tim Babcock here over what he called the strong tide of public opinion running against electric cooperatives.

He told delegates to the Montana Associated Utilities meeting in Havre that much of the present criticism "stems from the fact that you are no longer weak infants in swaddling clothes. You are strong, genuinely prosperous business institutions."

Babcock said the public is being reminded "that the job of electrifying rural America has been substantially completed and that presently four out of every five customers connected by electric cooperatives in the United States do not classify as farm customers."

More than half of Montana's 30,000 farms are being served by electric cooperatives but nonfarm customers of these electric co-ops bring their customer total to more than 44,000, he said.

The Governor blamed some of the suffering image of electric co-ops on "the fact that a large segment of the rural electrification movement, particularly your national organization, has dedicated itself to the support of Government ownership in the utility business.

"This strong advocacy of public power has caused animosities to develop from the utility industry."

As a result, his text said, "the close relationship which once existed between the electric cooperatives and the utility companies has grown, in certain areas, to almost an antagonism."

Babcock said he feels that both utility companies and cooperatives "reassess their positions and develop again the warm and cooperative attitude which existed between them during the early days of the electric cooperative movement."

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## THIRD ANNIVERSARY OF EAST-WEST CENTER

**Mr. INOUYE.** Mr. President, the Center for Cultural and Technical Interchange Between East and West, often referred to as the East-West Center, located adjacent to the campus of the University of Hawaii, Honolulu, Hawaii, will be celebrating its third anniversary on Friday, October 25.

The East-West Center was created by Congress in 1960 as a result of an initial impetus provided by then delegate from Hawaii, John A. Burns; then Senator from Texas, LYNDON B. JOHNSON; Congressman JOHN ROONEY and Senator MIKE MANSFIELD. Delegate Burns is now Governor Burns of the State of Hawaii, Senator JOHNSON is now Vice President of the United States and Senator MANSFIELD is now the Senate majority leader. The same kind of progression has been manifested by the center. The article from the Sunday Star-Bulletin and Advertiser of October 20, 1963, offers a very readable concise summary of the growth of the East-West Center in the past 3 years. Considering the very short period since its inception, the center should be extremely proud of its many program developments and accomplishments which would do justice to an established topflight educational institution anywhere in the world.

The most remarkable thing about the center to me personally, is the fact that it has managed to gain such stature among the peoples of the Pacific basin and Asian areas in such a relatively short time. It is my understanding that the only students permitted out of Burma to study in an American institution under American auspices may be found on the campus of the East-West Center.

Mr. President, the people of the State of Hawaii with their knowledge of an appreciation for the tremendous benefits of technical and cultural interchange between the United States and Asia stand together in support of the East-West Center.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the following article was ordered to be printed in the RECORD, as follows:

[From the Sunday Star-Bulletin & Advertiser, Oct. 20, 1963]

### EAST-WEST CENTER MARKS 3 YEARS OF GROWTH

In green and rainbow-crowned Manoa Valley, a birthday will be celebrated Friday. There will be cake and guests and good wishes—but the guests will be from a good fifth of the earth's surface and "happy birthday" may well be sung in some 60 languages.

The birthday is that of East-West Center and the candles on the cakes are three.

Chancellor Alexander Spoehr will give a birthday reception for the Center "family" that day.

Progress of the Center's first 3 years may be told about in terms of people—statistics—or the concrete and steel of structures. Perhaps it is best told in the story of people.

Hawaii's present Governor, then Delegate John A. Burns, and Vice President LYNDON JOHNSON had the dream. They put their ideal into the Johnson-Burns bills that led to congressional authorization for establishment of the Center.

Said this 1960 bill: "The purpose * * * is to promote better relations and understanding between the United States and the nations of Asia and the Pacific through cooperative study, training, and research."

University of Hawaii Prof. Murray Turnbull, who became the first Acting Chancellor, saw the ideal as "an East-West Center * * * conceived and established not to erase differences between people, but to make possible respect for the ways in which we are unlike and the recognition and acknowledgment of our similarities * * * that we may join in the construction of a dynamic and fruitful life for all."

On October 25, 1960, the University of Hawaii and the U.S. Department of State signed a grant-in-aid agreement to establish the Center for Cultural and Technical Interchange Between East and West.

East-West Center had come into existence. Soon there were the students. Two of them. Abdul Zia from Pakistan. Camillus Silva from Ceylon. They arrived in the fall of 1960. Soon after came Lynne Kaelber Madison from Florida.

The first senior scholar, Dr. Franklin Ho of Columbia University, arrived to do research in economics in February 1961.

Early students and scholars lived in apartments, YM and YWCA's and in private homes. And when a student conferred with East-West Center administrators, he visited packed offices in Gartley Hall or Hale Aloha, the cottagelike structure that once housed the university's nursing program. In the two buildings were East-West Center's total staff—at the end of 1961 just 20 full-time persons.

As the Center gained more staff members, workers simply shoved their desks more closely together.

"We used to reach for the next department's phone" recalls one early staffer. "The desks were back to back and you couldn't tell whose phone was ringing or whose files were on what desk."

How do students—staff and space—stand today?

Now enrolled and living, for the most part, in the two new residences are 580 students.

They come from the United States and from American Samoa, Australia, Burma, Cambodia, Ceylon, Fiji, Hong Kong, India, Indonesia, Japan, Korea, Laos, Malaysia (Malaya, Singapore, Sarawak, North Borneo), Nepal, New Zealand, Okinawa, Pakistan, the Philippines, the Republic of China, Tahiti, Thailand, Tonga, the trust territory and Vietnam.

More than 250 have completed their studies and gone on to teaching, government, or industrial posts in their home countries and states. The first chapter of an alumni association was formed 2 months ago in Japan and the first issue of an alumni bulletin has been printed.

The "student program" is now the Institute for Student Interchange, headed by Vice Chancellor John R. Hendrickson, American-born educator with long Asian experience.

Dr. Hendrickson views the third anniversary in his student division as "marked by progress and change."

The rolls of the Institute of Advanced Projects list 37 scholars here or to arrive this year. A total of 64 scholars, advanced professional men from government and university life, from 14 countries have come to the institute since the advanced research program began.

The 10th scholar to arrive at the center—in 1961—is today the vice chancellor of the Advanced Projects Institute. He is Dr. Edward W. Weidner, authority on public administration, former consultant to the Department of State and author of "The World Role of Universities."

Technical Interchange has brought medical practitioners and nurses from Micronesia here for 6 months' work at cooperating hospitals and institutions. Emphasis is on medical skills as used in practice. At Advanced Projects, scholars do research on the basic concepts that affect health conditions and practices. The two groups supplement and complement each other's work.

Programs of the technical interchange institute are often termed "rice-roots work" by Vice Chancellor Y. Baron Goto.

Goto says that the 137 men and women taking part in recent institute projects and the closely connected Agency for International Development training courses are called "participants." The reason? "Because they don't just absorb what we teach them," says Goto. "They teach us, too."

The center's International Panel of Advisors is appointed by the university regents.

The panel is made up of Clark Kerr, University of California president; Ralph J. Bunche, U.N. under secretary; Detlev Bronk, Rockefeller Institute president; Yoichi Maeda, of the University of Tokyo; Juan Salcedo Jr., vice chancellor of Punjab University in India; Chakratong Tongyai, Thailand's Under Secretary of State for Agriculture; Katherine E. McBride, Bryn Mawr College president, and Gerald W. Fisher, president of Bishop Trust Co. in Honolulu.

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## INCREASED TRADE BETWEEN HAWAII AND PACIFIC NATIONS

**Mr. INOUYE.** Mr. President, I feel certain that many of my colleagues who have visited Hawaii will be interested to learn of the increasingly important role played by State businessmen in the expansion of U.S. trade operations around the rim of the Pacific Basin.

Hawaii Business and Industry, a trade magazine published by Joseph A. Murphy in Honolulu, recently spelled out the story of increased trade activity between Hawaii and nations in the Pacific. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### HULA HANDS ACROSS THE PACIFIC—HAWAII DISCOVERS FOREIGN TRADE—AS LOCAL OPPORTUNITIES FOR EXPANSION DIMINISH, BUSINESSMEN ARE EYEING THE NEWLY RISING NATIONS FOR CHANCES TO EXPORT HAWAIIAN TALENT, GOODS, AND CAPITAL

Until recently, mainland businessmen visiting Hawaii usually went home with a patronizing attitude, speaking of provincialism, inefficient business ways, and a tendency toward conservatism and maintaining the status quo. Secure in the isolation of the islands, even the biggest Hawaiian corporations were reluctant to tackle the foreign market where there were too many unknown factors to consider, and preferred to reign supreme with their captive market. Smaller outfits never even dreamed of venturing anywhere outside Hawaii.

Today, however, this is changing—so thoroughly that it is hard to keep up with the latest development in international trade. This year, Hawaiian enterprises, large and small, have been doing business and making news with activities all around the globe.

Harland Bartholomew & Associates are making a survey in West Pakistan for a major university center.

Yetsuo Higa, a Honolulu businessman, opened a beverage factory with a Pepsi Cola franchise in Nagoya, Japan.

Dillingham Corp. is building an airport in Malaya, modernizing an Australian railroad, and dredging an Indonesian harbor.

Inter-Island Resorts opened a Sydney office, and Hawaiian Airlines one in Tokyo.

X-Ray & Medical Equipment Co. is selling scientific apparatus on Formosa.

The Grolier Society's Hawaiian office opened branches in Bangkok, Borneo, Okinawa, Korea, Malaya, Philippines, and Japan.

The HSPA made a survey of the Okinawan sugar operations.

American Pacific Life Insurance Co., a 3-year-old outfit, purchased an insurance company in Melbourne with branches in New Zealand and South Africa, and acquired an Australian trucking firm.

One-year-old Pacific Guardian Life Insurance Co. already has branches in Guam and Hong Kong.

American Factors is participating in a joint venture to grow pineapples in Honduras, and Dole will do the same in the Philippines.

Bishop Realty and a Tokyo real estate firm signed an agreement to sell or swap tracts of land in each other's bailiwicks.

C. Brewer is helping sugar growers in Iran, Ecuador, and Peru.

Commercial attachés from New Delhi and from Cairo visited Hawaii to stir up interest in investing in their countries. Japanese agricultural experts came to study pineapple production with a view of selling more pineapple in Japan. A New Zealand trade mission is due in October to consult with Hawaii manufacturers.

Bank of Hawaii opened a branch (its 57th) in Ponape, a small island in the Carolines.

Yick Lung, a candy manufacturer, branched into the furniture business in Thailand.

### BROADENING THE SCOPE

This list, by no means exhaustive, shows a very different Hawaii from that of 10 or even 5 years ago. A slow trend starting tentatively in the mid-fifties, gathering momentum with the advent of statehood, and moving along rapidly at present, it has given island businessmen a cosmopolitan outlook and an eagerness to reach out ever farther. For the small company, export and outside branches are often the only means to stay in business. For the big five, it is a welcome opportunity to broaden the scope of operations, please stockholders by getting a larger return on investments, and give the personnel a chance to progress within the company.

There are other advantages, of course. Where once a few giants pretty much controlled the economy, increasing competition for the limited market made the profit picture much tighter, and many a small enterprising outfit made sizable dents in the big five's no longer so secure position. The previous alternatives, buying or forcing them out of business, are no longer feasible. Diversification, therefore, is a logical answer.

Another problem is the spiralling cost of production. If Dole wants to invade the European pineapple market, it must price low enough to compete with pineapples imported from Taiwan, where labor costs are a minute fraction of comparable American costs. However, if Dole can utilize its superior know-how together with cheap labor in the Philippines, it can harvest pineapples there at so little expense that its average cost can still be competitive. This will, in fact, enable Dole to maintain its Hawaii operations, which otherwise might be priced out of the market.

Similar considerations are at work at the other big corporations. Hawaii is not growing fast enough to allow rapid capital expansion. The two main products, sugar and pineapple, are levelling off to a point where no significant increases are foreseen either in productivity or sales. The same thing can be said of construction. Dillingham's $50 million investment in the Ala Moana Center is working out fine, but it's a cinch there isn't enough room for another center of such size.

Expanding to the mainland is on the increase, too, but this is a very expensive proposition. Recently, Dillingham swapped 27 acres of Honolulu waterfront for just 1 acre of downtown San Francisco, and 118 acres of producing sugarcane for a single apartment building in Dallas. It is also a lot harder to make a profit on the nearly saturated U.S. market, as opposed to wide open trade opportunities in Oceania and elsewhere. This was illustrated recently by American Pacific Life Insurance Co., which sold $1 million worth of insurance in its first month of operation in Hong Kong, and found even the relatively sophisticated Australian market a pushover for aggressive U.S.-style merchandising.

It is easy to see that when it comes to choosing a site for expansion, the largely untapped markets of foreign countries which are, in many cases, taking their first ginger steps into the 20th century, represent a mouth-watering opportunity. A good indication of the growing awareness of the Pacific market is the number of authorized distributors of major firms to Hawaii who have recently asked for, and obtained, extensions of their franchises into the Orient and the Pacific islands. One such example is MidPac Lumber Co., which will distribute everything from Bogen sound systems to Browny perfumes in Japan, Korea, Taiwan, Philippines, Laos, Vietnam, Cambodia, Thailand, Malaya, and Indonesia through a network of field offices headquartered in Hong Kong.

### IS THE SHIP SINKING?

Sooner or later, of course, the inevitable question arises: Does this represent flight of capital? Are businessmen abandoning Hawaii? In fact, some criticism along these lines has been heard in the political circles, spurred no doubt by the Kennedy administration's concern over the gold outflow.

There is a delicate point here: no doubt some of the capital invested overseas is "fleeing" Hawaii. However, a valid question is, would that capital be doing Hawaii some good if it was not being invested elsewhere? The consensus here is that it would not; since it could not be invested soundly in any major local projects, it would simply remain in banks gathering interest, which does not directly advance the economy of the State. In fact, all the major companies emphasize their continuing local investments wherever possible, and reaffirm their willingness to back any local venture which is shown to be sound. Local diversification has been in fact repeatedly tried, with mixed success: Castle & Cooke are making a go of it in macadamia nuts, but there have been costly failures in other commodities, such as artichokes and acerola cherries grown on the big island.

Then, also, much of Hawaii's oversea involvements consists of exporting skills, such as management counsel, or agricultural expertise, so that no money is invested abroad by the company—on the contrary, large fees are earned which will eventually benefit Hawaii. This is the case of C. Brewer, which has so far exported nothing but its experience, and Dillingham, whose outside contracts run into billions of dollars.

Usually, the oversea profits are allowed to earn their keep by being invested abroad for a time, through various "tax haven" corporations, thus offering the 52-percent tax bite which is slapped on them the minute they are brought back into the United States. (The administration's tax reform proposal contains a provision to close this loophole, and tax such earnings in the year they were made.)

In the broadest sense, these oversea investments represent a private foreign aid program, which differs from the Government's foreign commitments mainly by the fact that a private company, responsible to its very real stockholders, is apt to investigate the soundness of such investments much more carefully than the Government, whose responsibility to a nebulous entity known as the U.S. taxpayer has never been too sharply defined. Since this private capital flows only into countries where a return on the investment is fairly well guaranteed, it tends to make sound systems more stable, and encourages the other regimes to provide similar safeguards for outside money.

An encouraging side is the development of two-way traffic in the foreign trade field. Japan, Hawaii's largest single trade partner, has been active in establishing branches of its industries, building theaters, and using Hawaii as a testing ground for planned expansions into the American market—such as the recent agreement between Sears and Toshiba to offer Japanese electrical products to the U.S. public on a large scale. New franchises are being awarded: Honda Motorcycles established a dealership in Honolulu recently, and Isuzu Trucks plan to have one before the end of the year. Japanese investments in Hawaii include purchases of hotels, such as the Princess Kaiulani. If nothing else, these moves prove that Hawaii is far from through from the viewpoint of commercial expansion.

### RISING EXPORTS

These developments are reflected in the flow of goods in the Pacific. Although foreign trade represents only 10 percent of Hawaii's total external trade, this is still an increase over 10 years ago, when it was only 3 percent, all the rest being mainland traffic. There is an unfavorable balance, which last year amounted to $39 million (imports, $70 million; exports, $31 million), but this is not in itself alarming, since the two big export items are sugar and pineapple, sold mostly on the mainland, and the import side is heavily weighted with petroleum brought in from the Middle East, which amounts to 40 percent of all foreign imports.

In 1954, only two countries—Canada and Japan—imported more than a million dollars' worth of Hawaiian goods. By 1961, the list has grown to six, as West Germany, French Oceania, Belgium, and Holland joined the group, with Japan getting the lion's share, over $6 million. On the import side, Japan remains the biggest supplier, with Canada, New Zealand, West Germany, and Australia following, but a big item on this side of the ledger is the one-sided traffic in oil, making Arabia, Indonesia, and the Dutch West Indies appear prominently on the list. The number of countries selling more than $1 million worth of goods in Hawaii increased from 6 to 11 in the same period.

There are indications that the unfavorable balance of Hawaii's trade can be substantially reduced. Already, exports are rising faster than imports (35 percent versus 18 percent in 1962), due mainly to more vigorous merchandising of pineapple in foreign countries, and also to the fact that since the establishment of a petroleum refinery in Hawaii, cheaper crude oil can be imported in place of refined oil. Other factors, such as attempts to open the Japanese market to Hawaii produce (hitherto barred by an antiquated embargo), the current trend toward the general lowering of tariffs, and the proposed foreign trade zone development will all make it easier to sell Hawaii goods abroad.

Coupled with the intangible exports of management skills, and the long-term investments in foreign tax havens which bolster the credit side of Hawaii's balance sheet, these indications make the prognosis for foreign trade highly favorable.

## JACOB KAPLAN

Mr. DODD. Mr. President, I call to the attention of the Senate the death of Jacob Kaplan, of Boston, Mass., on October 11 at the age of 89. This remarkable man was known throughout New England as an outstanding Talmudic scholar, Hebrew sage, and liberal philosopher. Devoutly religious, he nevertheless conceived of religion as being essentially a way of life, and the implementation of principle was the essence to him, rather than the principle, itself.

Born in Russia-Poland in 1874 in the town of Most, Grodna, he was a graduate of the Grodna Theological Seminary, where he was trained as a rabbi. However, he did not enter the rabbinate, but spent most of his life in business, instead. After serving in the czarist army for 4 years, he came to Boston, where he remained for the rest of his years. Deeply versed in the bible, he used it as his guideline for everything he undertook. A convinced optimist, he loved to console people who were heartsick and to assist young people in beginning their careers. He was a wise and understanding counselor, who brought wisdom and a sense of humor to everyone who was privileged to meet him. Businessmen consulted him on matters involving personnel and policies, while rabbis consulted him on religious questions. Members of other religious faiths loved him for his understanding of, and respect for, their own religious practices and beliefs. He found himself very much at home with such people and truly practiced the doctrine of the brotherhood of man.

He was very much the modern man, while still preserving the meaningful traditions of the past. He followed closely the developments in international affairs. In the early twenties, he urged his children to study Spanish, for he foresaw the new vistas which would open up in international trade between the United States and Latin America. He was bitterly opposed to communism and considered that doctrine as an evil disease. He had little faith in the blandishments of Communist leaders and mistrusted their motives.

He had a great respect for the Office of President of the United States and understood the great burdens and responsibilities faced by President Kennedy. He had no patience with malicious criticism and felt it was the duty of citizenship and religious faith to support the Chief Executive of our Nation, whether he be Democrat or Republican.

To him, a man's word was a solemn act and he never broke a promise. He also considered that to embarrass a person was akin to committing murder, and he carefully refrained from publicly belittling anyone or considering himself as superior to any person. When a friend called him 100 percent, he modestly replied, "I'd be satisfied to be 50 percent."

He was a member of numerous religious and scholarly organizations and, though he was a man of modest means, quietly, and even without his family knowing, made contributions to all of them, even up to the time of his last days.

He leaves his wife, Mrs. Elizabeth Kaplan, of Boston; a daughter, Mrs. Mildred Shuman, of New York City; and two sons, Joseph L. Kaplan, of Boston, an outstanding trial attorney; and Sheldon Z. Kaplan, of Washington, former staff consultant of the House Foreign Affairs Committee and now an international lawyer in our Nation's Capital; 9 grandchildren, and 4 great-grandchildren.

His life has been an inspiration to all who knew him and, because of his unusual character and personality it is only fitting and proper that we remember him.

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## FAILURES IN THE COMMUNIST WORLD

Mr. McGEE. Mr. President, one of the faults of a free society is its tendency to introspection at the cost of a clear view of the entire world. Too often we are concerned mainly with our own success or failure and never notice that our antagonists may be in considerable difficulty and that we may have new opportunities to promote the cause of freedom around the world.

Mr. President, in the Washington Post of October 20, 1963, columnist Roscoe Drummond presented an accounting of some of the recent failures in the Red world as further evidence of the inherent weakness of that system of government. I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Oct. 20, 1963]

### Economic Failure—Communism Gives Self Black Eye

(By Roscoe Drummond)

Communism has recently given itself such a big, bulging black eye that many have failed to notice it. Sometimes the most obvious things are the hardest to see.

We have been so engrossed in the separate tribulations which the Communist nations have brought on themselves that we have failed to focus on their largest meaning.

Let me state the conclusion and then look at the evidence.

From Peking to Moscow, from Cuba to East Germany, the events of the past few weeks—particularly when added together—tell the same story:

Communism does not have the answer to how to create the good society. It is failing at the very point where its propaganda promises are the most glittering; it is not economically efficient; it can't even organize its agriculture to feed its own people.

Communism claims to have the answer to all economic ills. But the Communist countries are today greviously ill economically—so ill that it is no longer possible to conceal the illness.

Nothing could be more significant because, when the newly independent and underdeveloped nations realize that communism is inefficient as well as repressive, Marx and Khrushchev, Mao and Castro are going to lose their appeal.

What has happened in the past few weeks to support the conclusion that communism is working very badly? These things have happened:

The Soviet Union, with its vast agricultural assets and with nearly half its population engaged in farming, is still unable to organize its agriculture to meet its food needs. U.S. Secretary of Agriculture Orville Freeman estimates that Moscow will be buying a billion tons of wheat from the West during the next few months.

Why? Primarily because its collectivized, state-managed agriculture is inefficient and unproductive. Soviet agriculture is exactly the way communism says it should be. Stalin saw to that. In the early thirties he liquidated 3 million Russian peasants who did not want to give up their farms to the Government and since then Soviet agriculture has been pure Marx—and recurring failure.

Red China is in a worse plight. Its self-proclaimed great industrial "leap forward" is a disaster and the nation today is in a state of economic stagnation. The Communists put the squeeze on the Chinese peasant masses in an attempt to force vast industrial growth. The end result is that half of the projected new factories are abandoned and agriculture is so disordered that China has had to turn to the outside world to try to repair the near-starvation diet of its people.

Castro's Communist Cuba is in nearly total disarray. Unemployment is high, living standards have been steadily going down, and food rationing prevails. Sanche de Gramont of the New York Herald Tribune recently reported from Havana that if Cuba were a doctor's patient, a physician would give him 6 months to live. The Castro regime survives today only by living in the oxygen tent of day-to-day Soviet aid. That is what communism has done to Cuba.

Khrushchev has recently said that the Berlin wall must remain inviolate. Why? Because communism has done so badly for East Germany that the only way the regime can prevent a mass exodus is to jail the entire population.

And, on top of it all, the two pillars of the Communist world—the Soviet Union and Red China—are no longer marching arm in arm; they are at each other's throats.

Communism is showing that it has the worst answer. It may not be long before the truth catches up with propaganda.

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## THE JOHN BIRCH SOCIETY

Mr. McGEE. Mr. President, sometimes in the press of events we tend to see only the darker side of events. It may seem unlikely to many but there are many humorous aspects of certain "fright-wing" elements in our society that have made a real avocation of peering under beds and in dark and moldy recesses in search of a threat to our way of life that exists largely in their own imagination.

The John Birch Society has recently taken on a foeman certainly worthy of their own steel. I refer to the vigorous counterattack they have launched against the children of America and the insidious custom of "trick or treat."

Mr. President, a certain newsman, Jerry Doolittle, is mindful of the real dangers explicit in this situation and has written a penetrating exposé on the situation. I ask unanimous consent that his article, which appeared in the October 20, 1963, issue of the Washington Post, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Oct. 20, 1963]

### The Post Impressionist: Takes All Kinds of Goblins To Make Halloween; Birchers May Pop Up on Trick or Treat Night

(By Jerry Doolittle)

(In his October bulletin, John Birch Society founder Robert H. W. Welch, Jr., urges members to give a printed denunciation of the United Nations to children who trick or treat this year for the U.N.'s International Children's Emergency Fund—UNICEF.—News Item.)

"Trick or treat for UNICEF, mister?"

" 'Fraid not, honey, but don't run off. Look, did your Communist masters tell you anything about what UNICEF actually is?"

"Heck, I don't know. Something about milk. It's just what they tell me to say. It's a game, sort of."

"I figured a little blue-eyed gal like you couldn't be anything but what we call an unwitting dupe. Look here, honey. Ever see anything like this before?"

"Why, why, it looks like a booklet."

"It is a booklet, hon, and a very special kind of booklet. It's what we call a 'pro-blue' booklet. Lot of darn interesting stuff in here—like for instance, did you know that UNICEF is nothing but a front group for the U.N.?"

"Holy mackerel, no! What's a front group?"

"Just step inside here for a minute, little gal, and I'll do better than tell you. I'll show you."

"I don't know. I don't think my fath——"

"C'mon honey, it's only for a minute. Here, take a look at this."

"I can't read, mister. Most of us kids that trick or treat can't read yet."

Don't you ever be ashamed of being illiterate, little lady. Lots of the finest Americans I know are illiterate."

"Oh, I'm not ashamed. My older brother can't read either, and he's almost eight. Will you read it to me, mister?"

"I sure will, little gal. It's all about how UNICEF is infiltrated by phony peace groups and comsymps and how they're working to undermine our national sovereignty and like that."

"Gosh, they told me the money would buy milk and medicine for little kids like me."

"Honey, most likely that money you're collecting will go straight behind the Iron Curtain, to some sick little commie kid. Every time you cure a commie, you help the enemy. All the time you're out here collecting, they're laughing at you in Russia. You don't think they're out trick or treating, do you?

"They don't even have trick or treat night in Godless, materialistic, atheistic Russia. They don't even have Hallowe'en. Why, they don't even believe in witches."

"Gosh mister, I don't know. Somehow you make me feel kind of dirty all over."

"Look, honey, you seem like a bright little tyke. Maybe you can square yourself with America by finking on your parents for us. What's your dad's name?"

"Earl Warren."

"Not Earl Warren the Chief Justice?"

"No. Earl Warren the vice squad lieutenant. That's him now, breaking the door down. He's a regular nut about strange men who offer leaflets to little girls."

## LIFE MAGAZINE ARTICLE CALLS FOR WILDLIFE CONSERVATION

**Mr. YARBOROUGH.** Mr. President, I am greatly pleased that increasing attention is being devoted to the critical need for more effective conservation of our world wildlife. This week's Life contains a magnificently illustrated story on the wildlife conservation problem in Africa, and an article summarizing the problem by Maitland A. Edey. This essay is another illustration of this problem, knowledge of which has led me to introduce Senate Concurrent Resolution 60—October 3 CONGRESSIONAL RECORD, page 18671—calling for the United States to take the lead in convening an International Conference to initiate cooperative action furthering worldwide wildlife conservation. This article from Life is an effective argument for such a move. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### SHOULD MAN TRY TO SAVE THE ANIMALS?

(By Maitland A. Edey)

In East Africa today it is still possible to enjoy the sight of 50 wild giraffes all at once, or a hundred elephants, or 10,000 wildebeests. Numbers like this make it hard to understand that the big game is seriously threatened. And yet conservationists the world over believe that if something is not done to reverse present trends, most of it will have disappeared in 10 or 20 years. That is why the International Union for Conservation of Nature (IUCN), instead of meeting in New York, Tokyo or Paris, scheduled its recent congress at Nairobi, capital of Kenya, in the hope of emphasizing to African governments the seriousness of the situation and of being able to make useful recommendations about what to do.

For the problem is now an African one. It exists most acutely in Kenya, Tanganyika and Uganda, the most famous of the big game habits. It is in the grassy savannas and open forestland of these countries that the great herds roamed in the past. Remnants survive today, notably in the Serengeti Park and in 8,000-square-mile Tsavo, East Africa's largest game park. Tanganyika and Uganda are independent nations, and Kenya will become one in 2 months. Unless these governments can be kept convinced that it is in their interest to conserve the game, it will vanish. This may not be easy to do.

In Tanganyika and Kenya live nomadic herders of cattle like the warrior Masai who ordinarily do not molest game but kill lions because lions kill their cows. Theoretically the game should be safe in Masailand. But heavy pressures are building up outside their territory. The Masai are vastly outnumbered in Kenya by settled agriculturist tribes like the Kikuyu. The Kikuyu dominate Kenya's politics today and their leader, Jomo Kenyatta, has pledged he would redistribute most of the country's land. Kenya's population, now nearly 8 million, is already too big for its present resources and yet it may double by 1983. Sooner or later the Kikuyu will turn their eyes toward the sparsely populated Masailand. The Masai will either have to change their way of life, yield their land or fight and be overwhelmed.

In the old days tribal warfare helped keep the human population of East Africa in balance with the environment. So did slave raids, high infant fatality and the tsetse fly. But with the removal of natural controls the human wave is billowing. If it continues to billow, no scheme or political program can provide for Kenya, and no amount of advice from outsiders is likely to prevent her game parks from being overrun.

A second powerful threat to the game is found in the attitude of most Africans toward wild animals. An African farmer might speak as follows to the Englishman whose farm he is taking over: "The conditions that exist here came about under your stewardship. We have inherited them and must live with them. You have a sentimental interest in wild animals. We have not. If it comes down to a choice between an African child and a wart hog, you may be sure that we will not choose the wart hog. In fact, we think of animals in only two ways. First, we can profit by killing them; most of us suffer from an almost continuous protein deficiency, and we crave their meat. Also we can profit by selling their skins and their ivory, the feet of elephants as umbrella stands and the tails of giraffes as fly whisks. Second, wild animals are a nuisance to us; the lions kill our livestock, not to mention ourselves, the elephants root up our gardens and tear down our trees, the big herds of antelopes, zebras, and wildebeests compete with our stock on rangeland that is already overgrazed. As we see it, the best thing that can possibly happen to us is for all the game to be wiped out so that we can proceed to take over the land ourselves."

These are tough arguments to beat down, and it is here that the IUCN comes in. It numbers among its delegates some of the world's most experienced game managers, agronomists, ecologists, anthropologists, soil-and-water experts and pest-control men. When these men sit down to argue out the merits of preserving African game, they stick to the premise that any conservation proposal must not only make long-term economic sense to them but must also be salable to the Africans.

Talking to an ecologist can be a bewildering experience. He will actually extol the tsetse fly as an agent in population control. Despite all the talk here about the evils of poaching, he will dismiss it with a wave of his hand. "Except for rhinos, which are very scarce, poaching isn't much of a problem. It can be controlled by increasing your staff of game scouts and making sure that convicted poachers get stiff jail sentences. By that I mean terms of up to 5 years. If your poacher is locked up for a mere 6 months in what he calls the 'King George Hotel,' that means only that he is relieved of the problem of feeding himself during that time. Some poachers actually look forward to jail. But the fear of being locked up for a long time is very real. It can discourage poaching in short order.

"That is, if you want to discourage it. At the moment poaching is actually a good thing in some of the game parks. There is not a single well-patrolled park in east Africa today that is not overgrazed.

"Take Tsavo. We heard a lot of anguished screams not long ago that elephants were being poached out of existence in Tsavo by local tribesmen, and we knew for a fact that they were being killed at a rate of a thousand a year. Well, that sounds like a lot of elephants. But Tsavo has more elephants than it can support. They were tearing the place to pieces. The only thing wrong with this particular poaching was the principle involved, so we decided to organize it. We arranged with the tribesmen, who have always lived by hunting and don't really know how to do anything else, to settle on the edge of the park and systematically knock off the elephants that kept coming out as a result of population pressures inside. Now we help them dispose of the ivory, the meat, even the hairs of the tails, which are sold to tourists as bracelets. The result is that a thousand elephants a year are still being killed, but the situation is under control. And the native African is beginning to learn an important lesson in how to get a steady income from a natural asset—without destroying the asset."

What the ecologist is constantly looking at is not the game itself; he is looking behind it to the potential in the land to support game. To him overgrazing is more important than numbers of animals; he will gladly kill them to improve conditions, something that is being done now in Uganda with hippopotamuses, which are being killed systematically to keep them from completely destroying all riverside vegetation. Incidentally, this supplies local villagers with a steady supply of much-needed fresh meat.

Ultimately the ecologist must ask himself, "Is there any justification for preserving animals at all?" And this question underlay some of the most interesting debate at the IUCN meetings in Nairobi. Most of the delegates present seemed agreed on two basic principles. The first is that animals are a great tourist attraction and can produce quick cash income on a small investment. So persuasive is this argument—nearly $15 million of tourist money was spent last year in Kenya alone—that Prime Minister Kenyatta was moved during the IUCN meetings to proclaim that Kenya, "fully realizing the value of its natural resources, pledges itself to conserve them for posterity with all the means at its disposal."

This is a powerful statement for the head of a country whose people are as land-hungry as the Kenyans. Its only catch is that Kenya's means may not be up to the job, and the game along with tourists could disappear while plans to conserve it stagnate through lack of funds. Nevertheless, recognition of the principle by the heads of African states is an enormously important and encouraging first step. Scenery costs nothing; wild animals, if left alive, will pay for themselves many times over again, whereas, if dead, they pay only once. This idea has also taken firm root in Tanganyika, which although it already had 2 percent of its land in game preserves (the same as the United States), announced the establishment of yet another on the day it achieved its independence 2 years ago. Tanganyika has also set up Africa's first game management school to train native experts in how to manage wildlife.

A second practical argument in favor of wild animals is that they may turn out to be a better investment than tame ones. This goes against a long-cherished African love for cattle. A cow is not only a source of wealth to a Masai tribesman; it is also an intimate part of his life and his affections. He drinks its milk and its blood. He makes his house out of its dung. The herd is a status symbol far more potent than the Cadillac to an American. The larger the herd, the more important the Masai who owns it. No thought is given to selective breeding, and Masai cattle are in general a scrawny lot. Just as among humans in East Africa, there has been a population explosion among cows as well, thanks largely to the cessation of native warfare and to the introduction of veterinary services among the tribes. The Masai, although they may seem to be thinly spread over their large holdings, are actually crowded by their cows and are in the process of bankrupting themselves by overgrazing. Much of their range has already been ravaged.

"Unless the Masai can be taught to put an emphasis on quality rather than quantity," says Lee Talbot, an American ecologist who has been surveying African wildlife for the U.N., "and unless he is willing to breed up, to dispose ruthlessly of all his bad stock, his way of life cannot survive."

The average African cow is a woefully inefficient animal. It is undersized, not much good for slaughter, often yields as little as a cup of milk a day, yet it eats its head off. Actually, it is much harder on the range than a wild animal. In a herd of wild game the animals tend to spread out from each other when feeding. As they move across the range they nibble here and there on a wide variety of plants, leaving many growing things behind them after they have gone. By contrast, African cattle travel in a compact mass for protection against lions. As they move they eat their favorite grasses down to nothing, their hoofs macerating the ground and leaving behind them a bare swath that does not quickly recover. Today a Masai herd can usually be detected at a great distance by the plume of dust hanging above it as it moves slowly across the immense African landscape.

Wild animals are superior to domestic cattle in other ways. They can keep themselves fat on a far sparser diet, they can walk farther to find water, and they are much more resistant to certain diseases. These virtues have led many farsighted men to wonder if there could be a way of substituting game for cattle as a "crop" in east Africa. In 1959 a couple of American scientists, Archie S. Mossman and Raymond F. Dasmann, persuaded the owners of a large ranch in Rhodesia to let them experiment with the commercial shooting of game on part of their land. In 2 years they were able to prove conclusively that zebras and antelopes yielded more money through sale of meat than cows did. The only problem was marketing the meat. This requires the cooperation of the government, and at the moment cattlemen in Rhodesia are fighting to protect their interest by discouraging a game-farm program.

The animals that Dasmann and Mossman were killing—zebras, impalas, wart hogs, kudus and other varieties—were completely wild. The largest of the African antelopes, the eland, a noble animal the size of an elk, is potentially much tamer than these smaller species. Herds of eland have been formed experimentally for several years by Soviet scientists, and they are found to be as amenable to herding and milking as the gentlest cattle. The females will yield 2 quarts of milk a day—5 or 10 times as much as some Masai cows—and are good beef when killed.

Evidence like this opens up the intriguing possibility of an African agricultural and pastoral economy based on African species. Some experts will go so far as to say that the cow, the sheep and the goat have no place at all in tropical Africa, although they concede that the desire to raise them will certainly die very hard—and not only among native Africans.

"There is an almost pathological tendency for Europeans to look at African problems through European glasses," says Talbot. "Helpful people keep trying to transport a bit of old England to East Africa. But African plants grow better here than European ones and so do African animals. It stands to reason that they should—they have had millions of years to get used to the climate, to parasites and to each other."

A case in point is the so-called Ankole project. This calls for clearing a large tract of land in a tsetse-fly area in Uganda so that a cross of local cattle with Brangus and pure Angus cattle can be raised there. Hopefully, individual Africans will be settled on ranches of 3,000 or more acres each at a cost of about $10,000 per ranch. To Talbot this project is utterly preposterous, and he derives some bitter pleasure from the fact that the first step—heavy killing of the small antelopes—is paradoxically producing sturdier crops of antelopes, much as the heavy shooting on a Scotch moor is good for the grouse. The survivors are stronger and fitter; they have more food per individual and breed more prolifically.

Further steps in the project may never be taken, for it is being widely condemned. Nevertheless there are determined people interested in the scheme, just as there have been in many other comparable schemes, an embarrassing number of which always manage to get pushed into being. Where they destroy the environment, or disrupt its delicate interweaving of natural forces, all things that live there—man included—suffer. Man can often recover temporarily through his mobility, enterprise, and adaptability. But the animals, birds, fishes, and even the plants that become involved cannot pick up and go. Sometimes they do not survive.

More than two dozen mammals in Africa today are faced with possible extinction. Constant hunting has helped bring some of them to their present precarious state, but the real trouble for most is that their environment has been altered by grazing, deforestation, agriculture, fencing, and drainage. In essence they no longer have a comfortable place to live. It is the preservation of this living space that preoccupies the IUCN ecologist. He is convinced that in Africa today there exists the possibility of preserving the land for both animals and humans—to their mutual benefit. Whether this will be done is another matter.

It is only about 60 years since the world's last wild quagga, a kind of zebra, was shot in South Africa. Today there is scarcely anybody who remembers what the quagga looked like, although it was once so common on the veldt that it was regarded as a pest. Will the same oblivion overtake the rhinoceros and the cheetah, both now listed as seriously endangered? And what about the real exotics? Presumably the world could continue to revolve without the bontebok, the giant sable antelope, the mountain nyala, the white-tailed gnu, the addax, the scimitar-horned oryx, or the red hartebeest. But it would be a different world, and, in the opinion of many, not as rich a one.

## STATE APPROVAL AGENCIES SHOW GI BILL BEST LEGISLATION TO AID UNEMPLOYMENT PROBLEM

**Mr. YARBOROUGH.** Mr. President, Mr. Grady L. Huddleston in an article entitled "Why Experiment" appearing in the September issue of the service letter of the National Association of State Approval Agencies deals with the connection between the cold war GI bill and the solution to our unemployment problem. Mr. Huddleston discusses the successes of the World War II and the Korean GI bills in retraining and educating our veterans to fill the technical and complex jobs of a growing civilian economy. And he advocates the passage of the cold war GI bill in order to provide the same opportunities to our cold war veterans so that they may in turn add their skills to our economy while at the same time eliminating the cause of unemployment which is the presence of large numbers of unskilled workers at the same time that we have a shortage of technical and trained personnel. Mr. Huddleston ends his article by asking the obvious question of why we are spending large sums of money on new programs of training and retraining while ignoring the one program which has been tried and proven successful—the GI bill.

Mr. President, I ask unanimous consent that Mr. Huddleston's article "Why Experiment" be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### WHY EXPERIMENT?

(By Grady L. Huddleston)

Today this country faces a crisis of a changing age. Many problems are involved in this crisis, but, one of the major ones is the very economy of the Nation itself.

We are continually told through news media and statistics, of the vast numbers of unemployed. At the same time the people themselves are demanding expanded services from the Government both national and local, with an almost unbearable tax burden already imposed upon them.

It seems to me that these problems will have to be solved on a local level with assistance from the national level.

The majority of the problems can be solved by creating job opportunities for the people, so that they may become self-supporting rather than being dependent upon the Government for livelihood.

The most popular means at present is a race between the several States in inducing a fast expanding industry either to relocate or expand in their respective areas. This creates additional jobs for the unemployed and for the masses of the farm population who can no longer adequately maintain themselves on the farm.

When a new industry moves into an area, it appears that many problems are immediately solved. Then the fallacy of the whole thing comes to light like a shot out of a cannon. What does an abundance of natural resources, additional job opportunities, and a vast source of labor to select from, accomplish, if the labor itself is not qualified to accept employment, and as a result labor must be imported. Present-day employment requires an educational background and skill.

We are greatly concerned about the educational level of our population, caused by inadequate school systems both in quality and in number, students dropping out of school before completion, and as a result not being able to seek a higher education or even receive training in one of the vocational technical schools that are being built throughout the country by a cooperative program of both national and local governments.

Before this situation can be solved some type of adult education program must be developed.

Some States have for some time conducted such programs. This for example was first made possible in Georgia through the "GI Educational Program" or Public Laws 346 and 550. Under this program 100,000 students since 1948 were trained from the first grade through the high school level and consequently were qualified to enter institutions of higher learning or to enter the numerous vocational and technical schools which require a high school education or its equivalent. This develops the person and his skills to take his proper place in this industrialized era, notwithstanding the fact that his program of education was interrupted by having to serve his country. Many were unable to continue their educations after discharge due to family obligations, etc.

Peacetime veterans are not eligible to take advantage of this training, and as a result many are not qualified to secure the employment so badly needed.

An extension of the educational benefits to peacetime veterans would not only offer an opportunity to people, who fortunately were able to complete high school, to seek a higher educations to become teachers, doctors, scientists, technicians, etc., as proven under previous programs, but would enable thousands upon thousands to receive the necessary training so that they may take their proper and deserving place among the rank and file of people who would like to have an opportunity to become independent to the extent of earning a livelihood without having to be dependent upon Government agencies.

The expenditure by the Federal Government to finance this program would not be a gift, but an investment. Statistics prove that through increased income tax, the Government has been repaid for training under Public Law 346 and will be under Public Law 550, in the near future and will continue to receive the benefit in years to come.

This is the basic problem and experience has taught that this is one of the many answers sought and means by which a sagging economy of a great nation can be bolstered.

No one answer will solve the problem. The manpower training program and retraining programs which are being conducted, from all reports, are not as yet satisfactorily serving the purpose for which they were intended. It is well to explore many areas to solve this problem, but while experimenting with an untried one, why not go ahead and put into effect one that has been tried and proven successful.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

## EXECUTIVE SESSION

The Senate resumed the consideration of executive business.

## WITHDRAWAL OF NOMINATIONS

The PRESIDING OFFICER laid before the Senate messages from the President of the United States, withdrawing the nominations of Robert A. Feinour, to be postmaster at New Tripoli, Pa., and Mrs. Margaret O. Stover, to be postmaster at Hinkley, Calif.

## PROTOCOL TO AMEND CONVENTION ON INTERNATIONAL CIVIL AVIATION; CONVENTION ON EXTRADITION WITH SWEDEN; ADDITIONAL PROTOCOL TO THE TREATY OF EXTRADITION WITH BRAZIL; EXTRADITION CONVENTION WITH ISRAEL; CONSULAR CONVENTION WITH KOREA; CONSULAR CONVENTION WITH JAPAN

The Senate, as in Committee of the Whole, resumed the consideration of the protocol, Executive D (88th Cong., 1st sess.), to amend the Convention on International Civil Aviation; the convention, Executive E (87th Cong., 2d sess.), on extradition with Sweden; the additional protocol, Executive F (87th Cong., 2d sess.), to the Treaty of Extradition With Brazil; the extradition convention, Executive E (88th Cong., 1st sess.), with Israel; to the consular convention, Executive B (88th Cong., 1st sess.), with Korea; and the consular convention, Executive I, (88th Cong., 1st sess.), with Japan.

Mr. FULBRIGHT. Mr. President, it is my understanding that the majority leader wishes to vote on these protocols and conventions en bloc. I believe it has been ordered that they be voted on en bloc.

The PRESIDING OFFICER. It has been so ordered.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the vote be taken at 2 o'clock.

The PRESIDING OFFICER. Is there objection? The Chair hears none; and without objection, the vote will be taken at 2 o'clock to the conventions and protocols, en bloc, with a yea-and-nay vote.

### PROTOCOL TO AMEND CONVENTION ON INTERNATIONAL CIVIL AVIATION

Mr. FULBRIGHT. Mr. President, the first protocol is Executive D, 88th Congress, 1st session. The purpose of this protocol to the Convention on International Civil Aviation is to amend article 48(a) of the convention by increasing the number of requests from contracting states required to convene an extraordinary meeting of the Assembly of the International Civil Aviation Organization (ICAO) from 10 contracting states to not less than one-fifth of the total number of contracting states. Under the present provisions of article 48(a), the ICAO Assembly must meet annually, but a majority of the ICAO Council—a permanent body consisting of 27 members which is responsible to the Assembly—or 10 contracting states may require the convening of an extraordinary meeting of the ICAO Assembly.

The new formula contained in this protocol, while increasing the minimum number of contracting states that may require the holding of an extraordinary meeting of the ICAO Assembly, retains the substance of the relative proportion agreed upon when the convention was signed. There are now 101 states parties to the convention and the amendment would require requests from at least 21 states for the convening of an extraordinary session of the assembly. The council will continue to have its own authority to call such a session.

The amendment embodied in this protocol was proposed by the United States and was approved by the 14th session of the ICAO Assembly which met in Rome last September.

The Committee on Foreign Relations held a public hearing on this protocol on September 25, 1963, and decided at that time to recommend that the Senate give its advice and consent to the ratification of the protocol. It will come into force after 66 states have deposited their instruments of ratification.

### EXTRADITION TREATIES WITH SWEDEN AND ISRAEL AND PROTOCOL TO EXTRADITION TREATY WITH BRAZIL

Mr. President, the extradition treaties with Sweden and Israel follow, in general, the pattern of other extradition treaties which are in force between the United States and 65 other countries.

Both the Israel and Swedish conventions contain a list of offenses for which extradition is to be granted. Under their provisions, however, a person may not be extradited for an offense which is regarded as one of a political character. Neither convention permits the extradition of a person for an offense which is punishable by death, unless the requested party receives assurances that the death penalty will not be imposed. The conventions also provide that the determination as to whether extradition is to be granted is to be made in accordance with the laws of the requested party.

The convention with Sweden contains a provision—article IV—which appears only in a few U.S. extradition treaties presently in force. It provides that extradition may be granted for offenses committed within the territorial jurisdiction of the requested state by an officer or employee of the requesting state who is a national of the requesting state. This provision would apply, for example, in a case where a U.S. officer embezzled funds from the American Embassy in Sweden. Under most other U.S. extradition treaties, extradition is not possible in this type of situation.

A protocol to the convention with Sweden was necessary because of the fact that Sweden is undertaking a revision of its penal code, and the imprisonment provisions relating to extraditable offenses are being changed. In this connection, article III of the convention was drafted to conform to the contemplated revision. The protocol provides that article III shall apply to the existing Swedish penal code pending the coming into force of the contemplated revision of the code. When the revised penal code comes into effect the protocol will terminate.

The protocol to the extradition treaty with Brazil was requested by Brazil for the purpose of clarifying article VII of the original agreement which the U.S. Senate approved on May 16, 1961. Under the Brazilian Constitution and extradition law, the extradition of Brazilian nationals is prohibited, and the effect of the protocol—which is substantively the same as article VII of the original treaty—is to make it plain that Brazil has no obligation to surrender its nationals.

**Mr. HOLLAND.** Mr. President, will the Senator from Arkansas yield?

**Mr. FULBRIGHT.** I yield.

**Mr. HOLLAND.** Is that a reciprocal provision? The United States will not be under any obligation to surrender its own nationals; will it?

**Mr. FULBRIGHT.** That is correct.

**Mr. HOLLAND.** I thank the Senator.

**Mr. FULBRIGHT.** Mr. President, Brazil has not ratified the 1961 treaty and regards U.S. approval of this protocol as a prerequisite for submission of the original treaty to the Brazilian Congress.

The Committee on Foreign Relations held a public hearing on the conventions with Israel and Sweden and the protocol to the treaty with Brazil on September 25, 1963, at which time the committee decided to recommend that the Senate give its advice and consent to their ratification.

The Department of Justice has concurred in the conventions and the protocol. The conventions with Sweden and Israel will enter into effect upon exchange of ratifications and may be terminated after 6 months' notice by the parties thereto. The protocol to the treaty with Brazil will enter into force on the same date as does the original treaty.

### CONSULAR CONVENTIONS WITH KOREA AND WITH JAPAN

Mr. President, I refer now to the consular conventions with Korea and Japan, Executive B and Executive I of the 88th Congress, 1st session.

Mr. President, the consular convention between the United States and Korea was signed at Seoul on January 8, 1963; the one between the United States and Japan, together with an accompanying protocol, was signed at Tokyo on March 22, 1963.

On September 25 the Committee on Foreign Relations held a public hearing on both conventions, at which time testimony in their support was given by Mr. Leonard C. Meeker, acting legal adviser of the Department of State. The hearing is printed as an appendix to the committee's favorable report on the convention.

The committee is unaware of any objections to either convention.

**Mr. HOLLAND.** Mr. President, will the Senator yield?

**Mr. FULBRIGHT.** I yield.

**Mr. HOLLAND.** Does this Government maintain any consular offices at this time in either Japan or Korea?

**Mr. FULBRIGHT.** We do, in both of them.

**Mr. HOLLAND.** Is this addition to our treaty a form of predicate for the establishment of additional consular offices in those two countries?

**Mr. FULBRIGHT.** Not necessarily, but it provides a new and streamlined form of consular convention which is essentially, in its substance, similar to other conventions, which I shall explain in just a moment in the statement I am making. But it is to modernize and update the usual provisions with regard to consular conventions and clarify certain aspects of duties of consular offices, especially with regard to such matters as estates of deceased nationals of the respective parties, which I shall explain in just a moment.

**Mr. HOLLAND.** If the Senator will yield further, I understand that normal business relations between our country and Japan are increasing and improving. Is that correct?

**Mr. FULBRIGHT.** Yes.

**Mr. HOLLAND.** Is that same situation found with respect to our business relations with Korea?

**Mr. FULBRIGHT.** I do not think there is anything like the same volume or increase with respect to that country. It is a much less dynamic trade that we conduct with Korea. As the Senator knows, the trade is almost one way. We are still supporting South Korea very substantially—if one wants to call it trade. It is more aid than trade.

**Mr. HOLLAND.** As I understand, these two codicils would give identical treatment to Japan and Korea in this particular field. Is that correct?

**Mr. FULBRIGHT.** That is correct.

**Mr. HOLLAND.** I thank the Senator.

**Mr. FULBRIGHT.** Mr. President, the purpose of these bilateral conventions is to provide a framework to govern the consular affairs of each contracting party in the territory of the other contracting party.

Both the Korean and the Japanese Conventions are essentially similar in substance to consular conventions which have been approved by the Senate in the past. It might be noted, however, that the convention with Korea is a new, shorter type of document than predecessor instruments, and its form is expected to serve as a prototype for future consular treaties.

Provisions in both conventions concern such matters as establishment of consular offices, appointment of consular officials, and the functions they may carry out to be of service, and offer protection, to nationals of their own States, and legal rights and privileges and immunities to be accorded consular officials in relation to the performance of their official duties.

Several consular conventions the Committee considered previously contained provisions regarding administration of estates. After members of the legal profession objected to those provisions, they were withdrawn before the conventions gained Senate approval. Articles in both of the pending conventions deal with administration of estates, that is, those functions a consular officer may perform when a national of his country dies in the territory of the other country without leaving therein any known heir or testamentary executor. The Committee has been assured by the executive branch that these provisions in the conventions with Korea and Japan have been discussed with the appropriate committees of the American Bar Association and that they are "entirely satisfactory to the bar in this country."

The executive branch informed the Committee that neither convention would have the effect of changing any limitation presently established in Federal or State laws, beyond that long provided in existing consular conventions. Nor would either convention empower the Federal Government to pass laws in any matters affecting State or local activities which heretofore it did not already possess.

After the ratification procedures set forth in the conventions have been met, the convention with Korea would remain in force for 10 years, the one with Japan 5 years. Both may continue in force beyond those terms, unless a contracting party serves notice of intention of termination.

Mr. President, inasmuch as it is believed the pending treaties would be beneficial to American nationals in Korea and Japan, the Committee on Foreign Relations recommends that the Senate give its advice and consent to ratification of the Consular Convention with Korea and the Consular Convention with Japan and its accompanying protocol.

## LEGISLATIVE SESSION

**Mr. MANSFIELD** and **Mr. SALTONSTALL** addressed the Chair.

The **PRESIDING OFFICER.** The Senator from Montana is recognized.

**Mr. MANSFIELD.** Mr. President, if the Senator from Arkansas will yield, as Senators know all the details of the various protocols and conventions, which have just been explained are carried in yesterday's RECORD, so that Senators may have the benefit of the detailed addenda pertaining to the various proposals.

In view of the fact that there seems to be no further debate on the protocols or conventions at this time, I move that the Senate return to legislative session.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

## CONSTRUCTION AT CERTAIN MILITARY INSTALLATIONS

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 549, H.R. 6500, to authorize certain construction at military installations, and for other purposes, and that it be laid before the Senate and made the pending business.

The **PRESIDING OFFICER.** The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6500) to authorize certain construction at military installations, and for other purposes.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Armed Services, with an amendment, to strike out all after the enacting clause and insert:

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

### *Inside the United States*

### Continental Army Command

### (First Army)

Fort Devens, Massachusetts: Maintenance facilities, medical facilities, troop housing and community facilities, $1,091,000.

Fort Dix, New Jersey: Operational facilities, maintenance facilities, medical facilities, administrative facilities, troop housing and community facilities, and utilities, $19,-362,000.

Fort Jay, New York: Utilities, $131,000.

### (Second Army)

Fort Belvoir, Virginia: Training facilities, $1,083,000.

Fort Eustis, Virginia: Maintenance facilities, and utilities, $297,000.

Fort Knox, Kentucky, Operational facilities, maintenance facilities, medical facilities, administrative facilities, and utilities, $1,256,000.

Fort George G. Meade, Maryland: Operational facilities, and utilities, $237,000.

Fort Monroe, Virginia: Operational facilities, and utilities, $315,000.

Fort Ritchie, Maryland: Utilities, $267,000.

Fort Story, Virginia: Maintenance facilities, $890,000.

### (Third Army)

Fort Benning, Georgia: Maintenance facilities, medical facilities, community facilities, and utilities, $3,665,000.

Fort Bragg, North Carolina: Training facilities, maintenance facilities, supply facilities, medical facilities, troop housing, and utilities, $15,886,000.

Fort Campbell, Kentucky: Operational facilities, maintenance facilities, supply facilities, medical facilities, and administrative facilites, $1,621,000.

Fort Gordon, Georga: Training facilities, $6,700,000.

Fort Jackson, South Carolina: Maintenance facilities, medical facilities, administrative facilities, troop housing and community facilities, and utilities, $9,026,000.

Fort McPherson, Georgia: Troop housing, $166,000.

Fort Rucker, Alabama: Training facilities, maintenance facilities, hospital and medical facilities, and troop housing, $5,823,000.

Fort Stewart, Georgia: Maintenance facilities, and utilities, $430,000.

### (Fourth Army)

Fort Hood, Texas: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $7,018,000.

Fort Sam Houston, Texas: Troop housing, and utilities, $216,000.

Camp Wolters, Texas: Operational facilities, $257,000.

### (Fifth Army)

Fort Carson, Colorado: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and utilities, $7,355,000.

Detroit Defense Area, Michigan: Maintenance facilities, and supply facilities, $654,-000.

Fort Benjamin Harrison, Indiana: Training facilities, troop housing, and utilities, $1,822,000.

Fort Leavenworth, Kansas: Medical facilities, administrative facilities, troop housing and community facilities, and utilities, $2,-493,000.

Fort Riley, Kansas: Troop housing and community facilities, $861,000.

Fort Leonard Wood, Missouri: Training facilities, maintenance facilities, medical facilities, troop housing and community facilities, $8,163,000.

### (Sixth Army)

Fort Irwin, California: Training facilities, troop housing and community facilities, $1,-715,000.

Fort Lewis, Washington: Utilities, $610,000.

Presidio of Monterey, California: Training facilities, $979,000.

Fort Ord, California: Operational facilities, and community facilities, $1,295,000.

Presidio of San Francisco, California: Supply facilities, $278,000.

### (Military District of Washington, District of Columbia)

Cameron Station, Virginia: Supply facilities, $250,000.

Fort Myer, Virginia: Operational facilities, maintenance facilities, and troop housing, $4,000,000.

### United States Army Materiel Command

### (United States Army Materiel Command, Headquarters)

Natick Laboratories, Massachusetts: Research, development and test facilities, $3,-408,000.

### (United States Army Missile Command)

Redstone Arsenal, Alabama: Research, development and test facilities, and utilities, $4,211,000.

### (United States Army Missile Command)

Army Chemical Center, Maryland: Research, development and test facilities, $410,000.

Fort Detrick, Maryland: Utilities, $89,000.

### (United States Army Supply and Maintenance Command)

Atlanta Army Depot, Georgia: Administrative facilities, $49,000.

Aeronautical Maintenance Center, Texas: Maintenance facilities, $1,754,000.

Oakland Army Terminal, California: Medical facilities, $532,000.

Pueblo Army Depot, Colorado: Utilities, $1,204,000.

Sharpe Army Depot, California: Maintenance facilities, and utilities, $152,000.

Utah Army Depot, Utah: Utilities, $88,000.

### (United States Army Test and Evaluation Command)

Aberdeen Proving Ground, Maryland: Research, development and test facilities, troop housing and community facilities, $4,065,000.

Dugway Proving Ground, Utah: Operational facilities, research, development and test facilities, $1,017,000.

Fort Huachuca, Arizona: Operational facilities, and utilities, $849,000.

White Sands Missile Range, New Mexico: Research, development and test facilities, and utilities, $1,248,000.

Yuma Test Station, Arizona: Community facilities, $373,000.

### Signal Corps

East Coast Radio Transmitter Station, Woodbridge, Virginia: Utilities, $88,000.

### United States Military Academy

United States Military Academy, West Point, New York: Training facilities, and utilities, $2,291,000.

### Army Security Agency

Two Rock Ranch Station, California: Operational facilities, and utilities, $222,000.

Vint Hills Farms, Virginia: Operational facilities, and medical facilities, $1,306,000.

### Army Component Commands

### (United States Army Air Defense Command)

Various locations: Operational facilities, maintenance facilities, troop housing, and utilities, $22,560,000.

### (Alaska Command Area)

Fort Richardson, Alaska: Maintenance facilities, $1,711,000.

### (Pacific Command Area)

Hawaii Defense Area, Hawaii: Operational facilities, $150,000.

Schofield Barracks, Hawaii: Maintenance facilities, and utilities, $913,000.

Fort Shafter, Hawaii: Utilities, $74,000.

### *Outside the United States*

### Army Materiel Command

Various locations: Research, development and test facilities, $740,000.

### Army Security Agency

Various locations: Operational facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $5,798,000.

### Army Component Commands

### (Pacific Command Area)

Japan: Utilities, $461,000.

Okinawa: Operational facilities, supply facilities, troop housing, and utilities, $2,554,-000.

### (European Command Area)

France: Operational facilities, and supply facilities, $3,666,000.

Germany: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $9,485,000.

### (Caribbean Command Area)

Fort Buchanan, Puerto Rico: Real estate, $111,000.

Fort Clayton, Canal Zone: Community facilities, $442,000.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount $8,900,000.

SEC. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act should be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $12,500,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1964, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 104. (a) Public Law 86–500, as amended, is amended under heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "DEFENSE ATOMIC SUPPORT AGENCY" with respect to National Naval Medical Center, Maryland, strike out "$1,891,000" and insert in place thereof "$2,852,000".

(b) Public Law 86–500, as amended, is amended by striking out in clause (1) of section 502, "$79,499,000" and "$146,429,000" and inserting in place thereof "$80,460,000" and "$147,390,000", respectively.

SEC. 105. (a) Public Law 87–57 is amended under heading "INSIDE THE UNITED STATES" in section 101, as follows:

(1) Under the subheading "TECHNICAL SERVICES FACILITIES (Signal Corps)", with respect to Lexington Signal Depot, Kentucky, strike out "$33,000" and insert in place thereof "$56,000".

(2) Under the subheading "ARMY COMPONENT COMMANDS (Pacific Command Area)", with respect to various locations, strike out "$814,000" and insert in place thereof "$1,156,000".

(b) Public Law 87–57 is amended by striking out in clause (1) of section 602, "$76,918,000" and "$130,406,000" and inserting in place thereof "$77,283,000" and "$130,771,000".

SEC. 106. (a) Public Law 87–554 is amended in section 101 as follows:

(1) Under the heading "INSIDE THE UNITED STATES", and under the subheading "CONTINENTAL ARMY COMMAND (Sixth Army)", with respect to "Hunter-Liggett Military Reservation, California" strike out "$159,000" and insert in place thereof "$232,000".

(2) Under the heading "OUTSIDE THE UNITED STATES", and under the subheading "ARMY SECURITY AGENCY", with respect to "Various locations", strike out "$4,684,000" and insert in place thereof "$6,494,000".

(b) Public Law 87–554 is amended by striking out in clause (1) of section 602, "$101,743,000", "$29,699,000" and "$148,442,000" and inserting in place thereof "$101,816,000", "$31,509,000" and "$150,325,000", respectively.

## TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

### *Inside the United States*

### Bureau of Ships Facilities

#### (Naval shipyards)

Naval Shipyard, Boston, Massachusetts: Operational facilities, and utilities, $169,000.

Naval Shipyard, Bremerton, Washington: Maintenance facilities, $1,902,000.

Naval Shipyard, Charleston, South Carolina: Operational facilities, maintenance facilities, supply facilities, and medical facilities, $3,171,000.

Naval Shipyard, Mare Island, California: Utilities, $850,000.

Naval Shipyard, New York, New York: Administrative facilities, $200,000.

Naval Shipyard, Norfolk, Virginia: Maintenance facilities, $5,382,000.

Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Operational facilities, maintenance facilities, and research, development and test facilities, $2,921,000.

Naval Shipyard, Philadelphia, Pennsylvania: Operational facilities, $90,000.

Naval Shipyard, Portsmouth, New Hampshire: Maintenance facilities, $574,000.

Naval Repair Facility, San Diego, California: Maintenance facilities, $522,000.

Naval Shipyard, San Francisco, California: Research, development and test facilities, and utilities, $274,000.

#### (Fleet support stations)

Naval Facility, Cape Hatteras, North Carolina: Community facilities, $62,000.

Naval Submarine Base, New London, Connecticut: Administrative facilities, and utilities, $823,000.

Headquarters, Commander-in-Chief, Atlantic Fleet, Norfolk, Virginia: Troop housing, $625,000.

Fleet Training Group, Naval Station Annex, Pearl Harbor, Oahu, Hawaii: Training facilities, $194,000.

#### (Research, development, test, and evaluation stations)

Navy Underwater Sound Laboratory, New London, Connecticut: Operational facilities, $1,770,000.

### Fleet Base Facilities

Naval Station, Charleston, South Carolina: Troop housing, and utilities and ground improvements, $754,000.

Naval Command Systems Support Activity, District of Columbia: Administrative facilities, $986,000.

Naval Station, Key West, Florida: Utilities, $226,000.

Naval Station, Long Beach, California: Operational facilities, $94,000,

Naval Station, Norfolk, Virginia: Operational facilities, $2,355,000.

Naval Station, San Diego, California: Operational facilities, $786,000.

### Naval Weapons Facilities

#### (Naval air training stations)

Naval Air Station, Corpus Christi, Texas: Operational and training facilities, and troop housing, $208,000.

Naval Air Station, Glynco, Georgia: Community facilities, $310,000.

Naval Air Station, Memphis, Tennessee: Operational facilities, $289,000.

Naval Air Station, Pensacola, Florida: Utilities, $73,000.

Naval Auxiliary Air Station, Whiting Field, Florida: Operational facilities, and utilities, $251,000.

#### (Field support stations)

Naval Station, Adak, Alaska: Maintenance facilities, and troop housing, $4,765,000.

Naval Air Station, Alameda, California: Operational facilities, $477,000.

Naval Air Station, Barbers Point, Oahu, Hawaii: Operational facilities, $94,000.

Naval Air Station, Brunswick, Maine: Operational facilities, and maintenance facilities, $1,075,000.

Naval Air Station, Cecil Field, Florida: Operational facilities, $150,000.

Naval Auxiliary Air Station, Fallon, Nevada: Operational facilities, $780,000.

Naval Air Station, Jacksonville, Florida: Operational facilities, and maintenance facilities, $884,000.

Naval Air Station, Key West, Florida: Operational and training facilities, maintenance facilities, troop housing, utilities, and real estate, $8,031,000.

Naval Air Station, Miramar, California: Maintenance facilities, $2,400,000.

Naval Air Station, Norfolk, Virginia: Operational facilities, and maintenance facilities, $3,242,000.

Naval Air Station, North Island, California: Operational facilities, and maintenance facilities, $2,358,000.

Naval Air Station, Oceana, Virginia: Operational facilities, and maintenance facilities, $657,000.

Naval Air Station, Quonset Point, Rhode Island: Operational facilities, and utilities, $834,000.

Naval Auxiliary Landing Field, San Clemente Island, California: Operational facilities, maintenance facilities, troop housing, and utilities, $1,092,000.

Naval Air Station, Sanford, Florida: Operational facilities, and maintenance facilities, $1,138,000.

Naval Air Station, Whidbey Island, Washington: Operational facilities, $80,000.

#### (Marine Corps air stations)

Marine Corps Air Station, Beaufort, South Carolina: Maintenance facilities, and community facilities, $538,000.

Marine Corps Auxiliary Landing Field, Camp Pendleton, California: Operational and training facilities, and maintenance facilities, $740,000.

Marine Corps Air Station, Cherry Point, North Carolina: Operational facilities, maintenance facilities, administrative facilities, and utilities, $1,400,000.

Marine Corps Air Station, El Toro, California: Operational facilities, and maintenance facilities, $2,042,000.

Marine Corps Air Station Kaneohe Bay, Oahu, Hawaii: Maintenance facilities, $621,000.

Marine Corps Air Facility, New River, North Carolina: Operational facilities, maintenance facilities, administrative facilities, and troop housing, $2,034,000.

Marine Corps Air Facility Santa Ana, California: Training facilities, $276,000.

Marine Corps Air Station, Yuma, Arizona: Supply facilities, $259,000.

#### (Fleet readiness stations)

Naval Ammunition Depot, Charleston, South Carolina: Maintenance facilities, and troop housing and community facilities, $952,000.

Naval Propellant Plant, Indian Head, Maryland: Research, development and test facilities, supply facilities, and real estate, $694,000.

Naval Torpedo Station, Keyport, Washington: Research development and test facilities, and real estate, $258,000.

Naval Weapons Station, Yorktown, Virginia: Utilities, $932,000.

#### (Research development, test, and evaluation stations)

Naval Ordnance Test Station, China Lake, California: Research, development and test facilities, $1,268,000.

Naval Air Development Center, Johnsville, Pennsylvania: Research, development, and test facilities, $780,000.

Pacific Missile Range, Point Mugu, California: Operational facilities, and research, development and test facilities; at Point Arguello, research, development and test facilities, and troop housing; and, on San Nicolas Island, research, development and test facilities, $3,869,000.

Naval Ordnance Laboratory, White Oak, Maryland: Research, development and test facilities, $6,173,000.

Naval Ordnance Missile Test Facility, White Sands, New Mexico: Research, development and test facilities, $490,000.

### Supply Facilities

Fleet Material Support Office, Mechanicsburg, Pennsylvania: Administrative facilities, $352,000.

### Marine Corps Facilities

Marine Corps Base, Camp Lejeune, North Carolina: Training facilities, maintenance facilities, and utilities, $1,892,000.

Marine Corps Schools, Quantico, Virginia: Training facilities, $735,000.

Marine Corps Base, Twenty-nine Palms, California: Community facilities, and utilities, $179,000.

### Service School Facilities

Naval Academy, Annapolis, Maryland: Training facilities, and troop housing, $12,819,000.

Naval Training Center, Bainbridge, Maryland: Utilities, $70,000.

Naval Schools, Mine Warfare, Charleston, South Carolina: Training facilities, $819,000.

Naval Amphibious Base, Coronado, California: Utilities, $163,000.

Fleet Anti-Air Warfare Training Center, Dam Neck, Virginia: Medical facilities, and troop housing, $1,812,000.

Naval Training Center, Great Lakes, Illinois: Training facilities, and utilities, $3,235,000.

Naval War College, Newport, Rhode Island: Training facilities, $65,000.

Fleet Anti-Submarine Warfare School, San Diego, California: Utilities, $175,000.

Naval Training Center, San Diego, California: Troop housing, $79,000.

### Medical Facilities

Naval Hospital, Long Beach, California: Troop housing, $336,000.

### Communication Facilities

### (Communication stations)

Naval Radio Station, Cutler, Maine: Community facilities, $240,000.

Naval Radio Station, Sugar Grove, West Virginia: Operational facilities, maintenance facilities, troop housing, and utilities, $3,480,000.

### (Security group stations)

Naval Security Station, District of Columbia: Troop housing, $231,000.

Naval Security Group Activity, Skaggs Island, California: Utilities, $341,000.

Naval Security Group Activity, Winter Harbor, Maine: Troop housing, and utilities, $262,000.

### Office of Naval Research Facilities

Naval Research Laboratory, District of Columbia: Research, development and test facilities, administrative facilities, and utilities, $6,730,000.

### Yards and Docks Facilities

Navy Public Works Center, Newport, Rhode Island: Utilities, $965,000.

Navy Public Works Center, Norfolk; Utilities, $1,658,000.

Navy Public Works Center, Pearl Harbor, Oahu, Hawaii: Utilities, $171,000.

Naval Construction Battalion Center, Port Hueneme, California: Operational facilities, and utilities, $1,490,000.

### *Outside the United States*

### Bureau of Ships Facilities

Naval Station, Subic Bay, Republic of Philippines: Community facilities, $255,000.

### Naval Weapons Facilities

Naval Station, Argentia, Newfoundland, Canada: Operational facilities, and community facilities, $1,365,000.

Marine Corps Air Facility, Futema, Okinawa: Training facilities, $202,000.

Marine Corps Air Station, Iwakuni, Japan: Operational and training facilities, $287,000.

Naval Station, Midway Islands: Community facilities, and ground improvements, $581,000.

Naval Air Facility, Naples, Italy: Operational facilities, $310,000.

Naval Station, Sangley Point, Republic of Philippines: Operatiaonal facilities, $57,000.

### Marine Corps Facilities

Camp Smedley B. Butler, Okinawa: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, and troop housing and community facilities, $6,135,000.

### Communication Facilities

Naval Radio Station, Barrigada, Guam, Mariana Islands: Operational facilities, $414,000.

Naval Communication Station, Londonderry, Northern Ireland: Operational facilities, $517,000.

Naval Radio Station, Summit, Canal Zone: Utilities, $65,000.

Naval Radio Station, Totsuka, Japan: Operational facilities, and utilities, $1,116,000.

SEC. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $71,532,000.

SEC. 203. The Secretary of the Navy may establish or develop naval installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $12,500,000: *Provided,* That the Secretary of the Navy or his designee shall notify the Committees on Armed Services of the Senate and the House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1964, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 204. (a) Public Law 87–57, as amended, is amended in section 201 under the heading "INSIDE THE UNITED STATES" and subheading "COMMUNICATION FACILITIES", with respect to the Naval Radio Station, Cheltenham, Maryland, by striking out "$151,000", and inserting in place thereof, "$238,000".

(b) Public Law 87–57, as amended, is amended by striking out in clause (2) of section 602, the amounts "$81,558,000" and "$140,663,000", and inserting respectively in place thereof "$81,645,000" and "$140,750,000".

## TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

### *Inside the United States*

### Air Defense Command

Ent Air Force Base, Colorado Springs, Colorado: Operational facilities, and medical facilities, $677,000.

Grand Forks Air Force Base, Grand Forks, North Dakota: Operational facilities and utilities, $1,439,000.

Hamilton Air Force Base, San Rafael, California: Operational facilities, and troop housing, $675,000.

Kincheloe Air Force Base, Sault Sainte Marie, Michigan: Operational facilities, maintenance facilities, and troop housing and community facilities, $808,000.

Kingsley Field, Klamath Falls, Oregon: Operational facilities, maintenance facilities, and medical facilities, $213,000.

McChord Air Force Base, Tacoma, Washington: Operational facilities, maintenance facilities, medical facilities, and community facilities, $1,436,000.

NORAD Headquarters, Colorado Springs, Colorado: Operational facilities, $7,000,000.

Otis Air Force Base, Falmouth, Massachusetts: Utilities, $91,000.

Paine Field, Everett, Washington: Maintenance facilities, $131,000.

Portland International Airport, Portland, Oregon: Operational facilities, maintenance facilities, troop housing and community facilities, and utilities, $1,659,000.

Stewart Air Force Base, Newburgh, New York: Operational facilities, maintenance facilities, and utilities, $212,000.

Suffolk County Air Force Base, Westhampton Beach, New York: Maintenance facilities, and community facilities, $907,000.

Truax Field, Madison, Wisconsin: Maintenance facilities, and community facilities, $447,000.

Tyndall Air Force Base, Panama City, Florida: Operational facilities, and maintenance facilities, $681,000.

### Air Force Logistics Command

Hill Air Force Base, Ogden, Utah: Operational facilities, maintenance facilities, supply facilities, administrative facilities, and troop housing, $2,717,000.

Kelly Air Force Base, San Antonio, Texas: Maintenance facilities, medical facilities, administrative facilities, and troop housing, $4,345,000.

McClellan Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, supply facilities, administrative facilities, and utilities, $2,132,000.

Norton Air Force Base, San Bernardino, California: Maintenance facilities, and utilities, $983,000.

Olmsted Air Force Base, Middletown, Pennsylvania: Operational facilities, and maintenance facilities, $1,247,000.

Robins Air Force Base, Macon, Georgia: Maintenance facilities, administrative facilities, and utilities, $1,240,000.

Tinker Air Force Base, Oklahoma City, Oklahoma: Operational facilities, maintenance facilities, supply facilities, and utilities, $1,025,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Maintenance facilities, research, development and test facilities, administrative facilities, community facilities, and utilities, $4,308,000.

### Air Force Systems Command

Arnold Engineering Development Center, Tullahoma, Tennessee: Research, development and test facilities, supply facilities, and utilities, $4,060,000.

Brooks Air Force Base, San Antonio, Texas: Training facilities, research, development and test facilities, and troop housing and community facilities, $1,155,000.

Edwards Air Force Base, Muroc, California: Research, development and test facilities, $9,660,000.

Eglin Air Force Base, Valparaiso, Florida: Operational facilities, maintenance facilities, research, development and test facilities, supply facilities, hospital facilities, and troop housing, $5,110,000.

Holloman Air Force Base, Alamogordo, New Mexico: Maintenance facilities, research, development and test facilities, $196,000.

Kirtland Air Force Base, Albuquerque, New Mexico: Research, development and test facilities, and troop housing and community facilities, $1,035,000.

Laurence G. Hanscom Field, Bedford, Massachusetts: Troop housing and community facilities, $602,000.

Patrick Air Force Base, Cocoa, Florida: Operational facilities, maintenance facilities, and troop housing, $1,119,000.

Sacramento Peak Upper Air Research Site, Alamogordo, New Mexico: Research, development and test facilities, $2,889,000.

Various locations, Atlantic Missile Range: Operational facilities, maintenance facilities, research, development and test facilities, troop housing, and utilities, $7,856,000.

### Air Training Command

Amarillo Air Force Base, Amarillo, Texas: Training facilities, and hospital facilities, $3,985,000.

Chanute Air Force Base, Rantoul, Illinois: Training facilities, troop housing, and utilities, $2,573,000.

Craig Air Force Base, Selma, Alabama: Operational facilities, $829,000.

Keesler Air Force Base, Biloxi, Mississippi: Training facilities, hospital facilities, and utilities, $3,319,000.

Lackland Air Force Base, San Antonio, Texas: Medical facilities, and troop housing, $1,394,000.

Laughlin Air Force Base, Del Rio, Texas: Operational facilities, maintenance facilities, and utilities, $909,000.

Lowry Ar Force Base, Denver, Colorado: Troop housing, $974,000.

Randolph Air Force Base, San Antonio, Texas: Operational facilities, administrative facilities, and real estate, $3,044,000.

Reese Air Force Base, Lubbock, Texas: Operational facilities, utilities, and real estate, $504,000.

Sheppard Air Force Base, Wichita Falls, Texas: Training facilities, supply facilities, and troop housing, $1,723,000.

Stead Air Force Base, Reno, Nevada: Operational and training facilities, $236,000.

Vance Air Force Base, Enid, Oklahoma: Operational facilities, $709,000.

### Air University

Gunter Air Force Base, Montgomery, Alabama: Administrative facilities, and troop housing and community facilities, $765,000.

Maxwell Air Force Base, Montgomery, Alabama: Maintenance facilities, administrative facilities, and troop housing and community facilities, $852,000.

### Alaskan Air Command

Eielson Air Force Base, Fairbanks, Alaska: Maintenance facilities, administrative facilities, troop housing, and utilities, $1,853,000.

Elmendorf Air Force Base, Anchorage, Alaska: Operational facilities, maintenance facilities, administrative facilities, community facilities, and utilities, $2,689,000.

Galena Airport, Galena, Alaska: Medical facilities, $145,000.

King Salmon Airport, Naknek, Alaska: Operational facilities, and supply facilities, $160,000.

Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing and community facilities, and utilities, $9,718,000.

### Headquarters Command

Andrews Air Force Base, Camp Springs, Maryland: Operational facilities, maintenance facilities, medical facilities, troop housing, and utilities, $1,996,000.

Bolling Air Force Base, Washington, District of Columbia: Administrative facilities, troop housing, community facilities, and utilities, $4,000,000.

### Military Air Transport Service

Charleston Air Force Base, Charleston, South Carolina: Maintenance facilities, supply facilities, medical facilities, and community facilities, $1,284,000.

Dover Air Force Base, Dover, Delaware: Operational facilities, $520,000.

Hunter Air Force Base, Savannah, Georgia: Maintenance facilities, $766,000.

McGuire Air Force Base, Wrightstown, New Jersey: Operational and training facilities, $487,000.

Orlando Air Force Base, Orlando, Florida: Training facilities, $191,000.

Scott Air Force Base, Belleville, Illinois: Operational facilities, $145,000.

Travis Air Force Base, Fairfield, California: Operational and training facilities, maintenance facilities, hospital facilities, and utilities, $2,716,000.

### Pacific Air Force

Hickan Air Force Base, Honolulu, Hawaii: Operational facilities, supply facilities, medical facilities, and utilities, $1,373,000.

### Strategic Air Command

Altus Air Force Base, Altus, Oklahoma: Operational facilities, and administrative facilities, $392,000.

Beale Air Force Base, Marysville, California: Operational facilities, $470,000.

Bergstrom Air Force Base, Austin, Texas: Operational facilities, and troop housing, $463,000.

Biggs Air Force Base, El Paso, Texas: Operational facilities, $174,000.

Blytheville Air Force Base, Blytheville, Arkansas: Operational facilities, maintenance facilities, administrative facilities, and troop housing, $549,000.

Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, $168,000.

Carswell Air Force Base, Fort Worth, Texas: Operational facilities, and community facilities, $841,000.

Castle Air Force Base, Merced, California: Operational facilities, and community facilities, $163,000.

Cinton-Sherman Air Force Base, Clinton, Oklahoma: Maintenance facilities, community facilities, and utilities, $329,000.

Columbus Air Force Base, Columbus, Mississippi: Operational facilities, $70,000.

Davis-Monthan Air Force Base, Tucson, Arizona; Operational facilities, and community facilities, $709,000.

Dyess Air Force Base, Abilene, Texas: Troop housing, $653,000.

Ellsworth Air Force Base, Rapid City, South Dakota: Operational facilities, $51,000.

Francis E. Warren Air Force Base, Cheyenne, Wyoming: Operational and training facilities, maintenance facilities, supply facilities, and troop housing, $1,391,000.

Glasgow Air Force Base, Glasgow, Montana: Operational facilities, administrative facilities, and community facilities, $633,000.

Homestead Air Force Base, Homestead, Florida: Maintenance facilities, and community facilities, $853,000.

Larson Air Force Base, Moses Lake, Washington: Operational facilities, and troop housing and community facilities, $722,000.

Little Rock Air Force Base, Little Rock, Arkansas: Training facilities, maintenance facilities, supply facilities, administrative facilities, and community facilities, $1,646–000.

Lockbourne Air Force Base, Columbus, Ohio: Operational facilities, and utilities, $297,000.

Malmstrom Air Force Base, Great Falls, Montana: Medical facilities, and community facilities, $609,000.

March Air Force Base, Riverside, California: Maintenance facilities, and medical facilities, $186,000.

Minot Air Force Base, Minot, North Dakota: Operational facilities, medical facilities, and community facilities, $1,408,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Operational facilities, $135,000.

Offutt Air Force Base, Omaha, Nebraska: Maintenance facilities, and administrative facilities, $663,000.

Pease Air Force Base, Portsmouth, New Hampshire: Operational facilities, maintenance facilities, supply facilities, and utilities, $410,000.

Plattsburgh Air Force Base, Plattsburgh, New York: Maintenance facilities, and supply facilities, $89,000.

Schilling Air Force Base, Salina, Kansas: Operational facilities, $94,000.

Turner Air Force Base, Albany, Georgia: Operational facilities, troop housing and community facilities, and utilities, $653,000.

Vandenberg Air Force Base, Lompoc, California: Operational facilities, hospital facilities, administrative facilities, and troop housing, $6,666,000.

Westover Air Force Base, Chicopee Falls, Massachusetts: Operational facilities and administrative facilities, $1,332,000.

Whiteman Air Force Base, Knob Noster, Missouri: Operational facilities, $80,000.

Wurtsmith Air Force Base, Oscoda, Michigan: Supply facilities, and troop housing and community facilities, $547,000.

### Tactical Air Command

England Air Force Base, Alexandria, Louisiana: Operational facilities, maintenance facilities, administrative facilities, and troop housing and community facilities, $886,000.

George Air Force Base, Victorville, California: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $4,226,000.

Langley Air Force Base, Hampton, Virginia: Administrative facilities, troop housing, and utilities, $2,067,000.

Luke Air Force Base, Phoenix, Arizona: Operational facilities, $130,000.

MacDill Air Force Base, Tampa, Florida: Maintenance facilities, $99,000.

Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational facilities, $123,000.

Nellis Air Force Base, Las Vegas, Nevada: Administrative facilities, and troop housing, $797,000.

Pope Air Force Base, Fort Bragg, North Carolina: Operational facilities, maintenance facilities, and real estate, $3,783,000.

Sewart Air Force Base, Smyrna, Tennessee: Operational facilities, maintenance facilities, and troop housing, $1,786,000.

Seymour Johnson Air Force Base, Goldsboro, North Carolina: Administrative facilities, and troop housing, $650,000.

Shaw Air Force Base, Sumter, South Carolina: Operational facilities, maintenance facilities, and administrative facilities, $1,087,000.

### Aircraft Control and Warning System

Various locations: Operational facilities, maintenance facilities, troop housing and community facilities, and utilities, $1,731,000.

## *Outside the United States*

### Air Defense Command

Various locations: Operational facilities, troop housing and community facilities, and utilities, $1,132,000.

### Caribbean Air Command

Albrook Air Force Base, Canal Zone: Medical facilities, and troop housing, $291,000.

Howard Air Force Base, Canal Zone: Operational facilities, and supply facilities, $347,000.

### Military Air Transport Service

Wake Island: Supply facilities, $34,000.

Various locations: Operational facilities, and utilities, $1,198,000.

### Pacific Air Force

Various locations: Operational and training facilities, maintenance facilities, supply facilities, medical facilities, troop housing and community facilities, and utilities, $24,557,000.

### Strategic Air Command

Ramey Air Force Base, Puerto Rico: Supply facilities, $93,000.

Various locations: Operational facilities, maintenance facilities, community facilities, and utilities, $1,407,000.

### United States Air Forces in Europe

Various locations: Operational and training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilites, troop housng and community facilities, and utilities, $23,884,000.

### United States Air Force Security Service

Various locations: Operational facilities, medical facilities, troop housing and community facilities, and utilities, $11,610,000.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $252,629,000.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with the interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $12,500,000: *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1964, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 304. (a) Public Law 83–534, as amended, is amended in section 301 under the heading "CONTINENTAL UNITED STATES" and subheading "AIR DEFENSE COMMANDS", with respect to Stewart Air Force Base, Newburgh, New York, by striking out "$2,659,000" and inserting in place thereof "$2,797,000".

(b) Public Law 83–534, as amended, is amended by striking out in clause (3) of section 502 the amounts of "$409,937,000", and "$419,766,000" and inserting in place thereof "$410,075,000" and "$419,904,000", respectively.

SEC. 305. (a) Public Law 87–554 is amended in section 301 under the heading "INSIDE THE UNITED STATES" and subheading "STRATEGIC AIR COMMAND", with respect to McCoy Air Force Base, Orlando, Florida, by striking out "$380,000" and inserting in place thereof "$408,000".

(b) Public Law 87–554 is amended by striking out in clause (3) of section 602 the amounts of "$131,651,000" and "$743,379,000" and inserting in place thereof "$131,679,000" and "$743,407,000", respectively.

### TITLE IV

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for defense agencies for the following projects:

### Defense Atomic Support Agency

Armed Forces Radiobiology Research Institute, National Naval Medical Center, Bethesda, Maryland: Research, development and test facilities, $1,200,000.

Sandia Base, Albuquerque, New Mexico: Community facilities, and utilities, $389,000.

Various locations: Utilities, $272,000.

### Defense Communications Agency

Navy Service Center, Arlington County, Virginia: Administrative facilities, $342,000.

Scott Air Force Base, Belleville, Illinois: Administrative facilities, $718,000.

Various locations: Operational facilities, $200,000.

### Defense Intelligence Agency

Arlington Hall, Arlington County, Virginia: Administrative facilities, $61,000.

Naval Station, Anacostia Annex, District of Columbia: Training facilities, $164,000.

### Defense Supply Agency

Defense Electronics Supply Center, Dayton, Ohio: Administrative facilities, and utilities, $623,000.

Defense Clothing and Textile Supply Center, Philadelphia, Pennsylvania: Maintenance facilities, and utilities, $125,000.

Defense General Supply Center, Richmond, Virginia: Administrative facilities, and utilities, $309,000.

SEC. 402. The Secretary of Defense may establish or develop classified installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $20,000,000.

### TITLE V

### *Military family housing*

SEC. 501. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and trailer court facilities, in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Administrator, Housing and Home Finance Agency, as to the availability of adequate private housing at such locations. If the Secretary and the Administrator are unable to reach agreement with respect to the availability of adequate private housing at any location, the Secretary shall immediately notify the Committees on Armed Services of the House of Representatives and the Senate, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

(a) Family housing units for—

(1) the Department of the Army, 2,631 units, $49,700,000.

Fort Greely, Alaska, 62 units.
Petroleum Distribution Pipeline, Alaska, 19 units.
Fort Richardson, Alaska, 100 units.
Pine Bluff Arsenal, Arkansas, 33 units.
Fort Irwin, California, 65 units.
Fort Ord, California, 200 units.
Fort Carson, Colorado, 280 units.
Fort Stewart, Georgia, 132 units.
Savanna Army Depot, Illinois, 32 units.
Aberdeen Proving Ground, Maryland, 200 units.
Fort Detrick, Maryland, 40 units.
Fort Leonard Wood, Missouri, 300 units.
Fort Sam Houston, Texas, 204 units.
Vint Hill Farms Station, Virginia, 30 units.
Fort Myer, Virginia, 120 units.
Fort Buchanan, Puerto Rico, 170 units.
Army Security Agency, location 04, 60 units.
Army Security Agency, location 23, 84 units.
Fort Buckner, Okinawa, 500 units.

(2) the Department of the Navy, 4,597 units, $81,200,000.

Naval Station, Kodiak, Alaska, 250 units.
Marine Corps Air Station, Yuma, Arizona, 100 units.
Naval Air Station, Alameda, California, 300 units.
Marine Corps Cold Weather Training Center, Bridgeport, California, 40 units.
Naval Air Facility, El Centro, California, 100 units.
Naval Station, Long Beach, California, 500 units.
Naval Shipyard, Mare Island, California, 300 units.
Marine Corps Base, Camp Pendleton, California, 100 units.
Naval Shipyard, San Francisco, California, 124 units.
Marine Corps Air Station, Kaneohe Bay, Hawaii, 100 units.
Naval Station, Pearl Harbor, Hawaii, 400 units.
Naval Radio Station, Cutler, Maine, 12 units.
Naval Air Station, New York, New York, 8 units.
Naval Supply Depot, Mechanicsburg, Pennsylvania, 75 units.
Naval Air Station, Quonset Point, Rhode Island, 200 units.
Naval Station, Charleston, South Carolina, 592 units.
Naval Hospital, Beaufort, South Carolina, 1 unit.
Naval Station, Norfolk, Virginia, 400 units.
Naval Shipyard, Bremerton, Washington, 300 units.
Naval Radio Station, Sugar Grove, West Virginia, 20 units.
Naval Radio Station, Sabana Seca, Puerto Rico, 100 units.
Naval Station, Roosevelt Roads, Puerto Rico, 9 units.
Naval Radio Station, Londonderry, Northern Ireland, 30 units.
Naval Facility, Subic Bay, Philippine Islands, 120 units.
Naval Security Group Activity, Edzell, Scotland, 90 units.
Naval Radio Station, Thurso, Scotland, 26 units.
Classified location, 300 units.

(3) the Department of the Air Force, 4,992 units, $88,200,000.

Elmendorf Air Force Base, Alaska, 290 units.
George Air Force Base, California, 150 units.
Vandenberg Air Force Base, California, 150 units.
Ent Air Force Base, Colorado, 200 units.
Lowry Air Force Base, Colorado, 100 units.
Patrick Air Force Base, Florida, 300 units.
Robins Air Force Base, Georgia, 100 units.
Bellows Air Force Station, Hawaii, 20 units.
Hickam-Wheeler Air Force Bases, Hawaii, 150 units.
Schilling Air Force Base, Kansas, 100 units.
Andrews Air Force Base, Maryland, 150 units.
L. G. Hanscom Air Force Base, Massachusetts, 200 units.
K. I. Sawyer Air Force Base, Michigan, 100 units.
Malmstrom Air Force Base, Montana, 200 units.
Griffiss Air Force Base, New York, 135 units.
Grand Forks Air Force Base, North Dakota, 300 units.
Minot Air Force Base, North Dakota, 300 units.
Altus Air Force Base, Oklahoma, 100 units.
Arnold Engineering Development Center, Tennessee, 40 units.
Perrin Air Force Base, Texas, 100 units.
Langley Air Force Base, Virginia, 100 units.
F. E. Warren Air Force Base, Wyoming, 200 units.
Various locations, 457 relocatable units.
Goose Air Base, Canada, 200 units.
Kadena Air Base, Okinawa, 100 units.
Naha Air Base, Okinawa, 200 units.
Clark Air Base, Philippine Islands, 250 units.
Site 4–S, 100 units.
Site QC, 200 units.

(b) Trailer Court Facilities for:

(1) The Department of the Army, 383 spaces, $657,000.

(2) The Department of the Navy, 172 spaces, $279,000.

(3) The Department of the Air Force, 984 spaces, $1,607,000.

SEC. 502. Authorizations for the construction of family housing provided in this Act shall be subject to the following limitations on cost, which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures:

(a) The cost per unit of family housing constructed in the United States shall not exceed—

$22,000 for generals or equivalent;

$19,800 for colonels or equivalent;

$17,600 for majors and/or lieutenant colonels or equivalent;

$15,400 for all other commissioned or warrant officer personnel or equivalent;

$13,200 for enlisted personnel;

(b) When family housing units are constructed in areas other than those listed in subsection (a), the average cost of all such units, in any project of 50 units or more, shall not exceed $32,000, and in no event shall the cost of any unit exceed $40,000.

(c) The cost limitations provided in subsections (a) and (b) shall be applied to the five-foot line.

(d) No project in excess of 50 units in the areas listed in subsection (a) shall be constructed at an average unit cost exceeding $17,500, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(e) No family housing unit in the areas listed in subsection (a) shall be constructed at a total cost exceeding $26,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

Sec. 503. Sections 4774(b), 7574(b), and 9774(b) of Title 10, United States Code, are each amended to read as follows: "(b) the maximum limitations prescribed by subsection (a) are increased 10 percent for quarters of the commanding officer of any station, air base, or other installation, based on the grade authorized for that position."

Sec. 504. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions, or extensions not otherwise authorized by law, to existing public quarters at a cost not to exceed—

(a) For the Department of the Army, $52,231,000;

(b) For the Department of the Navy, $1,177,000;

(c) For the Department of the Air Force, $2,363,000.

Sec. 505. Section 515 of Public Law 84–161 (69 Stat. 324, 352), as amended, is amended to read as follows:

"Sec. 515. During fiscal years 1959 through and including 1965, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military installations for assignment as public quarters to military personnel and their dependents, if any, without rental charge, upon a determination by the Secretary of Defense, or his designee, that there is a lack of adequate housing facilities at or near such military installations. Such housing facilities shall be leased on a family or individual unit basis and not more than seven thousand five hundred of such units may be so leased at ony one time. Expenditures for the rental of such housing facilities may be made out of appropriations available for maintenance and operation but may not exceed $160 a month for any such unit."

Sec. 506. Section 407(g) of Public Law 85–241 (71 Stat. 531, 556), as amended (42 U.S.C. 1594j(g)), is amended by changing the period to a semicolon and adding the following: "And provided further, That the Secretary of Defense, or his designee, may exempt from this requirement any housing at any particular installation as to which he determines that (1) the housing is safe, decent, and sanitary, so as to be suitable for occupancy; (2) the housing cannot be made adequate as public quarters with a reasonable expenditure of funds; (3) the rentals charged to, or the allowances forfeited by, the occupants are not less than the costs of maintaining and operating the housing; and (4) there is a continuing need which cannot appropriately be met by privately owned housing in the area."

Sec. 507. For the purpose of providing military family housing in foreign countries, the Secretary of Defense is authorized to enter into agreements guaranteeing the builders of such housing a rental return equivalent to a specified portion of the annual rental income which the builders would receive from the tenants if the housing were fully occupied: *Provided*, That the aggregate amount guaranteed under such agreements entered into during the fiscal years 1964 and 1965 shall not exceed such amount as may be applicable to five thousand units: *Provided further*, That no such agreement shall guarantee the payment of more than 97 per centum of the anticipated rentals, nor shall any guarantee extend for a period of more than ten years, nor shall the average guaranteed rental on any project exceed $150 per unit per month including the cost of maintenance and operation.

Sec. 508. Section 2681(b) of title 10, United States Code, is amended to read as follows:

"(b) The Department of Defense shall pay the Commodity Credit Corporation an amount not to exceed $6,000,000 a year until the amount due for foreign currencies used for housing constructed or acquired under this section has been liquidated."

Sec. 509. There is authorized to be appropriated for use by the Secretary of Defense or his designee for military family housing as authorized by law for the following purposes:

(a) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, rental guarantee payments, construction and acquisition of trailer court facilities, and amount not to exceed $247,043,000 of which not to exceed $9,400,000 is authorized to be appropriated for initial acquisition during fiscal year 1964 of 2,023 housing units, pursuant to title IV of the Housing Amendments of 1955, as amended (42 U.S.C. 1594 et seq.) and improvements to such units; and

(b) for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payments to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $473,400,000.

Sec. 510. Section 406(a) of Public Law 85–241, as amended, is amended by inserting a comma after the word "activities" and adding the following: "and no certificates with respect to any family housing units shall be issued by the Secretary of Defense or his designee or by any of the military departments in connection with section 810 of the National Housing Act, as amended,".

## TITLE VI

### *General provisions*

Sec. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529) and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

Sec. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed—

(1) for title I: Inside the United States, $154,976,000; outside the United States, $23,257,000; section 102, $8,900,000; section 103, $12,500,000; or a total of $199,633,000.

(2) for title II: Inside the United States, $115,563,000; outside the United States, $11,304,000; section 202, $71,532,000; section 203, $12,500,000; or a total of $210,899,000.

(3) for title III: Inside the United States, $158,725,000; outside the United States, $64,553,000; section 302, $252,629,000; section 303, $12,500,000; or a total of $488,407,000.

(4) for title IV: A total of $24,403,000.

(5) for title V: Military family housing, a total of $720,443,000.

Sec. 603. Any of the amounts named in titles I, II, III, and IV of this Act may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular projects that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

Sec. 604. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

Sec. 605. Contracts for construction made by the United States for performance within the United States and its possessions, under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Bureau of Yards and Docks, Department of the Navy, unless the Secretary of Defense determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

Sec. 606. (a) As of October 1, 1964, all authorizations for military public works (other than family housing) to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in Acts approved before July 28, 1962, and not superseded or otherwise modified by a later authorization are repealed except—

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

(2) the authorization for public works projects as to which appropriated funds have

been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1964, and authorizations for appropriations therefor;

(3) notwithstanding the provisions of section 606 of the Act of July 27, 1962 (76 Stat. 223, 241), the authorization for utilities and ground improvements in the amount of $125,000 for Naval Training Center, Great Lakes, Illinois, that is contained in title II, section 201, under the heading "Inside the United States" and subheading "service school facilities" of the Act of June 8, 1960 (74 Stat. 172).

(b) "Effective fifteen months from the date of enactment of this Act, all authorizations for construction of family housing which are contained in this Act or any Act approved prior to July 28, 1962, are repealed except the authorization for family housing projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before such date."

Sec. 607. None of the authority contained in titles I, II, and III of this Act shall be deemed to authorize any building construction project inside the United States (other than Alaska) at a unit cost in excess of—

(1) $32 per square foot for cold-storage warehousing;

(2) $8 per square foot for regular warehousing;

(3) $1,850 per man for permanent barracks;

(4) $8,500 per man for bachelor officers quarters; unless the Secretary of Defense determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable.

Sec. 608. The last sentence of section 2674 (a) of title 10, United States Code, is amended by changing the figure "$5,000" to "$10,000".

Sec. 609. (a) Chapter 159 of title 10, United States Code, is amended—

(1) by adding the following new section at the end thereof:

"§ 2682. Facilities for defense agencies

"The construction, maintenance, rehabilitation, repair, alteration, addition, expansion, or extension of a real property facility for an activity or agency of the Department of Defense (other than a military department) financed from appropriations for military functions of the Department of Defense will be accomplished by or through a military department designated by the Secretary of Defense. A real property facility under the jurisdiction of the Department of Defense which is used by an activity or agency of the Department of Defense (other than a military department) shall be under the jurisdiction of a military department designated by the Secretary of Defense."; and

(2) by adding the following new item at the end of the analysis:

"2682. Facilities for defense agencies."

(b) Section 610 of the Act of July 27, 1962 (76 Stat. 223, 242), is repealed.

Sec. 610. Section 412(b) of Public Law 86–149, as amended, is amended to read as follows:

"(b) No funds may be appropriated after December 31, 1960, to or for the use of any armed force of the United States for the procurement of aircraft, missiles, or naval vessels, or after December 31, 1962, to or for the use of any armed force of the United States for the research, development, test, or evaluation of aircraft, missiles, or naval vessels, or after December 31, 1963, to or for the use of any armed force of the United States for any research, development, test, or evaluation, unless the appropriation of such funds has been authorized by legislation enacted after such dates."

Sec. 611. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1964."

### TITLE VII

### *Reserve Forces facilities*

Sec. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) for Department of the Army:

(a) Army National Guard of the United States, $7,500,000.

(b) Army Reserve, $4,700,000.

(2) for Department of the Navy: Naval and Marine Corps Reserves, $5,700,000.

(3) for Department of the Air Force:

(a) Air National Guard of the United States, $15,970,380.

(b) Air Force Reserve, $4,600,000.

Sec. 702. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended, and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended, and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

Sec. 703. As of July 1, 1964, all authorizations for specific facilities for Reserve Forces to be accomplished by the Secretary of Defense, and all authorizations for appropriations therefor, that are contained in the Reserve Forces Facilities Act of 1961, and not superseded or otherwise modified by a later authorization, are repealed, except the authorizations for facilities for the Reserve Forces as to which appropriated funds have been obligated in whole or in part before July 1, 1964, and authorizations for appropriations therefor.

Sec. 704. (a) Public Law 87–57, as amended, is amended under the heading "Army National Guard of the United States (non-Armory)" in clause (1) of section 701 with respect to Point Pleasant, West Virginia, by striking out "$340,000" and inserting in place thereof "$424,000".

(b) Public Law 87–57, as amended, is amended by striking out in clause 1(a) of section 704 "$22,778,750", and inserting in place thereof "$22,862,750".

Sec. 705. (a) Public Law 86–149, as amended, is amended under the heading "Army Reserve" in clause (1) of section 501 with respect to Morristown, New Jersey, by striking out "$317,000" and inserting in place thereof "$377,000".

(b) Public Law 86–149, as amended, is amended by striking out in clause (1)(a) of section 504 "$21,530,000" and inserting in place thereof "$21,590,000".

Sec. 706. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1964."

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## SENATOR GOLDWATER, OF ARIZONA

Mr. CURTIS. Mr. President, we in this body are greatly honored in that one of our Members is the most attractive political personality in the country. The distinguished Senator from Arizona [Mr. Goldwater] has attracted a following of many millions of patriots throughout the land. They are interested in his basic ideas, his fundamental beliefs, and the depth of his convictions.

On September 8, 1963, the Nebraska City News-Press, of Nebraska City, Nebr., said in part as follows in an editorial which it published:

> Not since the crusade by those who spontaneously flocked to the banner of Theodore Roosevelt, whom the big bosses of New York tried to "bury," has any American in public life involuntarily conjured up a more brilliant picture of himself and, let it be said, it is not being over emphasized.

Mr. President, one of the most articulate and convincing statements concerning Senator Goldwater was issued by our distinguished colleague from New Hampshire [Mr. Cotton]. I ask unanimous consent that the statement of the Senator from New Hampshire giving his support to Senator Goldwater be incorporated in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

### Norris Cotton Reports to You From the U.S. Senate

I am for Barry Goldwater for President. I expect to be a candidate for delegate on his team.

I am not for Barry Goldwater because of personal friendship, though I am his friend. I am not for Barry Goldwater because I am against anyone else. There's not a Republican candidate yet mentioned that I could not in good conscience support if nominated. I am not for Barry Goldwater because I believe everything he believes. I have not, and shall not hesitate to differ with him on particular issues.

I am for Barry Goldwater because he has fought courageously and unceasingly for a philosophy of government and a way of life to which this Nation was dedicated and to which it must return if it is to endure.

I want my country to stand for something in the world, and I want my party to stand for something in the country. This administration will never command respect in the world if it continues to gyrate between belligerence and subservience, and the Republican Party will disintegrate if it continues to echo its opponents and has no higher aim than to sweeten up the voters and get back into office.

The next election must not be a mere popularity contest. It must be a fight to the finish on basic principles. The people must be given a chance to make a choice. The Republican Party must have character, not just smooth sales talk. That's why I am for Barry Goldwater.

Every passing month has strengthened my resolve and hardened my determination to go out and battle for Barry Goldwater's nomination.

This Nation has built up the most fabulous economy of all time which has made it the envy of the world and the symbol of the power and drive of free men in a free competitive system. Staring us in the face is the fact that the strength of that economy is being sapped and drained away—and at a time when we are challenged by the most powerful combination of slave nations in all history. For the life of me, I can't see how anyone can be so blind or so partisan as not to see this appalling fact. With the cost of living at an all-time high, the value of the dollar at an all-time low, the country mortgaged to the hilt with mounting debt, and jobs being destroyed by floods of cheap foreign-made goods, the best the President has to offer is nearly 200 new or expanded programs—more Federal money—more Federal power—more Federal officials. Not one positive move except tax reduction, and that imperiled by the deluge of new spending. And this 88th Congress refuses to get down to brass tacks but fritters away the months toying with these glittering panaceas.

Each day we lose friends abroad. Our NATO allies are giving us the cold shoulder. Our vaunted Alliance for Progress in South America is helping governments, not people—making the rich richer and the poor poorer. In Africa much of our money is going into wrong hands. Asia is exploding in our face.

I'm not satisfied to have this march toward disaster slowed up or even halted. I want an about-face. That means Barry Goldwater.

For obvious purposes Goldwater is being pictured as so reactionary that if he were President, we would abandon social security, retreat into isolation, bring back the McKinley tariff, and return to the kerosene lamp. That's absurd. I have known him as a Senator. He has always been responsive to the needs of the aged and the underprivileged, but his main endeavor has been for a vibrant economy that generates jobs and gives every man a chance for advancement.

The Goldwater I know is too wise to break down our foreign relations and too prudent to risk nuclear war. But the day he becomes President foreign chancelleries will sit up and take notice, knowing that the days of the soft touch are over—that they must now deal with a keen, incisive, mature mind.

Goldwater personifies the kind of Republicanism for which Arthur Vandenberg appealed in almost his last speech:

"The Republican Party must prove by its works that it knows what it takes to preserve the American way of life—to answer human needs without sacrificing human liberty—to restore public thrift to a place of respectability—to conserve both the family budget and the public treasury—to avoid forever the omnipotence of the police state or the welfare state in which man becomes the servant and not the master of his government."

I am for Barry Goldwater, and I hope you will be too.

**Mr. CURTIS.** Mr. President, I ask unanimous consent that a statement I issued on May 29, 1963, appear in the Record at this point in my remarks.

There being no objection, the statement was ordered to be printed in the Record, as follows:

### Statement by Senator Curtis

At the appropriate time, I shall enter my name as a candidate for delegate to the next Republican National Convention.

I am for Senator Barry Goldwater for the Republican presidential nomination. I intend to do everything in my power to bring about his nomination and election.

The nomination by the Republicans of Senator Goldwater for President will assure victory in 1964. His nomination will bring about an upsurge of Republicanism in every part of the country. It will assist greatly in the election of many additional Republican Congressmen and Senators.

Senator Goldwater is thoroughly experienced in the field of government at the national level. He has dealt expertly with the problems of national defense, spending, big government, communism, taxation, job creation, and the other unsolved problems that plague us.

His clear and courageous stand on basic issues, his genuineness and his personal magnetism have won for him the hearts of Americans of all parties. They love a fighter like Goldwater.

Senator Goldwater is the best qualified individual whom our country can call to the high office of the Presidency to meet the grave challenges of our time.

**Mr. CURTIS.** Mr. President, I ask unanimous consent that the Minnesota poll, published in the Minneapolis Sunday Tribune of October 6, 1963, be incorporated in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Goldwater Leads in State Republican, Independent Choices

From a list of seven possible candidates for the Republican presidential nomination next year, Senator Barry Goldwater, of Arizona, is selected by 54 percent of Minnesota's Republicans as "the strongest candidate" the party could name.

A just completed survey by the Minneapolis Tribune's Minnesota poll (the interviewing took place in late September) gives Goldwater an edge over the other six men among both GOP rank-and-file supporters and independent voters.

The list used in the survey includes the names of two men who have been prominent in Minneapolis politics—Dr. Walter H. Judd, of Minneapolis, former Fifth District Congressman, and former Gov. Harold Stassen, now of Philadelphia, Pa. Neither is among the leaders in the poll results.

Gov. Nelson Rockefeller, who until his remarriage last spring had been the favored choice of Minnesota Republicans for the 1964 GOP presidential nomination, has experienced a further drop in popularity; 22 percent of the Republicans now consider him to be the party's best bet, compared with 27 percent who felt that way at mid-August.

Voting age men and women living in all parts of the State are interviewed in Minnesota poll surveys. During the September 20–24 period, a balanced sampling of adult residents was asked:

"There (on a card list) are the names of seven men who have been mentioned as possible candidates for the Republican presidential nomination in 1964. Right now, which one of them do you think would be the strongest candidate the Republicans could nominate next year?"

The same question was asked in an August survey, but that list did not carry the names of Judd and Stassen. The responses of Republicans and of independent voters in the two surveys:

*Strongest for GOP in 1964?*

[In percent]

| | Aug. 16–20 | Sept. 20–24 |
|---|---|---|
| Republicans: | | |
| Goldwater | 52 | 54 |
| Rockefeller | 27 | 22 |
| Judd | (1) | 11 |
| Romney | 15 | 7 |
| Stassen | (1) | 3 |
| Scranton | 2 | ---------- |
| Morton | 2 | ---------- |
| Other | 1 | ---------- |
| No opinion | 1 | 3 |
| Total | 100 | 100 |
| Independents: | | |
| Goldwater | 34 | 38 |
| Rockefeller | 36 | 34 |
| Romney | 19 | 8 |
| Judd | (1) | 5 |
| Stassen | (1) | 1½ |
| Scranton | 1 | 1½ |
| Morton | 1 | 1 |
| Other | 3 | ---------- |
| No opinion | 6 | 11 |
| Total | 100 | 100 |

[1] Name not included in August survey.

Romney was identified on the survey list as "George Romney, Governor of Michigan"; Scranton as "William Scranton, Governor of Pennsylvania"; Morton as "Thurston Morton, U.S. Senator from Kentucky."

Public opinion in Minnesota toward the GOP presidential field has changed markedly since June. At that time, Goldwater led Rockefeller, 34 percent to 27 percent, among Republicans. But the New York Governor outpaced the Arizona Senator among independent voters, 39 percent to 26 percent.

The name of former Vice President Richard M. Nixon was included in the June test. Nixon was rated strongest by 9 percent of the GOP supporters and by 11 percent of the independents.

## MOSCOW AND PEIPING

**Mr. CURTIS.** Mr. President, my attention has been called to a speech delivered by the Chinese Ambassador to the United States, Dr. Tingfu F. Tsiang, concerning the split between the Russian Communists and the Chinese Communists. It is a very enlightening document, and I believe merits a place in the Congressional Record. For that reason, I ask unanimous consent that it be incorporated in my remarks at this point.

There being no objection, the address was ordered to be printed in the Record, as follows:

### Moscow and Peiping—Before and After the Split

(By Dr. Tingfu F. Tsiang, Chinese Ambassador to the United States, delivered before the Commonwealth Club of California, San Francisco, Calif., September 6, 1963)

We are all deeply interested in the split between Peiping and Moscow. Both you, the United States, and we, free China, are affected by it. While we do not know all the causes and are not ready to forecast all the future developments, we must recognize that the split is serious.

The relationship between Peiping and Moscow before the split was most unusual in the history of international relations. It was an international alliance. But it was more than that. For lack of a better word, let us call it an international comradeship. Indeed, between 1949 and 1959, the relationship between Peiping and Moscow was closer and more intimate than the relationship between any other two states in the world. Even the relationship between the Soviet Union and Poland or any of the other satellite states of Eastern Europe did not match the intimacy between Moscow and Peiping.

In addition to the alliance concluded in 1950, which led to close cooperation in international affairs, the Chinese Communists took the Soviet Union as their model in domestic affairs. Soviet agriculture with its collectivization became the model for agriculture on the mainland of China. Soviet industrialization with its planned economy and emphasis on heavy industry became the model for Chinese Communist industrial development. Soviet education became the model for mainland Chinese education. The Russian language suddenly became the first foreign language, almost the only foreign language, taught in Chinese schools on the mainland. Soviet books were translated by the thousands. Chinese students were sent to the Soviet Union by the thousands, and only to the Soviet Union. Soviet films became almost the only foreign films shown in Chinese theaters.

The trade between China and Russia throughout the 19th century and the first half of the 20th century was almost insignificant. The two countries had very little to trade with each other. From 1949 to 1959, the trade between the Soviet Union and mainland China suddenly grew to large proportions. Mainland China's industrial and mining equipment came almost exclusively from the Soviet Union and her satellites in Eastern Europe. China's exports were artificially directed to Eastern Europe, to the extent of 70 percent; in 1955 up even to 80 percent. Insofar as mainland China used foreign technicians, they were exclusively from the Soviet Union and other countries of the Soviet bloc.

"Sino-Soviet Friendship Associations" mushroomed all over China. The Chinese people were taught to learn from the Soviet Union, to appreciate and value the Soviet experience in socialist construction and in science and culture.

The relationship between Peiping and Moscow from 1949 to 1959 was certainly much more than an alliance or axis. It was a joining of hearts and souls. The world has never seen such close and intimate relations between two peoples and states.

In the winter of 1957, Mao Tse-tung went to Moscow to participate in the 40th anniversary celebration of the Bolshevik revolution. In his oration on that occasion, he said, among other things: "China has received brotherly assistance toward its Socialist construction in many fields from the Soviet Union. In celebrating the 40th anniversary of the October Socialist revolution, please allow us to express our heartfelt gratitude to the Communist Party, the Government and the people of the Soviet Union, for giving China such friendly help."

Liu Shao-chi, the chief lieutenant of Mao, in a speech on November 6, 1957, at a mass rally in Peiping celebrating the Bolshevik revolution, went even further, declaring: "The Soviet Union was always the most faithful friend of the Chinese people throughout the latter's protracted and arduous struggles against imperialism and feudalism. Soon after the victory of the Chinese revolution, the Soviet Union concluded with our country a treaty of friendship, alliance, and mutual assistance. Our country has received immence assistance from the Soviet Union in its Socialist construction. On behalf of the Chinese Communist Party, the Chinese Government and the Chinese people, I express heartfelt thanks to the Communist Party of the Soviet Union, the Soviet Government, and the Soviet people."

Yet today, in spite of these beautiful speeches, the relationship is split.

Let us look more closely at the relationship between Peiping and Moscow before the split. Let us start with the political and military aspect. The treaty of alliance of 1950 provided that if Japan or a country allied with Japan should attack China or Russia, the two allies would fight together. It is fantastic, to say the least, that Japan should be made the hypothetical enemy of the Peiping-Moscow alliance. Both parties must have known in 1950 that Japan was in no position whatsoever to commit aggression against either China or Russia in the foreseeable future.

Of course, the alliance was really directed against the United States. The reason is not because the United States has territorial designs against the Soviet Union of China, or for that matter, against any other country. The reason is both Peiping and Moscow believe that the United States alone blocks the world revolution. This is the real point of the alliance. The objective is world revolution, and through revolution, world empire. That is why both parties regard the United States as their enemy No. 1.

The Soviet Union can be said to derive a secondary benefit from the alliance. In case of conventional war, the Soviet Union, with the alliance, could concentrate her forces in Europe without having to worry about her rear in the Fart East. In the years before the Second World War, the Soviet Union was scared that she might have to fight against Germany in the West and Japan in the East. Now, with this alliance that worry disappears.

The alliance protects the Asian rear of the Soviet Union. I wish to call your attention to the fact that this Soviet objective is achieved so long as Manchuria, Mongolia, and Sinkiang are in friendly hands. These territories border the Soviet empire. For this purpose, the Yangtze River Valley and the regions south of the Yangtze are of less significance. I may add that in case of a nuclear war, this advantage disappears or is diminished.

What is important about this alliance is: The Soviet Union acquired a partner in the promotion of world revolution. In that work China has certain advantages which the Soviet Union does not possess, because the Chinese Communists could reach and infiltrate into the countries in Asia and Africa more easily than the Russian Communists.

On the part of the Chinese Communists, the alliance provides some international prestige and some sense of security, in addition to the promotion of world revolution. The prestige acquired through the alliance is proportionate to the role that they play in the international Communist movement. With a larger role the Chinese Communists would acquire a larger position in the world's affairs. With a smaller role they would become a minor factor, and would be laboring for the benefit of the Soviet empire.

If you believe that the world revolution is a matter of national interest in Russia and China, then you can say that the alliance is based on national interest. Otherwise you would have to conclude that the alliance was based less on national interest and more on ideological interest.

So much for the political aspect of the close relationship between Peiping and Moscow. Let us turn to the economic aspect. Why should China trade predominantly with the Soviet bloc? Is that trade economic? No. That trade is not based on business calculations. Again, it is based largely on political and ideological ground. China could in some cases just as well, if not better, buy her industrial and mining equipment from the free world. Likewise, she could sell her products as well, if not better, to markets in the free world. And indeed with the experience of time, the Chinese Communists have discovered that trade based on political and ideological considerations is less than profitable, and that in some cases at least they could make better bargains elsewhere. The Soviet Union, on her part, has found Communist China a bad trade partner. Mainland China supplies the Soviet Union with very few things which are really essential to the Soviet Union. China demands machinery. The Soviet Union does not have a large surplus of machinery. The economies of the two countries are, in fact, not supplementary.

In the 10-year period from 1949 tc 1959, the Chinese Communists found their economic relationship with the Soviet Union burdensome and irksome. The total credit in the form of loans extended by the Soviet Union to her Chinese comrades amounted to US$430 million. That is an insignificant sum. The greater part of the exchange of goods was made on the basis of an annual barter agreement. The Soviet Union made no grants to Communist China, and has not been in a position to extend long-term credits. Toward the latter part of this period of close relationship, mainland China's exports to Russia exceeded its imports from Russia, in order to balance the books. Moreover, the Soviet Union has been very exacting in demanding repayment.

Today, in the economic field, the two partners have simultaneously come to the same conclusion; namely, that the intimate economic relationship between the two is uneconomic.

Likewise, in the cultural field. In the past Chinese students went to all parts of the world to study—to Japan, the United States, Great Britain, France, Germany, Italy, and Belgium. Why should China, at any time and for any reason, send her young men exclusively to the Soviet Union? Is that to the interest of China's culture? Why should Chinese schools promote the study of the Russian language over and above the study of other foreign languages, and almost to the exclusion of other foreign languages? Is that to the national interest of China? The close cultural relationship with the Soviet Union, which the Chinese Communists have fostered with all their might, is again based on ideological reasons and not on national interest.

During the period of close relationship between 1949 and 1959, the Chinese Communists set up the Soviet Union as the model in China's domestic development. Just because the Soviet Union collectivized agriculture, the Chinese Communists felt that they had to do it too. Just because Stalin financed the industrialization of Russia by squeezing capital out of agriculture, the Chinese Communists thought they could do it too.

Now, China is radically different from Russia in this respect. At the time of the collectivization of agriculture in Russia under Stalin, the average size of the Soviet farm was around 25 acres. When Mao started his collectivization, the average size of Chinese farms was about 3 acres. One can squeeze considerable capital out of a farm of 25 acres, but one cannot squeeze much out of a farm of 3 acres, no matter how brutal one may be. In China the obvious realistic thing to do is to develop agriculture first. With the increase of agricultural production, the state might squeeze more out of agriculture for industrialization purposes.

In Russia, with such a large area of arable land, the obvious thing to do was to mechanize. In China, in spite of all the talk about mechanization, little has been done along this line, and not much more could be done. Collectivization of agriculture without mechanization is worse than meaningless.

So far, collectivized agriculture has nowhere proven to be as efficient as private enterprise. In the United States, with 10 percent of the people working on the farms, you produce a huge surplus over and above the needs of your people. In the Soviet Union, with 40 percent of her population working on her farms, she barely manages to supply the necessities of her people.

In this respect, the Chinese Communists have allowed their ideology to blind themselves to the realities of the situation. They think that so long as private property exists in the countryside, the ideals, habits, and desires associated with private property would eventually dominate the economy of the country and make socialism, not to say communism, impossible. The choice before the Chinese Communists was private enterprise in agriculture, with the prospect of increased production, or collectivization with subsistence on the margin of starvation. The Chinese Communists chose deliberately collectivization with subsistence on the margin of starvation.

The bond of ideology between China and Russia has been found very costly to the Chinese people. If that bond should be loosened, the Chinese certainly would not regret it.

The speeches of Mao Tse-tung and Liu Shao-chi, at the celebration of the 40th anniversary of the Bolshevik Revolution, marked the high watermark of intimacy between Peiping and Moscow. After Mao's return to Peiping, the mainland press and radio had nothing to say about his achievements during the Moscow visit in 1957, an indirect indication of failure of mission. Mao himself went into one of his periodic retreats to meditate over the course of events. In the spring of 1958, he came out to announce, with all the trumpets blowing, the "Great Leap Forward" movement. He told the Chinese people that China must depend on herself. What did that mean? It meant that the Chinese regime on the mainland could not depend on further Soviet assistance.

The "Great Leap Forward" movement materialized in two things. First, there was the movement to make iron and steel in backyard furnaces according to the old traditional methods, as practiced in the premachine age. In a way, the backyard furnace movement was similar to Gandhi's handweaving and handspinning movement in India. It was a protest against the industrialized West, in one case Great Britain and in the other, the Soviet Union. It was also a call for total mobilization of manpower. The backyard furnace movement mobilized some 70 million people and produced some substandard iron and steel. It proved very costly and wasteful, and was finally dropped.

The second part of the "great leap forward" movement was the establishment of the communes. The agricultural cooperatives were forced to join the communes, in which people lived in dormitories, ate in common mess halls, went to work and retired at the bugle call. It was a military organization of the rural population, in order that the manpower and womanpower could be mobilized to produce. The commune movement ended in disaster. By 1960, people began to starve and the Communists had to retreat.

Mao found much of his inspiration and justification for the close relationship with the Soviet Union in Marxism-Leninism and the world revolution based on it. Experience should teach him that a relationship so based could not deliver the goods he had expected. In turning from the Soviet Union to self-reliance, he again found much of his inspiration and justification in the ideology of Marxism and Leninism. Again, the new turn failed him. That was the situation in which he found himself in 1960. That was the moment when he began seriously and openly to quarrel with the Soviet Union.

It is natural that any Chinese Government should wish to maintain good relations with the Soviet Union, on the basis of equality and mutual respect for sovereignty and territorial integrity. In certain limited respects, the Communists did succeed in improving relations with China's big neighbor.

In 1950 when Mao concluded the alliance with Stalin, he did not succeed in putting it on terms of equality, for under that alliance Soviet Russia retained special rights and privileges in Manchuria and Sinkiang. Furthermore, the Soviet Union imposed joint companies to exploit the natural resources of Manchuria and Sinkiang.

In 1954, however, the inequalities in the Treaty of Alliance were removed. In that year a new agreement was concluded, under which the Soviet Union returned her share of the railroads in Manchuria to China without compensation, and gave up her special position in the two principal ports of Manchuria. The Soviet Union likewise, by the agreement of 1954, sold out her rights in the joint companies. In other words, by the agreement of 1954, the Soviet Union legally and factually respected China's sovereignty and administrative integrity in Manchuria and Sinkiang. If this agreement should continue to be respected by both sides, there is no reason why China and the Soviet Union should quarrel. What went wrong with the relationship between Peiping and Moscow was the fact that it was tied to comradeship in world revolution.

The split has come. There is no reason to doubt its reality and its seriousness. Apart from the openly stated reasons, there are, of course, others. But the openly stated grounds of the split as set forth, for example, in the letter of June 14, 1963, from the Chinese Communists to the Russian Communists and in the reply of the Russians 1 month later are genuine and serious. It would be wrong to treat the published exchanges between Moscow and Peiping as mere propaganda.

Peiping believes in the inevitability of war. Its belief is based on its conception of imperialism and its faith in Lenin's teachings. It further believes that the world revolution can be achieved only through war. It accuses Khrushchev of betrayal of Marxism and Leninism, and of cowardice vis-a-vis the United States. Holding a one-sided interpretation of the outcome of the Korean war, it proclaims that the United States is a paper tiger.

Moscow, on its part, maintains that under present world conditions war is not inevitable. It thinks that it could push the world revolution without war, and that war with nuclear weapons would be suicidal for all parties concerned.

As a nonexpert in Marxism-Leninism, I hesitate to pronounce judgment as to the rights and wrongs in this controversy. I venture, however, to say that if we take the texts of Marxism and Leninism as the basis for argument, Peiping is right and Moscow is wrong. I hasten to add that, according to my judgment, the texts of Marxism and Leninism are, in the first place, unscientific and, in the second place, out of date. Communism, if it is to survive at all, must undergo drastic revision.

The dialog between Mao and Khrushchev, translated into commonsense language, runs about as follows:

Mao says to Khrushchev: "You either make war or help me to make war, to promote the world revolution. You do neither. You are a traitor to Marxism-Leninism. You have abandoned the exploited classes in the capitalist countries and the oppressed peoples in the colonial and 'neocolonial' countries. Your idea of peaceful coexistence contradicts the teachings of Marx and Lenin. You have capitulated to the United States."

Khrushchev replies: "Under my championship of peaceful coexistence, we have secured a solid base for communism in Cuba; our comrades in the Italian Communist Party won 1 million additional votes in this spring's election, and NATO is falling apart. We have done not too badly. You do not understand the enormous advantages of a soft approach to the bourgeois world. As to nuclear war, you are either ignorant or pretend ignorance for Machiavellian reasons. I will fight the wars of my choice. I will not allow you to decide for me the question of war or peace. Since you have refused to follow my leadership, I will see to it that you do not acquire the means for making war on a large scale."

This is where the conflict rests today.

What does the split between Peiping and Moscow mean to mainland China in its domestic development? The split has stopped all Soviet technical assistance to Peiping. It has slowed down the supply of industrial and mining equipment. Mainland China must, for this reason, readjust its economic policy. But it was already forced to make readjustments during the period of the "Great Leap Forward" movement. Agriculture hereafter will be given a priority which it has not enjoyed before. Industrialization will not be pushed with the same emphasis as before.

However, the Chinese Communists do not seem to have been really roused out of their dreams. Their fanatical faith in Marxism-Leninism appears to be as strong as ever. This means that they will not make any substantial retreat in domestic economic policy. To be sure, they have allowed the farmers to cultivate as private property about 5 percent of the land and to trade freely the products of the private patches. That marks the extent of their retreat.

But they are determined not to give up the idea of collectivization of agriculture. They refuse to follow the example of Poland and condemn the agricultural policy of Yugoslavia. In fact, however, the agricultural policies of both Poland and Yugoslavia would suit China much better. For this reason, I believe that the economy of mainland China cannot make substantial and enduring improvement. It will vary from year to year according to climatic conditions, but it condemns itself to a low level of achievement because of its ideological illusions.

In foreign trade, Peiping will, of course, try to make big changes. The hothouse-nourished trade between mainland China and Eastern Europe will go down. Insofar as possible, the Chinese Communists will try to find sources of supply and markets in the free world. The countries of the free world will find the trade with the Chinese Communists as unprofitable as the countries of the Soviet bloc have found it. At this juncture, elementary prudence dictates that we should not go to the rescue of our enemy by way of trade.

The cultural bonds between mainland China and the Soviet Union will be loosened. The intellectuals on the mainland would welcome this change.

Internationally, while the drive for world revolution will be continued by both Peiping and Moscow, the split will create confusion in the international Communist movement. In many countries of the world, the Communist parties will be split into a minority pro-Peiping faction and a majority pro-Moscow faction. The in-fight between Trotsky and Stalin will be repeated today.

In this struggle for influence in the international Communist movement, Peiping is at a great disadvantage. In the first place, Peiping has smaller resources to devote to this objective than Moscow. In the second place, Peiping cannot offer to the peoples suffering from poverty and underdevelopment the example of economic progress at home. Only the more desperate elements among the Communists in the poorer countries of the world would care to follow the path of Peiping.

The Chinese people have no reason to regret the split. They only wish that Peiping would deviate further from the Russian path that it has done or is likely to do in both domestic and foreign policy. At the same time, the Chinese people have no reason to rejoice over the grounds on which the split is based. They have no interest in promoting revolutions in Asia, Africa and Latin America. They want more food and more clothing. They want less regimentation and slave-driving. They are terribly afraid that if Mao Tse-tung should mean what he has said, the scarce resources of the country would be diverted towards the objective of promoting world revolution. Mao naturally hopes that in challenging the Soviet Union, he could rally the Chinese people around him. He needs to divert the attention of the Chinese people from domestic failures to foreign adventures. In this calculation, I believe he is mistaken. He will find that his stand on international affairs makes him more isolated than ever from the Chinese people as well as from the peoples of Asia and Africa. Nevertheless, in spite of his difficulties, Mao Tse-tung will continue to oppress the Chinese people and threaten the peace and security of China's neighbors.

## TARIFFS, IMPORTS, THE TRADE EXPANSION ACT, AND THE DOMESTIC ECONOMY

**Mr. SALTONSTALL.** Mr. President, the subject of tariffs and the up-coming Kennedy round of trade negotiations are very much in the news today. This morning's New York Times carried the announcement that all commodities will be subject to possible tariff reductions at the bargaining next year in Geneva, except those specific items on which escape clause action has been taken. Therefore, this speech is being delivered at a very timely moment.

The passage of the Trade Expansion Act stands as one of the major accomplishments of the 87th Congress. This law gives the President unprecedented authority to negotiate tariff reductions with other free countries of the world. When this was first proposed, the administration projected that this bill would have a favorable effect on our overall domestic economic picture and would assist us in keeping our position as leader of the free world nations. We hope that these expectations will be borne out.

Our domestic producers have been given a challenging opportunity to increase their export trade. They will be able to take advantage of the rapidly expanding demand in many world markets for goods for which we in the United States lead in mass production, distribution and marketing techniques. In addition, our foreign posture is enhanced by a liberalized and nondiscriminatory trade policy. Contrariwise, reductions in or elimination of tariffs will mean that American markets will begin to open up to many foreign producers, and will allow U.S. consumers to take advantage of lower prices. We hope this program will help economic growth abroad, particularly in the underdeveloped nations of the world which depend on a growing export trade to achieve economic stability. Improving living standards in these areas will also help bring political stability which is definitely in the interest of all free world nations.

I supported passage of this legislation last year. I know that my friend Governor Herter, as the President's Special Representative for Trade Negotiations, will go next year into the full-scale trade negotiations to bargain with diligence and intelligence in the effort to achieve the important objectives of the Trade Expansion Act.

The State Department's announced intention to increase duties on certain imports from Common Market countries, as a consequence of the Common Market increasing duties on U.S. poultry imports, gives encouragement that we intend to bargain hard in the trade negotiations area. We have indicated that it is not our intent to sit idly by while our own industries are hurt by protectionist actions by foreign governments. One of the major objectives of the Trade Expansion Act is to expand our foreign trade opportunities, and we must stand firm in our determination to do whatever is necessary to achieve this objective. We should attempt to lower and possibly eliminate tariff and nontariff barriers which inhibit free trade where it would be beneficial to do so, but we should expect the same considerations on the part of other free nations. The whole negotiation must be conditioned on a give-and-take basis with all nations expecting to benefit from it. Useful negotiations are a two-way street.

However, we must not overlook the fact that although the overall effect of our new trade policy will be favorable, certain industries, which are especially vulnerable to an increase in imports may be severely injured. In some industries the level of imports has already risen sharply. Plant shut-downs and local unemployment may well be the unfortunate result of the ever-increasing volume of imports.

Recognizing this possibility, provisions allowing domestic industries, firms, or workers to petition for tariff adjustments or other forms of adjustment assistance were written into the Trade Expansion Act. Upon receipt of such a petition, under section 301, the Tariff Commission must conduct a comprehensive fact-finding investigation of conditions within the industry to determine whether an increase in imports, resulting "in major part" from previously negotiated tariff concessions, has been "the major factor" causing or threatening to cause serious injury to or unemployment or underemployment in an industry. Upon a determination of injury by the Tariff Commission under this section, the President is permitted to impose increased import restrictions under section 351, or to negotiate orderly marketing agreements with foreign supplying nations, limiting their imports to this country under section 352. In addition to or as an alternative to these two actions, he may provide adjustment assistance to firms and workers in the injured industry.

Furthermore, section 201(a) of the Trade Expansion Act empowers the President to enter into trade agreements with foreign countries and to impose import restrictions or other nontariff barriers if necessary to carry out a trade agreement. This can be done without a prior determination of injury by the Tariff Commission.

Continuous increases in imports have already forced many well-established firms to curtail or to shut down plant operations. Domestic manufacturers are not asking for higher tariffs to prevent further closings. Instead industries are requesting the administration to impose the quantitative controls allowed under the above sections of the Trade Expansion Act, and under section 204 of the Agriculture Act of 1956, which allows the President to negotiate agreements limiting imports of "any agricultural commodity or product manufactured therefrom."

Many industries in my own State of Massachusetts—industries which really form the core of the State's economy—have already begun to feel the adverse effects of increasing imports. Our people and their skills are the most important natural resource of Massachusetts. Most of our major industries are labor-intensive and wage costs are an important factor in determining our manufacturing costs. The majority of people in Massachusetts are skilled tradesmen enjoying a good standard of living. Competition from increasing imports hits these people heaviest. Most European nations have greatly increased their productivity; they enjoy a more favorable tax structure, and they have a lower wage scale. In many cases workers abroad are paid at least a dollar less an hour than their counterparts in the United States. These differences mean that goods imported from these nations may be sold at lower prices in our markets. This competition already has caused and will continue to cause harm to some of our domestic industries and to the people employed in them unless under the Trade Act provisions we take prompt action to grant them protection and relief.

Let me now cite some examples of what is happening to certain industries in my State of Massachusetts.

### WOOL TEXTILES

The wool textile industry has been especially hard hit by increasing imports and is seeking relief from this adversity. This industry is one of the principal sources of manufacturing employment in Massachusetts. According to a recent census of manufactures, some 30 plants in Massachusetts employ more than 14,000 persons.

Imports of wool textile products have been increasing steadily since 1958, with a sharp rise occurring in 1962. According to figures compiled by the Department of Commerce, total imports of wool textile products, including tops and yarns, woven fabrics, apparel and other manufactures, in 1958 were 32.3 million pounds of clean fiber equivalent. This represented an estimated 9.3 percent of the apparent domestic market. By 1962, 79.6 million pounds equivalent were being imported, representing 18 percent of domestic consumption. There have been further increases in imports in all categories in 1963. In the year ending March 30, 1963, imports totaled 85.4 million pounds equivalent, or 19 percent of domestic consumption.

In 1958 the United Kingdom, Japan, and Italy were the three chief exporting countries. Eighty percent of total U.S. imports came from these three sources. By 1962 these three countries accounted for approximately 71 percent of total U.S. imports with another 12 percent coming from Hong Kong, France, and Uruguay.

We are all aware that the administration has pledged to take action to meet this textile import crisis. We are also aware of the international agreement that has been entered into with regard to cotton textile products. This agreement, to place quantitative restrictions on imports of cotton textiles provides a method for preventing market disruptions and has been most helpful to our cotton manufacturers. But the continued woolen mill closings and resulting unemployment have not brought substantive action by the administration to honor its promises to limit imports of woolen textile products. It has been reported that since January of 1962, 20 wool textile mills in 10 States have shut down operations, with approximately 5,000 jobs lost. Since 1947 approximately 300 woolen and worsted mills have closed with job losses of 100,000. In Massachusetts, four major mills which employed some 950 people, closed during the period from January 1, 1962 to May of 1963. These mills were:

First. A. D. Ellis Mills, Inc., of Monson, Mass. which employed 250 people.

Second. Ames Textile Corp., Sutton's Mills Division, Andover, Mass., which employed 200 people.

Third. L. P. Stevens & Co., Inc., Marland Mill, Andover, Mass., which employed 453 people.

Fourth. Essex Woolen Mills, Essex, Mass., which employed 50 people.

Since I began to prepare this speech, I have received further notices of closing of mills in New England. The Pittsfield plant of Wyandotte Worsted Co., employing 100 people, has announced its closing. In Maine, the 115 year old plant of the North Berwick Woolen Mills has been closed. In New Hampshire, the Dartmouth Woolen Mills of Clairmont have been temporarily closed. In all three cases, management said that import competition was a major factor in the decision.

Let me cite some examples of the kind of competition that domestic suppliers face:

First. In 1962 the Division of Foreign Labor Conditions of the Bureau of Labor Statistics estimated that the average hourly cash earnings per regular employee in Japanese textile mills was 26 cents, including two industrywide bonuses paid in July and December. Fringe or welfare benefits, including unemployment insurance, health benefits, pension plans, and others, brought this total to approximately 30 cents per hour, per worker. In the United States the rate is approximately $1.69 and even higher. The Bureau of Labor Statistics has estimated that in 1962, the average hourly earnings for woolen and worsted employees in Massachusetts was $1.93, seven and one-half times that of their Japanese counterparts.

Second. As far back as 1958, representatives of the J. P. Stevens Co. testified before the Special Subcommittee on the Problems of the Domestic Textile Industry headed by Senator Pastore on the threat posed by Japanese production of men's wear flannels, ranging in weight from 10 to 18 ounces. The production manager of J. P. Stevens testified at that time:

> We have lost business to the Japanese manufacturers because we cannot meet the prices and our customers have told us on many occasions that they want to buy from us, but how could they refrain from buying fabrics which were being offered in sufficient quantities to meet their requirements at such low costs. We had Japanese fabrics sent to us by our New York office, asking our designers if they could duplicate these fabrics for cost. We had to admit, in all cases, that we could not come close to meeting the Japanese costs.
>
> On fabrics in the $3.50 to $4 range, we have found ourselves some 50 to 85 cents per yard higher than our Japanese competition. Again, our customers would come to us and say that they would rather buy from us if we could duplicate the prices, but we found on so many occasions that we could not, and what happens, our customers, of course, bought the Japanese cloths.

Only recently the J. P. Stevens Co. announced the closing of their Marland plant in Andover, Mass. Four hundred and fifty-three highly skilled textile workers are out of work due to this action. There had been no hint of labor problems, no question of the quality of the goods, and the company had invested $1,450,000 in the plant since the Korean war so that its machinery was modern and competitive. In this case again, woolen flannel cloth imported from Japan to be sold at at least 40 cents per yard less than the Stevens price was a direct cause of the plant's shutdown.

Third. Fulton Rindge, Jr., treasurer of the Ware Woolen Co. of Ware, Mass., and chairman of the Wool Manufacturers Council of the Northern Textile Association, has sent to me an example of a cloth imported from Prato, Italy, labeled 88 percent wool and 12 percent nylon content. Mr. Rindge says that his firm's selling price to duplicate the fabric as labeled would be $2.07. However, the imported cloth is sold in New York City by International Textiles, Ltd., in the $1.30 to $1.40 range.

Fourth. At the recent hearings conducted by Senator PASTORE's subcommittee, Mr. George Selden, vice president of Methuen International Mills of Methuen, Mass., introduced three samples of a polyester/worsted blend tropical suiting. The first was a blend made of 55 percent polyester and 45 percent wool which Mr. Selden said was "a product of American ingenuity, and the fabric constructions were developed at considerable time and expense by American mills." Mr. Selden also presented a comparable cloth made in a southern mill which competes with the Methuen product, and sells at a price comparable to that of the Methuen mill. The American selling price is $3.15 per yard. However, neither of these fabrics could compete in price with the $2.85 per yard duty-paid selling price, on the New York market, of a fabric produced in Japan of the same quality.

If the present rate of wool textile imports is allowed to continue unchecked, many more American firms may be forced to curtail operations, while still others may contemplate liquidation at present levels to avoid further losses.

### SHOES

Our domestic shoe producers are facing acute problems caused by dramatic increases in the level of leather and nonleather shoe imports.

In the United States there are over 1,300 shoe factories in 38 States. Like textiles, many of these factories are located in small communities which depend on them as the major source of employment and income. The industry is of particular importance to the New England economy. Approximately one-third of all American-made shoes come from the New England States. In my own State of Massachusetts, in 1961–62, approximately 73,000 persons in 56 communities were employed in the shoe and related industries. Massachusetts produced 14.8 percent of total U.S. shoes in 1962, more than any other State. However, shoe production and employment in Massachusetts have been decreasing. In 1959, one of the best years in the leather shoe industry's history, 42,000 Massachusetts people were employed in that segment of the industry alone. By 1962 this figure had fallen to 35,900. Some of this is of course due to automation, but not this much improved machinery has been installed.

Mr. Allan N. Fine, of the David Shoe Co. of Lynn, has written to me about the problems facing his factory in Massachusetts. The David Shoe Co. is the only shoe factory in the country which makes vinyl casuals to retail for $1.99 or less. However, their potential share of the market for these shoes has been taken over by Japanese imports of vinyl shoes called Duerahyde or Superhyde. Wholesalers can buy these at a price 20 to 35 cents below the price for a comparable domestic shoe. They are then sold on the retail market for the same price as the American-made shoe. Mr. Fine states that one of his customers who used to purchase 250,000 pairs of shoes yearly has decreased his order to 50,000 pairs. Others have decreased their orders from 50,000 or 100,000 pairs to 10,000 to 15,000 pairs. Domestic producers are at a severe price disadvantage in competing with these imported vinyl shoes.

Mr. Melvin Fenton, president of the Alberts Shoe Co. of Middleboro, Mass., has also supplied me with some pertinent, interesting information. Last year his company employed some 230 people. His present staff numbers 185. During this same period his monthly shoe production has fallen from approximately 48,000 pairs to approximately 30,000 pairs.

Mr. Fenton sent to me an advertisement from one of the leading department stores in Boston. The ad is for imported black oxfords for men, "made on authentic U.S. Navy surplus lasts." The ad clearly states that if the same shoes were produced domestically they would sell for $8.99. However, imported from Hong Kong, they are being sold for $4.99. Mr. Fenton states that he produces a comparable shoe but that his price to the retail store would have to be at least $4.60 making a retail price of at least $6.99 imperative.

I have in my office two pairs of shoes sent to me by the Hill Bros. Co. of Hudson, Mass. Both are black, welt-construction men's shoes. One pair was produced in the United States at a domestic wholesale price of $9.60. The other pair is an Italian import and sells on the U.S. wholesale market for $6.50. Some further examples from Hill Bros., pointing out other price differentials are:

First. Domestic men's cement with wing tips—wholesale price is $9.60. Price of comparable import is $6.50.

Second. Domestic men's cement without wing tips—wholesale price is $9.60. Italian import retails on the domestic market for $10.80.

Third. Men's slippers. Domestic wholesale price is $9.60. Import retails on the domestic market for $10.80. The markup on domestic slippers is more than 20 percent so retail price of domestically produced slipper would be $11.50 or more.

Many of the problems faced by the shoe industry, as I stated before, stem from increasing imports from low wage countries which are rapidly developing high production levels and low cost production techniques, often with American assistance. Labor costs, which represent up to 30 or 40 percent of the factory value of a pair of shoes, average 36 cents per hour in Japanese shoe factories. In Italy the wage is about 49 cents per hour. Two other countries which account for a sizeable number of shoe imports, the United Kingdom and Switzerland, have average wage rates of 97 cents and $1.15 per hour, respectively. The wage rate in the United States averages $1.95 per hour.

Imports of leather shoes alone during the year 1962 increased eightfold over the 1955 level, from 7.8 million pairs to 55 million pairs. This means that 8.2 percent of the potential domestic shoe market was captured by imports in 1962. If we add to this the imports of other types of nonleather footwear, including such items as sneakers, which are a major item in my State and which are directly competitive or interchangeable with leather footwear, imports totaled some 12 percent of apparent domestic consumption in 1962. In 1955, imports took 1.3 percent of the domestic market. Exports during this 7-year period declined from 4.6 million pairs in 1955 to 2.9 million in 1962, a decrease of 38 percent.

In this same period, total footwear imports from Japan have risen from 2.7 million pair to 28 million, a tenfold increase. Italian imports increased elevenfold to approximately 14.5 million pairs in 1962. These two countries alone account for 78 percent of our leather shoe imports. Imports from the United Kingdom and Switzerland during the 1955 to 1962 period increased 1.1 million and 219,000 pairs respectively.

According to the National Shoe Manufacturers Association, during the first 5 months of 1963 imports have increased some 35 percent over a comparable period last year. Imports represent some 14 percent of domestic consumption for this period. During this period imports from Japan totaled 24.9 million pairs valued at $13.7 million and imports from Italy totaled 9.8 million pairs. Imports from all other countries totaled 10.8 million pairs. According to a publication of the Foreign Trade Committee for the Shoe Manufacturing Industry, it is feared that based on these import trends, imports will rise to 77 million pairs this year and will go as high as 125 million by 1965, accounting for 17 percent of the domestic consumption market, with a resulting loss of 47,000 job opportunities in the nationwide industry.

### ELECTRONIC PRODUCTS

Mail received from representatives of the electronics industry at the time that the Trade Expansion Act was under consideration by the Congress indicated that imports of certain electronic devices were steadily increasing. For this reason, industry representatives expressed concern over the effects that the further tariff reductions contemplated under the trade proposal, might have.

In Massachusetts we have developed a substantial electronics research and production industry. Presently 371 firms in Massachusetts are engaged in manufacturing electronic products. According to the Electronics Industries Association, in July of 1959 these firms employed some 88,000 Massachusetts people. Statistics computed by the Department of Labor and Industries in Massachusetts indicate that in August, 1963, 89,500 persons were employed in the communications equipment, electronic components, and other electrical machinery categories of the electronic industry. During the period August 1962 to August 1963, employment dropped by 7.6 thousand. We want this industry to grow, but it has been hurt by imports.

Mr. Robert Sprague, chairman of the board and treasurer of the Sprague Electric Co. of North Adams, Mass., has in his capacity as chairman of the imports committee of the Electronic Industries Association, sent me some general background figures which are pertinent to this study. They are as follows:

### U.S. IMPORT STATISTICS

Radio receivers: 11.1 million units in 1962; 6.5 million units in 1960. Increase: nearly double in 2 years.

Television receivers: 128,000 units 6 months 1962; 135,000 units 5 months 1963; total, 263,000 in 11 months. Increase: Current imports about 10 times 1961 level.

Radio tubes: 51.9 million units in 1962; 27.6 million units in 1960. An increase of 90 percent in 2 years.

The electronics industry is an especially high labor content industry, and wage costs represent a significant percentage of the industry's manufacturing costs. Furthermore, the research and development programs which must be continually supported by the industry to develop new products and techniques and to improve old ones are expensive to finance. However, like other industries facing import competition, our domestic electronic firms compete with firms in countries where wage rates are significantly lower than our own. The primary competitive nation is Japan where the wage rate is about one-fifth of ours, as shown by the following table:

### JAPANESE EXPORT STATISTICS (TO THE UNITED STATES)

Television receivers: 158,591 units in 1962; 23,151 units in 1961. Almost a sixfold increase in 1 year.

Condensers: 70 million units in 1962; 34 million units in 1961. More than a 100-percent increase.

Transistors: 11 million units in 1962; 5.7 million units in 1961. Almost a 100-percent increase.

Semiconductors: 7.6 million units in 1962; 4.1 million units in 1961. An 85-percent increase.

Parts for electronic products (general): $11.2 million value in 1962; $128,000 value in 1961. An increase of almost 900 percent.

The Electronic Industries Association of Washington has given me some detailed information on conditions in the transistor radio segment of the electronics industry. U.S. producers of transistor radios have lost more than two-thirds of the total U.S. market to imports in recent years. In 1957, the first year that imports became a significant problem to the industry, out of a total domestic sale of 1.7 million units, 100,000 were imported. By 1962, out of a total domestic sale of 16.3 million units, 11.1 million units were imported. In other words, some 68 percent of the potential domestic market was lost to imports last year. The industry's current projections indicate that as much as 72 percent of the 1963 market will be lost to imported radios.

Japanese imports alone have captured about 63 percent of the U.S. transistor radio market. During 1962, transistor radios were imported at an average value of $6.52. Thus far this year the value is $6.14. The factory sales value—excluding excise tax—of U.S.-made transistor radios was $19.80 in 1962 and $18.70 to date, 1963. Although these value comparisons do not have precise validity, it is felt by the industry that a precise comparison would show much the same disparity.

The Electronic Industries Association points out yet another consideration which affects this situation. Productivity in Japan has improved significantly in the years since 1955 due to a wage hike of only 8 percent and due to the fact that the Japanese have used a large percentage of their gross national product for capital investment, a larger share than many of the leading industrial nations of Europe.

### WHAT STEPS CAN WE TAKE?

I hope that firms and workers with strong cases will continue to seek administrative relief by filing petitions under section 301 of the Trade Expansion Act with the Tariff Commission. The Commission has denied all eleven of the petitions thus far presented to it. The commodities affected are softwood lumber, hatter's fur, earthenware table and kitchen articles, household china, tableware and kitchenware, certain Canadian blend whisky, china household dinnerware, sodium glutamate technical, unmanufactured zinc, transistor radios, iron ore, and cotton sheeting. Five of the above petitions were submitted in behalf of industries, two in behalf of individual firms, and four by worker groups. One new petition has been filed by a worker group in a ceramic mosaic tile factory. I hope that the inflexible interpretation of the criteria in the law used by the Commission in the past for granting relief to petitioners will be modified. It remains to be seen whether additional legislation will be necessary to aid our industries claiming serious injury from imports.

In preparation for the so-called "Kennedy round" of negotiations next year, careful consideration must be given to the effect that any contemplated tariff actions will have on domestic industries and workers. The list of commodities on which tariff reductions might be negotiated will be published shortly. At that time, any industry which feels that it will be severely injured by future tariff reductions may appear before the investigators of the Tariff Commission and before the representatives of the interagency Trade Information Committee at public hearings. I urge all industries which fear they will be seriously injured by tariff concessions to prepare strong arguments to support their contentions for presentation at these hearings. Governor Herter will make final recommendations to the President on the items selected for tariff concessions at the negotiations at Geneva based on the determinations made by the Tariff Commission and the

Trade Information Committee at the conclusion of the public hearings.

We can and should take immediate action to aid our domestic wool textile and shoe industries. Under section 204 of the Agriculture Act of 1956, these industries should be able to obtain the relief they seek. It is under this authority that the International Agreement on Cotton Textiles has been concluded, and I believe that a similar agreement for wool textiles should be resolutely sought. The Administration has promised such action, and it is time they gave real substance to their promise.

We should attempt to obtain a similar agreement with the countries that are capturing our domestic shoe markets. The growth and development of the shoe industry has been thwarted. It will deteriorate further unless action is taken to limit the volume of imports. I believe that the authority for such an agreement is contained in the Trade Expansion Act as well as in the Agriculture Act of 1956.

The manufacturers of small electronic products fear that even without reductions in present U.S. tariff rates, imports from Japan and from other countries within the European Economic Community will continue to increase and will possibly be accelerated. Present tariff rates are not posing any barriers to the infiltration of our domestic markets by foreign producers. The industry intends to present its case to the Tariff Commission at the appropriate time with the hope that further tariff reductions, which would cause intensive injury to the domestic industry, will not be granted.

Many thousands of people, both at home, and abroad, will be affected by any trade agreements made among the nations of the world. We hope to be able to lower some of our trade barriers and to increase our export trade through the Trade Expansion Act. We want to see this trade increase, but this must be done in an orderly way so that the whole effect is a higher standard of living, both for the United States and for the other nations of the world. We in Congress have given to the President the responsibility for assessing all of the factors and problems involved, and for deciding on a course of action which will be beneficial in the long run to all concerned and help to achieve the objectives of the trade expansion program. That action can and must follow if certain of our industries are to continue to advance and to give employment to our citizens.

I hope that not only will the Tariff Commission listen carefully to the evidence that is presented and act upon it, but that Governor Herter, who has been my associate in different capacities over many years, will give thoughtful consideration to the tariff recommendations when he begins to conduct the very difficult trade negotiations with other countries.

## ARCHITECTS CALL FOR EXPERT COMMONSENSE IN CAPITOL BUILDING

**Mr. PROXMIRE.** Mr. President, there has been much criticism of the architecture of the Capitol and of the amount of spending Congress has done on itself, in various ways, especially in connection with construction. We have been concerned with the east front construction and its cost; and it seems that there is still a similar problem in connection with future construction at the Capitol.

The American Institute of Architects, an eminent organization which is widely recognized as being professionally competent and authoritative, has come forward with a very helpful and useful suggestion in keeping with the proposal made by the chairman of the House Subcommittee on Legislative Appropriations; namely, that nationally known and acknowledged experts be retained to make a study, and to report on it, on the structural conditions of the Capitol, and that they also be retained before future alterations are made in the structure of the Capitol, because these changes involve expenditures of many millions of dollars.

I ask unanimous consent to have printed in the RECORD, in connection with this statement, a statement of the American Institute of Architects concerning the proposal to extend the west front of the Capitol.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

### STATEMENT OF THE AMERICAN INSTITUTE OF ARCHITECTS CONCERNING THE PROPOSAL TO EXTEND THE WEST FRONT OF THE NATIONAL CAPITOL, OCTOBER 7, 1963

The American Institute of Architects, now in its 107th year, is a professional association composed of over 15,000 members representing leading practitioners and teachers of architecture, with representation in all States of the Union. The institute feels that the significance of the Capitol of the United States as the Nation's highest symbol of government must be preserved, and that alteration to the west front of the Capitol should not be made unless absolutely necessary.

Today, the west front contains the last remaining external vestiges of the Capitol as it was originally designed and built. It is the only important visible link with the beginnings of the building. If the west front of the Capitol is extended, we will have buried the last of those walls that date from the early years of the Republic, and will have obscured a part of our history that can never be restored.

The institute believes that the historic and architectural significance of the Capitol is seriously endangered by current proposals to extend the west front. These proposals appear to have dual objectives: (1) to correct what is reported to be serious structural deficiencies, and (2) to provide needed additional space. It is essential that these two distinct objectives not be confused. Each must be considered separately and on its own merit.

The east front extension at least followed the original facade design; however, proposals to extend the west front could completely change the configuration, the design, and consequently the appearance of the Capitol. These proposals could be of such a drastic nature that the institute supports the suggestion of Representative TOM STEED, chairman of the Subcommittee on Legislative Appropriations of the House Committee on Appropriations, made during the subcommittee's hearings May 17, that "nationally known experts" be retained to "make a thorough study and report" of the Capitol's structural condition.

The American Institute of Architects recommends that the full facts be studied as soon as possible and that the Congress hear expert and public testimony on the results of these studies to insure full public knowledge. The institute further recommends that a comprehensive master plan for the future development of the Capitol, including the Capitol Hill area, be developed. Any piecemeal construction should be delayed until such a comprehensive plan has been prepared and approved.

## RECORD STOCK MARKET HIGH, RECORD PROFITS, RECORD PERSONAL INCOME—NO TIME FOR TAX CUT

**Mr. PROXMIRE.** Mr. President, news items of the last several weeks have suggested that the administration might be supporting the tax-reduction bill by a fear technique. The implication seems to have been sent abroad in the land that without a tax cut this year, an economic recession is imminent.

I am delighted to see now the news stories which indicate that the administration is in fact not forecasting a recession. One of the recent news stories dispelling this fear appeared in the Wall Street Journal for Monday, October 21. I ask unanimous consent that this article be printed in the RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

**Mr. PROXMIRE.** Mr. President, this article indicates both Treasury Secretary Dillon and Walter Heller, of the President's Council of Economic Advisers, seem to have been sounding an alarm, last week, concerning the continuation of economic growth. In fact, however, the Business Council of Economists, meeting in Hot Springs, Va., has estimated that "even total absence of a tax cut wouldn't prevent business from rolling along without a recession next year." The administration forecasters now seem to be agreeing with this Business Council projection.

This is, indeed, good news. Certainly we in the Congress should never make policy from a position of intimidation or fear. It would have been extremely unfortunate if the prior impression by administration spokesmen had been allowed to stand.

At the same time, it is also good news that business and administration forecasters now anticipate that the economy will continue to expand through 1965.

Mr. President, I think all of us recognize that economic forecasting is an art, and anything but a science; and economic forecasters often have been wrong. However, if ever there is a time to have a tax cut, it is not in a period of economic expansion, and certainly it is not at a time when the preponderance of economists agree that the outlook for the future is for business expansion.

The whole heart and soul of the argument in favor of making a tax cut at this time is that tax reduction is needed in order to promote further growth and to prevent stagnation of the economy.

I think there are times when a tax cut should be made—certainly, for instance, when there is a recession. But yesterday's stock market reached the highest level in history; corporate profits have never been as high; personal incomes have broken all records. A tax cut at this time would use up ammunition which we should keep in readiness for use when, in the future, we face a recession, if we do face one.

Of all times to cut taxes, this is probably the worst. If a tax cut should be made now, in order to prevent a recession, then when would a tax cut not be justified?

EXHIBIT 1

[From the Wall Street Journal, Oct. 21, 1963]

### ADMINISTRATION MOVES TO DISPEL IMPRESSION RECESSION IS DUE IN 1964 IF TAXES AREN'T CUT

(By Richard F. Janssen)

HOT SPRINGS, VA.—Top Kennedy administration officials moved to dispel the impression created last week that they see a recession early next year unless the $11.1 billion tax cut is passed quickly.

At the same time, however, some of the optimism of business council officials here began to fade. The council's economists had said previously that the Nation will get through all next year with no recession, even without a tax cut.

The narrowing of the apparent gap between Government and business appraisals of the economy came over the weekend at the semi-annual meeting of the council, a group of 175 business leaders set up to advise Government on specific business-relations matters. The council doesn't take policy stands or make forecasts, but traditionally a group of 30 economists serving the council's member executives does predict the business outlook, and a summary of their forecast is passed on to reporters.

If the jockeying for common ground between Government and business forecasters didn't produce a very specific outlook for next year, it did finally yield some consensus that uncertainty about the timing, size and indeed the prospects of a tax cut do make the outlook much less clear than it would be otherwise. The contention of administration men that Government spending probably would rise sharply as an antirecession measure if there is no tax cut brought a number of converts to the tax-cut cause among the executives, officials related.

#### CONTRASTING STATEMENTS

Treasury Secretary Dillon and Walter W. Heller, chairman of the President's Council of Economic Advisers, rang economic alarm bells last week with public statements strongly hinting they didn't see how the recovery could continue very far into next year unless new zip was given the economy by the tax cut.

In contrast came the business council economists' projection, as passed on by W. B. Murphy, president of Campbell Soup Co., that even total absence of a tax cut wouldn't prevent business from rolling along without a recession next year.

Testifying before the Senate Finance Committee on Friday, Mr. Dillon said he was certain that economic growth necessary to produce additional Federal revenue "would not continue" without a tax cut. The way business cycles generally run, means that "in effect one might say we're living on borrowed time, although I don't see an immediate downturn," he said.

Efforts soon were begun to harmonize the various forecasts. Emphasizing that he's not predicting a recession will start next April 1, Mr. Dillon told reporters at Hot Springs that by that time the present upturn will have lasted 37 months, matching the longest peacetime recovery on record except for the long pull out of the depression of the 1930's. "I don't think anyone expects things to slow down by that date, but after that, we'll be breaking new economic ground," he said, where chances are "obviously greater" that factors presently lending strength will "work themselves out." It isn't expected, for instance, that Federal spending will grow as fast next year as now.

He wasn't specifically forecasting a recession, he stressed, but merely asserting that as the time goes on chances increase that the economy won't continue to gain without a tax cut. An exact prediction of the timing of a downturn just isn't possible, he added.

#### ANOTHER FORECAST

One administration official privately stretched his outlook for continued good business to as far ahead as the whole first half of 1964, even without the cut. Another, Commerce Under Secretary Franklin D. Roosevelt, Jr., said at the closed meetings with the business leaders he certainly didn't predict that a recession is likely to develop during the next quarter and that he didn't overemphasize the contention that the tax cut is a good general defense against recession.

Frederick R. Kappel, chairman of American Telephone & Telegraph Co. and Business Council chairman, said he doesn't think anyone is seeking the tax cut to ward off a recession "that's as imminent as 1964." He chided reporters for finding a difference he said doesn't exist between the Government and business forecasts. At least part of the problem may be more semantic than economic, some officials suggested later, with administration men viewing failure to expand as a recession, and businessmen figuring a recession isn't present until things actually turn downward. Mr. Kappel said his own view is that the economy would advance "more rapidly and more generously" with a tax cut than without.

Closed-door discussions among the business leaders evidenced less optimism than the public statement, some sources said. Aside from the usual inclination of many businessmen to talk cheerfully in hopes it will help sales, the brighter public forecast could also spring from reluctance to admit that their companies need Government action, such as a tax cut, in order to grow again next year. Citing tax-cut uncertainties, council officials limited the public aspect of their economists' forecast to a shorter range than usual. Their forecast of a gross national product around $582 billion for this year was in line with administration thinking, but no figures for any part of 1964 were offered.

#### NEGATIVE REACTION

Both business and Government proponents of the tax cut find the antirecession argument a potent weapon in seeking support, but also a risky one to wield. Too much talk of a recession could lead to negative business and consumer decisions that could actually bring on one, some sources said, especially if many of those who hear the argument decide there won't be a tax cut. On the other hand, some tax-cut backers worry that talk of continued prosperity even without a cut could perilously lessen public support for the cut.

Mr. Dillon expressed the cautious belief it is "possible" the Senate will complete work on the bill this year. A long delay would allow more time for political hazards to appear, officials fear. Thanks to work of the House Ways and Means Committee, Mr. Dillon said, the bill is in better "technical" shape than any other major tax bill has been.

Senator HUMPHREY, of Minnesota, Democratic whip, said he thinks the civil rights bill must have priority over the tax cut. The prospect of a Senate filibuster on civil rights, of course, threatens a long delay on tax action if civil rights is taken up first. Senator HUMPHREY didn't address the business gathering here, but explained that he had come only for a weekend holiday. Senator SMATHERS, Democrat, of Florida, a Senate Finance Committee member, was a meeting speaker.

## SECRETARY OF AGRICULTURE PROVIDES QUOTAS ON DAIRY IMPORTS

Mr. PROXMIRE. Mr. President, recently the Secretary of Agriculture announced that shipments of certain dairy products would henceforth be limited under a voluntary agreement. These imports had previously escaped quota controls and had seriously affected the market for domestic cheese products.

In its most recent newsletter, the National Milk Producers Federation has commented on these quotas. I think that this newsletter should be of interest to all the Members of the Senate and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the newsletter was ordered to be printed in the RECORD, as follows:

### NEW AGREEMENTS ON DAIRY IMPORTS REACHED

Several dairy exporting nations have agreed to a temporary limit on dairy shipments to the United States, the Secretary of Agriculture announced on October 9. The agreements cover Colby cheese, Junex, and frozen cream. Imports of these products have resulted in millions of dollars of added cost to the domestic agricultural programs. The National Milk Producers Federation had requested that they be controlled.

Imports of Colby cheese from the three largest exporters, New Zealand, Australia, and Ireland, will be held to 11.2 million pounds for the fiscal year 1963–64. The Secretary estimates that total Colby imports will be reduced about 10 percent below the 12.8 million pounds imported in 1962–63. The imports of Colby developed after it was discovered that they could be used to circumvent the import quota on Cheddar cheese.

Australia has agreed that its exports of Junex to the United States in the calendar year 1964 will not exceed 2,240,000 pounds. This is a reduction of about one-third from the 1963 level. Junex is described as a butterfat-sugar mixture containing just under 45 percent butterfat. This also is an import developed after import controls were applied to such mixtures containing 45 percent or more of butterfat, the Federation stated.

Frozen cream imports from New Zealand will be held to 1.5 million gallons for the calendar year 1964. This is an increase of approximately 50 percent over the level expected for the current year.

The Secretary has agreed in the announcement that if these arrangements do not hold imports to the indicated levels, action will be initiated under section 22 of the Agricultural Adjustment Act for more effective controls.

While this arrangement is not what had been hoped for, commented E. M. Norton, secretary of the Federation, it is a step in the right direction and a recognition by the administration of the seriousness of the problem. "We are aware of the roadblocks which the Secretary of Agriculture faced," he added, "and we appreciate the sincere efforts made in behalf of American dairy farmers in this difficult area."

## SUPERSONIC WASTE OF TAXPAYERS' MONEY

Mr. PROXMIRE. Mr. President, I have repeatedly criticized the proposed expenditures by which the Federal Government will participate in assisting the aviation industry to obtain a supersonic aircraft. Now the evidence is beginning to accumulate that even the commercial airline industry itself has grave doubts concerning the merits of this program designed on their behalf. The most recent evidence of these doubts is contained in the October 7 issue of the Wall Street Journal. This article entitled "Supersonic Grief?" indicates the nature of the questions which should have been asked about this program before it was initiated.

In 1963 some $20 million was appropriated to the FAA for initial development of a supersonic aircraft. In the 1964 budget there is a request for an additional $60 million for the same purpose. Yet, even the FAA Administrator, Najeeb Halaby, has conceded that a supersonic transport might not operate profitably.

Many other knowledgeable persons are beginning to express the same doubts. Mr. W. C. Mentzer, senior vice president of United Air Lines, Inc., has been quoted as saying that the economics of the supersonic program are ridiculous. Other airlines people have referred to the program as a supersonic depression.

One CAB official has predicted that there will be overcapacity for some time after the supersonic planes are introduced and that a number of airlines will have to fail. This, in turn, of course, will reduce the level of competition in the industry.

I think a much more convincing case can be made for us to hold back on Government funds and permit other nations to do the costly experimentation associated with the development of such a plane. Then, if the program is a success, our own airlines can make a decision as to whether to purchase the aircraft. If our Federal Government launches into this program, it will be simply another case of Government expenditures for the sole purpose of national prestige, exactly in the same way that the moon program was justified until the President announced that we would cooperate rather than compete with the Soviet Union.

I ask unanimous consent that the article to which I referred be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### SUPERSONIC GRIEF—SOME AIRLINES QUESTION VALUE OF PLANES FLYING AT 2,000 MILES AN HOUR—THEY FEAR EXCESS CAPACITY, HEAVY COSTS, BUT RIVALRY MAY FORCE LINES TO BUY—U.S. DESIGN COMPETITION ON

(By Louis M. Kohlmeier)

WASHINGTON.—The supersonic airliner, possibly a traveler's delight of the 1970's, may bring little pleasure to its corporate operators or to Government overseers of aviation.

Distant though the plane's arrival may seem, some airline executives already are foreseeing an era of overcapacity, suicidal competition, and shriveling profits. They expect the craft to be painfully expensive to buy and fly; it may not haul enough passengers to pay its way effectively, many fear. Thus a potential need for fare increases is forecast. Some airline men even question the need of flying from New York to London in 3 hours when today's jets do it in 6 or 7.

To W. C. Mentzer, senior vice president of United Air Lines, Inc., the economics are ridiculous. To some airline men, the prospects add up to a supersonic depression, comparable to the squeeze that accompanied the adoption a few years ago of big, costly jet planes. Only now has the industry recovered and headed toward new heights of prosperity.

#### SOME WASHINGTON OPTIMISM

Most Washington aviation officials tend to talk more optimistically; they're deeply enmeshed in the Government-industry plan to develop a 2,000-mile-an-hour plane and they're hoping for congressional OK of the first funds soon. But even Federal Aviation Administrator N. E. Halaby concedes a supersonic transport might be developed that couldn't operate profitably.

It's calculated the American supersonic craft could cost $26 million each, more than four times the $6 million price of today's big jets. Federal aircraft experts predict "fuel costs will be very great" and crew payrolls high. Officials aren't sure the plane's great speed, permitting more frequent trips, will be enough to offset its high costs.

Also, at least one Civil Aeronautics Board official predicts that the overcapacity that can be expected "for some time after supersonics are introduced" will be "quite painful." On the extra-competitive North Atlantic run, he says, the 19 operators now flying won't all be able to survive. "The numbers will have to come down, through bankruptcies or mergers or some way."

To prove or disprove these arguments will take some time. The supersonic transport (SST for short) is today only a paper airplane on drawing boards of U.S. agencies and aircraft companies, of a British-French consortium and probably of the Soviet Union. Commercial flight at twice or three times the speed of sound raises technical problems far more complex than any encountered in developing previous generations of airliners.

#### PRESTIGE RACE

Yet the supersonic era without doubt is coming, if only because development of the SST has become a race among governments for national prestige and domination of the world airliner market in the next decade. Given the huge sums the governments seem willing to spend, most of the technical problems probably can be solved in the next few years.

This very government sponsorship worries some aviation authorities. "The primary push behind this is not economic, it's national prestige," says one CAB official. "It's like shooting for the moon but there economics don't matter like they do here. Here somebody's going to have to pay for it."

The governments nevertheless are going ahead. In the United States, the Federal Aviation Agency has started a design competition for airframe manufacturers and engine makers, with proposals due January 15. Airframe designs are being worked up by Boeing Co., Lockheed Aircraft Corp., and North American Aviation, Inc., and engine designs by United Aircraft Corp., Curtiss-Wright Corp., and the flight propulsion division of General Electric Co.

If one airframe and one engine design are clearly superior, the FAA hopes to make a selection May 1. If not, there will be a runoff between two airframe and two engine makers, with the winning combination to be selected by the spring of 1965. Plans call for a prototype to be ready for test flights in 1968, and for production models to be delivered to airlines hopefully by 1970.

#### BILLION-DOLLAR BILL

So far none of the companies preparing to enter the design competition for an American SST has committed itself to chipping in toward development costs, though President Kennedy has proposed manufacturers put up 25 percent of the total $1 billion bill expected, with the Government picking up the rest. Even if the Government puts up the whole amount, however, it expects eventually to recoup by collecting royalties from airlines that buy the SST. The British and French Governments are footing the entire $450 million bill for developing a European SST, which already has been named the Concorde; it too is supposed to be ready for airline service by 1970.

Once these planes are flying, the FAA forecasts a world market potential for 216 American 2,000 m.p.h. planes and 125 slower, smaller Concordes. This assumes an increase of almost 300 percent in free world air traffic by 1975, and the FAA concedes industry officials consider this traffic projection too optimistic.

But the competitive pressures of the airline business undoubtedly will force many lines to by SST's, if only to keep up with the first lines that do. Even before the planes fly, there are signs of such a movement beginning.

British Overseas Airways Corp., owned by the British Government, and Air France, controlled by the French Government, lined up early for preferred delivery positions when the first Concordes come out. Their actions seem to have been the spur behind an order for six Concordes by Pan American World Airways, their main competitor on international routes.

Among lines flying U.S. domestic routes, Continental Airlines has ordered three Concordes, and American Airlines, which competes with it, is expected to announce a decision on Concorde buying soon, perhaps this week. L. B. Maytag, Jr., president of National Airlines, is returning from Europe where he has been looking into Concorde progress, and some airline men think National also will make a purchase decision soon. No airline has yet signed up for an American SST.

To be sure, some airlines buying Concordes are doing so at least in part because they dissent from the widespread opinion that an SST will be uneconomic. "We expect that the Concordes will be able to operate at costs at or below those of our subsonic jets * * * and will substantially enhance Continental's position in the 1970s," says Robert Six, president of Continental Airlines. A Pan American engineer says that if the Concorde meets its promised performance specifications, the economics "look quite good."

#### "ECONOMIC SUICIDE"?

But the prospect of a competitive scramble to buy SST's frightens some airline executives. Though his line apparently is thinking of buying Concordes, William Littlewood, vice president of American Airlines, cautions: "We could easily build more supersonic capacity than the world may soon need."

Airline men don't doubt that, with 3 of the biggest North Atlantic carriers signed up for the SST, the other 16 North Atlantic carriers will be under heavy pressure to do likewise. But the prospect of all these airlines "converging on New York from overseas * * * in supersonic transports looks like economic suicide," declares Mr. Mentzer of United Air Lines.

Moreover, though administration officials have said repeatedly that the United States means to develop a plane "with satisfactory economic characteristics," and Concorde developers have promised much the same thing, supersonic economics to some airline executives look even worse than the overcapacity problem.

Unless research provides better solutions for the problems of supersonic flight than are available now, the SST will be much more expensive to buy and operate than today's jets but will fall short of the jets' passenger-carrying capacity. While the Concorde's backers claim its greatly increased speed will offset the higher costs, U.S. officials appear not so certain about the offsetting effects, for either their plane or the Concorde.

### HOW PLANES COMPARE

As things shape up today, the Concorde will carry about 100 passengers and the U.S. craft will seat up to 163. But an all-tourist jet holds about 180. The jet, which cruises at around 500 miles an hour, bears a $6 million price tag. A Concorde, which will do about 1,450 miles an hour, or twice the speed of sound, will cost something over $10 million. The American SST, flying perhaps 40 percent faster, could cost two and a half times as much.

Some airline men, it's true, see the SST's smaller seating capacity as a virtue. The capacity of current jets, they say, is too large for frequent competitive scheduling.

But a move to build smaller planes runs counter to the historic trend of aircraft development. "The real way we have increased the economy of transport planes is by making them big," declares United's Mr. Mentzer. "If the supersonic transport is to have a prayer of economic success it must be big, carrying even 300 to 400 passengers."

At this point, noise, heat, and altitude problems appear to rule out fulfillment of such wishes.

Sonic boom is the most perplexing. Any plane flying faster than sound produces shock waves heard on the ground as a booming noise. Though military planes have on occasion cracked plaster and shattered windows on the ground, the phenomenon is relatively unknown to the public. Military craft generally fly faster than sound only in bursts, but commercial SST's will trail a continuous sonic boom path 50 miles wide on the earth below.

### SPEED, ALTITUDE RESTRICTIONS

To minimize the noise, U.S. officials propose to limit the plane's size and require it to climb to 42,000 feet before breaking the sound barrier, and then to a cruising altitude of 80,000 feet. The Franco-British team has said these restrictions also will apply to its Concorde. These compromises with the noise problem mean restricted passenger capacity, partial loss of the supersonic speed advantage, and high fuel consumption to get the plane quickly up to cruising altitude.

The heat problem is a crucial initial cost consideration. The nose of a plane flying at 1,450 miles per hour, intended speed of the Concorde, will heat up to 306°, three times hotter than a jet's nose. The nose on a 2,000-mile-per-hour SST would hit 600°, enough to broil a steak.

Experts agree that aluminum, the conventional plane-building material, would deteriorate in sustained flight faster than 1,450 miles per hour. The alternatives are stainless steel and titanium. But both are considerably more expensive than aluminum, and engineers say that, because both are relatively new to aircraft, costly research and testing will be necessary.

Uncertain that more economical answers to these problems can be found, airline men have so far passed up President Kennedy's June invitation to become the Government's risk-taking partner in developing a U.S. supersonic craft. Says one: "I don't think we have any right to gamble with stockholders' money on something as risky as this."

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## HIGHER INTEREST-TAX CUT MEANS FOOT ON BRAKE AND GAS AT SAME TIME

**Mr. PROXMIRE.** Mr. President, one of the confusing aspects of the present economic policy is that while there is great concern about the problems of the downturn in the business cycle—and rightly so—there is positive evidence that our Government money managers are tightening credit. It puzzles me that under these circumstances the monetary authorities of our Nation can favor a policy of tightening money and higher interest rates. Newspaper surveys show that the tightening is occurring. The most recent story along these lines appeared in the Wall Street Journal on Friday, October 18, entitled "Tightening Money."

Tighter money can be created through the banking system in many different ways. The indicator which we most frequently look at is the level of interest rates. However, an equally important indicator is simply the availability of funds. A bank may choose not to increase its interest rate and yet at the same time provide fewer loans to potential borrowers at each interest rate level. This is tighter money in a true sense. It is held more tightly by the banks and is less readily available to business firms that need it for expansion.

This seems to be precisely what is occurring at the present time. The Wall Street Journal article quotes bank officials and others as indicating that a considerable restriction in availability of funds has taken place within recent weeks.

The Constitution makes it clear that the control of money is a congressional power. Article I, section 8, specifies that it is up to the Congress to coin money and to regulate the value thereof. We have delegated that authority to the Federal Reserve Board, but it is up to us to supervise the Federal Reserve Board. It makes no sense to tighten credit and cut taxes at the same time. It means we are using the two great engines of Federal economic policy to go in opposite directions. We are stepping on the gas and slamming on the brakes.

I ask unanimous consent that the article entitled "Tightening Money" published in the Wall Street Journal on Friday, October 18, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### TIGHTENING MONEY: BANKS GROW CHOOSIER ON LOANS—SOME TRIM PERIODS OF REPAYMENT—FEDERAL RESERVE A BIT MORE RESTRICTIVE BUT MANY DOUBT IT WILL SHARPLY CURB CREDIT—PINCH FROM SLOWER SAVINGS?

(By Lee Silberman)

After 3 years of a plentiful supply of funds in the Nation's banking system, signs abound that money is getting tighter.

The most convincing evidence is the reluctance of officers of some major banks to make sizable loan commitments at this time; until recently these bankers had been pressing vigorously to make more loans to individual and corporate customers.

"In the last few weeks we've turned down several requests by corporations for substantial loans we would have been happy to make just a couple of months ago," declares an official of a leading bank in New York City. Agrees a colleague at another bank: "Customers who come to see us now get as friendly a reception as ever, but we stopped listening to every proposition several weeks ago."

A large Philadelphia bank reports it also has begun rejecting certain corporate loans. Moreover, it is reducing the repayment period on so-called term loans to less than the traditional 7 years. When banks suspect they are heading into periods of tighter money, they historically move to shorten the maturities of the loans they do make as a safeguard against running short of funds at some future time.

### MANY BANKERS STILL SEEK LOANS

Not all bankers agree that the money supply is tightening, however. Many institutions are pursuing new loans as energetically as ever. They are confident that their money supplies will continue to build up, as they have for nearly 2 years, from expanding savings deposits, including increasing sales of negotiable certificates of deposit. Some bankers also find it hard to believe the Federal Reserve Board, which controls the flow of money and credit to banks would risk touching off an economic setback by slowing this flow to any substantial degree. This holds particularly with an election year ahead, this reasoning goes.

Nevertheless, Federal Reserve monetary policy already has become somewhat more restrictive this year and a number of bankers think it is likely to become much more so. These bankers note that the Reserve is charged not only with fostering economic prosperity and growth, but also with maintaining a sound dollar. It is not always possible, these bankers contend, for Reserve policies to be in the best immediate interests of both objectives.

Thus, in July, the Reserve raised its discount rate, the fee it charges for loans to member commercial banks, to 3.5 from 3 percent. This made it more expensive and therefore less attractive for member banks to borrow from the Reserve the funds they in turn lend to consumers and businesses—loans that normally would stimulate the economy. Yet the Reserve deemed the higher rate necessary because of the United States' weakened balance-of-payments position.

### DWINDLING GOLD RESERVES

The balance-of-payment deficit—the amount by which U.S. expenditures, loans, and gifts abroad exceeds the amount taken in—was $2.2 billion in 1962 and Treasury Secretary Dillon has estimated it will reach $3 billion or a little more this year. Nations to which the United States becomes indebted may and often do take part of their credits in gold instead of dollars. So the continuing balance-of-payments deficit has led to a diminishing of U.S. gold reserves which could have serious consequences for this Nation's currency if not corrected.

Funds of U.S. investors and corporations placed abroad in response to higher interest rates there contribute to the balance-of-payments deficit. By increasing the discount rate, the Reserve brought about a general increase in short-term interest rates in this country and presumably encouraged rate-conscious U.S. investors to bring or keep their money home.

Also indicative of a more restrictive Reserve policy is the decline in the member banks' supplies of cash immediately available for lending and investing. These "free reserves" were running about $300 million at the beginning of this year but have been down to $100 million or so since early June. (For the week ended Wednesday free reserves stood at $87 million.)

The Reserve regulates these cash reserves largely through the purchase and sale of Government securities, usually Treasury bills, in the open market. When the Reserve on balance is a purchaser of bills it pumps money into the banking system because the sellers, dealers in Government securities, deposit the proceeds in their bank accounts. Conversely, when the Reserve sells bills it takes money out of the banking system as the purchasing dealers draws on their bank accounts to make the payments.

A BOOST FOR BILL YIELDS

This year's decline in free reserves, resulting from heavy trading of bills by the Reserve, also is tied to the balance-of-payments problem. By selling heavily, the Government puts downward pressure on the prices of bills and increases their yields, which move inversely to price. As already noted, the higher yields help attract and keep investment money in this country. On Wednesday the Treasury, which works closely with the Reserve, announced it will sell an extra $1 billion of bills over the next 10 weeks. This will add further support to bill yields.

Some bankers now see other factors they believe may force the Federal Reserve to further tighten the money supply, possibly including another boost in the discount rate. A recent flurry of price increases on such industrial materials as steel, glass, and heavy chemicals may have caused the Reserve to become actively concerned about inflation. Should the price advances spread, the Federal Reserve could try to counter inflationary pressures by further restricting the money and credit available to bid up the prices of goods.

Another worry is that the ample supply of money available to banks in the last 3 years has caused them to "reach" for loans they might not have made ordinarily, resulting in a deterioration in the quality of credit.

Federal Reserve Board Chairman William McC. Martin, Jr., testified to this belief, particularly regarding mortgages, in congressional hearings earlier this year. The Philadelphia district Federal Reserve bank since has looked into the problem generally and its findings tend to confirm the suspicion.

The bank's examiners were asked whether, in their opinion, state-licensed member banks which come under their scrutiny have lowered their credit standards on commercial and industrial loans. Twenty percent of the examiners found no deterioration and another 20 percent thought "very little" had occurred. But 60 percent agreed that there had been a "moderate" amount of deterioration.

MARGINAL BORROWERS ELIMINATED

Under a more restrictive Reserve monetary policy, many marginal borrowers no longer would be considered for loans, of course.

At the same time that the Reserve has been tightening the money supply, other developments also suggest that banks will be growing more cautious in committing themselves on loans.

While it's true that new bank lending to business has slowed conspicuously this year as corporations have trimmed inventories and met more of their own needs with internally generated cash, banks have more than made up for this by increasing other kinds of loans, such as those on real estate and securities. The upshot: Total loans of banks that report weekly to the Federal Reserve System in the first 9 months of this year rose 5.4 percent to $87.4 billion, against an increase of 4.7 percent to $77.8 billion in the comparable period last year.

Some bankers thus maintain the banking system already is heavily "loaned up" and declare that any sizable increase in business loans could leave them badly strapped for funds. At the end of September, the Nation's commercial banks had 56.3 percent of their total deposits out on loan, a shade under the post-World War II high of 56.5 percent reached the month before. At the end of September 1962 the ratio of loans to deposits was 54.1 percent.

SLOWDOWN IN SAVINGS?

Furthermore, banks may not be able to depend much longer on the heavy buildup of savings deposits, including those made available through the sales of certificates of deposit. The CD's, as they're called, are receipts for savings deposits left for specified periods, such as 9 months or 1 year. They are negotiable, so can be sold before maturity if a purchasing corporation suddenly finds it needs the money.

When the Reserve increased the maximum interest rate commercial banks could pay on savings from 3 to 4 percent on January 1, 1962, funds began to pour in. But lately they have slowed. Such deposits at weekly reporting member banks in the first 9 months of 1963 rose $5.3 billion, or 15 percent to $56.7 billion. This compares with an increase of $6.6 billion, or nearly 16 percent, in the similar period last year. Earlier, the SEC reported that savings deposits in all the Nation's commercial banks rose only $2.7 billion in the second quarter, down from an increase of $3.5 billion in the first quarter and the smallest gain since the 4-percent rate became effective.

Banks undoubtedly are feeling pressure of competition from savings and loan associations. These thrift institutions are not restricted as to what they can pay on savings and some associations in California recently have adopted a rate of 5 percent. Most associations pay more than banks.

BILL YIELDS THREATEN CD'S

The CD's have proved immensely popular. Deposits represented by CD's soared from $3.2 billion at the end of 1961 to $8 billion currently. But CD's compete with other money market investments and with short-term interest rates rising, they are losing there relative attractiveness. Banks now are quoting 1-year and 9-month CD's at 3⅞ percent, just one-eighth of a percentage point below the 4-percent maximum on savings. If yields on top-rated Treasury bills continue to rise—they're now at 3.46 percent—sales of CD's could fall abruptly.

Some bankers are convinced that any new increase in the discount rate would have to be accompanied by an increase in the ceiling banks can pay for CD's and other savings to keep money supplies in the banking system from tightening severely.

Against all these influences restricting and threatening to further curtail money supplies, the demand for loans is likely to pick up markedly in the weeks ahead. At the convention of the American Bankers Association earlier this month in Washington, D.C., a spot check disclosed that practically all bankers expect business loans to go up at least seasonally for the rest of the year and that fully one-fourth of them look for loans to rise more than seasonally for the rest of this year and into 1964. Bankers who foresee a sharper pickup in loan demand generally expect business to strengthen further, a development they believe is almost a certainty if Congress approves a tax cut.

Other bankers note that business outlays for plants and equipment continue to rise, stimulating potential demand for loans. Dr. Roy L. Reierson, senior vice president of Bankers Trust Co., expects that the upward trend in "investment outlays will persist through most of next year." Other economists believe that if price increases spread, inflationary fears may cause many corporations to try to borrow to build up inventories at a lower cost than might be possible later.

## NECESSITY FOR INTEREST-RATE POLICY COMPLEMENTARY TO TAX POLICY

**Mr. PROXMIRE.** Mr. President, I would like to call to the attention of the Senate an article which appeared in the Tax Foundation's Tax Review for September 1963. This article, entitled "Financing the Deficit" is by Dr. Beryl W. Sprinkel and Dr. Herbert E. Neil.

The authors of this article address themselves to the question of the appropriate monetary policy which should accompany any tax reduction. Their conclusion is that:

> Financing the deficit partly through the creation of new money is likely to provide a greater stimulus to spending than would the sale of long-term Government bonds to the public.

The authors then go on to point out that the periods of our most successful economic growth have generally been associated with an expansionary monetary policy. For example, they point out that significant differences occurred in the reaction of consumers to the 1948 and the 1954 tax cuts. In 1948 the Federal Reserve System followed a quite restrictive policy and relatively little stimulus to the economy occurred. In 1954 by comparison a relatively more expansionary monetary policy was followed and the economy responded rapidly. To quote the authors:

> Monetary policy has clearly played a crucial role in the performance of the economy during the past 5½ years.

They also concluded that:

> Monetary policy also appears to have been instrumental in determining the pace of the business recovery of the past 2½ years.

These conclusions are well documented in this article and I hope that my colleagues here will have an opportunity to read it. I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### FINANCING THE DEFICIT

(By Dr. Beryl W. Sprinkel and Dr. Herbert E. Neil, Jr.)

Analysis of the President's proposal for tax reduction has focused upon the possible effects of increased consumer and business after-tax incomes upon spending and economic expansion. Since reduced taxes will necessarily lead to larger Federal deficits, at least initially, much of the current public discussion of tax cuts relates to the impact of Government surpluses and deficits on the economy. The method utilized to finance the anticipated deficits has been considered of secondary importance, or even ignored, by most commentators on tax reduction. However, the type of debt issued by the Treasury, and who holds the additional debt, is of crucial significance, based upon historical evidence.

Financing the deficit partly through the creation of new money is likely to provide a greater stimulus to spending than would the sale of long-term Government bonds to the public. Moderate Federal Reserve purchase of the Federal debt, which makes monetary growth possible, is more expansionary than exclusive public financing of the deficit. Since significant unemployment of labor and capital resources persists, a spending increase would not be inflationary but would raise production and employment.

Concentration upon the size of the Federal surplus or deficit as the prime determinant of economic activity is misdirected. According to this view, the economy could be expected to expand rapidly in periods of large deficits and slow up or even contract when the Federal Government ran a surplus. Since the U.S. economy, as measured by real gross national product, has grown at an annual rate of only 3.1 percent since 1957 with an average unemployment rate of 6 percent and unutilized plant capacity, it is argued that larger Federal deficits are required. Thus, tax reduction is supported as a means of increasing the Federal deficit, thereby stimulating the economy.

Presented in this context, tax cuts are designed to increase consumer and business purchasing power so as to encourage the spending needed to return to economy to a level of full employment and capacity utilization. Because the size of the deficit is often considered to be the crucial variable, the type of tax reduction is of secondary importance if the goal is merely full utilization of resources. However, tax reduction can also be used as a measure to improve incentives to work and invest, thereby improving the longer-run growth rate of the economy. This virtue of the tax cut relates to raising the potential or capacity level of the economy.

Potential for economic growth is determined by changes in real supply factors such as the size and quality (educational level, skills) of the labor force, average hours of work, the stock of capital, the state of technology and the efficiency with which resources are combined. The type of tax cut is of prime importance if one is concerned with the long-term potential of the economy rather than just merely fuller utilization of the existing resources. Sharp reductions in high personal marginal tax rates, more liberal tax treatment of earned income of people over the age of 65, deductions for retraining and educational expenses, lower corporate tax rates and additional tax incentives for business investment would be most effective in enlarging the potential long-run growth rate of the economy. A distinction between the two economic goals—full utilization of resources and faster potential growth—should be clearly drawn in analyzing taxes. The surplus-deficit emphasis concentrates upon the first objective, full employment of labor and capital with a given economic potential.

### WHAT THE ADMINISTRATION BANKS ON

An analysis of the surplus-deficit position of the Federal accounts and the rate of growth fails to support the theory that surpluses coincide with slow or negative expansion and deficits with a fast pace of gain. George Terborgh has found a positive coefficient of correlation of 0.39 between the budget position of the Federal Government in the national income accounts and the change in gross national product from the preceding quarter for the quarters of 1947–62.[1] In other words, surpluses are associated with fast growth and deficits with slow or negative growth in total spending, contrary to the conventional wisdom. As an example, the Federal Government ran a surplus of $8.2 billion on a seasonally adjusted annual basis in the first quarter of 1960 and GNP rose $11.9 billion between the fourth quarter of 1959 and the first quarter of 1960. However, in the first quarter of 1961 the Government had its largest deficit of the past 4 years, and GNP declined by $1.7 billion. When a lag of 2 quarters is assumed between the Federal budget and the effect on gross national product, there is an insignificant correlation of −.04, or no relationship.

A comparison of budget surpluses or deficits as a percentage of gross national product with real rates of growth in GNP among six European countries, Canada, and the United States for 1950–60 also reveals no relationships between budget deficits and economic growth.[2] Austria, the Netherlands, and Portugal had high rates of expansion and large cumulative surpluses in the government accounts, while France reported above-average growth with substantial cumulative deficits. Meanwhile, slow economic advance was associated with a cumulative budget surplus in the case of Norway and cumulative budget deficits for both the United Kingdom and the United States. Again there appears to be little relationship between the surplus-deficit position of a country and its rate of economic growth.

A lack of correlation between the balance of government budgets and economic expansion is explained partly by the fact that surpluses and deficits are not independent of the level of business activity. The size of the surplus or deficit is in part a function of tax revenues which in turn are determined by incomes. Assuming that most government expenditures are independent of the level of economic activity (unemployment compensation would be an exception) the relationship between the budget balance and the pace of business can be shown schematically as follows:

Budget surplus or deficit income equals government revenues minus government expenditures.

The change in income affects the surplus or deficit position through government revenues, while the budget status also affects income change if financed properly.

In technical jargon, if no correlation exists between the budget position and the increase in GNP, or income, the elasticity of government revenues with respect to income is not significantly different from the elasticity of income with respect to the budget surplus deficit. In nontechnical language, a given change in the surplus or deficit has no greater effect upon income than a given change in income has upon tax receipts. If a positive relationship exists between the surplus-deficit balance and GNP or income change, then changes in income are more effective in altering government revenues than is the change in surplus deficit in affecting income. When Secretary of the Treasury Douglas Dillon predicts a balanced budget in fiscal 1967, he is making the latter assumption. The administration is banking on the assumption that tax reduction will stimulate the economy and hence raise tax revenues to such an extent that a declining deficit will not in turn slow up the rate of economic expansion.

Although a majority of the students of the tax reduction proposal conclude that the economy will be stimulated by enactment of the law, disagreement abounds as to the amount of economic pickup ensuing from the tax cut and whether the budget will be balanced in 3 years. An important factor which will bear upon answers to these two questions is the method used to finance the deficits expected for the next several years. Sale of short-term securities by the Treasury is more expansionary than financing the debt through the issuance of long-term debt. Since the buyer of Treasury bills is more liquid than the holder of a long-term Government bond, he is more likely to spend the added disposable income from a tax cut. Inasmuch as the administration is attempting to push short-term interest rates up in order to limit the outflow of short-term capital in search of higher rates abroad, Treasury bills will undoubtedly be used as a prime source of borrowing.

In addition to the type of debt issued by the Treasury the owner of the issue is of crucial importance in evaluating the effectiveness of tax reduction. To the extent that the Federal Reserve purchases Government bonds, member bank reserves are increased, enabling the commercial banks to make additional loans and investments, thereby expanding bank deposits. Consumers and corporations will then have more money (currency in circulation plus demand deposits), an indicator of liquidity. Since money is the most liquid of assets, depositors are more likely to spend these deposits than Treasury bills or Government bonds. Hence, whether Government debt is bought by the Federal Reserve or the public is of significance for spending via the effect on the money supply.

The importance of variations in money supply in determining spending is revealed in a recent study by Milton Friedman and David Meiselman.[3] They found a 0.985 coefficient of correlation between annual volumes of money and consumer spending for 1897–1958. Another study by Friedman strongly suggests that causation runs from money to spending rather than vice versa.[4] The stock of money displays systematic cyclical behavior with increased monetary growth preceding recoveries and reduced monetary growth preceding contractions. For foreign countries a close relationship is also found between the rate of monetary expansion and GNP growth.[5] A high rank correlation exists between annual rates of increase for the money supply and gross national product for 1955–60 for Japan, Italy, Germany, France, Canada, the United Kingdom, and the United States. Japan ranks first for both money supply and gross national product. Italy, Germany, and France all display above average growth in the two series. Canada, the United Kingdom, and the United States trail the other countries in that order for the money supply and GNP. Interestingly, there is a close relationship between the rate of monetary expansion and interest rates, as well as gross national product. Evidently, increased economic activity stimulated by monetary growth led to a strong demand for funds despite the faster pace of monetary expansion. Also, little relationship was found between the rate of monetary growth and inflation for the 1955–60 period. For a longer period of time, however, a closer correlation exists between rate of change in the money supply and price changes.

### IMPACT OF 1948, 1954 TAX CUTS

All of the above cited evidence indicates that the proposed tax reduction for 1964 and 1965 will be most effective in speeding up the pace of economic expansion in this country only if the Nation's money supply is also increased. To expand the money supply the Federal Reserve must increase reserves of the banking system. The importance of monetary policy in reinforcing or limiting the effectiveness of tax reduction is clearly shown through a comparison of the impact of the 1948 and 1954 tax cuts upon consumer spending. Taxes were reduced by $4.7 billion under the Revenue Act of 1948, and $7.4 billion, partially offset by a $1.3 billion rise in social security contributions, in 1954. In the initial two quarters following enactment of the 1948 tax cut in April of that year disposable personal income rose by $15.2 billion but consumer spending increased only $5.5 billion. Thus, nearly two-thirds of the higher consumer incomes went into personal saving. Saving did not decline appreciably until the 1949 recession, when personal consumption expenditures held level despite a modest decline in disposable personal income. The tax cut of 1948 thus appears to have played a strong positive role in limiting the severity of the 1948–49 recession, but it failed to provide an immediate stimulus to consumer spending in 1948.

In contrast, the impact of the 1954 tax reduction upon consumer spending was prompt. Although disposable personal income rose very slowly in the first three quarters of 1954 because of the recession, consumers increased their spending and cut down on their saving. In the first five quarters following tax reduction—fourth quarter 1953 to first quarter 1955—personal consumption expenditures increased $17.1 billion, while disposable personal income went up by only $10 billion.

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[1] Herborgh, George, "Capital Goods Review," March 1963.

[2] Levy, Michael E., "Fiscal Policy, Cycles and Growth," Studies in Business Economics, No. 81, The National Industrial Conference Board.

[3] Friedman, Milton, and Meiselman, David, "The Relative Stability of Monetary Velocity and the Investment Multiplier in the United States, 1897–1958" (to be published by the Commission on Money and Credit).

[4] Friedman, Milton, and Schwartz, Anna, "Money and Business Cycles," Review of Economics and Statistics, February 1963 Supplement.

[5] Sprinkel, Beryl, "Relative Economic Growth Rates and Fiscal-Monetary Policies," The Journal of Political Economy, April 1963, pp. 154–159.

### FINANCE PART OF DEFICIT WITH NEW MONEY

A plausible explanation for the different initial reaction of consumers to the 1948 and 1954 tax cuts is provided by the diverse monetary policies pursued in 1948 and 1954. The Federal Reserve followed a fairly restrictive policy in 1948, increasing the discount rate twice during the year and also raising reserve requirements of the member banks. Member bank reserves, adjusted for reserve requirement changes, declined by nearly $400 million, or 3 percent, between January 1948 and January 1949. The decline in bank reserves led to a decline of 2 percent, $2.2 billion, in the money supply during this 12-month period. During the following 12 months—January 1949 to January 1950—reserve requirements were lowered and member bank reserves rose 3 percent, coincident with a decline in personal saving. The decline in personal saving in 1954 undoubtedly reflected an easy monetary policy. The discount rate was reduced twice during 1954, and reserve requirements were lowered. Member bank reserves, adjusted for the reserve requirement changes, were increased 5 percent between December 1953 and December 1954, resulting in a $3.5 billion, 2.7 percent, growth in the money supply.[6] Monetary policy reinforced tax reduction as a stimulant to the economy in 1954, but acted as an offset to fiscal action in 1948.

Monetary policy has clearly played a crucial role in the performance of the economy during the past 5½ years. Member bank reserves rose by over $1 billion; 6.1 percent, between December 1957 and July 1959, causing a 6.2-percent increase in the money supply, $8.4 billion, between January 1958 and July 1959. Gross national product rose sharply during this period—first quarter 1958 to second quarter 1959—from $432.9 billion to $487.8 billion, 12.7 percent. During the steel strike in the summer and fall of 1959, followed by the strike-induced rebound of early 1960, monetary policy turned restrictive. Member bank reserves were cut $500 million: 2.8 percent, between July 1959 and June 1960, and the money supply dropped by $3.9 billion; 2.7 percent, between July 1959 and June 1960. The expansion in gross national product slowed up between the second quarter of 1959 and second quarter of 1960 to 3.5 percent. Moreover, the restrictive monetary policy of late 1959 and early 1960 was an important factor in leading to the recession which began in May 1960 and lasted until February 1961.

Monetary policy also appears to have been instrumental in determining the pace of the business recovery of the past 2½ years. Member bank reserves were increased $1.4 billion; 7.7 percent, between June 1960 and January 1962, while the money supply went up by 4 percent during this period. The slower rate of growth in the money supply (currency plus demand deposits) reflects a preference of depositors for time deposits rather than demand deposits during this period. Following the 1960–61 recession the economy expanded rapidly as gross national product rose $37.4 billion between the first and fourth quarters of 1961, a period of monetary ease. A slower rate of GNP growth during the next 9 months coincided with a less easy monetary policy. Between the fourth quarter of 1961 and the third quarter of 1962 gross national product increased $19 billion, while member bank reserves showed virtually no change between January and September 1962 and the money supply declined by $600 million, 0.4 percent during this 8-month period. Renewed growth in member bank reserves of $675 million, 3.7 percent, between September 1962 and May 1963, and an increase in the money supply of $4.5 billion, 3.1 percent, in the 9 months following last September, has been instrumental in pushing the economy upward at a somewhat faster pace since the third quarter of 1962. Gross national product rose $22.2 between the third quarter of 1962 and the second quarter of 1963.

The close relationship between monetary policy and the performance of the economy suggests that an increase in member bank reserves and resulting rise in the money supply are required if the proposed tax reduction is to have a strong expansionary effect upon the economy. Thus, it appears that a portion of the Government deficit expected for the next several years must be financed by new money if tax reduction is to prove to be the stimulating factor to a faster growing economy; i.e., adequate monetary growth should accompany the projected deficit. Too much money can bring inflation, but moderate monetary expansion is an essential supplement to the proposed tax cut.

Mr. PROXMIRE. If we are to have a tax cut—and I am sure that there will be one—whose purpose is greater economic growth and business expansion, it would make sense for us to accompany such a tax reduction with a monetary program which is expansionary and not contracting. The argument that we hear over and over again is that a tax cut will stimulate the economy. But at the same time we apparently tighten up money and prevent expansion. This means we spend some. This does redistribute income in the country. It means that some people will benefit from a higher after-tax income, but it means that others will have to pay higher interest rates. By and large, those who are debtors, or borrowers will be hit hard by that policy, and those who are creditors will, I presume, benefit to a considerable extent from it.

## MISSING LINK IN TAXES

Mr. PROXMIRE. Mr. President, the New York Times has had a series of most thoughtful and constructive editorials on the proposed tax cut. At one time the New York Times was an enthusiastic supporter of a tax reduction, but it has turned into a critic of the tax proposal bill.

One of the elements in the tax cut proposal which they have particularly criticized is the lack of any substantial tax reformation. Most of the reforms recommended by the administration have been taken out by the House of Representatives. But the editorial to which I refer this afternoon also recognizes that the present tax bill is very badly timed. I should like to read one portion of the editorial:

> In the summer of 1962, when the economy seemed to be faltering after the Wall Street slide, Mr. Kennedy argued against an across-the-board tax cut "in the absence of a clear and present danger" to the economy. Instead, he proposed a combination of reduction and reform aimed at "rooting out inequities and complexities" and "to help us make the most of our economic resources." Last December he added that "the present patchwork of special provisions and preferences lightens the tax load on a few, only at the cost of placing a heavier burden on the many."

The great weakness of the present tax bill, Mr. President, is that it is no longer a tax reform measure at all. It is a bill designed for the purpose of providing a greater stimulus to an economy which is already expanding at a substantial rate.

There is only one other problem, it seems to me, that the tax cut is designed to meet. That, of course, is the problem of unemployment. There is no question that unemployment is our most serious economic problem, but an increasing number of outstanding economists are recognizing that unemployment is not a problem which can be solved merely by increasing demand, that the essence of our unemployment problem is the fact that the unemployed largely are those who are unskilled, those who are in minority groups, those who are young who have no work experience, and those who have limited skills. In all such cases, it is clear we can move most rapidly to solve unemployment by providing a greater degree of vocational education and a greater degree of counseling.

There is one other area of unemployment which is most important; that is, the regional or geographical unemployment. I refer to the unemployment so common in West Virginia, northern Wisconsin, sections of Pennsylvania and southern Illinois. This kind of unemployment can best be remedied by a "rifle shot" approach, by providing the kind of program which the Area Redevelopment Administration is designed to provide. We would pay a price in a substantially greater national debt and inflation for a cure by tax cut. We certainly would not "zero in" or "rifle shot in" on the area of unemployment which most urgently needs assistance.

Mr. President, I ask unanimous consent that this editorial from the New York Times entitled "Missing Link in Taxes," may be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 24, 1963]

### MISSING LINK IN TAXES

Tax reform has been forgotten by Congress in the eager desire for across-the-board tax reduction. Now the only dispute is whether the cuts should depend on a freeze on Government spending. There is no longer any argument in Congress about the composition of the tax bill and its failure to provide for a basic overhaul of our leaky and antiquated tax structure. Yet without the reforms that the President once considered essential, the tax bill resembles the "quickie" kind of action that he rejected just a year ago.

In the summer of 1962, when the economy seemed to be faltering after the Wall Street slide, Mr. Kennedy argued against an across-the-board tax cut "in the absence of a clear and present danger" to the economy. Instead, he proposed a combination of reduction and reform aimed at "rooting out inequities and complexities" and to "help us make the most of our economic resources." Last December he added that "the present patchwork of special provisions and preferences lightens the tax load on a few, only at the cost of placing a heavier burden on the many."

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[6] Neil, Herbert, "Implications of the Proposed Tax Cut," Financial Analysts Journal, July–August 1963, p. 68.

When the administration sent its initial request to Congress, Mr. Kennedy's proposed reforms were not of a radical nature; but the administration threw in the towel even before the bill was attacked by the Republicans. The few reforms still left do not represent a constructive step; they will result in further erosion of the tax structure, only increasing the inequality of its burden. Reform is now the missing link in the tax bill.

There might be an excuse for making a casualty of reforms if the economy faced the clear and present danger of recession. This is not the case. Business activity is now far stronger, with more solid underpinnings, than it was last year, when the President held off in order to fight for the "right kind" of tax bill, one that combined reform and reduction.

The case for tax cuts is a good one. But Mr. Kennedy's arguments for reforming the tax structure remain valid. He should fight for them.

## UNITED STATES-SOVIET WHEAT DEAL DIALOG? YES—CONCESSIONS? BEWARE

Mr. PROXMIRE. Mr. President, A. A. Berle, Jr., is a distinguished professor at Columbia Law School. He recently wrote a tough minded and thoughtful analysis of the wheat deal with Russia and the future of our trade with the Soviet Union in the New York Times magazine for October 20, 1963. The Berle piece is one of those rare articles that deserves to be pondered thoughtfully by Members of Congress.

Berle charges that opening general trade barriers to the Soviet Union is a concession that might enable the U.S.S.R. to continue a policy of armament rather than production, of maintaining armed occupations, of subsidizing imperialist grabs, of making overt seizures of great areas.

On the other hand business considerations are trivial compared to the great issues involved. We get a little foreign exchange. A few Americans make money. But this great properous Nation does not need this.

The wheat deal may be justifiable, especially if it is a one-shot operation and if it is hedged in by restrictions, so that it will give minimal support for Russian imperial adventures.

But general trade with the U.S.S.R. could do great good for communism and very little for freedom.

We should pin down the Soviets to firm, enforceable committments to peace and assistance to freedom.

Mr. Berle concludes:

> Most of us would be glad to trade with a peace-seeking Soviet Union attending to her own people and administering her own country. Yet few, if any, of us want to become part of a supply line for a Soviet military and paramilitary machine.
>
> This is the real subject of the dialog. It had better continue for awhile and show results before we make a further change in our economic policy.

Mr. President, I ask unanimous consent that the article by Mr. Berle be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### DIALOG? YES—CONCESSIONS? BEWARE

(By A. A. Berle, Jr.)

The Soviet Union and several satellite countries have just arranged to purchase about 150 million bushels of American wheat. The purchase of 240 million bushels from Canada has already been reported. It was not enough to meet Russians needs. Bread, the chief item of Russian family food, is already rationed, and the squeeze will become very severe next spring.

Preliminary information of Russia's desire to buy from U.S. stocks reached Washington last month. Formal negotiations to purchase were opened in early October. On October 7, President Kennedy held a White House conference on the problem. Forty-eight hours later, he approved, in principle, a single-shot deal to sell wheat to the Soviets.

Does this decision suggest a new policy of open trade with the Soviet Union, and change the settled plan of campaign in the cold war? The one-shot wheat deal is one thing. General opening of trade barriers is something else. My own view is that the one-shot deal, on balance, was justifiable—but that a change in the no-trading policy at present would not be.

Sentimental arguments may be eliminated at the outset. Soviet good will will not be bought by selling wheat, still less by lifting trade restrictions. I doubt that the Soviet man in the street will even know about it. The Moscow Government can hardly be expected to emphasize the Communist agricultural failure. Nor will Communist officials attribute to the United States any motive higher than capitalist avarice.

I had a vivid experience with Soviet trade. In 1919, hoping to find a basis for peaceful adjustment with Russia, a commission headed by William C. Bullitt, reporting through my office in the American Peace Commission in Paris, negotiated a very fair working arrangement with Lenin, and returned with the document. (Nothing came of it: Clemenceau and the French Government torpedoed it.)

Later, the researches of George Kennan uncovered Lenin's real motive as expounded by him at the time to his colleagues. He said he was worried about Japanese moves in Siberia; he wanted temporary relief from the Western side. The agreement he offered would set American capitalists slavering for the profit and plunder of concessions in Siberia. He explained that these hopes would be dashed in due time, but that, meanwhile, the capitalists who controlled the U.S. Government would make sure that American and allied moves were not dangerous to the Soviet Union.

Khrushchev, Mikoyan, Gromyko and many of their colleagues today come straight out of the Leninist school. If therefore the United States opens trading with the Soviet Government, it must do so either because the arrangements satisfy our moral instinct, or because they strengthen our position—or preferably both.

The question of trading has released several sets of American instinctive reactions, none of them originally political, though the issue is rapidly pushing toward a high place on the agenda in the 1964 presidential campaign. The wheat deal released a natural emotion: if Russians are hungry and need food, Americans ought not to sit on fat surpluses, saying "No." But even that emotion was qualified by facts, which apply with far greater force to a policy of general trading.

The Soviet Union is anything but friendly to the United States. True, there has been some relaxing of tension. This means only that propaganda directed at the U.S. public has temporarily stopped some of its abuse. Not so elsewhere. I was recently in Venezuela. There, the Soviet fifth column is damning the United States, bombing American enterprises, murdering friends of the United States and occasionally kidnapping Americans. In varying degrees of intensity, such activity goes on over much of Latin America. Washington diplomats talk of detente—but try to find it in the Caribbean.

Will not enlarged trade with Russia merely give the Soviet Union more resources to fight our friends—and ourselves? Certainly it can; no one has forgotten American sales of scrap iron to Japan just prior to Pearl Harbor.

Common business considerations, it is argued, indicate selling to the Soviet Union. We have agricultural surpluses of little use to us. We can sell machinery, heavy chemicals, and manufactured products to the Russians. We can use some extra foreign exchange. American farmers would rather see their surpluses eaten than stockpiled. American manufacturers certainly want to sell more, and nobody would object to more employment. But, important as trade considerations may be, they are, ultimately, only incidental to a vastly deeper issue. What bearing does trade have on the great question of the current war, now cold but potentially very hot (especially in Latin America), and on the chance of peace?

The Kennedy administration has developed the strategy of a continuing dialog with the Russians. The hope is that tiny accords in some fields may pave the way for a widening range of more significant agreements that possibly might set the stage for a real ending of the cold war. This dialog is an experimental operation.

The test ban treaty was a first, tiny step. Diplomatic exchanges are already going forward in other areas—as with Foreign Minister Gromyko's visit to President Kennedy in Washington—but no one can forecast the result. The President merely points out that the dialog policy seems better than passively waiting for a collision.

Dialog—as such—can do no harm. But concessions can become dangerous gambles. If they result in peace, they may later be hailed as great statesmanship. If they fail, the end could be disaster. That was the fate of the British attempt to settle matters by dialog and concessions to Hitler at Munich in 1938.

Opening general trade barriers is such a concession. In doing that, the United States might well enable the Soviet Union to continue a policy of armament rather than production, of maintaining armed occupations, of subsidizing imperialist grabs, of making covert seizures in great areas. Without the trade opportunity, Russia might have to modify, if not relinquish, her policy in substantial areas.

The Soviet Union now is supplying arms, planes, and training to Indonesia to attack Malaysia; to Cuba to attack Venezuela and Central America; to Communist armies in Laos. At the same time, a growing volume of evidence indicates that the Soviet economy is in difficulties. Agriculture is in terrible shape. Manufacturing is at best a bad second rate. The Soviet Union has committed too large a part of her gross national product to arms and military or paramilitary adventures. Indeed, she has overcommitted herself, promising other countries arms and other products (including wheat—yes, wheat) which she cannot deliver. For these reasons, she is buying outside. If the United States dropped trade barriers, we should merely help the process along.

The Soviet agricultural picture is particularly serious. Disaster and bad weather did not produce its defects; they are endemic to the Communist agricultural system. A friend of mine, an excellent farmer, last year spent some time looking over farms in the Soviet Union. He was shocked. How could anyone, he asked rhetorically, expect even tolerable results under a system so inefficient, so bureaucratic, so centralized?

Forty-five percent of Soviet workers are agricultural (in the United States about 11 percent of the population is engaged in agriculture). With reasonable efficiency, the Soviet Union and certain of the satellite countries, notably Hungary, could produce more food than they need with less than half of the labor. More than half the food finding its way into Soviet city markets comes from the small plots Russian peasants are allowed to cultivate in their spare time for their own account.

If this allocation of labor, however inefficient, produced adequate food, and left adequate labor for manufacturing, it might be justified as a way of taking care of people. But it does not, and shows no signs of ever doing so. Certainly it will not support a huge policy of military aggression.

This is the dusty result of a half-century of Communist organization in Russia, and of more than 18 years of Communist control in the Iron Curtain countries. These areas were the breadbaskets of Europe before the Communists took over. Some of them, like East Germany, Czechoslovakia, and parts of Poland, were great manufacturing producers. Blame had been laid by Communist governments on bad planning. Yet if the Communist governments more nearly responded to what human beings want, instead of pushing them into arbitrary frames, the planning would not have been so disastrous. It will take more than new fertilizer plants and good weather to bring Soviet agriculture within hailing distance of American productive standards—or, indeed, of Soviet needs.

In manufacturing, though the picture is better than in agriculture, the "guns or butter" ratio is at length exacting its grim price. The Soviet Union has a population of 221 million, as against 190 million in the United States. Her gross national product is on the order of two-thirds of ours. She devotes a far greater proportion of that than we do to armaments—guided missiles, land armies, and submarine fleets. Additional substantial amounts have gone into supplying bloody adventures like those in Cuba, Indonesia, and Laos, and political-economic adventures like the Aswan High Dam in Egypt. Now she has not enough product to go around. The Communist rulers of Russia know it. In recent speeches arguing against Red China's shrieks for military conflict, Khrushchev has come pretty close to saying so.

The Soviet Union accordingly may one of these days want a real détente. The Kennedy "dialog" is intended to explore this possibility. Yet Moscow has never yet indicated that its policy might shift to minding its own business for awhile, although such a policy is the only possible foundation for an enduring peace.

For an agreement in any sphere, the Russians want concessions from us. Open trade with the United States would be a solid concession on our side. What does the Soviet Union propose in return? So far as we know, it has yet to offer anything of significance.

In the case of the test ban, the Russians conceded little; we conceded something, though not much. President Kennedy and Secretary of State Rusk stated that the dialog had produced a tiny fragment of tolerable agreement which just might pave the way for more significant settlements. The next round, probably in quiet preparation now, will raise far more dangerous subjects.

There are Berlin and its wall—involving the security of all Western Europe. There is Russian military control of Cuba—endangering the peace of Latin America. There are the broken treaty agreements and the Russian military supply lines running into Laos. There are—always—the betrayed accords of Yalta and the continuing agony of Hungary and Poland.

I doubt that the Soviet Union is yet prepared to make real concessions in any of these areas. I think at present the Russian leaders would rather squeeze their people than give up an even partly successful territorial grab. If they retire from any position it will not be for temporary economic advantage, but because they have become convinced the position is untenable.

The "dialog" is still going on. The results have still to be observed. I for one will watch carefully the terrorist campaign against our good friend, the enlightened and successful Government of Venezuela, as a sort of thermometer. If that and similar campaigns continue, the dialog test will have failed. We shall then have to recognize that materials sold to the Soviet Union will merely increase her capacity for paramilitary and propaganda campaigns against the United States and its friends.

"Business considerations," it seems to me, are childishly trivial compared with the great issues involved. Of course, we would gather in a little foreign exchange. Of course, some manufacturers and traders could make a little money. But the United States as a Nation, and our businessmen as well, do not greatly need this; our country is quite comfortably prosperous without it.

Equally trivial is the argument that some of our friends and allies will sell to the Russians—and make money—if we do not. Perhaps. But the precise result of a trading agreement made for "business considerations" would be to pretend that we are neutral in the cold war. Some of our allies may feel differently—I think they are wrong—but I am clear we cannot so pretend.

The single-shot wheat deal can, probably, be cobbled up with conditions, and deliveries so arranged that it affords minimal support for Russian imperial adventurism. Without a major shift in Soviet policy, it is difficult to see how this could be done with a current of general trade.

This will not be the last opportunity—and is not even the great one—to change our economic policy toward the Communist countries. My guess is that the Soviet Union will not be out of her agricultural troubles for a long time. She will not be able to meet her needs for consumer goods until she cuts down on her foreign military adventures and her enormous armament program.

A realistic base for trading is the only one that makes sense to Communist negotiators. If they think our chief concern is that some of our traders can make money, the dialog will get no further than did the British dialog with Hitler in 1938. They will use pressure, of course (the recent brief blockade at Berlin may have been an illustration). Their propaganda machine will make bad noises about us. They will create tensions and ask us to buy alleviation. But their abuse has ceased to be important one way or the other: It has already done its work. The last thing Americans should consider is making concessions to buy relief from Soviet abuse.

My conclusion, therefore, is that trade restrictions ought not now to be suspended—that, although I think the wheat deal justifiable, it should be treated as a single-shot operation while the dialog continues. Always, we must remember, unrepresented millions have to be considered. There are East Germans, there are Hungarians; there are Poles. There are Malaysians in southeast Asia; peasants and patriots in Venezuela; silent, suffering Cubans in the Caribbean. Soviet authorities alone know what the stakes are on the Sinkiang border of Red China.

Most of us would be glad to trade with a peace-seeking, peace-loving Soviet Union attending to her own people and administering her own country. Yet few, if any, of us want to bcome part of a supply line for a Soviet military and paramilitary machine.

This is the real subject of the dialog. It had better continue awhile and show results before we make a further change in our economic policy.

## "THE LIBERAL ARTS: LANGUAGE OF FREEMEN"—ADDRESS BY DR. GLENN T. SEABORG, CHAIRMAN, U.S. ATOMIC ENERGY COMMISSION

**Mr. KUCHEL.** Mr. President, Glenn T. Seaborg is a distinguished American, and an able public servant. Last Saturday Mr. Seaborg, the chairman of the Atomic Energy Commission, was invited to speak in Oakland, Calif. The occasion was a civic banquet in commemoration of the 100th anniversary of the founding of St. Mary's College, one of the finest institutions of higher learning in all the Nation.

Mr. Seaborg spoke on "The Liberal Arts: Language of Freemen." His comments are a veritable treasure house of information, all uttered in plain and understandable English about the wonders of life in the nuclear age.

Mr. Seaborg discussed the relationship between the liberal arts and the exact sciences in this contemporary world, in and out of colleges and universities. He spoke about the discovery of carbon-14 dating methods, under which, for the first time, scientists are able to give fairly accurate dates as to the products of man's earliest activities. Charcoal from his fires, pieces of leather from his sandals, and even pieces of linen from the wrappings of the Dead Sea scrolls now may have their secrets solved by unique scientific methods of the age in which we live.

I ask unanimous consent that the entire text of this excellent address may be printed in the RECORD, and I commend a reading of it to my colleagues and to all who peruse the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### THE LIBERAL ARTS: LANGUAGE OF FREEMEN

(By Glenn T. Seaborg)

It is a very real pleasure for me to be with you this evening, to be here with the faculty, the alumni, and some of the many other friends of St. Mary's College.

Although there always seem to be many interesting and challenging things for us to do in Washington, my family and I still have many friends in the Bay area and long personal associations here. It is good to be back here again, even if only briefly. This is our home and we look forward to returning when my present assignment in Washington is completed.

The occasion of our meeting here tonight is also a gratifying one to those of us who know and love well this section of our United States. St. Mary's College, as we all know, was the first men's college in this part of the world when it was dedicated in San Francisco in 1863 by Archbishop Joseph Sadoc Alemany. We are all proud of St. Mary's hundred years of dedicated work in sending out her graduates into California and the world beyond. Her alumni have helped build California and our Nation by serving as leaders in business, in academic and in community affairs.

Some of her distinguished alumni include John F. Henning, the Under Secretary of Labor; Congressman George P. Miller, of California, chairman of the Committee on Science and Astronautics for the House of Representatives; Arthur Sherry, University of California Law School; Stuart Davis, vice president of the U.S. Chamber of Commerce; and Louis G. Conlan, president of City College of San Francisco. There are, of course, many, many more than I could possibly take time to mention. The best possible yardstick you can use to measure a school is not the size of its buildings, not its endowment, not its records on the football field, but always the quality of its graduates and their service to humanity. St. Mary's College is proud of its graduates and for good reasons; our country should be grateful for her many contributions.

Today, St. Mary's looks back with pride at her record of the past century; St. Mary's also looks ahead with anticipation to the next hundred years' accomplishments.

When you asked me to speak this evening I understood the general theme of your centennial celebrations to be the liberal arts, the language of freemen. Your earlier speakers have discussed a number of interesting and significant aspects of this subject; it seemed, therefore, that it might be appropriate for me to consider some of the relationships that can and should exist between the liberal arts and the exact sciences in a college, in a university, or even in our contemporary world of thought and action.

We have all heard about our so-called two cultures of today's science and the humanities. I would like to talk a little about how the sciences and the arts are building bridges toward each other to discover new truths and to gain new insights.

Many people think of the new and exciting frontiers in science as being thousands of miles out in space, or down at the bottom of the sea, or at the end of a billion-volt accelerator, or in an electron microscope that probes the mysteries of the living cell.

We should remember that frontiers are not only at the outer edge of an unknown intellectual wilderness but also exist between already developed areas of knowledge. And today, these in-between areas can be very exciting indeed. Many contributions can be made in many unexpected ways by such interactions. For example, let us consider some examples of opportunities for discovery when science is used as a tool to help us understand history, art, or the development of thought.

There is a word, "sybaritic," in our language used to describe the ultimate in luxury and wealth. It refers to the actual way of life of the Greek colony of Sybaris in southern Italy, probably the wealthiest city of the world in the sixth century before Christ. Naturally such a city would gain the jealousy and envy of its greedy neighbors. Sybaris had to defend itself from its neighbors in numerous battles. But the people of Sybaris were delighted by the luxuries and playthings of their affluent society—in times of peace, they even taught the horses they used in battle how to dance to music. We are told that their neighbors from Crotona finally overcame them in a battle in 510 B.C., using a unique secret weapon. They brought out a band which played the same pieces of music to which the horses had been trained; the horses started dancing and the victorious soldiers of Crotona slaughtered their helpless riders. The city of Sybaris was razed and the Crotoniats diverted the river Crati over its ruins. Only traces of the old city could be found by Herodotus less than a hundred years later, and its exact location and extent had by modern times completely disappeared.

Yet today, there are new and more powerful tools available for the scientist-historian to investigate what lies beneath the surface of the earth. We now know that the tiny nucleus of the hydrogen atom is both a kind of spinning gyroscope and a tiny magnet. It is possible to use these properties of the nucleus to build a highly sensitive device to measure local magnetism to 1 part in 100,000. Ancient tombs deep under the ground, or fireplaces or buried walls, each subtly disturb the earth's natural magnetic field; and the experienced physicist-archeologist can use this information to help locate these buried articles of irreplaceable value. An international group of scientists from the United States and Italy has been using this and other techniques to investigate the ancient valley of the Crati River. In just a few days, time they outlined half a mile of one of the ancient walls of the city of Sybaris. The sensitivity of the method may be judged by the fact that most of the wall was buried beneath about 10 feet of the accumulated silt of the centuries.

For another example of science's contribution to history and art, let us consider another aspect of archeology. Today, this is half history, half science, and some say, half witchcraft; but it is a remarkable tool nonetheless, which has enabled us to learn much about our historic and prehistoric past.

In archeology, the use of radioactive carbon 14 dating methods has given us an entirely new dimension of accuracy, in cases where there had previously been little more than guess work. Prof. Willard F. Libby, of the University of California at Los Angeles, and who once served as a member of the Atomic Energy Commission, made important scientific contributions to the exact study of the past through the introduction and use of carbon 14 dating methods; for this he was awarded the Nobel Prize in 1960.

By using these methods it is possible for scientists to give fairly accurate dates to the products of man's early activities—charcoal from his fires, pieces of leather from his sandals, even pieces of linen from the wrappings of the Dead Sea Scrolls. Similarly, we now know that the great monuments at Stonehenge in England were erected some 3,500 years ago. Geologists have also been able to give us a new insight into the magnitude of this task as an ancient engineering problem, because they have been able to identify the rock of which the monuments were made. The nearest deposit of this rock is in Wales, 180 miles away. Some of these individual stones weigh as much as 28 tons, and moving them would not be easy even with modern power machinery.

Hammurabi, the king of ancient Babylon, whom we know as the author of the code of laws that bears his name, was probably the first ruler who published the laws of his country and assigned definite punishments to those who broke them. The code of Hammurabi was carved on great stone slabs and erected in every city and village of the land. By carbon 14 dating of a house erected during his reign, we now know that Hammurabi, the law giver, ascended his throne in about 1750 B.C., and we can also tell the approximate dates of many of the other events of Babylonian history.

We have also learned, for example, that Jericho may be one of the oldest cities in the world. Parts of the deep ruins of the city date from the period of 8000–6000 B.C., when the ice age had not yet ended in much of Western Europe.

Radioactive dating is reasonably well known by now, and has succeeded in being of inestimable help to the historian by clarifying many ancient and puzzling questions. It even gives us a new sort of yardstick by which we can measure how fast and how far we have come in our ascent from the swamps and the caves of our remote ancestors. Prof. L. S. B. Leakey has recently found the remains of a primitive, apelike creature in the Olduvai gorge in Tanganyika, east Africa. Although these were primitive creatures, they had already learned the fundamental art of making crude tools of flint. By the use of another radioactive method, measuring the rate at which potassium-40 slowly turns into argon-40, scientists Curtis and Evernden, at the University of California, have established that these early men hunted and lived and died over 600,000 years ago. More recently, some bones from this region have been dated as being at least 1,750,000 years old—which may push man's ancestry farther back than ever before. And we have recently learned that Professor Leakey, with the help of radioactive dating by the Berkeley scientists, may have uncovered a near ancestor of man in Kenya, more manlike than apelike, 14 million years old. It is humbling to recognize that our span of recorded history in our usual sense is only about one-thousandth of the entire length of time that men, or manlike creatures, have walked on the face of the earth.

There are also important applications of science to the study of the arts. Neutrons from an atomic reactor can be used to make minute traces of some materials sufficiently radioactive so that we can measure their presence and amount, even in quantities that are much too small to see with the most powerful microscope. This method is called neutron activiation analysis. Recently, scientists at the Brookhaven National Laboratory, a laboratory operated by the Associated Universities, Inc., for the Atomic Energy Commission, have been working with this new and powerful method to study the chemical composition of ancient pottery from the Mediterranean and from South and Central America. The great advantage of this method for the archeologist is that it is a nondestructive method of analysis, that is, the original artifact is still preserved in its original form and beauty. One of the fascinating things learned from this research program was that fraud was not exactly unknown in the anicent world. Pieces of pottery made in an ancient city of Arezzo, Italy, were very popular in the Roman Empire because of the high quality of their workmanship. The potters even marked their ware in the same way that manufacturers trademark their goods today. Yet, by means of neutron activation analysis, it has now been possible to show that much of this ancient pottery must have been made elsewhere and given a false trademark, since the chemical composition of the clay is sufficiently distinct to clearly establish it was not made in Arezzo.

Scientists at the Brookhaven National Laboratory are now exposing old paintings briefly to neutrons from a nuclear reactor. This treatment makes the mineral pigments in the paints slightly radioactive, without destroying or harming the painting in any way. When a high speed X-ray film is placed next to the painting, the radioactive atoms take their own photograph, even though they may be down inside the hidden inner layers of paint. In this way, scientists are working with art experts to get interesting and unique new information on the painting techniques used by the old masters. This method may possibly even be used to detect forgeries.

There are hundreds of other examples of the use of scientific methods of chemistry, physics, biology, and even astronomy to study our cultural and historical origins. Let me only mention in passing that such a simple device as the aqualung, invented by

M. Jacques Costeau, has opened an entire new world of underwater exploration, and has even let us study the patterns of ancient trade routes in the Mediterranean.

There was a tiny shell in the ancient Mediterranean Sea, called the murex. The Phoenicians of Tyre and Sidon were very skilled at extracting a tiny colored gland from this shell and using it to dye wool in the famous Tyrian purple, so precious that it was only used for emperors, the nobles, and the very wealthy. In 1908, Professor Paul Friedlaender, a well-known Austrian chemist, worked up some 12,000 specimens of a closely related snail, partly from the French Riviera. He puzzled out the molecular structure of the ancient dye, and found that it was identical with another molecule which had been prepared synthetically by some German chemists.

But there was still a question—was the dye of the ancient Phoenicians in the eastern end of the Mediterranean really the same as that found near France? This question recently excited the curiosity of a group of scientists at the American University of Beirut in Lebanon. Their students excavated the ancient shell heaps left by the dyestuff manufacturers, then went out in the nearby Mediterranean with diving equipment and brought back fresh, living specimens of the same shell that all the experts had thought was extinct.

Then these scientists, as all good scientists should, studied the previous literature; after that, they repeated the experimental details of their predecessors and produced a tiny amount of the dye. Using the most modern methods of electron spin resonance spectroscopy, they were able to prove that the molecular pattern of the German synthetic dye and of the eastern Mediterranean purple were exactly identical. Professor Friedlaender has used 12,000 snails in his analysis; Professors Bruin and Heinesken used only two or three, so sensitive are our newer methods of chemical and physical analysis.

Yet, interestingly enough, their scientific publication which appeared this year, referred to their laboratory manuals; these were books by Aristoteles (Athens, 340 B.C.) and C. Plinius (Rome, 75 B.C.); few scientists today can find 2,300 years of precedent on which to work.

Let us turn to other fields. There may seem to be little, if any, connection between theology and the intricacies of the modern high-speed electronic computer. Yet the computer is beginning to make its contributions to this complex and subtle field of thought. The complete works of St. Thomas Aquinas include approximately 13 million words. A complete concordance or index to the words in all his books would be of great use to those who would like to make a detailed study of the way he thought and wrote, or of how his thinking may have been influenced by others of his time and before. It has been estimated that such a complete concordance would take 50 scholars some 40 years to complete by hand in the old traditional way.

By the use of the newer machine processing of such data, such a concordance could be completed with about one-fortieth of the time and effort, permitting the researchers to use more of their time for their specific scholarly abilities, such as interpreting and organizing the information so obtained. Such a program is currently underway—a library in Italy has recently put all the words in the "Summa Theologica" of St. Thomas Aquinas on some 1,600,000 punched cards for machine processing.

A similar program is underway to study the words of the famous Dead Sea Scrolls; it is interesting to note in this instance that a special card punch had to be devised to punch the cards from right to left, since this is the way the scrolls were written.

Perhaps the lesson to be gained from these examples is that there is a great unity or coherence of knowledge and knowledge seeking. There is a continuum that extends from the theories of the origin of the universe, through the rise of life on earth, and to the evolution and history of man, and on to the completion of the cycle into such abtruse fields as high energy particle theory. There is no knowledge or true understanding that is isolated from the total fabric.

But this is hardly a new idea. Remember that Lucretius was a renowned Roman poet of the first century before Christ, and yet was also a philosopher who taught that all the universe was composed of tiny atoms, perpetually in motion.

Dante, whose name is commemorated in one of your own college buildings, was the greatest of Italian poets. He was also a student of all the sciences of his day, and incorporated some of the then-current astronomical ideas into his "Divine Comedy."

Leonardo da Vinci, of course, was a phenomenal engineer who invented the helicopter, among other machines, and was a designer, anatomist, and biologist. Even now his famous painting of the Mona Lisa has the power to attract great crowds, as it did when shown recently in Washington and New York.

Goethe could not only write a great drama like Faust, but he earned his subsistence as a practicing lawyer; he studied geology; and he wrote some of the finest poetry of the German language. He was a skilled theatrical director, a political economist, and an art critic. It is little known that his studies in the comparative anatomy of the man and the ape and on the structural relationships of plants foreshadowed some of Darwin's theories which came along some 60 years later.

In our own days, we have seen science and art interacting in ways which are still very much with us. The psychological discoveries of Freud have profoundly influenced the work of Salvador Dali and many other modern artists. The paintings of Piet Mondrian are based, of course, on mathematics, and are almost entirely separated from pictorial or representational art. His work helped initiate the contemporary schools of nonrepresentational, or abstract, art. Holst and Stravinsky have composed music symbolic of the movements of the planets. This is a kind of modern echo of that section in Milton's "Paradise Lost" where the Angel Raphael talks to Adam about the wonders of astronomy.

All of these interactions between the sciences and the humanities have served to enrich the concepts in both areas. But these are only a few of the many reasons why it is necessary for any well-educated person to have a broad understanding in the sciences and in the humanities. It is good to know that a vigorous program is underway at St. Mary's to give our next generation this kind of solid background that they will need and be able to use.

There will be many more opportunities here for the scholars of tomorrow—and I mean scholars in the broadest possible sense. In any case, we can look forward to many more fine things from the students and faculty of St. Mary's as a reflection of the fundamental philosophy of your school.

This is marked by your continued emphasis on service to the community as an expression of Christian democratic ideals, preserving the best of the values of the past and adding the best of the values of the present.

You will continue to try to create a unity from the intellectual tools of the medieval trivium which contained logic, grammar, and rhetoric. The world continues to be in vital need of men and women trained in the arts of precise thinking, critical reading, and clear expression.

To these we must add the best of the contemporary scholarly disciplines of the sciences, the arts, the law, and the other fields of study offered here, and the graduates of this college will continue to bear their full share of responsibility to their community, their nation, and the world.

In conclusion, I would like to remind you that we are here today to commemorate the progress of your school for the past century. Yet I feel that we should in equal measure, think of the future yet ahead. We should be particularly grateful for the continued dedication of the hard-working teachers of St. Mary's. It is their deep dedication to learning which makes St. Mary's so much more than a mere warehouse of furniture, books, and laboratory equipment.

It is this dedication which will inevitably carry over to their students, who will go forth to make the world a better place to live.

## EXECUTIVE SESSION

The Senate resumed the consideration of executive business.

## PROTOCOL TO AMEND CONVENTION ON INTERNATIONAL CIVIL AVIATION; CONVENTION ON EXTRADITION WITH SWEDEN; ADDITIONAL PROTOCOL TO THE TREATY OF EXTRADITION WITH BRAZIL; EXTRADITION CONVENTION WITH ISRAEL; CONSULAR CONVENTION WITH KOREA; CONSULAR CONVENTION WITH JAPAN

The Senate, as in Committee of the Whole, resumed the consideration of the protocol, Executive D (88th Cong., 1st sess.), to amend the Convention on International Civil Aviation; the convention, Executive E (87th Cong., 2d sess.), on extradition with Sweden; the additional protocol, Executive F (87th Cong., 2d sess.), to the Treaty of Extradition with Brazil; the extradition convention, Executive E (88th Cong., 1st sess.), with Israel; the consular convention, Executive B (88th Cong., 1st sess.), with Korea; and the consular convention, Executive I (88th Cong., 1st sess.), with Japan.

The **PRESIDING OFFICER**. Without objection, the protocols and conventions will be considered as having passed through their various parliamentary stages up to and including the presentation of the respective resolutions of ratification.

If there be no objection, the resolutions of ratification will be printed in the RECORD without being read.

There being no objection, the resolutions of ratification of Executive D (88th Cong., 1st sess.), Executive E (87th Cong., 2d sess.), Executive F (87th Cong., 2d sess.), Executive E (88th Cong., 1st sess.), Executive B (88th Cong., 1st sess.), and Executive I (88th Cong., 1st sess.), were ordered to be printed in the RECORD, as follows:

*Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of the protocol dated at Rome September 15, 1962, to amend the Convention on International Civil Aviation done at Chicago on December 7, 1944 (Executive D, 88th Congress, 1st session).

*Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of a Convention of Extradition Between the United States of America and Sweden, together with a related protocol, signed at Washington on October 24, 1961 (Ex. E., 87th Cong., 2d sess.), an additional protocol to the Treaty of Extradition of January 13, 1961, Between the United States of America and the United States of Brazil, which additional protocol was signed at Rio de Janeiro on June 18, 1962 (Ex. F, 87th Cong., 2d sess.), and a Convention on Extradition Between the Government of the United States of America and the Government of the State of Israel, signed at Washington December 10, 1962 (Executive E, 88th Congress, 1st session).

*Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of the consular convention between the United States of America and Korea, signed at Seoul on January 8, 1963 (Executive B, 88th Congress, 1st session).

*Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advise and consent to the ratification of the consular convention between the United States of America and Japan, together with a protocol relating thereto, signed at Tokyo on March 22, 1963 (Executive I, 88th Congress, 1st session).

The PRESIDING OFFICER. Under the further order of yesterday, as modified today, the Senate, at 2 p.m., will proceed to a yea-and-nay vote on the question of agreeing to the said resolutions of ratification of the six protocols and conventions.

## THE CALENDAR

Mr. MANSFIELD. Mr. President, after a conference with the distinguished acting minority leader [Mr. Kuchel] and with his approval, I ask unanimous consent that at this time there may be a call of measures on the calendar to which there is no objection, beginning with Calendar No. 554, H.R. 844. I ask unanimous consent that the measures may be considered in sequence, and I also ask unanimous consent that I may have authority to have printed in the Record comments, excerpts from reports, and so on.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Montana? The Chair hears none; and, without objection, it is so ordered.

The clerk will state the first measure.

## TRUST LAND FOR OGLALA SIOUX INDIAN TRIBE OF PINE RIDGE RESERVATION

The bill (H.R. 844) to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation, was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 576), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

#### PURPOSE

The purpose of H.R. 844, as amended and passed by the House, is to convey in trust status 5,422.68 acres of land formerly used for the benefit of the Oglala Community School to the Oglala Sioux Tribe of the Pine Ridge Reservation in South Dakota. The present estimated value of the property is $196,000. The bill also provides that in the event of a judgment favorable to the Oglala Sioux Tribe by the Indian Claims Commission, the Commission will determine to what extent the value of this land should be an offset.

A companion bill, S. 84, introduced by Senators McGovern and Mundt, was also considered by the committee.

#### NEED

The land was acquired by the Bureau of Indian Affairs over a period of years between 1939 and 1946 from private owners at a total cost of $51,098.34 for the use of the Oglala Community School. Improvements are valued at $1,476. The funds employed for this purpose are described as "Indian moneys, proceeds of labor." These are funds derived from Federal operations on Indian reservations which are available for expenditure under an indefinite and continuing appropriation for the benefit of the Indians, the agency, or the Indian school on whose behalf the money is collected. The money is accumulated from such activities as the operation of a beef herd in connection with an Indian school.

The subject land was formerly used for grazing the school beef and dairy herd but, since the dairy herd has been discontinued and the beef herd considerably reduced in size, it is no longer required for pasturing. The Bureau of Indian Affairs has no further use for the land or improvements. The tribe will probably continue to lease the land to stockgrowers for grazing purposes and/or for the site of an industrial development.

The land is located near the agency headquarters, borders an important highway, and produces some of the finest pasturage in southwestern South Dakota. All of the land is within the boundaries of the reservation.

#### COST

Enactment of H.R. 844 requires no expenditure of Federal funds.

## TRUST LAND FOR OGLALA SIOUX INDIAN TRIBE OF PINE RIDGE RESERVATION

The bill (H.R. 845) to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation, was considered, ordered to a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 577), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

#### PURPOSE

The purpose of H.R. 845 is to convey in trust status the Government's interest in 40 acres of land formerly used as a site for its Wakpamni Lake Day School to the Oglala Sioux Tribe of the Pine Ridge Reservation in South Dakota. The bill also provides that in the event a judgment favorable to the tribe is rendered by the Indian Claims Commission, the Commission shall determine to what extent the value of this land should be an offset.

The committee also considered a companion bill, S. 85, introduced by Senators McGovern and Mundt.

#### NEED

The 40 acres were acquired in 1933 at a total cost of $400 for use of the Indian school. Several school structures valued at $750 were constructed. The school has been closed and the children are being transported by bus to a public school. Part of the land is presently occupied by several Indian families who have constructed homes on it. The Federal Government has no further use for the land or improvements. Removal of the improvements, it is estimated, would cost more than they are worth.

## TRUST STATUS FOR CERTAIN LANDS ON ROSEBUD SIOUX RESERVATION IN SOUTH DAKOTA

The Senate proceeded to consider the bill (S. 136) to place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 8, after the word "the," where it appears the first time, to strike out "Uinted" and insert "United"; in line 9, after the word "South," to strike out "Dakota: *Provided*, That building numbered 248 (residence) on tract L-44 should be reserved to the United States with the right to remove it" and insert "Dakota"; on page 3, in the table, at the beginning of line 2 thereof, to strike out "old"; at the beginning of line 4 of the table, to strike out "old"; in line 8 of the table, after the word "of," where it appears the second time, to strike out "old"; in line 10, of the table, after the word "of," where it appears the second time, to strike out "old"; at the beginning of line 20 of the table, to strike out "old"; on page 4, in the table, in line 15 thereof, after "Sec. 1,", to strike out "W½W½SE¼SE¼E½E½SW¼SE¼SE¼SE¼" and insert "W½W½SW¼SE¼, E½E½SW¼SE¼, SE¼SE¼"; on page 5, after line 3, to insert a new section, as follows:

Sec. 4. This conveyance is subject to all valid existing rights-of-way of record and subject to that certain proposed right-of-way for sewer purposes to the United States Public Health Service on which construction was authorized by the Superintendent, Rosebud Agency, on July 31, 1962.

And, after line 8, to insert a new section, as follows:

Sec. 5. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all the right, title, and interest in and to the following described tracts of land and the improvements thereon on the Rosebud Sioux Reservation in South Dakota, purchased by the United States with funds derived from the "Indian moneys, proceeds of labor, Rosebud School" account, shall hereafter be held by the United States in trust for the benefit of the Rosebud Sioux Tribe of South Dakota.

| Tract I-BIA-107 | Land description | Acres |
|---|---|---|
| | T. 38 N., R. 29 W., 6th principal meridian | |
| L-4 | Sec. 5, SW¼ | 160.0 |
| L-5 | Sec. 6, SE¼ | 160.0 |
| L-6 | Sec. 6, lots 6, 7, E½SW¼ | 149.51 |
| L-7 | Sec. 6, lots 3, 4, 5, SE¼NW¼ | 147.09 |
| | T. 38 N., R. 30 W., 6th principal meridian | |
| L-9 | Sec. 2, lots 3, 4, S½NW¼, SW¼ | 321.64 |
| L-10 | Sec. 2, lots 1, 2, S½NE¼ | 160.47 |
| L-11 | Sec. 3, lots 1, 2, S½NE¼ | 161.95 |
| L-12 | Sec. 3, SE¼ | 160.0 |
| L-13 | Sec. 3, lots 3, 4, S½NW¼, SW¼ | 321.36 |
| L-14 | Sec. 4, lots 1, 2, 3, 4, S½NW¼, S½NE¼ | 323.50 |
| L-15 | Sec. 5, lots 1, 2, S½NE¼ | 161.69 |
| L-16 | Sec. 5, SE¼ | 160.0 |
| L-17 | Sec. 5, SW¼ | 160.0 |
| L-18 | Sec. 6, lots 1, 2, S½NE¼ | 158.85 |
| L-19 | Sec. 6, SE¼ | 160.0 |
| L-20 | Sec. 7, SE¼ | 160.0 |
| L-21 | Sec. 7, lots 3, 4, E½SW¼ | 151.29 |
| L-22 | Sec. 8, S½ | 320.0 |
| L-23 | Sec. 9, NE¼ | 160.0 |
| L-25 | Sec. 9, NW¼ | 160.0 |
| L-26 | Sec. 10, NE¼ | 160.0 |
| L-27 | Sec. 10, SE¼ | 160.0 |
| L-28 | Sec. 10, NW¼ | 160.0 |
| L-29 | Sec. 11, SE¼ | 160.0 |
| L-30 | Sec. 11, NW¼ | 160.0 |
| L-31 | Sec. 12, NW¼ | 160.0 |
| L-35 | Sec. 17, NW¼ | 160.0 |
| L-37 | Sec. 18, SE¼ | 160.0 |
| L-38 | Sec. 18, all of lots 1, 2, E½NW¼, NE¼, lying north of U.S. Highway No. 18 | 261.0 |
| L-39 | Sec. 21, E½ | 320.0 |
| L-40 | Sec. 21, W½ | 320.0 |
| | T. 39 N., R. 30 W., 6th principal meridian | |
| L-42 | Sec. 26, SW¼, except that part lying north of U.S. Highway No. 18 | 49.3 |
| L-43 | Sec. 27, SE¼, except that part lying north of U.S. Highway No. 18 | 72.1 |
| L-44 | Sec. 28, W½SE¼SW¼, except the S½NE¼NE¼NW¼SE¼ SW¼, and N½SE¼NE¼ NW¼SE¼SW¼ containing 0.3125 acre each | 19.375 |
| L-47 | Sec. 32, all of the N½ lying south of U.S. Highway Ho. 18 | 189.6 |
| L-48 | Sec. 32, all of the S½ lying south of U.S. Highway No. 18 | 312.67 |
| L-49<br>L-50 | Sec. 33, NE¼, S½NW¼, W½NE¼NW¼, SE¼NE¼ NW¼, NW¼NW¼ | 310.0 |
| L-51 | Sec. 34, NE¼ | 160.0 |
| L-52 | Sec. 34, SE¼ | 160.0 |
| L-53 | Sec. 34, SW¼ | 160.0 |
| L-54 | Sec. 35, W½ | 320.0 |
| L-55 | Sec. 35, E½ | 320.0 |
| L-56 | Sec. 36, NE¼ except that part lying north of U.S. Highway No. 18 | 104.8 |
| | T. 38 N., R. 32 W., 6th principal meridian | |
| L-73 | Sec. 1, lots 3, 4, S½NW¼ | 161.8 |
| | T. 36 N., R. 32 W., 6th principal meridian | |
| L-74 | Sec. 12, N½NE¼ | 80.0 |
| L-75 | Sec. 12, E½NW¼, S½NE¼ | 160.0 |
| L-76 | Sec. 12, W½NW¼ and sec. 1, lots 1, 2, N½SW¼, SW¼SW¼ | 260.34 |
| | Total | 8,838.335 |

SEC. 2. That all the right, title, and interest in and to the following described tracts of land and the improvements thereon on the Rosebud Sioux Reservation in South Dakota, shall hereafter be held by the United States in trust for the benefit of the Rosebud Sioux Tribe of South Dakota:

| Tract I-BIA-107 | Description | Acres |
|---|---|---|
| | T. 38 N., R. 30 W., 6th principal meridian | |
| L-32 | Sec. 16, S½ | 320.0 |
| L-33 | Sec. 17, NE¼ | 160.0 |
| L-34 | Sec. 17, SE¼ | 160.0 |
| L-36 | Sec. 17, SW¼ | 160.0 |
| | T. 39 N., R. 29 W., 6th principal meridian | |
| L-41 | Sec. 18, NE¼SW¼ | 40.0 |
| | T. 39 N., R. 30 W., 6th principal meridian | |
| L-45 | Sec. 28, SW¼SW¼ | 40.0 |
| | T. 42 N., R. 33 W., 6th principal meridian | |
| L-68 | Sec. 35, E½ | 320.0 |
| | T. 37 N., R. 30 W., 6th principal meridian | |
| L-71 | Sec. 30, NE¼SE¼ | 40.0 |
| | T. 36 N., R. 32 W., 6th principal meridian | |
| L-77 | Sec. 1, SE¼SW¼ | 40.0 |
| L-78 | Sec. 1, W½W½SW¼SE¼E½ E½SW¼SE¼, SE¼SE¼ | 60.0 |
| | T. 36 N., R. 31 W., 6th principal meridian | |
| L-97 | Sec. 6, lot 6 | 35.01 |
| | Total | 1,075.01 |

SEC. 3. That all the right, title, and interest in and to the south half section 9, township 38 north, range 30 west, sixth principal meridian, containing 281.91 acres, more or less (Bureau of Indian Affairs reference: Tract 1-BIA-107-L-24), on the Rosebud Sioux Reservation in South Dakota, purchased by the United States with funds derived from the "Indian moneys, proceeds of labor, Rosebud School" account, shall hereafter be held by the United States in trust for the benefit of the Rosebud Sioux Tribe of South Dakota.

SEC. 4. This conveyance is subject to all valid existing rights-of-way of record and subject to that certain proposed right-of-way for sewer purposes to the United States Public Health Service on which construction was authorized by the Superintendent, Rosebud Agency, on July 31, 1962.

SEC. 5. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 578), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The purpose of S. 136, as amended, is to place in trust for the Rosebud Sioux Indians of South Dakota approximately 10,495 acres of land located within the boundaries of the reservation. The lands are excess to the needs of the Bureau of Indian Affairs. The bill, as amended, also provides that in the event of a judgment favorable to the Rosebud Sioux Tribe by the Indian Claims Commission, the Commission will determine to what extent the value of this land should be an offset.

## EXCEPTION FROM 25-YEAR LEASE LIMITATIONS OF FORT MOJAVE INDIAN RESERVATIONS

The bill (H.R. 2635) to amend the act of August 9, 1955, for the purpose of including the Fort Mojave Indian Reservation among the reservations excepted from the 25-year lease limitations, was considered, ordered to a third reading, was read the third time, and passed.

Mr. KUCHEL. Mr. President, H.R. 2635 came from my committee unanimously. I ask unanimous consent to have printed in the RECORD at this point a portion of the committee report describing the proposed legislation.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

### PURPOSE

The purpose of H.R. 2635 is to permit leases of Indian land on the Fort Mojave Reservation in California, Arizona, and Nevada for business and other purposes to be made for a term of 99 years or less instead of the present 25 years with the right of renewal for another 25 years.

### NEED

Enactment of H.R. 2635 is needed to permit a lease with a term long enough to enable a prospective lessee to obtain financing for the tourist-recreation development that is contemplated. Among others who have indicated an interest in this area, the Cal-A-Nev Corp. plans to develop a multimillion-dollar resort on a 13,000-acre tract fronting on the Colorado River near the U.S. Highway 66 crossing if a long-term lease can be negotiated. The lands are unoccupied and unused at present but have a high potential for development for recreational purposes.

Assurance was given the committee that the Secretary of the Interior would approve a 99-year lease only if the extended period is absolutely essential and if it is consonant with the needs of the Indians.

If enacted, H.R. 2635 will extend to the Fort Mojave Indian Reservation the same long-term leasing provisions which have been made applicable to the Agua Caliente, Navajo, Seminole, Colorado River, and Southern Ute Reservations.

### COST

The enactment of H.R. 2635 will entail no additional expenditure of Federal funds.

## TRUST LANDS FOR INDIANS OF BATTLE MOUNTAIN COLONY

The Senate proceeded to consider the bill (S. 1885) to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, after line 12, to insert a new section, as follows:

SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the lands conveyed under the authority of this Act should or should not be set off against any claim against the United States determined by the Commission subsequent to the conveyance.

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all of the right, title, and interest of the United States in the following described public domain lands located in the State of Nevada is hereby declared to be held by the United States in trust for the Indians of the Battle Mountain Colony:

Township 32, north, range 44 east, Mount Diablo base and meridian, section 13, west half southeast quarter northwest quarter northeast quarter, containing 5 acres, plus a right-of-way for access purposes across the west 33 feet of the northeast quarter northwest quarter northeast quarter of said section 13.

Township 32 north, range 45 east, Mount Diablo base and meridian, section 13, west half northwest quarter southwest quarter northeast quarter southwest quarter, containing 1¼ acres, plus a right-of-way for access purposes across the west 33 feet of the south half northwest quarter southwest quarter northeast quarter southwest quarter, southwest quarter southwest quarter northeast quarter southwest quarter and southeast quarter southwest quarter of said section 18.

Sec. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the lands conveyed under the authority of this Act should or should not be set off against any claim against the United States determined by the Commission subsequent to the conveyance.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 580), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

### PURPOSE

The purpose of S. 1885, as amended, is to place in a trust status for the Battle Mountain Indian Colony, Nevada, some 6.25 acres of withdrawn public domain for use as a cemetery.

### NEED

The Indians have been using the two tracts for cemetery purposes. There are about 130 graves in one tract and some 16 graves in the other. The estimated fair market value of the two cemetery sites and right-of-way areas is $400. The colony, which had a population of 77 in 1962, has beneficial interest in 680 acres of land. The cemetery sites are about one-half mile from the colony lands. The public domain land surrounding the cemetery sites is vacant.

### COST

There is no appreciable cost involved in this legislation.

### AMENDMENT

The committee has added a section 2 which would require the Indian Claims Commission to determine the extent to which the value of the lands conveyed by the bill should be set off against any claim the tribe may have against the United States. This is the language consistently adopted by the committee in legislation donating Federal lands to Indian tribes.

## RIGHTS OF NAVAJO TRIBE AND UTE MOUNTAIN TRIBE TO CERTAIN LANDS IN NEW MEXICO

The bill (S. 1594) to determine the rights of the Navajo Tribe and the Ute Mountain Tribe in and to certain lands in the State of New Mexico, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Navajo-Ute Boundary Dispute Act".

Sec. 2. The consent of the United States is hereby given to either or both the Navajo Tribe of Indians and the Ute Mountain Tribe of the Ute Mountain Reservation to bring suit against the United States, as trustee, against each other, and against any other tribe of Indians, persons, or entities, to quiet the beneficial title in and to such lands in the State of New Mexico as are common to the description contained in article II of the treaty concluded June 1, 1868, between the United States and the Navajo Nation or Tribe of Indians and proclaimed August 12, 1868 (15 Stat. 667), setting apart certain lands for the use and occupation of the Navajo Tribe of Indians, and to the description contained in section 3 of the Act approved February 20, 1895 (28 Stat. 677), setting apart certain lands for the sale and exclusive use and occupancy of the Southern Ute Indians described therein.

Sec. 3. Any action commenced pursuant to section 2 of this Act shall be heard and determined by a district court of three judges in the United States District Court for the District of New Mexico, in accordance with the provisions of title 28, United States Code, section 2284, and, subject to the provisions of section 4 of this Act, any party may appeal as of right directly to the Supreme Court of the United States from the final determination by such three judge district court.

Sec. 4. It is hereby declared to be the intent and the objective of the Congress that the relative rights and interests of all parties making claims against the United States and each other in and to the surface and the subsurface of the lands identified in section 2 of this Act be judicially determined in accordance with such principles as may be just and fair in law and equity, including a consistent award or awards or release or releases to either or both the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation of such bonus sums, rentals, and royalties, or other moneys paid or received on account of the leasing of any portion of such lands and now held in a joint account in the Treasury of the United States pursuant to the agreement dated May 9, 1957, between the two tribes, approved by the Area Director of the Bureau of Indian Affairs. In furtherance of the accomplishment of this intent and the attainment of this objective, the parties are hereby authorized to enter into a settlement agreement, in which provision may be made for a recognition in perpetuity of their relative rights to use and to enjoy the surface and the subsurface of the lands identified in section 2 of this Act, including the division of any and all of such bonus sums, rentals, and royalties, or other moneys paid or received on account of the leasing of any portion of said lands for any purpose or purposes. Such settlement agreement may be embodied in and be made a part of any decree of the court, which thereupon shall be final and conclusive with respect to the rights and interests of all parties.

Sec. 5. Nothing in this Act shall be deemed to be a congressional determination of the merits of the conflicting tribal, individual Indian, or other claims against the United States with respect to the lands that are the subject of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 581), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

### PURPOSE

The purpose of S. 1594 is to authorize the Navajo Tribe or the Ute Mountain Tribe to commence litigation to determine the location of a part of the common boundary between their two reservations. The litigation would be before a district court of three judges in the U.S. District Court for the District of New Mexico, with a statutory right of appeal direct to the Supreme Court. The district court would base its decision on "such principles as may be just and fair in law and equity."

### NEED

The Navajo boundary immediately south of the Colorado boundary was fixed by a treaty of June 1, 1868. In 1869 the boundary was surveyed and monumented but the monuments cannot be located at the present time. The Ute Mountain boundary was established by the act of February 20, 1895. Apparently there is an overlap and the purpose of the bill is to quiet title to the land in one or the other of the tribes.

The dispute became active during the past decade when oil was discovered in the Four Corners area. The Navajo and Ute Mountain Tribes entered into an agreement dated May 9, 1957, with the approval of the Bureau of Indian Affairs to lease the area jointly and to place all revenue from the leases in a joint account pending a resolution of the dispute.

As of May 29, 1963, the bonuses, royalties, and rentals in the joint account amounted to $4,983,226.02. This amount is subject to reduction by payment of severance and other States and local taxes. Accrued interest on the principal in the joint account amounted to an additional $550,467.

Inasmuch as the joint account agreement covers revenues from some lands that are not in dispute, the maximum amount that either tribe could expect to receive if it established its full claim to title would be about two-thirds of the total in the joint account.

Mr. ALLOTT. Mr. President, S. 1594 is designed to authorize the Navajo Tribe or the Ute Mountain Tribe to commence litigation to determine the location of a part of the common boundary between their two reservations. The action would be brought before a three-judge district court for the District of New Mexico, with a statutory right of appeal directly to the U.S. Supreme Court.

The Navajo boundary was fixed in 1868 just south of the Colorado-New Mexico line, and was surveyed and monumented in 1869. The monuments can no longer be located. In 1895 the Ute Mountain boundary was established, and there was apparently an overlap. As a result a dispute has arisen in regard to the strip contained in the overlap. Both tribes have agreed to submit the issue to a judicial determination and to abide by the final adjudication. This bill will allow that adjudication to be made. I therefore appreciate the Senate's consideration and passage of this bill.

## BILL PASSED OVER

The bill (H.R. 1989) to authorize the Government of the Virgin Islands to issue general obligation bonds, was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

## AMENDMENT OF LAW WITH RESPECT TO TRADE WITH INDIANS

The Senate proceeded to consider the bill (S. 1718) to amend the law with respect to trade with the Indians and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 2, after line 3, to strike out:

(b) Subsection (a) shall not apply to the persons subject thereto in such cases and under such circumstances as may be prescribed by the Secretary of the Interior by general rule or regulation.

(c) Nothing contained in this section or in section 437 of title 18 of the United States Code shall be construed as preventing Indian employees of the United States Government, of whatever degree of Indian blood, during their term of employment or otherwise, from obtaining or receiving any benefit or benefits made available to the Indians generally or to the members of any particular tribe, under any Act of Congress, nor to prevent such employees having Indian blood from being members of or receiving benefits by reason of their membership in Indian tribes, corporations, or cooperative associations organized by the Indians, when authorized by the Secretary of the Interior under appropriate regulations to be promulgated by him.

And, in lieu thereof, to insert:

(b) Notwithstanding the provisions of subsection (a) of this section or the provisions of section 437 of title 18 of the United States Code, employees of the United States Government, including those employed in Indian Affairs, may, under such rules and regulations as the Secretary of the Interior shall prescribe, be permitted to purchase from or sell to any Indian or Indian organization any arts and crafts or any other product, service, labor, land, or commodity, produced, rendered, owned, controlled, or furnished by any Indian or Indian organization or by such employees: *Provided*, That no employee shall be permitted to make any such purchases for the purpose of engaging directly or indirectly in the commercial selling, reselling, trading, or bartering of said purchases by such employee: *Provided further*, That no provision of law shall be construed as preventing Indian employees of the United States Government, of whatever degree of Indian blood, during their term of employment or otherwise, from obtaining or receiving any benefit or benefits made available to the Indians generally or to the members of any particular tribe, under any Act of Congress, nor to prevent such employees having Indian blood from being members of or receiving benefits by reason of their membership in Indian tribes, corporations, or cooperative associations organized by the Indians, when authorized by the Secretary of the Interior under appropriate regulations to be promulgated by him.

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 2078 of the Revised Statutes (25 U.S.C. 68) and section 14 of the Act of June 30, 1834 (4 Stat. 738), are amended to read as follows:

"(a) Except as permitted by subsection (b), any person employed in Indian affairs who shall have any interest or concern in any trade with Indians residing on an Indian reservation which is not for, and on account of, the United States shall be liable to a penalty of not to exceed $5,000 and, in the discretion of the head of his department or agency, may be removed from office.

"(b) Notwithstanding the provisions of subsection (a) of this section or the provisions of section 437 of title 18 of the United States Code, employees of the United States Government, including those employed in Indian Affairs, may, under such rules and regulations as the Secretary of the Interior shall prescribe, be permitted to purchase from or sell to any Indian or Indian organization any arts and crafts or any other product, service, labor, land, or commodity, produced, rendered, owned, controlled, or furnished by any Indian or Indian organization or by such employees: *Provided*, That no employee shall be permitted to make any such purchases for the purpose of engaging directly or indirectly in the commercial selling, reselling, trading, or bartering of said purchases by such employee: *Provided further*, That no provision of law shall be construed as preventing Indian employees of the United States Government, of whatever degree of Indian blood, during their term of employment or otherwise, from obtaining or receiving any benefit or benefits made available to the Indians generally or to the members of any particular tribe, under any Act of Congress, nor to prevent such employees having Indian blood from being members of or receiving benefits by reason of their membership in Indian tribes, corporations, or cooperative associations organized by the Indians, when authorized by the Secretary of the Interior under appropriate regulations to be promulgated by him."

SEC. 2. The Act of June 19, 1939 (ch. 210, 53 Stat. 840), is repealed.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 583), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

### PURPOSE

The purpose of S. 1718, as amended, is to amend section 2078 of the Revised Statutes (25 U.S.C. 68) and section 14 of the act of June 30, 1834 (4 Stat. 738) as amended by the act of June 19, 1939 (53 Stat. 840) relating to trade with Indians.

The 1834 act provided that:

"No person employed in Indian affairs shall have any interest or concern in any trade with the Indians, except for, and on account of, the United States; and any person offending herein, shall be liable to penalty of $5,000, and shall be removed from his office."

The act of June 19, 1939, attempted to eliminate the inequities of the 1834 act, but did not do so entirely.

### NEED

From the 1939 act it is not clear whether employees of the Bureau of Indian Affairs are authorized to purchase the labor of Indians as distinguished from their services, or when purchase of a service would be "for the purpose of engaging directly or indirectly in the commercial selling, reselling, trading or bartering" of such purchase. These ambiguities are illustrated by the following case: An employee of the Bureau of Indian Affairs who operates on his own time a truck farm located near a reservation has requested permission to employ Indians for general farmwork at prevailing or above prevailing wage rates. There is considerable unemployment in the area and the Indians would be benefited materially by such an employment opportunity. There appears to be no possibility that the employee would overreach the Indians or otherwise take advantage of his Bureau employment in hiring the Indians. The Bureau, however, is unable to give positive assurance to the employee that his action in hiring the Indians would not subject him to the mandatory sanctions of the 1834 statute because of the question that exists about whether the purchase of labor is permitted by the 1939 act and whether the sale of produce from the truck farm would constitute a "direct or indirect" sale or resale of the Indian labor.

Although the 1939 act authorized Federal employees to make purchases from Indians, it did not authorize employees to sell any property or service to Indians. Numerous situations have been encountered where this lack of authority has worked to the detriment of both Indians and employees. For example, where a retired employee of the Bureau of Indian Affairs who happens to be an Indian requests another employee to perform a service (such as preparing an income tax return, or appraising a piece of property) during the employee's free time after his weekly tour of duty has been completed, acceptance by the employee of any compensation for the service performed would constitute a violation of the statute and subject him to the mandatory penalties prescribed. Another example is where an employee of the Bureau of Indian Affairs in Washington, D.C., who is of Indian extraction wants to buy a home in the suburbs of Washington from another non-Indian Bureau employee who is being transferred to the field service of the Bureau, but the sale by the non-Indian employee would be a violation of the statute.

Subsection 1(a) of the bill is the same as present law (sec. 2078 of the Revised Statutes and act of June 30, 1834), except that it is limited to trade with Indians residing on Indian reservations. It does not apply to Indians who have left the reservation and have become a part of normal communities.

Subsection 1(b) of the bill, as amended, is the same as present law (act of June 19, 1939) except for the addition of certain words. These words permit Government employees to make sales to Indians, as well as to make purchases (which is the present law), and the subject matter of the trade may include labor and land in addition to products, services, and commodities.

It should be noted that the prohibition against resales in commercial trade is retained.

### COST

The enactment of S. 1718 will not involve any additional expenditure of Federal funds.

## DISPOSITION OF JUDGMENT FUNDS ON DEPOSIT TO CREDIT OF KOOTENAI INDIANS, IDAHO

The bill (S. 2139) to provide for the disposition of judgment funds on deposit to the credit of the Kootenai Tribe of Indians, Idaho, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Kootenai Tribe or Band of Indians of the State of Idaho that were appropriated by the Act of September 8, 1960 (74 Stat. 830), to pay a judgment by the Indian Claims Commission in docket 154, and the interest thereon, may be advanced or expended for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the tribe shall not be subject to the Federal or State income tax.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 584), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

### PURPOSE

The purpose of S. 2139, introduced as a result of an executive communication, is to provide for the distribution of an award to the Kootenai Tribe by the Indian Claims Commission of approximately $380,000.

### NEED

Docket 154 in the Indian Claims Commission involved a claim based upon the value of the lands in Idaho and Montana that were taken by the United States under the treaty of July 16, 1855, without the consent of the Bonners Ferry Kootenai Band. The Indian Claims Commission found that the Bonners Ferry Kootenai were entitled to the value of approximately 1,160,000 acres of land in northwest Idaho and northwest Montana determined as of March 8, 1859, the date of the actual taking of the lands.

On March 24, 1960, the parties in the case filed a joint motion for entry of a final judgment based upon a stipulated settlement of $425,000. The motion was granted. From this award, the attorneys representing the tribe were allowed fees and expenses in the total sum of $65,345.85, leaving a balance of $359,644.15 which is presently on deposit in the U.S. Treasury to the credit of the Kootenai Tribe or Band of Indians and bears interest at 4 percent per annum. The principal and interest as of July 29, 1963, amounted to $379,898.46.

The judgment was in favor of the Kootenai Tribe or Band of the State of Idaho. The Bonners Ferry Kootenai are the successors in interest of this group and the judgment funds are made available to them for use under the rules that apply to tribal funds generally.

The tribe has indicated it favors employment of the judgment fund for the socioeconomic improvement of tribal members through a family-plan program and for other purposes. The bill will permit the Kootenai, subject to the approval of the Secretary, to decide precisely how they will program their judgment funds.

## BENEFICIAL OWNERSHIP OF COLORADO RIVER INDIAN RESERVATION, ARIZ. AND CALIF.

The Senate proceeded to consider the bill (S. 2111) to fix the beneficial ownership of the Colorado River Indian Reservation located in the States of Arizona and California, which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 3, after line 14, to strike out:

Sec. 4. Nothing in this Act shall affect, or be taken into consideration in the adjudication of, or with respect to, claims now pending by the tribes against the United States, except that no recovery for any of the lands subject to this Act shall be allowed in any claim.

And, in lieu thereof, to insert:

Sec. 4. This Act shall become effective upon the agreement of the tribes to abandon the claims now pending in docket numbered 185 and in docket numbered 283A before the Indian Claims Commission under the Act of August 13, 1946 (60 Stat. 1049), and the dismissal of said claims by the Indian Claims Commission. Nothing in this Act shall affect or be taken into consideration in the adjudication of, or with respect to, any other claims now pending by the tribes against the United States.

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purpose of fixing the beneficial ownership of real property interests in the Colorado River Reservation now occupied by the Colorado River Indian Tribes, its members, and certain Indian colonists, all right, title, and interest of the United States in the unallotted lands of the Colorado River Reservation, including water rights and mineral rights therein, together with all improvements located thereon and appurtenant thereto, except improvements placed on the land by assignees or by Indian colonists, and except improvements furnished by the United States for administrative purposes (including irrigation facilities) or for the housing of Federal employees, are hereby declared to be tribal property held in trust by the United States for the use and benefit of the Colorado River Indian Tribes of the Colorado River Reservation.

Sec. 2. For the purpose of this Act:

(a) "Tribes" means the Colorado River Indian Tribes of the Colorado River Reservation, with a constitution adopted pursuant to the Indian Reorganization Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 461 et seq.), as said constitution now exists or may hereafter be amended, consisting of a band of the Mohave Indians, the band of Chemehuevi Indians affiliated therewith, and various Indians heretofore or hereafter adopted by the Colorado River Indian Tribes.

(b) "Colorado River Reservation" means the reservation for Indian use established by the Act of March 3, 1865 (13 Stat. 559), as modified and further defined by Executive orders of November 22, 1873, November 16, 1874, May 15, 1876, and November 22, 1915, all of which area shall be deemed to constitute said reservation.

Sec. 3. Any person of Indian blood, his spouse of Indian blood (excluding persons whose Indian blood is traceable solely to Indian tribes, bands, or groups not resident in or subject to the jurisdiction of the United States), and any dependent child of either or both of them, who is not a member of the tribes on the date of this Act, and who has settled on irrigated lands of the Colorado River Reservation through application for a settler's land permit and who is still holding such lands by virtue of the authority of a temporary land use permit issued by or under the authority of the tribes or the Federal Government, shall be deemed to be adopted by the tribes if within two years from the date of this Act he files with the tribal council a statement accepting membership in the tribes and renouncing membership in any other tribe, band, or group. Such statement may be filed on behalf of a dependent child by either parent or by a person standing in loco parentis.

Sec. 4. This Act shall become effective upon the agreement of the tribes to abandon the claims now pending in docket numbered 185 and in docket numbered 283A before the Indian Claims Commission under the Act of August 13, 1946 (60 Stat. 1049), and the dismissal of said claims by the Indian Claims Commission. Nothing in this Act shall affect or be taken into consideration in the adjudication of, or with respect to, any other claims now pending by the tribes against the United States.

Sec. 5. The Act of June 11, 1960 (74 Stat. 199), as amended by the Act of September 5, 1962 (76 Stat. 428), is amended to read as follows:

"The Secretary of the Interior is authorized to approve leases of lands on the Colorado River Indian Reservation, Arizona and California, for such uses and terms as are authorized by the Act of May 11, 1938 (52 Stat. 347; 25 U.S.C. 396a et seq.), and the Act of August 9, 1955 (69 Stat. 539), as amended (25 U.S.C. 415 et seq.), including the same uses and terms as are permitted thereby on the Aqua Caliente (Palm Springs), Dania, Navajo and Southern Ute Reservations: *Provided, however,* That the authorization herein granted to the Secretary of the Interior shall not extend to any lands lying west of the present course of the Colorado River and south of section 25 of township 2 south, range 23 east, San Bernardino base and meridian in California, and shall not be construed to affect the resolution of any controversy over the location of the boundary of the Colorado River Reservation: *Provided further,* That any of the described lands in California shall be subject to the provisions of this Act when and if determined to be within the reservation."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 585), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

### PURPOSE

The purpose of S. 2111, introduced by Senator Church at the request of the Department of the Interior, is to declare the Colorado River Reservation to be the property of the Colorado River Indian Tribes of the Colorado River Reservation. Improvements placed on the land by assignees and Indian colonists would be excepted, as would Federal improvements. The Colorado River Reservation is defined as the reservation which was established by the act of March 3, 1865 (13 Stat. 559), and subsequently modified by Executive orders.

The bill defines "tribes" to mean the group of Mohave and Chemehuevi Indians who are organized under the Indian Reorganization Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 461 et seq.), and such other Indians who have been or may be adopted by this group. Indians who are not members of the tribes on the date of the act, but who applied for a settler's land permit and still hold reservation land under authority of the tribe or the Federal Government, shall be deemed to be adopted by the tribes if they file a statement accepting membership within 2 years. Such Indians would be required to renounce membership in any other tribe.

The bill does not become effective unless the tribes abandon the claims now pending in docket No. 185 and in docket 283A before the Indian Claims Commission.

Existing law relating to leasing authority on the reservation is amended by section 5 of the bill.

## REHABILITATION OF GUAM

The bill (H.R. 6225) to provide for the rehabilitation of Guam and for other purposes was considered, ordered to a third reading, was read the third time, and passed.

## URBAN RENEWAL AND HOUSING ACTIVITIES ON GUAM

Mr. MANSFIELD. Mr. President, it is not the intention of the leadership at this time to take up Calendar No. 565, H.R. 6481, to permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities, but I ask to call up Calendar No. 553, Senate bill 16.

## OZARK NATIONAL RIVERS, MO.

There being no objection, the Senate proceeded to consider the bill (S. 16) to provide for the establishment of the Ozark National Rivers in the State of Missouri, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 2, line 8, after the word "Missouri.", to insert "Notwithstanding any limitation herein, the Secretary, with the concurrence of the State, shall designate for inclusion in the Ozark National Rivers, the lands composing Big Springs, Alley Springs, and Round Spring State Parks, and the Secretary of the Interior is hereby directed to negotiate with the State for the donation and the inclusion of such park lands in the Ozark National Rivers."; on page 4, line 5, after the word "thousand", to strike out "acres" and insert "acres, exclusive of State park land to be donated by the State of Missouri"; after line 7, to strike out:

SEC. 5. (a) In order to provide compensation for tax losses sustained by counties in the State of Missouri as a result of certain acquisitions by the Secretary of privately owned real estate and improvements thereon pursuant to the provisions of this Act, payments in lieu of taxes shall be made to each such county in which such real estate is located, and which has been authorized, under the laws of Missouri, to assess taxes upon real estate to the person who is in possession thereof and to assess taxes upon any present interest in real estate to the owner of such interest, in accordance with the following schedule: For the calendar year in which the real estate is acquired in fee simple absolute, an amount which bears the same proportion to the full amount of tax assessed thereon in such year as the number of days remaining in such year after the date of acquisition bears to the number of three hundred and sixty-five. In any case where an amount in excess of the difference between such proportionate amount and such full amount has already been paid to the county by or on behalf of the owner or owners from whom the real estate was so acquired, payment of such excess amount shall be made as reimbursement to such owner or owners out of such proportionate amount and only the balance remaining of such proportionate amount shall be paid to the county. For the two succeeding calendar years there shall be paid on account of such real estate an amount equal to the full amount of tax assessed thereon in the year of acquisition.

(b) No payments in lieu of taxes shall be made on account of real estate and improvements thereon in which the Secretary has ever acquired less than a fee simple and absolute under this Act.

(c) As soon as practicable after real estate taxes have been assessed by such counties in each calendar year, the Secretary shall compute and certify the amount of payments in lieu of taxes due to each of such counties, and such amounts shall be paid to the respective counties by the Secretary of the Treasury out of any money in the Treasury not otherwise appropriated.

(d) The provisions of this section shall not apply to any property acquired by the Secretary after December 31 of the twenty-fifth year following the date of enactment of this Act.

On page 5, at the beginning of line 24, to change the section number from "6" to "5"; on page 6, at the beginning of line 19, to change the section number from "7" to "6"; on page 7, at the beginning of line 4, to change the section number from "8" to "7"; on page 8, at the beginning of line 12, to change the section number from "9" to "8"; and at the beginning of line 15, to change the section number from "10" to "9"; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purpose of conserving and interpreting unique scenic and other natural values and objects of historic interest, including preservation of portions of the Current River and the Jacks Fork River in Missouri as free-flowing streams, preservation of springs and caves, protection of wildlife, and provision for use and enjoyment thereof by the people of the United States, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall designate for establishment as the Ozark National Rivers an area (hereinafter referred to as "such area") not exceeding 94,000 acres and being generally depicted on map numbered NR–OZA–7000 entitled "Proposed Ozark National Rivers" dated January 1963, which map is on file for public inspection in the Office of the National Park Service, Department of the Interior: *Provided,* That no lands shall be designated within two miles of the municipalities of Eminence and Van Buren, Missouri. Notwithstanding any limitation herein, the Secretary, with the concurrence of the State, shall designate for inclusion in the Ozark National Rivers, the lands composing Big Springs, Alley Springs, and Round Spring State Parks, and the Secretary of the Interior is hereby directed to negotiate with the State for the donation and the inclusion of such park lands in the Ozark National Rivers.

SEC. 2. The Secretary of the Interior may, within the area designated or altered pursuant to section 4, acquire lands and waters, or interests therein, including scenic easements, by such means as he may deem to be in the public interest: *Provided,* That scenic easements may only be acquired with the consent of the owner of the lands or waters thereof: *And provided further,* That any parcel of land containing not more than five hundred acres, which borders either the Current River or the Jacks Fork River, and which is being primarily used for agricultural purposes, shall be acquired by the Secretary in its entirety unless the owner of any such parcel consents to the acquisition of a part thereof. Lands and waters owned by the State of Missouri within such area may be acquired only with the consent of the State. Federally owned lands or waters lying within such area shall, upon establishment of the area pursuant to section 4 hereof, be transferred to the administrative jurisdiction of the Secretary, without transfer of funds, for administration as part of the Ozark National Rivers.

SEC. 3. Any owner or owners, including beneficial owners (hereinafter in this section referred to as "owner"), of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term ending at the death of such owner, or the death of his spouse, or at the death of the survivor of either of them. The owner shall elect the term to be reserved. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition less the fair market value on such date of the right retained by the owner.

SEC. 4. When the Secretary determines that lands and waters, or interests therein, have been acquired by the United States in sufficient quantity to provide an administrable unit, he shall declare establishment of the Ozark National Rivers by publication of notice in the Federal Register. The Secretary may thereafter alter such boundaries from time to time, except that the total acreage in the Ozark National Rivers shall not exceed ninety-four thousand acres, exclusive of State park land to be donated by the State of Missouri.

SEC. 5. (a) In furtherance of the purposes of this Act, the Secretary is authorized to cooperate with the State of Missouri, its political subdivisions, and other Federal agencies and organizations in formulating comprehensive plans for the Ozark National Rivers and for the related watersheds of the Current and Jacks Fork Rivers in Missouri, and to enter into agreements for the implementation of such plans. Such plans may provide for land use and development programs, for preservation and enhancement of the natural beauty of the landscape, and for conservation of outdoor resources in the watersheds of the Current and Jacks Fork Rivers.

(b) The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the Ozark National Rivers area in accordance with the laws of Missouri. The Secretary may designate zones where, and establish periods when, no hunting shall be permitted, for reasons of public safety, administration, or public use and enjoyment and shall issue regulations after consultation with the Conservation Commission of the State of Missouri.

SEC. 6. The Ozark National Rivers shall be administered in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended and supplemented, and in accordance with other laws of general application relating to the areas administered and supervised by the Secretary through the National Park Service; except that authority otherwise available to the Secretary for the conservation and management of natural resources may be utilized to the extent he finds such authority will further the purposes of this Act.

SEC. 7. (a) There is hereby established an Ozark National Rivers Commission. The Commission shall cease to exist ten years after the date of establishment of the area pursuant to section 4 of this Act.

(b) The Commission shall be composed of seven members each appointed for a term of two years by the Secretary as follows:

(1) Four members to be appointed from recommendations made by the members of the county court in each of the counties in which the Ozark National Rivers is situated (Carter, Dent, Shannon, and Texas), one member from the recommendations made by each such court;

(2) Two members to be appointed from recommendations of the Governor of the State of Missouri; and

(3) One member to be designated by the Secretary.

(c) The Secretary shall designate one member to be chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary shall reimburse members of the Commission for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(e) The Secretary or his designee shall from time to time consult with the members of the Commission with respect to matters relating to the development of the Ozark National Rivers, and shall consult with the members with respect to carrying out the provisions of this Act.

(f) It shall be the duty of the Commission to render advice to the Secretary from time to time upon matters which the Secretary may refer to it for its consideration.

SEC. 8. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

SEC. 9. If any provision of this Act or the application of such provision to any person or circumstance is held invalid, the remainder of this Act or the application of such provision to any person or circumstance other than that to which it is held invalid, shall not be affected thereby.

Mr. LONG of Missouri. Mr. President, October is a most appropriate time to consider the pending measure to establish the Ozark National Rivers. The brilliant golds and reds of our woodlands at this time of year make each of us extremely conscious of nature's beauty. It is the purpose of S. 16 to preserve for our children and our children's children a little of this beauty.

In south Missouri, two sparkling spring-fed rivers wind their way among gentle hills. A great portion of the land through which they flow is near wilderness. The canoe, and the johnboat have been used to float these rivers for generations. The splendor and the grandeur of the Current and Jacks Fork Rivers country are unsurpassed.

S. 16, introduced by my colleague from Missouri and myself, would preserve these two beautiful rivers as free-flowing streams. It would place under the administration of the National Park Service 94,000 acres situated along some 140 miles of the two rivers.

Included within the area are some of the largest springs in the world. Big Spring at Van Buren has flowed as much as 840 million gallons a day and over the past 20 years has averaged better than 250 million gallons a day. Six springs in the area flow more than 65 million gallons a day. Near to the rivers are many caves and numerous significant geological, ecological, and archeological sites. The enactment of this bill would insure the conservation of these many wonders of nature.

Mr. President, it is impossible to describe in words the beauty of these rivers and the surrounding wilderness. Many have tried, but even the most eloquent are unable to recreate the majesty of this area. I ask unanimous consent that several articles and editorials be printed in the RECORD at the conclusion of my remarks.

There being no objection, the articles and editorials were ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. LONG of Missouri. Mr. President, the idea that the Current and Jacks Fork Rivers be preserved as free-flowing streams dates back many years. The State of Missouri has established four State parks in the area, three along the Current River and one along the Jacks Fork. In 1955 the National Park Service with the support and cooperation of interested State agencies undertook a study and prepared a report that was printed by the State in 1956. In January 1959, the State legislature asked the Congress to establish a national recreation area along the rivers to preserve them as free-flowing streams. Since that time, further studies have been made and the bill before us today is the culmination of the efforts of all interested parties.

With the press of civilization, it is essential that positive action be taken if a portion of our natural bounty is to be preserved. The Senate has an opportunity today to set aside for all our Nation two of the few remaining free-flowing streams. I urge the Senate to approve S. 16 as reported by the Interior Committee.

In concluding my remarks, I would like to read a letter written to Senator SYMINGTON and myself by a warm friend of ours, Mr. Anthony Buford. The letter was written several months ago prior to subcommittee hearings on the bill. It states the case for the bill most clearly and most eloquently.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CLAYTON, MO., *April 3, 1963.*

Senator STUART SYMINGTON, and
Senator EDWARD V. LONG,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR SYMINGTON AND SENATOR LONG: I deeply regret that I will not be able to appear on Monday, April 8, favoring the passage of Senate bill 16 and House bill 1803, to establish the Ozark National Rivers on the Current and Jacks Fork.

I would deeply appreciate it if you would present my respects to Senator BIBLE and to the members of the Interior and Insular Affairs Committee, and give them my reasons for favoring this measure.

As you well know, Senator, this is the country where I was born and spent a most happy boyhood. These are the streams I have floated, camped, and fished along for almost 50 years—the hills I have roamed since I was a youngster. I am not only a native Ozarkian, but a native of the Current River watershed which is under consideration. It has been my home and its people have long been my friends and neighbors.

The development of this area for recreation—and its preservation for the whole people of the United States and for posterity—these are objectives which have been close to my heart and which have engaged my effort for many years.

Like many other Americans, I believe there are certain areas of this great country of ours which have unique qualities that make them especially deserving of preservation. It has been my good fortune throughout my lifetime to travel widely, not only here in America, but abroad. And I can say sincerely that in our southeastern Ozarks we have qualities of beauty, and of geological and botanical interest that are unsurpassed anywhere. It is not for nothing that the Current River has been called "the most beautiful stream on our continent" and its great, everflowing springs the most beautiful in the world.

Despite these qualities which have long attracted a considerable number of recreation seekers, the region under consideration has not been able to provide a full and rich life for its people. Its riches are of beauty, rather than of resources that can provide adequate income, education for its young people, medical care, and social services. Farmlands are submarginal in the extreme. The forest resource, badly used for nearly a hundred years, is a long way from profitable production. Mineral exploration has turned up possibilities, but experience proves these take years for development and are not of broad economic benefit to the local people.

The future lies in the field of recreation. Commercialization, however, could spell the destruction of values which must be preserved and restored.

As a young man I had the great pleasure of floating Current River on many occasions with the late U.S. Senator Harry B. Hawes, whom many members of this committee will recall as one of America's outstanding conservationists and author of the outstanding book, "The Black Bass." Senator Hawes so loved Current River that he built his summer home there and requested that his ashes be scattered on the waters of this lovely stream.

In view of the foregoing—and because I have considered carefully the various plans for the region—I want you, as well as Congressman ICHORD, to know of my earnest support for the Ozark National Rivers proposal.

Sincerely yours,

ANTHONY A. BUFORD.

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EXHIBIT 1

[From the St. Louis Post-Dispatch, June 9, 1963]

### BEST CHANCE FOR THE RIVERS—SENATE BILL TO SAVE OZARKS STREAMS RECOMMENDED TO WILDERNESS LOVERS

(The Sierra Club, with headquarters at Berkeley, Calif., was founded in 1892 "to explore, enjoy, and protect the Nation's scenic resources.")

The idea of National Rivers is one which is long overdue, and we may yet see a few free-flowing streams preserved without commercial development if this new concept of recreational and scenic resource preservation can be put into practice.

The best chance for implementing such a program, at present, is offered by Senate bill 16, introduced in the 88th Congress by Senators SYMINGTON and LONG of Missouri. The bill would establish the Current and Jacks Fork Rivers in the Missouri Ozarks as the Ozark National Rivers.

The Current and Jacks Fork are unquestionably two of the most unique and unspoiled clearwater rivers left in the eastern United States. Located in Missouri's Big Springs country, they are not only fed by gigantic, scenic springs, but in the immediate area provide the possibility of numerous ecological preserves, historical and archaeological sites, notable karst attractions such as caves, sinks, and natural bridges, and excellent opportunity for family camping.

Most of the 43 canoeable miles of the Jacks Fork are near wilderness. Floaters who "put in" at the "Prongs" or at Buck Hollow (Missouri 17) Bridge, find that fast, clear water carries them through short pools and numerous riffles in sections where Venus-hair fern and other unusual flora line the intimately close banks. Even rare lady's slippers cling to inaccessible places on overhanging bluffs. Place names along this stream have a special lure: Chimney Rock Cave, Blue Spring, Jam-up Bluff, Lost Hollow, Lick Log Hollow, Ebb-and-Flow Spring, and others.

The most scenic and most often canoed part of the Current River is the 52-mile section between Montauk State Park and the confluence with the Jacks Fork. There are 38 more miles of attractive river before the largest single spring in the world is reached at Big Spring State Park. The trip from Montauk to Big Spring makes an ideal week-long canoe trip even for the family with small children. Provided that the youngest wear life jackets, there is almost no serious danger on this river in normal water.

In 1962, Senator Symington and Representative Ichord introduced bills which proposed an "Ozark Rivers National Monument." This included the Eleven Point River and parts of the Current River not included in the present bill.

The Symington-Ichord bills were opposed by local factions who supported a bill introduced by Representative Curtis. A principal difference and weakness of the Curtis bill, many conservationists felt, was that it would have placed the area under the jurisdiction of the Forest Service rather than the National Park Service and emphasized "scenic easements" rather than land acquisition.

Since overdevelopment and commercialization of national parks in recent years has angered many conservationists, the Curtis bill received early support out of all proportion to the size of the special interest groups behind it.

This support was largely lost after it became obvious that the bill was a "road block" measure designed to suggest that Missourians were so divided on the question that it did not want action by Congress. Unfortunately, the "campaign of obfuscation" was successful in delaying action and in reducing the size of the area to be protected.

The most important changes in the new bill are:

1. The loss of the Eleven Point River; about 45 miles of prime quality canoe stream in the Missouri plus Greer Spring, the only wild, first magnitude spring left in the Ozarks. The present owner of Greer Spring maintains it as a preserve but there is no guarantee for the future.

Letters from both Senator Symington and Congressman Ichord indicate that the deletion of the Eleven Point was made at the request of Congressman Paul C. Jones whose 10th Missouri Congressional District includes Ripley, Oregon, and Howell Counties. Congressman Jones last year conducted a poll which indicated that a majority of his constituents were opposed to setting aside any land in their counties under the National Park Service.

Mr. Ichord points out that the House of Representatives "will not pass legislation setting aside land for public ownership in a Member's district where the Member himself is opposed to the legislation."

It is encouraging to note, however, that residents of the 10th District are also reported to show no significant support for the proposed Water Valley Dam in Arkansas which would back water up on the lower Eleven Point in Missouri. It is possible that the Eleven Point may yet be saved if action is taken in the near future.

2. Omission of the lower Current River. This section (in Ripley County) should never have been included in the first place as it does not have the high quality of the upper sections; it is bigger and slower and subject to outboard motor traffic. The Current is primarily a canoe and johnboat stream and should be retained as such. Mechanized travel will destroy its semiwilderness quality and charm.

3. Including the scenic easements as one means of protecting the shoreline while provision for acquisition of lands is retained.

4. Permitting hunting which would not interfere with public safety. Since the area would be more nearly a "recreation area" than a national park and since I have never seen a hunter along the banks of these rivers in years of floating them, I cannot see any threat to national park integrity or to public safety.

5. A provision which would strengthen the bill would be the inclusion, in the Ozark National Rivers Commission, of a member to represent the paddle boat interests, since the rivers are suited for canoe, kayak, and johnboat travel. If noisy airboats and other mechanized craft continue to invade these rivers, preservation will have been thwarted.

All things considered, Senate bill 16 is sound and reasonable. If it passes in the 88th Congress, it will not only save a unique river system for high quality recreational use, but may encourage the preservation of other such rivers. The ORRRC studies showed that there are few such rivers left in the United States. If it does not pass, we may lose the Current and Jacks Fork forever because the inroads of commercialism and mechanization have been greatly increased by national monument publicity.

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[From the Joplin Globe, Mar. 24, 1963]

### Ozark Rivers Plan Lags

With the official arrival of spring—and blossoming evidence of it soon to be seen in our matchless Ozarks—one wonders when Congress is going to spring into action to bring the Current River country under some sort of protection by the National Park Service against further exploitation.

Efforts along this line have been pending in Congress for quite some years now, and each year brings more commercial encroachment upon the natural beauty of that south Missouri wonderland, awaiting protective action. Some of these years it may be too late.

The latest word was in late January when Missouri Senators Symington and Long and Congressman Ichord introduced identical bills in the Senate and House to bring a reduced area of the Current and Jacks Fork River basins into the Park Service under the name of Ozark National Rivers.

These measures are aimed at overcoming opposition by eliminating the Eleven Point River and parts of three counties from the projected park area. Also the name of the reserve would be changed from Ozark National Monument to Ozark National Rivers and the Park Service would take protective jurisdiction under land easements rather than outright purchases.

#### BACKED BY UDALL

This compromise was made after bills including the Eleven Point River died in the 87th Congress last year, due mainly to opposition by the constituency of Congressman Paul Jones in Oregon, Howell, and Ripley Counties. Jones is understood to favor the new plan, which also is endorsed by Secretary of the Interior Udall.

But no hearings on the new bills have been held or scheduled, insofar as we have learned. And, once again, time is wasting. The coming of another tourist season well may mean more exploitation and less protected scenic beauty in the region involved.

Whether it is called Ozark Rivers National Monument or simply Ozark National Rivers makes no real difference. The important thing is that the Current River and its tributaries are the last of the free-flowing streams in Missouri and among the last of unspoiled scenic sections of the country. It would be fine to have the Missouri portion of the Eleven Point River included, but if this cannot be accomplished, then the project along the Current should go forward.

Included in the present bills, as we understand it, are the Current and Jacks Fork Rivers in Carter, Shannon, Dent, and Texas Counties. This would be 100 miles along the Current and 39 miles of Jacks Fork, and some 94,000 acres bordering those rivers.

#### PLANS NOT COMPLETE

The plan of the Park Service for development has not been worked out, awaiting passage of the necessary legislation. But the general idea would be to safeguard the natural beauty of the country along both streams, and to make it possible for Missouri's famed river floats in that area to be continued, forever prohibiting any dams or commercial developments that might interfere.

While the region involved is not within the immediate area of the Ozark Playgrounds Association, headquartered in Joplin, it is adjacent to this tourist region and its development by the National Park Service would be a fresh boon to the growing tourist industry in Missouri.

Perhaps a resolution by the present Missouri Legislature again endorsing the Current River program, plus new urging by the Missouri Division of Commerce and Industrial Development would help to speed final action on these pending bills at this session of Congress.

Springtime should be a good time to thus focus attention anew on this extraordinary beauty spot of nature.

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[From the St. Louis Post-Dispatch,
Aug. 13, 1963]

### The Current Speaks for Itself

Nobody can speak for the Current River as that Ozark stream speaks for itself, especially on a day with beauty to match the river's beauty. That was demonstrated again by the impression made on Representative Morris, chairman of the National Parks Subcommittee, and other subcommittee members on a weekend float in connection with their consideration of the proposal to put the Current and Jacks Fork under the protection of the National Park Service.

Photographs, specialists' reports, the testimony of subcommittee witnesses, and the enthusiasm of Representative Ichord and Senator Symington had not persuaded Mr. Morris, a New Mexican accustomed to quite different scenery, as did the sight of the river and its banks. At the end of the float he spoke like a real convert to the Ozarks Rivers cause, and we trust this will lead to action by his group on the pending legislation before the end of the session.

As for the handful of "pickets" who sought to dissuade the subcommittee, they appeared in numbers too small to substantiate their claimed strength. Representative Ichord's extensive poll of residents of the area is far more convincing. But the Current itself made the case for its preservation for posterity, and made it with its usual dazzle.

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[From the Kansas City Star, Sept. 12, 1963]

### Ozark Rivers—Proper Preservation of a Nation's Beauty

The Senate Public Lands Subcommittee has voted to give the Ozark National Rivers to the Nation, and obviously that is where the area belongs. The decision to table the Prairie National Park proposal for Kansas was something else. Frankly, we fail to follow the apparent reasoning that the area in Pottawatomie County does not meet the criteria of a national park. It is an area of unequaled prairie beauty and we are ever mindful of the role that the prairies have played in our national history.

Now, to the positive action that was taken. Apparently it was the first of two big hurdles for the Ozark proposal. There will be a second, in the House, when the National Parks Subcommittee considers the project. There is, however, reason for optimism. Members

> of the subcommittee will have fresh in mind the impressions left by their visit to the magnificent Current-Jacks Fork area last month. They discovered, as have countless others before them, the magnificence of the region. We have no doubt that they saw why the Interior Department has labeled this a "priority" project. And why Secretary Udall, after a similar float trip, said: "I don't think I have ever seen such untouched river beauty."
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> Yet it is a fact of our times that the urban age is closing in on the Nation's open country. The need for recreational areas is intensified dramatically, both by the sprawl of the cities and the growth of the population. Too many areas have been lost forever to the hustle and bustle of human activities. The chance to preserve this spot in the Missouri Ozarks ought to be seized, and this was the point made by the subcommittee in its unanimous approval.
>
> We can be honest and admit that the project, once completed, would be an economic asset to Missouri. But that is not the purpose. Of more importance is the national interest and the asset that this wilderness area is to the entire United States. Congress has the opportunity to save the Ozark rivers for future generations. We do not think that it can take final action a day too soon.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 16) was ordered to be engrossed for a third reading, was read the third time, and passed.

## CONSTRUCTION AT CERTAIN MILITARY INSTALLATIONS

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Senate is in legislative session, and the military construction bill is the pending business.

The Senate resumed the consideration of the bill (H.R. 6500) to authorize certain construction at military installations, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

## TAX ON FOREIGN SECURITIES

Mr. JAVITS. Mr. President, I wish to address the Senate on a problem which relates to a pending measure in the other body to impose a tax upon the purchase of foreign securities by Americans, the so-called interest equalization tax bill, H.R. 8000. The Secretary of the Treasury testified with respect to that matter yesterday before the House Ways and Means Committee.

As this is a question very heavily to be decided on the basis of the foreign economic policy needs of the country, to which I am sure the Ways and Means Committee in the other body is giving consideration, I think it appropriate to advance my views upon it, as I have addressed myself to it before. The views which I have expressed represent a rather important point of difference between myself and the Secretary of the Treasury. The Secretary of the Treasury is urging enactment of legislation to impose the tax.

For the information of the Senate, merely to repeat the situation, the tax would range from 2.75 to 15 percent on the purchase price of foreign debt securities, depending on their maturity, and would be a flat 15 percent on the purchase price of foreign stocks. Exemptions would be granted to debt issues with maturities of less than 3 years, commercial bank loans, securities issued by governments of underdeveloped countries, securities acquired from other Americans, direct investments in oversea subsidiaries and affiliates and international organizations of which the United States is a member.

The Treasury is also seeking a clause allowing the President to give a special exemption for new securities issues of certain foreign countries if the tax would tend to disrupt the international monetary system. That is specifically applicable to Canada, and may be applicable to Japan.

The burden of the Secretary's testimony yesterday was that the mere threat to impose the tax—which would be effective as of the date of the balance-of-payments message which the President sent to the Congress; namely, July 18 of this year—has been already sufficient to stop a material amount of foreign capital financing in the United States and the purchase of foreign capital issues by Americans. He says that we have obtained some benefit, in terms of our balance-of-payments, as a result of a mere threat that the tax may be enacted and comes out very strongly, in his testimony, for the passage of the bill, and against the proposition which I, myself, have developed before the Senate on September 3—that a capital issues committee be appointed in New York, the principal securities market of the Nation, for the purpose of advising—not having plenary power, but advising—the Government on the question of specific borrowings or flotations in this country by foreigners.

As I thoroughly disagree with the Secretary, and think the bill he proposes would result in a tax that would be harmful, I should like to spread my reasons upon the RECORD now, when they are likely to count for the most, since the subject is now being considered in the other body.

The Secretary says any other approach than this tax would be a departure from traditional policies regarding the free flow of capital and would be an attempt to control investment. Certainly, if this tax is imposed, if it has the effect which the Secretary asserts it would, it represents an inhibition to U.S. investment abroad and a return—because in this case it is capital which is being taxed—to high protective tariffs on U.S. imports of securities or viewed from another point of view, a duty on exports of capital, which runs contrary to our commitment to liberalized world trade.

The tax is discriminatory, since it selects only one aspect of private expenditures abroad; namely, private portfolio investment, while leaving unaffected private direct foreign investment, expenditures abroad for tourism, and so forth. For example, if a particular corporation desired to buy the security of another corporation abroad, it would be taxed. On the other hand, if it decided to make a direct investment in the corporation abroad, it would not be taxed. This is unfair and discriminatory.

This tax is very clearly a type of exchange control, because if we give the Secretary the exemptions he desires and leave the matter within the discretion of the President as to which country will or will not be affected, we are doing what the Secretary does not want to do, and we cease to have an automatic across-the-board tax. Instead, we would have discretionary control under the guise of administering the tax.

Secretary Dillon, in his letter to me of May 28, 1963, made a statement which clearly implies that the tax would be self-defeating, because it would not achieve its basic objective; namely, to reduce capital outflows through an increase in long-term interest rates.

The Secretary in his letter of May 28 said the following:

> Even if long-term interest rates in the United States rose above those in Europe and Japan, we would expect foreign governments and corporations, particularly those needing relatively large amounts of money, to resort to the highly developed U.S. market.

It is the uncertainty over the fate of this proposal, rather than the increased cost of U.S. funds, that explains the reduced capital outflow claimed by the Secretary since July 18. I predict that if we are unwise enough to pass this tax, it will be paid, the capital outflows will continue, and we will get no benefit whatever in the balance-of-payments situation.

Some very eminent authorities are opposed to this tax. I quote, for example, from an editorial in the New York Times of September 1, as follows:

> The tax is difficult to reconcile with President Kennedy's frequent assertions that the present tax structure must be simplified and trade barriers reduced. The addition of the tax would complicate the tax structure and would establish a tariff on capital, putting into effect a two-price system for funds. And despite the administration's claims that the tax will not interfere with the workings of the free market, it is clearly a form of control.

The effectiveness of the whole proposal has been significantly weakened by the numerous exceptions and exemptions which I have described, for commercial loans, for direct investment, for flotation from underdeveloped areas, and now, if the Treasury has its way, the right of exemption to the President, which would exempt Canada and perhaps Japan and other countries, leaving not much to the whole proposition.

The tax would be inequitable because it would penalize small investors who might have to pay the tax, but if it came to a large corporation, such as General Motors taking over a German subsidiary, it would not come under the tax. That would be the case of a large company purchasing a large direct interest in a foreign corporation.

According to available evidence, long-term interest rates would remain lower in the United States than in Canada, the United Kingdom, France, and Germany, even if the proposed tax raises U.S. long-term rates by 1 percent. Therefore, there is again considerable doubt that anything would happen to affect the capital outflow situation.

Yesterday the Secretary said that trading in foreign securities is continuing between the United States and foreign investors, although at a premium, allowing for the proposed tax. This is another indication that it will not work.

Therefore, I fail to be persuaded by Secretary Dillon's arguments in support of his proposal; or by his arguments in opposition to the capital issues committee.

I should like to spend a moment on the question of the establishment of a capital issues committee, which will work and do the job that needs to be done, without any of the difficulties which are inherent in the tax proposal.

In the first place a capital issues committee would be an advisory committee of banks, investment houses, and brokers around the country. There is precedent for such a committee. We have had experience with a similar effort during the Korean war, in the Voluntary Credit Restraint Committee, which functioned very well under the umbrella of the Federal Reserve System.

Second, such a committee would only be established for the duration of the emergency and could be dismantled at will. That would not be the case with the tax, which would remain in effect at least until the end of 1965 whether needed or not and would have to be repealed by law to abolish it beforehand.

Third, the United States already has a very important voice in respect to such international financial transactions as those involving the expenditure of AID funds. We require registration with the SEC of foreign securities sold publicly in the United States. We require the use of U.S. vessels in transporting Government-financed shipments. We have the Buy American Act.

Therefore, there are various types of regulations of foreign financial transactions in the United States. A capital issues committee would be no sensational departure from the norm.

Finally, and very importantly, whereas the interest equalization tax is new and untried—no one has had any experience with it—a capital issues committee is a tried and true operation, which has not only been used by us, but used in Switzerland, the United Kingdom, the Netherlands, and France. It is known and trusted by Europe. The Swiss National Bank and the Central Banks of the United Kingdom, the Netherlands, and France exercise reviewing authority over foreign security issues either alone or jointly with private financial institutions. Therefore, the proposal for a capital issues committee is not a new proposal. Incidentally, it now has widespread support in the financial community in the United States.

It would be composed of commercial banks, brokers, investors, and public representatives, operating within the area and under the auspices of the Federal Reserve Bank of New York. The bank would be the agent, and would be safeguarded from the standpoint of the antitrust laws, to see that those laws were not abused, and in terms of other governmental policy considerations.

The fundamental function of such a committee would not be to directly control the flotation of capital issues. It would be a matter of the establishment of guidelines, which would guide bankers and brokers in the issues that ought to be financed, and which would also include some concept of overall figures within which there should be complete freedom of action.

This kind of advisory group, safeguarded in terms of obedience to Federal laws, such as the antitrust laws, would be an excellent mechanism for the purpose of moderating capital outflow at a time when we are suffering from an imbalance in international payments.

In my judgment, and I believe in the judgment of the financial community of the United States, it would be much more onerous to do the job in a very unflexible and in a very dangerous way, leading directly to a form of Government control, than the advisory committee suggestion which I have made, and which already has support in the financial community generally.

Let us remember that we desire, and it is in our national interest, that the United States be the preeminent capital market in the world and that the dollar remain the most stable and substantial currency in the world.

Therefore, it is very important that we have an eye to what is acceptable to the financial community in the United States and in the world, and that we do not proceed in a doctrinaire way and fly in the face of the whole financial community of the United States. The equalization tax appears to be completely unacceptable to the whole financial community.

In summary, I think the Secretary of the Treasury was unduly hasty in rejecting the proposal advanced by responsible business and financial experts for the establishment of a capital issues committee, and that this proposal merits further consideration as a far more effective means to advance the objectives desired by the Secretary, to wit, some authority over the outflow of capital funds from the United States for financing abroad.

It is regrettable that during the course of his testimony the Secretary failed to deal with a far more basic cause of capital outflow from the United States, which is the relatively unfavorable investment climate which prevails here. U.S. capital will stay at home in much larger measure if we create an attractive economic climate in this country, conducive to a high rate of investing by the United States and foreign investors alike.

Let us remember that this is a question of net balance. The mere fact that an American invests in foreign securities is not a bad thing; it is a good thing. As a matter of fact, already we are getting more in dollars in the way of debt service and dividends and returns from investing overseas today than we are losing from investing abroad. The important thing, in terms of the trend of our balance of payments, is that the net outflow shall not exceed materially the net inflow. The Secretary spoke in terms of capital outflows of $200 million or $300 million a half year as being a fairly acceptable figure. So what we are thinking about is the net balance.

From the point of view of encouraging a more favorable net balance, the approval of the investment community of the United States and the world is critically important.

So I urge upon the Secretary of State and the President two things: First, that the interest-equalization tax be rejected in favor of a capital issues committee of the kind I have described. Second, far more fundamental approaches to the matter of our imbalance in international payments should be taken such as basically reforming and expanding the existing international monetary system as called for in my speech of September 3. In addition, we ought to take steps to reduce the net tourist outflow which costs us far more in terms of the balance of payments—about $1,500 million a year net outflow—than capital outflows which are very constructive in terms of the U.S. role in the world. I am all for tourism, but let us remember that more than 70 other nations are restricting their tourist expenditures, and that that hurts us and reduces the income we receive from tourism. If other nations were to loosen up, there would be all the more reason for our continuing as we are.

A capital issues committee would do everything that taxes would do, and would do it in a much better way, and in a more businesslike way, more agreeably to the investment community of the United States and the world.

I sincerely hope that the Secretary and the President will utter the words which are the mark of people who are thoughtful and deeply concerned with the problem with respect to this alternative, the capital issues committee—the words "I am persuaded." I hope the Secretary may recommend to the President that this is the better course.

One other point before I close: An interest-equalization tax can always be passed. It is much more desirable to try the capital issues committee alternative first, because it has every chance of working. If it does not work, we can always go to taxes.

I thank the majority leader for yielding to me.

## AMENDMENT TO FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 551, S. 1605.

The **PRESIDING OFFICER**. The bill will be stated by title.

The **LEGISLATIVE CLERK**. A bill (S. 1605) to amend the Federal Insecticide, Fungicide, and Rodenticide Act, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

That section 2.z.(2)(b) of the Federal Insecticide, Fungicide, and Rodenticide Act (61 Stat. 163, as amended, 7 U.S.C., 1958 ed., Supp. III, 135(z)(2)(b)) is hereby amended by inserting before the semicolon at the end thereof the following phrase: "other than the registration number assigned to the economic poison".

SEC. 2. Section 3 of said Act (61 Stat. 166; 7 U.S.C. 135a) is hereby amended by deleting the word "and" at the end of section 3.a.(2)(b), deleting the period at the end of section 3.a.(2)(c) and inserting in lieu thereof a semicolon and the word "and", and adding after section 3.a.(2)(c), a new provision reading as follows: "(d), when required by regulation of the Secretary to effectuate the purposes of this Act, the registration number assigned to the article under this Act.".

SEC. 3. Section 4 of said Act (61 Stat. 167; 7 U.S.C. 135b) is hereby amended by changing the word "registrant" wherever it appears in subsection a. and in the first sentence of subsection c. to "applicant for registration" and by deleting the remainder of subsection c. and inserting in lieu thereof the following:

"If, upon receipt of such notice, the applicant for registration does not make the corrections, the Secretary shall refuse to register the article. The Secretary, in accordance with the procedures specified herein, may suspend or cancel the registration of an economic poison whenever it does not appear that the article or its labeling or other material required to be submitted complies with the provisions of this Act. Whenever the Secretary refuses registration of an economic poison or determines that registration of an economic poison should be canceled, he shall notify the applicant for registration or the registrant of his action and the reasons therefor. Whenever an application for registration is refused, the applicant, within thirty days after service of notice of such refusal, may file a petition requesting that the matter be referred to an advisory committee or file objections and request a public hearing in accordance with this section. A cancellation of registration shall be effective thirty days after service of the foregoing notice unless within such time the registrant (1) makes the necessary corrections; (2) files a petition requesting that the matter be referred to an advisory committee; or (3) files objections and requests a public hearing. The Secretary, on his own motion, may at any time refer such a matter to an advisory committee. Each advisory committee shall be composed of experts, qualified in the subject matter and of adequately diversified professional background selected by the National Academy of Sciences and shall include one or more representatives from land-grant colleges. The size of the committee shall be determined by the Secretary. Members of an advisory committee shall receive as compensation for their services a reasonable per diem, which the Secretary shall by rules and regulations prescribe, for time actually spent in the work of the committee, and shall in addition be reimbursed for their necessary traveling and subsistence expenses while so serving away from their places of residence, all of which costs may be assessed against the petitioner, unless the matter was referred to the advisory committee upon the motion of the Secretary without a petition. The members shall not be subject to any other provisions of law regarding the appointment and compensation of employees of the United States. The Secretary shall furnish the committee with adequate clerical and other assistance, and shall by rules and regulations prescribe the procedures to be followed by the committee. The Secretary shall forthwith submit to such committee the application for registration of the article and all relevant data before him. The petitioner, as well as representatives of the United States Department of Agriculture, shall have the right to consult with the advisory committee. As soon as practicable after any such submission, but not later than sixty days thereafter, unless extended by the Secretary for an additional sixty days, the committee shall, after independent study of the data submitted by the Secretary and all other pertinent information available to it, submit a report and recommendation to the Secretary as to the registration of the article, together with all underlying data and a statement of the reasons or basis for the recommendations. After due consideration of the views of the committee and all other data before him, the Secretary shall, within ninety days after receipt of the report and recommendations of the advisory committee, make his determination and issue an order, with findings of fact, with respect to registration of the article and notify the applicant for registration or registrant. The applicant for registration, or registrant, may, within sixty days from the date of the order of the Secretary, file objections thereto and request a public hearing thereon. In the event a hearing is requested, the Secretary shall, after due notice, hold such public hearing for the purpose of receiving evidence relevant and material to the issues raised by such objections. Any report, recommendations, underlying data, and reasons certified to the Secretary by an advisory committee shall be made a part of the record of the hearing, if relevant and material, subject to the provisions of section 7(c) of the Administrative Procedure Act (5 U.S.C. 1006(c)). The National Academy of Sciences shall designate a member of the advisory committee to appear and testify at any such hearing with respect to the report and recommendations of such committee upon request of the Secretary, the petitioner, or the officer conducting the hearing: *Provided*, That this shall not preclude any other member of the advisory committee from appearing and testifying at such hearing. As soon as practicable after completion of the hearing, the Secretary shall evaluate the data and reports before him, act upon such objections and issue an order granting, denying, or canceling the registration. Such order shall be based only on substantial evidence of record at such hearing, including any report, recommendations, underlying data, and reason certified to the Secretary by an advisory committee, and shall set forth detailed findings of fact upon which the order is based. In connection with consideration of any registration or application for registration under this section, the Secretary may consult with any other Federal agency. Notwithstanding the provisions of section 3.c.(4), information relative to formulas of products acquired by authority of this section may be revealed, when necessary under this section, to an advisory committee, or to any Federal agency consulted, or at a public hearing, or in findings of fact issued by the Secretary. Notwithstanding any other provision of this section, the Secretary may, when he finds that such action is necessary to prevent an imminent hazard to the public, by order, suspend the registration of an economic poison immediately. In such case, he shall give the registrant prompt notice of such action and afford the registrant the opportunity to have the matter submitted to an advisory committee and for an expedited hearing under this section. Final orders of the Secretary under this section shall be subject to judicial review, in accordance with the provisions of subsection d. In no event shall registration of an article be construed as a defense for the commission of any offense prohibited under section 3 of this Act."

SEC. 4. Section 4 of said Act (61 Stat. 167; 7 U.S.C. 135b) is hereby further amended by redesignating subsections d. and e. as subsections e. and f., and by adding a new subsection d., as follows:

"d. In a case of actual controversy as to the validity of any order under this section, any person who will be adversely affected by such order may obtain judicial review by filing in the United States court of appeals for the circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia Circuit, within sixty days after the entry of such order, a petition praying that the order be set aside in whole or in part. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose, and thereupon the Secretary shall file in the court the record of the proceedings on which he based his order, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have exclusive jurisdiction to affirm or set aside the order complained of in whole or in part. The findings of the Secretary with respect to questions of fact shall be sustained if supported by substantial evidence when considered on the record as a whole, including any report and recommendation of an advisory committee. If application is made to the court for leave to adduce additional evidence, the court may order such additional evidence to be taken before the Secretary, and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper, if such evidence is material and there were reasonable grounds for failure to adduce such evidence in the proceedings below. The Secretary may modify his findings as to the facts and order by reason of the additional evidence so taken, and shall file with the court such modified findings and order. The judgment of the court affirming or setting aside, in whole or in part, any order under this section shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 18 of the United States Code. The commencement of proceedings under this section shall not, unless specifically ordered by the court to the contrary, operate as a stay of an order. The court shall advance on the docket and expedite the disposition of all causes filed therein pursuant to this section."

SEC. 5. The first sentence of section 8.b. of said Act (61 Stat. 170; 7 U.S.C. 135f.(b)) is hereby amended by deleting that part beginning with the second proviso therein down to, but not including, the period at the end thereof.

SEC. 6. Section 3.a.(1) and section 9.a.(1)(b) of said Act (61 Stat. 166, 170; 7 U.S.C. 135a.(a)(1), 135g.(a)(1)(b)) are hereby amended by changing the phrase "has not been registered" wherever it appears therein, to read "is not registered."

SEC. 7. This Act and the amendments made hereby shall become effective upon enactment, and all existing registrations under protest issued under said Federal Insecticide, Fungicide, and Rodenticide Act shall thereupon terminate.

Mr. ELLENDER. Mr. President, the bill was reported unanimously by the Committee on Agriculture and Forestry. There was no objection from the producers of insecticides or from farm organizations.

This bill makes two changes in the Federal Insecticide, Fungicide, and Rodenticide Act. The first change deals with registration of economic poisons under protest. The bill repeals the existing provision permitting such registration. In the future an economic poison would have to be determined to be in compliance with the act or it could not be registered and marketed in interstate commerce.

The second change deals with showing the registration number of an economic poison on its label. At present an economic poison is considered misbranded if its label gives the slightest intimation that the product has been registered under the act. The bill would permit the registration number to be shown on the label; and, if the Secretary of Agriculture should so prescribe by regulation, the registration number would be required to be shown on the label.

The Federal Insecticide, Fungicide, and Rodenticide Act is designed to assure the public of safe and effective pesticides, or, as the act describes them, "economic poisons." Economic poisons are defined to include such preparations as insecticides, herbicides, plant regulators, defoliants, desiccants, and similar products. The act requires that they be honestly labeled, not adulterated, and meet various other requirements.

All economic poisons are required to be registered with the Secretary of Agriculture, and the Secretary at the time of registration makes a determination as to whether the product, its label, and the other materials required to be submitted at the time of registration comply with the requirements of the act. If the Secretary determines that the product and the label do not comply with the requirements of the act, he so advises the applicant for registration.

Under the existing law the registrant then has two alternatives. He may elect not to market the product, or he may request that the product be registered under protest. If the product actually does not comply with the act's requirements, registration does not protect the registrant from penalties and from seizure of the product. The applicant who registers under protest, having been advised that the Secretary considers his product as not complying with the act, may expect prosecution or seizure of his product when he begins marketing it in interstate commerce. In the case of such prosecution or seizure, the burden of proof rests upon the Government to prove that the product does not comply with the act. There have been very few products registered under protest, but protest registration does leave the door open to the marketing of a product which might be extremely dangerous to the public.

The bill therefore repeals the provision for registration under protest. If the product does not comply with the terms of the act it cannot be registered; and if it is not registered it cannot be marketed without being subject to the penalty and seizure provisions of the law. No further showing that it is misbranded, adulterated, or otherwise in violation of the act is necessary. The burden of proof is with the applicant at the time of registration to show that the product complies with the act.

At present registration under protest provides a means by which an applicant for registration may appeal from a decision of the Secretary with which he disagrees. However, in order to take this appeal, he must take actions which subject him to penalties, the product to seizure, and the public to possible danger if the Secretary's determination should prove to be correct.

In lieu of this unsatisfactory type of appeal, the bill provides for administrative and judicial appeals. An applicant or registrant who disagrees with the Secretary's determination to refuse or cancel registration may request that the matter be referred to an advisory committee which would consider the matter and make recommendations which the Secretary could follow or not as he saw fit. The bill also permits the applicant or registrant to file objections and request public hearings, either after the Secretary has received and acted upon the advisory committee's recommendations, or without having gone through the advisory committee procedure. The hearing would be followed by a final order of the Secretary, which would then be subject to judicial review.

The bill therefore provides better procedures to protect the applicant or registrant from any arbitrary determination by the Secretary of Agriculture than does the existing law. In order that these appeal procedures may not cause delays in cases where the public might be endangered, the bill provides for suspension of registration immediately if necessary to prevent imminent hazards to the public. Such suspension could then be followed by the various appeal procedures.

At present the law prohibits the label from showing that the product has been registered under the act. This information would be useful to a prospective user of the product, since it provides some assurance that the Secretary has investigated the product and that it is properly labeled. If the product is to be used in the production of agricultural commodities, the fact that it has been registered provides some assurance that if the directions on the label are followed, the commodities produced will meet the requirements of the Federal Food, Drug, and Cosmetic Act insofar as possible residues of this particular poison are concerned. The bill therefore permits the label to show the product's registration number; and requires it to be shown if the Secretary should so prescribe.

The committee held hearings on this bill, and all witnesses favored its objectives. The committee amendment modifies the bill only to the extent of including a number of technical and procedural suggestions of the industry and the Department of Agriculture.

Mr. RIBICOFF. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. RIBICOFF. On behalf of the subcommittee, I express our gratitude to the Senator from Louisiana and the members of his committee for reporting the measure.

The Senator from Kansas [Mr. PEARSON], the Senator from New York [Mr. JAVITS], the Senator from Rhode Island [Mr. PELL], and I held hearings on the bill. The hearings disclosed the loophole which is sought to be closed by the bill. It is most important for the health and welfare of the people.

Mr. GORE. Mr. President, will the Senator from Connecticut yield?

Mr. RIBICOFF. I yield.

Mr. GORE. Does the bill relate strictly to labeling, numbering, and identification; or does it go further and propose, as I hope would be the case, a genuine study of the possible health hazards involved in the use of insecticides?

Mr. RIBICOFF. The subcommittee conducted long and careful hearings on the subject. As we discovered a particular loophole, we made recommendations to the appropriate committee.

The first thing we discovered was that certain pesticides were being placed on the market after they had been rejected by the Secretary of Agriculture, merely by the filing of a protest registration. This was a bad loophole in the law, because it allowed toxic pesticides to be placed on the market. We therefore called the attention of the Committee on Agriculture to this situation.

The bill would close such loopholes, so that if a pesticide is declared to be unsafe, the manufacturer will not be able to market it merely by filing a protest registration.

Mr. GORE. As I understand, the bill is partially the result of a thorough study which the committee has made.

Mr. RIBICOFF. That is correct. We shall continue to investigate thoroughly every phase of the problem. As we reach our conclusions, we will from time to time make recommendations to Congress. This bill is one of the results of our study. But this measure is of such clear importance and solves such a specific problem that it is well we act on it promptly. I hope the House of Representatives will complete action at an early date.

Mr. President, a quarter of a century ago there were fewer than six primary chemicals available for use as pesticides. Today over 50,000 formulations based on more than 500 individual chemical compounds are registered with the Department of Agriculture.

In this wide range of complex products—many with similar properties but each one differing from the other in some important aspect—there is included a great variety of toxicants. They vary from insecticides for corn borers to repellants for mosquitoes, from nematocides for tobacco to ant and cockroach killers, from herbicides for lawns to killers of rats and mice, from fungicides for wood to insecticides for malaria mosquitoes.

The United States produces and uses more of these products than any other nation. And the trend is continuing upward. In 1954 over 400 million pounds of synthetic organic pesticides valued at something over $150 million were produced. Preliminary 1962 figures show production exceeding 700 million pounds valued at over $400 million. By 1975 it is estimated pesticide sales alone will reach the $2 billion mark.

Despite the huge increase in these materials since the end of World War II there has been no basic revision of the pesticide regulation laws administered by U.S. Department of Agriculture since that time.

According to the Director of the Pesticides Regulation Division of the Department of Agriculture, the 1947 act—known as the Federal Insecticide, Fungicide, and Rodenticide Act—is "basically a labeling law which protects the public by requiring that the label be adequate to protect the public, when followed." The key protective feature of the law—as pointed out frequently by Department of Agriculture officials over the years—was that all pesticides were required to be registered with the Secretary of Agriculture before they could be sold in interstate commerce. Registration, we have been told, meant that the product was effective and safe when used as directed.

Yet despite such assurance there existed from the beginning a loophole in the law. Secretary of Agriculture Freeman described this gap to our Subcommittee on Reorganization last May during our hearing on the use of pesticides as follows:

> One provision of the Insecticide, Fungicide, and Rodenticide Act, in our opinion, subjects the public to danger. If the Department denies registration, the law now permits a manufacturer to register his product "under protest." The product can then be sold to the public until we are able to develop performance and toxicity records and take legal action to remove it from the market.
>
> This is a loophole in the law that should be closed. We believe the act should be amended to do away with the provision that permits registration "under protest," and our recommendations to this effect are now under consideration in the executive branch.

Actually these recommendations had been under consideration—we learned—since 1960 but action in the executive branch was slow. Instead of waiting for further consideration, I introduced along with Senators PEARSON, PELL, and JAVITS the bill now before us.

There was no need to wait for further consideration. The facts were obvious and the need was clear.

Over Government objection and despite doubts as to a product's safety or effectiveness, a manufacturer could, if he chose, market his product "under protest" and the registration would be considered perfectly valid—with nothing on the label to differentiate it from other products properly registered. For 4 years this problem has remained unresolved. That is why I introduced S. 1605 4 days after Secretary Freeman's testimony.

This bill closes a loophole that posed a constant threat to the health and safety of the American people. Any product could be sold to the public even though evidence of its safety was completely lacking. This bill ends that possibility once and for all.

Fortunately, we have been able to avoid a national tragedy while this gap in consumer protection remained in the law. Only a very few products, out of the thousands registered, have been protest-registered over the past 16 years. Even these have been too many and it is time to close the gap.

Despite our relatively good fortune in the past, the danger of an unsafe product coming on the market is always with us under existing law. Let me give you a few examples of what I mean.

A number of manufacturers have submitted for registration under the Federal Insecticide, Fungicide, and Rodenticide Act labeling for chlordane aerosol formulations for household use. These were intended for use in controlling various household pests, including flies and mosquitoes. Registration was refused for products bearing directions for use which would result in an aerosol dispersal of chlordane. USDA pharmacologists did not consider such a use to be safe. Their judgment was based partly on the findings of the Food and Drug Administration, which showed that chlordane formulations in some cases could produce skin and eye irritation. Since aerosol uses risk contact of the spray with skin and eyes, such usage could not be accepted and registration was refused. The Public Health Service was asked to review this matter and endorsed the decision.

On a number of occasions registration of floor waxes containing dieldrin has been requested. Such products were intended for use in controlling various household insects. USDA pharmacologists did not consider complete floor coverage with such waxes to be safe, and refused to register them. Dieldrin formulas for household use required directions which would not exceed the patterns set forth in USDA interpretation 19. It was concluded that no directions could be written which would meet the requirements of this interpretation, and still provide a useful floor wax.

USDA was asked by one firm to consider registration of a parathion formulation for use in rodent control. Another firm asked USDA about the possibility of obtaining registration for a parathion product for household use, and for the control of fleas and other pet insect parasites. These firms were informed that such uses were unacceptable due to the high toxicity of parathion. USDA toxicological experience and the scientific literature indicated that such use would be hazardous and would risk injury or death. Since there was much more than a "reasonable doubt" as to the propriety of the use, registration was denied.

As a result of cases of methemoglobinemia reported in premature infants on whom diapers treated with disinfectants containing TCC were used, USDA reviewed the registration status of all formulations containing this compound. Registration was canceled on several products where directions for use involved industrial laundry soaps wherein the treated diapers or clothing could likely be autoclaved in routine hospital practice. Due to this action, all such products were removed from use. This specific action was taken, since detailed studies have proved that TCC was capable of decomposition, and diapers were able to absorb the breakdown products in hospital autoclaves. In addition, USDA required manufacturers to place on the labels of certain laundry products warnings against boiling or autoclaving.

Each of these 4 products could be on the market today under protest registration. Only after accumulation of considerable evidence could USDA move against them and cause their removal. The public, in the meantime, would serve as guinea pig. This bill makes sure that such a possibility will not happen.

The policy of this Nation should always be that a pesticide should not come on the market until adequate proof of safety has been established and it should not be left for the public to play the role of guinea pig while the true facts of toxicity are brought out. Today, it is possible under the law to subject the public to that role when the Government is not satisfied with the manufacturer's proof of safety and yet lacks definite evidence of lack of safety. That grey area must be decided in favor of the public—the consumer.

Protest registration was supposedly a technique to force a court review whenever the manufacturer and the Government disagreed on the safety or effectiveness of the product in question. The proposed legislation rejects this archaic concept of consumer protection and substitutes a system under which both the public's interest and a manufacturer's rights are protected. And this protection runs from the initial decision, through an advisory committee, through a hearing on the record, through judicial review.

In addition, the legislation requires that every pesticide formulation carry its official registration number on the label. In this way the public will be able to tell at a glance that the product on the shelf has satisfied the requirements of Federal law as to its effectiveness and safety when used according to the directions on the label.

This legislation is recommended by the President's Science Advisory Committee. It has been endorsed by the heads of the various affected Federal agencies, the regulated industry and by every witness to appear before our Senate subcommittee now studying the problem of the use of pesticides. I urge its adoption.

Mr. PEARSON. Mr. President, I should like to join the Senator from Connecticut in expressing appreciation to the Senator from Louisiana for reporting the bill. The measure is the direct result of the work of the subcommittee in dealing with pesticides. I believe it carries the endorsement of the appropriate authorities and agencies of the Government. It will be of public service.

Mr. YOUNG of North Dakota. Mr. President, I commend the distinguished Senator from Connecticut, who is a former Secretary of Health, Education, and Welfare, for doing a vast amount of work in this field. The American public is deeply concerned about the use of insecticides and pesticides. The bill is a step in the right direction.

The Department of Agriculture has concerned itself with this problem. In my own State a $2 million Federal research laboratory is now being completed to conduct work in this field alone. More should be done.

Mr. JAVITS. Mr. President, S. 1605 is important not only from the standpoint of eliminating the evils and dangers of pesticides; it is very important that pesticides shall continue to be used. That was the emphasis of the testimony of experts who have appeared before the subcommittee. The danger was that our food supplies would be materially affected if we suddenly wiped out the use of insecticides and pesticides by impossible regulations. Therefore, it is doubly important that the Senate understand that the purpose of the bill is not only to prevent the evils which the Senator has suggested, but also to ensure legitimate and constructive uses of insecticides and pesticides in connection with our food supply.

Mr. RIBICOFF. The Senator from New York is correct.

Mr. PELL. Mr. President, I am happy to add my full support to the bill proposed by the distinguished Senator from Connecticut to plug a dangerous loophole in our pesticide registration laws.

This bill would simply make it more difficult for manufacturers to market products which should not be sold to the public, but which under existing law could conceivably come into the hands of unsuspecting buyers.

As things now stand, a manufacturer can insist on securing a "protest registration" even though the Department of Agriculture has raised doubts as to the safety and effectiveness of his product. I am informed that most manufacturers actually comply with the Department's suggestions, but that a small number—1 in every 2,280 registrations now granted—insist on marketing their products under the protest registrations.

This is of course a very small area of risk, but it is a significant one when chemicals and public health are involved. Clearly, we must take no chances. S. 1605 solves the problem by establishing new and more rigorous procedures for registration, and for this reason, I urge that it be adopted by the Senate today.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1605) was ordered to be engrossed for a third reading, was read the third time, and passed.

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### EXECUTIVE SESSION

The Senate resumed the consideration of executive business.

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### PROTOCOL TO AMEND CONVENTION ON INTERNATIONAL CIVIL AVIATION; CONVENTION ON EXTRADITION WITH SWEDEN; ADDITIONAL PROTOCOL TO THE TREATY OF EXTRADITION WITH BRAZIL; EXTRADITION CONVENTION WITH ISRAEL; CONSULAR CONVENTION WITH KOREA; CONSULAR CONVENTION WITH JAPAN

The Senate resumed the consideration of the protocol, Executive D (88th Cong., 1st sess.), to amend the Convention on International Civil Aviation; the convention, Executive E (87th Cong., 2d sess.), on extradition with Sweden; the additional protocol, Executive F (87th Cong., 2d sess.), to the Treaty of Extradition with Brazil; the extradition convention, Executive E (88th Cong., 1st sess.), with Israel; the consular convention, Executive B (88th Cong., 1st sess.), with Korea; and the consular convention, Executive I (88th Cong., 1st sess.), with Japan.

Mr. MANSFIELD. Mr. President, notwithstanding the unanimous-consent agreement, I ask unanimous consent that at this time there may be a quorum call for not to exceed 1 minute, and that then the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I believe the 1 minute has now expired.

The PRESIDING OFFICER. That is correct; and the order for the quorum call is rescinded.

Pursuant to the previous order, the hour of 2 o'clock having arrived, the question is on agreeing to the resolutions of ratification of the various pending protocols and conventions.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I annonuce that the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Indiana [Mr. HARTKE], the Senator from North Carolina [Mr. JORDAN], the Senator from Washington [Mr. MAGNUSON], the Senator from Oregon [Mr. MORSE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Virginia [Mr. ROBERTSON], the Senator from Tennessee [Mr. WALTERS], and the Senator from Ohio [Mr. LAUSCHE] are absent on official business.

I further announce that the Senator from Mississippi [Mr. EASTLAND] and the Senator from Oklahoma [Mr. EDMONDSON] are necessarily absent.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Indiana [Mr. HARTKE], the Senator from North Carolina [Mr. JORDAN], the Senator from Washington [Mr. MAGNUSON], the Senator from Oregon [Mr. MORSE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Virginia [Mr. ROBERTSON], the Senator from Tennessee [Mr. WALTERS], and the Senator from Ohio [Mr. LAUSCHE] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Delaware [Mr. BOGGS] and the Senator from South Dakota [Mr. MUNDT] are absent because of illness.

The Senator from New Hampshire [Mr. COTTON] is absent on official business as congressional adviser to the Radio Conference of the International Telecommunications Union, Geneva, Switzerland.

The Senator From Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Idaho [Mr. JORDAN], the Senator from Iowa [Mr. MILLER], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Wyoming [Mr. SIMPSON] and the Senator from Delaware [Mr. WILLIAMS] are detained on official business.

If present and voting, the Senator from Delaware [Mr. BOGGS], the Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Idaho [Mr. JORDAN], the Senator from Iowa [Mr. MILLER], the Senator from Texas [Mr. TOWER], and the Senator from Wyoming [Mr. SIMPSON] would each vote "yea."

The yeas and nays resulted—yeas 74, nays 0, as follows:

[No. 198 Ex.]

**YEAS—74**

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Burdick
Byrd, W. Va.
Carlson
Case
Curtis
Dodd
Dominick
Douglas
Ellender
Ervin
Fong
Fulbright
Goldwater
Gore
Gruening
Hart
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Keating
Kennedy
Kuchel
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Metcalf
Monroney
Morton
Moss
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Ribicoff
Russell
Saltonstall
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

**NAYS—0**

NOT VOTING—26

Boggs
Brewster
Byrd, Va.
Cannon
Church
Clark
Cooper
Cotton
Dirksen
Eastland
Edmondson
Engle
Hartke
Jordan, N.C.
Jordan, Idaho
Lausche
Magnuson
Miller
Morse
Mundt
Randolph
Robertson
Simpson
Tower
Walters
Williams, Del.

The **PRESIDING OFFICER**. Two-thirds of the Senators present and voting having voted in the affirmative, the resolutions of ratification are agreed to.

## LEGISLATIVE SESSION

Mr. **MANSFIELD**. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

## CONSTRUCTION AT CERTAIN MILITARY INSTALLATIONS

The **PRESIDING OFFICER**. The Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (H.R. 6500) to authorize certain construction at military installations, and for other purposes.

Mr. **RUSSELL**. Mr. President, the bill before the Senate provides construction and other related authority for the military departments and agencies of the Department of Defense within and outside the United States, including authority for the construction of facilities for the Reserve components. The total sum of new authorization contained in the bill is $1,682,255,380. In addition thereto, approval is granted for an increase in prior years' authority of $3,606,000, or a total authorization of $1,685,861,380.

The Army would be authorized $202.8 million; the Navy $211 million; the Air Force $488.6 million; the Department of Defense $24.4 million; for family housing $720.4 million; and a total of $38.6 million for the Reserve components. As submitted to the Congress this year, the bill called for a total authorization of $1,865,411,000. Subsequently, however, the Department of Defense made several additional requests for both new authority and increases in authority granted in prior years, totaling $35,199,000, about $21 million of which was received in the Senate after the bill had passed the House of Representatives.

Thus, the Senate committee was called upon to consider requests of over $1.9 billion. The authority finally granted by the committee is $214,748,620 less than the amount requested, and $52,389,380 above the amount approved by the House of Representatives. I might point out that the authority requested this year is some $259 million more than was requested last year. This apparent increase, however, is more than offset by the fact that this year, for the first time, the committee was called upon to authorize all costs related to the military family housing program. This includes not only the cost of new construction but also the costs of maintenance, operation, debt payments on outstanding mortgages, and other similar expenditures.

The authorization requested in this year's bill is based upon a 5-year projection of the missions and forces to be supported through fiscal year 1968. Such projections are important in planning military construction in view of the lead time required for many construction projects. The committee is convinced that the authority granted in the bill now before the Senate adequately provides for the fiscal year 1964 increment for this 5-year program, which construction needs to be in place by the end of the fiscal year 1966.

Almost half the projects in the bill will provide operational and training facilities. Included therein are the projects for the strategic retaliatory and continental air and missile forces which remain the basic elements of our deterrent policy. These forces cannot be relied upon alone, however, and we must provide for our general purpose forces if we are to adequately meet our global commitments. Next in the order of magnitude, then, are the provisions to provide for these forces which include projects to house and support the troops including provisions of medical and community facilities.

Of course, Mr. President, most important, is the construction provided for in the bill to replace the many temporary structures built during World War II. Most of these structures have long since passed the stage of economical use and repair. Over 44 percent of the Army program consists of just such items.

The remaining items in the program cover facilities requirements for research and development, maintenance, supply, administrative, and base utilities. It is in the area of research and development and administrative facilities that the Secretary of Defense made a special appeal to the committee for the restoration to the program of certain items denied by the House of Representatives.

In its review, the committee exercised care to determine that all requests were consistent with the long-range military plans and that projects were not planned for those areas where tenure or the mission may be in doubt, and this particularly applies to the oversea installations. The principal items eliminated were those for which a compelling military reason did not seem to exist, when the deferral of an item did not affect our military readiness, when planning had not advanced sufficiently to assure the execution of the program in the near future, and in those instances when a substantial backlog of authority existed that had not yet been implemented. With those criteria in mind, the committee agreed with the majority of the House deletions and restored only those items which the department involved could demonstrate as being of a critical nature.

Now, Mr. President, I should like to deal specifically with certain parts of the bill. Earlier I mentioned that the Secretary of Defense had especially appealed to the committee for the restoration of certain items denied by the House that had ramifications beyond a single service. Several of these related to the important research and development program. Foremost among such projects is a proposed pulse nuclear reactor facility at the Aberdeen Proving Ground in Maryland. This reactor will cost about $2.1 million and the Department states it is of vital importance to the research and development program, particularly in light of the commitments and safeguards which were given the Senate in the consideration of the test ban treaty which was before this body a few weeks ago.

New York State had shown great initiative in creating an authority to construct a similar facility, and we heard witnesses on behalf of that facility who stated that they could satisfactorily handle the requirements of the Defense Establishment, and that there was no necessity for the construction of a Government facility.

Mr. **JAVITS**. Mr. President, will the Senator from Georgia yield?

Mr. **RUSSELL**. I yield.

Mr. **JAVITS**. Without interrupting the remarks of the Senator from Georgia, I should prefer at a later time to say a word about the best use of that facility, and to express our hopes as to how the burden of the work which it would carry might be divided as between it and the Federal Government.

Mr. **RUSSELL**. The Senator's colleague [Mr. KEATING] was present before the committee during the entire course of the hearing, which lasted more than an hour, and the senior Senator from New York was out of the city but was represented by either his administrative assistant or his secretary, who read a statement. I was about to state what the Department presented to the committee in the consideration of this project.

Mr. **JAVITS**. I thank the Senator.

Mr. **RUSSELL**. The Senator's colleague [Mr. KEATING] was present and brought expert witnesses to present the views of the New York Authority.

When acting on the bill, the House of Representatives denied the Army facility to afford an opportunity for representatives of the Defense Establishment and the New York State authorities to make a study to determine whether the private facility would provide for the needs of the Army. The net result was that both factions remained adamant in their position, and strong appeals have been received not only from the Secretary of Defense but the Director of Research and Engineering for the Department of Defense and other competent Army representatives to provide for the facility at Aberdeen. The committee looked into this matter rather extensively and had the benefit of very comprehensive and enlightening testimony from competent representatives representing the views of both the New York authorities and the Department of Defense.

The Department of the Army indicated that their requirements for the pulse reactor will exceed the capacities of both proposed reactors and they would welcome the construction of the New York facility in addition to their own. The Army witnesses indicated they have an estimated requirement for 5,500 hours operating time per year and it is estimated that private industry has a requirement for an additional 1,500 to 4,500 hours. and yet a reactor can operate safely only 2,600 hours per year without creating a condition of dangerous radioactivity.

The President, after evaluating all the testimony, the committee feels that the best interests of the Government will be served by building the Aberdeen facility, not only for the above reasons but also because many necessary and essential support facilities are now available at the Aberdeen Proving Grounds.

Rather reluctantly, last year, the Congress provided separately for the construction requirements of the newly formed defense agencies under title 4 of the bill. It will be recalled that several of these agencies were formed to consolidate like activities of the three military departments in order to provide a savings to the taxpayer. It was expected that these agencies would be operated on an austere basis, drawing their personnel from those engaged in similar activities from within the military services, and that the maximum use would be made of existing facilities. The committee had high hopes that these agencies would accomplish the intended purpose. It is now found, however, that the requests for new authority are not as clear cut as might be expected, and costs directly related to those agencies are found within the requirements of the military departments, and a rather ambitious construction program is being embarked upon to such an extent that it is difficult to determine just what these agencies will cost and, in fact, whether any real savings can be contemplated. The committee has dealt with this in more detail in the committee report, beginning on page 30, as any Senator can find with reference to the report which is on his desk.

The bill, as submitted to the Congress, requested new authorization in the amount of $27,020,000 for five defense agencies. Subsequent thereto, and after the house had acted on the bill, an additional request for $20 million for a classified project was received. After a careful analysis of these requests, the committee granted new authority only in the amount of $24,403,000, and this includes the $20 million requested for the classified project.

Next, I should like to outline certain portions of title V of the bill, which relates to family housing. As mentioned earlier, for the first time we must authorize all costs of family housing, whether it be new construction, operation costs, or debt payments. Many of you, I am sure, will be surprised to learn that this program costs three-fourths of a billion dollars a year. You are able for the first time to review all the costs of this program as the result of two actions taken by the Congress last year. First, the committee, last year, drafted language providing for a family housing account, consolidating into one fund all the cost of housing, which had previously been distributed through 16 different appropriations, and second, requiring authorization for all housing costs as opposed only to the cost of new construction as in the past. This has for the first time made possible centralized financial control of all amounts appropriated for family housing and enabled the Congress to review as a whole all the costs of the program.

This year the Department requested funding for 12,100 units of housing. Of these, about 9,000 units were new authority and funding was requested for approximately 3,000 units of housing authorized last year. Concerning last year's authority, I might state that the Congress authorized about 13,800 units, but appropriated funds for only about half this number. The request for funding this year of only 3,000 units previously authorized simply means that about 25 percent of the program authorized last year has fallen by the wayside and has been superseded by what are now deemed to be more urgent projects. Nevertheless, the Secretary of Defense and the Chief of Staff of the Air Force, and others, considered the housing program of sufficient importance to appear before the committee and urge the restoration of 2,100 units of housing which had been denied by the House, and assured us that the program this year is sound and necessary.

The effect of the House reduction of 2,100 units is to stretch out the program over a 6-year period as opposed to a 5-year period as requested by the Department of Defense. However, in view of the appeals made to the committee, it was deemed advisable to restore the units denied by the House. Other substantial reductions were made and certain limitations were incorporated in the bill to assure a sound program.

First among these limitations is one that relates to the rental guarantee program which is designed to provide for housing requirements overseas. This authority has existed for a number of years, but expired on June 30 of this year. Section 507 of the bill before you would extend this authority and limit the number of units that may be guaranteed under the program to 5,000 during the fiscal years 1964 and 1965, as opposed to 5,000 units annually as provided in the House-passed bill. It is believed that this limitation is particularly pertinent in light of statements emanating from the Pentagon that "the time has come to begin reducing American forces overseas and cutting U.S. spending abroad."

Next, I should like to refer to the leasing authority provision under section 505 of the bill. The original authority to lease housing was granted by the 84th Congress. The authority was provided to permit leasing of family housing units at tactical military installations, such as Nike missile sites, where the construction of housing was not justified due to the uncertain duration of the mission. It was provided in the original act that the rental could not exceed $150 per month per unit. Last year, the language was broadened at the request of the Defense Department to permit leasing near any military installation. This year the Congress is asked to further modify the law to permit bloc-leasing as opposed to leasing on an individual unit basis.

In approving the change last year, the committee was of the impression that the leasing authority was to be used only where it was to the benefit of the Government to lease rather than build, having in mind those areas where tenure was not certain or where military strength is subject to change, or where there is a surplus of private rental or sale property that might be obtained through leasing to the advantage of the Government. It was further assumed that the $150 per month limitation was being so applied as to cover all costs of this housing. It is now found, however, that such housing is costing on an average of $168 per month, including the costs of maintenance and operation, and the Defense Department is proposing to lease housing in large metropolitan areas, which is not in conformity with the standards I have just described and where the Congress has refused to authorize housing in the past, believing that community support should be adequate. It has become apparent that the leasing program has gone well beyond the intent of the Congress and must be promptly curtailed. The committee is advised that there are currently about 4,800 units of housing under lease. The committee disapproved of any further expansion of this program, either domestic or overseas.

The committee has allowed $305.2 million for the cost of operation, maintenance, and leasing of housing, which is $7 million less than was requested. It is believed that this amount may easily be absorbed through more stringent economy in operating and maintaining the existing housing inventory and through the curtailment of leasing activities.

Another area in which the committee has made reductions is for the improvement of adequate quarters. The Department requested $10.7 million for this purpose. This amount is believed to be excessive, and an allowance of $5.7 million, which is $3 million less than the House allowance, has been granted and is believed adequate to provide for essential repairs.

Finally, I want to refer to title 7 of the bill, which relates to reserve components. For these construction requirements the Office of the Secretary of Defense requested a total of $34.2 million, the smallest amount requested in recent years. The committee has granted $38.5 million. Except for the Army National Guard and the Army Reserve, the amount of new authorization requested would support executed programs approximately at the levels of recent years. The tempo of the Army National Guard and the Army Reserve has been temporarily reduced pending completion of the reorganization and realinement of the force structure. The committee was of the opinion that the $3.6 million requested for the Army National Guard is entirely inadequate to carry out the long-range construction plans of the Guard and in fact represents only a token program. Therefore, the amount requested was increased by $3.9 million for a total of $7.5 million, which it is believed will permit an orderly and necessary continuation of the National Guard program and provide for the most essential projects. A small increase of approximately $370,000 was made in the Air National Guard program to provide the first increment of a runway extension which is required as a safety measure.

Mr. President, this concludes my summation of this measure.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield to the distinguished Senator from Massachusetts, the ranking minority member of the committee.

Mr. SALTONSTALL. Mr. President, once again in discussing this legislation which vitally affects our Nation's defense I find myself in accord with our able chairman, the senior Senator from Georgia.

This bill, in my opinion, represents a thorough and complete coverage of our military construction needs for the fiscal year 1964. At the outset I should say that the House has done a splendid job in its consideration of this bill, and we in the Senate have attempted insofar as possible to stay at, or near, the House figures. Overall the House reduced the requested authorization by approximately 13 percent. There are some areas where our committee felt the House cuts were too deep and in those areas restorations were made. There are other areas however, where the Senate has eliminated House approved items. I should point out that we are in the fourth month of the fiscal year 1964 and, also, there is remaining available to the Department of Defense some previous authorizations where monies have been appropriated but not yet expended.

With regard to the request of the Army—the House allowance amounted to $200,672,000, whereas we recommend $199,633,000. We allowed $10 million for expenditure within the United States which was not included in the House bill and at the same time reduced the authorization for expenditures outside the United States in the amount of $11,422,000. The two largest items approved were for a pulse reactor at Aberdeen Proving Ground, Md., in the amount of $2,174,000, and barracks facilities at Fort Myer, Va., in the amount of $4 million. Other items making up the difference were at Fort Gordon, Ga., Redstone Arsenal, Ala., and Fort Belvoir, Va.

Turning to the Navy, the House allowed $205,277,000 and the Senate voted $210,899,000. The increase of approximately $5 million involved facilities for Key West, Fla., certain items in Puerto Rico, a repair facility at Bremerton, Wash., the relocation of a Naval radio facility at Sugar Grove, W. Va., and a chapel at Glynco, Ga.

In considering the request for the Air Force, the House allowed $493,950,000, whereas we recommend $488,407,000. The largest reduction in the Air Force total came from the omission of items in the amount of $8,052,000 for the Air Training Command. The other rather large item reduced was for an addition to the hospital at Andrews Air Force Base in Washington, D.C., in the amount of $3,700,000. The committee felt this project could be delayed for another year.

With regard to the request for the defense agencies, the House allowed $6,511,000 and the Senate allowed $24,403,000 for this item. Actually there was one large classified item in the amount of $20 million which was included in the Senate consideration which was not covered by the House action. Secondly, there were some air-conditioning projects for the Defense Atomic Support Agency which the Senate allowed.

Turning to military family housing, we find the greatest area of difference between the Senate and the House bill. The House allowed 10,000 units for an overall total of $692,862,000, whereas we voted slightly over 12,000 units for a total of $720,443,000. Even though there was a 50-percent cutback in fiscal year 1963 in appropriations for family housing, and of this amount only half of the moneys appropriated were spent, nonetheless the committee was persuaded by the testimony of Secretary McNamara and General LeMay that family housing was an urgent requirement for the fiscal year 1964. This matter will again be under review of the Senate Appropriations Subcommittee on Military Construction which will be looking into the matter of family housing in additional detail.

In regard to the Reserve and National Guard, the Senate allowed $4,270,000 more than the House committee, of which $3,900,000 was for the Army National Guard construction program. An additional item in the amount of $370,000 was permitted for the extension of a runway at Reno, Nev., to accommodate planes of the Air National Guard.

In summary, the Senate bill adds $52,389,380 to the House-approved measure. As I have pointed out, the additional allowance for military housing and the classified item account substantially for this difference. I hope the Senate will approve the work of the committee.

I have summarized the major changes which the Senate committee made in the House bill. We have tried to keep the bill down to the House level of $1.6 billion. I believe it is a good bill. I believe it provides all that is necessary for the military, particularly when we take into account previously authorized items.

I hope the Senate will support the committee's action and will accept the few changes that we have made.

I commend the Senator from Georgia on his conscientious work.

Mr. RUSSELL. I thank the Senator from Massachusetts. He has been very diligent in his attendance at the hearings of the committee. After all, this is a committee bill, and the Senator from Massachusetts made his contributions to the work that brought about the bill now before the Senate.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BARTLETT. In response to the hope expressed by the distinguished Senator from Massachusetts, I accede to his request, and if there is a yea-and-nay vote on the bill I will vote in favor of it. I do not have as intimate a knowledge of the present bill as I possessed in previous years.

Mr. RUSSELL. I may say that the Appropriation Committee's gain was the Armed Services Committee's loss.

Mr. BARTLETT. The Senator is very kind. On that committee I served under the distinguished leadership of the Senator from Georgia. I notice there is in the bill a construction authorization for Alaska in the sum of $21,041,000. Of that amount about $1,700,000 is for the Army, and close to $5 million for the Navy. The remainder is for the Air Force.

I commend the chairman of the committee, the Senator from Massachusetts, and indeed every member of the committee for their discernment in placing this requested amount in the bill for Alaska defenses.

We of Alaska like to think that Alaska is the front line of defense. Others may wish to dispute that statement, but I believe we all agree in saying that it is a front line.

When the authorization is granted, as I am sure it will be, and when the money is subsequently appropriated, and the work has been performed, not only will Alaska be defended but the defenses of the entire United States will be strengthened, thanks to the useful and essential work performed this day and heretofore by the Armed Services Committee.

Mr. RUSSELL. I thank the Senator. I now yield to the Senator from Maryland.

Mr. BEALL. Mr. President, I feel that it is my duty to call to the attention of my colleagues a deletion by the committee which would have remedied a deplorable and untolerable condition which presently exists at the WAVE barracks at Bainbridge.

These barracks are of a temporary World War II construction and are in my opinion a fire trap. During the hearings it was disclosed that our young ladies would have only 2 minutes to evacuate these buildings in the event of a fire. Mr. President, I am concerned for the safety of these girls.

Mr. President, I would like to ask the distinguished chairman of the Armed Services Committee what provisions are being made to insure that our WAVE recruits will have safe and adequate housing.

Mr. RUSSELL. The situation to which the Senator from Maryland refers, of course, is not desirable. We intend to remedy it. It will be remedied in due season. Unfortunately, this happens to affect some young ladies who are living in World War II barracks. We have hundreds of thousands of young men living in such barracks all over the country. We are undertaking to remedy the situation as rapidly as possible. As I stated at the outset of my remarks, over 44 percent of the $200 million for the Army is for the replacement of World War II buildings. A very substantial part of the $211 million authorized for the Navy is also for the replacement of such structures.

The Senator has made a very meritorious case both here and in committee. The committee, however, did not feel the program had a sufficiently high priority to be carried in the bill this year. I can assure the Senator now, as I did in committee, that we will undertake to give this subject prompt consideration next year. I hope we will pass an authorization bill much earlier than we have been able to do this year. I hope there will not be any undue delay in that regard, particularly in dealing with emergency situations such as the one the Senator has outlined, which affects these fine young women, the WAVES, who are taking their preliminary training at Bainbridge, where tens of thousands of naval personnel have received what is called boot training.

Mr. BEALL. I thank the chairman. He was quite sympathetic in committee. I appreciate his sympathetic remarks at this time.

Mr. RUSSELL. We have many desirable projects, but it is impossible to reach them all at one time. We now have a $1,700 million bill. We could easily have made it twice as much and still have had projects left over.

Mr. SYMINGTON. I join with the distinguished Senator from Massachusetts and the distinguished Senator from Alaska in commending the able senior Senator from Georgia, chairman of the Armed Services Committee, on his presentation of the military construction bill. In my following of these hearings I noted the care taken in examining each case on its merits, and the typically thorough and conscientious manner in which the bill in detail was examined under the direction of the distinguished Senator from Georgia and by the other members of the committee.

I hope the Senate will pass the bill promptly in the interest of our national security.

Mr. RUSSELL. I thank the distinguished Senator from Missouri. He is one of the best informed and most earnest members of the Committee on Armed Services and makes substantial contributions to the proposed legislation as reported by the committee.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield.

Mr. HOLLAND. I recently had occasion to go to the Miami-Key West area. In the course of my visit I visited two of the Hawk battalions which are now quartered there, I understand, on a permanent basis. They were sent there originally on a temporary basis. There are two Hawk battalions and some other units, along with an air defense headquarters. I found in the case of each of the Hawk battalions that the accommodations are far from satisfactory and far from efficient. I inquired and learned that the Department of Defense had requested, as of May 6, in a letter to the distinguished chairman of the Committee on Armed Services that this matter be taken care of by authorization, if possible, in this bill, of the sum of $14.4 million. To be frank, I have not had a chance to examine the bill with all the care I would like to use, so I have not been able to find that item. I want to be certain that the item is in the bill, if the Senator can advise the Senate at this time, because it is a "must" item. Those men are on duty on a night-and-day basis, manning not only the Hawk equipment, but also the radars and the other apparatus in connection with the air defense activities. They ought to be reasonably housed, reasonably sustained, and reasonably supported. I am wondering if that item is in the bill; and if so, where it is. Frankly, I have been unable to find it.

Mr. RUSSELL. I assume it is in the bill and will be found under the item for "Continental Air and Missile Defense Forces." I do not recall on what page of the bill it is, but it is in a lump-sum appropriation. The Army presented it to the committee as a classified item. That is why it is not spelled out line by line.

The Senator from Florida, I am sure, knows, as I do, and as does everybody who has been in that section of Florida—and that includes quite a few people in the winter season—that those batteries are there.

Mr. HOLLAND. They know they are there and that the men are living in highly inadequate quarters.

Mr. RUSSELL. The money is in the bill. It is in the lump-sum appropriation for Continental Air and Missile Defense Forces. The Senator will find a reference to the item on page 10 of the committee report.

Mr. HOLLAND. On page 65 of the bill, lines 4, 5, and 6, is an amount which I think may contain the funds, but the items are unknown to me. The item in which I am interested is for $14.4 million, but I am not sure that that is included in the amount on page 65 of the bill, because the reference there is quite general. I should like to ask the Senator from Georgia if that is the case.

Mr. RUSSELL. The committee was told by the Department of Defense that that is where the item is. I cannot personally vouch for that, because the item is not spelled out in the bill. We were told by the Department of Defense that that is where $14.4 million is provided, for the air and missile defense forces that were moved to Florida at the time of the Cuban controversy.

If the Senator will refer to page 10 of the committee report, at the bottom of the page, the last paragraph, he will see the statement:

> The $23 million included in the bill for these forces provides for continuing the program of improvements to the existing Nike-Hercules system to provide greater tactical effectiveness. The major item at $14.4 million is for air defense of the Homestead-Miami and Key West, Fla., areas.

So the item is spelled out in the committee report on page 10; although it is not a line item in the bill.

But "Continental Air and Missile Defense Forces" is a line item, and the committee stated in the report what the Department told us the money was for.

Mr. HOLLAND. Perhaps the confusion in my mind results from the fact that the item in the bill to which I have referred is not for $23 million; it is for $22,560,000. I was looking for a $23 million item but could not find it.

Mr. RUSSELL. We rounded off the figure at $23 million. I have become so accustomed to hurling around such huge sums of money when dealing with defense matters that this is the only opportunity I have to round off a figure. Where more than $500,000 is involved, I give the higher classification. So I referred to the $22,560,000 as $23 million.

Mr. HOLLAND. I wish to keep the RECORD from appearing to be too reckless at this point. I know of no man who safeguards public funds in the matter of authorizations and expenses for the armed services, to any more zealous degree than does the distinguished senior Senator from Georgia.

The reason for my concern is that those men—and they are quite a large force, as the Senator knows—are enduring miserable living conditions. They are unable, of course, to have their families with them or close by, as they should have, at a permanent installation, and this installation has now become permanent. I had hoped that this item would appear in the bill. As I understand, it is not in the House bill.

Mr. RUSSELL. I am advised by the able assistant to the committee, Mr. Nease, that it is in the House bill, and that this is the only item that was submitted subsequent to the original budget that the House did approve in the bill. So the Senator from Florida has nothing to worry about. The item to which he refers is in both bills. I do not know of any greater assurance he can have than that. The item is in both bills. Now he might take it up with the Department of Defense, and make a moving appeal to them, so that they will let this worthy contract at a very early date.

I did not know that anyone could suffer such severe hardship anywhere in Florida as the Senator has depicted is the case of these men, even though they may have been living in tents on the seashore.

Mr. HOLLAND. They are living in tents, on the coast, where there are sizable numbers of mosquitoes. It is not too pleasant a situation for them.

I thank the Senator from Georgia for his assurance that this item is in both bills. I think there is no more worthwhile item.

The Senator from Georgia has not been approached by me on any other of the numerous items for Florida which are in the bill, and for which I thank him. I have expected him, as he has always shown, to show the kind consideration, in accordance with their merits, that he always shows. But this one item, I happen to know from my own personal observation, is badly needed. I spoke with officers of some of the commands, and they told me that the existing conditions were not such as to promote the greatest efficiency. I am delighted to know that this matter has been taken care of.

Mr. RUSSELL. The item is in the bill. I am sure that the contract will be let as expeditiously as possible. I hope the Senator will not be rebuked by the chamber of commerce for admitting that there are mosquitoes in this general area.

Mr. HOLLAND. If the Senator will allow me to say so, I do not believe anyone has ever taken the position that there are not a few mosquitoes on the coast of Florida. That is what I am talking about—the coast, the long expanse of 169 miles between Miami and Key West. These units are deployed down along the Keys, and it is not an easy situation for them. I am sure this authorization will operate to make their situation much easier and to bring about even more efficient service by this command.

Mr. RUSSELL. I am sure the Senator is quite correct in stating the case.

Mr. KEATING. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

### NUCLEAR PULSED REACTOR

Mr. KEATING. I express my gratitude to the distinguished Senator from Georgia for the courtesy he displayed at the hearing with respect to the proposed nuclear pulsed reactor, and for the thorough way in which he reviewed the problem. Mr. Oliver Townsend, chairman of the New York State Office of Atomic Research and Development was questioned extensively by the Senator from Georgia.

Naturally, I am disappointed, although not exactly surprised, by the action of the committee in providing funds to proceed with the construction of a proposed pulsed nuclear reactor facility at the Aberdeen Proving Ground, in Maryland. New York State has been planning for 2 years the construction, with State and private funds, of a similar reactor, which would be available on a priority basis to the Defense Department. Despite the guarantees that New York State was prepared to offer to provide as much time as the Defense Department required, the Army continued to insist that its requirements far exceeded the capabilities of a single reactor—even though, before the Army knew of the New York State efforts, the Army had apparently been satisfied that a single Army-owned reactor would meet its needs.

I understand that the committee acted to duplicate the proposed New York facility with Federal funds only after receiving from the Secretary of Defense the strongest personal assurances that a federally owned reactor at Aberdeen was a top-priority item. The Army witnesses indicated that they expect an annual requirement of 5,500 operating hours and that they estimate private industry requirements of between 1,400 and 4,500 hours, more or less based upon the formal addition to procurement specifications requiring the testing of certain items under nuclear conditions. Since it is anticipated that such a reactor could operate safely for only a fraction of this time each year, a strong argument was made that the Federal facility is also essential.

Mr. President, I sincerely hope the Army estimates and the committee acceptance of them will be proved correct. I sincerely hope that as a result of continuing preparedness under the terms of the test ban treaty, the need for such facilities will be increased as anticipated, and that there will be enough work for reactors both at Aberdeen and in New York State. However, since one of the key points in the committee decision to authorize Federal funds was the Army's insistence upon its need for more hours of operation than a single reactor could accommodate. I sincerely hope the committee will follow closely the actual practice and experience of the Aberdeen reactor.

It is not expected that this reactor can possibly be completed before spring of 1965; but I hope that when this reactor does come into operation, the committee will seek from the Army a detailed breakdown on the hours of operation, the performance, and the workload—as between Government and private contractors. If the Army estimates on which the committee acted are accurate, there should be more than enough work for both; but if the Army estimates are not accurate or if the Army makes any effort to require private firms doing work on contracts to use the Army facility, as opposed to the New York facility, I hope the Armed Services Committee, as well as the Senators from New York, would want to have this information available and to be in a position to follow the developments very closely.

I think the language of the committee report on page 8 is splendid; and if the facility at Aberdeen is to be constructed, this language very clearly points out that the Aberdeen facility is not in any way to supplant the New York facility, but is to be run along with it, and that there is need for both of them.

Under the circumstances, I think I should express appreciation for the very helpful language which the committee has included in the report, which would be in the nature of advice to the Army as to its conduct of the facility at Aberdeen.

I have some questions to ask on another matter, which I assume will be taken up later.

Mr. RUSSELL. The testimony from the Army—and we went into it rather fully with the representatives of the Army, when they were before us initially, before the Senators from New York presented their case—indicated that even if New York State completes its reactor and if the one at Aberdeen is constructed, there still will not be within the United States adequate facilities of this nature, due to the very vital importance of the research in this field which necessarily must be done.

I am sure the Senator from New York knows—even though most of the details about this matter are classified—that it relates directly to, and affects materially, the operation of the entire defense system in this country.

Mr. KEATING. There is no question about that; but it is also a matter which is of great interest to private industry, and we would not want to have all of it operated through the Government.

Mr. RUSSELL. I understand the Senator's point. If he will examine page 103 of the hearings, and the succeding pages, he will see that General Ryder testified that there is a very great need for research facilities of this nature, and that it is essential to have one at Aberdeen, by virtue of the fact that there are a number of related activities at Aberdeen, but that the facility which New York State is trying to construct would be fully utilized by the Army and by private contractors with the Army. In fact, Federal funds have been voted for nearly all the research done in this field, for most of it is done for the Government.

Mr. KEATING. That may well prove to be the case.

On the basis of these figures, certainly there would be more than enough work for both. I simply request that the committee keep its eye—as I am sure it will—on the Army facility; and if there is any complaint about its programing I assure the distinguished Senator from Georgia that he will hear about it from the Senators from New York. We shall always be—as we have been in the past—most appreciative of his courteous and friendly reception.

Mr. RUSSELL. Mr. President, I commend the initiative of the great Empire State for creating this authority and for embarking on this program. I am sure it will be most helpful; and I hope New York will not lose any of its electronics industry, unless some of it, forsooth, might see fit to contemplate the establishment of a plant in Georgia, in which case, of course, that would demonstrate great wisdom on its part.

Mr. KEATING. Mr. President, that would be very close to a tragedy. If that time ever comes, I shall certainly take up the matter with the Senator from Georgia.

Mr. JAVITS. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator from Georgia yield to the Senator from New York?

Mr. RUSSELL. I yield.

Mr. JAVITS. My remarks will be brief, I assure the Senator.

I was very glad to hear the Senator's statement about the initiative shown by the State of New York in establishing its State atomic research and development authority. New York has been put to a very serious disadvantage, and serious pockets of unemployment exist in New York—particularly, for example, at Buffalo and at some points on Long Island—and, to be precise, for the reason that New York has lost some of this business to California.

There has been honest competition, and we are trying to win back—in the hard way—the establishments we have lost; we are attempting to do that by making facilities available.

Mr. President, I call particular attention to this item, which in the context of the vast and expensive array of projects which H.R. 6500 authorizes, is relatively small. It is small, however, only from the point of view of the proportionate amount of dollars allocated to it. It is very large and very significant, from the point of view of its implications to the security of this Nation and the enterprising spirit of State initiative which is one of the sources of this Nation's great strength.

This item, included in the bill by the Senate Armed Services Committee, after the House-passed bill omitted it, would authorize $2,174,000 for the construction at the Aberdeen Proving Grounds in Maryland of facilities to house a nuclear pulse test reactor. A machine of this type is used primarily to simulate the radiation effects of nuclear weapons detonation in the development and testing of military equipment. At present, no machine of the type contemplated by this bill exists on the east coast of the United States, even though many of the military installations which serve this country are located in this area.

Authorization of funds for construction of the facilities for the Aberdeen reactor was omitted from this bill by the House of Representatives upon the condition that the Army would immediately initiate discussion with representatives of New York State in regard to the capability and desirability of utilizing the reactor facility which New York will build. At the time this bill was being considered in the House, Chairman CARL VINSON, of the House Committee on Armed Services, wrote Congressman EMANUEL CELLER—the letter is contained on page 89 of the Senate committee's record of hearings—to the effect that if the resulting report indicated the desirability of restoring the reactor facility to the construction bill, the Senate committee would take that action and that the House conferees would agree.

In the light of the decision by the New York State Atomic Research and Development Authority, a public benefit corporation of the State of New York, to construct with its own funds an advanced pulse test reactor in Saratoga County, northeast of Schenectady, it has been the State's position that the Department of Defense should be authorized by the Congress to proceed at Aberdeen only if the Defense Department could demonstrate to the Congress that the national defense requires both pulse reactor facilities on the east coast, one in New York and the other at Aberdeen.

I have followed with great interest the question raised by New York State as to whether a national-defense requirement exists for the operation of two pulse reactors, one in New York and one in Aberdeen. The New York pulse reactor, upon which preparatory work was first undertaken by the New York State Atomic Research and Development Authority more than 2 years ago in cooperation with the Department of Defense installation at Fort Monmouth, N.J., is now being carried forward in New York with State financing. The New York State installation will utilize an improved version of the Atomic Energy Commission's health physics research reactor, which recently went into operation at Oak Ridge. The New York State Atomic Research and Development Authority has stated that it will be able to enhance significantly the performance of this reactor type, so that upon completion it will be the most advanced pulse reactor in the country.

The New York State authorities are moving ahead full steam on a project which preceded, in its perception of a national need and in its mobilization of resources required to meet it, the present request by the Department of Defense for a similar project at Aberdeen.

The Senate Armed Services Committee in its report has indicated its recognition of the national defense requirement for two nuclear pulse reactors on the east coast. The committee's report states:

> The Department of the Army indicated that their requirements for the pulse reactor will exceed the capacities of both proposed reactors and they would welcome the construction of the New York facility in addition to their own.

In addition, the Department of the Army's views with respect to the need for the operation of two reactors was reflected in the testimony of Brig. Gen. W. T. Ryder, Director, Special Weapons, Office, Chief, Research, and Development, Department of the Army—pages 103, 105 of the committee hearings on H.R. 6500—in which he stated that "we would welcome New York State to build their reactor even if we get ours at Aberdeen." General Ryder also stated on page 105 of the record of the committee hearings:

> I think that putting the reactor at Aberdeen, where we have, as I say, these two Army laboratories directly associated with this work, will be a step in that direction. It is for this reason we strongly urge the building of the pulse reactor at Aberdeen and for that matter strongly urge New York to go ahead with theirs.

With respect to the need for two reactors, I also point to the conclusions of the report on conferences between representatives of the Department of the Army and the New York State Atomic Research and Development Authority concerning construction of the Aberdeen pulse reactor issued by the Department of the Army, Office of the Chief of Research and Development, on May 8, 1963, printed on page 92 of the hearing record, which states that:

> (b) The technical characteristics of the proposed New York reactor core will be adequate to meet most all Army requirements. The location is satisfactory for the electronic manufacturers and the electronic research and development work.
>
> (c) There is adequate workload to support the Aberdeen reactor and the New York reactor.

In view of the strong encouragement by the Department of the Army to proceed with the development of a New York nuclear reactor project, I am hopeful that the New York State project will be able to contribute on a large scale to the national defense effort and in cooperation with the Department of the Army may fulfill the vital defense mission as it has been described to the Congress by the Department of the Army's recommendations.

I am also hopeful that the Department of the Army, after operations of the Aberdeen reactor have been commenced, will make available to the Senate and House Armed Services Committee or other responsibly interested parties, from time to time, reports of the series of experiments leading toward completion of the design of the reactor and how the requirements, as described by the Department of the Army, will be met. The building of this State project and its successful operation will, I am certain, be a tribute to the enterprising spirit and initiative of the State of New York.

Mr. President, the Federal Government is always urging the States to establish new facilities, and New York is doing so.

In the present situation, the State of New York feels that it has the right to go ahead because of the evidence establishing the need for the New York pulse reactor about which very ample assurances have been given. So I am gratified by the statements made by the Senate Armed Services Committee.

My colleague, the Senator from New York [Mr. KEATING], and I only express to the committee what we know it will do, which will be to see, in its own way, that if there is an intention to require the State to change its position, based upon a set of facts and requirements which have been presented to the State, although without any guarantees, at least the committee will do its utmost to review such a situation with great care.

Mr. RUSSELL. Of course it is impossible for the committee to keep track on all of the activities of every one of the thousands of facilities which are under the Department of Defense. But if the Senators from New York have reported to them that the conduct in that connection is not in accordance with the instructions of the Deparment of Defense, I shall be very glad to have them so report to me.

Mr. JAVITS. I thank the Senator from Georgia.

Mr. KEATING. Mr. President, will the Senator from Georgia yield again to me?

Mr. RUSSELL. I am glad to yield to the Senator from New York.

Mr. KEATING. Let me ask whether this is an appropriate time for me to refer to a problem existing at Rochester and at Troy, N.Y., at the Naval Reserve facilities located at those two places.

Mr. RUSSELL. I think so, because, insofar as I know, we are about to conclude our consideration of this measure.

Mr. KEATING. Therefore, Mr. President, as a matter of procedure, and if there is no objection, I submit, on behalf of myself and my distinguished colleague from New York [Mr. JAVITS], the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment submitted by the Senator from New York will be stated.

The LEGISLATIVE CLERK. On page 120, in line 9, it is proposed to insert the following:

> SEC. 706. The Secretary of Defense, or his designee, may construct, expand, rehabilitate, convert, or equip existing facilities of the New York Naval Militia at Rochester, New York, and Troy, New York, without regard to the provisions of section 2233(b) of title 10, United States Code, provided the cost is reasonable and shared equally by the State and Federal Governments.

And to renumber the succeeding section.

Mr. KEATING. Mr. President, the amendment offered by my colleague from New York [Mr. JAVITS] and myself would restore the language approved by the House with reference to these two facilities with a modification by adding at the end of the paragraph the words "provided the cost is reasonable and shared equally by the State and the Federal Government." I have expressed to the committee my concern over the fact that the committee struck from the House-passed bill section 705, which would permit the Federal Government to renovate certain Naval Reserve facilities which are rented rather than owned outright by the Federal Government, roughly along the same lines as governing provision for National Guard facilities.

In New York and several other States, the Navy has entered into rental agreements which it considers to be very strongly in the Federal interest and which result in great savings to the Federal Government.

In Rochester, N.Y., for example, the Federal Government pays an annual lease for the Reserve Training Center of $14,900. This equals only one-half of the annual maintenance and operating costs of $29,800. The other half is paid by the State. This rental agreement is renegotiated every 3 years so that the actual operating costs can be accurately determined and evenly shared.

This arrangement should be compared with what the Federal Government pays for comparable facilities in States where Naval Reserve armories are owned by the Federal Government. There the Navy has to pay: first, the cost of buying land; second, the cost of constructing a suitable building; and third, full operation and maintenance costs. Yet, the price that the Navy could ever get from selling these properties is not comparable to the cost, for there is a very limited demand for large armories.

In both Illinois and Michigan the Navy has a similar rental agreement for property, yet in these cases, I am informed, the Navy pays the entire operation and maintenance costs; whereas, in New York the Navy pays only half. Therefore, even if the State of New York were to turn this property directly over to the Federal Government, in the long run the annual cost to the Federal Government would be greater by half than the amount of the present rent.

In the case of the Rochester facility, the savings to the Federal Government as a result of this peculiar arrangement for shared payment of operation and maintenance cost amount to more than one-quarter of the proposed Federal share of work. Therefore, in less than 4 years, the Federal share of the work amounting to $50,000 will be fully repaid.

Moreover, the leases—and I have copies of them right here—clearly provide that any improvements in these facilities shall be amortized over their useful life in such a way as to reflect a comparable reduction in the annual lease.

Mr. President, no one would deny that the provision of Navy Reserve facilities is primarily the responsibility of the Federal Goverment. Although these are also Navy Militia facilities which might conceivably be used on occasion by the State, the fact is they are primarily, first and foremost, Naval Reserve facilities. They are far more closely linked to the Federal service than the National Guard, yet for National Guard construction the States pay only 25 percent of construction costs of State-owned facilities and in these Naval Reserve installations, the State is prepared to pay 50 percent of the costs.

Mr. President, under these circumstances, and the facts concerning these two particular armories, it would, I submit, be entirely in the interest of the Federal Government to finance improvements sought by the Navy for Naval Reserve purposes. Even though I do not deny that these arrangements may seem somewhat unusual and I would concur in the wisdom of reviews on an individual basis by the committees before Federal funds are authorized, taken as a whole, it seems to me the arrangement for these two armories is altogether beneficial to the Federal Government.

I am constrained to ask why it is that the State of New York has acquiesced in such an arrangement. Perhaps through the fault of the State authorities, the Senators, or whoever might be at fault, some of the facts may not have been available to the committee at the time it made the decision to delete the funds. That is the reason for submitting the amendment to restore the language approved by the House with this additional proviso, which I think is entirely reasonable and fair, and is a protective feature for the Federal Government. I hope the Senator from Georgia will be able to give consideration to the amendment.

Mr. RUSSELL. Mr. President, I am frank to state to the distinguished Senator from New York that when we considered the item we had the facts before us, but we did not have the figures. The question was presented to the committee as an exception to the general law that the Federal Government, unless specifically authorized, could not expend money on building facilities that were not on federally owned lands. Of course, the Senator is well aware of the fact that there is a considerable difference between expenditures for National Guard activities—the National Guard being primarily a State force—and the U.S. Reserve forces, which are virtually Federal forces.

However, the facts and figures that the Senator has presented put the subject in a different light. The whole question will be in conference. I hope that the Senator will not press his amendment. In the light of the figures he has given us I can assure him I will view the subject very sympathetically in conference. I know that the Senator from Massachusetts, who will be a conferee, will do likewise.

We endeavor not to do injustice to any activity in our consideration of the measure. In view of the fact that the committee, even though it might have been without all of the facts at hand, did strike out that language, I suggest that the items will be in conference. I assure the Senator that I will endeavor to see that fair provision is made for those activities. I hope he will not press his amendment.

Mr. KEATING. I am very grateful to the Senator for his assurances. We all know that such assurances are meaningful. The language suggested at the end might be something which the conference might wish to consider. I am very grateful to the Senator for his action. In the light of the Senator's assurances, I do not wish to press the amendment.

Mr. JAVITS. Mr. President, I thank the distinguished chairman of the subcommittee for his consideration of the installations in our State, and express my appreciation to the Senator from New York, my colleague and friend, who has presented the facts so convincingly. I join him in the feeling which we all have as to the great good faith always shown by the Senator from Georgia in matters of this character. But I especially wish to call attention to the initiative displayed by my colleague in unearthing the facts and developing them in such a way as to appeal to the judgment of the distinguished Senator from Georgia.

Mr. RUSSELL. I believe that the statement of facts which the Senator presented and the estimate of the expenses he has given, together with the willingness of the State of New York to share these expenditures, does take these projects out of the category contemplated in section 2233 of title 10 of the United States Code, and I shall be happy to see if something can be worked out in conference.

Mr. KEATING. I am grateful to the Senator from Georgia, and also to my colleague from New York [Mr. JAVITS] for his comments.

Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

### NEEDED MILITARY CONSTRUCTION IN WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, included in the bill is a $3,830,000 authorization for moving the naval radio receiving station from its present location at Cheltenham, Md., to Sugar Grove, W. Va. This item deserves our support.

As a member of the Senate Armed Services Committee, I have personally concerned myself with the communications problems of the Navy through detailed briefings, and through visits to the Cheltenham facilities and the Sugar Grove site. During committee hearings on the bill, I questioned Navy officials at great length with regard to the requested relocation authorization. The conclusion which I have reached as a result of my keen interest in the matter is that the move from Cheltenham to Sugar Grove would increase the efficiency of our national defense posture by providing the Navy with a better "ear."

The Naval Communication System is an integrated network of naval communications stations strategically located throughout the world to furnish communcations coverage of the major sea areas of the world. The importance of being able to communicate swiftly and surely with our fleet units at any given moment needs hardly to be emphasized in this time of international tensions.

A Navy communications station has three major components: the receiving station, the transmitting station, and the communications center. Engineering practices dictate that these components be geographically separated from each other by from 15 to 25 miles, in order that the electromagnetic activity of one component does not interfere with the function or performance of other components.

Therefore, we can see that two important reasons are behind the request for authorization to move the receiving station at Cheltenham. One is the presence of a communications center at Cheltenham; the other is the electromagnetically hostile environment which has developed at Cheltenham through the years as a result of civilian and industrial encroachments.

In order to understand the urgency behind this move, it is necessary to grasp the complexity of the naval communications problem. To begin with, our entire fleet is linked together by highly sensitive circuits that include channels for voice, teletypewriters, data, and graphics. Because of space and weight limitations in ships, and because of the inherently hostile electronic platform provided by ships, the vessels at sea are limited to low-powered transmitters and inefficient antenna arrangements.

This deficiency must be compensated on shore by providing an extremely sensitive "ear" or receiver station, in order to avoid communication failures which, in an emergency, might have serious results. In an age of supersonic aircraft and missiles, any incoherencies which could cause communication delays, could also be fatal.

Mr. President, our Navy has developed extremely sensitive and effective instrumentations for radio reception. But the greater sensitivity of our very latest equipment is being seriously offset by the "noise" factor, or electromagnetic hostility of the environment of the station at Cheltenham. This receiving station was originally located in the main Navy building on Constitution Avenue. Prior to World War II it was moved to the Naval Research Laboratory at Anocostia. Later it was moved again, this time to its present site at Cheltenham.

This history of constant retreat from the encroachment of expanding military and civilian activity points up the clear-cut urgency of locating this vitally important receiver station in an area that is protected permanently from any such encroachment. The ideal site, in the Navy Department's opinion, would be at Sugar Grove, W. Va.

Sugar Grove is in the center of a radio-protected zone of some 3,500 square miles. Electrical encroachment in the zone is prohibited by West Virginia State law. Disturbances from aircraft, vehicular traffic, industrial plants, and other sources which have seriously weakened the usefulness of the site at Cheltenham are not present at Sugar Grove, and cannot be anticipated in the foreseeable future. A broad belt of national forest surrounds the area and provides a natural sound "cushion."

Furthermore, there already exists at Sugar Grove an underground structure especially built with shielding features designed to inhibit the passage of electromagentic radiations. Although not yet finished, this structure originally designed for the "Big Dish"—the world's largest parabolic radio antenna—could be quickly completed and utilized to effectively house the radio receivers.

Tests have been conducted at the site which prove the superior reception facilities at Sugar Grove. Even the area proposed for support facilities is so located, in a valley some 12 miles below the station itself, as to reduce to an absolute minimum all noise interference. Intervening hills tend to attenuate any electronic "noise" which could reach Sugar Grove from nearby villages or roads. The fact that Sugar Grove was selected as the site for the proposed "Big Dish" project, later abandoned by the Navy, is in itself a strong indication that no finer site for radio reception could be found.

The Navy plans to locate the most modern equipment available at the Sugar Grove site—newly developed antennas, one type of which would be a broadband frequency facility which is fixed mechanically, but is, in fact, steerable by electronic means. Another newly developed antenna which would be installed would be the spiral type, which automatically selects the best incoming radio waves without manual or mechanical switching. It is my understanding, too, that the Navy also plans to install a modern and adequate antenna for reception of low and very low frequencies which are so important to naval command and control.

Thus, the radio-protected zone which encompasses the Sugar Grove site, and the construction and installation of the most advanced radio receiving equipment, would provide the Navy with a communications capability which it has sorely needed for many years.

The Naval Communications Center would continue to be at Cheltenham, Md., but the Navy plans to install two buried cables from Sugar Grove via widely separated routes to Cheltenham—the two cables providing both stations with some 100 audio channels.

Mr. President, our Navy has the finest fighting men in the world, and the best technical equipment. Our fleet has always been our first line of defense abroad. Day in and day out our ships prowl the seven seas maintaining a vigilant surveillance of sky and water. Our Navy shore units are constantly on the alert for a signal of trouble, of danger. The "ear" that will hear that signal is the Navy Radio Receiver Station. We cannot afford to risk missing important signals simply because the station is located at Cheltenham, where perfect radio reception is becoming increasingly difficult. We need to know that our radio receiving equipment is operating at its maximum efficiency. Moving the facility to Sugar Grove will give us that assurance.

It must be understood, Mr. President, that the Cheltenham radio receiving station has to be moved—whether now, or next year, or in the years to come—it has to be moved because of increasing electronic noise. And Sugar Grove is where it must go, because no other site is available which is so completely satisfactory to good radio reception. By waiting to make the move, not only will Navy communications continue to suffer, but the cost of relocation will surely mount and we will be finding ourselves having to authorize considerable more moneys to remove this facility from Cheltenham.

Use of the Sugar Grove site for the radio receiving station will represent a substantial savings to the Government, which already owns the land, upon which there already exists a building suitable for operational activities.

West Virginia is at the bottom of the totem pole when it comes to defense installations, and authorizing the relocation of the radio receiving station would be a step forward in correcting this inequitable situation. For West Virginia the move would provide the State with a much needed new payroll totaling 7 officers, 98 enlisted men, and 20 civilian employees.

The bill also contains a deficiency authorization of $84,000 for the planned combined field maintenance shop of the West Virginia National Guard, which is to be constructed at Point Pleasant, W. Va. The additional moneys are needed, Mr. President, because on two separate occasions the lowest submitted construction bid exceeded the $340,000 which was authorized for this facility in fiscal year 1962. Construction of this much needed maintenance shop would proceed during this fiscal year so that efficiency of the Guard units of my State may not suffer from delays in obtaining repairs to equipment.

Mr. President, I ask unanimous consent to have printed in the Record at this point as a part of my remarks, an excerpt from the hearings on the military construction authorization bill for the fiscal year 1964, relating to the Naval Radio Station at Sugar Grove, W. Va.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

### NAVAL RADIO STATION, SUGAR GROVE, W. VA.

The next project is at the Naval Radio Station, Sugar Grove, W. Va., for the relocation of communication facilities at the estimated cost of $3,480,000.

Radio reception at Naval Radio Station, Cheltenham, Md., has suffered increasing degradation of performance because of the rapid metropolitan expansion into Prince Georges County and the growth in conflicting activity at the nearby Andrews Air Force Base. Sugar Grove, on the other hand, offers an electronically quiet, isolated location, ideal for receiving high frequency radio signals.

Sugar Grove was designated by the Federal Communications Commission as a radio frequency interference-free zone for the construction of the former radio research station. No devices causing radio-frequency interference may legally be located in the area without prior approval of the Navy as long as this designation remains in effect.

Relocation of the receiver facilities at this time will insure that the Navy will be able to maintain Sugar Grove as an interference-free zone. Postponing this relocation will weaken the Navy's position for justifying exclusion of other interest from the area.

Naval Radio Station, Cheltenham, is the terminus for all Navy radio communication into the Washington area including fleet operating forces, and defense communication service functions. Garbled messages resulting from interference cause delays which could be extremely serious during emergencies.

Relocation to Sugar Grove will eliminate the serious problems in radio reception now encountered at Cheltenham.

Basic construction which is usable exists now at Sugar Grove and the receiver facilities at Cheltenham must unquestionably be relocated in the near future. Authorization of this project this year will permit a timely start on this essential move and permit the economical use of otherwise vacant facilities.

Chairman Russell (presiding). Senator Smith.

Senator Smith. I do not have any questions, Mr. Chairman.

Chairman Russell. Senator Byrd.

Senator Byrd of West Virginia. May I ask the Chair what the plan is with regard to meeting this afternoon?

Chairman Russell. We will be getting into the classified items.

Senator Byrd of West Virginia. I am only interested at the moment in the item for Sugar Grove, page 91, book 2.

Chairman Russell. Well, it would be quite all right for you to proceed with that now, Senator.

Senator Byrd of West Virginia. I have several questions now, Mr. Chairman. I certainly want to accommodate my own time with that of the Chair.

Chairman Russell. We are going to recess at 12:30 or 12:45 to 2 o'clock, but if you prefer to wait and start then you may do it then.

Senator Byrd of West Virginia. All right, I will proceed now if it is all right with the chairman.

Chairman Russell. All right, sir, go right ahead.

Senator Byrd of West Virginia. Mr. Chairman, I would like to seek the restoration of the requested authorization for something over $3 million for the Navy Department to move its radio receiving facilities from Cheltenham, Md., to Sugar Grove, W. Va.

This item was deleted from the fiscal year 1964 military construction bill by the House of Representatives.

I would like, if I possibly can, to seek adequate justification for the restoration of this item.

I realize that the naval communications system is an integrated network of naval communications stations strategically located throughout the world, to furnish communication coverage of the major sea areas of the world primarily for command, control, and coordination of our forces afloat wherever deployed, and the supporting shore establishments and, secondarily, for purposes of administration thereof.

I would like to have someone outline for the committee at this time the various component parts of the typical communications station such as Navcomsta, Washington, indicating generally the relationships of the components to each other.

Admiral Pressley. Mr. Chairman, may I ask Admiral Roeder, Director of Naval Communications, to speak?

Chairman Russell. Yes, indeed.

Admiral Roeder. I am Admiral Roeder. In answer to the question, a typical communications station has three major components, namely, a transmitter station, a receiver station, and a communications center.

The general procedure is to have these three activities separated from each other by about 15 to 25 miles, and linked together by microwave links.

The transmitter station and the receiving station are related operationally to the communications center.

The communications center itself contains a control center where the various transmitters and receivers are tied together, a relay center where messages are automatically relayed and handled, a message center where messages which require processing are handled, a cryptographic center for the obvious purpose of cryptography, a fleet center to handle communications to and from the fleet, with an administrative maintenance, and supply facility.

Senator Byrd of West Virginia. So the communications center would be the brain of the operation; the receiving center would be the ear, and the transmitter station would be the voice, is that correct?

Admiral Roeder. Yes, sir.

Senator Byrd of West Virginia. You have the transmitter station presently located at Annapolis in connection with Navcomsta, Washington?

Admiral Roeder. Yes, sir. The transmitter station is currently at Annapolis, Md. The receivers and the communications center are currently at Cheltenham, Md.

Senator Byrd of West Virginia. Has this current arrangement of the three major components of Navcomsta, Washington, persisted throughout the years?

Admiral Roeder. No, sir. Originally our transmitters were at Arlington. I think many will recall the large towers there that had to be dismantled in the early 1940's because they impeded air traffic.

Initially, the receivers were located at the main Navy Building on Constitution Avenue, as was the communications center.

During the period between World War I and World War II the traffic on Constitution Avenue increased, and other electrical noises were generated, and we removed the receivers to the Naval Research Laboratory in Anacostia.

In due course this site became untenable again due to noise, and in 1938 the receiver station was commissioned at its present site in Cheltenham, Md.

In 1938 the receiver was removed. In 1958, 20 years later, the communications center was also moved to Cheltenham.

Senator Byrd of West Virginia. Admiral, why is it necessary now to move the receiver station from its present location at Cheltenham in Prince Georges County, Md.?

Admiral Roeder. The main reason we have to move is because the electromagnetic environment there has become hostile. This has developed through the years because of civilian and industrial encroachments with their associated electromagnetic noise.

This has continued on a gradual basis. However, it is now quite serious.

When we moved there 25 years ago, the land was principally farm and unimproved land. But, of course, since that time Prince Georges County has grown, Andrews Air Force Base has been established, major highways are passing through the area, a large number of houses with modern electrical equipment, which is noisy, have moved in.

At the same time, the requirements for communication receivers have become more stringent in that the receivers themselves must be more sensitive to do their job and, therefore, they are more susceptible, of course, to electromagnetic interferences.

It was because of these problems that we asked to move to Sugar Grove, W. Va.

Now Sugar Grove is in a radio-protected zone and offers outstanding radio receiving conditions. These outstanding, these fine, receiving conditions are particularly important when we are working ships.

The shore receivers on the end of a ship-shore circuit must be unduly sensitive in order to compensate for the restrictions on power which the ships can use. So that, in essence, we are being forced out of Cheltenham for our receivers. We have this ideal location in Sugar Grove, where we would like to relocate those receivers.

Senator Byrd of West Virginia. What particular features make Sugar Grove a preferred site?

Admiral Roeder. Well, as I mentioned, it is in a radio-protected zone.

Chairman Russell. What do you mean by "radio-protected zone"?

Admiral Roeder. Well, the Federal Communications Commission will not license any transmissions within this area. That is an agreement that has been reached with them. So, therefore, we do not believe that we will have this harmful interference. Besides that, the State of West Virginia has legislation to prohibit electrical encroachment into the zone.

Senator Byrd of West Virginia. It has actually legislated on it, has it not?

Admiral Roeder. I meant to say that.

Chairman Russell. I did not understand that.

Senator Byrd of West Virginia. I say it actually has already legislated.

Admiral Roeder. There is a law; yes, sir. Another inducement at Sugar Grove: there is in existence an underground operations building that was built incident to the earlier project, and although it is not completed, it is an underground construction, and it has adequate space and very well protected electromagnetically.

Another reason we like Sugar Grove is because of its isolated location, and we feel that the likelihood of the encroachment that you can see we have traditionally had is less than at some other site.

So we felt that with these various advantages, the primary one being the wonderful receiving conditions, that this was a good place to move.

Senator Byrd of West Virginia. How many people would you have at Sugar Grove?

Admiral Roeder. We have programed 7 officers, 98 men, and we would anticipate hiring about 20 civilians from the area, primarily in public works maintenance, et cetera.

Senator Byrd of West Virginia. What do you plan to build at Sugar Grove in addition to the actual radio receiver station?

Admiral Roeder. In addition to the operational facilities, which include the antennas, and the change to the present operations building, we have in this program a multipurpose personnel building, limited outdoor recreational facilities, and in the family quarters we would propose 20 sets of family quarters.

Senator Byrd of West Virginia. Would these people and the supporting facilities which you plan to build create a noise problem?

Admiral Roeder. Well, not necessarily, Mr. Byrd. Of course, all housing, cars, et cetera, produce some noise. However the site chosen for the supporting activities is 4 miles from where the antennas will be, and there is an intervening ledge which sort of shields it.

In addition to that, since this would be our location, we can exercise stringent controls over the noise-generating equipment that can and will be allowed there.

In addition, any vehicles on the station can be suitably suppressed from a noise point of view.

Mr. Byrd of West Virginia. How do you propose to pass signals from the receiving station at Sugar Grove to the communications station at Cheltenham?

Admiral Roeder. We propose to tie Sugar Grove and Cheltenham together by leased cables. Our plan is to have A.T. & T. install two buried cables from our Sugar Grove site.

One would go to Cumberland, Md., and one to Lynchburg. Those are the locations of two of their main trunks. From there the cables would come to Cheltenham via the planned hardened cable trunks.

Senator Byrd of West Virginia. What would the land lines cost?

Admiral Roeder. We estimate it would be $1.7 million installation charge, plus an annual lease of about $200,000 per year.

Senator Byrd of West Virginia. I would assume you would have less usable real estate at Sugar Grove than you now have at Cheltenham. Would you have enough real estate for the antennas?

Admiral Roeder. Yes, sir; we have looked into this very thoroughly, and although the same amount of acreage is not there as we now have, or usable acreage rather, we propose to install the most modern antennas that have been devised.

We propose to put in a luneburg lens antenna, which is a very modern one, and we propose to put in a spiral antenna.

The virtues of these two developments are that they are fine, sensitive directional antennas, and they do not take up the present land area that our existing old-fashioned vehicles did.

Senator Byrd of West Virginia. Why do you not use the naval radio receiving station at Northwest, Va., instead of Sugar Grove?

Isn't it about the same distance from Washington?

Admiral Roeder. Yes, sir, from a distance point of view you are correct.

However, the receiving conditions at Sugar Grove are far superior to those at Northwest, Va.

Another reason, of course, I mentioned earlier for Sugar Grove. A lot of the construction is done. We will get an operation there which will make it much cheaper.

Another thing we like about Sugar Grove is that it is well isolated from major target areas, so we would anticipate that we would not suffer from any nuclear explosions aimed at other prime target areas which, of course, Norfolk is a good candidate for that.

Furthermore, we feel inevitably that Norfolk, Northwest, Va., rather, will face the same encroachment that we are experiencing in Cheltenham.

Chairman Russell. What makes you think you will escape that down at Sugar Grove?

Admiral Roeder. Well, Sugar Grove is in one of the least populated counties in the United States.

It has a location which we like from a natural point of view, and it sits down in the ridges.

I am sure the Senator knows more about that country than I do, but I do not think it will develop very fast very soon.

Senator Byrd of West Virginia. I should not think so.

Chairman Russell. You had better get an agreement with the Senator. At the rate he is developing in West Virginia you had better get an agreement with him. [Laughter.]

Senator Byrd of West Virginia. Admiral, I note that most naval facilities are near the water. Wouldn't this receiver station operate better if it were near the shore?

Admiral Roeder. Well, as a general rule we have built our receiver stations near the water and, generally on the flat terrain. However, the lack of noise at Sugar Grove will give us a tremendous receiving advantage that we do not realize at normal places and, therefore, between that and the new antennas which are very efficient, and the fact that the ridges running around Sugar Grove shield it from the stray transmissions, we feel this will be a superior site to any that we could locate near the water or on flat land.

Senator Byrd of West Virginia. What other facilities can Navy locate at Sugar Grove in addition to the radio receiver station?

Admiral Roeder. As you know, there is now a 60-foot radio telescope operated by the Naval Research Laboratory, and it is quite possible that additional research-type intruments could be located there without interfering with our station or our interfering with them.

Senator Byrd of West Virginia. Have you developed working plans for installing the radio receiver station at Sugar Grove?

Admiral Roeder. Yes, sir; we have the preliminary plans which are completed and, of course, the final plans are contingent upon authorization and appropriation for the States.

Senator Byrd of West Virginia. Are you ready to commence work on the detailed plans as soon as the project is approved by the Congress?

Admiral Roeder. Yes, sir.

Senator Byrd of West Virginia. Is there any other Government-owned land anywhere along the coast that you could use for a radio receiver station?

Admiral Roeder. No, sir. We have looked into this quite thoroughly. One possibility would be Fort Lewes, Del. However, the area there is not adequate.

We have recently—last year we were authorized a special receiving and transmitting site there. So even that would not be adequate for these receivers.

Senator Byrd of West Virginia. So that would likely interfere with ordinary ship-to-shore radio reception?

Admiral Roeder. Yes.

Senator Byrd of West Virginia. And that would be close to beach recreational areas, would it not?

Admiral Roeder. Yes, sir. It is right at Rehoboth there.

Senator Byrd of West Virginia. How would you administer a remote radio station such as the one you would propose for Sugar Grove?

Admiral Roeder. Well, this would pose no problems. It would be commanded by probably a lieutenant, and he would be supported from the headquarters here at Cheltenham, Md., and we anticipate no difficulties in command or logistical support.

Senator Byrd of West Virginia. What will be the annual operating cost of a receiver station at Sugar Grove?

Admiral Roeder. We estimate the operations and maintenance would run $150,000 a year, plus about $200,000 a year for leased lines.

Senator Byrd of West Virginia. How would you support a radio station in an area as isolated as is Sugar Grove?

Admiral Roeder. Well, we would anticipate that the nontechnical support we would get from local sources, and they are not too distantly removed.

On the technical spare parts, supplies, and so forth, to be procured from the Washington area where there is good transportation.

Senator Byrd of West Virginia. What plans do you have, if any, for the Communications Center at Cheltenham?

Admiral Roeder. The plans for the Communications Center at Cheltenham are not quite firm. We have made a study, at the direction of the Secretary of Defense, to look into what we should do with the remaining facilities at Cheltenham, assuming that this move of the receivers is made.

We have looked into a number of possible sites, which included moving them to Sugar Grove or to Newport, R.I., or to Lakehurst, N.J., or Dahlgren, Va.

The difficulty of any of those four moves is that there is a sizable military construction price tag which ranges from $25 to $14.5 million to relocate what would remain at Cheltenham to one of the sites.

The firm decision has not yet been made, and it is still under study.

Senator Byrd of West Virginia. How many civilians do you presently have at Cheltenham?

Admiral Roeder. The total we have there is 149, and these are generally divided into 2 broad categories: those in operational and those in support.

In the operational category we refer to those who help with the maintenance and the communications equipment and in the passing of traffic.

In the support area we have, we employ there laborers, tradesmen, and people who work in the supply effort.

The breakdown is 91 operational, 58 support, and their annual salaries run about $850,000.

Senator Byrd of West Virginia. I assume that whether the Congress gives its approval this year or not, sooner or later you are going to have to move the receiving station from Cheltenham to some other area?

Admiral Roeder. That is right.

Senator Byrd of West Virginia. And according to what you have said here today, the reception capability at Sugar Grove seems to be eminently superior to that in any other area which has been considered?

Admiral Roeder. This is right.

Senator Byrd of West Virginia. Is that correct?

Admiral Roeder. That is right.

Senator Byrd of West Virginia. Well then, would you not say that the longer this is delayed, the more your problem is compounded and, possibly, the greater the cost will be in transferring the station to Sugar Grove?

Admiral Roeder. Well, the longer this is delayed, the more the encroachment at Cheltenham will impede the efficiency of our operation, and this is getting progressively worse. So obviously we would like to move as soon as we can to (a) improve our day-to-day operations and (b) to avoid any escalating costs which the Senator has alluded to.

Senator Byrd of West Virginia. You certainly do have a very fine facility at Sugar Grove. I was over there a couple of months ago and visited the underground buildings.

Admiral Roeder. Yes, sir.

Senator Byrd of West Virginia. I was amazed at the size of it.

The longer we wait the longer those fine facilities sit there unused, and eventually you are going to have to go to Sugar Grove, I gather, because your receiving problems are going to be increased in your present location.

Admiral Roeder. That is correct.

Senator Byrd of West Virginia. Then, is it the position of the Department that it would like to see this item restored this year so that you can proceed immediately to work out your detailed plans and effectuate the move?

Admiral Pressey. Yes, sir. We would like to take the initial step this year, and we have planned accordingly.

Senator Byrd of West Virginia. I believe the initial request was for $3,830,000. Would this figure still stand at this time or would this be decreased by virtue of the passage of 4 months?

Admiral Pressey. Unchanged, sir.

Senator Byrd of West Virginia. It would be the same figure?

Admiral Pressey. Yes sir; $3,480,000.

Senator Byrd of West Virginia. $3,480,000. It was never $3,830,000?

Admiral Pressey. No, sir, not as submitted to the Congress. The 20 housing units may have been lumped in the total for the area.

Senator Byrd of West Virginia. I see. So the total is $3,480,000.

Admiral Pressey. For the relocation of the receivers.

Senator Byrd of West Virginia. Yes.

Admiral Pressey. Plus housing.

Senator Byrd of West Virginia. Plus housing, making the total $3,830,000, which would have to be restored, is that correct?

Admiral Pressey. Yes, sir.

Senator Byrd of West Virginia. So we are talking about the $3,480,000, are we not?

Admiral Pressey. Yes.

Senator Byrd of West Virginia. Mr. Chairman, I have no further questions.

Chairman Russell. Admiral, isn't that the location of the so-called Big Dish that you people sold us several years ago, about $130 million?

Admiral Roeder. Yes, sir. This is the precise location of that effort.

Chairman Russell. What happened to the Big Dish?

Admiral Roeder. Well, as you know, the work was discontinued on that, and this operations building to which I referred was to have been the operations building for the Big Dish, and it has been almost completed.

Chairman Russell. Is the same man planning this new facility down there who planned the Big Dish?

Admiral Corradi. We have done the planning for the proposed facility inhouse, Mr. Chairman. We have not employed any outside consultants in the preliminary planning.

Chairman Russell. Who planned the Big Dish?

Admiral Corradi. It would take me a long time to enumerate all the people, but the principal planners were the Batell Memorial Institute; the firms of Rath, Ervin & Seeley; the firm of Almon & Whitney, the Electric Bolt Co. Those are the major participants.

Chairman Russell. They sold the Navy, and then the Navy sold the committee, and the Congress. We had great pictures here flashed on a screen in the highest secret session, to show you would work wonders with Big Dish.

Admiral Corradi. Mr. Chairman, in all fairness I do not think these firms I mentioned had anything to do with selling the Navy. The Navy conceived the project and utilized those firms in the planning and design.

I had misunderstood your previous question or I would not have enumerated them. I think it is the Navy that conceived the project, sold the committee, if you will, and was avidly interested in prosecuting it to its completion.

Chairman Russell. How much money did you spend on Big Dish?

Admiral Corradi. At the time the project was terminated by the Secretary of Defense we had obligations of $96,475,000. We had expenditures of approximately $42 million, and I testified to these figures just about this time last year.

In the year that has intervened, we have been actively prosecuting a termination of all of the contracts and, as of right now, we have reduced the $96 million obligations to about $67 million, $66,500,000, and we hope to have the entire job liquidated for about that amount.

Chairman Russell. Do you require any personnel on this site to look after the scene of this monumental proposition?

Admiral Corradi. At the time that we terminated the contract we reduced the staff at the site and as of now there is only an occasional check made on the site.

We do not have a permanent guard for it there or an operating force.

Chairman Russell. There is nothing left of our $66 million to have even one man to guard; it is all gone?

Admiral Corradi. There are no men involved in guarding it. There is a lot of scientific and technical information regarding it for $66 million; very few tangible assets.

Chairman Russell. Admiral, why do these sounds, traffic noise and so forth, have an adverse effect on receiving and not on sending? You propose to still transmit, do you not, for over here in Maryland?

Admiral Roeder. Yes, sir.

Chairman Russell. Why do all these sounds have an adverse effect on the reception but not on the sending?

Admiral Roeder. Well, of course, a receiver is designed to be as sensitive as it can, to pick up a very weak signal, a signal it is looking for, even though it is very weak.

So that just like in our automobile, if you do not suppress a spark you get noise in your own radio because the receiver is very sensitive.

On the other hand, the transmitters are very powerful compared to any of these noises, so you will be putting out as much as 20 or 30 kilowatts in your transmitter, and this other signal just does not bother you at all; it is so small.

Chairman Russell. Are you familiar with the receiving stations operated by the Department of the Air Force?

Admiral Roeder. Generally.

Chairman Russell. Do you know anything about the circular field reception?

Admiral Roeder. Circular field?

Chairman Russell. Yes. Instead of having your field scattered everywhere, you have a circular field of receivers or whatever you call them.

Admiral Roeder. You are thinking of the Wullenweber?

Chairman Russell. What I have in mind particularly is an oversea facility, but it may be classified, but I have visited it and seen it, and they claimed that they can pick up a sound anywhere; they can pick it out through this new circular field reception system, from wherever it may be sent.

Admiral Roeder. I think you are talking about——

Chairman Russell. No question that not only does area noise not disturb it, but there is no conflict on the same wavelength even. They can finely utilize this circular field and pick out the one they want and bring it in.

Admiral Roeder. I am quite sure I know what you are talking about, but I would prefer to discuss it further in closed session.

Chairman Russell. Well, I would have thought so.

Admiral Roeder. We have the same thing.

Chairman Russell. Do you propose to utilize that type of equipment?

Admiral Roeder. Yes.

Chairman Russell. How much land do you have at Sugar Grove?

I thought you had memorized everything by heart, Admiral. Senator Byrd asked you a much more complicated question than that, and you had no difficulty in answering it.

Admiral Roeder. The land we have that is owned is 1,801 acres.

Chairman Russell. Will that be adequate for this new facility?

Admiral Roeder. Yes, sir. We have no land problems.

Chairman Russell. You won't have to acquire any more.

What will be the annual salary costs, there at Sugar Grove?

I will not ask you but you knew what it was in Cheltenham a few moments ago.

Admiral Roeder. Well, we plan to hire 20 civilians there, so that would be roughly about $100,000 a year for the hire of civilian employees.

Chairman Russell. That figure you gave for Cheltenham is some $800,000. Does that embrace the civilian employees?

Admiral Roeder. $850,000 was purely for civilian employees, totaling 149.

Chairman Russell. Do you have anything further, Senator Byrd?

Senator Byrd of West Virginia. Admiral, you have a Little Dish there which is in operation, do you not?

Admiral Roeder. Sixty foot, yes, sir.

Senator Byrd of West Virginia. Would there be a savings in cost by using the facilities at Sugar Grove over that of having to construct an operating facility elsewhere and starting from the ground up and purchasing the land and so on, or have you engineered this to the degree that you could state what would be saved by moving there?

Admiral Roeder. Are you referring to the radio receiving aspects?

Senator Byrd of West Virginia. Yes.

Admiral Roeder. Oh, yes, sir. This is much cheaper than to move any place else because we would have to construct an operational building at another site which we get for nothing. That would run several hundred thousand dollars. We already have the land so there is no land procurement problem.

Senator Byrd of West Virginia. Would your operation building, if built elsewhere, have to be constructed under the ground as is the one at Sugar Grove?

Admiral Roeder. No, sir. It is not required for communication. However, it is an advantage, but normally we would not do that.

Senator Byrd of West Virginia. That would be an advantage to your operation but you would not have to construct it under the ground?

Admiral Roeder. That is right.

Senator Byrd of West Virginia. Mr. Chairman, I have no further questions. Thank you.

Mr. KEATING. There is one other problem I wish briefly to raise with the distinguished Senator from Georgia.

The Bureau of the Budget recommended the consolidation of our naval training device centers at Mitchel Field in Garden City, Long Island. The House Armed Services Committee deleted this item because the General Services Administration had not, at that time, budgeted for these improvements, and it is appropriate that the General Services Administration do that first.

I have no intention of offering an amendment in this regard. I know, as shown on page 400 of the hearings, that when Admiral Pressey, Director of Shore Activities Development and Control Division, testified before the Senate committee, he did not press for this item. I understand the reluctance of the committee to include it. It is clearly a money-saving item; and I believe that is not in dispute. The move would be an economy move. It is regrettable to me that it must be deferred for another year.

We have suffered from economy moves resulting in moving installations out of New York. This is an economy move recommended by the Bureau of the Budget which calls for a consolidation in New York at Mitchel Field. We hope that the distinguished Senator from Georgia will keep his eye on this item and see to it that when these economy moves take place they are decided entirely on their merits and that the word does not go out to economize out of New York but not to economize into New York.

I just bring this matter up for discussion. I have no quarrel with the action taken by the committee in not including the item at this time. I assume it was because the General Services Administration had not done its basic work.

Mr. RUSSELL. The Senator is correct. It would have been futile for us to undertake to authorize the item in this bill, because no work could be done until the General Services Administration had secured appropriations and taken the necessary preliminary steps.

When and if the General Services Administration does take that action, we will be in a position to give every consideration to this project.

I am not too familiar with it, because even if it were authorized no work could be done on it. It would have been in vain to have included it in the bill.

But when and if the General Services Administration takes the necessary preliminary steps, I can assure the Senator that if there is any economy involved, I shall embrace this item and undertake tc see that it is enacted.

Mr. KEATING. I thank the Senator from Georgia.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 6500) was read the third time and passed.

Mr. RUSSELL. Mr. President, I move that the Senate insist upon its amendment and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Russell, Mr. Stennis, Mr. Symington, Mr. Saltonstall, and Mrs. Smith conferees on the part of the Senate.

## INAUGURATION OF DR. LLOYD E. WORNER AS THE NINTH PRESIDENT OF COLORADO COLLEGE

Mr. ALLOTT. Mr. President, on October 18, Dr. Lloyd E. Worner took office as the ninth president of Colorado College. He is the first alumnus to become president of his alma mater, having earned his bachelor degree there in 1942. Colorado College is an independent liberal arts college, now in its 90th year.

The principal address at the inaugural ceremony was delivered by Dr. Elmer Ellis, president of Missouri University. His remarks concerning both the school and the man who will guide it in the years ahead are worthy of attention, and I ask unanimous consent to have excerpts from his remarks printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

### Remarks of Dr. Elmer Ellis, President of Missouri University

Colorado Springs, October 18.—Never was distinguished leadership in higher education so badly needed.

Today as a result of this leadership, Colorado College stands as a highly significant unit in our structure of higher education.

I bring to Colorado College and to President Worner not only my personal congratulations and good wishes but also those of the leaders of higher education everywhere.

Never were we so badly needed as we are today, and never was distinguished leadership in higher education so badly needed. It is good to be needed, even though the task is a herculean one that will demand all the talents and energies of our chosen leaders in the days to come.

Since its founding in 1874, Colorado College has stood as one of the advanced outposts in American higher education. Older than the State and contemporary with the opening of the American Far West, it nestles in this setting of incomparable natural beauty—bringing the wisdom and learning of the ages to a large and able student body and the consequent benefits of the Nation.

Colorado College was started as one of many New England-type colleges established by educated men with strong religious motivation. It was more successful than most because its plans were sound, and its leadership more than adequate. Today as a result of this leadership, Colorado College stands as a highly significant unit in our structure of higher education.

In sharp contrast, many other colleges of this same type failed to find this quality of leadership and consequently never played an important role in education and in many cases no longer even exist.

It is because we recognize the importance of this leadership that we have ceremonies such as this; it is why we are here today. In another sense the inauguration of a college president is a personal observance, since it marks a stage in the career of a man.

The kinds of decisions a college president has to make from day to day are those that not only reveal his fundamental beliefs, his respect for wisdom, and his educational qualifications, they are also those that steer the college along the paths that lead to sound education, or end, alas, in mediocrity and incompetence.

I am doubly honored and doubly fortunate today in that I may pay my respects to this excellent center of liberal education and, at the same time, express my personal appreciation and professional satisfaction concerning a former student and close personal friend whose career I have watched with approval and with pride. A personal encomium is not fitting or required.

I state my relationship to him only to assure you that I know far more about the man we honor here today than most speakers do on such occasions. When I say that the ability, character and originality of the new president are a guarantee of the continued progress of the college, I am as certain as one can be of anything in an uncertain world.

## CALL TO ACTION: A JOINT DECLARATION, OCTOBER 22, 1963

Mr. ALLOTT. Mr. President, 1 year ago today there began what has been described as the most dangerous week in our Nation's history. This Nation, and the other primary thermonuclear power, faced each other in a so-called eyeball-to-eyeball confrontation in which we were told the other fellow blinked and took a step backward.

The outcome of that confrontation stemmed directly from the determined resolve of this Nation to stand up without flinching to the grave threat represented by the presence of Soviet nuclear weapons and delivery systems in nearby Cuba.

At the end of that fateful week, all Americans stood a little straighter and a little taller. They looked to the future with some hope, because in the best American tradition they felt this Nation had met the threat of aggression and that right had prevailed and that a turning point in a cold war had been reached.

That turning point, they thought, was to be the withdrawal of Communist weapons and forces from this hemisphere. As the year progressed, however, it became apparent that what had been bought was only a brief respite, and, because we had failed to follow up on the advantage we had gained, the Communist buildup had actually gained in intensity. There was even the suspicion that the so-called withdrawal of missiles was only a red herring dragged across the trail to lull the administration into a false sense of security.

And so, today, we stand not so proud—not so tall—as we stood 1 year ago. We stand again in an evil red shadow cast by the greatest enemy to peace that civilization has ever known. We have experienced a year in which procrastination, vacillation, and an apparent lack of resolve on the part of the executive branch of our Government have again put this Nation in an increasingly untenable position.

For many months, Senators of both parties have taken the floor of this body urging the Executive to follow up the forceful directives of 1 year ago with action to match our brave words. Yet, not one single move has been made to follow up or even to respond to these urgings.

So, today, in behalf of myself and Senators Beall, Bennett, Carlson, Curtis, Dominick, Goldwater, Hruska, Morton, Mundt, Pearson, Scott, Simpson, and Young of North Dakota, I send to the desk a joint declaration calling for a return to that resolute position announced 1 year ago in order that we might once again give the American people the opportunity to feel that sense of pride and hope which filled their very being on that fateful day.

It was just 1 year ago that the President of the United States issued a call to action. He revealed to the American people—after weeks of rumors and warnings and official denials—"hard" and "unmistakable evidence" that the Soviet military build-up on the "imprisoned island" of Cuba had become a clear and present threat to the national security and to the peace and stability of the entire hemisphere. He castigated the Soviet Union for calculated and deliberate perfidy. He described the surreptitious emplacement of missiles and the basing of jet bombers in Cuba as "a deliberately provocative change in the status quo which cannot be accepted by this country, if"—and let us mark these words well—"if our courage and our commitments are ever to be trusted again by either friend or foe." The President concluded with this timeless warning: "the greatest danger of all would be to do nothing."

Today, exactly I year later, the sense of crisis and of urgency has passed. Despite contradictory information from within Cuba, we are told that the missile sites have been dismantled and the missiles and jet bombers withdrawn. The hastily devised naval quarantine has long since been lifted. Less tangibly, but more important by far, we are urged to nurture the hope—or the dream—that a new dawn of peace and reconciliation is about to break, to lighten the burdens of men and nations torn by conflict.

But the roots of conflict have not changed. Soviet military forces remain in the Caribbean. Occupied Cuba is now, as it was a year ago, an advance base for aggressive world communism—aimed at the heart of every free government of the Americas. The "imprisoned island" is a prison still—holding in bondage the bodies of the oppressed Cuban people, their aspirations for future growth in freedom, and their liberties as decent self-governing human beings.

One year ago, the American people responded courageously to the President's bold call. As so often before, during all the years of this Nation's ascent to the summit of world power, they were prepared to pay the high cost of freedom—with unity of will, with firmness of purpose, and with unqualified dedication to the obligations of moral and political leadership. But today, time has eroded this unity and this sense of purpose—time, and the timid refusal of America's Executive leaders to fulfill their own commitments to Cuban liberation.

There is urgent need for a new call to action. We issue that call—in the name of this Nation's honor, and of the courage and the commitments that so eloquently concerned the President just 1 year ago.

We speak as U.S. Senators, charged by the American people to preserve the national security and protect the national interest, and thereby to promote the cause of freedom worldwide. We speak not as representatives of one legislative body or one partisan bloc. Our voices, rather, are raised in behalf of the vital interests of the American people. We speak with the authority that we share in equal partnership with the executive branch, as mutual servants of the public conscience, within the framework of the constitutional order. We speak, most basically, as gravely concerned Americans.

We are reminded, today, of still further words so ringingly spoken by the President just 1 year ago, and addressed directly to the Cuban people:

> I speak to you * * * as one who shares your aspirations for liberty and justice for all. And I have watched with deep sorrow how your nationalist revolution was betrayed—and how your fatherland fell under foreign domination. Now your leaders are no longer Cuban leaders inspired by Cuban ideals. They are puppets and agents of an international conspiracy. * * *
>
> Your lives and land are being used as pawns by those who deny you freedom.
>
> Many times in the past, the Cuban people have risen to throw out tyrants who destroyed their liberty. And I have no doubt that most Cubans today look forward to the time when they will be truly free—free from foreign domination, free to choose their own leaders, free to select their own system, free to own their own land, free to speak and write and worship without fear or degradation. And then shall Cuba be welcomed back to the society of free nations and to the associations of this hemisphere.

If these words meant what they seem to mean, then surely we could count on some evidence—hard and unambiguous evidence—that the march toward Cuban liberation had truly begun. Surely, by now, the abundant promise of these bold words might be closer to fulfillment. But what, in sober fact, does the record show?

The Soviet military presence remains entrenched in occupied Cuba.

The Cuban satellite of world communism is being exploited as a base for aggressive imperialism, to infiltrate and to subvert every free government in the Americas.

Within the Cuban Communist prison, forces of potential resistance must face not only Castro's Soviet-equipped militia but also Soviet forces themselves—and thus the threat of a second Hungary daily mounts, despite solemn administration assurances that such a tragic bloodbath would be unacceptable and intolerable.

The words, the pledges, the commitments are uniformly bold and eloquent. But words are cheap. The factual record lists only promises unmet, endless procrastination, and action timidly deferred. And Cuba remains—one full year after the confrontation—Cuba remains a Communist prison, and a cancer deep within the heartland of free world power and leadership.

We speak today because we, too, find the status quo unacceptable and intolerable. And as responsible public servants, we have been speaking—here in the high court of the Senate of the United States, continually during the past several months—in an effort to answer the administration's own challenge, not for carping partisan criticism but rather for sound and sober proposals to advance the day of Cuban liberation.

We repeat the essence of these proposals today—in a spirit of rededication to that national consensus which emerged a year ago in response to bold executive leadership. And thus we urge the effective rebirth of that sense of shared national purpose.

It has been proposed that, as a spur to free Cuban unity, this Nation encourage the formation of a provisional government, to spearhead Cuban liberation and prepare the way for the restoration of a popularly elected democratic regime.

It has been proposed, further, that such a provisional government be extended U.S. recognition as the sole legitimate representative of Cuban sovereignty and be offered a territorial base on Cuban soil, at the U.S.-leased Guantanamo Naval Station.

It has been proposed, in support of U.S. initiative, that a leakproof quarantine—a "pacific blockade"—be reinstituted, to cut off Communist Cuba from all but essential medicines and foodstuffs and especially from Soviet arms.

It has been proposed, by this same quarantine and other measures taken in concert with our Latin American allies, that Castro's Cuba be interdicted to nullify its use as a base for subversion and Communist penetration throughout this hemisphere.

It has been proposed that, at long last, the administration put into effect the clear congressional mandate to penalize all free nations still engaged in Cuban trade and traffic, by suspending all U.S. aid and denying U.S. facilities to the ships and planes of such nations.

It has been proposed, as part of a full-scale campaign of political and psychological warfare, that this Nation offer freedom bounties as a spur to the defection of both Cuban and Soviet military personnel.

And it has been proposed that the free nations of the Americas, in concert, take the lead in planning and preparing for the day when a free Cuba might be restored to the community of free nations and its free institutions necessarily reconstructed.

All these proposals are on the record. They were offered initially as the proposals of individual Senators, and they are summarized today as examples of ways that may lead toward Cuban liberation.

The focus of all these proposals has been plain and straightforward: to make effective the administration's own repeated pledge that Cuba must once more be free.

That is our motivation today. That is our overriding concern. We are partisans, indeed—partisans of freedom, partisans of U.S. and hemispheric security, partisans of our Nation's honor and of its solemn commitments. We cannot remain silent, so long as Cuba remains enslaved.

One year ago today, we were issued a call to ready alert and—if need be—to decisive action. One year ago, we knew our sworn enemy, unmasked in all his perfidy and aggressive design. Today, 1 year later, the enemy is the same. The design is the same. The area of confrontation is the same. The menace is greater still. All that has changed is that the bold leadership of a year ago is now lacking, our sense of resolve has been eroded, and our will to victory has drained away.

We speak now—and issue a new call to action—in an effort to recapture that bold and resolute will. On this first anniversary of a critical confrontation, it is our fervent hope that there never shall be a second. But hope alone is not enough, as it has not been enough during these last 12 months of endless procrastination. Effective action is the urgent need—so that, by the fall of 1964, when America's attention and energy will be caught up in political campaigning, the liberation of Cuba will be an accomplished fact.

This goal transcends all considerations of partisan advantage. In order for the Cuban people to be liberated from the grip of a ruthless tyranny, America's purpose must first be unleashed from the bonds of crippling indecision.

And if, by prompt and effective action, that goal shall finally have been achieved, then American pride and honor will indeed have been served. Its credentials for world leadership—tarnished by failure and by disuse—will thus be reaffirmed.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. ALLOTT. I am glad to yield to my distinguished colleague from Colorado.

Mr. DOMINICK. I take this opportunity to congratulate my colleague on an extremely important proclamation and an extremely important speech. My distinguished colleague has been the sparkplug for the series of speeches which have been made during this session on the Cuban problem, in trying to put forth constructive ideas for action now, as opposed to the vacillation and drift to which my colleague has referred.

I wish to express my appreciation to him for having been the agent to get this subject moving again.

In the event my name does not appear as one of the sponsors of the declaration, I hope it will be added, because I thoroughly agree not only with the declaration, but also with the Senator's speech. I should like to ask my colleague whether my name is on the proclamation.

Mr. ALLOTT. I am very happy to answer the Senator's question. His name is on the declaration. If in reading it I omitted his name, I apologize to him. His name is on the declaration as one of the sponsors.

Mr. DOMINICK. I thank the Senator. I should like to take this time to bring before the Senate some of the problems that we have been referring to in connection with Cuba and the use of Cuba as an armed base for infiltration throughout Latin America. I have said on a number of occasions that the armed buildup in Cuba is extremely strong at this time and that it has been exporting infiltration and subversion through Communist agents trained in Cuba and sent throughout Latin America.

This is so despite the fact that the President and Secretary of State Rusk have stated time and time again that they would use whatever means were necessary to prevent the export of terrorism, infiltration, arms, and Communist agents out of Cuba into other countries.

To the best of my knowledge we have done nothing about it.

Recently I received some information which I believe is important to everyone in our country. I should like to discuss it briefly for the benefit of Senators and for the RECORD, so that it will be available to all who are interested. I read from the report of the Cuban Revolutionary Council, which is the source of the information, as follows:

### Report of the Cuban Revolutionary Council on the Soviet Military Buildup Near the U.S. Naval Base of Guantanamo

1. After a careful evaluation of intelligence reports and testimonies of Cuban refugees, the Cuban Revolutionary Council states that the naval base of Guantanamo, as well as the U.S. mainland, are directly threatened by the massive concentration of Russian-Cuban troops and the emplacement of strategic arms in areas near the base.

2. The Cuban Revolutionary Council bases this assertion on the following data:

(a) The naval base of Guantanamo is surrounded by a "firing belt" of approximately 10,000 Cuban soldiers and Soviet combat units, who are provided with Stalin and T–34 tanks and with heavy artillery, including more than 200 155- to 188-millimeter cannons. Near the base there are several mobile FROG missiles, which can be equipped with nuclear warheads. Some caves situated in this area, such as the Guaso cave, have been enlarged with connecting tunnels and adapted for military purposes.

(b) In a place called Sabana de Macurije, just north of Baltony sugarmill, in the proximity of Guantanamo, the Russians have built a military base provided with underground installations and more than 20 radar antennas.

(c) Near Alto de la Gloria (also called Yerba de Guinea), in the area of Guantanamo, underground agents have recently observed a concentration of Soviet troops, as well as the secret deployment of missiles.

(d) West of Guantanamo, near the towns of San Luis and Alto Songo, there are two infantry bases. Cubans are not allowed to enter these bases, but farmers of the area have seen many trucks transporting to these bases heavy armaments which are carefully concealed.

(e) In a farm called Monte Oscuro, about 2 miles from the town of Baire—situated west of Guantanamo—the Russians have built an important military base. Underground agents recently observed the deployment to this base of seven missiles covered with light yellow tarpaulin. The missiles were so long that their cones extended several feet beyond the top of the driver's cabin. The entrance to this base is situated in the first street of the town of Baire which crosses perpendicularly the Central Highway, to the left coming from Havana. There are also concentrations of Soviet troops in the towns of Jiguani and Contramaestre.

Many other accusations of this kind have been made in intelligence data coming from Cuba. Even if only 50 percent of these accounts are accurate, it would mean that there is an extremely strong Soviet force training in Cuba at the present time, about which we are doing nothing at all, to the best of my knowledge and to the best knowledge of anyone else in the country.

I should like to read briefly from another report. This is in connection with what Cuba is doing with respect to subversion throughout South America.

It deals with the Revolutionary Commandos for Latin America—CRAL. I read from the report:

### An International Brigade

The main purpose of the CRAL is the training of an international brigade, the chief object of which is to trigger coups d'etat against governments which are termed "dictatorial" by the Communists—Guatemala, Nicaragua, Haiti, Panama, El Salvador, Colombia, Peru, Paraguay, and Venezuela.

It is important to note here that Fidel Castro, speaking on July 26, 1963, specifically named these countries as the primary targets for Communist revolution in Latin America.

Under the master plan for Red conquest, Cuba was made responsible for the training of agents recruited in Latin America, for the supply of contraband arms to insurrectionary movements in those countries, for supplying and sending trained liaison agents, and for the installation of local guerrilla bases.

When Communist revolutionary action began to extend itself on a continental scale backed by powerful Soviet arms and military supplies, a new International Military Commando came into being under the direction of Soviet Col. Jarslav Volenkeszky; Chinese expert Lin Cho-yen; Gen. Alberto Bayo, who, incidentally was a former Spaniard and as a colonel fought in the Spanish Civil War; the Argentine renegade Ernesto (Ché) Guevara; and little brother Raul Castro.

### EIGHT THOUSAND AFRICAN TROOPS

It should be pointed out that members of the International Brigade in Cuba include Africans from the Congo, Angola, Ghana, Sudan, Guinea, Mali, Algeria, Senegal, and Kenya, who are considered the best material for the infiltration of Haiti. A total of about 8,000 of these troops arrived in Cuba in Soviet ships.

The man in command of these African guerrillas is Haitian Communist leader René Depreste, who was assigned as chief of the Cuban Department for Haitian Affairs under Decree No. 1856, dated September 16, 1962, by the Cuban Ministry of the Interior.

The Cuban Minister of the Interior, the sinister and sadistic Ramiro Valdés, is in charge of all organs of repression in Cuba and forms an integral part of the International Military Commando.

The construction of training camps in Cuba is proceeding apace, with a view to having facilities for the simultaneous training of 20,000 men by the end of this year. In connection with this, there has been an intensification of the drive for recruits from Latin American countries. Their transport is to be arranged with the collaboration of the Mexican and Brazilian airlines.

Mr. President, I have before me an article published in the New Orleans States-Item of September 14, 1963, commenting on the military use of the proposed new Cuban fleet of 200 ships. The purpose of it, according to the Cuban Citizens Committee, is:

To transport arms and subversive agents to other Latin American countries.

To engage in espionage activities in and near U.S. coastal waters.

To disrupt U.S. defense electronics systems.

To patrol Cuba's coast and waters around Cuba and keep refugees from escaping by boat.

To offer such cooperation as may be asked of the Soviet fleet, many of whose vessels are equipped with extraordinary amounts of electronic gear.

Mr. President, I ask unanimous consent to have the entire article printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### Cuba Reported Rushing To Complete 200 Ships: Military Use Said Planned for Vessels

WASHINGTON.—Communist Cuba is rushing to complete about 200 ships for its fishing fleet, the Free Cuba News said today. The ships have a military purpose, the News said.

The Cuban fleet plans to work closely with Soviet fishing vessels based in the central Atlantic, said the News, a pamphlet published by the U.S. Citizens' Committee for Free Cuba. The committee is composed of U.S. civic and business leaders.

Moscow is paying all the costs of the Cuban fleet, the pamphlet said.

### FISHERMEN COMPLAIN

New England fishermen have complained recently that Russian fishing fleets are so numerous and have such big and well-equipped ships they are handicapping American fishermen.

The Free Cuba News said there is a definite military purpose behind the Cuban fleet and that Soviet marshal Nicolai Krilov, who was photographed in Havana last January conferring with Cuban officials on reorganizing of Cuba's defenses, is the designer of the fleet plan.

The plan contemplates improvement of various Cuban ports, development of new ones, and establishment of boatyards and drydocks all along the Cuban coast. As of last April 27, the publication said, 81 ships had been built; 88 others planned, and others are being purchased.

### HAD SMALL FLEET

In the days prior to Castro, exiles here said, Cuba had a small fishing fleet, with activities centered in the Gulf of Mexico, which supplied the island with plenty of fish.

Today, despite the fact the new fleet has modern ships, Cuba is so short of seafood it is rationed, the exiles said.

The Citizens' Committee said the Cuban fleet was built:

To transport arms and subversive agents to other Latin American countries.

To engage in espionage activities in and near U.S. coastal waters.

To disrupt U.S. defense electronic systems.

To patrol Cuba's coast and waters around Cuba and keep refugees from escaping by boat.

To offer such cooperation as may be asked of the Soviet fleet, many of whose vessels are equipped with extraordinary amounts of electronic gear.

Mr. DOMINICK. Mr. President, again, to the best of my knowledge, we do not have photographs of the items about which I have been speaking. But we continually receive reports from Cuban agents, within Cuba, of the military buildup in Cuba, the military imposition of Soviet power over the Cuban people, and the infiltration that is taking place in Central America and South America.

It seems to me, as my distinguished colleague from Colorado [Mr. ALLOTT] has said, that this day of historic importance in the United States, the anniversary of the day of our brilliant effort to get the Russians to remove their missiles and long-range bombers from Cuba, is the time to point out that we have not solved the problem. The problem is still there. There is a desperate need for a coordinated plan to try to do something about the Cuban situation.

Mr. President, I ask unanimous consent that the intelligence report from the Cuban Revolutionary Council be printed in full at the conclusion of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

### REPORT OF THE CUBAN REVOLUTIONARY COUNCIL ON THE SOVIET MILITARY BUILDUP NEAR THE U.S. NAVAL BASE OF GUANTANAMO

1. After a careful evaluation of intelligence reports and testimonies of Cuban refugees, the Cuban Revolutionary Council states that the naval base of Guantanamo, as well as the U.S. mainland, are directly threatened by the massive concentration of Russian-Cuban troops and the emplacement of strategic arms in areas near the base.

2. The Cuban Revolutionary Council bases this assertion on the following data:

(a) The naval base of Guantanamo is surrounded by a firing belt of approximately 10,000 Cuban soldiers and Soviet combat units, who are provided with Stalin and T–34 tanks and with heavy artillery, including more than 200 155- to 188-millimeter cannons. Near the base there are several mobile Frog missiles, which can be equipped with nuclear warheads. Some caves situated in this area, such as the Guaso Cave, have been enlarged with connecting tunnels and adapted for military purposes.

(b) In a place called Sabana de Macurije, just north of Baltony sugarmill, in the proximity of Guantanamo, the Russians have built a military base provided with underground installations and more than 20 radar antennae.

(c) Near Alto de la Gloria (also called Yerba de Guinea), in the area of Guantanamo, underground agents have recently observed a concentration of Soviet troops, as well as the secret deployment of missiles.

(d) West of Guantanamo, near the towns of San Luis and Alto Songo, there are two infantry bases. Cubans are not allowed to enter these bases, but farmers of the area have seen many trucks transporting to these bases heavy armaments which are carefully concealed.

(e) In a farm called Monte Oscuro, about 2 miles from the town of Baire—situated west of Guantanamo—the Russians have built an important military base. Underground agents recently observed the deployment to this base of seven missiles covered with light yellow tarpaulin. The missiles were so long that their cones extended several feet beyond the top of the driver's cabin. The entrance to this base is situated in the first street of the town of Baire which crosses perpendicularly the Central Highway, to the left coming from Havana. There are also concentrations of Soviet troops in the towns of Jiguani and Contramaestre.

(f) About 3 miles south of the town of Baire, in a place called Los Negros, a cave known as El Pepus is situated. Underground agents observed that after having been reinforced and enlarged to conceal modern arms, this cave was camouflaged with palm and cocoanut trees. Less than a mile from this cave (which is under military control) there is a brick house where Raul Castro, the military chief of the "eastern zone," frequently stays.

(g) North of Guantanamo Base, in the area of Mayari Arriba, the Soviets have built one of the most important strategic military bases in the Province of Oriente. The construction started in early 1960 and was inspected by Mikoyan and the military experts who accompanied him during his first trip to Cuba. This base has vast underground installations, connected with tunnels which have railway tracks. Underground agents observed the deployment to this base of large strategic missiles, of the same type as those that were photographed last October by the reconnaissance planes.

(h) In the airbase of Santiago de Cuba—protected by ground-to-air SA–2 missiles—there are Mig–15's, Mig–19's, and Mig–21's, the latter capable of being converted into atomic bombers. In strategic spots of the Sierra Maestra, La Gran Piedra and Sierra de Purial, there are military camps and camouflaged airstrips.

3. The Cuban Revolutionary Council releases this intelligence report in order to alert the people of America to the sinister design of Soviet imperialism, which is endeavoring to paralyze the defensive action of the United States with false promises of peace, while it consolidates in Cuba a formidable atomic Gibraltar and subverts the countries of Latin America.

MANUEL A. DE VARONA,
*President.*

MIAMI, FLA., *September 1963.*

Mr. ALLOTT. Mr. President, I thank my distinguished colleague from Colorado for his remarks and for his own contribution to this discussion. He has again contributed in the way that he contributed to the whole series of speeches, when he defined, item by item, the methods of infiltration and subversion that the Communists are using in Latin America. I do not know what will serve to call this situation to the attention of the administration and perhaps force the administration to take action of some kind. The administration has challenged us to submit proposals. We have submitted certain proposals, which may or may not provide all of the answers. But somewhere in them is an opportunity for discussion and action.

The words of my colleague should call to the mind of everyone that the Cuban situation cannot be cured by walking away from it. While we delay, the subversion of Latin American and South American countries becomes worse every day we live. It is a continent almost on fire at this minute. The center of all this activity is, of course, Cuba, the place we have chosen, essentially, to walk away from and forget. But it cannot be forgotten. It seems to me that this is the time—and I am sure my colleague from Colorado agrees with me—for us to live up to the brave words our President uttered a year ago today.

## REDUCTION OF NONBENEFICIAL CONSUMPTIVE USE OF WATER IN THE PECOS RIVER BASIN, N. MEX. AND TEX.

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 550, Senate Joint Resolution 49.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (S.J. Res. 49) authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the joint resolution which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 4, line 15, after the word "installment", to insert "and total obligation"; after line 19, to strike out:

(c) Any costs of the program the Secretary determines should be assigned to flood control, recreation, or restoration of streamflow shall not be included in computing the cost properly allocable to the beneficiaries under this section, but shall be considered as nonreimbursable costs.

And, in lieu thereof, to insert:

(c) Any costs of the program which the Secretary determines are properly allocable to flood control, fish and wildlife conservation and development, recreation, or restoration of streamflow shall be considered as nonreimbursable costs.

And on page 5, after line 3, to insert:

(d) In conducting the program, the Secretary shall take such measures as may be necessary to insure that there will be no interference with regular streamflow, no contamination of water, and the least possible hazard to fish and wildlife resources.

So as to make the joint resolution read:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to prevent further decreases in the supply of water in the Pecos River Basin, and in order to increase and protect such water supply for municipal, industrial, irrigation, and recreational uses, and for the conservation of fish and wildlife, and to provide protection for the farmlands in such basin from the hazards of floods, the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to take such measures as he deems necessary and appropriate to carry out a continuing program to reduce the nonbeneficial consumption of water in the basin, including that by salt cedar and other undesirable phreatophytes. Such program shall be carried out in the Pecos River Basin from its headwaters in New Mexico to the town of Girvin, Texas: *Provided, however,* That no money shall be appropriated for and no work commenced on the clearing of the floodway authorized by the Act of February 20, 1958 (72 Stat. 17), unless provision shall have been made to replace any Carlsbad Irrigation District terminal storage which might be lost by the clearing of said floodway.

Sec. 2. As a condition to undertaking the program authorized by the first section of this joint resolution, the Secretary shall require the States of New Mexico and Texas to give such assurances as he deems adequate that such States will acquire such lands, easements, rights-of-way, and other interests in lands as the Secretary considers necessary effectively to carry out such program.

Sec. 3. (a) As a further condition to undertaking the program authorized by this joint resolution, the Secretary may, with respect to those beneficiaries in New Mexico and Texas which the Secretary determines to be likely to benefit directly from the results of such program, require such commitments as he deems appropriate that such beneficiaries will repay the United States so much of the reimbursable costs incurred by it in carrying out such program as do not exceed the value of the benefits accruing to such beneficiaries from such program. The Secretary shall not require the repayment of such costs unless he determines that it is feasible (1) to identify the beneficiaries that are directly benefited by the program, and (2) to measure the extent to which each beneficiary is benefited by such program.

(b) Repayment contracts entered into pursuant to the provisions of this section shall be subject to such terms and conditions as the Secretary may prescribe, except that the amount of the repayment installment and total obligation in the case of any beneficiary shall be fixed by the Secretary in accordance with the ability of such beneficiary to pay, taking into consideration all other financial obligations of such beneficiary.

(c) Any costs of the program which the Secretary determines are properly allocable to flood control, fish and wildlife conservation and development, recreation, or restoration of streamflow shall be considered as nonreimbursable costs.

(d) In conducting the program, the Secretary shall take such measures as may be necessary to insure that there will be no interference with regular streamflow, no contamination of water, and the least possible hazard to fish and wildlife resources.

Sec. 4. Nothing contained in this joint resolution shall be construed to abrogate, amend, modify, or be in conflict with any provisions of the Pecos River compact.

Sec. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

**Mr. ANDERSON.** Mr. President, I do not know how much discussion of the joint resolution is needed. The Committee on Interior and Insular Affairs devoted much time to it. The joint resolution provides for an experiment to be conducted by the Federal Government for the control of phreatophytes in the various States. The joint resolution was carefully prepared by the committee. I think it is a worthy venture. The area involved is in New Mexico and Texas, where the flow of the Pecos River, which used to supply farms in a large area, has been depleted by phreatophytes. Various States have tried their very best to control phreatophytes on a local basis and have had difficulty in doing so. The Army Corps of Engineers has tried to control them in some places and has also had difficulty.

The purpose of the joint resolution is to try to wipe out the situation; to see if the phreatophytes, which deplete the supply of water, can be destroyed.

I am hopeful that the experiment will be successful. Experiments conducted on the Rio Grande have so far been successful. Experiments conducted in the Salt River Valley of Arizona have also been successful. We believe that the methods used will succeed.

The committee has worked on the bill for a long time. The people in the area have sponsored it for many years. I have great faith that the venture will be successful.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The **PRESIDING OFFICER.** The joint resolution is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and a third reading of the joint resolution.

The joint resolution (S.J. Res. 49) was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

**Mr. ANDERSON.** Mr. President, I deeply appreciate the cooperation of the members of the Committee on Interior and Insular Affairs on both sides of the aisle. This is a joint resolution which people could jump on and criticize if they wished to do so. But the members of the committee have recognized that there is a possibility of controlling this very important area, which is costing a large amount of water. I am hopeful that the experiment will succeed.

**Mr. ALLOTT.** Mr. President, will the Senator from New Mexico yield for a remark?

**Mr. ANDERSON.** I am happy to yield. I compliment the Senator from Colorado, who is a conscientious member of the Committe on Interior and Insular Affairs. He and I do not always agree on every point, but I am happy that on this committee he contributes his legal knowledge and skill.

**Mr. ALLOTT.** We have nothing to bate on this joint resolution; we are agreed on every point. We have come to the same conclusion about the joint resolution. I, of course, do not object to it. It is worthwhile noting that at the hearing I called attention to the testimony which was presented to us. This is the type of bill which is worthy from the standpoint of water conservation and land conservation. Yet the presentation that was made to us was one that any high school boy could have written. In my opinion, it was an inadequate presentation from the standpoint of the information which is necessary and the information which might have been given to the committee. I raised this point at the time. I do so again for the Record, because sometimes I think we might convince a few people in the executive branch of government that Congress, individually or collectively, is not a group of people who are unacquainted with the problems with which we deal.

**Mr. ANDERSON.** I thank the able Senator from Colorado and say again that it was his cooperation and that of his associates that made it possible to report the joint resolution.

I am happy to say that my colleague from New Mexico [Mr. Mechem] joined with me in the presentation of the joint resolution.

## GOVERNMENT OF THE VIRGIN ISLANDS GENERAL OBLIGATION BONDS

**Mr. MANSFIELD.** Mr. President, I move that the Senate proceed to the consideration of Calendar No. 560, H.R. 1989.

The **PRESIDING OFFICER.** The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 1989) to authorize the government of the Virgin Islands to issue general obligation bonds.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 2, line 8, after the word "and", to strike out "operate" and insert "equip".

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent to have printed at this point in the Record appropriate sections of the report on this measure.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

### PURPOSE

The purpose of H.R. 1989, as amended, is to amend section 8(b) of the Revised Organic Act of the Virgin Islands enacted July 22, 1954, in order to permit the Virgin Islands Legislature to authorize the issuance of general obligation bonds.

### NEED

By the act of October 27, 1949 (63 Stat. 940), the Congress gave the Virgin Islands government authority to issue general obligation bonds up to the level of 10 percent of the aggregate assessed valuation of the taxable real property in the territory. The 1954 organic act omitted this bonding power and provided that the Virgin Islands Legislature should have—"no power to incur any indebtedness which may be a general obligation of the Virgin Islands government."

The enactment of H.R. 1989 will reinstate the power to issue general obligation bonds for certain specified purposes, including schools, firehouses, slum clearance, libraries, electric systems, etc. Many of these purposes are not revenue producing and, therefore, cannot be financed except by current taxes or by such borrowing as H.R. 1989 will sanction.

### COST

The enactment of H.R. 1989, as amended, will entail no additional expenditure of Federal funds. The bill specifically provides that the bonds shall not be obligations of the United States and that interest thereon shall be tax free.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read the third time.

The bill (H.R. 1989) was read the third time and passed.

## GUAM PUBLIC AUTHORITY ON URBAN RENEWAL AND HOUSING

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 565, House bill 6481.

The motion was agreed to; and the bill (H.R. 6481) to permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 587), explaining the purpose of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

### PURPOSE

The purpose of H.R. 6481 is to clarify and make more definite and certain the authority of the territory of Guam to create a public agency empowered to carry out urban renewal and housing activities and to participate in Federal programs of assistance in this field. The bill also ratifies the action of the Legislature of Guam, heretofore taken, in creating such an agency.

### NEED

The need for the creation in Guam of a public authority of the type covered by H.R. 6481 was emphasized by the extensive damage inflicted on the island by Typhoon Karen on November 11 and 12, 1962. About 70 percent of the civilian residential housing and 40 percent of the commercial structures on the island was totally destroyed or extensively damaged. The Legislature of Guam responded by the enactment of its Public Law 6–1335, approved by the Governor December 18, 1962. Subsequent thereto, Guam was struck by a second storm, Typhoon Olive, which destroyed another million dollars' worth of business buildings.

Although the U.S. Housing and Home Finance Agency has basic authority to carry on operations in Guam as it does elsewhere in the United States, Puerto Rico, and the Virgin Islands, there is need to clarify the authority of the government of Guam to create a subordinate unit which can effectively carry out its part of the program. It is believed that, even in the absence of such legislation as that proposed in H.R. 6481, the Guam Legislature has authority to do what it has done, but enactment of H.R. 6481 will set at rest any doubts that may exist. This bill is thus similar in purpose to the acts by which Puerto Rico and the Virgin Islands were enabled to participate in the HHFA programs (act of July 18, 1950, 64 Stat. 344, 49 U.S.C. 910 et seq., 1408 et seq.).

Enactment of H.R. 6481 will provide one means by which Guam can assist itself not only in overcoming the disastrous effects of the two typhoons mentioned above but also in rebuilding its civilian housing accommodations to acceptable standards. These accommodations have been largely inadequate by any standard at least since World War II when the island was occupied by the Japanese and heavily shelled by our own forces.

The bill specifically provides that obligations of the Guam Housing and Urban Renewal Authority shall not be obligations of the United States or of the territory. There exists in many villages on Guam large numbers of lots of substandard size and ill-defined title. The necessity of rehabilitating Guam on a large scale provides an opportunity for straightening out these problems.

### COST

No additional expenditure of Federal funds is required by H.R. 6481.

## DIXIE PROJECT, UTAH

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 552, Senate bill 26.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 26) to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 9, after the word "desirable.", to insert "The Dixie project shall be coordinated with the Cedar City water development program which includes the diversion of the waters of Crystal Creek into the Kolob Reservoir, and after completion of the Dixie project said waters of Crystal Creek and of the natural watershed of said Kolob Reservoir shall be exported for use of Cedar City and vicinity in accordance with an agreement entered by Cedar City and Iron County, Utah, on the 26th day of August 1953, with Kolob Reservoir and Storage Association, Incorporated, and Washington County, Utah."; on page 4, line 11, after the word "period", to insert "but not to exceed $3,500,000"; in line 23, after the word "project", to strike out "in a manner consistent with the other project purposes" and insert "but these undertakings shall be coordinated with the other project purposes"; on page 5, after line 12, to strike out:

(b) The Secretary may make such reasonable provision in connection with the Dixie project as, upon further study in accordance wtih section 2 of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661, 662), he finds to be required for the conservation and development of fish and wildlife. An appropriate portion of the cost of the development shall be allocated as provided in said Act and it, together with the Federal operation and maintenance costs allocated to this function, shall be nonreimbursable and nonreturnable under the reclamation laws.

In line 23, after "Sec. 7.", to insert "(a)"; and on page 6, after line 3, to insert:

(b) In the operation and maintenance of all facilities under the jurisdiction and supervision of the Secretary of the Interior authorized by this Act, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River compact, the Upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act (and any contract lawfully entered into by the United States under any of said Acts), the treaty with the United Mexican States, and the operating principles, and to comply with the laws of the State of Utah, relating to the control, appropriation, use, and distribution of water therein. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section and consent is given to the joinder of the United States as a party in such suits, as a defendant or otherwise.

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purposes of developing the water resources of the Virgin and Santa Clara Rivers, including the furnishing of municipal and industrial water supplies, the furnishing of an irrigation water supply to approximately twenty-one thousand acres of land, the control of floods, the generation and sale of electric energy, the conservation and development of fish and wildlife resources, and the enhancement of recreation opportunities, the Secretary of the Interior is authorized to construct, operate, and maintain the Dixie project, Utah. The project shall consist of the Virgin City Dam and Reservoir, tunnels, canals, siphons, pumping plants, and other works necessary to serve irrigated and irrigable lands along and adjacent to the Virgin River; a dam on the Santa Clara River near Gunlock, Utah, and other works necessary to serve irrigated and irrigable lands along and adjacent to the Santa Clara River and on Ivins Bench; and hydroelectric plants and transmission facilities at the Virgin City Dam and at such other points as are desirable. The Dixie project shall be coordinated with the Cedar City water development program which includes the diversion of the waters of Crystal Creek into the Kolob Reservoir, and after completion of the Dixie project said waters of Crystal Creek and of the natural watershed of said Kolob Reservoir shall be exported for use of Cedar City and vicinity in accordance with an agreement entered by Cedar City and Iron County, Utah, on the 26th day of August 1953, with Kolob Reservoir and Storage Association, Incorporated, and Washington County, Utah.

Sec. 2. The project shall include such measures for the disposition of saline waters of La Verkin Springs as are necessary in the opinion of the Secretary to insure the delivery of water at downstream points along the Virgin River for water users in the States of Arizona and Nevada of suitable quality for irrigation, or provision shall be made to indemnify such water users for any impairment of water quality for irrigation purposes directly attributable to Dixie project operations.

Sec. 3. In constructing, operating, and maintaining the works authorized by this Act, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), except as is otherwise provided in this Act.

Sec. 4. Construction of the project shall not be commenced until there shall be established a conservancy district or similar organization with such powers as may be required by the Secretary, these to include powers to tax both real and personal property within the boundary of the district and to enter into contracts with the United States for the repayment of reimbursable costs.

Sec. 5. The interest rate to be used for purposes of computing interest during construction and interest on the unpaid balance of those portions of the reimbursable costs which are properly allocable to commercial power development and municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which this bill is enacted, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue. If the interest rate so computed is not a multiple of one-eighth of 1 per centum, the rate of interest to be used for these purposes shall be the multiple of one-eighth of 1 per centum next lower than the rate so computed. The portions of the costs which are allocable to commercial power development and to municipal and industrial water supply shall be repaid over a period of fifty years with interest at the rate determined in accordance with this section. The portion of the costs which is properly allocable to irrigation and which is beyond the water users' ability to repay in fifty years plus a ten-year development period but not to exceed $3,500,000 shall be returned to the reclamation fund within such period from revenues derived by the Secretary of the Interior from the disposition of power marketed from Federal projects in the Lower Colorado River Basin.

SEC. 6. (a) The Secretary of the Interior is authorized as a part of the Dixie project to construct, operate, and maintain public recreation facilities including access roads, to acquire or to withdraw from entry or other disposition under the public land laws such adjacent lands or interests therein as are necessary for present and future public recreation use, and to provide for public use and enjoyment of the same and of the water areas of the project but these undertakings shall be coordinated with the other project purposes. The Secretary is authorized to enter into agreements with State or local public agencies or other public entities for the operation, maintenance, or additional development of project lands or facilities or to dispose of project lands or facilities to State or local agencies or other public entities by lease, transfer, exchange or conveyance, upon such terms and conditions as will best promote their development and operation in the public interest for recreation purposes. The costs of the undertakings described in this section, including costs of investigation, planning, operation, and maintenance and an appropriate share of the joint costs of the Dixie project, shall be nonreimbursable.

SEC. 7. (a) The use of all water diverted for this project from the Colorado River system shall be subject to and controlled by the Colorado River compact, the Boulder Canyon Project Act (45 Stat. 1057; 43 U.S.C. 617t), and the Mexican Water Treaty (Treaty Series 994) (59 Stat. 1219).

(b) In the operation and maintenance of all facilities under the jurisdiction and supervision of the Secretary of the Interior authorized by this Act, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River compact, the Upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act (and any contract lawfully entered into by the United States under any of said Acts), the treaty with the United Mexican States, and the operating principles, and to comply with the laws of the State of Utah, relating to the control, appropriation, use, and distribution of water therein. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section and consent is given to the joinder of the United States as a party in such suits, as a defendant or otherwise.

SEC. 8. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this Act.

**Mr. MANSFIELD.** Mr. President, this bill has been called up in order to have this proposed legislation pending before the Senate. No action will be taken today on the bill.

## THE PLIGHT OF JEWS IN THE SOVIET UNION

**Mr. RIBICOFF.** Mr. President, the plight of Jews in the Soviet Union continues to shock the conscience of the world. This morning's Washington Post comments editorially on the latest evidence from the Soviet Union of a concerted effort, directed by the Government, to persecute Russian Jews.

This past weekend a distinguished group of Americans met at the Carnegie International Center in New York City to attend the Conference on the Status of Soviet Jews. The conference, whose sponsors are Justice William O. Douglas, Rev. Dr. Martin Luther King, Jr., Senator Herbert H. Lehman, Bishop James A. Pike, Walter Reuther, Norman Thomas, and Robert Penn Warren reviewed recent developments in the Soviet Union and issued an appeal of conscience.

In the Senate, the resolution which I recently introduced, expressing the sense of the Senate in opposition to the persecution of Jews in the Soviet Union and calling upon the Soviet Government to grant full freedom of religion to all within its borders, now has the cosponsorship of 64 Senators. I hope the Foreign Relations Committee will set this resolution down for an early hearing so that it may soon be acted upon by the Senate.

I ask unanimous consent to have printed in the RECORD the editorial and the "Appeal of Conscience."

There being no objection, the editorial and appeal were ordered to be printed in the RECORD as follows:

[From the Washington Post, Oct. 22, 1963]

### APPEAL OF CONSCIENCE

No person of fairness or feeling could fail to be shocked by Izvestia's call for a show trial and death sentences for several Soviet citizens accused of embezzlement. The paper went on to say that "we mention the Jewish names of people in this ring because we do not pay attention to the malicious slander that is stirred up from time to time in the Western press." If the Kremlin had deliberately undertaken to cast doubts on the Soviet judicial process and to raise fears about the situation of Soviet Jews, it could not have improved on the Izvestia article.

The article is of special interest in the context of a recent Conference on the Status of Soviet Jews in New York. A day of searching inquiry by a group of distinguished and informed Americans produced an "Appeal of Conscience" to Soviet authorities to remove the officially imposed disabilities against Jews and to restore to them the rights accorded other Soviet groups. One part of the appeal stated: "The anti-Jewish character that so strongly colors the official campaign against economic crimes should be eliminated."

Izvestia's insistence that "we do not pay attention" to foreign protests is also of note. Before the New York conference was held, the Soviet Embassy here dispatched a staff member to visit Arthur Miller, one of the conference invitees. The envoy's purpose, the playwright reported, was to persuade him not to take part in the conference. Mr. Miller, of course, rejected the "diplomat's" overtures.

Now Izvestia states that it will ignore "malicious slander" to the effect that Jews are singled out for particular publicity and punishment for so-called economic crimes. This is the same breath in which it specifies that the accused have "Jewish names" and that they deserve the death penalty.

For reasons best known to themselves the Soviet leaders discriminate heavily against Jews. The evidence is overwhelming and incontrovertible and renewed almost daily by the Russians themselves. Civilized men everywhere will surely join the conference's appeal "to all those in the U.S.S.R. who genuinely desire the eradication of the evils of Stalinism and who thirst for truth, justice and decency."

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### AN APPEAL OF CONSCIENCE FOR THE JEWS OF THE SOVIET UNION

(Statement adopted by the Conference on the Status of Soviet Jews, Carnegie International Center, 345 East 46th Street, New York City, October 12, 1963)

Having heard careful and objective evidence about many aspects of the life of Jews in the Soviet Union, we are moved to express unanimously our grave concern and to make the following appeals:

We appeal to all those in the U.S.S.R. who genuinely desire the eradication of the evils of Stalinism and who, with us, thirst for truth, justice, and decency.

We appeal to the Soviet authorities to act in this matter on the basis of their own ideological, constitutional, and legal commitments.

We fervently hope that the following specific steps may be taken:

1. Jewish education in all its forms should be permitted.
2. Jewish cultural institutions should be reopened and Jewish artistic life—literature, theater, music—in Yiddish and Hebrew—should be allowed to develop fully.
3. Central institutions to serve the religious needs of Soviet Jewry should be established; obstacles to the performance of sacred rites should be removed.
4. Formal religious and cultural bonds with Jewish communities abroad should be allowed, official exchange visits permitted, and the right to make religious pilgrimages to the Holy Land granted.
5. Permission for Jews to leave the U.S.S.R., so that they may be reunited with families in other lands from whom they have been separated, should be implemented.
6. The anti-Jewish character that so strongly colors the official campaign against economic crimes should be eliminated.
7. A vigorous educational campaign against anti-Semitism should be undertaken.

We issue this appeal in all solemnity as a matter of urgency and elementary decency. We cannot keep silent so long as justice is not done on this problem.

## PROCESSING AND SALE OF ALASKA SEALSKINS

**Mr. THURMOND.** Mr. President, in March of 1963, the Interior Department awarded to the joint venture known as Supara of Chicago, Ill., a contract award for the processing and sale of Alaska sealskins. At the time of this award, Mr. President, I protested to the Interior Department that the award was made in violation of Government contract laws and procedures. The Interior Department insisted that its position was valid, and so I asked the General Accounting Office to look into this matter to determine if there had been any violation of law and procedures in selecting

Supara over the Fouke Fur Co., which had been doing this work for the Government for the past 40 years in a most exemplary manner.

On October 11, 1963, I received a letter from the Comptroller General of the United States, Mr. Joseph Campbell, informing me that the award was "in violation of law and regulations and should therefore be rescinded." Attached to Mr. Campbell's letter was a 33-page opinion in the form of a letter addressed to the Secretary of the Interior by Mr. Campbell.

The findings of the General Accounting Office show in the case, Mr. President, that this contract award was rigged against Fouke Fur Co. by the Interior Department, and that the law was violated in several instances.

I have referred this matter, with my complete files, to the distinguished chairman of the Government Operations Committee, Senator JOHN MCCLELLAN, with the request that his investigating subcommittee pursue this matter further with a view toward determining whether there may have been other such violations of law by the Interior Department or other agencies of the Government in making contract awards. So that the Members of the Senate and the Members of the House might have access to some of this material, I ask unanimous consent there be printed at the conclusion of these remarks the following materials:

A letter addressed to me from the Comptroller General of the United States dated October 10, 1963, and the enclosure, which consists of a copy of a letter from the Comptroller General of the United States to the Secretary of the Interior, also dated October 10, 1963.

My weekly newsletter of October 21, 1963, entitled "The Biased Umpire."

An editorial from the Greenville Piedmont, of Greenville, S.C., dated October 14, 1963.

An editorial from the Spartanburg Herald, of Spartanburg, S.C., dated October 14, 1963.

An editorial from the State, of Columbia, S.C., dated October 18, 1963.

A front page editorial from Barron's, National Business and Financial Weekly, dated October 21, 1963.

An article from the Greenville News, of Greenville, S.C., dated October 15, 1963.

An article from Women's Wear Daily, of October 18, 1963.

There being no objection, the various items were ordered to be printed in the RECORD, as follows:

COMPTROLLER GENERAL
OF THE UNITED STATES,
*Washington, D.C., October 10, 1963.*

Hon. STROM THURMOND,
*U.S. Senate.*

DEAR SENATOR THURMOND: With reference to your interest in a protest filed with this Office by Fouke Fur Co. against the award of a contract for the processing and sale of sealskins to a joint venture known as Supara, we are enclosing a copy of our letter of today to the Secretary of the Interior advising of our opinion that the award was in violation of law and regulations and should therefore be rescinded.

If we can be of further service in this matter, please advise us.

Sincerely yours,

JOSEPH CAMPBELL.

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COMPTROLLER GENERAL
OF THE UNITED STATES,
*Washington, D.C., October 10, 1963.*

The Honorable THE SECRETARY OF THE INTERIOR.

DEAR MR. SECRETARY: Reference is made to a protest by Fouke Fur Co. against the action of your Department in awarding a contract for the processing and sale of Alaska sealskins to a joint venture known as Supara.

As indicated by the record before this office, this procurement was initiated by an invitation for proposals issued by your Department under date of June 20, 1962, as a result of the termination effective December 31, 1962, of a contract with Fouke Fur Co., which company has performed such services for the Government under successive contracts since 1921.

The invitation for proposals in question advised prospective contractors, in pertinent part, as follows:

"The proposals invited hereunder are for a contract which will be negotiated in accordance with the Federal Procurement Regulations. (See attachments concerning standard contract provisions and principles to be observed in negotiated contracts.)"

The "attachments" referred to in the foregoing, insofar as they are pertinent to the principles to be observed in the negotiation of the contract, were set out as follows in a portion of the invitation entitled "Contract Negotiation and Award":

"The invitation solicits proposals for a contract which will be negotiated in accordance with Federal Procurement Regulations. For the information of prospective contractors there are stated herein, and in the attachments, certain policies and regulations relating to the negotiation and award of contracts, together with clauses to be incorporated in the contract.

"DEPARTMENT OF THE INTERIOR REGULATIONS

"The following excerpts from the Departmental Manual state policies, procedures, and responsibilities which will be applicable to the negotiation and award of contracts.

"In general, it is the policy of the U.S. Government to contract with the person or concern offering, through sealed bids opened publicly, to meet the Government's specifications and to provide the supplies or service at the lowest cost.

"Contracting officers are cautioned that the negotiated contracting authority should be exercised only in justifiable circumstances and should not be interpreted as implying any relaxation of the requirements for competition.

"Contracting by negotiation does not require compliance with the rigid limitations of formal advertising, bid, and award procedures, and determination of the person or concern to be awarded the contract is less automatic. It allows, to a greater extent than formal advertising, the exercise of sound business judgment but in no way decreases the responsibility of the contracting officer for properly protecting the interests of the Government.

"Whenever a contract is to be negotiated, price quotations and all other necessary information shall be solicited from such qualified sources as are deemed necessary by the contracting officer to assure adequate competition. Due consideration must be given to the national policies affecting small business and areas of substantial unemployment.

"All solicitations of offers shall provide a fixed time for receipt of offers, prior to which no award shall be made. This requirement is not intended to preclude further negotiation or consideration of offers or modifications received after the fixed time, but prior to the award. Necessary precautions must be taken to avoid prejudice to any offerors by inadvertent disclosure of negotiations in process, such as prices quoted, the number of offers received, or the names of firms from which offers have been received.

"It is the responsibility of the contracting officer conducting negotiations to give consideration to the following and any other applicable factors:

"(a) The business reputation and responsibility of the respective persons or concerns submitting quotations.

"(b) The quality of the supplies or services offered, or the quality of similar supplies or services previously furnished, with due regard to compliance with technical requirements.

"(c) Prices quoted, and consideration of other prices for the same or similar supplies or services, with due regard to cost of transportation, cash discounts, and any other factors relating to prices.

"(d) Delivery requirements."

The invitation advised prospective contractors that limited numbers of cured sealskins, both male and females, would be made available "to those firms which request them and which are qualified to carry out experimental processing," and that samples of finished skins must accompany written proposals submitted in response to the invitation. With respect to processing of the sealskins, the invitation advised as follows:

"Processing sealskins includes all operations, physical and chemical, manual and mechanical, to which the pelts are subjected in order to obtain the finished fur ready for use by the furrier.

"It is essential for the leather to possess certain qualities after being dressed, e.g. softness, lightness of weight, elasticity, and a certain fineness or 'feel.' In other words, the important considerations in dressing Alaska sealskins are the employment of means and the exercise of care to preserve and improve those characteristics of the pelt which make it valuable. A brief description of the general processes, based largely on information published some years ago by the Bureau of Fisheries, Department of Commerce, follows. This is not intended to exclude other processes or practices which a processor may elect to utilize in producing a high quality luxury product."

Concerning the evaluation of proposals, the invitation provided as follows:

"Proposals submitted hereunder will be evaluated to determine whether the applicants qualify as responsible prospective contractors. In order to qualify as responsible, a prospective contractor must, in the opinion of the contracting officer, meet the following standards of the Federal Procurement Regulations as they relate to this particular procurement:

"1. He must be a service contractor or such other person or firm as may be qualified and responsible as a source of supply. The term 'service contractor' means a person or firm who, before being awarded a contract, satisfies the contracting officer that he qualifies as one who owns, operates, or maintains a place of business regularly engaged in performing nonpersonal services or who, if newly entering into a service activity, has made all necessary prior arrangements for personnel, service equipment, and required licenses to perform services.

"2. He must have adequate financial resources for performance, or have the ability to obtain such resources as required during performance.

"3. He must have the necessary experience, organization, technical qualifications, skills, and facilities, or have the ability to obtain them (including probable subcontractor arrangements).

"4. He must be able to comply with the proposed or required time of delivery or performance schedule.

"5. He must have a satisfactory record of integrity, judgment, and performance.

"To facilitate an analysis of the proposal, the applicant must furnish a statement of his financial condition, evidence of his experience, and business and personal references, as well as such additional data as he may consider pertinent to the evaluation of his offer.

"The Bureau of Commercial Fisheries will also conduct a survey of the applicant's background and make an overall inspection of the applicant's plant and operations to evaluate his financial status, ability, and competence to carry on the processing and/or sale of sealskins."

The invitation further provided that "the Bureau of Commercial Fisheries reserves the right, as the interest of the Government may require, to reject any or all proposals and to negotiate further with any qualified firm."

As originally issued, the proposal form furnished to prospective contractors with the invitation, required offerors proposing to process sealskins to state the location and a description of their facilities. By addendum No. 1 dated August 22, 1962, this requirement was revised as follows:

"If any firm making such an offer does not presently have facilities adequate for this purpose, it shall state in the proposal how it intends to acquire the necessary plant, processing facilities, personnel, etc., in order to qualify as a responsible prospective contractor meeting the standards set forth in the invitation. Firm commitments for these facilities and personnel need not be concluded prior to submission of the proposal. However, the proposal must contain a sufficiently detailed plan as to how the firm proposes to perform the work for the contracting officer to determine that further consideration of the proposal is warranted. If the firm is invited to enter into negotiations for a contract it must demonstrate to the satisfaction of the contracting officer that within 1 year it can have adequate facilities for processing up to 80,000 skins per year."

As a result of the invitation raw skins were requested by and furnished to 11 firms and individuals. Five firms submitted proposals, together with sample skins, prior to the established deadline of November 1, 1962. These firms were Pierre LaClede Fur Co., St. Louis, Mo.; Supara, Inc., Chicago, Ill.; Fouke Fur Co., Greenville, S.C.; C. W. Martin & Sons, Ltd., London, England; Jonas Bros., Seattle, Wash.

In order to establish evaluation standards for the 101 sample skins submitted with these proposals, 60 processed skins were selected from the stock on hand of Fouke Fur Co. to be used as the standard of comparison for the sample skins. Such standard skins were then classified as "Black," "Matara," "Kitovi," and "Lakoda" and given to a panel composed of nine government employees for subjective inspection. Except for Lakoda (female) skins, all skins were evaluated on the following categories:

1. Uniform appearance and texture of the fur.
2. Velvety appearance and smoothness of fur to the touch.
3. Free flow of fur under stroke of hand.
4. Luster.
5. Uniformity of color.
6. Depth and richness of color.
7. Suppleness and pliability of leather.
8. Density of fur cover.

Lakoda skins were evaluated on the basis of points 1, 4, 5, 7, and a ninth category entitled "Condition of Pelt."

All skins were rated "Excellent," "Good," "Fair," or "Poor" in each category except "Luster" which was rated "High," "Medium," or "Low." The ratings were determined by giving four points for excellent, three for good, two for fair, one for poor; three points for low luster, two for fair, and one for high. While the failure of some of the panel members to rate the standard "Black" skins on all points precluded an average point rating for such skins, the average point rating on the Fouke standard skins for the remaining categories was as follows: Matara, 179; Kitovi, 175; Lakoda, 105.

The 101 sample skins were then submitted to a Government panel, composed of seven members of the original panel, for evaluation on the same basis as the standard skins. In addition, the sample skins were submitted for evaluation on the same basis by five prominent members of the fur industry. The report by the National Bureau of Standards to your Department sets out the results of the panels' evaluations as follows:

"Each skin rated by the panels as described in test No. 1 under description of 'Tests' was given a total point rating, which is composed of the grand totals for all panel members of the ratings in the eight categories for regular skins and five categories for sheared skins. An average rating in points for the Government standard skins was calculated from the ratings of the Government panel for Matara, Kitovi, and Lakoda, and is given in the table for test No. 1 (app. I).

"The rankings of the top proposal Alaska sealskins by both the Government and industry panels are given in tables I(a) and 1(b) (app. II). Rank 1 is given to the skins receiving the greatest number of points; the rankings increase in number as the points decrease. At least six skins from each company are included in the table for regular skins (1a). The agreement between the two panels on the rankings for individual skins is only fair. However, the agreement in the relative rankings for the individual companies is very good. If the totals of the rankings of the top six skins from each company are tabulated, the following data are obtained:

"Regular skins

| | Industry | | Government | |
|---|---|---|---|---|
| | Total points | Average rank | Total points | Average rank |
| Fouke | 37 | 6.2 | 21 | 3.5 |
| Supara | 48 | 8.0 | 42 | 7.0 |
| Pierre LaClede | 76 | 12.7 | 65 | 10.8 |

"These results show that the order of preference for both panels was Fouke No. 1, Supara No. 2, and Pierre LaClede No. 3. It should be observed that all the skins listed under the rankings of the Government panel are above the average for the Government standard skins.

"In a similar procedure rankings were made for the top sheared skins from the point ratings of the Government and industry panels, using the top two skins only from each company since Fouke submitted only two sheared skins. This gives the following results:

"Sheared skins

| | Industry | | Government | |
|---|---|---|---|---|
| | Total points | Average rank | Total points | Average rank |
| Supara | 2 | 1 | 4 | 2.0 |
| Basch | 8 | 4 | 12 | 6.0 |
| Pierre LaClede | 26 | 13 | 11 | 5.5 |
| Fouke | 28 | 14 | 4 | 2.0 |

"These results show little correlation between the two panels with the exception of Supara."

Both the standard skins and sample skins were also submitted to a series of physical and chemical tests, designated as test No. 2 through test No. 15, by the National Bureau of Standards. The Bureau commented upon such test results in part 6 of Report No. 7807 in the following manner:

"6. DISCUSSION

"Outside of specific craftsmanship in the dressing and finishing of furs, it is possible to explain certain of the results of the differences in physical properties, and speculate on others from a consideration of results of the chemical analysis. The differences in properties between the Fouke and Pierre LaClede proposal skins on the one hand, and those of Supara on the other, is primarily due to a difference in the tannage. The chrome tannage used by Supara will result in a tighter, less stretchy leather than that of the oil tannage used by Fouke and Pierre LaClede. The low tensile strength of the Supara skins may also be caused by the chrome tannage, which swelled the skins in such a way that on splitting to a uniform thickness less substance remained. The fact that less substance remained in the Supara skins is confirmed by the lower weight per square foot. Whether or not these differences are highly important in the utilization of the skins in garmentmaking is not known. It is known that the chrome tannage in leather used for making shoes is much superior in serviceability than that of any other tannage.

"The outstanding differences among the proposal skins are in the behavior of the fur toward water. The Fouke and Pierre LaClede proposal skins are much superior to the Supara in water repellency. Again there is a difference in the chemical analysis which might explain this; namely, the fact that fur from Supara skins has much lower ash content and lower pigment ($Cr_2O_3$ and $Fe_2O_3$) contents. The results, however, show that the lack of water resistance is not entirely caused by the fur but also by the leather, and here the chrome tannage again may be cited. The only sheared skin from Supara that is highly water resistant was the one tanned with oil and alum.

"Finally, the art and expert craftsmanship in dressing the furs are undoubtedly brought out in the subjective inspection. This was performed by a Government panel which was composed of a group of unbiased technicians and scientists, and a group of experts from the fur industry. The result of the evaluations of both of these groups was to rank the proposal regular skins in the decreasing order; Fouke, Supara and Pierre LaClede. The proposal sheared skins were ranked in decreasing order; Supara, Basch, Pierre LaClede and Fouke by the industry panel, and Supara and Fouke first, followed by Pierre LaClede and Basch by the Government panel."

On February 7, 1963, negotiations directed to the award of a definitive contract were initiated with Supara, Inc. Under date of March 1, 1963, your administrative assistant secretary issued a statement which summarized the solicitation of proposals and the evaluation of the sample sealskins and concluded as follows:

"In consideration of the foregoing and the information included in the proposals submitted by each of the five firms first mentioned above, it has been determined that on the basis of having furnished in varying degrees satisfactory evidence of possessing the necessary technological background and qualifications to properly fulfill the Government's needs and requirements in regard to the processing and sale at auction of Alaska fur sealskins; having furnished in varying degrees sufficient information to insure their having available ample facilities to process the required number of sealskins; and having furnished in varying degrees satisfactory preliminary evidence of financial responsibility, it is hereby further determined that negotiations should be entered into looking to the execution of a mutually satisfactory contract in the following order:

1. Supara, Inc., Chicago, Ill.
2. Fouke Fur Co., Greenville, S.C.
3. Pierre LaClede Fur Co., St. Louis, Mo.
4. C. W. Martin & Sons Ltd., London, England.

"The proposal of Jonas Bros. of Seattle and Alaska, Seattle, Wash., was determined not to be fully responsive since they indicated they were interested in processing female skins only."

This determination was further explained as follows in your Department's report of April 19, 1963, to this office:

"Although it is not specified in the memorandum of March 1, 1963, the technical finding concerning the quality of the sealskins submitted was as follows: Supara and Fouke were approximately equal, Pierre LaClede Fur Co. a poor third, and C. W. Martin & Sons fourth. With regard to potential marketability Supara was judged to be superior to Fouke. Since, as pointed out in our introduction, we are here concerned with a Government-operated business, run for profit to the Treasury, the quality and marketability of the sealskins processing, and the price they would bring on the open market had to be the first and primary consideration of the Department. Any failure to achieve the best possible quality and marketability of product would reduce the selling price of sealskins, and the resulting loss to the Government would far outweight any saving which might be made by employing a contractor who charged less for his service. As a practical matter, the above determination reduced the competition for this contract to Supara and Fouke.

"The second consideration of the Department was the responsibility of the prospective contractor. Responsibility in this case means much more than mere adequate financial resources. It also involves a range of considerations concerning the business structure of the organization, its business practices, its attitude toward the duties it assumes, the enthusiasm for promoting and expanding this Government business, and similar factors. It was both proper and necessary to make an evaluation of this consideration in entering a negotiated contract of this nature. (Comp. Gen. Dec. B-147394 (September 4, 1962), unpublished.)

"As indicated by the protest memorandum, the Government has had a lengthy relationship with the Fouke Fur Co., and the Government could ignore this history only at its peril. As indicated by the attached exhibit B, 'Statement of the Department of the Interior on the termination of the contract with the Fouke Fur Co.,' it was because of factors related to responsibility that the former contract was terminated. Although no determination was made that Fouke was not sufficiently responsible to hold a negotiated Government contract, this Department was justified in feeling real doubt in this regard. Responsibility is not a matter of black and white, but of degree.

"On the other hand, it was determined, on the basis of available evidence, that Supara was and would be, in every respect, a responsible contractor. On the question of responsibility, the Supara was judged substantially ahead of Fouke."

The factors relating to responsibility are summarized in exhibit B, referred to above, as follows:

"In summary, the action of the Government to terminate the contract was necessitated by noncompliance by the company with the factors which must be present in negotiated Federal contracts. This noncompliance includes:

"1. The income received by the company is excessive as found by a reputable banker in 1953 and as indicated by the Comptroller General in a recent examination of the company's operations under the contract.

"2. Failure on the part of the company to demonstrate acceptable progress in processing and marketing female sealskins.

"3. Views of the company regarding the number of sealskins harvested.

"4. Proposals of the company to conceal from the public pertinent data regarding sale of female sealskins.

"5. Action of the company in locating the female processing operations at a site for which approval was not given.

"6. Decision of the company to relocate its complete operations without discussion with the Department and without regard to the public interest involved."

While it is assumed that negotiations directed to the award of a contract were conducted by your Department during the period February 7 through March 4, 1963, the report dated August 19, from your administrative assistant secretary, advises that he is unable to supply minutes of the negotiations, since no formal records of the proceedings were maintained.

Under date of March 5, 1963, your office issued a news release advising that a contract was awarded to Supara, "a joint venture partnership composed of the Pritzker interests, Chicago, Ill. (experienced in the ownership and management of a wide variety of businesses), National Superior Fur Dressing & Dyeing Co., Chicago, Ill. (engaged in fur dressing and processing since 1912), and the Superior Fur Dyeing Co., New York, N.Y. (founded in 1915 and noted for fur dyeing)."

At 10:00 a.m., on March 14, 1963, the incorporators and subscribers to the shares of Supara, Inc., adopted the following resolution:

"*Resolved,* That all of the assets of every kind, nature and description belonging to this corporation be transferred to its successor in interest, Supara, a joint venture created by agreement dated March 14, 1963, between Herbert Schoenbrod as trustee of F.L.P. trust No. 1 through No. 23, and Norton Shapiro.

"*Resolved,* That Max H. Weinberg be and is hereby authorized to execute such further documents as may be necessary to carry out the purposes of the foregoing resolution."

The contract in question is dated March 14, 1963, and was executed for Supara, a joint venture, by Herbert Schoenbrod, as trustee of Fannie L. Pritzker trusts No. 1 to 23, joint-venturer, and by Norton Shapiro, joint venturer. The joint-venture agreement between these venturers is also dated March 14, 1963. The fact that your Department announced the award of the contract on March 5, 1963, to a joint venture which does not appear to have come into existence until March 14, 1963, is not explained by the record before this office.

The protest by Fouke Fur Co. against the award of this contract is based primarily upon the following contentions:

1. The determination by your Department that Supara's sample skins had superior potential marketability is arbitrary, without foundation in fact, and is not supported by the findings of the evaluation panels and the National Bureau of Standards report.

2. The determination by your Department that Supara was substantially ahead of Fouke on the question of responsibility is arbitrary, capricious, and so without foundation as to suggest bad faith.

3. That, in the absence of a determination by your Department that Fouke either was not a responsible bidder or that its technical proposal was unacceptable, your Department was required by the provisions of the invitation and applicable procurement regulations to request a firm proposal, including price, from Fouke and to consider such proposal, including price, on a competitive basis with similar proposals submitted by other offerors prior to awarding a contract.

We shall consider these contentions in that order.

With respect to the comparative quality and potential marketability of the Fouke and Supara sample skins, the composite ratings and comparative rankings of the Government and industry evaluation panels are set out above. They show that both the Government and industry evaluation panels ranked the Fouke "regular" skins first and Supara's second. On sheared skins, the industry panel ranked Supara's first and Fouke's fourth, while the Government panel ranked Fouke's sheared skins and Supara's as first and equal. While marketability was not included as a separate factor which these panels were required to evaluate, it would appear that those factors which were included should have a direct relationship to marketability. In reply to our request of May 9, 1963, for copies of composite ratings of the evaluation panels and for "an explanation of the basis for your determinations on comparative quality and potential marketability" of the Fouke and Supara sample skins, on August 19, 1963, your administrative assistant secretary advised as follows:

"The enclosed individual rating sheets and Bureau of Standards reports should be self-explanatory as a basis for our determination of the comparative physical and technical quality of the sample skins. Potential marketability is a far more subjective question and one which required the application of our best administrative judgment, which here is identical with business judgment. It involves a judgment of the relative importance of the varied facts revealed by the panel ratings and the Bureau of Standards tests. The most significant differences between Fouke's and Supara's sample sealskins appeared to be the greater water absorption of the Supara skins and the greater weight of the Fouke skins. Both were undesirable features in a luxury fur. The decision rested on our administrative judgment that women seldom stand out in the rain in $3,000 fur coats, but that the lighter weight of that coat would be a significant factor in her decision to ask her husband to purchase it. This view was supported by the opinions of fur coat manufacturers who were interviewed on the question of water absorption by representatives of this Department. With water absorption a minor factor and weight a major one, the greater potential marketability of Supara processed sealskins over Fouke processed sealskins was manifest."

As set out above, the composite ratings for the Fouke and Supara sample skins, as compiled from the individual rating sheets of the panel members, would support a conclusion that the Fouke samples were, overall, superior to the Supara samples. The composite ratings standing alone, do not support the opposite conclusion.

Neither do we find the results of the physical and chemical tests conducted by the Bureau of Standards to be self-explanatory of your determination that the quality of Supara's skins was physically and technically equal to those submitted by Fouke. In this connection, it should be noted that our analysis of the Bureau of Standards test results on weight of the sample sealskins indicates that use of skins processed by Supara might be expected to result in a coat weighing about 8 ounces less than one fabricated from Fouke processed skins. On the other hand, various elements other than weight and water absorption are set out in the Bureau of Standards report and indicate qualities of doubtful desirability in the Supara skins (see; e.g., test No. 5 which indicates breaking strengths of the Supara skins "are very significantly lower than those of the standards and are approaching what is known in the leather industry as the critical point between serviceable and unserviceable leather;" test No. 7, "The Fouke skins more nearly approach the results of the standard skins where in most cases the original appearance was restored after treating with the solvent. None of the Supara or Pierre LaClede skins was restored to the original appearance after testing, drying, and rubbing;" test No. 11, "Changes in length under tension and under release of tension are lowest for the Supara skins * * *. The property of stretch under tension is, of course, of importance in the manufacture of garments. Skins which retain considerable stretch and recoverability are the most adaptable for these purposes.").

While this Office is not in a position to pass upon the relative weights which were to be given these factors in your evaluation of the comparative merits of the Fouke and Supara sample skins, there would appear to be no doubt the characteristics determined by the Bureau in tests 5, 7, and 11 are directly related to the quality and potential marketability of the sample skins, and that the Fouke samples were superior to the Supara samples in these and other tested characteristics.

Other than the panel evaluation and the Bureau of Standards' report, it is our opinion that a proper determination of the comparative quality and potential marketability of the sample skins should necessarily, and as a minimum, have included consideration of the following additional matters:

First, that the quality and marketability of Fouke processed furs has been established, and is reflected, by the sale prices of processed furs and manufactured garments over a period of more than 40 years during which Fouke has held the contract for processing and sale of sealskins.

Second, that a Supara processed sealskin had never been sold on the market and that a garment had never been manufactured from Supara processed skins or subjected to actual wear.

In weighing the above evidence we are persuaded by, and believe it proper to refer to, the following advice in the report dated August 19, 1963, from your administrative assistant secretary:

"This conclusion, that 'any failure to achieve the best possible quality and marketability of product would reduce the selling price of sealskins, and the resulting loss to the Government would far outweigh any saving which might be made by employing a contractor who charged less for his services,' was based on hypothetical rather than actual figures, since we were obliged to base such judgments on our experiences under the Fouke contract. We have often observed that differences in skins of similar size, grade, and color, which are imperceptible to the layman, result in selling price differences of up to 26 percent per lot. While one cannot distinguish accurately what part of this difference represents innate inequality of the skins and what part is attributable to differences in quality of processing, we believe the latter is the primary factor since these lots are already sorted as to the grade of the skins.

"Since these great variations of price (26 percent) are found among sealskins which received the uniform Fouke process, the drop in prices to be anticipated if an inferior process were used can well be imagined. In the delicately balanced fur market, an almost imperceptible decline in quality could half (sic) the average selling price for sealskins."

It is our opinion that, while the foregoing evidence would clearly have substantiated a conclusion that the Fouke processed sample skins were superior in quality and potential marketability, it does not substantiate a similar conclusion for the Supara processed skins.

With respect to your Department's determination that Supara was substantially ahead of Fouke on the question of responsibility, under date of May 9, 1963, this office addressed the following request to your Department:

"Page 8, lines 1 through 5: Please furnish copies of any documents evidencing the determination that Supara was substantially ahead of Fouke on the question of responsibility, together with a listing of the various factors considered in determining degree of responsibility and the comparative evaluation of Fouke and Supara on each factor."

Under date of August 19, 1963, your administrative assistant secretary replied as follows:

"Many of the factors bearing on the question of relative responsibility are subjective and intangible. This Department never attempted to make a formal listing of such factors or to assign ratings of them by any point system or otherwise. To do so would have been a travesty on the reasonable application of human judgment. Rather the judgment was made, and is still strongly held, primarily on the basis of a long accumulation of impressions and observations of the personnel involved, their attitudes, and the manner in which they conduct their business. In many cases this simply represented our long history of dissatisfaction with Fouke and our firm belief that Supara would not emulate the acts and attitudes which brought about that dissatisfaction.

"Nevertheless, we shall attempt to answer this question in orderly form. The major factors which impressed this Department were as follows:

"(a) Financial resources: Although we have never been overly concerned with Fouke's ability to meet its financial obligations or to finance all of the activity in which it was required to engage under the contract, we had found no reason to admire some of Fouke's financial tactics. The Government's share of the receipts from the sale of sealskins has been retained by Fouke for periods as long as 3 months after each sale. Thus, Fouke has had the financial use of approximately $2 million twice a year for nearly 3 months at the expense of the Government. This condition will not occur under the Supara contract because moneys due the Government must be remitted not later than 30 calendar days after each auction.

"(b) Business practices: This Department has had a long and unsatisfactory experience with the Fouke business methods. Our complaints were outlined in exhibit B with our April 19, 1963, reply. We would prefer not to belabor this point, but it is basic to our determination that over the years the Fouke Fur Co. became lax in the degree of responsibility which should be found in a company holding a negotiated Government contract.

"(c) Attitude toward its duties: Among the prime responsibilities of any company holding this contract is the further development of the sealskin market. Fouke has always maintained an extremely conservative attitude in this regard, resisting almost any innovation which might change the character of its market. Its resistance to the introduction of female skins is a well-documented case in point.

"(d) Attitude toward people and labor: This factor became a major element in this Department's doubts concerning Fouke's responsibility. Three examples will suffice: Fouke played a significant role in the operations in the Pribiloff Islands. The inhabitants of these islands, and chief employees of the program, are Aleuts, who are citizens of Alaska and the United States. Yet the attitude of the company's representatives toward them, was at its best, paternalistic, and at its worst, oppressive. For example, Fouke brought, each summer, about 30 college students from the St. Louis area to work on the islands. These students, who lived in a bunkhouse separate from other temporary workers, who were Aleuts, were forbidden by the company to fraternize or mix socially with Aleuts. While this Department has been in the past a party to this wrong, during the past 3 or 4 years rapid advance toward equal treatment and opportunity for Aleuts has been made, and through Government efforts they are on the threshold of first class citizenship. The Fouke resistance to these developments is a fact which casts doubts on the responsibility of their attitude toward people.

"The story of how Fouke treated its workers in St. Louis when it moved to Greenville is well known. We note also that the union which represented Fouke employees at St. Louis filed charges against the company before the National Labor Relations Board, and that the company settled with the union for a substantial sum. By contrast, we note with satisfaction that Supara has concluded an agreement with this same union and will, we understand, employ former Fouke employees on substantially the same terms and conditions as they formerly enjoyed as Fouke employees. This, in our opinion, is more than responsibility, it is business statesmanship.

"Finally, in this regard, we cannot overlook the Fouke attitude toward their equal employment responsibilities. Observations of the Fouke plant from time to time by Department representatives have revealed little progress in an affirmative attitude toward Negro employment. Particularly striking has been the observation, at the two auctions held in Greenville, that among the many temporary, unskilled workers hired to work at the showroom, the only Negro in evidence was the one who checked our hats.

"These, in general, are some of the considerations which led to the determination that Fouke was lacking in that degree of responsibility which is to be desired in a company holding a negotiated Government contract."

Other than the reference to a union agreement concluded by Supara, the foregoing contains no information relative to either affirmative or negative factors which were considered in determining the degree of Supara's responsibility. However, your Department's report of August 19 advises at page 2 that "the initial proposal from Supara contained all the basic data relative to the qualifications and technical knowledge of the company." Our examination of this proposal indicates the following matters, among others, which it is our opinion should necessarily have been considered under the provisions of the invitation and applicable regulations in determining the degree of Supara's responsbility.

1. Supara, Inc., was incorporated with an initial capitalization of $2 million for the purpose of submitting a proposal under the invitation.

2. The corporation, both at the time its proposal was submitted and the date of contract award, had no facilities or employees for the processing of sealskins.

3. The sample sealskins submitted with the corporation's proposal appear to have been completely processed by firms, and employees of firms, other than Supara, Inc.

4. The corporation proposed to have other firms continue processing sealskins in the event of its inability to obtain adequate facilities and employees prior to the date on which work should commence under the contract.

5. The corporation, as such, had no record of past performance, integrity, judgment, or ability on which to base a comparative

evaluation of the degree of its responsibility.

6. That, while the corporation's proposal form stated it was not owned or controlled by a parent company, its written proposal stated that the corporation brings into combination the talents and experience of the National Superior Fur Dressing & Dyeing Co., of Chicago, Superior Fur Dyeing Co., of New York, and Pritzker & Pritzker, industrialists, of Chicago, and specified that it would draw upon these parent companies for plant capacity and personnel if necessary.

That all of these matters were not adequately considered by your Department, prior to passing upon the degree of Supara's responsibility is most aptly illustrated by the fact that by letter dated August 19, 1963, your Administrative Assistant Secretary attempted to convince the Ehrhardt Tool and Machine Co., it should build, for Supara, dehairing machines which the Administrative Assistant Secretary termed "essential for the processing of the sealskins," and which Ehrhardt considered proprietary to Fouke and had previously refused to build for Supara for that reason. Without reference to the propriety, or impropriety, of the Administrative Assistant Secretary's letter of August 19, 1963, it is apparent that Supara had not demonstrated, as of the date of contract award or as of August 19, 1963, that it had either facilities or the ability to obtain commitments for the facilities deemed necessary to perform the processing of sealskins. See FPR 1-1.310-5(a)(3) and 1-1.310-5(b).

Without going into a detailed analysis of the merits of the factors considered by your Department in determining the degree of Fouke's responsibility, it would appear to be sufficient to point out that the responsibilities of a Government contractor, and the rights of the Government, should properly be defined in the contract. Where, as appears to have been the case under the Fouke contract, it was your Department's belief that additional responsibilities or restrictions should have been assumed by, or imposed upon, the contractor, such results could, and properly should have been accomplished by appropriate amendments to Fouke's contract.

Be that as it may, the evidence before this office clearly indicates that your Department's determination of comparative responsibility was based upon a record, extending a number of years into the past, of attitudes, actions, of inactions on the part of Fouke which were considered undesirable by your Department, but which were not necessarily violations of Fouke's obligations under the terms of its contract. While it may well be considered desirable by contracting agencies to contract with firms which will assume responsibilities and obligations outside of the scope of their contracts, it is our opinion that a contractor's failure to do so is not a proper factor for consideration in determining either his responsibility or, in a proper case, his comparative degree of responsibility. This is especially true where, as in the instant case, one prospective contractor has a long record of performance under Government contracts, while the other has no record of such performance. Obviously, a prospective contractor with an excellent, but less than perfect, record of past performance must rate lower than a prospective contractor with no record of past performance, if only negative factors are considered. In view thereof, and without reference to whether a determination of comparative responsibility was proper in this procurement, it is our opinion that consideration by your Department of various of the negative factors set out above in concluding that Supara was substantially ahead of Fouke on the question of responsibility was improper.

We come then to the question whether your Department was acting within the scope of its authority, as defined by applicable procurement law and regulations, in establishing an order of priority based upon the technical proposals (including the quality and marketability of the sample skins submitted) and the comparative responsibility of each offeror, and in limiting negotiations thereafter to the offeror who was assigned the highest priority on that basis.

As indicated above, the invitation for proposals acknowledged the applicability of the Federal Procurement Regulations to this procurement. Additionally, we note that, with certain stated exceptions, the applicability of both the Federal Property and Administrative Services Act and the Federal Procurement Regulations to procurements by your Department has been acknowledged in the Department of the Interior Procurement Regulations, 41 CFR 14-1.000, and that the procurement of services for the processing and/or sale of sealskins has not been specifically exempted from such regulations, as have several other activities administered by your Department under special statutory authority. 41 CFR 14-1.104. We therefore are of the opinion that the instant procurement of services for the sale and processing of sealskins was subject to, and required to be conducted in accordance with, the policies and procedures prescribed by the Federal Property and Administrative Services Act and the implementing Federal Procurement Regulations. The primary remaining question would therefore appear to be whether all material requirements of the law and applicable regulations were complied with in the solicitation of proposals, the conduct of negotiations, and the resulting award of a contract to Supara.

The basic objective of procurement by the civilian agencies of the Government is set forth in FPR 1-1.301 as follows:

"It shall be the objective to use that method of procurement which will be most advantageous to the Government—price, quality, and other factors considered. Procurement shall be made on a competitive basis, whether by formal advertising or by negotiation, to the maximum practicable extent, in accordance with the policies and procedures set forth in this chapter."

Subsection 1-3.102 of the Federal Procurement Regulations provides, in pertinent part, as follows:

"Whenever property or services are to be procured by negotiation, offers shall be solicited from all such qualified sources as are deemed necessary by the contracting officer to assure full and free competition, consistent with the procurement of the required property or services, in accordance with the basic policies set forth in this part 1-3 to the end that the procurement will be made to the best advantage of the Government, price and other factors considered. Such offers shall be supported by statements and analyses of estimated costs or other evidence of reasonable prices and other matters deemed necessary by the contracting officer. Negotiation shall thereupon be conducted with due attention being given to the following, and any other appropriate factors:

"(a) Comparison of prices quoted and consideration of other prices for the same or similar property or services, with due regard to production costs, including extra pay shift, multishift and overtime costs, and any other factor relating to the price, such as profits, cost of transportation, and cash discounts.

"(b) Comparison of the business reputation, capacity, and responsibility of the respective persons or firms who submit offers.

"(c) Consideration of the quality of the property or services offered, including the same or similar property or services previously furnished, with due regard to conformance with specification requirements."

Negotiations procedures are more specifically spelled out in subpart 1-3.805 of the Federal Procurement Regulations as follows:

"(a) The normal procedure in negotiated procurements, after receipt of initial proposals, is to conduct such written or oral discussions as may be required to obtain agreements most advantageous to the Government. Negotiations shall be conducted as follows:

"1. Where a responsible offeror submits a responsive proposal which, in the contracting officer's opinion, is clearly and substantially more advantageous to the Government than any other proposal, negotiations may be conducted with that offeror only; or

"2. Where several responsible offerors submit offers which are grouped so that a moderate change in either the price or the technical proposal would make any one of the group the most advantageous offer to the Government, further negotiations should be conducted with all offerors in that group. Whenever negotiations are conducted with more than one offeror, no indication shall be made to any offeror of a price which must be met to obtain further consideration, since such practice constitutes an auction technique which must be avoided. No information regarding the number or identity of the offerors participating in the negotiations shall be made available to the public or to anyone whose official duties do not require such knowledge. Whenever negotiations are being conducted with several offerors, while such negotiations may be conducted successively, all offerors participating in such negotiation shall be offered an equitable opportunity to submit such pricing, technical, or other revisions in their proposals as may result from the negotiations. All offerors shall be informed that after the submission of final revisions, no information will be furnished to any offeror until award has been made.

"(b) There are certain circumstances where formal advertising is not possible and negotiation is necessary. In the conduct of such negotiations, where a substantial number of clearly competitive proposals has been obtained and where the contracting officer is satisfied that the most favorable proposal is fair and reasonably priced, award may be made on the basis of the initial proposals without oral or written discussion; provided, that the request for proposals notifies all offerors of the possibility that award may be made without discussion of proposals received and, hence, that proposals should be submitted initially on the most favorable terms, from a price and technical standpoint, which the offeror can submit to the Government. In any case where there is uncertainty as to the pricing or technical aspects of any proposal, the contracting officer shall not make an award without further exploration and discussion prior to award. Also, when the proposal most advantageous to the Government involves a material departure from the stated requirements, consideration shall be given to offering the other firms which submitted proposals an opportunity to submit new proposals on a technical basis which is comparable to that of the most advantageous proposal; provided, that this can be done without revealing to the other firms any information which is entitled to protection.

"(c) A request for proposals may provide that after receipt of initial technical proposals, such proposals will be evaluated to determine those which are acceptable to the Government or which, after discussion, can be made acceptable, and upon submission of prices thereafter, award shall be made to that offeror of an acceptable proposal who is the low responsible offeror.

"(d) The procedures set forth in paragraphs (a), (b), and (c) of this section 1-3.805 may not be applicable in appropriate cases when procuring research and development, or special services (such as architect-engineer services) or when cost-reimbursement-type contracting is anticipated.

"(e) Whenever in the course of negotiation a substantial change is made in the Government's requirements, for example, increases or decreases in quantities or material changes in the delivery schedules, all offerors shall be given an equitable opportunity to submit revised proposals under the revised requirements."

However, the above regulation appears to be supplemented by subpart 404.1.7A of your Departmental Manual which provides, in pertinent part, as follows:

"V. PROCEDURES

"A. Contracts for other than professional architectural or engineering services—

"(1) Solicitation: Whenever a contract (other than a contract for professional architectural or engineering services) is to be negotiated, price quotations and all other necessary information shall be solicited from such qualified sources as are deemed necessary by the contracting officer to assure adequate competition. Due consideration must be given to the national policies affecting small business and areas of substantial unemployment.

"(2) Submission of offers: All solicitations of offers shall provide a fixed time for receipt of offers, prior to which no award shall be made. This requirement is not intended to preclude further negotiation or consideration of offers or modifications received after the fixed time, but prior to the award. Necessary precautions must be taken to avoid prejudice to any offerors by inadvertent disclosure of negotiations in process, such as prices quoted, the number of offers received, or the names of firms from which offers have been received.

"(3) Considerations governing awards: It is the responsibility of the contracting officer conducting negotiations to give consideration to the following and any other applicable factors:

"(a) The business reputation and responsibility of the respective persons or concerns submitting quotations.

"(b) The quality of the supplies or services offered, or the quality of similar supplies or services previously furnished, with due regard to compliance with technical requirements.

"(c) Prices quoted, and consideration of other prices for the same or similar supplies or services, with due regard to cost of transportation, cash discounts, and any other factors relating to prices.

"(d) Delivery requirements."

The only exception to the foregoing which is provided by the Departmental Manual appears to be set out in subject 404.1.7B as follows:

"B. Contracts for professional architectural or engineering services—

"(1) Selection.—Whenever a contract for professional architectural or engineering services is to be negotiated a board consisting of three or more qualified employees, including the contracting officer, shall be appointed by the head, deputy or associate, or assistant head of the bureau or office involved. The board shall select at least three individuals or firms with whom negotiations are to be carried on to assure adequate competition as set out in 404 DM 1.7B(2). Due consideration must be given to national policy affecting small business. Individuals or firms selected shall be from recognized lists of qualified applicants. Previous Government experience with individuals or firms should be considered in making selections.

"(2) Consideration.—It is the responsibility of the personnel set out in 404 DM 1.7B(1) to determine as to each selected individual or firm separately an order of priority by giving consideration to the following and any other applicable factors:

"(a) The business reputation and responsibility of the respective individuals or firms.

"(b) The quality of the services offered, and if applicable, the quality of similar services previously furnished, with due regard to compliance with technical requirements.

"(c) A detailed discussion of the scope of the services or work to be furnished, including an estimate of man-hours or other work units required.

"(d) Ability of the individual or firm to furnish services or work within time allowed.

"(3) Awards.—When selections have been made and an order of preference determined on the basis of the foregoing factors, negotiations shall be initiated with the individual or firm given priority No. 1. At this time and not before shall cost or fee be discussed. In the event that an agreement cannot be reached, negotiations shall be terminated and the individual or firm so notified in writing. Negotiations shall then be initiated with the individual or firm given priority No. 2. This procedure will be followed until a satisfactory contract has been negotiated. After the contract has been negotiated the remaining individuals or firms shall be notified in writing that award has been made to another and that their interest is highly appreciated."

While the report dated April 19, 1963, from your administrative assistant secretary advised that the negotiation procedure followed is authorized by FPR 13.805(a)(1) quoted above, that regulation would have been applicable in the instant procurement only after price quotations had been submitted. On the other hand, there would appear to be no doubt that the procedures actually followed by your Department are, for all practical purposes, those authorized (apparently under FPR 1-3.805 (d) for the procurement of professional, architectural, and engineering services as set out in subpart 404.1.7B of your Departmental Manual.

As indicated by the legislative history of the Federal Property and Administrative Services Act, the authority to negotiate for personal or professional services is based upon the fact that architects, engineers, and members of other recognized professions are prohibited by ethical standards from competing for employment upon a price basis. While the procedure prescribed by subpart 404.1.7B of the Departmental Manual for establishing an order of priority, without regard to price, in negotiating for such services may therefore be justified on the basis that price competition cannot be obtained, that situation does not obtain with respect to the firms which submitted initial offers to process and sell sealskins. We therefore see no basis upon which such authority may be invoked in the instant procurement.

As previously indicated, we do not agree that the evidence of record supports the determinations by your Department that Supara's sample skins were of superior quality or potential marketability. However, if it is assumed, arguendo, that such determinations were correct, it is clear that the resulting failure to solicit and consider firm proposals, including price proposals, from all responsible bidders can be justified only if your Department has the authority to limit negotiations to those offerors whose services and products are determined to be of the highest quality.

In this connection it would appear to be especially pertinent to note that H.R. 1366, 80th Congress, which subsequently was enacted as the Armed Services Procurement Act of 1947, originally included, as section 1(xii), a request for authority to negotiate under the following circumstances:

"(xii) for supplies or services as to which the agency head determines that advertising and competitive bidding would not secure supplies or services of a quality shown to be necessary in the interest of the Government."

As passed by the House of Representatives, H.R. 1366 included this authority, and the necessity and justification for its enactment by the Senate was presented to the Senate Committee on Armed Services by the Assistant Secretary of the Navy during hearings on June 24, 1947, with the following concluding statement:

"Where quality is a matter of critical—in many cases life-and-death—importance, discretion must reside in the services to select sources where experience, expertness, know-how, facilities and capacities are believed to assure products of the requisite quality. Where national security or the safety and health of personnel of the services are involved, any compromise of quality dictated by mandatory considerations of price would be indefensible." (See p. 15, hearings before the Committee on Armed Services, U.S. Senate, on H.R. 1366, 80th Cong.)

Nothwithstanding the above, the Senate Armed Services Committee deleted this provision from the bill and explained its action at page 3, Senate Report No. 571, 80th Congress, as follows:

"The bill was amended by deleting the authority to negotiate contracts for the purpose of securing a particular quality of materials. Your committee is of the opinion that this section is open to considerable administrative abuse and would be extremely difficult to control. For this reason it has been eliminated."

As indicated by the legislative history of the Federal Property and Administrative Services Act, that act was intended to extend the same procurement principles to civilian agencies of the Government as had previously been conferred upon the military departments by the Armed Services Procurement Act of 1947. (See p. 6, H. Rept. No. 670, and p. 5, S. Rept. No. 475, 81st Cong.)

The rejection by the Congress of this request for negotiation authority must therefore be construed as a prohibition against the negotiation of contracts without price competition, where the failure to obtain price competition is based solely upon a determination by the contracting agency that a particular prospective contractor will deliver supplies and/or services of a higher quality than any other contractor (41 Comp. Gen. 484).

It is our opinion that the Federal Procurement Regulations, the procurement regulations of your Department, and the invitation for proposals issued in the instant procurement recognize the necessity for price competition in the procurement of supplies or nonprofessional services, and for the consideration of offered prices in determining whether the award of a particular type of contract to a particular contractor would be in the best interest of the Government. Solicitation and consideration of competitive prices are therefore material requirements in such procurements, and compliance with such requirements must be considered a necessary prerequisite to a valid contract award.

We must therefore conclude that your Department was without authority under applicable procurement law and regulations having the force and effect of law (see *Paul v. United States*, 371 U.S. 245, 255) to negotiate a contract for the processing and sale of sealskins with any offeror who responded to the invitation for proposals, until firm proposals, including price proposals, had been solicited from all responsible offerors, and until due consideration had been given to the comparative merits of both price and all other factors included in such firm proposals.

In view of the foregoing, it is our opinion that your Department was acting outside of the scope of its authority in awarding a contract to Supara. We must therefore conclude that such award does not constitute a valid or enforceable obligation of the Government and that the award action should be rescinded. (See 37 Comp. Gen. 51; id. 550.)

In view of the conclusion set out above, further consideration of the propriety or effect of other procedures which your Department followed, or failed to follow, becomes academic for the purposes of determining the merits of Fouke's protest or the validity of the contract awarded to Supara. However, in the interest of full compliance with established principles of competitive procurement as set out in law, regulations, and the decisions of this office, the following additional matters are called to your attention and should be considered in the solicitation of proposals and the award of any future contract for the processing and sale of sealskins:

1. It is our opinion that the transfer or assignment of rights and obligations arising out of proposals submitted in negotiated procurements is to be avoided, both as a matter of public policy and a matter of sound procurement policy, unless, as indicated by the cases cited in your Department's report of August 19, 1963, such transfer is effected by operation of law to a legal entity which is the complete successor in interest to the original offeror. While the report of August 19 indicates a determination by your Department that Supara, a joint venture, was essentially the same entity and a complete successor in interest to Supara, Inc., the evidence submitted to this Office does not, in our opinion, support this conclusion. Neither do we believe that such transfer of rights from Supara, Inc., to Supara as may have been accomplished by resolution of the incorporators and subscribers on March 14, 1963, constitutes such a transfer of rights and obligations by operation of law as would be required to justify the substitution of one offeror for another in a negotiated procurement. We are therefore unable to agree that an award to Supara, a joint venture, based upon the technical proposal submitted by Supara, Inc., was proper.

2. FPR 1-3.302(d)(3) requires the documentation and preservation of all essential information bearing upon the actual negotiations conducted in connection with the awarding of contracts under 41 U.S.C. 252(c)(10). Your Department's advice under date of August 19, 1963, that no formal records of the negotiation proceedings were kept requires a conclusion that the above requirement was not complied with.

3. Subparagraph 11(a) of the contract awarded to Supara provides that "the Government conditions this agreement upon the approval by the Secretary of the Interior and continued existence of a joint venture agreement which shall constitute the basic organizational document of the contractor.

Subparagraph 11(b) provides that "the Government conditions this agreement upon the approval by the Secretary of the Interior and continued existence of an employment agreement between the contractor and the National Superior Fur Dressing & Dyeing Co., not Inc., of Chicago, Ill., a partnership (hereinafter designated as 'National'), Superior Fur Dyeing Co., not Inc., of Brooklyn, N.Y., a partnership, hereinafter referred to as 'Superior'), and Superior Fur Dyeing Co., Inc., of Brooklyn, N.Y. (hereinafter referred to as the 'corporation') for technical skills, know-how, secret processes, supervision of processing, supervision of dyeing of sealskins, and general administrative activities."

It is our opinion that the existence of documents of this nature, acceptable to and approved by you or your designee, were necessary prerequisites to both a determination that Supara, a joint venture, was a responsible bidder and to an award based upon such determination. Since we are advised in the report dated August 19, 1963, from your administrative assistant secretary that the joint venture agreement and the employment agreement were not approved by your Department until August 9 and August 12, 1963, respectively, it is also apparent that the contract was awarded subject to conditions subsequent. Whether such conditions were, or were not, met was primarily within the control of Supara.

It is axiomatic in Federal procurement that execution of the definitive contract by the contracting parties shall operate to bind the contractor and vest in the Government the right to require performance of the contract. It is therefore apparent that your Department was without authority to award a contract on the basis set out in paragraphs 11(a) and 11(b) of the contract awarded to Supara.

4. The protest by Fouke was filed with this Office on March 7, 1963, and your Department was advised of its receipt on the same date. The definitive contract was not executed by your Department, and Supara, a joint venture, was not created until March 14, 1963. It is therefore our opinion that a protest was filed with this Office prior to the award of a contract to Supara, a joint venture. Subpart 1-2.407-8(b)(2) of the Federal Procurement Regulations requires contracting agencies with notice of the fact that a protest has been filed with this Office to furnish the General Accounting Office notice of intent to make award and to obtain advice concerning the status of the case prior to making the award. While subpart 1-2.407-8 appears in that portion of the regulations which are directed to advertised procurements, its language is directed to "all protests or objections to the award of a contract", and its requirements are therefore applicable to protest against both negotiated and advertised awards. There is no record in this Office of compliance by your Department with this requirement. Additionally, as indicated above, the contract document executed with Supara on March 14 was conditioned upon your approval of a joint venture agreement and an employment agreement which were to be submitted by Supara, and a binding contractual obligation therefore could not have been consummated prior to such approval. Under date of May 9, 1963, this Office requested certain information and documents, including copies of the joint venture agreement, the employment agreement, and the date of their approval by your Department. Your Department's response to that request was delayed, without explanation, until August 19, at which time we were advised that the agreements had been approved on August 9 and August 12. It is our opinion that your approval action at these late dates should also have been preceded by the notice of intent to this Office and advice on the status of the case which is required by FPR 1-2.407-8(b)(2).

5. Fouke holds patent No. 3,001,391, which appears to apply to production of the commodity known as "sheared sealskin" irrespective of the method employed in shearing the sealskin. It would therefore appear possible, and perhaps unavoidable, that Supara would infringe the Fouke patent in processing female skins. While paragraph 13(d) of the Supara contract provides, with certain exceptions, that the contractor shall indemnify the Government for infringements resulting from performance of the contract, under paragraph 24 of the contract it would appear that any indemnity payments of this nature by Supara could properly be claimed as allowable costs, and that such costs could, in whole or in part, be borne by the Government under paragraph 22 of the contract. We therefore recommend that any future contract be drawn so as to make it clear whether any costs which may result from patent infringement shall ultimately be borne by the Government or by the contractor.

6. Paragraph 19(c) of the Supara contract provides that in the event of termination, other than termination for default, the contractor may elect to assign to the Government leasehold interests, and to sell and transfer to the Government all depreciable assets, which it has acquired in connection with performance under the contract, and that funds to pay for such assets "shall be withheld by the contractor from receipts due the Government as an addition to the contractor's share in the proceeds of the sale of sealskins."

We are advised that Supara contemplates leasing real property for a 10-year period and installing processing machinery in such leased property sufficient to process both such skins as would be delivered by the United States and such skins as may be offered by foreign countries.

Aside from the complications which would result upon termination of the contract if the Government attempts to assume the lease on this real property and to take title to all, or a part of, the capital assets installed in such leased property, it should be noted that under the provisions of 16 U.S.C. 631(e), the proceeds from the sale of sealskins are required to be deposited into the Treasury, and under section 6(e) of Public Law 85-508 the Secretary of the Treasury is required to pay 70 percent of the net proceeds to the State of Alaska. While the legislative history of these statutes indicates that certain expenses, including expenses of processing and selling sealskins, are to be deducted, and only the remaining "net proceeds" are to be deposited into the Treasury, we find no indication that this legislation contemplated, or that Congress intended to authorize, the purchase by your Department of capital assets, acquired by a contractor in performing a sealskin processing contract and payment of the cost of such capital assets out of the proceeds of the sale of sealskins prior to the deposit of such proceeds into the Treasury. Obviously, such action would operate, not only to vest title in your Department to sealskin processing facilities without congressional approval, but also to deprive the State of Alaska of all or a portion of its congressionally sanctioned annual share in the proceeds of the sale of sealskins.

We therefore suggest that provisions of the type set out in paragraphs 19(c)(1), 19(c)(2) and 19(c)(4) not be inserted in future sealskin processing contracts unless specific authority to pay costs of this nature from proceeds of sealskin sales is granted by the Congress.

7. Paragraph 6 of the contract awarded to Supara provided, in pertinent part, that "the contractor, in its processing of sealskins, shall not permit, with due regard for accepted variations, the recognized standards in respect to quality of materials and workmanship, which it employs in such processing, to fall below the recognized high standards of quality of materials and workmanship expected by the fur industry from past experience * * *." In our opinion this provision obligated Supara to meet or exceed the standards previously established by Fouke, as reflected by the Fouke skins which were used for the purpose of establishing standards to be used in the evaluation of sample skins submitted with the various proposals.

By addendum to the Supara contract dated August 12, 1963, paragraph 6 was amended by addition of the following proviso:

"*Provided*, That the results of the tests employed by the National Bureau of Standards in examining Supara samples submitted prior to contract negotiations are and shall be the criteria for acceptability of quality within the meaning of this provision;

"*Provided further*, That in the event the parties cannot agree as to the acceptability of quality, the sealskins in question or representative samples thereof will be submitted to the National Bureau of Standards for tests identical to those applied to precontract samples. The results of such tests will be final and conclusive on the parties."

Under this amendment it is apparent that Supara skins would no longer be required to meet the results of the tests made by the Bureau of Standards in its examination of Fouke standard skins against which the sample skins submitted by the various offerors were evaluated in this procurement. Since the sample skins submitted by Supara, Inc., failed to meet such standards in various respects it is apparent that the amendment to paragraph 6 of the contract constitutes a relaxation of the requirements of the contract as executed. A similar relaxation was effected by the addendum in extending from January 1, 1964, to April 1, 1964, the time by which Supara is required to develop a capacity to process 50,000 sealskins per year, and in the provisions of paragraph 36 relative to the extent of liability of the joint venturers.

The rule is settled that contracts may not be amended so as to reduce the contractor's obligations or the Government's rights unless a compensating benefit also accrues to the Government. We see no such compensating benefit in the addendum of August 12, 1963.

The foregoing are illustrative only, and should not be construed to be all-inclusive, of the procedures followed by your Department in this procurement which this Office considers either improper or highly questionable.

In view of our conclusions as set out above, we are today advising the Pierre LaClede Fur Co. that a separate opinion on its protest against the award to Supara will not be rendered.

The enclosures transmitted with the administrative assistant secretary's letter of March 20, 1963, are returned.

Sincerely yours,

JOSEPH CAMPBELL.

### SENATOR STROM THURMOND REPORTS TO THE PEOPLE—THE BIASED UMPIRE

(Report to the people by Senator STROM THURMOND)

A determined effort is being made by the executive branch of the National Government to discourage the flow of industry to the South and to unionize all business establishments in the South. The purpose behind this calculated plan is threefold: First, to stop the loss of industry in the Northeast; second, to gain or recover political strength through bloc voting dictation of union bosses; and, third, to repay the union bosses for their national political support.

This attitude has been quite evident for the past few years in actions of the National Labor Relations Board in overturning almost every labor election in South Carolina where the employees rejected union representation. In some cases, precedents of NLRB law and regulations have been thrown out by the NLRB, to make it virtually impossible for the union organizers to lose. Last week the NLRB reversed two more election decisions on flimsy grounds, in Aiken and Florence. Recently the NLRB's regional office recommended that an election vote against a union in Orangeburg be vacated because a local newspaper and radio station editorialized against the union.

Perhaps the most flagrant example of attempted Government interference in the industrial development of South Carolina was brought to light last year, when the Interior Department canceled its 40-year-old contract with the Fouke Fur Co. of Greenville for processing Alaska sealskin furs. This was done because Fouke moved from St. Louis, Mo., to new, modern facilities in Greenville. When invitations were opened for a new contract, Interior officials illegally rigged their contract procedures to give the award, which amounted to a guaranteed profit of $177,400 per year, to a Chicago joint venture which promised to locate in St. Louis and use union labor.

This organization, called Supara, was given the prized award without any price competition, without having any experience, any facilities, any employees, or even any equipment. In fact, there is even a serious question as to whether Supara was legally in existence when the contract award was made in March 1963. The officials negotiated with one legal entity and made the award to another. All this has been officially reported in an opinion issued last week by the Comptroller General of the United States after a 7-month investigation by the General Accounting Office, at my request.

The Comptroller General informed me the award was "in violation of law and regulations and should therefore be rescinded." The report also stated that Interior officials had acted in "an improper or highly questionable" manner. The investigators even found that the standards Supara had to meet under the contract had been relaxed, where they could not measure up to the superior work of Fouke. It was held that Fouke had violated no contractural arrangements. Indeed, the Fouke Co. has long been the world's No. 1 processor of sealskins and its reputation for quality is unexcelled.

The Interior officials were not content, however, with just rigging the award against Fouke. They even tried to blacklist Fouke in the world market and attempted to intimidate a manufacturer into supplying to Supara machinery which had been especially built for Fouke.

These actions on the part of the Interior Department were illegal, vindictive, and contrary to the public interest. This, together with the prounion NLRB actions and similar recent acts of government discrimination, provide substantial evidence that the executive branch, instead of playing the role of an impartial umpire in administering the national laws, is dealing from the bottom of the deck against justice and the public interest, where there is a possibility of political gain.

Arbitrary political acts of this nature are inherent in big government and serve to emphasize once again the important truism that "that government which governs least governs best"—and, I might add, with less political bias.

[From Barron's Weekly, Oct. 21, 1963]

### MAKING THE FUR FLY—AN INVALID CONTRACT POINTS UP THE ARROGANCE OF BUREAUCRACY

Buyers from all over the world gathered last week in the thriving town of Greenville, S.C., to listen to the chant of the auctioneer. On the block were not the fine tobaccos usually associated with that part of the country but a few million dollars worth of furs, mostly from Alaskan seals, bearing such exotic names as Matara, Kotovi and Lakoda. As prearranged hand signals were flashed to spotters on the rostrum, and the gavel descended again and again, Fouke Fur Co., sponsor of the semiannual sale, was delighted to discover that the pelts were performing like many another economic indicator these days. In a generally strengthening market, eager bidders, representing dozens of furriers in the United States and several foreign lands, gladly paid up to 6 percent more than in the spring.

Under a longstanding agreement with the Interior Department (which happens to control the U.S. supply of sealskins), Fouke has been staging these colorful affairs for nearly half a century. Two years ago, however, Interior terminated its contract, and thereby hangs quite a tale. As subsequent events have disclosed, the Department proceeded to sign a new contract with a firm which boasted no previous experience in treating Alaskan seals. In the process, it ignored the interests of the Nation's furriers, who have a major stake in the quality of the products they sell, as well as those of their customers. It apparently connived at the misappropriation of trade secrets and the infringement of patent rights. Finally, for reasons that are either specious or unexplained, it rode roughshod over the established procedures which govern competitive bidding—conduct which the General Accounting Office has bluntly labeled "either improper or highly questionable." The Truman administration was plagued by mink coats; Eisenhower's fell afoul of vicuna. Viewed in terms of public rather than private morality, seal now shapes up in equally scandalous fashion.

To grasp why the fur is flying today, one must go back almost a century, to the Alaska Purchase. At the time, the fur seal, which lives mainly in the northern Pacific, faced extinction. To save it from that fate, the United States launched an international effort to control the size of the annual kill. The latest of a series of such pacts was signed in 1957 by Canada, Japan, the Soviet Union and the United States. Under its domestic monopoly, Washington (i.e., the Bureau of Fisheries), "harvested" the skins, which then were handed over for processing and sale to Fouke. In the fall of 1961, learning that it needed additional capacity for the installation of newly designed machines, the company closed down in St. Louis and moved to Greenville, S.C. The very next month, Interior, claiming that it had not been consulted on the move, terminated the contract with Fouke. (Last week's auction served only to work off inventory.)

Considering the adverse effect of the relocation on the economic life of St. Louis, said the aggrieved Department, it could only conclude the company lacked "the business characteristics so essential to a negotiated contract with the Federal Government." Subsequently, Interior went through the motions of competitive bidding. Fouke and four rivals entered the lists, submitting sample skins as evidence of their technical competence. Last March, Secretary Udall awarded the contract to a joint-venture partnership known as Supara, the principals of which had decades of experience in dressing and dyeing mink. The winner, an Interior official explained, was chosen on the basis of the relative quality of the samples, as evaluated by an industry panel and the National Bureau of Standards, as well as for its corporate "responsibility."

On both counts, the GAO flatly disagrees. As to the products themselves, it bluntly concludes that "while the * * * evidence would clearly have substantiated a conclusion that the Fouke-processed sample skins were superior in quality and potential marketability, it does not substantiate a similar conclusion for the Supara-processed skins." In fact, at least some of the latter fell significantly short of acceptability in water repellency and resistance to breaking.

As to the question of "responsibility," Interior's chief spokesman has admitted that many of the elements involved are "subjective and intangible." The record does show clearly that an NLRB examiner rejected as without merit a protest by the Amalgamated Meatcutters & Furriers that Fouke's move to Greenville was a effort to "run away" from its union contract. Beyond that, Interior's case against the company charges it with everything from a "paternalistic, if not oppressive," attitude toward the Aleuts, who do the initial processing of its skins, to racial discrimination in Greenville. Of these far-ranging charges, the GAO says bluntly: "It would appear to be sufficient to point out that the responsibilities of a Government contractor, and the rights of the Government, should properly be defined in the contract. Where * * * it was your Department's belief that additional responsibilities or restrictions should have been assumed by, or imposed upon, the contractor, such results * * * should have been accomplished by appropriate amendments to Fouke's contract."

Indeed, if anyone has shown a lack of responsibility in the whole affair, it is clearly the Department of the Interior. In the first place, it displayed a remarkably casual attitude toward patent rights. The Department, says the watchdog agency, urged Ehrhardt Tool & Machine Co. to build, for Supara, dehairing machines deemed "essential for the processing of the sealskins." Ehrhardt, however, regarded such equipment as proprietary to Fouke; hence, it had previously refused to build for anyone else. If Supara had incurred patent infringement costs, the GAO observed, the Government, under the contract, might have wound up paying the bills. The Comptroller General also was shocked to learn that Interior, when pressed for documentation, could or would furnish no written records of negotiations with Supara.

Equally eye opening was the disclosure that Supara was not even formally organized at the time it won the contract. Wrote GAO acidly to Secretary Udall: "The fact that your Department announced the award of the contract on March 5, 1963, to a joint venture which does not appear to have come into existence until March 14, 1963, is not explained by the record." Up to that time, no sealskin processed by Supara had ever been sold, and no garment had been manufactured from Supara-processed skins or subjected to actual wear. "The corporation, as such, had no record of past performance, integrity, judgment, or ability on which to base a comparative evaluation of the degree of its responsibility." Crowning evidence of Interior's bias in the whole affair is the fact that after the company had won the contract, the Department, without seeking a quid pro quo, agreed to relay its terms—first, by absolving Supara from meeting the requirements of the National Bureau of Standards; subsequently, by extending the deadline by which Supara must acquire the capacity to process 50,000 sealskins a year. All things considered, said the GAO: "It is our opinion that your Department was acting outside of the scope of its authority in awarding a contract to Supara."

Confronted by that hard-hitting judgment, presumably even Secretary Udall soon will be forced to backtrack. For the aroused fur trade, in short, this may yet be a case of all's well that ends well. For the United States as a whole, by contrast, the great fur controversy sounds yet another warning of the threat to freedom implicit in arbitrary bureaucratic power. Washington is now spending some $100 billion a year. In wielding this vast leverage, every Federal agency is sworn to follow procedures that will do justice to producer, consumer, and taxpayer alike. Mr. Udall's Department, it would seem, has something to learn about good government.

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[From the Greenville (S.C.) Piedmont, Oct. 14, 1963]

### GAO Makes Fur Fly in Punitive Udall Contract

The Fouke Fur Co. moved from St. Louis to Greenville in 1961.

The union of which the company's workers were members made an official protest to the Government. As a result, the Department of the Interior cancelled a 31-year-old arrangement with Fouke to process Alaskan sealskins.

No reason for Interior's action came to mind more readily than that the Kennedys and their coterie were prepared to punish businesses which moved from one section of the country to the South. That is the view of Senator Strom Thurmond, and it is shared by practically everyone close to the situation.

But now the General Accounting Office has slapped Interior down for its action after the Fouke move. It has informed Secretary Stewart Udall that the contract his Department gave a Chicago firm after taking it away from Fouke was invalid and should be rescinded because other bidders were not sought. Udall is expected to comply since GAO used such strong terms as "in violation of law and regulations."

Meanwhile, Fouke employs about 200 workers at its plant here, is in full production and expects to continue on that happy basis. It is processing sealskins for Canada, Japan, South Africa, Uruguay and private shippers.

Fouke doesn't need the Government contract, but obviously the Department of the Interior and Secretary Udall need some sound legal counsel before they carry out another such punitive operation.

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[From the Greenville News, Oct. 15, 1963]

### Alaskan Sealskin Probe Is Sought by Thurmond

(By Frank Van Der Linden)

Washington.—Arkansas' Senator John L. McClellan, fresh from his inquiries into the TFX airplane contract and the Valachi case, now is being asked to investigate the case of the Alaskan sealskin contract involving the Fouke Fur Co. of Greenville.

At the request of Senator Strom Thurmond, Democrat, of South Carolina, McClellan is looking into the General Accounting Office's ruling that the Interior Department had illegally awarded the contract for processing Government-owned sealskins from the Pribilof Islands of Alaska.

Comptroller General Joseph Campbell said Interior had improperly given the contract to a Chicago firm called Supara, without getting compartive price offers from Fouke and three other bidders.

Senator Thurmond sent the records Monday to Senator McClellan.

"As you will notice from reading the report," Thurmond wrote, "the General Accounting Office found that the procedure followed by the Interior Department in this procurement was 'either improper or highly questionable.'

"In view of the startling findings by the GAO in this particular case, you may want to consider looking further into this contract award and also making a check to determine if the Interior Department or other agencies of our Government have violated Government contracts, laws, and regulations, as was done in this case."

Thurmond's letter also hinted that this matter "contains many similarities to the TFX case."

"Supara, Inc., capitalized at $2 million for the purpose of submitting the bid, Campbell said, had never skinned a seal or made a fur coat. It had no facilities or employees, and its sample sealskin appears to have been completely processed by firms, and employees of firms, other than Supara, Inc."

On March 14, 9 days after the award, Campbell said, "Supara, Inc.," transferred all its assets to a new joint venture composed of Herbert Schoenbrud, trustee of the Fannie L. Pritzker trust, and Norton Shapiro. Interior Secretary Stewart Udall said the partnership combined "the Pritzker interests, Chicago, National Superior Fur Dressing, and Dyeing Co., Inc., Chicago, and the Superior Fur Dyeing Co., New York."

The contract, running until December 31, 1974, assured an annual net profit of $177,400 before taxes, or roughly $2 million for the entire period.

On August 19, Campbell said, Assistant Interior Secretary D. Itis Beasley "attempted to convince the Ehrhardt Tool & Machine Co. it should build, for Supara, dehairing machines" which the Assistant Secretary termed "essential for the processing of the sealskins." Ehrhardt had previously refused to build the machines because it believed Fouke had a patent on them.

For 40 years until 1962, the federally owned Alaskan sealskins had been processed by Fouke. But Interior suddenly ended the contract after the company moved from St. Louis to Greenville.

Beasley said Interior officials attending Fouke's Greenville actions had seen only one Negro employee, "the one who checked our hats." Also, he charged, St. Louis College students who worked for Fouke in the Pribilof Islands in the summers "were forbidden by the company to fraternize or mix socially with Aleuts," the native workers.

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[From the Spartanburg Herald, Oct. 14, 1963]

### Simple Fairplay Demands a Reversal

A bit of Government justice, spotlighting some Government injustice, deserves some commendation at this point.

Remember the jam Fouke Fur Co. got into when it decided to move its operation from St. Louis to Greenville?

The Interior Department yanked its contract for processing Alaskan sealskins, a function the company had been fulfilling exclusively for 30 years. Secretary of Interior Stewart Udall said the Government was dissatisfied with Fouke work. Later it was awarded to a Chicago firm.

The truth was, as Senator Strom Thurmond charged, that the contract was canceled because of union pressure from St. Louis. Udall's department joined the union in anger that Fouke would have the temerity to move a plant to South Carolina.

But Comptroller General Joseph A. Campbell has ruled now that the Government's contract with the Chicago company is invalid. He said the Interior Department committed multiple violations of the law in negotiating it.

Among other things, he cited an Interior Department official admission that Fouke was deprived of the work because the firm had been judged as lacking responsibility in its attitude toward labor unions and Negro workers.

However, he overruled the Chicago contract strictly on the basis of legal procedure.

What is so obvious here is the blatant and arrogant use of Government authority for petty and vindictive action. It characterizes much of the attitude of Stewart Udall as Secretary of the Interior.

The Comptroller General noted, for example, that the Chicago firm had neither experience in sealskin processing nor the equipment to do the work.

Udall's department was found to have tried to pressure an equipment manufacturer into delivering machinery to Chicago which the manufacturer said belonged to Fouke.

The ruling may provide Fouke Fur Co. with a temporary contract to complete processing of sealskins still in stock. But final justice has not been granted even now.

Surely enough evidence of illegality and irresponsibility on the part of the Interior Department has been shown to demand a reversal of its action against Fouke. Surely there is someone in Washington, in the position to do something, interested in simple fairplay.

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[From the State, Oct. 18, 1963]

### Unsigned, Unsealed

After all the shenanigans of top Interior Department officials to give the Federal sealskin processing contract to anyone other than the Fouke Fur Co., it must have come as a shock to the Frontiersmen to find the contract with a Chicago firm declared illegal.

The New Frontiersmen turned lividly angry when Fouke Fur Co. moved its operations from St. Louis to Greenville without first asking permission of the Government. They tried to halt the move, and when Fouke insisted on going through with it the Government cancelled the contract.

After months of searching, the Frontiersmen finally found a company to take on the job of processing the seal skins—Fouke had a patented process. Now it turns out that there were no bids, no negotiations, no nothing except just giving the contract to the Chicago firm.

Now, a new contract must be negotiated, says the General Accounting Office. If the new contract is awarded on the basis of who will do the job cheapest and best, Fouke should stand an excellent chance of bringing a good deal of business to South Carolina.

[From Women's Wear Daily, Oct. 18, 1963]

ALASKAN TO BACK PROBE; FOUKE IS "OPENMINDED"

(By Mark Baldwin)

WASHINGTON.—Senator ERNEST GRUENING, Democrat, of Alaska, said Thursday that he would back a Senate probe of the challenged Alaska sealskin processing contract awarded to Supara of Chicago. A Senate investigation of the affair has been requested by Senator STROM THURMOND, Democrat, of South Carolina.

Senator THURMOND first asked the General Accounting Office for an investigation and the GAO reported that the award was not a "valid or enforceable obligation of the Government" and should be rescinded. He then asked Senator JOHN MCCLELLAN, Democrat, of Arkansas, chairman of the Government Operations Committee, to investigate.

Senator THURMOND's office said Thursday that no answer has been received from Government operations but one is expected next week.

Senator GRUENING is a member of the Government Operations Committee, but not the Investigations Subcommittee which handles such inquiries for the full committee.

The Alaska Democrat told Fairchild News Service that his State receives 70 percent of the net proceeds from the sale of skins produced in the Pribilof Islands for the United States "if the furs are poorly processed the market will decline, and so will our proceeds," he said.

He said that when the Supara contract was drawn up, he called the Interior Department's attention to the omission in the contract of any provision for cancellation "if the quality of the furs as processed by Supara proves to be inferior to that by Fouke and there is a consequent loss of sales or diminution in price of the skins."

He said the Department made no answer to this or to subsequent queries he made.

## RECESS TO THURSDAY, AT NOON

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate at this time, I move that the Senate now take a recess until Thursday next, at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 1 minute p.m.) the Senate took a recess to Thursday, October 24, 1963, at 12 o'clock meridian.

## WITHDRAWALS

Executive nominations withdrawn from the Senate October 22, 1963:

The nomination sent to the Senate on September 5, 1963, of Mrs. Margaret O. Stover to be postmaster at Hinkley, in the State of California.

The nomination sent to the Senate on March 1, 1963, of Robert A. Feinour to be postmaster at New Tripoli, in the State of Pennsylvania.

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# EXTENSIONS OF REMARKS

## Justice Department Chauffeurs Martin Luther King

EXTENSION OF REMARKS

OF

### HON. KENNETH A. ROBERTS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 22, 1963*

Mr. ROBERTS of Alabama. Mr. Speaker, on Monday, October 14, 1963, Martin Luther King arrived in Birmingham, Ala., via air and was observed in Birmingham by State investigators. About 5:30 p.m. Tuesday evening, he left Birmingham with four other colored males in a 1963 blue, four-door, Chevrolet, Impala, automobile en route to Selma, Ala. He was observed until he got on U.S. Highway 31 south of Birmingham. This automobile displayed 1963 Alabama license No. 3-31463. The automobile arrived in Selma in the neighborhood of 7 p.m., Tuesday, October 15, 1963, carrying the same passengers.

Martin Luther King addressed a crowd of Negroes at a church in Selma. After the meeting he was carried to Montgomery Municipal Airport by a group of Negroes in two different automobiles bearing Dallas County licenses.

The Chevrolet automobile Martin Luther King went to Selma in was registered to Hertz U-Drive-It, their rental agreement No. 4621806. A charge card was used and said card being issued to the Justice Department, Civil Rights Division, Washington, D.C. Card No. 1969-237-0007-0-na. The car was rented on September 14, 1963, at 7:37 p.m. and was signed for by Kenneth G. McIntyre. Hertz's records disclose that the car was to be returned on October 2, 1963. Sometime between September 21 and October 2, an unknown Negro drove John Doar to the Montgomery Municipal Airport in this car. The Hertz operator was told at that time that the car would probably be returned on October 2. It has not been returned. It is still being used according to their records as of October 16.

According to my information Martin Luther King returned to Atlanta from Montgomery after the Selma meeting Tuesday night, October 15.

The two cars previously referred to, and which carried Martin Luther King to Montgomery were a blue two-door Cadillac, hardtop displaying 1963 Alabama license No. 27-2933 registered to Dr. Sullivan Jackson, 21½ Franklin Street, Selma, and a wine, four-door Ford Galaxie displaying 1963 Alabama license No. 27-14119, registered to Rev. W. T. Mimefee, 410 Sulvan Street, Selma.

Mr. Speaker, in view of the unwarranted use of Federal funds for the transportation of agitators and the use of Justice Department personnel as chauffeurs for these agitators I sent the following telegram to the Attorney General:

> Reliable information has reached me that Justice Department officials are serving as drivers for Martin Luther King, Wolf Dawson, and James Foreman in Hertz Rent-a-Cars. These cars are leased or rented in the name of Justice Department officials and used in driving these agitators in Selma and Dallas County, Ala. Such interference in local administration is unwarranted, highly inflammatory, and completely unjustified. Request you advise me as to legal authority such expenditures of taxpayers money. Your immediate order stopping this flagrant violation and illegal use of public funds should be forthcoming.
>
> KENNETH A. ROBERTS,
> *Member of Congress.*

Mr. Speaker, I submit that the continued interference by Justice Department personnel in State and local matters and assisting agitators in provoking the people of Alabama, is totally and completely unwarranted and should be discontinued immediately. Such actions only tend to incite riot, bloodshed, and turmoil. Removal of such personnel and permitting the local law officers and officials to handle these matters is essential to the establishment of peace. The objectives of the Justice Department, which I highly question, cannot and will not be accomplished through support of agitators and outside interlopers. It should be and must be stopped immediately.

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## Civil Rights Demonstrations in Georgia

EXTENSION OF REMARKS

OF

### HON. CLIFFORD P. CASE

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

*Tuesday, October 22, 1963*

Mr. CASE. Mr. President, on Thursday, October 17, the New York Times carried an editorial entitled "How Strong a Civil Rights Law?" The editorial points out that—

> Retreat before the battle is the worst way to block the campaign of southern Democrats to scuttle any meaningful civil rights legislation. There is no place for partisanship in the fight for a sound civil rights bill; but to seek unity through an approach based on the lowest common denominator of consensus arms the bill's enemies more than it does its friends.

The Times reiterated its stand in an editorial on Monday, October 21.

I am completely in accord with the position expressed in these editorials. We are fighting for the right. Let us not surrender before the battle is joined. Title III is vital to effective protection of civil rights.

The need for it is graphically demonstrated in the case of Donald Harris and those who have been imprisoned in Americus, Ga., since early August, held without bail, and facing a charge of inciting to insurrection, a charge that carries the death penalty. I have been in touch with the Department of Justice about the matter. As yet the Department has been unwilling to intervene in the case. I believe there are very strong legal and moral grounds for doing so, and I have so written to the Attorney General. This is a flagrant instance of the misuse of law to intimidate the exercise of constitutional rights. If it is allowed to proceed it will set a pattern of intimidation by law enforcement officers in many parts of the South. I believe it is outrageous that the Government should turn its back on the case, particularly at the very time that the Department of Justice argues that title III is neither needed nor wanted.

I ask unanimous consent that the text of my most recent letter to the Attorney General on this case, the full texts of the editorials, and a news article in today's Washington Post appear in today's RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 21, 1963]

### THE TEST ON CIVIL RIGHTS

The central issue in the congressional battle over civil rights has been pointed up by the National Council of Churches of Christ in its appeal to the Kennedy administration and Republican leaders to back the strong rights bill approved by a House Judiciary Subcommittee. "The basic issue of social justice must not be compromised," the council declares.

On at least three counts the subcommittee bill does a better job of insuring social justice than the administration's original proposals. It would authorize Federal suits to end denial of civil rights through police brutality; protect Negro voters in State, as well as Federal, elections and set up a Federal Fair Employment Practices Commission. Whatever the bill's technical flaws, all of which can be eliminated through more precise language, it deserves bipartisan support. Its goal is not perfectionism; it is justice.

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[From the New York Times, Oct. 17, 1963]

### HOW STRONG A CIVIL RIGHTS LAW?

In submitting—at long last—his omnibus civil rights bill to Congress in June, President Kennedy said: "In this year of the emancipation centennial, justice requires us to insure the blessings of equality for all Americans and their posterity—not merely for reasons of economic efficiency, world diplomacy and domestic tranquillity—but, above all, because it is right." Now the administration finds itself embarrassed because a House Judiciary Subcommittee has approved a civil rights bill the White House considers too strong to have any realistic chance of passage.

Attorney General Kennedy has gone before the full committee to urge that some of the strengthening provisions be knocked out in the interest of attracting more support from middle-of-the-road Republicans and Democrats. That any bill finally adopted will need the backing of Republicans, as well as of northern and western Democrats, is incontestable. But its concessions to political expediency contrast sharply to the administration's previous emphasis on the primacy of the moral issue in the national struggle for full equality for every American.

The Attorney General may be right in suggesting that "unclear" language in some sections of the revised bill would give the Federal Government authority to encroach on State powers in areas totally divorced from civil rights. If so, the language ought to be, and can be, made more explicit. A similar clarification of language may be in order in other sections but always with a concern for protecting Negro rights not restricting them.

The inclusion of State, as well as Federal, elections in the bill's provisions to safeguard voting rights is a significant improvement over the original administration bill. So is the provision for a Federal Fair Employment Practices Commission, with power over discrimination by employers and unions. Both deserve more forceful backing than the Attorney General gave them.

Retreat before the battle is the worst way to block the campaign of southern Democrats to scuttle any meaningful civil rights legislation. There is no place for partisanship in the fight for a sound civil rights bill; but to seek unity through an approach based on the lowest common denominator of consensus arms the bill's enemies more than it does its friends.

In the appeal to conscience he addressed to the Nation a few days before his civil rights message, the President declared that this country, for all its hopes and all its boasts, "will not be fully free until all its citizens are free." That is the yardstick that ought to guide Congress in the debate now nearing a climax in the House Judiciary Committee.

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### FOUR JAILED IN GEORGIA TO FACE INSURRECTION TRIAL

(By Robert E. Baker)

A Georgia prosecutor said yesterday that he has changed his mind and will prosecute four civil rights demonstrators being held in the Americus, Ga., jail on charges of "inciting an insurrection."

The charge carries a maximum death penalty upon conviction.

The prosecutor, Solicitor General Stephen Pace, Jr., of Sumter County, thus set the stage for a showdown in a case that has caught the attention of Congressmen, the Kennedy administration and the civil rights movement as a whole.

The four demonstrators—John Perdew, 21, a Harvard University student from Denver; Zev Aelony, 25, a fieldworker for CORE from Minneapolis; Ralph Allen, 22, Trinity University student from Melrose, Mass., and Don Harris, 24, a fieldworker from New York for the Student Nonviolent Coordinating Committee—were arrested during antisegregation demonstrations in Americus last August 8 and 9. Perdew and Allen are white.

In an exhaustive story of the case, the October 13 issue of the Denver Post stated that Prosecutor Pace pored through the law books to find a strong law to keep the young men out of circulation.

Pace came up with the insurrection law enacted in 1871. It permits no bond. Pace said he was unaware that it carried the death penalty until after he had decided on the charge.

Last month, three members of the Colorado congressional delegation—Republican Senators GORDON ALLOTT and PETER H. DOMINICK and Democratic Representative BYRON G. ROGERS—urged the Justice Department to use its power to get the jailed men released until their trials.

The case spurred demands for inclusion of title III in the proposed civil rights bill—giving the Justice Department specific power to bring legal action in such cases.

Morris B. Abram, Atlanta attorney now with a New York law firm investigated the case for the Lawyers' Committee for Civil Rights Under Law, a top-drawer legal group that has the blessing of President Kennedy.

Abram was retained by Aelony's parents. He promptly filed suit in Federal court challenging the constitutionality of the insurrection statute and asking for an injunction to stop Americus officials from using it.

Jack Greenberg, chief counsel of the NAACP legal defense fund, filed similar suits for the other three men.

But 10 days ago, Pace taped a radio interview for an Atlanta station in which he said he had serious doubts that he would ever call the insurrection cases up for trial.

"The basic reason for bringing these charges was to deny the defendants bond," Pace said in the interview, which was broadcast on Sunday. "We were in hopes that by holding these men we would be able to talk to their lawyers and talk to their people and convince them that this type of activity is not the right way to go about it."

But yesterday Pace changed his mind. He said he probably would go ahead with the prosecution on the insurrection charges and indicated he had been unable to negotiate a settlement with lawyers for the men.

A three-judge Federal court will hear arguments challenging the legality of the law in Americus on October 31.

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OCTOBER 17, 1963.

DEAR MR. ATTORNEY GENERAL: You will recall that early in September I wrote you concerning the imprisonment since early August of Donald Harris, a recent Rutgers graduate, and three others in Americus, Ga. They were arrested, as you know, in the course of demonstrations and charged with "inciting to insurrection," a capital offense under Georgia law.

I was frankly appalled by Mr. Marshall's reply of September 20 in which he stated that "our investigations relating to any of these persons would be limited to a possible violation of 18 U.S.C. 242, sometimes referred to as the 'police brutality' statute." It seems to me unconscionable that the Federal Government should feel unable to intervene in what is patently an outrageous misuse of law to intimidate the exercise of constitutional rights. Further, I believe there is a statutory basis on which the Government can and should act.

Surely the U.S. Government need not continue to stand by helplessly while four young men remain incarcerated—in flagrant violation of the most elementary principles of law. The Georgia constitution declares that, "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted; nor shall any person be abused in being arrested, while under arrest, or in prison." The 14th amendment of the U.S. Constitution provides, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

How do these square with the facts in this case?

Donald Harris and his coworkers were engaged in a voters' registration campaign when they were arrested during a demonstration. In addition to insurrection charges, a number of peace bonds have been issued against them, amounting to $40,000 in each case. In any case, since inciting to insurrection is a capital offense, no bail is permitted. A writ of habeas corpus has been denied by the Georgia courts, I am informed. The grand jury to which the charges will be presented for indictment will not meet until late November. While I assume that ultimately these young men will escape the death penalty, it could well take several years of torturous litigation to free them.

Why does not the Federal Government proceed under section 1941, title 42, of the United States Code, as it did in the case of *U.S.* v. *Wood*, 295 Fed Rep. 2d 772, to enjoin the unlawful conduct of the prosecutor, the police chief and other officials in conspiring to interfere with the right of other persons to vote?

For myself, I believe the facts in the case provide ample ground for proceeding against law enforcement officials who would, under color of law, subvert the clear intent of the Constitution and the general statutes. I am particularly concerned by the failure of the Justice Department to show greater interest in this case because of your own suggestion that title III of the civil rights bill be dropped. The position of the Department as so far taken in the Harris case is difficult to understand in any event, but it is completely incomprehensible in view of the Department's position before the House Judiciary Committee that a title III provision in the pending civil rights bill is in part unneeded, in part unwarranted. I cannot reconcile this with the statement that the Department is unable to act, beyond investigating charges of police brutality, in the Harris case, which like the Wood case is essentially a voting rights case.

I urge that the U.S. Department of Justice reconsider its position, for the injustice being done to Americans in Americus cries out for remedy.

Sincerely,

CLIFFORD P. CASE.

## The Role of the Federal Government in Providing Medical Care for the Nation's Senior Citizens

EXTENSION OF REMARKS

OF

### HON. PAT McNAMARA

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

*Tuesday, October 22, 1963*

Mr. McNAMARA. Mr. President, on October 6 of this year two of our colleagues—Senator Muskie, of Maine, and Senator Mundt, of South Dakota—engaged in a debate on the topic of the role of the Federal Government in providing medical care for the Nation's senior citizens.

This discussion was carried over the Mutual Broadcasting System on the radio program "Reviewing Stand," which is sponsored by Northwestern University at Evanston, Ill.

Since this discussion sheds new light on an important public issue I ask unanimous consent that the text of the debate be placed in the Record.

There being no objection, the text of the debate was ordered to be printed in the Record, as follows:

WHAT SHOULD BE THE ROLE OF THE FEDERAL GOVERNMENT IN PROVIDING MEDICAL CARE TO THE CITIZENS OF THE UNITED STATES?

(A radio discussion over WGN, Chicago, and the Mutual Broadcasting System. Guests: Hon. Karl Mundt, U.S. Senator from South Dakota; Hon. Edmund Muskie, U.S. Senator, Maine. Guest moderator: Mr. Norborne Robinson, editor, Congressional Digest. Host: James H. McBurney, dean, School of Speech, Northwestern University.)

SUNDAY, OCTOBER 6, 1963

Announcer: Northwestern University, in association with WGN and the Mutual Broadcasting System, presents the Reviewing Stand, now in its 30th year on the air. Tonight's subject: Medicare and the Federal Government. To introduce tonight's guests, here is moderator James H. McBurney, dean of the School of Speech at Northwestern University.

Dean McBurney: The Reviewing Stand is pleased indeed to join with the committee on discussion and debate of the National University Extension Association, in presenting this special broadcast. It signals the opening of the new high school debate season across the United States. Each year, the committee recommends a problem to be debated by high school groups throughout the country as the national high school debate question. Each fall, to mark the opening of the forensic season, the topic is discussed on a national broadcast by eminent speakers from public life. The Reviewing Stand is happy to present the program on the 1963–64 subject: What should be the role of the Federal Government in providing Medical Care to the citizens of the United States?

To introduce today's guests, here is our guest moderator, Mr. Norborne Robinson, editor of the Congressional Digest, in Washington.

Mr. Robinson: Thank you, Dean McBurney. In the U.S. Congress where decisions on the Federal medical policy are made, interest has for some time been mainly concentrated in the area of medical care for the aged. In 1960 Congress enacted the Kerr-Mills bill in addition to expanding a longstanding program that provides Federal contributions to State welfare programs for the needy, part of which goes for the payment of the medical bills of needy persons.

The bill established a new program. Popularly referred to as Kerr-Mills, this program is designed to help other individuals whose income or resources are deemed otherwise sufficient but who may be unable to meet all or part of their medical expenses. The program is operated by the States and financed on a joint Federal-State basis. Since World War II, a prominent proposal before the Congress would add to the social security system a program of hospital and nursing home payments for patients 65 or over to be financed by an increase in the social security tax. Popularly referred to as medicare, this approach has the support of the Kennedy administration, among others. It is against this general background that the controversy is waged in Washington over what the role of the Federal Government on medical care should be.

We are privileged to have with us two distinguished U.S. Senators to discuss this role. Senator Karl Mundt of South Dakota, a Republican, has been a successful educator, farmer, and businessman. Elected to the U.S. House of Representatives in 1938, he served there until his election to the Senate in 1948. He was reelected to the Senate in 1954 and 1960. Senator Edmund Muskie of Maine, a Democrat, is a lawyer. He has served in the Maine Legislature and was elected Governor of Maine in 1954. Subsequently, he was elected to the Senate in 1958. Senator Muskie, you're on record as favoring the medicare approach. What are some of the reasons?

Senator Muskie. Yes, I do support the social security approach to the problem of medical care for the aged and I do so for these reasons briefly. First, I think that the problem is such as to require a broader-based effort than we are now making. The Kerr-Mills legislation which was adopted by the Congress in 1960, has not met the problem and I doubt that it can meet it. Second, the problem is not being met and I doubt that it can be met by private insurance. The question of whether or not the Kerr-Mills program or private insurance is meeting the problem, I think, must be related also to the philosophy with which we approach this problem. It seems to me that the underlying issue in the current debate over medicare is whether we should forestall so far as we can the poverty which health costs create among the aged, or whether we shall wait for poverty to occur and minister to only those who have already exhausted their own resources.

Mr. Robinson. Senator Mundt?

Senator Mundt. Well, I oppose the King-Anderson approach or the medicare approach and favor the Kerr-Mills approach which was initiated in 1960. I think it's gratifying indeed that in 3 short years that the Kerr-Mills bill has been in operation, 40 different States and jurisdictions have set up their own machinery for cooperating with the Federal Government to provide the necessary medical and hospital expenses for the indigent aged. Ten States or nine States' jurisdictions are in the process and only three States' jurisdictions, out of the 52 involved altogether, have done nothing at all.

I think that this is a most encouraging sign and it seems to me that we should recognize that medical cost of people who are aged, their dental bills, the other optical costs, and the rest of the costs that they confront are just as serious and just as difficult to meet as are the hospital costs. So I oppose the King-Anderson approach, not only because it is compulsory, and not only because it is unnecessary, but because it is woefully inadequate, and does not provide the kind of care which is available under Kerr-Mills as it has been implemented by at least 40 States.

Senator Muskie. I must say that my statistics on the extent to which the States have implemented Kerr-Mills differ somewhat from Senator Mundt's and there may really be no difference if we analyzed the statistics. As I understand it, from the latest figures provided for me by the Senate Committee on the Aging, 28 States actually have operating programs in effect compared with 24 about a year ago, so that there's been a gain of just 4 States in developing operating programs, even though this year has been a legislative year in most States. Now another 10 States have programs in some shape, that is, pending legislation or authorizing legislation approval; whether or not in those States operating programs will finally be developed I can't evaluate at this point. And then, of course, there are some States which have not acted at all.

But I think, in addition to looking at the number of States which may or may not have acted in Kerr-Mills, we have to look at the adequacy of their program. There are many measures of this, of course, but the fact is that most of those programs are keyed to the needs of the indigent. For example, just to use one standard that is found in almost all of the State programs, those who earn more than $1,500 a year—in some States it goes as high as $2,000 a year—are not eligible for relief under the Kerr-Mills program. And this means, to go back to the philosophic statement I made earlier, that in those States they believe that the lower-income groups are to exhaust their resources before they're given assistance.

Senator Mundt: I'd like to say something about that matter of adequacy, but first as to the number of States, I know that all of these figures in this whole concept of the discussion of the various programs, the compulsory and the voluntary one, you have a sort of a floating set of figures because they change. I am quoting from a report as of August 31, 1963—that's this year—issued by the Department of Health, Education, and

Welfare when I point out that 40 States have the program in effect or have it virtually completed. Nine are in process in one way or another or have made some effort and three have done nothing at all under Kerr-Mills.

Now, about the adequacy of the two programs. Let me point out that in this compulsory program of compulsory health insurance called the King-Anderson program, or sometimes called medicare, we certainly have misnamed a monstrosity because it provides no medical care at all. It is simply a very inadequate and partial program of hospital insurance and does not give the aged or the needy the kind of care that they require. Now the King-Anderson program, let it be said, does provide for a certain kind of visitation by visiting nurses and so forth after a $20 minimum deduction has occurred.

But the thing about the Kerr-Mills program which I like is that it recognizes that after you're 65 you may have any one of a variety of ailments and so it provides for doctors and surgeons and hospitalization and nursing and drugs and dental benefits and provides an insurance program or an insurance protection for the various kind of maladies and problems that can confront somebody in old age and who needs it. Now the reason why the program provided under Kerr-Mills can give you a more adequate protection against a compulsory universal program is very simple. This medicare program, by being compulsory, requires that it become available to everybody so it's available to those who are very rich and who don't need it at all instead of limiting it to those people who require some kind of assistance at the time of an ailment in old age.

Senator Muskie: I'm sure that I'm not going to be able to settle in a few minutes here the exact statistical count on Kerr-Mills, but we know that it lies somewhere between 28 and 40. I'd like to concentrate for just a few moments upon this question of adequacy of care.

In the first place, the King-Anderson bill is much broader in its benefits than has been suggested by Senator Mundt's comments. It provides hospital care for periods ranging from 45 through 90 to 180 days depending upon the options selected. Secondly, it provides skilled nursing facility care to follow hospitalization, thus making available a low-cost service for prolonged service after needed hospitalization. Thirdly, it provides for hospital out-patient diagnostic services, again to avoid hospitalization, but a service enabling older people to pinpoint their difficulty and their problems. Finally, it provides home health services of up to a total of $240 a year.

Now, by contrast, Kerr-Mills. Federal law in Kerr-Mills requires that at least two types of care, one institutional and one noninstitutional, must be covered. The only type of care common to the 28 programs to which I referred earlier, is in-patient hospital care. Only four States provide substantial coverage of the five major types of service which are hospital care, physician services, nursing home care, prescribed drugs, and dental care. Only four States provide programs which are that broad and even those States do not cover all needed care.

Now, covered care is available in eight States under Kerr-Mills only in certain kinds or degree of illness, and in some of them the illness has to be acute or chronic before the applicant can qualify. Periods for which care is available are short and in four States no more than 15 days of hospital care are available and no more than 15 days per stay in four other States, so that the care provided under Kerr-Mills is by no means as broad as has been suggested.

Senator Mundt. On the contrary, the care made available by Kerr-Mills is much broader. Now it is true because this is a voluntary program that each State works out its own basis for cooperation in partnership with the Federal Government. And the program is still 3 years old. States are moving forward in an orderly manner but at the ultimate and the optimum arrangement, it is very obvious that Kerr-Mills does cover a great many more things than are possible at all under the King-Anderson program. My colleague suggests that under the King-Anderson program you can get a diagnostic analysis. This is true, but that doesn't cure the patient. The beauty of the Kerr-Mills program is that after being diagnosed you can also get a cure and each State can provide its own kind of medical facilities.

There are other things that I don't like about this compulsory program besides the fact that it is inadequate and that it is unneeded, because you don't have very many people left in the category of over 65 who need the particular kind of selective treatment in a hospital provided under the King-Anderson program. One thing I don't like about it very much is that it violates the whole American concept of taxation. We're dedicated in this country, I believe, to a system of progressive taxation based upon the concept that you take from people in accordance with their ability to pay. But the program which is compulsory, which adds to the social security tax of an individual, is regressive taxation because it taxes everybody alike for the first part of their income and, incidentally, makes the benefits available to everybody alike. The millionaire and the pauper get the same benefits and each is required to pay on the standpoint of his initial income the same exact tax rate, which in my opinion is not an American concept of raising revenue.

Senator Muskie. Senator Mundt says that the King-Anderson bill violates American concepts of taxation. Well now, all it does is take advantage of the system that's been in effect since the midthirties, the social security system. Now, this is as American at this point as any program in this field that I can think of. For almost 30 years now, Americans have been paying the social security tax under a compulsory program to guard against the hazards of unemployment, disability, and other hazards which afflict us in modern society. Now Senator Mundt calls this regressive taxation. Well, under the Kerr-Mills program, the responsibility is thrown back upon the States, most of which rely upon the sales tax to support their programs. Well, now, certainly, no tax is more regressive than the sales tax.

Now, Senator Mundt has constantly referred to the social security program as being compulsory. It is no more compulsory than it is in the case of retirement pensions under the social security system, but the purpose of the social security approach, and I think that this ought to be hammered home, is that it provides a means for the average citizen to contribute during his working years to a program which will assure him that these benefits will be available to him when he reaches age 65.

Now it seems to me that you've got to make your choice. Either this is a good thing to do—that is, to save during your working years to provide for this care that you may need when you reach 65—or it isn't. Now, if we say it's a good thing to do then I know of no way to do it except on a broad-based scale such as social security provides. Now, if what we're talking about is a relief program available to people only after they have exhausted all their resources and only after they have reached 65 in whatever economic situation they may be, why then perhaps the voluntary approach which would make the program available only to those people in such dire circumstances is the approach. But I think you've got to come back to this underlying philosophy which provides the most, if you want to use that term, the most dignified kind of assistance, the most realistic, the most adequate when one reaches the age of 65.

Senator Mundt. I'd like to say something about that "working years" concept because one of the many reasons why it seems to me the King-Anderson compulsory medicare concept is wrong is that it does nothing whatsoever to protect the young family during its working years. It requires them to pay a tax sometimes as long as 40 years on the gamble that sometime after they're 65 they will need some health benefits. But they get nothing during the working years and it takes out of their income money which they might better have placed into some kind of private insurance program or company insurance program. That way, if during the productive years of the young family life, the head of the family is stricken, he can get some benefits. This, after all, simply provides a bet that you provide and you'll pay your taxes under a compulsory program until you're 65 on the gamble you won't be sick before you're 65, you'll be so sure you'll be sick after you're 65 you need some Government aid. Now, it tends to destroy the initiative, the desire, and the capability of a young family to provide the kind of health insurance and the kind of protection it requires during its formative years and during its productive years. So this is another reason why it moves against the concept.

Now, my friend from Maine said that most of the States raise their money by sales tax. I point out to him that a great many average States have income taxes based on a progressive program just the same as we have in the Federal Government and that when you provide a tax compelling the poor to pay for the health needs of the rich after they're 65, this also is not compatible with our American concept.

Senator Muskie. The Senator complains that the social security approach provides nothing for people in their working years but only after they reach age 65. Well, the complaint that the policyholder gets no benefits until the hazard strikes could be made against private insurance as well as the social security insurance system. The very purpose of insurance is to provide for the payment of premiums to make available certain benefits and certain protections against hazards when the hazard strikes. So I see no difference between the social security system and private insurance in this respect. Now, on that point——

Mr. Robinson. Our time seems to be running out in the very fast-moving debate, regrettably. Senator Mundt, in closing, how would you summarize your position on the role of the Federal Government in providing medical care?

Senator Mundt. Well, of course in the minute and a half we have for a summary, it's very difficult to even summarize the reasons why I'm against this medicare program. I'm against it for so many reasons. It leads toward socialized medicine. As I say, it compels the young working family to gamble and it has to pay a compulsory tax for the full lifetime until after 65 on the expectation and the improbable hope that nothing is going to happen to the family until after 65.

I'm against it because it's compulsory, because its benefits are inadequate. I consider it legislative alchemy because the pot of gold at the end of the rainbow is not there. It doesn't provide the medical facilities; it doesn't provide the doctors' cost; it doesn't provide for a great many things. It's regressive taxation and it's unnecessary because under the Kerr-Mills program in 3 years we've had an astronomical increase in the kind of protection made available to people who need medical attention. And it provides it in a full package and a full program so they can get the kind of medical care they require if they need it after 65. I'm against it because, after all, under our American concept, we in this country should promote the general welfare not provided for the individual.

Mr. ROBINSON. Senator MUSKIE, how would you summarize your position?

Senator MUSKIE. I'd like to touch just briefly again on this question of a compulsory program. The Kerr-Mills program is just as compulsory in the same sense that Senator MUNDT speaks of. The Kerr-Mills is supported by the general taxpayer—the taxpayer who pays excise taxes and income taxes. He has no choice about paying those taxes so he is compelled to pay taxes to support this program in the same sense that under the social security plan the payer of social security taxes is compelled to pay them. In addition, the Kerr-Mills taxpayer has to pay State taxes and he has no choice about that.

Now, I am for the social security approach, again: first, because a broader-based effort is needed in order to meet the problems; secondly, because it is an insurance scheme which makes it possible for the average worker to contribute to his own benefits when he reaches retirement age; thirdly, because its aim is to prevent poverty and not deal with the problem after poverty has been enforced.

Mr. ROBINSON. I'm sorry, gentlemen, but our time is up. Our thanks to our guests for this evening, Senator KARL MUNDT of South Dakota, and Senator EDMUND MUSKIE of Maine. This is Norborne Robinson in Washington.

Dean MCBURNEY. You have just heard a special Northwestern University Reviewing Stand discussion, presented in cooperation with the committee on discussion and debate of the National University Extension Association. The topic—What Should Be the Role of the Federal Government in Providing Medical Care to the Citizens of the United States?—is to be the subject of debate and discussion in high schools throughout the Nation during the 1963–64 forensic season. Our thanks to the participants in Washington and to our guest moderator, Mr. Norborne Robinson.

Copies of this discussion are printed and made available to the public in order to further interest in such discussions of questions affecting the public welfare. Transcripts may be obtained by sending a stamped, self-addressed envelope and 15 cents for each copy to: National Publishing Co., 1300 Connecticut Avenue NW., Washington, D.C.

Thank you for listening. This is James H. McBurney, dean of the School of Speech at Northwestern University.

ANNOUNCER. The Reviewing Stand is produced for Northwestern University by Robert W. Thomas and directed by Gloria Werkmeister. The Reviewing Stand originates in the studios of WGN, Chicago, as a feature of public affairs.

This special program was presented in cooperation with the committee on discussion and debate of the National University Extension Association.

FURTHER READING

Anyone interested in further study of the problems discussed in the Reviewing Stand program on American medicine or in the activities of the committee on discussion and debate is referred to American Medicine: The 37th Discussion and Debate Manual edited for the Committee by Bower Aly and Charley Leistner and published in the Library Edition by the Committee on Discussion and Debate, Box 5152 University Station, Eugene, Oreg. The Library Edition presents the four quarterlies attractively bound together under a single cover. The price is $5 if billed or $4.05 postpaid if remittance accompanies order.

Additional copies of this transcript may also be obtained at the National Publishing Co., Division of McCall Corp., 1300 Connecticut Avenue NW., Washington, D.C., 20036, for 15 cents per copy or $11.75 per 100 copies.

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## Cooperative Credit and Consumer Progress

EXTENSION OF REMARKS

OF

## HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 22, 1963*

Mr. BURKE. Mr. Speaker, on Saturday evening, October 19, 1963, it was my privilege to address members of the Credit Union National Association at Valle's Restaurant, Route 9, Needham, Mass., regarding International Credit Union Day. I include my address in the RECORD in order to bring to the attention of the Members of the U.S. Congress the great contribution credit unions have made and are continuing to make not only in the United States but also throughout the entire world. Present at the dinner were Mr. Julius Stone, president of the Credit Union National Association, Inc., Thomas McDonald, president of the Boston chapter, which comprises over 100,000 people in the metropolitan area of Boston, and many others who have made a real contribution toward the successful operation of credit unions throughout New England. The address follows:

COOPERATIVE CREDIT AND CONSUMER PROGRESS

I am honored to be here today at this meeting celebrating International Credit Union Day. Credit unions have been an invaluable asset in our democracy. Credit unions have encouraged thrift and self-help finance. They have stimulated our economy by providing a ready source of funds for the purchase of consumer goods. They have taught many thousands how to manage their money.

I am sure that all credit union members are proud of the fact that all but one-fifth of 1 percent of all money loaned by their credit unions has been repaid. Good character has been good collateral.

Here in Massachusetts, and particularly in Boston, the credit union movement was pioneered. As far back as 1892, an organization of employees on the Boston Globe formed an association to enable members to obtain loans at reasonable rates out of a fund built up from deposits by the members.

But the credit union movement in Massachusetts and in the United States did not really get started until 1909 when the first U.S. credit union law was passed in Massachusetts. This law was passed due to the efforts of public-spirited men, especially Edward A. Filene, the Boston merchant. Mr. Filene had become interested in credit unions in 1907 after seeing similar groups in India. From that time to the end of his life, 30 years later, Filene devoted his energy and financial resources to the cause of economic democracy—to the spread of credit unions. His contribution to practical democracy was great. His concept of getting ahead with others rather than getting ahead of others is still an inspiration to us all.

Due to the work of Filene, the heart of the credit union movement remained in Boston for many years. One of the early credit unions in Boston was the City of Boston Employees' Credit Union organized in 1915 with the aid of Mayor Curley. Mr. Filene, however, felt that the credit union movement should be extended nationally and internationally. To promote their growth, he founded the Credit Union National Extension Bureau in 1921. This bureau worked hard for State and Federal credit union legislation. A trademark was developed—the now familiar drawing of the little man under the umbrella of the credit union. The little man and his umbrella have come to symbolize the alleviation of misery brought on by hard times, sickness, and financial distress.

The work of the bureau in spreading the cooperative credit idea prospered. In 1923, the first credit union of postal employees was started in Brockton, Mass. In 1925, a Massachusetts commission appointed to examine the credit union concept reported that the movement was a "splendid communal activity." States continued to pass credit union laws, and in 1934 a Federal law was enacted. Shortly thereafter the national association, Credit Union National Association, was born and the headquarters established in Madison, Wis.

CUNA and the credit union movement has gone a long way since 1934. In that year, despite the intensive organizing efforts of the preceding years, there were only 2,500 credit unions in the United States and less than 450,000 members. Today there are over 21,000 credit unions and nearly 13 million members in our country. Massachusetts has 738 credit unions with about 616,000 members—more members than existed in the entire country in 1934.

But, as you know, Credit Union National Association and the credit union movement is not and has not been complacent. Credit Union National Association has become an international organization and credit unions have a lot of pioneering to do in many countries. Low cost credit is almost unknown in many parts of the world. The theme of Credit Union Day, "Helping Hands in Many Lands," is certainly appropriate. Workers and their families in many lands need help to make the most of their meager resources. Although credit unions are functioning in 67 countries, many more are needed, particularly in undeveloped areas. I am indeed happy to see that Credit Union National Association is working with the Peace Corps and other governmental agencies to promote economic democracy in other lands. As a result of Credit Union National Association's good work, there were about 1,150 credit unions operating in Latin America at the end of 1962, of which 350 had been organized since midyear. Credit Union National Association also recently sponsored conferences in Africa to lead off a campaign to start credit unions throughout the African Continent.

There still remains a lot of work for credit unions in this country. Loan sharks still pray upon the poor and ignorant. Many sophisticated people often pay more interest than they realize, or they can afford.

The Congress recognizes the continued worth of credit unions. It recently passed a bill which will improve the operation of Federal credit unions. This bill will extend the time for the annual meeting of the membership to January, February, or March instead of confining the meeting to the month of January. This bill will also make it optional with the individual credit union whether the treasurer should serve as the general manager. As credit unions grow it is often not practical for one person to serve in both capacities. Those credit unions in Massachusetts which are chartered by the Federal Government will thus have their rules liberalized by the enactment of this legislation.

Another piece of legislation now pending which is of interest to you all as consumers and as credit union leaders is the tax reduction bill of 1963. This bill would put much-needed funds into the hands of the American consumer. It would lift a portion of the heavy burden of taxation from the American taxpayer. You who are familiar with the loans granted by credit unions must know that many people have a hard time acquiring the things necessary for a decent standard of living. They have a hard time accumulating enough resources to weather a crisis. The tax reduction bill should help lift the living standard of the ordinary American and provide a stimulus to the economy without greater governmental expenditures. Increased buying power will benefit us all individually and will benefit the Nation. The tax reduction bill is designed to help the consumer progress to a higher standard of living.

Consumer progress is, of course, constantly being promoted by credit unions. Credit unions have promoted good financial management since those early days in Massachusetts when a few idealists preached cooperative credit. The good sense of their idealism has been proven. The over $7 billion in assets in credit unions today in the United States speaks well for their practicality. Credit Union Day reminds us all of the moral and monetary assets accumulated in credit unions throughout our great Nation and throughout the world. May they continue to prosper.

## What Was the Air Force's Reaction to the Gesell Report?

EXTENSION OF REMARKS

OF

### HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 22, 1963*

Mr. HÉBERT. Mr. Speaker, in an attempt to expose further the vicious and cynical nature of the Secretary of Defense' directive implementing the Gesell report, I have earlier inserted into the RECORD the official positions of the Departments of the Army and Navy on this report.

It will be recalled that when the Gesell report was issued, the Secretary of Defense asked the Secretaries of the three armed services to present their comments.

The Secretaries of the Army and Navy did so in a most forthright manner, and I have noted in the RECORD their numerous objections and reservations about the wisdom of implementing the Gesell Committee's recommendations.

Now, what about the Air Force official position?

The memorandum dated July 10, 1963, issued by Air Force Secretary Eugene M. Zuckert and concerning the Gesell report, is as brief as it is innocuous. And yet, no branch of the military has been as outspoken in opposition of the Gesell Committee recommendations as has the Air Force in uniform.

The Air Force's concern is understandable in view of the fact that it apparently is being used as a guinea pig for Gesell report experiments. The so-called Valdes study group last summer visited four Air Force bases—all, coincidentally, in the South—inquiring about segregation in off-base communities.

The four bases visited were Brookley Air Force Base, Mobile, Ala.; Keesler Air Force Base, Biloxi, Miss.; Greenville Air Force Base, Greenville, Miss.; and Columbus Air Force Base, Columbus, Miss.

It is interesting to note what military officials at these bases thought of Gesell report recommendations. The Valdes study group reported that the base commanders expressed concern over possible excessive involvement in community problems.

The study group quoted the base commanders as stating that such involvement in community affairs would interfere with their primary—military—mission. The commanders added that they felt a lack of clear guidance on the extent of involvement in civil rights matters, and they questioned their ability to produce progress in this area.

Furthermore, the commanders of these four bases, according to the Valdes study group, registered strong reservations in the following areas:

First. They questioned the ultimate legality of placing public establishments off limits for the purpose of achieving racial integration.

Second. They questioned the wisdom of lowering standards in order to place persons of a particular race in positions of consequence without regard for qualifications.

Third. They said they believe any plan to close bases to further integration would have an adverse effect on the Air Force.

Fourth. They said they believe the Inspector General system is adequate for receiving and handling complaints regarding discrimination.

Fifth. They said they believe coercive action by commanders to further off-base integration would lower the morale of the majority of military personnel and damage the stature of the base commander in the eyes of both the military and the civilian community.

This, then, is the opinion of men who would be responsible for implementing the obnoxious recommendations of the Gesell report. This is the report of military men—not social scientists.

But there is yet another Air Force document which sheds light upon the real official position of that department.

I now refer to a letter dated July 5, 1963, directed to the Air Force Vice Chief of Staff and sent by Maj. Gen. Albert M. Kuhfeld, the Air Force Judge Advocate General.

In this letter, General Kuhfeld warned against what he termed the "questionable legality of an off-limits order" as recommended by the Gesell Committee as a sanction against segregated off-base establishments.

General Kuhfeld referred to prior decisions of the U.S. Court of Military Appeals. He said:

> It is highly questionable whether an off-limits order based solely on the fact that the establishment engages in discriminatory practices against Negro personnel would be enforceable. In my opinion, such an order would be of doubtful validity.

And yet, Mr. Speaker, the Secretary of Defense, in his directive, has provided for the possible use of the off-limits sanction as a weapon to promote integration.

A detailed memorandum, dated July 13, 1963, was sent to the Secretary of the Air Force and Air Force Chief of Staff, and this memorandum stated "flags of concern have been raised by the Joint Staff and the other services over the proposed use of the military in coercing compliance with civil rights edicts."

An attached paper to this memorandum contained a series of recommendations and comments about the Gesell report. The final comment is most significant:

> Finally, it must be emphasized that any such moves, as have been proposed and which the services might be called upon to make, can only serve to operate against substantial gains in community relations made over the past years.

This, Mr. Speaker, is the Air Force's reaction to the Gesell report.

There may be a very interesting story behind the reason for Secretary Zuckert's mild memorandum of "official" views. But it is no secret that Air Force military officers themselves view this tampering with civilian/military control with misgivings and alarm.

Just what arm twisting and "persuasion" took place behind the scenes to make the Air Force's "official" comments on the Gesell report vary so much from the actual reaction of the military commanders in the field?

Why are the Air Force personnel being selected and used as the "guinea pig" against the best judgment and attitudes of its personnel?

It may not be written as strongly in the "official" report of the Air Force, but the Air Force is lined up solidly alongside its sister services, the Navy and the Army, in vigorously resisting any effort to make a mockery of the role of the military in the defense of the Nation and employing its forces to inject itself into local and national politics in local communities.

Now let the Air Force dare deny the accuracy of my statements.

## Water and Colorado's Future

EXTENSION OF REMARKS

OF

### HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 22, 1963*

Mr. ROGERS of Colorado. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include the remarks of the gentleman from Colorado, the Honorable WAYNE N. ASPINALL, before the Rotary International of Denver, Colo., on October 17, 1963.

We, in Colorado, are ever mindful of the proper preservation and use of water. Our colleague has shown great knowledge of the problem. He has outlined the necessity for cooperation in the State of Colorado and elsewhere in bringing about the proper development of the water of our State.

The address follows:

### WATER AND COLORADO'S FUTURE

(Remarks of Representative WAYNE N. ASPINALL, of Colorado, before Denver Rotary International, October 17, 1963)

Senator, Governor Johnson, officers, members, and guests of Denver Rotary International, and, may I trespass for this particular occasion on the usual requirements and offer to all of those who qualify a second salutation which is: "my fellow Coloradans."

Chance saw to it that I was born elsewhere, but since the time that I have been knowledgeable enough to understand values, I have been proud of my Colorado citizenship—and I might say that my loyalty to the State and its people is neither hampered nor diminished by my first loyalty to this great Nation of ours.

I am personally pleased and highly honored to be requested to address at this time the members of this outstanding service organization of Denver. To be perfectly honest and frank with all of you, it is a rare privilege these days for a Member of Congress whose people live west of the Mississippi to have the opportunity to return home and visit his homeland and become reacquainted with his neighbors. This luncheon meeting affords me both pleasures. May I be a little bit sarcastic and advise you that if Congress doesn't change its way, there is likely to be the greatest crop of one-term Members that history has ever recorded.

I am very glad to be presented to this group by one of Colorado's great—the Honorable Edwin C. Johnson—legislator, executive, and dedicated public servant, whose abilities and talents have been given unselfishly throughout a long and eventful life to the best interests and welfare of his fellow Americans and his fellow Coloradans. Citizens of our State generally do not realize the contributions made by this distinguished friend of ours. I shall mention but one of his many acts of service in our behalf, and I shall mention it so briefly that if there are those of you who are left wondering or unconvinced, then I would suggest that as a citizen who wishes to express gratitude where gratitude is honestly deserved, that you acquaint yourself with the facts because if this friend of ours, while serving his third term as Governor, had not stood as firm as the rock of Gibraltar in the interest of his fellow Coloradans in the conferences which led to the Santa Fe Accord of 1956, there would have been no upper Colorado Storage Project Act. This, even without the myriad of other services, entitles him to the undying gratitude of all Coloradans of present and future generations. Once again, I thank you, Ed.

I have great affection for this city and its people. My visits here these days are all too few and too short. Eleven years of my life—school and public service—have been spent here. There is no other city like Denver. Although young in years, it is well and favorably known throughout all parts of the world. Every Coloradan is proud of the success of this, our capital city. We rejoice in its accomplishments and we sorrow in its trials and tribulations. We do our best throughout the whole State to understand its problems. Our small communities look to it as our big brother. We share in its successes. We are hurt when its ambitions for success seem to cause it to forget that its phenomenal development stems largely from the continual stream of contributions that flow from the outside areas of the State to this metropolitan area. I do not need to paraphrase because simply stated: we grow or decay together. This is the oneness of peoples closely welded together in the status of statehood.

All of my life I have lived in and worked for peoples of minority areas. As a youth, I was educated in a small school only 3 miles from a school many times as large. I have always had my home in a small community which, on all too many occasions, looked with suspicion on the activities of its larger neighbor. As a State legislator, I served a limited population which ofttimes was bothered about the activities of the more populous areas of the State. As a Congressman, I represent not only a district with a small population, but also a State and also a region of the same limitations when compared with areas of larger populations. These experiences, if they have taught me nothing else, have caused me to appreciate the value of understanding. Understanding of each other's position, not agreement, should be the first goal. Understanding is always accompanied by a desire not to hurt or destroy. Confidence in each other is the natural consequence of understanding. Out of the two will come ultimate agreement. But without the two, controversy and discord will be perpetuated.

And now to my subject: "Water and Colorado's Future." I doubt not that there are few in this audience who do not now understand fully why I have prefaced my remarks as I have. It goes without saying that second only to the air we breathe are we dependent upon this great natural resource—water. Colorado is neither a have not nor an abundantly blessed State in its possession of this resource, and yet, we are the most favored of all of our neighbors in this respect. Nature's favor has all too often brought discord and controversy among us rather than cause us to seek the best means of using every drop of this valuable resource to its fullest and best use.

As we ponder the development of water within the State, we must consider the different procedures which have been used in the past:

1. The first development and use of water in Colorado, as elsewhere, was through the efforts of private enterprise. For these builders I have only the greatest of respect. However, Colorado's geography is such that the field for the private enterpriser has always been extremely limited. Understanding legislators made it possible for private enterprise to join together in groups as irrigation companies or mutual irrigation districts.

2. More populous communities joined together and brought into the picture the municipal water district. Invariably, these organizations have served the people of their municipalities effectively and well. Denver is no exception.

3. The Federal Government, in the interest of public land settlement, soon offered the reclamation program. The people of Colorado were not well prepared in the beginning to take advantage of the benefits of this program, but today they are well on the way and are receiving their share of consideration in this respect. I need not advise those present that it is in this area of water resource conservation and development that a Member of Congress becomes involved. In practically all other areas, his role is that of the ordinary private citizen.

I should like at this time to just mention two other important events in Colorado's water history. First, the authorization by the legislature of the forming of large conservancy districts without which Federal reclamation programs in Colorado would have been stymied. Second, the authorization of the formation and financing of the Colorado Water Conservation Board without which Colorado could never have prepared herself to successfully press for water resource projects. The second service was the work of the administration of former Gov. Teller Ammons, and he, too, deserves the continuing thanks of all Colorado.

I desire now to bring to your attention a very short résumé of legal principles governing the development and use of water in Colorado. Ever since Colorado was admitted to the Union in 1876, our Constitution has provided that—

"The water of every natural stream not heretofore appropriated, within the State of Colorado, is hereby declared to be the property of the public, and the same is dedicated to the use of the people of the State, subject to appropriation as hereinafter provided.

"The right to divert the unappropriated waters of any natural stream to beneficial uses shall never be denied. Priority of appropriation shall give the better right as between those using the water for the same purpose."

Even before we adopted our Constitution this rule of first-in-time-first-in-right was the law and practice in this part of the United States. Part and parcel of it, of course, is the recognition that rights to the use of water cannot be made to depend on the ownership of land bordering on a stream. Part and parcel of it, also, is the recognition that the rightful use of water is not confined to the watershed of origin. This was decided by our Supreme Court as early as 1882 in the case of *Coffin* v. *Left Hand Ditch Co.* Colorado's law in this respect is the same as that of the vast majority of the Western appropriation States. Wells Hutchins summarizes the law on this subject thus in his book entitled "Selected Problems in the Law of Water Rights in the West":

"The use of water under the riparian doctrine is commonly limited to lands lying within the watershed of the stream to which they are riparian. Under the appropriation doctrine, however, the right of use acquired in the flow of a stream is not limited to riparian lands nor to any other lands solely because of their location; hence it follows logically that the use is not generally restricted to the watershed, subject, of course, to the rule which applies to all features of the exercise of the appropriative right, namely, that the prior rights of others be not adversely affected. An early Colorado decision [the one I just mentioned] recognized the right to divert water from a stream and to carry it across an intervening divide and thence down a different stream for the irrigation of lands lying in the valley of the latter."

The importance of this doctrine is emphasized not only in our State law, but by the terms of several of the interstate compacts to which Colorado is a party. The Colorado River compact of 1922, for instance, apportioned to the upper basin an exclusive right to the beneficial consumptive use of 7,500,000 acre-feet of water per annum and defined the term "upper basin" to include not only "those parts of the States of Arizona, Colorado, New Mexico, Utah, and Wyoming * * * from which waters naturally drain into the Colorado River System above Lee Ferry" but also "all parts of said States located without the drainage area of the Colorado River system which are now or shall hereafter be beneficially served by waters diverted from the system above Lee Ferry." The same definition occurs in the Upper Colorado River Basin compact of 1948 which apportioned to our State the consumptive use of 51.75 percent of the total use apportioned to the upper basin by the big compact.

It is worth noting, moreover, that this doctrine has served Colorado well in its dealings with other States. Our friends below us on the Colorado—in California, Arizona, Nevada, and Mexico—would dearly love to see all upper basin transmountain diversions severely limited. None of use would think of acceeding to the position advocated by powerful interests down there. And, in the Laramie River case, decided by the U.S. Supreme Court in 1922, we were challenged by Wyoming on the claim, among others, that "the waters of this interstate stream cannot rightfully be taken from its watershed and carried into another where she [Wyoming] never can receive any benefit from them." On this subject, the Court said:

"The objection of Wyoming to the proposed diversion on the ground that it is to another watershed, from which she can receive no benefit, is * * * untenable. The fact that the diversion is to such a watershed * * * does not in itself constitute a ground for condemning it. In neither State does the right of appropriation depend on the place of use being within the same watershed. Diversions from one watershed to another are commonly made in both States and the practice is recognized by the decisions of their courts. The principle of such diversions being recognized in both States, its application to this interstate stream does not in itself constitute a ground for complaint."

The fact that our basic law permits diversions to be made from one watershed to another has, as we must all recognize, led to misunderstandings and difficulties in the past. Fortunately, we have generally been able to work out our problems amicably as they came along. Our water conservancy district law aptly expresses, I believe, the general policy of the State even though it is limited in its direct application to districts organized under its provisions: "* * * any works or facilities planned and designed for the exportation of water from the natural basin of the Colorado River * * * shall be designed, constructed, and operated in such a manner that the present appropriations of water, and in addition thereto prospective uses of water for irrigation and other beneficial consumptive use purposes, including consumptive uses for domestic, mining, and industrial purposes, within the natural basin of the Colorado River * * * will not be impaired nor increased in cost at the expense of the water users within the natural basin."

The Colorado-Big Thompson project has been, and the Fryingpan-Arkansas is being, constructed consistently with this law. In the first, our western slope and eastern slope people sat down together and, as a result of their negotiations, agreed that Green Mountain reservoir should be an integral part of the whole Colorado-Big Thompson project, that 52,000 acre-feet of its storage capacity should be devoted to "replacement in western Colorado of the water which would be usable there if not withheld or diverted" by other features of the project; and that its other 100,000 acre-feet of storage capacity should be used for the production of power and to be available, without charge, "to supply existing irrigation and domestic appropriations of water * * * and for future use for domestic purpose and in the irrigation of lands thereafter to be brought under cultivation in western Colorado." I shall not recite the other provisions of the agreement, important though they are, but shall content myself with saying that the agreement, printed in Senate Document No. 80 of the 75th Congress, was the foundation stone of the Colorado-Big Thompson project.

We are doing the same thing in the case of the Fryingpan-Arkansas diversion. Here the pertinent document, signed on behalf of the Colorado Water Conservation Board, the Southeastern Colorado Water Conservancy District, the Colorado River Water Conservation District, and the Southwestern Water Conservation District, has been printed as House Document No. 130, 87th Congress. It sets out, as you all know, the operating criteria for the Fryingpan-Arkansas project and includes provisions for the construction of the 100,000 acre-foot Ruedi Reservoir to supply present and future needs of the people on the Western Slope.

I would like briefly to trace the development of irrigation in our State and then tell you what we can expect in the years ahead.

Irrigation in Colorado dates back to the early 1860's, when small irrigation districts were constructed along the Arkansas River in the vicinity of Canon City and Pueblo. The first major development in the Arkansas Basin occurred in 1874 in the Rocky Ford area. The first transmountain diversion project of any size was constructed by the Twin Lakes Reservoir and Canal Company and placed in operation in 1935—diverting up to about 45,000 acre-feet annually from the Colorado River Basin. Like other areas in the Nation, irrigation was overextended in the Arkansas Valley and has been on the decrease since 1920 because of the lack of a dependable water supply. The recently authorized Fryingpan-Arkansas project should result in stabilizing the irrigated area. The first Federal reclamation project to furnish water east of the Continental Divide was the Colorado-Big Thompson transmountain diversion project authorized in 1937.

Irrigation in that part of Colorado west of the Continental Divide started in the 1880's when the Indians were removed to reservations and our valleys were opened to settlement. The Grand Valley was opened to settlement in 1881 and the Uncompahgre Valley in 1882. Private irrigation undertakings were started almost immediately in both valleys. The Grand Valley canal was completed in 1886 to serve about 45,000 acres. However, attempts by private interests between 1886 and 1902 to construct a canal to serve higher lands in the valley failed because private investors were unwilling to back the project. In the Uncompahgre Valley, after large canals were constructed around 1894, it soon became evident that the Uncompahgre River would not furnish an adequate water supply for all the lands that were intended to be irrigated.

As was the case elsewhere in the West, the early irrigation projects started as private undertakings under the illusion in many instances that a plentiful supply of water could be diverted from the rivers to irrigate large areas without river storage or control. There were numerous setbacks and failures in these early projects, and it was this factor primarily which led to the enactment of the Reclamation Project Act in 1902.

Upon passage of the Reclamation Project Act in 1902, the citizens of both the Grand Valley and the Uncompahgre Valley organized water user's associations for the purpose of cooperating with the reclamation service in developing their areas. The Uncompahgre project was authorized in 1903 and the tunnel bringing water from the Gunnison River was completed in 1909. The Grand Valley project was authorized in 1911 with the first irrigation by the Reclamation Service in 1915. The Uncompahgre and Grand Valley projects were the only reclamation projects authorized in Colorado during the early years of the reclamation program.

Since 1937, Colorado has been benefited greatly by the authorization and construction of the Pine River project in Archuleta and La Plata Counties, the Fruitgrowers Dam project and the Paonia project in Delta County, the San Luis project (only partially authorized and constructed) in the Rio Grande Valley, the Colorado-Big Thompson transmountain diversion project serving northeastern Colorado, the Collbran project in Mesa County, and the Bonny Dam on the south fork of the Republican River in eastern Colorado.

To these existing projects we are adding or shall add in the foreseeable future those projects authorized or named for planning purposes in the Colorado Storage Project Act. Of those authorized in the act, the Paonia project and the Smith Fork project in Delta and Montrose Counties have been completed, the Florida project in La Plata County is nearing completion, and the Silt project in Garfield County should be started this fiscal year. In addition to these participating projects, the Curecanti storage project on the Gunnison River is well underway. Construction has already started on the Fryingpan-Arkansas multiple-purpose transmountain diversion project which was authorized only 2 years ago.

There are some 20 projects enumerated in the planning section of the Colorado Storage Project Act which are either ready for consideration by the Congress or should be ready within the next 5 to 7 or 8 years. In addition, the Bureau of Reclamation is continuing its study of the Narrows unit on the South Platte River and the Cache le Poudre water stabilization project on the Cache le Poudre River.

It is significant that there is only one Corps of Engineers project in Colorado and it is the John Martin Reservoir in the Arkansas River Basin.

Colorado has presently some 2,800,000 acres of land under irrigation. Of this amount, about 950,000 acres have been developed or are served supplemental water through the Federal reclamation program. The Fryingpan-Arkansas project will provide supplemental water for another 280,000 acres included in the presently irrigated lands. To the amount presently irrigated, we should be able to add approximately 300,000 new acres through the Federal reclamation program in the future, and also firm up the water supply for additional lands presently inadequately irrigated.

The Federal Government has expended on water projects in Colorado about $280 million. To finish construction of those projects authorized by the Colorado Storage Project Act, an additional amount of approximately $98 million will be expended by the Federal Government. The total expenditure by the Federal Government for the Fryingpan-Arkansas will be about $170 million. In addition to all of these, if most of the projects enumerated in the planning section of the Colorado Storage Project Act are finally constructed together with the Narrows, the Cache Le Poudre and the further development in the Rio Grande River Basin it will require something over $500 million.

What must Colorado's future in water resource development be? Mind you, I did not say what shall, what should or what could Colorado's future be in this regard. I used the phrase, "What it must be," and there is neither time nor opportunity left for waiting, for stumbling, for second guessing or for quarreling among ourselves. Assuming Colorado's share of Colorado River water amounts to 3,855,000 acre-feet, we have remaining about 1,690,000 acre-feet of committed water for use in Colorado. However, I am sure that everyone here will agree with me that this unused water is not likely to remain in the possession of our State, subject to being used by our citizens, unless we see to it that it is put to honest, wise, beneficial, and immediate use. An honest use is a use for which the water was acquired in the first place. A wise use is a use which is dominant as of the particular time. A beneficial use is an efficient use to satisfy a recognized need within the area of use. An immediate use is putting the water to work before the time limit during which the water can legally be put to use expires and before others are able to establish a use of such water. Our time to put our presently unused water to use is not unlimited.

The future development of every facet of Colorado's society will be limited by the amount of water we have and the manner in which we use it. This is a lesson of history, peculiar not alone to Colorado, but of major importance to us because we are Coloradans.

Agriculture in Colorado will reach its maximum contribution in the foreseeable future. To be sure, we have additional land areas which could be responsive to larger yields but the water is not available and it never will be. Just as agriculture is reaching that place where it can develop no further in our economy because of the scarcity of water, so shall all other parts of our economy be limited sooner or later. And, I might add here sooner, in my opinion, than many of us realize. Farms, towns, cities, industries, recreation activities, must inevitably be controlled in their growth by the amount of water at their disposal.

I repeat towns and cities cannot exist without farms, livestock, mines, timber, etc. Manufacturing cannot exist without mines and timber. No economy or civilization can exist without people. These statements are axiomatic and are referred to here only to show that in today's world, as well as tomorrow's, we must be guided by a philosophy of live and let live, or we all sooner or later shall expire because of our own selfishness, ambitions and shortcomings.

What we must have in Colorado is rational and constructive planning from a central vantage point, and that is our own State government. Recommendations from such planning agency should be forwarded to the State legislature for implementation into policy wherever desirable and acceptable to the people. There should be no deviation from such legislative enactments by area or local interest. This is the only way that the State can be welded together as a whole. And, it is within the whole State that we receive our maximum benefits and strength.

In Colorado's future, there is still room and necessity for the construction of some 15 to 20 more participating projects of the Colorado Storage project; for the construction of the Narrows project and similar projects if desired and found feasible; for the filling of Dillon Reservoir and other like reservoirs, if cooperative procedures are complied with; for the transportation of water from one basin to another when agreement is reached and honored; for the changing of an existing use to a use of a higher priority where the need is shown and due recompense is made, and for a coordination of benefits when injury to other users can and will be avoided.

Personally, I am willing to accept Colorado's existing water situation—commitments, agreements, deficits, benefits—as they are. I for one am willing to recognize the contributions and sacrifices made by those heretofore charged with the protection and development of this resource within our borders. Their mistakes and shortcomings I am inclined to overlook—but not to forget, because future dangers and pitfalls may well be avoided by remembrance rather than forgetfulness. It is my feeling that we have no time to spend in arguing what might have been if we had made some decision other than the one we made, or if we had done something or not done something which we did or which we did not do. We do not have the time for such a valueless luxury. We have our work cut out for us as of this moment. We must close our ranks. We must respect each other's position. We must strive to understand each other's needs, desires and ambitions. We must go out of our way to inform each other of plans and to become informed of the other's plans. There is no room for or need of secrecy of movement among ourselves.

As people in other areas, and other parts of our great basins, press their plans for development, let us be united—not as an eastern slope, not as a western slope, not as a Rio Grande basin, not as a North Platte basin, not as a metropolitan area, but rather as a vital and organized whole—not diminished in strength because of lack of confidence and controversy within—for the purpose of protecting that which is legally ours and without which all tendons of our economy will be unduly and prematurely weakened.

In closing, I would like to bring to you one of my favorite passages of the Scripture:

"Behold, how good and how pleasant it is for brethren to dwell together in unity.

"It is like the precious ointment for the head, that ran down upon the beard, even Aaron's beard: that went down to the skirts of his garments.

"As the dew of Hermon, and as the dew that descended upon the mountains of Zion, for there the Lord commanded the blessing, even life forevermore."

# HOUSE OF REPRESENTATIVES

## WEDNESDAY, OCTOBER 23, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 37: 3: *Trust in the Lord and do good.*

Almighty God, in the great adventure of achieving and doing that which is good for our beloved country, may we not only be eager to develop and safeguard its economic and material resources.

Show us how we may promote and protect our moral and spiritual heritage which is so great and glorious.

Inspire our minds and hearts with a longing to release the splendor which is hidden in the soul of mankind everywhere.

May we help humanity reach those lofty heights of unity and concord where all those antipathies and antagonisms, which exist among the nations, shall be supplanted by the spirit of cooperation and good will.

Hear us in the name of our Lord. Amen.

### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 844. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

H.R. 845. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

H.R. 2635. An act to amend the act of August 9, 1955, for the purpose of including the Fort Mojave Indian Reservation among reservations excepted from the 25-year lease limitations;

H.R. 6225. An act to provide for the rehabilitation of Guam, and for other purposes; and

H.R. 6481. An act to permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1989. An act to authorize the government of the Virgin Islands to issue general obligation bonds.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6143. An act to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Hill, Mr. McNamara, Mr. Morse, Mr. Yarborough, Mr. Clark, Mr. Randolph, Mr. Goldwater, Mr. Prouty, and Mr. Javits to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6500. An act to authorize certain construction at military installations, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Russell, Mr. Stennis, Mr. Symington, Mr. Saltonstall, and Mrs. Smith to be conferees on the part of the Senate.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 16. An act to provide for the establishment of the Ozark National Rivers in the State of Missouri, and for other purposes;

S. 136. An act to place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota;

S. 1594. An act to determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes;

S. 1605. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes;

S. 1718. An act to amend the law with respect to trade with the Indians, and for other purposes;

S. 1885. An act to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes;

S. 2111. An act to fix the beneficial ownership of the Colorado River Indian Reservation located in the States of Arizona and California;

S. 2139. An act to provide for the disposition of the judgment funds on deposit to the credit of the Kootenai Tribe or Band of Indians, Idaho; and

**S.J. Res. 49. Joint resolution authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas.**

The message also announced that the President of the Senate, pursuant to section 1, Public Law 689, 84th Congress, had appointed Mr. Sparkman as a delegate to the U.S. Group of the Ninth North Atlantic Treaty Parliamentary Conference, vice Mr. Fulbright, who will be unable to attend the Conference.

## CALL OF THE HOUSE

Mr. YOUNGER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from California makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 179]

Alger
Baring
Bass
Berry
Bolling
Bolton, Frances P.
Brock
Bruce
Buckley
Celler
Chelf
Davis, Tenn.
Derwinski
Diggs
Fallon
Feighan
Flynt
Giaimo
Goodell
Gray
Gurney
Halpern
Harris
Hébert
Hoeven
Jarman
Karth
Kee
Kelly
Keogh
Kilburn
Long, La.
McClory
McDade
McIntire
Macdonald
Mailliard
Martin, Calif.
Martin, Mass.
Michel
Moss
Multer
Murray
O'Brien, Ill.
Passman
Patman
Pilcher
Pucinski
Rivers, S.C.
Rogers, Tex.
Roosevelt
Ryan, N.Y.
St. Onge
Shelley
Sheppard
Sickles
Smith, Iowa
Springer
Steed
Stubblefield
Thompson, La.
Thompson, N.J.
Thornberry
Vinson
Williams
Willis
Wilson, Charles H.

The SPEAKER. On this rollcall, 362 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

## ASSISTANCE TO PUBLIC AND OTHER NONPROFIT INSTITUTIONS OF HIGHER EDUCATION

Mr. POWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions, together with the Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. Powell]?

Mr. ASHBROOK. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

## PERMISSION TO CONSIDER A RESOLUTION CONTINUING CERTAIN APPROPRIATIONS

Mr. CANNON. Mr. Speaker, if I may have the attention of the gentleman from Iowa [Mr. Jensen], the ranking minority member of the Committee on Appropriations, I would like to submit a request at this time that it be in order on Monday next to take up for consideration a resolution further extending the continuing resolution under which we are operating at this time.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. LAIRD. Mr. Speaker, reserving the right to object, I would inquire of the chairman of the committee or the gentleman from Iowa as to whether this is going to be the normal 30-day extension or a 60-day extension.

Mr. CANNON. The purpose is to continue the present resolution without change except as to the date and to make it effective for the 2 months ending December 1.

Mr. LAIRD. That would only be 1 month according to my understanding of the calendar.

Mr. CANNON. Our purpose is to extend it 2 months.

Mr. LAIRD. To January? What is the date, Mr. Speaker, that is what I would like to know—what date the extension goes to.

Mr. JENSEN. Mr. Speaker, an extension of 60 days would extend it through December 31 next.

Mr. LAIRD. Is that the understanding of the gentleman from Missouri?

Mr. CANNON. We would be glad to discuss it on Monday next, if it is agreeable to the gentleman.

Mr. LAIRD. Mr. Speaker, I think there is every reason to find out if this is a 2-month extension—or what date this goes to? That is the only thing I am interested in finding out, and if the gentleman from Iowa will assure me it is the 31st of December, that is fine.

Mr. JENSEN. I may say to the gentleman from Wisconsin [Mr. Laird] that the chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. Cannon], has made a request for a 60-day extension.

The SPEAKER. The Chair will inquire of the gentleman from Iowa. Did the gentleman say that the request is for a 30-day or 60-day extension?

Mr. JENSEN. Sixty days according to the suggestion of the chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. Cannon].

The SPEAKER. May the Chair address an inquiry to the gentleman from Missouri?

Mr. HALLECK. Mr. Speaker, reserving the right to object——

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Speaker, the gentleman from Missouri informed me that he would ask unanimous consent for a 60-day extension. Now, he has just stated that the extension would bring us up to December 1. A 60-day extension would bring us up to the last day of December, Mr. Speaker. Has the gentleman from Missouri changed his mind?

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Missouri.

Mr. CANNON. Mr. Speaker, I should like to give the House the opportunity to adjourn sometime during the month of December and for that reason we would like to make this resolution effective until December 1, if that is agreeable to the gentleman from Iowa.

Mr. HALLECK. Mr. Speaker, I do not know whether a written document in respect to this matter is at the desk or not. I understand it has not been considered in committee, and I suppose that is the reason for the confusion as to whether it is a 30-day extension or a 60-day extension, but under my reservation, Mr. Speaker, I must say if it is 60 days—and apparently that is what it is—then, by the time the appropriation bills have been enacted into law, half of the present fiscal year will have expired.

To my mind it is a sad commentary on the conduct of the affairs of the House of Representatives and the Congress of the United States that we have not been able long before this to dispose of the appropriation bills that should be disposed of before we even start the fiscal year, not to mention the fact that we wind up disposing of the last ones apparently after Christmas. As far as I am concerned, I am not going to object, but I could not refrain from making this observation.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Iowa.

Mr. JENSEN. I want to say, Mr. Speaker, that I could not agree more with the gentleman from Indiana [Mr. Halleck], the minority leader on this side, but the facts are that we face a situation now where, of course, we have to pass this extension whether it be for 30 days or 60 days.

Mr. HALLECK. If I might make this further observation, I would prefer that it be a 30-day extension. The gentleman from Missouri has expressed the hope that we could get these matters back of us before Christmas. To my mind, a 60-day extension carrying us beyond Christmas and up to the next calendar year is probably an open invitation to take that long to dispose of the appropriation bills. If it were 30 days, that might be some incentive to get going with the matter of appropriations and get them back of us in the next 30 days, that is, through the month of November, but if the request goes for 60 days, I suppose that is it something of a plea of guilty to not being able to expedite the business of the Congress. But that is certainly not the responsibility of those of us on the minority side.

Mr. Speaker, I withdraw my reservation.

Mr. CANNON. Mr. Speaker, may I say in response to the suggestion of the distinguished gentleman from Indiana, the minority leader, that the reason these appropriation bills have not been passed long ago is that we are without authorizations. All of the appropriation bills which are still pending have been delayed by the fact that we do not have at this time authorizations.

**Mr. HAYS.** Mr. Speaker, further reserving the right to object, in view of what the gentleman from Missouri has said and in view of what the gentleman from Indiana has said, and in view of the fact that a good deal of this lack of authorization rests with the other body, I might suggest to the gentleman from Missouri that instead of asking for a 60-day extension he ask for an 8-month extension and then we can all go home next week.

**The SPEAKER.** Is there objection to the request of the gentleman from Missouri?

**Mr. BECKER.** Mr. Speaker, reserving the right to object, I raised this issue last week. As we go along waiting for these appropriation bills I say to the gentleman from Missouri that we seem to have fewer and fewer Members present. It seems to me that there should be some order in the House so that the Members would know what they were going to do, instead of having a situation where each week, we stay down here and take up some simple little bill, such as we had yesterday, on which I think there was one single vote in opposition. Why could not these matters be considered within 1 week's time and let us get something done?

**Mr. LAIRD.** Mr. Speaker, will the gentleman yield?

**Mr. BECKER.** I yield to the gentleman from Wisconsin.

**Mr. LAIRD.** Mr. Speaker, I would like to support the chairman, the gentleman from Missouri, in his statement with regard to the delay of the appropriation bills thus far. The only reason there has been a delay in the appropriation bills is the fact that the authorizations have not cleared the other body. We could not get the independent offices bill, which is under the leadership of the gentleman from Texas [Mr. THOMAS], over here on the floor until just a week ago because the space agency authorization had not passed. As far as the foreign aid authorization bill is concerned it has not passed the other body as yet.

I would like to state, however, that I believe it would be better for us in the House to extend this resolution only for 30 days in order to keep some heat on the other body so that they will get these authorizations out and act upon them. But I support my chairman, the gentleman from Missouri, in his explanation of why these bills have not come out. Certainly it is the lack of authorizations.

**Mr. BECKER.** Mr. Speaker, I want to continue with this subject because it is all important. It does not make any difference which House is responsible. I think it is the responsibility of the majority party to see that these matters are taken care of, that the authorization bills are enacted, whether it is in the other body or in this body. It is not the responsibility of the minority party. I am not criticizing my good friend from Missouri, the chairman of the Appropriations Committee, but I think the majority party has a great responsibility to the people of this country to see to it that the appropriation bills are on this floor by June 30 and acted upon. We do not know today how much the departments of the Government are spending. We do not know how much foreign aid is being distributed, because last year they had an appropriation of something over $4 billion and they can continue to spend at that rate this year under these continuing resolutions.

I think it is a matter of party responsibility. The President asked for a Democratic Congress. He got it. Why do they not act responsibly and get on with the job?

**The SPEAKER.** Is there objection to the request of the gentleman from Missouri?

**Mr. FORD.** Mr. Speaker, a parliamentary inquiry.

**The SPEAKER.** The gentleman will state it.

**Mr. FORD.** Because there has been some lapse between the time the gentleman from Missouri made his request and now, may we have his request repeated?

**The SPEAKER.** Will the gentleman from Missouri repeat his request for the benefit of the gentleman from Michigan and other Members?

**Mr. CANNON.** Mr. Speaker, there remain three of the annual supply bills yet undisposed of; the appropriation bill for military construction, the appropriation bill for foreign aid, and the appropriation for public works. Hearings have been practically completed on all of them. We can report them at any time we have authorizations.

So, Mr. Speaker, I ask unanimous consent that it be in order to consider on Monday next a continuing resolution continuing the present status for 30 days, ending December 1, 1963.

**The SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

**Mr. JENSEN** reserved all points of order on the resolution.

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## COMMITTEE ON THE DISTRICT OF COLUMBIA

**Mr. WHITENER.** Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia be permitted to sit during general debate today.

**The SPEAKER.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

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## HOT PURSUIT

**Mr. CRAMER.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

**The SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

**Mr. CRAMER.** Mr. Speaker, yesterday on the anniversary of the missile crisis, a U.S.-owned ship was strafed by a Communist Cuban plane for a period of 61 minutes, with no relief coming from the U.S. Air Force until a substantial time had lapsed, and after this 61-minute strafing had passed. This strafing took place between 12:40 and 1:40 a.m., on October 22. I repeat, our airplanes did not arrive until after the strafing had taken place.

Mr. Speaker, I am calling for a thorough investigation of the unconscionable delay in reaching the scene of the unprovoked Cuban attack on a U.S.-owned ship, less than one-half hour away from the Florida coast, and am calling on Defense Secretary McNamara to announce and to institute a hot pursuit policy as it relates to continued attacks by Cuba.

According to reports, this strafing took place for over an hour with 15 to 20 passes being made.

What has happened to McNamara's promise of adequate protection for U.S. ships, made after the last shooting incident involving the trigger-happy Cuban Air Force and an American ship, the *Floridian?*

The administration's lack of adequate protection in this vital area is a shocking example of a languid defense policy which demands an immediate investigation.

In addition, the administration should announce now a policy of hot pursuit and put Castro on notice that any further attacks will result in immediate pursuit and counterfire. Unless this is done, American lives and property on the high seas will continue to be at the whim and the mercy of the Kremlin's puppet dictator, Fidel Castro. And a stiff protest should be lodged with Khrushchev who made these attack planes available to Castro and who is supporting and sustaining the Castro Communist dictatorship only 90 miles from our shores.

This is another example of where Castro's so-called defensive weapons have become offensive.

While we are flying 15,000 troops to Europe in Operation Big Lift, we are giving no concern to Operation Little Lift in the defense of American lives and property in our own backyard, a few miles away.

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## POLITICAL STATUS OF PUERTO RICO

**Mr. MADDEN.** Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 549 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5945) to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule.

It shall be in order to consider the substitute amendment recommended by the Committee on Interior and Insular Affairs now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Brown] and, pending that, yield myself such time as I may consume.

Mr. Speaker, House Resolution 549 provides for consideration of H.R. 5945, a bill to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico. The resolution provides an open rule with 2 hours of general debate.

The purpose of H.R. 5945, as amended by the Committee on Interior and Insular Affairs, is to establish a United States-Puerto Rico Commission to study all factors having a bearing on the future relationship between the United States and Puerto Rico and to formulate and draft such legislative recommendations with respect thereto as it may deem advisable in the light of its study.

Since July 1952, Puerto Rico has been designated a commonwealth. However, both within and outside Puerto Rico doubt has been repeatedly expressed about the status of Puerto Rico and there is desire for clarification of the relations between it and the United States. Proposals for a change of status are also being advocated by groups within the Commonwealth.

It is believed that the first step to be taken is a full exploration of the ramifications and implications of the various proposals and of any alternatives thereto. Such an exploration should be made by a small working commission composed of members representing various points of view and with various types of background and experience. This, in substance, is what H.R. 5945 provides for.

Mr. Speaker, I urge the adoption of House Resolution 549.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. BROWN of Ohio. Mr. Speaker, the gentleman from Indiana has explained this rule. It makes in order the consideration of the bill H.R. 5945, to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico. The rule makes in order the consideration of a committee substitute for the bill, and makes it subject to amendment as if it were an original bill. The rule also provides for 2 hours of general debate.

Very frankly, Mr. Speaker, I am not sufficiently well informed to pass sound judgment on the value of this measure, except to say it would provide for the creation of a commission to study the status of Puerto Rico, and report back at a later date some procedure they might recommend that would provide for a better way of handling the political status of Puerto Rico and the people thereof. As I read this bill, I am not convinced it will do very much good. At the same time I am not sure its passage will do a great deal of harm.

The Committee on Interior and Insular Affairs has devoted considerable time to this legislation. As I understand it, the bill was reported out of the committee without opposition. At least there was no minority report filed on the bill. There was no opposition expressed to the measure when it came before the Rules Committee, and, therefore, I presume both the legislative committee and the Committee on Rules support this legislation.

Mr. Speaker, I have no requests for time and yield back the balance of my time.

Mr. MADDEN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

### IN THE COMMITTEE OF THE WHOLE

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5945) to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico.

The SPEAKER. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 5945, with Mr. Wright in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from New York [Mr. O'Brien] will be recognized for 1 hour and the gentleman from Pennsylvania [Mr. Saylor] will be recognized for 1 hour.

The Chair recognizes the gentleman from New York [Mr. O'Brien].

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. Aspinall].

Mr. ASPINALL. Mr. Chairman, H.R. 5945, as amended, is, perhaps, one of the most important pieces of legislation concerning the Commonwealth of Puerto Rico and its over 2 million American citizens the House of Representatives has considered during the past 11 years.

On March 3, 1952, the people of Puerto Rico adopted, in accordance with the procedure provided in the act of July 13, 1950, a constitution for their government. This constitution designates Puerto Rico a commonwealth, the only such political entity we have in the United States. The bill which became the 1950 act, as some of us will recall, passed the House with but a single dissenting vote, that of our former colleague, the late Representative Marcantonio of New York. Puerto Rico's constitution was accepted by the people and came into force on July 25, 1952.

Since 1952 minor changes have been made in the Commonwealth Act but basically it is intact. During the 11-year period Puerto Rico has prospered and a remarkable renaissance has been experienced. I have every reason to believe that progress will continue. Questions have, however, been raised both in Puerto Rico and on the mainland about the future status of the Commonwealth. Certain changes have been recommended by the several political factions represented in the Commonwealth. About a year ago leading members of the legislative assembly met with the Governor and his cabinet members to discuss the political future of the island. Emanating from this meeting was a legislative joint resolution, dated December 3, 1962, calling on Congress to establish a procedure whereby the final political status of the people of Puerto Rico could be ascertained. A copy of this resolution is included in the Appendix of our Committee Report No. 811 on this bill.

The legislation under consideration will establish the United States-Puerto Rico Commission on the political status of Puerto Rico. The Commission will be comprised of 13 members, 7 of whom will be U.S. citizens and nonresidents of Puerto Rico. The President will appoint the Chairman and two members of the Commission. The Speaker of the House and the President of the Senate, with the approval of respective majority and minority leaders of each body, will each appoint two members. The Puerto Rican Government will be invited to participate in Commission activities by the appointment of six members in a manner provided in a law of Puerto Rico enacted for this purpose. This law will also provide for sharing the expenses of the Commission which we anticipate to be not more than $250,000, the amount authorized by H.R. 5945.

The Commission is directed to study all—and I emphasize the word "all"—factors which may have a bearing on the future relationship between the United States and Puerto Rico and to make recommendations to the President, the Congress, the Governor, and the legislative assembly on the opening day of the 1st session of the 89th Congress.

There are three major political philosophies in Puerto Rico at present. The members of the Popular Democratic Party, for the most part, favor the existing Commonwealth status but with added recognition by the Congress which would give a degree of permanence to the arrangement. The Statehood Party advocates a closer tie to the other 50 States through legislation which would eventually bring them into the sisterhood of States. The Independent Party, as its name implies, regards complete sovereignty for a Puerto Rico Republic as the only reasonable and honorable way for the United States to solve the prolonged status question.

As a result of the comprehensive study anticipated by this legislation, I believe that both Congress and the Puerto Rican people will be in a far better position to judge the merits of the various prospects after expert exploration has been made and the recommendations of the Commission based thereon have been published than they would otherwise be. Implementation of the recommendations will, of course, be subject to congressional review and action unless they merely call for maintenance of the status quo.

H.R. 5945, as amended, is a bill on which extensive committee hearings were held. It has the support of the three political factions of Puerto Rico. I recommend it to my colleagues as a means of providing a thorough, unbiased, and intensive study of status questions for this offshore flag area of the United States.

Mr. Chairman, as we begin debate on this most important piece of legislation as far as our fellow citizens, the citizens of Puerto Rico and their islands are concerned, I think I should take just a few moments to state some history.

From the beginning of this Nation, with the addition of the Northwest Territory, we have had areas which did not occupy the status of States. Since that time we have treated these areas either as unincorporated territories, as incorporated territories, as national areas, as trust territories as we have at the present time in the Pacific, or in some particular instances military areas. With the war between Spain and the United States in the late 1890's, the area of Puerto Rico came into our possession. Between 1898 and 1900 it was a military area. From 1900 to 1917 it was treated as an unincorporated territory with citizenship denied to the people of Puerto Rico. In 1917, we renewed the organic act changing the status of the island in a few particulars in their relation with the Federal Government and changing the status of the people. The people then became full citizens of the United States entitled to all of the rights and benefits to which other citizens are entitled.

It was in 1949 that a bill was introduced into the Federal Congress which led in 1950 to the passage of the commonwealth bill. The statute has since been known as Public Law 600. The bill was handled on the majority side at that time by the gentleman from Colorado now speaking, and if I remember correctly, on the minority side by the late Member of Congress from Michigan, Mr. Crawford.

The people of Puerto Rico took advantage of the bill we passed as an enabling act and they adopted their own constitution in 1952.

Their political status became that of a commonwealth or, as they said in translating the Spanish, an "associated free State" of the United States. Their commonwealth has provided a large degree of self-government for them. They have their own legislature; they elect their own Governor which they had done for 4 years before the adoption of the commonwealth. In many respects they occupy a status similar to a State, but in some other respects they do not. There have developed within the island three political groups. There is the continuation of the group that has always wanted independence. That group has become so small in numbers that it really is not entitled to too much recognition and does not even have the right now to recognize itself as a party during an election.

There is the Popular Democrat—primarily supporting the Commonwealth—Party headed by the present Governor of Puerto Rico, Gov. Luis Muñoz-Marin. Those who are associated with him are very much dedicated to the economic development and the political self-determination of Puerto Rico itself.

Then there is the group which is known as the Republican Statehood Party. It is not associated with the Republican Party of the mainland but is a party within its own rights. It is recognized by some as being the most closely allied to the Republican Party on the mainland. This party has largely maintained that they are ready for statehood and are led by such fine citizens as Senator Garcia Mendez and Luis Ferre, the candidate of the Republican Party for Governor at the last election in Puerto Rico.

The members of all groups are very fine, educated, and loyal citizens of the United States.

With the development of time, 11 years having passed, it appeared to many down there that there should be a restudy of their political status. So last December, legislative leaders met and passed on to the Congress of the United States a resolution asking that the Federal Congress consider their political status. The outgrowth of our receiving that resolution was the introduction of H.R. 5945 by myself and similar bills by other Members. However, in this legislation, we undertook to do too much, and when the Committee on Interior and Insular Affairs, to which the bill was assigned, began its consideration, we found that we could not answer the resolution by the terms of the legislation that was introduced by us.

So today we really have before us an amendment to that bill. The original bill is not under consideration at all as far as the committee is concerned. It is only the substitute language that is offered in the amendment from the committee.

There is only the one question that might be involved and that is, will all parties presently in Puerto Rico be recognized in this operation if Puerto Rico decides to become a part of the Commission? It is my personal feeling that they will be recognized. I have followed very closely since 1949, the development of Puerto Rico and I have never known of a people, with their leaders, who are as much interested in seeing that minority groups receive representation as the Puerto Ricans. Their constitution provides that no matter how the votes of an election for the members of the legislature should turn out, whether or not it might be by unanimous vote as far as the voters are concerned, for a single party, nevertheless, the minority shall be represented, and some of those who might have been elected in the election shall be found not to be entitled to election, but the members receiving the most votes of the minority shall be, in certain ratios, members of the Commonwealth legislature.

We do not have this sort of fairness any place in the rest of the United States. I think that this shows that the people of Puerto Rico will see to it that all segments of the political life, the social life, and their economic life shall be represented on the Commission.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I am pleased to yield to the gentleman from Iowa.

Mr. GROSS. This bill provides for the appointment of a commission of 13 members, as I understand it.

Mr. ASPINALL. It provides for the appointment of a commission, possibly of 13 members but, in fact, of 7 members, with 6 additional members if the Puerto Rican people see fit to become a part of the activity.

Mr. GROSS. There are seven members for the United States, three appointed by the President and two each from the House and Senate, is that correct?

Mr. ASPINALL. That is correct.

Mr. GROSS. And there is provided a $250,000 appropriation; is this for 1 year or for what period of time?

Mr. ASPINALL. We provide for a definite time to report back and we provide that this is the entire amount that may be expended, and it is hoped that this amount will not be expended in full. It is hoped that the people of Puerto Rico will see fit to join in this activity and will bear one-half of the expense.

Mr. GROSS. I find it significant that the Interior Committee struck out of the original bill, this provision:

> Costs incurred by the Commission shall be shared equally by the United States and Puerto Rico.

Struck out is the provision that the costs shall be shared "equally."

Mr. ASPINALL. That provision should be present in the final draft. It it is not I shall be glad to present an amendment to such effect.

Mr. SAYLOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. SAYLOR. Mr. Chairman and members of the Committee, the chairman of the full Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL], has given to us a historical background as to the status of Puerto Rico. In my opinion the status of Puerto Rico as an unincorporated territory was not changed by the action which Congress took in allowing it to draft its own constitution, which is publicly or commonly referred to as Public Law 600.

Mr. Chairman, I have been concerned, about the people of Puerto Rico ever since I have been a Member of Congress. I am greatly disturbed by the proclamation of the President, President Kennedy, when he issued his memorandum of July 25, 1961, in which he states in that memorandum that if anybody in Puerto Rico has any problems with the United States, they are to come to the

President and not to the Congress. The memorandum is as follows:

TITLE 3—THE PRESIDENT—MEMORANDUM OF JULY 25, 1961, CONCERNING THE COMMONWEALTH OF PUERTO RICO

MEMORANDUM FOR THE HEADS OF THE EXECUTIVE DEPARTMENTS AND AGENCIES

THE WHITE HOUSE,
*Washington, July 25, 1961.*

Because of the importance and significance of Puerto Rico in the relations of the United States with Latin America and other nations, it is essential that the executive departments and agencies be completely aware of the unique position of the Commonwealth, and that policies, actions, reports on legislation, and other activities affecting the Commonwealth should be consistent with the structure and basic principles of the Commonwealth.

On July 25, 1952, the Governor of Puerto Rico proclaimed the establishment of the Commonwealth of Puerto Rico under its constitution. This proclamation was the culmination of a series of legislative and electoral steps which began with the passage of Public Law 600, 81st Congress, 64 Stat. 319 (1956). Public Law 600 made provision for the organization of a constitutional government by the people of Puerto Rico. In a referendum, held on June 4, 1951, the proposals of this law received the overwhelming approval of the people of Puerto Rico.

Following approval, a Puerto Rican constitutional convention drafted a constitution, which was approved by a referendum held on March 3, 1952. The Congress in turn approved this constitution. Public Law 447, 82d Congress, 68 Stat. 327 (1952).

The Commonwealth structure, and its relationship to the United States which is in the nature of a compact, provide for self-government in respect of internal affairs and administration, subject only to the applicable provisions of the Federal Constitution, the Puerto Rican Federal Relations Act, and the acts of Congress authorizing and approving the constitution.

On November 27, 1953, the General Assembly of the United Nations recognized that the people of the Commonwealth of Puerto Rico, exercising effectively the right of self-determination in a free and democratic way, had achieved a new constitutional status and that, in view of this new status, it was appropriate that the United States should cease the transmission of information with regard to Puerto Rico under article 73(e) of the charter. U.N. Gen. Ass. Res. 740 (VIII) (1953).

All departments, agencies, and officials of the executive branch of the Government should faithfully and carefully observe and respect this arrangement in relation to all matters affecting the Commonwealth of Puerto Rico. If any matters arise involving the fundamentals of this arrangement, they should be referred to the Office of the President.

The legislative steps which have led to the achievement by Puerto Rico of Commonwealth status have made inapplicable the provisions of Executive Order No. 6726 of May 29, 1934, insofar as they pertain to or are connected with the administration of the Government of Puerto Rico. This order no longer applies to Puerto Rico.

This memorandum shall be published in the Federal Register.

JOHN F. KENNEDY.

Mr. Chairman, throughout the entire time that this bill was being considered in the Committee on Interior and Insular Affairs no reference whatsoever was made to this document.

Now, let us look into how this original bill came before Congress. The Puerto Rican Legislature passed a joint resolution, which the members of the committee will find as an appendix to the report on this bill. In that joint resolution the Legislature of Puerto Rico asked that Congress itself study independence, statehood, and commonwealth status. If the commonwealth status could rise to the equal position of independence or statehood, that then this matter should be referred back to the people of Puerto Rico and they would be requested to vote upon it. Finding that the bill that was introduced pursuant to the joint resolution, covered not only the request that was in the joint resolution but many other things, the House Committee on Interior and Insular Affairs has struck out all after the enacting clause and substituted an entirely new bill. This bill calls for the appointment of a committee of seven, three to be appointed by the President, all of whom shall be citizens of the United States. The President of the Senate shall appoint two members and the Speaker of the House of Representatives shall appoint two members.

Then, Mr. Chairman, in subsection (c) of section 2 of the substitute we have a very unusual provision. Here Congress invites an unincorporated territory to participate in the work of the commission and they are to appoint, not four Members as the House and Senate combined will do, but they are to appoint six members. There is absolutely no requirement in this bill as to whom they shall be, what their requirements are, or whether or not they shall be members of the group that originally requested Congress to consider their status.

Now, Mr. Chairman, the bill then provides that a majority of the commission shall constitute a quorum for doing business.

By the way, there has been no testimony whatsoever from any person with regard to this bill since it has been amended by the committee and, as the chairman of the full committee has admitted, it is a far cry from what was originally intended. We find ourselves as Members of Congress being asked to vote on a proposition that six people from Puerto Rico will be able to outvote the U.S. House of Representatives and U.S. Senate on that Commission. My understanding is that this was to be a congressional committee. When I offered in the subcommittee and in the full committee an amendment which would require the same limitations to be placed on the appointment of the Puerto Ricans as was placed on Members of Congress, I found I was voted down and that the majority of the members of the House Interior and Insular Affairs Committee were perfectly willing to grant this very unusual right to the people of Puerto Rico.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. GROSS. Some of us are concerned that this may be opening the door somewhat to statehood for Puerto Rico. What can the gentleman tell us about that move?

Mr. SAYLOR. I may say to the gentleman from Iowa that I am one of those who favor eventual statehood for Puerto Rico. I may say to the gentleman there is no State that has been admitted to the Union since the original 13 that had 2.5 million people in it. We have 2.5 million American citizens now living in Puerto Rico under a strange status, and you can find absolutely nothing in our Constitution to authorize it. I am sure if this Commission is authorized and if this Commission makes a fair study it will find there is a large group of people, not only in Puerto Rico but in the United States, that favors statehood for Puerto Rico. The last Gallup poll taken a short time ago indicated that 66 percent of the people of the United States are in favor of statehood for Puerto Rico if Puerto Rico wants it.

I am one of those who says now that if the people of Puerto Rico would request Congress to consider it they will find in me a champion because I believe when American citizens expect to have full rights as citizens of these United States one of the things they should look forward to is statehood.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. KYL. It is true, however, that this Commission has no legislative authority; that if the question of statehood will be presented it will have to be presented through the Congress, and if we precede such action with this Commission's efforts there should be a logical basis for making a decision on such a question?

Mr. SAYLOR. That is correct, and I might say to the members of the committee that at the proper time I expect to offer an amendment to section 4 of the bill which will eliminate from the Commission's authority the duty of formulating and drafting legislative recommendations which they may deem advisable with regard to their study.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Florida.

Mr. CRAMER. I congratulate the gentleman on that observation because with that I wholeheartedly agree. Otherwise is it not true that in a sense the Congress having Members on this Commission, participating in the Commission's activities, which would involve foreign affairs, the question of colonialism and those things that becloud the issue, the U.S. Congress to some extent might be considered—at least, it will be argued in Puerto Rico—morally bound to follow these legislative recommendations.

Mr. SAYLOR. That is correct.

Mr. CRAMER. I would ask the gentleman this additional question: Is my understanding correct that the present President, Muñoz-Marín, of Puerto Rico, is an exponent of the concept of an estado libre associado, a free, associated state, and that is also described as a perfected commonwealth? The gentleman indicates that he is interested perhaps in statehood at some future date if it is possible. Does the gentleman not believe that this perfected commonwealth approach, which may easily be the outgrowth of this commission, would make the likelihood of statehood in the future that much less, because the argument for the associated free state, as I understand it, and the perfected commonwealth is that the people of Puerto Rico can have the benefits of citizenship without the responsibility of paying taxes to pay their burden, which is over $200 million a year. Is that not really the issue within Puerto Rico itself as it relates to this perfected commonwealth, under which they contemplate, according to the record, that statehood should not be considered until 1990 or 2000?

Mr. SAYLOR. The gentleman is correct. However, let us make sure that the record is correct. The presiding officer, the duly elected officer in Puerto Rico, is not the President, he is the Governor. It is clear that the present Governor of Puerto Rico was a onetime member of the Independentista Party, those who believe in independence for Puerto Rico.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. GROSS. I want to commend the gentleman for the amendment he says he will offer to section 4, but I want to ask him if he considers this bill to be the entering wedge or part of the entering wedge, to statehood for Puerto Rico.

Mr. SAYLOR. I might say to my colleague from Iowa that if there was an entering wedge it was the treaty entered into between the United States and Spain following the war between the United States and Spain in 1898, when Puerto Rico was then accepted by the United States as an unincorporated territory. This was the entering wedge. That is when it took place, and it is not this bill.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Ohio.

Mr. BOW. Is it not a fact that the entering wedges to eventual statehood for Puerto Rico have been the platforms of both political parties for many years?

Mr. SAYLOR. It has been in the platforms of both political parties for many years that they were in favor of eventual statehood for Puerto Rico.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Iowa.

Mr. KYL. The gentleman from Pennsylvania is well acquainted with the insular affairs of the territories of the United States. Is it not his opinion, as it is mine, that if the Governor of Puerto Rico thought it would lead to statehood he would not support it, as in fact he does?

Mr. SAYLOR. I think that is correct.

Mr. GROSS. On the subject of party platforms, does the gentleman from Pennsylvania or the gentleman from Ohio mean to say that a party platform is a bible? If so, there are a lot of political sinners in the world.

Mr. SAYLOR. I do not expect it to be a political bible, but it is something which both parties have held forth not only to the people of Puerto Rico but to the entire world as to their position.

Mr. GROSS. Let me ask the gentleman this question: Does he know of any high official on this present administration who has promised statehood to Puerto Rico immediately?

Mr. SAYLOR. No; I know of no high official in this administration or any other administration that has promised statehood to Puerto Rico.

Mr. GROSS. I thought there was one official in this present administration who was in Puerto Rico making a speech recently who promised the people of that country immediate statehood.

Mr. SAYLOR. If any territory of the United States become a State, it will be necessary for both Houses of Congress to pass enabling legislation, just as we have done for every territory that has become a State since the original Thirteen Colonies.

The second amendment that I want to call to the attention of the members of the Committee, and which I expect to offer is also in section 4. This commission is to submit its report on the opening day of the 1st session of the 89th Congress. In view of the fact that that is 14 months away, and this bill has yet to be introduced in the other body, I expect to offer an amendment requiring the report to be filed on the opening day of the 2d session of the 89th Congress.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Florida.

Mr. CRAMER. Do I understand from the gentleman's discussion of this commission that it is possible with the President of the United States naming three members and the Puerto Rican Legislature naming six members, that those members would be within the province of the Governor, Luis Muñoz-Marín, he having considerable control over the legislature and that the legislature or Governor Luis Muñoz-Marín on one hand would effectively be appointing six members, and as a matter of fact he could be one of them; could he not?

Mr. SAYLOR. He could.

Mr. CRAMER. And the President of the United States—three—meaning nine—and the Congress of the United States four—so the Congress itself would be in a minority position would it not without the gentleman's amendment?

Mr. SAYLOR. There is no doubt about that.

Mr. CRAMER. And could I ask the gentleman a further question? Relating to section 6 and the formulation of the legislative recommendations which states that the Commission taking into account all factors which may have a bearing on the future relationship between the United States and Puerto Rico; does not the gentleman feel that this Commission should take into consideration the present relationship as well and make a thorough study of existing laws and, perhaps, of the constitution and also the desire of the Puerto Rican people? As I understand it, is it not true that the vast majority of the Puerto Rican people want to maintain U.S. citizenship; do they not?

Mr. SAYLOR. I have yet to find anyone from Puerto Rico regardless of which political party he affiliates himself with who wants to deny his American citizenship.

Mr. CRAMER. Does not the gentleman feel this Commission, if it is to render a full report to the Congress in addition to recommendations on legislation, which I understand the gentleman opposes, and studies as to future relationships, this Commission should also study present relationships and present existing law which are applicable to Puerto Rico and which are not? For instance, is Puerto Rico subject to the U.S. Constitution? If it is subject to the Puerto Rican constitution or both?

Mr. SAYLOR. These are some of the questions which I raised in the subcommittee and in the full Committee on the Interior and Insular Affairs, and are matters which I believe the Commission should inquire into.

Mr. CRAMER. Do I understand that that is supposed to be a part of the study made?

Mr. SAYLOR. It is my understanding that that is to be a portion of the study that is made. I say that to the gentleman from Florida because as I have called to the attention of a number of people both in this country and in Puerto Rico, there is absolutely nothing in our Constitution and there is nowhere in our Constitution to be found the word "Commonwealth." In fact, at the time of the formation of the United States by the Original Thirteen Colonies, we had three commonwealths in this country. They gave up their commonwealth status to become States, namely, Massachusetts, Pennsylvania, and Virginia.

Mr. CRAMER. Yes, and I think that raises the question which I think needs thorough study and that is, if the Puerto Ricans are under the U.S. Constitution and, if so, to what extent? I understand in Puerto Rico there is a drive against "Americanization" of the Puerto Ricans. There is a drive to stop the teaching of English in the Puerto Rican schools. There is a drive to stop saluting the U.S. flag in Puerto Rican schools. Does the gentleman agree with those facts?

Mr. SAYLOR. A number of those facts you referred to, unfortunately, are correct and I think this is one of the duties of this Commission to investigate all of these matters and to determine whether or not, as some people have stated, that the American flag only flies in Puerto Rico as a matter of privilege and not as a matter of right.

Mr. CRAMER. Yes, that is the very point I want to make. I would like to ask the gentleman one further question, if the gentleman will yield further.

If the gentleman's amendment should not prevail and the language should remain in the law, "shall formulate and draft such legislative recommendations with respect thereto as it may deem advisable in the light of its study," does the gentleman agree with the gentleman from Florida that this should not be construed under any circumstances as a commitment of any kind, that is, the passing of this bill, by the Congress of the United States, that merely because of the fact that four of its Members will serve on the commission, we have to accept any of the recommendations made by that commission to the Congress of the United States as a result of that study?

Mr. SAYLOR. I certainly am heartily in accord with that, because I do not believe it is possible for any commission, by direct action or implied, to bind the Congress morally or legally to accept any of the commission's recommendations.

Mr. CRAMER. I am glad the gentleman placed that statement in the Record, because that is my concern about the setup of this commission.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am glad to yield to the gentleman from California.

Mr. HOSMER. The gentleman mentioned a Gallup poll showing that 66 percent, I believe it was, of the citizens of the United States in the United States approved statehood. Is there any such poll as to the feelings and wishes of the citizens of the United States in Puerto Rico?

Mr. SAYLOR. The only information I have is the election polls down there, and the statehood party has not been succesfsul, although during each election in the past number of years their vote has been increasing.

Mr. O'BRIEN of New York. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I might say at the outset that I do not think I shall disagree very seriously with the gentleman from Pennsylvania [Mr. Saylor], when the time arrives for him to offer his amendment. I would like to underscore what he said at the conclusion of his remarks, namely, that no Member or Members of Congress serving on this Commission have the right or authority to commit Congress in any way, shape, or form to any report or recommendations which may emanate from this Commission. As a matter of fact, even the four Members of Congress who will serve on the commission will not have a pen thrust in their hands and be directed to sign the report, but they will sign only what they personally agree to.

It has been stated, Mr. Chairman, the bill before us today bears the name of the distinguished gentleman from Colorado [Mr. Aspinall], who, a dozen years ago, managed here a bill providing a historic form of government for what was then the Territory of Puerto Rico and is now the Commonwealth of Puerto Rico.

Most of us are aware of what has happened during those intervening years. Puerto Rico has risen from the ashes of poverty to a place where it can view the horizon of prosperity with reasonable hope and confidence.

Why, then, you may ask, do we need this study? Why not leave well enough alone?

The answer is this: No one, in or out of Congress, or in or out of Puerto Rico knows exactly what the Commonwealth of Puerto Rico is. There are many opinions, some of them very firm and loud. I have been chairman of the Subcommittee on Territorial and Insular Affairs for 9 years and I have spent many hours, here and in Puerto Rico, seeking an answer to these questions: What is Puerto Rico? What is its ultimate destiny?

Some have told us that what we did here in 1950 was meaningless rhetoric and statutory doubletalk. They insist that Puerto Rico is still, in fact, a colony, a possession, and that the self-government we granted is illusionary and subject to instant cancellation at the whim of Congress.

Others argue that when we created the first and only commonwealth under the American flag we entered into an irrevocable compact from which there could be no withdrawal and that we actually fitted a sovereign nation into the American mosaic.

Somewhere between these two claims lies the truth and I believe it to be vital to our image throughout Latin America to seek out and define that truth, once and for all.

Mr. Chairman, the overwhelming majority of the Puerto Rican people believe that the future of that island lies in permanent association with the United States.

But, the differences in their approach are sharp and unsettling.

One group proposes that the answer lies in perfected commonwealth, a spelling out of what we had in mind in 1950 with improvements deemed necessary in the light of more than a decade of operation.

Another group, equally fervid and patriotic, insists that commonwealth is not and cannot be permanent union and that such union lies only in ultimate statehood.

I realize that I have said the word—statehood—which has been lurking in the minds of many members of this committee.

I realize that some may feel that I have a secret ambition to add star, after star, after star to the American flag. I assure you that the bill we have before us today is not a disguised statehood approach, although the commission undoubtedly will hear much on that subject when it begins its deliberations.

Why, then, this study? Who wants it? What purpose will it serve?

Mr. Chairman, the bill we have before us, simple as are its terms, is the end result of nearly a year of work, of study, of controversy. It is a far cry from the legislation we originally were asked to pass.

Sometime ago, after much argument in Puerto Rico, the Legislature and Governor of that Commonwealth formally requested the Congress to submit to a plebescite of the Puerto Rican people a choice among commonwealth, statehood, and independence.

On the surface, that seemed a simple and reasonable request. But, when we settled down to consideration of the matter we soon learned it was not so simple nor quite so reasonable.

Those who favor commonwealth asked that we approve a "perfected commonwealth" bill for presentation to the electorate.

Those who favor statehood asked that we assure the Puerto Rican people that if they chose statehood in the plebescite statehood would be granted.

Our Committee soon discovered that it would be a monumental task, in view of differences in Puerto Rico and in Washington, to write a "perfected commonwealth" bill.

And, even if we could, we had no authority, nor does Congress itself, to commit any future Congress to the statehood alternative if such was chosen by the people of Puerto Rico.

That left us with only two alternatives, to scorn the request from the government of Puerto Rico, or to prepare the bill we have today, a bill, incidentally, which is acceptable to the two major parties in Puerto Rico.

This bill promises nothing more than a high level study. It does not prejudge anything or commit Congress to anything.

It recognizes the home rule we gave Puerto Rico more than a decade ago by "inviting" the Commonwealth to name six members to the Commission. I have been assured that the Puerto Rican membership will span the commonwealth-statehood-independence spectrum.

I believe a historic document will emerge from this study and that we and the people of Puerto Rico will have a better compass for the future.

Finally, Mr. Chairman, this study will serve to calm temporarily the winds and the waves of controversy which have battered at congressional doors.

Need I say that there never was a better time for a temporary surcease of controversy in the Caribbean area?

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman.

Mr. HOLIFIELD. Mr. Chairman, I asked the gentleman to yield for this purpose. In 1952 I participated in the debate on the legislation of that year and supported it. I am certainly in support of the legislation we have before us today. I want to compliment the gentleman from New York, the chairman of the subcommittee and the chairman of the full committee, the gentleman from Colorado [Mr. Aspinall], on the bill that is before us. I have been deeply interested in the progress of Puerto Rico ever since the passage of the bill in 1952.

Mr. Chairman, I have watched the growth of the people of Puerto Rico along the lines of self-government, as provided for in that particular bill. I think they owe a great debt of gratitude to their Governor, the Honorable Luis Muñoz-Marín. He is one of the outstanding statesmen of our time. It is my opinion that he has given wise leadership to the people of Puerto Rico.

Mr. Chairman, I also want to compliment their Resident Commissioner in the Congress, Dr. Fernós-Isern, for his ability and his representation of the needs of the people of Puerto Rico.

Mr. Chairman, I believe this is a sensible step forward. I think it is a step which will have repercussions far beyond the area of Puerto Rico, because at this time democracy is on trial throughout Latin America. We have a very unsettled condition in Latin America. There is a great disparity between the people on the lower level and the people on the higher economic level.

As a result there is no middle class in many of these nations in Latin America and we see the resulting turmoil and confusion, the military coups, the sudden changes of governments, and similar happenings. However, here in Puerto Rico there is a Latin American people that have been leading themselves toward the fullest function of citizenship.

Mr. Chairman, it is my opinion that this is the way to start; for the Commission to study the problem and to bring back recommendations to the Congress for eventual action by the Congress.

Mr. Chairman, I earnestly give my full support to the work that the committee has done in bringing forth this bill and will support the committee in the future on this type of legislation.

**Mr. O'BRIEN** of New York. I thank the gentleman from California.

**Mr. POWELL.** Mr. Chairman, will the gentleman from New York yield?

**Mr. O'BRIEN** of New York. I shall be glad to yield to the gentleman from New York.

**Mr. POWELL.** I would like to also commend my colleague from New York for his work on this bill. However, I would like to ask one or two questions.

If the Puerto Rican government decides to share in this Commission, and if in the appointment of six members of the Commission from Puerto Rico, the other parties, meaning the Republican and Independence Parties, are not recognized does not the gentleman think that that means the end of the value of the commission?

**Mr. O'BRIEN** of New York. I would agree with the gentleman from New York, but I might say, if the gentleman will permit, that we have very strong public assurance from the responsible people in Puerto Rico that there will be no effort made to make this a packed representation or to exclude the spokesmen for the various other political ideas prevailing in Puerto Rico. But, specifically, I would say that if the six named from Puerto Rico were all the exponents of a single train of thought, I would think that the work of the commission would be considerably downgraded. But I do not believe that will happen. In fact, I am convinced it will not.

**Mr. POWELL.** If the gentleman will yield further, for the enlightenment of our colleagues, and so that there will not be any partisanship in this bill now pending before us, I think it is wise to point out that neither major party in the United States is represented in Puerto Rico.

**Mr. O'BRIEN** of New York. If the gentleman is asking me, I would say that when you attempt to fit the two major parties in Puerto Rico to the two major parties on the mainland, you either do not have quite enough lumber to make the joint fit or, perhaps, too much. There is no exact precise meeting of the two major parties in Puerto Rico and the two major parties on the mainland.

**Mr. POWELL.** Another question: Is it not true there has never been any opportunity for the people of Puerto Rico to vote as to what future status they would like to have?

**Mr. O'BRIEN** of New York. Yes; that is true. I think one reason, a very obvious reason, has been that the fight has always been over the ground rules, and we never got into the game itself. That is one of the great functions that this commission could perform. They might spell out the recommendations clearcut enough for an expression by the people of Puerto Rico as to their ultimate destiny.

**Mr. POWELL.** Will the Commission have access to the files and records of the Federal Government and the government of the Commonwealth?

**Mr. O'BRIEN** of New York. Yes. The bill spells out that the commission shall have access to Federal documents. The access to Puerto Rican documents is part of the invitation chapter. In other words, if Puerto Rico accepts membership it will accept the other factors contained in that, including the making available of various documents.

**Mr. BOW.** Mr. Chairman, will the gentleman yield?

**Mr. O'BRIEN** of New York. I yield to the gentleman from Ohio.

**Mr. BOW.** On the point the gentleman has just raised and which the gentleman spoke about, I call attention of the ranking minority member on the committee, I do not think that language is quite as clear as the gentleman says that it is. The invitation says that the government of Puerto Rico shall give assistance. That part referring to the Federal Government says "assistance and information." I have suggested, and I think the ranking minority member will offer an amendment, to change that language to "assistance and information" so that it would be equal so far as the Federal Government is concerned and the Commonwealth government. One is "assistance," and the other is "assistance and information." I think they should both be "assistance and information."

**Mr. O'BRIEN** of New York. Will the gentleman permit me to answer?

**Mr. BOW.** Yes.

**Mr. O'BRIEN** of New York. If he wants to add "information" would that still be covered by the general invitation provision? I ask that question for this reason: What we are seeking here is a voluntary participation, an expression of home rule, if you will, by the people and government of Puerto Rico. We tried as best we could to avoid a mandate because if Puerto Rico does not want to cooperate, Puerto Rico has a very simple solution, it can decline the invitation.

**Mr. BOW.** I think the language should be the same in both instances. Where the Federal Government is to give "assistance and information," then I think the same language should be used in the invitation to the Commonwealth to give "assistance and information."

**Mr. O'BRIEN** of New York. I agree with the gentleman.

**Mr. BOW.** It should be the same for both. As it stands now, one is "assistance" only, and other is "information" only. I believe that amendment would be helpful to the bill.

**Mr. O'BRIEN** of New York. I think so, too.

**Mr. POWELL.** Would the gentleman accept such an amendment?

**Mr. O'BRIEN** of New York. I see no objection to it as long as it goes to the phrase "assistance and information," and does not invade the whole concept of the invitation as far as Puerto Rico is concerned.

**Mr. POWELL.** Finally, the bill before us now is totally different from the one that came before the subcommittee which I bitterly opposed, as the opening witness, is that true?

**Mr. O'BRIEN** of New York. I would say this is a tiny little candle compared with the very large ball of wax we had 9 months ago.

**Mr. POWELL.** I thank the gentleman.

The **CHAIRMAN.** The time of the gentleman frow New York has expired.

**Mr. O'BRIEN** of New York. Mr. Chairman, I yield such time as he may desire to the distinguished Resident Commissioner of Puerto Rico [Dr. Fernós-Isern].

**Mr. FERNÓS-ISERN.** Mr. Chairman, I want to express my deep appreciation to the chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. Aspinall], for introducing and supporting with his vigor H.R. 5945, "To establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico."

I also want to extend thanks to our colleagues who, together with me, introduced identical bills indicating their support, and to give sincerest thanks to the gentleman from New York [Mr. O'Brien] chairman of the Subcommittee on Territorial and Insular Affairs, who has been managing the bill so successfully, and who has devoted so much of his time and effort in the interest of the Puerto Rican people. Finally, I want to thank all the members of the Committee on Interior and Insular Affairs. They all most devotedly considered this measure and have contributed most valuably to perfect it.

The bill before this Committee is important to the United States, in general; it is most important to Puerto Rico, in particular. It proposes a new approach, an objective, constructive, and heretofore unused approach, to a matter that affects the life of 2½ million people, 2½ million citizens of the United States, who live in an island a thousand miles away from the mainland, but whose destiny has been inextricably intertwined with that of the American people since 65 years ago. In a longer view, we might say that it always was intertwined with the destiny of all the American peoples. To my mind, the forces of history, of economics, and of the new brand of western civilization, begun in this part of the world with the Columbian discovery, determined since the beginning, a general overall law of solidarity and common destiny for the whole hemisphere, from pole to pole, from ocean to ocean. But in no instance has this law become a realization as it has been in the case of Puerto Rico.

By the end of the 19th century, there were few peoples in the New World who had not severed their umbilical cord from the mother countries. Of the original Spanish empire in the New World, only Cuba and Puerto Rico remained within the Spanish monarchy. A brief war accelerated the process which was bound in any event to take place because of the forces of history. Thus, Puerto Rico, separated from Spain, came under the protecting fold of the U.S. flag.

There was then in Puerto Rico, a small island 3,500 square miles in size, a people 1 million strong, which thus became an integral part of the New World, not only geographically, as it always had been, not only historically, as it evidently was, but politically and economically, by virtue of its association with the great Nation in the northern half of the hemisphere.

With the newly established relationship between the United States and Puerto Rico, there was for the first time a situation where a people of Latin origin and culture, born and developed out of the European colonizing efforts, with their own social and political structure, had joined their destiny to the great country, also of European origin, which had created a new civilization rooted in the culture of northern Europe. The institutions were different. The ways of life were different. They spoke different languages, and their economic strength allowed for no possible comparison. But a companionship and a dialog and an interchange of ideas and values began and has, most fruitfully, developed ever since.

The Puerto Rican people entered the 20th century, led by the United States into a life of liberty and democracy. In 1900, an organic act established a civil government in Puerto Rico, intended to initiate the Puerto Rican people into the American system of government. In 1917, a second organic act enlarged the participation of the Puerto Rican people in their own government and vested them with U.S. citizenship. Again in 1947, the organic act was amended to further increase the participation of the people in their government. In 1950, the people of Puerto Rico were presented with a law adopted by the Congress of the United States, which enabled them politically to organize themselves in accordance with a constitution of their own adoption, within certain limitations to which they were to agree. The law of 1950, in accordance with its own language, was enacted in the nature of a compact; it would become effective only if the people of Puerto Rico accepted it in accordance with its terms. As a result, the Commonwealth of Puerto Rico was created. It was a new concept in the American political system.

The Constitution adopted by the people of Puerto Rico was found by the Congress to comply with the terms of the enabling act. Upon its approval by the Congress, the Commonwealth of Puerto Rico was proclaimed on July 25, 1952, while parts of the old organic act were continued in force and effect, as the Puerto Rican Federal Relations Act. This act provides for the respective functions of the Federal Government and the Commonwealth government, maintaining the bond of common citizenship, and continuing the fiscal and governmental arrangements of relationship existing since 1900.

It was not possible that at that time this pioneering effort in self-government within the framework of association were created to a point of perfection. Experience and realities would assert themselves and determine the necessary adjustments. Both the Congress and the Constitutional Convention of Puerto Rico recognized this fact, as is evidenced by the respective reports of the congressional committees and the resolutions of the Constitutional Convention of Puerto Rico, over which I had the honor to preside.

All in all, the Commonwealth has been a success in its 11 years of existence; economically, socially, culturally, Puerto Rico has made outstanding advances.

When we witness, on the northern shores of the Caribbean, the tragedies of Cuba, Haiti and the Dominican Republic, each with its forbidding problems affecting the whole hemisphere; when we look on the southern shores of the Caribbean, in Central America and in northern South America, and see the fermenting forces of political turmoil, it is comforting to regard the calm of Puerto Rico's peace and freedom, where the forces of democracy operate efficiently within a republican form of government, conducted by the duly elected representatives of the people, fully responsible to the people. The people of Puerto Rico wish this to continue to be so, but we admit to some concern. The Commonwealth, while fundamentally satisfying the immediate political needs of the people, has been subject for its 11 years to criticism from within and without, to charges which point to a supposed transitory, precarious existence, based on uncertainty; even to charges of disguised colonialism. The fact that those of us who support the Commonwealth hold those charges to be groundless does not mean that they are not repeatedly made. In truth, there is profound preoccupation and disquiet even amongst some of the stanchest supporters of Commonwealth. There is also a substantial minority who insist that this situation should come to an end and who, very vocally, advocate that Puerto Rico should, for once and for all, enter the Union of States. Again, there are those, less numerous, but equally vocal, that insist that Puerto Rico should become an independent republic. I submit that the energy spent in this debate could be put to more constructive endeavors, but we cannot ignore reality, and it is high time that the matter may be looked into objectively, constructively, intelligently, and adequately dealt with.

The misgivings concerned the Commonwealth status by what heretofore appears to be one of the minorities in Puerto Rico, those who advocate statehood, are most vigorously expressed. Their leaders, I am sure, are as dedicated to the future of Puerto Rico as I am, and want the best of their homeland, for the United States and for their children in all the years to come. Most of all, they are concerned lest our ties with the United States be somehow disrupted by events not now forecast or known. In this, almost all persons in Puerto Rico are concerned. All, except a handful, are determined that permanent association with the United States shall never be dissolved.

There are also the smaller groups which advocate complete independence for Puerto Rico. Some of those who claim to represent this sentiment, have been trying to enlist the aid of the United Nations in their insistence on the independence for Puerto Rico.

The number of those who advocate independence in Puerto Rico has continually dwindled; however, in the last two elections, as compared with recent preceding elections, some gains have been made by those who advocate statehood.

In addition, and this mostly outside Puerto Rico, there are those who criticize the Commonwealth of Puerto Rico as a disguised colony of the United States for reasons other than the advocacy of statehood or independence. I refer to the enemies of freedom, to such people as those who have taken hold of Cuba and who use hateful criticism against the Commonwealth of Puerto Rico and the United States in their efforts to spread another ideology in our hemisphere. These attacks can be rendered ineffective by making the truth about the realities concerning Puerto Rico so strong and so real and so apparent that it cannot successfully be warped or twisted.

There exist good reasons, therefore, for the political process that began with the Treaty of Paris to come to its completion. Which would be the best way to do it? Many alternatives have been considered. It was proposed that a plebiscite be held in Puerto Rico, under its own laws, to make a determination as to what are the ultimate aspirations of the people of Puerto Rico. But no agreement could be had there on this proposal, especially because of the opposition of the minorities. The advocates of statehood insisted that Puerto Rico should first come to Congress and submit its proposals for congressional action before the plebiscite were held.

The Legislative Assembly of Puerto Rico, in an endeavor to create as much unanimity as possible, adopted Joint Resolution 1, which was approved by the Governor on December 3, 1962. This resolution, embodying certain proposals, was addressed to the President and to the Congress. In consequence thereof, H.R. 5945 was introduced by the chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL]. Hearings were held. Objections were raised to the bill. However, proposals were made from all sides, which apexed in a common denominator of agreement. This bill is the result of that consenus. I think it embodies a wise approach.

Let a commission with representatives from the Congress of the United States, and representatives from the executive branch of the United States, sit together with the chosen representatives of Puerto Rico and make a study, in depth, of all the related problems: Constitutional, juridicial, economic, social, cultural, geopolitical. Let that study be the groundwork for legislative proposals that may be duly considered by the Congress. It is to be hoped and expected that this may lead us to concerted action, under the authority of the Congress and with the freely given acceptance of the people of Puerto Rico, in order to achieve the goal of a political status, in freedom, security, peace, and dignity, within the American political system, with the support of all.

Not only will the adoption of this bill satisfy the immediate concern of the people of Puerto Rico, but it will be an encouraging example of how difficult political problems can be solved and should be solved in this part of the world. There could be no better opportunity than the present one. It would serve as the most eloquent reply to those who would negate the devotion of our peoples to the ideals of freedom, peace, and common solidarity which should be the goals of all in this hemisphere.

Mr. O'BRIEN of New York. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROOSEVELT. Mr. Chairman, I rise in support of H.R. 5945, the bill to establish a United States-Puerto Rico Commission on the Status of Puerto Rico. The establishment of this Commission will not in any way alter the status of Puerto Rico, but it will provide Congress with the information it needs to be able to decide on proposed changes in the status of Puerto Rico.

It is not this bill which is important in determining the status of Puerto Rico, as some might gather from the title, but rather the report of the Commission. I am very much interested in Puerto Rico, having acquired my interest not only from the fact that I visited there as a young man with my father, and from my mother's active interest in promoting increased living standards for the people of that island, but also from the work I have done on the Committee on Education and Labor with regard to application of wage-hour standards to Puerto Rico. The issues involved in the question of Puerto Rico's status are of great importance not only to the people of Puerto Rico, but also to the people of the United States. Therefore, any proposed solutions which may be forthcoming from the work of the Commission will have to be examined with the greatest care.

Mr. O'BRIEN of New York. Mr. Chairman, I ask unanimous consent that the gentleman from New York ]Mr. GILBERT] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILBERT. Mr. Chairman, I heartily support H.R. 5945 which is now before us for consideration and action. On May 1, 1963, I introduced H.R. 5991 which is identical with the bill before us, to show my strong support of the proposed legislation.

It is imperative that Puerto Rico's status be clarified; this is most important, not only for the people of Puerto Rico, but for the United States. The status of Puerto Rico as a Commonwealth is unique; its people are citizens of the United States, but Puerto Rico is not a member of the Union. Under the Commonwealth concept, the economic progress of Puerto Rico has been impressive. Great strides have been made in every facet of development; in housing, education, industry. However, the enemies of freedom have made Puerto Rico their target; in bitter attacks, Puerto Rico is said to have the fiction of freedom while being denied real independence. It appears that public opinion in many countries is half convinced that the present system of government in Puerto Rico is less an experiment in freedom than a form of colonial rule. This is harming our standing in Latin America; not only that, such unwarranted criticism of the United States must be refuted beyond all doubt, and ended. Americans consider as intolerable any suggestion that they maintain any colonial domination over Puerto Rico. These are sufficient reasons for placing Puerto Rico's constitutional position on a clear and unassailable basis. The people of Puerto Rico have remained completely loyal to the United States and they have resisted the Communist blandishments entirely. However, Puerto Rico wants and deserves permanence and dignity, and we owe it to the island to help it achieve these goals.

The Legislative Assembly of Puerto Rico has proposed to the Congress that the permanent status of Puerto Rico be determined, on the basis of a plebiscite, as between the various proposals currently debated in Puerto Rico. The need is recognized for a thorough, objective, and constructive study of such questions. The bill before us would establish a United States-Puerto Rico Commission, which would be charged with studying all factors which may have a bearing on the future relationships between the United States and Puerto Rico and would formulate and draft legislative recommendations which would be contained in its report to the President, to the Congress, to the Governor of Puerto Rico, and to the Legislative Assembly of Puerto Rico.

This bill represents a sincere effort to help the people of Puerto Rico, to give them the necessary information on which they can determine the best possible relationships to exist between them and the United States. It is felt that acceptance of the full implications of self-determination, as President Kennedy has urged, would remove the present uncertainty that is delaying the fullest economic and social progress of Puerto Rico. Puerto Rico has asked to join the United States in the establishment of a Commission as provided in the bill before us, which would bring forward proposals to clarify and perfect the existing constitutional compact.

The people of Puerto Rico, by their splendid record of achievements and victories over powerful adversities have earned the right which would be accorded them by the bill before us.

I urge that this bill be passed. Failure to take favorable action will result in grave harm to the people of Puerto Rico and the United States.

Mr. O'BRIEN of New York. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. RYAN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Chairman, I regret that illness prevents me from attending today's session. However, I wish to urge all my colleagues to vote for H.R. 5945.

This bill establishes the United States-Puerto Rico Commission on the Status of Puerto Rico. Members of the Commission will be appointed by the President, the President of the Senate and the Speaker of the House. Under the terms of the bill the Congress invites the Commonwealth of Puerto Rico to enact a law providing for the appointment of the Puerto Rican members of the Commission. The Commission will formulate legislative recommendations with respect to the future relationship between the United States and Puerto Rico and render its report to the President of the United States, the Congress of the United States, the Governor of Puerto Rico, and the Legislative Assembly of Puerto Rico. The bill directs that the Commission's report be completed by the opening day of the first session of the 89th U.S. Congress.

H.R. 5945 is the first step toward the prompt settlement, in a democratic manner, of the political status of Puerto Rico. The bill is the beginning of a process which will enhance the dignity and self-respect of the people of Puerto Rico. It will hasten the day when Puerto Ricans will choose the form of government under which they prefer to live. By approving this bill Congress will make clear its commitment to self-determination for the people of Puerto Rico.

The relationship between the United States and Puerto Rico is unique. For 11 years the Commonwealth of Puerto Rico has enjoyed great economic and political development under its constitution. Puerto Rico's achievements through the dedicated work and imagination of its own people could indeed serve as a model for less developed countries in Latin America. For example, Puerto Rico's gross national product in 1952 was $968 million. In 1962 Puerto Rico had a GNP of $2 billion. Puerto Rico's manufacturing increased from $15 million in 1952 to $381 million in 1962 and its per capita annual income increased from $374 in 1952 to $682 in 1962. Equally important has been the increase in secondary and vocational school construction and teaching training programs. Puerto Rico has also established itself as a major cultural center and is the home of the world-famous Casals Music Festival.

In light of the experience of the past 11 years Congress should expedite the procedures by which our fellow citizens of Puerto Rico will be able to determine for themselves their future relationship with the United States. In order to accomplish this end I introduced H.R. 6076 on May 6, which is similar in intent to H.R. 5945, and I urge the passage of H.R. 5945.

Mr. SAYLOR. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. McCLORY] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McCLORY. Mr. Chairman, the passage of H.R. 5945, to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico, is of particular interest to me and to the citizens of the 12th Congressional District of Illinois which I have the privilege of representing in the House of Representatives.

Many citizens in my congressional district have arrived from Puerto Rico and have settled principally in the city of Waukegan. This Puerto Rican community has contributed much to the cultural and social welfare of Waukegan and the 12th District. The language, cuisine, music and dancing, and the native dress of my constituents of Puerto Rican origin are welcome additions to this great segment of northeastern Illinois. These interesting and esteemed friends—who have left other family members and many friends in Puerto Rico—have communicated to me their desire to see the status of Puerto Rico established, in accordance with the democratic process of a national referendum. It is their expectation—and mine—that the citizens of Puerto Rico will choose full statehood and will elect to become this Nation's 51st State.

Without anticipating the results of the Commission to be established pursuant to H.R. 5945, I am confident that the passage of this bill will—of itself—give hope and encouragement to our Puerto Rican brothers and to the future of this portion of the American people so endowed with history, traditional loyalty, distinguished culture, and the diversity which makes this Nation the great United States of America.

Mr. O'HARA of Illinois. Mr. Chairman, in the district that I have the honor to represent are many men and women who have come from Puerto Rico to join in the great adventure of making Chicago the first city of the world in population and power as it is now the first city in opportunity and democratic living together. They are fine Americans and Chicago is the richer for their coming, and to them we have extended the warm hand of welcome.

I am happy to support the bill that is before us and I join with my colleagues in commending Chairman ASPINALL, Mr. O'BRIEN and the other members of the great Committee on Interior and Insular Affairs for the diligence, the hard work, and the searching inquiry they have given to a difficult task.

I was deeply impressed by the eloquent and scholarly presentation by the distinguished and beloved Resident Commissioner from Puerto Rico, Dr. ANTONIO FERNÓS-ISERN. The prolonged applause that followed the conclusion of his remarks in general debate bespoke, not only the favorable impression his words had made, but also the warm regard in which he is held by his colleagues and the deep friendship of all the Members of the House of Representatives of the Congress of the United States for our fellow Americans in the Commonwealth of Puerto Rico.

Naturally I have in unusual measure a very real, a very deep sentimental interest in the welfare and happiness of Puerto Rico and her people since it was the war with Spain that was the occasion of bringing it into our national family. Puerto Rico is the master of her own destiny, in the unfolding of which she always will have the blessing and the help of Americans on the mainland, but never their dictation. This is the spirit of the legislation that is now proposed.

Mr. REUSS. Mr. Chairman, the enactment of H.R. 5945 will provide the means of perfecting the future relationship between the United States and Puerto Rico. Commonwealth status, established in 1952, was a remarkable and successful political achievement of the people of the United States and Puerto Rico. But now there are desires within the Commonwealth for more or less drastic changes of status. Therefore the time is ripe for a new, far-ranging study of the political relationship between the United States and Puerto Rico. H.R. 5945 provides for a survey, unhindered by preconceived plans, that can result in the best legislative recommendations on the future status of Puerto Rico.

The Resident Commissioner's support of this legislation carries great weight with me. Mr. FERNÓS-ISERN's vigorous and thoughtful representation of his constituency should be a model for all of us.

The CHAIRMAN. There being no further requests for time, pursuant to the rule, the Clerk will now read the substitute committee amendment recommended by the Committee on Interior and Insular Affairs now in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, with due recognition to the principle of government by consent of the governed, the Congress of the United States hereby establishes the United States-Puerto Rico Commission on the Status of Puerto Rico.

SEC. 2. (a) The Commission shall, subject to enlargement as provided in subsection (c) of this section, be composed of seven members.

(b) The President of the United States shall appoint the Chairman of the Commission and two other members, all of whom shall be citizens of the United States and none of whom shall be residents of Puerto Rico. The President of the Senate, with the approval of the majority and minority leaders of the Senate, shall appoint two members from the membership of the Senate. The Speaker of the House of Representatives, with the approval of the majority and minority leaders of the House, shall appoint two members from the membership of the House.

(c) The Congress hereby invites the Commonwealth of Puerto Rico to provide for participation of the Commonwealth and its people in the work of the Commission by enactment of a law providing for the appointment of an additional six members of the Commission, for the sharing of the expenses of the Commission, and for making available, without reimbursement, to the Commission the assistance of the departments and agencies of Puerto Rico upon request of the Commission. If the legislative assembly shall do so and if the additional six members are appointed the Commission shall consist of thirteen members.

(d) A majority of the Commission shall constitute a quorum for the transaction of its business, but the Commission may provide for the taking of testimony and the reception of evidence at meetings at which there are present not less than three members of the Commission. The Chairman of the Commission shall call a meeting for organizing the Commission as soon as possible after he and a majority of the members of the Commission have been appointed.

SEC. 3. (a) Any member of the Commission who is not an officer or employee of the Government of the United States or the government of Puerto Rico shall be paid $50 per diem for his services while actually engaged on Commission business, and all members shall be entitled to reimbursement for actual travel and reasonable subsistence expenses incurred in connection with their service on the Commission.

(b) The Commission is authorized to appoint and fix the compensation of an Executive Secretary and such other additional personnel as may be necessary to enable the Commission to carry out its functions without regard to the civil service laws, rules, and regulations, but any Federal employee subject to those laws, rules, and regulations, who may be detailed to the Commission (which detail is hereby authorized) shall retain his civil service status without interruption or loss of status or privilege.

(c) The Commission, acting through the President, is authorized and directed to call upon the head of any Federal department or agency, to furnish information and assistance which the Commission deems necessary for the performance of its functions, and the heads of such departments and agencies are authorized and directed to furnish such information and assistance without reimbursement.

SEC. 4. The Commission, taking into account all factors which may have a bearing on the future relationship between the United States and Puerto Rico, shall formulate and draft such legislative recommendations with respect thereto as it may deem advisable in the light of its study. The Commission shall render its report to the President of the United States, the Congress of the United States, the Governor of Puerto Rico, and the Legislative Assembly of Puerto Rico at the opening day of the first session of the Eighty-ninth United States Congress.

SEC. 5. There is hereby authorized to be appropriated from the funds of the United States Treasury not heretofore appropriated such sums (but not more than $250,000) as may be necessary for the performance of the work of the United States-Puerto Rico Commission on the Status of Puerto Rico.

Mr. O'BRIEN of New York (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

**The CHAIRMAN.** Is there objection to the request of the gentleman from New York?

There was no objection.

### AMENDMENT OFFERED BY MR. ASPINALL

**Mr. ASPINALL.** Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ASPINALL to the committee amendment: On page 6, line 1, after the second word "the" and before the word "sharing" insert the word "equal".

**Mr. ASPINALL.** Mr. Chairman, may I suggest to my colleagues that the word "equal" apparently was unintentionally left out of the redraft of the legislation. It was supposed to be in. The purpose of the amendment is to take care of that.

**The CHAIRMAN.** Without objection, the amendment is agreed to.

There was no objection.

### AMENDMENT OFFERED BY MR. SAYLOR

**Mr. SAYLOR.** Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. SAYLOR: Page 6, line 3, after "the" and before "assistance" insert "information and".

**Mr. SAYLOR.** Mr. Chairman, the purpose of this amendment is to make sure that Puerto Rico is required to furnish information and assistance to the Commission just as the agencies of the U.S. Government are required to furnish information and assistance.

**Mr. O'BRIEN of New York.** Mr. Chairman, will the gentleman yield?

**Mr. SAYLOR.** I yield to the gentleman.

**Mr. O'BRIEN of New York.** I understood when this was under discussion a few moments ago that it was covered by the request to Puerto Rico that they make these matters available, that it was not mandatory. The gentleman is merely adding the words "information and".

**Mr. SAYLOR.** That is correct. Unless they accept the offer to participate in the Commission, then it becomes mandatory.

**Mr. ASPINALL.** Mr. Chairman, we accept the amendment.

**Mr. SAYLOR.** If they accept it, they must turn over to us their information as well.

**The CHAIRMAN.** Without objection, the amendment is agreed to.

There was no objection.

### AMENDMENT OFFERED BY MR. SAYLOR

**Mr. SAYLOR.** Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. SAYLOR: On page 7, line 14, after section 4, strike out lines 14 through 18 to the period and insert "The Commission shall study all factors including but not limited to existing applicable laws, treaties, constitutions, and agreements which may have a bearing on the present and future relationship between the United States and Puerto Rico."

**Mr. SAYLOR.** Mr. Chairman, the purpose of this amendment is to make sure that the Commission shall study all existing laws and future relationships with the United States.

**Mr. O'BRIEN of New York.** Mr. Chairman, will the gentleman yield?

**Mr. SAYLOR.** I yield.

**Mr. O'BRIEN of New York.** I asked the gentleman to yield so that I can get clear in my own mind and for the legislative record this: The gentleman by striking out the words "shall formulate and draft such legislative recommendations with respect thereto as it may deem advisable in the light of its study" did not intend in any way to bar the Commission from making recommendations in its report?

**Mr. SAYLOR.** I did not. About the only thing I wanted to make sure was that Congress was not bound by any recommendations which they might make. As for the remainder of section 4, I want to make sure that everyone understand that the Commission shall render a report which shall include the matters which we have just placed in this amendment.

**Mr. O'BRIEN of New York.** Mr. Chairman, will the gentleman yield further?

**Mr. SAYLOR.** I am happy to yield.

**Mr. O'BRIEN of New York.** The gentleman, of course, would not bar the Congress or any Member of Congress from drafting legislation.

**Mr. SAYLOR.** Absolutely not.

**Mr. CRAMER.** Mr. Chairman, will the gentleman yield?

**Mr. SAYLOR.** I yield to the gentleman from Florida.

**Mr. CRAMER.** I congratulate the gentleman on his amendment. This overcomes the reservations I had with regard to our being morally bound in any way by providing specifically for recommendations; that is, that the Congress would in any way be morally bound by such recommendations just because we had four members on the Commission.

**Mr. SAYLOR.** That is correct.

**Mr. CRAMER.** I thank the gentleman further for including in his amendment pursuant to our discussion the fact that not only future relations but present relations and existing laws and constitutions and treaties and otherwise, shall also be made a matter of study.

Otherwise, the Congress could not possibly make a decision on the matter, in my opinion.

I thank the gentleman for yielding.

**Mr. O'BRIEN of New York.** Mr. Chairman, will the gentleman yield?

**Mr. SAYLOR.** I would be happy to yield to the gentleman from New York.

**Mr. O'BRIEN of New York.** May I say that I have no quarrel with studying past and present relations. But I think it would be very difficult for the Commission, even under the original language, to take into account all factors which may have a bearing on the future relationship without looking at the present and past relationship. However, I do not think the language does any harm.

**Mr. GROSS.** Mr. Chairman, will the gentleman yield?

**Mr. SAYLOR.** I am delighted to yield to my colleague, the gentleman from Iowa [Mr. GROSS].

**Mr. GROSS.** What I cannot seem to absorb is the creation of another new commission in Government at a cost of $250,000 to the taxpayers when we have a distinguished Committee on Interior and Insular Affairs of the House of Representatives. Why could not this committee go to Puerto Rico and hold a few hearings? Why create another commission for this purpose?

**Mr. SAYLOR.** Very frankly, one of the reasons is that this problem is so big and so broad that it would be impossible for the House Committee on Interior and Insular Affairs, or any subcommittee, to handle all of the facets of the problems of Puerto Rico and still do the other work that has been assigned to that committee.

**Mr. GROSS.** If the gentleman will yield further, I am sorry to hear that you are so badly overworked on that committee that you could not go to Puerto Rico and hold a hearing.

**Mr. SAYLOR.** If all the gentleman wants us to do is to go to Puerto Rico for a hearing, we could do that. But this problem is bigger than just a trip to Puerto Rico.

And I want to say to the gentleman from Iowa [Mr. GROSS] that the Committee on Interior and Insular Affairs, session after session, handles somewhere between 20 and 25 percent of all the legislation that is brought to the floor of this House every session. We meet 5 days a week and our subcommittees meet each day. We just do not have the time to devote to a study of the depth that is required in handling the affairs of Puerto Rico.

**Mr. GROSS.** Will the gentleman yield further?

**Mr. SAYLOR.** I yield further to the gentleman from Iowa.

**Mr. GROSS.** Since these sessions have become year-round affairs, I would think you could gear up to hold a week or 2 weeks of hearings down in Puerto Rico.

**Mr. SAYLOR.** I might say to my colleague that none of the members of the House Committee on Interior and Insular Affairs go down to Puerto Rico for a 2 weeks' period. We have a staff that is required by the Reorganization Act of 1946, and we still have only four members on our staff. We are not overstaffed, as lots of the committees of the House of Representatives seem to be.

**Mr. GROSS.** If the gentleman will yield further, we can get some extra staffing for a whole lot less than $250,000. This thing may go on interminably. I expect to see you back here asking for another $250,000 next year, and "not to exceed 2 years." I doubt if you will get 2 years of mileage out of this $250,000.

**The CHAIRMAN.** The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was agreed to.

**Mr. POWELL.** Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I would like to ask the gentleman from Pennsylvania, the author of the amendment that has just been agreed to, for the sake of the people of Puerto Rico, both in the island

and here, a few questions: There is nothing that this Commission can report that is binding on this Congress; is that correct or incorrect?

Mr. SAYLOR. That is correct. They will not report—this Commission—if the next amendment is adopted, until the beginning of the second session of the 89th Congress.

Mr. POWELL. If the gentleman will yield further.

There is nothing that the Governor of Puerto Rico or the President of the United States can do, suggest, or recommend that is binding on this Congress; is that correct?

Mr. SAYLOR. That is correct. Although, as I called attention to the members of the committee in my opening statement, on July 25, 1961, the President issued a memorandum in which he states if any matters arise involving the fundamentals of this arrangement or agreement, they should refer them to the Office of the President.

This in and of itself is startling and still has not been changed since it has been published.

Mr. POWELL. For the sake of clarifying this ambiguity will the gentleman agree with me that the mere fact this bill is before us the Congress right now indicates that matters concerning Puerto Rico must be the concern of this body?

Mr. SAYLOR. That is correct, and I think it is of great importance when the Legislature of Puerto Rico had a matter to present to their government they drafted a joint resolution and presented it to the Congress of the United States.

Mr. POWELL. Finally, and just as a matter of information for the people again, is it not true that there is no action this body can take that will be binding on a future Congress?

Mr. SAYLOR. That is correct.

Mr. POWELL. I thank the gentleman.

### AMENDMENT OFFERED BY MR. SAYLOR

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: On page 7, line 22, strike out "first" and insert "second".

Mr. O'BRIEN of New York. Mr. Chairman, we will accept that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was agreed to.

Mr. DEROUNIAN. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DEROUNIAN. Mr. Chairman, I am introducing a bill today authorizing to be appropriated out of any moneys in the Treasury not otherwise appropriated such sum as may be necessary to reimburse the city of New York for the cost of the extra police protection for Marshal Tito and his party during their recent visit to that city. I think it is only fair and just when one of the most hated men of the world is invited by the President of the United States the city of New York should not have to foot the bill for this extra police protection.

Mr. GROSS. Why not let the President pay for it?

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. WRIGHT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H.R. 5945, to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico, pursuant to House Resolution 549, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. EVERETT) there were—ayes 73, noes 5.

Mr. EVERETT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 320, nays 44, not voting 69, as follows:

[Roll No. 180]

YEAS—320

Abele
Adair
Addabbo
Albert
Anderson
Arends
Ashley
Ashmore
Aspinall
Auchincloss
Avery
Ayres
Baldwin
Barrett
Barry
Bates
Battin
Becker
Beckworth
Bell
Bennett, Fla.
Betts
Blatnik
Boggs
Boland
Bolton,
  Oliver P.
Bonner
Bow
Brademas
Bray
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burke
Burkhalter
Burleson
Burton
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Cannon
Carey
Casey
Cederberg
Celler
Chamberlain
Chenoweth
Clark
Clausen,
  Don H.
Clawson, Del
Cleveland
Cohelan
Colmer
Conte
Cooley
Corbett
Corman
Cramer
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Derounian
Diggs
Dingell
Dole
Donohue
Dorn
Downing
Dulski
Duncan
Dwyer
Edmondson
Elliott
Ellsworth
Findley
Finnegan
Fino
Fisher
Flood
Fogarty
Ford
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Gathings
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Goodling
Grabowski
Grant
Green, Oreg.
Griffin
Griffiths
Grover
Gubser
Hagen, Calif.
Haley
Halleck
Halpern
Hanna
Harding
Hardy
Harrison
Harvey, Ind.
Harvey, Mich.
Hawkins
Healey
Hechler
Hemphill
Herlong
Hoffman
Holifield
Holland
Horan
Horton
Hosmer
Huddleston
Hutchinson
Ichord
Jarman
Jennings
Jensen
Joelson
Johnson, Calif.
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Keith
Kilgore
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Knox
Kunkel
Kyl
Laird
Landrum
Langen
Lankford
Leggett
Lesinski
Libonati
Lipscomb
Lloyd
Long, Md.
McCulloch
McDowell
McFall
McLoskey
MacGregor
Mahon
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
May
Meader
Miller, Calif.
Milliken
Mills
Minish
Minshall
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pirnie
Poage
Poff
Powell
Price
Pucinski
Purcell
Quie
Quillen
Rains
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Riehlman
Rivers, Alaska
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan, Mich.
St. George
St Germain
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Secrest
Senner
Shipley
Short
Shriver
Sibal
Sickles
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Va.
Stafford
Staggers
Stephens
Stinson
Stratton
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Thompson, La.
Thomson, Wis.
Toll
Tollefson
Trimble
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vanik
Van Pelt
Wallhauser
Watts
Weaver
Weltner
Westland
Whalley
Wharton
White
Whitener
Wickersham
Widnall
Willis
Wilson, Bob
Wright
Wydler
Wyman
Young
Younger
Zablocki

NAYS—44

Abbitt
Abernethy
Andrews
Ashbrook
Baker
Beermann
Bennett, Mich.
Bromwell
Clancy
Collier
Cunningham
Devine
Dowdy
Everett
Evins
Foreman
Forrester
Gross
Hagan, Ga.
Hall
Harsha
Hays
Henderson
Hull
Johansen
Kornegay
Latta
Lennon
McMillan
O'Konski
Pool
Roberts, Ala.
Schwengel
Scott
Siler
Snyder
Teague, Tex.
Tuck
Waggonner
Watson
Whitten
Williams
Wilson, Ind.
Winstead

NOT VOTING—69

Alger
Baring
Bass
Belcher
Berry
Bolling
Bolton,
  Frances P.
Buckley
Chelf
Derwinski
Edwards
Fallon
Farbstein
Fascell
Feighan
Flynt
Gray
Green, Pa.
Gurney
Hansen
Harris
Hébert
Hoeven
Kee
Kelly
Keogh
Kilburn
Lindsay
Long, La.
McClory
McDade
McIntire
Macdonald
Madden
Mailliard
Martin, Calif.
Martin, Mass.
Michel
Miller, N.Y.
Morse
Moss

Multter
Murray
Nix
O'Brien, Ill.
Passman
Patman
Pilcher
Pillion
Rivers, S.C.
Rogers, Tex.
Roosevelt
Ryan, N.Y.
St. Onge
Selden
Shelley
Sheppard
Smith, Iowa
Springer
Staebler
Steed
Stubblefield
Thomas
Thompson, N.J.
Thompson, Tex.
Thornberry
Vinson
Wilson,
Charles H.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert with Mr. Alger.
Mr. Keogh with Mr. Springer.
Mr. Multer with Mr. Kilburn.
Mr. Macdonald with Mr. Gurney.
Mr. Shelley with Mr. Miller of New York..
Mr. St. Onge with Mr. Derwinski.
Mrs. Kelly with Mrs. Bolton.
Mr. Buckley with Mr. Morse.
Mr. Ryan of New York with Mr. Pillion.
Mr. Feighan with Mr. Martin of California.
Mr. Rogers of Texas with Mr. Michel.
Mr. Gray with Mr. Belcher.
Mr. Fallon with Mr. McIntire.
Mr. Moss with Mr. Hoeven.
Mr. Patman with Mr. McDade.
Mr. Vinson with Mr. Berry.
Mr. Charles H. Wilson with Mr. Martin of Massachusetts.
Mr. O'Brien of Illinois with Mr. Mailliard.
Mr. Roosevelt with Mr. Lindsay.
Mr. Farbstein with Mr. McClory.
Mr. Green of Pennsylvania with Mrs. Hansen.
Mr. Sheppard with Mr. Staebler.
Mr. Steed with Mrs. Kee.
Mr. Chelf with Mr. Baring.
Mr. Fascell with Mr. Flynt.
Mr. Madden with Mr. Passman.
Mr. Nix with Mr. Thompson of New Jersey.
Mr. Stubblefield with Mr. Long of Maryland.
Mr. Thomas with Mr. Rivers of South Carolina.
Mr. Thompson of Texas with Mr. Murray.
Mr. Edwards with Mr. Pilcher.
Mr. Smith of Iowa with Mr. Harris.
Mr. Selden with Mr. Bass.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

## GENERAL LEAVE TO EXTEND REMARKS

**Mr. ASPINALL.** Mr. Speaker, I ask unanimous consent that any Members desiring to do so may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

## ADM. DAVID L. McDONALD, U.S. NAVY, THE NEW CHIEF OF NAVAL OPERATIONS, GIVES HIS VIEWS ON THE FUTURE OF THE NAVY IN A VERY IMPRESSIVE AND REVEALING INTERVIEW

**Mr. STRATTON.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an article from the Navy magazine.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. STRATTON.** Mr. Speaker, in recent weeks there has been a good deal of attention focused on the members of our Joint Chiefs of Staff, and on the relationship between these top leaders of our uniformed military services and the civilian officials of our Defense Establishment. Much of this interest resulted from the recent replacement of Adm. George W. Anderson, U.S. Navy, now our Ambassador to Portugal, as Chief of Naval Operations.

In view of all this attention as well as some of the public speculation that has taken place since Admiral Anderson retired from active naval service, I am sure that all of us are very much interested in the character and the views of the officer who has been selected to replace Admiral Anderson, Adm. David L. McDonald, U.S. Navy.

Two years ago, as a member of the Naval Reserve, I had the privilege of serving a period of training duty on board Admiral McDonald's flagship when he was serving as commander of the U.S. 6th Fleet in the Mediterranean. I came back from that experience with a very high regard for Admiral McDonald's ability both as a naval officer and a diplomat. He is a quiet, hard-working, no-nonsense kind of officer. He has demonstrated great ability to work effectively not only with other naval personnel but also with personnel from other services and with civilians. Yet anyone who thinks that Admiral Anderson's replacement as Chief of Naval Operations will be any kind of a yes-man without clear-cut and firmly supported views of his own would be making a grave error.

The other day I came across in Navy, the monthly magazine published by the Navy League, in the October 1963 issue, a reprint of an interview with Admiral McDonald which demonstrates not only something of his views of the Navy, but also something of those qualities of personality and character which will, I am certain, make him a great and a successful Chief of Naval Operations.

Believing that this interview will thus be of great interest to every Member who is concerned about the future of our Navy and the future of our overall Defense Establishment, I include the article at this point in the RECORD.

The article follows:

### NEW NAVAL CONCEPTS FOR NUCLEAR AGE

(EDITOR'S NOTE.—Adm. David L. McDonald, who became Chief of Naval Operations on August 1, 1963, recently granted his first interview as CNO to Mark S. Watson of the Baltimore Sun, dean of the Pentagon's corps of reporters. Mr. Watson's comprehensive report gives clear insight into the thinking and attitudes of the new CNO on a variety of important subjects of interest to Navy men, Navy Leaguers, and John Q. Citizen. We are herewith reprinting it through the courtesy of the Baltimore Sun.)

(By Mark S. Watson)

Into the Pentagon, where new concepts in a dozen areas have lately been threatening some of the great established traditions, has sailed a new Chief of Naval Operations with strong views of his own.

This is Adm. David L. McDonald, naval aviator, expert in plans and policy at SHAPE, late commander of the U.S. Sixth Fleet in the Mediterranean.

In this top-ranking post he has many responsibilities broadly viewed as in two groups. In one group, as the ranking naval authority, he is responsible for the readiness of his great force of 670,000 naval personnel, 870 ships, 7,200 planes, and all the rest of that huge establishment; in the other, as naval member of the Joint Chiefs of Staff, he shares with the Army and Air Force chiefs and the Chairman of that body the responsibility for the planning and performance of all the Nation's military forces.

What are the views of this powerful member of the Government, heartily respected by the naval service, already approved by his colleagues in the other services and his civilian associates, yet little known to the public?

A good many of his views, including those on extremely controversial issues, can be stated on the best authority—his own candid replies to questions. These reveal as sturdy individualism as the Nation has come to expect from its top sailors, and generally has found.

#### SOME OF HIS BELIEFS

Outstanding are these beliefs:

1. The Navy's continuing need is for all 15 attack carriers, whose main role is unaffected by the use or nonuse of massive nuclear weapons.

2. A certainty that the attack carrier must continue to be big (that is, in the class of the *Forrestal*) but with its size determined by the job its planes must do.

3. A sharp revision of the growing idea that missiles can do everything. Specifically, ships' guns (which have been vanishing, their missions assumed by missiles) must be retained in many vessels, simply because for certain imperishable missions they are better and far cheaper than missiles.

4. Similarly, a belief that the manned plane remains clearly better than the missile in a host of missions, and must be kept for those missions.

5. A remarkably balanced view on growing centralization of authority—most of it in civilian hands. Chiefly a recognition that centralization is here, and that it is legally authorized. Also, that professionals are learning more about costs—and civilians more about absolute naval requirements, to the benefit of both.

6. A like tolerance of the many recent "reorganizations," with a tart reminder that "you can't reorganize yourself out of problems; you have to work your way out."

7. Support of the test ban treaty, also of the military feasibility of the much-maligned multilateral nuclear force for the North Atlantic Treaty Organization.

Because of the timing of Admiral McDonald's appointment to the top Navy post, many of the critical 1963 decisions were already made before he reached the Pentagon, and some of the international or political developments are so far from the responsibilities of a command at sea that he is still studying them. But these are few. On issues closest to the Navy he is fully informed.

And this applies to numerous issues so delicate that many a professional military chief, whatever the strength of his feelings, simply refuses to discuss them openly. Notably, the extremely controversial matters of Pentagon controls, which under Defense Secretary Robert S. McNamara have been enormously tightened, and the multiple reorganizations of the past 2½ years affecting Army, Navy, and Air Force alike and in some cases shaking down structures which for generations had seemed indestructible.

#### ON CENTRALIZATION

"There has long been a trend toward centralization of authority" said Admiral McDonald. "And it is not wholly due to civilian action. The sharpest impulse came with the nuclear weapon, control of which actually called for such a degree of centralization as never existed before. This revolutionary new weapon's control had to be at the very top, and this meant that the planning and operating mechanism all the way down the line had to be adjusted to that fact. This applies alike to Army, Navy, and Air Force—all affected by a like mechanism.

"The Navy historically opposed centralization for many years, memorably in the 1946 congressional hearings preceding unification of the services. Army-Navy differences on that point at that time really were partly traceable to age-old fundamental reasons for centralization or decentralization. Ashore, even before the days of radio, an Army commander could always get in touch with his men or with other commanders, and centralized command was possible and desirable. But at sea, in long ago days, when a Navy captain took his ship out of port he was on his own for weeks at a time. Thus the necessity for decentralization. This the Navy grew up with from necessity; they liked it and saw no reason to change it.

"But the arrival of the nuclear weapons transformed much of the military's requirement. Regardless of tradition and desires, the need for centralized control of nuclear weapons was recognized, and we have had to adjust to it, by setting up enormously swift and efficient communications everywhere, and by running the military on a centralized basis.

"This did not come about because individual people sought power. It is a direct and inevitable sequel to the arrival of the atomic weapon. It cannot be wholly blamed on civilians, either, for I have watched that trend growing in the fleet, where some commanders are reluctant to let the junior officers make decisions which a young man ought to be allowed to make if he is going to develop his ability to make other decisions, and his will and readiness to do just that.

"We must find our own way of giving the young officer more opportunity."

### ON REORGANIZATION

The recent naval reorganizations do not disturb Admiral McDonald, nor the fact that they might encourage a civilian Secretary of the Navy to make more decisions without consulting the professional Chief of Naval Operations.

"The Secretary has always had that power," said the Admiral. "He will perhaps now have a better mechanism for exercising it, but I don't believe reorganization in itself will lead him to make any more decisions than in the past without consultation with the CNO. The people who drew up the plan thought it would add to departmental efficiency and I have no present reason to disagree.

"I don't view this new Navy change with alarm—even though I am not one of those who think that you can reorganize yourself out of your problems. You have to work your way out."

He was asked whether the Defense Department's creation of the overall Defense Intelligence Agency or the much earlier creation of the Central Intelligence Agency had affected unfavorably the efficiency of the Office of Naval Intelligence, which has long been greatly respected.

"Up to now the Navy's own information work has not been impaired by the existence of the Defense Intelligence Agency, and the ONI has not been hampered in its rapid response to naval requirements," he said. Then he added: "Just how much the Navy will ultimately benefit by the creation of DIA remains to be seen.

"The Central Intelligence Agency has been very helpful. Of course, we are paying for that help by the allocation to it of a very large number of our best naval personnel."

A large part of the civilian control of the military, plainly greatly intensified in recent years, has been in civilian emphasis on the "cost-effectiveness ratio" in weapons procurement. The Admiral's views on this are reasoned in a straightforward manner.

### SOME ECONOMIES HURT

"It is plain that in some of these economies military effectiveness is being lessened," he said. "How much? Are we losing too much of that while the dollars are being saved? I personally like 'cost effectiveness,' but it must be tempered with judgment and I believe that it will be.

"The program-packaging (a McNamara device for surveying all-service needs, rather than separate-service demands) can be extremely useful, and even if we lose on it at the outset we may profit in the long run by its use. My own feeling is that resentment against it is decreasing.

"We profit by plainly measuring our requirements against cost effectiveness. And those who brought cost effectiveness to the Pentagon are profiting by their better knowledge of our requirements. We both are learning how to communicate better with each other."

On the service pay bill now before Congress Admiral McDonald is reserved, remarking that it is impossible to measure precisely what its effectiveness will be in keeping in the service the officers and men of marked proficiency on whom the Navy has spent a great deal of training time and money. Currently they are leaving the service at a disturbing rate in order to get the much larger pay of civilian employment. This wide differential has been discussed at length before Congress and the public, but the admiral touched on a different contrast.

"Over the years the serviceman has accepted more or less gracefully the difference between his pay and that given somewhat similar jobs in civilian life," he said. "But in recent years there also has been a growing disparity between the pay of Federal employees in uniform and Federal employees not in uniform. I believe this is resented. Our cost of living goes up just as does that of the civil service."

Related to this is the Navy's serious concern over actual numbers of men, as well as quality. It sought a total force of 685,000 officers and men, but its request was cut to 670,000. In the persistent belief of the Navy as a whole, and Admiral McDonald in particular, like his predecessor, Adm. George W. Anderson, the need is still for 685,000.

This was plainly stated both by Navy Secretary Fred Korth and by Admiral Anderson when called before congressional committees, with Anderson saying of the cut that, "It is going to be very difficult but we will do the best we can."

The "best we can," it now develops, is that 9,800 men are being moved out of the ships at sea, and the rest from support forces. As a result, the warships' average manning is to be dropped from 91.3 percent of peacetime strength to 89.9 percent. High priority warships get nearer their wartime needs (indeed the Polaris subs with their double crews and overplus get 210 percent) but some of the support types drop to around 60 percent of proper strength.

"We need more men," continued Admiral McDonald, "in order to keep our training program filled out at the same time that our operating forces are kept at high complement. The greater our turnover in men, the greater the training requirement."

On the issues of test ban and the NATO multilateral force of nuclear weapons the new Chief of Naval Operations speaks with reserve, noting that these are largely matters affected by national policy rather than strictly military in nature.

### ON MULTILATERAL FORCE

"The Navy's position on the multilateral force," said the admiral, "has been plainly stated by Admiral Ricketts (Claude V. Ricketts, who went to Europe for that purpose). "The creation and operation of MLF is militarily practicable. A missile force at sea has more survivability than one on land. It does not involve us in negotiations with other nations for installing missiles on their soil.

"If one puts the missile in a Polaris-type sub he encounters two highly complicated weapons systems—of the submarine and of the missile itself—but if the plan uses a surface ship whose operation is much like that of any other surface ship, there is no such need for many highly trained technicians to operate the ship itself.

"The Navy's consideration was not affected by the question of whether NATO needs the MLF or how much it will cost, for those questions are decided elsewhere. Our concern was whether or not the plan was practicable. The Allies have considerations of their own as to cost. For if they have only so much total money to spend, and spend some of it on MLF, they must determine what else they will not be able to afford. And that is a real concern."

### FOR TEST BAN RESERVATION

On the test ban Admiral McDonald, with the other Joint Chiefs, has been interrogated by congressional committees. He is already on the open record as favoring ratification of the treaty but with several stern reservations, listed by Gen. Maxwell D. Taylor, the Joint Chiefs Chairman.

"We must of course remain alert and powerful and prepared to resume testing immediately if that becomes necessary. I am willing to accept the risks, with the reservations laid down."

On the continuing need for aircraft carriers—the big carriers, and all 15 of them—McDonald speaks plainly.

"I have to base an estimate of future need on past requirements," he said, "and it is difficult to justify such a thing on a purely mathematical basis, but during these last several years the Navy has been hard pressed to meet the carrier commitments actually imposed on it with the carriers we have had. I can foresee no lessening of the need, and no decrease in this requirement in the immediate or foreseeable future.

"This is one reason, but I must emphasize it is only one of many reasons why I support the view that we must maintain our present attack-carrier capability.

"I should also emphasize that in the past, and in certain areas today, the aircraft carrier has made a necessary contribution to the Nation's nuclear war deterrent. This contribution, though, has been a small one when measured as a percentage of the U.S. overall nuclear deterrent. This emphasizes that the primary role of the carrier is, as always, in something less than all-out war, so that whether or not there comes a ban on nuclear weapons, and whether or not the carrier is removed from its role in nuclear deterrence will not have any large impact on the need for the carrier.

"Indeed, if the test ban works, it would be hoped that the chances of nuclear war are less—a compelling reason why we must not lessen our ability to wage a nonnuclear war."

To the frequently encountered complaints that the *Forrestal* class of carrier is too big the admiral replies simply that the best criteria on needed size are (1) What jobs do we expect its planes to do? and (2) What are the characteristics of planes which will perform those functions?

"After that factor is weighed," he continues, "comes the decision on how long we wish this weapons system to remain in sustained combat without falling back for replenishment of black oil for the ship and aviation fuel for its planes. Atomic propulsion will obviate the need for black oil, and the space heretofore devoted to its storage can be used for storing additional aviation fuels, requiring less frequent replenishment.

"Experience, which when properly evaluated, is often more useful than theory, has indicated that the *Forrestal* class carrier is about ideal as to size. The *Enterprise* was made a bit larger in order to give proper shielding to its eight-reactor nuclear powerplant, rather than for operational needs, but we have, of course, benefited operationally from its added size. But indications are that the four reactor plants now available will prevent us having to build even larger carriers and may enable us to come down slightly from the *Enterprise's* size—however, varying little from that of *Forrestal*."

There has been a trend, not alone in carriers but in other classes of vessels, toward greater size, chiefly to accommodate new types of equipment (chiefly electronic) which themselves call for more and more space. The destroyer has grown larger and larger until its newer form became the destroyer leader, and lately the frigate, which is larger than the oldtime light cruiser class used to be. The Admiral thinks that the general upward trend now has gone far enough.

As to the future equipment, indispensable as most of the new types are for modern war at sea, he is opposed to abandoning all the old—notably the ship's guns.

"I am concerned about the rapid reduction of guns," said Admiral McDonald. "Many naval officers are. We must retain an adequate amount of them for surface fighting and for shore bombardment. We now are endeavoring to further development of new types of guns; we do not have enough.

"The surface-to-surface missile is a very expensive means of sinking an enemy patrol boat or softening up a beach for a landing. And the airplane, with its speed, does not do this with such precision as do the guns.

"As the missiles have increased, too, the long-range airplane has been allotted fewer missions. Wisely or not, the Navy is no longer buying long-range strategic type bombers, nor is the Air Force. This is a trend we should watch carefully, for we must maintain a proper balance between missiles and planes—man is important, and he is not in the missile.

### ON ABM AND TFX PLANE

"I don't believe the defensive missile has attained sufficient reliability to let us consider any appreciable reduction of defensive aircraft. I foresee no lessening need, either, for the fighter-bomber type used for conventional war, assault operations and related tasks. And there is a continuing need for the manned aircraft in early-warning duties, in electronic countermeasures, in reconnaissance, in mine laying, etc."

For the anti-ballistic missile's immediate future the Navy's new chief shows a distinctly limited enthusiasm. He expresses a belief in the possibility of developing an effective ABM capability "which will enable you—if you desire to spend the money—to provide acceptable protection to a specific spot; I doubt if there is such a thing as 'total protection' in any area of weaponry."

On the TFX airplane, the controversy over which has occupied months of Senate attention, Admiral McDonald (who came to office long after the disputed contract was awarded) says briefly: "The Navy will do its best to make the TFX fulfill our need. We are not arguing any more whether another plane would fulfill it better. Only if the Bureau of Weapons finds it does not fulfill our need, would I step in."

### WANTS SPACE DOOR OPEN

The Navy's formal exclusion from most space operations (by Defense Department ruling) took place even longer before McDonald came to the Pentagon, but he is well aware of what happened, and what still might happen.

"I don't want the door to space closed in the Navy's face," he said. "The Navy was once discouraged from doing anything in the big missile field, but we kept a foot in the door—and as a result we got Polaris. I want to keep the space door open in case there is something which we really wish to develop."

The nuclear weapons test ban treaty was signed before McDonald returned to Washington, but throughout the resultant uproar he has declined to get excited. "I don't believe the treaty is a threat to U.S. security," he said calmly. "I don't necessarily agree that the ban will actually increase our security but I do believe even that is possible."

He clearly favors a continuous advance in installation of atomic propulsion. "I have no objection to using the Navy's recommended figure of 8,000 tons and over for the present as a guide in installing atomic propulsion, but I can't feel that any arbitrary tonnage figure should indefinitely determine the use or nonuse of nuclear propulsion. Nuclear power marks the greatest advance in propulsion since the steam engine's invention, and of all the armed services it most concerns the Navy. It is essential that we pursue its development."

### UNDERSEA WARFARE

There is a general belief that the Navy's greatest concern for some time to come will be in undersea warfare, both offensive and defensive. For that reason some have advocated extending the single-manager concept into this area, in the belief that centralization of planning, development, and operation is called for. Although he did not deal with concentration of effort as such, Admiral McDonald expressed strong views in opposition to the single-manager concept, which has been gaining strength elsewhere in the Navy.

"It is difficult to measure the progress being made in undersea warfare," he said. "Overall progress often is not recognized for lack of concentrating all effort in a single section of the Navy. We must realize that there is a continuous input into antisubmarine warfare methods coming from multiple sources—from experience and judgment with destroyers, helicopters, control aircraft, underwater equipment.

"I do believe all these endeavors are already coordinated to the proper degree."

### SHOULD GIVE HONEST VIEW

Earlier in the year, when Admiral Anderson was denied an extension of his single term as Chief of Naval Operations, there was inevitable speculation upon whether this was related to his disagreement with certain views of his civilian chief. This in turn has led to the serious question of what a ranking military officer, disagreeing with his superior on a major issue affecting the Nation's security should do—should he bow to superior authority and remain silent, or, on being interrogated by a congressional committee, should he state his disagreement?

Admiral McDonald was asked to state his view on this issue.

"When a military officer appears before a congressional committee and is asked a question, he should answer it honestly, regardless of whether or not that answer contradicts something said by his superior," said the new Chief.

"There is a difference between answering a question from competent authority and volunteering information which is known to be contrary to a policy already decided. The difference is clear. Before I make a statement on a public platform, or before anyone, on an issue vital to the Department of Defense I should inform myself concerning the policy of my superiors in this area.

"If I simply cannot live with that policy I face my superior with the fact and either I get his modification of the policy or I leave my job."

## REFUSAL OF INDONESIA TO PERMIT THE FLYING OF AMERICAN FLAG DURING DEDICATION CEREMONIES

**Mr. WAGGONNER.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter addressed to the Secretary of State.

**The SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

**Mr. WAGGONNER.** Mr. Speaker, my reaction upon learning yesterday that the Government of Indonesia had refused to allow the flying of an American flag during the dedication ceremonies of an $8 million highway paid for by foreign aid funds, was one of complete disgust, if not surprise.

Through June of last year, this Nation has bled the American taxpayers for a total of $670,900,000 of hard-earned dollars and cents to pour into the Indonesian foreign aid rathole.

It is my understanding that American taxpayers paid for the entire cost of this $8 million highway from nowhere to nowhere. Monday, when the dedication ceremony was held, the stars and stripes was supposed to have been placed alongside the flag of Indonesia, symbolic, I suppose, of our friendship and the fact that the United States was gullible enough to pick up the tab for the four-lane highway.

Before the ceremonies began, President Sukarno sent word that our flag was not to be displayed and the State Department officials meekly took our flag down and skulked away.

If there is one reasonable man gifted with reasonable commonsense who can justify our continuing aid of any kind to this nation, I would like him to come to the floor and give me his reasons.

In the vain hope that somebody, somewhere in the terminal moraine of the State Department can explain why our flag was banned from this ribbon-cutting ceremony, I have today sent the following letter to the Secretary of State.

When I have received his reply, I will be happy to make it available to any other Member who, likewise, may wonder how this Nation has reached this humiliating state in its relations with our friends.

The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, D.C., October 23, 1963.*
Hon. DEAN RUSK,
*Secretary of State,*
*Washington, D.C.*

DEAR MR. SECRETARY: I have been informed that, to the chagrin and humiliation of this Nation, President Sukarno of Indonesia refused to permit the flying of the flag of the United States at a dedication ceremony opening a four-lane highway on the outskirts of Djakarta on Monday of this week.

It is my understanding that, through the foreign aid program, the taxpayers of this Nation financed the construction of that highway with $8 million of our tax money.

In view of this attitude on the part of President Sukarno, I would like to know the Department's appraisal of this incident, your opinion as to why our flag was banned and what action you are taking to rectify this insult.

Your assistance in this matter will be sincerely appreciated.

Yours truly,
JOE D. WAGGONNER, Jr.

## DROUGHT OR NEAR-DROUGHT CONDITIONS OVER MOST OF THE UNITED STATES EAST OF THE MISSOURI RIVER

**Mr. ULLMAN.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

**The SPEAKER.** Is there objection to the request of the gentleman from Oregon?

There was no objection.

**Mr. ULLMAN.** Mr. Speaker, today we were all greeted, upon going outdoors, with another beautiful fall day. The temperature is mild, the sky is clear, and the forecast is dry.

But Mr. Speaker, to the Virginia or Maryland farmer, the beauty of the weather poses a real threat. The moisture situation on the region's farms is fast becoming critical, and in the absence of any irrigation systems, the need for rain is very serious. The area around Washington is not alone in this predicament, either; according to the U.S. Weather Bureau, drought or near-drought conditions are prevalent over most of the United States east of the Missouri River.

Several weeks ago, upon returning from a dedication tour of water projects in my district, I called the attention of the House to the great contrast between water problems in the West and the East. It was raining that day, and as I pointed out then, that single rainfall produced more rain than many major farming areas in the West receive in a full summer month—more than several of my counties are liable to get during a whole growing season. Many Members here today are greatly concerned about the need for rain back home. Severe conditions exist in Louisiana, Mississippi, Alabama, Arkansas, Tennessee, Kentucky, Missouri, West Virginia, Illinois, Indiana, Ohio, Pennsylvania, New York, and most of New England. That is a very impressive list; the congressional representation of those States compose a clear majority in the House. If the Middle Atlantic States from Georgia to New Jersey which are experiencing light to moderate droughts are added, drought States could command a majority in the other body.

Mr. Speaker, perhaps the Members from the States I have named can appreciate the need for reclamation projects in the West by realizing that with the single exception of Texas, every State having droughts has received, during this dry season, more rain than the average reclamation county gets during an average or even a good year. I ask my colleagues, when constituents call attention to the hardships they are undergoing because of short water, what would those constituents do if every year brought even less water than this one?

The answer to that question is clear; steps would be taken to preserve the abundance of moisture that falls in the winter and spring for use during the growing and late planting months when it is needed. Streams would be dammed, ditches would be dug, laterals would be installed, and eastern farmers would learn to irrigate. If they did not America would not be able to survive on her own food supply, and we would either start importing vast quantities of foodstuffs, or Americans would starve.

Mr. Speaker, the reason that those of us who represent reclamation States fight so hard for authorization and appropriations of water projects is that the eastern drought conditions described are normal in the West. We have grown up on fertile land that can only be adequately farmed through irrigation, and knowing that every year places greater national dependence on food grown in the West, we know that the Nation must act to insure the growth of irrigation. And most of all, we know what reclamation can do.

Much attention has been paid to the President's recent conservation tour. I had the privilege of accompanying him on part of his trip, and of viewing with him several successful reclamation projects. The President is aware that reclamation is investment, capital investment, in the future of our Nation. Mr. Speaker, it is investment that we cannot afford to neglect. During the next several weeks, in a series of 5-minute speeches, I will describe some of the reclamation programs in my State and elsewhere, and I hope my colleagues, particularly those whose districts are having temporary water shortages, will more fully appreciate what reclamation means in areas where the water shortage is permanent.

### COLUMBIA BASIN PROJECT, WASHINGTON

America is a "nation on wheels," and our population is highly mobile. There is a good chance that many of us will someday soon take a trip out West. I am happy to recommend a few choice spots that should be included on the agenda. One of these is the Columbia Basin Federal Reclamation Project, located on the Columbia River in central Washington.

Last year, about 450,000 visitors enjoyed the guided tour of Grand Coulee Dam, the key structure of the Columbia Basin project. Untold thousands more just visited to take a picture for the folks back home. As they came away, however, they could not help but notice that the lands and fields around them were lush and green, that the farmsteads were well kept and orderly, and that the cities and towns through which they drove were bustling with activity.

The area of the Columbia Basin project had not always looked that way. The land was once covered with sagebrush. Some areas still are. The land was once described as "a desolation, where even the most hopeful can find nothing in its future to cheer." The people who expressed this sentiment underestimated the capacity of their descendants to master their environment. Water was the key to this mastery, and time, perseverance, and technological progress its essential elements.

The early settlers had no way to bring water to the land to render it fully productive. They did persevere, it is true, but only until it became obvious that their dryland farms would not support their number. Thus, from 1910 to 1930, the number of farms in the basin declined by half, and the population of towns and farms combined dwindled to a little more than 10,000.

With the start of construction on Grand Coulee Dam in 1933, thousands of workers came and brought new life to the basin. The dam was essentially completed in 1941, and the first power generator began operation in that year. Progressive increases of generating capacity in the ensuing 10-year period made great contributions to the war effort, and later to the postwar growth of the entire Pacific Northwest. Today, in fact, Grand Coulee produces about 40 percent of the electrical energy used in the Pacific Northwest, and the region, using this low-cost power, produces one-half of the aluminum in the Nation.

Following World War II, construction activity shifted to the irrigation works of the project to make needed water available to the first portions of a vast basin area containing more than a million acres of fertile land suited for irrigation. In 1948 and 1950, some 6,600 acres, comprising the first two blocks of land, received their initial water deliveries through pumps. By 1952, the first water from the Franklin D. Roosevelt Reservoir behind Grand Coulee Dam became available and was used to irrigate some 27,000 acres. The first crop on these lands had a gross value of $4.7 million.

People then started pouring into the Columbia Basin project area. Farmers came to farm, businessmen came to establish their enterprises, skilled and unskilled workers came to work in factories and on the farms, and professional and clerical workers came to provide the needed services. The population in Adams, Franklin, and Grant counties which contain nearly all presently irrigated project lands jumped from less than 20,000 in 1930 to 44,493 in 1950, and to 79,748 in 1960.

A total of 345,637 acres, or better than one-third of the ultimately irrigable lands in the basin, received water from project facilities in 1962. The harvest from this acreage was valued in excess of $47.1 million. Sugarbeets, planted on 8.3 percent of the acreage, produced 21.7 percent of the total value. Alfalfa hay for livestock production ran a close second, followed by late potatoes and seed peas. In all, about 50 different crops are now grown on project lands in an area once known primarily for its production of dryfarmed surplus crops. This runs true to pattern. Whenever water is introduced on these dry western lands, the farmers gain independence from the uncertainty of rainfall or drought; his economic position improves substantially, because he is no longer dependent upon one or two crops, but instead is free to diversify and produce for the marketplace instead of adding to the storage bill at the local grain elevator.

It is thus no surprise that the Columbia Basin reclamation project is instrumental in taking lands out of the production of surplus crops. Judging from census data, the wheat acreage in the three project counties declined by almost a third in the period 1949–59, from 662,672 acres in 1949 to 466,698 in the latter year. Other, more profitable crops take over. While the Columbia Basin project is still in relative infancy, future patterns already emerge more clearly. For example, Grant County, which has about half of the project-irrigated lands within its borders, has advanced to one of the leading counties nationally in the production of Irish potatoes, jumping from 29th place to 11th place in the lineup of producing counties in the 5-year period 1954–59. In terms of value of all farm products sold, Grant County now occupies 64th place among the 100 leading counties in the Nation; only 5 years earlier, it was not even listed among the top 100.

This kind of enterprise produces widely ranging, beneficial consequences felt throughout the economy. Production of sugarbeets has brought about the establishment of processing facilities. One of the largest sugar plants in the United States is now located on the project near Moses Lake. Its recent expansion of capacity to accommodate production on the project has been equivalent to adding an entire new factory. Facilities such as these create employment, bring new payrolls, people, and business into the cities and towns of the basin.

Production of livestock has also added new dimensions to the economy of the Columbia Basin, and, indeed, to the economy of the West and the Nation. The rapidly growing western population and economy have created new demand for livestock and livestock products. In 1952, the cattle on farms of the Columbia Basin project numbered a mere 1,517. In 1962, just under 60,000 head were inventoried, not counting the approximately 87,000 head which passed through project feedlots. In the face of this production tempo, feed grains have had to be imported into the State of Washington, even though this is basically uneconomic when such grains have to be shipped over long distances. For example, it is estimated that if all feed grains shipped to the State of Washington in 1961 had originated in the midwest surplus area, transportation charges would have added roughly $1.3 million to the West's food bill, or 10 cents more per pound of choice beef meat at the grocery store. In this view, project production of livestock feed and forage serves a definite and worthwhile economic purpose.

Water resource development through reclamation is not a haphazard undertaking, that may or may not yield dividends to the investing taxpayer. On the contrary, reclamation projects have proved their worth over and over through the years as a definite economic force in all parts of the arid and semiarid West. The Columbia Basin project, while still young, will be no exception. It has created homes, farms, cities, and opportunities for livelihood in an area once sagebrush and the home of jackrabbits.

There are now 20 farms in the basin for each one that existed before. Property taxes for the irrigated farms exceed those for dryland farms by 10 times or more. Retail sales in the three-county project area have increased from about $45 million in 1948 to $104 million in 1958, and estimates indicate that they will reach nearly $130 million by the end of 1963. During the same 1948–58 period, project-stimulated economic activity has caused the sales volume of the wholesale industry to grow by more than $43 million. Bank deposits, as a rough measure of the rising financial well-being of individuals, swelled the coffers of Adams, Franklin, and Grant County bankers by more than $34 million, rising from $24.5 million in 1949 to $58.5 million in 1960.

Surely this is a splendid record, considering the short time that a part of the Columbia Basin project has been in operation. But consider also that the cost of the Columbia Basin project is 95 percent reimbursable; that is, the revenues from power sales and the payments of irrigators will ultimately repay to the Federal Treasury all but about 5 percent of the Federal cost of project construction. Approximately 17 percent of the project's cost to date has already been repaid. In fiscal year 1962, net revenues from power operations alone brought in nearly $10 million to be used for repayment of construction costs and interest charges thereon. Repayments of irrigators continue on schedule.

The facilities of the Columbia Basin project presently include four storage reservoirs, the Grand Coulee powerplants, nearly 300 miles of canals and more than 1,600 miles of laterals, ditches, and drains. Truly a multipurpose undertaking, these works not only generate power and provide needed water supplies for the economy of the basin, but also provide substantial flood control, navigation, and recreation benefits. In 1962, for example, almost 1.4 million visitor-days of recreation use were reported on the 206,000 acres of land and water surface and the 1,041 miles of shoreline available to recreationists and visitors on the project. Newspaper accounts tell of the haven which awaits the hunter of waterfowl. In one county alone hunters bagged 105,000 ducks last year.

Mr. Speaker, the Columbia Basin project is just one example of what reclamation means to once-unproductive areas. During the next few weeks I will tell of projects located all over the western half of the United States, and point to the contribution they are making to a growing America.

## PROPOSED PAY INCREASES FOR CONGRESSIONAL EMPLOYEES

**Mr. UDALL.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Arizona?

There was no objection.

**Mr. UDALL.** Mr. Speaker, from reading press accounts and statements of some of my colleagues one might assume that only Congressmen and Cabinet members would receive increases in compensation under H.R. 8716, which I have introduced.

I think it should be emphasized that this is an omnibus pay bill. It provides for increases in pay for 2½ million fine people—our Federal employees in all three branches of Government.

Among the most dedicated, loyal, and talented people in Government are those who work for Members of Congress and congressional committees. The effectiveness of Congress depends to a very large degree on these Members' aids and on committee staffs. We ought to make certain that their compensation is kept at a level sufficiently high to keep them working on Capitol Hill—to prevent them from being lured away by industry.

Generally in the past, salary increases for staff employees of Members of Congress and of congressional committees have been granted in amounts similar to increases granted employees in the executive and judicial branches.

However, this policy was abandoned last year when staff employees of the legislative branch were granted a 7-percent increase under section 1005 of Public Law 87–793, while executive and judicial branch employees under the same act were granted two increases totaling an average of 9.2 percent, with substantially larger percentage increases in the upper grades. The first of these two increases was effective in October 1962 and the second will be effective in January 1964. No January 1964 increase was provided for legislative branch employees.

H.R. 8716 will correct partially the omission made by last year's bill by granting increases to staff employees on the Hill which will reflect the total increases proposed for employees under the Classification Act of 1949 over the increases the Classification Act employees received in October 1962.

Examples of the increases proposed by H.R. 8716 are as follows:

| Positions | Basic rate | Gross rate | Percentage of increase under H.R. 8716 | Amount of increase | New gross annual rate |
|---|---|---|---|---|---|
| Secretary | $1,960 | $5,002 | 7.0 | $350 | $5,352 |
| Clerk | 3,800 | 8,989 | 10.0 | 898 | 9,887 |
| Administrative assistant | 7,000 | 15,349 | 18.0 | 2,762 | 18,111 |
| Committee counsel | 8,100 | 17,418 | 24.0 | 4,180 | 21,598 |
| Committee staff director | 8,880 | 18,884 | 26.5 | 5,004 | 23,888 |

The annual rates for committee staff employees are subject to a maximum base rate of $8,880, or a gross annual rate of $18,884. At one time this base rate resulted in a gross rate equal to the top rate of the Classification Act. However, the arbitrary percentage increases granted by the Congress have resulted in the maximum rate for committee staff employees of $18,884, which is considerably lower than the top rate under the Classification Act of $20,000.

H.R. 8716 will remove the base limitation of $8,880, and establish a new limitation which will be equal to the top rate of the Classification Act, $25,550 under H.R. 8716.

These provisions are just one more of the many compelling reasons why the 1963 Federal salary legislation should be enacted.

## SOME SIMPLIFICATIONS OF THE OPPOSITION TO THE EXTENSION OF THE BRACERO PROGRAM

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, one of the great attributes of the decisionmaking procedure of the legislative function of Congress is that the important issues are ground fine in the crucible of debate, the flaws are exposed under the spotlight of public opinion, facts are separated from fiction, and the overt consequences rise to the top over the covert promises. This is true regarding the bill to extend Public Law 78, the bracero program, for supplying necessary supplemental farm labor for peak harvests.

Finally the objectives and consequences are being clarified. There appear to be two principal reasons for opposing the extension of the law. Both, when fully understood, are terribly dangerous to the working people of America. One group of opponents wants Mexican nationals to be admitted to the United States without limitation, as free men, as permanent residents and citizens. It is easy to sympathize with those who want to permit unlimited immigration of Mexican nationals into the United States. There is a great insatiable desire by Mexican nationals to come to the United States permanently. Job opportunity, wages, working conditions, living conditions are unbelievably superior in the United States. Freedom from oppression, governmental controls and socialism—even communism—disease and poverty is immeasurably greater in the United States. Many Mexican nationals have relatives, friends, and former neighbors in the United States. Life is immensely better in the United States. Thousands of applicants for permanent immigration from Mexico to the United States are denied each year. The bracero program is an irritating impediment to the unlimited immigrationist.

If the immigration law and regulations were relaxed, hundreds of thousands of Mexican nationals would swarm over the border and into every State in the Union.

Such permanent immigration would cause immediate and widespread havoc in our labor force. Most of the many Mexican immigrants would be unskilled and would at first compete with native American unskilled labor—naturally forcing many of our citizens out of work and depressing wages because the Mexicans are used to working for much less and need much less than our domestic workers.

The Mexican national is bright, industrious, ambitious, and eager and able to learn. He would soon branch out into semi-skilled and skilled employment—offering strong competition for the jobs now held by our citizens. They would also migrate rapidly from the border and agricultural areas into the urban and industrial areas offering more and more deadly competition in areas, employments, and industries already burdened and anguished by unemployment and underemployment. These Mexican immigrants would first seek work and homes in the border and agricultural areas, but when the first harvests were completed and the farm work peters out, they would quickly migrate in all directions and into all industries.

The schools through which their children moved—perhaps many times a year—would be thoroughly disrupted—detracting immeasurably from the quality and quantity of the education of the migrants as well as the American residents. The extraordinary additional cost and disruption would seriously hinder all primary and secondary education in America.

After the harvests, from 3 to 6 months of the year, there would be no jobs for them in America. In almost every other industry and occupation there is a surplus of labor. Therefore, newly arrived Mexican immigrants—freemen and their families—would need and seek relief and welfare assistance. This new demand could very well bankrupt many local and State welfare and unemployment insurance programs, as well as force a wider and wider migration and a further depression of wages and working conditions, not only among the unskilled, but among the semiskilled and even skilled workers.

We simply are not prepared now for a sudden inundation of hundreds of thousands of poor, unskilled workers and their families from Mexico or any other nation. We have some obligations to the needy and poor of the world and, especially, our Mexican neighbors, but we have a primary and immediate obligation to our own poor, needy, and unemployed in the United States.

These promoters of unlimited immigration from Mexico into the United States oppose the bracero. The bracero program limits the demand for Mexican migration into the United States to the harvest seasons only and to agricultural work and agricultural areas only. In the event of the elimination of the bracero program, many pressures for unlimited immigration would greatly and dramatically increase. Modification of the present immigration laws and new immigration laws would be loudly demanded.

Another group which opposes an extension of Public Law 78 is composed of some—but not all, by any means—bosses in organized labor. They are few, but they are vocal and persistent. Their motives vary from a commendable selfless interest in improving the wages and working conditions of agricultural labor to a less commendable selfish interest of adding dues to the union coffers for the perpetuation of their own jobs. Some responsible leaders in reputable, knowledgeable labor unions openly support an extension of the bracero program. They know it is necessary and that it produces good jobs for thousands of men and women in farming and allied industries who would not otherwise enjoy good—or any—employment.

Some labor leaders remain aloof, preferring not to offend those in organized labor who are against the bracero. They would like to be loyal, but they would also like to be right. Among labor—leaders, bosses, and the rank and file—I hear from the selfish bosses, not from the rank and file. The reason is simple. The bosses want to enlarge the number of dues payers. Dues are their lifeblood. Dues from the rank and file perpetuate the bosses in power. The rank and file, the workers, the men who need new jobs or who need to maintain their present jobs—in agriculture and allied industries, such as packing, packaging, manufacture, processing, fertilizing, and transportation by truck and by railroad—know how important it is that the crops be harvested, and how vital supplemental labor is during the harvest season. They know that when crops are not planted, or when they spoil, many men and women lose jobs like falling dominoes. The workers know that the bracero does only the job that will not be done by domestics. The workers also know that when the harvest is complete, the braceros go home and do not take the jobs of other American citizens.

He knows the bracero does not jeopardize his welfare and unemployment systems. The worker likes the bracero. When there is a bracero around, there is always work for a domestic. The worker does not write his Congressman to vote against Public Law 78. Only a few bosses, a very few, write against the program.

An inundation of Mexican nationals, as permanent residents, as freemen, to replace the bracero would be a large new source of prospective dues payers and power to the labor boss.

This is the crux of why we receive reams from a few labor bosses, who are vocal and have lobbyists and Washington representatives; and also why we hear privately from the rank and file and from some responsible leaders of reputable unions who favor an extension.

I would like to suggest that the heads of labor organizations tell their members both sides of this controversy. Few problems have simple answers. There are two sides—and each must concede that his side is not the only side with any merit. Give the worker the full story from both sides. Let the laborer make his own decision on the basis of how the solution and consequences will affect him and his family. When the worker is given the facts, the full story, both sides of the controversy, I will trust his judgment.

Our immigration laws admittedly need revision. Many suggestions for revision are being considered in Congress now. Immigration laws are important, but delicate. Any scheme to force a major modification prematurely to specially benefit the Mexican national should be strongly resisted. When revisions of our immigration laws are debated, we should thoroughly consider the demands of all nations equitably. Sudden abandonment of the bracero program would do just what those promoting unlimited Mexican immigration want—create an illusion of a great need for Mexican migration into the United States because of the great demands and desires on both sides of the border in the agricultural fields. The bracero program now adequately satisfies both the desires of the Mexicans and the needs of the United States without complicating or prejudicing other industries and areas of our socioeconomic society.

If large numbers of Mexican nationals are permitted to immigrate permanently to the United States as freemen, it should be obvious, even mathematically certain, that immigration from other countries will be proportionately reduced. This is extremely unfair to other nationalities. Nationals from Japan, Europe, the Philippines, and many other countries are just as desirous, just as needy, just as willing, just as welcome to come as permanent residents. Once great numbers of Mexican nationals are permitted to enter the United States as permanent residents, citizens, or freemen, other nationals will make the same demands with as much logic, but more precedent.

Another group which once opposed an extension of the bracero program was composed of social and religious leaders who, understandably, felt great empathy for the pathetic plight of the migrant farm family and the "wetback," but who confused the "wetback" and the bracero. Many of these people have admitted their mistake, acknowledged that the bracero actually ameliorates the plight of the nomadic farm labor migrations and has almost eliminated the cruel and undesirable aspects of the illegal entrant from Mexico commonly referred to disparagingly as the "wetback."

Many of these dedicated people have now indicated their willingness to work to improve the migrant's plight by developing programs which will permit the family to remain home, attend school and church regularly, participate in normal community and youth activities, in short, to develop roots, stability, and a sense of belonging. Now that they understand the root and nub of the problem they intend to stick to the principal objective. All proponents of the bracero bill will work with them toward the same objective.

However, if mass immigrations are permitted from Mexico into the United States, we can look forward with despair and pity to the even greater migrations hither and thither about the United States. The job of the humanitarian, the social worker, the religious leader, and the welfare administrator will be multiplied manifold. More pitifully, the cruel plight of the migrant family—especially the innocent and quite helpless children—will be increased manifold and extended to almost every community and city in our country. This can easily be avoided by a simple extension of the bracero program which is the most effective, humanitarian solution yet devised for a tough, socioeconomic problem. We should extend Public Law 78 until a better system is at least proposed.

With the bracero program, we permit many Mexican nationals to come into this country under control and supervision to work in the harvests where and when we have a great undersupply of labor. They return to their families in Mexico when there is no more work in the United States. In this manner we discharge our obligation to assist our neighbors in the most satisfactory way yet devised—short of permitting unlimited numbers of Mexican unemployeds to enter this country to maraud across the country seeking work wherever and in whatever industry they can. If these immigrants could find no work, they would much prefer to accept our welfare assistance which is much greater than the highest wages they can earn in Mexico. We could not criticize these Mexican immigrants for behaving in this manner. American citizens would do exactly the same if the conditions were reversed. The only difference is that no group of Mexicans would advocate the admission of U.S. citizens into Mexico under the circumstances now facing us.

We should extend the bracero program until a practical, workable substitute program is proposed. Sudden cancellation of Public Law 78 would cause havoc in hundreds of agricultural communities which would be felt in every community of America.

## RAILROAD REDEVELOPMENT ACT OF 1963

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am today introducing the Railroad Redevelopment Act of 1963 to enable essential but financially hard-pressed American railroads to obtain loans under a comprehensive plan from the International Bank for Reconstruction and Development—the World Bank—or other financial institutions. The World Bank and its affiliate, the International Development Association—IDA—have loaned $1,171,300,000 in foreign countries to construct, improve, and modernize their railroads—but no such loans have been made in the United States.

The following significant railroad loans have been made to other countries:

| | |
|---|---|
| Japan | $80,000,000 |
| Mexico | 61,000,000 |
| France | 7,500,000 |
| India | 446,000,000 |
| United Kingdom (for Nigeria, Rhodesia, and Nyasaland) | 85,000,000 |

Mr. Speaker, the World Bank has two unique qualifications—first, major experience in analysis and development of conditions for a loan in the railroad field; and, second, insulation from politics.

The Bank makes thorough studies and develops a comprehensive plan as a precondition to any loan consideration. Under my bill, this plan could also be the basis for a loan by other financial institutions which follow similar IBRD standards.

While the Bank's title underscores "reconstruction" and "development," in fact, this institution has helped modernize railroads in industrialized countries, notably Japan.

The bill provides for a Government guarantee—necessary for an IBRD loan or loan from other financial institutions—the provisions of which would be administered by the Secretary of Commerce, subject to certain conditions and limitations. The Secretary must find that, first, the applicant railroad is unable to obtain the needed funds from private sources on reasonable terms without a guarantee of the loan by the Government; second, the rate of interest, other charges, and the schedule for repayment of principal are reasonable for the railroad; third, the applicant railroad's program for capital expenditures for which the guarantee is sought is sufficiently comprehensive to provide reasonable assurance that the railroad will be able to maintain its essential freight, passenger, and commuter services and will become economically viable and financially sound; and, fourth, that the prospective earning power of the applicant railroad will provide reasonable assurance that the railroad will be able to repay the loan and protect the interest of the United States.

There are today only a few essential, hard-pressed railroads in the United States but these are in deep trouble—and the New Haven is at the top of the list.

To allow the New Haven Railroad to fail through inaction is unthinkable, as this railroad is essential to many passengers; is vital to New England and the great metropolitan areas it serves; and provides the only direct rail link between New England and the South.

Railroad authorities have indicated that the task of planning and financing a comprehensive program for the rehabilitation and modernization of the New Haven Railroad is comparable to the existing World Bank program for the new Tokaido Rail Line in Japan. This improved 320-mile line between Tokyo and Osaka, to be completed in 1964, is fully modern in concept with trains capable of 120 miles per hour.

Some other proposals being mentioned for distressed railroads involve the establishment of public authorities, which is the road to nationalization and could involve excessive time for action by State legislatures and the Congress.

In the case of the New Haven time is running out and a delay of a year may be too long. The World Bank could in effect serve as a catalyst for forward action before the last whistle blows for the New Haven.

A concomitant of this bill is the development of an up-to-date national transportation policy of more freedom and less regulation. I am working on a bill addressed to the overall problem, but the first priority must be to save the essential railroads we have now, and to preserve and improve their passenger, freight, and commuter services.

SUMMARY OF LOANS MADE BY U.S. AGENCIES AND U.S.-SUPPORTED INTERNATIONAL AGENCIES, INCLUDING THE WORLD BANK AND ITS AFFILIATE, THE INTERNATIONAL DEVELOPMENT ASSOCIATION (IDA)

I. Loans made by the World Bank[1] and its affiliate, the International Development Association, to finance the construction, rehabilitation, improvement, and modernization of all modes of transport in foreign countries total $2,623,250,000 as of June 30, 1963, of which $1,171,300,000 were loans made to finance the construction, improvement, and modernization of their railroads.

Among the loans made by the World Bank for railroads are:

[In thousands]

| | |
|---|---|
| Japan: To aid the Japanese National Railways in the construction of a modern, high-speed railroad between Tokyo and Osaka | $80,000 |
| United Kingdom: For railroad improvement in Nigeria, Rhodesia, and Nyasaland | 85,000 |
| France: For Overseas Railway Administration | 7,500 |
| Belgium: For transport equipment | 5,000 |
| Colombia: For railway modernization | 76,300 |
| India: To modernize Indian National Railways (World Bank Loan) | $379,000 |
| India: To finance imports of materials and equipment to meet 1963 needs for modernizing Indian National Railways (IDA loan) | 67,500 |
| Mexico: To rehabilitate and modernize its railways | 61,000 |
| Pakistan: To rehabilitate and modernize its railways | 93,500 |
| Peru: To rehabilitate and modernize its railways | 28,500 |
| South Africa: To rehabilitate and modernize its railways | 61,600 |
| Thailand: To rehabilitate and modernize the State Railways of Thailand | .37,000 |
| Korea: For railroad development modernization (IDA loan) | 14,000 |

II. Loans and grants made by U.S. agencies and U.S.-supported international agencies to finance the construction, rehabilitation, improvement and modernization of all modes of transportation, including railroads, in foreign countries:

[In thousands]

| | |
|---|---|
| The World Bank (including $247,350,000 in loans made by IDA) | $2,623,250 |
| Export-Import Bank of Washington | 2,022,190 |
| Agency for International Development (AID) | 2,340,000 |
| Total | 6,985,440 |

III. Loans and grants made by U.S. agencies and U.S.-supported international agencies to finance the construction, rehabilitation, improvement, and modernization of railroads in foreign countries, which are included in the above section II.

[In thousands]

| | |
|---|---|
| The World Bank (hard loans) | $1,089,900 |
| The Bank's affiliate, IDA (soft loans) | 81,500 |
| Export-Import Bank of Washington | 853,233 |
| Agency for International Development (AID), loans and grants | 721,200 |
| Total | 2,745,733 |

## STINSON QUESTIONS SKETCHY KORTH INVESTIGATION BY JUSTICE DEPARTMENT

Mr. STINSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. STINSON. Mr. Speaker, I have received a reply from the Justice Department concerning my inquiry to them as to how they conducted their investigation of the possible conflict of interest in the TFX award of Secretary of the Navy Fred Korth.

I am inserting copies of both the Justice Department letter and my reply to them.

DEPARTMENT OF JUSTICE,
*Washington.*

Hon. BILL STINSON,
*U.S. House of Representatives,*
*Washington, D.C.*

DEAR CONGRESSMAN STINSON: The Attorney General has asked me to reply to your letter to him of September 27, 1963, concerning the basis of the Department's view that Secretary of the Navy Korth did not violate title 18, United States Code, section 434 by participating in the awarding of the TFX contract.

The Department based its conclusion upon pertinent portions of the transcript of the TFX hearings before the Senate Permanent Subcommittee on Investigations of Government Operations and upon other information supplied to the subcommittee by Secretary Korth. Consideration was given to each of the points enumerated in your letter.

In your letter of August 16, 1963, you asked the Department to investigate the possibility that Secretary Korth violated title 18, United States Code, section 434 by participating in the awarding of the TFX contract to General Dynamics Corp. Section 434 provides:

"Whoever, being an officer, agent or member of, or directly or indirectly interested in the pecuniary profits or contracts of any corporation, joint-stock company, or association, or of any firm or partnership, or other business entity, is employed or acts as an officer or agent of the United States for the transaction of business with such business entity, shall be fined not more than $2,000 or imprisoned not more than two years, or both."

So far as we are aware, it has never been suggested that Secretary Korth was at any time an "officer, agent, or member" of General Dynamics Corp., and the question presented therefore is whether, at the time when he participated in the contract award, he was "directly or indirectly interested in the pecuniary profits or contracts" of General Dynamics.

So far as we are aware, the only financial nexus between Secretary Korth and General Dynamics at the time of his work on the TFX contract award arose from the fact that he owned 5,200 shares of stock (out of 300,000 issued) in the Continental National Bank of Fort Worth. The bank was not a stockholder of General Dynamics. However, the bank was at that time 1 of 20 banks participating in a secured revolving credit agreement negotiated between the Chase Manhattan Bank of New York and the General Dynamics Corp.

Normally, a debtor-creditor relationship does not involve any interest on the part of the creditor in the "pecuniary profits or contracts" of the debtor because the amount of the debt and charges is fixed and does not depend on the profits of the debtor. We can conceive of circumstances where this general rule might not apply, as for example where the loan involved an exceptional degree of risk. In the present case, however, the loan was fully secured. The total commitment involved was $200 million, of which the share of Continental National Bank was $400,000. The latter amount was the smallest made available by any of the participating banks, amounting to two-tenths of 1 percent of the total available under the agreement. The amount involved was less than one-half of 1 percent of the Continental Bank's deposits, which amounted to about $100 million. Under these circumstances, we did not see how a stockholder of the bank could be deemed to have an interest, whether direct or indirect, in the "profits or contracts" of General Dynamics. Therefore, it was concluded that Secretary Korth did not violate section 434. I note in this connection that neither the subcommittee nor its staff has suggested the possibility of a violation of the statute to this Department.

If I can be of further assistance with respect to this matter, please let me know.

Sincerely,

NORBERT A. SCHLEI,
*Assistant Attorney General, Office of Legal Counsel.*

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[1] The United States has subscribed 30.63 percent of the World Bank's total subscriptions. This amounts to a total of $6,350 million, of which $635 million is paid in. The balance is subject to call.

Congress of the United States,
House of Representatives,
*Washington, D.C., October 23, 1963.*
Hon. Robert F. Kennedy,
*U.S. Attorney General, Department of Justice, Washington, D.C.*

Dear Attorney General Kennedy: A letter from your office has been received in reply to my letter of September 27, 1963, in which I asked for an explanation of the investigation of the possibility of a conflict of interest on the part of Secretary of the Navy Fred Korth.

There can be no doubt that General Dynamics Corp. was considered an important customer of the Continental National Bank of Fort Worth at the time Fred Korth was president of that bank.

A Des Moines Register story, by Clark Mollenhoff, states that records shows that General Dynamics carried deposits of from $100,000 to $500,000 in an inactive noninterest-bearing account in the Continental National Bank of Forth Worth. This was virtually giving the bank the use of this large amount of money for extended periods of time.

The General Dynamics firm carried a payroll account of from $25,000 to $40,000 in the Continental National Bank of Fort Worth in connection with its Convair plant in Fort Worth.

When the General Dynamics firm was in serious financial trouble in 1961, Korth, as president of the bank, approved a $400,000 loan agreement to the firm. This loan was outstanding at the time Korth became Navy Secretary in January 1962, and it was not paid off until April 1963—long after the investigation of TFX was started by the McClellan subcommittee.

There was also a specific interest Fred Korth and Continental National Bank had in General Dynamics through large inactive deposits, through a large payroll account, and through a series of loans. There should be no doubt in anyone's mind that prior to the time he became Navy Secretary, Fred Korth had a great interest in the financial affairs of General Dynamics.

Fred Korth did resign as president of the Continental National Bank in January 1962, when he became Navy Secretary. Consequently, we do have a little different situation than the classic Dixon-Yates case. I might call to your attention that Adolphe Wenzell was never an "officer, agent, or member" of the Mississippi Valley Generating Co. However, the U.S. Supreme Court in January 1961, ruled that Adolphe Wenzell had the necessary interest "in the pecuniary profits or contracts" of Mississippi Valley Generating Co. to constitute a violation of title 18, section 434. Wenzell's banking institution, the First Boston Co., had only the possibility of a future contract with the Mississippi Valley Generating Co. Korth's bank had a clear loan agreement in force and also had dealt with General Dynamics extensively and regarded the firm as one of its best customers.

The important questions are these: Just how much did Fred Korth change his role in the bank? Just how much interest did Fred Korth have in the deposits, the loans, the new accounts, and the general future of Continental National Bank?

First, we must say that he did resign as president of the bank. If this was a complete severance with the bank, then Korth would probably avoid a "conflict of interest" within the meaning of title 18, section 434, even though his past associations and financial ties might make it difficult for him to be objective in a contract involving the major business of his hometown of Fort Worth. However, it appears that there was not a complete severance.

Korth has indicated to the McClellan subcommittee that he had no personal interest in the future of General Dynamics at the time he was taking part in the decision on the TFX contract. He told the McClellan subcommittee that he did not have any detailed knowledge of the status of the loan arrangements between Continental National Bank and General Dynamics, and that he was avoiding the contamination of involvement by making no inquiry.

A suit brought by stockholders of an insurance company in Fort Worth revealed that in 1955 Mr. Frank Pace, then president of General Dynamics and still a member of the board, introduced Mr. Korth to B. F. Biggers of Dallas, Tex. Frank Pace remained president of General Dynamics until February 1962. This introduction resulted in Mr. Korth becoming a director in an insurance company that was being formed. Mr. Korth received, without making any investment, stock that would be worth up to a quarter of a million dollars.

Did Fred Korth retain an interest in the business of Continental National Bank from January, 1962, through the period that the TFX airplane contract was under study and since then? Was Fred Korth interested in getting new depositors for the Continental National Bank? Was Fred Korth interested in keeping the old depositors' accounts? Was Fred Korth interested in promoting the general business of Continental National Bank after he became Navy Secretary?

The answers to these questions are important in determining whether Fred Korth was in fact an active promoter of Continental National Bank after January 1962, for this goes to the very heart of the "conflict of interest" law. The law was intended to prohibit anyone from taking part in a decision on a Government contract if that person had any financial interest that might consciously or subconsciously influence him in favor of his own present or future financial betterment.

The correspondence released by Korth last weekend becomes vital on the point of whether Korth retained such an interest in promoting the future of the Fort Worth bank that he could not be objective on the TFX decision. (And we should keep in mind that Korth did have a major role in the TFX contract. He helped to overrule his top military officers and his top civilian technical experts who felt that this contract should be awarded to the Boeing Co. on the basis of both price and performance.)

Korth retained approximately $160,000 in stock in the Continental National Bank. This fact alone gave him some personal financial interest in the future of the bank, and in the bank's relations with such a big customer as General Dynamics. Korth also announced that he intended to return to the Continental National Bank when he completed his service as Navy Secretary.

The correspondence involving Korth and Continental National Bank officials becomes vital relative to his interest in the bank at the time of the TFX award.

On October 19, 1962—in the last weeks before the TFX decision—Leon Jordan, the vice president and comptroller of Continental National Bank, wrote Korth as follows:

"While it is true that our deposits have shown very good increases, I happen to know that it has been you who has sent some of these deposits to us and I also happen to know that there could and would be a great many more if you were here under different circumstances than before you left."

On September 14, 1962—a month earlier—Jordan had written to Korth: "I note on today's new account list that you have secured a $25,000 account from Neiman-Marcus for us and only a few days ago another $25,000 savings account the name of which I don't recall at the moment but suffice it to say that this is probably more business than the people who are primarily responsible for new business have gotten in the past 2 or 3 months. So may I add my thanks to you—just hurry up and get back here."

On March 1, 1963, a Mr. F. S. Kellstrom wrote to Navy Secretary Korth assuring him a large balance would be maintained in the Fischbach and Moore, Inc. account. Kellstrom wrote:

"Dear Fred: I am sending you a copy of our balance as of February 15, 1963. I hope this makes you happy. I have the assurance that it will not go below $100,000."

On March 4, 1963, Navy Secretary Korth wrote to Kellstrom: "Many thanks to you for your letter of March 1 giving me the balances, including that fine balance in Continental National Bank. I should have written you long ago to express my appreciation for making this balance possible for Continental National, of which I was formerly president."

On February 1, 1963, Korth wrote to Phil Regan, of Palm Springs, Calif., thanking him for a $50,000 deposit in a new account in Continental National Bank. Regan had arranged the large deposit immediately after returning home from a cruise with Korth in Washington on the Navy yacht, the *Sequoia*.

Regan quipped: "If you keep your fingers crossed and my good luck continues, the deposit might be there until hell freezes over."

Korth replied: "We were indeed fortunate that we were able to have you and Jo aboard the *Sequoia* while you were in Washington, and I hope you'll let me know when you plan on having another visit with us."

Was the use of the yacht to entertain Phil Regan an isolated instance of Korth using the *Sequoia* for promoting the interests of Continental National Bank? The correspondence indicates it was not an isolated instance. In 1962 and 1963 there is correspondence showing that Korth was entertaining officials of the Continental National Bank on the *Sequoia*, and that he suggested that they bring along the extra good customers.

In my letter of September 27, 1963, I asked if you had contacted the Senate Investigating Subcommittee and the Continental Bank at Fort Worth.

Evidently, at the time of your letter of September 9, 1963, your office had done neither. From the gist of your letter, it appears that the investigation was conducted within the confines of the Department of Justice.

I have some difficulty in understanding why the FBI was not called in to conduct a full investigation. It would seem proper to me that the FBI should fully investigate the loan transactions at the Continental National Bank in Fort Worth and also that they should consult the Senate Investigating Subcommittee on information that possibly was not included in the hearings. As you know, the hearings have not been concluded as yet.

The Justice Department letter further states that its conclusion was based also "upon other information supplied to the subcommittee by Secretary Korth." Did this information by Mr. Korth include the large volume of correspondence that Mr. Korth recently made public?

If your office has not examined this new evidence, I would hope that this project would immediately be undertaken.

Perhaps the new evidence brought out in the recently revealed correspondence and consultation with the Senate investigating subcommittee would reveal the new evidence that would change your determination that Korth did not violate 18 U.S.C. 434 by participating in the awarding of the TFX.

The letter also failed to mention the conference that I requested with your office and with representatives of the Senate investigating subcommittee. Your failure to mention this part of my request would lead me to conclude that your office is not interested in further discussing this matter.

Yours very truly,

BILL STINSON,
*Representative to Congress.*

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## PERSONAL ANNOUNCEMENT

Mr. ROONEY of New York. Mr. Speaker, on yesterday, October 22, on rollcall No. 178 I was unavoidably absent on official business. Had I been present I would have voted "aye." The same would apply to rollcall No. 176 on Monday, October 21. Had I been present I would have voted "aye."

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## U.S. OFFICE OF EDUCATION VERSUS THE SCHOOL BOARDS

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 30 minutes.

**Mr. ASHBROOK.** Mr. Speaker, I rise to suggest the need of a full-fledged congressional investigation of the U.S. Office of Education. The purpose of such an investigation would be to determine whether certain key U.S. Office of Education officials are or are not planning to circumvent the will of the Congress of the United States and of the American people in the matter of Federal control of education.

I am convinced, Mr. Speaker, that the question of local control of education, per se, is not at issue in this Chamber. I feel sure—and there is plenty of evidence to prove my point—that the people of the United States, the voters who send us here, want to hold on to their traditional prerogative of controlling the public school system. They want to make, and are eminently capable of making, their own decisions in regard to the education of their children and neither want nor need control—control by whatever name or however skillfully disguised—from Washington. I assume therefore that the great majority of Federal aiders on both sides of the aisle, who believe that we can have Federal aid without control as well as all of us who are opposed to Federal aid because we believe it inevitably leads to Federal control, will look with real concern on new evidence of skulduggery within the U.S. Office of Education. The skulduggery to which I refer is the further implementation of the design for Federal control of education boldly drawn up in the USOE pamphlet, published in April 1961, "A Federal Education Agency for the Future—Report of the Committee on Mission and Organization of the U.S. Office of Education."

### BLUEPRINT FOR CONTROL

You may recall, Mr. Speaker, that on July 18, 1961, I brought this pamphlet to the attention of the House and requested and received permission to have it printed in full in the RECORD. At that time, I said in part:

The report was compiled over the preceding 5 months, according to the foreword, and I feel that its pronouncements are a blueprint for complete domination and direction of our schools from Washington.

* * * * *

Fifty-six pages of findings contain recommendations which call for more and more Federal participation and control and repeatedly stress the need for Federal activity in formulating educational policies. It recommends a review of teacher preparation, curriculum, and textbooks. It calls for an implementation of international educational projects in cooperation with UNESCO in the U.N. and ministries of education abroad. Of course, it recommends an enlarged Office of Education and the use of social scientists as key advisers. In typical Federal bureaucratic style, it builds the need for these programs and cites self-serving protestations that there has been a charge in public belief which supports more Federal intrusion. This is based to a large extent on what they term as popular acceptance of other foot-in-the-door educational programs of Federal aid.

* * * * *

Carroll Hanson, Director Publications Services, Office of Education, transmitted an unpublicized memorandum to the Committee on Mission and Organization of the U.S. Office of Education when it started its works which ultimately wound up in the report in question. In it he laid bare the real nemesis of the Federal bureaucrats—the tradition of local control. On one hand he referred to this doctrine as a "valuable tradition" but this window-dressing was brushed completely aside with these prophetic words:

"However, the tradition of local control has been used by certain groups to forestall increased expenditures for education; it has been used to frighten the Office of Education out of areas where the national interest is involved and where the Office does have a legitimate concern. The tradition of local control should no longer be permitted to inhibit Office of Education leadership."

There can be little doubt what this means. The blueprint for Federal control of our educational processes comes from this view which holds to the necessity of overcoming the tradition of local control.

Another staff report of the Office of Education, written by E. Glenn Featherston, Assistant Commissioner and Director of State and Local School Systems, cites the life adjustment movement as an example of the areas where the Office might lead the schools to sound agreements on education. He recommends a deliberate and planned effort to influence on an extensive nationwide scale, thinking on American education.

He explained:

"I mean the Office of Education trying to bring together the representatives of the many varied interests in education and trying to lead them to sound agreements on American education and 'selling' them the results of such efforts.

* * * * *

"Without question the Office of Education has and will continue to exert leadership through the collection of information, through research, through consultation and through the administration of programs. However, it is to a broader type of leadership I am referring here and that is the deliberate and planned effort to influence on an extensive, nationwide scale thinking in American education. * * * What changes should be made in elementary and secondary school curriculums? This would open up a tremendous area of activity and through the proper role the Office could bring about a great change without dictating."

Now, lest we forget what the members of the Committee on Mission and Organization of the U.S. Office of Education, whose names appear on the title page, consider the USOE mission to be, I quote some typical passages from the report itself:

### FORMULATION OF NATIONAL POLICY

The last decade has seen added to the historic functions of the Office, then, a variety of new responsibilities: growing responsibilities in the carrying out of established Federal policy; responsibility as the Federal Government's educational auditor; and distinctive responsibility in the field of international education. All three of these new major functions are an outgrowth of increasingly active national concern for education. All three of these new major functions point to what may be identified as a fourth—extensive involvement in the formulation of national policy (p. 6).

### EDUCATIONAL CHALLENGE OF THE WORLD COMMUNITY

The next decade will bring closer multiple relationships with ministries of education abroad and international organizations, such as UNESCO, the Organization of American States, International Bureau of Education, and others working in the field of education, as problems in education are attacked bilaterally and multilaterally on a worldwide basis (p. 40).

### ROLE OF THE FEDERAL GOVERNMENT

The Federal Government can and should reflect a growing sense of educational nationhood—an awareness that the implications of education are indisputably national, however local may be the control of education (p. 41).

The Federal Government must be prepared in the coming decade not only to continue and, where appropriate, expand existing programs of aid to education; it must also develop new avenues of assistance and patterns of educational leadership (p. 41).

### MISSION OF THE USOE

In the fulfillment of its educational leadership responsibilities at the Federal level, the Office must establish such rapport and mutual understandings as to merit and achieve confidence in its representation of the educational profession in national policymaking, thus rendering more effective its assistance to the policymaker through reports, recommendations, and proposals to the administration.

Along with these responsibilities should be included that of stimulating and participating activity in the process of formulation, examination, and reformulations of the goals of our national society in terms of educational objectives.

The Office of Education, as the primary Federal agency in the field of education, must look forward to a greater role in planning the Nation's relationships with educational programs, education institutions, students and faculty members in other countries, in implementing international educational projects in the United States, and in bringing maximum effectiveness to the total international educational effort (p. 43).

### FUTURE PROGRAMS

Programs may be anticipated in such areas as the following:

1. Grants to States for elementary and secondary education.
2. Grants for higher education physical facilities.
3. Grants to States for vocational education.
4. Increased aid to graduate education.
5. Expanded educational research in all areas, including graduate education.
6. Strengthening of educational statistics programs.
7. Increased financial assistance to students for higher education.
8. Increased financial assistance for teacher education.

> 9. Broadening of Federal interest in curriculum and improvement of instruction.
>
> 10. Marked increase in international educational assistance.
>
> 11. Broadening of Federal interest to include educational activities and services outside the structure of organized education.
>
> The Office should not only prepare itself for the assumption of these assignments, but it should also make a concerted effort to see that the statutory responsibility for the administration of Federal programs with major educational implications is properly lodged within the Federal structure (p. 49).
>
> ### POLICY ROLE IN THE NATIONAL COMMUNITY
>
> In addition to the Federal level of public policy determination, the Office has much concern with policy matters at the State and local levels, and in higher education institutions. Active leadership by the Office to encourage constructive consensus on particular problems or issues in American education helps to crystallize public policy at all levels. This development of consensus is encouraged in a number of ways. The Office calls national conferences focused on identified problems and issues; it participates in cooperative programs to develop voluntary nationwide standards; and it exerts a continuous stimulating effect through its daily operational contacts in categorial assistance programs (p. 52).

On July 18, 1961, I warned:

> One of the most interesting statements in the entire document is contained in the foreword which was written by Sterling M. McMurrin, Commissioner of Education. He concludes the foreword with these words: "While the full evaluation and adoption of recommendations made in this report will require a period of review, I anticipate that much of this activity will take place through normal administrative processes within the Office and the Department."
>
> What is meant when he says "I anticipate that much of this activity will take place through normal administrative processes within the Office and the Department"? In the jargon of Washington bureaucracy this means that the report will be largely implemented on the administrative level without congressional action and approval.

### REORGANIZATION ACCOMPLISHED

One year later, Mr. Speaker, on July 26, 1962, I revealed here on the floor of the House that despite my warning—and I wish to emphasize that I was not alone but in good company, a number of my most distinguished colleagues were as disturbed as I was over the implications of the pamphlet, "A Federal Education Agency for the Future, Report of the Committee on Mission and Organization of the U.S. Office of Education"—despite our warnings, the reorganization of the USOE, as recommended in the mission report, had become an accomplished fact. Not only that but a number of those who took part in the preparation of the report had been elevated, or had elevated themselves, to acting positions of power in the new bureaucratic structure. I said in part:

> Mr. Speaker, it has come to my attention that the U.S. Office of Education, in a most audacious and appalling move, has been reorganized in a way effectively to bypass the Congress of the United States. My colleagues will remember that in April last year a pamphlet appeared entitled "A Federal Education Agency for the Future, Report of the Committee on Mission and Organization of the U.S. Office of Education." This pamphlet was widely denounced at the time. To say the very least, it was a thinly disguised bureaucratic bid for power over the minds of American youth. Now, despite all the furor that pamphlet caused in this Chamber and throughout the country, the Office of Education reorganization there suggested as a necessary first step to attain "mission", has been virtually realized. Of course, this should surprise none of us because Commissioner McMurrin, in his preface to the pamphlet, frankly stated: "I anticipate that much of this activity will take place through normal administrative processes within the Office of Education."
>
> Mr. Speaker, I submit that this is no routine reorganization for purposes of efficiency or economy. I submit that this is a design for change in Office of Education functions leading toward Federal control over the State and local school systems and curriculum content—in short, Federal control of education.
>
> On March 30, Mr. Speaker, Commissioner Sterling M. McMurrin announced the names of acting personnel for the proposed reorganization to take effect April 2, 1962. And who do you suppose the new education bosses were slated to be? Why, by and large, those very Committee on Mission members, or their aids, who dreamed up the Federal Education Agency for the Future.

At this point, I would like the RECORD to show that no less an authority than Mission and Organization Committee Chairman Homer D. Babbidge, Jr., who left the Office of Education for the American Council on Education, and is now president of the University of Connecticut, has confirmed that many of the recommendations of his committee have been implemented or are in the process of being implemented.

During hearings before the Committee on Education and Labor on H.R. 3000, the National Education Improvement Act, so-called, February 8, 1963, Congressman AYRES interrogated Dr. Babbidge concerning the pamphlet, "A Federal Education Agency for the Future." I read from pages 497 and 498 of the printed hearings:

> Mr. AYRES. I notice when this was printed up, Doctor, you were the chairman of a committee that called itself a study group on mission to the Office of Education. Now, as far as you know, is the Department still interested in implementing this plan?
>
> Dr. BABBIDGE. My understanding, Mr. AYRES, is that the structural changes recommended by the Commission have in large part been effected in the U.S. Office of Education; yes.
>
> Mr. AYRES. In other words those of us who said at the time that this was probably the plan were not too far off?
>
> Dr. BABBIDGE. I am talking of the structural situation as to the Office of Education, and I think it is fair to say that many of the recommendations have been implemented.
>
> Mr. AYRES. You have been the Chairman of the Committee that drew this plan up, and being as familiar as you are with the bill before the committee, is it not a fact that many of the proposals in your previous plan are incorporated in the bill before the committee?
>
> Dr. BABBIDGE. I assume that is correct, Mr. AYRES.

### WHO CONTROLS THE USOE?

Mr. Speaker, I will not confuse the issue by giving the details of the USOE interim appointments here because in the meantime there have been some minor changes. I now have the latest USOE organizational chart dated July 9, 1963, with the reorganization appointments confirmed. In addition, I have a list of the present members of the powerful Board of U.S. Civil Service Examiners, Office of Education, including panel members.

It seems to me, Mr. Speaker, that it is of no small significance that out of the 12-man Mission and Organization Committee, 8 have been appointed to controlling positions in the reorganization they recommended, and of these, 5 are also on the Board or Panel of the U.S. Civil Service Examiners which passes on appointments and promotions:

Dr. Rall I. Grigsby, Vice Chairman of the Committee on Mission and Organization is now Assistant Commissioner for School Assistance in Federally Affected Areas, Bureau of Educational Assistance Programs, Office of Education, at a salary of $18,000. Also, he has been a panel member of the Board of U.S. Civil Service Examiners, Office of Education, since May 6, 1957.

Dr. Arthur L. Harris, a Mission and Organization Committee member, is now Associate Commissioner, Bureau of Educational Assistance Programs, Office of Education, at $18,500 a year. Also, he has been a panel member of the Board of Civil Service Examiners, Office of Education, since May 2, 1957.

Mr. Lane C. Ash, a Mission and Organization Committee member, is now Assistant Director for Program Coordination, Division of Vocational and Technical Education, Bureau of Educational Assistance Programs, Office of Education, at $16,005. Also, he has been a panel member of the Board of U.S. Civil Service Examiners, Office of Education, since May 7, 1957.

Dr. Thomas E. Cotner, a Mission and Organization Committee member, is now Deputy Associate Commissioner, Bureau of International Education, Office of Education, at $16,485. Also, he has been a member of the Board of U.S. Civil Service Examiners, Office of Education, since August 23, 1962.

Dr. B. Harold Williams, a member of the Mission and Organization Committee, is now Assistant Director, Civil Defense Education Staff, Office of Field Services, Office of the Commissioner, OE at $14,545. Also he has been a panel member of the Board of U.S. Civil Service Examiners, OE, since July 29, 1958.

John G. Lorenz, member of the Mission and Organization Committee, is now Director, Division of Continuing Education and Cultural Affairs, Bureau of Educational Research and Development, OE.

Ralph C. M. Flynt, ex officio member of the Mission and Organization Committee, is now Associate Commissioner, Bureau of Educational Research and Development, OE.

John F. Hughes, ex officio member of the Mission and Organization Committee is now Director of the Office of Administration, Office of the Commissioner, OE.

In addition, Dr. E. Glenn Featherston, contributor of the confidential memo to the Mission and Organization Committee from which I have quoted, is now

Deputy Associate Commissioner under Associate Commissioner Ralph C. M. Flynt, a Mission and Organization Committee member, Bureau of Educational Research and Development, OE.

### USOE IDEOLOGY

Mr. Speaker, Mr. Raymond Moley, in a column entitled "Uncle Sam, Schoolmaster," published in Newsweek, September 23, 1963, said:

> The related dangers are, first, centralization of control over the content of education and, second, the educational philosophy of those who do the controlling.

In the case of the former members of the Mission and Organization Report Committee now in controlling positions in the OE, we are not buying a pig-in-the-poke. We know their educational philosophy, heavily laced with adjustment to life in the "world of tomorrow," as set forth in their "Federal Education Agency for the Future." But there are other "life adjustment" advocates in key positions in the USOE reorganizational structure. For example:

Dr. John R. Ludington is now Deputy Associate Commissioner under Associate Commissioner Dr. Arthur L. Harris—a Mission and Organization Committee member—Bureau of Educational Assistance Programs. He also has been Chairman of the Board of U.S. Civil Service Examiners, OE, since August 23, 1962.

Dr. Ludington was not himself a member of the Mission and Organization Committee but he was deeply involved in the life adjustment movement—philosophical successor to progressive education—at the time of its heyday when the Office of Education was taking leadership in this field. In order at once to show Dr. Ludington's background and how the USOE puts its ideas across, I quote from a book published by the OE, entitled "Vitalizing Secondary Education—Education for Life Adjustment," of which Dr. Ludington was a coauthor:

> In "Getting Programs of Life Adjustment Education Under Way," issued by the Office of Education in February 1949, the following criteria were suggested for the use of State committees in selecting cooperating schools:
>
> 1. The administration and staff understand and accept the guiding principles of life adjustment education.
> 2. The administration and staff propose a place of action in accordance with the principles of life adjustment education.
> 3. The administration and teaching staff are willing to change the school program to adapt it to life adjustment goals.
> 4. The community is ready to accept changes in the school program in the direction of life adjustment goals.
> 5. The school and community can make available necessary resources for carrying out the proposed plan of action.
>
> In this statement the Commission called attention to the importance of selecting cooperating schools having staffs willing to spend considerable time and energy in systematic efforts to change present programs.
>
> The Office of Education and the U.S. Government Printing Office distributed and sold more than 17,000 copies of "Life Adjustment Education for Every Youth," which reported activities of the first national conference at Chicago and plans for the Commission. The American Technical Society published and distributed free of charge to educators single copies of two popularly styled brochures—"High School—What's In It for Me?" and "A Primer of Life Adjustment Education." More than 58,000 copies of the first brochure were distributed. The Office of Education distributed free of charge many copies of "Developing Life Adjustment Education in a Local School" and "Getting [State] Programs of Life Adjustment Education Under Way." Also, in connection with the program, there were distributed a number of pertinent professional publications produced by staff members of the Office in the course of their regular duties and an especially useful statement reproduced by permission of a professional magazine.
>
> * * * * *
>
> Functions schools should serve: Schools planning programs for life adjustment education should make continuous efforts to understand the most significant cultural forces affecting the lives of people now and likely to affect them in the years ahead. School programs should provide the understandings and experiences necessary to meet the demands for democratic world citizenship. American schools cooperating with schools throughout the world must exchange information, experiences, and practices which have proved to be effective in helping young people live effectively in a modern democratic society.
>
> * * * * *
>
> Schools should help youth understand the patterns of the new social structure and the changed social relationships which advancing technology brings. In short the modern school should induct youth by stages into full membership in the dynamic local, State, National, and world communities in which they live.

These quotations show Dr. Ludington to be an ideological brother of the "mission" advocates. In the position of Chairman of the OE Civil Service Review Board he will be able to decide in large measure who will and who will not carry the "mission" torch and lead American education in curriculum changes and life adjustment.

One more example of this ideological theme: In "The Organization Man," published in 1956, William H. Whyte, Jr., said:

> High School Superintendent Eric Baber speaks very much like many superintendents elsewhere, and his writings do not show unorthodoxy, but, rather a deep grasp of contemporary educational literature. What makes Park Forest's high school unique is that, where in traditional communities what has been called the life adjustment curriculum has been introduced a bit at a time, at Park Forest it has been the foundation. The new $1,600,000 learning laboratory is not only one of the most modern in the country; in spirit as well as brick it is the embodiment of the suburban temper.
>
> Five years ago, when the school was still in the planning stage, Baber told parents that the trouble with U.S. education is that it is concentrated far too much on the intellectual aspect of education. Even teachers' colleges, he observed sadly, still require plane geometry for admission. Except for a small coterie, he asked, of what value to most people are the traditional academic disciplines?
>
> * * * * *
>
> The 70 formal subject offerings by no means exhausted the life adjustment curriculum. Baber felt that the schools must assume more responsibility for the total growth of the child. Conceivably, this could be left to other agencies—to the family, or the church, or society itself, for example. Nevertheless, through such media as courses in family group living (12th-grade elective) and doing sessions in actual situations, the school tackled it. "Ours is an age of group action," Baber says.

Now this same Eric Baber shows up on the USOE reorganization as Assistant Commissioner and Director, Division of Elementary and Secondary Education in the Bureau of Educational Research and Development headed by Associate Commissioner Ralph C. M. Flynt, Associate Commissioner and a member of the Committee on Mission which prepared "A Federal Education Agency for the Future."

### NEED FOR REFORM

I have suggested before and I suggest again, Mr. Speaker, that the top jobs in the USOE be taken out of civil service. On July 26, 1962, I said:

> In view, Mr. Speaker, of the rather shocking disparity between the views of these, I am sure, well-meaning gentlemen and the traditional American philosophy of local control of education, I question whether these positions they are filling should not be reconsidered, taken off civil service, and put under schedule C. In this I find myself in agreement with our committee chairman, Hon. Adam C. Powell, Representative Edith Green, and Representative James Roosevelt, with whom I do not, let it be admitted, always see eye to eye. During the hearings on integration in public education programs, held March 30, 1962, these three Congressmen said the following:
>
> "Mr. Daniels. Mr. Roosevelt, do you have any questions?
>
> "Mr. Roosevelt. Mr. Commissioner, I am interested in these three new positions on one particular basis. Your Deputy Commissioner at the present time is a civil service career person, is he not?
>
> "Mr. McMurrin. That is right, sir.
>
> "Mr. Roosevelt. Are these three positions also to be chosen from civil service or do they come under schedule C?
>
> "Mr. McMurrin. This is a matter that we have under consideration at the present time, Mr. Roosevelt.
>
> "Mr. Roosevelt. Mr. Chairman, may I make the observation that I sincerely hope that these three positions will not be allocated to the civil service; that they will be chosen from schedule C and that whatever steps are necessary to get the necessary authorizations, if such authorization is necessary to make that possible, that the Department will make that choice because these are three distinct policymaking positions. I think they should be filled by people who have no fear, that in the making of that policy that they may be violating their future security under civil service and I would urge to the best of my ability that you give very careful consideration to trying to reach a schedule C allocation for them.
>
> "Mr. Powell. I concur with the gentleman from California and personally, as chairman of this committee, I express my desire that it be followed and also to say that we shall watch very carefully and shall cooperate, if necessary.
>
> "Mr. McMurrin. May I ask a question of Mr. Roosevelt, Mr. Powell?
>
> "Are you, in this matter, referring to the three Associate Commissioner positions alone or the positions of Associate Commissioner and also the position at the top of the chart of Deputy Commissioner?
>
> "Mr. Roosevelt. Certainly, the Deputy Commissioner, I think, should be under the schedule C.
>
> "Mr. McMurrin. At the present time it is not.
>
> "Mr. Roosevelt. I hope that reformation may be made in the future without in any

way impinging upon the gentleman who holds the position.

"I definitely believe the three Associate Commissioners on the staff should also be under schedule C.

"Mr. POWELL. We say this with no criticism of the very fine civil service workers. But when you confine yourself or your trust to the civil service you are always in danger of mediocrity and when you go through schedule C you always have a chance of getting some fresh and vital people. I think that is the object of education and I think our Government needs something fresh and vital.

"Mr. MCMURRIN. Thank you.

"Mr. POWELL. I have no further questions.

"Mr. DANIELS. Mrs. GREEN?

"Mrs. GREEN. I have only one comment.

"I would join the chairman of the committee and Mr. ROOSEVELT in expressing my views that the policymaking positions should certainly be outside of the civil service and within schedule C (pp. 463–464)."

"Mr. Speaker, I would like to suggest to the new Secretary of Health, Education, and Welfare who certainly ought to have some say in these matters that if the Commissioner of Education, the Deputy Commissioner, and the three Associate Commissioners are to come under schedule C, the Deputy Associate Commissioner also should be brought under C. I would rather take my chances with political appointees from the field of education than with these bureaucratic status-seekers who have already stated that it is their "mission" to influence my thinking and my children's minds from their vantage point in the Office of Education."

### UNANSWERED QUESTIONS

It seems to me that the members of the Committee on Mission and Organization of the U.S. Office of Education condemn themselves—in their own words and by their own action in reorganizing the OE according to their own recommendations—of Olympian ambition to control American education against the will of the Congress and of the American people. Whether they carry out this control crudely by issuing edicts on standardized curriculum or whether they achieve the same results by subtler means, by a more sophisticated leadership technique to encourage consensus, to crystallize public policy at all levels, is beside the point. They themselves admit:

> In addition to the Federal level of public policy determination, the Office has much concern with policy matters at the State and local levels, and in higher education institutions. Active leadership by the Office to encourage constructive consensus on particular problems or issues in American education helps to crystalize public policy at all levels. This development consensus is encouraged in a number of ways. The Office calls national conferences focused on identified problems and issues; it participates in cooperative programs to develop voluntary nationwide standards; and it exerts a continuous stimulating effect through its daily operational contacts in categorical assistance programs (p. 52).

Yes, we can have little doubt of the intentions, of the educational philosophy, or of the methods of these gentlemen. They have delusions of intellectual expertise beyond the capacity of the local yokel, the common man or woman on the local school board to comprehend.

This clique of USOE bureaucrats share their ambitions and their delusions with their opposite numbers in the NEA who are busy developing a strategy of sanctions—a more sophisticated teachers' strike—to use against State and local school boards when they will not give the local teachers' associations what the teachers want in the way of higher salaries, fringe benefits, and a voice in educational decisionmaking.

On June 25 of this year, Mr. Speaker, I made a speech on the floor, exposing this new militant NEA policy.

Parenthetically, I have had literally hundreds of favorable letters on this speech from concerned individual citizens, clergymen, parents, school board members, school superintendents, and even some teachers, as well as citizens' committees, businessmen's associations, and local school boards. An appreciable number of local school boards have passed resolutions in support of my opposition to the use of the sanctions movement. In my speech on the subject, I said:

> In conclusion, Mr. Speaker, I want to return to the reasons why every Member of Congress has an enormous stake, in the name of his or her constituents, in what the NEA does or is able to do to put across their present plan of action.
>
> As I see it, if the NEA convention approves these guidelines on professional negotiations and sanctions, while NEA lobbyists will continue to pressure Congress for Federal aid, NEA's State and local affiliates backed by the NEA will threaten State and local officials with ultimate strike unless they give in to their demands to share decisionmaking and/or cry "Uncle"—that is, cry for aid from Uncle Sam. This amounts to a pincer movement on the part of the NEA. It means eventual professional, if not Federal, control of education and in any case the end of local, lay control of the State and local school systems.
>
> I might add, Mr. Speaker, that considering the degree of Federal control we already have and the interchange of personnel between the Office of Education and the NEA, what we are more likely to get is both Federal and professional control of education with the school boards reduced to rubber-stamp administrators. Long before we arrive at this point, however, we here in Congress will have to face the question: Will professional sanctions be tolerated against a federally aided local school system?

The U.S. Office of Education, Mr. Speaker, as at present controlled by the Mission and Organization Committee, is the other arm of the pincer that can destroy the school boards. It is here in the OE that the Congress should start the defense of our traditional local control of the schools by smoking out the culprits.

There remain many unanswered questions:

First. Who is really responsible for the Mission and Organization report? It was initiated under Commissioner Derthick, a Republican appointee who came from and returned to the NEA. It was published and the OE reorganization was begun, under Commissioner McMurrin, a Democratic appointee who has left the Office. And the reorganization appointments of the Mission and Organization Committee members to key positions were confirmed under the present Commissioner Keppel.

Second. Are we to believe that the Commissioners were responsible for the present OE ideology, mission, and reorganization or were they hoodwinked?

Third. Whose initial idea was the Mission and Organization report?

Fourth. Who signed the interim appointments and when?

Fifth. Who signed the confirmed appointments and when?

Sixth. What part has Dr. Wayne Reed played, if any, in the preparation of the Mission and Organization report, the reorganization of the OE and the appointments of the Mission and Organization Committee members to key positions? Dr. Reed was Chairman of the Board of the U.S. Civil Service Examiners and Deputy Commissioner of Education when the position of Deputy Commissioner was changed from schedule C to Civil Service; when the Mission and Organization report was prepared and published; when the mission reorganization was effectuated; and when the interim appointments were made. He ceased being Chairman of the Board of Civil Service Examiners when life adjuster, Dr. Ludington, was given the job August 23, 1962; but Dr. Reed remained as Deputy Commissioner and was in this position—which he still holds—when the Mission and Organization promotions were confirmed.

Seventh. Why was Dr. John R. Ludington made Chairman of the Board of the U.S. Civil Service Examiners in the OE, when title III of the National Defense Education Act, which he administered, was under investigation by the General Accounting Office?

Eighth. Have OE appointments and promotions been made according to qualified experience and competence, or has the yardstick for OE appointments and promotions been ideology or mission?

Ninth. If there has been a lack of confidence in the OE, as my colleague from across the aisle, Mrs. EDITH GREEN, was reported by the Washington Post on September 17, 1963, to have said—and I am in full agreement with the gentlewoman from Oregon [Mrs. GREEN] on this score—to what is that lack of confidence due? Does that lack of confidence stem from a lack of diligence on the part of the OE in obtaining more and more Federal aid for education? Or does it stem from too great a striving for Federal aid on the part of the OE to the neglect of its statutory duties? Or does it stem from the OE's indiscretion in publishing the Mission and Organization report, which boasts so frankly of what the OE intends to do with Federal aid, how it intends to change public policy in its own image, once it gets its hands on sufficient money?

Mr. Speaker, it is to obtain answers to these, and many other related questions, that I am requesting a congressional investigation of the U.S. Office of Education now. The matter is urgent for three reasons:

First. The NEA drive for sanctions rights at the local level is already in full swing. To permit the other arm of the pincer, the OE, to gain more control at this time would deal the local school boards a severe, if not fatal, blow.

Second. My colleagues, the gentlewoman from Oregon [Mrs. GREEN], the gentleman from New York [Mr. LINDSAY], the gentleman from Massachusetts

[Mr. MORSE], and the gentleman from Connecticut [Mr. GIAIMO], have, as you know, thrown identical bills in the hopper for a National Advisory Council on Education—a council at the Presidential level. The gentlewoman from Oregon [Mrs. GREEN] has been quoted by the Post of September 17, as saying that, as a result of the lack of confidence in the USOE, "Congress has been unwilling to appropriate necessary funds." If the Advisory Council bill should get through Congress and then the Council should be able to persuade Congress to appropriate funds, these funds would be administered by this same USOE, in which there is a lack of confidence.

Third. There are bills before the Congress even now that would, should they pass, put many more millions of dollars in USOE hands to administer according to the ideological precepts of the Federal Education Agency of the Future—that is, central, professional, bureaucratic control of life adjusted education in the United States, and the end, except as rubber stamps, of the local school boards.

## PORK BARREL

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska.

There was no objection.

Mr. CURTIS. Mr. Speaker, I have a few thoughts I would like to share with my colleagues on the subject on the spate of articles appearing recently on the subject of pork barrel legislation.

I think that the greatest danger this Nation has yet faced is what now seems to be a concerted effort on the part of a small but powerful group of political theorists to bring about a substitution of government by men in place of government by law.

### POLITICAL PORK

There is no question that guarding against political pork is one of the grave problems that is inherent in governmental public works projects. However, to present the examples of those limited projects where political pork may have escaped the guidelines that have been developed by the Congress to keep the projects meritorious, out of context of proper public works projects does a disfavor to the public's understanding of the issue. This out-of-context reporting helps the pork barreler rather than hinders him because it gives him some respectability by putting him in the company of the Congressmen who have promoted worthy public works projects which have followed the guidelines designed to prevent projects from being uneconomic and political spoils. Furthermore, by failing to set out the guidelines for the reader to evaluate the projects for himself, the muckraker can present a perfectly proper and highly economic project as pork. Finally, by failing to report the guidelines, the public is denied the opportunity of giving constructive criticism whereby the guidelines themselves could be improved.

The basic reason why President Kennedy's accelerated public works program and his area redevelopment program, which is largely another accelerated public works program, are bad is that they both are designed to get around the guidelines the Congress has established over a period of decades to protect against political pork projects. Indeed, charges have been made and not refuted that the Kennedy administration has deliberately used both the accelerated public works program and the area redevelopment program to provide itself with ample political pork under its control. In the efforts to get these two programs enacted and extended the Kennedy administration advocates brazenly appealed to the Congressmen—and the constituents of Congressmen who would benefit personally to put political pressure on the Congressmen—to vote for these projects on the basis, in effect, that they are political pork and cannot stand on their merits. The Kennedy spokesmen as well as promising pork for votes have threatened not to fund properly planned and economic projects if the Congressman votes against legislation not only in this area but in areas completely unrelated, which the Kennedy administration is sponsoring.

I tried to call to the public's attention for several years, even under President Eisenhower when the practice was quite mild, the dangerousness of permitting individual Congressmen and Senators to announce when a Government contract was granted to an industry or a new governmental installation was to be built in the congressional district or State. The Kennedy administration, instead of curbing this practice, has developed it to the extreme where it can be termed little less than corruption. What is the public to think other than that it requires political pull to get Government contracts and Government installations?

And then the cynic comes along, and his number is increasing, to say to me, "Congressman, are you so naive as to believe that Government contracts are awarded on merit and Government installations are built in areas because of efficiencies rather than political pressures?" My answer is clear. This is the way it should be. It is far from perfect but with a little help from our people it could be made considerably better. Many Congressmen, Republican and Democrat alike, have been trying for years to make the system of government by law as opposed to government by men better. The real tragedy is that now we find a President of the United States using his vast powers and prestige to undermine this basic system, rather than to promote it.

In this kind of climate I wonder what stimulated the articles which appeared recently in Life magazine on the subject of pork barrel. Was it to help those who have been working in the political vineyard for years to keep things as clean as they are and to make them cleaner? Or was it one more effort in the pattern we now see evolving—to denigrate the Congress as an institution—designed to enhance the power of the Federal executive branch of the Government at the expense of the legislature?

## DOUBLE STANDARDS IN FOREIGN POLICY

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HARSHA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. HARSHA. Mr. Speaker, the American people are entitled to a full explanation, if, indeed, there is one, of why the State Department fawns and truckles before Communists and leftist dictators, yet is militantly hostile toward dictators and military juntas who are conservative and anti-Communist.

The State Department's foreign policy is ambiguous, inconsistent, and filled with duplicity.

On his recent visit to Washington, D.C., Marshal Tito, the Communist dictator, was given the red carpet treatment including a 21-gun salute. He has been handed billions of U.S. tax dollars, receiving $116 million last year alone, yet Tito has done more to spread communism throughout the world than possibly any other single individual.

While giving the cold shoulder, because of religious persecution, to Madame Nhu, of South Vietnam, a country fighting a courageous battle versus communism, the State Department "honeyfogles" the Communist butcher, Tito, whose religious persecutions far outnumber anything that has happened in South Vietnam.

While initiating a drive to restore the most-favored-nation treatment to Yugoslavia and encouraging trade with the East European Communist countries, who have been giving Castro aid to the tune of approximately $2.6 million a day, the State Department has denied diplomatic recognition and financial assistance to the Dominican Republic and Honduras, where military leaders, who were anti-Communist, overthrew left-leaning, incompetent leaders in an effort to ward off Communist control and establish some sort of feasible economic policy.

While refraining from interfering in the internal affairs of Communist dictators such as Tito, Poland's Gomulka, Indonesia's left-leaning Sukarno, and Algeria's Ben Bella, the State Department blatantly attempts to impose its policy on the new ruling juntas in the Caribbean, and some policymakers have even advocated the use of U.S. forces against the juntas, although they cry out against even the threat of force against Cuba.

This sort of duplicity and double standard is part of a strange pattern that is encouraging the spread of communism in Latin America, and the American people are satiated with it.

## FOREIGN AID

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RIEHLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, the subject of foreign aid and U.S. policy abroad has commanded our attention for some time this year and will continue to do so. In that connection, I would like to invite the attention of my colleagues to a most thought-provoking editorial appearing in last Sunday's issue of the Syracuse Herald-American.

Executive Editor Alexander F. Jones poses the question of what the United States really represents "in this topsy-turvy world." He follows up the question with a number of dramatic illustrations which certainly will cause his many readers to ponder over the direction our foreign policy is heading.

I commend the editorial to my colleagues and it follows in its entirety:

[From the Syracuse Herald-American, Oct. 20, 1963]

INTELLIGENT SELF-INTEREST

(By Alexander F. Jones)

Whether we admit it or not the United States is practicing coexistence with all forms of nondemocratic governments to the point where the question can be justly asked as to what we really represent in this topsy-turvy world.

Tito of Yugoslavia is cordially received at the White House as Croatian pickets out front scream "Murderer" at the visitor.

Mrs. Jacqueline Kennedy is the guest of King Hassan of Morocco as his troops plunge across the Algerian Sahara Desert border. The Moroccans were never interested in this patch of sand until the French discovered oil beneath the dunes.

In Vietnam we support a Chinese mandarin as "president" of that part of old Indo-China as the wife of an enemy of the United States complains in Washington she is not being enthusiastically received.

In Tokyo the Japanese industrialists are complaining because the United States is not giving them enough leeway in shipping in finished cotton goods.

In South and Central America our friends in the Alliance for Progress think nothing of overturning their own governments when a more powerful clique decides to cut itself in on U.S. aid.

And now we have undertaken to feed the Soviet Union and some of its European satellites with millions of tons of wheat and other bread grains.

Anyone trying to determine what our foreign policy is by attempting to outline a uniform pattern faces an impossible task.

There isn't a computer in the world that could be fed information on, say, what our relations are with the leading 25 nations and which would cough up a program showing what our policy is.

We deal with Communists, dictators, tyrants, demagogues, and out-and-out enemies and it has been our habit to give each and all of them some of our treasure on the grounds that doing so is in our national interest.

It may be that some sleight-of-hand artist can prove that this is so—in our interest—but I cannot do so.

I confess that the facet of the Soviet Union wheat deal that attracts me most is the fact that we are going to get paid for it—paid in gold.

At long last, after 15 years of paying the check for every conceivable reason for scores of nations, we are actually going to declare a dividend on some of our farm surpluses.

This is hard to believe, for it has almost become automatic that the United States would receive nothing but a hatful of local currency that had to be spent in the recipient country for any dollar loan made. And that local currency would naturally have to be spent in that country to help boost the home economy.

The fact that this policy has resulted in an unhealthy balance of payments and a constant outpouring of Fort Knox gold has not pained the United States unduly until lately.

Now it is said something must be done.

Congress is laboring with a tax cut bill recommended by President Kennedy and its opponents claim it cannot be passed unless a program of curtailed spending is inaugurated.

This viewpoint is probably well taken, for no one ever stayed solvent cutting revenues without cutting expenses to create a balance.

I submit that anyone studying the world picture and appraising the selfish interests of individual dictators, schemers, monarchs, etc., etc., should be able to come to the commonsense verdict that our own interests demand more attention in a world that is not suffering from want. A great deal of this "underprivileged" propaganda has played itself out.

There is abundant evidence that we are straining to find real reasons for giving our money away and finding that job more difficult each year.

In short, the savior of the weak and oppressed has run out of subjects to cry over and, with the same open purse, is now reduced to the role of Broadway playboy giving waiters and hatcheck girls staggering tips.

## THE NATIONAL SYMPHONY ORCHESTRA NEEDS A FINANCIAL GRANT COMPARABLE TO THE MUNICIPAL SUPPORT GIVEN TO ORCHESTRAS IN OTHER CITIES, SAYS THE WASHINGTON STAR NEWSPAPER

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. WIDNALL. Mr. Speaker, it is encouraging to note that the Washington, D.C., Star, one of the Nation's leading newspapers, has called for financial support of the National Symphony Orchestra by the municipal government of the District of Columbia similar to that given their resident orchestras by the municipal governments of other cities of the United States.

The Star newspaper said editorially on October 20 that the National Symphony Orchestra:

> Most assuredly needs a grant comparable to the municipal funds given to orchestras in other cities.

It is significant, too, that President Kennedy received the conductor of the National Symphony Orchestra, Howard Mitchell, at the White House on October 21 at which time Mr. Mitchell told him that the Nation's Capital should keep pace with other great American cities in the financial support of its resident symphony orchestra. For some years I have taken the position that this can and should be done by the municipal government of the District of Columbia, particularly in view of the fact that the basic authority for financial support of the National Symphony Orchestra, as well as other music and art programs in the Nation's Capital, is amply provided for in the 1942 act of Congress establishing the District of Columbia Recreation Department.

With the new and intense interest that we now have in an assured future for the National Symphony Orchestra, we should all unite on a legislative program that will make certain the continuance of this great orchestra, the most important living cultural asset in the Nation's Capital.

Having felt a little like a voice in the wilderness in the past in calling for financial support of the National Symphony Orchestra by the government of the District of Columbia, I am now deeply gratified that at last there is some evidence of such support in high places in the administration of President Kennedy. In addition, it has been announced at the White House, that Secretary of Labor Willard Wirtz, Secretary of Commerce Luther H. Hodges, and Presidential Adviser Charles A. Horsky are forming an ad hoc committee to raise emergency funds for the National Symphony Orchestra.

The long-range cultural needs of the District of Columbia demand that the President back a permanent means of financial support of our fine symphony orchestra. I hope for and will work for a plan under which this administration can accomplish a permanent solution of the problem for which the Wirtz-Hodges-Horsky ad hoc committee is seeking only a temporary solution.

It appears to me that President Kennedy must take the lead in demonstrating that the Nation's Capital has as much faith in the power and influence of music, and the compelling necessity to keep the National Symphony Orchestra alive and healthy, as other cities, in this country and in nations overseas, have in music and in their orchestras.

In considering what the Congress and this administration must do in a positive way to assure the continued life of the National Symphony, I would like to call your attention to one of the many remarkable facts about this great orchestra. For 8 years this orchestra has enjoyed a longer season than it otherwise would have been able to provide, through the generosity of one individual. I refer, of course, to Mrs. Herbert A. May, who has personally given $800,000 to the National Symphony Orchestra and who has just announced a further gift of $300,000, at the rate of $100,000 a year, to create and maintain that outstanding and public-spirited series of free concerts called "Music for Young America."

In these repeated acts of generosity Mrs. May is doing what would be done by the municipal government itself in almost any other city of similar size and importance in this and other major countries. Should this proud Capital City of this great Nation, the richest and most powerful country in the entire history of the world, do any less on its own? I think not. For this reason, I welcome the formation by the District of Columbia Recreation Board of a citywide cultural committee representing more than 35 art groups in the District of Columbia to press for major financial aid to the National Symphony Orchestra. I would hope that hearings would be held on this matter in the very near future by the appropriate committees of the Senate and House of Representatives, for many of my colleagues from both sides of the aisle have told me of their willingness to vote for such an appropriation.

For the information of my colleagues I include the statement of Howard Mitchell at his White House conference with President Kennedy, the text of a letter which I received from Mrs. Herbert A. May, the Star editorial to which I have referred, and an able and penetrating analysis by Myra MacPherson of the situation facing the National Symphony Orchestra which was published in the Star of October 20.

### REMARKS BY HOWARD MITCHELL, CONDUCTOR, NATIONAL SYMPHONY ORCHESTRA, AT WHITE HOUSE, OCTOBER 21, 1963

I am greatly honored that President Kennedy made this previously unscheduled appointment to receive the traditional White House box for our National Symphony concerts in Constitution Hall. President Kennedy has extra-special rights to enjoy the use of this box this season because I am sure that without the emergency help of the White House we would not have been able to open our season on time if at all. It is heartwarming to me that the President has once again shown his personal concern for the importance of the arts in our national life.

The National Symphony has been performing in Washington for 32 years and we have always had courteous attention from the White House and from the officials of the various administrations. All of our Presidents from Franklin Roosevelt to John Kennedy have heard the National Symphony perform. This is a good fortune that we have enjoyed because we are the resident orchestra of the Capital of the United States. Now for the first time it appears that we are going to have some active support from the top of the Federal Government.

The helpful role that a constructive Federal Government can play has already been demonstrated by Mr. Horsky's success as a tactful moderator in the negotiations that made it possible for our musicians to return to work. I wish that the welcome attention that we are now getting from high places would have come to us without such drastic means. I am a peaceful man and like to think that there are peaceful solutions to all problems.

However, out of all of this we now have solid hope of support for the National Symphony Orchestra from influential figures in the Government of the United States. Because we are a Federal city we have not received the kind of help from local government that all great American cities give to their resident orchestras. Now with this vital interest from President Kennedy and the members of his administration perhaps we are going to be able to keep pace with other cities in this respect.

I know I speak for all of the members of the National Symphony Association and for all musicians when I say thank you to the President for what has been accomplished to keep the sound of the symphony alive in Washington.

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HILLWOOD,
*Washington, D.C., October 17, 1963.*

The Honorable WILLIAM B. WIDNALL,
*House Office Building,*
*Washington, D.C.*

DEAR MR. WIDNALL: I have received a copy of your remarks in the House last Thursday regarding the National Symphony Orchestra situation, and I want to thank you warmly for your generous reference to myself. "Music for Young America" is a project which is very close to my heart for it brings to so many high school children an experience which many of them have never had before and perhaps may in innumerable ways open to them wider horizons. In addition, it gives to the fine musicians of our National Symphony Orchestra a much longer season.

Washington should be grateful for the beauty with which the National Symphony Orchestra has enriched our lives, and I can only hope that this distressing situation will shortly be brought to a happy conclusion.

Thank you for your wonderful support and your kind and generous interest. It means a great deal to all of us, I know. I can only hope that all this will have the desired effect.

All best regards.

Sincerely yours,

MARJORIE MAY.

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[From the Washington (D.C.) Sunday Star, Oct. 20, 1963]

### BRAVO

With our symphony orchestra, as with Shakespeare, all's well that ends well. There will be a concert season, and it will open Tuesday night in Constitution Hall.

In a photo finish much too close for comfort, the National Symphony members accepted the contract compromise offered by the orchestra association. It was not an easy decision. It was all the more creditable because the players, after once rejecting the offer, had the good grace to reconsider.

No one questions that the wage increase was well deserved. There only remains the nagging question of finances, for which, under present arrangements, there is no permanent solution. The work toward a solution which will prevent recurrent crises has just began. If it accomplished nothing else, the dispute pointed up the need for a steady source of income to supplement box office returns and community gifts. The orchestra, in other words, most assuredly needs a Federal grant comparable to the municipal funds given to orchestras in other cities.

Meanwhile, let us thank the orchestra members for their contract acceptance "in full appreciation of the public interest and in a sincere effort to save the National Symphony."

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[From the Washington Sunday Star, Oct. 20, 1963]

### SYMPHONY DISPUTE SETTLED

(By Myra MacPherson)

A $300,000 pledge from Mrs. Herbert A. May and a gift from an anonymous "angel" helped put the National Symphony Orchestra back on stage.

In the early morning hours yesterday the musicians agreed to accept a new management offer for increased wages and better working conditions. A few hours later the 95-piece orchestra was tuning up for the first time since last May. Today they continue their grueling rehearsal schedule—2 weeks overdue—to prepare for Tuesday's opening concert.

Mrs. May, first vice president of the National Symphony Association, played a big part in negotiations by pledging to give $300,000 for the 3-year contract period to subsidize the annual 5-week season of free spring concerts for high school students.

In the past 8 years Mrs. May has personally financed this "Music for Young America" series but always on a yearly noncontract basis. "Sometimes we did not know until 2 or 3 months before the season," M. Robert Rogers, symphony manager, said.

#### KEPT CONFIDENTIAL

Mrs. May asked that her offer be kept confidential because she did not want it used as a direct influence on the musicians in connection with the demands they were making through their union.

In her letter pledging financial support, Mrs. May said "it appears the best hope for the kind of support needed must be government itself—not the Federal Government, but the local government."

It looks as if the comment of Representative WIDNALL, Republican, of New Jersey, that "the District should do at least as much as Mrs. H. A. May" is closer to a reality than ever before. Charles A. Horsky, Presidential adviser on Washington area affairs, who was a strong mediator in the contract settlement, is now organizing an emergency fundraising committee of Cabinet and congressional leaders.

Mr. Rogers said that at this moment the committee "is not planning to inspire legislation as far as I know. My personal opinion is that every great city gives municipal support to its orchestra. We're the only one that does not."

Mr. Rogers said Mr. Horsky would be "tapping sources otherwise not available. I think he has his eye on certain foundations. We've had little or no help from major foundations. Also, it might be they will give us a freer hand in direct appeals inside Government buildings. We couldn't up to now. Senator HUMPHREY, Democrat, of Wisconsin, intends to solicit within the Senate, I know."

#### STILL NOT SATISFIED

As they prepare for a Tuesday night of Samuel Barber, Bach, and Beethoven, with guest singer Eileen Farrell, the musicians are not completely satisfied in their pursuit of higher wages, longer seasons, and better working conditions.

The base salary will jump from $140 a week to $145 and the current season will be 31 weeks. The $5 contract increase was made more palatable by a last minute additional gift—for this year only—of $2.50 per week for each musician from an anonymous out-of-town donor. The second and third years of the contract call for a 34-week season, which will give the musicians 3 more weeks for making music and money.

The wage and weeks portion of the contract are open to renegotiation each year, but the rest of the working conditions agreed to in a 17-point report are not.

#### TWO NEW BENEFITS

Included in this are two unprecedented benefits for the musicians. For the first time in the history of a National Symphony Orchestra contract they will get 2 weeks of sick leave. Also, in the second and third years of the contract they will get paid for 1 week's vacation.

Instead of a flat $6 per hour for overtime, musicians will get time and one-half the actual quarter-hour rate for each performer.

However, their request for Saturday afternoon off—the best time to teach children's music lessons—was rejected. "We can't give that. We're in show biz," said Mr. Rogers.

Many of the other terms are the small things that workday exasperations are made of. For example, the association will pay 50 percent of properly vouchered parking fees incurred by musicians called to rehearsals at Constitution Hall starting before 9:45 a.m. Mondays through Fridays. Also, if a musician plays two different instruments per concert he gets $10 extra. Before he got $9.

#### MUSICIAN'S VIEWPOINT

On tours, they got some small reward in the food allowance department—an increase of 50 cents per day in dinner money. They also received a 33-percent increase in travel overtime benefits.

Sam Jack Kaufman, president of the musician's local said that in accepting the contract the musicians "felt they could not afford the chance of offending the public.

The musician is usually an easygoing guy. It is unusual when he rises up. But I think this has been very good. To the people of Washington he has been thought of as just a wandering minstrel. An underpaid one."

For the first time, the Symphony Association revealed that even Conductor Howard Mitchell's salary is quite low compared to big city orchestra standards. His annual salary, including premium payments on an annuity and his personal expenses, adds up to $35,000.

### NEVER NEGOTIATED

"The reason it is so low is that he never negotiated a contract with the board. He always accepted the contract they gave him and had no personal manager negotiate for him," Mr. Rogers said.

In addition, out of Mr. Mitchell's own pocket comes $500 for the sustaining fund and he "buys his own table at the ball. That's $500," Mr. Rogers said, adding with a laugh, "the only fringe benefit he gets is a free box at Constitution Hall for the National Symphony concerts." Those concerts begin with Soprano Miss Farrell Tuesday and Wednesday. The following Tuesday and Wednesday, October 29 and 30, features Violinist Issac Stern. Other guests this season include Pianists Van Cliburn and Jose Iturbi, Violinist David Oistrakh and the Budapest Quartet.

## POSITION ON CIVIL RIGHTS

**Mr. BEERMANN.** Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. JOHANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

**The SPEAKER.** Is there objection to the request of the gentleman from Nebraska?

There was no objection.

**Mr. JOHANSEN.** Mr. Speaker, a recent letter from a clergyman in my district, written in behalf of the governing body and congregation of his church, makes a three-part inquiry as to my "position in the field of civil rights"; my "intentions on present civil rights legislation now before Congress"; and my "feelings concerning the length of debate on the floor of Congress that should follow thorough committee studies."

I can dispose of the last two inquiries in short order.

Debate in the House of Representatives, as my colleagues well know, is always subject to limitation of time. The filibuster is exclusively a Senate issue and problem. Accordingly, as a House Member, it would be improper for me to comment on this matter.

There is no specific civil rights bill before the House at the moment, and there will not be until the Committee on the Judiciary reports out a bill.

When the committee-approved bill does reach the House, it will undoubtedly be open to amendments from the floor. Obviously, therefore, it is impossible to foretell what the civil rights bill will contain when it comes to the point of a vote on final passage, and equally impossible at this time to make any commitment as to my vote.

However, I am glad to offer some general comments as to my "position in the field of civil rights," and to indicate certain basic considerations which will govern my vote on any bill.

First. I do not favor the "omnibus bill" method of dealing with civil rights legislation or, for that matter, any other broad area of lawmaking.

Perhaps this "package" approach is good politics—although I think even that is debatable. But it definitely is not good legislative procedure, in my judgment.

The constitutional and legal issues and problems involved, for example, in protecting voter rights for all citizens are entirely different than those relating to matters of public accommodations.

There are honest differences of judgment as to the relative importance, feasibility, or wisdom of widely varied proposals for legislative action in the broad field of civil rights.

Yet numerous basically unrelated items are lumped together in an omnibus bill. And such a bill compels Members of Congress to vote the entire legislative package up or down on the vague basis of whether they believe the sum total of good exceeds the bad—or vice versa—in the overall bill when it reaches the rollcall on final passage.

To this extent there is a restriction on the opportunity afforded Members to exercise their judgment—or the Congress to work its will—with respect to separate and ofttimes unrelated provisions of such a bill.

I agree with the recent comment of former President Eisenhower:

> I seriously doubt that the most effective approach is to be found in proposals for a barrage of Federal laws seeking to pinpoint and eradicate in one great sweep every possible item of discrimination.

Indeed, the "omnibus bill" method is even worse. It involves a barrage of Federal actions combined within a single legislative measure.

Second. I believe there are very real and critical limitations on what government and law can accomplish in the area of civil rights and in eliminating wrongs in interracial relations.

The U.S. Civil Rights Commission, in its latest report, stated it this way:

> Government alone, at whatever level, cannot hope to solve the Nation's civil rights problem. The issue is too fraught with moral implications to be capable of exclusively legal solutions.

I may add that I have stressed this point, in House debate on proposed civil rights legislation, as far back as 1957.

A news photograph published in connection with the recent march on Washington showed a man in clerical garb carrying a placard with the words: "We demand an end to bias now."

If this slogan was intended to suggest that bias can be ended—now or ever—by act of Congress, I believe it is a totally false hope and a totally impossible demand.

The most that laws can hope to accomplish is to end—or at least lessen—certain evil results of bias.

People can be goaded to goodness—by laws or otherwise—up to a point. Beyond that point they may, instead, be goaded into resentment and resistance.

Persuasion and resulting voluntary action have accomplished a great deal in the way of progress in civil rights and human justice. I believe they can—and will—accomplish a great deal more.

Indeed, persuasion and voluntarism can do many things that compulsion can never do. And they will assure that we continue to enjoy both progress and freedom.

Third. Even in attempting to achieve laudable goals and gains by law, the lawmakers themselves must obey the law—that is, the Constitution of the United States.

For me, as a Member of Congress, to disregard the question of constitutionality in weighing civil rights proposals would be a violation of my oath of office.

For Congress, or citizens generally, to disregard the matter of constitutionality could open the way to anarchy or dictatorship—through a breakdown of the Federal system, violation of the separation of powers, or weakening of citizens' rights and safeguards.

Already civil rights proposals have been offered which I believe are clearly unconstitutional.

For example, certain proposals for Federal regulation of voting qualifications and procedures—assuming powers which the Constitution reserves to the States. I believe the constitutionally guaranteed voting rights of Negroes can be assured by constitutional methods. I oppose invoking unconstitutional methods.

In my judgment, many of the proposals in the so-called public accommodations section of the civil rights bill are likewise unconstitutional; particularly proposed extension of Federal control over "any business providing accommodations, amusements, food, goods, or services to the public, if such business operates under State or local authorization, permission, or license."

Equally unconstitutional are certain proposals for "Government by injunction" which, I believe, violate the constitutional "presumption of innocence," right of confrontation and cross-examination of the accuser, and trial by jury—in other words, "due process."

Also unconstitutional, in my judgment, are proposals to deprive all citizens of a State of Federal grants or other Federal benefits—either by statute or bureaucratic regulation—because of the actual or alleged discriminatory acts of individual State or local officials.

These are a few examples of the issue of constitutionality. There are others.

I must make my position crystal clear.

If any provision which I regard as unconstitutional is incorporated in the civil rights bill when it reaches the point of a vote on final passage, I will have no choice but to vote against the entire bill.

And I will so vote.

Fourth. Freedom and justice require the balancing of powers within Government and the balancing of rights between citizens, and we should be wary of any proposed laws which may unwittingly, or by design, seriously disrupt such balance.

Many of the current civil rights proposals involve extensions of Federal power which, I am certain, once granted, cannot possibly be restricted to the area of civil rights—extensions of power over States and local communities, over private enterprise and private citizens, over parents and pupils, and over recipients of the host of Federal grants, guaran-

My concern on this score is increased by the prevailing judicial doctrine of "Federal preemption"—under which it is held that Federal action in any field of legislation implies total Federal control in that field, rendering State laws null and void.

I oppose any sort of "second-class citizenship" for Negroes—or any other U.S. citizens. I equally oppose grants of power to the Federal Government, or to the executive branch, which would reduce all Americans to the status of second-class citizens as subjects of an all-powerful state.

If we destroy the balance of powers within the Federal Government, we invite—in fact, insure—just such a result.

Of equal concern is the matter of balancing rights between citizens.

Individual and minority rights are no more absolute than majority rights.

No rights exist in a vacuum.

A live-and-let-live tolerance is necessary if there is to be either domestic tranquillity or any meaningful pursuit of happiness.

Justice requires the delicate balancing of competing, legitimate, individual rights so that there is a maximum of mutual rights and freedom for all.

Serious violence can be done to justice by laws which replace the evil of discrimination with the evil of reverse discrimination; which pit property rights against human rights, as though property rights were not human rights; or which create "civil rights" for some citizens or groups of citizens at the cost of an undue denial or deprivation of the rights of other citizens or groups of citizens.

There is abundant reason for proceeding with caution lest one wrong be replaced with greater wrongs.

And those who do so proceed, in the exercise of their legislative responsibility, deserve better than to be charged with casting "a vote for bomb-throwing murderers."

Fifth. We must guard as well against the designs of those who deliberately and persistently seek to broaden the areas in which "the individual must yield to what legislative authority deems is for the common good."

Again I agree with former President Eisenhower when he says:

> I have little respect for the doctrinaires who seek to use civil rights legislation as the basis of some forced-draft social revolution.

Or, political revolution, either, I would add.

The grants of power implicit in some civil rights proposals and demands provide a made-to-order vehicle for the would-be planners and social engineers.

Already we have startling evidence of the eagerness and ingenuity of these social engineers.

Already we see examples of the way in which the judicial ban on racial discrimination in public housing or education has been converted, perverted, and expanded into mandatory, artificially imposed integration.

Item: In public housing this has been carried to the point of keeping apartments vacant despite a waiting list of Negroes—and with consequent loss of rental income—because the social engineers' desired racial quotas had not been filled.

Item: One local public housing authority discontinued its practice of giving applicants the opportunity to specify which development they wished to live in, so that the authority could dictate where the tenant would live and thereby impose its desired degree of integration.

Item: Witness the current attack on the neighborhood school and the requirement, or proposal, that children of one race or another be transported to schools remotely situated from their homes in order to achieve someone's idea of proper racial diversity and enforced integration.

Item: In a 1960 decision of a New York City trial court judge—*Martin* v. *The City of New York*—the court sustained artificially imposed mixing with the declaration that—

> It is now believed that many of our problems arising from the diverse nature of our population will be brought nearer solution by integration.

The court acknowledged consequent interference with private business, but declared:

> It has to yield to changing concepts of what the State can and should do.

Thus, the social engineers have, in a few brief years, substituted racial imbalance for discrimination as the decreed crime.

And the clear intent of the planners to incorporate this shift in emphasis in Federal legislation is disclosed in a provision—and, incidentally, a ludicrous contradiction—to be found in the original administration civil rights bill. This bill defines "desegregation"—one of its avowed objectives—as "the assignment of students to public schools and within such public schools without regard to race, color, religion, and national origin." At the same time, the bill provides for Federal grants and technical assistance in dealing with "problems of racial imbalance." In other words, it proposes Federal support for systematic assignment of students precisely on the basis of race, color, and so forth.

Whether this particular provision remains in the bill finally brought to the floor of the House is irrelevant. The goal of the planners stands exposed.

I doubt whether the social engineers could bring themselves to laugh at their own absurd inconsistency in this matter. But then—they are a humorless lot.

They are also a ruthless lot.

And this proposal ought to stand as a clear warning against ill-considered grants of additional power to their kind.

Sixth. The premise—actual or implied—that Federal solutions, in the field of civil rights, are the only adequate solutions involves some appalling assumptions—and consequences.

In effect, it attributes all virtue and wisdom to Washington.

It implies that the only governmental power which is effective—or trustworthy—is Federal power.

It presupposes a virtual bankruptcy of will or capacity of States, local communities, and citizens to cope with problems, to preserve public order, to promote justice, or to redress grievances.

It proposes an unprecedented big brother chaperonage of communities and persons therein "in resolving disputes, disagreements, or difficulties relating to discriminatory practices based on race, color, or national origin which impair the rights of persons." This through the proposed Federal "community relations service."

And it suggests that States, local communities and individual citizens are, at least in this area of government, legal minors and that only the Federal Government has reached the majority and the maturity required for meaningful self-government.

It is noteworthy, in this connection, that one proposal—incorporated in the civil rights bill approved by the Judiciary subcommittee—to give the Department of Justice authority to seek Federal injunctions "to control in advance the actions of local police" caused even Attorney General Kennedy to back away.

Said the Attorney General:

> [There is] a basic danger * * * that State and local police would abdicate their law enforcement responsibilities, thereby creating a vacuum in authority which could be filled only by Federal force.

Quite apart from the obvious unconstitutionality of many of the proposals for concentration and centralization of power and functions in the Federal Government, it is preposterous in practical terms.

And it has an ominous bearing on a little matter known as freedom.

Mr. Speaker, I have a deep compassion for those who are wronged.

But I do not believe that this compassion authorizes me to invoke unlimited compulsion of centralized government—compulsion which I know has perpetrated far greater wrongs in the course of human history than have the temporary shortcomings of free men and free institutions.

Whatever Federal correctives of injustice I deem necessary, and consistent with our constitutional system, I will gladly support.

That much—and no more.

And that "no more" means that no imagined personal political risks, no attempts at intimidation, no pressures from any source, will influence or alter the decisions which my conscience—and best judgment—dictate.

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## WHO WEEPS FOR HUNGARIAN VICTIMS OF RED ATROCITIES?

Mr. BEERMANN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. ALGER. Mr. Speaker, 7 years ago today the world witnessed one of the most brutal episodes of modern times, when the people of Hungary revolted against the Communist masters who held their nation in bondage.

While the world stood aside the freedom fighters of Hungary, men, women and children were crushed beneath the treads of heavy Russian tanks. The streets were red with the blood of those whose crime was a longing to be free and a love of country.

Most Americans were not proud of our part in the Hungarian revolution. There were those who had expected more from a nation which itself was born in revolution and which has stood for more than 180 years as the bastion of liberty. We, too, watched helplessly at the slaughter of the Hungarian people by the Communists from the Soviet Union. No aid was offered and the revolt was crushed.

It is true that the United States offered refuge for some who managed to escape the terror, but that is all we did. For awhile we opposed recognition of the dictatorship placed over the Hungarian people by the Soviet Union.

With the advent of the Kennedy administration even this token disapproval of murder and aggression was given up. The present occupant of the White House has adopted a policy of "accommodation" of the Soviet Union. So the United States gave tacit approval for wiping the slate clean by withdrawing any further action by the United Nations against the Hungarian puppet government.

Today, which should be a day of mourning by free people everywhere for the Hungarian dead, when every American should bow his head in sorrow and shame became the rights of free men had been so ruthlessly crushed without an outcry from the citadel of freedom, we read in this morning's Washington Post:

> The United States is expected to give its approval today to the private sale of 40,000 tons of corn to Communist Hungary.

The Post article continues:

> It would be the first such grain shipment behind the Iron Curtain since President Kennedy 2 weeks ago reversed a policy ban on sales of subsidized agricultural commodities to Soviet-bloc nations other than Yugoslavia and Poland.

Is President Kennedy proud of the actions of this day? Is it possible that he will sleep peacefully tonight without hearing in his innermost heart the cries of Hungarian babies who were murdered 7 years ago in Hungary by the very people we are now helping? Are those advisers of the President who hold freedom and honor so cheap in order to curry favor with the Communists so base they can forget the heroic struggle of the Hungarian people?

What has happened to America, Mr. Speaker, that we can accept a leadership so lacking in courage, so oblivious to the rights of man and to the precepts of justice upon which the foundations of this Nation were laid?

Who weeps today for the Hungarians massacred by Soviet troops? I do, Mr. Speaker, and I believe there are many American citizens who do. May the tears brought about through injustice and brutality become a surging flood to engulf tyranny and sweep from public life the weak and the timid and those who would forget the cause of freedom in their anxiety to deal with the enemies of freedom.

## SOME COMMUNITIES ARE STILL PERFORMING LOCAL FUNCTIONS

**Mr. BEERMANN.** Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. LATTA] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Nebraska?

There was no objection.

**Mr. LATTA.** Mr. Speaker, last Saturday, I had the privilege of participating in the dedication of a community building in Custar, Ohio. The dedication of a community building is not, in itself, such an event I would normally call to the attention of the House. I do so now, however, because the citizens of this community of approximately 250, knew what they wanted in such a building and then went after it in an almost forgotten, old-fashioned, American way.

Instead of coming to Washington with hat-in-hand for Federal funds, they looked within their own fine community for funds, material, and labor. Strange as it may seem, Mr. Speaker, they found everything they desired. Yes, and without the benefit of new taxes or deficit financing. They discovered that an old schoolhouse within their midst could be remodeled to suit their needs. Everybody in the community went about the work of remodeling it. The mayor, councilmen, clerk, members of the board of public affairs, volunteer firemen, township trustees, the local American Legion Post, the Legion Auxiliary, local businessmen, clergy, and the wives of many of the men pitched in and converted this old schoolhouse into a modern, attractive and useful community building.

Toiling with Mayor Ray Richardson to complete this project were Councilmen Richard Kemp, James Wensink, Harry Pfeifer, Nicholas Klippel, George Pantenburg, Rev. Ralph Clink, and clerk, Mrs. Edward Drummer; members of the board of public affairs, Elmer Courtney, John Nagel, Herman Drummer, and Norman Milligan, clerk; Milton Township trustees, Martin Durliat, Forrest Ferrell, Carl Baumgardner, and W. O. Dowden, clerk; Chief David Chamberlain's Custar Volunteer Fire Department; Comdr. Joseph Junk's Norcross-Meyers American Legion Post 305; President Mrs. Dale Murphy's Norcross-Meyers American Legion Auxiliary, and all of Custar's businessmen.

Mr. Speaker, I salute the village of Custar, Ohio, and its many fine citizens for this accomplishment and urge other communities in need of such facilities to follow the Custar example.

## BUILDING OF THE PANAMA CANAL

**Mr. ASPINALL.** Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Colorado?

There was no objection.

**Mr. FLOOD.** Mr. Speaker, during the past decade there have been published in the CONGRESSIONAL RECORD a series of illuminating articles and statements on Panama Canal history prepared by men who participated in the construction of the canal and learned isthmian problems at firsthand. The latest contribution of this character was an address by Gen. Robert E. Wood on April 10, 1963, before the Commercial Club of Chicago. In this he depicts from firsthand knowledge every high spot of Panama Canal construction from 1905 to 1915 with a degree of understanding that no ghost written address could have approached.

General Wood was one of the most distinguished graduates of the Panama Canal construction era. Leaving the Army in 1915, he started upon a business career in which he rapidly ascended to positions of great responsibility. His achievements long ago made him an inspiration to the ambitious youth of our country. He has always been, and is today, a courageous, progressive, patriotic, and forthright American citizen.

The interoceanic canal problem, for the second time in this century, has again become acute and U.S. interests at Panama are now verging toward chaos. Dealing with them requires the experienced judgment that seems increasingly difficult to find.

In order that the considered views of General Wood may be available to the Congress and the Nation at large, I quote the major portion of the indicated address as part of my remarks:

### BUILDING OF THE PANAMA CANAL

(Address by Gen. R. E. Wood, before the Commercial Club of Chicago, Chicago, Ill., April 10, 1963)

The club has been kind enough to invite me to be their guest and to speak on the building of the Panama Canal. I have reached an age where I had determined to do no further public speaking, but as I felt I was among friends and the subject was one dear to my heart, I decided to violate my rule. I hope you will not too greatly regret the decision.

To refresh your memories, I will sketch some of the pertinent facts that led to our beginning the great work.

After years of investigation and research, a commission headed by Admiral Walker of the Navy recommended the construction of a canal through Nicaragua. The report was rendered in November, 1901. In January 1902, the new Panama Canal Company in Paris reacting to the report, cabled Admiral Walker their readiness to accept a U.S. offer of $40 million for their holdings. They had originally asked $109 million. The Walker Commission on January 10, 1902, then canceled its first recommendation and recommended Panama as the route for the canal.

I might mention the $40 million was a good bargain. The French had completed $29 million of excavation useful to us. They conveyed to us the Panama Railroad line and all its assets. These assets included the ownership of valuable property in the cities of Panama and Colon, as well as the Panama

Railroad Steamship Line and all the French equipment.

Congress passed the Spooner Act in June 1902, which was the basic law for the construction of the canal. It authorized President Roosevelt to acquire all French canal holdings for $40 million and authorized him to obtain from Colombia perpetual control of a strip of land for the maintenance, operations and protection of the Panama Canal and Panama Railroad and through the Isthmian Co. to construct the Panama Canal. The Colombian Senate rejected the treaty in 1903. The Province of Panama revolted and declared its independence as an independent people. Panama then signed a treaty with the United States in November, 1903, granting the United States in perpetuity exclusive use, operation and control of the Canal Zone. The United States recognized the independence of Panama and agreed to pay the Republic of Panama the sum of $10 million and a yearly payment of $250,000 which was raised in 1936 to $450,000 per annum and in 1955 to $1,930,000 per annum.

In March 1904, the first Isthmian Canal Commission was appointed to build the canal and John F. Wallace, then vice president and chief engineer of the Illinois Central Railroad, was appointed as its first chief engineer.

A gigantic task awaited this Commission. The French company had had a small force at work, not over 1,000 men, employed principally in dredging operations, just sufficient to hold the concession from Colombia. The two cities of Panama and Colon at the terminals of the Pacific and Atlantic sides were at that time towns of approximately 30,000 and 10,000 people. Neither had any water supply or sewers. The Canal Zone in between was virtually unpeopled.

The Commission had to recruit labor from the United States, the British West Indies, and Europe. It had to provide the means of housing and feeding the force. It had to import from the United States all the equipment needed for the largest construction job in the world. It had to furnish a government with judges, police, etc.

The original Commission faced the biggest construction job in the world for that time, in a location devoid of either material, labor, or equipment. Yellow fever was still prevalent in Panama and the zone—one out of every three Frenchmen sent there in the period from 1879 to 1890 died and this proved a great deterrent to the recruiting of the right quality of Americans. The beginnings of the force recruited in 1904, and the first 6 months of 1905, were largely Americans who had left the United States for this country's good—railroadmen who were blacklisted on the American railroads, drunks, and what we called tropical tramps, and American drifters in Latin America.

The canal from its inception appealed to the imagination of the American people and in 1904, after the new Commission took office, there was a demand to see "the dirt fly." Unfortunately, the Commission yielded to this clamor and started in 1904 to do excavation work before there was adequate organization, equipment, or labor. The exception was the beginning of the sanitation and medical organization under the direction of Colonel Gorgas. This work was properly organized and operated from the very beginning.

As a matter of fact, we might not have done any better than the French except for three factors—our knowledge of the transmission of yellow fever, the invention of the steam shovel, and the U.S. Treasury to finance the job.

In March, 1905, I was fortunate enough to be detached from the Army for duty with the Isthmian Canal Commission. I left the States that month and reported to Mr. Wallace at Panama for duty. At that time there was only one other Army line officer on the job. There were, however, some Army doctors, officers of the Medical Corps and Colonel Gorgas. I was assigned to the Department of Labor and Quarters, dealing with the recruiting of labor and their housing and feeding. This was to later become the Quartermaster Department with many additional duties.

Three to four weeks after I landed, we had our first case of yellow fever, the head of the building department. He was taken to the hospital and died in 3 days. Within a week, many more Americans, "high" and "low" were taken to the hospital. As I remember, from the beginning to the end of the epidemic, about 1 out of every 3 Americans on the Canal came down with the fever and about 50 percent of the cases died. Then began a rush of resignations as nearly everybody wanted to quit.

To cap the climax, Mr. Wallace, then the chief engineer, who had been up in the States recruiting American skilled labor, returned to the Isthmus in the midst of the epidemic and tendered his resignation—his assistant did likewise. It was exactly as if in Chicago at the headquarters of one of our great companies, the president, all of the vice presidents, most of the key men, the first and second echelon resigned within a period of 6 weeks. Naturally there was complete demoralization on the work in May and June of 1905.

The epidemic really ended by September 1905. From then on we never had another case.

Personally, I have always felt grateful to the yellow fever for my first great opportunity in life. I was then 25 years old, had no idea of getting the fever and did not get it, though I was bitten by the same mosquitoes that bit my comrades. Anyone who stayed was promoted. I was promoted every month for 3 months in the canal organization and more important to me, reached a position near the top of the organization at the beginning of the work. In June 1905, we had a force of 4,000 men—2 years later we had 30,000. The force reached a peak in 1913 when we had 44,000 men actually at work, which meant a total of over 50,000 men on the payroll, allowing for men on leave, sick and absent for other causes.

In June 1905, John F. Stevens was appointed chief engineer and took charge of the work. He proved a truly great leader. He was originally chief engineer for the Great Northern Railroad. He located the Marias Pass, the lowest point in the U.S. Rockies, and was James J. Hill's greatest lieutenant. He was vice president of the Rock Island Railroad when appointed to the canal.

On his arrival he announced he was not going to do any digging until the proper preparations had been made. He immediately started the construction of homes for the married and single American employees, all in the Canal Zone. A big cold storage plant was erected at the Atlantic terminal, commissaries were built, selling food and all the essentials to the employees, hospitals, schools, and churches and YMCA clubhouses erected, barracks for the common laborers and a chain of restaurants for all classes of employees. The pay for the American employees for construction men was then some 25 percent higher than wages paid in the United States, plus free rent, free medical attention, the necessities of life at cost in the commissaries. After the epidemic ended we began to get fine railroad men, fine construction men, fine employees in every category—of a very different character from the original force.

We had put our agents in the West Indies Islands to recruit common labor. However, the British island authorities of that period refused to let us recruit any labor with the exception of the Island of Barbados which was heavily overpopulated. We took 20,000 men from that little island—10 percent of the total population, over 40 percent of the adult male population. We got 8,000 French speaking Negroes from Martinique and Guadelupe, and 7,000 Gallagos from Spain.

We offered a contract to the West Indian laborers based on a pay of 10 cents per hour for a 9-hour day with living quarters and food at cost, plus repatriation at the end of 2 years. Wages at that time in the West Indies were 15 cents per day. Practically no Barbadians went home—they all remained on the canal and their descendants are still there.

Most of the Negroes were sugarfield workers, had never seen a construction job in their lives, had never seen or handled any sort of machinery. The problem of how to teach and train this force was in itself a great task.

The efficiency of the Barbados labor was very low at the outset. They were great theologians, very wordy and in the beginning whole gangs dropped their tools to engage in theological disputes. They were great letterwriters. As the man who provided their food and lodging, I was a big man in their eyes and one day I received a letter from one of the Barbados laborers addressed to "My master next to God"—I have never been so important since.

The European labor was paid double for the same class of work as their efficiency was rated 3 to 1 to the Negroes. The efficiency of the Negroes improved by competition. At the end of the work there was very little difference in productivity or pay between the Negroes and the European common laborers.

The working hours were from 7 to 11 a.m. and from 1 to 5 p.m. The heat was worst at noon. We had a 6-day week—no Saturdays off. Our headquarters from 1908 to 1913 were in a big building at Culebra overlooking the cut. Colonel Goethals worked every evening until 9 p.m. and every Sunday morning. The department heads at headquarters observed the same hours.

With liberal pay, fair treatment, and a great job to be done, this heterogeneous force was welded together by the end of 1908 into an efficient force with high morale. We never had a strike. The handling of the working force during the construction of the canal will stand as a model of intelligent, just, and liberal treatment of labor.

As stated, Mr. Stevens instigated a great housing program, so that men could bring their families with them. Even after the yellow fever had been eradicated, Panama had a bad name. Very few middle-aged or older people would come to the isthmus. The result was that our employees averaged very young, many of the men very recently married, many brought their brides with them or went up to the States on their first vacation to get a bride.

Beside our railroad men who were a fine class of men, we had a large number of young professional men—doctors, engineers, meteorologists, hydrographers, scientists—all with university educations. The majority of their wives also had good educations.

We had no theaters, no movies, no automobiles, no roads, no radio, no television but we were all young and managed to have a good time.

Our Barbadians as soon as they managed to get a little ahead, sent for their women in Barbados and set up households on the canal.

The work of preparation including the double tracking of the railroad, the building construction, the installation of all the necessary utilities for a force of 50,000 men, the layout of the work in the Culebra Cut, the purchase of the necessary equipment, steam shovels, dump cars, locomotives, drills, etc. went on through the balance of the year 1905 and most of the year 1906.

A board of eight of the top American engineers and five foreign engineers had been appointed to recommend the type of canal: sea-level or high-level lock. They rendered a report in June, 1906. The five foreign engineers voting in favor of a sea canal, the eight American engineers split, five voting for a lock canal and three, including the chairman, General Davis, voting with the foreign engineers, making it eight to five for a sea-level canal. Mr. Stevens was in favor of the lock canal and sent his report to President Roosevelt. His arguments carried the day and Congress voted the construction of a lock canal.

Colonel Hodges, the Assistant Chief Engineer, an officer of the Engineers Corps was a great technician and was put in charge of all design. He immediately recruited a body of the ablest, smartest, young engineers in the the United States to design the locks, the required dams, spillways and the lock machinery. A large number of these engineers and draftsmen were at this work for 6 years. All were drawn from civil life. One of them, Ed Schildhauer, a graduate of the University of Wisconsin, designed the lock machinery and the controls, probably the most complicated of all the design work. From the day it was put in operation it performed perfectly and is still in operation after 49 years.

After the decision had been made and after most of the preparatory work had been completed we began the real digging in the late fall of 1906 and the "dirt really began to fly."

In February 1907, Mr. Stevens, after an argument with President Roosevelt, tendered his resignation. It was a great shock to the force, all of whom admired and respected him. He truly laid the foundation for the work.

The President then apointed Col. George W. Goethals of the Army Engineer Corps as chairman and chief engineer. Colonel Goethals took over in March 1907. The new members of the commission were Admiral Rousseau of the Navy and Colonels Sibert and Gaillard of the Army.

In retrospect, perhaps the change was good. Mr. Stevens, while a great railroad construction engineer, had no experience in locks and dams. Colonel Goethals did have a long experience in that type of work. He also proved a great administrator and leader. The work was fortunate in that it had these two great men.

Colonel Goethals set up an organization—headed partly by military personnel and partly by civilian personnel. The Atlantic Division, the Gatun locks and Gatun Dam, was headed by an Army colonel of engineers with four or five Army engineers as assistants. The Pacific Division, the Pedro Miguel and Mariflores locks and the Pedro Miguel Dam, was headed by a civilian engineer, Sidney Williamson, with all civilian assistants. Naturally there was intense competition between the Army and the civilians. The Central Division with the Culebra out was under the control of Colonel Gaillard of the Engineers with civilian assistants headed by an MIT graduate, Louis K. Rourke.

The Quartermaster Department, which controlled the housing, feeding of the forces, the building construction and the requisitioning, storage and distribution of all supplies was first headed by an Army officer, Colonel Devol of the Quartermaster Department of the Army. Colonel Devol fell seriously ill and was recalled to the States in 1912. I was his assistant and succeeded him as Chief Quartermaster.

Colonel Gorgas headed the Medical Department. Our Medical and Sanitary Department was superb. For that day our hospitals were ahead of the times. Most of the Army medical officers served as administrators of the hospitals and sanitary works. Our surgeons and doctor were tops. They were all drawn from civil life with the exception of two Army officers. From being a pest hole, Panama after 1907 had a splendid health record.

The Canal Government, the controller, treasurer and legal departments were all headed by civilians. There were no Army troops stationed in the canal until 1910.

The administration of justice was prompt and efficient. There was one Federal judge, appointed by the President, and a Federal constabulary or police. It was under the Roman civil law and there was no trial by jury.

During November 1906, President Roosevelt visited the canal for 5 days. It was the first time that an American President had ever left the limits of the United States. Teddy lived up to his reputation for strenuosity. He was on the go from 7 a.m. to 9 p.m. He literally inspected everything.

I might mention something about the personalities of the two men, Colonel Gorgas and Colonel Goethals, who had most to do with bringing the work to a conclusion.

Colonel Gorgas, or rather Dr. Gorgas, who headed the Sanitary Department, was a southerner, the son of a West Point graduate who became the Chief of Ordnance of the Confederate Army and a very gifted man. His son, Dr. Gorgas, was a very lovable man, idolized by his subordinates, respected by his colleagues. While easygoing he could not be budged from a principle he believed in. He was the only Army medical officer who ever became head of the AMA.

Colonel Goethals was his exact antithesis. He graduated second in his class at West Point, had a fine mind. Unlike Gorgas, he was stern and unbending—you might say a typical Prussian, but his iron will and terrific energy was responsible for driving the work to a conclusion in record time. He might be termed a benevolent despot. I was his assistant for 7 years and I might say that everything in my life since has seemed comparatively easy.

From 1907 the work progressed rapidly. There were the mishaps due to a tropical climate—torrential rains, slides in the cut, floods in the Chagres River, breaks in the railroad, innumerable injuries and deaths to our common labor from accidents, but the work went steadily forward.

As the excavation approached the bottom of the Culebra cut, it was decided to complete that job by the dredges rather than by the steam shovels, wet instead of dry excavation. So in 1913, we took the shovels, the drills, the locomotives and dump cars out of the cut. We took up all the rail tracks in the cut. Finally in September 1913, most of the employees assembled at the north end of the cut at Gamboa. At that point there was a great dike that separated the waters of the Chagres River from the cut. An immense charge of dynamite was set off, the dike disappeared and the water of the Chargres and the dredges entered the cut and from that date on, the dredges did the remaining excavating.

For the next 11 months the force worked at fever pitch. Men reported to work early and stayed late, without overtime. All worked to break records and speed the work. I really believe that every American employed, would have worked that year without pay, if only to see the first ship pass through the completed canal. That spirit went down even to the Negro labor.

Finally on August 15, 1914, 2 weeks after World War I began in Europe, all was ready. The channel in the cut was clear, the dams were completed, the locks completed, the lock machinery in working order, all ready for the first vessel.

There were many dignitaries from Washington and foreign countries who had come down to see the opening but Colonel Goethals decreed that only Americans who had worked 7 years on the canal could go through on the first boat, regardless of their position, whether they were plumbers, drillers, locomotive engineers or the heads of departments. As I had been there nearly 10 years, I was one of the fortunate ones, as well as my wife and two of my (then) small daughters. We all boarded the SS *Ancon*, started in at the Atlantic entrance, were lifted up in the locks at Gatun Lake, passed through the lake to the cut. When we reached the Continental Divide in the cut and the ship passed between Gold Hill and Contractors Hill, most of the men, and a great many of these hard-rock men were tough "babies," were in tears. We then went down the Pedro Miguel and Miraflores locks and then out to the Pacific Ocean. It was a great day.

The canal was then opened to navigation but very soon after the great Cucaracha slide came, the canal was closed and it took months to get it opened. Sporadic slides occurred in 1916, and 1917 was the first year of uninterrupted traffic.

After August 15, it became a job. I asked to be relieved but Colonel Goethals requested me to stay until the spring of 1915 to put up the permanent buildings of the canal. So I remained until May 1915.

I think that all of you, as American citizens, can take pride in the building of the canal. It was estimated to cost $375 million but the job was completed ahead of time and at a cost of $342 million. From start to finish there was never a single scandal, never a penny of graft. It was a 100-percent clean job. After the first 3 years, there was no construction force in the world that compared with it in efficiency and morale.

The canal graduated the man who built railroads in Brazil, Ecuador, and Peru. One of our engineers later organized his own contracting firm and built a railroad in the northern part of Panama and most of the railroads in Central America. Another engineer with our superintendent of steam shovels organized a contracting firm that built much of the Canadian National Railroad through the Rockies to Prince Rupert on the Pacific. Another canal employee arranged the organization and construction of the one railroad in Iran. Colonel Mears who succeeded Ralph Budd on the Panama Railroad built the Alaskan Railroad and later as chief engineer of the Great Northern built the tunnel that pierced the Cascades. The canal furnished two vice presidents to the United Fruit Co., one to the Allied Chemical Co. and many other officers to lesser corporations.

It produced three railroad presidents of American railroads, one of them in my opinion, the ablest railroad man in the United States—Ralph Budd.

Our doctors organized and staffed the medical force of the United Fruit Co. and furnished many of the leading figures in tropical medicine and research. Dr. Gorgas, after eliminating yellow fever in Panama, eliminated it in Brazil, Ecuador, West Africa—in fact from the globe—and later on at the request of the British Government, made a study of sleeping sickness in Africa.

When we entered World War I, Colonel, then General, Goethals became the Assistant Chief of Staff of the Army, General Gorgas became the Surgeon General of the Army, and yours truly as a result of my experience and training in the canal, became the Acting Quartermaster General of the Army.

The canal has even been successful from a financial viewpoint. In 1917, the first year of uninterrupted transit, 1,937 vessels passed through the canal, carrying 7,210,000 tons of cargo, and paying $5,628,000 in tolls. In 1962, 12,099 vessels carrying 63 million tons of cargo went through the canal and paid $58,347,200 in tolls. It has paid back to the

Treasury the interest on the bonds approximately $9 million yearly and has out of its revenue retired $20 million of the bonds.

Advocates of Government ownership might well point to the canal as a successful example of Government operations, but there was a special reason for this. We had a strong President, Teddy Roosevelt, the American people as a whole were solidly behind the project, and we were 2,000 miles from Washington. In the whole period there was never a single political appointment in the canal. I doubt whether these conditions can ever again be duplicated in a Government project.

Some of you no doubt have read of the persistent efforts of the Panamanian Government to cancel or modify the existing canal treaty with our Government. Our Government faithfully fulfilled the terms of the original treaty; has raised the yearly rental from $250,000 a year to almost $2 million a year; has given to Panama some $25 million worth of property in the city of Panama.

The truth is that the Republic of Panama is not a nation. The population is 12 percent white, 13 percent black, 72 percent mulattos, and 3 percent Indian. There are a few wealthy families in the city of Panama, mostly descendants of Spanish, French, English, Scottish and German merchants and traders who control the government and are now constantly pressuring the United States for more money and control of the canal. Panama is not like Peru and Colombia, with a distinct Spanish culture and a distinct nationality. The United States has created all the wealth that exists in Panama.

To those of us who worked on the canal it is unthinkable that we should give up our rights there. It was American money and brains that was responsible for the building and operation of the canal, as well as American labor and the foreign labor imported by us. There was practically no Panamanian labor in the building of the canal.

I have tried to tell you as well as I can the epic of the building of the canal. It is hard for me to transmit to you the feeling we all possessed toward the work. Rarely can man see his own work, but we saw it physically as year by year, we saw the cut grow deeper and deeper, the lock walls higher and higher, the dam, the lake. We all felt we were doing a job that was of benefit not only to our own country, but to the world. We were proud that the job was being done honestly, efficiently, and expeditiously.

I have good reason personally to be grateful to the canal. As a young man as a director of the Panama Railroad, as assistant chief quartermaster, as chief quartermaster of the canal, and as head of the construction department, I had a wonderful experience in the handling of labor, the supervision of two great ports, the building construction on a large scale, and most of all the handling of the supply system of a large job. That experience proved of value to me as the head of the Quartermaster Department of the Army and later in the great company which I had the honor to head for many years.

The canal will always remain a material monument from a construction and engineering standpoint. It will also stand as a monument in the minds and hearts of the employees who worked on it during the construction period, a monument no less enduring than the physical monument.

I hope you, as citizens of our country will feel likewise.

I thank you.

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## LAUNCHING OF POLARIS SUBMARINE "VON STEUBEN"

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Addabbo] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ADDABBO. Mr. Speaker, on October 18, 1963, it was my privilege to attend the launching of the Polaris submarine *Von Steuben* at Newport News, Va. This submarine was named in honor of Baron Friedrich Wilhelm von Steuben, a German Army officer, who volunteered his services to Gen. George Washington and trained our troops at Valley Forge and greatly aided in various battle victories and was one of the commanding generals at the victory at Yorktown.

With the resounding crack of the traditional champagne bottle, wielded so ably and beautifully by Mrs. Fred Korth, wife of the Secretary of the Navy, this great submarine, the *Von Steuben,* glided into the water. I know this event touched the hearts of every German-American in the United States who has also made his contribution to the greatness of this Nation. I am sure, also, that great pride was felt across the Atlantic by those Germans on both sides of the Berlin wall.

At the launching, the main address was given by Adm. David L. McDonald, U.S. Navy, Chief of Naval Operations, and I believe it is noteworthy and should be restated here.

### Address by Adm. David L. McDonald, U.S. Navy, Chief of Naval Operations, at the Launching of the U.S.S. "Von Steuben" (SSBN-632), Newport News, Va., October 18, 1963

One hundred and eighty-two years ago tomorrow, General Cornwallis surrendered his British Army of 7,600 men to Gen. George Washington just 15 miles from here at Yorktown. Cornwallis had suddenly found himself—to use the vernacular—between the devil and the deep blue sea. As he looked to seaward, he faced a French fleet under Admiral deGrasse which 2 weeks earlier had badly damaged the British fleet and forced it to retire to New York. As he looked westward, he faced combined French and American armies—led not only by American and French officers—but also by an explosive, colorful, and competent officer of King Frederick's Prussian Army—Gen. Frederick William Augustus Ferdinand, Baron von Steuben. Cornwallis' surrender on October 19, 1781, was the turning point of the war—the allied victory which substantially ended the Revolutionary War. Although, as a nation, we haven't been engaged in any other revolutionary wars, we have been and still are engaging in revolutions of different sorts. Today, this warship which we are about to launch is—in reality—a part of a program which is in itself a revolution—a revolution in the art and science of war. We have chosen to name this ship after one of the heroes who helped us to gain our independence, and we expect that she in turn will join her sisters of the entire U.S. Navy in preserving the freedom won for us by men such as Baron von Steuben.

I believe we can all agree that it is a singular honor to have a U.S. warship bear one's name. But beyond that lies a broader consideration. We do not honor the heroic dead merely as a formality. We honor them also to remind ourselves of the kind of courage and ability it required to fight for freedom, in the hope that we, too, will be inspired to preserve that freedom, no matter what it takes to do so.

General von Steuben was a drillmaster. He found a ragged army at Valley Forge and he transformed it into a disciplined, tough, and effective force which set the pace for all Continental soldiers. One writer said that "the American Army owed to him what a victorious crew owes to an efficient coach." He was a perfectionist in drill matters, but he was also a warm and human person.

He was also a quick-witted man. On one dangerous occasion, he flung himself down into a trench for protection. It is said that General Wayne, either through accident or design, also took cover—on top of General von Steuben, who said, "I knew you were a fine officer, but I did not know you were so perfect that you would cover your general's retreat in the best way possible."

General von Steuben was competent, alert, and courageous. He was respected by men and he, for his part, respected them. These are qualities we admire in our men in uniform—both then and now.

We have here today a set of circumstances which, although not perhaps extraordinary, are at least rare and I believe deserve mentioning. Here we are about to launch a nuclear powered ballistic missile submarine, built by American citizens in a privately owned shipyard, to be named for an alien who came to our country to help us gain our independence and—finally to be christened by the gracious wife of our Secretary of the Navy. These circumstances signify many things.

First, this ship we are launching is a vessel which combines the foremost advancements in both nuclear propulsion and in missilery. I cannot overemphasize the influence the Polaris type of submarine has had in shaping our national security policy. By means of such ships our country is afforded a devastating means of retaliation combined with a survivability not otherwise available. The possession of such a force is invaluable in establishing the confidence necessary to successfully conduct our international affairs.

Very importantly, this U.S. warship was built by American citizens in a privately owned shipyard. Perhaps you have never thought of it but the construction of this ship here at Newport News typifies the freedom we in our country enjoy. We, as citizens, have of our own free will authorized, built, bought and paid for this warship which in itself is designed to preserve the conditions which permit such freedom and free enterprise to flourish for the benefit of all of our citizens.

The fact that this ship is to be named in honor of a Prussian general to whom we owe so much for helping to transform the Continental Army into an effective fighting force, is indeed a circumstance of note. This, I believe, typifies the cooperation between allies which we must have even today—if we are to succeed. I began this talk with a short account of the Battle of Yorktown in which the French Admiral deGrasse, and French Generals Lafayette and Rochambeau, along with Baron von Steuben, joined the Americans in a common cause. Not only did these men of diverse nationalities cooperate but they did so both at sea and on land. This represents to me the kind of multinational, multidimensional cooperation we must and can expect to see in the future.

Another unusual and happy circumstance today—as far as I am personally concerned—is the fact that I was asked to make this brief talk. As the military chief of our Navy I consider it my extreme good fortune to be asked to make these remarks at a time when a sponsor is the wife of the civilian head of our Navy. In the selection of Mrs. Korth we are carrying out a long-standing, delightful tradition which holds that a ship named by a gracious sponsor will have a long and successful existence. Those of us who believe in this tradition and who also know Mrs. Korth have no doubt whatsoever but what this ship will have a long and successful existence.

Finally, ladies and gentlemen, if I had to choose one word to characterize this launching, that word would be "cooperation." The standard has been set by the career of Baron von Steuben—a soldier in an alien land, which he later made his own—working with many nationalities in creating an army to fight for and gain for us our freedom. Today, this launching of a Polaris submarine named in his honor was made possible by the combined efforts of labor, management, civilians, and military, all operating under a free enterprise system in response to a common danger facing not only Americans, but our allies as well. We can expect that the future will continue to impose upon us problems which can be solved only by intelligent cooperation between men of widely differing vocations, and of widely differing nationalities as well.

It is my earnest hope that the standard set in building this ship, bearing the name of an illustrious officer and gentleman—Von Steuben—will be one of enduring high quality in the never-ending process of designing and producing material which adds to the security of our country and the free world.

Thank you.

## ABANDONMENT OF SAN ANTONIO AIR CONTROL CENTER

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, when the Administrator of the Federal Aviation Agency announced that the Air Route Traffic Control Center located in San Antonio, Tex., would be abandoned and that a new one would be constructed in Houston, Tex., he gave as the basis for this decision efficiency and economy of operations. This shocking decision came only 4 years after the San Antonio Center had been constructed, and in view of the fact that the Federal Government would remain obligated on the balance of the 10-year lease under which the ARTC Center was being occupied, in view of the newness and adequacy of the San Antonio Center, and in view of the huge amount of traffic the San Antonio Center was handling, doubts as to the wisdom of the decision naturally were raised in a number of places.

Claims of increased economy by the Administrator have proven to be a sham. When I asked the Comptroller General of the United States to investigate the claim that the Federal Government would save money by abandoning the San Antonio center and constructing a new one in a different city, the Comptroller General reported:

> We can express no opinion on the reasonableness of the estimated cost savings.

This is certainly an odd conclusion. One would expect that if the head of a Federal agency submitted data to justify a decision involving economy, that the Comptroller General would be able to express an opinion on the basis of that data. The reason the Comptroller General could express no opinion, of course, was that the estimated cost savings were not reasonable. This conclusion has been completely supported recently by the Administrator himself, who in a belated reply to a letter from me admitted that the references he has been making as to cost savings are meaningless. This surprising admission was made unwittingly, naturally, in the course of answering a letter in which I raised a number of questions. But its significance is enhanced, in my judgment, by the fact that the admission "slipped out."

Not only the claims of increased economy have proven to be a sham. The Administrator's assertion that the move to another city would result in increased efficiency of operations is equally weightless. This assertion of the Administrator overlooks not only the fact that there is a heavier volume of air traffic in the San Antonio area than in the Houston area, it also overlooks the fact that there is a peculiar type of air traffic in the San Antonio area. San Antonio is unique in this respect. It is a military center of activities. In 1962 San Antonio ranked third in the Nation in the number of military aircraft departures. A full 57 percent of all air traffic handled by the San Antonio Center was of a military nature. The overwhelming portion of this traffic was generated by bases in and around San Antonio, and by bases nearer to San Antonio than to Houston. These bases include: Randolph Air Force Base, Kelly Air Force Base, Lackland Air Force Base, Camp Gary, Laredo Air Force Base, Laughlin Air Force Base, Grey Air Force Base, Chase Naval Air Station, Kingsville Naval Air Station, and Corpus Christi Naval Air Station. The San Antonio tower handled 70,667 Instrument Flight Rules—IFR—operations in 1962 compared to 66,776 operations handled by the Houston tower. Further, military aviation is of such a nature that great increases in the amount of air traffic can be expected with little notice, as in emergency situations such as the Berlin airlift and the Cuban crisis. These increases are of such a nature that intimate coordination between the military and the ARTC Center is not only desirable but necessary for reasons of security and efficiency. The proximity of the San Antonio Center to the military complex in and around that city makes this type of coordination possible, just as the distances between Houston and these bases makes it impossible.

An additional advantage of having an ARTC center located in San Antonio is that fact that military pilots have the opportunity of gaining firsthand knowledge of the air control system through field trips to the center. These trips may be made and are being made in a minimum amount of time because of the nearness of the center to the military bases I have mentioned. This advantage alone would be sufficient reason to keep an ARTC Center in San Antonio.

Mr. Speaker, the facts and the statistics that I have cited were compiled by the very people that operate the system we are discussing. They are irrefutable. They touch on the most important point of this controversy: the safety of air traffic. In all of the discussions of the proposed abandonment of the San Antonio center and the construction of a new one in another city, the matter of air safety has been completely neglected by the FAA Administrator. Raising the issue of economy can be very deceptive, for what are dollars lost compared to lives saved? In fact, the Administrator's claims that costs will be reduced by the move are false. But the true issue should be air safety. It is of paramount importance. It is the reason why Congress created the FAA in the first place. Yet, the Administrator never seems to get around to discussing this issue. Will air safety be enhanced or jeopardized by abandoning the San Antonio center? All the evidence points to the latter. All the facts that have been introduced in these discussions indicate not only that money will be wasted, but that the cause of air safety will be endangered by abandoning the San Antonio center. It is a shame that the FAA Administrator seems more interested in building a personal empire within the Federal Government than in dedicating himself to the goals of air safety.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Tollefson, for the period October 24 to November 5, 1963, inclusive, on account of official business.

Mr. Pelly, from October 24 to November 1, on account of official business.

Mr. Horton, for October 24, 1963, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Ashbrook (at the request of Mr. Beermann), for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Dent (at the request of Mr. Aspinall), for 30 minutes, on Thursday, October 24, and to revise and extend his remarks and include extraneous matter.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Ullman and to include extraneous matter.

Mr. Fino.

Mr. SAYLOR, the remarks he made in the Committee of the Whole today and to include extraneous matter.

(The following Members (at the request of Mr. BEERMANN) and to include extraneous matter:)

Mr. TUPPER.

Mr. POFF.

Mr. HOSMER.

(The following Members (at the request of Mr. ASPINALL) and to include extraneous matter:)

Mr. PATTEN.

Mr. FUQUA.

Mr. HANNA in two instances.

## SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 16. An act to provide for the establishment of the Ozark National Rivers in the State of Missouri, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 136. An act to place in trust status certain lands on the Rosebud Sioux Reservation in South Dakota; to the Committee on Interior and Insular Affairs.

S. 1594. An act to determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1605. An act to amend the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, to provide for labeling of economic poisons with registration numbers, to eliminate registration under protest, and for other purposes; to the Committee on Agriculture.

S. 1718. An act to amend the law with respect to trade with the Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 1885. An act to declare that the United States holds in trust for the Indians of the Battle Mountain Colony certain lands which are used for cemetery purposes; to the Committee on Interior and Insular Affairs.

S. 2111. An act to fix the beneficial ownership of the Colorado River Indian Reservation located in the States of Arizona and California; to the Committee on Interior and Insular Affairs.

S. 2139. An act to provide for the disposition of the judgment funds on deposit to the credit of the Kootenai Tribe or Band of Indians, Idaho; to the Committee on Interior and Insular Affairs.

S.J. Res. 49. Joint resolution authorizing the Secretary of the Interior to carry out a continuing program to reduce nonbeneficial consumptive use of water in the Pecos River Basin, in New Mexico and Texas; to the Committee on Interior and Insular Affairs.

## ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3306. An act to establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission.

## BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 75. An act to provide for exceptions to the rules of navigation in certain cases;

H.R. 641. An act to approve an order of the Secretary of the Interior canceling and deferring certain irrigation charges, eliminating certain tracts of non-Indian-owned land under the Wapato Indian irrigation project, Washington, and for other purposes;

H.R. 2268. An act for the relief of Mrs. Geneva H. Trisler;

H.R. 4588. An act to provide for the withdrawal and reservation for the Department of the Navy of certain public lands of the United States at Mojave B Aerial Gunnery Range, San Bernardino County, Calif., for defense purposes; and

H.R. 6377. An act for the relief of Sp5c, Curtis Melton, Jr.

## ADJOURNMENT

Mr. ASPINALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 59 minutes p.m.) the House adjourned until tomorrow, Thursday, October 24, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1324. A letter from the Comptroller General of the United States, transmitting a report on the unauthorized use of Federal funds advanced to the Organizing Committee, VIII Olympic Winter Games, Squaw Valley, Calif., U.S.A., 1960, Inc., for construction of a sports arena; to the Committee on Government Operations.

1325. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of proposed legislation, entitled "A bill to amend the joint resolution approved August 20, 1958, granting the consent of Congress to the several States to negotiate and enter into compacts for the purpose of promoting highway traffic safety"; to the Committee on Interstate and Foreign Commerce.

1326. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority was exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; pursuant to the provisions of section 212(d)(6) of the Immigration and Nationality Act, and section 212(d)(3); to the Committee on the Judiciary.

1327. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report of the National Aeronautics and Space Administration pursuant to section 1(c)(ii) of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 382); to the Committee on Science and Astronautics.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 8890. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. CAREY:

H.R. 8891. A bill to provide for the tariff classification of certain particle-board; to the Committee on Ways and Means.

By Mr. CHENOWETH:

H.R. 8892. A bill to amend section 201 of the Antidumping Act, 1921, with respect to the determination of injury or threatened injury to an industry in the United States; to the Committee on Ways and Means.

By Mr. DOWNING:

H.R. 8893. A bill to amend title 10, United States Code, to require use of articles, materials, and products of the United States in performing contracts for the construction, conversion, alteration, or repair of vessels; to the Committee on Armed Services.

By Mr. FOGARTY:

H.R. 8894. A bill to authorize the coinage of 50-cent pieces in commemoration of the 200th anniversary of the Touro Synagogue; to the Committee on Banking and Currency.

By Mr. GLENN:

H.R. 8895. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 8896. A bill to amend the Communications Act of 1934 to prohibit the Federal Communications Commission from making certain rules relating to the length or frequency of broadcast advertisements; to the Committee on Interstate and Foreign Commerce.

By Mr. REID of New York:

H.R. 8897. A bill to provide for strengthening and improving the national transportation system; to the Committee on Interstate and Foreign Commerce.

By Mr. REUSS:

H.R. 8898. A bill to amend title 28 of the United States Code, so as to provide for the appointment of one additional district judge for the eastern district of Wisconsin; to the Committee on the Judiciary.

By Mr. SENNER:

H.R. 8899. A bill to amend title 23 of the United States Code relating to access to and exit from certain portions of the Interstate System; to the Committee on Public Works.

By Mr. DEROUNIAN:

H.R. 8900. A bill to provide for the reimbursement of the city of New York for the cost of the extra police protection afforded Marshal Tito of Yugoslavia during his recent visit; to the Committee on Foreign Affairs.

By Mr. ROBERTS of Alabama:

H.R. 8901. A bill to protect the public health by preventing the registration and sale of certain pesticide chemicals, by providing grants-in-aid to assist the several States to establish programs for controlling the use of pesticide chemicals on commodities intended for human or animal consumption, and by requiring cautionary labeling of pesticide chemicals and to prevent accidental injuries; to the Committee on Interstate and Foreign Commerce.

By Mr. GOODELL:

H.J. Res. 781. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H. Con. Res. 226. Concurrent resolution relative to planning for peace; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 or rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKHALTER:

H.R. 8902. A bill for the relief of Mrs. Gysina Wormer; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 8903. A bill for the relief of Vasilios Nasoulis; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 8904. A bill for the relief of Dr. Belen Bonus; to the Committee on the Judiciary.

H.R. 8905. A bill for the relief of Sema Bornstein; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 8906. A bill for the relief of Ryoko Matsumoto; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8907. A bill for the relief of Dr. Genuina T. Dizon; to the Committee on the Judiciary.

H.R. 8908. A bill for the relief of Dr. Lourdes Tabique; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 8909. A bill for the relief of Frank K. Johnston; to the Committee on the Judiciary.

H.R. 8910. A bill for the relief of Rodrigo Alolod; to the Committee on the Judiciary.

By Mr. TUCK:

H.R. 8911. A bill for the relief of Mrs. Louise B. Rogers and her two adopted children; to the Committee on the Judiciary.

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# EXTENSIONS OF REMARKS

## Joint Committee on Oceanography—Part II

EXTENSION OF REMARKS

OF

### HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 23, 1963*

Mr. HANNA. Mr. Speaker, President Kennedy recently addressed the Anniversary Convocation of the National Academy of Sciences. A major portion of the President's speech was on the subject of oceanography, and, I was very impressed by his feeling of urgency in seeing the United States embark on a much more energetic effort in this vital field of research.

President Kennedy's remarks on the subject of oceanography were as follows:

> I would call your attention to a related problem; that is, the understanding and use of the resources of the sea. I recently sent to Congress a plan for a national attack on the oceans of the world, calling for the expenditure of more than $2 billion over the next 10 years. This plan is the culmination of 3 years' effort by the Interagency Committee on Oceanography, and it results from recommendations made by the National Academy.
>
> Our goal is to investigate the world ocean, its boundaries, its properties, its processes. To a surprising extent, the sea has remained a mystery. Ten thousand fleets still sweep over it in vain. We know less of the oceans at our feet, where we came from, than we do of the sky above our heads. It is time to change this, to use to the full our powerful new instruments of oceanic exploration, to drive back the frontiers of the unknown in the waters which encircle our globe.
>
> I can imagine no field among all those which are so exciting today than this great effort which our country and others will carry on in the years to come. We need this knowledge for its own sake. We want to know what is under the sea, and we need it to consider its bearings on our security, and on the world's social and economic needs. It has been estimated, for example, that the yield of food from the seas could be increased 5 or 10 times through better knowledge of marine biology, and someday we will seed and weed and harvest the ocean. Here, again, the job can best be done by the nations of the world working together in international institutions.
>
> As all men breathe the same air, so a storm along Cape Cod may well begin off the shores of Japan. The world ocean is also indivisible, and events in one part of the great sea have astonishing effects in remote places.

Mr. Speaker, the study of the sea is of such importance that I am of the firm conviction that Congress should establish a Joint Committee on Oceanography. The membership of this Joint Committee should be kept to a minimum, and should be drawn from the many Senate and House Standing Committees which hold some portion of the present widely fragmented responsibility for this subject matter.

## No. 19—Washington: The Gamblers' Paradise

EXTENSION OF REMARKS

OF

### HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 23, 1963*

Mr. FINO. Mr. Speaker, today, I would like to tell the Members of this House, more particularly the congressional delegation from the State of Washington, about gambling in that State. Washington is another State where hypocritical officialdom is a covert ally of the underworld.

Parimutuel betting in Washington last year came to over $27 million from which the State derived $1,371,000 in revenue. This legal activity is peanuts compared to the illicit gambling in that State. On the basis of the McClellan committee hearings, Washington's share of national off-track betting came to over $800 million last year. The immense profit derived from illegal gambling has made crime fat and sassy. The pseudo-moralist officialdom that has driven the natural human gambling urge undercover might as well write a check to the crime syndicates. Bluenose gambling laws have put crime in clover in Washington and made it a happy hunting ground for syndicate hustlers.

According to the McClellan committee, the estimates for the total illegal gambling each year in Washington may well exceed $1½ billion.

Because of the lack of commonsense to recognize and control gambling, Washington is an all-year-round open house for the mob. It is no paradox that the biggest expense of the gambling, syndicates turns on the need to buy protection from the lowest law enforcement level on up.

Like most of the other States, Washington is its own worst social enemy, and its social morality is a pawn of mob avarice. Only the institution of a Government-run lottery would cut the foundations from under syndicated gambling. Washington would cease to be a feeding trough for gangsters. Today is not a moment too soon to wake up to the financial and social facts of life.

## Teenage Traffic Violations

EXTENSION OF REMARKS

OF

### HON. RICHARD H. POFF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 23, 1963*

Mr. POFF. Mr. Speaker, using the CONGRESSIONAL RECORD as a vehicle, I would like to convey to the judges of the traffic courts throughout the Nation the functional details of a system of law enforcement devised and applied by Hon. Richard W. Davis, municipal judge for the city of Radford, Va.

Judge Davis adopts the view that any teenager old enough to enjoy the privilege of a driver's license is old enough to assume the responsibilities which it entails and to make personal recompense to society when he violates the traffic laws designed to protect society. Under the Davis system, a fine assessed against a teenage traffic violator cannot be paid by his parents. The violator's operator's license is suspended and not reinstated until he pays the fine from money he has earned during off-school hours, and as proof that the money was earned, the judge requires the violator to submit an affidavit executed by his employer.

Judge Davis is justifiably proud of the fact that since his system was inaugurated, traffic offenses by teenagers have dropped dramatically. As a private citizen, I salute the Davis system. Parenthetically, my teenage daughter who holds a driver's license joins me in this salute.

## Representative Fino's Imagination Makes Maine People Gambling Addicts

EXTENSION OF REMARKS

OF

### HON. STANLEY R. TUPPER

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 23, 1963*

Mr. TUPPER. Mr. Speaker, on last Wednesday the gentleman from New York [Mr. Fino], in his extension of remarks appearing on page 19718 in the Congressional Record, made reference to gambling in the State of Maine.

His statement was entitled "No. 17—Maine: The Gamblers' Paradise." While we recognize that Mr. Fino, in promoting legislation for a national lottery, is seeking to focus attention on illegal gambling in all the 50 States, I believe that reference to the Pine Tree State as a "gamblers' paradise" is injudicious and untrue.

A "paradise"—yes—for those who enjoy hunting, fishing, and outdoor living at its best; for those who have sailed along the most scenic coastline in the world; for those who ski our slopes during a brisk winter day—but I have never before heard the State of Maine referred to as a "gamblers' paradise."

Mr. Fino refers to estimates of $300 million a year in illegal gambling on horseracing in Maine and stated that according to "expert computations" the money illegally gambled in Maine of all sources totaled $600 million last year. This is a completely unrealistic estimate.

Of course I agree wholeheartedly with the gentleman in his views that illegal gambling of any size or scope is insidious and breeds crimes of every nature.

Mr. Speaker, the gentleman from New York [Mr. Fino] stated that—

> After significant expenses are incurred for the corruption of governmental and law enforcement process, there is still plenty of money left in the hands of the syndicates.

I assume that this was a generalization and the gentleman from New York is not making this charge in respect to Maine's law enforcement officials.

If my assumption is not true and he has any specific information bearing on the State of Maine, I would ask that he immediately make this information available to the attorney general of the State of Maine, Hon. Frank Hancock.

To allow an inference like this to stand would be an unwarranted slur to Maine's law enforcement officials, State, county, and local.

The State of Maine is justly proud of its law enforcement. The Maine State Police under the direction of Col. Robert Marx is recognized nationally for its competence. Over 16 sheriffs' departments are increasingly efficient each succeeding year as more and more career deputies fill their ranks.

Maine's town and city police departments will measure up man for man with any departments of similar size in the country.

As a former Federal enforcement officer, I am well aware of the evil that illegal gambling brings to our society. However, I also believe that we must be eager to defend the reputations of honest law enforcement officials. If we do not, there will be even fewer conscientious men who will seek these positions.

The gentleman from New York might be interested in an editorial appearing in the Portland Press Herald, October 19, in reference to his remarks.

The editorial follows:

#### Representative Fino's Imagination Makes Maine People Gambling Addicts

> Maine people who opened their papers on Thursday to learn, according to a New York City Congressman named Paul Fino, that $600 million was illegally gambled in Maine last year must have been amazed to find so much loose money rattling around here.
>
> This stupefying statistic, which is producing horse laughs all the way from Kittery to Fort Kent, is the imaginative product of Mr. Fino alone.
>
> The gross income of Maine's million people in 1962 was roughly $1.8 billion, which would mean that a third of it passed through the hands of bookies and other denizens of the underworld. It would mean that the average family of four gaily bade goodbye to $2,400 in trying to get rich last year, and this is a lot of moolah—in this State especially.
>
> Of course there is a method in the madness of the Bronx Congressman. With the perseverance of a birddog, he has been trying to persuade his fellow Members that the cure for all our ills is a national lottery, and the way to do it is to prove illicit gambling on a big scale. Instead of taking him seriously, Governor Reed should have wired him the single word uttered by General McAuliffe at the siege of Bastogne.

## United States-Puerto Rico Commission

EXTENSION OF REMARKS

OF

### HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 23, 1963*

Mr. PATTEN. Mr. Speaker, today the House has passed H.R. 5945, a bill which provides for a commission "to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico." I fully support this bill as Puerto Rico's status has long been undefined and in need of legislative clarification to help it develop to its full potential.

I am familiar with the Puerto Rican people and I can attest to their decency, intelligence, and loyalty to America. They are ambitious and are sought after by industry and they have made a fine adjustment in our community despite the barriers of language. I know that the relatives and friends of these people in my district, who are in Puerto Rico, are of the same mold and would welcome a chance to improve their status.

The Honorable Fernós-Isern, the Resident Commissioner, has stated that this bill has the general support of the people of Puerto Rico, and we here today have kept our faith with them.

## Florida Sheriffs Boys Ranch Is Bold Humanitarian Venture

EXTENSION OF REMARKS

OF

### HON. DON FUQUA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 23, 1963*

Mr. FUQUA. Mr. Speaker, I call attention of the Congress today to one of the boldest and imaginative programs in this Nation today, the program of the Florida Sheriffs Association and the dedicated sheriffs of Florida to bring a new meaning to law enforcement, bold and imaginative programs which these men have given and are giving countless hours to see become realities.

And these programs are paying off in the most precious of treasures, the lives of young men.

In so doing, I want to pay tribute to all of those in the law enforcement field of this Nation. Theirs is a tireless and often thankless job. The men who patrol the beats, the men who patrol the highways, the sheriffs and their staffs in the counties, and all of the others who protect the life and property of the citizens of the United States, all are due our commendation.

Recently, we in the Congress have been alerted anew to the almost fantastic incidence of crime in these United States. The testimony of Joseph Valachi before the Senate Investigations Subcommittee points to an organized syndicate that reaches into the heart of American society, controlled by unscrupulous men who delve in human misery and degradation.

We are appalled at the growth of the crime rate in this Nation, which it is estimated will cost $22 billion this year alone. Think of it, it is estimated that crime will cost every individual in these United States $128 this year. It is staggering.

Federal Bureau of Investigation's Director J. Edgar Hoover has estimated that in the period from 1957 to 1961, crime grew at a rate five times that of the population. In the decade from 1950 to 1960 there was a 98-percent increase in the incidence of crime in these United States.

Take the growth during the past 3 years, when from 1959 to 1960 crime increased 14 percent in this Nation, increased another 3 percent in 1960–61, and another 6 percent in 1961–62.

This is fantastic in a land such as ours, the richest in the history of man.

The sheriffs of Florida knew full well these facts when they conceived the Florida Sheriffs Boys Ranch. The sheriffs of Florida have not been content to stand idly by in light of these facts. In addition to the tremendous job they do for the people of Florida in tracking down and bringing to justice law violators of every conceivable description, often at the loss of their lives and those of their duties, they have done much more.

They knew from their work, of the thousands of homeless and neglected boys in Florida who needed a good home to keep them from drifting into lives of crime or aimless futility. They saw this need and with $5,000 and a lot of prayer, they founded the Florida Sheriffs Boys Ranch in 1957.

It was a tremendous challenge to the 67 sheriffs of Florida working through their organization—the Florida Sheriffs Association. But seldom have so few had such vision and determination.

They began with the gift of 140 acres on the banks of the famed Suwannee River in Suwannee County, Fla., 11 miles north of Live Oak, with this fine area being in the district I have the honor to represent.

Additional land was purchased immediately by the sheriffs to bring to 737 acres the land upon the banks of this fabled stream for their dream of a home for homeless boys.

Funds came pouring in as the sheriffs told the people of Florida of their dream. Annual honorary memberships in the Florida Sheriffs Association were sought at $10 a year, and this brought the people of the State into close contact with the project. Literally thousands opened up their hearts to send in donations.

It is interesting to note, I think, that no Federal funds were sought, nor needed, as the Florida sheriffs were determined to do this job with the assistance of generous kindhearted citizens.

The first cabin, to house 20 boys, began in 1958, and in February of 1959 the first two boys came to the Florida Sheriffs Boys Ranch to make their home. An era was beginning, a dream was becoming a reality.

Today, at the end of nearly 5 years of operation, the boys making their home at Boys Ranch number up to 60, with the investment in the ranch estimated at over half a million dollars. It has grown steadily, but the waiting list of boys seeking admission grows too. The sheriffs of Florida are following their dream, expanding facilities as rapidly as possible, to build a ranch that will eventually house 400 boys.

As soon as funds became available, a second cottage was erected, again to house 20 boys, and then a third cottage was erected which serves temporarily as a cafeteria and library. When a permanent cafeteria is erected, it will be converted into a dwelling.

The largest single donation and a giant step in the expansion of facilities was taken last year when the Annie Barron Pentland Memorial Cottage was dedicated. This $50,000 structure was give by Col. Robert Pentland, Jr., Miami accountant and dedicated public spirited citizen, in memory of his mother.

A large gift of $28,441 was made by Mrs. Agnes A. Torrey, a Polish immigrant who lived in Monticello, and who died childless in 1960. It was applied to urgently needed expansion of the water system which is to serve as a memorial to Mrs. Torrey and her husband. A bequest of $7,000 from the estate of the late Max Weintraub, onetime Miami Beach businessman, was applied to the new Dairy Science Building, which will be a memorial to Mr. Weintraub.

The people of Hillsborough County, under the leadership of Sheriff Ed Blackburn, raised funds to build a huge vocational arts building. The people of Pinellas County were prime movers and contributors, under the leadership of Sheriff Don Genung, to build the fine Olympic style swimming pool which is enjoyed so much by the boys.

The big goal this year is a $75,000 cafetorium which will be the largest single capital outlay project in the history of the ranch. It will give the boys a permanent dining hall and allow the present temporary dining room to be converted into a residence cottage and immediately jump the capacity of the Ranch from 60 to 80 boys.

At mealtimes the building will be used as a cafeteria, but at other times will be used as an auditorium and meeting place. And a second goal for the near future is a nondenominational chapel to serve the spiritual needs of the boys. For many years, generous donors have been making contributions to a memorial fund in memory of deceased relatives and friends to build this chapel.

The Florida Sheriffs Boys Ranch is planned along lines similar to Father Flanagan's famed Boys Town. It is not a reform school or correctional institution. Instead it provides a wholesome, homelike environment for boys, who through neglect or lack of opportunity, need security, love and discipline so they can develop into good citizens.

Boys who come to the ranch to live must have been recommended by the sheriff of the county in which they live, must be between the ages of 8 and 12½ and must meet certain mental and physical requirements.

In each of the residence cottages, a married couple termed "cottage parents" reside, to give the boys a homelike atmosphere. Their daily routine is a careful balance of work, study and healthful recreation.

They attend Live Oak public schools and local churches so that they can enjoy a normal life. The basic purpose of the ranch is to give a boy a good home and future.

A diversified farming program is carried out, with the boys performing chores around the ranch which enjoys fine herds of beef and dairy cattle and a full farming program under the direction of the farm manager. A trained and competent staff ministers to the needs of these boys under the capable direction of Harry Weaver, manager of the ranch, who was formerly a Federal parole officer.

As one who has visited the ranch, I find that it is the tenor of the place that affects you. It is a happy place. The boys are healthy and happy, they are secure, and they are finding for themselves a place in life.

They have found someone to love them and they are making a fine record in school and community youth activities. Last year, there were 67 sheriffs who symbolically walked across the stage when the first of the ranch residents graduated from high school. It was a proud day.

A scholarship program has been set up to send the boys to college or to vocational schools after their days at the ranch, and several are participating in this program at present.

And all this began as a dream, and it became a reality through the sweat and work of the sheriffs of Florida.

As you enter Boys Ranch through a huge wooden entrance, you are immediately struck by the beauty of the white board fence along the highway, backed by lush pasture and grazing cattle.

It is quiet and serene at the ranch site, broken by the normal noise of healthy and happy youngsters.

Many have been the men who have given of their time and efforts to Boys Ranch, and all of the sheriffs of Florida are to be commended.

I particularly want to mention the late Hugh Lewis, whose untimely death this year while serving as Suwannee County sheriff, was a great loss to the law enforcement profession and to the Florida Sheriffs Boys Ranch. Serving as sheriff of Suwannee County at the time of the inception of the ranch, he worked tirelessly for the success of this ranch which was so much a part of his life.

Monroe County Sheriff John M. Spottswood was president of the Florida Sheriffs Association at the inception of the idea for the ranch and he was succeeded by Sid M. Saunders of Pinellas County, who passed away in his term of office, to be succeeded by Pasco County Sheriff Leslie Bessenger.

The first cottage completed by the ranch was dedicated in memory of Sheriff Saunders.

Each of the presidents of the association since that time have given tirelessly of their time and efforts to continue this program. Following Bessenger, came Sarasota County Sheriff Ross Boyer, then Lee County Sheriff Flanders G. Thompson, followed by Levy County Sheriff James W. Turner and then Sheriff S. D. "Dave" Starr of Orange County.

Washington County Sheriff George Watts is the current president, and each of these men has made significant contributions.

Boys Ranch is sponsored by the Florida Sheriffs Association and administered and operated by a board of trustees made up of both sheriffs and private citizens with my friend and colleague, Hon. GEORGE SMATHERS, U.S. Senator from Florida, serving as a member of the board.

This board and its chairman have been truly dedicated men, serving without compensation and continually working and planning to make this dream of theirs come true.

Sheriff Spottswood was the first chairman and was succeeded by dynamic Hillsborough County Sheriff Ed Blackburn, Jr., who was tireless in his efforts to get the ranch program off the ground and was succeeded by Pinellas Sheriff Don Genung, who continued the dynamic concepts outlined at the beginning. Today Baker County Sheriff Ed Yarbrough continues this fine record of service as chairman.

Other States have become interested in this program and are planning or have built boys ranches patterned on the experiences and outline of the Florida sheriffs. We hope and pray that their dream may become a reality also, for we are dealing with a precious commodity, lives of young boys who can and will make significant contributions in the future, if given the proper direction today.

I want to point out two other significant programs of the Florida Sheriffs Association. One is their scholarship program which gives college education scholarships to outstanding students from the State reform school at Marianna. This program has not been as well publicized as some of the other programs, but it gets results. Today the sheriffs of Florida are looking forward to one of their proteges receiving his bachelor's degree at Florida State University next February. Other young men have completed junior college under this program.

Another bold aproach to the problem of juvenile delinquency is the junior deputies league. Most successful of these programs has been that of Pinellas Sheriff Don Genung who pointed out this year in a letter to parents of youngsters in the program that the FBI had noted that youths under the age of 18 accounted for 15 percent of the arrests made by law enforcement officers nationwide, with an increase of 4 percent over the previous year. These figures included traffic violations, investigations, and warnings by officers.

In an effort to reduce juvenile delinquency and youth crimes, his department instituted the Pinellas County Junior Deputies League in 1959 and has continued since that time with great success. Nearly 12,000 youngsters were enrolled last year, boys and girls.

Basic objective of the program is to build respect for law enforcement and teach good citizenship.

Sheriff Genung pointed out that tours of the county jail, courthouse, and the sheriff's office show the youngsters the workings of these offices. Instruction and talks by deputies, judges, FBI agents, and other peace officers teach the importance of leading a crime-free life, and impress the importance of not yielding to any temptation or "going along" with the wrong crowd.

Sheriff Genung has said that he believes this program has greatly decreased Pinellas County juvenile delinquency, for while the school age population of 10 to 17 increased by 61 percent, the delinquency rate dropped by 14 percent.

This fine program stimulates the interest of youth in the necessity for efficient and honest administration of the duties of law enforcement agencies with a view to enlisting youth in cooperating with and preventing youth wrongs and crimes.

This outstanding program has been successful because of the dedication and work of Sheriff Genung and his fine staff of dedicated peace officers.

Other sheriffs over Florida are meeting with similar success as they bring this new concept—to teach law and order respect among youngsters—into their communities. This program cannot be too highly commended and merits my highest praise. I would urge other sheriffs across the Nation to investigate this program, and to emulate it.

This, in brief, is the story I wanted to bring to the attention of the Congress, and through them, to the American people.

These are bold and imaginative programs and concepts. They tell a story of men who are truly dedicated—the sheriffs of Florida—who are doing something about the increasing crime rate, who are interested not in arrests, but in preventing youngsters from entering into lives which would necessitate their arrest.

Who knows what value this will have to our great State? To our Nation? How much is one life spared worth?

Perhaps even Joseph Valachi might have been different had he had these advantages. Perhaps countless lives would have been saved if we could have met the source of crime at the door and obliterated it.

I think that the Florida sheriffs are due the commendation of all Americans; they are truly dedicated. And their story is not at an end. To those sheriffs who have contributed so much in the past, to those serving today so ably, and to those who will come to carry the load ably in the future, I extend for all of the people of Florida, a deep and sincere note of gratitude.

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## Defense Activity and Depressed Areas

EXTENSION OF REMARKS

OF

### HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 23, 1963*

Mr. HANNA. Mr. Speaker, it is obvious from expressions by Senators and Representatives recently observed, that Members in both Houses have become singularly impressed with the attractive idea that, if the Defense Department and NASA would place more of their contracts in depressed areas, the Government could cut the cost of support now being given these areas through unemployment benefits and assistance programs. Not unlike many sweeping oversimplified generalizations this proposal is dazzling with an outward shell of sound judgment and good sense. Equally true of many such generalizations the more penetrating analysis raises imposing questions of the wisdom of any such course of action.

A primary basic question immediately raised is one of overriding fiscal importance. How much should and can the U.S. Government invest in broadening and proliferating its industrial defense and space performance base. That it takes a terrific capital investment to produce the plant, machinery, and manpower capability in a given place even under the most favorable circumstances is attested to dramatically by the facilities and capabilities already bought and paid for in areas which now do a substantial part of this work.

Are the gentlemen, who so vigorously plead for a remaking of depressed areas as defense activity sites, seriously representing their readiness to commit the Government tax resources to the tremendous burden of duplicating facilities, circumstances, and environment found to be so necessary in the areas already performing these functions? Has a critical evaluation of the time lag in our defense and space posture and accommodation to such preparation and phasing in of such new facility really been reliably developed? We submit that consideration of the budget aspect suggested in the first question be answered in light of the present expressions vigorously and widely espoused to the effect that in the face of the proposed tax reduction, Government expenditures should be stringently controlled. We further submit that the difficulties suggested by critical evaluation as indicated in the second question are of sobering proportions.

The recently released NASA report on the Mercury project had a small section reviewing some of the failures and some of the criticisms of performance in existing plant facilities. This part of the rather lengthy and detailed report was overemphasized in news treatment but it does point to a vital fact in both defense and space production. There must be constantly maintained a very high degree of quality, reliability and standard of overall performance. This does not come without effort and special talent. There has evolved a whole new echelon in the industry of what is called QRS—quality reliability and standards. New skills have been developed in limited quantity and new measurement tools have been devised at rather high costs. Proliferation of industrial effort all over the Nation will require that these new talents and tools be available at costs of money and time, or the weapons of war and the vehicles of space will be less than desirable and failures and shortcomings will be far more critical than they have thus far been.

Mr. Speaker, we seriously urge that the full implications in terms of time, cost, and quality be carefully and critically weighed by all Members before the preliminary persuasion of suggestions that defense and space spending be used to solve the problems of pockets of unemployment or of industrial depression. It is well that we give sympathetic consideration to the genuine concern of our colleagues who represent districts that have such problems. It is also perhaps understandable that they find some political advantage in the suggestions they have made. However, in cooler, calmer, moments even these Representatives would not have us embark upon a course surely to be abhorrently costly and perhaps destructively harmful in terms of the timing and quality we are striving for in our weapons system and our space effort.

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## Copy of Second Letter to President Requesting Intentions as to Establishing Promised Test Ban Safeguards

EXTENSION OF REMARKS

OF

### HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 23, 1963*

Mr. HOSMER. Mr. Speaker, below is reproduced my second letter to President Kennedy relative to the vital matter of establishing the safeguards promised by him to diminish the admitted risks and disadvantages of the test ban treaty. For reference, my first letter to him on this subject was reproduced in the RECORD for October 1 at page 18533.

OCTOBER 18, 1963.

Re reductions of risks and disadvantages of the limited test ban treaty.

The PRESIDENT,
*The White House,*
*Washington, D.C.*

DEAR MR. PRESIDENT: My letter to you dated September 24, 1963, concerning the above-captioned matter has just been answered by Atomic Energy Commission Chairman, Dr. Glenn Seaborg, under date of October 17, 1963.

Dr. Seaborg's letter states your administration is seeking authorization to make the following treaty safeguards expenditures during the balance of fiscal year 1964:

| | |
|---|---|
| Los Alamos Scientific Laboratory, New Mexico: | |
| Occupational health laboratory | $1,650,000 |
| High temperature chemistry facility | 1,435,000 |
| Plutonium research support building | 655,000 |
| Lawrence Radiation Laboratory, Livermore, Calif.: | |
| Radiochemistry building | 5,900,000 |
| Hazards control addition | 1,000,000 |
| Plant engineering and services building | 1,400,000 |
| West cafeteria addition | 255,000 |
| Craft shop addition | 200,000 |
| Sandia Base, N. Mex.: | |
| Development laboratory | 3,780,000 |
| Explosive facilities | 540,000 |
| Classified technical reports building (addition) | 500,000 |
| Nevada Test Site: Control point additions | 630,000 |
| Total | 17,945,000 |

Dr. Seaborg's letter also indicates that a request for appropriation of $5,945,000 will be made and that the remaining $12 million of the total sum of $17,945,000 will be obtained by reallocating money already appropriated for other purposes.

For the purposes of comparison, I have prepared the following table setting out the sums I have estimated are necessary to establish the treaty safeguards you have promised and sums you requested on October 16:

| Action required by promised safeguards | Cost estimated in Sept. 24, 1963, letter to you | Your Oct. 16, 1963, request | Percent |
|---|---|---|---|
| Underground test site improvement and additions | $100,000,000 | $630,000 | 0.63 |
| Weapons Laboratory improvements and retention of topflight scientists | 160,000,000 | 17,315,000 | 10.82 |
| Readiness for atmospheric tests resumption capability | 610,000,000 | | .00 |
| Detection system improvements and miscellaneous | 130,000,000 | | .00 |
| Total | 1,000,000,000 | 17,945,000 | 1.79 |

This table indicates a serious discrepancy between your views and mine as to the actions required to implement the safeguards, their costs and as to the permissible delay in implementing them. This discrepancy is further enlarged by my estimate that, in addition to the original investment, at least one-quarter billion dollars must be spent annually to maintain the safeguards in operational efficiency.

Inasmuch as statements by yourself and members of your administration raise no question as to the necessity for establishing the safeguards, the difference between my views and yours seem to lie in the following areas:

1. What actions are necessary to establish the safeguards?
2. How urgent is it to establish them without delay?
3. How much will they cost?

These are very grave questions concerning which I believe the American people are entitled to know your views in detail. I feel they also are entitled to reassurance that the $12 million reallocation above mentioned is not from items essential to the national security.

Dr. Seaborg's letter, I presume, indicated only a part of what you may have in mind relative to investments at the laboratories and for underground test site facilities. It was wholly silent as to what you may have in mind respecting the creation and maintenance of readiness for prompt resumption of atmospheric testing under emergency conditions. It also was wholly silent as to what you may have in mind respecting the improvement of our capability to detect possible violations of the treaty and to monitor Soviet nuclear weapons improvements.

I sincerely hope you will avail yourself of an opportunity to reveal to the Nation your thinking on these important matters, either in a comprehensive reply to this letter or otherwise.

I make this request because the amount you are presently seeking for implementation of the safeguards is such a small fraction of what many believe is needed that it raises doubts that the entire matter of the safeguards are being taken seriously by those who may be advising you in these matters.

I make this request also because there is no assurance that Soviet scientists have not already embarked on a clandestine program of secret developments aimed at overpowering U.S. capability in every category of nuclear weapons; there can be no assurance on this point until the promised safeguards are fully in being; and, until they are, an open invitation to the Kremlin is outstanding to get away with anything and everything we cannot detect or discover.

Very truly yours,

CRAIG HOSMER,
*Member of Congress.*

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## Statement of Hon. Douglas Dillon, Secretary of the Treasury, on the Interest Equalization Tax

EXTENSION OF REMARKS

OF

### HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 23, 1963*

Mr. ULLMAN. Mr. Speaker, the Ways and Means Committee has been considering during the past 2 weeks the interest equalization tax bill, which is advocated by the administration as one means of attacking our balance-of-payments deficit. On October 21, Secretary of the Treasury Douglas Dillon appeared before our committee in executive session, and presented the case for the bill. Because of the great importance of this legislation and the problem it is designed to meet, and because of the excellence of the Secretary's statement, I am sure my colleagues will find his remarks of particular interest. I therefore include it in the RECORD:

OPENING STATEMENT OF THE HONORABLE DOUGLAS DILLON, SECRETARY OF THE TREASURY, ON THE INTEREST EQUALIZATION TAX BEFORE THE EXECUTIVE SESSION OF THE HOUSE WAYS AND MEANS COMMITTEE, OCTOBER 21, 1963

Before you consider the provisions of H.R. 8000 in detail, I would like to review briefly the urgent need for this legislation, developments in our balance of payments during the period since the interest equalization tax was proposed on July 18, and the ways in which the markets for foreign securities have already adjusted to this proposal.

As you know, the interest equalization proposal is for a temporary excise tax on acquisitions from foreigners of both new and outstanding foreign securities—whether debt or equity—maturing in more than 3 years. In the case of debt obligations, the amount of the tax levied on the U.S. person acquiring the security would be graduated by maturity in a manner calculated to be equivalent to approximately 1 percent in yield. As this tax is passed back to the foreign borrower, it will bring his net interest cost for capital raised in our market into much closer alinement with the costs prevailing in other industrialized countries—thereby diverting to other markets a substantial portion of the demands that would otherwise reach our market. In the case of equities—which, of course, have no fixed maturity—the tax would be 15 percent, the same as the rate applied to the longest dated bonds. Acquisitions of foreign securities from other U.S. persons would remain free of tax, as would direct investment abroad and acquisitions of the securities of developing countries.

H.R. 8000 provides that, with certain exceptions, the tax would be applied to all acquisitions after July 18, when the President first proposed this measure. Participants in the markets have thus been conducting their affairs in that knowledge for more than 3 months. I believe that experience over this period has amply confirmed our initial judgment that this temporary tax will be an effective means for assuring the needed reduction in the outflow of portfolio capital, while preserving the essential freedom of the market to raise and distribute this capital on the basis of price and other competitive criteria. A number of more or less technical amendments to the bill will be helpful in meeting certain special problems that have been brought to our attention and in clarifying the application of the tax to certain types of transactions. We are, of course, prepared to work closely with the committee in resolving these problems. But the basic provisions of the bill as proposed have, in our judgment, successfully met the dual test of effectiveness and market practicability.

At the time I testified before this committee in August with respect to the interest equalization tax, I pointed out that a sharply accelerating outflow of portfolio capital had been responsible for a marked deterioration in our overall balance-of-payments position. Purchases by U.S. investors of new foreign securities doubled between 1961 and 1962, rising from a little over $500 million in 1961—a figure well within the normal range of recent years—to more than $1 billion last year. During the first half of 1963, the outflow almost doubled again, exceeding $1 billion in this 6-month period.

Meanwhile, our balance-of-payments deficit—excluding all special intergovernmental transactions—rose by over $500 million in 1962 and by $900 million more, at an annual rate, during the first 6 months of this year. These increases, closely paralleling the steeply rising outflow of portfolio capital, brought this deficit on regular transactions to an annual rate of $4.5 billion. I wish to stress that, while there were numerous offsetting changes in the composition of our deficit on regular transactions between 1961, when it totaled $3,043 million, and the first 6 months of 1963, when it averaged $4,480 million at an annual rate, the entire deterioration is more than accounted for by the sudden and unprecedented increase in the purchase of new foreign security issues by American investors. This phenomenon totally transformed our overall balance of payments and created a situation which, if allowed to continue, would have inevitably resulted in a major crisis in the international payments system, the dangerous consequences of which for the security and well-being of our Nation and for the free world as a whole can hardly be exaggerated.

It is true that we have been successful in absorbing a portion of the dollars passing into foreign hands as a result of this deficit on regular transactions by medium-term Treasury borrowing from other countries in a strong balance-of-payments position, by prepayments of debts owed to us by our allies, and by other special intergovernmental transactions. But by mid-year it had become apparent that, along with savings in other directions, prompt and decisive action was required to curtail the enormous outflow of portfolio capital if we were to arrest and reverse the deterioration in our overall accounts, and thus assure our continuing ability to finance our deficit in an orderly manner and to protect the stability of the dollar.

That, of course, is the special purpose of the interest equalization tax, which complements our efforts to further lessen short-term capital outflows by increasing upward pressure on short-term interest rates and the measures announced by the President on July 18 to reduce Government expenditures abroad. The role of the tax is temporary and transitional, for the ultimate solution lies in other directions—in the building of a more prosperous and profitable home economy that will be more attractive to both domestic and foreign capital, and in the development of broader and more efficient capital markets in other industrialized countries. However, the urgent need for effective action to meet our immediate problem simply did not permit us to wait for those essentially longer term solutions.

Some portion of the outflow of portfolio capital during the latter part of 1962 and early 1963 reflected temporary influences—particularly the Canadian difficulties of last year and Canada's desire to rebuild its reserves by long-term borrowing in our market. But beyond these special circumstances, the ominous fact was that momentum was visibly building up for still greater demands on our capital market from borrowers in virtually all other major industrialized countries. For instance, Japan—already a sizable borrower during the first half of 1963—had apparently been anticipating dubling the rate of its flotations in the U.S. market over the remainder of the year, which would have brought the total for the year to approximately $300 million. At the same time, more and more industrial firms and municipalities in Europe were beginning to turn to our market.

These accelerating demands were reflected, for example, in the volume of new foreign corporate issues known to have been in the final process of negotiation with American interests at the time the tax was proposed. These issues totaled over $200 million, with borrowers in Japan and Europe each accounting for more than $90 million. This particular compilation, confined to corporate issues, is only symptomatic of the much greater volume of potential borrowings from industrialized foreign countries other than Canada that were on the horizon, including large issues of both central and local governments. In discussions with responsible European financial officials over the past few months, we learned of many more prospective flotations.

The urgency of this situation, combined with the essential need to forestall a flood of anticipatory borrowing by foreigners and accelerated purchases of foreign issues by U.S. investors, compelled the President to ask that this tax become effective the day following his special message. Enough is known of the third quarter balance of payments to make clear that, alongside the recent actions to firm the level of short-term interest rates, this proposal for an interest equalization tax is playing a key role in reducing the outflow of capital and permitting the needed improvement in our overall position. Present indications are that, during the 3 months ended in September, the deficit on regular transactions—that is, excluding all special intergovernmental payments—declined, on a seasonally adjusted basis, to less than half of the annual rate of $4.5 billion at which it was running over the January-June period as a whole. Sizable debt prepayments, medium-term borrowing from other nations, and other special Government transactions reduced the overall net deficit still further—the preliminary figure should become available very shortly.

Much of the sharp third-quarter improvement can be traced directly to a decline each month since June in purchases of new foreign stocks and bonds. A further significant portion of the decline appears to reflect a cessation of the sizable net purchases of outstanding foreign securities that occurred during the first half of the year, when such buying had resulted in a net outflow at an annual rate of $200 million. What has happened—judging from preliminary data through August—is that foreigners have continued to purchase these securities in our market in somewhat reduced volume, while Americans have sharply limited their purchases from foreigners.

It is worth noting that the substantially improved third-quarter figures include a significant volume of further purchases of new foreign issues by Americans, amounting as nearly as we can determine today to between $150 and $200 million. In itself, this would imply purchases at a rate at or above that of the 1959–61 period, when the outflow of portfolio capital was maintained within a more sustainable range of $500 to $650 million annually. These purchases have almost entirely reflected transactions completed or firmly committed before the proposed July 19 effective date for the tax. By September the flow had practically ceased. So far as we know, no sizable new commitments have been undertaken since July 18.

Clearly, the initial impact of the tax on negotiations between potential lenders and borrowers has been exaggerated by a tendency to postpone action pending legislative resolution of the proposal. This has been particularly evident in the case of Canadian borrowers, who have refrained from entering our market even though we have proposed that the President exercise his discretionary authority under the bill to exempt new issues from that country.

It can be expected that some negotiations will be reactivated once the tax becomes definite. A few issuers have already expressed willingness to bear the higher costs that will result, and the present uncertainties concerning the tax treatment of Canadian borrowers will be ended. On the other hand, the backlog of earlier commitments has now been worked off in large part, and the clear consensus of market participants is that, once the proposed tax has become law, the renewed flow will not again approach the excessive levels of earlier months. Meanwhile, the progressive effects of measures to reduce the dollar outflow from Government spending abroad, together with other actions to improve our overall position, should assure our continuing capacity to sustain a reasonable outflow of portfolio capital in line with our experience before 1962.

While negotiation of new foreign issues has temporarily come to a standstill, active trading markets have been maintained in the United States for outstanding foreign securities held by American investors, both on the exchanges and over the counter. Beginning August 19, the date we proposed the tax should become effective for securities traded on U.S. stock exchanges, the principal exchanges introduced new procedures for identifying transactions involving foreign-owned securities which, if purchased by a U.S. investor, would be subject to tax. Meanwhile, tax-free trading in foreign securities among U.S. investors has continued in the regular way.

Total trading volume in these issues on the exchanges initially tended to contract, but as brokers and investors became accustomed to the new procedures, it recovered, although still remaining below normal levels. Trading of foreign-owned securities on the exchanges has been rather inactive, but these transactions, never before reported separately, may always have been relatively limited. American dealers have continued to arrange transactions among foreigners in foreign dollar bonds, which they may handle free of tax under the terms of the proposed bill. This trading exemption, entailing a refund or credit to dealers of the tax on securities promptly resold to foreigners, appears to be operating effectively and could reasonably be extended to other foreign bond issues.

As had been anticipated, trading in foreign securities among U.S. investors has frequently, but far from uniformly, taken place at prices above the prices prevailing in trading among foreigners in the same securities. No regular pattern has developed and, for the most part, these premiums have been small. In the case of actively traded stocks, premiums have generally varied from less than 1 percent to as much as about 4 percent, and in the case of bonds they have seldom, if at all, exceeded 2 percent. No discernible premium has developed for some of the most widely held foreign stocks and for many bond issues.

In a few special instances, however, particular foreign industrial equities with exceptional appeal to U.S. investors have traded at a premium of as much as 15 percent—the full amount of the tax—and in these cases some net purchases from abroad have continued, although apparently in reduced volume. Sizable premiums initially developed on some highly speculative gold shares as well, but demand for these stocks subsided during September and the premiums have now almost disappeared.

I should also emphasize that no evidence has developed of any significant withdrawal of foreign capital out of U.S. securities nor of flight of U.S. capital abroad. The sharp improvement in our overall accounts during the full third quarter is by itself an indication that any outflow of funds from these sources could not have been large. Moreover, the more specific data available for August indicate that, on balance, foreigners were net buyers of U.S. corporate securities in an amount greater than in most of the earlier months of this year. I should add, too, that responsible officials in Europe have both recognized the need to reduce our outflow of portfolio capital, and welcomed our proposal as a further indication of our firm intention to end our deficit and maintain the stability of the dollar.

Some concern has been expressed that the effectiveness of the tax in restraining outflows of portfolio capital will be diluted by two of the proposed exemptions—one for loans made by commercial banks in the ordinary course of their business, and the other for new issues of particular countries to be invoked only at the President's discretion when necessary to avert a threat to the stability of the international monetary system. As I indicated earlier, it is our intention to exempt new Canadian issues under the terms of the latter provision.

This Canadian exemption is designed to meet a highly unusual combination of circumstances. Canada will for some time have a need to borrow abroad enough funds to cover a sizable and continuing current account deficit. Because of the exceptionally close linkage of Canadian financial markets and those in the United States, and because of other trading and business relationships between the two countries, the great bulk of these Canadian needs have traditionally been met in our market. In addition, under present circumstances Canadian access to other markets may be too limited to meet their requirements. Under these conditions, the prospect of sharply higher borrowing costs in the United States was interpreted in Canada as threatening the ability of the Canadian authorities to maintain the stability of their currency without serious damage to their internal economy, and an exceptionally large speculative outflow of funds from Canada raised the prospect of an immediate exchange crisis. Faced with this situation, the Canadian authorities suggested that appropriate restraints on their borrowing in the United States could be achieved by other measures of their own choosing consistent with their domestic objectives. In these unique circumstances, an exemption from the tax for Canadian new issues was clearly appropriate.

At the same time, it is vital that an important reduction be achieved in the high level of recent outflows of portfolio capital to Canada, and that total Canadian recourse to our capital markets return to more normal levels. An exemption can be justified only if consistent with that objective. The Canadians fully understand that we intend to closely watch the volume of their borrowing in this country and that, should the total appear to be exceeding prudent limits, we will recommend that the President exercise his discretionary authority to impose a limitation on the volume of their exempt borrowings. This discretionary power to limit the size of any exemption is an essential element of the exemption proposal. Without it, the proposed Canadian exemption could undermine the whole purpose of the proposed tax.

The exemption proposed for commercial banks will assure that financing for American exports will remain amply available on reasonable terms and that other short- and medium-term borrowing in support of normal and recurring business operations abroad will not be unnecessarily impeded. However, the possibility of abuse of this exemption, particularly if potential foreign long-term borrowers attempt to shift their demands to the banks, must be recognized. Therefore it is important that we follow developments in this area closely. Our ability promptly to detect and discourage any such possible abuse would be greatly facilitated by an amendment to H.R. 8000 providing the Treasury with specific authority to obtain from the banks timely reports in adequate detail on the nature of their current foreign lending activity. Existing procedures for the compilation of statistical information on the overall volume of outstanding bank loans are not adequate to meet the need for timely and detailed information on this matter. In the event that, contrary to our expectations, circumstances should arise that would require some revision of the exemption for bank loans, the kind of detailed information on the nature of bank lending to foreigners which will be provided by these reports will be of great assistance to the administration and to the Congress in determining means for dealing with this problem effectively, without damage to the financing of American trade or normal business transactions.

Since the announcement of the proposed tax, Treasury officials have been in almost daily contact with investor interests, business firms with operations abroad, and representatives of security houses, identifying with them special problems presented by their particular situations and exploring appropriate ways of dealing with them. In a number of instances, practical and mutually satisfactory solutions to these problems appear feasible within the general framework of H.R. 8000, and we will be happy to suggest amendments to this effect at the appropriate point in your discussions. However, some of the proposals presented to us for additional exemptions and exclusions would undermine the effectiveness of the tax, unnecessarily distort normal market relationships, or require for their implementation the kind of detailed administrative apparatus and surveillance more characteristic of a general system of exchange controls. Intensive review of all these considerations has confirmed our initial judgment that outstanding foreign issues acquired from foreigners should be subject to tax together with new issues, and that a general tax free switching privilege is neither desirable in the interest of equity and effectiveness nor feasible without creating serious new problems.

Exemptions of this nature would be inconsistent with our intent that the interest equalization tax work in a manner analogous to a 1 percent increase in the structure of our long-term interest rates relative to those prevailing abroad. Such a change in interest rates, in addition to increasing the cost of new foreign borrowings, would, of course, affect the relative advantages of purchasing outstanding foreign securities. The proposed tax, properly viewed as a substitute for a change in relative interest rates that today cannot be achieved directly, will and should have closely similar effects on international investment and borrowing decisions, and on flows of funds abroad.

Within this framework, the distribution of available capital will continue to be determined, consistent with normal market forces, by relative prices and other competitive criteria, without direct Government intervention in the process of private decisionmaking.

This concept is very different from that lying behind the principal alternative means that has been suggested to achieve the needed reduction in the outward flow of portfolio capital—selective rationing by some form of capital issues committee, presumably operating on a more or less voluntary basis, but under Government auspices. By its very nature, this would mean that market price would be rejected as an appropriate criterion. Instead, market forces would be supplanted by generalized criteria for "good" or "bad" types of investment or by some kind of ceiling on the holdings of individual institutions to which purchasers of foreign securities would be expected to conform.

There are many difficulties implicit in this kind of approach. When a large number of competing firms are involved, and when transactions entered into at one point in time frequently have important implications for subsequent competitive relationships among firms, there are strong market incentives to interpret generalized voluntary guidelines loosely, or to observe the letter while neglecting the spirit. In the absence of clear legal sanctions and the discipline of price, the entire system can break down quickly under competitive pressure as soon as any suspicion arises that some participants are not conforming to the intent of the program. This danger is reinforced when, as in this case, the application of general guidelines to specific circumstances would seldom be clear cut and unambiguous, for each transaction would necessarily have unique characteristics. Moreover, it would not be feasible even to attempt to cover purchases of outstanding issues by the thousands of investors involved, thus not only leaving that channel for portfolio outflow untouched but encouraging investors withdrawing from the new issues market to transfer their buying in that direction.

Past experience indicates that, to be effective at all, voluntary restraint in so complex an area will require specific "yes" or "no" decisions on many proposed transactions. In the last analysis the burden for making these decisions can only properly and practically fall back on the Government itself. The net result would be to inject the Government squarely into the process of individual decisionmaking, and thus into the whole fabric of our economic life, to an extent that this country has always found unacceptable during peacetime. Moreover, in dealing with foreign borrowing, these decisions, case by case, will inevitably be colored by our relationships at the time with the other nation involved, bringing into the negotiations considerations of foreign policy far removed from the purpose of the effort and further complicating the task of achieving effective restraint.

Government cannot, of course, escape a responsibility for identifying the nature of the problem, pointing to the main directions in which the public interest lies, and developing policies to support that interest; judgments of this kind are, of course, embodied in the bill before you. But, to pass beyond this to an attempt to direct specific private transactions would be to accept heavy and undesirable responsibilities of a very different kind. And I am thoroughly convinced that it is an illusion to believe that these responsibilities could be escaped behind the facade of voluntary program.

In conclusion, I would point out again that the effectiveness and workability of the approach embodied in H.R. 8000 has been demonstrated by the developments of recent months. The essential retroactivity feature has provided us with the necessary time to identify and appraise the special problems that have arisen, and I am confident that these problems can be dealt with effectively and equitably by your committee.

But unless the basic approach embodied in this bill is enacted into law, the gravest of risks will promptly ensue for the dollar.

Certainly, capital outflows could be expected to resume on a massive scale if we, by our own actions, demonstrate to all the world an unwillingness to take those actions that are necessary to reduce and eliminate our deficit. In that event, no one could answer for the continued stability of the dollar.

I know of no substitute for the legislation before you that will adequately meet the need without turning in the direction of direct controls. Thus, it should be clearly understood that rejection of the substance of this legislation would force the United States to move, in this area of portfolio investment, to measures of direct control contrary to our traditions—measures that we must do everything in our power to avoid. For these reasons, I consider it of utmost importance that your committee take prompt and affirmative action in support of the general principles embodied in this proposal.

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# SENATE

## Thursday, October 24, 1963

*(Legislative day of Tuesday, October 22, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God above all, yet in all: Our way is veiled in night; with Thee alone is endless day. Out of the darkness and above the storms of earth, we lift our prayer.

In spite of our selfish schemes, which too often have been blind to the welfare of the common man at home and abroad, Thou hast entrusted to our hands and to those who march with us in freedom's cause the keys of the future. As the unworthy agents of Thy resistless will, our eyes are seeing Thy righteous sentence written against any tyranny which blasphemes Thy Holy Name, and the fulfillment of the ancient word: "Whoso diggeth a pit shall fall in it; and he that rolleth a stone, it will return upon him."

In this grand, yet awful, time, we are solemnly conscious in this historic Chamber that the light of each new day is calling for decisions of destiny which will mold the future, determining the shape of things to come for myriads of the sons of men and of generations unborn.

Open our eyes and strengthen our hearts, that we may trust tomorrow's gleams. Amen.

### THE JOURNAL

On request of Mr. Metcalf, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, October 22, 1963, was dispensed with.

### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

### EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5244. An act to modify the project on the Mississippi River at Muscatine, Iowa, to permit the use of certain property for public park purposes;

H.R. 5945. An act to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico; and

H.R. 8821. An act to revise the provisions of law relating to the methods by which amounts made available to the States pursuant to the Temporary Unemployment Compensation Act of 1958 and title XII of the Social Security Act are to be restored to the Treasury.

### ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1064. An act to amend the act redefining the units and establishing the standards of electrical and photometric measurements to provide that the candela shall be the unit of luminous intensity;

S. 1576. An act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction of community mental health centers, and for other purposes;

H.R. 844. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

H.R. 845. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

H.R. 2635. An act to amend the act of August 9, 1955, for the purpose of including the Fort Mojave Indian Reservation among reservations excepted from the 25-year lease limitations;

H.R. 3306. An act to establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission;

H.R. 6225. An act to provide for the rehabilitation of Guam, and for other purposes; and

H.R. 6481. An act to permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities.

### HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 5244. An act to modify the project on the Mississippi River at Muscatine, Iowa, to permit the use of certain property for public park purposes; to the Committee on Public Works.

H.R. 5945. An act to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico; to the Committee on Interior and Insular Affairs.

H.R. 8821. An act to revise the provisions of law relating to the methods by which amounts made available to the States pursuant to the Temporary Unemployment Compensation Act of 1958 and title XII of the Social Security Act are to be restored to the Treasury; to the Committee on Finance.

### TRANSACTION OF ROUTINE BUSINESS

Mr. METCALF. Mr. President, notwithstanding the fact that the Senate met following a recess, I ask unanimous consent that there be a morning hour, and that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Morning business is in order.

### COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Metcalf, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

### EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

#### Report on Additional Research Laboratory Facilities for Massachusetts Institute of Technology

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on additional research laboratory facilities for the Massachusetts Institute of Technology; to the Committee on Aeronautical and Space Sciences.

#### Report on Unauthorized Use of Federal Funds Advanced to the Organizing Committee, VIII Olympic Winter Games

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the unauthorized use of Federal funds advanced to the Organizing Committee, VIII Olympic Games, Squaw Valley, Calif., U.S.A. 1960, Inc., for construction of a sports arena, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

#### Report on Weaknesses in Administration of Hospital Research Grant Program, Public Health Service

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the weaknesses in administration of the hospital research grant program, Public Health Service, Department of Health, Education, and Welfare, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

#### Report on Department of Defense Reply to B–118763, June 28, 1963

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the Department of Defense reply to B-118763, June 28, 1963, failure of the Department of the Navy to fully recover excessive administrative cost allowances included in fixed prices negotiated with Brown-Raymond-Walsh (a joint venture) under contract NOy-83333 for the Spanish base construction program, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

### SUPPLEMENTAL REPORT ON THE AUBURN-FOLSOM SOUTH UNIT, CENTRAL VALLEY PROJECT, CALIFORNIA

A letter from the Secretary of the Interior, transmitting, pursuant to law, a supplemental report on the Auburn-Folsom South unit, Central Valley project, California (with accompanying papers); to the Committee on Interior and Insular Affairs.

### MAJ. VICTOR R. ROBINSON, JR., U.S. AIR FORCE

A letter from the Assistant Secretary of the Air Force, transmitting a draft of proposed legislation for the relief of Maj. Victor R. Robinson, Jr., U.S. Air Force (with an accompanying paper); to the Committee on the Judiciary.

### TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered, granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

## PETITION

The VICE PRESIDENT laid before the Senate a letter in the nature of a petition from the Public Schools of Worcester, Mass., signed by James J. Hayward, clerk, relating to the enactment of legislation to permit the opening of schools with a prayer ceremony, which was referred to the Committee on the Judiciary.

## REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 215. Resolution providing additional funds for a study by the Committee on Government Operations of matters pertaining to interagency coordination, economy, and efficiency, authorized by Senate Resolution 27, 88th Congress (Rept. No. 591).

## EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. YOUNG of Ohio. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably the nomination of Maj. Gen. Fred M. Dean for appointment to the grade of lieutenant general in connection with his contemplated assignment as assistant to the Director, Weapons Evaluation and Control, U.S. Arms Control and Disarmament Agency. I ask that this nomination be printed on the Executive Calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, in addition I report favorably 245 officers for temporary and permanent appointment in the Navy and Marine Corps in grades not above lieutenant commander and captain and 509 officers for temporary appointment to the grade of major in the Marine Corps.

Since these names have already been printed in the Congressional Record, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

## BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 2253. A bill to make certain expenditures in connection with the Peoria, Ill., "medical center" project eligible as local grants-in-aid toward that project; to the Committee on Banking and Currency.

By Mr. BENNETT:

S. 2254. A bill to require the procurement of certain services by Government agencies from commercial suppliers whenever economy will result from such procurement; to the Committee on Government Operations.

(See the remarks of Mr. Bennett when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (by request):

S. 2255. A bill to authorize the disposition of certain property at Hot Springs National Park, in the State of Arkansas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ELLENDER (by request):

S. 2256. A bill to amend the act of August 28, 1950, enabling the Secretary of Agriculture to furnish, upon a reimbursable basis, certain inspection services involving overtime work; to the Committee on Agriculture and Forestry.

By Mr. BIBLE (by request):

S. 2257. A bill to provide for the restriction of certain areas in the outer Continental Shelf for defense purposes, and for other purposes (Gulf Test Range, Gulf of Mexico); to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. McCarthy, and Mr. Burdick):

S. 2258. A bill to establish a voluntary special agricultural conservation wheat program for 1964 and 1965 crop years; to provide for the resumption of the use of wheat for feed in areas where it has been used historically for this purpose; to minimize the amount of export subsidies and diversion payments; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Humphrey when he introduced the above bill, which appear under a separate heading.)

By Mr. McINTYRE (for himself, Mr. Sparkman, Mr. Muskie, and Mr. Prouty):

S. 2259. A bill to further amend section 24 of the Federal Reserve Act, as amended (12 U.S.C. 371), to liberalize the conditions of loans by national banks on forest tracts; to the Committee on Banking and Currency.

(See the remarks of Mr. McIntyre when he introduced the above bill, which appear under a separate heading.)

My Mr. WILLIAMS of New Jersey:

S. 2260. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of housing facilities for agricultural workers by permitting the amortization over a 60-month period of the cost, or a portion of the cost, of constructing such housing facilities; to the Committee on Finance.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself and Mr. Burdick):

S.J. Res. 128. Joint resolution providing for the establishment of an annual National Farmers Week; to the Committee on the Judiciary.

(See the remarks of Mr. Humphrey when he introduced the above joint resolution, which appear under a separate heading.)

## CONCURRENT RESOLUTION—JOINT EXPLORATION AND USE OF SPACE

Mr. CLARK (for himself, Mr. Humphrey, and Mrs. Neuberger) submitted a concurrent resolution (S. Con. Res. 65) favoring agreements with other nations for the joint exploration and use of space and to place a man on the moon, which was referred to the Committee on Foreign Relations.

(See the above concurrent resolution printed in full when submitted by Mr. Clark, which appears under a separate heading.)

## FEDERAL SERVICES PROCUREMENT ACT

Mr. BENNETT. Mr. President, I introduce, for appropriate reference, a bill which would require the procurement of certain services by Government agencies from commercial suppliers whenever economy will result from such procurement. I ask unanimous consent that the bill lie on the desk for 10 days so that those Senators who may wish to cosponsor may add their names to it.

This proposed Federal Service Procurement Act is, in my opinion, necessary to reverse a continuing trend toward interagency dealings for the provision of various services on a reimbursable basis, in competition with private, taxpaying firms. When one agency retains the services of another, the action is not usually based on any cost comparison; the proposed act would require that consideration be given to possible economies available through consideration of private enterprise firms providing like services.

Professional societies representing consulting engineers and photogrammetrists in private practice have recently called to my attention a number of instances of Federal interagency dealings competing with their members. Proposals from private firms were not invited, and so the Government has no means of ascertaining what savings, if any, might have been obtained.

I sincerely feel that the Government should be enabled to take advantage of the economies available through the employment of private firms or Federal agencies following a meaningful cost comparison.

## RESTRICTION OF CERTAIN AREAS IN OUTER CONTINENTAL SHELF FOR DEFENSE PURPOSES

Mr. BIBLE. Mr. President, at the request of the Department of the Air

Force, I introduce for appropriate reference a bill to provide for the restriction of certain areas in the Outer Continental Shelf for defense purposes and for other purposes.

The legislation would restrict the use of certain submerged lands off the gulf coast of the State of Florida, and restrict the operation of mineral leasing laws therein.

The installation involved is a portion of the gulf test range consisting of over 24 million acres of submerged land which is used by the Air Force and Navy in the testing and development of weapons systems and in the training of personnel.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2257) to provide for the restriction of certain areas in the Outer Continental Shelf for defense purposes, and for other purposes, introduced by Mr. BIBLE, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

## FOREST CREDIT AND NATIONAL BANKS

Mr. McINTYRE. Mr. President, the development of sustained yield forestry has brought many benefits to the national economy and the American people. It has permitted the more orderly development of forest products industries. Lands under such management afford wildlife habitat and recreational benefits for visitors. On occasion, however, a landowner finds it impossible to provide such management for want of credit. Better fire control, higher prices for forest products, the development of a market for hardwood pulp, and other developments have made certain kinds of forestry loans high grade credit risks for private lenders, thus freeing woodlot owners and forest products industries from any need to rely entirely on Government credit. I therefore introduce and send to the desk, for myself, and Senators SPARKMAN, MUSKIE, and PROUTY, a bill to liberalize the conditions of loans by national banks on forest tracts.

Mr. President, this bill would increase the amount permitted for such loans from 40 percent of the value of stumpage up to 60 percent of the value of both standing and growing timber, land, and improvements thereon. It would extend the permitted term of such loans from 10 years up to 15 years. The bill is offered as an amendment to section 24 of the Federal Reserve Act, enacted by Congress in 1953.

My own State of New Hampshire is 87 percent forested but much of these forests, especially on small woodlots, must be classed as poor second growth timber. Today's lumber markets require the best possible quality, so it is hard for our region to capitalize upon the undoubted economic and employment potential of these forests. As needed improvements cannot be taken without long periods of unrewarded investment, the nature of forest credit becomes very important to us.

Forest credit enables the woodland owner to increase his holdings to economically efficient size. It may enable an owner to hold rapidly appreciating stands until they are at an optimum stage for cutting by providing funds for taxpayments and improvement. Loans on such property sometimes enable the owner of unstocked or rundown forests to rehabilitate his stand. The owner might seek a loan in order to avoid cutting when a farm is sold, when he is in temporary financial difficulties, or to wait out a downturn in market conditions. In transmitting this bill for the consideration of the Congress, the Secretary of the Treasury expressed the belief that the credit needs of the timber industry require greater recognition. This bill will help to meet those needs and extend such recognition.

The bill is fully consistent with the dual-banking system. Most State-chartered banks already have such authority. In my own State of New Hampshire mutual savings banks may make loans on all real estate up to 70 percent of the value of the real property, either in New Hampshire or any adjacent State. State-chartered commercial banks may make loans on similar conditions in any New England State. In some States, the powers of State-chartered commercial banks are tied to the powers of nationally chartered banks, which in turn depend on section 24 of the Federal Reserve Act where forest credit is concerned. I believe this bill's passage would have one distinct benefit in contributing, throughout the entire dual-banking system, to a positive recognition of forestry as an appropriate field of lending activity.

There are many woodlots too small for commercially advantageous forestry operations. A second benefit from the passage of this bill might be to encourage the kind of effective operation that would serve as a base for credit. The excellent study of "Forest Credit in the United States," published by Resources for the Future, Inc., made this observation:

> A more aggressive effort on the part of the lending agencies to make credit available, if sound practices and organization are adopted, can be a powerful influence in bringing about the changes needed to make forestry a better basis for credit.

Such changes might include greater attention to cooperative marketing arrangements, reliance on technical advice from consulting foresters and State and Federal Government agencies, and regional treatment and warehousing facilities.

This bill will not meet all of our needs for improved forestry credit. The Farmers Home Administration operates a forest loan program whose liberal terms may be necessary for the more risky loans. I intend to explore the possibility of providing variable repayment schedules on private loans as well intermediate credit arrangements where forestry mortgages might be discounted. The support which this bill enjoys from forestry associations, State and National banks, and students of our resource needs makes it a very desirable first step. I ask unanimous consent, Mr. President, that the bill be held at the desk should additional Senators wish to cosponsor, through Thursday, October 31, and that the text of the bill appear at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from New Hampshire.

The bill (S. 2259) to further amend section 24 of the Federal Reserve Act, as amended (12 U.S.C. 371), to liberalize the conditions of loans by national banks on forest tracts, introduced by Mr. McINTYRE (for himself and other Senators) was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second paragraph of section 24 of the Federal Reserve Act, as added by the Act of August 15, 1953, c. 510, 67 Stat. 613 (12 U.S.C. 371), is amended to read:

"Any national banking association may make real estate loans secured by first liens upon forest tracts which are properly managed in all respects. Such loans shall be in the form of an obligation or obligations secured by mortgage, trust deed, or other instrument; and any national banking association may purchase any obligation so secured when the entire amount of such obligation is sold to the association. The amount of any such loan shall not exceed 60 per centum of the appraised fair market value of the growing timber, lands, and improvements thereon offered as security and the loan shall be made upon such terms and conditions as to assure that at no time shall the loan balance exceed 60 per centum of the original appraised total value of the property then remaining. No such loan shall be made for a longer term than three years; except that any such loan may be made for a term not longer than fifteen years if the loan is secured by an amortized mortgage, deed of trust, or other such instrument under the terms of which the installment payments are sufficient to amortize the principal of the loan within a period of not more than fifteen years and at a rate of at least 6⅔ per centum per annum. All such loans secured by first lien upon forest tracts shall be included in the permissible aggregate of all real estate loans prescribed in the preceding paragraph, but no national banking association shall make forest-tract loans in an aggregate sum in excess of 50 per centum of its capital stock paid in and unimpaired plus 50 per centum of its unimpaired surplus fund."

## CONSTRUCTION OF HOUSING FACILITIES FOR AGRICULTURAL WORKERS

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to provide a tax incentive, in the form of rapid amortization for the construction of farm labor housing. I ask unanimous consent that the bill lie on the desk until Tuesday, October 29, for additional sponsors.

Mr. President, the farmer who employs hired labor, and especially migratory labor, in many respects is in a position nearly unique among employers. Not the least of the farmer's special problems is that he is generally under the necessity of providing housing for his employees. This housing is an extra item of labor cost, and where the housing is adequate, safe, and sanitary, the cost can become heavy indeed. This is especially true respecting migrant housing, because migratory workers are needed in large numbers, for short periods; and the housing provided for them is likely to stand vacant for large portions of the year. Current developments in mechanization further increase the burden of providing good housing, for in numerous crops and areas the need for the migrant's labor may be eliminated entirely within a few years.

Because the farmer carries this special burden, Mr. President, I believe it is appropriate to make some special assistance available to him. Despite the fact that many farm employers have performed exemplarily in providing good housing for their workers, there is still a great deal of housing for migrants that can fairly be described as deplorably wretched and totally inadequate for human habitation. Furthermore, the fact that the migratory worker may, at some future time, because obsolete is no reason to countenance the housing conditions he is sometimes faced with now.

The need for better farmworker housing was stressed—not for the first time—at a hearing just a week ago before the Housing Subcommittee of the Committee on Banking and Currency. In testimony for the Department of Labor, Under Secretary John F. Henning gave a vivid description of the living conditions of many migrant farmworkers in this country. The following is an excerpt from Secretary Henning's testimony:

> A field report by the State Services Division of the Bureau of Labor Standards on the living conditions of approximately 235 migrants in two camps in a Midwestern State is shocking. The first camp visited consisted of a group of six city buses and a trailer located in the middle of a field in the hot sun with no shade. According to the report, no water of any kind was available in the camp itself. Water was hauled in a large garbage-type can from a long distance; garbage and waste were collected in uncovered cans within 15 feet of the bus, which had no screens of any kind.
>
> The second camp included 50 old buses parked in a grove of trees, where there were at least five pumps for water and a pit on the edge of the camp for disposing of refuse. Some of the buses had screens; more of them had burlap sacks on the outside of the windows. However, the three open doorways in each bus were not protected by screens of any kind and the windows for ventilation in the outside toilet were also unscreened.
>
> A recent report from a regional consultant to the Bureau of Labor Standards on labor camps in a Western State describes sanitary conditions in a particular camp as atrocious, with no bathing facilities in the camp and no running water in the cabins. Wood stoves were used for cooking purposes, making the cabins extremely hot in the summer.
>
> Typical of a widespread problem are conditions disclosed in an investigation conducted by the Bureau of Employment Security in a Southwestern States where the camp was found to have no hot water for bathing, improper drainage, and fire hazards. In other camps the investigator found stagnant water around outside water spigots, bath water seeping into a nearby well, screens in need of repair, and doors, floors, and seats from outside toilets missing.
>
> Since this particular investigation was conducted under an international agreement imposing conditions on the use of foreign farm workers, the workers could be removed from these unsanitary surroundings. The Federal Government can offer no such protections to domestic farmworkers.

Mr. President, the principle of Federal assistance for farm housing is well established. The recent hearing from which Secretary Henning's testimony was quoted was directed to another migratory labor bill, S. 981, to expand the direct financial assistance for farm housing available under the Housing Act of 1949. But the gravity of the farm labor housing situation is such, in my opinion, that we should give the most serious consideration to every means at our disposal for correcting it. Accordingly, the legislation introduced today would create an incentive for the improvement of farm labor housing through an amendment to the Internal Revenue Code.

Under this bill, the construction costs of housing for domestic farm labor could be amortized for tax purposes over a period of 5 years, rather than, as at present, depreciated over 25, 30, or 40 years—whatever may be the entire useful life of the housing facility. In addition to new construction, the amortization deduction would be available respecting the costs of alteration or remodeling so as to improve or enlarge an existing housing facility for domestic agricultural workers.

The special deduction, in lieu of depreciation, could be taken by a farmer or other owner with respect to housing completed after December 31, 1962, or by the purchaser of such housing. To qualify, the owner would obtain a certificate from the Secretary of Agriculture covering these three points:

First. That the housing facility has been constructed to provide decent, safe, and sanitary housing for agricultural workers;

Second. If the housing is to be rented, rather than being furnished to farmworkers rent free, that the rentals will be reasonable in view of the occupants' probable incomes and earning capacities; and

Third. That during the 5-year amortization period, the housing will be made available primarily for occupancy by domestic agricultural workers and will be maintained in accordance with applicable minimum standards on safety and sanitation.

Mr. President, I realize that consideration of the tax measure is well underway. Yet, the equities of the bill introduced are so clear and, the tax implications so simple, that I believe it not unrealistic to anticipate that the Finance Committee can consider it at an early date and report it favorably during this Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from New Jersey.

The bill (S. 2260) to amend the Internal Revenue Code of 1954 to encourage the construction of housing facilities for agricultural workers by permitting the amortization over a 60-month period of the cost, or a portion of the cost, of constructing such housing facilities, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, and referred to the Committee on Finance.

## NATIONAL FARMERS WEEK

Mr. HUMPHREY. Mr. President, on behalf of myself, and the Senator from North Dakota [Mr. BURDICK], I introduce today a joint resolution providing that the 7-day period beginning on the first Sunday of April in each year be designated as National Farmers Week. Such a week would be observed with appropriate ceremonies and activities, and would serve to call attention to the American people the farmer's contribution to the strength and resources of our country.

The truly great story of our time, Mr. President, is a factual report on what farm families have done and are doing for our country.

The 188 million men, women, and children of the United States have more food of better quality in greater variety than any people in any country in all recorded history.

And not only do Americans have more than enough food available to them, they buy it for a smaller share of their incomes than do families in any other country. In the last 2 years the proportion of consumer income required to purchase food has dropped to the lowest ratio in history—19 percent of take-home pay.

Mr. President, while producing more and more better foods, farm families have been sending workers from the land into other areas of the Nation's economy—into manufacturing, transportation, business, and the professions and services. Our industrial development has been due in great measure to the fact that we were able to steadily increase food production, thereby substituting increased skills and technology for farmworkers.

In the last decade, production per man-hour in agriculture increased 77 percent. A century ago one worker on the farm supplied food and fiber for less than five persons. By 1940 the figure had risen to 10. Now, just 23 years later, each farmworker supplies food and fiber for 28 persons.

Unfortunately, Mr. President, those who feed us so well do not themselves eat very high on the hog. Farm income has improved the past 2 years, but it still averages only 60 percent of nonfarm income. But while farmers are fewer in number and do not share equitably in the national income, they make a significant contribution to the total economy.

There are fewer than 15 million people living on our farms—only about 8 percent of the country's population. The population of the State of California exceeds our national farm population.

Yet farmers create millions of jobs for fellow Americans. Ten million people have jobs storing, transporting, processing, and merchandising the products of agriculture. Six million have jobs providing the supplies farmers use. Thousands in rural communities across the land make their livings providing services required by farmers.

The investment in agriculture exceeds $200 billion. That figure is comparable to about three-fourths of the value of current assets for all corporations in the country. It represents three-fifths of the value of all corporation stock on the New York Stock Exchange.

The investment in agriculture represents $21,300 for each farmworker, as compared with a manufacturing investment of $16,000 for each worker. In 1961, when our farmers had a gross income of nearly $40 billion, they spent $27 billion to operate their businesses.

Farmers spend over $2 billion a year for trucks, tractors, machines, and other equipment. Farming uses more petroleum than any other single industry—more than $2 billion is spent by farmers each year for fuel, lubricants, and equipment maintenance.

You could provide Los Angeles, San Francisco, Seattle, Portland, San Diego, and Chicago with electricity for a year and the kilowatt consumption would be about the same as the total needed to keep our farms going.

When people begin telling me, Mr. President, all the things the country is doing for agriculture, I ask them what would happen if this Nation lost three-fourths of the assets of all corporations, or three-fifths of the market value of all corporation stocks on the New York Exchange, or more than 16 million nonfarm jobs.

The answers to these questions are, in part, the answers to what farm families are doing for the country.

Mr. President, the resolution I have introduced today—a resolution providing for an annual National Farmers Week in the spring—would in a small way express a nation's gratitude to the men, women, and children who live and work on the Nation's family farms. I am hopeful the resolution will receive early consideration by the Judiciary Committee and that this body will see fit to pass it at an early date. I ask unanimous consent to have the joint resolution printed at this point in the Record.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 128) providing for the establishment of an annual National Farmers Week, introduced by Mr. Humphrey (for himself and Mr. Burdick), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the seven-day period beginning on the first Sunday of April in each year is hereby designated as National Farmers Week, and the President is requested to issue annually a proclamation calling on the people of the United States to observe such week with appropriate ceremonies and activities.

## FOREIGN ASSISTANCE ACT AMENDMENT (AMENDMENT NO. 234)

Mr. GRUENING. Mr. President, I submit an amendment to H.R. 7885—the Foreign Assistance Act—and ask that it be printed and lie on the desk, and I ask unanimous consent that it be printed in the Record at the conclusion of my remarks.

This amendment will merely put contracts with and grants to educational institutions under the foreign aid program on the same footing as contracts with and grants to educational institutions in our domestic programs.

I have previously spoken about this amendment when I introduced it as an amendment to S. 1276. This amendment has since been perfected in consultation with the National Association of College and University Business Officers and the Commission on International Education of the American Council on Education. I shall speak on this amendment at greater length next week.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table; and, without objection, the amendment will be printed in the Record.

The amendment (No. 234) is as follows:

On page 50, delete lines 19 through 24 and on page 51 delete lines 1 and 2 and insert in lieu thereof the following:

"(k) Any cost-type contract or agreement (including grants) entered into with a university, college, or other educational institution for the purpose of carrying out programs authorized by part I may provide for the payment of the reimbursable indirect costs of said university, college, or other educational institutions on the basis of predetermined fixed-percentage rates (determined in accordance with a formula established by the Bureau of the Budget for determining costs), applied to the total, or an element thereof, of the reimbursable direct costs incurred, provided that none of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount for indirect expenses in connection with such project in excess of 20 per centum of the direct costs."

## AMENDMENT TO FOREIGN ASSISTANCE ACT TO TERMINATE MILITARY AID TO LATIN AMERICAN COUNTRIES (AMENDMENT NO. 235)

Mr. GRUENING. Mr. President, on behalf of myself, and Senators Ervin, Nelson, Proxmire, Cannon, McGovern, Morse, and Smathers, I submit an amendment to H.R. 7885—the foreign assistance bill. This amendment would provide for the termination of all military aid to all Latin American countries.

Recent events in Latin America emphasize the need for such an amendment. I intend to speak at length on this matter next week. I submit this amendment at this time so that my colleagues may have an opportunity to study it.

I ask unanimous consent that this amendment be printed and lie at the desk and also that it be printed in the Record at the conclusion of my remarks.

The VICE PRESIDENT. The amendment will be received and printed; and, without objection, the amendment will be printed in the Record.

The amendment (No. 235) is as follows:

Insert between lines 8 and 9 on page 41 the following:

"(d) Section 505(a) of the Foreign Assistance Act of 1961 (Public Law 87–195) is hereby amended by changing the period at the end thereof to a comma and adding the following proviso: '*Provided,* That, except (1) to the extent necessary to fulfill prior commitments and (2) to the extent that the President finds, with respect to any Latin American country, that the furnishing of military assistance under this Act is necessary to safeguard the security of the United States, and so informs the Congress, no further military assistance under any provision of this Act shall be furnished to any Latin American country.' "

## FOREIGN ASSISTANCE ACT OF 1963—AMENDMENT (AMENDMENT NO. 236)

Mr. DIRKSEN submitted an amendment, intended to be proposed by him, to the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which was ordered to lie on the table and to be printed.

## ALASKA DAY

Mr. BARTLETT. Mr. President, last Friday was Alaska Day.

October 18 marked the 97th anniversary of the transfer of Russian America from the ownership of the czar of all the Russias to the United States of America. On October 18, 1867, in a ceremony at Sitka, Alaska, Gen. L. H. Rousseau took formal possession of Alaska on behalf of President Andrew Jackson of the United States.

It was my great good fortune to be present at Sitka last Friday. Hundreds of people gathered in the former capital of Alaska from all sections of the 49th State. My colleague and friend, Representative Ralph J. Rivers, had also gone to Sitka from Washington for this historic event. And, as has been the case for many years, the military participated actively. Present were Lt. Gen. Raymond J. Reeves, Commander in Chief, Alaska Command, as well as Maj. Gen. Ned D. Moore, Commanding General, U.S. Army, Alaska, Rear Adm. Fred E. Bakutis, commander of the 17th Naval District, and Rear Adm. George D. Synon, Commander of the 17th Coast Guard District, together with many other officers and military units. The people of Sitka are especially appreciative of all that the military has done to make this annual celebration a success, and speaking in their behalf now as well as my own, I want to thank General Reeves. On Castle Hill Friday afternoon there was reenactment of the lowering of the Russian flag and raising of the Stars and Stripes. Then Gov. William A. Egan of Alaska delivered the only address in a brief but very impressive ceremony.

The history of Alaska is a fascinating study. The histor yof Alaska is, in fact, nothing less than the history of our Nation's relations with Soviet Russia; for it is in Alaska that the eastern expansion of Russia came face to face, or as we say now, eyeball to eyeball, with the western expansion of the United States. The experience which we gained in negotiating the sale with Russia in 1867 is as valid today as it was then.

Some will say the relatively new peril of communism has changed the face of the world, the ways of diplomacy. But I wonder. The more I read of the past, the more I am impressed with how little today is new, how much is the same.

An example of this, perhaps, is the hot line which President Kennedy and Chairman Khrushchev have agreed will provide instant communication between the White House and the Kremlin. I wonder how many Senators know that this proposal is not new; that it was first advanced by President Abraham Lincoln. Some of the reasons may be different, but the essential fact remains. In 1864, in the midst of the Civil War, the President in his annual message to the Congress, proposed the construction of an overland telegraph route from the east coast of America through Alaska and Siberia to the then capital, St. Petersburg, where it would connect with direct lines to the European capitals.

The construction of the project proposed by the Western Union Telegraph Co. was actually begun in 1865. Work crews began stringing lines from the Seward Peninsula in the region of Nome in that year. As a matter of fact, it was these Western Union employees who made the first gold strike on the Seward Peninsula. They were the forerunners of many, many thousands of sourdough miners who came to Nome at the turn of the century.

Gold was discovered in 1865 and then it was forgotten. It was not rediscovered until 1898.

A Western Union party ascended the Yukon River as far as Selkirk, Yukon Territory of Canada. In 1867 another party went up the Yukon as far as Fort Yukon. Meanwhile, similar parties were at work in Siberia.

It is sad to relate that all this work came for naught, for in 1866 the first transatlantic cable was laid successfully and as a result the overland system was no longer needed.

The sale of Alaska to the United States was negotiated and formally signed by treaty March 30, 1867. The Russians, however, we now know, had been interested in selling the territory for close to a decade.

In 1859 the subject was broached to the Russian minister to the United States by Senator Gwin, of California, acting on behalf of President Buchanan. No firm offer was made but mention was made that the United States might be willing to pay as high as $5 million.

The Russian Ambassador, Baron Edouard Stoeckel, in a confidential memo to his home government, said that this seemed to be a large sum, more than the colony was worth—more, in fact, he added, than the colony ever would be worth and certainly as much as the United States would ever be willing to give.

The baron was proved wrong on every point.

The baron, in his memo, pointed out the benefits which the czar would gain from the sale. The fur trade was declining in importance. The Russian-American company, which operated the colony and sold the furs, was in financial difficulties which seemed to be getting worse. Alaska could be seized by any strong naval power in time of war. No doubt, the baron meant Great Britain, a nation with whom the Russian Government had recently been at war. It was important to Russia that Britain not be allowed to obtain a dominant position in the Pacific. The baron recognized the truth that the nation which controls Alaska controls the Pacific Ocean, and he did not want it to fall into the hands of a great power. The United States was not then a great power but was strong enough to defend Alaska.

The strategic importance of Alaska is a fact which must never be forgotten, for if it is forgotten, it is only relearned at great cost. This was clearly and most expensively demonstrated at the beginning of the Second War when it was necessary to arm a defenseless Alaska at great speed.

There is another interesting document in the Russian archives from this period dealing with Alaska. It is thought to have been written by Admiral Popov February 7, 1860. The admiral stated that Russia might as well sell Alaska to America because America was bound and determined to have it in time by sale or otherwise.

By 1866 the Russians had decided to sell Alaska. They gave the minister a map with the frontiers outlined and told him not to take less than $5 million.

In March of 1867 Stoeckel called on Secretary of State Seward and the negotiations began.

Having been instructed not to take less than $5 million, Baron Stoeckel told Seward he could not possibly consider anything less than $7 million.

After weeks of hard fought negotiations, Secretary of State Seward finally obtained Baron Stoeckel's concession: Russia would sell Alaska for $7 million.

Because of various technicalities in negotiations, it become necessary for the United States to add an additional $200,000 to the selling price.

America bought Alaska the way most of us buy used cars.

The treaty was signed at 4 a.m. March 30, 1867. It was a strange time to sign a treaty but Seward was anxious to complete the deal, especially so because the 40th Congress was close to adjournment and he wished to obtain Senate approval of the treaty before the Congress went home. He was afraid the Russians would take affront if the treaty was not promptly ratified. Senators will feel a pang of envy at the thought of a Congress adjourning in March or April. Here it is October and here we are, still. Senators who were impressed with the speed and decision with which the Senate recently ratified the test ban treaty will also be interested to know that the sale-of-Alaska treaty was signed on the 30th of March, was considered by the Foreign Relations Committee, reported out and approved by a vote of 37 to 2 on April 9. It was charged at the time that delaying tactics were being used.

As I have said, on October 18 title was handed over from Russia to the United States. The Congress, however, did not get around to paying the bill until July 14, 1868.

It has been 97 years since the first Alaska Day. Since that time America's original investment has been repaid one hundred, nay, a thousandfold. Last year alone, Alaska oil and natural gas brought $31,599,000 into our Nation's economy, and this is but a beginning. The next 97 years will bring expansion and development of undreamed of proportions to Alaska. All America will benefit from Secretary Seward's great wisdom in buying Alaska, and we can overlook with a smile his, perhaps, unnecessary generosity.

## FISHING IN TERRITORIAL WATERS OF THE UNITED STATES—RESOLUTION

Mr. BARTLETT. Mr. President, it was with great gratification that I learned today that the Gulf States Marine Fisheries Commission has gone on record in favor of S. 1988, the bill which was introduced by me to "prohibit fishing in the territorial waters of the United States and in certain other areas by persons other than nationals or inhabitants of the United States." This bill is now before the House Merchant Marine and Fisheries Committee, having been passed by the Senate recently. It is cosponsored by Mr. ERVIN, Mr. JACKSON, Mr. KENNEDY, Mr. MAGNUSON, Mr. MORSE, Mrs. NEUBERGER, Mr. SCOTT, Mr. SMATHERS, Mr. THURMOND, Mr. INOUYE, Mr. DODD, and Mr. RIBICOFF. The fisheries industry generally considers it to be of significance and importance and as its author I want to thank the members of the Gulf State Marine Fisheries Commission for this endorsement. Mr. President, I ask unanimous consent that the text of the resolution be included as part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

*Resolved*, That the Gulf States Marine Fisheries Commission go on record as approving in principle S. 1988 (88th Cong., 1st sess.), which legislation is designed to prohibit fishing in the territorial waters of the United States and in certain other areas by persons other than nationals or inhabitants of the United States; and be it further

*Resolved*, That endorsement of the purposes of this proposed legislation is in no way intended to define territorial limits that are presently or may be claimed by any State of the United States; and be it further

*Resolved*, That copies of this resolution be transmitted to the members of the Senate Committee on Commerce, the members of the House Committee on Merchant Marine and Fisheries, and the congressional delegations of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

### YES, VIRGINIA, THERE IS NEWS MANAGEMENT

Mr. BENNETT. Mr. President, for years I have been receiving philatelic releases from the Post Office Department announcing issuance of new postage stamps.

The other day I received philatelic release No. 80 on Post Office stationery with an announcement that the second special Christmas postage stamp will be commemorated at Santa Claus, Ind. However, I was very disturbed to see that the Post Office Department in its announcement used the names of two majority party Senators and one Representative to announce the ceremony.

I feel that if Senators and Representatives would like to put out a news release about Santa Claus, Ind., or Christmas postage stamps they should do so on their own time and using their own paper and ink. The Post Office Department should stick to its ZIP code.

Under the title of "Yes, Virginia, There Is News Management," I ask unanimous consent to have printed at this point in the Record the Post Office release so that my colleagues can see this latest attempt at administration publicity efforts.

There being no objection, the release was ordered to be printed in the Record, as follows:

Post Office Department Philatelic Release No. 80

Senators Vance Hartke, Birch E. Bayh, and Congressman Winfield K. Denton, of Evansville, Ind., announced today that nearby Santa Claus, Ind., will be the site of the first-day ceremony marking the issuance of the Post Office Department's second special Christmas postage stamp.

The Indiana Senators and Congressman said that Postmaster General John A. Gronouski had just informed them that the seasonally famous Indiana post office had been selected for the ceremony on November 1, during which the special stamp, featuring the national Christmas tree on the Ellipse near the White House in Washington, would first be sold to the public.

"Since nearly 2 million people a year and over 3 million Christmas cards pass through this unique Indiana community of only 35 residents, it is particularly suitable for the Post Office Department to issue the seasonal stamp here," Senator Hartke said.

According to Congressman Denton, the Santa Claus post office normally employs only two clerks but must add seven more employees during the Christmas season merely to satisfy the national demand for the popular Santa Claus, Ind., postmark.

The Post Office Department issued a Christmas stamp for the first time in history in 1962, and stocks were exhausted in many parts of the country despite a crash program to print a billion stamps.

"The Post Office Department has assured us that their printing plans, begun in the spring of this year, will provide enough stamps for all Christmas cards with an order of nearly 2 billion already in progress," Senator Bayh said.

Legend has it that the southern Indiana community got its unusual name on Christmas Eve of 1856 as town fathers in a local church struggled for a suitable name and were interrupted by the entrance of a gift-laden Santa Claus whose appearance prompted the children present to yell their recognition and thus name the town.

Robert Ripley, of "Believe It or Not" fame, put Santa Claus, Ind., on the map in the late twenties when he mailed giant-sized postcards from the small post office there with the now famous Santa Claus postmark.

The November 1 date for the Christmas stamp dedication at Santa Claus was selected by the overwhelming majority of postmasters as a result of their experience with Christmas mail handling and stamp sales a year ago.

Following the initial sale and ceremonies in Santa Claus on November 1, the Christmas stamps will go on sale the next day at all 41,000 postal installations around the Nation.

### ANTHRACITE COAL SUPPLIES

Mrs. SMITH. Mr. President, Maine is presently faced with an inadequate supply of coal for the current heating season. Because of this threat, I have been making efforts to rectify this situation and have been contacting Federal agencies on the matter.

I ask unanimous consent to place in the body of the Record a report received today from the Department of Commerce.

There being no objection, the report was ordered to be printed in the Record, as follows:

U.S. Department of Commerce,
Business and Defense Services Administration,
*Washington, D.C., October 23, 1963.*
Hon. Margaret Chase Smith,
*U.S. Senate, Washington, D.C.*

Dear Senator Smith: Mr. Dutton has sent us a copy of his letter to you of October 10 regarding the adequacy of anthracite coal supplies for the current heating season. Secretary Hodges has asked me to write to you indicating that we share your concern and that we are following very closely developments in the anthracite supply situation in respect to both the domestic and foreign markets. By reason of your expression of interest we are taking this occasion to give you what we have learned about the origin and nature of the present difficulties and what is being done to provide sufficient hard coal to U.S. consumers.

As you know the anthracite producing industry has suffered a continuing severe loss of domestic markets for more than 10 years. The closing of mines and curtailment of employment made the anthracite region of Pennsylvania one of the most grievously depressed in the Nation. With no reasonable prospect of checking, much less reversing the downward trend in domestic sales, producers and brokers looked abroad in the hope of recovering some of the market that had been lost there in recent years. The unusually hard winter of 1962–63 presented the opportunity to achieve a sizable increase in export shipments mainly to Western Europe.

We have been assured by the Department of the Interior that the increase in production in 1963 will more than cover the growth of exports, thus leaving sufficient anthracite for the domestic market to meet all reasonable demands. The Bureau of Mines estimates 1963 production through the first week in October at a figure of 2.2 million tons greater than for the corresponding period of 1962. Additional output for the calendar year 1963 is expected to exceed 1962 production by 3 million tons. Exports for the first 8 months were 900,000 tons ahead of last year and may top full year 1962 exports by 1.2 million to 1.5 million. The addition to our foreign exchange earnings of $25–$30 million represented by increased sales of this magnitude would be welcome indeed if achieved without deprivation of domestic consumers.

In summary, the picture we have given you of the anthracite situation is one of uneven distribution rather than general shortage. There are a number of reasons why certain dealers and areas may have inadequate supplies at this time, even though total supplies of anthracite may be sufficient for this heating season. Some dealers did not heed the urging of producers issued in the spring and delayed placing their orders. In past years prices turned soft in the spring and dealers were able to secure discounts in the summer months; this year prices remained firm and are slightly higher than a year ago. Further, some dealers, in an effort to beat an expected price rise, or to take advantage of competitor's short supplies, ordered larger quantities of coal than they have in the past at this time of the year. Still others, on the usual commercial criteria, are considered to be bad credit risks and their business is no longer wanted by the suppliers.

On the other hand some dealers, particularly those dependent on rail shipment, have legitimate complaints. There is strong evidence that truck trade has been getting in line ahead of rail trade at the mines and preparation plants. This situation reflects the fact that in a relatively tight market it is simpler and more convenient for the producers to serve those coal yards which get their supplies by truck. Therefore, it is not surprising that the bulk of complaints have come from New England and conversely that there have been no reports of supply difficulties from Pennsylvania dealers.

An attempt is now being made to deal with this problem of unequal distribution. In recent weeks some of the major producers have instituted an allocation program intended to redress the balance of shipments to rail versus truck customers. Under this arrangement shipments to New England should show an immediate improvement.

The Department of Commerce was represented at a meeting of producers and retail dealers last week at which an arrangement was agreed upon of allocating supplies to those areas and dealers which were in greatest need. Dealers will be urgently requested to place their complaints with their respective State associations to be forwarded to the Secretary of the Eastern States Retail Fuel Conference who will serve as clearing officer for the industry. Each dealer's complaint will be validated and, if found to be legitimate, will be referred to the president of the Anthracite Institute for corrective action by the producers.

In our view the industry's efforts to solve this problem by its own informal allocation should be given every encouragement and a fair chance of success. This way we avoid the permanent injury to our foreign markets for bituminous as well as anthracite coal which could result from unnecessary Government action. Nevertheless, we are mindful of our domestic needs and will continue to give close attention to anthracite distribution to see whether or not the industry arrangement will be effective.

Sincerely yours,
Daniel L. Goldy,
*Administrator.*

### THE UNITED NATIONS AND REFUGEES

Mr. HART. Mr. President, stemming from the United Nations, there is a little known function that I would like to bring out today, on this 18th birthday of the United Nations organization. Literally millions of helpless people, including women and children, the halt and the lame, and fighters for freedom, have been helped by this great humanitarian effort. I refer, Mr. President, to the vital work of the office of the United Nations High Commissioner for Refugees.

This Government has played an important role by contributing funds and other resources to aid the efforts of the High Commissioner. I think it timely and useful that we be reminded of the accomplishments of this refugee program.

The office of the United Nations High Commissioner for Refugees—UNHCR—was established in 1951 by resolution of the United Nations General Assembly to provide international protection for refugees. Most of these refugees were Europeans.

The High Commissioner strived to find permanent solutions to longstanding refugee problems by assisting governments and private organizations to repatriate refugees voluntarily, or assimilate them within new national communities.

Later, the General Assembly authorized the High Commissioner to provide material assistance to refugees to help them reestablish themselves; and in a series of resolutions starting in 1957, the General Assembly authorized the High Commissioner to exercise his good offices in assisting governments to resolve refugee problems on their territories which are not the concern of the United Nations.

The High Commissioner has thus not only discharged his responsibilities for securing the legal and political protection of refugees and carrying out his own assistance programs: he has also influenced and coordinated the work of other international organizations—both governmental and private—private voluntary agencies and governments of countries offering asylum to refugees. That is, he has not only served effectively as a prime mover in promoting the solution of refugee problems, but also as a catalytic agent to stimulate maximum contributions and effort on the part of the international community. The leadership role of the UNHCR during World Refugee Year—1959-60—when the value of international contributions in behalf of refugees exceeded $92 million, is a notable example. The UNHCR carries out his functions in Europe, the Near East, Africa, the Far East, and the Western Hemisphere, and maintains offices in most of the countries within which refugees reside.

### LEGAL AND POLITICAL PROTECTION

The basic job of the UNHCR is to provide legal and political protection for refugees. To this end, he insures the application of international conventions, particularly the Geneva Convention of 1951 relating to the status of refugees which secures certain minimum basic rights for refugees. Without this protection their assimilation into new national communities can never be fully successful. These guarantees include the right for them to work in their country of residence, including exercise of the liberal professions; social security benefits; eligibility for public housing; education and welfare; and other social benefits. His office also protects the refugees against involuntary repatriation, while facilitating the voluntary repatriation of those who choose it. A corollary activity is to insure the refugee's right to freedom of movement within and between countries, and their travel documentation.

The High Commissioner has placed great emphasis on his legal and political protection function. Partly through his efforts, 42 nations have adhered to the Geneva Convention. Hundreds of thousands of refugees have been naturalized within the countries offering them final resettlement, including tens of thousands who have been integrated within the countries which originally granted them asylum.

Especially important is the task of assuring generous asylum policies for political refugees in the various countries into which refugees flee. Almost without exception refugees fleeing from political persecution are granted asylum.

As of January 1, 1963, there were still an estimated 1,300,000 refugees throughout the world who were eligible for the High Commissioner's legal and political protection services.

### UNHCR MATERIAL ASSISTANCE PROGRAMS

Since 1955 the UNHCR has carried out material assistance programs designed to reestablish refugees within his mandate. During the last 3 years, he has also carried out, coordinated or contributed to programs, chiefly in Africa and Asia, for refugees who are not within his mandate.

The UNHCR's regular assistance program has primarily covered European refugees from communism in Europe, but has also included a program in the Far East for European refugees escaping from Communist China. It has concentrated on promoting integration within the asylum countries of the refugees who could not be emigrated to other countries. Using voluntary agencies as his primary contractors and operational agents, the UNHCR program provides counseling services, housing, grants to enable refugees to become reestablished in business or their liberal professions or trades, and similar measures.

It gives special attention to rehabilitating severely handicapped refugees through pensions, medical therapy, old-age homes and other forms of institutional placement. Interim care and maintenance assistance is given to the most needy cases.

When the UNHCR commenced its regular assistance program on a large scale in 1955 there were 270,000 unassimilated mandate refugees in Europe and elsewhere. There are today no more than 30,000 unassimilated refugees, despite the fact that over 300,000 new refugees have entered Europe during the intervening years, including 180,000 Hungarian refugees who escaped in 1956–57 after the abortive Hungarian revolt. This reduction has been brought about by the combined efforts of a number of agencies and governments. The UNHCR programs have provided assistance during this period to 137,000 refugees, and have been directly responsible for reestablishment—largely through local integration—of 82,000 refugees.

In his regular program the High Commissioner first attacked the problem of refugees who had been living in camps for many years. By the end of 1962 he had successfully reestablished 32,000 of these refugees, leaving only 4,000 still in camps in Germany, Austria, Italy and Greece, all of whom will be reestablished by the end of 1963. During the past 2 years the UNHCR has shifted emphasis to solving the problem of out-of-camp refugees through country clearance programs. It is now engaged in a final 3-year effort to resolve this program completely by the end of 1965.

A particularly compassionate problem facing the UNHCR is that of the refugees who are severely handicapped by mental, physical, or social disabilities. These refugees, numbering several thousand, have been passed over many times by immigration missions from resettlement countries. The UNHCR instituted special programs, on an individual case basis, for solving the problems of each of these refugees and working out their successful rehabilitation. It employed a trained psychiatrist, for example, to direct a special mental health program in behalf of 1,800 hardship cases in this category. Half of these cases have now been successfully solved, and the other half are under treatment. Similarly, half of the 850 refugees suffering from particularly severe physical or social handicaps have now been resettled abroad on a self-sufficient basis, and the remainder of these cases are being processed for similar settlement. Another significant achievement was the successful local reestablishment, largely within Austria, of some 7,000 Hungarian freedom fighters who did not qualify for immigration to other countries. The High Commissioner expended $11 million for this effort.

In the Far East the UNHCR has carried out a joint program with the Intergovernmental Committee for European Migration—ICEM—for the care and maintenance and oversea resettlement of European refugees—mostly White Russians—arriving in Hong Kong from Communist China. These refugees are the remnants of a group, with their families, who escaped into China from Russia just after the Bolshevik revolution over 40 years ago. They have been victimized within Communist China, and the Soviet Union has pressed for their forcible repatriation. This program, which has attracted worldwide attention, has successfully resettled over 13,000 of the refugees over the past few years, leaving only some 2,000 of the refugees still on mainland China to be assisted in the future.

The UNHCR's regular program has been funded through contributions from many governments, including the United States, voluntary agencies, and other private sources, and by the provision of matching funds by asylum countries for projects carried out within these countries. All told, contributions to this program to date have exceeded $120 million, of which nearly half has come from the international community and slightly over half from the supporting contributions of the asylum governments.

### THE UNHCR PROGRAM FOR ALGERIAN REFGUEES

From 1959 through 1962, the High Commissioner operating under a special mandate from the U.N. General Assembly—carried out a program in behalf of over 200,000 Algerian refugees who fled from the war in Algeria into Morocco and Tunisia. Operating jointly with the League of Red Cross Societies, and with assistance received from many governments, including major contributions from the United States, the High Commissioner's office provided food, shelter, and clothing for these refugees while they were in Tunisia and Morocco. More than $22 million was expended by the UNHCR and the Red Cross in this relief operation.

When the Evian Agreements made it possible for the refugees to return to Algeria in the summer of 1962, the High Commissioner participated in the supervision of the repatriation operation. This massive movement was carried out successfully in 2½ months.

The High Commissioner has also continued to provide assistance to these refugees to facilitate their reintegration into the war-torn economy of Algeria. This repatriation program brought an end to a compelling humanitarian problem, since 85 percent of the refugees were children, mothers, and elderly persons.

### THE UNHCR GOOD OFFICES PROGRAM

The office of the UNHCR was established primarily to deal with the postwar problem of European refugees in Europe. The subsequent development of new and compelling refugee problems in other areas, notably Asia and Africa, influenced the United Nations General Assembly to pass several resolutions from 1957 onward authorizing the UNHCR to use its good offices in assisting refugees who are not the concern of the United Nations. Under this authority, the High Commissioner acted in a twofold capacity: he has raised funds for asylum governments to help them meet the heavy financial burdens of caring for the refugees; and at the request of the asylum governments, he has arranged and supervised programs designed to reestablish the refugees.

The problem of over 1,200,000 refugees in Hong Kong has been dealt with primarily by the Kong Kong Government. However, the General Assembly passed resolutions in 1957 and 1962 calling upon the High Commissioner to solicit contributions from the international community to help meet this problem. The UNHCR has raised nearly $1 million for Chinese refugees in Hong Kong and Macau which has been made available to help fund projects carried out by the Hong Kong and Macau Governments and by interested voluntary agencies. The UNHCR also contributed funds to the Government of Cambodia, at the latter's request, to help meet the refugee problem in that country.

The High Commissioner has been particularly active under his good offices function in helping to resolve refugee problems in Africa during the past 3 years. These problems involved some 6,000 refugees from Ghana who fled into Togo; over 150,000 Angolan refugees who entered the Congo; and 150,000 refugees from Rwanda who fled during 1961 into the neighboring asylum countries of Uganda, Tanganyika, Burundi and the Kivu Province of the Congo. The pattern of UNHCR assistance has been similar in all of these cases. In each case the asylum government requested the UNHCR to coordinate the development of international assistance and to act jointly with it in supervising the assistance program; the UNHCR called upon the League of International Red Cross Societies and the voluntary agencies to provide resources and staff, acting as its operational agents; and the UNHCR arranged and supervised programs for resettling the refugees on land within the asylum countries. In addition to interim direct relief, the refugees have been given housing materials and construction tools, and seeds and agricultural implements, to help them become self-sufficient. Through these efforts the UNHCR was able to solve completely the problem in Togo by the end of 1962, and has made signficant progress in resolving the problems of the Angolan and Rwanda refugees.

While the High Commissioner has devoted only about $3 million of his own funds to these good offices programs, as in the case of the refugee problem in Europe, he has successfully mobilized the attention and resources of the international community toward helping to put an end to problems which are a threat to the peace and which arise from the disturbing political developments of the 20th century. Consistent with his mandate from the General Assembly, the High Commissioner has attacked all the problems within the purview of his office on a purely humanitarian and nonpolitical basis.

Mr. President, this sums up in hard, cold, numerical facts, the accomplishments of the refugee program carried out by the United Nations High Commissioner. What I have been unable to do is to reflect the pathos, multiplied millions of times, signified by the refugees helped. Words could not accomplish this. Each of us would have to see for himself the privation, hunger, ill health and objection in the faces of these displaced persons of the world. This, of course, is impossible in this Chamber, but I ask each of you to reflect for a moment on this matter and join me in reaffirming our support and faith in this great humanitarian program.

In a sense, by aiding this vital program, we have lived up to the words of the Statue of Liberty, "Send these, the homeless, tempest tossed to me."

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## ACHIEVEMENTS OF THE UNITED NATIONS

Mr. SALTONSTALL. Mr. President, 18 years have passed since the U.S. Senate advised and consented, by a vote of 89 to 2 to the ratification of the United Nations Charter. I voted to consent to the U.N. Charter with the conviction that the United Nations would be an instrument to help maintain peace in the world, not by deciding the terms of settlements between nations, but by assisting them to obtain a peaceful settlement of differences through the prestige and the influence of public opinion developed on the basis of debates in the Assembly.

In signing the charter the United States pledged with 49 other nations to strive "to save succeeding generations from the scourge of war." The 50 charter members, seeking to prevent future devastation such as the world had suffered from World War II, reaffirmed their "faith in fundamental human rights," and declared their intent to "promote social progress." Since 1945, 61 additional nations have subscribed to the principles of the U.N. Charter and the organization has labored valiantly in the attempt to establish the proper world conditions in which the important and humanitarian charter objectives might be realized.

Since its inception the United Nations has played an important role in the settling of many international crises and in the mediation of numerous smaller controversies among nations. From Kashmir to the Congo, from Korea to Cuba, in the Suez and other areas, the U.N. has been significantly committed to the defense of freedom and the preservation of peace. The struggle thus far has been tedious and costly. Yet, as new areas of conflict appear in many parts of the world, such as in Yemen and Malaysia, we realize that the struggle is far from over.

In dealing with issues of vast international implication, the United Nations has demonstrated great versatility. It provided the forces for freedom in Korea. It maintains a peacekeeping mission in the Middle East. At the same time it provides the world with a continuous forum for debate, a channel for the presentation of national positions, and a center for important negotiations. Although some of these functions have been subjects of vehement criticism, each has been and continues to be significant.

Other aspects of the world body's operations, although they have received less publicity, are equally important in attempting to carry out the charter's objectives. Such agencies as WHO, UNESCO, UNICEF, FAO, and the ILO are constantly striving to provide the world's population with a more meaningful and satisfactory life and a higher and more secure standard of living. The assistance in public administration as well as the application of science and technology in less developed areas are integral parts of the war on want and poverty. The stimulation of economic development, the promotion of international trade, the increase of food production, and the uplifting of health standards and literacy rates, are all of major importance in closing the gap between the have and have-not nations. In advancing social welfare and human rights, these agencies are contributing to the conditions which formulate the basis for peace in the world.

It is imperative that we maintain the proper perspective in considering the appropriate role of the United Nations. While we praise its possibilities, we must also be aware of its limitations. However, although the organization has not been completely successful in all that it has undertaken, it is still a valuable force for good in the world and I believe merits our continued support.

To be effective and useful, it is obvious that the United Nations must have adequate financial resources. If all member nations would meet their financial obligations this would be possible. Unfortunately some countries have proved unwilling to fulfill their commitments, thereby placing heavy burdens on other nations, particularly the United States. The future success of the U.N. depends on the active support of all member nations, not just a few of the larger ones. If that body is to become financially dependent on the United States, it will lose its character as an independent body standing on its own two feet and its value as a constructive force for peace in the world will be reduced.

Today we honor the United Nations and its achievements. At the same time we honor the many dedicated men and women who have contributed to its development. We must remember, however, that this body can only be as effective in its effort to promote peace among the nations of the world and social welfare for the many poverty-stricken peoples of the world as its members will it to be. Thus, on this 24th of October, we offer our hope that the United Nations will continue to be strengthened as a vital instrument in man's quest for peace, progress, and justice.

## PLIGHT OF THE PEOPLE OF THE UKRAINE

**Mr. BURDICK.** Mr. President, the President of the North Dakota Branch of the Ukrainian Congress Committee of America, recently wrote to me about the plight of the people of the Ukraine. In his letter he enclosed an editorial from the Bismarck Tribune, Bismarck, N. Dak., entitled, "Hunger Again 30 Years After," along with a leaflet "Famine in Ukraine—a Warning for the West." I want to call these two items to the attention of the Senate.

I ask unanimous consent that they be inserted at this point in the Record.

There being no objection, the editorial and leaflet were ordered to be printed in the Record, as follows:

[From the Bismarck (N. Dak.) Tribune, Oct. 12, 1963]

### Hunger Again 30 Years After

Food shortages in Russia come on the bitterly appropriate anniversary of an historic famine. It was 30 years ago that the great hunger of 1929–33 brought death to millions in the Ukraine.

Famine then was a weapon of Soviet terrorism. The Ukraine's 60 million acres of land produced wheat for some 20 million tons of bread. It provided, between 1909 and 1913, 20 percent of Europe's grain supply.

But Ukrainians resisted the collectivizing of their country, and Moscow Communists resorted to drastic measures. They confiscated 500,000 farms, drove 2.5 million people from their homes, deported a million peasants to slave labor camps and set out to reduce the Ukraine by starvation.

An edict of August 2, 1932, forbade peasants, under penalty of death, to take any of the food they produced. They were forbidden to leave villages in search of food outside the Ukraine. All food products of the Ukraine were designed for export. While Communist militia stood guard over grain elevators full to overflowing, families died of starvation in streets and cannibalism reportedly became widespread. Ukrainians say between 6 and 7 million of their people died.

The anniversary is called to mind by Dr. Anthony Zukowsky of Steele, president of the Ukrainian Congress Committee of America, State branch.

Thirty years ago, famine in a food-rich land was calculated and artificial and a weapon of subjugation. Moscow is not exactly free with information as to what has produced this year's food shortages, but that they exist is known to be a fact. For some millions of persons who lived through the famine of the early thirties, this will be a painful anniversary.

### Famine in Ukraine—A Warning for the West

The Kremlin today dominates one-third of the world and threatens the entire free world with subjugation and tyranny. The picture of conditions in the subjugated territories and enslaved nations shows only terror, slavery, mass genocide, persecution, and misery.

This leaflet is being issued upon the 30th anniversary of one of the most horrible crimes committed by the Kremlin upon its victims—an artificial famine calculated and carried out to break the will of the Ukrainians in their resistance and opposition to the regime.

Ukraine, with a population of 45 million has the richest farming land in Europe. Sixty million acres of land produce wheat for 20 million tons of bread. From 1909 to 1913 Ukraine provided 20 percent of Europe's grain supply. It was known as the granary or breadbasket of Europe.

In 1920 the Russian Communists overran Ukraine and made it their colony. They utilized the resources of Ukraine to develop their power and plans for sowing the seeds of chaos and revolution in the world. They introduced a system of slave labor in order to obtain products and goods cheaply and in this way to undermine the world economy.

In 1929, taking advantage of the economic crisis in the world, they began a 5-year drive against the peasants, forcing them into the collective farms. The Kremlin used the most diabolical methods on its resisting victims. In Ukraine, where the inhabitants by nature and tradition are most radically opposed to collectivization and state regimentation the effects were unbelievably horrible. From 1929 to 1932 the Moscow Communists confiscated 500,000 farms; drove 2,500,000 people with their children and aged out of their homes; deported 1 million peasants with their children, wives, aged and ailing to slave labor camps into the tundras and Siberia to die of exhaustion and hunger.

With resistance still strong, Moscow resorted to extreme measures and calculated a plan of starvation. All food products in Ukraine were designated for export. By official edict of August 2, 1932, the peasants were forbidden under penalty of death to take any of the food they produced. They were forbidden to leave their villages in search of food beyond the borders of Ukraine, while throughout the other territories of the Soviet Union food was plentiful. Entire families died in the streets of the villages in the terrible tortures of starvation. Cannibalism was widespread. The grain elevators were overflowing, but they were vigilantly guarded by the armed Communist militia to prevent the people from reaching the life-giving grain—all of which was removed from Ukraine. The International Red Cross offered aid and relief to the victims of Moscow but the Soviet Government vehemently denied the very existence of famine and the need for aid. As a result of this famine between 6 and 7 million Ukrainians died.

Such methods are used by the Kremlin to Russify and subjugate the captive nations in the U.S.S.R. Even these methods, however, are not completely successful. The love of freedom is so strong and so firmly entrenched in the hearts and minds of the Ukrainians that they continue to this day to resist actively and passively, the tyranny in their land. They will continue to resist until their final goal of a free and independent nation is achieved. And these gallant people deserve the support and encouragement of every American who believes in the principles of democracy and human rights.

The suffering and misery of the Ukrainians throughout their long enslavement in the Soviet Union should serve the free world as a warning. We should not permit ourselves to be blinded to the real aims of the Kremlin by the current Russian peace offers. For the Kremlin offers the world not peace, but misery and enslavement.

Ukrainian Congress Committee of America, Inc.

## CATHOLIC ASSOCIATION FOR INTERNATIONAL PEACE SUPPORTS CIVIL RIGHTS BILL

**Mr. HUMPHREY.** Mr. President, I ask unanimous consent that a recent statement of the Catholic Association for International Peace in support of the civil rights bill be printed in the Record at the conclusion of my remarks. It singles out for special mention the need for FEPC legislation, for greater powers for the Attorney General, and for action to eliminate segregation in public accommodations. This is another expression of the growing moral definition this issue is being given throughout the land. In recent months I have noted statements of this kind appearing in the Record from the following church groups: General Assembly of the United Presbyterian Church, the Fourth General Synod of the United Church of Christ, the Catholic Bishops of the United States, the Washington Hebrew Congregation, the Church Council of the American Lutheran Church, the Methodist Conference on Human Relations, and the President of the Lutheran World Federation. This is a growing voice and represents something very fundamental in the thinking of our countrymen. I urge the Members of the Senate to take the time to read these statements.

There being no objection, the statement was ordered to be printed in the Record, as follows:

### Statement of the Catholic Association for International Peace in Support of the Civil Rights Bill

The Catholic Association for International Peace, which seeks peace with dignity for all men throughout the world, strongly endorses the civil rights bill now being considered by Congress. The measures which this bill advocates are justified in terms of traditional Catholic principles regarding racial justice, principles which are being articulated with ever-increasing refinement and urgency.

In 1958, the Catholic bishops of the United States issued a statement on "Discrimination and the Christian Conscience." The bishops pointed out that, although great strides had been made since they had addressed themselves to the evils of racism 15 years earlier, in recent years "the march toward justice and equality has been slowed if not halted in some areas. The transcendent moral issues involved have become obscured, and possibly forgotten."

Five years later, in spite of recent advances, these words are still applicable in large parts of our country, North and South. And it remains true that, as the bishops said, "the heart of the race question is moral and religious." Enforced segregation carries with it "the judgment that an entire race, by the sole fact of race and regardless of individual qualities, is not fit to associate on equal terms with members of another race. We cannot reconcile such a judgment with the Christian view of man's nature and rights."

In this country, enforced segregation has long deprived the Negro of rights and privileges which, in justice, are his. In the basic areas of education, employment, housing, and voting, oppression conditions have prevented him from exercising his full human rights. The various evils which have followed upon this oppression, which are a direct consequence of segregation, are now being ascribed to the Negro and offered as reasons for continuing the very conditions that engendered them. This circle must be broken and the measures contained in the civil rights bill, as it was recently reported out of a House Judiciary Subcommittee, are designed to do just that. The provisions directed against segregation in public accommodations, the injunctive relief to be invested in the Office of the Attorney General in the cases where constitutional rights are violated, the FEPC legislation—all insure that the Negro will more nearly attain that status in our society which is properly his.

The Catholic Association for International Peace supports the civil rights bill, not because it will, if enacted, reduce the threat of widespread violence—although it may do that; not because it will enhance the prestige of our country in other lands—although it may do that; not because it will increase the strength of our economy—although it may do that. The CAIP supports this bill and urges that it be enacted without crippling compromise because it is designed to remove from the Negro unjust burdens under which he has so long labored, because it is designed to insure for the Negro the exercise of rights which he has been so long denied.

These rights, and their concomitant duties derive from the very nature of man. The Catholic bishops of the United States said in their joint pastoral letter of August 23, 1963:

"Respect for personal rights is not only a matter of individual moral duty; it is also a matter for civic action. Pope John stated: 'The chief concern of civil authorities must * * * be to insure that these rights are acknowledged, respected, coordinated with other rights, defended and promoted, so that in this way each one may more easily carry out his duties.'

"We know that public authority is obliged to help correct the evils of unjust discrimination practiced against any group or class. We also recognize that every minority group in America seeking its lawful rights has the obligation of respecting the lawful rights of others.

"It is clear that the racial question confronts the conscience of every man, no matter what his degree of direct or indirect involvement. Indeed, the conscience of the Nation is on trial."

## NEW YORK TIMES ARTICLE STATES NEED FOR GI BILL

Mr. YARBOROUGH. Mr. President, Mr. John C. Esty, Jr., writing in the New York Times magazine of October 20, has presented us with an excellent discussion of the inequities of our present Selective Service System in an article entitled: "The Draft: Many Threatened, Few Chosen."

Although I urge the Senators to read this excellent article in its entirety, I would like to quote a brief section in which Mr. Esty characterizes the position in which the young man of draft age finds himself.

> Even though many of his peers actually have served in the Armed Forces (by earlier enlistment), the average draft-eligible 23-year-old sees only a majority of his friends getting deferred because of a personal situation which differs only slightly from his own. One friend happens to have found a girl who will marry him. Another has enough money to go to graduate school. Another happens to incline to medicine or the ministry. The inevitable result is that he wonders why he should be the one to get hooked. I am afraid that a young man today, instead of feeling guilty about not serving, feels somewhat inept if he can't work out a way to avoid the draft.

Mr. Esty does make one error in stating that the cold war GI bill never seems to be reported out of committee. In order to set the record straight, I would like to note that the cold war GI bill has been favorably reported out of the Committee on Labor and Public Welfare in 1959, 1961, and 1963. In 1959 the cold war GI bill was passed by the Senate; and during this session of Congress, S. 5 has been on the Senate Calendar since July 2.

Mr. Esty, however, is absolutely correct in stating that the passage of the cold war GI bill would be an excellent method to at least reduce the inequities suffered by those who actually serve in the Armed Forces while their contemporaries continue their civilian educations and occupations.

Mr. President, I ask unanimous consent that the article written by Mr. John C. Esty, Jr., entitled "The Draft: Many Threatened, Few Chosen" be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

### The Draft: Many Threatened, Few Chosen—Our Selective Service System Is So Selective, Says a Critic, That Only a Minority Actually Serves, and It Is Time We Did Something About Its Many Inequities

(By John C. Esty, Jr.)

(Note.—John C. Esty, Jr., headmaster of Taft School, was for 10 years associate dean at Amherst, where he developed a special interest in the draft while counseling students about it. He served in the Air Force, 1951–53.)

When President Kennedy exempted married men from the draft a few weeks ago, it was evident from the news stories that many reporters and readers did not fully comprehend what was going on. Yet the reaction to the President's announcement was typical of the shallow understanding which has characterized most reports about the draft for the past 12 years. It is unfortunate that a national policy that affects so many lives does not yield more readily to simple exposition.

In this instance, it was announced that the manpower pool now contained 1.7 million eligible men available for military service. Since draft quotas for the coming year are expected to average about 7,000 per month, there was obviously a vast oversupply for a limited demand. The solution seemed reasonable enough: defer the category with the greatest claim to an uninterrupted life. Thus, married men, who comprised 3 out of every 10 draftees, and 340,000 of the 1.7 million men on the waiting list, are free.

These were the facts, and the only real news interest seemed to be the possibility of a rash of precipitant marriages. A few polls were taken, a few interviews were sought, and everyone seemed to agree that 2 years in the Army was better than a lifetime of K.P. with a wife you didn't love.

This kind of oversimplification obscures the fact that the Executive order is just the latest in a series of jerry-built measures designed to remove some of the inequities, some of the inadequacies, some of the strains and some of the ridiculous internal inconsistencies in our present manpower procurement system. There are alternatives to the Selective Service System, but we seem too attached to this faithful old machine—held together with baling wire—to consider seriously some other way to man our cold-war garrison.

In order to understand the present weakness of the draft mechanism and consider new solutions intelligently, it is necessary first to understand how the system works and what its impact is on individual young men.

By act of Congress, every American male is required to register with his local draft board on his 18th birthday or within 5 days afterward. If he is away from home, he may register with any convenient board, which will then forward his papers to the home board. Usually within a year, he receives a classification questionnaire, from which his board learns of his occupational status and his immediate plans. At this point most young men are classified 1A—meaning available for service—unless they are clearly deferable by virtue of the fact that they are engaged in essential industry or farming, are ministers (or studying to become same), are in medical school or, in some cases, in other schools or colleges. One's classification doesn't matter, anyway, until he approaches his 23d birthday, at which time his status is examined again to see if he is deferable. If he is not, he is ordered for preinduction physical and mental tests. If he passes these, he is inducted into the Army in about a month.

There is a priority of draftable categories established by Executive order. Local draft boards have been required to exhaust all men in each of the following categories before moving to the next:

1. Recalcitrants and draft dodgers.
2. Volunteers—in the order in which they volunteered.
3. Nonfathers between 19 and 26—oldest first.
4. Fathers between 19 and 26—oldest first.
5. Men over 26, whose liability has been extended because of previous deferment.
6. Finally, those between 18½ and 19.

Currently, half the draft quotas are filled by volunteers (the period of service is the same) and the remainder has come from nonfathers from age 26 down to age 23. When draft quotas were sharply increased during the Berlin crisis of 1961, the additional men came from category 3 down to age 22½. The new Executive order splits up category 3 and promotes bachelors ahead of married men. Since there will now be fewer men (just bachelors) in the third category, the age of vulnerability, 23, will certainly drop—perhaps to 22½.

The priority chart shows some of the ways to avoid being drafted: marry or turn 26 or don't turn 19. It doesn't show the possibilities of deferment for other reasons, and it doesn't indicate how many men are involved in each group. To get this information we must take a different approach and examine what will happen this year to the men who will turn 23. The following figures are only approximate, but they do indicate the order of magnitude. The projection is based on the situation existing before the new order deferring married men: 1,300,000 men will reach age 23; 650,000 of these will not qualify on physical and mental grounds; 400,000 will have served or be serving in the Armed Forces by virtue of a previous enlistment; 130,000 will be deferred as students, teachers, or for other reasons; 80,000 will be drafted; 40,000 will be in uncertain status.

About 3 in 10 draftees recently have been married, so the new order will defer about 24,000 of the 80,000 men who would have been drafted. There will probably not be enough qualified bachelors among the 40,000 23-year-olds in the "uncertain" category to make up the difference; hence the need to move to a younger age level. A projection similar to the one above, for the age group from 22½ to 23 suggests that this age group will produce at least 60,000 qualified bachelors. With less than half that number actually needed, we can predict that the new age of vulnerability will probably be around 22 years and 10 months. The only clarity that really emerges from these figures is that every physically and mentally qualified bachelor who reaches his 23d birthday will be drafted, unless he has reason to be deferred.

The reader who has had the patience to study these figures (and part of the problem is that very few do) will begin to see why many are threatened but few are called. Of the 1,300,000 men who will turn 23 this year, only half will qualify for the draft and a quarter of these will not have to serve. By the time this age group reaches 26, only about 40 percent will have served in the Armed Forces. But the major implication of the figures is that only 80,000 men out of a potential of 1,300,000 (less than 10 percent) will actually be drafted.

The new Executive order will not alter this incredibly low ratio; it will serve mainly to remove uncertainty from the lives of the married men. To make matters worse, the number of men who turn 23 each year is dramatically increasing, so that if draft quotas remain about the same, the ratio may drop well below 1 in 10. The inequity is obvious.

Even though many of his peers actually have served in the Armed Forces (by earlier enlistment), the average draft-eligible 23-year-old sees only a majority of his friends getting deferred because of a personal situation which differs only slightly from his own. One friend happens to have found a girl who will marry him. Another has enough money to go to graduate school. Another happens to incline to medicine or the ministry. The inevitable result is that he wonders why he should be the one to get "hooked." I am afraid that a young man today, instead of feeling guilty about not serving, feels somewhat inept if he can't work out a way to avoid the draft.

This observation is corroborated in the report of a 10-year study by the Conservation of Human Resources project at Columbia University. According to the director, Eli Ginzberg, "Most young Americans grow up without the understanding of military obligation, with the consequence that if and when they are called to duty they view it as an imposition, an annoyance, or a stroke of bad luck that they should get caught while so many others escaped." Professor Ginzberg concludes that the present attitudes of American youth toward military service are an "invitation to national disaster."

Moral erosion and confusion in one's sense of duty are not the only negative effects of our highly Selective Service System. As more and more deferment categories are set up to drain off the manpower pool, more and more youthful decisions are influenced by the chance to escape the draft. After 10 years of counseling college students on military service, I have seen this effect firsthand.

A student chooses his major field because it leads to a job in an essential industry. A senior plans to keep his student deferment by continuing on to graduate school, even though it makes no sense educationally. A career field is chosen arbitrarily just because it will mean an automatic deferment. Some students are paralyzed for effective planning of their lives because they can't figure out where the draft fits in.

And now, I suppose, the order deferring married men can't help but affect the thinking and planning of a great many young couples. It strikes me as ironic that with all the current concern over Federal control of education and interstate eating places, Selective Service may well exert a far more invidious and subtle form of control than we have ever suspected.

It has been necessary to renew the current Selective Service legislation every 4 years since 1951, but congressional debate has typically been desultory. The act has passed each time by overwhelming majorities mostly because of powerful bipartisan support from the House and Senate Armed Forces Committees.

With the responsibility of raising an army for the cold war, these men have not been willing to take the risk of trying new approaches to manpower procurement, and they cannot admit that the situation may now be too complex for old answers. The principle of present needs has always overwhelmed the principles of constitutionality, universality, and equity. Unfortunately, the principles back of our military conscription have not been fully explored since the 1951 hearings.

Confusion over principle is obvious from the fact that the Selective Service System is used to implement the Universal Military Service and Training Act of 1951. Present practice makes a mockery of the original intent that every able-bodied young man serve his country. Our current difficulties arise from the strain of maintaining a semblance of universality while armed service needs dictate greater and greater selectivity. The time has probably come when we can no longer reconcile these opposites and must choose between them. At this point new possibilities and proposals emerge rapidly.

If we determine—as a matter of principle—that every young man is needed in the service of his country, then we need only to expand our concept of national service to achieve universality and fairness. Clearly only a few will serve by carrying a gun. Some sort of Civilian Conservation Corps could be created with a therapeutic division for erstwhile 4-F's. The Army's famous literacy courses could be invoked for the illiterates. The Peace Corps—both domestic and international—could count for national service, as could work in hospitals or social agencies. Perhaps, too, public school teaching for 3 years might be equivalent to Army service for 2.

Surprisingly enough, this scheme is only the logical extension of what is going on now with all the kinds of deferments granted by local draft boards. It would require only a slightly broader vision of how a young man might serve his country.

On the other hand, it might be more feasible to develop a completely voluntary military establishment and forget about compulsory service altogether. Here again we are not so far from this extreme as one might think.

The annual replacement need for our present establishment of 2.7 million men is about 600,000. The Army could well get along without its 80,000 draftees, who aren't around long enough to train for any significant jobs and whose reenlistment rate is less than 15 percent, compared with an overall rate of 54 percent. The draft mainly exists to pressure those other half-million men into enlisting, but no one is exactly sure how many would fail to enlist if there were no draft.

We have a new military service pay bill, and jobs are scarce in many sections of the country. Constant efforts to make service life attractive and professionally rewarding have steadily pushed up the reenlistment rate. Just a few more moves in this direction might well enable the Armed Forces to compete with the civilian economy for their manpower.

If we must continue with our present system, there are still a number of devices which would help to reduce the uncertainties and redress the inequities.

Mental and physical tests could be given at the time of initial registration so that the half of each age group who are destined to be disqualified would not have to wait 5 years to find out. The GI bill (which is constantly before some committee, but never seems to be reported out) could be reinstated as partial compensation to the few who get called. Since the Armed Forces would much rather conscript men under 22, the age of freedom might be lowered from 26 to 22. This would mean that many more men would escape the draft, but they are now, anyway—except that now they don't know it until they are 26.

None of these proposals makes any sense if one views the draft as operating satisfactorily, or as the best answer we have to the manpower problem. But no one who has listened to the young men whose lives are involved can accept those premises. Even if the present inequities and inadequacies are accepted as sacrifices to expediency, it must be understood that they can only worsen in the future. As the Selective Service System strains and creaks under its impossible task, it must be understood that each stopgap measure to keep it working has sociological and psychological implications far beyond the immediate problem.

In 1959, an amendment to the draft act was offered, which would have extended the law for only 2 years. A Presidential commission was to conduct a full-scale study of all aspects of manpower procurement and report back within that time. The amendment was defeated because there wasn't time to ask such fundamental questions.

Now we have 3½ years before the present act expires. A Presidential commission could be appointed now to reestablish the principles on which we base our military manpower procurement. It could explore the wider effects of our present system, and develop new concepts and alternatives more suitable to our changing needs. Then Congress would be in a better position to produce legislation sufficiently free from ambiguity and inequity to rekindle a concern for national service. Perhaps then it would not be considered slightly odd for a young man to ask what he can do for his country.

## SALUTE TO THE UNITED NATIONS

**Mr. McGEE.** Mr. President, today marks the birthday of the United Nations. Many changes have occurred since this international body came into existence on October 24, 1945. The fact that we have come these 18 years through international tribulations that in previous eras have inevitably led to large-scale conflicts with the world still reasonably intact is due in large measure to the work of the United Nations.

As in all human endeavor the United Nations is not perfect, but in those fields where it can logically work it has done a solid job and achieved substantial results. In the everyday working of our diplomacy it provides an extremely useful forum for the interchange of ideas and understanding so necessary to successful negotiation.

Mr. President, I would like to salute the United Nations for a job well done and wish it continued success in the future. It has demonstrated that cooperation between nations is feasible and that the resort to arms is not inevitable.

The New York Times of today carried an editorial which outlines the hope for the future of the United Nations and the need for our continued support of that organization. Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### THE U.N. AT 18

As the United Nations marks its 18th birthday, the agenda before the General Assembly is long on problems; difficulties of administration and representation appear frozen, and there is no want of crises either in the headquarters building or in many parts of the world that have become the U.N.'s province.

Why, then, can the chief U.S. spokesman at the U.N., Ambassador Stevenson, say that this birthday is the brightest in the history of the organization? Principally for the very reason that the U.N. is so heavily burdened. It has become the place for nations to turn to: for new nations to be heard and old ones to use more frequently as a forum for diplomacy. "Faith in the world alliance for peace" is rising, Mr. Stevenson said. The detractors who contend that the United Nations jeopardizes the sovereignty of the United States no longer find an important audience in Congress or across the country.

When the U.N. came into existence on October 24, 1945, the roster of its members was less than half of that today. Effective representation is vital if the world organization is to function skillfully as a peacekeeping agency. Certainly the permanent membership of the Security Council, born out of the Second World War, can be broadened; the nonpermanent membership could also be expanded more nearly to recognize emerging continents and new alinements.

The very peacekeping operations that give the U.N. its teeth are at the same time the main reason for its financial crisis. Payments for one of both of the U.N. special forces standing guard in the Middle East and the Congo have been refused by the Soviet Union, France and other states. Unless they meet their obligations the U.N. will have to limit its peacekeeping activities to nonfighting operations, and its effectiveness as a force for peace will be severely limited if not destroyed.

## CORDOVA, ALASKA, CHAMBER OF COMMERCE ENDORSES ABSTENTION PRINCIPLE IN FISHERIES

**Mr. GRUENING.** Mr. President, inasmuch as the fishery problems of the North Pacific remain unsolved and are to be considered at a later date, it is pertinent to comment on the September 10, 1963, resolution passed by the Cordova, Alaska, Chamber of Commerce.

The resolution deals specifically with the abstention principle which gives to a nation exclusive right to a fishery if that nation "has subjected one of its own coastal fisheries to investigation and regulation for the purpose of conserving the fisheries and is making as full use of it as should be made." Such exclusive rights would extend as far the resource itself.

Thus, reads the resolution of the Cordova Chamber of Commerce:

*Be it resolved by the Cordova Chamber of Commerce of Cordova, Alaska,* That it urges representatives of the United States, Canada, and Japan to renew the abstention principle at their meeting in Tokyo on September 16, 1963.

Copies of this resolution were made available to Ambassador Benjamin Smith II, head of the U.S. delegation, as well as to members of the Alaska congressional delegation. My able colleague, Senator E. L. "BOB" BARTLETT, a man most knowledgeable in fishery matters, was a member of the U.S. delegation.

Now that the Senate has given its approval to S. 1988 which would make possible the enforcement of our 3-mile fishing limit, it is imperative that we take the second important step in this area which would be to extend the fisheries limit to 12 miles if and when a Governor of a State makes such a request.

My bill, S. 1816, would make this possible. The chairman of the Senate Commerce Committee, my able colleague and friend, WARREN MAGNUSON, has advised me that his committee is "very conscious of the importance of the 12-mile fishing zone." I believe it is high time Congress took action.

I ask unanimous consent that the full text of the Cordova abstention resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

### RESOLUTION OF THE CORDOVA CHAMBER OF COMMERCE, CORDOVA, ALASKA

Whereas the welfare of the Alaska salmon industry is of prime importance to the economy of Cordova; and

Whereas the welfare of this industry is seriously endangered if the abstention policy formulated by the United States, Canada, and Japan 10 years ago is rescinded; and

Whereas the abstention principle is based on the Truman proclamation establishing that any nation that has subjected one of its own coastal fisheries to investigation and regulation for the purpose of conserving the fishery and is making as full use of it as should be made, has an exclusive right to that fishery as far off shore as it extends; and

Whereas American salmon fishermen, the industry and government have abided by the terms of both the Truman proclamation and the subsequent abstention principle; and

Whereas both United States and Canadian fishermen are prohibited from net fishing for salmon beyond the 3 mile limit on the high seas in the interest of conservation and proper management of the salmon fisheries: Therefore be it

*Resolved by the Cordova Chamber of Commerce of Cordova, Alaska,* That it urges representatives of the United States, Canada, and Japan to renew the abstention principle at their meeting in Tokyo on September 16, 1963.

Adopted this 10th day of September 1963.

FRANK BURNS,
*President.*
BART HALL,
*Secretary.*

## CHILEAN CULTURE

**Mr. HUMPHREY.** Mr. President, I would like to commend the Republic of Chile and the Honorable Ambassador of Chile, Sergio Gutierrez-Olivos, for their excellent cultural program which has been presented during the month of October, entitled "Image of Chile." President Kennedy stated in a speech on the Alliance for Progress on March 13, 1963:

> We invite our friends in Latin America to contribute to the enrichment of life and culture in the United States. We need teachers of your literature and history and tradition, opportunities for our young people to study in your universities, access to your music, your art, and the thoughts of your great philosophers. For we know we have much to learn.

The Chileans have responded magnificently to this invitation.

The inaugural program of the "Image of Chile" on September 22 in the West Auditorium of the State Department gave us an example of what we have been missing. The Ancient Music Group of the Catholic University of Chile, played, besides familiar works of the 16th and 17th centuries, indigenous music of the same period. To quote Irving Lowens in the Evening Star, September 25, 1963:

> The Chileans made their strongest impression—in the alternately simple and exotic music of their own country.

Of the director, Sylvia Soublette:

> Miss Soublette was trying to show that Chileans know the wonderful and too long neglected heritage of mediaeval and renaissance music. Chile not only shares this heritage but has an ancient music of its own worth hearing.

Since the inaugural concert, we have been treated to "An Evening With Claudio Arrau," in which the distinguished pianist presented an all-Beethoven program at the State Department under the sponsorship of Mrs. John F. Kennedy and the members of the President's Cabinet.

The "Image of Chile" program has included a photographic exhibit; a panel discussion of Latin American poetry, literature, folklore, and theater; a piano recital by the talented and beautiful pianist Ena Bronstein; and a folklore program of traditional Chilean music and dancing. It includes an exhibit of Chilean art which will be shown in Washington in November and then appear in other cities in the United States later this year. I am both pleased and honored that the art exhibit will come to the Walker Art Institute in Minneapolis in December of this year.

"The Image of Chile" program offers us an opportunity to learn about and appreciate the rich cultural tradition of Chile. It brings to our attention a phase of Latin American life about which we seldom hear—the rich artistic, literary, and musical traditions of a cultured and sophisticated people.

"The Image of Chile" program has been brought to the American public through the efforts of the Chilean Ambassador and his staff, with the financial support of Chilean citizens and business firms, and U.S. businesses located in Chile. It is a superb example of the type of cultural exchange program that can be accomplished through both public and private support.

I hope it is the first of many to be presented by our Latin American neighbors and I also hope that the United States will be prepared to send to Latin America programs similar to the superb "Image of Chile" festival which we have engaged this month.

I ask unanimous consent that selected portions of the brochure "Image of Chile" be inserted into the RECORD at this point.

There being no objection, the selected portions of the brochure were ordered to be printed in the RECORD, as follows:

### IMAGE OF CHILE

Chile, fértil provincia y señalada
En la región Antártica famosa,
De remotas naciones respetada
Por fuerte, principal, y poderosa;
La gente que produce es tan granada,
Tan soberbia, gallarda y belicosa
Que no ha sido por rey jamás regida,
Ni a extranjero dominio sometida.

—Alonso de Ercilla y Zúñiga, LA ARAUCANA, 1569.

Chile, fertile province, famous
In the vast Antarctic region,
Known to far-flung mighty nations
For her queenly grace and courage,
Has produced a race so noble,
Dauntless, bellicose and haughty,
That by king it ne'er was humbled
Nor to foreign sway submitted.

—From the translation of C. M. Lancaster and P. T. Manchester.

We invite our friends in Latin America to contribute to the enrichment of life and culture in the United States. We need teachers of your literature and history and tradition, opportunities for our young people to study in your universities, access to your music, your art, and the thought of your great philosophers. For we know we have much to learn.

In this way you can help to bring a fuller spiritual and intellectual life to the people of the United States, and contribute to understanding and mutual respect among the nations of the hemisphere.—President John F. Kennedy, on the Alliance for Progress, March 13, 1961.

We willingly take up President Kennedy's friendly invitation and challenge, for it affords us a unique opportunity to fulfill several desirable objectives. It permits us to portray, even in fragmentary form, the cultural heritage of a distant land still too little known and understood in this great sister Republic. It encourages us to pioneer an effort which we are sure will be emulated by other nations of Latin America, each with an eloquent and important expression of our common spiritual legacy.

Finally, it permits us to reciprocate in some small measure the wealth of knowledge and ideas that flows from the United States to the rest of the world, and give form to the esteem and affection in which we hold this Nation and its people.

I know I will be pardoned if I here voice my appreciation of the devotion, effort, and ideas which my small group of colleagues at the Embassy of Chile has brought to the organization of this program.

We at the Embassy of Chile have not been alone in this venture, and elsewhere in this brochure I have attempted to acknowledge our great indebtedness to the various organizations, enterprises, and individuals who gave so generously of their support and collaboration.—Sergio Gutiérrez-Olivos, Ambassador of Chile.

### IMAGE OF CHILE INAUGURAL

Sunday, September 22, 8:30 p.m., Department of State, West Auditorium (black tie). Invitations to be distributed.

The underlying philosophy of "Image of Chile" will be the theme of the inaugural program of the series, sponsored by the members of the President's Cabinet. Secretary of State Dean Rusk will open the program with a brief introduction, and will be followed by Leonard Bernstein, distinguished conductor, pianist, and composer, and Ambassador Sergio Gutiérrez-Olivos, of Chile.

The Ancient Music Group of the Catholic University of Chile will present a concert of old European and 18th century Chilean and Mexican music on early instruments. The program will close with a recital of Chilean poetry by Felicia Montealegre, equally celebrated as a Chilean artist and as Mr. Bernstein's wife.

### PHOTOGRAPHIC EXHIBIT

September 22–October 24, 9 a.m. to 5 p.m. daily, Department of State, West Foyer. Public invited.

The exhibit will include works of representative Chilean photographers which present an image of the land, the people, and the life of Chile.

### RECITALS OF ANCIENT MUSIC

Tuesday, September 24, 8:30 p.m., Washington Cathedral, Wisconsin and Massachusetts Avenues NW. Public invited.

The Ancient Music Group of the Catholic University of Chile will present a concert of old European and 18th century Chilean music on early instruments. The concert is sponsored by the Washington Choral Society.

Saturday, September 28, 2:30 p.m., National Gallery of Art, East Garden Court. Invitations to be distributed.

This concert will be sponsored by the members of the President's Cabinet and preceded by a brief introduction by Secretary of the Interior Stewart L. Udall.

### IMAGE OF THE POETRY

Friday, September 27, 8:30 p.m., Georgetown University, Copley Lounge, 36th and O Streets NW. Public invited.

A selected group of panelists will discuss Latin American poetry, with special emphasis on Chilean poetry. The program is sponsored by the Latin American Forum of Georgetown University.

The Embassy of Chile has invited Richard Eberhart, Frank B. Gibney, Langston Hughes, Randall Jarrell, James Laughlin, Muna Lee, Robert Lowell, Archibald McLeish, and Howard Moss to participate in the discussion. Fernando Alegría, noted Chilean writer now teaching at the University of California, will act as moderator.

### AN EVENING WITH CLAUDIO ARRAU

Monday, September 30, 8:30 p.m., Department of State, West Auditorium. By invitation of Mrs. John F. Kennedy and the members of the President's Cabinet.

Under the sponsorship of Mrs. John F. Kennedy and the members of the President's Cabinet, Claudio Arrau will give an all-Beethoven recital. Vice President LYNDON B. JOHNSON will open the program with brief introductory remarks.

Mr. Arrau, a native of Chile, is held to be one of the world's great pianists and has been acclaimed as the foremost living interpreter of Beethoven.

His program will consist of five sonatas: Opus 27, No. 1; Opus 27, No. 2 (Moonlight Sonata); Opus 111; Opus 81a (Les Adieux), and Opus 57 (Appassionata).

### RECITALS FROM MARIO MIRANDA

Tuesday, October 8, 8:30 p.m., Pan American Union. Public invited.

Mario Miranda, a disciple of Claudio Arrau, has met with warm acclaim from critics in Europe and America. He was awarded first prize at the Munich International Piano Competition in 1953, and played the world premiere of Gustavo Becerra's Piano Concerto at the Second Inter-American Music Festival.

Mr. Miranda will be supported by the Claremont String Quartet at this concert, which is sponsored by the Pan American Union. His program will include works of Chilean composers Gustavo Becerra, Eduardo Maturana, and Juan Orrego Salas.

Wednesday, October 23, 8:30 p.m., Carnegie Hall, New York. Box-office admission.

Mr. Miranda will play works of Padre Antonio Soler, Beethoven, Chopin, Schönberg, and Debussy at this concert.

### IMAGE OF THE NOVEL

Thursday, October 10, 8:30 p.m., Catholic University. Public invited.

This program presents a panel discussion of Latin American fiction, with particular emphasis on Chilean writers and the interaction of United States and Latin American fiction. The program is sponsored by the Catholic University of America.

The Embassy of Chile has invited Francisco Aguilera, Francisco Ayala, James Baldwin, Maria Luisa Bombal, Vance Bourjaily, Truman Capote, Alfred Knopf, Norman Mailer, Norman Podhoretz, Richard Rovere, Arthur Schlesinger, Jr., John Steinbeck, William Styron, and Thornton Wilder to participate in this discussion.

Prof. Arturo Torres-Rioseco, Chilean writer who for many years has headed the Spanish and Portuguese Department of the University of California, will moderate the discussion.

### IMAGE OF THE FOLKLORE

Sunday, October 13, 8:30 p.m., George Washington University, Lisner Auditorium, 21st and H Streets NW. Public invited.

A program of the traditional songs, dances, and music of Chile will be presented by a Chilean folklore group under the direction of Eugenio Dittborn, director of the Experimental Theater of the Catholic University of Chile. The program is sponsored by the George Washington University and the Institute of Contemporary Arts.

Thursday, October 17, 8:30 p.m., Pan American Union (black tie). Invitations to be distributed.

This program, sponsored by the Pan American Union, will draw from the varied repertory of Eugenio Dittborn's Chilean folklore group.

### RECITAL BY ALFONSO MONTECINO

Monday, October 14, 8:30 p.m., Howard University, Crampton Auditorium. Public invited.

Under the sponsorship of Howard University, Alfonso Montecino will give a piano recital of works of Chilean composers and Beethoven's Diabelli Variations.

Montecino, a disciple of Claudio Arrau, is one of Chile's most gifted young pianists. His recital in Washington last year was described as "superb" by Paul Hume, music critics of the Washington Post.

### RECITAL BY ENA BRONSTEIN

Friday, October 18, 8:30 p.m., Pan American Union. Public invited.

Miss Bronstein will give a piano recital of works of Chilean composers and of Brahms, Debussy and Liszt, under the sponsorship of the Pan American Union.

She has been studying with Claudio Arrau and Rafael de Silva for the past 4 years in New York under a grant from the Organization of American States. At 21, she is considered one of Chile's most promising pianists.

### IMAGE OF THE THEATER

Monday, October 21, 8:30 p.m., Washington Theater Club, 1632 O Street NW. Public invited.

This program will consist of a roundtable discussion of the Latin American theater, with special emphasis on the Chilean theater and the mutual influence of the United States and Latin American theatrical movements. The program is sponsored by the Washington Theater Club.

The Embassy of Chile has invited Edward Albee, Harold Clurman, José Ferrer, Tyrone Guthrie, John P. Harrison, Elia Kazan, David Merrick, Allan Pryce-Jones, José Quintero, Howard Taubman, Gore Vidal, Anthony West, and Tennessee Williams to take part in this discussion. Luis A. Heiremans, well-known Chilean dramatist, will act as moderator.

### RECITAL BY EDGAR FISCHER

Monday, October 21, 8:30 p.m., Pan American Union. Public invited.

Edgar Fischer has studied under Leonard Rose, first cellist of the New York Philharmonic, for the past 2 years and this season is joining the National Symphony Orchestra. He is one of the best exponents of Chile's new generation of talented young musicians.

### IMAGE OF THE MUSIC

Thursday, October 24, 8:30 p.m., American University, Glover Auditorium. Public invited.

This roundtable discussion of contemporary Latin American music in general, and Chilean music in particular, is sponsored by the Music Department of American University. It will also deal with the influence exerted on one another by the music of the United States and of Latin America.

The Embassy of Chile has extended invitations to participate in this discussion to Jeanne Behrend, pianist and composer; Vannette Lawler, executive secretary, National Conference of Music Educators; Robert Whitney, music director of the Louisville Philharmonic Orchestra; David van Vactor, composer and conductor of the Knoxville Symphony Orchestra; Lloyd Ultan, chairman of the Music Department of American University, and Guillermo Espinosa, Colombian conductor and director of the Music Division of the Pan American Union.

Juan Orrego Salas, noted Chilean composer, critic and teacher, presently professor of Latin American music at Indiana University, will act as moderator.

### ART EXHIBIT

November 2–23 inclusive, Howard University Gallery. Public invited.

Some 50 representative examples of contemporary Chilean painting, selected from collections of the New York Museum of Modern Art and the Museum of Contemporary Art of Santiago, will be exhibited under the joint sponsorship of Howard University and the Inter-American Committee.

The exhibit was prepared by Nemesio Antúnez, director of the Museum of Contemporary Art and a well-known painter in his own right. It will be formally opened by Dr. Rafael Squirru, director of the Department of Cultural Affairs of the Organization of American States.

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## FACING UP TO THE U.N.

**Mr. HUMPHREY.** Mr. President, today is United Nations Day—the day 18 years ago when 29 nations, by their ratification, brought the U.N. Charter into effect. Since then, we have had 18 years to observe the U.N. in action, years in which we should have been able to learn something about the organization and our participation in it. It is high time that we recognize the U.N. for what it actually is, not what we think it should be, or what extremists of both hues tell us it is.

Mr. President, I am convinced that the U.N. is an essential instrument for the conduct of our foreign policy. In the modern world, with ever increasing interdependence, our foreign policy demands a three-dimensional approach. We have long accepted the necessity of bilateral diplomacy, of nation-to-nation contacts. Somewhat later, we became convinced of the value of regional organizations for the common welfare and defense. Still more recently, we endorsed the desirability of a multinational arrangement. Each approach has its own special kind of utility. Today I would like to recount some of our recent accomplishments in the multilateral sphere through the U.N.

Ringing still in our ears is the clamor generated by the Cuban crisis. As you know, at one time or another, we brought bilateral, regional and multilateral pressures to bear to resolve this problem. No one denies that, in the longrun, our willingness to use force was the most compelling argument in obtaining the removal of Soviet missiles from Cuba. However, it is equally true that the regional solidarity in the Organization of American States and the international attention focused on Soviet activities in Cuba through the United Nations, contributed to this objective.

In the United Nations, we were able to present our evidence directly to the representatives of 109 nations, a job which otherwise we should have had to do in 109 separate capitals. We thus focused immediate world attention on the crisis and where the responsibility for it lay. Moreover, we were able, through the U.N. Secretary General, to work out some arrangement for cooling off the crisis and avoiding an armed clash. The Soviet Union found itself isolated and alone in the face of universal condemnation.

Lester Pearson put it well:

> When you have a good case with strength to back it, stand firm: without provocation or panic. When action in defense of that case has to be taken quickly and by yourself, bring that action before the United Nations at once—as the United States did on this occasion.
>
> The United Nations once again became the indispensable agency through which the parties could find a way out of a crisis without war. I know the United Nations couldn't force a solution on a great power which doesn't want it, but you can't exaggerate its importance as a means for finding and supervising a solution.

That, I think, just about sums it up.

A second example can be seen in the Congo. The Communists were seeking a foothold in central Africa, and this foothold has been denied to them, largely through United Nations intervention. The alternative would have been a direct confrontation between United States and Soviet power—the use of American troops. In this case, there was no regional organization that we could call upon, no regional resources equal to the task.

Now for 3 years, the United Nations has protected the Congo from internal chaos, reconquest, the Communist subversion. Both cold war and hot war were averted. The country is well on its way to viable, non-Communist independence. The civilian economy is being helped on its feet so that the anarchic conditions which led to and abetted the original Congo crisis are ended.

Mr. President, I have been talking about peacekeeping, the U.N. activity which comes most frequently to public attention. But frequently obscured by the publicity on military operations is the fact that 17 out of 20 United Nations employees are working on peaceful pursuits—the long, tedious tasks of bettering life on this planet. Wars and threats to the peace are caused less by frictions than by frustrations—frustrations from hunger, pestilence, poverty, ignorance, and denials of human rights. More than three-fourths of every U.N. dollar goes to support the international programs arrayed against the age-old scourges of mankind. Thus, the United Nations is working constantly to alleviate the frustrations which make for unrest and, eventually, for dangerous breaches of the peace.

Last month I pointed out five areas in which attention can be focused on East-West problems through the U.N.

First. The area of financial support for the United Nations and its peacekeeping functions.

Second. The field of outer space.

Third. The field of lunar exploration.

Fourth. The field of educational, cultural, scientific, and economic exchange.

Fifth. The field of East-West trade.

Mr. President, the U.N. has proven to be an effective instrument for achieving U.S. foreign policy objectives, as well as for promoting international harmony. But since the United Nations is a political body, we should not be surprised that delegates there sometimes say things that we do not and cannot accept, that they often speak with one eye on the international scene and the other on their constituents at home. And we should not be surprised if things do not go well for us 100 percent of the time.

The fact is that our batting average at the United Nations is close to .900, laudable in any league. And the fact is that no major Soviet proposal opposed by us has ever been approved by the United Nations. This is a record of which we can be proud and one which stands as telling testimony of the value of the United Nations as a means of furthering our foreign policy objectives.

Mr. President, the United Nations is here to stay. It has a record of proven performance that merits our wholehearted support.

Our distinguished ambassador to the U.N., Mr. Adali Stevenson, has reviewed the record of the U.N. with his customary eloquence:

> Now our hopes are firmer and more confident. When we look back it is to 18 years of tumult and danger in the world, sobered and moderated in the United Nations. We know now from experience that we are building an effective organization which can deal with crisis—because it has done so time and again.
>
> No one claims we have yet developed a perfect instrument, but few urge us to stop trying. We all profoundly regret that every disturbance to the peace has not been controlled without loss of life, yet we must give thanks that many more lives have been saved because the United Nations has kept the disturbances within limits in this time of trouble, tension, and revolution all over the world.
>
> President Kennedy asks, "Is not peace, in the last analysis, a matter of human rights?" The United Nations answers yes, but its huge economic and social effort to safeguard the dignity and improve the welfare of individuals. Let us pray for the day when the use of force will be so unthinkable that the protection of liberty and the eradication of hunger and disease will absorb all the efforts of the United Nations.

## PROGRESS AT FORT PECK INDIAN RESERVATION, MONT.

Mr. **METCALF**. Mr. President, the September 1963 issue of Eyapi Oaye, the monthly newsletter of the Fort Peck Tribal Executive Board, sums up the progress being made on that Montana reservation through various federally financed programs such as area redevelopment, accelerated public works, public housing and Department of Interior resource development. The following summary appears in the "Superintendent's Comments":

> There is a great deal of activity going on at the Fort Peck Agency now and in a few months there will be even more.
>
> Roads: The Poplar west road has been graded into a fine road. A new road has been made to the Wiota pump and canal which leads from the Missouri River.
>
> Irrigation: New pump plant and canals at the west end of the reservation are under construction. The work will continue for quite a while.
>
> Employees' quarters: Four new houses are being constructed. Two of these are already occupied.
>
> Accelerated public works: Very soon an APW program will be in operation. Picnic and camping improvements and fire lane construction will be completed in Poplar, Frazer, and Wolf Point communities.
>
> Jail and court chambers: The new jail will be constructed, beginning this winter, just east of the community hospital.
>
> Tribal administration building and community center: The new administration building will be located just southeast of the present tribal building.
>
> Public housing: All of you have watched this project grow. Completion is expected next spring.
>
> Each of these developments make our community a better place in which to live. The total cost will be close to $1.5 million. The tribes are contributing about $90,000 of this amount. Most importantly, over 175 people who had no job a year ago will be working.

I know there are many local people who deserve credit for the development underway in this northeastern Montana community. They include Superintendent Stanley D. Lyman and his staff, the Fort Peck Tribal Executive Board, led by President William Youpee and the Roosevelt County Planning and Improvement Council.

As I pointed out previously on the floor of the Senate, these local leaders view the Federal Government as a partner, whose programs should be used selectively and fitted to local needs, rather than as a villain to be denounced.

Montana has its share of those who denounce the accelerated public works program, public housing and resource development which are providing a better life and 175 new jobs for the people of the Fort Peck Reservation area. But, I am proud to say, we also have these local leaders who make the programs work and make them meaningful. I salute them.

## UNITED NATIONS DAY

Mr. **WILLIAMS** of New Jersey. Mr. President, today is the 18th anniversary of the United Nations. There were some who, discouraged by the failure of the League of Nations, thought the United Nations would never last so long. There were others who, caught up in the postwar enthusiasm for the creation of international institutions, conceived of the United Nations as the panacea for all of man's ills. They expected the international organization to become a world government overnight; they perhaps believed it would be able to resolve all disputes, including conflicts between the great powers.

The United Nations has neither been a failure nor has it been a cure-all. In important instances of aggression it has failed to act: Hungary and Goa need only be mentioned. But in other circumstances it has met the challenge and undertaken important mediating and peacekeeping operations: Palestine, Suez, the Congo. It has survived internal crises: Soviet use of the veto and demand for a troika Secretary General; the problem of financing expensive peacekeeping operations; the upsurge in its membership from 51 to 111.

Furthermore, the United Nations has been extensively utilized by its members during the first 18 years of its existence. The requests for technical assistance from the organization have been constantly increasing. By the end of March 1963 the special fund alone, which did not even begin operations until 1959, had received 629 requests for aid. The United Nations has been engaged in a number of colonial issues, and recently the African countries in particular have asked the United Nations with increasing frequency to act on colonial questions. The U.N. has dispatched a total of nine peacekeeping operations, with the consent of the governments concerned, to act as a neutral force in areas where the peace was threatened. The Secretary General has often been asked to mediate in disputes or establish a commission to do so.

The accomplishments of the United Nations in the last year alone are worthy of record. In early 1963 the gradual withdrawal of U.N. troops from the Congo began: The U.N. mission of securing the reintegration of the country had been accomplished. In May Indonesia took over control of west Irian from the United Nations; the United Nations itself, as a result of agreement between the Netherlands and Indonesia reached through U.N. mediation, had undertaken the administration of west Irian for a 6-month period. In June a special session of the General Assembly agreed on the basic principles for financing the United Nations and on a scale of assessments for financing the peacekeeping operations through the last 6 months of 1963, thus ending the acute financial crisis of the organization. Members agreed by an overwhelming majority that it was the collective responsibility of the U.N. membership to finance all activities undertaken by the world organization. More recently, a plebiscite was held under U.N. supervision to determine whether the people of Sarawak and North Borneo wished to join the Malaysia Federation.

At the current assembly session already a resolution has been adopted by acclamation banning nuclear weapons in outer space, another expression of consensus by the nations of the world that outer space should be used for peaceful purposes alone. The Congo operation has been authorized to continue, on a reduced basis, for another 6 months until the Congolese security forces are sufficiently built up.

And so the assembly session will continue.

The United Nations may not be a cure-all, but it has survived and is still thriving after 18 years of trials. The fact that members have placed over 80 items before its 18th session indicates that interest in its continuation as a dynamic force on the world scene is not waning.

The **VICE PRESIDENT**. If there is no further morning business, morning business is closed.

## DIXIE PROJECT, UTAH

The **VICE PRESIDENT**. The unfinished business will be stated.

The LEGISLATIVE CLERK. A bill (S. 26) to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes.

Mr. **METCALF**. Mr. President, I suggest the absence of a quorum.

The **VICE PRESIDENT**. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. **METCALF**. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **VICE PRESIDENT**. Without objection, it is so ordered.

## ORDER OF BUSINESS—RECESS

Mr. **METCALF**. Mr. President, at 2 o'clock a ceremony is scheduled. I ask unanimous consent that the Senate stand in recess subject to the call of the Chair shortly before 2 o'clock.

The **VICE PRESIDENT**. Is there objection?

There being no objection, the Senate, at 12 o'clock and 15 minutes p.m., took a recess, subject to the call of the Chair.

At 1 o'clock and 56 minutes p.m. the Senate reassembled when called to order by Hon. JOHN J. SPARKMAN, a Senator from the State of Alabama.

## DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

> U.S. SENATE,
> PRESIDENT PRO TEMPORE,
> *Washington, D.C., October 24, 1963.*
>
> *To the Senate:*
>
> Being temporarily absent from the Senate, I appoint Hon. JOHN SPARKMAN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.
>
> CARL HAYDEN,
> *President pro tempore.*

Mr. **SPARKMAN** thereupon took the chair as Acting President pro tempore.

Mr. **GORE**. Mr. President, I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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## TRIBUTES TO THE LATE SENATOR ESTES KEFAUVER

The ACTING PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the legislative business of the Senate will be suspended, pursuant to Senate Resolution 216, which the clerk will state.

The Legislative Clerk. A resolution (S. Res. 216) reading as follows:

*Resolved*, That on Thursday, October 24, 1963, at 2 o'clock postmeridian, the legislative business of the Senate be suspended to permit the delivery of memorial addresses on the life, character, and public service of Honorable Estes Kefauver, late a Senator from the State of Tennessee.

Mr. GORE. Mr. President, with the passing of the late Senator Estes Kefauver, the people lost a champion and a true friend.

Perhaps it would appear to some trite to say that Estes Kefauver was a man of the people. But he was, and he never forgot it.

Moreover, with the passing of Estes Kefauver, his family lost a loving husband, father, brother, and relative; and his friends lost one who possessed a gentleness of spirit and personality found all too seldom.

Estes Kefauver was tolerant, understanding, generous, always willing to consider the other man's point of view, and inclined many times to yield his own point of view to that of others, if it had strong merit.

Working relations between Senator Kefauver and me were of the best. The personal equation between us was a pleasant one, and particularly grew warm and pleasant during the last years we served together when we had so many common problems which required solution. So when I say he was gentle, tolerant, and considerate, I speak from an abundance of experience.

In his public life, he was a true champion of the public interest. This came first with him. Estes Kefauver was a U.S. Senator in the fullest meaning of that term. His colleagues would have great difficulty recalling any instance when he took a narrow, sectional point of view. True, he loyally represented the State of Tennessee and its people; but he represented, too, his Nation and his fellow Americans.

Mr. President, I think that along with Jackson, Hull, Polk, and Johnson, Estes Kefauver will be remembered generously in history as one of Tennessee's great.

Possessed of indomitable spirit, unflagging courage, and energy that upon many occasions seemed to me beyond human capacity, he was an implacable foe of the crooks, the cheats, and the frauds, and an inveterate enemy of the specially privileged and of those who sought to further their own will and interest to the detriment of the public good.

The family of the late Senator Kefauver are in the gallery. To each of them, I extend now the warmest of sympathy, the deepest of understanding, and a sharing of their great loss. But to each of them, also, I extend congratulations for Estes Kefauver.

Mr. President, I desire to read the following letter:

U.S. Senate,
Committee on Interior and
Insular Affairs,
*October 21, 1963.*

Hon. Albert Gore,
*Senate Office Building,*
*Washington, D.C.*

Dear Albert: In accordance with our conversation regarding this Thursday, October 24, the day set aside by the Senate for Senator Kefauver's eulogy, I am enclosing my remarks which you have so graciously consented to read into the Record for me.

I am also enclosing a copy of my letter to Senator Mansfield, explaining my absence at this solemn time, and asking that he read it into the Record.

With kindest regards, I am,
Sincerely,
Herbert S. Walters.

Mr. President, I ask unanimous consent to have printed at this point in the Record the letter to the Senator from Montana [Mr. Mansfield].

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Committee on Agriculture
and Forestry,
*October 21, 1963.*

Hon. Mike Mansfield,
*The Capitol, Washington, D.C.*

Dear Senator Mansfield: On Thursday, October 24, the Senate will voice its sorrow over the death of Senator Estes Kefauver and will pay fitting tribute to his memory.

It is distressing for me to have to report to you that I will be unable to be present on this occasion. Unfortunately, several months prior to the notice I received only last Friday, setting the date of Senator Kefauver's eulogy, I had made some important engagements in Tennessee and it was impossible for me to make any changes at this late date.

I have asked my colleague, Senator Albert Gore, to read into the Record what I would have said personally if I could have been with you. It would be most gracious of you, as majority leader, to also read this letter into the Record, clarifying my absence at this solemn time.

With kindest regards, I am,
Sincerely,
Herbert S. Walters.

### TRIBUTE BY SENATOR WALTERS

Mr. GORE. Mr. President, at this time I should like to read the remarks of my distinguished junior colleague [Mr. Walters], who at this time is unavoidably absent:

### Remarks of Senator Walters at the U.S. Senate Eulogy Services for Senator Estes Kefauver

Tennessee, the Nation, and the world mourn the passing of a great man.

The Volunteer State has always contributed its share of leaders for the effective representation of our State and our country. Andrew Jackson, Andrew Johnson, and James K. Polk, three of Tennessee's sons, rose to the highest office in the land and history will echo their names along with those of Cordell Hull, John Sevier, and Sam Houston.

Estes Kefauver was a leader of that stature. It is from the unique position as his successor in this great deliberate body that I can speak with authority as to the magnitude of his work. His rugged individualism and singleness of purpose may have aroused the ire of many, but there is no one who can question the dedication to service of mankind that motivated Estes Kefauver's life.

I, as some of you, had my differences with him, but never once did his conduct ever command anything but my highest respect. He was honest and sincere in his unshakable belief that the things he fought for were for the ultimate good of all and for this he must be admired.

Those of us who epitomize his work today can draw much from another characteristic of Estes Kefauver; his word was his bond. During the years I served as a member of the Democratic National Committee I had contact with people from every part of the country and it was agreed by all that knew him or had any dealings with him that he was a person who would never go back on his word.

Estes Kefauver was a man to whom honestry and trust were the watchwords of his career.

It is indeed fitting for us to pay homage and tribute to one who carried out the oath of office to which he so nobly subscribed, and it can be said that beyond a doubt Estes Kefauver kept his word to all to the end.

Mr. GORE. Mr. President, I yield to the distinguished minority leader, the Senator from Illinois [Mr. Dirksen].

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. Mr. President, the man in the coonskin cap is gone. Just 36 hours after his last speech on this floor, mortality turned to immortality and his fascinating career came to an end. It is a stark reminder of the unpredictability of life and how uncertain this mortal journey can be.

For more than 16 years, I served with Estes Kefauver in the House and Senate. The coonskin cap was not a political ornament in his life. Rather it was a fitting symbol of the frontiersman, exploring new ground, venturing into uncharted hills and valleys of a complicated economic domain.

What shall I say of a man, a friend, a colleague, a Senator with whom I disagreed so often, whose purposes I sought to frustrate, if possible, with whom I fought fiercely over differences in viewpoint both in committee and on the Senate floor year in and year out? What does one say about such an adversary?

He was a gentleman. That says much. Differ as we did, it was in a friendly spirit. Never have I seen him angry. Our exchanges could be sharp and to the point. In lesser men, they might have excited a deep and continuing anger. But never in him. He exemplified as did no other person in my acquaintance, that old biblical admonition, to let not the sun set on one's anger.

His fixity of purpose marked him as one with a definite and precise mission in life. He was indeed a crusader. Sharp criticsm, sarcasm, efforts to impeach his position on public matters never diverted him from his convictions and his firm purposes. His patience always remained intact. Rail at him as one might, dismember his arguments if one could, discredit his purposes if that were possible, and scold him if it seemed to accomplish a purpose, his patience was always intact, his persistence was unyielding, and his conviction unshaken.

His sense of mission was a many-splendored thing. Outstanding was his zeal for little people, for little business, for a true competitive system under which young and old, rich and poor, might have an equal chance. His investigations in the antitrust and monopoly field were a testimony to an iron determination that our competitive system must be made to work justly and equitably. Whether these investigations took place in the field of milk or bread, motor cars or steel, insurance or electrical equipment, the objective was always the same; namely, to lift the hand of monopoly from little people that they too might survive and prosper. Our differences and disagreements were more often over method than objective, but having charted a course, he stood by it to the very end.

His courage was limitless. He knew even as I knew that there were many who disagreed with his philosophy of government and with his methods. In his long and varied political career there must have been many pressures upon him. As an elected official there must have been times when he had to equate these pressures in terms of a continuing career in the Senate. Regardless of what they were, he never qualified, he never faltered, he never compromised where principle and conviction were involved.

Mr. President, mankind does not produce many Kefauvers, men who are willing to face up to abuse and sharp criticism for a cause, men who are willing, if need be, to endure the rupture of friendships for a cause, men who even though in physical pain or moral anguish will not relent in the pursuit of truth and right as they understand it, men who can brush aside frustration and start over again where a compelling goal beckons them on, men who move slowly with poise and purpose but never walk backward, men who in the bright fanfare of a political career never forget their humble beginnings, and men who are resolute to the end.

But such a man was Estes Kefauver, and as I watched all that was mortal committed to earth on that farm on the outskirts of the little town of Madisonville, Tenn., where he was born, I thought of the stately sturdy oaks amid which the service was held. He was truly one of mankind's sturdy oaks until a divine hand snatched him away. I shall always salute his memory as a foeman to be respected; admired and loved as a friend.

Mr. GORE. I yield to the Senator from Arkansas [Mr. Fulbright].

Mr. FULBRIGHT. Mr. President, it was my good fortune to come to know Estes Kefauver two decades ago, when we served together in the House of Representatives. I have followed his career of dedicated public service with admiration and respect ever since. He was an honest, straightforward man whose gentle nature belied the sharp mind and keen insight God gave him. His respect for the institutions of our democracy was overshadowed only by his devotion to its people. As a campaigner he had no peer. He loved the people and they loved him. His campaigns for national office, which took him across the country many times, left a deep and lasting impression on the millions who saw him and felt his famous handshake. His passing took from the Senate a champion of the people who have no lobby but the ballot box.

The zeal which marked his guardianship of the public interest won him national fame as a foe of crime, monopoly, and greed. While his reputation as a legislator sprang from investigations which often captured the headlines, many quiet acts of courage marked his service in this body. In the hysteria of the McCarthy era his was a calm voice which rose above the tempest. When, in that same emotional climate, an effort was made to restrict the treaty-making powers of the President, Senator Kefauver was a leader in opposition to it. We were companions in many of these struggles in those dark days and I drew strength from him.

His service as chairman of the Subcommittee on Antitrust and Monopoly Legislation is a testimonial to his concern for the public welfare. Enactment of the drug safety bill last year was due in large measure to the fact that Senator Kefauver and his staff, as the New Republic put it, "knew more about the drug industry than the industry knew about itself." This measure is typical of the progressive legislation Estes Kefauver sponsored. Gentleness and good humor marked his demeanor but, as many a witness before him discovered, his placid exterior concealed an astute and probing intellect.

Although he was not a member of the Committee on Foreign Relations, he had a keen interest in foreign affairs. As Senators know, he was always especially concerned about the position of the United States in the Atlantic community. Shortly after his election to the Senate some 15 years ago, he stressed the need for increased cooperation among the countries of the North Atlantic. In 1949, when the NATO treaty was before the Senate for ratification, he described it as an, "interim measure, a measure that will gain the time needed to explore in peace a far more promising prospect—the possibility of eventually uniting the democracies of the North Atlantic by our own basic Federal principles into a great Atlantic Union of the free." While many difficult obstacles must be surmounted before his dream is realized, events of recent years prove the wisdom of his objective. He repeatedly sponsored the Atlantic Union resolution to establish a convention of representative citizens from NATO countries to explore avenues through which greater political and economic unity might be achieved. Its adoption in 1960 was the culmination of his untiring efforts. Senator Kefauver, on six occasions, was a delegate to the NATO Parliamentarians Conference, and in 1961 he served as Chairman of the U.S. delegation. As a member of the political committees of these conferences he made invaluable contributions and it was largely due to his efforts that the Conference of NATO Nations was held in Paris last year. No man worked as hard in promoting the concept of Atlantic unity. A long time associate and friend, Edward J. Meeman, of the Memphis Press-Scimitar paid this tribute to him:

> I will wage that he will have a great place in history as the statesman, who, more than any other, pioneered in behalf of the federation of the free.

The storms that threaten the Atlantic Alliance today reflect the enormity of the task which Estes Kefauver charted. It is to be hoped that the wisdom of his counsel will finally prevail.

Estes Kefauver was a great American in the best tradition of public spirited Tennesseans—Jackson, Polk and Johnson, Crockett, and Hull. His name will rank with theirs in the history of his State. His populist spirit and philosophy were drawn from the springs of independence and courage that have watered American history. A Democrat in every sense of the word, his career marked by a steadfast faith in the people of America—a faith which through their reciprocation brought him close to the highest office in the land.

I miss him. The Senate misses him. And, the people of America miss him. The extent of the Nation's loss was, perhaps, best expressed by the editorial writer of the Arkansas Gazette who began his tribute simply, "Estes Kefauver was one of the really good ones."

Mr. SPARKMAN. Mr. President——

Mr. GORE. I yield to the distinguished Senator from Alabama.

The PRESIDING OFFICER (Mr. McGovern in the chair). The Senator from Alabama [Mr. Sparkman] is recognized.

Mr. SPARKMAN. Mr. President, I join all other Senators in paying tribute to our departed friend.

I knew and was closely associated with Estes Kefauver for almost a quarter of a century. I was first elected to Congress in 1936, and about 2 years later Estes was elected. Our districts adjoined. Our towns were about 100 miles apart. We were neighbors in more ways than one. I remember that back in the days when we were getting ready for World War II, when we were interested in having war plants located in our districts, Estes and I often worked together to try to locate a plant in either his district or my district or on the line somewhere, that would be helpful.

I worked with him closely in the House of Representatives. I came to the Senate in November of 1946, and 2 years later so did Estes; and again we were closely associated. For several years we sat side by side in the Chamber.

I had the opportunity to go on trips with Estes in connection with national defense and other programs in which our Government was interested, and I witnessed his tireless, diligent, able work in that connection.

Furthermore, we were neighbors in the true sense of the word, in the District of Columbia. We lived only one or two blocks apart; at one time we lived only three houses apart. We attended the same church. It was always a pleasure and delight to see the Kefauvers come to church and to Sunday school. It was not a matter of sending the children to Sunday school. It was not a matter of one member of the family coming to church, but they attended as a family.

Many times have I seen him playing with his children. He was a family man. He loved his family and gave them a great deal of attention.

I campaigned with ESTES. I echo the words expressed by the Senator from Arkansas [Mr. FULBRIGHT] that, "as a campaigner he had no peer."

I recall that early one morning during the 1956 campaign, when he was a candidate for Vice President, a long-distance telephone call from Kentucky woke me up to say that ESTES was to campaign throughout that day but that he was ill with a bad throat. I was asked if I could come down there and pinch-hit for ESTES. I said that I could not get there. I was then told that a schedule had already been arranged, so I went down to Kentucky and spent the day, and far into the night, trying to pinch-hit for ESTES. However, I felt my total inadequacy in matching this great man who had become a tradition, "the man with the coonskin cap," who, on the campaign trail, could not be equaled.

I knew him in his work in the Senate. I was closely associated with him. He was a member of the Small Business Committee when he was in the House of Representatives, and I was also a member of the same committee, and he and I often discussed small-business matters. I was associated with him in connection with various resolutions which he presented to the House of Representatives, and also to the Senate—one of which was the proposed amendment to the Constitution with reference to the electoral college. The Senate at one time passed that joint resolution. I am not sure whether it was after he entered the Senate. Perhaps it was before—it was originally known as the Lodge-Gossett joint resolution, but when those two Members left and when Senator KEFAUVER was in the Senate and Senator Lodge was gone, Senator KEFAUVER became the principal sponsor, and the Senate passed it by an overwhelming vote.

I was glad to hear the Senator from Arkansas mention his interest in building a strong western alliance, an Atlantic community, which has been accomplished as a result, in part, of some of the work he did. It is still in an evolutionary process. The NATO Parliamentarians Conference, which is to meet a week from now in Paris, has on its agenda further consideration of solidifying the underpinnings of NATO and the Western European nations.

I could name many matters in which he was interested. He was a dedicated public servant. He was able and courageous; but he had another characteristic which I felt attached to him more strongly than to any other Member of the Senate—he was tenacious. When he got hold of something he believed in, he could not be shaken loose.

In short, ESTES KEFAUVER was an able legislator, a courageous legislator, a good citizen, a good man. We shall long miss him in this body.

A while ago the Senator from Tennessee [Mr. GORE] touched on a point I should like to emphasize, when he said that in a way congratulations were in order. I often think that the grief we mortals suffer when someone close to us passes away should be moderated by gratitude for what their loved one did while he was living here with us. Today the country can be thankful that ESTES KEFAUVER lived and that he served so well throughout the years.

I join in extending sympathy to Nancy, his lovely widow, to the children, to his sisters, and to other members of his family. America has lost a great and fine citizen.

Mr. GORE. Mr. President, I yield now to the junior Senator from New Hampshire [Mr. MCINTYRE].

Mr. MCINTYRE. Mr. President, I find it most difficult to express my feelings on this day dedicated to the memory of ESTES KEFAUVER. Since I am a comparative newcomer in this distinguished body, I shall speak not only of my association with ESTES, Senator to Senator, but also of our friendship. For I believe that in the simplicity, honesty, and gentleness of this man we find the roots of his greatness as a Senator.

I would like to quote one of his favorite prayers, by which he tried to live and which I feel reveals his true and deeper nature.

> Teach me, my Lord, to be sweet and gentle in all the events of life, in disappointments, in the thoughtlessness of others, in the insincerity of those I trusted, in the unfaithfulness of those on whom I relied.
>
> Let me put myself aside, to think of the happiness of others, to hide my little pains and heartaches, so that I may be the only one to suffer from them. Teach me to profit by the suffering that comes across my path.
>
> Let me so use it that it may mellow me, not harden nor embitter me, that it may make me patient, not irritable, that it may make me broad in my forgiveness, not narrow, haughty and over-bearing.
>
> May no one be less good for having come within my influence. No one less pure, less true, less kind, less noble for having been a fellow traveler in our journey toward Eternal Life.
>
> As I go my rounds from one distraction to another, let me whisper from time to time a word of love to Thee. May my life be lived in the supernatural, full of power for good, and strong in its purpose of sanctity.

It can truly be said that in the death of ESTES KEFAUVER the Nation lost a friend. However, when the news of his passing first reached me, my immediate feeling was one of a deep and irrevocable personal loss. For the instant I could think only—and perhaps selfishly—that my friend and political mentor was gone. This great and good man who had counseled me through most of my political life—no longer could I turn to him for help and advice.

I first shook the hand that was to shake countless thousands of other hands on a crisp New Hampshire morning in January of 1952. The famous crimefighter was in New Hampshire on a quest—for the Presidency of the United States. And he was asking for my help. Somehow, it should have seemed incongruous—this tall Tennessean standing in the snow in New Hampshire, asking a country lawyer to help him become President of the United States. As I think back on it now, it was the most natural thing in the world, for this man exuded a warmth and sincerity that forged an immediate bond of friendship between us.

Mrs. McIntyre and I worked hard for ESTES in the campaigns of 1952 and 1956, and never shall we expect to find again a person who was so appreciative of assistance, so understanding of mistakes, or so manfully able to accept defeat.

By what name shall we remember ESTES KEFAUVER? Crusader? Politician? Statesman? Lawmaker? Well, he was all of these things. Also it was given to him, as it is given to few, the ability to lead and at the same time remain one with the people.

There were those who disagreed with ESTES KEFAUVER, but they were not among the people. There were those who feared ESTES KEFAUVER, but they were not among the people. There were those who felt the wrath of ESTES KEFAUVER, but they were not among the people. And there were those who crushed the hopes of ESTES KEFAUVER, but they were not among the people.

In all of the thousands of words printed in newspapers across America in tribute to Senator KEFAUVER, one line in an editorial in the Kansas City Star sticks in my mind. It said simply: "The voters trusted him."

For during his entire political life he fought to protect the people against the corrupters, the empire builders, and the gangsters. He stood alone more than once, in this very Chamber, to espouse unpopular causes and issues in which he believed. For if ESTES KEFAUVER had a fault, it was that he stubbornly persisted in what he felt was right, whatever the odds. To these causes he gave all of his energies and his time, caring not what physical toll they took on him.

And, so, Mr. President, if the countless thousands of people across this Nation who loved ESTES KEFAUVER as I did and miss him as I do were here with us today, I think they might agree that these lines from Shakespeare's Julius Caesar best sum up our feelings:

His life was gentle, and the elements
So mix'd in him that Nature might stand up
And say to all the world "Here was a man!"

Mr. GORE, Mr. President, I yield to the senior Senator from Florida [Mr. HOLLAND].

Mr. HOLLAND. Mr. President, in 1954, upon the death of the late Senator from North Carolina, Hon. Clyde Hoey, I had the honor to have ESTES KEFAUVER, of Tennessee, become my seatmate. We were seatmates for several years after that date.

Senator KEFAUVER had every right to feel unkindly toward me if he had wished to do so, because he knew I had, in supporting another, opposed him rather vigorously for the Democratic nomination for the Presidency in 1952. I found at once not a trace of vindictiveness in him, never a word or mention of that earlier disagreement, never a word of anything but constructive assistance in the years during which we worked together on a considerable number of issues which came before the Senate.

I enjoyed and appreciated the opportunity to have those years of close association with a man whom I came to admire more and more with each passing month and every passing year.

There are many things I could say, but I shall refer to only one issue, an issue with respect to which we happened to find common ground, and as to which I am more indebted to him than to any other person. The Senate also is indebted to him. It was his passionate belief that all citizens of the United States should have the right to vote, and that that right was a fundamental matter in a government such as ours—the right of active participation in governing this great Nation.

For a long time he had believed that a Federal statute would be adequate to wipe out the poll tax. We talked about it. I told him, whether that were true or not, I did not believe that course was practical, I did not think it could or should be done that way. Furthermore, I thought such a solution could be always subjected to delay, even if it were followed; whereas it seemed to me that the constitutional amendment approach was the desirable, and certainly the practical one, to follow.

After a while he came to the conclusion either that the other approach was impractical or that the constitutional amendment approach was the better. I do not know what was his reason. But he threw himself into the effort for the repeal of the poll tax as a prerequisite for voting in Federal elections by means of a constitutional amendment with a degree of devotion and self-abnegation that I have rarely seen.

I know that it was not wholly easy for him to take that position, both in the great committee in which he was serving at the time and as a Senator from a State where there was no unanimity on that subject.

On three different occasions, serving as chairman of the Subcommittee on Constitutional Amendments, of the Committee on the Judiciary, he subjected the proposed amendment to careful, exhaustive hearings. When it proved impossible to bring the matter to the Senate otherwise, he was generous enough to help me to attempt to add it to an amendment in which he was deeply interested, and which was then pending on the floor of the Senate. As the Record will show, it was placed on that amendment as a second or additional amendment. At that time it was not acceptable to the other body.

In a later year he joined actively and effectively in another effort to bring the matter before the Senate. Without laboring the matter, the Senate approved the proposal by a very large vote, as did the House, and it went to the States for ratification.

The way in which Estes Kefauver devoted himself to the effort to have his State act favorably upon the amendment was but a continuation of the effort that he had shown in the Senate.

A few moments ago another Senator spoke of Senator Kefauver's persistence, of his tenacity of purpose. He certainly showed it in this poll tax effort. I shall never forget the great pleasure of seeing the way he looked one morning when he announced from the floor of the Senate that his State had been the first State of all the Southern States to ratify the proposed constitutional amendment.

That success, I believe, and will always believe, was largely due to his persistence, his tenacity, and his continued effort, in which he was joined by his distinguished colleague, now the senior Senator from Tennessee [Mr. Gore], and also by his distinguished Governor.

I mention this because I believe it to be important for the Record to clearly show that while he had plenty of time for other interests, in connection with the Atlantic community, in connection with antimonopoly matters, and in connection with various other issues—because he was a Senator of broad interests and of many activities—one of the activities to which he was most devoted and to which he gave much time and effort and energy was the matter of assuring to his fellow citizens the right to cast their ballots in elections for President, Vice President, Senators, and Representatives without the requirement of paying any tax.

I found Estes Kefauver a most gentle man, a most generous man, and yet a most firm and fearless man.

Sometimes we do not think of gentleness, graciousness, charm, and generosity, such as his, as residing in the same individual, who is also a man of unyielding firmness and complete fearlessness. However, these qualities were all present in Estes Kefauver. Just as the Senator from Illinois, the minority leader [Mr. Dirksen], journeyed down to Knoxville and then to Madisonville at the time of the interment of Estes Kefauver, I was one of those who made that sad journey. I will never forget the gracious and lovely manner of Nancy Kefauver and their children on that occasion—in spite of their deep sorrow. They went down and back on the same plane with the Senate group which had been assigned to attend.

Likewise, I could never forget the faces of those thousands of his fellow citizens who were there at Madisonville, and later at the old family plantation, at the family cemetery, to see laid away the man in whom they had implicit trust, the man whom they felt represented them truly and stood for the things in life that they respected most and desired so greatly.

It was a most impressive occasion. It could not have failed to send every Senator and every other person who had the opportunity to be present back to his duties with inspiration, and the belief that devotion to duty such as Estes Kefauver showed, and such as he lived, makes an impression upon one's fellow citizens, and leaves a place in their hearts which is terribly hard to fill. That kind of expression was present in the faces of the many people who were there—thousands of low estate and of high estate—showing their personal grief because of the passing of one whom they loved and trusted.

Mrs. Holland and I join in expressing our grief and sympathy to Mrs. Kefauver and the children. We shall long miss Estes Kefauver in the Senate.

Mr. GORE. I now yield to the distinguished senior Senator from New Jersey.

Mr. CASE. Mr. President, it was not my privilege to serve with our late colleague, Estes Kefauver, on any of the committees on which he served in the Senate. Yet I felt very close to him almost from the time I came to the House of Representatives and found him there until the time of his death while he served in the Senate.

Throughout that time my regard for his great ability, and for his sincere pursuit of the public interest as he saw it, was profound. He came to New Jersey, as he came to many other States, in pursuit of the Democratic nomination for the Presidency. The impression he made upon our New Jersey people was as deep and lasting as it was all over the country; that is to say, very lasting and very deep.

The very characteristics that endeared him to us and that awoke our admiration and respect, and that gave us confidence not only in him but also in the great country that he loved so profoundly, somehow communicated themselves to all the people with whom he came into contact in New Jersey and elsewhere.

That his pursuit was not successful in no way diminished the zeal for his service to our country, or his attention to his duties in the Senate.

Among other things, he was a "loner." If there is such a thing as an "establishment" in the Senate, I suppose he was perhaps the most unlikely one to be included in such a group.

Perhaps the Senate is unique in that it includes a number of "loners."

Perhaps one of its chief functions—but not its only function—is to make a place for persons of that kind in our life as a country and in modern society. Estes Kefauver fulfilled both functions—that of a Senator in the true sense, in the fulfillment of all the responsibilities that the office entails, and, in addition, the representative of something unique in American life, a very great symbol of the importance of the individual. In all these ways we shall remember him as long as our memory lasts, and shall mourn his passing.

Mrs. Case joins with me in extending our most tender sympathy to Mrs. Kefauver and the children.

Mr. GORE. Mr. President, I yield to the distinguished Senator from Alabama [Mr. Hill].

Mr. HILL. Mr. President, when Estes Kefauver departed the company of living men, our hearts were sad, for we knew that we had lost a friend and a valiant fighter. His large outstretched hand reached across America and grasped the hand of the storekeeper, the housewife, the small businessman, and the farmer. Millions of Americans in all parts of this country and in all walks of life remember the tall Tennesseean who, in the spring of 1952, warmly shook their hands and drawled, "I'm Estes Kefauver and I'm running for President. You'll help me, won't you?"

His kind, folksy manner endeared him to them, and his determined fight against the forces that would take advantage of those who may not have so much in worldly goods and in opportunity earned for him their lasting gratitude.

Estes Kefauver was a rugged Tennessee mountaineer of hearty pioneer stock. He was born in the land of Andrew Jackson, endowed with his spirit and fight, with his courage and determination. Estes Kefauver's every act would have indicated that he was ever mindful of this rich and fearless heritage. It was only fitting that the coonskin cap should become his symbol. As a star football player for the University of Tennessee, his physical prowess and his endurance won for him the nickname, "Old Ironsides." His physical strength was matched by the strength of his character and convictions. Estes Kefauver forthrightly stated his position and would not retreat from a fight in defense of the principles in which he believed. "The glory of man," said Solomon, "is strength." And Estes Kefauver was strong. The eloquent words of Senator John W. Daniel, in tribute to Thomas Jefferson, so fittingly describe the strength of Estes Kefauver:

> He was strong and all powerful in courage; yes, in civic courage, the rarest of all kinds of bravery. All nations are brave in their own way. Massive battalions, thousands strong, will march to death midst flashing bayonets and screaming shells—not a man dropped out of his place. But the courage that faces the sneer of fashion, the scorn of power, the scowl of altered friendship "the proud man's contumely and the insolence of office"—this is the courage that belongs alone to souls "touched to fine issues" * * * the superb, quiet, patient, daring courage that looks public opinion in the eye and dares confront it and affront it, and not flinch from the encounter.

"Kefauver" became a household word as he relentlessly sought out the ganglords of organized crime and vice and alerted all America to the scope of their operations. He was one of the first public figures to use the medium of television to give the American people an insight into the functioning of the committees of Congress and to inform them about a grave national problem. His independence and straightforwardness at times cost him political support and yet he did not compromise a principle for personal gain. He was truly the practicing idealist. Estes Kefauver first won his seat in this body by fighting an uphill battle against what seemed to be insurmountable odds, and as a Member of this body, he never stopped fighting regardless of the obstacles. He was ever alert to safeguard the spirit of our free enterprise system and quick to do battle against those who would abuse it and through monopolistic practices impose unfair burdens upon the American people.

Estes Kefauver fought for his people and he nobly strived for peace and justice for the whole world. He will have a great place in history as the statesman who pioneered in behalf of the federation of the free. He was chief sponsor of the Atlantic Union resolution, and he remained a prime and steadfast advocate of Atlantic unification. In our fights against the forces of reaction who would destroy the Tennessee Valley Authority, those of us who realize how much it has meant to our section of the country and to the Nation had no stancher ally or more resolute fighter than Estes Kefauver.

When Estes Kefauver departed the company of living men, the people of America—the average American, the common man—lost a devoted friend, a valiant fighter for their cause. The people of the world lost a statesman and a dedicated champion for world peace and understanding. In his spirit and example, the fight for the ideals that were his life will go on with renewed dedication.

He will be forever an influence,
A memory, a goal, a high example,
A thought of honor in some noble heart,
Part of his country's treasure and renown,
Oft giving courage unto souls that strive.

Mr. GORE. Mr. President, I yield to the distinguished senior Senator from South Carolina [Mr. Johnston].

Mr. JOHNSTON. Mr. President, I had the honor and privilege to serve for many years with Estes Kefauver on the Committee on the Judiciary. It so happened that we were seated beside each other in the committee. During the many years I served with him, I always found him to be fighting for what he considered the rights of the common man in the United States. Also, in many instances, he was fighting against somebody, even in committee. But that did not stop Estes Kefauver from trying to persuade the committee with respect to what he thought was for the best interests for the people of not only his State of Tennessee, but of the United States, as well.

So, with sorrow in my heart, I join my colleagues today in eulogizing Estes Kefauver, the late senior Senator from Tennessee, who left our midst on August 10. I had the good fortune to serve with him. I was among those who attended his funeral in Tennessee; and one would have to go to that funeral in order to know how the people of Tennessee appreciated him. They had tears in their eyes, because they knew they had lost one of their dearest and best friends when they lost Estes Kefauver.

He was one of the most energetic Members of this body, and could be found working with deep interest on any number of legislative projects, regardless of whether they dealt with matters coming before the committee on which he served, or with bills before the Senate. He was the Senate's plodder who insisted on completing a job, regardless of whether it was one which brought headlines and fame or whether it was one of the menial tasks which sometimes bring on criticism and even bitter opposition.

It made no difference to Estes Kefauver, so long as he thought he was fighting for what he believed was right and just.

Even with all the Senate work to which he attended, Senator Kefauver found time to write books and to make personal studies and inquiries, and he was one of the best informed Members of the Senate on the issues before it.

The people of the United States unquestionably will remember him for his conscientious and persistent work on the Subcommittee on Antitrust and Monopoly legislation and his never-ending fight against crime and corruption.

One would have to be behind the closed doors of the Senate Judiciary Committee in order really and truly to appreciate the fight Estes made to try to keep the monopolies from taking over the United States.

He was a friend of the underprivileged and the downtrodden, and did much to set our Nation on a course to overcome one of our major problems—that of juvenile delinquency. More than once he came within reach of the highest office in this land, the Presidency of the United States; but, having failed to attain this office, he never once let disappointment steer him away from what he thought was his duty and what he loved to do—to serve the people of Tennessee and our Nation. His dedication to duty and his good sportsmanship throughout his political life should be an example to others who follow in his footsteps.

My heart and my sympathy go out to his wife, his children, and the other members of his immediate family. They have lost a good husband and a good father; and we have lost a friend and colleague who constantly fought for the rights of all the people of the United States.

I have been asked to read to the Senate a resolution, adopted by the Capitol Hill chapter of the Federal Bar Association, memorializing Estes Kefauver. It is as follows:

RESOLUTION OF CAPITOL HILL CHAPTER, FEDERAL BAR ASSOCIATION, MEMORIALIZING SENATOR ESTES KEFAUVER

Whereas the late Senator Estes Kefauver, the senior Senator from Tennessee, was a founding member of the Capitol Hill chapter of the Federal Bar Association and was dedicated to the chapter aims of holding high the standards of the legal profession in the activities of all members of the bar serving in the legislative branch of our Government; and

Whereas Senator Kefauver, by his wise counseling, by his attendance at meetings of the chapter, and participation on panels and at conventions of the association, and by his very exemplary life itself was an inspiration to all members of the bar to more noble achievements toward thoroughness in and justice under the law; and

Whereas Senator Kefauver, through his many able writings, addresses, floor debates, and untiring committee activities in both the House of Representatives and the Senate, contributed immeasurably to a greater public respect for the law and to an improvement in the functioning of Congress; and

Whereas Senator Kefauver, who was a truly great American and a credit to his State and Nation, departed this life on August 10, 1963: Now, therefore, be it

*Resolved*, That the Capitol Hill chapter of the Federal Bar Association hereby in heartfelt and meaningful terms in the spirit and brotherhood of our great profession, pays tribute to the memory of Senator Estes Kefauver, able lawyer, statesman, patriot, and friend, and directs the officers of the chapter to make this resolution known to the members of our profession and to the best extent possible to the public at large, and that a copy of it be presented to the family of our late and distinguished member.

Approved by the chapter council, October 17, 1963.

Unanimously adopted at a general meeting October 24, 1963.

Erwin G. Krasnow,
*President.*
James E. Palmer, Jr.,
*Chairman, Memorial Committee.*

Attest:

Waldo Moore,
*Secretary.*

Mr. President, all of us have lost a very dear and capable friend.

Mr. JACKSON. Mr. President——

Mr. GORE. Mr. President, I yield to the junior Senator from Washington [Mr. Jackson].

The PRESIDING OFFICER. The junior Senator from Washington is recognized.

Mr. JACKSON. Mr. President, it is a privilege to have this opportunity to pay a simple tribute to Senator Estes Kefauver.

His untimely death has deprived the Senate of one of its most able, fearless, and courageous Members; and I, personally, have lost a friend with whom I was in close personal association for more than 23 years. This association on many occasions brought me to the great Tennessee Valley, to his great city of Madisonville, to Chattanooga, and to the marvelous works of the TVA, that he had championed for so long.

I knew him in his home, with his wonderful wife, Nancy, and their fine children. I also had the privilege of knowing his father and mother and his faithful and loyal sisters. From time to time, over the years, Nancy and Estes made me a part of their household. He was as close a friend as I have ever had. It was a totally loyal friendship; and he never faltered in that loyalty.

As an authentic liberal, Estes Kefauver stood firm with those of all nations who champion the dignity of the individual and respect for human rights. This often meant that he championed causes which were not popular in his native State. Time after time the political "dopesters" predicted his defeat at the polls; but at each election he came back stronger than before, which was a testimonial of the respect the people of his great State had for him.

The accomplishments of Estes Kefauver for his country and mankind were legion. There is no need now to set them out. For Estes Kefauver life always kept its zest and savor. In his living there was no unutilized energy. He gave himself wholeheartedly to the engrossing aims and obligations of political life; and no matter how he chanced to feel, in his view the major matters must be got on with.

To Nancy, the children, and sisters, my deepest sympathy.

Mr. President, my senior colleague [Mr. Magnuson] is out of the country on official business. Prior to his leaving he prepared a tribute to Estes Kefauver. I ask unanimous consent that his remarks be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

### Statement by Senator Magnuson

Today the U.S. Senate pauses appropriately to pay tribute to a late and beloved colleague who, stricken in the midst of his arduous labors, has gone to a realm where there is no crime, no cruelty or greed, no wrongs or injustices such as he fought against throughout his earthly career.

I am referring, of course, to the late Senator Estes Kefauver, of Tennessee, he of the warm handshake and warmer heart, soft spoken and gentle in manner, but who also could be and was an implacable foe of every form of human exploitation.

Estes Kefauver has been described as a man of many interests while his one great interest was people, all people whatever their walks or conditions of life.

It was Estes Kefauver's interest in people that, I believe, impelled him to seek legislation to protect them from racketeering and monopoly, to assist the consumer, to defend the weak and humble, to combat juvenile delinquency and the black market in unwanted babies, to strengthen international ties and to advance innovations which he felt would make for better government.

When he twice sought the nomination for President of the United States, it is my opinion that he did so not from personal ambition or self-esteem, but in the conviction that as Chief Executive he could achieve more swiftly those objectives which in his heart and mind he deemed would benefit the people of the Nation.

When Senator Kefauver was elected to the Senate in November 1948, he was assigned in January to the Committee on Interstate and Foreign Commerce, now the Committee on Commerce. As we worked together on that committee during the 1st session of the 81st Congress, I came to admire his thoroughness, patience and dedicated application to the problems before us. The friendship we established in those days has been enduring.

Legislation relating to communications, then as now under the committee's jurisdiction, had a special appeal to Senator Kefauver, and he served as chairman of two special communications subcommittees.

It was also while he was a member of the committee that he indicated great concern over the problem of organized crime. At the conclusion of the 1st session of the 81st Congress, the Senator transferred to the Judiciary Committee, and was named there with Senator Wiley, of Wisconsin, to serve on a Special Committee To Investigate Crime in America, to which Senators O'Conor of Maryland; Hunt, of Wyoming; and Tobey, of New Hampshire, of the Commerce Committee, were also appointed. As we know, Senator Kefauver was designated chairman of this committee, and the broad inquiry into rackets and racketeers in our major cities drew national attention.

As a candidate for the Democratic presidential nomination in 1952, Senator Kefauver entered 18 primaries, winning 15 of them, but Governor Stevenson, of Illinois, received the nomination at Chicago.

In 1956 Senator Kefauver again aspired to the Democratic nomination for President, again campaigning in his genial, methodical, people-to-people way, and with limited funds. Again he was not successful in being chosen the standard bearer for his party, but he did gain the personal satisfaction of winning thousands upon thousands of new friends, and to him this was indeed a rich measure of success.

Seeking a third term in the U.S. Senate in 1960, the voters of Tennessee chose him over his opponent by more than a 2-to-1 plurality.

Now he has left us, his work unfinished.

Three bills to which he attached special importance are pending in committees. A bit of Estes Kefauver's spirit lives on in these bills. Whether they are enacted or not, they are fitting symbols of the things he lived and fought for, of his great warmth and humanity, and of his hatred of injustice.

One bill would establish a National Advisory Commission on Interstate Crime with the object of combating the problem that had deeply troubled him ever since he had noted, as a member of the Committee on Commerce 15 years ago, the disregard that racketeers and crime czars hold for State boundaries.

Another bill, which Senator Kefauver would have styled the Antiracketeering and Monopoly Boxing Act, would establish the Office of National Boxing Commissioner for the stated purpose of curbing "monopolistic control of professional boxing."

The third bill would establish an Office of Consumers to represent the economic interests of the consuming public before agencies of the Government and to conduct certain surveys and investigations in their behalf.

Senator Kefauver was a very busy Senator, but never did he flinch from duty on the numerous committees on which he served and never did he indicate a weariness of the flesh or spirit to his colleagues.

He was a member of the Senate Committee on Appropriations, in itself a tortuous, grinding job with tremendous responsibility.

He was a member not only of the Senate Judiciary Committee, but of four subcommittees: Constitutional Amendments; Patent, Trademarks and Copyrights; Juvenile Delinquency; and Antitrust and Monopoly Legislation, on the last of which he served as chairman.

I grieve for his passing. All of us here will miss him. All of us will treasure the associations we have had with him through the years. And all of us, I am sure, who have not already done so, will wish to express their sorrow and condolences to his gracious wife and their four children.

He was a husband and father, a statesman and a legislator, a politician, if you please—and most of all a man they will be ever proud of.

Mr. GORE. Mr. President, I yield to the senior Senator from Nebraska [Mr. Hruska].

Mr. HRUSKA. Mr. President, the shock of Estes Kefauver's death has abated somewhat, but the grief at losing a friend remains.

Estes Kefauver was my friend; he was a friend of thousands. On many occasions he was my adversary, but he was always my friend. In all my experience as a lawyer and legislator, I never had a more formidable opponent, yet when the battle was done, it was characteristic of Senator Kefauver to extend the sincere hand of friendship.

There were many facets to Senator Kefauver. One was the man, the Lincolnesque figure trudging up and down the Main Streets of Tennessee towns—and towns almost anywhere in the country—his oversized hand probably often aching with pain from too many grasps with his fellow citizens' hands.

Another facet was that of his being a nominee of his party for the Vice Presidency, pursuing the arduous task of cross-country campaigning.

I well remember the time when he made his appearance in the latter part of October 1956, on the occasion of the national corn picking contest in Columbus, Nebr. He had an arduous schedule. He was tired. His voice was raspy. He had contracted a low grade infection of some kind and was running a fever. But notwithstanding all those handicaps and his condition, he insisted on going out to the field, where a stiff wind was blowing up the dust, and making his appearance, not out of considerations of vanity or considerations of an egotistical nature, but because he did not wish to disappoint the thousands who had gathered there to hear the man from Tennessee.

Another facet of Senator KEFAUVER was the series of televised crime hearings, his softly uttered probings producing a real-life underworld story that fascinated an audience of millions, and made them aware of a condition needing attention.

But I am convinced that the Senator was at his best as chairman of the Subcommittee on Antitrust and Monopoly, on which I served with him for 4 years. He was spectacularly single-minded in his pursuit of evidence of wrongdoing. He challenged the giants of half a dozen major industries.

Within the select committee, Senator KEFAUVER and I often represented widely conflicting viewpoints and philosophies. We differed drastically on point after point, in hearing after hearing, not on the declared purposes or goals sought so much as on the means or methods by which they should be attained.

But throughout, he was always quiet, respectful, and self-controlled. He may at some time have lost his temper. I do not know. But I can truthfully say I never saw him lose his temper.

His soft drawl, his courtly demeanor, his composed features masked a bulldog tenacity which never ceased to surprise his colleagues and his many friends.

As with all men who hold strong views, Senator KEFAUVER suffered defeat and frustration on occasion. Lesser men would have compromised, shifted their positions, and found a way to save face. But that was not the way for ESTES KEFAUVER.

It was not the way for Nancy Kefauver, whose tenacity and other admirable Scotch characteristics matched and supported the convictions of her husband so loyally, so suitably.

Mr. President, while the Senate is a poorer place without ESTES KEFAUVER being here, nevertheless we are the better for his long years of service which enhanced the Congress and its workings mightily.

Mrs. Hruska and I join the many, many friends in extending the tenderest sympathy to his loving and beloved wife, Nancy and the rest of their fine family.

Mr. GORE. Mr. President, I yield to the senior Senator from Illinois [Mr. DOUGLAS].

Mr. DOUGLAS. Mr. President, in the death of ESTES KEFAUVER the Senate has lost one of its most useful Members and the country one of its most devoted servants.

ESTES KEFAUVER came to the Senate in 1949 after a distinguished career in the House of Representatives, and he was a Member of this body for nearly 15 years. During that time both we and the millions whom he served learned to know the full measure of the man. He was soft spoken, gentle, and friendly in manner and he had indeed an external simplicity of bearing which excited the derision of many supersophisticates. This simplicity was not put on but was the natural expression of an innate friendliness and a genuine liking for people combined with an utter absence of pretense or posturing. People responded to ESTES' handshake and to his friendly greetings because they knew that he was truly one of them and that he was their champion. So far as the people were concerned, he was probably the most popular Senator of us all.

Underneath this amiability was rocklike integrity, fighting courage, dogged persistence, a sharp and shrewd mind, and warm devotion to the interests of the people. Without large private means and amidst all the temptations of public life, he kept himself clean and unspotted. Nor was his honesty merely a matter of dollars. He was intellectually upright. He would not twist evidence in his own behalf or argue demagogically.

He had the courage of a lion. He early took on the powerful boss of Tennessee, Ed Crump, of Memphis, and won by going directly to the people. He braved the anger and reprisals of the criminal underworld in his famous countrywide crime investigations. He dared to investigate and expose monopolistic control and practices in a wide variety of industries from steel to drugs and in so doing brought down on his head storms of criticism. He worked for the reform of congressional procedures although this did not make him popular with the power structures of the Senate and House. A lover of his native southland, he yet dared to take a national stand on sensitive issues which at least immediately went against the grain of perhaps the majority of citizens in his State.

He had dogged persistence. For years he tried to reform the drug laws of the country in order to protect the public both in matters of price and quality. Fought by the big commercial interests, sniped at and impeded by Government bureaucracy, he nevertheless triumphed as the thalidomide story unfolded and with the help of two heroic women, Drs. Barbara Moulton and Frances Kelsey, he forced a reluctant Congress and bureaucracy to protect the public. He fought to keep the channels of trade and communication open for both business and the consumers. He had a deep faith in ethical competition and waged a lifelong struggle to save that system both from monopoly and from unethical practices. He was a pioneer in stressing the need for the democratic nations to join together in some form of closer union.

And underneath his rustic manner was one of the sharpest minds in the Senate. Under his quiet but penetrating cross-examination he revealed the criminal underworld while he cut equally through the specious defenses of highly paid Wall Street lawyers and adroit lobbyists. He saw the forces which were degrading the promise of American life and had the wit to lay them bare. He was in fact an authentic intellectual, although he took pains to obey Kipling's mandate of not looking too good or talking too wise.

But most of all ESTES KEFAUVER had a great heart for the welfare of people. He was their tribune and their champion without affectation or pretense. His great heart literally broke fighting their battles over who was to control Telstar communications and his death occurred in the midst of his last battle on this issue.

Finally, may I close on a personal note. He was my friend for nearly 20 years, ever since he and my wife served together in the House of Representatives.

I am proud that I supported him in 1952 in his campaign for the Democratic nomination for the Presidency, and that I walked with him the last bitter mile as many of the powerful sought to heap humiliation upon him. His bearing under defeat turned reverses into spiritual victory.

We worked together in the Senate for most of the same causes and his loss is a heavy one. He stood up tall and straight in this body and he will long be remembered. A true tribune of the people has entered the Valhalla of the valiant. May his successful example inspire others to be more like him.

Mr. GRUENING. Mr. President——

Mr. GORE. Mr. President, I yield to the Senator from Alaska [Mr. GRUENING].

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. GRUENING. Mr. President, the one word—irreparable—has been on the lips not only of many of Senator ESTES KEFAUVER's colleagues but of countless Americans in characterizing his loss. Perhaps, as is often said, there are no indispensable men. However, the passing of ESTES KEFAUVER causes me—and I doubt not many others—to challenge that facile assumption. I believe that his loss is irreparable—irreparable to the Senate, to the whole Congress, to his State of Tennessee, which he loved so well, but more important to the entire Nation—and, perhaps, beyond our natural boundaries when one considers the image of democracy at its finest that he projected to the entire world. Is not his the image, the American image, that we as Americans would like to have projected to all mankind? I so feel.

The American people, in any event, were truly bereaved when that great soul that was ESTES KEFAUVER departed this life.

His was a battle casualty. He was fatally wounded in action. It was on the floor of the Senate late one afternoon, toward the close of a grueling day, while engaged in one of his monumental battles—and leading that battle—that he was stricken. He was fighting, along with a small group of his colleagues, against a monopoly, an unregulated monopoly, "organized for private profit," as the bill creating it clearly spelled out; a monopoly in a vast new and unexplored cosmic field—in a field infinite, with unknown and untapped possibilities—space. He had carried on that battle with 15 of his colleagues a year previously in the 87th Congress. He lost that battle, but it was renewed when the effort to authorize the appropriation of $45 million to subsidize that corporation "organized for private profit" again raised the issue forcibly whether it was really a private corporation, and if so, whether it should be. The issue on that fatal day was the justification, or lack of justification, for an appropriation for a corporation—presented to the Congress as pure private enterprise—which at the first possible opportunity appeared to be reaching, and reaching deeply, into the Federal Treasury. It was in the midst of this struggle that Estes Kefauver felt ill. Later in the evening, he went to the hospital, where 30 hours later, his great heart gave way.

As always, that fight, like Estes Kefauver's many others, was a fight for the public interest. Indeed, the public interest never had a stancher, more determined, more indefatigable champion in public life than Estes Kefauver. His eminent public career in the House of Representatives for 8 years and in the Senate for 15 years, was illuminated by his unfailing espousal of causes and of legislation that sought to make life better, fuller, and more meaningful for the great mass of the American people. He was instinctively a champion of the underdog, of the underprivileged, of the so-called little people, whose welfare, whose frustrations, and whose hopes were ever his concern. And the people whose causes he espoused recognized him as their defender. No Member of the Congress was more widely known and more widely beloved. He was the people's Senator, and he was a national figure.

As a defender of the consumer, Estes Kefauver inevitably found himself arrayed against the powerful vested interests which by and large dominate many aspects of American life. He found himself arrayed against entrenched political bossism when he took on and ultimately vanquished the powerful Crump machine in his home State of Tennessee. He found himself in conflict with big industry, with big steel, and other great corporations, with their administered prices. He was concerned with the effect of those prices whether it be steel or electrical equipment or bread or any of the essentials of modern life on the cost of living of the American family. And so he fought them.

He waged a heroic battle against abuses in the drug industry. His concern was not merely for the health of the American people, so deeply implicated in the medicines they need, but for their pocketbooks. He knew of the high cost of medication and worked hard to do something about it. He won battles—notably in the 87th Congress, when the unexpected revelations about thalidomide and its macabre effects on the unborn caused one of those miraculous breaks in the entrenched opposition to his efforts and gave him the signal victory for the legislation he had sought. He realized that although he had won that battle, the war still remained to be won. Now it has lost its mightiest warrior and its leader.

He waged a war against crime and racketeering. He showed up its connection with some of the big city political machines and their resulting corruption and earned for himself the antagonism of some of those high in political life. It did not faze him in the least. He was unswervable from what he deemed the path of rectitude.

A southerner, he refused to sign the southern manifesto calling for massive resistance to desegregation, thus performing one of his numerous acts of courage and further evidencing the depth of his democratic feeling. He was wholly free from prejudice on the basis of race, color, or creed.

We Alaskans will always be grateful to him for his early and vigorus support of Alaska's statehood as he likewise gave his voice and vote to Hawaii's. His deep faith in the basic American principle of government by consent of the governed made that support natural and consistent with Estes' political philosophy.

Perhaps the outstanding example of Estes Kefauver's courage took place during the height of the era of McCarthyism. Then, the denunciation of anyone as soft on communism was presumed to be a politically lethal blow. Demonstrating their freedom from such an imputation, and undoubtedly also because they deemed the Communist conspiracy a real menace to our freedom and our democratic institutions, Representatives and Senators sponsored legislation to outlaw the Communist Party. There was a bandwagon rush to support it. In the debate preceding the vote Estes Kefauver, who had taken an extensive part in the discussion, said:

> Many of us are concerned about the precedent of outlawing a particular group. Perhaps next year Congress will not like some other group. Perhaps 10 years from now Congress may not like another group. In the history of this Nation, is this not a new approach to the problem? Have we ever outlawed any group before in the history of the United States? In the history of our Nation, has any group ever been outlawed or condemned as illegal by legislative enactment?

Apparently, he did not get what, to him, were satisfactory answers to his questions. He continued his questioning to determine whether, under the provisions of the pending legislation, there was a right of appeal or judicial determination if and when enactment had taken place in the Senate.

Although Estes Kefauver was no less aware than his colleagues of the existence of the Communist conspiracy and its sinister purposes, it was evident that he had, nevertheless, serious doubts about the wisdom of this legislation as a means of combating the Communist menace at home. Fearing that he would vote against the legislation, his staff and others pleaded with him to go along with what was bound to be an overwhelming majority. They warned him that to do otherwise would be political suicide. But Estes Kefauver refused to be stampeded by the current hysteria, nor did he think that our American institutions were so fragile that they could be impaired by the few Communists in our midst.

When the roll was called, the bill was passed by a vote of 81 to 1—the 1 was Estes Kefauver.

But, however determined, persistent, and tenacious his battling, Estes Kefauver was never bitter, even after some disappointing setbacks, never vindictive, and as far as I can remember, never angry, or at least if he was, he did not show it by any display of temper. The even tone and low key of his unemotional delivery—for he was not a fiery orator—reflected the calmness and serenity of his temperament. He could be indignant at what he considered injustice and evil, but his indignation was not directed at his fellow men as individuals.

For, above everything else, he was a kind person, a gentle person, a modest person, and, however deeply he felt involved in the causes for which he fought, he fought them without rancor, without malice, without self-glorification, and with full appreciation of the other fellow's point of view.

His greatness lay in his steadfast devotion to the principles and to the causes for which he fought, and in the courage which made him oblivious to the odds against him and to any political consequences that might follow. That, despite some hard-fought electoral contests, these contests turned out to be without adverse political consequences, is a tribute to the people of his State of Tennessee who, even if they did not always agree with him, recognized the integrity, sincerity, and honesty which Estes Kefauver so conspicuously incarnated.

His place will not be filled, and his departure leaves a tragic void in our public life. The tragedy lies in the fact that at age 60 he could have been expected to give for another score of years the kind of dedicated public service that often almost singlehanded he had been rendering.

We shall all miss him sorely, and our sympathy goes out not only to the American people who are so much poorer for his passing, but first and foremost to his lovely wife and beautiful children, to whom he was so devoted.

It is pertinent that Estes Kefauver died poor, but to his family he left a priceless legacy and to America a shining example.

Mr. GORE. Mr. President, I yield to the senior Senator from Oklahoma [Mr. Monroney].

Mr. MONRONEY. Mr. President, when Estes Kefauver passed away, the average man in America lost a true, trusted, and genuine friend. Millions of his fellow Americans had the highest admiration and respect for Estes Kefauver; and those of us who served with him in the House of Representatives, and later in the Senate, know that this feeling of comradeship was fully and justly deserved.

Estes Kefauver talked a language that everyone understood. Time and again he demonstrated a remarkable ability to translate the great and complicated problems and challenges of his time into the simplest phrases. In a quiet and uncomplicated way he invariably came to grips with complex issues, and striking at the very heart of the problems in question, without losing sight of genuine human value.

Throughout his career of public service, ESTES KEFAUVER demonstrated the courageous independence that is the hallmark of leadership. His genius enabled him to look beyond the marbled halls and lobbies of Capitol Hill to ascertain the effect of any given legislative proposal upon his fellow Americans, who seldom come here or get in touch directly with us to express their fears and more important, their hopes.

His unwavering devotion to individual rights often confounded the pressure groups. ESTES KEFAUVER held fast to the philosophy of freedom and rugged individualism that, in an earlier time, guided the statesmanship of another Tennesseean, Andrew Jackson. When the coonskin cap became his political symbol, millions of his fellow Americans grasped the idea. They loved this tall and scholarly Tennesseean. They liked the way he looked you straight in the eye, and the way he spoke not only from the head but from the heart.

ESTES KEFAUVER was a genuine liberal and a progressive, in that he sought new solutions and was willing to consider the validity of new answers to old questions. He was a tireless crusader. Perhaps no man in all history shook hands with as many people throughout the Nation as did ESTES KEFAUVER in two presidential campaigns.

He loved people, and they responded to him. I had seen him arrive at 2 o'clock, after a day that had begun some 16 or 18 hours earlier, and spend time with people, not because he was campaigning, but because the people had waited for him until 2 o'clock in the morning and he felt they should not go away disappointed.

I had seen him fulfill a grueling and grinding campaign schedule that ended at 2 in the morning and was resumed at 6 o'clock in the morning, through dust storms in my home State; and I had seen him travel through the parched earth area of Oklahoma that year because he loved the people and felt that the people were entitled to have the benefit of his ideas about government.

He was unselfish. Although he had lost the fight he had made for the nomination for the Presidency, he worked unselfishly and tirelessly for the successful candidate at the Democratic Convention, and worked as hard for him, or even harder than he worked for himself.

As chairman of the Antitrust Subcommittee in the Senate, as an active member of the Select Committee on Small Business, as chairman of the Anticrime Committee, his uncompromising courage and diligence in fighting wrong-doing and vice, yielded great benefits to all.

The issues which he sponsored, not passively, but aggressively, were myriad. ESTES KEFAUVER never asked, "Is the issue popular?" Instead, he asked, "Is it right?" and acted on that basis. He never asked the question, "Can it pass?" but, "Should it pass?" and gave his full attention to the effort to have it passed.

He stood for world peace and for the establishment of the United Nations before it was actually proposed. He was a stalwart supporter of NATO, the Marshall plan, food for peace, and foreign aid, and was active in that field of affairs when often such stands were unpopular, but were necessary to bring the United States into a position of leadership as the only Nation to which others could look. He favored the TVA, REA, social security, medical care, antitrust legislation, civil rights, inflation control, and other important measures on the floor of the Senate and in the House of Representatives at an early date. In the matter of a philosophical approach to governmental issues, he was a scholar. He was constantly thinking about and studying proposals for congressional reforms. In the reorganization of Congress, he was one of the strongest supporters, and he advocated many new and vital suggestions to help modernize our system.

ESTES KEFAUVER knew how to fight a good fight. His sense of fairness, and his gentlemanly approach to debate and parliamentary procedures, endeared him to all who worked alongside him in Congress.

His vision, his integrity, his talent, and his devotion often caused him to place service ahead of self; and thus it was that this desire to work, to do, to achieve, and to fight for others, and the schedule that he set for himself brought to him the untimely toll of death.

To his gracious wife and their fine children, Mrs. Monroney and I extend our deepest and heartfelt sympathy.

Mr. GORE. Mr. President, I now yield to the Senator from Michigan [Mr. MCNAMARA].

Mr. McNAMARA. Mr. President, the departure from our ranks of our colleague, Senator ESTES KEFAUVER, was a shock to us all.

My first thought on hearing of his death was that the people of this country had lost one of the greatest champions they could have in public life.

By the people, I mean those ordinary folk who have no expensive lobbies and no vested interest in anything but good government.

It was a dedication to the rights of his fellowman and their protection against exploitation that characterized ESTES KEFAUVER's public career.

Few men have enjoyed the recognition and respect that greeted him from one end of our country to the other.

He was welcomed so often in Michigan, for example, that we felt he almost was one of our native sons.

In the Senate, ESTES KEFAUVER made an outstanding record in many legislative battles, but always he was on the side of his friends, the people.

Speaking as one who feels honored to have known and worked with Senator KEFAUVER for nearly 10 years, I can say only that he will be sorely missed.

I join with my many colleagues in expressing deep sympathy to Nancy, his lovely wife, the children, and all of his relations in their sorrow.

Mr. GORE. I now yield to the senior Senator from West Virginia [Mr. RANDOLPH.]

Mr. RANDOLPH. Mr. President, each of us in this body feels genuine loss in the passing of our colleague, Senator ESTES KEFAUVER.

As the falling of a mighty tree leaves a a void against the sky, so the passing of this tall Tennessean creates a vacuum which can be neither quickly filled nor easily forgotten. We shall miss his forthright counsel and his independent strength as we seek to carry forward the legislative burdens of the Nation.

It was my privilege to know ESTES KEFAUVER as a friend and coworker since the 76th Congress, when he came to the House of Representatives. We served together in the Senate in a spirit of cooperation which was engendered by mutual interests. He was, as I sensed it, a public servant of energy, devotion and conscience.

Throughout his career as a lawyer and Member of Congress and vice presidential candidate, ESTES KEFAUVER never lost touch with the individual citizen—the man in the street—whose trust and respect he won in countless battles. In the courts of law, in congressional hearing rooms, and in debate, he was ever the steadfast friend and champion of the people, as he knew them.

He was a tall man physically. But he was one who was quick to stoop to aid those who needed assistance.

ESTES KEFAUVER will be missed by his colleagues in the Senate, and by the constituency he served in Tennessee, and throughout the Nation.

Mrs. Randolph joins me in extending most sincere sympathy to Nancy and the children. We shall remember him. We shall remember them.

Mr. GORE. I now yield to the senior Senator from Texas [Mr. YARBOROUGH].

### ESTES KEFAUVER: CHAMPION OF THE COMMON MAN

Mr. YARBOROUGH. Mr. President, he came from Madisonville in Monroe County in his beloved Tennessee; his life was worthy of the best deeds of the two exemplars for whom his town and his county were named.

And when they carried ESTES KEFAUVER back for burial on the family farm in Monroe County in the rugged hills of east Tennessee last August 13, from a life untimely ended in the full prime of his effectiveness, a grateful people gathered from all parts of the Union to pay him homage. Their car license plates read from Maine to California; many doubtless lacked the means for plane tickets, but they came in the uncounted thousands, driving their own cars across a continent, to pay their last respects to the body of the leader who had come to be in America, the candidate and champion of the common man. He was that and more; he was the unfailing champion, advocate, and defender of the common man in the Halls of the Congress of the United States. I was there in Tennessee last August 13. Mr. President; I saw the people. I was here in the Senate with Estes Kefauver, Mr. President; my office was just around the corner from his on the fourth floor of the Old Senate Office Building. I give a testimony today, based on my personal knowledge of their man. Providence has privileged me to have been a living witness to a part of the life of one of our Senate greats, a man whose life casts a beneficial glow on the whole work of the Senate. He came from the mountains, he reflected their strength in his own life.

Estes Kefauver first came to widespread public notice in my home State by fighting for the Tennessee Valley Authority, as a Congressman. Next, he gave the hearts of our people a lift by beating the Crump machine in the Tennessee Senate race of 1948, and coming to the U.S. Senate. His crime committee investigation of big crime in America brought him national fame, enhanced by the judicious, dignified, and fair manner in which he conducted the hearings. My first opportunity to see and hear Estes Kefauver came in September 1951 at the national convention of the American Bar Association in New York City. He spoke for a public defender in the courts for those defendants unable to employ an attorney. An investigator of crime and criminals, he demanded the protection of the law for those accused of lawlessness.

In his drive for the Presidency in 1952, he was an extremely popular figure in my home State of Texas, and in the campaign of 1956, when he was his party's nominee for the Vice Presidency, I had the privilege of traveling with him in a caravan from Dallas to Waco, of seeing throngs of people cheered by his friendly, modest, unostentatious greetings. Instinctively, the people trusted him.

He was a generous man, in all facets of his life. His aids were permitted to help other Senators with research. I was the beneficiary of such aid by his staff. Estes Kefauver was extravagant with his time in pursuit of justice for the people. He was generous with his time, for anyone seeking counsel or assistance.

When I came to the Senate in 1957, he and his charming wife, Nancy, were the first people in Washington to invite my wife, Opal, and me into their home. He was hospitable, in the best traditions of his native Tennessee.

He was a friendly man, friendly to everybody, but he was more than that to me. He was my personal friend. I counted him my closest friend in the Senate. Our hearts are full of sympathy for his beautiful and fine family. I felt a debt to his ideals, as those other great Tennesseans, Andrew Jackson, and Andrew Johnson; and Sam Houston had inspired other Texans in other generations. Estes Kefauver is in the mold of a Sam Houston or an Andrew Johnson or an Andrew Jackson or a James K. Polk; he is worthy to be ranked with them.

Estes Kefauver was cast in the mold of a Jackson or a Houston. Independent, fearless, fighting against great odds, taking on the political kingmakers of the Nation singlehanded, plunging into a just cause without pausing to count the cost, never slowing down for his own personal aches or pains, standing on his feet to protect the people, even with the fingers of death closing upon him; he was a champion to cheer for, a friend and leader to mourn. There is an emptiness in the Senate Chamber now that may not be filled in our lifetime.

Personally, I counted Estes Kefauver among the five most vital and valuable persons serving the Government of the United States, counting all branches of government.

I have given this subject considerable thought since Estes Kefauver left this body in August. It is my considered judgment that there are not three persons working in the Government of the United States today who are more valuable to the people of the United States than was Estes Kefauver.

In the investigation of the conspiracy of the manufacturers of electrical equipment, Estes Kefauver uncovered enough evidence of conspiracy to cause the manufacturers to plead guilty. My home city of Austin, Tex., owns its own electrical plant. On one piece of equipment costing millions of dollars the electrical manufacturers had all entered identical bids. After the Kefauver exposure, the manufacturer, this year, reduced the bid on one piece of equipment alone by $600,000, saving that amount for the taxpaying and electricity-using citizens of Austin, Tex., my home city, on only one piece of equipment.

Consider how much he meant to the whole country.

His work covered many fields of our economic life. By his courageous stand against powerful forces in both parties in the drug investigation he prevented the sale of thalidomide as a pain relieving drug to pregnant mothers, and thus saved families the tears and agonies of limbless babies.

He led the fight last year against the monopolistic giveaway of our uses of outer space for communications purposes. He virtually died on his feet fighting against a furtherance of that giveaway.

Estes Kefauver was a gallant champion. His life has added one of the brightest chapters in the whole history of the Senate, in all of its generations. May his family take solace and comfort from the great useful inspiring life he lived.

Mr. President, many tributes were written about Estes Kefauver after he died. I want to place two of them in the Record—two that were written by the working people he loved. They were written about a man they loved and trusted. He was worthy of their trust; he was worthy of America's pride and trust.

Mr. President, I ask unanimous consent to have printed at this point in the Record an article entitled "Estes Kefauver—A Gallant Champion," published in the Retail Clerks International Advocate for September 1963, and an article entitled "Champion of Rail Workers: Kefauver's Death a Great Loss to Labor and Nation," published in Labor, an international weekly newspaper, of August 17, 1963.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Retail Clerks International Advocate, September 1963]

ESTES KEFAUVER—"A GALLANT CHAMPION"

Members of the RCIA join the Nation in mourning the death of Estes Kefauver, U.S. Senator, twice an aspirant for the office of President, and a steadfast friend of the union member, the consumer—the ordinary citizen.

His courage and conviction forged a close bond between Senator Kefauver and the officers and members of the Retail Clerks International Association that endured for many years until his death at 60.

As a featured speaker at the Diamond Jubilee Year Convention held in Chicago in June, as well as at the 22d International Convention in New York City in 1951, he was attentively listened to and warmly received.

His remarks illustrated his character and outlook as well as expressed the warm friendship shared between him and the RCIA.

His philosophy of fair treatment of working men and women was summed up at the New York City convention of the RCIA:

"We feel that labor is not entitled to any special consideration, any special advantage, but that you are entitled to an equal status, an equal opportunity, and that you are entitled to have laws that are going to treat you fairly.

"Seeing that that is done is a determination which many of us are not going to forget, and it will be done whenever we have the votes and the strength which we are rapidly gaining in the Congress of the United States to bring that about."

Senator Kefauver's public record was a measure of the man. He fought against the Taft-Hartley Act and fought hard for the extension of the minimum wage law to retailing and an increase in the minimum. He fought for the Tennessee Valley Authority and was the scourge of organized crime.

His greatest achievement perhaps was the Kefauver drug law passed last year, giving comprehensive protection and assurance to the purchasers of prescription drugs.

At the time of his death he was working to extend the protections guaranteed to consumers by the Federal Government. At the 24th International Convention in Chicago he urged support for a Federal Council of Consumers:

"From the other side of the counter, the consumer's side, there is also a need for action at the Federal Government level. Businessmen have their Department of Commerce; workers have their Department of Labor; and farmers, though their number is dwindling, still have their Department of Agriculture.

"Yet nowhere in the Federal Government is there any official, independent voice for the consumer—and that term applies to just about everybody these days.

"I am sponsoring a bill, along with 27 other Senators, to establish a Consumer Council. The idea would be that consideration would be given at the top level of government to the points of view of the consumer."

The tall Tennessean was frequently compared to Andrew Jackson, who also came from that State. Through their homespun outlook and their championing of the cause of the common man—as well as their unreserved acceptance by the voters—they met on common ground.

After death Senator KEFAUVER returned to his birthplace, Madisonville, Tenn. His simple burial there was fitting for a statesman who had never lost touch with the people.

He was born there on July 26, 1903, the son of a dairy farmer and hardware dealer who was the town's mayor.

He entered politics on a State level in 1938 and was elected to the U.S. House of Representatives in 1939. Reelected four times, he entered the Senate in 1949, serving continuously until his death.

KEFAUVER made an unsuccessful bid to become the Democratic presidential nominee in 1952 and 1956 and was chosen as vice presidential candidate in 1956 to team with Adlai Stevenson who headed the Democratic slate that year.

At the conclusion of KEFAUVER's address to the RCIA convention in June 1951, International President Suffridge thanked the Senator in words that are appropriate as an epitaph:

"I think all of us know and realize the background of the Senator who just spoke to us. We know him as a man who has the warmth of a Lincoln, a man who has the foresight and vision of an F.D.R., and a man who has the integrity of a Jefferson."

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[From Labor, International Weekly Newspaper, Aug. 17, 1963]

### CHAMPION OF RAILWORKERS: KEFAUVER'S DEATH A GREAT LOSS TO LABOR AND NATION

Railroad workers and all other Americans suffered a heavy loss last week when Senator ESTES KEFAUVER, Democrat, of Tennessee, died in a Washington hospital. A heart attack which at first seemed mild proved fatal.

KEFAUVER, 60, literally worked himself to death for the public good. In his last 2 days, he led a group of liberal Senators in a strenuous but losing fight against another giveaway—this time of $44 million of the taxpayers' money, to the Communications Satellite Corp., dominated by giant American Telephone Co.

After long and hot debate, the Senate passed a $5.5 billion Space Agency authorization bill with the $44 million in it.

KEFAUVER was serving his third term in the Senate and had previously been in the House for 10 years. In his election campaigns, the whole-hearted support of railroad labor and the union movement as a whole helped him overcome powerful opposition by selfish and sometimes sinister interests, who hated him for his courage and independence.

#### BATTLING FOR RAILMEN

In this session of the Senate, KEFAUVER was pushing his bill to declare a "moratorium" on railroad mergers until December 31, 1964, so as to give Congress time to study the shattering effects of the huge mergers on rail employment and the public interest.

Also, he cosponsored legislation for an investigation of railroad finances and ownership. And he cosponsored a resolution for continued negotiations in the big rail work rules dispute under the eye of a watchdog committee of Congress.

These latest actions by KEFAUVER are typical of the helpful hand he has given to railworkers and labor as a whole many times in the past.

Son of a pioneer Tennessee family, KEFAUVER won fame as an athlete at the State's university, and was elected president of the student body. He worked his way through Yale Law School, taught and practiced law in Chattanooga, helped win the fight for TVA, and was active in local and State civic affairs until he was elected to the U.S. House, where he served with great distinction.

#### EXPOSED UNDERWORLD

After moving up to the Senate, KEFAUVER gained national renown by his investigation of organized crime and its corrupting effects on public morals and politics. Lords of the underworld, and some political leaders, never forgave him for that, and contributed lavishly to the campaign funds of some of his opponents in later elections. Nevertheless, KEFAUVER always won.

By 1952, KEFAUVER had gained such national stature that he won 14 of the 17 State presidential primaries, but he lost out to Adlai Stevenson in the party nominating convention. The same thing happened in the 1956 presidential campaign, but he was chosen then as vice presidential nominee.

#### FOUGHT MONOPOLISTS

Always a leading fighter for consumers and against monopolists and price fixers, KEFAUVER conducted famed probes of price rigging in the steel, electrical equipment, drug and other industries. He succeeded in putting new "teeth" in the antitrust laws and stronger controls over marketing of drugs after the shocking "thalidomide" scandal broke.

The latest result of his battles in the drug field came on the day he died. The Federal Trade Commission ruled that six big drug manufacturers "conspired to raise and fix prices on tetracyline, the leading antibiotic drug, with sales over $100 million a year."

Success of this illegal conspiracy, the FTC said, was made possible by a patent which Chas. Pfizer & Co., a giant of the drug industry, obtained by deceiving the U.S. Patent Office. KEFAUVER, in his reports on his drug probe, always emphasized that misuse of patents is a main foundation for the monopolistic system which makes old and ill people pay exorbitant prices for prescription drugs.

#### MANY TRIBUTES

Messages of tribute to KEFAUVER poured in from all over the Nation. Foremost among these was one by President Kennedy. He declared that KEFAUVER's "devotion to the public interest and the welfare of the people made him a powerful influence." Kennedy added that his death "deprived the Nation of one of its most distinguished leaders."

Some words spoken by one of Shakespeare's characters might well be applied to ESTES KEFAUVER: "He was a man, take him for all in all, we shall not look upon his like again."

Mr. GORE. Mr. President, I yield to the distinguished senior Senator from Wyoming [Mr. MCGEE].

Mr. MCGEE. Mr. President, like most successful men in public life, ESTES KEFAUVER had a public image. But unlike many nationally prominent individuals, his image was the man himself. He was no different in or out of the spotlight. It is one of the prime reasons why people throughout the breadth of our great land loved him so well. They could sense that he spoke and acted always from the heart; that he was not schooled on Madison Avenue. Nor was he glazed with a veneer of cordiality that concealed cynicism and contempt from those from whom he sought support. He was real; he was genuine. It is possible for some of us to speak with firsthand knowledge on that particular phase of this great man.

In my own State of Wyoming, his influence was considerable. The reservoir of followers that filled to overflowing throughout the years during the many trips he made to my State stands as a living monument to the kind of direct inspiration he instilled in people.

One incident among many that we still talk about in Wyoming occurred in the campaign of 1956, when he was visiting a small community in southwest Wyoming—a big community in our terms, but small when considered from here—Rock Springs, in Sweetwater County. Senator KEFAUVER was to make a brief appearance, to include a speech and a public reception.

When his plane landed at the local airport, there were no portable stairs. Most of the airports in that area are not equipped to handle some of the larger planes that fly across that part of the country. For a while, it looked as though the people would have to content themselves with a speech made from the door of the aircraft at the airport. But ESTES, as the people were all calling him, even then, ordered the crew to uncrate the portable ladder which most of these craft carry. It was a chute; and in a grand swoop, he slid down out of the plane through the chute and into the crowd.

This was no idle gesture on his part, and was never interpreted in that way. It illustrated very well the innate dignity of ESTES KEFAUVER which lay in his sincerity and in the conviction that the average man was his concern. The people out my way have never forgotten that little incident.

Only 2 or 3 weeks before his passing, ESTES honored me by appearing in Cheyenne, the capital city of my State, at a testimonial dinner. His appearance at that dinner drew from the city of Rock Springs a delegation of 35 persons, who drove a distance of 275 miles, not to testimonialize MCGEE, but to pay tribute to the presence there of ESTES KEFAUVER, who, although he was a Senator from Tennessee, was indeed a man of all Americans. They felt that a part of ESTES belonged to them. They were thrilled, once again, because he paid special attention to them; he had taken time from the busy round of events in Cheyenne to visit with them and to reminisce over some of the incidents of the past.

But even as I suggest that the people of Wyoming, individually, venerated ESTES KEFAUVER, still another incident bears recounting. One of the pleasantest visits, a visit that I shall never forget, was a short trip he and I took, along with some of our colleagues—I see in the Chamber the distinguished junior Senator from Ohio [Mr. YOUNG], who was in the party—to Yellowstone Park, last July. Yellowstone Park is more than Wyoming; it is "Crossroads, U.S.A."

What would have impressed any casual visitor at that moment, as we were standing in the vast lobby of the Lake Hotel, in the center of the park, was how all of America seemed to recognize at once the presence of ESTES. They said: "Hi, ESTES. Hello, ESTES. I last saw you, ESTES, in Minnesota"—or "Alabama"—or "New Hampshire." People all across the land crossed his trail in Yellowstone Park. ESTES KEFAUVER loved the people, and that affection was reciprocated.

There was more to this great and beloved public servant than even his true humility, his candor, his love of people, and their love, in turn, of him. In continually pressing for the achievement of the causes in which he believed, he inspired not only the plain people of America, but also the leaders at all levels and in connection with all causes, to follow his example.

Estes Kefauver was a true liberal. He was convinced that the individual's lot in life could be improved and ought to be improved, and he dedicated his every effort to achieving that improvement.

His effective work in this body in the fight against organized crime, against unfair monopoly, and against those who would compromise the standards of service to the public is an indication of his real concern for the welfare of his fellow men.

Estes Kefauver was not only a man of strong principles, he also worked to put those principles into action. And work, to Estes Kefauver, was just that—work, hard work, and plenty of it. Just as his style of political campaigning meant meeting more people and shaking more hands, so his style of legislative work meant keeping longer hours and holding more hearings than most of his contemporaries. He was never known to shrink from a task or to give up before the job was complete. And neither would he shrink from a position he believed correct, just because it might be unpopular or might expose him to the mudslinging attacks of those who would pander to the mean and petty side of human nature, for political ends.

It is easy to talk about Estes Kefauver, he was a big man and his memory and the memory of many associations with him brings a warm glow to the spirit. But it is certainly far more difficult to realize that he is no longer with us. His loss has already been keenly felt in this body and in our country. But even though he has passed on, his principles, his example, and his courage live on and still are very much with us. They become the guidelines and the inspiration to many of the rest of us. Those inspirations do not die.

We miss Estes. The people of his State miss him. The Nation misses him. All of them need the kind of leadership and courage he exemplified.

Mrs. McGee would join me in expressing our sympathy to his lovely wife, Nancy, and their family. As Americans, we shall ever be proud of this great man, this great American.

Mr. YOUNG of Ohio. Mr. President——

Mr. GORE. I yield to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. YOUNG of Ohio. Mr. President, Estes Kefauver and I served together in the House of Representatives. We became good friends then, and over the years I held him in the highest esteem. His sudden death last August shocked the entire Nation. We are still saddened by his loss, and, indeed, will be for many years to come.

Mr. President, when I say the entire Nation was shocked by his passing, I recall distinctly two occasions—one, in the Virgin Islands; another, on the campaign trail—when literally scores and scores of men, women, boys, and girls crowded around Estes Kefauver, seeking his autograph, which he patiently gave; and from time to time he would say to someone, "This is Senator Young, and he will give you his autograph." However, Mr. President, they were not seeking any autograph except that of this truly great man, Estes Kefauver.

He was in every way a man of courage, of conviction, of tenacity, of great ability, and of dedication, known to and beloved by Americans—by the ordinary, average "little fellows," as we say—by the rank and file of the citizens of our country, in whose behalf he ceaselessly toiled.

He was always a dedicated public servant; he was always a champion of the "have-not's." A fine, big man, himself, he was always strenuously fighting for the rights of men and women whom he considered were being pushed around by those who were more powerful. He was a tireless foe of organized crime, of monopoly, and of special interests.

He was, in a very real respect, always a champion of the underdog, a guardian of the public interest. As such, he endeared himself to countless numbers of Americans in all walks of life. While he usually appeared unhurried and relaxed, he was at all times a man of great industry.

I am proud and honored to have served for many years with this "man in the coonskin cap." For more than 25 years, he served his native State of Tennessee and his Nation. He served with distinction as an official of his State, as a Member of the House of Representatives of the United States, and as a Member of the Senate of the United States. During those years, Estes Kefauver knew defeat, as well as victory; setbacks, as well as accomplishments. Yet, he never wavered in his determination that all Americans receive "a fair shake."

I recall very well that in 1952 he made a tremendous impression in Ohio when, almost alone, he campaigned for support as a candidate for the Democratic presidential nomination. I was then in private life—having been retired by the will of the voters of my State in 1950. As a private citizen, I gladly gave him my enthusiastic support and help. At that time I knew of other powerful supporters and very close friends that he made in Ohio. One I have distinctly in mind was Edward "Ted" Lamb, of Toledo, who admired Estes Kefauver so very much because, like Estes, Ted Lamb has always been a champion of the underprivileged. Over the years Ted Lamb would speak almost reverently of his affection and admiration for Estes Kefauver.

Let me say that this young lawyer, Edward "Ted" Lamb, in recent years has become chairman of the board of the Seiberling Tire and Rubber Co., of Akron, and is the head of the Edward Lamb Industries, of Toledo. He is a nationally known industrialist, an internationally famed sportsman, and a self-made millionaire a good many times over. Back in 1952 he was a lawyer, as was I, in Ohio; and he inspired me to do my utmost for Estes Kefauver. Of course, the kingmakers of that time were too powerful. Estes Kefauver—as was the situation on frequent occasions during his long life of truly dedicated public service—was fighting against well-nigh insurmountable odds. However, he was always cheerful and forthright; he never looked behind, to see whether he had a following host. He was always looking ahead, for the welfare of the people of the United States. He would have made a great President of the United States.

He was as towering a figure in ability and integrity, as he was in stature. His leadership, his counsel, his undaunted courage, and his presence among those of us who serve as Members of the Senate were highly valued. He has been, and will be, greatly missed in this Chamber.

To his lovely wife, Nancy, their children, and the other members of their family, we extend our deepest sympathy. There is no real consolation one can offer on the death of a beloved husband and father. However, there has been bequeathed to them a priceless gift—a name that always will stand for courage, dedication, unsurpassed integrity, and fighting for democracy—Estes Kefauver.

Mr. GORE. Mr. President, I yield to the Senator from Michigan [Mr. Hart].

Mr. HART. Mr. President, this will not be a long speech. There is no need for one from me. The grief occasioned by Senator Kefauver's death has been crystallized into words by men more articulate than I.

President Kennedy has said that the Nation is deprived of one of its finest leaders.

The distinguished minority leader has described Mr. Kefauver as "a man with deep convictions, a rare persistence and a tremendous courage."

David McDonald of the United Steelworkers called him "a true friend of labor and all mankind."

Ambassador Stevenson said, "The people have lost a gallant champion and I have lost an old friend and a comrade in arms."

Those last words—when I read them—were among the ones that touched me most deeply because they so exactly reflected my own feelings.

There was a long list of true and touching comment. It was all eloquent, it was all sincere and it all came from men important in the affairs of the Nation.

And yet I know that many here will agree with me that important men are not best qualified to eulogize this Senator. He was courtly and considerate to all but he was never eager to seek the favor of important people.

It would seem to me far more useful to seek out judgments on the man from farmers and housewives and lathe operators and shipping clerks.

I know of one such simple testimonial. A telephone repairman in Michigan said it and it was simply—"What a shame. He was such a good man."

An eloquent comment, I think, from a man unpracticed in phrasemaking. It is not a exaggeration to say that the people thought of Estes Kefauver as a protector.

Common people everywhere—and perhaps not without some justification—have the feeling that there are great and powerful forces alined against their best interests.

But having a man like ESTES KEFAUVER around did a lot to relieve their feeling of helplessness. Because he was a crusader—against crime, against monopolies, against bigotry—and when he crusaded, he crusaded because he was angry.

But we can write this down about him: His outrage never diminished his sense of fairness. And this perhaps more than any other characteristic was the source of his greatness.

Senator KEFAUVER and I very rarely found ourselves opposed on any issues. But whenever such an occasion did occur, whenever I found that his position differed from mine, I reexamined my reasoning very carefully before finally casting an opposing vote. But, as I say, it did not happen often.

Certainly, I am proud to recall that I worked with him very closely on the drug bill during those bleak days in the last session when support for this legislation was something short of overwhelming. But he stood firm and finally the thalidomide episode dramatized the righteousness of the cause.

Senator KEFAUVER instrumented a great tradition in this body and there are many of us who hope fervently that he can be somehow continued.

Certainly, the battles he fought deserve to go on with the same vigorous, decisive spirit. This, in truth, would be the greatest tribute we could give the man.

His was a greatness we shall not see often. Any man can be envied his friends. But only when a man is truly great will you find many who will—as I do—envy him his enemies as well.

I promised a short speech. This one has been perhaps too long already. Because when we get down to it, what more is there to say than: "What a shame. He was such a good man."

Mr. GORE. Mr. President, I yield to the Senator from Hawaii [Mr. FONG].

Mr. FONG. Mr. President, I should like to join my distinguished colleagues in the Senate in honoring the memory of my friend—a great American—the gentleman from Tennessee, ESTES KEFAUVER, whose sudden passing in August shocked and saddened us all.

I had know ESTES KEFAUVER just the few short years since I came to the Senate in 1959. We served together on the Judiciary Committee. But I soon discovered one did not need to know ESTES KEFAUVER long to learn and appreciate his outstanding traits.

His rugged and sturdy visage was matched by his rugged and sturdy individualism.

He was impelled by a crusading spirit to fight for his beliefs, his credo, his program.

He never dodged controversy. He seemed to thrive on it.

He was tenacious, moving with a dogged persistence, which was at once the admiration and inspiration of his supporters and the despair of his opponents. He was indeed a worthy adversary.

ESTES KEFAUVER was a hard worker. He never shirked his duty as he saw it, and many times during a session of Congress he was in the forefront fighting for a cause dear to his heart.

ESTES KEFAUVER was able to strike a kinship with the man in the street. He championed the underdog, the oppressed, those in the minority. This in no small part explains his wide support among the people of Tennessee, who elected him and reelected him to Congress beginning in 1939. It explains in no small part why he won the vice presidential nomination of his party in 1956.

Yet, despite his great party loyalty, he retained his right to be independent when he differed with his party. For this, he won wide acclaim.

It is a pity such a man was stricken in the very prime of his life.

So we say our last "aloha" to him, a dedicated American and fine public servant.

My wife Ellyn and I appreciate the great sense of loss his family must feel and we extend to Mrs. Kefauver and their children our heartfelt condolences in their bereavement.

Mr. GORE. I yield to the Senator from California [Mr. KUCHEL].

Mr. KUCHEL. Mr. President, over our years of service together in the Senate, I came to know ESTES KEFAUVER as a friend. I respected his deep faith in the people and his political courage to speak out against wrong no matter where it occurred, no matter in which administration it occurred. In his devotion to duty and in his unceasing exertions as a legislator, he kept the public trust which the people of his own State successively and continuously recognized when they sent him first to the House of Representatives and then to the Senate. Later, across this great land, ESTES KEFAUVER, in various campaigns for national office, utilized a unique symbol of the Tennessee frontier—the coonskin cap—which so fittingly linked ESTES with the hopes, aspirations, courage, and progressivism of people in all walks of life.

Lawyer, public servant, scholar—honored to be elected vice president of the American Political Science Association—and friend of countless students, ESTES KEFAUVER, in his first years in Washington, coauthored a readable and noteworthy book entitled a "Twentieth Century Congress."

In the midst of the Second World War, he fought as a Member of the House for a resolution to permit Cabinet officers to come before the full body on a regular basis and submit to questioning on the activities of their departments. At an early date, he demonstrated that not only should Congress be responsive to the people but that the Executive should also be responsive, or at any rate, respond to Congress. He never lived to see adopted this or many of the other reforms he proposed in his desire to make Congress responsive to the needs of the people; perhaps, most of us will never live to see that day. But if that day should ever come, it will be due to the diligence and the faith of men like ESTES KEFAUVER.

I was honored repeatedly over the years to coauthor with him and others in both parties a constitutional amendment to revise the long-archaic electoral college system so that it might reflect the will of the people on a proportional basis. Someday, Mr. President, that too shall come to pass and much credit will be due to the long hours and untiring efforts of the late Senator from Tennessee. Through years of public hearings he aroused the informed opinion of our Nation, those in the universities, those in journalism, those in public life—to the need for this change so that no longer would the will of our citizens be frustrated by the election of a President who had not received the support of a majority of the people: an event which has occurred more than once in the history of our Republic. He once described the outmoded electoral college as a loaded pistol pointed at our system of Government.

> Its continued existence—

He said—

> is a game of Russian roulette. Once its antiquated procedures trigger a loaded cylinder, it may be too late for the needed corrections.

ESTES KEFAUVER was colorful, he was a scholar, he was a fighter, but above all else he remained a kindly man. To his beloved wife, Nancy, and his family, Mrs. Kuchel and I extend our deepest condolences.

Mr. GORE. I yield to the Senator from Rhode Island [Mr. PASTORE].

Mr. PASTORE. Mr. President, often a thing that seems trifling at the time looms large in retrospect. I am thinking of this Senate Chamber on Thursday, August 8, as I came back here from the Moscow treaty signing mission.

In his last hour on this Senate floor—even as the shadow of tragedy was gathering around him—Senator ESTES KEFAUVER interrupted the major speech he was making—to welcome me back and to hope that I was feeling as well as I looked.

I am proud that the RECORD perpetuates his compliment and our friendly responses of that day. For the incident was in the character of ESTES KEFAUVER who always found time to be considerate, courteous, and kind however the tide of debate might surge upon the Senate floor.

A devoted, dedicated, untiring advocate of causes in which he believed, the tall son of Tennessee will be missed from the American scene. Few Americans were known so universally, so personally, so intimately. For ESTES KEFAUVER seems to have been at the front door of all America so that the people might know him at firsthand.

Honored so constantly by the people of his native State, there as few so honored by the people at large in an era when the country's best competed for the country's favor.

In whatever post fate held for him, the people were sure of a conscientious servant and we who served with him admired him for his conscience and loved him for his companionship.

Silent thousands gathered by the old family home around his flag covered casket for the last rites. Their very presence spoke an eloquent eulogy for our colleague who was everybody's neighbor.

Out of the sincerity of our hearts we speak our sympathy for his dear ones and our deepest sorrow for a great American who has earned his rightful rest in the very bosom of the Tennessee he loved and served so well.

May he rest in peace.

Mr. GORE. I yield to the Senator from Maine [Mrs. Smith].

Mrs. SMITH. Mr. President, Estes Kefauver was a truly great Senator and a very valued friend of mine.

From the time that both of us were elected to the Senate in 1948, we had something in common. That year smear charges were made against me—specifically that I voted the Marcantonio line. I answered those smear charges with a devastating refutation pointing out that on some of the votes my opposition sought to smear me on as voting the same way that Representative Marcantonio did, so did the then Republican National Committee chairman, Representative B. Carroll Reece, of Tennessee.

The same charges were made against Estes Kefauver in his campaign—and so I sent him my documented refutation of the smear charges. When we met at the opening of the 81st Congress and were first sworn in as Members of the U.S. Senate, Estes Kefauver told me that he had taken what I had sent him and had used it to very effective advantage.

So while I grieve the passing of a true and deeply valued friend, I do find some solace in the memory that this great statesman of such tremendous courage found that I gave him effective ammunition to back up that courage at a most crucial time in his career.

Mr. GORE. I yield to the Senator from North Dakota [Mr. Burdick].

Mr. BURDICK. Mr. President, on two earlier occasions in the Senate, on August 26, 1963, and September 24, 1963, I have paid tribute to our late colleague, Estes Kefauver.

Besides my own remarks, I called attention to an article that appeared in the New York Times August 12, 1963, entitled "The Observer" and to a resolution approved by the City Commissioners of North Dakota's largest city, Fargo.

Mr. President, I ask unanimous consent that my remarks, the article and the resolution be printed at this point in the Record.

There being no objection, the article and resolution were ordered to be printed in the Record, as follows:

Mr. Burdick. Mr. President, the little people of America lost their foremost Washington lobbyist last month when Estes Kefauver died.

The voice of the organized interests comes through clear and strong to Congress. The collective voice of the little people of the Nation is muffled and diffused. Representing them can be a lonely, frustrating task.

That was the role Estes Kefauver undertook, tirelessly and valiantly. And the little people knew and understood that he was their advocate. The people of my State of North Dakota certainly did, because I witnessed their warm response to the man.

In the truest sense, Estes Kefauver was a U.S. Senator. His constituency was not confined to Tennessee. It included the entire Nation.

Estes Kefauver always was concerned about the underdog. As a southern Senator, it required no small amount of courage for him to support civil rights legislation.

He bothered to worry about the consumer—about his drug bills and his utility bills. In this latter endeavor he had a strong ally in my illustrious predecessor from North Dakota, Senator William Langer. Together they waged the successful battle to kill the Dixon-Yates contract, which would have undercut the public power yardstick in the Tennessee Valley Authority.

Estes Kefauver took on organized crime. And he was unrelenting in his campaign against the evils of economic concentration and monopoly.

I am proud to have been a member of the small band of Senators Estes Kefauver led last summer in the battle against turning over the communications satellite system to a private corporation.

He went down fighting on this issue, for he was struck by his fatal heart attack on the Senate floor while seeking an amendment to the NASA authorization bill to require reimbursement to taxpayers for research and development which will benefit the private communications satellite corporation.

On the communications satellite question, Estes Kefauver was on the losing side, but I have every confidence that the wisdom and rightness of his position will be fully appreciated in the years to come.

As the stalwart champion of the little people, Estes Kefauver sustained many disappointments and defeats, but having waged the good fight, he accepted them with grace.

The likes of Estes Kefauver will not be seen in the U.S. Senate for a long time. He was a man of heroic dimensions, and it was a privilege to have served in the Senate with him.

### OBSERVER

Washington, August 11.—He was an egghead masquerading as a yokel and what he wanted was the Presidency. For 6 years, with little more than a coonskin cap and the stamina of a drayhorse, he kept the most skillful politicians of the Democratic Party in a nightmare.

Up and down the American folkways he plodded with his huge right hand dangling limp before him, ready for deposit in the claw of anyone who crossed his path. He would hand them the hand and look through them and murmur, "Ah'm Estes Kefauver and Ah'm runnin' for President. Will you he'p me?"

From Harry Truman in the White House down through the bull-roast-and-clambake crowd, the party professionals despised him. He was a maverick.

### END OF A MAVERICK

"Always running for President," his colleagues in the Senate said with an inflection that meant, "he doesn't belong." The southerners viewed him as a traitor to the cause, a southerner seduced by ambition into espousal of civil rights and other unsouthern flapdoodle. His TV investigation of the mobs, which had publicized certain ugly facts about the relationship of dirty money and urban politics, had won him the lasting hatred of the big-machine politicians.

Campaigning across the country on a chain of outstretched hands, Kefauver found the opposition of the professionals a boon of sorts. He could say with Liberace, "Nobody loves me but the people." And so, it seemed, the people did. But conventions are purely professional institutions and both times—in 1952 and 1956—the professionals had their revenge.

In 1956 he managed to win the sop of the vice-presidential nomination, and the professionals assigned him to the obscurity of campaigning in the deep-corn country.

The campaign was a model of disorganization. He fell hours behind schedule, kept audiences waiting until midnight until finally, out of the storm, groggy with fatigue, that distant dreamy look on his face, he would stumble into the hall to be greeted by his dismayed local agent.

"What kind of audience you got here?" he would ask as he moved in his stately stiff walk down the aisle, giving them the hand-flapping motion that passed for a wave. "Indians," his adviser told him one night. "What's their problem?" Kefauver asked. "Damn it, man. They're Indians. Isn't that enough?"

### EGGHEAD IN COONSKIN

The irony of Kefauver was that the coonskin cap, by which the country at large knew him, was a fraud. It implied a log cabin rustic bred to the cracker barrel circle, but it concealed one of the authentic eggheads of American politics. Behind the homespun facade was an upper-middle-class family background, a university education, a law degree from Yale, marriage to a moneyed Scottish beauty, and a quality of introspection so deep that he was most enigmatic to those who knew him best.

In the Dixon-Yates affair he was a match for the canniest minds of Wall Street in the intricacies of high finance. In private conversation he was given to a mordant, ironic humor far deadlier to the politician than Adlai Stevenson's good-humored wit, which was said to have offended the voters.

None of this showed on the public facade. To the country he remained the mountaineer in coonskin, exuding the smell of the old hills. Subconsciously or by design, he exploited the Lincolnesque in his figure and towered among his "little people" as a symbol of all those virtues associated in the national memory with log cabin roots.

"Will you help me?" went the pitch. "I grew up in a little, small town, and I have the same ambitions, the same aspirations that most of you have."

### INNATELY THE BACKWOODSMAN

And yet, if the facade was all wrong, there was a germ of essential truth in the coonskin, for he had the backwoodsman's innate distrust of big business and the "interests" and an admirable zest for stepping on rich, fat toes.

Those who trailed him on his quest for the Presidency will remember him for a time to come, standing on the old-fashioned bandstands in courthouse squares murmuring, "You'll help me, won't you?" And, "If you can't give me your votes, remember me at least in your prayers."

Russell Baker.

### DEATH OF SENATOR KEFAUVER—RESOLUTION

President Lashkowitz offered the following resolution and moved its adoption:

*"Be it resolved by the Board of City Commissioners of the City of Fargo:*

"Whereas the Honorable Estes Kefauver, distinguished senior U.S. Senator from the State of Tennessee, has passed on to his eternal rest, unexpectedly shocking and saddening the entire Nation and freemen everywhere; and

"Whereas the Honorable Estes Kefauver, during his lifetime, distinguished himself as the foremost fighter for good clean government and was renowned as a fighter for the rights of the individual human being without regard to race, color, or creed; and

"Whereas the Honorable Estes Kefauver waged a courageous lifelong battle against injustice and human suffering and fought continually for a better society for all mankind; and

"Whereas the Honorable Estes Kefauver, during the course of his distinguished career visited the city of Fargo, N. Dak., on many occasions and had earned the admiration, respect, and friendship of many citizens of our city including Mayor Herschel Lashkowitz, who in 1952 earnestly fought to advance Senator Kefauver to the Presidency of the United States and received the Honorable Estes Kefauver at a historic gathering in the Red

River Valley near Buxton, N. Dak., at which nearly 30,000 people were in attendance, at which time Senator Kefauver convinced the people of this area of his knowledge and understanding of our problems and of his deep interest and concern for the well-being of this area; and

"Whereas in the year 1957, Senator Estes Kefauver earnestly and devotedly took the floor of the U.S. Senate championing the cause of disaster-stricken Fargo in its recovery efforts following the tornado disaster of 1957; and

"Whereas Senator Estes Kefauver at all times responded to the needs of those in distress wherever the call may emanate and served nobly, courageously, and at great sacrifice to his own health and personal comfort; and

"Whereas it is the considered feeling of the Fargo City Commission that Estes Kefauver has earned himself a secure niche in the history of our country as a great American statesman who served his beloved Nation and the cause of mankind with rare devotion and was indeed the very embodiment of the essence of American patriotism and was rightfully recognized as a friend of all mankind in the continuing human struggle for a better society for each and every individual human being no matter where he lives: Now, therefore, be it

"*Resolved*, That the Fargo City Commission does hereby express their deep and profound sorrow and sadness upon the untimely passing of that great American statesman, the Honorable Estes Kefauver, who had endeared himself to the people of this area and the city of Fargo by his many acts of friendship and loyalty as manifested throughout the years; and be it further

"*Resolved*, That this expression of sorrow upon the passing of our beloved friend, the Honorable Estes Kefauver, be spread upon the permanent minutes of the Fargo City Commission, and that certified copies be forwarded to the family of our dear friend, the Honorable Estes Kefauver, and that copies be furnished to the presiding officer of the U.S. Senate, the congressional delegation of the State of North Dakota for introduction into the Congressional Record, and also to the Governor of the State of Tennessee and the two U.S. Senators from the State of Tennessee, with the request that this resolution be called to the attention of the Tennessee Legislature and the press, radio, and television of the State of Tennessee."

Second by McCannel. On the vote being taken on the question of the adoption of the resolution Commissioners Markey, Oakey, Lashkowitz and McCannel all voted aye.

Absent and not voting: Commissioner Hagen.

The acting vice president declared the resolution to have been duly passed and adopted.

Herschel Lashkowitz,
*Mayor and President, Board of City Commissioners, Fargo, N. Dak.*

Attest:

M. C. Fremstad,
*Deputy City Auditor.*

Mr. GORE. I yield to the Senator from Kansas [Mr. Carlson].

Mr. CARLSON. Mr. President, the sudden and untimely death of Senator Kefauver was a loss to not only the State of Tennessee but also to the Nation.

My first association with Estes was as a Member of the U.S. House of Representatives where he served five sessions. He preceded me to the U.S. Senate but here we had the opportunity to renew our association and I again had the pleasure of serving with him.

Senator Kefauver had great courage in supporting many programs that might not have been immediately popular but were in the best interest of our Nation's future. He was a man of visions with a great heart of compassion for the underprivileged, whether in this Nation or in other countries on the globe.

He was the first candidate for the U.S. Senate to endorse the program of the Atlantic Union. In Senator Kefauver, the Atlantic Unionists agree they had their strongest and most active leader. He and I had many discussions in regard to the program of this international organization in its effort to promote world peace.

Clarence Streit, president of the International Movement for Atlantic Union, of whose honorary council Senator Kefauver was a member, says of him:

> Since 1948 I have been on close terms with Senator Kefauver. I must testify that he has never wavered on this issue and has proved time and again that he put the interests of the Atlantic Union Convention proposals above what others thought were his own political or personal interests. He stood his ground when attacked because of it, in both his campaigns for the presidential nomination, and in all his campaigns for his Senate seat.
>
> I have been in an unusually good position during the past 15 years to form a good judgment about Senator Kefauver. He impressed me favorably from the start, and he has grown and grown and grown in my esteem, particularly in qualities which I rate high. These include moral courage, integrity, stick-to-it-iveness, good political judgment, sangfroid, far-reaching vision combined with a down-to-earth sense of the practical and a genuine, warmhearted interest and respect for people, individually and collectively. Practically all the articles about him that I have seen in the mass magazines and bit newspapers have shown only superficial knowledge and perception, and have badly underestimated him. His stature, I have no doubt whatever, will grow with time.

Mr. GORE. I yield to the Senator from Alaska [Mr. Bartlett].

Mr. BARTLETT. Mr. President, the great men Tennessee gives to the Nation have an especial quality about them. They have honesty and straight courage, simplicity, and devotion to the people. Tennessee has given us Andrew Jackson, Andrew Johnson, Cordell Hull, and now we are met to pay tribute to another great Tennessean, Estes Kefauver.

The death of this great Senator from Tennessee was, of course, a personal loss to me as it was to every other man in the Senate. More than that, it was, however, in a very real sense a personal loss for the people of America. No man in modern times has known more Americans across the length and breadth of the country than has Estes Kefauver; no man has been more beloved by them than was he.

I was in Indiana the weekend of his death and many, many strangers expressed to me their sorrow and personal loss at the sad news. It was, Mr. President, most impressive.

The people loved him because they sensed, they knew that his life and his career were dedicated to their interests. He fought a good fight for the people. In the tradition of Jackson and Johnson he represented them all. Not the wealthy, the powerful, the special interest groups, the minorities or the coalitions, he represented the people.

The record of his 24 years' service in the Congress stands as a greater memorial to the man than anything we can say here. His work on improving legislative processes was important. So, too, were his well-known investigations into national crime, juvenile delinquency, Dixon-Yates, steel pricing, insurance regulation. Perhaps his most lasting and significant work is that which led to congressional approval of the Kefauver drug bill only last year. Looking back it seems unthinkable that there should be opposition to a proposal requiring adequate testing of experimental drugs in the laboratory and on experimental animals before allowing them to be used on human patients. There was opposition, however, and it was only because of the dogged and relentless work of the late Senator from Tennessee that the bill became law. It was his work.

It will be a long time before we again have such a man as Estes Kefauver in the Senate.

Mr. GORE. I yield to the Senator from North Dakota [Mr. Young].

Mr. YOUNG of North Dakota. Mr. President, the death of our beloved colleague, Estes Kefauver, removed from the Senate one of its most colorful and distinguished Members. Estes had many truly remarkable qualities. Among them was his devotion to the cause of good government. He spent much of his lifetime fighting corruption and racketeering in and out of Government. He was one of the most relentless antagonists of monopolistic practices in industry. The Senate committee dealing with monopolies, which he headed, established a nationwide reputation.

Estes Kefauver will go down in history as one of the more able and hardworking Members of the Senate. Few, if any, Senators ever won as many friends throughout the United States as he.

In my own State of North Dakota he had a very large and devoted following. I know of no one who ever came to our State who was so well received. One of the nicest tributes that has come to my attention was given to our late colleague by the city of Fargo. Mr. President, I ask unanimous consent to have inserted as a part of my remarks a resolution adopted by the Fargo City Commission and a letter from Fargo's very distinguished mayor, Herschel Lashkowitz.

Mr. President, I join with other Senators today in their expression of sympathy to his wife, Nancy, and all of his wonderful family.

There being no objection, the letter and resolution were ordered to be printed in the Record, as follows:

City of Fargo, N. Dak.,
*September 16, 1963.*

Hon. Milton R. Young,
*U.S. Senator,*
*Senate Office Building,*
*Washington, D.C.*

Dear Senator Young: I enclose herein a resolution which was prepared by myself and was adopted by the Fargo City Commission expressing our heartfelt sympathy on the untimely passing of that great America, the Honorable Estes Kefauver.

We here in Fargo, N. Dak., felt particularly close to Senator Kefauver because of his many visits over the years in which he established strong and enduring friendships. We also recall with deep appreciation the efforts that he exerted in behalf of our city in 1957 when our community was stricken with the great tornado disaster that year.

Senator Kefauver has left an indelible mark upon those who were privileged to know him. American history will record him as one of the genuine humanitarians of our time, a man who placed principle above political expediency in all of his public actions.

I sincerely hope that the enclosed certified copy of the resolution adopted by the Fargo City Commission will be placed in the Congressional Record together with this letter so that Americans everywhere can be reminded of the highest esteem and affection in which Estes Kefauver was held by the people of the city of Fargo, N. Dak.

Sincerely yours,

Herschel Lashkowitz,
*Mayor.*

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Resolution of Board of City Commissioners, Fargo, N. Dak., August 20, 1963

President Lashkowitz offered the following resolution and moved its adoption:

*"Be it resolved by the Board of City Commissioners of the City of Fargo:*

"Whereas the Honorable Estes Kefauver, distinguished senior U.S. Senator from the State of Tennessee, has passed on to his eternal rest unexpectedly shocking and saddening the entire Nation and freemen everywhere; and

"Whereas the Honorable Estes Kefauver, during his lifetime, distinguished himself as the foremost fighter for good clean government and was renowned as a fighter for the rights of the individual human being without regard to race, color, or creed; and

"Whereas the Honorable Estes Kefauver waged a courageous lifelong battle against injustice and human suffering and fought continually for a better society for all mankind; and

"Whereas the Honorable Estes Kefauver, during the course of his distinguished career, visited the city of Fargo, N. Dak., on many occasions and had earned the admiration, respect, and friendship of many citizens of our city, including Mayor Herschel Lashkowitz, who in 1952 earnestly fought to advance Senator Kefauver to the Presidency of the United States and received the Honorable Estes Kefauver at an historic gathering in the Red River Valley near Buxton, N. Dak., at which nearly 30,000 people were in attendance, at which time Senator Kefauver convinced the people of this area of his knowledge and understanding of our problems and of his deep interest and concern for the well-being of this area; and

"Whereas, in the year 1957, Senator Estes Kefauver earnestly and devotedly took the floor of the U.S. Senate championing the cause of disaster-stricken Fargo and its recovery efforts following the tornado disaster of 1957; and

"Whereas Senator Estes Kefauver at all times responded to the needs of those in distress wherever the call may emanate and served nobly, courageously, and at great sacrifice to his own health and personal comfort; and

"Whereas it is the considered feeling of the Fargo City Commission that Estes Kefauver has earned himself a secure niche in the history of our country as a great American statesman who served his beloved Nation and the cause of mankind with rare devotion and was indeed the very embodiment of the essence of American patriotism and was rightfully recognized as a friend of all mankind in the continuing human struggle for a better society for each and every individual human being no matter where he lives; Now, therefore, be it

*"Resolved,* That the Fargo City Commission does hereby express their deep and profound sorrow and sadness upon the untimely passing of that great American statesman, the Honorable Estes Kefauver, who had endeared himself to the people of this area and the city of Fargo by his many acts of friendship and loyalty as manifested throughout the years; and be it further

*"Resolved,* That this expression of sorrow upon the passing of our beloved friend, the Honorable Estes Kefauver, be spread upon the permanent minutes of the Fargo City Commission and that certified copies be forwarded to the family of our dear friend, the Honorable Estes Kefauver, and that copies be furnished to the presiding officer of the U.S. Senate, the congressional delegation of the State of North Dakota for introduction into the Congressional Record and also to the Governor of the State of Tennessee and to the two U.S. Senators from the State of Tennessee, with the request that this resolution be called to the attention of the Tennessee Legislature and the press, radio, and television of the State of Tennessee."

Second by McCannel. On the vote being taken on the question of the adoption of the resolution, Commissioners Markey, Oakey, Lashkowitz, and McCannel all voted "aye."

Absent and not voting: Commissioner Hagen.

The acting vice president declared the resolution to have been duly passed and adopted.

Herschel Lashkowitz,
*Mayor and President, Board of City Commissioners, Fargo, N. Dak.*

Attest:

M. C. Fremstad,
*Deputy City Auditor.*

Mr. GORE. I yield to the Senator from Missouri [Mr. Long].

Mr. LONG of Missouri. Mr. President, we Missourians knew Estes Kefauver as both a good neighbor and as a dear friend.

Thoughout the State he was held in the very highest regard—a reputation that he earned from a never-yielding dedication to service to his fellow man, always in keeping with the cardinal truth of man's dignity and worth.

It was my good fortune to know Estes Kefauver for many years. But only after my entry into the Senate, and the privilege and honor of associating closely with him as a colleague, did I fully realize what a fearless and dedicated public servant this tall and soft-spoken man truly was. Always his own man, his decision to fight for a principle was always determined by merit—not popularity, and once convinced of a principle he would not be dissuaded or discouraged.

As a man, a father, and a public servant, Estes Kefauver was the personification of honor, devotion, dignity, and selfless charity. His was a never-ending struggle to protect the individual American, and to fight his causes without pause or regard for any measure of personal danger or political reprisals they might entail.

Men possessing the qualities of Estes Kefauver are rare indeed, and I know that each of us is grateful for having had him as a colleague, and above all, as a loyal friend. The big Tennessean and his constant crusade for his fellow citizens are a part of the heritage of the U.S. Senate, our American Government, and the body of mankind—but his example will surely be an inspirational guide to generations of the future long after the events of his generation are ancient history.

Mr. GORE. I yield to the Senator from Vermont [Mr. Prouty].

Mr. PROUTY. Mr. President, Estes Kefauver will be missed by millions of Americans as well as by his colleagues here in the Senate. It was not his physical stature alone, or his splendid talent as a legislator that enabled him to achieve such lofty recognition.

The reason is more attributable to a combination of poise, agility, and altruistic sincerity in dealing with people and in working for a cause. And as Robert Frost wrote in "Birches":

He learned all there was
To learn about not launching out too soon
And so not carrying the tree away
Clear to the ground. He always kept his poise
To the top branches, climbing carefully
With the same pains you use to fill a cup
Up to the brim, and even above the brim.
Then he flung outward, feet first, with a swish,
Kicking his way down through the air to the ground.

Yes, Estes was a "swinger of birches"; for when an issue demanded, he would explore it from its earthy embodiment through its esoteric abstractions to rend full round the spectrum of considerations.

Indeed, this form was evident as Estes Kefauver crusaded against crime in the United States, and devoted such effort to the problems of juvenile delinquency. It is only coincidental that it was his work in these areas that catapulted him within sight of the White House, for the Senator had that innate quality of loving and being loved by mankind.

This almost Lincolnesque Senator from Tennessee endeared himself to masses of people to an extent equaled by perhaps only a few of his contemporaries. It often seemed to me as I observed Estes Kefauver, that the art of knowing people was part of his nature. Of course, that art is indispensable to a politician, but with him it was the natural thing.

Mr. GORE. I yield to the Senator from North Carolina [Mr. Jordan].

Mr. JORDAN of North Carolina. Mr. President, it is with a deep sense of sadness and profound loss to all of us that we join together today in paying tribute to the late Senator from Tennessee, Estes Kefauver.

The news of Senator Kefauver's death came with a great shock to the Senate, to the Congress, and to the Nation; and when the news came, we knew that we had lost one of this Nation's greatest patriots.

Senator Kefauver served his State and his Nation with unusual distinction for many years and in the years that I had the pleasure of knowing him I came to admire him greatly and respect his outstanding abilities.

He was a quiet man, an humble man, and a man who dedicated his life to the principles that have made this Nation what it is today.

Estes Kefauver was always a down-to-earth man, and even though he held the high position he did and the wide respect of leaders throughout the world, he always remained close to the people of Tennessee and to the surroundings from which he came.

We will all miss Estes Kefauver and the outstanding work he did in many areas of public interest; but just as important, we will miss his easy manner, his kindly personality, and his gentle nature.

Mr. GORE. I yield to the Senator from Maryland [Mr. Beall].

Mr. BEALL. Mr. President, I want to add my word of appreciation for a courageous Senator, Estes Kefauver, of Tennessee, who has departed this life. He died as he lived—in the service of his State and his Nation. He died in the position of responsibility which he loved.

As one of his colleagues in the body, I happened to know that when he was his party's nominee for the second highest position in the Nation, that of Vice President, his chief concern was the prospect of his having to give up his senatorship, had his party prevailed in the general election. His untiring work in the Senate—and especially as chairman of important investigating committees—showed his love for his position.

He made his mark in the world—and ruthless racketeers who he so ably exposed in committee hearings will not soon forget his thoroughness. His accomplishments in the performance of his duties as a Senator benefited his country—and his country owes him much.

In these brief remarks, however, I wish to speak in a more personal light. I knew Estes Kefauver as a kind, thoughtful individual, a human being of warmth, a quality sometimes lost sight of because of his vigorous convictions and his willingness to fight for what he thought was right.

I admired Estes Kefauver for his ability, his courage, and his honesty.

Mr. GORE. I yield to the Senator from Arkansas [Mr. McClellan].

Mr. McCLELLAN. Mr. President, although I know that I cannot add to the eloquent and moving tributes that have already been paid to our late departed colleague, Estes Kefauver, I do want to express my deep sorrow and regret at his passing.

Senator Kefauver and I served and worked together on the Appropriations Committee and the Judiciary Committee. Serving on committees with a fellow Senator gives one an opportunity to more accurately judge his personal qualities, his statesmanship capacity, and his work. In the years in which I worked with Senator Kefauver, I learned that he always approached his duties with sincere dedication and to serve the welfare of our country according to his concepts of its best interest and security.

It was my privilege to be appointed as a member of the Antitrust and Monopoly Subcommittee of the Senate Judiciary Committee at the beginning of the current session of Congress. Senator Kefauver had a special interest in the work of this subcommittee, and my membership on the subcommittee enabled me to observe more closely his work as chairman. Senator Kefauver continued to discharge his duties as chairman of this subcommittee with persistence and dedication in spite of the fact that his health was beginning to fail him. Many weaker and less resolute men would have given up under such circumstances, but Senator Kefauver fought on unwaiveringly with fortitude, strength, and devotion to duty.

Although Senator Kefauver and I disagreed on some of the important and basic questions which came before the Senate through the years, we shared a deep concern in regard to the growth of organized crime. He was one of the pioneers in our efforts to combat this menacing evil and deserves our lasting gratitude for his efforts.

I always respected him because he was true to his own convictions, he was determined in his efforts on behalf of the causes in which he believed, and he was a man who had the courage to stand alone if this became necessary to do so. He dealt with issues rather than personalities. While he fought hard for the things in which he believed, he was gracious and kindly to his adversaries, whether he won or lost. Mrs. McClellan and I express our deepest grief and heartfelt sympathy to Mrs. Kefauver and the family.

Mr. GORE. I yield to the Senator from Nebraska [Mr. Curtis].

Mr. CURTIS. Mr. President, may the Record show that I, too, wish to pay my respects to the memory of the late Senator Estes Kefauver from the State of Tennessee.

Senator Kefauver's official actions will forever be recorded in the proceedings of the House of Representatives and the Senate. It is not my purpose at this time to attempt to enumerate them or discuss them.

I do want to stress the friendliness displayed by Estes Kefauver. He liked people. He was polite and courteous. He was sincere in his dealings with all because he was interested in the welfare of those about him. All of my dealings with Senator Kefauver were most pleasant.

I wish to extend to Mrs. Kefauver and to her children and all the other friends and relatives of the late Senator, my most sincere sympathy.

Mr. GORE. I yield to the Senator from Wisconsin [Mr. Nelson].

Mr. NELSON. Mr. President, I was not privileged to serve for long with Senator Kefauver in the U.S. Senate, but I am sure that I feel his loss as deeply as any of his veteran colleagues here.

My association with Senator Kefauver, and my admiration for his position in public affairs, goes back many years. In 1952, I was chairman of the Kefauver-for-President delegation in Wisconsin, and in a free and open presidential primary, the people of Wisconsin elected me as one of their delegates pledged to Senator Kefauver at the Democratic National Convention. Senator Kefauver swept the Wisconsin presidential primary that year, and again in 1956, and it was a great privilege for me to join with my fellow Wisconsin delegates in working for his nomination to the Nation's highest office.

The affection which the voters of Wisconsin showed for this man from Tennessee in 1952 and again in 1956 is understandable. He had a simple honesty about him which projected itself into the homes of our State. He was a rugged individualist, and this quality is greatly admired in Wisconsin. He took his stand on the side of the public interest, whether he was battling organized crime, monopoly power, or price fixing, and the Wisconsin people appreciate this kind of a fight.

They admired it in the late Senator Robert M. La Follette and in his son who carried on a similar tradition. And they saw this same dedication to what we called "the Wisconsin idea"—the notion that government is to serve the people—in Estes Kefauver.

Senator Kefauver's Wisconsin friends were especially impressed when he stood up for civil rights—at a time when it might have seemed far easier for him to stand silent. And certainly the swift rush of history since that time has proved how right he was.

In the all too brief time we worked together here in the Senate, I found his courage and his tenacity inspiring. I am pleased that there are Senators who will continue the Kefauver tradition.

And there are hundreds of others, in Tennessee and in Wisconsin and in all the corners of the land, who watched Senator Kefauver rise in public esteem and who are committed to the same goals that he fought to advance.

His passing is a great personal loss to us, but more than that, it shifts to new shoulders the heavy burden of defending the public interest in a world where this interest can too often be forgotten.

Mr. GORE. I yield to the Senator from Florida [Mr. Smathers].

Mr. SMATHERS. Mr. President, I associate myself with the remarks of my colleagues in paying tribute to the late Senator Estes Kefauver.

Though we did not always see eye to eye on the various issues, no one could ever question the glistening honor and purest integrity of Estes Kefauver. I was proud to call him "friend" along with thousands of others. He had the admiration, esteem, and respect of all of his colleagues in the Senate. He was truly a man of great courage and conviction, a dedicated public servant sincerely and honestly representing the views of his constituents. His devotion to duty to his State and Nation was unsurpassed. This illustrious son of Tennessee has unquestionably made a great contribution to our American heritage.

By his untimely passing, the people of Tennessee, the State of Tennessee, the U.S. Senate, and the Nation have lost the services of a truly great American.

At this time, I wish to extend my deepest sympathy to his beloved wife and family because I know that their personal loss is a great one, indeed. They have the comfort of knowing that he was a good husband, a good father, and a dedicated public servant who contributed much to America, and with devotion and fidelity he carried out fully the duties of the high office of public trust which he occupied.

Estes Kefauver had one of the most genial and affable dispositions ever possessed by a human being. He was loyal not only to his convictions—he was loyal to his friends and his country.

Mr. GORE. I yield to the Senator from Connecticut [Mr. Dodd].

Mr. DODD. Mr. President, I wish to join my colleagues in paying tribute to the memory of our beloved friend and colleague.

The sudden and tragic death of Estes Kefauver came as a personal loss to millions of people who had never met this man, but who regarded him as a friend.

Estes Kefauver was the kind of man who has always won the hearts of the people. There was something of Jackson and Lincoln in him. He was a man of humble beginnings who won great victories, suffered heartbreaking defeats, but who never lost the warmth, the friendliness, and the sincerity which characterized his life.

Here, truly, was one who could walk with kings yet not lose the common touch.

He was a legendary figure and like most men who make a mighty impact on the public consciousness, he had his familiar trademarks—the friendly handshake, the quiet voice, the humble manner.

But there was much more to Estes Kefauver than the public image. He was honest and he was courageous. He fought great battles in behalf of the American people with an unconquerable persistence that will be remembered when the coonskin cap and the craggy smile are forgotten.

He saw the evil of organized crime and, almost single-handedly, made the public conscious of the ugly network of entrenched crime which operates on a national basis. He saw the growing danger of juvenile delinquency and he set in motion a series of investigations and remedial programs which are now beginning to bear fruit.

He saw the moral threat which giant monopolies pose for our free, competitive system and he had the courage to investigate these great concentrations of financial power and to show how some of them were conspiring to fix prices and to strangle competition.

Many of you will remember Senator Kefauver's forthright campaigns for the presidential nomination. I recall the rollcall at the 1952 convention when the spokesman for one of the delegations being polled declared:

> We cast our votes for Estes Kefauver, the man who takes orders from no one.

This could well serve as his epitaph. In behalf of his concept of the public interest, he fought for the welfare of the American people against the political bosses, the crime bosses, and the big money bosses—and through all these titanic struggles, Estes Kefauver took orders from no one but his conscience.

Estes Kefauver was a very great man; so kind that he would take to heart the problems of the most humble and obscure citizens; so generous that he had time for everyone's troubles but his own; so strong that he would do daily battle with the most powerful interests in the land; so gentle that he always shunned the harsh word, no matter how unbearable the provocation.

He was a friendly giant who poured out his great strength in behalf of the sick, the aged, and the weak.

He wanted everyone to have a fair chance in the race of life, and to his last hour he persevered in this noble endeavor.

He died in poverty.

Like a giant tree that has come crashing down to earth, his passing leaves a great void that will never be filled.

Mr. GORE. I yield to the Senator from New York [Mr. Keating].

Mr. KEATING. Mr. President, with the passing of Senator Estes Kefauver, who was my warm and devoted friend, the Nation has lost an able statesman and a courageous legislator. His coonskin hat was a symbol of his dedication to the traditions and heritage of our precious land. Estes Kefauver was soft-spoken, but he was a leader and a champion of many worthy causes. He had foresight, and integrity, and the courage of his convictions whether his cause was popular or unpopular at the particular moment.

Estes Kefauver will be remembered in history because of the causes to which he dedicated his life. To Estes, no job was too large or too small, too important or too menial for him to tackle. His interest was the public interest, as he saw it, whether he was exposing corruption or pleading for better understanding among the nations of the free world.

Estes Kefauver will be sorely missed by all who knew and admired him. The Senate, indeed the Nation, is poorer for his passing. His death has left a void in each of our hearts that only time can try to fill.

Today, as we offer a sincere remembrance to our departed colleague, we are saddened by his passing. But let us try to look beyond our own grief and be grateful for the inspiration we have all received from Estes Kefauver's wonderful fighting spirit, his powerful convictions, his integrity, and—perhaps above all else—his uniquely human personality.

Mr. GORE. I yield to the Senator from Montana [Mr. Metcalf].

Mr. METCALF. Mr. President, a great Senator from a border State who unsuccessfully sought the Presidency on three occasions said, "I know no South, no North, no East, no West to which I owe my allegiance." More than a century after Clay's remark, the same and more can well be said of Estes Kefauver. He was a citizen of the world, and he was a citizen of Lewistown, Kalispell, Great Falls, Sidney, and Butte, Mont. Those towns are a long way from Tennessee. But the persons who live in those and other Montana communities share with us a deep personal loss in the death of Senator Kefauver, a man they had met, to whom they had talked, a man they respected and admired. The only time Montanans voted in a presidential primary they voted, overwhelmingly, for Estes Kefauver.

I first met Senator Kefauver in those days when he was campaigning for President. I was impressed by his forthrightness, his humility, his understanding of the needs of the rank and file. Of course, I had been impressed and somewhat awed by the accomplishments of the committee he headed investigating crime.

Senator Kefauver was scheduled into Kalispell for a speech when he was informed in Missoula that the pilot of his chartered plane could not get the plane into Kalispell because of weather conditions. Unhesitatingly he set off in a smaller chartered plane with a handful of reporters on a trip that has become a historical saga of one of the roughest and most perilous flights that was ever undertaken.

This points up the outstanding feature of Senator Kefauver—his courage. He had physical and moral courage alike. Whether it was a flight to Kalispell, a struggle against crime, or a fight on behalf of the Atlantic Union, he never weighed the odds, he plunged into the struggle on the side he believed to be the right one and frequently wrested victory from almost certain defeat.

Since I came to Congress it has been my good fortune to know Estes Kefauver better. My admiration and respect for his ability, his integrity, his courage, his patience and understanding has grown with closer acquaintance. Millions of Americans all over our great Nation share our grief today and speak through us their gratitude for the efforts and accomplishments of the tall Senator from Tennessee who fought so many battles in their behalf.

Mr. GORE. I yield to the Senator from Utah [Mr. Moss].

Mr. MOSS. Mr. President, in the death of Estes Kefauver, I lost not only a good friend, but a colleague whose political philosophy was oftentimes companion to my own.

Senator Kefauver and I frequently were comembers of a Senate group working for a common objective, and often it was an objective not supported by the majority. Defeat almost could be foretold.

Yet no matter how overwhelming this defeat, or how discouraged he may have been momentarily, Senator Kefauver always seemed the first to begin picking up the pieces, and to begin planning on another attack—another way to achieve the desired objective.

It was this resiliency—this ability to bounce back after defeat—which was one of Estes Kefauver's greatest attributes. He combined with it tenacity and strength. Of Estes it could truly be said, again and again—he has only begun to fight.

The many victories of his fighting spirit are reflected in numerous laws now on the books which make America a better place in which to live. He will probably be best remembered for the Cellar-Kefauver Anti-Merger Act, and the drug bill of 1962, which strengthened prescription drug protection, but other measures which he had a strong hand in getting through the Senate are legion.

His achievements will live in the history of our times.

ESTES KEFAUVER had ability, leadership, and great patriotism. He was completely fearless and completely dedicated. If he felt something was right, no power on earth could stop him. He was a true friend of the common man—of the average citizen—and his death was a real loss to rank-and-file America. It will be a long time before his shoes are filled.

Mr. GORE. I yield to the Senator from Mississippi [Mr. STENNIS].

Mr. STENNIS. Mr. President, I mourn the passing of our distinguished colleague, the late Senator ESTES KEFAUVER, of Tennessee.

Before his untimely death on August 10, 1963, he displayed an apparently endless capacity for hard work.

His kind disposition and humility set examples that all Members of the Senate admired. He was diligent and energetic; he was thorough and vigorous.

Although we did not always see the issues before the Senate alike, I admired his convictions, his courage, and the diligence with which he pursued the causes in which he believed.

We shall greatly miss our colleague.

We extend our heartfelt sympathy to his family.

Mr. GORE. I yield to the Senator from Georgia [Mr. TALMADGE].

Mr. TALMADGE. Mr. President, today we pay well-deserved tribute to the memory of ESTES KEFAUVER, whose untimely death saddened us all.

The late U.S. Senator from Tennessee was a big man, not only in natural stature but also in the service he rendered the citizens of his State and the people of this Nation.

He moved about these Halls of Congress and across the length and breadth of this land with the slow but deliberate and determined speed of a man who knows where he is going and what he wants to do.

Here was a man who let nothing come between him and his devotion to duty and what he believed to be right. He was not to be deterred from his calling. Senator KEFAUVER had the tenacious courage of his convictions and for this he had the high admiration of his colleagues in this body and the respect of his countrymen.

A warm and friendly man who was always ready with a firm handshake and a wide smile, Senator KEFAUVER perhaps will best be remembered as a friend of the people and the champion of the common man.

It was said that he could turn his back on no man, regardless of how small or insignificant he may seem to others. Having risen from humble beginnings on a small farm near Madisonville, Tenn., to a seat in the House of Representatives and later to a position of nationwide renown in the U.S. Senate and Democratic Party, Senator KEFAUVER was himself a symbol of the sturdy stock of men and women who made this country great.

Senator KEFAUVER also won a respected place in history as the nemesis of hoodlums and racketeers whose organized crime cartels are a blight on this country and shocking to the consciences of all law-abiding people.

In the almost 25 years that he served in the Congress—10 years in the House of Representatives and 15 years in the Senate—Senator KEFAUVER made many outstanding contributions to the continuing welfare of the United States, and we all are in his debt.

Up to the end, Senator KEFAUVER occupied an active and interested place in this Chamber. He was stricken while engaged in a debate on this floor and 2 days later, his heart was stilled.

The presence of this tall and lanky man from Tennessee will be sorely missed.

Mr. KENNEDY. Mr. President——

Mr. GORE. I yield to the Senator from Massachusetts [Mr. KENNEDY].

The PRESIDING OFFICER (Mr. BURDICK in the chair). The junior Senator from Massachusetts is recognized.

### MY ADMIRATION FOR ESTES KEFAUVER

Mr. KENNEDY. Mr. President, each of us joined here today has his own personal sense of loss on the passing of this great statesman.

ESTES KEFAUVER was an uncommon man. He doggedly pursued causes which sparked controversy and emotion. He set for himself goals which were difficult, if not impossible, to achieve. He had an abiding sense of political and economic righteousness which sometimes left him standing alone while others retired to safer ground. He took on adversaries of enormous strength and engaged in battles which many times were never won to his satisfaction.

He encountered bitterness, frustration, and vituperation, but through it all ESTES KEFAUVER was a great gentleman. He never lost his smile, his warmth, his respect for his adversary.

ESTES KEFAUVER also never lost his grip, his tenacious role as a congressional watchdog and an independent thinker. He was at all times a liberal, perhaps one of the last of the populists—a critic, a man of action, and one whose integrity could not ever be compromised.

His concern for the common man has become a national legend. His popular identification was manifest in the tremendous popular support he received in his campaigns for the presidential nomination. His constant support for the rights of labor, for the small businessman, for the consumer, for the farmer and for community needs earned him his popular regard.

He exposed the top brass of the criminal underworld. He fought against excessive economic concentration. He fought for competition. He took the lead in examining into the causes of juvenile delinquency. He inquired into the high prices of prescription drugs resulting in the passage of drug control legislation which bears his name. He risked his own political career in 1960 by opposing forced segregation of the races. He strongly favored and worked for the TVA, rural electrification, greater aid to education, improved veterans' benefits and services, greater social security and old-age health benefits. In the foreign field, he was chairman of the political committee of the NATO Parliamentarian Conference and was a leader at the recent Atlantic Congress. As with his domestic policy, he believed in a free, competitive economic union of Western nations as a strong protection against the encroaching monopoly of the Communist world.

ESTES KEFAUVER is a symbol to those who follow him in taking up the responsibilities of government. He teaches us all that it is necessary to have healthy doubts. He teaches us not to shun controversy. He teaches us to ask the big questions and reach our solutions on the basis of tough reasoning.

I did not share the long personal association with Mr. KEFAUVER which so many Members of this body enjoyed, as I only served with him here a few months. I regret that that period was so brief. But I did share the opportunity to admire, and I hope to benefit from, his example. I shared this opportunity with millions upon millions of Americans, and we are all better for it.

As a young man and as a freshman Senator, I was keenly aware of his place in the Senate, in the Democratic Party, and in the Nation. I held him in the highest esteem. I admired his courage and I admired his sense of purpose. I admired him even when I did not agree with him.

I believe we are better for the sacrifices he gave, willingly and unselfishly, to advance his liberal philosophy which embraced the basic rights of all free men. We have his example.

It is with humility that I pay him respect today.

Mr. GORE. I yield to the Senator from Oregon [Mrs. NEUBERGER].

Mrs. NEUBERGER. Mr. President, all of us when we are newly come to the Senate, seek out those senior colleagues we most admire as teachers and counselors in the ways of this great body. And I had always counted myself uncommonly fortunate to have as a warm, generous, and inspiring teacher, ESTES KEFAUVER.

He taught us that compromise and accommodation need not be the legislator's invariable course—that defeat, even crushing defeat, was preferable to the dilution of basic principles.

He taught us to differentiate the well-rehearsed chorus of special pleaders from the inadequately amplified voice of the individual citizen.

He did not worship togetherness when he found that the pursuit of his ideals left him virtually alone; and he revealed that there can be magnificence in defeat as well as victory.

He taught us that the romance of America transcends the sectionalism, the empty forms of tradition and even party.

He taught us by his living example the meaning of courage in a 20th century democracy.

To those who opposed him, he offered reason, not rancor. To those who labored with him he extended inflexible loyalty.

Most important, he taught us that the fortunes of narrow, special interest groups will flourish and debase our society unless we act with uncommon courage and insight to challenge them. In this, as in all things, he himself embodied the wisdom of his teaching.

These lessons—more than his tangible legislative imprint, which was great—more than his striking political image, more than his historical rank among the great legislators of our time, are his legacy to his colleagues and to his country.

I think that few have better expressed the meaning of a close association with ESTES KEFAUVER than a young man, Victor Ferrall, who served him as counsel on the Antitrust and Monopoly Subcommittee and who pays tribute to him in a forthcoming edition of the Yale Law Report.

I ask that excerpts from this article be printed following my remarks, together with a poem entitled "The Tennessean," by Kenneth W. Fitzgerald, editor of the Naturopath.

There being no objection, the excerpts and poem were ordered to be printed in the RECORD, as follows:

[From the Yale Law Report, vol. 10, No. 1, fall 1963]

CAREY ESTES KEFAUVER, 1927

(By Victor E. Ferrall, Jr.)

CAREY ESTES KEFAUVER, 1927, a Member of Congress for nearly a quarter of a century, died on August 10, 1963. He was serving his third term as U.S. Senator from Tennessee.

Two days before his death, Senator KEFAUVER suffered a heart attack on the floor of the U.S. Senate. Leading the opposition to a $50 million communications satellites research and development authorization for NASA, he was delivering the opening speech condemning what he considered a calculated giveaway of public funds to the private Communications Satellite Corp. He was commanding, to quote one of his colleagues, the same "little band of willful men" which had filibustered during the last Congress in an unsuccessful effort to block that corporation's creation.

When the attack struck, KEFAUVER paused and in a whispered aside asked a colleague to suggest the absence of a quorum, not asking for it himself so as to avoid losing the floor. When the quorum call was terminated and debate resumed, KEFAUVER, still in obvious discomfort, finished his speech. ESTES KEFAUVER fell with his boots on, protecting his right to the Senate floor. Thirty-six hours later, he was dead.

Russell Baker noted perceptively in the New York Times that there was about KEFAUVER "a quality of introspection so deep that he was most enigmatic to those who knew him best."[1] Not surprisingly, the extraordinarily popular and titillating activity of dissecting the plethora of coonskin caps, handshakes, unpopular causes, and political disappointments in order to discover the "real" or "essential" KEFAUVER has been continued by other writers, but it is not a profitable pursuit. One is all too likely to be wrong. The probability of penetrating the Kefauver enigma is little or not enhanced by proximity to the man. I shall, therefore, avoid the hypersubjective and consider only those facets of KEFAUVER which I could observe or learn about during the last 3 years.

* * * * *

Though he tried, KEFAUVER was never able to shake off the "crimebuster" label. This monolithic reputation may further have impaired his presidential aspirations, for to be President a man should be free from political overspecialization. To be President it is better to have no image at all than one too sharply defined.

As chairman of the Senate Subcommittee on Antitrust and Monopoly, KEFAUVER conducted hearings with restraint and fairness. The procedural polarity between his subcommittee and certain other investigating committees dramatized the dilemma confronting advocates of committee procedural reform. No meaningful legislative restriction is, today, placed on how congressional committees can investigate. The inquisitorial abuses of this absence of formal restraint flow from the true adage that a Senate committee chairman can do anything with unanimous consent and almost anything without it. Nowhere in Government is caprice more thoroughly conduct-determinative than in a congressional committee investigation.

KEFAUVER was a longtime proponent of reform. But, though he shared the deep-rooted American distrust of conscience as an adequate protection of the public interest, he accepted the Wilsonian investigatory function of Congress as fundamental. * * * He, himself, practiced personal restraint at hearings, giving witnesses and their counsel free rein, often to the point of tedium. He substituted tenacity for abuse of constitutional rights.

* * * * *

During the past 8 years—as in all periods of relative opulence—antitrust has been unpopular. Indeed, in an era of "people's capitalism," it may even be that the ability of industrial oligarchs to avoid effective competition is popularly admired.

Without KEFAUVER, antitrust and the preservation of competition would, today, be of far less concern to the public than it is. He kept it before the people with his insistence on the evils of administered prices. Though a confusing and uncertain notion at best, many citizens feel they understand administered prices. It conveys to them a vague notion that in markets where structurally oligopoly, production barriers to entry and excessive product differentiation are the rule, the fruits of competition to the consumer are something less than fully ripe. This is true and it was KEFAUVER's persistence which, in large measure, made the people see it.

* * * * *

Above all, KEFAUVER conceived the ultimate end of competition to be to serve the consumer. Consumers are not a body politic. His approach to competition and antitrust, therefore, enhanced the unpopularity of his position with his colleagues. Had he subscribed to the better lobbied point of view that competition primarily serves small business, his task would have been far easier.

If, as is commonly observed, KEFAUVER was excluded from the Senate Club, this must be attributed as much to his modus operandi as a Senator as to the Lucas incident. A good Senator plays a thoroughly institutionalized "game" with clearly defined rules. As a freshman he keeps out of mischief, does not make major floor speeches, and limits his energies to local matters. He may ask thoughtful, penetrating questions in his committee assignments, but he is retiring and definitely not a leader or spokesman of a particular position—even an approved position.

After a time—perhaps 2 years—he may tackle minor national issues. He is permitted, for example, to become an aspiring champion of heron conservation, antidetergent pollution, or minor agricultural reforms. He may also deliver an occasional speech on major foreign or domestic policy, so long as he does not actively lead legislative actions.

To a very large extent, he must establish himself as a subservient and responsive follower of the Senate's established Senate leaders (vis-a-vis its administration leaders) well into his second term. In the process, of course, he also demonstrates his ability to be reelected and, therefore, probable senatorial longevity.

The Senate's memory is elephantine. If the aspiring Senator stumbles at any point along this long road of restraint, redemption is unlikely. Failure to play the "game" virtually assures exclusion from the club. Lack of club membership radically reduces effectiveness as a lawmaker.

Playing the "game" for 10 or 15 years, however, takes its toll. Surely so much calculated docility drains at least some of the conviction and vigor any Senator brings to the Congress as a freshman. When the "game" is played out, he is better able to implement his beliefs, but has, perhaps, lost some of the inner impetus to do so. The—by international standards—exceptional harmony and tranquillity of the Senate is, however, preserved. Whether the Nation is better served by a firebrand or a team player is debatable.

Clearly, though, KEFAUVER, had no doubts on this score. He entered the Senate with an explosion, immediately captured the ear of the Nation, and seldom lost it. * * * As a champion of causes more popular with the people than the Senate—of which there are a substantial number—KEFAUVER was often good for 10 more votes than any other Senator. But, this was seldom enough to win, particularly if KEFAUVER was actively opposed by a full-fledged club member.

* * * * *

In the last 2½ years, KEFAUVER's problems were further enhanced by his New Deal brand of liberalism. He was firmly rooted on the "Old Frontier." A Senator's success in dealing with the administration is by no means assured by his supporting its policies and legislation. Any administration (and I would be inclined to generalize this observation to cover almost all political groups) tends to better understand opposition, be more comfortable in the face of it, and be more willing to make concessions to gain its support, than it is willing to reward reliable followers. KEFAUVER's voting record from the administration's point of view was very good. But, had he been more cunning and a better trader in the way he cast his votes, he might well have received more administration support.

Politicians, living in a world of outstretched hands, are not comfortable with a person who helps them until they feel confident that they have identified his selfish motivation. Selfless support emanating from idealism rather than more pragmatic interests, make politicians nervous. KEFAUVER, though no exception to this rule, was himself guilty of obscuring his ends. Though he enjoyed enormous political autonomy in Tennessee, he had not become a patriarchal statesman or "taken the overview," remaining until his death actively political. He was clearly not running for President or the Supreme Court. Thus, "What is he up to now?" was the question which plagued the Senate each time KEFAUVER plunged into a new area of political unpopularity and danger.

It was his high political morality that compounded the Senate's discomfort with KEFAUVER. I suppose the ultimately politically moral man is the martyr. The martyr's credo—"No matter what you say or do, I will waver neither from the ends I seek nor the means which I have chosen"—defines the borderline between personal incorruptibility and political stalemate. Incorruptible dedication to both ends and means is philosophically attractive, but anathema to political action.

* * * * *

KEFAUVER sought and seriously considered the advice of a perfectly astonishing potpourri of corporation counsels and Capitol Hill policemen, laborers, and landowners. With respect to listening to advice, he was unalterably antifree competition. The highest bid always lost—the lowest often won.

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[1] Aug. 12, 1963.

Whether this is good or bad from the long-run point of view of an effective legislature, I do not know. There can be no question, however, that KEFAUVER was unfailingly, unflinchingly honest.

As a politician, KEFAUVER genuinely led the people of his State. No one doubts that he did far more than merely mirror the popular positions in Tennessee.

* * * * *

Insofar as the people of Tennessee outstrip the South in liberality, it is, in large measure, because they were led by ESTES KEFAUVER. Together with Cordell Hull he helped make Tennessee, for example, one of the most internationally minded States in the South. Through his leadership, the State came to share his appreciation for the message of free competition. And, because he was a true leader, his popular mandate was overwhelming.

I suspect few Congressmen, in their innermost being, genuinely trust "the people." KEFAUVER did. "Let the people know the truth and they will do the right thing," was not an empty aphorism for him. His campaign to bring television into the Senate gallery was an act of faith.

The above exercise in objectivity notwithstanding, I will remember ESTES KEFAUVER with an outstretched hand, uncomfortably looking at a friend, suspecting he knew him too well to shake his hand—and probably had just shaken it, anyway. I will picture him in his cluttered office, simultaneously mastering a complicated nicety of antitrust law with incredible mental agility, trying to remember whether monopolization comes under section 1 or section 2 of the Sherman Act, and wondering if someone had sent the electric toaster he had had repaired back down to Aunt Charlotte in Madisonville. I will see him shuffling through an airport in his braces and shirt sleeves, carrying two briefcases, a bag of coats from the dry cleaners he forgot to drop off at home, three newspapers, a box of cookies old Miss Jones gave him to take to the children, and a paper cup filled with Heaven knows what. In my mind's ear, I will hear him laugh. He was the only man I ever met who laughed "ho, ho," exactly as it is written.

I would suppose that most great men are hard to know. Surely, however, few are so very hard not to love as ESTES KEFAUVER.

[From the Naturopath, September 1963]

THE TENNESSEAN

He stood, this man—
His brow brushing the misty aloofness of the stars—
He stood, alone and firm,
A man of metal and of heart—a man apart.
He stood high
And he stood strong in a lusty realm where the resolute alone belong.
He stood—with courage and with faith—
Unshaken by the wanton kiss of joy, the bitter lash of sorrow.
He stood tall—
This man whose world was big—
This man
Whose massive shoulders nudged the promise of tomorrow!

—*Kenneth W. Fitzgerald.*

Mr. GORE. I yield to the Senator from South Dakota [Mr. MCGOVERN].

Mr. McGOVERN. Mr. President, ESTES KEFAUVER played a role in the U.S. Senate and on the American political stage which was unique. His public career was a long and yet an all too brief record of devotion, courage, and vision. He was an unswerving champion of the public interest as against the claims of selfish special interests.

He looked out on the world with eyes of peace.

He loved the American people and they returned that love in countless villages, farms, and cities across the land.

His passing was especially mourned in my home State—South Dakota.

I always believed that he and his lovely wife, Nancy, also had a special feeling of warmth for South Dakota. He was the most popular national figure ever to campaign in our State. We shall sorely miss him.

May providence sustain his widow, Nancy, his children, and his many loved ones and friends.

Mr. GORE. I yield to the Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, ESTES KEFAUVER was a vigorous battler for the values in which he believed and his untimely passing was a great shock and a great loss to the Senate and the Nation. I came into closest association with him in our work together as members of the NATO Parliamentarians' Conference, which he helped to found and to which he made invaluable contributions. He was the original sponsor of the Atlantic Union Resolution when he began his Senate career in 1949, and throughout his service here he was an effective leader in the movement toward a true Atlantic partnership. During this last year, he was in the process of combining his deep interest in economic concentration and antitrust with this long dedication to the Atlantic community by holding hearings on the subject of the developing antitrust law of the European Common Market. It was with great satisfaction that he and I joined together in perfecting aspects of the drug bill enacted in 1962, particularly in ending the use of experimental drugs upon patients without their consent, which had come to light in the thalidomide tragedy and which, hopefully, the Food and Drug Administration is now policing. We did not agree on all issues, but I always found ESTES a stanch and effective advocate, in the best and finest traditions of the U.S. Senate. He was a dear and genial friend and the Nation, as well as each of us as his warm friend, mourns his loss.

Mr. GORE. I now yield to the Senator from Minnesota [Mr. MCCARTHY].

Mr. McCARTHY. Mr. President, I wish to join other Senators in paying tribute to ESTES KEFAUVER as our esteemed colleague in the U.S. Senate, as a former Member of the House of Representatives, as a citizen who made a great contribution to good government in his home State of Tennessee and in the United States, and as a man whose personality and friendly manner enriched the lives of all who knew and worked with him.

ESTES KEFAUVER came to be known and admired by millions of citizens for a wide variety of accomplishments. He has left a permanent record of contributions to the structure of government and to politics and to respect for the law.

I should like to single out one quality in particular which characterized the many investigations and political activities he undertook: that is his courage.

ESTES KEFAUVER was never impressed by the obstacles which existed nor was he deterred from a position which he thought right on the advice that this was an unpopular cause or that it might be politically expedient to withdraw.

He did not hesitate to investigate crime and unsavory activities even when investigations showed links with supposedly respectable groups in society. He did not hesitate to investigate corporations and business relationships if he thought them in violation of the law. He spoke out for procedural reform in the Congress. He stood firm in defense of the interest of consumers and in defense of the civil rights of all citizens. He twice sought the nomination of his party for the Presidency, and he was honored by the Democratic Party as its nominee for the vice presidency in 1956.

He had understanding of the needs of people and sympathy for their problems. He served and loved his country, but he also saw the needs of people in other nations and the benefits which could come to them and to us through a more active participation by the United States in international affairs.

He spoke out for an Atlantic Union in 1949 and he continued his efforts for a federation of freedom-loving peoples. There has been no general acceptance of the idea of an Atlantic Union, but his efforts have had an effect by widening the vision of Congress and the people. Because ESTES KEFAUVER spoke and worked for an advanced form of international community, the entire question of international relations and international commitments has been studied more broadly and more carefully.

I join with other Senators and with the many friends of ESTES KEFAUVER in expressing deepest sympathy to Mrs. Kefauver and their children.

Mr. GORE. I now yield to the Senator from Connecticut [Mr. RIBICOFF].

Mr. RIBICOFF. Mr. President, today we pay homage to a great American. ESTES KEFAUVER is gone from our midst, yet he lives on through the good works of a lifetime of struggle in behalf of every person in this Nation.

This was a man who often stood alone against great odds as he confronted and challenged dangers to our society. With gentle voice but persistent manner he moved directly toward his objectives—and he achieved results.

He was the champion of the American consumer—deeply concerned about the individual citizen's health and pocketbook. He was a crusader for the consumer interest, most recently in his one-man battle for safe and effective drugs at a reasonable price. The last legislation to bear his name will endure through the years as a monument to his efforts to improve the quality of the Nation's supply of drugs and provide protection for the Nation's consumers. Had he accomplished nothing more in his 24 years in Congress, this effort alone assured him a place in history.

But of all his attributes—of all his accomplishments—I shall remember him best as a Senator of the people—not just of the people of Tennessee, but of the Nation. He went to them and worked in their behalf. And they responded to him. They knew him when he walked down the main street of their cities and towns. They knew him as a friend—one who would help when they needed him.

No other Member of this body in recent times became better known or better loved by so many people of these United States. He dedicated his life to their interests. He was of them, by choice, and for the common good of all.

Estes Kefauver's strength was rooted in his firm convictions. His guidance came from constant touch with everyday Americans. He was their servant. They—and all of us—shall miss him.

Mr. GORE. I yield now to the Senator from Nevada [Mr. Cannon].

Mr. CANNON. Mr. President, the sudden and untimely passing of Senator Estes Kefauver has shocked and saddened us all, and it is with heavy heart that I join my colleagues today in honoring his memory.

The late Senator from Tennessee left his mark everywhere—on the State that sent him to Washington, on the Senate, and upon millions of Americans everywhere.

Estes Kefauver was a most distinguished Senator. He was an able representative of Tennessee, mindful always of the needs of his State. He was a man who fought always for the causes he felt were right.

Although it was never my privilege to serve on a Senate committee with Estes Kefauver, he was a dear friend and I miss him very much. His great energy, distinguished service, and deep concern for the less privileged and the economically distressed made friends for him wherever he went.

Who can estimate how many Americans shook his hand and thrilled to his warm smile as he trekked across the Nation seeking support in his campaigns for the Presidency. Who can estimate how many Americans will tell their children and grandchildren that they shook the hand of a tall, sincere man who said to them: "I am Estes Kefauver; I'm running for President of the United States, and I hope you'll help me."

His ability was rewarded 7 years before his untimely passing when he received from his party the second highest honor it can bestow—its nomination for Vice President of the United States.

Mr. President, the State of Tennessee and the citizens of our Nation have lost a most distinguished servant, and the Senate has lost a stalwart Member. Mrs. Cannon and I have lost a friend and we join in extending to Mrs. Kefauver and her family our deepest sympathy.

Mr. GORE. I yield to the Senator from Hawaii [Mr. Inouye].

Mr. INOUYE. Mr. President, I wish to join my distinguished colleagues in the Senate today to pay tribute to a truly great American from the State of Tennessee. Much has already been said in praise and much will be said in deep respect today and in future years about the majesty of this man. Many will point in great detail to the numerous significant measures he has personally offered or sponsored during his service in the Congress of the United States. Still others will single out his lasting contributions to the effectiveness of his indefatigable work in committee protecting the rights of all individuals.

All of us will recall vividly the days when this tall American in coonskin hat and proffered handshake traveled the highways and byways of this great Nation seeking the highest office the country could bestow, not for the glory of the office but for the opportunities which he believed to be available for further service to the people.

I loved and admired Senator Estes Kefauver because, like all Americans, I love and admire men of dedication to service and courage. It is relatively easy to lead a popular crusade supported by the multitude. It is comparatively easy to speak loudly when public acceptance and ovation can certainly be anticipated for one's remarks. But I believe it takes a man of great courage and integrity to speak for unpopular causes. To speak for anyone whose rights have been denied and who has been viewed with suspicion by those easily swayed by the prevailing emotions takes an extremely courageous man. To raise a voice of dissent against the virulent multitude is not for the timid.

Senator Kefauver lived a life of courage and service. This Nation of ours is great because we have had men who were cast in the image of the great Senator from Tennessee. Our Nation would long ago have failed to attain its potential were it not for those who chose to run against the tide when a sense of conscience and duty so decreed.

I thank our Creator for sending us such a person during this decade of darkness and tension.

We will miss Senator Estes Kefauver, but his spirit will long guide us in the work which faces us in the Congress of these United States.

Mr. GORE. I yield to the Senator from Rhode Island [Mr. Pell].

Mr. PELL. Mr. President, I rise at this time to mourn the loss of Estes Kefauver. He always had the interests of the little man in the forefront of his superb mind, and his death is a particular loss to the little man. And, to paraphrase Abraham Lincoln, the Lord preferred the common people, because He made so many of them.

Big business and big labor had no impact upon Estes Kefauver's views, his votes, or his actions. He was a man of courage and rectitude, and his loss is a very real one and deeply meaningful.

Speaking as a friend, and one who admired him very much indeed, I know how heavy my own heart is at his death. I extend all my own and my wife's sympathy to his wife, Nancy, to his daughter, Gail, who is a friend of my daughter, and to his other children. The only consolation I can offer to his family, to those closest to him, is that Senator Kefauver's death is a loss, not only to them, but to our Nation and to all our people; in fact, to all our whole world.

Senator Kefauver was a constant leader in our national strivings to eliminate unfairness and abuse. It is indicative of his zeal and of his efforts that he fought for the beliefs he cherished until the very end of his life. Truly, his life represents our highest standards of public service.

His place in this body and his influence in our lives will be almost impossible to replace. And his courage is beyond duplication.

Mr. BIBLE. Mr. President——

Mr. GORE. Mr. President, I yield to the Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada [Mr. Bible] is recognized.

Mr. BIBLE. Mr. President, we pay tribute here today to one of the alltime stalwarts of this body, the late Senator Estes Kefauver. He was a champion of the man of the street.

Though he rose from humble surroundings, like so many of the great patriots from his native State of Tennessee, he towered above the crowd, and through his tireless efforts fought those whom he felt were in a position to take advantage of the common man. His doggedness, his character, his entire life was expended in establishing a better Nation and a better world.

Tennessee has sent many outstanding servants to the U.S. Senate; it has given our Nation an outstanding President in Andrew Jackson, one who it was said was the first to recognize the common man and to rise above aristocracy. It gave us a great Secretary of State, Cordell Hull, and it did no less when it recognized Estes Kefauver's exceptional ability.

I considered Estes Kefauver a close friend. I appreciated his counsel, his friendship, and his down-to-earth interpretations of the troublesome national and international problems.

All of us have reviewed many glowing tributes to Senator Kefauver by the press of this Nation. One tribute from the Daily Post Athenian in his native State seemed to me to be most appropriate, and I should like to quote in part from this outstanding editorial which expresses so well my feelings toward our late distinguished colleague:

> America is mourning. One of her alltime great sons is dead.
>
> It is a long way from a rambling white house on Main Street in Madisonville, a little town in east Tennessee, to the White House on historic Pennsylvania Avenue in the Nation's Capital. But Estes almost made it.
>
> Perhaps fate denied him the Presidency and acclaimed him spokesman for the rank and file of the country.
>
> That's what he was.
>
> From New Hampshire to Florida, from Minnesota to California, from Chattanooga to Seattle, the tall Tennessean was the voice of the man who had something to say and could not be heard above the clamor of the crowd.
>
> Kefauver spoke for him.
>
> His message was heard and heeded.
>
> To say that he was always liked would be an injustice to him. At times he was bitterly opposed in his contentions, but he never swerved from his course. He never violated his own conscience, and never betrayed a course he represented.
>
> These things made him a champion.
>
> Indeed, the letter T summarizes the life of Kefauver—tall, talented, trustworthy, and triumphant.

Mr. GORE. I yield to the Senator from South Carolina [Mr. Thurmond].

Mr. THURMOND. Mr. President, I rise to pay respects to our late colleague, Senator Estes Kefauver, a man whose unique ability and capabilities allowed him to rise from humble origin to a position of stature in the Senate of the United States of America. His career as a public servant stretched over a great many years and was highlighted in many instances by notable investigations and Senate proceedings with him at the forefront. He was a man noted for his constancy of purpose and unswerving dedication to his goal. My relations with him were always pleasant and congenial, and I was deeply impressed with the courtesy which he displayed toward everyone he met. He was a man whose warm and friendly personality enabled him to make the acquaintance of many people from coast to coast. He seemed to thoroughly enjoy meeting and being with people.

Senator Kefauver had a great interest in athletics which carried over from his college days. His physical stature and appearance were the envy of men many years his junior. I offer my heartfelt sympathy to his devoted widow and family in this time of bereavement.

Mr. GORE. I yield to the Senator from Maine [Mr. Muskie].

Mr. MUSKIE. Mr. President, few Senators have made a contribution to this Nation comparable to that of Senator Kefauver. Honored by election to the U.S. Senate and nomination for the Vice Presidency, he remained steadfast in modesty and the constant application of his talents to the needs of all Americans.

As one who admired his tenacity and his devotion to principle, I want to take this opportunity to pay tribute to Senator Kefauver as a fighter for justice, integrity, free competition in the business world, and fair treatment for all Americans. His contributions to this body will be felt and seen for many years.

Mr. WILLIAMS of New Jersey. Mr. President, the death of Estes Kefauver came as a personal shock to many millions of Americans, I am sure. He was known not only as a Senator from Tennessee; he was regarded as a friend by many citizens who knew him for his tireless campaigning and his unrelenting determination to root out injustice wherever it existed.

To us in the Senate, the blow was an especially hard one. It was a privilege to work with Senator Kefauver and to watch him at work in this Chamber. He was the enemy of unfair advantage. He had the gift to see the right and the wrong in every situation. His basic values never changed, no matter how complex the issue was, no matter what pressures were exerted to cloud the issues.

The State of Tennessee has produced many great men. One of my heroes at college was Cordell Hull. Senator Kefauver was a worthy heir to Hull's ideals of service and social justice. It was an honor to serve with Senator Kefauver. His loss is one of the tragedies of our time.

Mr. President I also ask consent to have printed in the Record several editorials by New Jersey writers.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Newark News, Newark, N.J., Aug. 11, 1963]

### Crusader

Estes Kefauver was far more than a homespun presidential aspirant in a funny coonskin hat. Behind that folksy packaging there was hard iron. Ask the racket boys whose way of life he disrupted by exposure of their underworld apparatus. They will not forget the Senator from Tennessee.

Nor will the law-abiding public. New Jersey and particularly Bergen County benefited from the Kefauver crime hearings and so did the whole country. Bergen's gambling cleanup was one response to Senator Keafuver's call for a war on the underworld.

He exposed gambling as the base for organized crime. "The $2 horse player and the 5-cent numbers player are not only gambling against hopeless odds," he declared, "they are also sending young people into drug addiction and young girls into prostitution. They are undermining our most sacred institutions."

The country will miss the gentleman from Tennessee.

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[From the Atlantic City Press, Aug. 13, 1963]

### Kefauver To Be Long Remembered Here

A courageous public champion has been taken from the national scene by the death of Senator Estes Kefauver.

The tall Tennessean with the folksy, homespun manner, twice aspired to the Democratic presidential nomination and made an unsuccessful race for the Vice Presidency. He was a formidable candidate and the coonskin cap became the emblem of his grassroots campaigning.

He perhaps will be best remembered as a fervent crusader against crime and monopoly. He was chairman of the Senate Crime Investigating Committee in 1951, when it conducted televised hearings that thrilled millions with closeups of big time racket chiefs, gamblers, and hoodlums who were among the witnesses.

Atlantic City did not escape the penetrating searchlight of the crimebuster. The committee delved into gambling operations at the shore and the implications constituted a lurid chapter which the resort would prefer to forget.

The bespectacled Senator with the southern drawl visited the city on more auspicious occasions as a convention speaker.

In recent years he had been in the public eye principally through his chairmanship of the Senate Antitrust and Monopoly Subcommittee.

By a curious coincidence, his death came at a time when this area is again the scene of an investigation—this time by agents of the Internal Revenue Service.

Whatever else may be said about Senator Kefauver, he was a man of high principles and repeatedly refused to compromise them for political gain. He devoted his energies to the public service until his heart gave out at the age of 60.

As President Kennedy put it, the Senator's death "has deprived the Nation of one of its most distinguished leaders * * *. His devotion to the public interest made him a powerful influence for good in our Nation's affairs."

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[From the Trenton (N.J.) Sunday Times-Advertiser, Aug. 11, 1963]

### The Tall Senator in the Coonskin Cap Was Always His Own Man

(By Sam Fogg)

Washington.—Senator Estes Kefauver, who died yesterday, came out of Tennessee's farm country to combat big city vice lords and business monopolies and twice seek the Presidency.

It was as the crusading chairman of a Senate Crime Investigating Committee that Kefauver first sprang to national prominence. The widely televised hearings were marked by Kefauver prodding away in a soft Tennessee drawl and getting surly, defiant responses from such crime kingpins as Frank Costello.

He first bid unsuccessfully for the Democratic presidential nomination in 1952. He made the Daniel Boone coonskin cap his symbol and as a campaigner showed an almost insatiable zest for handshaking.

At the nominating convention, however, he was passed over for the then Illinois Governor Stevenson. He was opposed by southern politicos who disliked his moderate racial rights views and by nothern city bosses who felt that his crime exposures had hurt them locally.

Kefauver's presidential ambitions stayed afire. In 1956 he directly challenged Stevenson's bid for renomination and the two met in a series of head-to-head primary battles. Kefauver won in such States as Wisconsin, Minnesota, and Maryland but was crushed in the more pivotal primaries in California, Oregon, and Florida.

Stevenson, on his renomination, declared the choice of his vice presidential running mate an open race. Kefauver won it in a close battle with a young Senate colleague.

#### BEATS KENNEDY

The latter was John F. Kennedy who this weekend was mourning a death in his own family—the loss of his newborn son.

The Stevenson-Kefauver ticket was swamped as Dwight D. Eisenhower won his second term by a wide margin. From then on, Kefauver moved to the back of the national political stage.

He devoted himself mainly to the chairmanship of the Senate Anti-Monopoly Subcommittee, championing the cause of the Nation's consumers. He demonstrated the same crusading vigor in denouncing the prices of drugs as he had in castigating the criminals that had once appeared before him.

The tall Tennessean had always championed the underdog and had pursued an independent course during his 24 years as a House Member and Senator.

When he first ran for the Senate in 1948, Memphis Democratic boss Edward H. Crump had taunted Kefauver as the "pet coon" of newspaper publisher Silliman Evans.

Kefauver promptly brought forth a coonskin cap and told his audiences: "There might be a ring around the tail but none through the nose."

#### HANDSHAKE CHAMP

Kefauver made the handshake a potent political weapon. He would shake hundreds of hands a day on and off the campaign trail.

But the key to his personality was his underdog role. He championed the man in the street in his battles against crime, and monopolistic practices.

Kefauver always had his eye on the White House. His failure to win the presidential nomination in 1952 and 1956 was a bitter pill.

But he staged an all-out fight at an "open convention" to win the vice presidential nod from delegates to the 1956 Democratic Convention, beating Kennedy.

Any lingering bitterness he may have had over the failure to win the presidential spot never showed during the Stevenson campaign.

As Stevenson's running mate he threw himself into the drive for a Democratic victory with the same tireless, folksy manner that had won him so much support from the rank and file in the past.

KEFAUVER was always somewhat of an outcast among his Senate colleagues and anathema among the party leaders.

Much of the distrust goes back to the very event that propelled KEFAUVER into millions of American homes—the nationally televised crime hearings he sponsored in 1950.

The party leaders never quite forgave the freshman Senator for quickly gaining a reputation as a "crimebuster" and were convinced that the hearings contributed to Democratic defeats in some States in 1952.

When he first came to Congress as a House Member in 1939 he established himself as an internationally minded liberal. He was 1 of 10 Members of the House named by a national magazine for outstanding work in 1946.

KEFAUVER was born July 26, 1903, at Madison, Tenn., where his family had lived for generations. He attended a one-room school there and as a boy worked in his father's hardware store and on his farm.

At the University of Tennessee, he worked his way through college and was on the football and track squads. The 6-foot-3-inch, 200-pound Senator always deprecated his athletic powers, however.

He entered Yale law school and worked his way to a law degree by waiting tables and firing furnaces.

After practicing law in Chattanooga, KEFAUVER entered politics on a modest scale. Just before his first election to the House, he served as State commissioner of finance and taxation.

He married Nancy Pigott, a vivacious Scottish girl, in 1935. Their children are David, Diane, Eleanor, and Gail.

In recent years, KEFAUVER's activities had focused on the chairmanship of the Senate Anti-Monopoly Subcommittee which conducted a wide range of hearings into reports of pricing fixing and on a wide variety of antitrust matters.

KEFAUVER's hearings on the controversial Dixon-Yates power contract publicized the circumstances under which private power companies planned to build a steam generating plant in West Memphis, Ark., to channel power into the TVA network for use by the Atomic Energy Commission. The contract was subsequently cancelled.

The subcommittee's pricing inquiry also dealt extensively with drug prices, and its hearings were in part responsible for congressional actions which tightened up on the drug industry.

Mr. GORE. Mr. President, I yield to the distinguished assistant majority leader.

Mr. HUMPHREY. Mr. President, this has been a memorable day in the Senate. It is a day that has been dedicated to a very fine, great, and good man. The works of this good man will live on for many generations, and the memory of this good man will live with us throughout our lives.

The life of a great man is very much like the course of a mighty river. It springs from humble and obscure beginnings; it gathers strength from many tributaries and refreshes all the lands it passes through; and ultimately, as it reaches the ocean, it links itself with all mankind.

So it was with our late and beloved colleague, Senator ESTES KEFAUVER. At every stage of his long journey from the hills of Tennessee to the Halls of Congress, he grew in strength and stature with widening experience—and, at every stage, he gave far more in devoted service than he received in public honors.

Coming to this body at the same time he did, I can speak from 15 years of close and almost daily contact. Yet, when I cast my mind back over those years, I am amazed at all he attempted, and even more at how much he accomplished.

He attacked the underworld of gamblers and gangsters and the overworld of monopoly business with equal energy and courage. His television hearings cast a glaring and cleansing light upon the links between government and organized crime. His probes of price-rigging in the steel, electrical machinery, and other industries showed how our free enterprise system can be distorted by a privileged few at the expense of the many. Everything he did was characterized by dogged and diligent attention to detail. It was pioneering work, as well—and it blazed paths that all of us can follow.

I think today of his patient and persevering efforts to insure the highest standards of purity and safety in the drugs upon which many Americans must depend for their well-being or even their survival. It was a long and uphill struggle. I think particularly of the aid and encouragement he and his able staff gave to Dr. Frances Kelsey in her stubborn resistance to permitting thalidomide to be put on the market. Thanks to Dr. Kelsey, thousands of American children were born healthy and whole who would otherwise have been tragically deformed; and thanks to the impact of this experience, Senator KEFAUVER was able at length to secure legislation more adequately protecting the public against such risks.

I well recall the discussions and the debates on the so-called Kefauver-Harris drug bill, and I remember the tenacity that characterized the efforts of Senator KEFAUVER and the success that crowned his efforts.

Senator KEFAUVER was a faithful advovate for his State and his region of the country. He was a stanch proponent of the Tennessee Valley Authority and played a leading role in exposing the effort to erode it through what is now known as the infamous Dixon-Yates contract.

Yet from the first his horizons embraced the wider world. Before the Atlantic Community was more than a gleam in the eyes of a few far-seeing men, he sponsored the first Atlantic Union resolution—and saw it finally enacted 11 years later. Supporting NATO and seeing in it much more than a mere military alliance, he sought to give it political content by helping to found the NATO Parliamentarians' Conference.

I hope that in the forthcoming NATO parliamentarians' conference that the delegates from the United States will see fit to pay tribute to the leadership of Senator KEFAUVER. I believe that our friends and compatriots in the North Atlantic Treaty Organization would be appreciative of the efforts of the delegates from the United States to remind the parliamentarians once again of the work and of the vision of our departed colleague.

Zealous to protect the President's authority in foreign affairs, he threw himself into the successful fight against the so-called Bricker amendment, in which position he believed sincerely, and in which I fully concurred. That amendment would have severely restricted the authority of the President to conduct our foreign policy.

His was a full life, and he had his share of bitter disappointment as well. I often wondered from what deep sources he drew the strength to carry on. I believe that it was because he came back, over and over again, to the people of Tennessee and of all America, to commune with them and refresh his dedication to their cause. But he was no mere common denominator of his constituents' views, although he sought them and respected them. Precisely because he was so deeply and firmly rooted in the people, he could on significant occasions step out ahead of them. In the fields of civil rights and civil liberties, he took lonely and unpopular positions which time—and, I am delighted to add, the voters of Tennessee—subsequently justified.

Senator KEFAUVER was loved and respected all the way from the courthouse squares of Tennessee to the Parliaments of Europe. But I want here and now to bear witness that nowhere was he more respected, nowhere is his memory more cherished, than in this Chamber—both among those who disagreed with him and those who usually, but not always, agreed with him.

He gave himself unstintingly, generously, and indeed sacrificially to the service of the people and of the causes in which he believed. He was a true Democrat in the best sense of that word, a believer in democratic institutions and a practitioner of democratic ideas. The highest honor we can pay him is to draw inspiration from the noble example he has set us.

Mr. President, on August 12, 1963, the Executive Council of the AFL–CIO adopted a resolution of tribute to ESTES KEFAUVER. I ask unanimous consent to have this resolution printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION BY THE AFL–CIO EXECUTIVE COUNCIL ON ESTES KEFAUVER, UNITY HOUSE, PA., AUGUST 12, 1963

Whereas death has taken from our midst Senator ESTES KEFAUVER, of Tennessee, a man who served his country with unusual dedication, tremendous devotion and unequalled patriotism; and

Whereas ESTES KEFAUVER was a true humanitarian, a firm disciple of democracy, a defender of consumer interests, and a warm and abiding friend of labor; and

Whereas all of America and all of the organized labor movement of this country is both the richer because of his lifetime service to the United States and the poorer because of his sad and untimely death: Now, therefore, be it

*Resolved*, That the Executive Council of the AFL–CIO, which last February unanimously chose ESTES KEFAUVER to receive the Murray-Green Award of the AFL–CIO for his great services to the cause of humanity, joins his fellow Americans in mourning the passing of this great Senator; and be it further

*Resolved*, That the Executive Council of the AFL–CIO hereby determines that its Murray-Green Award will be given to the Senator posthumously; and be it further

*Resolved*, That the Executive Council assigns as its representative at the funeral service for Estes Kefauver, a man who served with him in many battles for the public good, Stanton Smith, Coordinator of AFL–CIO State and City Central Bodies; and be it further

*Resolved*, That this resolution testifying to our great admiration, our deep sense of gratitude, and our overwhelming sorrow be spread upon the records of the AFL–CIO Executive Council and that true copies be transmitted to the family of the late and great Senator whom we join in mourning his death, and to the Congress of the United States.

Mr. HUMPHREY. Mr. President, I should like at this time to pay my respects to his wonderful and lovely wife, Nancy Kefauver, and to their fine family. We were privileged, as the Humphrey family, to be very close friends of the Kefauver family. There are no words of any tribute or memorial that can properly express the heartfelt feelings that exist between good friends.

Mr. GORE. I now yield to the majority leader.

Mr. MANSFIELD. Mr. President, I rise today to pay tribute to the memory of a great Senator, a great Democrat, and a great American, Estes Kefauver, of Tennessee. His passing was a shock to the U.S. Senate, and I think I am speaking for the entire body when I say that I cannot think of a single man whose unique qualities will be more sorely missed. The late Senator from Tennessee made a lasting mark upon this body—a mark which many may strive to copy but which will never be duplicated.

Estes Kefauver had a single mindedness of purpose and raw courage seldom matched by a public servant. Sometimes these qualities tried the patience of his friends as well as of his foes. But it always stood him in good stead with the little people of this country, who flocked to his coonskin standard in great numbers and with great enthusiasm. Certainly it endeared him to the hearts of his constituents who returned him time and time again to Congress.

The public image of the big man in the coonskin cap gladhanding his way about the country paints a deceptively simple picture of a complex man. Estes Kefauver tried his hand at many things, and was successful in nearly all of them. His efforts as a college football player, a student political leader, and a practicing lawyer were crowned with success.

It is fitting that his first venture into politics should be against an entrenched machine. As a Representative, and later as a Senator, he continued to hammer away at any element which he considered was infringing upon the rights of the common man. No opponent was too big or too powerful—organized crime, machine politics, privilege, monpolies. As a civil libertarian or as a defender of the interests of the consumer, he had few peers.

Only in his bid for the Presidency of the United States was success denied him. He reached his political zenith on the second rollcall of the 1952 nominating convention, climaxing a spectacular rise from relative obscurity to national prominence. It is to his great credit that he took this personal setback graciously, and that he agreed to serve his party as Vice Presidential candidate in 1956.

Estes Kefauver was a big man. He was big in body and possessed a big smile and a big handshake. But he should be remembered for his big heart. His love for humanity and his genuine concern for the downtrodden were unsurpassed. It was not for publicity or votes that this man drove himself beyond his physical limits in their behalf. In his mind, special interests were to be fought, and if nobody else would fight them, he would. The persistence and zeal with which he tilted with the windmills of real or imagined evil strained the slender thread of forbearance of his colleagues on more than one occasion. But the differences were not personal and did not diminish our respect for him.

Those of us who served with Estes Kefauver in the House and Senate have had the real pleasure of having watched a great American of humble origin rise to national heights of fame and success, insuring as he did so a unique place in our history books. The man with the ready smile and handshake, the colorful coonskin cap, and the penchant for "going it alone" when the going got rough, is already a legend. We who pay tribute to him today can only add kind footnotes to what history has already written.

Mr. President, I extend my deepest condolences to the family of the late Estes Kefauver and to the people of his beloved Tennessee.

Mr. BAYH. Mr. President, in the passing of Estes Kefauver, the Senate and the people of the United States lost an old and dear friend. His death left a void in the affairs of this Nation and in the hearts of his countrymen that can never be filled.

Although I did not share the long association with him that many of my colleagues enjoyed, I felt a great sense of deprivation and sorrow when I learned of his untimely death. I sincerely mean it when I say that I can think of no national figure who was more loved and admired by my fellow Hoosiers than was this gentle, yet dynamic, Tennessean.

Estes Kefauver was always one of my personal heroes. As a freshman Senator it was natural for me to turn to him for that advice and counsel which is so necessary to those of us who are new to the ways of this body. I shall never forget the warmth and helpfulness which he showed me in my first few months in Washington. As fellow Senators, fellow Democrats, and fellow members of the Judiciary Committee, it was with a feeling of great honor that the junior Senator from Indiana was able to count the senior Senator from Tennessee among his closest associates. I shall sorely miss him.

But, Mr. President, Estes Kefauver was more than a mentor and friend. Above all, he was an inspiration—a symbol of the ideal toward which all of us as representatives of the people should aspire. And, in the death of our beloved colleague, this inspiration—fortunately—lives on.

There were many characteristics of Senator Kefauver that helped to make him the truly great Senator and great American that he was. We have talked of many of them here: his unfailing honesty, his humility, his forthrightness, his warmth, kindness, and concern for his fellow man, his courage, and his devotion to his job and to his country. But, above all, what impressed me most was that here in Estes Kefauver was a man who really cared.

Here was a man who cared about the power of organized crime and who did all he could to fight it; a man who cared when he found that many of his fellow Americans were being overcharged for vitally needed medicines; a man who cared in a real and vital way about the effects of business concentration upon our free enterprise system; a man who cared above all for the plight of the common man.

We shall pay tribute to the memory of Estes Kefauver each time we cast a vote for the common man, each time our convictions lead us to overcome our fears and dare to do battle with giants, each time we take a cause to heart and fight for it until the end.

Estes Kefauver was a man who cared about his fellow man. In his death we realize how much we cared about him. Let us hope that his memory will long live in the hearts of us all to give us inspiration in the years ahead.

Mr. HARTKE. Mr. President, at the time of his death, I had known Estes Kefauver longer than I had any other Member of the Senate. It was a richly rewarding and inspiring association and friendship. I am sure that I received far more than I gave to this association and friendship.

But, then, I expect that this is true of all of those who knew him as most of us did. Estes Kefauver was that kind of man.

He was a common man, and yet an uncommon man. He came from the common people. While he rose from his station, he remained a man with an uncommonly common touch. Yes, he remained a common man with the addition of the glamour that comes to a man of his position.

Estes Kefauver was, I believe, in the tradition of Andrew Jackson. These two Tennesseans served their State and their Nation in much the same manner and with much the same ways.

Estes Kefauver was a friend of the friendless. Frustrated in many of his own goals, he never stopped fighting for the things he believed in and for his friends.

This is a better Senate, a better country, and most of us are better men because Estes Kefauver came our way.

Mr. CHURCH subsequently said: Mr. President, last Thursday, the business of the Senate was suspended to permit the delivery of memorial addresses on the life, character, and public service of Estes Kefauver, late a Senator from the State of Tennessee. Since it was not possible for me to be back here at that time, I wish now to speak a few words in tribute to our friend and colleague.

My quarters in the Old Senate Office Building are directly across the hall from the space lately occupied by Estes Kefauver. Soon after his last successful canvass of the Tennessee electorate, I remember stepping from my office to identify an unusual clapping sound coming from the corridor outside. It was applause. Both sides of the corridor were lined with staff people—my own, the staff people of the Senator from Oregon [Mr. MORSE], as well as KEFAUVER's own associates—who had turned out to greet the Senator as he strode from the elevator to his desk. This tribute, rare indeed, in the workaday world of the Senate Office Building, must have given ESTES a precious memory. The event, spontaneously set in motion by those who knew him best, could never have happened to a public idol with feet of clay.

My own closest association with ESTES KEFAUVER came as the result of our joint efforts in behalf of the resolution authorizing the Atlantic Citizens Convention. With courage and single-mindedness he worked to advance the cause of Atlantic Union, in the House and in the Senate, in good times and in bad. This aspect of Senator Kefauver's public service is well noted in a tribute to him by Elmo Roper, which I ask to have printed at this point in the RECORD.

There being no objection, the tribute was ordered to be printed in the RECORD, as follows:

### KEFAUVER: THE IRREPLACEABLE MAN

(By Elmo Roper)

Most of us have been reared to believe that there is no such thing as the indispensable man—and yet somehow words approximating those must be found to describe Senator ESTES KEFAUVER. Certainly the phrase which all those who labored for Atlantic Union can agree to is that he was the irreplaceable man.

In writing about ESTES KEFAUVER, it's hard to know where to begin. Perhaps one should begin with his courage. He never hesitated to take an unpopular position when he believed it was the right one. He was the first man in the Congress of the United States to take a public stand for Atlantic Union—at a time when such a view made him solitary indeed. Born in the Old South, he was uncompromisingly devoted to equal rights for Negroes. However much one might have disagreed with any of his views, I doubt if anyone can be found who would deny that most of his positions required courage of the highest order.

But one might as easily begin with his loyalty, his steadfastness. Over the years he never wavered in his support of Atlantic Union, publicly or privately. Called a nigger loving one worlder, in the middle of a hot political campaign, he took the epithet calmly in stride and retreated not an inch from his convictions. Everything he ever told me he would do, during the long battle for congressional acceptance of the idea of an Atlantic Citizens Convention, he did. In a profession of easy promises, he kept every one.

Yet a very good case could be made that the first thing one should mention in connection with Senator KEFAUVER was his vision. Many years ago he realized that rivers, mountains and oceans, color of the skin and religion were unnatural boundaries for governments. To let any of them assume the unnatural importance they have come to have in this 20th century was to invite—at worst—continued wars and—at best—continued costly rivalries. In a world shrunken by fast transportation and faster communications and where men know how to destroy centuries of civilization in minutes, some stronger cement was needed to bind men together. To ESTES KEFAUVER that more binding cement was a belief in the dignity of every human being. On that foundation, he would have built a broader, more enduring government than this planet has ever seen.

Perhaps the underlying source of ESTES KEFAUVER's strength was his ability to stand alone. During his time in the Senate, he never did anything out of a desire to become a member of the club nor did he tailor his views to assure reelection to that exclusive body. He was guided solely by the inner force of his own reasoning powers—which were formidable, coonskin cap to the contrary. No outer force had the power to alter his convictions—or his actions. I suppose what I am describing is, very simply, a man of complete integrity.

Yet there was nothing out of character in ESTES KEFAUVER's walking up the streets of little towns all over America and greeting people with, "I am ESTES KEFAUVER; I am running for the Presidency and I would like to have your support." He was in tune with the aspirations of all mankind—even though he was one of mankind's most exceptional products.

And for many of us, grief over the death of a great man is compounded by the fact that he was to our cause the irreplaceable man.

**Mr. CHURCH.** ESTES KEFAUVER had many friends in Idaho, men, and women who gave him their commitment when he was a candidate for the Presidency. The history of the fifties cannot now be rewritten, but appropriate to ESTES KEFAUVER are the words spoken by Horatio of the fallen Prince Hamlet:

> For he was likely, had he been put on, to have prov'd most royally.

**Mr. GRUENING** subsequently said: Mr. President, last Thursday the Senate devoted its session to paying tributes to one whom I consider one of its all-time great Senators, ESTES KEFAUVER, and I was proud to be among those who spoke. The tributes that poured forth from our colleagues were eloquent testimony not only to the esteem and admiration in which ESTES was held but demonstrated the wide range of his activities, invariably in behalf of the public interest and for a better world.

I ask unanimous consent that two articles from the September and October issues respectively of the publication, Freedom & Union, the first of which is entitled "Senator ESTES KEFAUVER: Trial Blazer of Atlantic Union, 1903–1963"; and the second, "How KEFAUVER Submitted First Atlantic Convention Bill," as well as an article from the former issue by Edward J. Meeman, and an editorial from the same issue by Elmo Roper entitled "KEFAUVER, the Irreplaceable Man," be inserted in the RECORD at the conclusion of my remarks, and that these be added to my tribute in the memorial volume which will contain the eulogies.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Freedom & Union, September 1963]

### SENATOR ESTES KEFAUVER: TRAILBLAZER OF ATLANTIC UNION, 1903–63

"The answer of the State Department to every proposal for peace, Mr. President, is that it needs time to consider the proposal. My heaven, Mr. President * * * we need to utilize the brief time that we have * * * to quit drifting and start moving. The State Department evidently does not realize that we cannot kill time; it is time which kills us. And that was never more true than it is at this very moment."

#### POIGNANT TIMELY REMINDER

Thus spoke Senator ESTES KEFAUVER in his speech, "Atlantic Union: The Way to Peace—Reply to the State Department," in answer to its opposition to the Atlantic Union resolution he had introduced July 28, 1949. He spoke on the Senate floor March 13, 1950—3 months before communism suddenly launched its attack on South Korea.

All that speech repays rereading now, but the paragraph quoted speaks most eloquently just today to all his generation, and most movingly to us Atlantic Unionists who know how priceless was his pioneering for Federation of the Free. No one in the prime of life can be reminded too often or too poignantly that, however much we act as though we had time to kill, all the while time is killing us, ESTES speaks to us, and to all, with new authority on this subject now. He did not kill time, he crowded great good into his years, and wisely did he do so, for now time has killed him, when only 60, at the peak of his powers.

The cause of Atlantic Federal Union suffered a truly tragic loss when his heart abruptly gave way on August 10. He had gone from the Senate floor, where he was opposing private monopoly of communication satellites, to the hospital, thinking he had only indigestion. There his heart—until then a kind heart and a stout one in every way—suddenly gave in.

#### WHAT OTHER SENATOR?

Nature gave ESTES great gifts; hard work developed them, and what he had already done with them promised even finer contributions to his fellow man, had he been allowed even the Biblical three score and ten. He was not a member of the Senate's famed inner club, but those who are, and all the 99 Senators, may well ask themselves: "The death of what Senator among us would have the nationwide, Atlantic-wide impact Senator KEFAUVER's has had—measured not only in front page headlines and editorial tributes but in a deep sense of personal loss felt by so many whose devoted loyalty he had won, for so many reasons, in so many places and fields of life?

ESTES was much more than one Senator in a hundred; he was one man in a myriad. He needs a Shakespeare to do him justice—and for him Shakespeare did write a eulogy. It is the tribute to Brutus which Antony paid on the battlefield where he perished. One need but omit—as I do here—its second and third lines to make even its "He * * * made one of them" refer no longer to Brutus and the conspirators, but (like all the rest) to ESTES and his work to unite the free:

"This was the noblest Roman of them all.

* * * * *

He only, in a general honest thought
And common good to all, made one of them
His life was gentle, and the elements
So mixed in him that Nature might stand up
And say to all the world, 'This was a man!' "

#### THE GENTLE WARRIOR

ESTES KEFAUVER's life was gentle in the sense that he was a born gentleman, the soul of kindness. He did not learn consideration for others from a course on how to make friends. Consideration for each person he encountered, however humbled, was in him second nature—nay, true nature. He carried it to a friendly fault that has made his ready handshake legendary, and overshadowed for the public better proofs of his thoughtfulness that thousands treasure.

His life was far from gentle, however, in the sense of drifting with the current or following the way of least resistance as so many do, avoiding hard decisions, conflict, ESTES was forever paddling his canoe upstream, even up rapids that daunted other explorers. Increasingly through his 10 years in the House and 15 in the Senate, his public life was devoted to heroic conflict. His battles were both negative and positive.

He fought against dragons as powerful as war, democratic disunion or anarchy, race prejudice, organized crime, monopoly and profiteering in steel, medicine, the high heavens of Telstars. Birth involves conflict too, and Estes fought for creation of the Federation of the Free, for a more effective "Twentieth Century Congress"—the title of his first book—for more democratic elections (through abolishing the poll tax, reforming the presidential electoral college, etc.)

In politics as in engineering, there are two kinds of men, the kind that construct and the kind that operate. Estes was of the rarer constructive type. His passion for building better government first showed itself at the county level when he came home from Yale to practice law. Before he died he had contributed to the creation of better government at all the other existing levels, municipal, State and Federal—and above all to the constitution of democratic government where it does not yet exist, in Atlantica. His championship of Federal Government on this international scale contributed to his election to the Senate in 1948 despite Boss Crump in Memphis—and there resulted in replacing his machine with an independent government in that city, and freeing the State government from bossism. But this is a story in itself—for a later issue.

### A GIANT'S STRENGTH

Estes had a giant's strength, without the fault that Shakespeare found in this:

O, it is excellent
To have a giant's strength; but it is tyrannous
To use it like a giant.

I wish Shakespeare had gone on to tell us how excellent it is to use such strength for noble ends, not to exploit the weaknesses of others for one's own profit but to find satisfactions in making the weak stronger, the fearful braver, and in freeing one's fellows from the walls of anarchy, war, and moral cowardice that hem man in, and the chains of oppression, prejudice, and ignorance that hold him down. Estes had a giant's strength in at least two senses, physical and moral. He was weak as a speaker; he moved men by his character much more than by his speech. He was not a seminal thinker, but he had an independent mind. He was open to the ideas of others and not too proud to work for those he judged to be sound as if they were his own. And his judgment not only of ideas but even more of political situations and strategy was very good. To return to the two strengths mentioned.

### MR. COURAGE

Physically, Estes stood head and broad shoulders above most of us. His stamina carried him through three killing campaigns for his Senate seat, and the multitude of presidential primaries that he won in 1952 and 1956. Morally, his strength was even rarer.

I think of him often as Mr. Courage, for throughout the 15 years I knew him intimately he was the most consistently and outstandingly courageous man in legislative office I have yet known. Nor does my prize for courage go to him only because of the degree of it he showed in the leadership he gave Atlantic Union in Congress, as some may assume.

It has never seemed to me to take the highest courage for those who laud the commonsense of the common people, as all politicians do, to ask the voters to back the case for Atlantic Union, which is commonsense itself, to me, at least. But the record shows that they do think this requires high courage, and so I concede the point, the more readily because such courage is indeed required to continue in this course as long as Estes did. The eulogies and editorials I have read have nearly all stressed his courage, but—with significant exceptions in Tennessee where he was best known—none even mentioned his work for Atlantic Union. This shows, at least, that there was plenty of other proof of it; the other evidence has most impressed me, too.

### ESTES 83 TO 1

The ignorance, prejudice, and misguided emotions that Atlantic Union runs counter to and that so many politicians have feared to face do not seem to me so hard to overcome or so explosive as the ignorance, bigotry, and misguided emotions roused by other issues, most directly in one's own constituency. Most politicians seem to share this evaluation, judging from their fear of even irking ther constituents on matters that touch them to the quick. Yet through these minefields sown with booby-traps Estes marched as calmly as others on a safe highway—even more serenely, if anything, than he did on the Atlantic Union road. For example, on racial issue votes, he stood out among all the southern Senators, conservatives and liberals, often alone until Albert Gore joined him as the junior Senator from the State already famed for Andrew Jackson and Andrew Johnson.

The vote that most impressed me allowed one to test Estes against the whole field. It came when northern Democratic liberals, with whom Estes often voted, sought during the McCarthy fever to outfox those who charged that they were soft on communism, by sponsoring a bill to outlaw the Communist Party. No one was under worse attack then as a pink than Estes in Tennessee by those who sought his seat. The Senate approved the bill 83 to 1—and the 1 was Senator Kefauver. The immediate result was an astonishing victory he won single-handed, which began the next day when two Senators were brave enough to confess on the floor their consciences had kept them awake all night because they should have voted as he did. In a later issue we shall publish an article by his then Administrative Assistant, Richard Wallace, now executive director of the Atlantic Council of the United States, telling this whole heart-warming story. This demonstration of Senator Kefauver's courage and wisdom deserves a much more spacious monument than we can give it now.

### NOT RECKLESS COURAGE

The courage that characterized Senator Kefauver was not blind or even reckless or flamboyant. It was no less deliberate than determined, as aware of the dangers as it was quiet, a courage fathered by deeply rooted values and mothered by firm faith in his fellow man.

"His critics in the Senate called him 'Estes the Martyr,' the 'Frontiersman,' and the 'Scourge of Sin,'" the New York Times said: "They accounted him a canny politician bent on building up a personal following." Frontiersman he was indeed in spirit, but there was in him nothing of Jeremiah, still less of the martyr or fanatic. His courage came from no such sources. True, he was a shrewd politician—as I have had much more occasion to welcome than to criticize—but Congress swarms with canny politicians who seek to build up a personal following * * * by anything but the course that Estes took. Two of many examples in my personal knowledge may show that seeking his own advantage was not his major motive.

### TWO STEPS BACK FROM FAME

When Estes gained national renown by his crime investigation I was disturbed, because I feared it would divert him too much from Atlantic Union. I expressed to him more than once my anxiety, and my belief that Federation of the Free was more worthy of his mettle. It is now forgotten that at the height of the fame his Crime Investigation Committee had brought him, he resigned as its chairman. He tied this to his responsibility as sponsor of the Atlantic Union resolution, in a statement on March 24, 1951. The Korean war was then on, and he explained to his constituents: "Tennessee boys are dying on foreign battlefields and I believe this plan I proposed may provide the answer we pray for. I consider it my bounden duty to turn my efforts and time from local and national crime to international crime."

Freedom & Union featured this on its May 1951 cover, but the mass media gave it scant if any attention. The cause to which he turned has brought Senator Kefauver so little publicity, thus far, that, as has been noted, outside Tennessee his obituaries rarely mentioned his Atlantic Union role. Such was this "canny politician bent on building up a personal following."

The second example I would cite came in 1959. The outlook for congressional approval of the Atlantic Convention proposed—which Foster Dulles had blocked when he became Secretary of State—had improved enough to make its supporters, including Senator Kefauver, believe it might win, and therefore should be reintroduced. Far from seeking to cash in on his early work, he advised the resolution's supporters that, because of hostility he had roused on other issues and the fact that he was not a member of the Foreign Relations Committee, it would be wiser to get a member of that committee to introduce it.

In the interest of the resolution, he stepped aside for Senator Hubert Humphrey, who became its chief sponsor, and Senator Frank Church, who became its floor manager. Estes continued to work as hard for it in the ranks as when he was out in front. Without him it would not have passed the Senate as it did in 1960—and I happen to know that it was his influence behind the scenes that gave it the Republican support it needed to clear the Rules Committee and reach the floor of the House, where its victory was clinched. Such was the character of Estes Kefauver.

### WHERE WE DIFFERED

Devotion to principle did not blind him to the values of compromise. In my view he was too ready, after the failure of the first years of head-on onslaught for the Atlantic Union resolution, to follow those who urged that the way to get it through was to water it down. At times I differed strongly with him on strategy. We agreed on the need to accept some compromises to get action while insisting on enough of the essential to make the action worthwhile. We differed only on the degree this involved. I was readier than he to risk losing the battle than to win it in a way I thought risked losing the war.

There was truth in both views: The resolution did win approval, as he hoped, in the weakened form that he found safe—and that in the end I supported, partly from respect for his judgment and partly from necessity. But, as I feared, the resulting convention held in January 1962 fell woefully short of what we both had sought. Though Estes would go farther than I in such compromising, I know his willingness came from no weakening of his devotion to Atlantic Union.

### STARTING KEFAUVER SERIES

The story of Senator Kefauver's work for Atlantic Union is too great to be told now, and too impressive, inspiring and filled with human interest not to be told later. And so, in succeeding issues, we shall tell more of it. We shall accompany the series with documents, beginning now, where we give the text of his first major Senate speech on Atlantic Union. Only 11 days after his death, the New York Times found occasion to note: "The loss of Senator KEFAUVER seems greater today than it did when death struck him down." As the true story of his work for Atlantic Federation becomes better known, that comment will swell into a chorus, and his stature will loom even greater.

### HIS 1948 COMMITMENT

In his hometown, Madisonville, Tenn., named for the "Father of the Federal Constitution," where ESTES was buried, he made on June 5, 1948, his first public commitment to Atlantic Union. Announcing his candidacy for the Senate, he said:

"I have studied the matter very closely. I am convinced that the one real way that we can have peace in the world is to join in a kind of federation with the other freedom-loving peoples.

I feel that the statesmen of these democracies should work toward this program, just as the statesmen of our Nation worked toward building 13 States into the Federation which grew into the great United States of America. It is going to take work, a lot of prayerful thinking, and moral and religious regeneration. But it is not only possible, it must be done."

### FINAL TESTIMONIAL

Fifteen years later, I would testify in the words of Timothy: "He fought a good fight, he finished his course, he kept the faith." And I would add these words with which the Associated Press ended its report of the burial of Senator KEFAUVER on August 13:

"As thunder rolled, the coffin was removed by an Air Force honor guard to the graveside. Lightning flashed as the casket was lowered, and when the family turned from the grave, a heavy downpour began."

In a way that would have seemed fitting to the ancients, the noblest Roman of them all passed, into history.

CLARENCE STREIT.

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[From Freedom and Union, October 1963]

### HOW KEFAUVER SUBMITTED FIRST ATLANTIC CONVENTION BILL

Senator KEFAUVER introduced in the Senate the first Atlantic Union resolution (S. Con. Res. 57) on July 26, 1949, on behalf of 20 Senators, a bipartisan group which grew to 21 a little later when Senator HUBERT HUMPHREY (now assistant majority leader) joined it. It comprised 14 Democrats and 7 Republicans—the latter including Senator Joseph R. McCarthy.

The identical resolution was introduced the same day in the House, where its leaders thought it better strategy to limit sponsorship to these five: Hale Boggs (Democrat of Louisiana, now assistant majority leader), Clifford Davis, Democrat of Tennessee; Walter H. Judd, Republican of Minnesota; George A. Smathers, Democrat of Florida; now a Senator; and James W. Wadsworth, Republican of New York.

Of the 26 who cosponsored the resolution in both Houses only 8 now remain in Congress: Senators FULBRIGHT (now chairman of the Foreign Relations Committee), LISTER HILL, HUMPHREY, SMATHERS, JOHN J. SPARKMAN, MILTON R. YOUNG, and Representatives BOGGS and DAVIS. In reporting the introduction of the resolution, the September 1949 Freedom and Union said:

"The first official step toward union of the free has been taken, at long last * * * Senator ESTES KEFAUVER, pioneer free federalist in Congress, introduced this resolution * * * on behalf of the largest number in that body to back any proposal in this field. The group is impressive for its quality, too. Outstanding among the influential leaders in it is Senator Walter F. George, Democrat, of Georgia, rated as one of the three most powerful men in the Senate.

"He is not only chairman of its important Finance Committee but ranks next to Chairman Connally in the Foreign Relations Committee to which this resolution has been referred.

"Impressive, too, is the resolution's sponsorship in the House. There its outstanding leader is a Republican James Wadsworth of New York. A veteran of the Spanish war, he has at 72, the distinction of being the only Member of the House (where he has served since 1933), who has also served in the U.S. Senate (1915–27). [He] is acknowledged to be one of the most influential men in both Houses.

"The Atlantic Union resolution is off to a flying start—but it is not a day too soon that it has come officially before Congress and the world. It is now a little more than 10 years since the United States was first publicly urged to invite the other North Atlantic democracies to a Federal Constitution Convention.

"More than half of that decade was spent in world war, at a cost of millions of lives, thousands of billions of dollars. The war ended in complete military victory, in 'unconditional surrender,' and in the U.N. and a flock of other world organizations.

"The net result? A figure or two may suffice. In August, 1939, the U.S. Congress passed a defense budget that then set a peacetime record; it totaled $1,614 million * * *. The 1939 figure was only about one-tenth of the U.S. defense budget 10 years later.

Federal taxes alone in 1949 were five times greater than in 1941, but the U.S. production total in the same period merely doubled * * *. This means that the tax burden on production is now two and a half times what it was. Production now is falling, but Government expenditure is still rising.

" 'Some less costly road to peace than the one we are now following must be found,' as Will Clayton says, and the road he points to—Atlantic Union—must be taken with the least delay."

The Senate held hearings on the resolution in February 1950, but the Foreign Relations Committee took no action, deciding—after the Korean war began—to wait and see. The resolution dying that session, Senator KEFAUVER reintroduced the same text in 1951 on behalf of 27 Senators, including most of the previous group plus such additions as Senators George Aiken, Frank Carlson, Richard Nixon, Herbert Lehman, Russell Long and John McClellan. The House sponsors numbered seven and included Christian A. Herter (later Secretary of State) and Mike Mansfield (now Senate majority leader).

(There follows the text of the statements Senator KEFAUVER made on the floor and to the press in introducing the resolution in in 1949, and its text in 1949 and 1951.—EDITORS.)

"Mr. President, I send to the desk, for appropriate reference, a concurrent resolution on behalf of a distinguished bipartisan group of Senators, to-wit: Walter F. George; Guy M. Gillette; Raymond E. Baldwin; Robert C. Hendrickson; Bert H. Miller; Harry P. Cain; Zales P. Ecton; Lister Hill; John J. Sparkman; J. William Fulbright; Burnet R. Maybank; Edward J. Thye; Garrett L. Withers; Joseph R. McCarthy; Harley M. Kilgore; Virgil Chapman; J. Allen Frear, Jr.; Frank P. Graham; and Milton R. Young.

"The resolution requests the President to invite the other six sponsors of the pact to meet with American delegates 'in a Federal Convention to explore how far their peoples, and other democracies whom the Convention may invite to send delegates, can apply between them, within the framework of the United Nations, the principles of free federal union.'

"Its purpose is to permit timely, fruitful investigation of the possibilities of overcoming, through a federal union of the Atlantic democracies, the international difficulties we face. It aims also to give the United States and the cause of freedom and peace the maximum psychological advantages of leadership, without our writing any blank check or incurring any dangerous commitment."

### AVOID PIECEMEAL SOLUTIONS

"We face in the Atlantic area, and particularly with Canada, Britain, France, and Benelux, a complex of problems—political, military, economic, monetary—which we are now trying to solve separately, piecemeal, by the ECA, the pact, rearmament, etc. We are also trying to solve them only on a diplomatic or government-to-government basis.

"Calling the proposed convention would not prevent continued efforts along these lines, but it would permit us, in company with the other pact sponsors, to try also to solve this complex of problems by tackling them as a whole, and on the man-to-man basis of our own American Federal Union system. It would commit us to nothing more than an earnest exploration of this way out.

"So great has been the success of the Federal system wherever it has been tried that for us to decide even to explore its possibilities in the Atlantic community would rouse great hope. It would seem wiser to begin this exploration now while we have time to do it carefully, rather than risk waiting until events force hasty, ill-considered action.

"The proposed resolution has the support of many eminent citizens, led by former Justice Owen J. Roberts, president of the Atlantic Union Committee, and its vice president, Robert Patterson, former Secretary of War, and Will Clayton, former Under Secretary of State for Economic Affairs.

"We who sponsor this resolution in both Houses of the Congress represent the people of many States, from the Atlantic to the Pacific, from the center to the high North and the Deep South, from the Smokies to the Rockies. We include members not only of both the great parties, but of nearly every important school of thought from conservative to liberal in each of them. Some of us voted for the Atlantic Treaty with great hope, and some with deep misgivings.

"The list of Senators sponsoring this resolution, while diverse in interest and thought, are towers of strength in this great body. Indeed, there is not a Senator in this group who does not have a better claim to the honor of filing this resolution than I do.

"Diverse as this group is, we are united in believing that it is high time we Americans began to explore in a Federal Convention how far we can extend the Federal principles of the United States between the free peoples of the North Atlantic. Even those of us who have the greatest hope in the North Atlantic pact and in the United Nations agree that in a period so full of peril as the present we dare not neglect to explore so promising a way as Federal union to strengthen the dikes against war, depression and dictatorship."

This is the text of the statement to the press Senator KEFAUVER made after introducing the Atlantic Union resolution in the Senate, July 26, 1949:

"I have today introduced in the Senate a concurrent resolution on behalf of Senators (same list as in preceding statement made on the floor), inviting the democracies which sponsored the North Atlantic Treaty to name delegates to a Federal Convention.

"We believe this resolution is in the great line of American history.

"This is a resolution to explore—and what is deeper in America than the spirit of exploring? It was by exploring that brave men discovered this New World. It was by calling a Federal Convention in 1787 to explore how the 13 Original States could be united more effectively than by the feeble Articles of Confederation that our Founding Fathers discovered the fruitful principles of free Federal union which they embodied in our Constitution—now the world's oldest written Constitution and the one that has brought more freedom, peace, and prosperity to more men and women than any form of government ever did in human history.

"Well, the resolution we sponsor is to explore the possibility of applying these same Federal union principles to unite the democracies of the New and the Old Worlds in a great union of the free—to explore whether we may not thus find, and lead humanity along, the way to that better, happier, freer world which mankind has been vainly seeking by other routes, and for which the lives of so many men have been sacrificed in two World Wars in our time."

[At this point the statement inserted several of the paragraphs of the above speech which Senator KEFAUVER made on the floor in introducing the resolution—EDITORS.]

"Too often already our hopes have failed us. Too often since Pearl Harbor we have been forced into precipitate action by the failure of our hopes. We, too, can be forced to offer union overnight, as the British were at Dunkirk,—but this is not the way our forefathers built this great Union of ours. It is easy to speed from makeshift to makeshift, but to build an enduring union, to build anything enduring, takes time.

"Whatever we may think of the North Atlantic Treaty, it does gain us time. The question is: how shall we use this time? We who sponsor this Atlantic Union resolution agree in proposing that we use that time to begin without delay to explore the possibilities of oceanic federation now, while we can explore them with careful prudence.

"We should stress that this proposal does not prevent us from continuing the present efforts to solve by other methods the problems confronting us. But why should these efforts prevent us from exploring the Federal Union solution? When our scientists tackled the problem of harnessing atomic energy, they tackled it in four different ways at once. Should we not learn from that example?

"The fact is that we Americans face in the North Atlantic area with Canada, Britain, France, and Benelux, not one problem but a complex of problems.

"Not only are we still relying on the piecemeal technique which Secretary Marshall justly condemned in his celebrated speech, but we are confining our efforts to the diplomatic, or government-to-government approach. We approached this complex of problems piecemeal first on a universal government-to-government basis, through Bretton Woods, the International Bank and Fund, the United Nations, the International Trade Organization, the Baruch plan. When that approach didn't work, we got down to the heart of the problem in the North Atlantic area—but still we tackled each side of it separately on this government-to-government diplomatic basis, in the Marshall Plan, the North Atlantic Treaty, the rearmament program.

"The Atlantic Union Resolution would not, I repeat, prevent continued efforts along these lines, or any of the variations of them that have been proposed in other resolutions. But it would permit us to try also to solve this complex of problems by tackling them (1) as a whole; (2) in company with the Canadian, British, French, and Benelux democracies with whom we share most closely these economic, military, monetary, and atomic problems, and who sponsored with us the North Atlantic Pact; and (3) on the man-to-man Federal Union basis of our own U.S. Constitution."

### SHOULD TRY AMERICAN APPROACH

"Surely this practical, 100 percent American approach should not be the one approach to the problem that we should refuse even to try.

"This is the approach that led our forefathers to our Federal Constitution. Much was said of that Constitution in our recent debate in the Senate on the Atlantic Pact, but as I pointed out then it seemed to have been forgotten that our Constitution is itself not a domestic but a foreign policy. It originated as a fundamental foreign polcy to govern the relations of sovereign States with each other. It began as an answer to the type of problem we and the other Atlantic democracies now face, how to secure our liberty without another war.

"Our fathers took the Federal Convention road that led to our Constitution when attempts to solve piecemeal their political, economic, and monetary problems failed. We forget that an alliance—the Articles of Confederation, in some respects stronger than the North Atlantic Treaty—failed miserably even among 13 States whose people had more bonds in common than the 12 signatories of the North Atlantic Treaty.

"The dangers of war, depression, unemployment, inflation, led these earliest Atlantic democracies to meet in a Federal Convention in 1787 'as the deputies of 13 independent, sovereign States.' There they worked out our Federal Constitution as the solution of their economic, political, monetary, moral, and spiritual complex of problems, as their common foreign policy, the basis of their future relations with each other.

"Whereas the Articles of Confederation, like the North Atlantic Treaty, formed a mere alliance of governments, the Constitution of the United States formed by a Federal Union of their people. By it they divided powers between the democratic Union government and the separate democratic State governments, with a view to securing thereby the freedom, prosperity, and peace of all their citizens, and keeping all governments, State or Union, obedient to them.

"This citizen-to-citizen Federal Union policy made the people of the 13 States strong enough to survive the Napoleonic wars. With it they put the dollar, then not 'worth a continental,'—on a solid foundation, changed bankruptcy to boom, converted depression into the most fabulous prosperity humanity has ever known.

"Since then, every generation of our people—with one exception—has gone on extending to more States and more men this policy of Federal Union—this policy of an expanding common free government, a common defense force, a common currency, a common postage stamp, a common free market, a common bill of rights, and a common guaranty that the people of each State in the Union, strong or weak, should govern themselves as they pleased in every field they did not expressly transfer to the Union.

"The one exception, the one generation that has not extended the area governed by this Federal Union policy that converts foreign relations into domestic relations and aliens into citizens, that generation is our own. We have forgotten that our Constitution began as a foreign policy, as a solution of an interstate economic, monetary, political, and moral problem. We have tried everything but this—and for all our plans and policies, all our debts and all our dead, we find ourselves today, after two world wars, with recovery receding and bankruptcy threatening part of the free, facing a more dangerous depression, a more formidable dictatorship, a third and more disastrous war.

"Is it not time to remember that our Constitution is a great foreign policy, and to explore how we can apply its principles to unite all the free?

"This resolution would but carry out the provisions of the North Atlantic Treaty. By its second article we are now committed, as are all its parties, to 'contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being.' How can we Americans prove more convincingly that we are determined to carry out this treaty than by inviting its cosponsors to study with us the Federal Union principles on which our own freedom is based?

"The application of these federal principles among the Atlantic democracies raises, of course, difficult problems. But it would seem foolish to let one's attitude toward this resolution depend on such questions as how the executive, legislative, and judicial branches of an Atlantic Union should be formed, and exactly what powers should be transferred to it, and by what transition measures, and what powers should be guaranteed to each nation in the union. These questions deserve earnest consideration, but to let anyone's answer to them prevent us from calling the convention would be the height of folly. The only answers to these questions that can have real weight are those that a federal convention itself reaches.

### "EXPLORE NOW OR WAIT FOR CRISIS?

"The only question this resolution raises really is this: Is it wise, or unwise, to call a Federal Convention to bring us answers to all these other questions? Shall we now finally begin to explore the one way out of our troubles that we have not yet even explored? Or shall we continue to neglect this way which all our history teaches us to trust? Shall we begin this exploration now, while we have time to do it carefully? Or shall we take a chance, wait until events force us to move?

"That, I submit, is the only question today—and all the unhappy surprises we have suffered in recent years would seem to leave but one wise answer to that question.

"All this resolution commits us to is to explore earnestly and honestly the possibility of federating with other democracies on the basis of our own constitutional principles. True, a Federal Convention implies a constitutional convention, but impressive as that term is, such a convention cannot possibly commit those who call or attend it to anything more than a serious effort to work out a better system of governing their mutual relations than the existing one. Democracy itself forbids any democracy to commit its people to any constitution before they have seen it. Democracy requires us and every democracy to reserve to the people the right to ratify or reject any agreement or constitution a Federal Convention may draft.

"By calling this Federal Convention we can lose nothing whatever, and we can gain more than anyone can imagine.

"So great has been the success of the federal union system wherever tried, so immense is its prestige, that for us merely to offer to begin to explore its possibilities in the Atlantic community would awe dictators and put new heart in the free more than anything else within our practical reach. By this act we thus tackle, too, the moral and spiritual side of our problem.

"In World War I we sought freedom—but without union. We came to World War II, and again we sought freedom—without union.

"In the hall where the Senate now sits, Daniel Webster first enunciated the immortal principle of 'Liberty and Union, now and forever, one and inseparable.'

"It moves me deeply as a southerner, speaking today for so many northerners, too, to propose on behalf of us all this resolution that returns to the principle that made us a people, and that proclaims over the ocean, 'Liberty and Union, now and forever, one and inseparable.' "

[From Freedom & Union, October 1963]

### TEXT OF ORIGINAL (1949) ATLANTIC CONVENTION RESOLUTION

Whereas the parties to the North Atlantic Treaty have declared themselves "determined to safeguard the freedom, common heritage, and civilization of their peoples, founded on the principles of democracy, individual liberty, and the rule of law," and "resolved to unite their efforts for collective defense and for the preservation of peace and security"; and

Whereas they have agreed in article 2 of that treaty to "contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being" and to "seek to eliminate conflict in their international economic policies" and to "encourage economic collaboration between any or all of them"; and

Whereas the principles on which our American freedom is founded are those of Federal union, which were applied for the first time in history in the U.S. Constitution; and

Whereas our Federal Convention of 1787 worked out these principles of union as a means of safeguarding the individual liberty and common heritage of the people of 13 sovereign States, strengthening their free institutions, uniting their defensive efforts, encouraging their economic collaboration, and severally attaining the aims that the democracies of the north Atlantic have set for themselves in the aforesaid treaty; and

Whereas these federal union principles have succeeded impressively in advancing such aims in the United States, Canada, Switzerland, and wherever other free peoples have applied them; and

Whereas the United States, together with the other signatories to the treaty, has promised to bring about a better understanding of these federal principles and has, as their most extensive practitioner and greatest beneficiary, a unique moral obligation to make this contribution to peace; and

Whereas the United States and the other six democracies which sponsored the treaty have, by their success in drafting it and extending it to others, established a precedent for united action toward the attainment of these aims, and the creation of a free and lasting union: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That the President is requested to invite the democracies which sponsored the North Atlantic Treaty to name delegates, representing their principal political parties, to meet with delegates of the United States in a federal convention to explore how far their peoples, and the peoples of such other democracies as the convention may invite to send delegates, can apply among them, within the framework of the United Nations, the principles of free federal union.

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### KEFAUVER WILL BE BEST REMEMBERED FOR PIONEERING ATLANTIC UNION

(By Edward J. Meeman)

A great heart snapped because it tried to do too much.

Though he seemed to do it all easily, there must have been a strain which did not show on the surface.

I was one of many whom ESTES KEFAUVER took inside that big heart, and I feel that I learned to know him well.

I first met him when he was representative from Chattanooga. What he talked about, and earnestly, was the need of reforming the procedures in Congress, ideas which he expressed in his book, "Twentieth Century Congress."

Then and there I decided he was a statesman, for there were few votes to be gained by reforming the rules of Congress.

So when he told me he was going to run for the Senate, and asked me to get some Memphis people together to meet him, I was glad to do so.

He said he would fight Ed Crump, the political boss and dictator of Memphis.

"Don't do that," I advised. "One candidate after another has made Crump the issue and that negative policy has failed.

"Just come to Shelby County and present yourself and your program, appeal to the people for their votes as you have a right to do. Don't fight Crump, but if Crump fights you, as I think he will, fight back."

Crump did blast ESTES KEFAUVER, and the candidate fought back. Crump likened him to a pet coon, that goes rummaging in the bureau when you are not looking.

"I may be a pet coon," ESTES rejoined, "but I am not Mr. Crump's pet coon."

The battle was on.

I learned ESTES was about to put on a coonskin cap.

"Don't do that," I pleaded. Such showmanship was distasteful to me.

He ignored my advice, and the whole world knows how effective the stunt was.

ESTES KEFAUVER won. The Crump dictatorship which had ruled Memphis with an iron hand, and had handpicked governors and senators, was smashed, though Crump continued to be a political leader of prestige until his death.

A statesman, they say, must first prove to be a politician who can get elected.

But once elected Senator KEFAUVER proved he was at heart a statesman.

To get the essential support of Edmund Orgill, Memphis wholesale hardware merchant, Senator KEFAUVER had to convince Mr. Orgill he was for Atlantic Union, for it was only to advance this cause that Mr. Orgill was willing to enter politics.

Senator KEFAUVER did pledge himself to advocate Atlantic Union.

But, if he had been merely a politician, how easy it would have been for him to make one speech, introduce a resolution for it, say, "I'm sorry but you see the time is not ripe," and abandon the effort.

But ESTES had become convinced that organic union of free democratic nations of North America and Western Europe was necessary to overcome communism.

He worked for it, fought for it. When, in campaigns, demagogues attacked him for it, he did not flinch.

He was a speaker in demand throughout the country. He could choose his own subject, and often he chose to speak in behalf of Atlantic Union.

He was the principal architect and the leading American figure in organizing the NATO Parliamentarians Conference which has been meeting every year since 1955, the Atlantic Congress of 1959, and the Paris Conference of 1961.

There is an Atlantic Council at work today, with all three living ex-Presidents as its honorary chairmen, and Senator KEFAUVER gets the credit.

The "Parliament of Man" he achieved before his death. The Federation of the Free should come soon from causes he set in motion, and be his monument.

Senator KEFAUVER's exposure of gangsters and his fight on monopoly were spectacular.

But I will wager that he will have a great place in history as the statesman who, more than any other, pioneered in behalf of the Federation of the Free.

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### KEFAUVER, THE IRREPLACEABLE MAN

(By Elmo Roper)

Most of us have been reared to believe that there is no such thing as the indispensable man—and yet somehow words approximating those must be found to describe Senator ESTES KEFAUVER. Certainly the phrase which all those who labored for Atlantic Union can agree to is that he was the irreplaceable man.

In writing about ESTES KEFAUVER, it's hard to know where to begin. Perhaps one should begin with his courage. He never hesitated to take an unpopular position when he believed it was the right one. He was the first man in the Congress of the United States to take a public stand for Atlantic Union—at a time when such a view made him solitary indeed. Born in the Old South, he was uncompromisingly devoted to equal rights for Negroes. However much one might have disagreed with any of his views, I doubt if anyone can be found who would deny that most of his positions required courage of the highest order.

But one might as easily begin with his loyalty, his steadfastness. Over the years he never wavered in his support of Atlantic Union, publicly or privately. Called a "nigger-loving one-worlder," in the middle of a hot political campaign, he took the epithet calmly in stride and retreated not an inch from his convictions. Everything he ever told me he would do, during the long battle for congressional acceptance of the idea of an Atlantic Citizens Convention, he did. In a profession of easy promises, he kept every one.

Yet a very good case could be made that the first thing one should mention in connection with Senator KEFAUVER was his vision. Many years ago he realized that rivers, mountains and oceans, color of the skin, and religion were unnatural boundaries for governments. To let any of them assume the unnatural importance they have come to have in this 20th century was to invite—at worst—continued wars and—at best—continued costly rivalries. In a world shrunken by fast transportation and faster communications and where men know how to destroy centuries of civilization in minutes, some stronger cement was needed to bind men together. To ESTES KEFAUVER that more binding cement was a belief in the dignity of every human being. On that foundation, he would have built a broader, more enduring government than this planet has ever seen.

Perhaps the underlying source of ESTES KEFAUVER's strength was his ability to stand alone. During his time in the Senate, he never did anything out of a desire to become a "member of the club" nor did he tailor his views to assure reelection to that exclusive body. He was guided solely by the inner force of his own reasoning powers—which were formidable, coonskin cap to the contrary. No outer force had the power to alter his convictions—or his actions. I suppose what I am describing is, very simply, a man of complete integrity.

Yet there was nothing out of character in ESTES KEFAUVER's walking up the streets of little towns all over America and greeting people with, "I am ESTES KEFAUVER, I am running for the Presidency and I would like to have your support." He was in tune with the aspirations of all mankind—even though he was one of mankind's most exceptional products.

And for many of us, grief over the death of a great man is compounded by the fact that he was to our cause the irreplaceable man.

Mr. GORE. Mr. President, the senior Senator from Kentucky [Mr. COOPER] was unable to be present today. He asked me specifically to express his own sorrow and his tribute to the late Senator ESTES KEFAUVER, but also to say that at a later date he would express his tribute.

Mr. President, on behalf of the family of the late Senator ESTES KEFAUVER, I

**wish to express their gratitude to the many Senators who paid tribute to his life and his service.**

**Mr. President, I ask unanimous consent that sundry editorials and resolutions from among the many published throughout the country, may be printed in the Record.**

**There being no objection, the material was ordered to be printed in the Record, as follows:**

[From the Nashville Tennessean]

### A Distinguished Public Servant

Upon learning of the death of Senator Estes Kefauver, a great many Americans across this broad land knew they had lost a great and stalwart friend in Congress.

Senator Kefauver had so often spoken and fought for the consumer—the little man—that innumerable people across the Nation owe him a debt of gratitude.

The tall man with the rough-hewn features belonged to Tennessee, but in a larger sense he belonged to the Nation and the countless people who had shaken his hand in primary campaigns and watched his work in the Senate.

A national magazine once said of him in an editorial: "We are not among his constituents but we wish we were. He is the Senate's ablest investigator. In defense of the general public interest he has been diligent, inventive, intelligent, reliable and, above all, courageous."

For almost a quarter of a century, the senior Senator from Tennessee has battled patiently, continuously, and sometimes alone for the people of his State and Nation and, through his connections with the Interparliamentary Union of the Atlantic Alliance, the world.

His efforts were in behalf of their pocketbooks, their homes, their farms, and cities, their basic freedoms, their health and hopes of living in a peaceful world.

Senator Kefauver went to Washington believing deeply in certain progressive principles. He was determined to do something about them, and the broad sweep of his record attests to how much he did. He went about his work calmly and conscientiously, and that record has been one of courageous resistance against all sorts of pressure, threats, intimidations, and enticements.

He had his share of defeats, legislative and political. And he knew how to take them with dignity. He saw his hopes go glimmering on the floor of the 1952 Democratic convention, and again in 1956. But he took his reversals with characteristic calmness and in good spirit.

The Senator retained from his presidential battles a most devoted personal following which existed to the day of his death. A Tennessean, visiting in almost any State from New Hampshire to Oregon is certain to find Kefauver admirers.

It is no particular mystery how Senator Kefauver was able to retain such a strong grip on the public's affections. Much of the strong feeling aroused by this tall Tennessean with a sincere smile and a hearty handshake was his sense of conviction and dedication about political goals—no matter whether it was a presidential primary or getting to the bottom of drug prices.

Senator Kefauver was in effect the underdog fighting for all other underdogs. He was a David among the Goliaths of the trusts, the oil cartel, the big pharmaceutical interests, or the crime syndicate. He plunged into fights where there seemed to be no hope of winning, where lesser men would have faltered and turned back.

In his struggles he incurred some powerful enmities, beginning with the machine of "Boss" E. H. Crump, of Memphis, and being added to when he launched the 1951 Senate crime hearings. In that inquiry he proved that racketeers were infiltrating the big city political machines. His trampling on political toes was to haunt him later, but he suspected as much in the beginning and wasn't deterred.

It was the forthrightness and conviction of Mr. Kefauver that cemented a friendship between him and the late Silliman Evans, Sr., publisher of this newspaper from 1937 to 1955. Mr. Kefauver wanted to have a greater part in the fight against "Boss" Crump, and decided to give up his House seat and run for the Senate.

He approached Mr. Evans for advice and was told he could count on the newspaper's support if he would make one promise—to shake 500 hands a day until election time. It was a promise Mr. Kefauver kept and the Nashville Tennessean became the first major newspaper to give him editorial support for the Senate.

The subsequent victory was political history in Tennessee, and the campaign symbol of a coon-skin cap—made in response to a Crump remark about pet coons—was fixed in the political scene.

This newspaper did not always agree with Mr. Kefauver, or he with it. But on basic principles there never was a quarrel. There was never anything but pride for a Senator who ranked with men like George Norris, Bob LaFollette, and others in the quality of statesmanship.

There were occasions when Senator Kefauver stood alone or almost alone on a point of legislation, urging in his calm voice a course of wisdom and restraint. In the end, not only the Congress but his critics saw the pertinancy and wisdom of his view.

For example, he fought Senator John Bricker's efforts to hamstring the President's treaty-making powers. Of his stand, Senator Kefauver said: "It will not be popular, but I cannot in good conscience idly stand by without opposing what I consider a dangerous amendment which would seriously injure our foreign relations."

His fight lasted for 2 years and in 1954 President Eisenhower came out strongly against the amendment, and it quietly died.

As a Senator, Mr. Kefauver will be remembered as one of the all-time greats. As a friend, he will be remembered for countless incidents of thoughtfulness and kindness to so many.

He was a relaxing person with whom to visit, for his most striking characteristic was his unhurried pace, his calm manner and methodical speech. He had that quality of being able to sustain two levels of thought, and his concentration at times was such it was mistaken for absentmindedness or deep gloom.

He could chat with a friend in the folksy, homespun language of the general store, or in legal language while exploring the complex mazes of antimonopoly law. With equal facility he could discuss farm problems at the courthouse square or debate with parliamentarians in Europe's gilded halls.

He was a Roosevelt Democrat, a Truman Democrat, a Stevenson Democrat, and a Kennedy Democrat. And many who followed him in his support of others were first, last, and always Kefauver Democrats.

Senator Kefauver's death will be mourned throughout the State and Nation and across the sea. Tennessee's loss is the Nation's loss and that of freemen everywhere.

A courageous and dedicated fighter has fallen. The gaping void left by his passing will not be easily filled, for such men come along but seldom.

Senator Kefauver has, by his total commitment to public service, human welfare, and better government, left his mark on the pages of contemporary history and in the hearts of all his countrymen.

[From the Chattanooga Times, Aug. 11, 1963]

### Kefauver, of Tennessee, 1903–63

On the threshold of another quarter-century of internationally recognized service in the U.S. Congress, Estes Kefauver suddenly is cut down. A fighting heart has stopped. It is with a deep and stinging sadness that we note the death of a great Chattanoogan, Tennessean, and American.

East Tennessee courage, determination, and ability drove Estes Kefauver to follow the counsel of poet John Donne: "Go and catch a falling star * * *." He reached high. And he found a towering place indeed.

Not soon will that place be filled, if ever. For his advent to the Senate 15 years ago, after a decade as the Third District Representative in the House, marks a distinct political era in State history; an era now ended.

Senator Kefauver's election in 1948—one of many races which stamped him as a campaigner without parallel in Tennessee, and which subjected him to fearful strain—eliminated the Nation's last statewide political machine. His service in bringing representative government to Tennessee was signal among his accomplishments.

Service had long since become his life. As a boy in Madisonville; as a popular University of Tennessee student; at Yale Law School where he paid his own way, he worked to that end.

It was in Chattanooga, as a young lawyer, that his concepts of service were refined and oriented. As chairman of the county planning commission and in numerous other activities he won, in 1937, the Jaycee Young Man of the Year award. Many more honors were to come.

By 1946 he had been named by Collier's magazine as one of the 10 outstanding Members of the House. The first of his two books (the other was "Crime in America"), "20th Century Congress," had been termed "must reading" by Bernard Baruch. In its plea for more efficient congressional machinery, it revealed him as a serious student of government with a broad grasp of the democratic function.

During his sponsorship of countless bills aimed at progress and reform, he was named by Time as one of the 10 best Senators.

And only last Thursday in the Senate, his detailed arguments on the communications satellite issue filled 10 pages of the Congressional Record.

He went down as he would have desired, a vigorous battler for principles in which he believed. Throughout his entire career his actions were open and above board. He was not a straddler. Often, he was clairvoyant in his approach to the divisive and controversial questions, such as human relations. He earned both the enmity of powerful groups and parochial epithets of anti-South. But history will judge him, we are sure, as southern, and American, to the core.

During two mighty, fascinating efforts for the presidency, in 1952 and 1956, no one seemed for him but the people. He stormed the primaries, and lost in the smoke-laden rooms.

The voters became acquainted with, and liked, his soft tones and his unassuming directness, his gentle manner and dogged pursuit.

As Democratic nominee for vice president in 1956, he drew further distinction to his State.

He was dedicated from youth to the ideals and objectives of the Tennessee Valley Authority. And in his passing, the TVA has lost perhaps its best and most influential friend.

He took an active role in constructive legislation involving every phase of domestic life, as the news columns attest. These efforts alone, climaxed in his crime investigations, made him known in every capital of the world.

But he was equally concerned with the future and strength of the free world. As an original supporter of the Atlantic Union and the North Atlantic Treaty Alliance, he styled himself forthrightly and commendably as an internationalist. Often a delegate to world parliamentary councils, he never spared himself in his hectic travels.

It was not easy to capture the essence of Estes Kefauver. There were times when turmoil and relentless pressures of public life closed in around and depressed him. When the campaigns seemed to offer imposing or impossible odds, there occasionally was a withdrawal that accompanied his continuous handshaking.

Incredibly, and sustained by a basic love for people in the mass, he bounced back time and again.

From his boyhood in Madisonville, in the shadow of the Great Smokies, there was about him a friendliness, a strength, and a stern independence of thought that thrust him toward prominence.

By 1960, when he won his third Senate term, he had appeared to achieve that illusory status, political invincibility in the State—despite his implacable enemies. But his punishing life had taken its toll. And today, with 3½ years of his term yet to run, he is gone.

Estes Kefauver carries with him the respect and affection of thousands, even of those who frequently disagreed with him. He has been a force for good in the Nation and in the world. As the late, conservative Republican Senator Charles Tobey, of New Hampshire, said of him, he "had in his heart a need of decency in America." We, who have followed him since the early days, shall treasure his memory.

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[From the Memphis Commercial Appeal, Aug. 11, 1963]

### Estes Kefauver

Death has cut short the career of Estes Kefauver, senior Member of the Senate from Tennessee.

While his ideologies were sometimes at variance with those of the Commercial Appeal, Senator Kefauver was a man of great energy and determination who made his mark in the Nation's political philosophy.

He will be long remembered for his exposure of the crime overlords, for his antitrust investigations, for his advocacy of greater cooperation among the North Atlantic powers, for unwavering support of the Tennessee Valley Authority, for his efforts to reform the electoral college and for his international services in the cause of parliamentary government procedures.

The unusually tall form with outstretched hand became known through vast areas of the country, as well as in Tennessee, in his indefatigable campaigning. He was a master of the handshake and the personal letter, and, at the other extreme, one of the first to build his political image by means of television news.

Let it also be noted that Estes Kefauver was a compassionate man, willing to stop and help a person in need of his special services even when that person was among his political opposition.

Estes Kefauver was distinguished as a student at the University of Tennessee, took his law degree at Yale, and became an attorney in Chattanooga. In 1939 he began to attract some statewide notice when he was named to the finance commissioner post in the cabinet of Gov. Prentice Cooper. A few months later he resigned to become a candidate for the House, following death of Representative Sam McReynolds. He won and was a Member of Congress continuously until his death.

In 1948, he won nationwide attention. E. H. Crump undertook to replace a Senator, who declined to bow out. The old Senator and the new Crump candidate divided votes previously united and the independent Member of Congress, Representative Kefauver, wearing a coonskin cap as a symbol of defiance, moved to the upper House.

He was untypical of Tennessee political figures and he was a "loner" in Washington, where length of service, committee compromises, and trading for votes are the normal routes to high standing.

With this background in politics it is all the more remarkable that Senator Kefauver twice came close to the presidential nomination of the Democratic Party. In 1952, he was the leading candidate on the first convention vote and he gained strength on the second. In the 1956 convention he defeated Senator John F. Kennedy for the vice presidential nomination.

The Kefauver appeal was that of the single human being standing up to the great strength of organized politics, and big business, and all of the other powerful forces that bear down on the individual.

He was cast in an original mold and another like him is unlikely to appear soon.

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[From the Nashville Banner, Aug. 10, 1963]

### Senator Estes Kefauver

Shock and regret mark the passing of Senator Estes Kefauver, keenly felt in his home State, and shared throughout the wide circle of his personal and political acquaintance. Tennessee had not known the extent of his ill health, nor was there previous awareness—even on his part—of a serious heart condition.

His career in public life embraced more than a quarter a century, most of it in Congress; first as representative of the Third Tennessee District, and latterly in the Senate. In 1956, he was the Democratic nominee for Vice President as Adlai Stevenson's running mate.

On their senior Senator, fellow-Tennesseans had strong convictions, pro and con. His liberalism, closely allied with that branch of the national party councils, attracted its following—and repelled others. But he did not disguise extreme leanings, and made no pretense of conservatism.

Senator Kefauver had his place in the political history of Tennessee and the country. Constituents knew where he stood, and there was no deviation on his part. As a political strategist in his own behalf, he knew the rules of that game, and employed them expertly for his own political survival.

Tennessee knew him, boy and man, for most of his 60 years. His record in public life supplies its own basis for evaluation.

Certainly a public figure does not fall without leaving a void—and there is one today in the State's congressional delegation. To his family, the heartfelt condolences of sympathizers, everywhere.

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[Telegram from the Memphis Press-Scimitar]

### Estes Kefauver and the American Tradition

Senator Estes Kefauver, who died unexpectedly this morning, came nearer being elected President of the United States than any other southerner since the Civil War.

He handshook himself into presidential primary victories all over the country in 1952, and he was vice presidential nominee in 1956.

But he couldn't quite achieve the Democratic presidential nomination. In large part, this was due to the fact that he did not court the party politicians as much as he did the voters. But also it was his misfortune to make his bid at the time when Adlai Stevenson was charming the delegates. And if he had been nominated, he might well have failed to overcome another charmer—Gen. Dwight D. Eisenhower—but it would have been a real fight, for Kefauver had his own charm, and he had dogged determination.

Kefauver got his big boost into the national picture right here in Memphis when, in 1948, a committee of influential and hardworking Memphians got together to help elect him to the Senate for the first time. They beat the drums for him here and carried the campaign eastward even into middle Tennessee. Kefauver didn't win in Shelby that first time, but he got an unusually large vote for any candidate opposed by the Shelby political machine, and it helped him win in a three-cornered race, and his victory, along with that of Gordon Browning for Governor, broke the power of the machine in both Shelby and the State.

Kefauver's espousal of the principle that the Western democracies should draw closer together politically and economically in order to be able to stand against Communist aggression won him the support of Edmund Orgill. Orgill, later to become mayor of Memphis, had been converted to the idea of Atlantic Union by Clarence Streit, longtime apostle of a United Atlantic Community of nations.

Orgill was a leader in the Kefauver committee of 1948.

After his election, Kefauver introduced a resolution calling for a convention to explore the possibilities of closer union among the peoples of the Atlantic nations. He persisted until such a convention was finally held.

As a Tennessee millhand said during Kefauver's third senatorial campaign in 1960, "That fellow (Kefauver) really done what he said he would."

Kefauver did a lot more in Congress.

He exposed crime in the first televised Senate hearings.

He was one of the first Members of Congress to propose legislation to modernize the electoral college and make it more representative of the will of the people in election of Presidents.

Up to his death, he was waging a continuing fight against the high price of prescription drugs.

Although he was a political power in Tennessee, and kept his own fences mended, he did not seek to form a machine to control State politics in general.

He was content to call on his forces (and they were powerful) only in his own campaigns. His reluctance to pick a Governor candidate last year made it impossible for his friends to get together on a candidate who might have defeated Frank Clement. It was too late in the campaign when he announced his personal support of P. R. Olgiati.

Kefauver went his own way. As he said when the late E. H. Crump called him a pet coon in the 1948 campaign, "at least I'm not Mr. Crump's pet coon." He stepped on a good many toes, but that didn't keep him from the path he set for himself.

He did not join with the many southern Members of Congress who signed the southern manifesto in protest against the Supreme Court's 1954 segregation decision. He upheld the Supreme Court decision as the final word as to what is the law of the land. That made him unpopular with many—yet he won reelection handily in 1960.

Estes Kefauver was a politician and statesman in the American tradition of Abraham Lincoln and Cordell Hull. He didn't come up from a log cabin, but he lived as a youth in the upper floor of a store building in the small town of Madisonville, Tenn. He showed ambition and leadership early at the University of Tennessee, where he was graduated in 1924, holding many student offices, including presidency of the student body. He made a name for himself in the House of Representatives where he served 10 years before aspiring to the Senate.

His shoes are big ones to fill.

KEFAUVER's heart beat sincerely for the world and its people.

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[Telegram from the Knoxville News Sentinel]

### ESTES KEFAUVER

As are all public figures, ESTES KEFAUVER was controversial. He was either admired or heartily disliked. But his admirers far, far exceeded his detractors.

Chief cause of this detraction was his bold, frank and honest position on every issue; often this placed him on the unpopular side. More often than not, however, he turned out to be right.

This Monroe County son, a graduate of both the University of Tennessee and Yale, burst on the public scene back in 1939, when he was appointed State finance commissioner by Gov. Prentice Cooper. In the brief period of his 4 months in that office he instituted a number of reforms that are still on the books. He authored the first State law providing the formula for consolidation of various local governments functions.

Then he went to Congress from the Third District, where he served brilliantly for nearly 10 years before going up to the Senate.

In the House, KEFAUVER quickly established himself as a leader of young turks who saw many weaknesses in the processes of our Government and fought for remedies. One object of a persistent attack has been the outmoded electoral college method of choosing our President. Some day that battle will be won: it is too bad KEFAUVER didn't live to see it.

In 1948 ESTES KEFAUVER teamed up with Gordon Browning, KEFAUVER running for the Senate seat occupied by Tom Stewart and Browning challenging Governor McCord. Both Stewart and McCord were stooges of Ed Crump, who at that time was political boss of Tennessee. KEFAUVER and Browning broke Crump's power and were elected.

It was in that campaign that KEFAUVER gained national attention: Crump called KEFAUVER a pet coon and ESTES capitalized on the libelous phrase by immediately wearing a coonskin cap as he stumped the State.

In his 15 years in the Senate, KEFAUVER took on the big bosses and syndicates of organized crime including the boxing and wrestling rackets; he was a major factor in breaking up monopolistic business combines: He exposed the rigged bidding of huge industrial corporations; and he authored a law (watered down by the opposition before it was enacted) bringing about reforms in the drugs-manufacturing business. He was still fighting his war on the drugs manufacturers at his death; he had through the antimonopoly committee he headed, ordered the companies to bring in their records on price-cutting practices in South America.

In 1952 KEFAUVER ran for the Democratic nomination for President, and came within an eyelash of winning it. He dared to challenge the party leadership, and that proved to be costly. "KEF," as he was called by his close friends, never quite recovered from that disappointment.

Yet 4 years later he came back and won the No. 2 spot on the national ticket with Adlai Stevenson beating out Kennedy. Of course no Democrat could have defeated President Eisenhower that year; Ike even carried KEFAUVER's own State and own voting precinct; threatening clouds of war frightened every parent in America.

Few public figures have had greater personal charm and magnetism than ESTES KEFAUVER. His handshake was his trademark; his memory for names was elephantine. During his political life of nearly a quarter of a century he wrote literally thousands of little personal notes to constituents in Tennessee and to friends all over the world.

Someday, we are confident, historians will refer to ESTES KEFAUVER as one of the outstanding congressional figures of our time.

To his lovely and capable widow, the former Nancy Pigott of Scotland and the three daughters and son, we extend deep condolences; with the vast horde of KEFAUVER friends we join in solemn salute to a dedicated public servant.

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[From the New York Times, Aug. 11, 1963]

### BATTLER AGAINST BIGNESS

In a period when it was unfashionable to be emotionally involved about anything, ESTES KEFAUVER would come into his Senate office and confide to his staff that he had not slept all night because of worry over some fresh aspect of the centralization of power in big government, big industry, or big labor. He epitomized all that was most valid in the old Populist tradition of concern for individual rights against the suffocating encroachments of bigness. The effervescence of his efforts made him something of an anachronism in the cool atmosphere of the New Frontier, but every American is the beneficiary of his dedication, his indomitability, and the primacy he assigned human values.

The disposition will be to remember him for his much publicized investigations—an image unjust to the substantial legislative accomplishments that are his true memorial. The Kefauver-Celler bill of 1950 tightening antitrust curbs on corporate mergers was the fruit of a 5-year drive. Similar tenacity pushed through the monumental drug reform bill last year—a task that depended for its completion on the thalidomide tragedies but that never would have been entertained at all without his persistence. At his death he was fighting for an inquiry into a trade war obstructing the distribution of low-priced U.S. drugs in Latin America. Undoubtedly the remembrance that would please him most now would be a decision by his Senate colleagues to go ahead with this project he considered essential to the basic aims of the Alliance for Progress—the same aims that illumined his life.

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[From the St. Louis Post-Dispatch, Aug. 12, 1963]

### ESTES KEFAUVER

One element in the tragedy of ESTES KEFAUVER's death is that it occurred when the Senator was becoming an increasingly effective Member of the Senate.

The Tennessean reached a peak of popularity, no doubt, in his 1951 crime investigation which put his face before millions of television viewers. Thereafter his coonskin cap was in the presidential ring twice, and he won 14 of 17 presidential preference primaries in 1952. But political popularity is not the same thing as political effectiveness, nor does presidential ambition necessarily coincide with accomplishment.

His publicized crime hearings had rather limited immediate results, though they made it easier years later for the Kennedy administration to promote new Federal antiracketeering laws. By contrast, after 1956 Senator KEFAUVER led substantial and fruitful investigations of monopoly practices and also of the drug industry. Having apparently set presidential hopes aside, he concentrated on senatorial tasks at hand, and did well.

Senator KEFAUVER was a self-proclaimed liberal. He was a stanch supporter of the Tennessee Valley Authority for his own region, and of economic legislation benefiting other areas that remained depressed. His foreign policy views were generally enlightened. And no one could question the courage of a southern Senator who, in a vicious 1960 reelection campaign, refused to give an inch of ground to an opponent who attacked him accurately as a civil rights supporter and disreputably as "soft" on communism.

The late boss, Edward H. Crump, called Mr. KEFAUVER a pet coon of advanced causes when he ran for the Senate in 1948. Mr. KEFAUVER replied that "I may be a pet coon, but I'm not Mr. Crump's pet coon." Tennessee voters repeatedly complimented his independence of mind, and we hope the State may do as well in picking his successor.

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[From the Evening Star, Washington, D.C., Aug. 11, 1963]

### ESTES KEFAUVER

Only hours before his sudden death at 60, Senator ESTES KEFAUVER, of Tennessee, was engaged in a spirited debate with his colleagues, this time on the subject of the new Communications Satellite Corp. As usual, though overwhelmingly outvoted on the issue, he spoke as a liberal championing the public interest against what he regarded as the forces of monopoly.

This was the position he adhered to throughout his lively and distinguished career as a Senator. There were many who thought him wrong on more than a few occasions, but he held fast to his views. And there was a time—especially after his famous televised crime investigation in 1951—when a lot of Americans began to think of him in terms of presidential possibilities.

Senator KEFAUVER frankly so thought of himself, and he made no bones about it. Tall, personable, full of vigor, and ambitious, he is said to have set his heart upon the White House as far back as his high school days. And twice—in 1952 and 1956—he did his best (and rather impressively despite the gimmick of the coonskin cap) to win the Democratic presidential nomination. But he lost out both times to Adlai Stevenson. He did manage, however, to beat out a young man named John F. Kennedy for the honor of being Mr. Stevenson's running mate 7 years ago.

It is hard to believe that this man, who only the other day was so energetically arguing for what he believed to be right, is now suddenly gone from us. Whether one agreed with him or not, he was an altogether likable and hard-working legislator respected by all his colleagues. The Senate is the poorer for his passing, and so is Tennessee.

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[From the Washington Post, Aug. 11, 1963]

### ESTES KEFAUVER

Along with Jackson, Johnson, and Cordell Hull, ESTES KEFAUVER will go down in history as one of the memorable political figures from Tennessee. He was like his great predecessors in his Senate seat in one signal respect. During his 9 years in the House and nearly 15 years in the Senate he seldom took a sectionalist view but responded in national terms to the great issues of his time.

Millions of Americans remember ESTES KEFAUVER as the indefatigable presidential hopeful in 1952 and 1956. His large and open hand was as much a campaign emblem as his coonskin cap. Though he had broad popular support—he won 14 out of 17 primaries in 1952—he incurred the wrath of powerful Democrats through his exposure of underworld contacts with political machines. Even so, his rank-and-file following was large enough to gain him the vice presidential nomination in 1956 over John F. Kennedy.

Senator KEFAUVER was among the first to demonstrate the potency of television in politics. His homely visage and soft voice were fixed in the national mind through the televised hearings of his Senate crime investigation in 1950 and 1951. His courage and independence, no less than his halting manner, left an impression on the country—and also irked some of his colleagues in the Senate inner club.

Every legislature needs individualists as well as team players, and if Mr. KEFAUVER was a loner, his insurgency was directed to important purposes. He boldly risked ostracism by refusing to sign the southern manifesto calling for massive resistance to desegregation. As a champion of consumers, he took on steel companies, big drug firms, and even the administration in the case of the Telstar communications corporation. His Senate Antitrust Subcommittee hearings first familiarized the country with the concept of "administered prices" and his relentless effort had much to do with the adoption last year of the drug reform law.

During his years in the House, the lanky Tennessean was especially concerned with problems of procedural reform. Much of what he said then has become freshly relevant as Congress moves slowly to reconsidering the flaws in its mechanical structure.

In his zeal, Mr. KEFAUVER could be mistaken but neither his methods nor his arguments were petty. The fact that he prevailed over the entrenched Crump machine and over envenomed bigots in Tennessee spoke well for his State and his region. He was a big man, and his death leaves a big void.

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[From the Daily Post Athenian, Athens, Tenn.]

### "THE TALL TENNESSEAN" IS DEAD

America is in mourning.

One of her alltime great sons is dead.

Several years ago this corner dubbed ESTES KEFAUVER, "The Tall Tennessean" but we didn't know how tall he really was until his towering frame crashed in death Saturday morning and a nation felt the tremors.

It is a long way from a rambling white house on Main Street in Madisonville, a little town in east Tennessee, to the White House on historic Pennsylvania Avenue in the Nation's capital. But ESTES almost made it.

In fact, he did make it. Political powers turned him back as its occupant in 1952, but they turned him over to the people and he has occupied their hearts ever since as no man has been able to do.

Perhaps fate denied him the presidency and acclaimed him spokesman for the rank and file of the country.

That's what he was.

From New Hampshire to Florida, from Minnesota to California, from Chattanooga to Seattle, "The Tall Tennessean" was the voice of the man who had something to say and could not be heard above the clamor of the crowd.

KEFAUVER spoke for him.

His message was heard and heeded.

To say that he was always liked would be an injustice to him. At times he was bitterly opposed in his contentions but he never swerved from his course. He never violated his own conscience and never betrayed a cause he represented.

These causes ranged widely. They spread from championing TVA, battling big monopolies for the little businessman, opposing organized crime, supporting congressional reforms, revealing facts in foreign affairs on a national level to establishing a tobacco market, getting appropriations for a bridge over Tennessee River and investigating insurance claims on the local scene.

These things made him a champion.

KEFAUVER parlayed a coonskin cap and a ready handshake into a bareheaded, hardworking trademark which made him welcome on a trout stream in nearby Tellico Mountains or by a bubbling fountain in the gilded halls of Europe.

He was that unique figure in politics known as a loner, but his colleagues, both friend and foe, paid him the tribute of listening and generally voting with him.

Indeed the letter "T" summarizes the life of KEFAUVER—tall, talented, thorough, trustworthy, and triumphant.

There is a quietness now at a rambling white house in Madisonville, Tenn., and a flag of 50 stars is flying at half-mast at the White House in Washington, D.C.

It should be that way.

ESTES KEFAUVER, "The Tall Tennessean," has fallen in death.

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[From the Memphis Press-Scimitar, Aug. 14, 1963]

### KEFAUVER'S HEART BEAT SINCERELY FOR THE WORLD AND ITS PEOPLE

(By Edward J. Meeman)

A great heart has snapped because it tried to do too much. Though he seemed to do it all easily, there must have been a strain which did not show on the surface.

I was one of many whom he took inside that big heart, and I feel that I learned to know it well.

I first met ESTES KEFAUVER when he was Representative in Congress from Chattanooga. What he talked about, and earnestly, was the need of reforming the procedures in Congress, ideas which he expressed in his book "Twentieth Century Congress." Right then and there I decided he was a statesman, for there were few votes to be gained by reforming the rules of Congress.

So when, a little later, he told me that he was going to run for the Senate, and asked me to get some Memphis people together to meet him, I was glad to do so.

He said he would fight Ed Crump, the political boss and dictator of Memphis. "Don't do that," I advised. "One candidate after another has made Crump the issue and that negative policy has failed. Just come to Shelby County and present yourself and your program, appeal to the people for their votes as you have a right to do. Don't fight Crump, but if Crump fights you, as I think he will, fight back."

#### CRUMP VERSUS KEFAUVER

Crump did blast KEFAUVER, and KEFAUVER fought back. Crump likened KEFAUVER to a pet coon, that goes rummaging in the bureau drawer when you are not looking. "I may be a pet coon," ESTES rejoined, "but I am not Mr. Crump's pet coon." The battle was on.

I learned that ESTES was about to put on a coonskin cap. "Don't do that," I pleaded. Such showmanship was distastful to me. He ignored my advice, and the whole world knows how effective the stunt was.

KEFAUVER won. The Crump dictatorship which had ruled Memphis with an iron hand, and the State with handpicked Governors and Senators, was smashed, though Crump continued to be a political leader of prestige until his death.

A statesman, they say, must first prove himself to be a politican who can get elected. But once elected, KEFAUVER proved that he was at heart a statesman. In order to get the indispensable support of Edmund Orgill, Memphis wholesale hardware merchant, KEFAUVER had to convince Orgill that he was for Atlantic union, for it was only to advance this cause that Orgill was willing to enter politics.

KEFAUVER did pledge himself to advocate Atlantic union.

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[From the Delta Democrat-Times, Aug. 12, 1963]

### SENATOR ESTES KEFAUVER

There is much talk about the new conservatism of the South. It certainly exists, but the political life of Senator ESTES KEFAUVER of Tennessee, who died Saturday, illustrated the other side of this political coin. A liberal who never backed away from the full implications of his position, he helped radically change the political structure of his home State in a way which will be hard to alter.

Senator KEFAUVER came to senatorial power, after years of relative obscurity as a Congressman, by taking on the political organization of Memphis political boss Ed Crump and decisively smashing it. Thereafter he was never seriously challenged, although he was an ardent civil rights advocate, persistent enemy of abuses in big business and a favorite of many liberals across the Nation.

He kept his political base at home secure by the kind of 18-hour-a-day, down-to-the-people kind of campaign which reached the mass of the voters even as his policies were alienating many of the men who once dominated Tennessee. He made his reputation as a battler for the little man and as an enemy of organized crime, and the people remembered this when they returned him to office again and again.

ESTES KEFAUVER came close to the presidential nomination once, as close as any southerner has come since his fellow Tennessean Andrew Johnson left the White House almost 100 years ago. He missed, as much because his style of campaigning could not be spread over 180 million people as anything else, but for a moment the Nation's highest political honor seemed within his grasp. Yet while the Nation did not elect him President, the people of Tennessee still demonstrated their loyalty by keeping him in the Senate.

ESTES KEFAUVER is dead now, cut off at an early age as it is measured in the U.S. Senate. Up to the moment of his death he was still battling for the people who elected him, fighting for a curb on what he saw as the abuse of power and control in the drug industry. In his life he proved a southerner of liberal persuasion could be elected. It is a testimonial to his influence that his death will not change this, and that his successor will almost certainly be a man whose political teeth were cut as part of his organization.

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### STATEMENT BY MR. ARTHUR J. FREUND, CRIMINAL LAW SECTION, AMERICAN BAR ASSOCIATION

It is with deep and profound regret that we of the Criminal Law Section of the American Bar Association note the tragic and untimely death of the Honorable ESTES KEFAUVER, U.S. Senator from the State of Tennessee.

ESTES KEFAUVER was a close personal friend of many of us of this section. He was a constant supporter of our efforts, and he made enormous contributions to the administration of criminal justice. He was a consistent and indefatigable advocate and statesman in the cause of equal justice under the law. It was ESTES KEFAUVER who awakened the conscience of America to the ruthless course of organized crime throughout our Nation. With great courage, he exposed to public view the most notorious participants of this dangerous and devastating group who would destroy the foundations of honest law enforcement. In this, he displayed the skill, energy and dedication, the high degree of intelligence and unceasing devotion that always characterized his long service to his State and country.

ESTES KEFAUVER has, over the years, been a devoted friend of this section of criminal law. He was frequently in consultation with us, and we often came to him for his important assistance. A great statesman in so many varied fields of government, our deceased friend was a lawyer in the highest traditions of our profession and, with all, a courteous, kindly, and friendly gentleman.

We shall miss him, and we shall miss our loyal and competent supporter, and we mourn his loss.

We convey to the widow and children of Estes Kefauver our heartfelt sympathy and condolence, and we authorize our section to appropriately express our sorrow and regret of the death of this great man at the memorial exercises to be held in the U.S. Senate to mark his final departure.

### Resolution by the Board of Directors, Memphis and Shelby County Young Democrats Association

Whereas the passing of a statesman of firm and uncompromising ideals, devoted to his calling, his country, and the people whom he served, is always a profound loss to the citizens of the United States; and

Whereas Senator Estes Kefauver, senior Senator from the State of Tennessee, was such a man: Now, therefore, be it

*Resolved*, That the board of directors of the Memphis and Shelby County Young Democrats Association conveys its sympathy to the family of Senator Estes Kefauver on the sad occasion of his untimely death; and be it further

*Resolved*, That a copy of this resolution be sent to Senator Albert Gore, of Tennessee, for insertion in the Conressional Record, and to Representative Clifford Davis, dean of the Tennessee congressional delegation.

Harold C. Streibich,
*President*.

### Resolution Adopted by the Irish Society of Memphis, August 18, 1963

Whereas the Honorable Estes Kefauver, then Tennessee's most distinguished son, died suddenly at Bethesda, Md., August 10, 1963, after 24 years of superlative service to the Nation and the State of Tennessee in the House of Representatives and the Senate of the United States; and

Whereas Senator Kefauver, as Representative and Senator always adhered to that which he believed to be right and best for the welfare of his country regardless of political expediency and was a man of outstanding moral courage and political honesty; and

Whereas this great statesman was a true friend of the Irish Society of Memphis and its kindred organizations: Therefore be it

*Resolved by the Irish Society of Memphis*, That in the death of Senator Kefauver this State and this Nation have lost a capable, patriotic, and faithful official and that the society shall always honor his memory; and be it further

*Resolved*, That the society extends its deepest sympathy to his bereaved family and that his widow be furnished with a copy of this resolution and that copies thereof be transmitted to the House of Representatives and the Senate of the United States.

John T. Dwyer,
*President*.
Thomas L. Robinson,
C. P. J. Mooney,
*Committeemen*.

### Resolution by the Board of City Commissioners, Fargo, N. Dak.

Whereas the Honorable Estes Kefauver, distinguished senior U.S. Senator from the State of Tennessee, has passed on to his eternal rest unexpectedly shocking and saddening the entire Nation and free men everywhere; and

Whereas the Honorable Estes Kefauver, during his lifetime, distinguished himself as the foremost fighter for good clean government and was renowned as a fighter for the rights of the individual human being without regard to race, color, or creed; and

Whereas the Honorable Estes Kefauver, waged a courageous lifelong battle against injustice and human suffering and fought continually for a better society for all mankind; and

Whereas the Honorable Estes Kefauver, during the course of his distinguished career visited the city of Fargo, N. Dak., on many occasions and had earned the admiration, respect, and friendship of many citizens of our city including Mayor Herschel Lashkowitz, who in 1952 earnestly fought to advance Senator Kefauver to the Presidency of the United States and received the Honorable Estes Kefauver at a historic gathering in the Red River Valley near Buxton, N. Dak., at which nearly 30,000 people were in attendance, at which time Senator Kefauver convinced the people of this area of his knowledge and understanding of our problems and of his deep interest and concern for the wellbeing of this area; and

Whereas in the year 1957, Senator Estes Kefauver earnestly and devotedly took the floor of the U.S. Senate championing the cause of disaster-stricken Fargo in its recovery efforts following the tornado disaster of 1957; and

Whereas Senator Estes Kefauver, at all times responded to the needs of those in distress wherever the call may emanate and served nobly, courageously, and at great sacrifice to his own health and personal comfort; and

Whereas it is the considered feeling of the Fargo City Commission that Estes Kefauver has earned himself a secure niche in the history of our country as a great American statesman who served his beloved Nation and the cause of mankind with rare devotion and was indeed the very embodiment of the essence of American patriotism and was rightfully recognized as a friend of all mankind in the continuing human struggle for a better society for each and every individual human being no matter where he lives: Now, therefore, be it

*Resolved*, That the Fargo City Commission does hereby express their deep and profound sorrow and sadness upon the untimely passing of that great American statesman, the Honorable Estes Kefauver, who had endeared himself to the people of this area and the city of Fargo by his many acts of friendship and loyalty as manifested throughout the years; and be it further

*Resolved*, That this expression of sorrow upon the passing of our beloved friend, the Honorable Estes Kefauver, be spread upon the permanent minutes of the Fargo City Commission and that certified copies be forwarded to the family of our dear friend, the Honorable Estes Kefauver, and that copies be furnished to the presiding officer of the U.S. Senate, the congressional delegation of the State of North Dakota for introduction into the Congressional Record, and also to the Governor of the State of Tennessee and the two U.S. Senators from the State of Tennessee, with the request that this resolution be called to the attention of the Tennessee Legislature and the press, radio, and television of the State of Tennessee.

Herschel Lashkowitz,
*Mayor and President*.

Attest:

M. C. Fremstad,
*Deputy City Auditor*.

## ORDER FOR RECESS TO MONDAY NEXT

Mr. HUMPHREY. Mr. President, I ask unanimous consent that, at the conclusion of its business today, the Senate, as a further mark of respect to the memory of the late Senator Estes Kefauver, take a recess until 12 noon on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

## COMMITTEE MEETING ON WEDNESDAY NEXT

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the subcommittee considering the so-called arts bill of the Committee on Labor and Public Welfare be permitted to hold hearings on the afternoon of Wednesday, October 30.

The PRESIDING OFFICER. Without objection, it is so ordered.

## DIXIE PROJECT, UTAH

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 26) to authorize the Secretary of the Interior, to construct, operate, and maintain the Dixie project, Utah, and for other purposes.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to consider Calendar No. 566, H.R. 7885.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Foreign Assistance Act of 1963".

PART I

*Chapter 1—Policy*

Sec. 101. Chapter 1 of part I of the Foreign Assistance Act of 1961, as amended, is amended as follows:

(a) In the chapter heading strike out the words "Short Title and".

(b) Section 101, which relates to short title, is repealed.

(c) Amend section 102, which relates to statement of policy, by—

(1) striking out "should emphasize" in the last sentence of the seventh paragraph and substituting "shall emphasize",

(2) striking out "Finally, the" in the first sentence of the last paragraph and substituting "The",

(3) inserting "(including private enterprise within such countries)" immediately after "countries" in the first sentence of the last paragraph thereof, and

(4) adding the following after such last paragraph:

"It is the sense of the Congress that assistance authorized by this Act should be extended to or withheld from the government of South Vietnam, in the discretion of the President, to further the objectives of victory in the war against communism and the return to their homeland of Americans involved in that struggle."

*Chapter 2—Development assistance*

Title I—Development Loan Fund

Sec. 102. Section 201 of the Foreign Assistance Act of 1961, as amended, which relates to general authority with respect to development loans, is amended by adding at the end thereof the following:

"(f) No assistance shall be furnished under this title unless the President determines that the project for which such assistance is requested is taken into account in the economic development of the requesting country, including an analysis of current human and material resources, together with a projection of the ultimate objectives of the project with respect to the overall economic development of such country, and specifically provides for appropriate participation by private enterprise."

### Title II—Development Grants and Technical Cooperation

SEC. 103. Title II of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to development grants and technical cooperation, is amended as follows:

(a) In section 211, which relates to general authority, add the following at the end of subsection (a): "No program of technical assistance shall be undertaken under this title unless prior to the commencement thereof the recipient country shall have agreed to accept responsibility for the continuation and financing of such program after the expiration of such reasonable time, which shall not exceed seven years, as shall be specified in the agreement, or unless such program is scheduled for completion within such time."

(b) In section 212, which relates to authorization, strike out "1963" and "$300,000,000" and substitute "1964" and "$225,000,000", respectively.

(c) Amend section 214, which relates to American schools and hospitals abroad, as follows:

(1) In subsection (a) strike out "use, in addition to other funds available for such purposes, funds made available for the purposes of section 211 for" and substitute the word "furnish".

(2) In subsection (b) strike out "to use" and "foreign currencies accruing to the United States Government under any Act, for purposes of subsection (a) of this section and for" and substitute "to furnish" before the word "assistance".

(3) Add the following new subsections:

"(c) There is hereby authorized to be appropriated to the President, in addition to other funds available for such purposes, such amounts as may be necessary from time to time to carry out the purposes of this section, which amounts shall remain available until expended."

"(d) The President is authorized to use, in addition to other funds available for such purposes, foreign currencies accruing to the United States Government under any Act, for purposes of this section."

### Title III—Investment Guaranties

SEC. 104. Title III of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to investment guaranties, is amended as follows:

(a) Amend section 221(b), which relates to general authority, as follows:

(1) In the first sentence after "wholly owned" insert "(determined without regard to any shares, in aggregate less than 5 per centum of the total of issued and subscribed share capital, required by law to be held by persons other than the parent corporation)".

(2) In paragraph (1) strike out "$1,300,000,000" in the proviso and substitute "$2,500,000,000".

(3) In paragraph (2) strike out "fraud or misconduct" in the second proviso and substitute "fraud, misconduct, or negligence".

(4) In paragraph (2) strike out "1964" in the fourth proviso and substitute "1965".

(b) Amend section 222(a), which relates to general provisions, by striking out "section 221(b)" and substituting "sections 221(b) and 224".

(c) Amend section 222(b), which relates to general provisions, by striking out "section 221(b)" in both places it appears and substituting "sections 221(b) and 224".

(d) Amend section 222(d), which relates to general provisions, to read as follows:

"(d) Any payments made to discharge liabilities under guaranties issued under sections 221(b) and 224 of this part, sections 202(b) and 413(b)(4) of the Mutual Security Act of 1954, as amended, and section 111(b)(3) of the Economic Cooperation Act of 1948, as amended (exclusive of informational media guaranties), shall be paid first out of fees referred to in section 222(b) as long as such fees are available, and thereafter shall be paid out of funds, if any, realized from the sale of currencies or other assets acquired in connection with any payments made to discharge liabilities under such guaranties as long as such funds are available, and thereafter shall be paid out of funds heretofore appropriated for the purpose of discharging liabilities under the aforementioned guaranties, and thereafter out of funds realized from the sale of notes issued under section 413(b)(4)(F) of the Mutual Security Act of 1954, as amended, and section 111(c)(2) of the Economic Cooperation Act of 1948, as amended, and finally out of funds hereafter made available pursuant to section 222(f)."

(e) Amend section 222(e), which relates to general provisions, to read as follows:

"(e) All guaranties issued prior to July 1, 1956, all guaranties issued under sections 202(b) and 413(b)(4) of the Mutual Security Act of 1954, as amended, and all guaranties heretofore or hereafter issued pursuant to this title shall be considered contingent obligations backed by the full faith and credit of the Government of the United States of America. Funds heretofore obligated under the aforementioned guaranties (exclusive of informational media guaranties) together with the other funds made available for the purposes of this title shall constitute a single reserve for the payment of claims in accordance with section 222(d) of this part."

(f) Amend section 224, which relates to housing projects in Latin American countries, as follows:

(1) In subsection (b) strike out "$60,000,000" and substitute "$150,000,000".

(2) Strike out subsection (c).

### Title V—Development Research

SEC. 105. Section 241 of the Foreign Assistance Act of 1961, as amended, which relates to development research, is amended by inserting "(a)" after the section heading and by adding at the end thereof the following new subsection:

"(b) Funds made available to carry out this section may be used to conduct research into the problems of controlling population growth and to provide technical and other assistance to cooperating countries in carrying out programs of population control."

### Title VI—Alliance for Progress

SEC. 106. Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, as amended, which relates to the Alliance for Progress, is amended as follows:

(a) Amend section 251, which relates to general authority, as follows:

(1) In subsection (e) strike out "economical" and substitute "economically".

(2) In subsection (f) strike out "Agency for International Development" and substitute "agency primarily responsible for administering part I".

(3) Add the following new subsection (g):

"(g) In order to carry out the policies of this Act, the President shall, when appropriate, assist in promoting the organization, implementation, and growth of the cooperative movement in Latin America as a fundamental measure toward the strengthening of democratic institutions and practices and economic and social development under the Alliance for Progress."

(b) Amend section 252, which relates to authorization as follows:

(1) Insert the following after the words "available until expended": ": *Provided*, That any unappropriated portion, not to exceed $50,000,000, of the amount authorized to be appropriated for any such fiscal year may be appropriated in any subsequent fiscal year during the above period in addition to the amount otherwise authorized to be appropriated for such subsequent fiscal year. The funds appropriated pursuant to this section".

(2) Strike out "and which" before ", except for".

(3) Insert following "1963" the second time it appears the words "and not to exceed $75,000,000 of the funds appropriated pursuant to this section for use beginning in fiscal year 1964".

(c) Amend section 253, which relates to fiscal provisions, by inserting immediately after the first sentence thereof the following new sentence: "All receipts in foreign currencies from loans made under this title or for nonmilitary assistance purposes under the Mutual Security Act of 1954, as amended, or any Act repealed thereby, shall, notwithstanding the provisions of section 612 of this Act or the provisions of any other Act, be available, in addition to other funds available for such purposes, for loans on such terms and conditions as the President may specify to carry out the purposes of subsection (g) of section 251 of this title, and the President may, notwithstanding the provisions of any other Act, reserve such currencies in such amounts (not to exceed $25,000,000 in any fiscal year) and for such periods as he shall determine to be necessary to provide for the programs authorized by said subsection (g)."

(d) After section 253, which relates to fiscal provisions, insert the following new section:

"SEC. 254. RESTRICTIONS ON ASSISTANCE.—None of the funds made available under authority of this Act may be used to furnish assistance to any country covered by this title in which the government has come to power through the forcible overthrow of a prior government which has been chosen in free and democratic elections unless the President determines that withholding such assistance would be contrary to the national interest."

### *Chapter 3—International organizations and programs*

SEC. 107. Section 302 of the Foreign Assistance Act of 1961, as amended, which relates to international organizations and programs, is amended by striking out "1963" and "$148,900,000" and substituting "1964" and "$136,050,000", respectively.

### *Chapter 4—Supporting assistance*

SEC. 108. Section 402 of the Foreign Assistance Act of 1961, as amended, which relates to supporting assistance, is amended by striking out "1963" and "$415,000,000" and substituting "1964" and "$400,000,000", respectively.

### *Chapter 5—Contingency fund*

SEC. 109. Section 451 of the Foreign Assistance Act of 1961, as amended, which relates to the contingency fund, is amended by striking out "1963" and "$300,000,000" and substituting "1964" and "$175,000,000", respectively.

## PART II

### *Chapter 1—Policy*

SEC. 201. Chapter 1 of part II of the Foreign Assistance Act of 1961, as amended, hereby redesignated "Policy" and section 501, which relates to short title, is hereby deleted.

### *Chapter 2—Military assistance*

SEC. 202. Chapter 2 of part II of the Foreign Assistance Act of 1961, as amended, which relates to military assistance, is amended as follows:

(a) In section 504(a), which relates to authorization, strike out "the fiscal years 1962 and 1963" and "$1,700,000,000 for each fiscal year, which sums" and substitute "fiscal year 1964" and "$1,300,000,000, which", respectively.

(b) In section 510(a), which relates to special authority, strike out "1963" in the first and second sentences and substitute "1964".

(c) In section 511, which relates to restrictions on military aid to Latin America, strike out "$57,500,000" and substitute "$50,000,000, of which $25,000,000 may be available during each fiscal year for assistance to an international military force under the control of the Organization of American States".

## PART III

### *Chapter 1—General provisions*

SEC. 301. Chapter 1 of part III of the Foreign Assistance Act of 1961, as amended, which relates to general provisions, is amended as follows:

(a) Section 601(b), which relates to encouragement of private enterprise, is amended as follows:

(1) At the end of paragraph (3), strike out "and".

(2) In paragraph (4), strike out "wherever appropriate" and insert in lieu thereof "to the maximum extent practicable", and strike out the period at the end thereof and substitute a semicolon.

(3) Add the following new paragraphs at the end thereof:

"(5) take appropriate steps to discourage nationalization, expropriation, confiscation, seizure of ownership or control, of private investment and discriminatory or other actions having the effect thereof, undertaken by countries receiving assistance under this Act, which divert available resources essential to create new wealth, employment, and productivity in those countries and otherwise impair the climate for new private investment essential to the stable economic growth and development of those countries; and

"(6) utilize wherever practicable the services of United States private enterprise (including, but not limited to, the services of experts and consultants in technical fields such as engineering)."

(b) Section 611(b), which relates to completion of plans and cost estimates, is amended by striking out "circular A-47 of the Bureau of the Budget" and substituting "the Memorandum of the President dated May 15, 1962".

(c) Section 612, which relates to use of foreign currencies, is amended as follows:

(1) Insert "(a)" after the section heading.

(2) Add at the end thereof the following new subsection:

"(b) In order to provide for the foreign currency needs of United States citizens for travel or other purposes, the Secretary of the Treasury shall make available for sale for United States dollars to such citizens, at United States embassies or other convenient locations, foreign currencies acquired by the United States through operations under this Act, the Mutual Security Act of 1954, as amended, or any Act repealed thereby, or the Agricultural Trade Development and Assistance Act of 1954, as amended, which (1) he determines to be in excess of the needs of departments and agencies of the United States for such currencies, and (2) are not prohibited from such use or committed to other uses by agreement heretofore entered into with another country. United States dollars received from the sale of foreign currencies under this subsection shall be deposited in the Treasury as miscellaneous receipts."

(d) Section 620, which relates to prohibitions against furnishing assistance to Cuba and certain other countries, is amended as follows:

(1) Subsection (a) is amended as follows:

(i) Insert "(1)" immediately after "(a)".

(ii) Add the following new paragraph (2) at the end thereof:

"(2) No funds authorized to be made available under this Act shall be used to furnish assistance (except under section 214) to any country which, by failing (beginning not later than sixty days after enactment of the Foreign Assistance Act of 1963) to take such steps as are appropriate:

"(a) permits the further carriage by any ship or aircraft under its registry, to or from Cuba, so long as it is governed by the Castro regime or any other Communist regime, of any military personnel, or any arms, ammunition, and implements of war, atomic energy materials, petroleum, or any articles, materials, or supplies, transportation materials of strategic value, and items of primary strategic significance used in the production of arms, ammunition, and implements of war, contained on the list maintained by the Administrator pursuant to title I of the Mutual Defense Assistance Control Act of 1951, as amended; or

"(b) permits the further carriage by any ship under its registry, to or from Cuba, so long as it is governed by the Castro regime or any other Communist regime, of any other equipment, materials or commodities, unless the President determines that the furnishing of such assistance is important to the security of the United States and reports such determination to the Foreign Relations and Appropriations Committees of the Senate and the Speaker of the House of Representatives: *Provided, however,* That this subparagraph (b) shall not apply with respect to the fulfillment of firm commitments of the United States made prior to the date of enactment of this paragraph, nor to military sales under section 508.

The restrictions contained in this paragraph (2) may not be waived pursuant to any other authority contained in this Act or any other provision of law."

(2) Subsection (e) is amended to read as follows:

"(e) The President shall suspend assistance to the government of any country to which assistance is provided under this or any other Act when the government of such country or any government agency or subdivision within such country on or after January 1, 1962—

"(1) has nationalized or expropriated or seized ownership or control of property owned by any United States citizen or by any corporation, partnership, or association not less than 50 per centum beneficially owned by United States citizens, or

"(2) has taken steps to repudiate or nullify existing contracts or agreements with any United States citizen or any corporation, partnership, or association not less than 50 per centum beneficially owned by United States citizens, or

"(3) has imposed or enforced discriminatory taxes or other exactions, or restrictive maintenance or operational conditions, or has taken other actions, which have the effect of nationalizing, expropriating, or otherwise seizing ownership or control of property so owned,

and such country, government agency, or government subdivision fails within a reasonable time (not more than six months after such action, or, in the event of a referral to the Foreign Claims Settlement Commission of the United States within such period as provided herein, not more than twenty days after the report of the Commission is received) to take appropriate steps, which may include arbitration, to discharge its obligations under international law toward such citizen or entity, including speedy compensation for such property in convertible foreign exchange, equivalent to the full value thereof, as required by international law, or fails to take steps designed to provide relief from such taxes, exactions, or conditions, as the case may be; and such suspension shall continue until the President is satisfied that appropriate steps are being taken, and no other provision of this Act shall be construed to authorize the President to waive the provisions of this subsection.

"Upon request of the President (within seventy days after such action referred to in paragraphs (1), (2), or (3) of this subsection), the Foreign Claims Settlement Commission of the United States (established pursuant to Reorganization Plan No. 1 of 1954, 68 Stat. 1279) is hereby authorized to evaluate expropriated property, determining the full value of any property nationalized, expropriated, or seized, or subjected to discriminatory or other actions as aforesaid, for purposes of this subsection and to render an advisory report to the President within ninety days after such request. Unless authorized by the President, the Commission shall not publish its advisory report except to the citizen or entity owning such property. There is hereby authorized to be appropriated such amount, to remain available until expended, as may be necessary from time to time to enable the Commission to carry out expeditiously its functions under this subsection."

(3) Add the following new subsections at the end thereof:

"(i) No assistance shall be furnished on a grant basis under this Act to any economically developed nation capable of sustaining its own defense burden and economic growth, except (1) to fulfill firm commitments made prior to July 1, 1963, or (2) additional orientation and training expenses under part II hereof during fiscal year 1964 in an amount not to exceed $1,000,000.

"(j) No assistance under this Act shall be furnished for projects establishing or otherwise assisting government-owned manufacturing, utility, merchandising, or processing enterprises in any country or area, except where it clearly appears that goods or services of the same general class are not or cannot be adequately provided by private businesses located within such country or area."

### *Chapter 2—Administrative provisions*

SEC. 302. Chapter 2 of part III of the Foreign Assistance Act of 1961, as amended, which relates to administrative provisions, is amended as follows:

(a) Amend section 624, which relates to statutory officers, as follows:

(1) In subsection (a)(2) strike out "two shall have the rank of Deputy Under Secretaries" and substitute "one shall have the rank, of a Deputy Under Secretary".

(2) In subsection (a)(3) strike out "nine" and substitute "ten".

(3) In subsection (b) strike out "paragraphs (2) and" and substitute "paragraph".

(4) In subsection (d)(1) after the words "Deputy Inspector General, Foreign Assistance," where they first appear insert "who shall be appointed by the President by and with the advice and consent of the Senate,", and strike out "$19,500" and substitute "$20,000".

(b) Amend section 626(b), which relates to experts, consultants, and retired officers, as follows:

(1) Strike out the entire first sentence.

(2) In the second sentence strike out "Nor shall such service" and substitute "Service of an individual as an expert or consultant under subsection (a) of this section shall not".

(c) In section 631, which relates to missions and staffs abroad, add the following new subsection (c):

"(c) The President may appoint any United States citizen who is not an employee of the United States Government or may assign any United States citizen who is a United States Government employee to serve as Chairman of the Development Assistance Committee or any successor committee thereto of the Organization for Economic Cooperation and Development upon election thereto by members of said Committee, and, in his discretion, may terminate such appointment or assignment, notwithstanding any other provision of law. Such person may receive such compensation and allowances as are authorized by the Foreign Service Act of 1946, as amended, not to exceed those authorized for a chief of mission, class 2, within the meaning of said Act, as the President may determine. Such person may also, in the President's discretion, receive any other benefits and perquisites available under this Act to chiefs of special missions or staffs outside the United States established under this section."

(d) Amend section 635, which relates to general authorities, as follows:

(1) Amend section 635(g) by striking out the word "and" at the end of subparagraph (4); by striking out the period at the end of subparagraph (5) and inserting in lieu thereof a semicolon and the word "and"; and by adding the following new subparagraph:

"(6) in the case of loans under part I (except under section 205), shall establish terms which shall include (A) interest at a rate not lower than three-fourths of 1 per centum per annum during the five-year period following the date on which the funds are initially made available under the loan, and not lower than 2 per centum per annum thereafter, and (B) repayment on an amortized basis, beginning not later than five years after the date any funds are initially made available under the loan, and ending not later than thirty years following the end of such five-year period."

(2) Add the following new subsections:

"(k) Any cost-type contract or agreement (including grants) entered into with a university, college, or other educational institution for the purpose of carrying out programs authorized by part I may provide for the payment of the reimbursable indirect costs of said university, college, or other educational institution on the basis of predetermined fixed-percentage rates applied to the total, or an element thereof, of the reimbursable direct costs incurred.

"(1) No loan or grant in excess of $100,000,000, and no agreement obligating or committing the United States to make a loan or grant in excess of $100,000,000, for the financing of any particular project shall be made or entered into under part I unless such loan, grant, or commitment shall have been specifically submitted to the Congress and specifically approved by Congress."

(e) Amend section 637(a), which relates to administrative expenses, by striking out "1963" and "$53,000,000" and substituting "1964" and "$52,000,000", respectively.

### *Chapter 3—Miscellaneous provisions*

SEC. 303. Section 644(f) of the Foreign Assistance Act of 1961, as amended, which relates to definition of defense services, is amended by inserting "including orientation" after "training" the first time it appears.

SEC. 304. Section 645 of the Foreign Assistance Act of 1961, as amended, which relates to unexpended balances, is amended to read as follows:

"SEC. 645. UNEXPENDED BALANCES.—Unexpended balances of funds made available pursuant to this Act, the Mutual Security Act of 1954, as amended, or Public Law 86–735 are hereby authorized to be continued available for the general purposes for which appropriated, and may at any time be consolidated, and, in addition, may be consolidated with appropriations made available for the same general purposes under the authority of this Act."

### PART IV—AMENDMENTS TO OTHER LAWS

SEC. 401. The Act to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes (Public Law 86–735, 22 U.S.C. 1942 et seq.), is amended as follows:

(a) Insert following the enacting clause "That this Act may be cited as 'The Latin American Development Act' ".

(b) In section 2 strike out "$500,000,000" and substitute "$675,000,000".

SEC. 402. Section 231 of the Trade Expansion Act of 1962 (Public Law 87–794, approved October 11, 1962) is amended as follows:

(a) Insert "(a)" before the words "The President shall".

(b) Add the following new subsection:

"(b) The President may extend the benefits of trade agreement concessions made by the United States to products, whether imported directly or indirectly, of a country or area within the purview of subsection (a), when he determines that such treatment would be important to the national interest and would promote the independence of such country or area from domination or control by international communism, and reports this determination and the reasons therefor to the Congress."

SEC. 403. The Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691 (et seq.)), is amended as follows:

(a) Section 104(e) is amended as follows:

(1) Strike out "25 per centum" and substitute "50 per centum".

(2) Insert after the words "such firms" a comma and the words "and cooperative enterprises,".

(3) Strike out "United States agricultural products" and substitute "United States agricultural and industrial products".

(b) Section 106 is amended by adding at the end thereof a new sentence as follows: "For the purposes of this title and title IV, the term 'surplus agricultural commodity' shall include any domestically produced fishery product if the Secretary of the Interior has determined that such product is at the time of exportation in excess of domestic requirements, adequate carryover, and anticipated exports for dollars."

(c) The amendment made by subsection (b) of this section shall not be effective for purposes of title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, until January 1, 1965.

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## WALTER FRANCIS DILLINGHAM

Mr. FONG. Mr. President, a towering, dominant figure in Hawaii's history has passed from the scene. On Tuesday, Walter Francis Dillingham—builder extraordinary, outstanding civic leader and philanthropist—died in Honolulu at the age of 88. His was a life of unsurpassed activity and vigor, and a lifetime of deeply dedicated service to the greater growth and prosperity of his island community. His unbounded energies and talents overflowed to industrial enterprises in the far corners of the globe.

A native son of Hawaii, he lived a life that spanned the full spectrum of Hawaiian history. He was born and raised under a monarchy; he saw the transition of his beloved islands to a republic, to an incorporated Territory under the American flag, and finally to the full stature of a State of the Union. He left his imprint on each period.

He was born in Honolulu on April 5, 1875 during the reign of King Kalakaua. His mother, Emma Louise Smith Dillingham, was the daughter of New England missionaries who came to Honolulu in 1833. His father, Benjamin Franklin Dillingham, arrived in Hawaii at the age of 21 from Cape Cod in 1865.

Walter Dillingham attended Punahou School in Honolulu and Newton High School in Massachusetts. Later, he attended Harvard University with the class of 1902.

In 1904, Walter's father suffered a severe illness and it became necessary for the son to take over the management of his father's business which was in a critical financial stage.

Although not yet 30 years of age, Walter carried the business through the trying financial period and within a few years, assured its success.

He became closely associated with Pacific coast finances, a relationship that proved valuable in the later promotion of many Hawaiian projects.

Throughout the years, he carried on the traditions inherited from his distinguished father, who was known as Hawaii's Empire Builder.

He married Louise Olga Gaylord on May 2, 1910.

During World War I, Walter, a member of the Officers Reserve, was called into the service. Stationed in Washington, D.C., he was detailed to organize training for the Motor Transport Corps.

At the beginning of World War II, the commanding general of the Hawaiian Islands assigned him to organize the Port of Honolulu Army, Navy, and civilian transportation, and, later, to headquarters office of food production for the islands.

All members of his family were in war service during World War II. His son Henry Gaylord, a captain in the U.S. Air Force, was killed in action in July 1945.

Upon his father's death in 1918, Walter succeeded to the presidency of Oahu Railway & Land Co. and other allied Dillingham interests.

The Hawaiian Dredging Co., Ltd., of which he was president for many years, promoted and carried out all major harbor developments and land reclamation projects in the Hawaiian Islands, including the opening up and development of Pearl Harbor and its naval station. He transformed duckponds and swamplands into house lots, commercial property, and parks; arid areas into rich sugar lands.

Before the start of World War II, by contract with the U.S. Government, Hawaiian Dredging Co. was one of three contracting firms which developed military bases throughout the Pacific.

He practiced the philosophy that in an organization, men should work with, rather than for, management.

He was also connected with the early development of the Los Angeles Steamship Co., which later merged with Matson Navigation Co. He organized the Dillingham Transportation Building, Ltd., which in 1930 constructed a splendid office building in Honolulu as a tangible monument to his father.

He was the guiding hand at the helm of a score of enterprises. These firms laid much of the economic foundation upon which Hawaii grew and prospered in the 20th century. They ranged from banking, newspaper publishing, sugar and coffee production, trusts, insurance, shipping, interisland tug and barge service, dredging, land development, property management, ranching, shopping centers, office buildings, and many more.

In the postwar years, his vision scanned the horizons beyond Hawaiian shores. His firm performed Government jobs in the forward Pacific areas, in Asia and beyond, to as far as the Persian Gulf and the Suez Canal. Today his family corporation is building an airport in Malaya, modernizing an Australian railroad, and dredging an Indonesian harbor. Recently it exchanged 27 acres of Honolulu waterfront for a choice acre of downtown San Francisco and 118 acres of producing sugarcane for an apartment building in Dallas.

Years ago, during a cholera epidemic, he was drafted as an agent of the board of health. He did similar service during a bubonic plague. He led the fight against these dreaded diseases of old with the vitality that characterized his concern, down through the years, for ever greater advancement of the Hawaiian Islands.

His prowess as an athlete in his younger years was widely known, notably in polo. He helped organize and captained many victorious polo teams and played in a number of tournaments on the mainland.

Busy and full as his industrial career was, community service also occupied a large part of his life. His civic and philanthropic interests involved him closely with local and national youth groups, veterans' affairs, educational foundations, chambers of commerce, professional societies, and numerous Government boards and committees.

His philanthropies were numerous, widespread, and generous. The large and imposing Dillingham Transportation Building in downtown Honolulu, which he built, was given to the Kauikeolani Children's Hospital. His magnificent Diamond Head mansion called La Pietra, where distinguished visitors from all over the world were entertained, has been given to Punahou School, his alma mater, the oldest American school west of the Rockies. He had been a trustee of Punahou for over 60 years and chairman of its board since 1945.

Even in his sunset years, Walter Dillingham maintained an active pace. Almost till the very end he moved about in the community he loved so dearly. He was at his office the day before he died.

It was less than 2 weeks ago that I greeted him and shook his hand at a testimonial dinner for Hawaiian Republican legislators, whom I addressed. He carried his fourscore and 8 years on a stalwart frame. He stood tall and erect, a giant among men in stature, as well as in achievements.

All the people of Hawaii mourn his passing. To his charming and gracious wife Louise, equally loved and respected by the people of Hawaii; to his sons, Lowell Smith and Benjamin Franklin II, who are carrying on in the finest tradition of the family; to his daughter, Elizabeth Louise—Mrs. Myron A. Wick, Jr.; to his respected and distinguished brother, Harold, and sister, Mrs. John P. Erdman; and to other members of this illustrious family, we extend our deepest sympathy and heartfelt condolences.

We say to them, mourn not too deeply, for a man like Walter Dillingham can never die. Too much of him lives on eternally. His memory is now enshrined forever in the hearts and minds of the people of Hawaii.

He was a giant whose equal we shall not soon see again. Fortunately for Hawaii and for the Nation we had such a man.

With deepest respect and affection, we say aloha and farewell to a beloved Keiki Hanau O Ka Aina—son of the land—Walter Francis Dillingham.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## JURISDICTION OVER CERTAIN SUBMERGED LANDS IN GUAM, THE VIRGIN ISLANDS, AND AMERICAN SAMOA

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 567, H.R. 2073.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2073) to place certain submerged lands within the jurisdiction of the governments of Guam, the Virgin Islands, and American Samoa, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That (a) upon the request of the Governor of Guam, the Governor of the Virgin Islands, or the Governor of American Samoa, the Secretary of the Interior is authorized to convey to the government of the territory concerned whatever right, title, or interest the United States has in particular tracts of tidelands, submerged lands, or filled lands in or adjacent to the territory, subject to the limitations contained in this section. The term "tidelands, submerged lands, or filled lands" means for the purposes of this Act all lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide and seaward to a line three geographical miles distance from the coastlines of the territory, as heretofore or hereafter modified by accretion, erosion, and reliction, including artificially made, filled-in, or reclaimed lands which were formerly permanently or periodically covered by tidal waters.

(b) No conveyance shall be made pursuant to this section unless the land proposed to be conveyed is clearly required for specific economic development purposes or to satisfy a compelling public need.

(c) No conveyance shall be made pursuant to this section until the expiration of sixty calendar days (exclusive of days on which the House of Representatives or the Senate is not in session because of an adjournment of more than three days to a day certain) from the date on which the Secretary of the Interior submits to the Committees on Interior and Insular Affairs of the House of Representatives and the Senate an explanatory statement indicating the tract proposed to be conveyed and the need therefor, unless prior to the expiration of such sixty calendar days both committees inform the Secretary that they wish to take no action with respect to the proposed conveyance.

(d) Conveyances pursuant to this section shall be subject to such terms and conditions as the Secretary of the Interior may deem appropriate, and shall be made without reimbursement or with such reimbursement as he may deem appropriate.

(e) The governments of Guam, the Virgin Islands, and American Samoa shall have proprietary rights of ownership and the rights of management, administration, leasing, use, and the development of the lands conveyed pursuant to this section, but the Secretary of the Interior and such territorial governments shall not have the power or right to convey title to such lands unless the Secretary of the Interior (1) determines that such right to convey is necessary and (2) advises the committee of such determination in the manner described in subsection (c) of this section, and (3) unless the Secretary of the Interior, in proposing to convey such lands to such territorial governments, and such territorial governments in proposing to convey such lands to a third party or third parties pursuant to this section, shall publish notice of such proposed conveyance at least once a week for three weeks in a daily newspaper or newspapers of general circulation in the territory affected by the proposed conveyance. Such published notice shall include the names of all parties to the proposed contract of conveyance, the purchase price, and a general summary of the boundaries of the tract or tracts proposed to be included in the conveyance.

(f) There shall be excepted from conveyances made pursuant to this section all deposits of oil, gas, and other minerals, but the term "minerals" shall not include sand, gravel, or coral.

SEC. 2. (a) The Secretary of the Interior shall have administrative responsibility for all tidelands, submerged lands, or filled lands in or adjacent to Guam, the Virgin Islands, and American Samoa, except (1) lands conveyed pursuant to section 1 of this Act, (2) lands that are not owned by the United States on the date of enactment of this Act, and (3) lands that are within the administrative responsibility of any other department or agency of the United States on the date of enactment of this Act, for so long as such condition continues. In exercising such authority, the Secretary may grant revocable permits, subject to such terms and conditions as he may deem appropriate, for the use, occupancy, and filling of such lands, and for the removal of sand, gravel, and coral therefrom.

(b) Nothing contained in this section shall affect the authority heretofore conferred upon any department, agency, or officer of the United States with respect to the lands referred to in this section.

SEC. 3. (a) Nothing in this Act shall affect the right of the President to establish naval defensive sea areas and naval airspace reservations around and over the islands of Guam, American Samoa, and the Virgin Islands which he deems necessary for national defense.

(b) Nothing in this Act shall affect the use, development, improvement, or control by or under the constitutional authority of the United States of the lands conveyed pursuant to section 1 of this Act and the navigable water overlying such lands, for the purposes of navigation or flood control or the production of power, or shall be construed as the release or relinquishment of any rights of the United States arising under the constitutional authority of Congress to regulate or improve navigation, or to provide for flood control, or the production of power.

(c) The United States retains all of its navigational servitude and rights in and powers of regulation and control of the lands conveyed pursuant to section 1 of this Act and the navigable waters overlying such lands, for the constitutional purposes of commerce, navigation, national defense, and international affairs, all of which shall be paramount to, but shall not be deemed to include, proprietary rights of ownership, or the rights of management, administration, leasing, use, and development of the lands and natural resources not in derogation of United States navigational servitude and rights which are specifically conveyed to the governments of Guam, the Virgin Islands, or American Samoa, as the case may be, pursuant to section 1 of this Act.

SEC. 4. (a) Except as otherwise provided in this section, the governments of Guam, the Virgin Islands, and American Samoa, as the case may be, shall have concurrent jurisdiction with the United States over parties found, acts performed, and offenses committed on property owned, reserved, or controlled by the United States in Guam, the Virgin Islands, and American Samoa. A judgment of conviction or acquittal on the merits under the laws of Guam, the Virgin Islands, or American Samoa shall be a bar to any prosecution under the criminal laws of the United States for the same act or acts, and a judgment of conviction or acquittal on the merits under the laws of the United States shall be a bar to any prosecution under the laws of Guam, the Virgin Islands, or American Samoa for the same act or acts.

(b) Notwithstanding the provisions of subsection (a) of this section, the President may from time to time exclude from the concurrent jurisdiction of the government of Guam persons found, acts performed, and offenses committed on the property of the United States which is under the control of the Secretary of Defense to such extent and in such circumstances as he finds required in the interest of the national defense.

**Mr. HUMPHREY.** Mr. President, I ask unanimous consent that certain portions of the committee report on the bill be printed in the RECORD at this point.

There being no objection, the excerpts from the committee report were ordered to be printed in the RECORD, as follows:

### PURPOSE

The purposes of H.R. 2073, as amended, are: (1) to authorize the Secretary of the Interior to convey certain tracts of submerged lands surrounding the territories of Guam, the Virgin Islands, and American Samoa, upon request of the respective Governors, when the lands are required for a specific economic development or to satisfy a compelling public need, and (2) to grant these governments concurrent jurisdiction over persons found, acts performed, and offenses committed on lands which are owned, controlled, or reserved by the United States in and around these islands.

### LAND TRANSFERS

On January 31, 1958, the Solicitor of the Department of the Interior held, in his decision (65 I.D., No. 5), that title to the tidelands and submerged lands adjacent to the unincorporated territories of the United States is in the United States; that lands resulting from the filling of tidelands and submerged lands occupy the same status; and that all such tidelands, submerged lands, and filled lands are held in trust by the United States for the use of all of the people, and are not to be granted away in the absence of specific authorization by the Congress. There has been no specific authorization by the Congress permitting the conveyance of or transfer of control over such lands to the territorial governments or to any other parties, except for Public Law 86-664, by which particular filled, submerged, and tidelands were granted to the government of Guam, to be used for certain public purposes. In light of the absence of any general authorization from the Congress, and in light of the Solicitor's 1958 opinion, there is no authority at this time under which any Federal agency might lease or transfer any such land to any of the territorial governments or to any private party. There is consequently no means by which the territorial governments can be encouraged either to develop these lands themselves or to persuade others to do so. There is no incentive to reclaim land which the territorial governments all sorely need and which could, in many instances, be filled at a reasonable cost.

The existing situation poses serious problems for Guam and the Virgin Island, and it will pose equally serious problems for American Samoa to the extent applicable. Guam has a total land area of only 206 square miles and a population of 67,000, giving it a population density of 321 persons per square mile. The Virgin Islands area is 133 square miles, its population 32,100, and its population density 241 persons per square mile. American Samoa's area is 76 square miles, its population 20,100, and its population density 264 persons per square mile. (By way of contrast, the United States, exclusive of Alaska, has an area of slightly over 3 million miles, a population of about 186 million, and a population density of about 62 persons per square mile.)

These figures by themselves make evident the importance of each acre of land that can be reclaimed in Guam, the Virgin Islands, and American Samoa and the importance of clearing up title problems and other obstacle that may impede such reclamation as far as the Congress can do so. Add to this that the most valuable and, sometimes, the only feasible sites for many purposes are shoreline locations, and the importance of this becomes still clearer.

Witnesses before the committee presented convincing testimony that certain tracts of submerged areas offered attractive economic development possibilities after filling, if title to the lands could be transferred to the affected territory.

In section 1 of the bill as amended, the committee recommends language which would authorize the Secretary of the Interior to make conveyances of specific tracts of tidelands, submerged lands, or filled lands when requested by the Governor of the territory. No conveyance may be made until the expiration of 60 calendar days from the date on which the Secretary submits to the House and Senate Committees on Interior and Insular Affairs an explanatory statement indicating the tract to be conveyed and the terms and conditions thereof. Excepted from all conveyances are oil, gas, and other minerals, but not including sand, gravel, or coral. Once lands have been conveyed the territory shall have proprietary rights of ownership, but not the right to convey to a third party unless the Secretary determines that such a right is necessary and so advises the congressional committees, and unless he publishes notice to this effect in a daily newspaper in the affected territory together with full details of the proposed conveyance.

Section 2 of the bill, as amended, puts administrative responsibility in the Secretary of the Interior for all tidelands and submerged lands not conveyed by section 1, except lands owned by the United States or lands within the administrative responsibility of another department.

Section 3(a) provides that nothing in the act will affect the President's power to establish naval defensive sea areas and air reservations around the three territories when he deems it necessary for defense purposes. Subsections (b) and (c) of this section preserve in the United States the same powers with respect to the use and improvement of submerged lands for navigation, power, national defense, flood control, and international affairs as were reserved by the Submerged Lands Act of 1953 in the case of the States.

### JURISDICTIONAL PROBLEMS

The House Interior Committee, in its Report No. 222 accompanying H.R. 2073, described the nature of legislative and judicial jurisdiction problems in the territories by the following examples:

"Before this proposed legislation was prepared * * * conferences were held with representatives of the Department of Justice, the Department of the Navy, and the Department of the Interior. There is general agreement that a long-neglected field of uncertain jurisdiction between the territorial governments and the United States should be clarified by the Congress. The following specific cases will illustrate the problem:

"In *Velasquez* v. *People of Puerto Rico* (77 F. 2d 431 (1935), cert. den. 296 U.S. 602), the chief justice of the Supreme Court of Puerto Rico had been assaulted in his chambers which were located in a building on land owned by the United States. The assailant was prosecuted by Puerto Rico and convicted but the court of appeals held that Puerto Rico had no jurisdiction to prosecute as the land upon which the offense was committed was under the exclusive jurisdiction of the United States.

"While this provision was under discussion a representative of the Judge Advocate of the Navy had under consideration a situation in which the master of a ship in the Navy harbor in Guam was attacked by a merchant seaman. The Supreme Court has held that the military has no jurisdiction to proceed against civilians under the Uniform Code of Military Justice. The Guam police were called but refused to take any action upon the ground that they had no jurisdiction to arrest on a military reservation. This was an offense against the United States and could have been prosecuted by the U.S. attorney but a proper complaint would have been required.

"A taxi fare was taken by the driver to a war-dog cemetery in Guam which had been reserved to the United States under the organic act. There he struck her with a tire iron, placed her in the trunk of the taxicab, drove into a civilian area and threw her over a cliff. If the deceased had died in the war-dog cemetery there is a question as to whether the government of Guam would have had jurisdiction to prosecute him for murder as was done. As the judge in this case, both the attorney general of Guam and the U.S. attorney shared my concern as to jurisdiction. Because of some evidence in the case I held that the deceased was alive when she was driven off the reservation.

"Shortly after the above cases a man lying on a beach with a woman companion was murdered and the woman seriously injured. The accused was prosecuted by the Government of Guam but if the beach was below the high water mark the land would have been owned by the United States and possibly under its exclusive jurisdiction.

"Similar jurisdictional questions arise in the application of civil laws. Guam has a divorce law which requires a 1 year's residence before an action for divorce may be filed. Many divorces have been granted to members of the Armed Forces and civilian employees who reside on reservations. There is respectable authority which holds that in these circumstances no residence can be acquired. There is the possibility that future problems involving estates of divorced persons or the legitimacy of children of second marriages may arise. The pilot case in this field as regards territories which have been given control over property owned by the United States is *Gromer* v. *Standard Dredging Co.* (224 U.S. 362, 369 (1912), in which the Supreme Court held that 'the relation of Congress to all territorial legislation is similar [certain organic acts of the States being cited] and thus it may be said that the exercise of local jurisdiction for ordinary municipal purposes over a reservation in a territory is valid until or unless disapproved by Congress.' But of course the Supreme Court held * * * that the United States owned submerged land from the low water mark in *U.S. v. California* (322 U.S. 19 (1947))."

Section 4 of H.R. 2073 provides for concurrent jurisdiction by the territorial governments and by the United States over areas within the territories that are owned by the United States. It also provides safeguards against double jeopardy. Legislative clarification of this subject is most desirable because of the uncertainty that has existed in the past.

AMENDMENTS

As passed by the House of Representatives, H.R. 2073 would have placed all of the submerged lands surrounding the territories under the control of the territorial governments with certain exceptions. The bill has been amended to provide that only such tracts as may be needed by the territories shall be conveyed, when justified. It is believed that this method of transfer will result in more orderly economic development in the offshore territories.

The committee has deleted two sections from the House-passed bill relating to amendments to the Organic Acts of Guam and the Virgin Islands that would convey certain property to the two territories. All of the information sought by the committee on the subject could not be made available at this time.

The PRESIDING OFFICER. The question is on agreeing to the commitee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to authorize the Secretary of the Interior to convey certain submerged lands to the governments of Guam, the Virgin Islands, and American Samoa, and for other purposes."

Mr. HUMPHREY. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. CLARK. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## AMENDMENT OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 568, S. 569.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S 569) to amend the National Defense Education Act of 1958, in order to extend the provisions of title II relating to the cancellation of loans under such title to teachers in private, nonprofit elementary and secondary schools and institutions of higher learning.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Public Welfare with an amendment at the top of page 2, to insert a new section, as follows:

Sec. 2. Sections 511 and 611 of the National Defense Education Act of 1958 are amended by inserting before the word "public" the following: "private nonprofit or".

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 205(b)(3) of the National Defense Education Act of 1958 is amended by striking out "elementary or secondary school in a State" and inserting in lieu thereof "or private nonprofit elementary or secondary school in a State, or in an institution of higher education".

Sec. 2. Sections 511 and 611 of the National Defense Education Act of 1958 are amended by inserting before the word "public" the following: "private nonprofit or".

Mr. PROUTY. Mr. President, the pending bill, which was introduced by me and the Senator from New York [Mr. Keating], was unanimously reported by the Committee on Labor and Public Welfare.

The bill is designed to eliminate certain inequities in the National Defense Education Act which adversely affect education.

Under present law, not to exceed 50 percent of a National Defense Education Act student loan can be canceled if the borrower, after graduation, becomes a full-time teacher in a public elementary or secondary school.

S. 569 would extend this loan forgiveness clause to student borrowers who later teach in private nonprofit elementary and secondary schools or in institutions of higher learning.

This change is in harmony with the philosophy of the National Defense Education Act and is important to the future of American education.

Many highly respected organizations have endorsed an extension of the loan forgiveness clause because they recognize that there is a great need for more and better teachers at all levels of education.

STIPENDS FOR TEACHERS ATTENDING INSTITUTES

S. 569 would bring about another significant change in the National Defense Education Act by letting private school instructors receive the stipends now given public school teachers at special federally-supported institutes in counseling, guidance, and language instruction.

At the present time, public school teachers attending these institutes are eligible to receive $75 a week and an allowance of $15 a week for each dependent. Very few private school teachers attend these institutes because they are not eligible for stipends.

S. 569 would remove this inequity by providing the same benefit to all teachers, public and private.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that certain excerpts from the committee report be printed in the Record at this point.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

COMMITTEE ACTION

In executive session on September 25, 1963, the committee added to S. 569 as introduced, a new section 2 incorporating the text of S. 571. The bill as amended, if enacted, would—

A. In section 1, extend the benefits of the loan forgiveness provisions of title II of the National Defense Education Act of 1958, now available only to those borrowers who subsequently teach in a public elementary or secondary school, to (1) those who teach in nonprofit private elementary and secondary schools, and (2) to those who teach in institutions of higher education; and

B. In section 2 extend the stipend benefits under titles V and VI of the National Defense Education Act of 1958, now available only to public elementary and secondary school teachers, to those who teach in private nonprofit elementary and secondary schools.

BACKGROUND AND ANALYSIS OF LEGISLATION

*Section I*

Title II of the National Defense Education Act of 1958, as amended, presently provides that not to exceed 50 percent of a National Defense Education Act loan advanced to a student who becomes a full-time teacher in a public elementary or secondary school can be canceled at a rate of 10 percent of the balance (including interest) outstanding on the first day of teaching for each academic year of service.

S. 569, if enacted, would extend this principle to an individual who enters upon a teaching career in a private nonprofit elementary or secondary school or who engages in teaching in an institution of higher education.

The provisions of section 1 were contained in S. 3326 of the 87th Congress which was favorably reported to the Senate on September 28, 1962 (Rept. No. 2190). It passed the Senate on September 29, 1962. S. 3326 was not acted upon by the House of Representatives in the closing days of the second session and the legislation therefore died.

S. 580, the National Education Improvement Act of 1963, introduced on January 29, 1963, carried the proposed language in section 195(b)(3). Seventeen days of hearings on several bills, including S. 569 and S. 571, and on the various provisions of S. 580 were held by the committee between April 29, 1963, and June 27, 1963. In the course of the hearings testimony was heard in support of the proposal from many witnesses. (See pps. 607, 676, 723, 1047, 1085, 1414, 1632, and 3278 of the committee hearings.)

In light of the testimony the committee is of the view that section 1, whose benefits would accrue to the individual and enactment of which would provide a needed incentive to staff all segments of American education at all levels, is justified.

The continuing shortage of teachers extends to private nonprofit as well as to public schools and to all levels of our educational system. This amendment to title II of the National Defense Education Act would encourage college students to consider careers in teaching in all types of schools and at all levels.

*Section 2*

Titles V and VI of the National Defense Education Act now provide that public school personnel attending institutes under these titles are eligible to receive weekly stipends of $75 and an allowance of $15 a week for each dependent. Private school personnel attend institutions without charge, but do not receive stipends. Section 2, if enacted, would remove this differential treatment by providing the same benefits to all who participate.

The provisions of section 2 were contained in S. 580 (see above) and in S. 571, introduced on January 29, 1963. It is the committee view that equitable treatment be accorded all participants in the institute programs under these titles of the National Defense Education Act.

*Estimated cost of the bill, if enacted*

| | 1964 | 1965 | 1966 | 1967 | 1968 |
|---|---|---|---|---|---|
| New obligational authority: | | | | | |
| Title II student loans: | | | | | |
| Cancellation of student loans (teachers in private nonprofit schools and teachers in higher education institutions) | $52,000 | $75,000 | $120,000 | $165,000 | $225,000 |
| Titles V and VI, stipends to teachers in private nonprofit schools | [1] (302,400) | [1] (302,400) | [1] (302,400) | | |

[1] Amounts would not represent additional obligational authority since the authorizations are not increased. The additional cost would be absorbed through a reduction in the number of institutes. The number of private school teachers is estimated at 360, the number presently enrolled in the institute program.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education, and to authorize for teachers in private nonprofit schools certain benefits under the provisions of titles V and VI of such Act provided for teachers in public schools."

Mr. PROUTY. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. HUMPHREY. Mr. President, in order that Senators may be on notice, and for the purpose of the Record, debate on the foreign aid bill will begin on Monday. The distinguished chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. Fulbright], will open the debate. My understanding is that his presentation will be followed by that of the senior Senator from Oregon [Mr. Morse]. I anticipate that other Senators may wish to speak on the bill.

It is the intention of the leadership to proceed with the foreign aid bill until the Senate completes consideration of it, which I hope will be next week.

Senators should therefore adjust their time and schedules accordingly. We feel that this is very vital legislation. The majority leader is desirous that debate be concluded and that all amendments be voted on next week.

No request will be made at this time to limit debate on the bill. That request will be presented after the debate has proceeded for some time. This is very important legislation.

## A CALL FOR ACTION—THE WHEAT ACT OF 1963

Mr. HUMPHREY. Mr. President, on behalf of myself, my colleague from Minnesota [Mr. McCarthy], and the Senator from North Dakota [Mr. Burdick], I introduce for appropriate reference a bill to establish a special agricultural wheat conservation program for the 1964–65 crop years.

Mr. President, we are faced with a great challenge this autumn—how to be of maximum assistance to the 1.8 million wheatgrowers and other farmers and ranchers of this Nation. I have given considerable thought to this matter and have discussed it with farmers of my State of Minnesota and throughout the Nation at every opportunity since the referendum on the Wheat Act of 1962. I also have taken the matter up with leaders in agriculture abroad, since our policy with regard to wheat could have a direct bearing on our commitments under the International Wheat Agreement.

I have asked myself this basic question: How can we harmonize the many-sided intensely expressed views so that any compromise that might emerge represents a constructive consensus? Will the emergent legislation be an improvement over the current status for the wheatgrower?

If we are to understand each other, we must first understand the position of the wheatgrower.

We all recall the wheat referendum that was held on May 21 of this year. There was much sincere work on both sides in an effort to affect the referendum, which was for the 1964 crop. Wheatgrowers rejected it at the ballot box. Whether we agree with the verdict or not, the decision has been made in the traditional democratic method. Therefore, we must be very careful to avoid even the appearance, much less the reality, of a punitive response.

It may be recalled—and I am sure Senators do recall—that, immediately following the vote on the wheat referendum, I urged that we look forward to a program affecting wheat farmers that would maintain farm income and would, to the best of our ability, prevent a further accumulation of unneeded production.

There are some who say, "Let us not as legislators take any action, and the wheat farmers will vote differently in 1964." To those people, I say that the farmers deserve better of us than that kind of talk or inaction. To those people, I point out that, under present law, the referendum for the 1965 crop must be held not later than June 14, 1964—a date when very little of the 1964 crop would have been harvested, and farmers would not have yet experienced the expected lower prices. For these and other reasons there is no assurance that the verdict will be any different next year than it was this year. I do not intend to stand idly by and watch with any degree of equanimity the indicated lower returns to our wheat farmers during the July 1964 to June 1965 period—and even possibly beyond that.

After careful research and much discussion relating to the wheat production problem and the price problem affecting it, I am convinced that, unless Congress takes some action in the coming months, farmers will suffer a serious drop in farm income. I recognize that the current increase in exports—and this year, by the way, there is a tremendous export program, even beyond that of the sales of wheat, or the projected sales of wheat, to the Soviet bloc countries—can affect the price of wheat. It can lift it. But with the surplus carried over, plus the crop of the year 1963, plus what appear to be even bigger plantings for 1964, the price of wheat could well go down to $1.25 a bushel, and the effect of such a drop upon our economy would be serious. It would affect not only the wheat farmer; it also would affect every merchant, every manufacturer, every businessman, every bank, and every lending institution throughout the Nation. It would affect workers, as well.

The farmer of America is one of the largest users of steel products, petroleum, chemicals, electricity, household goods, and many other products. Unless farm income is good, other people are affected adversely. There is an interdependence in our economy. That interdependence is clear and unmistakable when it is related to the farm income and the utilization or consumption of manufactured or processed goods.

What are the consequences, therefore, of inaction or the failure to act?

First, in order for a farmer to be eligible for price support in the 1964 program, he must stay within his share of a 49½ million-acre allotment. There are no marketing quota penalties for overplanting the allotment. Price support will be around $1.25 per bushel. Therefore, the market price for wheat will likely be below the 1963 levels, especially at harvest time when many farmers are forced to sell.

Second, it must be remembered that in 1957 and 1958, laws were enacted covering the determination of future wheat acreage allotments. Under those provisions, the farm wheat history is only the allotment if the acreage allotment is exceeded. On the other hand, farmers who stay within their allotments receive credit in the determination of future allotments, not only for the acreage harvested, but also for the acreage diverted.

Thus, a producer who exceeds his allotment accumulates smaller acreage history relative to his allotment than a farmer who plants within his allotment.

Third, under the conservation reserve provisions of the soil bank, a farmer forfeits his payment if he exceeds the larger of the wheat acreage allotment or 15 acres.

Fourth, the President has delegated to the Secretary of Agriculture the authority vested in him by Congress under the International Wheat Agreement Act of 1949, as amended. This action was necessary because disapproval of marketing quotas in the 1964 wheat referendum introduced uncertainties in domestic and world markets.

Wheat prices in the United States could fall below levels equivalent to minimum prices specified for sales under the International Wheat Agreement. I would expect them to do so unless Congress should act.

If exports by the United States at such prices were permitted, the result would be the collapse of the agreement. So a failure to act in the coming months might not only seriously affect the domestic economy and very well rub out all the good of a proposed tax reduction; it also would seriously jeopardize the International Wheat Agreement and throw the world market into an uproar. I do not believe this point is well understood by Congress. There has been so much discouragement in Congress over the inadequacies of farm programs, and the apparent lack of effectiveness of some of the programs, that we have tended to run away from the realities of the current agricultural situation. We tend, more or less, to ignore what would be the consequences of the failure of Congress to act on wheat legislation. I repeat, failure to act would result in a sharp drop in farm income at home. It could result in the utter and complete destruction of the International Wheat Agreement. This would mean there would be jungle warfare among all the wheat-producing nations in the foreign markets. In that kind of struggle, the American farmer would be the victim. Let us face our responsibilities.

Mr. President, the U.S. wheat producer is the most efficient and best producer in the world. It would avail him little in the way of expanded markets to be forced to sell at the low International Wheat Agreement prices. There would be worldwide repercussions in the wheat markets, which in turn would disrupt our relations with our good friends in Canada, Australia, and Argentina, and many of our European friends.

Facing this alternative, the executive branch would have to engage in a massive interference in the commercial export trade. It likely would require an export market takeover by the Commodity Credit Corporation in order to live up to the International Wheat Agreement. This series of events would mean even lower prices for our wheatgrowers. This might very well spell the end of the private commercial wheat market by the merchants who handle wheat in the normal commercial channels. I do not believe we should permit this to happen. We must not allow this series of unfavorable events to occur.

There are benefits as well as obligations under the International Wheat Agreement. Benefits to exporters include the obligation of importing countries to purchase a specified share of their requirements at prices within the range of $1.625 to $2.025 for No. 1 Manitoba northern wheat in store at Fort William-Port Arthur, Canada.

We shall reap some of these benefits in the sale of wheat to the Soviet Union, which only last year became a member of the International Wheat Agreement. The International Wheat Agreement will provide a fair price for many of our wheat producers. But if the domestic price in the United States collapses and we produce an overwhelming abundance of wheat in addition to our present carryover, it will mean the entire structure of world prices will collapse. The $1.25 price support of wheat, which is the present law, as a result of the rejection of the referendum, will mean chaos in the international wheat markets unless Congress takes affirmative action before the forthcoming crop.

The United States expects not only to fulfill its obligations by not exporting at prices below the minimum, as required by the World Wheat Agreement, but also to continue to realize the benefits of the agreement by exporting at prices in line with prices at which other IWA exporting countries are selling wheat. In the past year, United States sales under the IWA were made at prices near the middle of the IWA range. They ran about $1.82 to $1.85.

Before the referendum, the Department of Agriculture indicated that, in the event marketing quotas were not approved, special arrangements would be made for exports under the IWA. It also was indicated that commercial United States sales to nonmember countries would have to be at prices within the IWA range, so as not to impair the successful operation of the agreement.

Commercial exports to non-IWA countries have accounted in the past for about 25 percent of total United States commercial wheat exports. If made at prices outside the IWA range, such sales probably would break the agreement. Thus, sales to nonmember countries will be limited to the IWA price range in the 1964 marketing year.

Fifth, the income of wheatgrowers will drop by several hundred million dollars, under the alternative now in effect. This spells real trouble for the breadbasket of the Nation. It cannot occur without serious adverse economic effects on the main streets of our small towns and the factories of our cities. What we are concerned with is the economic well-being of this Nation. A rural dislocation of this dimension will cause urban factory job losses. It will cause job losses in transportation and in distribution.

Mr. President, I repeat that, while Congress gives consideration to a tax-reduction bill designed to stimulate the economy, much of the effect of the tax reduction can be erased by a sharp drop in agricultural income. We cannot afford to have such a drop in income. Furthermore, we also need the tax reduction. We need every bit of help Congress can bring to bear upon our current economic situation.

Sixth, the keenest students of agriculture warn us that the adverse economic impact of low wheat prices and lack of a better wheat program would spill over to feed-grain areas, and then to the livestock producers. So all of us have an interest in a viable wheat economy.

Low wheat prices will mean that wheat will be competitive with feed grains and will force down the prices of feed grains, and, in turn, will reduce farm income for the feed-grain producers, which, in turn—as we know from history and from experience—will increase the number of livestock, the number of poultry, and the number of swine, which, in turn, will mean surpluses, which add up to lower prices and reduced income. So we shall find that we have opened a Pandora's box of trouble, unless we can close the lid. It is all very well for people to say that the farmers should have known better when they voted in the May referendum. But there are 101 answers as to why the farmers rejected that program. However, the fact is that they did reject it; and now we in Congress have a responsibility to try to provide other alternatives. We have a responsibility to the whole country, not merely to the farmers; we have a responsibility to the total economy; and I say, without fear of successful contradiction, that, if we fail to act, we can unleash in our economy a stream of trouble which literally will flood us with low farm-commodity prices, surpluses, and a reduced income, not only for farmers, but also for millions of others.

I am convinced that this Nation is blessed with a unique opportunity to use its agricultural resources to provide maximum benefit to all mankind. The food-for-peace program has enabled us to help feed a hungry world.

It is rendering a useful and effective service. Every Member of Congress should be proud of that program. Wheat truly has been the staff of life of the food-for-peace program. Our wheatgrowers have helped push back the frontier of hunger, on the threshold of which one-third of the world's population still lives.

Certainly we must continue this great humanitarian program with its very beneficial foreign relations aspects. However, at the same time, we must be sure that reduced prices do not force the wheat farmers who make this possible into "mining" or exploiting the soil, in order to eke out a living. This would be disastrous in the long run. We must insure ourselves an adequate supply of wheat for the long pull, to feed an expanding population. For this worthy objective, we need to expand our area of conserving crops.

Mr. President, in full recognition of the fundamental responsibility to our wheatgrowers, I have therefore introduced, today, on behalf of myself, my colleague from Minnesota [Mr. McCarthy], and the Senator from North Dakota [Mr. Burdick], a voluntary wheat bill for the 1964 and 1965 crops.

We realize that this is a late date for the passage of new wheat legislation, and I have not introduced this bill as a quick and spontaneous response to what I think is a serious problem. I have introduced the bill after months of study, argument, discussion, and consideration. I have discussed the bill with representatives of every farm organization and with most of the leading farm economists; and many of those with whom I have discussed the bill have made constructive suggestions which have been incorporated into the text of the bill. The bill has met with friendly support from many of our farm economists, and is welcomed by most of our farm organizations as a constructive proposal.

The proposed legislation I have introduced represents a new and balanced approach in wheat proposals. It is not all that I would prefer. However, I am a realist; I have been here for quite a while. I served for more than 8 years on the Committee on Agriculture and Forestry; and, since 1949, I have been in every Senate battle relating to agricultural legislation. So I know that, if we are to succeed in helping the wheatgrowers, we must recognize the diverse interests that are at work and we must get the best possible legislation that will meet with friendly response among those diverse interests. If politics is the art of the possible, let all of us be of this school of realism as we contemplate agricultural policy.

Let us not dissipate our energies by making proposals that do not have a chance of passage or by making proposals that will only get headlines or that will please one particular group. Let us not dissipate our energies by fighting each other, because, in the process of doing that, we hurt each other and injure the Nation.

Fundamentally, the 2-year wheat bill I am introducing is a voluntary conservation program.

Any legislation affecting wheat production must have as its objective the maintenance of a fair price. This bill provides for $2 wheat in the domestic market and competitive prices for the world market.

It meets our needs at home and abroad. It encourages proper use of the soil, through conservation incentive payments.

It permits and encourages the farmer to use his land—and I emphasize the words "to use his land," not just to let it lie idle—by planting crops in short supply that are needed in this country—such as oilseeds—on land taken out of wheat production.

Mr. President, I believe the bill is in the interests of the taxpayers, because it would reduce overall costs. Cost estimates have been made in connection with the bill; and I state for the record that this bill would cost the taxpayers or the Government much less than would the current wheat program, and much less than the one which was rejected in the referendum. The bill provides the best income for farmers, at less cost to the taxpayers; and it permits the American wheat farmer to compete in world markets, without destroying the International Wheat Agreement.

Farmers will have an opportunity to participate in a program which is designed as follows:

First, it would expand conservation and prevent mining of the soil;

Second, it would offer cooperators higher income through a higher price support than the $1.25 a bushel now available, plus support payments, plus substantial conservation payments, plus an opportunity to obtain higher than support prices in the market;

Third, it would provide for the resumption of the use of wheat for feed in areas where it has been used historically for this purpose;

Fourth, it would minimize the amount of, or eliminate, export subsidies and diversion payments;

Fifth, it would avoid a massive governmental interference with the movement of wheat through the normal channels of trade because of our obligations under the International Wheat Agreement;

Sixth, it would induce a shift from wheat to oilseeds and other crops for which there are expanding needs—crops that are not in surplus and that have a ready market.

Seventh, it would provide as part of the legislative history that the lower market prices for wheat be reflected in prices paid by consumers. This is a consumer's bill as well as one designed to be of help to our farmers. American consumers would pay the same price for flour as consumers of importing nations. Conceivably, it could be lower.

Eighth, it would provide a program under which the more desirable grades of wheat would be sold by farmers to reflect their inherent premium values, and,

Ninth, it would provide as part of the legislative history that the executive branch do everything feasible to meet the needs of hungry people through expanded use of Public Law 480.

Those are the broad outlines of the wheat program that I am proposing for 1964 and 1965.

Now I should like to state some of the details:

First, it is a voluntary 2-year special conservation program designed to reduce Commodity Credit Corporation stocks, induce the resumption of the use of wheat for feed, and to minimize or eliminate the amount of export subsidies and diversion payments. If it works well, we can extend it and eliminate marketing quota programs permanently for wheat.

Second, the wheat base will be the 1963 allotment, but, for small growers, it will be the average acreage of wheat planted for harvest on the farm in 1959, 1960, and 1961. That will give some advantage to the small family-sized farm—the small grower, so to speak, in wheat production.

Third, price support will be provided to cooperators at the farm equivalent of the world price level or about $1.35 per bushel.

That is the loan price. That will fluctuate, because the world price fluctuates, and the tendency of the world price is to go up, so that the price support loan may be well over $1.35. In addition, a domestic consumption payment to bring average returns to $2 per bushel will be made to cooperators on one-half of normal production. In addition, an export use payment of 25 cents a bushel on one-half of normal production will be provided to cooperators only. The farmer will get these payments—not the processor, not the handler, but the farmer. The need for an export subsidy to the exporter and to the merchant, therefore, will be eliminated, and we shall be back to a program under which the benefits of the proposed legislation will go to the farmer. The payments would go to the farmer, and the merchant would have a product that he could market in world competition. Unless we act in that way, we shall become so entangled in a web of bureaucratic regulations that our merchants will not know what to do. The cotton situation is almost in that position now, and the wheat situation is not much better.

I intend in the months ahead to go back to one of my keen interests in this body, namely, to bring some sense and order out of our agricultural policy. My proposal is the first of several suggestions that I intend to make. I have hesitated to make my suggestions since I have not served during the past 18 months or 2 years on the Committee on Agriculture and Forestry. But my interest is in that area, and I believe I have some competence in and some knowledge of the area.

I feel that the time is at hand to try to emancipate our farmers from the constantly growing web of regulations and controls which in the long run will compel them to repudiate programs that are in their own interest. At the same time the same controls make it exceedingly difficult for our merchants, exporters, and our grain handlers to do any business anywhere in the world.

Fourth, in order to induce a shift in land use out of wheat, conservation payments will be paid directly to wheatgrowers. The Secretary will be encouraged to permit such diverted acreage to be devoted to the production of oilseeds in order to expand the supply of protein meals needed by an expanding livestock population. If the land is devoted to such a special crop, reduced conservation payments will be made.

I have not provided for price supports for oilseeds produced on diverted acreage, because questions have been raised as to the advisability of increasing the cost to the Treasury or the taxpayer. Therefore, in a spirit of compromise, I am willing to go along with that view, although personally I would like to see flaxseed and soybeans declared to be eligible for price supports.

If a farmer is paid for taking his land out of production and given what we call conservation incentive payments, and then the farmer decides to plant on that land oilseeds, which are in short supply, he will get income from those oilseeds. Therefore his payments from the Government for conservation purposes should be reduced.

The farmer does not desire a free ride. He wants justice. The bill provides that he shall not be treated as a special sort of individual, but must be accorded equity, justice, and fairplay in the marketplace.

In 1961, the Secretary of Agriculture foresaw the great need for an expanded acreage of soybeans. Some were critical of the price support action he wisely took to induce such increased production. This was a great act of agricultural statesmanship, for out of it came a sharp increase in production. Farmers have enjoyed higher than support prices. I quote from the August 29, 1963, issue of the Fats and Oils Situation:

> The carryover of old-crop soybeans on October 1, 1963, would be about 10 million bushels. A 10 million bushel carryover is less than 1 week's requirement for crushing and export.

We ought to have 100 million bushels in carryover as a national security reserve. We are in danger of a short supply of oilseeds at this very moment. With that wise policy, soybean acreage has gone up about 5½ million acres—acreage which probably would have been devoted to crops which now are in surplus. Had it not been for the shift of the 5½ million acres from wheat and feed grains to soybeans, our agricultural economy would be in a more serious situation than it is. The oilseeds—the flaxseed and soybean—have provided some reasonable market assurance for the farm producer, particularly in the Midwest and the South.

With this wise policy, soybeans have moved up to the No. 4 position in terms of cash receipts from sales of crops.

In my part of the country it runs about No. 2. It is becoming a very important crop, and it does not cost the taxpayer a nickel. We have had a decent program. We have had a working program.

With this wise policy, soybeans and its products are right now the No. 1 dollar earner in the export market. The sale of soybeans for dollars abroad is making a $600 million dent in our balance-of-payments deficit.

The possibility of a billion dollars a year in soybeans for export in the next 2 years is not a wild guess. It is a reality.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. That is one product which is not produced in Europe. European nations will not discriminate against our exports of that product. They need soybeans and soybean products very badly.

Mr. HUMPHREY. Exactly. As the Senator so aptly puts it, there is no other product today that does not suffer discriminatory treatment. If the European market and other markets of the world are to have cattle—to move into a higher standard of living, since meat products are a sort of symbol of the higher standard of living—the soybean, and particularly the soybean meal, which is a protein product, are absolutely essential. We have soybean meal and we have soybean oil, which are needed throughout the world.

Mr. President, the export demand for soybeans and soybean meal is growing at an extremely rapid rate—something on the order of 10 to 15 percent per year.

We have done some good work in market development under Public Law 480. We need to fill that demand, and we can. Certainly, the General Motors Corp. would not be foolish enough to produce Oldsmobiles if it foresaw a sharp increase in demand for Buicks.

I note for the record that the Ford Motor Co. ceased the production of Edsels when it realized that it could not sell them, and went into the production of Falcons, which it can sell.

Soybeans are marketable; and my program relating to wheat legislation would provide an incentive for some of our farmers to get out of wheat production and move into production of soybeans, to increase farm income.

Our market experts see a continued expansion in demand for soybeans and its products. Let us give the Secretary the authority provided in this bill to contract with farmers to induce a shift out of wheat into soybeans. Incidentally, there will be savings in Government costs if such agreements are made.

Furthermore, this approach fits in with the present administration policy to shift acreage from surplus crops into a use category. This makes sense and is a superior policy to that of idling acreage.

Some will question the desirability of expanding soybean production because they know that substantial quantities of cottonseed and soybean oil are moving into human stomachs under the food-for-peace program. Let us make no apologies for this great humanitarian effort with its excellent economic and diplomatic overtones. The market development features of this program have enabled us to convert from foreign currency sales to dollar markets in Spain, Italy, Japan, and several other hard currency areas. It has taken hard work, but it is paying multiple dividends.

No other product can show such good results.

Of all the crops produced in the United States, this one has the greatest growth potential. Only a few months ago Secretary Freeman indicated that he would not be concerned with a 100-million-bushel carryover to protect the American consumer and livestock feeder against a short crop. Our carryover will be only 10 percent of this level next October 1. Let us provide the legislative authority to nurture this growth.

Fifth, the objective is to reduce CCC wheat stocks by 100 million bushels per year, and the Secretary is instructed to use the above framework in developing a program to this end.

Sixth, no sales of Government stocks can be made at less than 115 percent of the support price, plus reasonable carrying charges.

The actual loan price under this program would be less than under the previous program; therefore we provide in the bill that Government stocks may not be made available at less than 115 percent plus reasonable carrying charges.

This will maximize the opportunities for the free market to function without the threat of Government interference.

Seventh, such a program also will enable us to meet our obligations under the International Wheat Agreement. The absence of a program could cause us difficulties with Canada, Australia, France, Argentina, and others. Furthermore, in the absence of such a program, to meet our obligations under the IWA, the executive branch would have to engage in a massive interference in the commercial export trade.

Eighth, it will significantly increase wheat farmers' income over the current outlook.

I believe most wheatgrowers will participate in the voluntary wheat program I have described. A substantial conservation payment for shifting wheat acreage to conserving uses—or a small payment to shift into needed crops—are desirable alternatives. The Secretary and his technical experts can figure out the rates of payment needed to reduce CCC stocks by at least 100 million bushels per year. This would result in substantial savings in storage costs. At the same time, market prices would go above support prices, since the buyers would know that the Secretary could not sell at less than 15 percent above the support level, plus reasonable carrying charges. This all adds up to a better and more sensible program.

America's wheat is a tremendous asset in the world's struggle for peace and freedom—an asset still waiting to be fully utilized with greater boldness and compassion.

Wheat is the common denominator of international life. A breakthrough in the conquest of hunger is more significant, to me, than a breakthrough in the conquest of outer space. In areas of Africa, Asia, and South America, as well as other parts of the world, wheat and its products mean far more to millions of people today than any space satellite in the sky.

Bread, not guns, may well decide mankind's future destiny.

Our reserves now, Mr. President, of food and fiber, and our ability to produce such commodities in abundance, are resources to be prized; to be used boldly and imaginatively, and not to be dribbled away. This must be conserved.

I wish to raise a word of warning and caution. I intend to address the Senate on this subject following consideration of the foreign aid program. We need to appraise our own food resources, not in light of our immediate domestic needs, but in light of world needs for the present and for the future.

We have prided ourselves by saying that we provide a shield of military security for the whole free world. We pay for it, too—to the extent of billions of dollars. Yet the same Congress and the same Government which announce to the world that we provide such a shield or umbrella of protection for the whole free world with our military strength have never outlined a program of providing food reserves that are required, even for our own national security, much less the security of the free world. We are finding out today what a little extra food means. I have stated many times in the Senate that there will come a day when food reserves will be looked upon as a valuable asset. When I report to the Senate, within 2 weeks, on the weather cycle now prevailing, the American people will thank God Almighty that there is food in our bins. We are in a weather cycle that spells crop disaster, not only in certain sections of the United States but also in many other areas of the world. While we love to see this beautiful fall, this wonderful autumn, it spells havoc for the crops. The subsoil moisture is diminishing. Those of us who are old enough remember the dark days of the depression and the dust storms. We had better think once more of what could happen.

I remind Senators of what happened to the Soviet Union, and what happened in South Dakota and in Oklahoma in the 1930's, with the dust bowls. The production of wheat in the new lands of the Soviet Union is between 2 and 4 bushels an acre. The top soil is blowing off, as it did in parts of America. Whole areas of the world are in a drought.

Enough of that for now. I shall present statistics, tables, and maps. I am concerned. I raise my voice to few Senators in the Chamber at this moment, but at least for the RECORD I remind the Senate, and this Government and other governments, that we may very well be in a cycle that will test whether we have sufficient intelligence to provide the food reserves required to maintain a healthful standard of living. Perhaps we should remember the Biblical injunction of the 7 long years and the 7 lean. We are beginning 7 lean years, Mr. President, and we had better look forward to that unhappy situation.

Mr. President, food production in the world is barely keeping pace with the growth in population. Hunger still is the daily companion to millions of people. Where there are hunger areas, there are tension areas—and where there are tension areas, there is danger of sparks igniting into war.

In the Latin-American areas population is outstripping food production 2 to 1.

World population is growing at the fastest rate in history. One estimate puts world population at approximately 6 billion persons by the end of this century—double the population now.

We talk about the Alliance for Progress, and we say we are going to help save Latin America. We are not going to save it with dollars. We may be able to save it with soybeans or feed grains or agricultural technology and we can pour into Latin America $100 billion of gold, but until they learn how to produce food and how to better use their soil and learn the use of hybrid seeds or modern technology in agriculture, no program will help. I have repeated this statement like a broken record. I was happy to see that the President of the World Bank said the failure of the World Bank was that it had not done its job in agriculture on the world scene. This has been its limitation. George Woods announced that his organization is going to take an entirely new look at loans to governments or countries when they want credits for purposes of agriculture.

Our policies must look ahead at least as far as the lifetimes of today's children. As a nation we cannot do less than plan for survival. We must strive for nothing less than world peace. In either case, our food resources are essential. Wheat is the key. Let us be fair to the producers of this key commodity.

I believe the program I have offered today is a fair program. It is not an extravagant program. I know I shall be criticized for not having gone far enough. But it is 100 percent better than what we have. I am not going to advocate a program that is sheer demogoguery. I have examined the question in terms of programs and production figures. I think the time has come when we must come up with the facts, and quit deluding ourselves. Farmers do not believe our promises any more. They have had too much talk. What they want are statistics, facts, and programs where payments are made to them, and not to the processors, where conservation is emphasized, where the use of land is emphasized. Farmers love land, and do not like to see weed patches. They do not like to see land lying idle with nothing being done to improve its fertility. They want to use it to help make a better life. The program we have offered is a conserving program and a land-use program.

Mr. President, I ask unanimous consent that the text of this bill be printed at this point in the RECORD.

Mr. President, I also ask unanimous consent to have printed at this point in the RECORD the details of this proposal and a cost analysis of it.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk as requested by the Senator from Minnesota, and the analysis will be printed in the RECORD.

The bill (S. 2258) to establish a voluntary special agricultural conservation wheat program for 1964 and 1965 crop years; to provide for the resumption of the use of wheat for feed in areas where it has been used historically for this purpose; to minimize the amount of export subsidies and diversion payments, introduced by Mr. HUMPHREY (for himself, Mr. McCARTHY, and Mr. BURDICK), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Wheat Act of 1963."

SEC. 3. Section 301(a) of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new subsections as follows:

"(10) The term 'designated wheat base' means an acreage on the farm equal to the higher of the following acreages:

"(a) The wheat acreage allotment on the farm for the crop year 1963;

"(b) The average acreage of wheat planted on the farm in the crop years 1959, 1960 and 1961 in the case of farms on which wheat was planted under the 15-acre farm marketing quota exemption as provided by section 7 of the Act of May 26, 1941, as amended (Public Law 74, 77th Congress), prior to its repeal by the Food and Agriculture Act of 1962, with adjustments for abnormal weather conditions, established crop rotation practices on the farm, and such other factors as the Secretary determines should be considered but not to exceed 15 acres."

TITLE I—PRICE SUPPORT

SEC. 101. Effective with the 1964 crops, section 105 of the Agricultural Act of 1949, as amended, is amended to read as follows:

"SEC. 105(a). Notwithstanding the provisions of section 101 of this Act, for the 1964 and 1965 crops, a price support loan shall be established by the Secretary at such level as the Secretary determines on the basis of the best available statistics reflects the competitive world prices of wheat. To increase the return from the domestically consumed portion of the crop, an additional payment per bushel shall be made available to cooperating producers through payments in kind, or in cash equal to the difference between $2 per bushel and the average price received by farmers for the 1964 crop but not in excess of 65 cents per bushel. Such payment shall be made on 50 per centum of the number of bushels determined by multiplying the actual acreage planted for harvest by the adjusted acreage yield as determined in section 379(f); To increase the return from the exported portion of the crop, 25 cents per bushel shall be made available to cooperating producers through payments in kind, or in cash. Such payment shall be made on 50 per centum of the number of bushels determined by multiplying the actual acreage planted for harvest by the adjusted average yield as determined in section 379(f).

"(b) If the producers on the farm elect to participate in the special agricultural conservation program, price support shall be made available only if such producers divert from the production of wheat in accordance with the provisions of such program an acreage on the farm equal to the number of acres which such operator agrees to divert, and the agreement shall so provide. In the event that the special agricultural conservation program is not in effect, the Secretary shall make price support available to wheat producers, as provided in subsection (a) of this section.

"(c) Beginning with the 1964 and subsequent crops of wheat, any wheat stored in order to postpone or avoid payment of a wheat marketing quota penalty under Section 6 of the Act of May 26, 1941 (Public Law 74, 77th Congress, as amended) prior to its repeal by the 'Feed Grain and Wheat Act of 1963' shall not be eligible for price support."

SEC. 102. Section 107 of the Agricultural Act of 1949, as amended, is hereby repealed.

Sec. 103. Section 407 of the Agricultural Act of 1949, as amended, is amended:

(1) by striking the second proviso and inserting in lieu thereof the following: ": *Provided*, That effective with the beginning of the 1964 marketing year for wheat, the Corporation shall not sell any such designated grains for unrestricted use at less than 115 per centum above the current support price plus reasonable carrying charges."; and

(2) by striking the semicolon after the words "deterioration and spoilage" in clause (d) and inserting the following: "except if the supply of any designated grain (as defined in section 301(a)(10) of the Agricultural Adjustment Act of 1938, as amended) is not in excess of a normal supply (as defined in section 301(b)(10)(A) of the Agricultural Adjustment Act of 1938, as amended) the Corporation shall forthwith replenish its stocks by the purchase of a quantity of the commodity equal to the amount of such commodity so sold."

### TITLE II—SPECIAL AGRICULTURAL CONSERVATION PROGRAM

Sec. 201. Subtitle D of title III of the Agricultural Adjustment Act of 1938, as amended, is hereby amended to read as follows:

"Subtitle D—Special Agricultural Conservation Program.

"Sec. 379(a). If the Secretary finds that for the 1964 and 1965 marketing years the total supply of wheat will, in the absence of a special agricultural conservation program, be in excess of a "normal supply" as defined in section 301(b)(10)(A) of this Act, he shall formulate and carry out a special agricultural conservation program, without regard to provisions which would be applicable to the regular agricultural conservation program under which, subject to such terms and conditions as the Secretary determines, conservation payments in amounts determined by the Secretary to be fair and reasonable shall be made to producers who divert acreage from the production of wheat to an approved conservation use and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil conserving crops or practices including summer fallow and idle land by an equal amount.

"(b) The Secretary may permit such diverted acreage to be devoted to the production of guar, sesame, safflower, sunflower, castor beans, mustard seed, canary seed, soybeans, and flax and other oilseeds, when such crops are not in surplus supply and will not be in surplus supply if permitted to be grown on the diverted acreage, subject to the condition that payment with respect to diverted acreage devoted to any such crop shall be at a rate determined by the Secretary to be fair and reasonable, taking into consideration the use of such acreage for the production of such crops, if such acreage were devoted to conservation uses and no price support shall be made available for the production of any such crop on such diverted acreage.

"(c) The Secretary shall not permit such diverted acreage to be grazed.

"(d) The Secretary shall require the producer to take appropriate measures to keep such diverted acreage free from erosion, insects, weeds, and rodents.

"(e) The acreage eligible for payments in cash or in kind under such special agricultural conservation program shall be an acreage up to the greater of forty acres or 20 per centum of the farm designated wheat base. The Secretary may, at the option of the producer, make an additional payment for the diversion of not to exceed an additional 30 per centum of the designated wheat base on the farm. The rate or rates of payment to be made by the Secretary shall be at such levels as he determines necessary to obtain desirable voluntary adjustments in wheat production, and may vary by areas and types of wheat taking into consideration carryover stocks, domestic and export outlets and such other factors as he deems advisable, and will result in an annual reduction of one hundred bushels in Government carryover stocks of wheat.

"(f) The Secretary may make such adjustments in acreage and yields as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. The base period for the purpose of determining the adjusted average yield in the case of payments with respect to the 1964 crops shall be the four-year period 1959–1962, and in the case of payments with respect to any subsequent crop shall be the most recent five-year period determined by the Secretary to be representative for which statistics are available.

"(g) The Secretary may make not to exceed 50 per centum of any payments to producers in advance of determination of performance.

"(h) The Secretary shall provide by regulations for the sharing of payments under this subsection among producers on the farm on a fair and equitable basis and in keeping with existing contracts.

"Sec. 380. Payments-in-kind may be made and such payments-in-kind shall be made through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem for the wheat which shall not be valued at nor sold for unrestricted use for less than 115 per centum of the support price plus reasonable carrying charges and, notwithstanding any other provision of law, the Commodity Credit Corporation shall, in accordance with regulations prescribed by the Secretary, assist the producer in the marketing of such certificates at such time and in such manner as the Secretary determines will best effectuate the purposes of this Act. In the case of any certificate not presented for redemption within thirty days of the date of this issuance, reasonable costs of storage and other carrying charges, as determined by the Secretary, for the period beginning thirty days after its issuance and ending with the date of its presentation for redemption shall be deducted from the value of the certificate.

"Sec. 381. Notwithstanding any other provision of law, in the event of a national emergency or a serious drought, flood or other natural disaster, the Secretary may place such limits on the extent that producers may participate in the special agricultural conservation program authorized by this Act as he determines necessary or he may by mutual agreement with the producer, terminate or modify any agreement previously entered into pursuant to this Act.

"Sec. 382. There are hereby authorized to be appropriated such amounts as may be necessary to enable the Secretary to carry out the provisions of this subtitle D."

Sec. 202. Effective for the 1964 and 1965 crops of wheat, the Act of May 26, 1941 (Public Law 74, 77th Congress) is not in effect.

Sec. 203. Effective for the 1964 and 1965 crops of wheat, sections 331 through 339 of part III of subtitle B of title III of the Agricultural Adjustment Act of 1938, as amended, are not in effect.

Sec. 204. Effective for the 1964 and 1965 crops of wheat, section 326 of the Food and Agriculture Act of 1962, as amended, is not in effect.

The analysis ordered to be printed in the Record is as follows:

### Details of Proposed Program for 1964 and 1965 Wheat Crops

1. It is a voluntary 2-year special conservation program designed to reduce CCC stocks, induce the resumption of the use of wheat for feed, and to minimize the amount of export subsidies and diversion payments. If it works well, we can extend it and eliminate marketing quota programs permanently for wheat.

2. The wheat base will be the 1963 allotment. For small growers, it will be the average acreage of wheat planted for harvest on the farm in 1959, 1960, and 1961.

3. Price support loans will be provided to cooperators only at the world price (about $1.35 per bushel). In addition, a domestic consumption payment equal to the difference between $2 per bushel and the average 1964 crop market price, but not in excess of 65 cents per bushel, will be paid on one-half of the normal production of the planted acreage. It is anticipated that the market price will rise above the support price, which will mean a payment considerably less than 65 cents and thus reduce the cost of the program to the taxpayer. Also, an export production payment of 25 cents per bushel will be provided to cooperators on one-half the normal production of the planted acreage.

4. A "cooperator" is a person who agrees to reduce his wheat acreage by up to 20 percent from his base. The Secretary of Agriculture will determine and announce the extent of such reduction. Such determination will be based upon the indicated domestic consumption and export outlook. In addition, a cooperator must use his diverted acreage in accordance with the requirements as determined by the Secretary.

5. In order to induce a shift in land use out of wheat, conservation payments will be paid directly to wheat growers. The Secretary will be encouraged to permit such diverted acreage to be devoted to the production of oilseeds in order to expand the supply of protein meals needed by an expanding livestock population. If the land is devoted to such a special crop, reduced payments will be made. Also, no price support is provided for any oilseed produced on the diverted acreages.

6. The objective is to reduce CCC stocks by 100 million bushels per year, and the Secretary is instructed to use the above framework in developing a program to this end.

7. No sales of Government stocks can be made at less than 115 percent of the support price, plus reasonable carrying charges. This will maximize the opportunities for the free market to function without the threat of Government interference.

8. Such a program also will enable us to meet our obligations under the International Wheat Agreement. In addition, the absence of a program could cause us difficulties with Canada, Australia, and the Argentine due to an unlimited domestic production and its potential impact on world markets. Also, in the absence of such a program, to meet our obligations under the IWA, the executive branch would have to engage in a massive interference in the commercial export trade.

9. It will significantly increase wheat farmers' income over the current outlook.

### COST ESTIMATES

1. Assume 75 percent participation in the voluntary program.

2. Allotment would be 41 million acres.

3. Assume 25 percent reduction.

4. Allotment on participating farms would be 31 million acres.

5. Assume 30 million acres planted at average yield of 25 bushels to acre.

6. Assume 750 million bushels under price support.

7. Based on these assumptions, payment probably would be 50 cents on 375 million bushels (one-half of domestic consumption) or $187,500,000; 25 cents on 375 million bushels (one-half export), or $93,750,000.

8. Cost in direct payments: $281,250,000.

9. Assume diversion of 8 million acres at $12.50 per acre.

10. Cost in diversion conservation payments: $100 million.

11. Because the Commodity Credit Corporation will be required to sell at 115 percent of support plus reasonable carrying charges, market price will rise above support and thus there will be no cost to the Government associated with the support.

12. Total cost of program:

| | |
|---|---|
| Direct payments | $281,250,000 |
| Conservation payments | 100,000,000 |
| Total | 381,250,000 |

Offsetting factors:

1. Savings to Government in storage, interest and handling: $25 million (based on reduction of 100 million bushels).

2. Government receipts of $160 million from sales of 100 million bushels at $1.60 per bushel.

3. Savings to Government as a result of reduction in export subsidy from 1963 program: $300 million.

(NOTE.—If there is no program in 1964 there will be no export subsidy, but the Government could acquire aproximately 150 million bushels under loan (due to compliance) at a cost of $187 million. Furthermore, a large supply of wheat would be fed, causing increased Government acquisitions of feed grains under the feed grains program.)

Mr. HUMPHREY. Mr. President, I am very pleased that during my presentation of this message and bill I have received the additional cosponsorship of the distinguished Senator from North Dakota [Mr. BURDICK]. At least I have convinced one Senator. I thank the Senator for his sponsorship. He is an expert. He represents one of the truly great wheat-producing areas in the world.

## JOINT EXPLORATION AND USE OF SPACE

Mr. CLARK. Mr. President, on behalf of the Senator from Minnesota [Mr. HUMPHREY], the Senator from Oregon [Mrs. NEUBERGER], and myself, I send to the desk a concurrent resolution dealing with the desirability of supporting the President in his efforts to attain an agreement with the Soviet Union for a joint trip to the moon.

I ask unanimous consent that the concurrent resolution be printed in the RECORD at this point in my remarks, and that it may lie on the table for 1 week for additional cosponsors.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will be printed in the RECORD, and lie on the desk, as requested by the Senator from Pennsylvania.

The concurrent resolution (S. Con. Res. 65) submitted by Mr. CLARK (for himself and other Senators) was received, referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

Whereas the United States, the United Kingdom, and the Soviet Union, by concluding a treaty limiting the testing of nuclear devices, have created an atmosphere conducive to the negotiation of further agreements involving international cooperation in peaceful pursuits; and

Whereas President Kennedy, speaking before the General Assembly of the United Nations on September 20, 1963, alluded to the immense duplication of effort and the vast expense of a race between the Soviet Union and the United States to place a man upon the moon, and stated that "we should explore whether the scientists and astronauts of our two countries—indeed of all the world—cannot work together in the conquest of space, sending someday in this decade to the moon, not the representatives of a single nation, but the representatives of all humanity"; and

Whereas the President has been authorized by the Congress, under the terms of the National Aeronautics and Space Act of 1958, to engage in programs of international cooperation for the exploration and peaceful uses of space; and

Whereas the United States and the Soviet Union have already entered into agreements for joint space projects in meteorology, communications, and the mapping of the earth's magnetic field; and

Whereas the present United States effort to place a man upon the moon by 1970 will cost billions of dollars; and

Whereas there are competing needs of Americans for adequate housing, education, health facilities and transportation and other earthly necessities: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress endorses and supports the efforts of the President to negotiate agreements with the Soviet Union and with other nations for the joint exploration and peaceful use of space, and urges the President to enter into negotiations with the Soviet Union and with other nations, through the medium of the United Nations or through other means, with a view to reaching agreement upon an international cooperative project or projects to place a man or men upon the moon, the costs of which shall be shared by all participating nations.

Mr. CLARK. Mr. President, as the President of the United States pointed out in his fine speech before the United Nations on September 20, 1963, outer space is a fertile area for further cooperation between the Soviet Union and the United States. Why should man's first flight to the moon be a matter of national competition? Why should we and the Soviets incur needless duplications of research, construction, and expenditure in this great voyage of exploration, when the cause of science and international amity would be so well served by cooperation?

I strongly second the President's suggestion, made in his recent United Nations speech, that—

> Surely we should explore whether the scientists and astronauts of our two countries—indeed of all the world—cannot work together in the conquest of space, sending someday in this decade to the moon, not the representatives of a single nation, but the representatives of all humanity.

On August 8 of this year I spoke on this same subject in connection with the authorization of appropriations for the National Aeronautics and Space Administration. My remarks appear at pages 14563–14564 of the RECORD.

Since that date the able chairman of the Foreign Relations Committee [Mr. FULBRIGHT] has spoken on the floor in the same vein. One of my purposes in introducing this concurrent resolution is to indicate that there are many of us in this body who drastically disagree with the action taken in the other body on October 10 of this year as a step backward.

Senators will recall that first, on a division of 99 to 93, and then on a teller vote of 125 to 110, the House adopted the following amendment to the NASA appropriation:

> No part of any appropriation made available to the National Aeronautics and Space Administration by this act shall be used for expenses of participating in a manned lunar landing to be carried out jointly by the United States and any Communist, Communist-controlled, or Communist-dominated country, or for expenses of any aeronautical and space activities (as defined in section 103(1) of the National Aeronautics and Space Act of 1958) which are primarily designed to facilitate or prepare for participation in such a joint manned lunar landing.

This action was taken with virtually no debate, and with no apparent advance notice. Barely more than half the membership of the House of Representatives voted on the amendment; and it is a safe guess that virtually none of them had an opportunity to think through its implications.

I hope the Senate will strike this amendment from the bill when our turn comes and that the other Members of the House who were not present and voting will undertake to overrule, in due course, the close vote by which this amendment was adopted, when the Members of the House, I suspect, without very careful consideration, took this position in direct opposition to the program of the President of the United States, and that they will reconsider their ill-conceived views.

For this reason I hope that the concurrent resolution which has been submitted today will reasonably promptly be referred to a committee, that hearings will be held on it, and that it will go to the other body, where I hope it will receive approval, in order that the whole world and our country may know that we strongly support the President of the United States in his efforts to enhance the somewhat more friendly spirit which is beginning to appear, to melt at least a part of the cold war, and that we in our country may, in a sense, have a matching grant program with the Soviet Union, in the effort to go to the moon, and thereby save a dollar of the American taxpayer's money for every dollar the Russians pay for the same venture.

As I said on August 8, there are far too many unfilled needs in our Nation in our domestic economy, and in our efforts to raise the standard of living and well-being of our people, for us to squander somewhere between $20 and $30 billion of the taxpayers' money in an effort to acquire another prestige symbol, another status symbol, so that, like a little boy of 10 or 12 years of age, we can beat our chest and say, "Look at me. I got to the moon before the Russians."

## JOINT COMMITTEE TO STUDY THE ORGANIZATION AND OPERATION OF THE CONGRESS—AMENDMENT

### (AMENDMENT NO. 237)

Mr. CLARK. Mr. President, turning to another subject, I submit and ask unanimous consent to have printed an amendment proposed to be offered by the Senator from New Jersey [Mr. CASE] and myself when Senate Concurrent Resolution 1, which is now on the calendar, is called up by the leadership for floor action.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 237) is as follows:

On page 4, line 20, strike out the subsection designation "(a)".

On page 5, line 24, strike out the word "and".

On page 6, line 4, strike out the period after the word "Congress" and insert a semicolon and the word "and".

On page 6, between lines 4 and 5, insert the following new paragraph:

"(11) The rules, parliamentary procedure, practices or precedents of each House of Congress, and the consideration of any matter on the floor of each House."

Beginning with line 5, page 6, strike out all to and including line 13, page 6.

Mr. CLARK. Mr. President, the purpose of the proposed amendment is to reinsert in the resolution the words which were stricken out of it by the Rules Committee, which would call for a joint congressional committee to investigate the whole problem of the need for congressional reorganization and give the committee authority to investigate the rules, parliamentary procedure, practices or precedents of each House of Congress, and the consideration of any matter on the floor of each House.

This language was stricken from the resolution originally submitted on behalf of 30 Senators. It has been my view that the action of the Rules Committee was unwise in this regard. In my judgment, congressional reorganization is badly needed in the area of rules, parliamentary procedure, practices, or precedents of each House of Congress, and the consideration of any matter on the floor of each House. That provision was stricken from the jurisdiction of the proposed joint committee of the two Houses by the action of the Senate Committee on Rules and Administration.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

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## RECESS TO MONDAY

Mr. HUMPHREY. Mr. President, in accordance with the order previously entered, and as a further mark of respect to the memory of the late Senator from Tennessee, Mr. KEFAUVER, I move that the Senate recess until 12 o'clock noon on Monday next.

The motion was unanimously agreed to; and (at 5 o'clock and 44 minutes p.m.) the Senate, under the order previously entered, took a recess until Monday, October 28, 1963, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate October 24 (legislative day of October 22), 1963:

### IN THE NAVY

Vice Adm. William R. Smedberg III, U.S. Navy, for appointment to the grade of vice admiral on the retired list pursuant to title 10, United States Code, section 5233.

Rear Adm. Charles C. Kirkpatrick, U.S. Navy, for appointment as Chief of Naval Personnel for a term of 4 years pursuant to title 10, United States Code, section 5141.

Having designated Rear Adm. Charles C. Kirkpatrick, U.S. Navy, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

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# HOUSE OF REPRESENTATIVES

## THURSDAY, OCTOBER 24, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Colossians 1: 17: *He is before all things, and by Him all things hold together.*

Almighty God, our Father, on this day vast multitudes are praying for Thy special blessing on the United Nations.

We penitently confess that many of the ties that should bind together the members of the family of nations are torn apart and many hearts are broken.

Give us a stronger faith in Thy divine sovereignty for Thou alone canst inspire and sustain the United Nations in these perilous times when all mankind seems to be stumbling in darkness and groping its way.

Thou alone art the secret of its unifying and cohesive power and the prophecy of its creative and continuing ideals for without Thee its hopes are doomed and its dreams of peace will fade.

Show us how we may strengthen the bonds of international fellowship and gain for humanity a larger measure of freedom and security and a greater opportunity for growth and self-realization.

Hear us in the name of the Prince of Peace. Amen.

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## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

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## CALL OF THE HOUSE

Mr. KYL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 181]

Avery
Baring
Barrett
Barry
Bates
Belcher
Bennett, Mich.
Berry
Betts
Blatnik
Bolton,
  Frances P.
Bray
Brock
Broyhill, N.C.
Buckley
Burton
Cahill
Cederberg
Celler
Chamberlain
Chelf
Chenoweth
Clancy
Clark
Collier
Conte
Curtis
Daddario
Daniels
Davis, Tenn.
Dawson
Denton
Derounian
Derwinski
Diggs
Dingell
Dorn
Evins
Fallon
Farbstein
Feighan
Findley
Flynt
Fogarty
Fulton, Pa.
Garmatz
Gary
Giaimo
Gibbons
Grabowski
Gray
Green, Pa.
Griffin
Grover
Gurney
Hagen, Calif.
Halpern
Hanna
Harding
Hardy
Harris
Harvey, Mich.
Hays
Healey
Hébert
Hechler
Hoeven
Horan
Horton
Hutchinson
Ichord
Jarman
Jensen
Johnson, Calif.
Karth
Kee
Keith
Kelly
Kilburn
King, Calif.
Kluczynski
Kornegay
Laird
Langen
Latta
Lesinski
Long, La.
McDade
McIntire
Macdonald
Martin, Calif.
Martin, Mass.
Matthews
Michel
Miller, N.Y.
Milliken
Minshall
Monagan
Morris
Morrison
Morton
Mosher
Moss
Nix
O'Brien, Ill.
Olsen, Mont.
Passman
Patman
Perkins
Pike
Pilcher
Pillion
Pirnie
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Rivers, S.C.
Roberts, Tex.
Rogers, Tex.
Rostenkowski
Rumsfeld
Ryan, N.Y.
St. George
St. Onge
Schneebeli
Shelley
Shipley
Sickles
Smith, Iowa
Springer
Steed
Stubblefield
Taft
Thomas
Thompson, La.
Thompson, N.J.
Thornberry
Tupper
Ullman
Utt
Van Deerlin
Van Pelt
Vinson
Watson
Weaver
White
Wickersham
Wilson,
  Charles H.
Winstead
Wydler
Younger

The SPEAKER. On this rollcall 279 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

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## ASSESSMENT OF ESTATE TAXES

Mr. FISHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISHER. Mr. Speaker, I have today introduced a bill designed to alleviate a very serious problem which has developed in recent years. In the assessment of estate taxes it is the duty of the Internal Revenue Service to make such assessments upon the basis of appraisals of property values. Internal revenue agents are now making such appraisals at what often appears to be exorbitant levels, and in many instances upon speculative and inflated values. This trend is leading to virtual confiscation of estates, which in my judgment is contrary to the public interest.

The bill I have introduced would require the Internal Revenue Service to take into consideration, in making such appraisals, the productive capacity of farm and ranch land and other property, rather than speculative and unrealistic values. This legislation is urgently needed. It is my hope that the Ways and Means Committee will give it most serious consideration.

## PEPPER: TRAVEL CURB TO STOP GOLD FLOW?

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, you will be interested to know that my colleague, Representative RICHARD HANNA, Democrat, of California, and I held an informal conference at Miami Beach on Friday last at which time we heard many experts in the fields of travel, tourism, and related industries give us their best thinking about the best ways and means of eliminating or reducing the balance-of-payments deficit in our country. The gentleman from California [Mr. HANNA], Representative WILLIAM B. WIDNALL, and I have been assigned by the gentleman from Texas, Chairman WRIGHT PATMAN, of the House Banking and Currency Committee, as an advisory group to explore this critical problem as it relates to the tourist industry here and abroad. Mr. WIDNALL was unable to be with us, I regret to say, because of a previous commitment.

Under the unanimous consent of the House, I place in the RECORD the following excellent article about our deliberations which appeared in the Miami Herald on Saturday, October 19, written by able John McDermott, which summarizes our 1-day conference:

### PEPPER: TRAVEL CURB TO STOP GOLD FLOW?

(By John McDermott)

U.S. Representative CLAUDE PEPPER warned a congressional hearing at Miami Beach Friday that the day may come when the United States might have to restrict travel abroad as an emergency step to curtail the flow of gold from this country.

"I would hate to see this happen and I would fight it," declared the Miami Congressman, chairman of a House Banking and Currency Subcommittee studying the Nation's growing balance-of-payments deficit.

Airline officials and representatives of tourist industries, including Voit Gilmore, head of the U.S. Travel Service, testified before PEPPER and Representative RICHARD HANNA, Democrat, of California, during hearings at the Carillon Hotel.

Some highlight recommendations made to the committee included:

All-out effort by Government and industry combined to attract South American-Europe travelers to swing by the United States for a visit en route.

Repeal the old Cabotage law which prohibits foreign coastal ships to carry American passengers between two coastal ports and thus open New York-Miami sea travel to compete with the New York-Nassau runs.

Intensify efforts to interest U.S. citizens in flying U.S. airlines instead of foreign carriers.

Further removal of artificial travel barriers such as visa requirements and restrictions on duty-free purchases abroad.

Almost to a man, industry representatives hailed the work of the U.S. Travel Service. They urged that its requested budget of $4.2 million for 1963 be increased, not slashed, as Congress has indicated it will do.

PEPPER said the biggest drain on the Nation's gold reserves results from the dollars spent by tourists traveling abroad.

"Economic aid, military aid, business investments abroad and the profits which foreign firms take from their operations in this country all add up," he said.

"But research shows that tourism accounts for two-thirds of the total outflow."

PEPPER and HANNA said the United States must find ways and means for balancing this outflow with income stimulated from foreign visitors spending money here.

Gilmore said the number of foreign visitors coming to this country was up 47 percent in September. Another example, resulting from increased promotion efforts by his agency and the tourist industry is a 52-percent increase since January of travel here from the northern half of South America alone, he said.

Herb Robbins, president of the Southern Florida Hotel and Motel Association, said the Cabotage law is "outdated." It was enacted to protect American shipping from foreign vessels in coastal traffic.

"But today, there is no American shipping firm doing business coastwide between U.S. ports such as New York and Miami," he said. He predicted substantial tourism on this route if foreign carriers were allowed to carry passengers between these points.

Cyrus Collins, vice president of Pan American Grace Airways, pointed out that South America offers a huge potential for future travel business if European travelers can be induced to make a circle trip to include the United States of America.

He said that "conservatively 100,000 tourists" annually fly the South Atlantic. If these could be attracted to stop off in the United States, it would mean a $20 to $40 million increase in revenue to this country.

The subcommittee hearing was held in conjunction with the Second Inter-American Travel Seminar meeting at the Carillon.

## CRIME AND LAW ENFORCEMENT IN THE DISTRICT OF COLUMBIA

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, during the past several months much has been said and written about crime and law enforcement in the District of Columbia. On August 12, 1963, the House of Representatives passed the omnibus crime bill which, if enacted into law, will give the Metropolitan Police Department the means to effectively combat crime in the Nation's Capital.

Under the able leadership of Chief Robert V. Murray, Washington has one of the finest and most efficient police departments in the Nation. Unfortunately, however, the work of the department has been seriously hindered by certain court decisions. Crime in the Nation's Capital is a matter of concern to every citizen in the United States. It should be of particular concern to the Congress.

Chief Murray and the members of his department must have the support of the Congress, the courts, and the citizens of the District of Columbia if the Nation's Capital is to have effective law enforcement. The omnibus crime bill passed by the House is now under consideration in the Senate. I am hopeful that the Senate will accept at this session the House version of the bill.

I was very pleased to read in the October 21, 1963, edition of U.S. News & World Report an interview which members of the magazine's staff had with Metropolitan Police Chief Robert V. Murray. During the course of his interview with U.S. News & World Report, Chief Murray answered some of the questions people have asked about his department. He also pinpointed some of the obstacles which have hindered his department in combating crime in the District of Columbia.

I include at this point, as a part of my remarks, the text of the interview with Chief Murray as carried in U.S. News & World Report of October 21, 1963, and a letter from Chief Murray to the editor of a Washington newspaper in answer to an editorial the paper carried on October 17, 1963, with reference to the interview.

[From the U.S. News & World Report, Oct. 21, 1963]

### WHY SO MUCH CRIME IN THE NATION'S CAPITAL—INTERVIEW WITH WASHINGTON'S CHIEF OF POLICE, ROBERT V. MURRAY

Question. Chief Murray, Washington has a reputation for being a crime-ridden city. Just how bad is the situation?

Answer. Washington, like all large cities, has entirely too much crime. But, of 16 cities with populations of 500,000 to 1 million, Washington was eighth in number of crimes, of all kinds, per 1,000 of population, in the first 6 months of this year.

Question. Did Washington rank higher in some types of crime?

Answer. In aggravated assaults we ranked first. Those are assaults with a dangerous weapon.

Question. What about street crimes?

Answer. In robberies, which include those on streets—such as mugging and yoking—we were second.

Question. Is crime getting worse in the capital?

Answer. Robberies and street crimes have picked up considerably.

Question. Has there been a change in the pattern of crime here—in the types of crimes committed?

Answer. I'll go back to 1930, when I first came to the police department. We had street crimes then. We had purse snatchings, holdups—but I don't think you had the vicious type of crime that you have now.

In other words, then they would snatch a purse and run, or they would go in a store and hold up the store owner and take the money. But now there seems to be a great deal of assault, both on the street and in the business places.

Question. Do you mean that people are being beaten up?

Answer. That's right.

Question. What do you think causes this?

Answer. It's hard to say. It may be that it's to put fear into the victim to prevent identification. It's really hard to say. There are a lot of these assaults that are without reason. In other words, they take the money from the victims without assaulting them, but then——

Question. Is it sadistic?

Answer. Yes.

Question. Could there be a racial element involved in this violence, in your opinion?

Answer. No, I don't think so, because there are as many colored victims as there are whites. Also, we had a case here in southeast Washington not too long ago where two colored officers on a patrol wagon got there just in time to catch these two fellows running away. They had beaten a man to death. The victim was white and the two criminals were white.

Question. Is there any connection between the increase in the Negro population in the District of Columbia and the increase in crime?

Answer. I would say this, very frankly, that 85 percent of the serious crimes in Washington are committed by Negroes. On the other hand, 85 percent of the victims—in homicide, rape, and aggravated assault—are Negroes, too. If you take the category of robbery, it drops down—70 percent of the victims are Negroes.

Question. When did crime begin to increase in Washington?

Answer. Back in 1957 we had crime at its lowest point in 10 years here in the National Capital. Then we had a certain court decision—the Mallory decision. After that, crime started to climb.

Question. What was the Mallory decision?

Answer. It was handed down by the Supreme Court. Andrew Mallory was arrested and charged with the rape of a woman here in 1956, and convicted by the district court. The conviction was upheld by the District Court of Appeals.

Question. Was the conviction based on a confession?

Answer. Yes, it was. But about 7½ hours elapsed between the time Mallory was brought in for questioning and the time of his confession and arraignment. [Arraignment is the appearance of a suspect before a court official, where he is informed of the charge against him and advised of his rights.] His case went to the Supreme Court and the conviction was reversed because of that 7½ hours.

The sole issue was the amount of time elapsing before his arraignment. There's never been any contention by Mallory or his attorneys that he was innocent, or that any force or duress was used to get the confession.

Mallory was released. A short time later he went to Philadelphia, broke in a house, and committed almost the same crime. He is serving 11½ to 23 years in a Pennsylvania prison. But that was under a State court. We are under Federal criminal procedures here in the Capital.

Question. Did the Supreme Court say you had to have a suspect arraigned within a specific time limit?

Answer. No, that's just it. There have been different interpretations by different judges.

Question. Is the Mallory rule your only problem of that kind?

Answer. No, a ban on investigative arrests is another. This went into effect on March 15 of this year. It's a terrific impediment to law enforcement in the District of Columbia.

Question. By investigative arrest do you mean the practice of picking up somebody to talk to him?

Answer. That's right. This was banned by an order of the Commissioners (three officials appointed by the President to govern the District of Columbia).

I don't want to appear to be critical of either the Commissioners or the Supreme Court for these decisions. We're operating as well as we can with them but we need some clarification, a little relief, and I feel the pending legislation [an omnibus crime bill] will be the answer.

Question. Was the ban on investigative arrests an outgrowth of the Mallory decision?

Answer. No. Back in 1947 a study was made by a committee from the Bar Association of the District of Columbia of investigative arrests. At that time they said investigative arrests were unconstitutional, and recommend that such arrests not be continued. Nothing was done about it.

Another study was made more recently by a committee of three lawyers appointed by Walter N. Tobriner, Chairman of the Board of Commissioners of the District of Columbia. This committee felt the police should have some alternative, but they didn't think we should have investigative arrests. Their recommendations led to the March 15 order.

Question. What has been the effect of the Mallory decision and the ban on investigative arrests, in your opinion?

Answer. They have had a direct bearing on the increase in Washington crime. Three weeks after the Mallory decision was handed down, I testified before Congress that, in my opinion, the decision would have a very adverse effect on law enforcement here, and might possibly break down law enforcement. Looking back, I don't think I'm too far off on that.

Question. Can you be specific—give some actual examples?

Answer. Recently we arrested some criminals for a major crime. Immediately we had to take them to court. We're not allowed to talk to them about any other case. We know they're implicated in other cases, including a homicide. But our hands are tied. We can't talk to them about these other crimes, because that would interfere with the preparation of the case for the particular crime they are charged with.

We have to work with the U.S. attorney's office on any case—homicide, rape, and extremely bad robbery—where someone is badly injured. We contact his office when an arrest is made and work with him, or the assistant designated, and go along with his instructions in order to meet the requirements of the Mallory decision. That is one way the decision affects us.

Now let me go into a case that shows another effect. We had this 70-year-old man who was struck in the face, knocked down on New Hampshire Avenue in the middle of the day—Sunday. The young thug went through his pockets and took what money he had. The victim went to the hospital.

Two days later a 54-year-old man was attacked in the same manner in the same neighborhood. The only description he could give was: "a young colored man, about 6 feet tall, wearing a gray sweatshirt and khaki-colored pants."

One of our detectives spent some time in the neighborhood and soon found a fellow of this description hanging around. So he picked him up and took him over to the third precinct. Within 20 minutes the suspect told the detective he had robbed both men.

The detective then took the suspect to the hospital—where the assailant identified the victim—and then to the home of the second victim, to see if they could identify him.

But when the case went to court the judge said: "Why did you take this man to the third precinct?"

The detective said: "I wanted to question him about two assault and robbery cases."

The judge said: "Well, under the Mallory decision, you should not have done this. The cases are dismissed."

Now, how do the victims and the families feel about this? The cases were dismissed because 2 hours had elapsed between the time of the arrest and arraignment.

Question. Is 2 hours too long?

Answer. This is the interpretation some put on the Mallory decision. I don't think judges are together on what the Mallory decision means. That's why I've asked Congress to correct it. Some judges say you should not question suspects at all. In other words, you should pick up a man and bring him in and charge him and take him immediately to court.

Question. How can you charge him if you don't yet know his connection with the crime?

Answer. That's it. For 101 years we've been allowed to bring people in for investigation of a felony. But we can't do that now. There's no other police department in the Nation that has to contend with that.

Question. Do you think this rule has encouraged people to go out and commit crimes because they feel your hands are tied?

Answer. Why, of course. They'll tell you this, too.

### CRIMINALS LAUGH

Question. Can't you even tell a person: "Come down to the station house. We want to talk to you?"

Answer. Around here most criminals would laugh in your face if you said that sort of thing. One thing the law-abiding citizen doesn't realize is that the criminal element follows court decisions and sentences of judges much, much more closely than the law-abiding citizen does. Just to give you an example:

On last March 15, the day the order against investigative arrests went into effect, we had information from a landlady that she suspected some of her tenants were up to no good, because they had television sets, radio sets, guns in the house—and she had reason to believe they were engaged in crime.

On the way up to her place, some of the men in No. 10 precinct ran into two or three of these fellows who lived in the house. The policemen started taking their names. And one fellow said: "Wait a minute. Don't you know what day this is? This is March 15. This is the day of liberation. We don't have to give you our names, even." And he walked off.

It developed that these men had broken into quite a few places and also committed some robberies—trussed people up in their homes, including one retired lieutenant of police. But this one fellow knew enough to realize that, unless we had a charge against him, we could not bring him into the station.

Question. How long do you need to hold a man for questioning?

Answer. We say 6 hours. If they'll give us 6 hours, we'll be happy with it.

Question. Do other police departments have investigative arrests?

Answer. Oh, yes. A lot of departments can hold you for 3 days.

I was in St. Louis at a convention last October, and the police chief there was complaining because he only has a 24-hour holding law. I said: "We're trying to get 6 hours and can't get it."

I was president of the International Association of Chiefs of Police in 1960–61, and came in contact with a lot of the chiefs across the country. A great many of them found it incredible—unbelievable—that we have these restrictions on the police here in Washington.

Question. Is there any prospect of a change?

Answer. I have recommended a uniform arrest act, of the kind used in some States now. Under that a person can be brought in for investigation of a felony charge. If he's released, there's no recording that he's been brought in.

This has passed the House, as part of an omnibus crime bill. This is the third time the House has passed legislation to correct the Mallory decision. The first time the Senate also passed the legislation, but it was sent back to a conference and was struck down in the last minutes of the session on a point of order. It did not come up for a vote. On two other occasions, the House approved this legislation. However, the Senate didn't get around to finalize the action.

Question. Chief, how much has crime actually increased in Washington since the Mallory ruling in 1957?

Answer. It has increased about 50 percent. You have to go back a few years to get the picture of crime trends in Washington.

In 1953 we had 23,918 "part I" offenses. Those are defined by the FBI as criminal homicide, rape, robbery, aggravated assault, housebreaking, grand larceny, petty larceny, and auto theft.

By 1957 we had brought these crimes down to 15,554. That was the year of the Mallory decision. Now, since 1957 we have added about 350 men to our police force, a K-9 corps (dogs), and additional equipment. We feel that, everything else being equal, we should have crime a whole lot lower.

But in 1958 we had 17,047 of these "part I" offenses; 1959—17,515; 1960—19,929; 1961—21,802; 1962—21,534. And I think that, so far, 1963 will show still another increase. I think it's going to increase as long as we have these restrictions on us.

We've also had a 14-percent decline in the clearance of cases. Where we were clearing as high as 58 percent of all crimes here, it's now down to 44 percent.

Question. What does "clearance" mean?

Answer. It means solution of a crime. We call it a solution where a person is charged and the case is presented to a grand jury. Now he may, for some reason, be acquitted in court.

### LOSING A "SOLVED" CASE

Question. So you can solve a lot of cases and still lose them—the criminal can go free—under the Mallory rule?

Answer. Sure. We had the James W. Killough case, in 1960. His wife disappeared and, after about 5 days, her people persuaded him to make a report to the police. He did, but he was so vague and unconcerned about it the police were suspicious. Before they could talk to him further, he disappeared.

About 5 days later he came back—he'd been to Pittsburgh—and the police picked him up. They brought him into the homicide squad and he said: "Well, I know my constitutional rights." And he wouldn't talk about the case. They held him anyway. They knew, of course, that it was in violation of the Mallory decision. But they held him overnight.

The next morning the chief of detectives brought him in and Killough said: "Well, I'll talk about the case now. I killed my wife and buried her out on a dump. I'll go out and show you where she's buried." He took them out and showed them where the body was covered up with trash. Then they brought him in and took a statement from him—a confession. He signed it.

Then they took him before the U.S. commissioner. He was arraigned and advised of his constitutional rights—his right to counsel—and sent on to the District jail.

The next day the lieutenant from the homicide squad on the case went over to the jail to talk to Killough about the disposition of the wife's body. At that time Killough went into the confession all over again. He was indicted and convicted of manslaughter only. The case went to the Court of Appeals, and they split 5 to 4. The contention of the majority was that he should not have been permitted to confess in the jail. A second trial was ordered. The case is still pending.

Question. Why wasn't the case thrown out purely on the basis of the Mallory rule? You kept him overnight without charging him——

Answer. The prosecution didn't use that first statement by Killough. It used the confession in the jail, after the man had been arraigned and advised of his rights. Now, of course, the defense contended that this confession was obtained by a subterfuge. But it was not.

Question. Does all this mean that the police in Washington almost have to witness a crime, in order to make an arrest?

Answer. When there is physical evidence, the police can act. They've had some outstanding cases, like that of the man who stabbed a woman in a church near the Capitol. They got a thumbprint from the interior of the elevator. Another was in an apartment garage, where he forced a 60-year-old woman into an automobile and left a thumbprint on the door. The police matched the prints up. They searched 75,000 sets of prints before they identified him.

Question. That was accepted as evidence——

Answer. Oh, yes. We don't have to depend on his confession there. But, on these street crimes, they don't leave physical evidence at the scene—I mean, they don't leave fingerprints very often.

Question. Can't you investigate crimes by talking to the suspects at the scene without taking them into custody?

Answer. Well, let's be practical about it. We have advice: "Why don't you talk to these people at home? Why don't you talk to them on the streets?"

They're not going to tell you anything there. You've got to remember the kind of people you're dealing with. Just a sample: In a holdup and murder case here in the District, after the victim was shot, one of those involved stated: "I've done just about everything. Now I want to kill a cop."

If you bring suspects downtown and talk to them in an office, it doesn't mean that they're going to be mistreated or abused. But it's a different atmosphere from when they're out on the street or in their own home. I want to emphasize a point right here: When we are interrogating a suspect, there is none of this "third degree" business. Doors to the squad rooms where suspects are questioned are unlocked. The press can walk in at any time, and they do this.

Question. Can't you talk to suspects after they've been arraigned?

Answer. No. We can't talk to them about other cases in which they may be implicated, or have useful knowledge.

### THE PUBLIC IS SUFFERING

Question. Is it true that, under the U.S. Constitution, no one has to talk to the police if he doesn't want to?

Answer. Oh, that's right. Way back when I was a young policeman if we had a man and he said: "I want a lawyer" I gave him the phone book. But these restrictions we're faced with now are something new.

I'm in my 34th year with the Washington police department. I've got nothing to gain. I can't be promoted or receive any raises. But I do think that the public deserves better than they're getting in the way of these restrictions that are being placed on law enforcement. I'm not suffering from it, but the public is.

Question. Is it safe to be on the streets in Washington at night?

Answer. It is as safe here as in most any other large city. You have cities with far less population that have more crime than we do.

Question. More street crime?

Answer. Well, more crime in general. But that doesn't help us any. We feel we have too much crime here and we feel that we can do a much better job about curbing it. But we do have to have some sort of tools to work with.

Question. Do you advise women to stay off the streets of downtown Washington at night?

Answer. No, I wouldn't say that. We've had cases downtown. We had a case at 10th and G Streets where two young women—earlier this year—had come out of a movie and went to their car.

A hoodlum forced them into the car at the point of a gun; made them drive around town for about 3 hours; and finally raped one of them. Then he left town. He went over to Philadelphia and attempted to hold up a couple of candy stores. The police picked him up on the street from a description—which they can do over there. He told the police that he had killed a woman here in Washington and thrown her body in the river.

When we found out about his arrest in Philadelphia, we sent our victims and witness and some of our detectives over there. They identified him right away. He admitted the case, just as the victims had reported it.

When asked why he told the story about killing a woman and throwing her body in the river, he said: "Well, I felt that if you would take me back to Washington, there would be a chance of getting off easier than in Philadelphia."

Question. Is there a trend for Negro criminals to come more and more into white areas to commit crimes?

Answer. Yes. We've found that, where Negroes have moved out into the outlying areas, we do have more crimes committed by colored out there.

Question. Do you have more crimes in those neighborhoods than you had before?

Answer. Oh, yes, definitely.

### WHEN INSANITY IS CLAIMED

Question. Have court decisions on insanity hurt law enforcement?

Answer. We think they did at first. But after they got the law amended so that anyone pleading insanity would be committed and then brought back for trial if they recovered, the number of cases dropped off. I don't think it's a real big problem now.

Question. In handling crime, do juveniles or adults give you the most trouble?

Answer. Well, a great deal of crime is committed by juveniles.

Question. Who is a juvenile?

A. Anyone under age 18. In 1962, in arrests for rape, 35 percent were juveniles; in arrests for robbery, 33 percent were juveniles; in arrests for housebreaking, 34 percent; in arrests for auto thefts, 46 percent were juveniles.

Question. Are juveniles harder to convict than adults?

Answer. Again, we have a ruling here that I think is harmful. It is known as the Harley rule. Briefly, this prohibits the use of confessions, admissions, and evidence obtained as a result of a juvenile's statements while he is in the juvenile status and before the juvenile court has waived jurisdiction.

In other words, say we get a juvenile in and talk to him about a crime or several crimes and gather evidence on him, get his statements, and so forth. Then if he's waived over to the adult court, all that is wiped out. We can't use it. It's just the same as the Mallory decision, you see.

Question. Is there a rule, too, that parents must be present when a juvenile is questioned?

Answer. No. Some of them have said: "You can't ask me questions. Don't you know about the Mallory decision?" Lots of juveniles have said this.

The young criminals who commit these serious crimes on the street—a great many are juveniles, but they're as big as any man in this room. They knock down people on the street and it is necessary to hospitalize them.

They are very defiant and arrogant, particularly if they've had any court experience at all.

We've had cases many times where we've had maybe two, three, or four in a group who have committed robberies on the street—purse snatchings and what we call yoking of men, particularly elderly men. We would send the cases to court and the next thing you know, we'd pick the same juveniles up. Their first cases hadn't been called yet.

So I say that this makes them arrogant and contemptuous of law enforcement.

Question. Is that because of delays in trial?

Answer. That's right.

Question. They're out on bail or something?

Answer. No. Their case is just pending.

Question. Aren't they either in custody or on bail bonds?

Answer. No, no. If we get juveniles today, or tonight, for what would amount to a felony—we'll say a robbery or housebreaking—we send them to a receiving home. We file papers by tomorrow morning in juvenile court. Then the case is out of our hands.

The court can release them to the parents, they can keep them in the receiving home until their case is called, which rarely happens because it may be weeks or even months before they're called. This is bad, because when the cases are pending for 6, 8, or 10 months, these young fellows forget about it and go on out and commit other crimes.

Question. Why isn't bail required, as in an adult case?

Answer. I don't know. But it's a rare occasion where bail is called for.

Question. Could you describe a case that shows the effect of the Harley rule prohibiting use of juveniles' confessions?

Answer. I know that one group that we had were arrested for snatching pocketbooks from women and also for attacking elderly men on the street. They sent some of their victims to the hospital.

Question. Was this a group of young colored people?

Answer. Yes. We got them in and sent their cases over to court—or what we call "sent a petition"—and a few weeks later we got the same fellows for the same thing.

They were very arrogant about it. They said: "Any old man or any 'winehead' "—they refer to a person that's been drinking as a "winehead"—"has got no business on the street late at night, and he should be robbed."

Question. Are these fellows still out operating?

Answer. I don't know whether the same group is. I am not being critical of the juvenile court, because I know that, when I was in the detective bureau 15 years ago, we'd have young thugs—white or colored—who were brought in for assaulting an elderly man on the street—in some cases they'd break his jaw—and I have heard them talking: "Well, they can't do anything to us. We're juveniles."

Now, with that sort of an attitude toward the courts—I think they have a far different feeling if there's a possibility they may be sent over to adult court.

Question. Would it help if you could publish their names?

Answer. I think there are some authorities who feel that would be helpful. I think Mr. Hoover (J. Edgar Hoover, Director of the Federal Bureau of Investigation), for one, feels that way.

### CAUSES OF JUVENILE CRIME

Question. How do you account for such a high percentage of juvenile offenders?

Answer. I think it's due at least in part to the fact that they feel they can get away with it, even if they're caught—that there's not much likelihood there'll be any severe punishment.

Question. Do you think that the lack of job opportunities—unemployment—is a factor in why these youngsters commit crimes?

Answer. Yes, I do.

Question. If they could find regular work, they wouldn't be so likely——

Answer. I think that this is a project that should have the attention of the people who could do something about it.

Question. What about parental responsibility? Is any change in law needed there?

Answer. No. That's come up many times at our law-enforcement council and other places. My experience has been this: Most of these kids who get into trouble are from broken homes. To have a law requiring the parent to make restitution for any damage—I think that should rest with a judge. Most of the parents don't have a dime and would not be able to make any restitution.

Question. Did you say the majority are from broken homes?

Answer. A big majority, 60-some percent of the juveniles who end up in the hands of the police, come from broken homes. That follows through when they become adults. Your adult criminals are recruited right up the line from your juveniles.

One district court judge kept tally on cases in his court and something like 90 percent of them had records as juveniles.

Question. Would Washington streets be safer if you went back to more foot patrolmen?

Answer. We still feel that the foot patrolman is the best deterrent to crime.

Question. But do you have as many as you had, say, 10 years ago?

Answer. Yes. We have more. Of course, you also have the need for emergency vehicles where they can respond promptly and quickly to calls. So you have to have a balance between the footmen and motorized force.

If you had enough footmen to keep on the beat regularly, I think that would be your best deterrent.

Question. Is most of downtown Washington, say, patrolled by foot patrolmen?

Answer. Yes.

Question. How much of an area does one patrolman cover?

Answer. That would vary according to how many men you had on duty. The precinct is split up into beats. There's no set number of blocks for each beat. Some that are in highly congested or business sections are much smaller than they would be in outlying precincts.

Question. How effective is the K-9 corps of dogs in deterring crime?

Answer. I think very good. I'm very enthusiastic about the K-9 corps. A dog can do a much quicker and better job than 10 policemen in searching a building, because if there's anybody hiding there, the dog can find him much quicker than a policeman can.

We shift the dogs around wherever we may be having the most street crime. Our dogs have done some wonderful work.

Question. Do citizens come to the aid of police when they need it?

Answer. I think so.

Question. Do you detect any change in the public's attitude toward the policeman?

Answer. No.

Question. Are colored policemen more effective in colored neighborhoods?

Answer. Well, I wouldn't say they're more effective. We have quite a few colored policemen in the colored precincts, but, of course, we've got them scattered all around now.

Question. What percentage of your police are colored?

Answer. Sixteen percent.

Question. How big a force do you have?

Answer. We have a force of 2,900 men. We have an authorized strength of not less than 3,000 men, but we have the appropriation for 2,900 and hope to get an additional 100.

### MAKING POLICE EFFECTIVE

Question. Is that enough—3,000?

Answer. I've been asked that question by committees of Congress that say: "Well, you need 500 more policemen." Well, 500 more policemen would help us, but that wouldn't be the answer to these restrictions that we have. I think if these restrictions were removed, a 3,000-man force could do a good job. Of course, I don't know any police chief who has ever said he had too many men, or even enough.

Question. Chief Murray, have you noticed any difference both in the crime and in the attitude of accused persons toward the police because of the civil rights demonstrations?

Answer. No, no; I haven't.

Question. With Washington getting sort of a black eye around the country—at least, you hear this—has there been a discernible drop in the number of tourists coming to visit Washington?

Answer. No. Tourists have increased.

Question. So you don't think there's any reason for people around the country to be afraid to come to Washington——

Answer. No. The convention bureau of the Washington metropolitan area had this inquiry last spring. We checked, and of more than 600,000—I forget what the exact figure is, but it's a tremendous figure—of juveniles who visited here in the year 1962, there was only one from outside the metropolitan area who was the victim of a crime. This was a 15-year-old boy who was the victim of a simple assault—he had been struck with a fist.

Question. Is it true that these visitors ought to be told to stay out of certain areas in Washington?

Answer. Most of the school groups are chaperoned, under the direction of an adult. I don't think there's too much likelihood of them getting into any trouble. If they wander off on their own, they might.

Question. Is it unsafe now to walk down a darkened street in the city of Washington after 11 p.m. alone, in almost any area?

Answer. That would be a hard question to answer in any large American city.

Question. Can you give any reason for Washington being the No. 1 city in assaults?

Answer. No, I can't. I can't really say why. I'll say this: In this list of cities that I mentioned—16 cities of 500,000 to 1 million population—we'll run pretty close with the other cities in homicides. There's no doubt about a homicide—if a person's dead, he's dead—or about stolen cars—you can tabulate those. But in aggravated assault, the figures are way off balance; we're way, way ahead of the others. Now, whether there is a different system of reporting——

Question. Different definition, maybe?

Answer. Could be.

### HOW TO PROTECT YOURSELF

Question. In view of these street crimes, what advice would you give an ordinary citizen on how to safeguard himself?

Answer. I feel they should not go into areas that are dark, where they would be alone and be an easy victim for a criminal. I think that women should, wherever possible, not be alone on a darkened street. I think that that's an invitation to a criminal to operate.

As we mentioned a while ago, if youngsters wander into places that they shouldn't, they may be a victim of crime. But the way they've been traveling, in groups—the groups that have been coming in here—I think that shows there's safety in numbers.

Question. But what of the waitress, say, who works until 2 a.m. someplace and then has to go home by herself? Should she carry a gas pen or a shrill whistle?

Answer. It wouldn't hurt to have a whistle. It would be helpful.

Question. What about tear-gas pens?

Answer. There are some now that are permissible. You know, for a while they were considered a dangerous weapon, but the U.S. attorney has ruled that certain types of tear-gas pens are all right to carry. The projectile type is a violation.

Question. Would better street lighting be helpful? There are some cities that have contended that this has helped——

Answer. It would; yes. There's no question that good street lighting works against the criminal.

Question. You don't advise resisting if anybody pulls a gun on you and says, "Give me your money"——

Answer. No, no; I don't.

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[From the Washington (D.C.) Post, Oct. 21, 1963]

### MALLORY AND THE CRIME RATE

LETTERS TO THE EDITOR:

Your editorial of October 17 criticizes my response to the question: When did crime begin to increase in Washington? during an interview requested by the editor of U.S. News & World Report. My answer was founded on fact.

The national crime rate has increased steadily since 1950. In the District of Columbia, we were gratified that while our serious crime (pt. I offenses) reached a peak in 1952 the number of such offenses then began to decline until the low point was reached in 1957. Beginning in 1957, our serious offenses in the District of Columbia have increased in number until we have now exceeded the previous peak year of 1952. These figures are substantiated by our statistical records, a graph of crime statistics clearly showing a downward trend to about June 1957, and a steady climb thereafter.

I did not and do not say that the Mallory decision of 1957 is the only cause of crime in the District of Columbia. I recognize, of course, and have acknowledged that there are many causes. However, I think that the concurrence in time of the Mallory decision with the beginning of the increase of crime in the District of Columbia is significant and should not be overlooked; surely, it is not fantastic to suggest that the Mallory decision is a contributing factor.

I repeat that it is not uncommon for suspects to take refuge in the Mallory doctrine to frustrate questioning by our detectives. Even juveniles have done this. I cannot agree that your phrase "semimoronic louts" applies generally to the thugs who commit so many of our street crimes. It is true that many criminals are not highly or formally educated, but from my years of experience in dealing personally with a great number of offenders, I have found that they are frequently sharp, shrewd, and calculating; and more and more, as legal restrictions are placed on police activities, suspected criminals confront our policemen with claims of the protections afforded them by legal rules.

Your editorial writer says "The notion that the semimoronic louts who snatch purses and commit assaults on the streets of Washington plan these foul deeds in advance on the supposition that they will be able to plead a Mallory defense is a notion altogether unrelated to reality." I do not claim, as you imply, that a hoodlum bent on crime says to himself "if I am arrested I can plead the protections of rule 5a of the Federal Rules of Criminal Procedure, as interpreted by the Supreme Court in *Mallory* v. *United States*." A hoodlum does not think in such formal terms. I do say, though, that hoodlums know very well that if arrested under the present rules they will be shielded from effective police interrogation which might result in conviction and punishment; and this knowledge on their part that the chance of conviction is reduced does in fact embolden them to commit crime.

I have held that swift, sure punishment is one of the greatest deterrents to crime. I feel that a rule that diminishes the chance and opportunity to establish the guilt of an offender by proper interrogation will inevitably bolster his disposition to flout the law and law enforcement officers and, therefore, must have a causal effect on the increase in crime.

I base my statements on facts that I have learned in more than 33 years of practical experience in dealing with crime and criminals. I do not know what may be the basis on which your writer rests his charge that my position is "a venture into sheer fantasy."

It is true that for the first 6 months in the current year Washington stood eighth in the 16 cities with population between 500,000 and 1 million. It should be noted, however, that in 1957, we were in 12th place. From 1957 to 1962, while serious crime in these cities overall increased by 21 percent, it increased by 48 percent in the District of Columbia so that in 6 years we have moved up four notches.

This sharp trend is a matter of great concern to me. As a law enforcement administrator, I am also disturbed by the fact that we stand second in the number of robberies. In the investigation of robberies scientific evidence such as fingerprints is often not available, so that the proper interrogation of suspects, which in my opinion is impeded by the Mallory rule, is often vital. In this connection, I must also notice the alarming fact that our rate of clearance of serious crimes has declined since 1960—in other words, we are clearing a smaller percentage of the crimes reported to the Department.

I reject your suggestion that since 1957, or in any year during my career as a policeman, I have been diverted from law enforcement by lobbying activities. As the head of a police force charged with the protection of law-abiding citizens of the District of Columbia, I believe it is my duty to speak out clearly and honestly when questioned by congressional committees as to the reasons why the police department cannot cope with the rising trend of crime in our community. I shall continue to respond to requests to appear before congressional committees and I shall continue to testify honestly and frankly to the facts as I sincerely believe them to be.

I ask whether we must wait until Washington is first in crime before providing our Police Department with the right of proper interrogation which is possessed by other police forces throughout the United States, and which was available to our police force prior to the Mallory decision in 1957.

ROBERT V. MURRAY,
*Chief of Police.*

WASHINGTON.

## SALE OF WHEAT TO RUSSIA AND SATELLITES

**Mr. VANIK.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

**Mr. VANIK.** Mr. Speaker, it is apparent that manipulators and dealers in wheat futures are greedily parlaying profits from the proposed sale of American wheat to the Soviet Union and its satellites, with the sale price of wheat futures rising almost 10 percent since the Canadian sale of wheat has been announced.

Apparently the manipulators are in the market to make a killing.

General Mills, Pillsbury and others announced price increases at 40 cents per hundred pounds on flour that was purchased and committed before the Canadian sale to the Soviets. The proposed American sale will provide even further pressure for flour price increases and the additional increase could well exceed another 2 cents per 5-pound bag. A price increase in bread is almost a certainty.

The American people should not be compelled to pay a flour tax or a bread tax on the Soviet wheat deal, particularly when our storage bins overflow with Government purchase and costly storage at the rate of $302.4 million per year. If the Soviet wheat deal means higher prices for American families, it is the straw that breaks the camel's back. We ought to forget about it.

I have today requested Congresswoman LEONOR K. SULLIVAN, chairman of the House Subcommittee on Consumer Affairs, to investigate the unjustified increase in the price of flour along with the spiraling price of sugar.

## COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## HIGHER EDUCATION BILL AND VOCATIONAL EDUCATION BILL

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, for the information of the House, I might say that two bills on education have been objected to on a request to going to conference on the said bills. The Committee on Rules this morning granted rules and there will be two rules filed today sending both of these bills, the higher education bill and the vocational education bill, to conference.

## PERSONAL ANNOUNCEMENT

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I was away from the House on Monday, October 21, and Tuesday, October 22. If I had been present, I would have voted "yea" on each of the following:

Rollcall No. 176, conference report on S. 1576, the Mental Retardation Facilities and Community Health Centers Construction Act of 1963.

Rollcall No. 178, H.R. 8821, restoration of Temporary Unemployment Compensation Act amounts.

## SOME CLARIFYING FACTS REGARDING THE CURRENT PROGRESS OF THE DEFENSE DEPARTMENT'S CAMPAIGN AGAINST SEGREGATION

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, the gentleman from Louisiana [Mr. HÉBERT] has been inserting in the RECORD in the last several days documents purporting to come from various services or branches of the armed services with regard to opposition that they have expressed to some of the recommendations of the so-called Gesell report and by implication that they allegedly have also to the directive issued by the Secretary of Defense implementing certain aspects of that report. The gentleman has said that no one has challenged the validity of these documents. I think it only fair to point out, Mr. Speaker, that the documents to which the gentleman refers—and they are only paraphrased in his insertions in the Record; we do not have the original documents—are the initial comments made by the service departments at the invitation of the Secretary himself prior to the issuance of his directive of July 26. In fact, the Navy document, to which the gentleman from Louisiana referred, is dated July 23, which is 3 days before the Secretary issued any directive at all.

And I think it should also be pointed out that after Secretary McNamara issued his directive, a directive incidentally that he had prepared in the light of many of the comments from the individual services which the gentleman from Louisiana has been inserting in the Record, implementation of the Secretary's program for trying to reduce discrimination in the services themselves and in the areas surrounding our military bases, has been proceeding effectively, with the assistance of all three services, and without any hint of mutiny or internal service revolt of the kind which one might mistakenly get the idea from the gentleman's insertions was underway in the Pentagon.

## MINORITY VIEWS FILED OPPOSING H.R. 3846

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, 13 members of the House Committee on Interior and Insular Affairs, including 6 Democrats and 7 Republicans, have joined in signing minority views and dissenting views directed at H.R. 3846, the Land and Water Conservation Act of 1963.

Despite the fact that this bill has worthy objectives endorsed and sponsored by some of the Nation's leading conservation groups, the bill's provisions do violence to some of our Nation's oldest traditions and concepts regarding public lands and public waters. Without the great parliamentary skill and leadership of its distinguished sponsors in the committee, it is very doubtful that the bill would have been reported at all.

Eleven members of the committee have filed their written objections to the requirement that all proceeds from the sales of Government surplus property must go into the land and water conservation fund, which is expected to aggregate $2 billion during the next 10 years, with the addition of other revenue sources. Six members of the committee have filed written objection to the principle of imposing entrance and admission fees for the first time upon our Federal reservoirs, national forests and other recreation areas historically regarded as free to the public. Five members of the committee have indicated their written objection to the bill's departure from standard authorization and appropriation procedures.

Four members have indicated their objection to the bill's failure to provide for development of existing Federal recreation areas, and its almost total emphasis upon the acquisition of additional land, insofar as the Federal part of the program is concerned.

Those of us who oppose the bill in its present form hope and trust that all Members will examine carefully the minority views in the report on this bill. We do not believe this Congress will adopt the concept of a King's Forest and a King's Lake in dealing with the problem of outdoor recreation.

That is the concept inherent in H.R. 3846, and we hope it will receive the careful study and examination of every Member of this body.

Mr. WESTLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. WESTLAND. Mr. Speaker, I join with the gentleman from Oklahoma in opposition to this bill, H.R. 3846. I agree the bill does have worthy objectives, but it also violates our traditional concept regarding public lands and public waters.

I agree that this bill would put the American citizen in a position of having to pay tribute to pass through what would amount to the king's forests.

It has been our concept that the American people own the forests and public lands and that they should have free access to their lands. H.R. 3846 would place their lands, so to speak, under a czar with powers to extract fees or taxes. It is a situation, Mr. Speaker, reminiscent of the king's forests which could not be crossed without the traveler paying tribute.

It is hard to comprehend the need for a family to pay such a tribute just to take a Sunday drive in October to view the changing colors of our forest landscape. It is an alien concept.

Mr. Speaker, almost 30 percent of the land in my State of Washington is federally owned. Hundreds of backroads, highways, and fire trails traverse these lands. The proposed entry fees not only would strike at the basic concept already mentioned, but also would work a hardship on the people of my district and Washington State whose livelihood depends upon these public lands.

Mr. Speaker, I have supported appropriations for the development of recreational facilities in our national forests and national parks. I believe we must plan to meet the future needs of our growing population. However, I do not believe admission fees is the proper way to provide for necessary expansion for recreational purposes.

I do not believe the people who in reality own the land should have to pay admission fees. Certainly they should have free access.

## ASSISTANT SECRETARY OF NAVY K. M. BELIEU SUPPLIED FALSIFIED INFORMATION TO CONGRESS

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, Kenneth M. BeLieu, Assistant Secretary of the Navy for Installations and Logistics, under fire for sole-source procurements has furnished a committee of this Congress with falsified information and should be called up to Capitol Hill to explain his actions.

The record shows, incontestably, that those actions were designed to guarantee the sole-source award of a lucrative radio contract to a particular electronics manufacturer—a firm which BeLieu has improperly, but never so blatantly, assisted before.

If BeLieu cannot satisfactorily explain his actions, and if he insists on taking the responsibility for the falsehoods, he should be required to resign and to join his former boss, ex-Navy Secretary Korth, on the sidelines. Because, Mr. Speaker, just as Mr. Korth's improper use of the Navy yacht, the *Sequoia*, and his questionable conduct in office have damaged the Navy and this Government in one way, BeLieu's inefficiency and mismanagement have damaged it and penalized the taxpayers in another.

It is exactly this kind of sloppy work that caused BeLieu to furnish false and misleading information to a committee of this Congress while justifying Defense expenditures. He should be called back before this same committee and should be required to answer for this misinformation.

If this committee finds BeLieu was given false information by subordinates, they should be publicly identified and there should be a full-scale investigation instituted of these people. If he insists on shouldering the responsibility personally, as he has done in the past, then he should join his former boss on the shelf.

Mr. Speaker, the Defense Subcommittee of the Appropriations Committee held extensive hearings on the proposed Defense Department budget for 1964. The chairman, the gentleman from Texas [Mr. Mahon] the members of the staff did their usual excellent job. On April 9, 1963, they heard from, among others, Mr. BeLieu. He is the one man in the Navy who knows what is going to be bought, how it is to be procured and why it is needed.

Let me place in perspective just what was going on in the questioning of BeLieu. The subcommittee was disturbed by the problem of sole source—no competition—contracts for electronics procurement and was particularly unhappy with the Navy's proclivity for handing out so many sole source contracts on what has proved to be a very costly basis.

BeLieu was being asked by the gentleman from Texas [Mr. MAHON] to justify the Navy's past and future actions on this subject. As indicated on page 455, part 5 of the hearings the gentleman from Texas [Mr. MAHON] said to BeLieu:

> When you look over the procurements in the field of electronics and you observe the sole source nature of so many of these procurements, you find yourself a bit puzzled and shocked at the magnitude of this operation. We will present you with a list of several items in this regard.
>
> I wish you would take these items and comment on them for the record and tell the committee whether or not you propose to change future procurement, including the fiscal year 1964 program, from sole source to competition, and where this is not proposed to be done, I wish you would furnish a carefully prepared and detailed statement as to why this is not possible.

Please observe that the gentleman from Texas [Mr. MAHON] did not ask BeLieu for off-the-cuff opinions. He did not ask for facts pulled out of BeLieu's head. The chairman was concerned. He presented a specific list of inquiries and he wanted specific, carefully prepared and detailed answers.

Mr. Speaker, the answers to more than one part of Mr. MAHON's questions, as furnished by Mr. BeLieu, were false, untrue and misleading and have been so proven by the General Accounting Office.

Here is the answer supplied by BeLieu in answer to Mr. MAHON's question about the AN/PRC 38 manpack radio. It is found on page 448 of part 5 of the hearings:

> The AN/PRC-38 is a military modification of Collins Radio Co.'s commercial model 618K in which the company claims proprietary rights.
>
> The Marine Corps procures this equipment directly and not through the Bureau of Ships. Fiscal year 1963 procurement for seven units at direction of DOD for service evaluation.
>
> Contingent upon successful evaluation, the Marine Corps plans to buy 2,266 units in fiscal year 1964. For a minimum production order of 900 units Collins has agreed to furnish to the Government their proprietary rights and data which will be available for future competitive procurements. A decision has not been made on the fiscal year 1964 quantity to be sole source. Study in progress.

Mr. Speaker, what is implied here is that Collins Radio Co. of Dallas, Tex., developed this walkie-talkie through use of their own funds. The Navy, represented here by its number one procurement man, represents this radio as a commercial model 618K and implies that it has been developed, produced and sold in a commercial market by Collins. It again infers the AN/PRC 38 to be strictly a commercial model when it says Collins "claims proprietary rights" but has agreed to furnish these rights to the Government, provided the Navy will allow it one uncontested, sole-source shot at the taxpayers' pocketbook under a contract for 900 production units of the radio.

Mr. Speaker, I am certain that in such a transaction, Collins would be permitted to charge the taxpayer two to three times more than the radio is actually worth and at least double the price that would be charged in a competitive bidding situation.

But that is not the real story here.

As I read these hearings, BeLieu's statements furnished to the committee piqued my curiosity. I am intimately acquainted with Collins' remarkable record of doing business with the military. I know of their tremendous backlog of military business, and I also know their infinitesimal commercial business.

Speaking of that record, I had a Navy rear admiral tell me less than 2 weeks ago that he is consistently amazed at the way Collins anticipates and is able to get sole-source contracts to fill present and future requirements of the Navy. In the next breath he admitted that Collins seldom, if ever, wins a competitive procurement, and he admitted that at least 134 Collins employees are former Navy employees from various levels. In short, the inference here is plain—here is a company with a locked-up inside track to Navy money.

But that, neither, is the real story here.

As I said, BeLieu's statements aroused my curiosity. I therefore directed an inquiry to the Comptroller General of the United States, Mr. Joseph Campbell. I asked him to ascertain how many units of the AN/PRC-38 radios had been manufactured and sold commercially. I also inquired as to how much, if anything, this firm was paid by the Government to develop this so-called commercial unit and what kind of rights it was allowed to retain from what could have been a Government sponsored research effort.

You might say this was a fishing expedition and be right, but the little bent pin I threw in the Navy's pond hooked a whale of a case that would make Moby Dick look like the three little fishes by comparison.

Mr. Speaker, here are the facts about the AN/PRC-38 which prove the statements furnished by BeLieu to the committee to be false and misleading.

The Comptroller General furnished me with a copy of Marine Corps contract NOm72271 under which development of the AN/PRC-38 was accomplished and paid for by the U.S. Government. This contract with Collins covered a total of nine radio sets including three for the Army, at a total cost of $1,561,614.11. In addition, the U.S. Army Electronics Materiel Agency, Fort Monmouth, N.J., awarded a letter contract—No. 03391—to Collins for what it calls a "continuation of research and development" for the AN/PRC-38. This contract was funded to the extent of $250,000, but, based on my past experience, will probably be raised to $500,000.

Thus, almost $2 million in U.S. tax money was spent to develop a radio that BeLieu called "a commercial model."

Under terms of these contracts, the Government should receive the entire rights, title, and interests in any inventions and patents which are involved through this development work. The taxpayers of this Nation have a right to these considerations for the tax money spent, and I know you will agree.

The Comptroller General further astounded me when he said in his October 9, 1963, letter that Collins Radio has never manufactured or sold this radio set commercially. As a matter of fact, Collins available commercial catalogs do not even list the item. In short, the Comptroller General said, this set has never been sold to anyone other than the U.S. Government.

Commercial model, indeed.

That, Mr. Speaker, is one part of my charge. Here we see the top ranking logistics man in our Navy ordered to give detailed and accurate answers to questions. This same man furnishes information that he plans to buy a commercial model radio from a producer. After considerable expense, he allows, he might just get drawings and allow competitive purchasing in the future.

When his statements are investigated, we find the radio is not a commercial model, has never been sold as such and was developed through use of taxpayers' money.

Now for another more damning part of the story. Checking further into the development contracts, I found that BeLieu's Navy "experts" did not even bother to order manufacturing drawings as a part of the development contract. They listed drawings under an option clause, but to exercise that option, the Government, which had already spent almost $2 million on the radio, had to first guarantee it would buy 900 radios and allow Collins to set the price and, second, plunk down another $50,000 for the drawings.

This kind of thing fairly makes my blood boil, Mr. Speaker. This is the kind of efficiency and reliability we have at the top of our Navy today and this is why I say BeLieu must be called back to the Hill to answer for his misstatements furnished the Defense Subcommittee.

There is even more reason for such a course of action. I have found that the AN/PRC-38 contains much equipment that has been developed and paid for before by this Government.

In studying the AN/PRC-38 I found that its specification requires that the component parts and circuitry, to a maximum degree, be identical to those in radio sets AN/PRC-41 and AN/PRC-47. These radios, too, are sole source orders from Collins, and the Government also paid for their development. Now we find Collins given another development contract for almost $2 million to repeat much of what it was paid for on earlier jobs.

Mr. Speaker, there is one more ramification to this case. When BeLieu was ordered by Mr. MAHON to answer questions, the chairman wanted reliable facts, not off-the-cuff opinions, rationalizations or outright lies.

So what happened? Someone in the Navy wrote a fairytale about the AN/PRC-38. This fable was designed to cover someone's tracks to rationalize, to mislead, to protect the individual first, the Navy second and to hell with the truth, the committee and the poor taxpayer. The possibility that the deception would be uncovered was apparently discounted.

Still, we have to assume the Navy, as a service, wanted to supply the right answers to the committee. So what happened? Inefficiency and incompetency, that is what. I will wager that at least a dozen people, perhaps more, were supposed to have studied documents BeLieu supplied the committee. All were charged with the responsibility to see that the documents were right.

It is just as apparent as the Capitol Dome in Washington that everyone up the ladder just shuffled the papers, initialed them and passed them on. They were shuffled all the way up to the kingpin paper shuffler of them all, Secretary BeLieu, who stacked them in order and sent them to the committee.

In any event, the answers furnished establish that either BeLieu himself supplied falsified information to Congress with malice aforethought or that he is served by a chosen staff so totally dishonest and incompetent that it demonstrates his unfitness to continue as a procurement administrator.

I might add that this would not be the first time that BeLieu has deceived a committee of Congerss, nor the first time he has worked strenuously to line up a fat sole-source contract for Collins Radio. In the summer of 1962, I publicized the fact that BeLieu personally refused to permit a nationally known electronics manufacturer to compete with Collins for a $4 million production contract on the previously mentioned PRC–41 radio, even though the competitor guaranteed to do the job as quickly as Collins and for $1 million less.

BeLieu's action in that case brought an investigation by the House Armed Services Investigations Subcommittee, which issued a report ripping BeLieu for breaking Department of Defense regulations by refusing to issue bid sets to Collins' competitor. The Department of Defense later slapped the Navy back into line with the other services, and BeLieu must now issue bid sets to any interested manufacturer.

Incidentally, during the Investigations Subcommittee hearings, LeBieu personally guaranteed the Congress that the next time the PRC–41 came up for procurement, it would be open to full competition. Yet, this spring I caught BeLieu setting up another sole source contract with Collins for further production of the PRC–41, in direct violation of his solemn vow to Congress.

Mr. Speaker, such inefficiency, incompetency and prevarication are luxuries that this dead-broke Government cannot afford. And neither can it afford such people as BeLieu, whose poor management—to use the kindest phrase I can think of—has been documented again and again. That is why BeLieu should be hauled up here, compelled to explain his apparent deceiving of a congressional committee, and asked to take disciplinary action against those who are responsible. If he insists on taking the ultimate responsibility—as he has to cover his goofups in the past—then he should be retired to the Continental National Bank in Fort Worth with his former boss, Mr. Korth.

## NEWS RELEASES BY DEPARTMENT OF JUSTICE

Mr. TOLLEFSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Speaker, last week during a special order obtained by the gentleman from Tennessee [Mr. Brock], I engaged in a colloquy with him about an impression we had that the Justice Department was issuing news releases during the course of one of its criminal cases. Yesterday I received a letter from Mr. Katzenbach, Deputy Attorney General, explaining what had transpired from the Department's point of view. The letter speaks for itself and I am glad to insert a copy of it in the Record for the benefit of those who were interested in the matter. The letter is as follows:

Hon. Thor C. Tollefson,
*House of Representatives,*
*Washington, D.C.*

Dear Congressman: I have noted your remarks made in the House of Representatives on Wednesday, October 16, as set forth in the Congressional Record of that day. The sequence of events concerning the filing of the motion in question with the Supreme Court on Friday, October 4, is as follows.

The papers to be filed were prepared in the Justice Department, and contact was made with the office of the Clerk of the Supreme Court to notify that office of the Department's desire to file papers on that day. The Clerk's office advised the Department that the Clerk would be in his office until a certain hour and that, if the papers were filed after that time, they could be left in the hands of another employee of the Supreme Court, who was under standing instructions to accept such documents. The motion papers were filed in this fashion and date stamped by the Court officer who received them on Friday afternoon, October 4. The Clerk had, however, already left for the day and the motion was not date stamped by the Clerk's office until Saturday, October 5. Documents have been so received by the Supreme Court on numerous occasions in the past.

At the same time that the motion was being prepared in the Department of Justice, Solicitor General Archibald Cox was attempting to reach defense counsel Jacob Kossman of Philadelphia in order to notify him of the fact that the motion would be filed, and to arrange for the most expeditious possible delivery of the motion papers to him. Solicitor General Cox reached Mr. Kossman by telephone a few minutes after a Justice Department employee had departed for the Supreme Court to file the papers on Friday afternoon. Arrangements were made between the Solicitor General and Mr. Kossman for the motion to be served by special delivery mail and this was done. In addition, the fact that the motion had been filed and the gist of the motion was conveyed to defense attorney Z. T. Osborne in Nashville by telephone by Mr. Walter Sheridan of the Department of Justice on Friday evening.

No release of information concerning the motion was made by the Department of Justice until the motion had actually been received at the Supreme Court. Then and only then were copies of the motion made available to the press—not merely to one newspaper but to reporters from both the Associated Press and United Press International. There was no premature release of information.

Sincerely yours,
Nicholas deB. Katzenbach,
*Deputy Attorney General.*

## SALE OF AGRICULTURAL PRODUCTS TO COMMUNIST COUNTRIES

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for one minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, I would like at this time to invite the attention of the membership to a very serious problem. This is whether or not we ought to go to court seeking to stop the sale to Communist nations of wheat and other agricultural products.

A brief examination of Public Law 87–128 passed in 1961 shows that the Congress expressly stated in section 2(c) that it was the policy of Congress and hence of our Government "in no manner to either subsidize the export, sell or make available any subsidized agricultural commodity to any Communist nations."

The Attorney General's opinion to the Secretary of State on October 9, 1963, stated at page 15, that this was mere policy and did not have the effect of prohibiting commercial sales. In substance what the President's brother ruled was that the Government could ignore the express and stated intention of the Congress as to national policy.

I think we ought to find out whether we are watching a mockery being made of our laws and of the will of the Congress by the Chief Executive as he radically changes U.S. policy in the cold war without even consulting the Congress. We should consider carefully whether we can take this question to the courts for a temporary and eventually a permanent injunction to enjoin the Secretary of Commerce from issuing these export licenses in violation of the stated policy of law. I think we ought to at least determine if this can be done for if it is legally possible to enjoin our bailing the Communist system out of a hole caused by its own defects we should ask the help of the judiciary in checking these repeated usurptions of legislative power by the President with help from his brother.

If we are ever to assist oppressed peoples of this world to genuine freedom from Communist tyranny it is not by feeding and fattening Communists.

## JET AGE MARKS FIFTH ANNIVERSARY

Mr. BECKER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, at 7:20 p.m. on October 26, Pan American Airways jet clipper N711PA will be in the air between New York and San Juan. P.R. In the wake of this aircraft flows the entire jet age which began at this moment exactly 5 years ago, when jet clipper N711PA took off on the first scheduled jet flight under the American flag.

Since the jet clipper *America's* flight on October 26, 1958, 340 Boeing and 189 Douglas jets have gone into service for the airlines of the world—revolutionizing travel and changing historic concepts of geography.

Pan American Airways, in these 5 years, has flown 300 million revenue miles—comparable to three trips to the sun with enough mileage left over to make 30 trips to the moon. Pan American jet clippers have carried 10,395,000 persons since the inaugural flight—the equivalent of every man, woman, and child in both New York and Los Angeles, with seats left over.

Beginning service in 1958 with the first 6 Boeings to come off the production line, Pan American now has a fleet of 66 jets with an additional 8 on order. These planes now fly for Pan American to 104 cities in all parts of the globe. Not a single piston aircraft is represented in the airline's 250 transatlantic and transpacific flights scheduled each week this fall and winter.

Although the jet carries nearly twice as many passengers at nearly twice the speed of piston aircraft, it has stimulated travel so that a greater number of jets are flying the oceans today than the number of piston aircraft in the summer of 1958. Last summer, Pan American had 206 flights each week between Europe and the United States, compared to 170 piston flights in the summer of 1958.

Since its historic first flight 5 years ago, jet clipper N711PA has compiled a performance record unequaled in the history of transportation—typifying the performance of the entire family of jet clippers.

Throughout its 5 years, this aircraft has been in continuous service, except for scheduled maintenance and modifications, flying an estimated 14,574 hours and covering 7,287,000 miles without a single major incident.

For 5 years, the aircraft has been in use an average of 7 hours and 59 minutes each day.

Despite its hours and mileage, jet clipper N711PA is as new as the moment it made its first flight and is, in fact, a better aircraft than it was in 1958, Pan American officials state.

The aircraft is "new" because of a continuous replacement of parts on a regular schedule and is "better" because of a series of modifications that have been incorporated into the aircraft by Pan American to improve operating characteristics and passenger comfort.

Jet transports have proven the most reliable and efficient "tool" for the production of transportation in the history of aviation. Pan American's jet clippers spend up to 13 hours a day in the air, covering wide segments of geography ranging to 84 lands on Pan American's 71,000-mile route pattern.

In a single month, one of Pan American's turbofan-powered intercontinental-range jets accomplished 320 hours flight time. During a month it flies 135,000 air miles.

The second stage of the jet age began last summer when Pan American made the first American-flag jet freighter flights, opening the jet age in air freight as it had in passenger travel. Today Pan American has jet freighters in service across both the Atlantic and Pacific with a fleet of 11 aircraft in operation or on order.

Mr. Speaker, those of us who have long concerned ourselves with the problem of civilian supplementation through the military airlift capacity of the United States, must certainly be heartened with the Pan American jet story. The knowledge that Pan American already has 66 jet aircraft and an additional 8 on order is most comforting when it is realized that in case of national emergency, Pan American will be able to turn its entire fleet over to the Military Establishment within 24 hours. I am proud to say also, Mr. Speaker, that many thousands of dedicated Pan American employees live in my congressional district and this fact, quite naturally, makes me more interested than ever in Pan American's continued leadership in the international transportation industry.

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## JET AGE MARKS FIFTH ANNIVERSARY

Mr. BECKER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FASCELL. Mr. Speaker, I wish to associate myself with the remarks made by the distinguished gentleman from New York [Mr. BECKER]. I also have many thousands of Pan American employees as my constituents and I am equally proud of the many accomplishments in Pan American's Latin American Division.

By an interesting coincidence, Mr. Speaker, Pan American actually came into being on another October 26—October 26, 1927—when a very small Pan American airplane, carrying a very small contingent of passengers, and an even smaller bag of international mail took off from Key West, Fla., for a 90-mile flight to Havana, Cuba. That was 36 years ago come next Saturday, Mr. Speaker, so I share with the gentleman from New York the pride he feels in being part of a significant aeronautical anniversary.

Shortly after the Havana flight in 1927, Pan American started flying to other Caribbean islands and on down the treacherous and uncharted east coast of South America. In 1928 Pan American and W. R. Grace & Co., combined to organize Panagra which is still the premier carrier operating on South America's west coast. Panagra, as a matter of fact, equipped with Pan American's young, but rapidly growing know-how, and Grace's knowledge of the political and geographical problems existing on the west coast, was flying the route 16 years before another U.S. flag line was even considered for operations from the United States into South America.

I salute Pan American and its enthusiastic personnel, Mr. Speaker, and I hope that we will all be here together to observe the 50th anniversary of that airline, which began so modestly 36 years ago in Key West.

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## PROGRAM FOR WEEK OF OCTOBER 28, 1963

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, I have asked for this time to inquire of the distinguished majority leader concerning the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. I am happy to yield to the gentleman.

Mr. ALBERT. Prior to responding to the gentleman's inquiry may I advise that we have completed the legislative business for this week and it will be my intention to ask that we go over until Monday.

Monday is District day. There are no bills. There is the following program:

A House joint resolution to provide continuing appropriations for certain governmental agencies.

House Resolution 314, granting additional travel authority to the Committee on Education and Labor.

For Tuesday:

House Resolution 551, declaring the House delegation to the NATO Parliamentary Conferences to be an appropriate committee of the House of Representatives for the purpose of implementing the act of July 11, 1956—Public Law 689, 84th Congress.

House Resolution 555, to send H.R. 6143—Higher Education Facilities Act of 1963—to conference.

House Resolution 554, to send H.R. 4955—Vocational Education Act of 1963—to conference.

For Wednesday and the balance of the week:

H.R. 8427, improved retirement and disability system for certain employees of the Central Intelligence Agency.

This will be under an open rule with 2 hours of debate.

H.R. 8195, 1-year extension of Mexican farm labor program.

This will be under an open rule with 2 hours of debate.

This, of course, is made subject to the usual reservations that conference reports may be brought up at any time and that any further program will be announced later.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman from Iowa.

Mr. GROSS. I would like to ask the distinguished majority leader if we are really going to get this CIA retirement bill next week. That has been floating around here for at least a week and was scheduled for consideration by the House.

Mr. ALBERT. May I advise the gentleman in that regard that it was programed at the request of the gentleman from South Carolina [Mr. RIVERS], who is managing the bill. It was put over solely because we were advised that the gentleman had a virus and would not be able to be present; that was the only reason for putting it over.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. Yes; I yield to the gentleman from Iowa.

Mr. GROSS. Has it been decided whether on Monday—I believe the distinguished majority leader announced a resolution would come up Monday continuing appropriations?

Mr. ALBERT. If the gentleman from Ohio will yield further, the gentleman from Iowa is correct.

Mr. GROSS. Is that now to be a 30-day or a 60-day continuance?

Mr. ALBERT. It is my understanding that it will be a 30-day or 1-month continuing resolution.

Mr. GROSS. If it is going to be a 60-day continuance, I would like to devise some way of providing a modest Christmas decoration for the House, and I would hope to have the support of the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, will the gentleman from Ohio yield further to me?

Mr. HARSHA. I am happy to yield to the gentleman from Oklahoma.

Mr. ALBERT. That is the first time I have ever heard the gentleman from Iowa favor any appropriation for anything in a long time.

Mr. GROSS. I said a very modest appropriation for that purpose.

## THE CORN SALE

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I find it bitterly ironic that our Government is preparing to approve the sale of corn to Communist Hungary on the very date of the seventh anniversary of the Hungarian uprising against Soviet domination.

I can think of no more cruel message nor clearer indication of abandoning democratic principle than announcing to the freedom-loving Hungarian people that the United States is observing their 1956 revolution by agreeing to the sale of corn to their totalitarian government.

Can there be any doubt that this Nation, "the land of the free and the home of the brave," is engaged in a struggle for its very existence against the evils of atheistic communism?

Despite the nuclear test ban treaty, the ban on the orbiting of nuclear weapons, the sale of wheat to Russia, the proposals for cooperation in space exploration, the Sino-Soviet disputes, have we heard "word 1" from Khrushchev which would lead us to believe that he is any less intent on communizing the world? Indeed not. In fact, we have seen the kind of "gratitude" the Communists display when we work for a relaxation of tensions. When the newspapers were reporting the President's approval of the wheat sale, these headlines were matched by those of renewed harassment of U.S. troop movements by East German border guards.

Mr. Speaker, selling corn to the Kadar regime would be rank hypocrisy. The present Hungarian Government has not forgiven nor forgotten the attempts 7 years ago to restore self-determination in this Eastern European country. The majority of political prisoners are still in jail. Those who suppressed the uprising are still in power.

If we supply any of the Communist bloc nations with commodities, we help to lessen their own need to provide them. Thus, we make a direct contribution to their strategic position by allowing a greater proportion of available resources to be devoted to the building of a mighty military machine. Why the United States should help Khrushchev in his oft-repeated vow to "bury us" is an imponderable without parallel.

Mr. Speaker, I am opposed to selling corn to Hungary. I urge the President to weigh carefully the full effects of this proposed transaction.

It is not in the interests of freedom, that most priceless of all human conditions, to come to the aid of a government that has murdered those who have fought for it.

## ADJOURNMENT TO MONDAY, OCTOBER 28, 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## DISPENSING WITH BUSINESS IN ORDER UNDER CALENDAR WEDNESDAY RULE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

## PRAYER IN PUBLIC SCHOOLS AND OTHER PUBLIC PLACES

Mr. HARSHA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GOODELL. Mr. Speaker, I have introduced a joint resolution, House Joint Resolution 781, which will clarify the right of every citizen under the Constitution voluntarily to pray and read the scriptures in public schools and other public places.

I would emphasize that this amendment does not overturn the recent Supreme Court cases on this subject. The Supreme Court has ruled, on the narrow facts involved in those cases, that no State may compel by law a religious observance such as reading the Bible, saying the Lord's Prayer or saying a prayer written by the State.

Many extreme interpretations have been taken from these decisions. The concurring opinion of Justice Douglas has reenforced the interpretations of those who wish to take an extreme view of the decisions. I offer this amendment with no disrespect intended for the Supreme Court and certainly with no remote inference that citizens should do less than respect the law of the land.

As Dean Erwin Griswold said:

> The debt which we all owe to the Court is far greater than any individual can repay. Criticism of decisions of the Court or opinions of its members should be offered as an effort to repay that debt, and with the thought that conscientious criticism may be an aid to the Court in carrying out its difficult and essential task.

I am troubled by the absolutist approach that seems to be gaining currency on the Supreme Court with reference to constitutional issues. The establishment prohibition does not mean to me religious sterility in our public schools. It does not mean that the majority must give up its cultural heritage and tradition. It is important in our educational process for minorities also to be tolerant. Learning tolerance for others is a crucial part of our educational process. As Dean Griswold put it most eloquently:

> In a country which has a great tradition of tolerance, is it not important that minorities who have benefited so greatly from that tolerance, should be tolerant, too, as long as they are not compelled to take affirmative action themselves, and nothing is done which they cannot wait out, or pass respectfully by, without their own personal participation, if they do not want to give it?

Mr. Speaker, these issues are momentous to the future of our Nation. The relationship between church and state should be defined more precisely through the constitutional process. Local school boards, school principals and teachers should be free to conduct prayers and public readings in the schools on a voluntary basis. That is the essence of the amendment I offer to make.

Mr. Speaker, I would be remiss if I did not pay particular tribute to the efforts of Mr. FRANK BECKER, my esteemed colleague from New York State. He has led the crusade, on an entirely bipartisan basis, to define precisely, by means of a carefully drafted constitutional amendment, the boundaries of proper religious observances in public places.

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## THE CULTURAL CRISIS IN THE NATION'S CAPITAL

**Mr. HARSHA.** Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

**Mr. WIDNALL.** Mr. Speaker, when Newton N. Minow, then Chairman of the Federal Communications Commission, criticized television as a "vast wasteland" few could foresee that the opening of the 1963-64 cultural season would find the Nation's Capital itself a cultural wasteland with the world-famous Bolshoi Ballet performing in a converted ice rink, and the members of the National Symphony Orchestra on strike demanding a living wage.

Paul A. Nagle, administrative vice president, United Federation of Postal Clerks, AFL-CIO, commented cogently on this situation in a letter to me saying—

> Apparently, the citizens of Washington are able to afford to subsidize the city's vast sports stadium, but are expected to place cultural considerations in quite a different compartment.

At the present time almost any beginning Government clerk in Washington is paid more than orchestra players with years of training and experience and the finest educational backgrounds. The musicians rejected, through their union, the orchestra management's offer to raise their present pay to a level which would bring the seasonal pay of the lowest paid staff musicians in the third season of the proposed 3-year employment contract to $5,000. The musicians' present demand would bring the third-year figure to $6,000.

The greatest support that has come to major metropolitan orchestras in recent years has come from grants of public funds for public concerts from State, county, and city governments. In nearby Baltimore, Md., the resident symphony orchestra receives $140,000 a year from such sources, the Los Angeles symphony receives $155,000, the Philadelphia Orchestra $50,000, the Pittsburgh Orchestra $50,000, and the Cleveland Orchestra $35,000. The New York Philharmonic receives support from the New York State cultural fund. In a recent dispute between the Detroit Orchestra Association, the crisis was resolved when the city of Detroit pledged an additional $22,500 to the $50,000 it already gives its symphony orchestra each year. Last year a similar impasse in Chicago was resolved when the mayor of Chicago, Richard J. Daley, pledged to use the prestige of his office to raise an additional $300,000 for the Chicago Symphony Orchestra so the playing season could be extended.

The city of Washington, D.C., on the other hand, gives $8,000 a year to the National Symphony Orchestra. It is not that the municipal government of the District of Columbia lacks the power, or sufficient authority, to contribute as much to its resident symphony orchestra as other cities in our country contribute to their symphony orchestras. Actually, the basic authority for financial support of the National Symphony Orchestra and other music and art programs in the District of Columbia is amply provided in the 1942 Act of Congress establishing the District of Columbia Recreation Department, though it is possible that some refinement of this act is necessary at this time.

The Congress has not been closefisted with the budget of the Recreation Department. This is shown by the fact that its current budget is over $3 million a year. The Congress appropriates for specific items, and the current budget includes only $8,000 for the National Symphony Orchestra, the sum requested by the City's Fathers for this great orchestra.

This situation must change—and for the better. Herman D. Kenin, president of the powerful American Federation of Musicians, AFL-CIO, strongly favors municipal aid for the arts. As early as 1959 he said, shortly after becoming head of the musicians' union, that—

> If America is to witness a renaissance of the living arts in our time—and come it must if our national cultural heritage is to survive—much of the impetus must come from the Congress.

With regard to municipal aid for the arts in the District of Columbia Mr. Kenin said:

> The proposal is much in line with what the Federation of Musicians has been preaching for a number of years; namely, that the cultural arts must have governmental support at all levels. Such is the proven success pattern in Europe, even in the Soviet Union. Yet we in the United States, with all our vast resources, have done so very little to conserve and multiply our human resources of talent.

Mr. Kenin wrote me under date of October 23, 1963, regarding the urgent need to bring "the facts of life home to those who have the community responsibility to maintain our fine National Symphony Orchestra."

Sam Jack Kaufman, president of the District of Columbia Federation of Musicians Local 161, American Federation of Musicians, has also written me regarding the formation of an ad hoc White House Committee To Aid the National Symphony Orchestra, saying that—

> Despite the meeting of a special committee of the Recreation Board with Mr. Charles Horsky on Monday, I agree with you that permanent legislation is necessary if we are to avoid a recurring crisis each year.

This ad hoc White House Committee includes Secretary of Labor Willard Wirtz, Secretary of Commerce Luther H. Hodges, and Presidential Adviser Charles A. Horsky. The musicians remember, however, that when the then Secretary of Labor, Arthur Goldberg, intervened in the Metropolitan Opera dispute the musicians actually gained very little, if anything, more than they could have gained through their own efforts.

Paul Hume, the nationally known music critic of the Washington, D.C., Post, points out that—

> The National Symphony players' problem lies less in the amount of money offered for the weeks they work than in the total number of weeks for which they are contracted.
>
> Why cannot the National Symphony build a summer concert hall, air conditioned, in which it can have concerts of such excitement that people line up in droves for tickets?
>
> Can we not do what Philadelphia, Chicago, Cincinnati, New York, Boston, Denver, Los Angeles, San Francisco, St. Louis, Cleveland, Detroit, and other cities do—which is to find ways of using symphony musicians most of the year?

Richard L. Coe, distinguished drama critic of the Washington Post, wrote that—

> Our "Capital of the Western World" last week clinched its nickname, Hicksville-on-the-Potomac.
>
> From its own opulent theater in the capital of the U.S.S.R., a sizable company of the Bolshoi Ballet took the only stage it could get in the U.S. Capital—converted ice rink, the Washington Coliseum, born Uline's Arena.
>
> I very much resent, as a citizen of the richest country in the world, that this miserable treatment of the performing arts is the best our country's Capital can offer.

The Nation's Capital could readily be rescued from the condition complained of by Mr. Coe, and could easily provide an air-conditioned summer music hall to make long seasons for the National Symphony Orchestra possible by saving the Capitol Theater.

The House has twice passed legislation to save the Capitol Theater, and passed it unanimously, the first time on September 24, 1962, and the second time on August 26, 1963. This legislation is pending before the Senate District of Columbia Committee.

Senator PAUL H. DOUGLAS, the distinguished Senator from Illinois, joined Representative GEORGE HUDDLESTON, JR., Democrat, of Alabama, and myself in introducing similar legislation to save the Capitol Theater.

This bipartisan legislation will not conflict with the National Cultural Center; in fact, it should greatly strengthen the drive for funds on its behalf. The reason for this should be obvious, even to the most partisan proponent of the National Cultural Center. It is simply this: if we permit the destruction of the Capitol Theater, one of the finest music and concert halls in the United States today, we will not be really able to justify asking people all over the Nation to contribute money to build the National Cultural Center in the Nation's Capital.

Washington needs the National Cultural Center, if it is to discharge its great and necessary role as the leader of the free world. I voted for the National Cultural Center on August 22, 1958, when legislation authorizing it was first before the House, and I voted for the extension of the life of the National Cultural Center when this proposal was before the House on August 5, this year.

The National Cultural Center is required by law to be truly national, and to provide stages for the best of the performing arts from this and other countries. At the same time, Washington desperately needs the Capitol Theater to fill in until the National Cultural Center is built, and thereafter to provide a suitable summer concert hall which would be air-conditioned. That this is so is shown, I think, by the fact that even though the Congress provided the Carter Barron Amphitheater in the Nation's Capital the National Symphony Orchestra has never been permitted to play there. The District of Columbia needs the Capitol Theater for its own National Symphony Orchestra and its other resident groups in the performing arts so they may grow and prosper.

Mr. M. Robert Rogers, the able manager of the National Symphony Orchestra, has suggested that the precedent for civic intervention in saving the Capitol Theater was demonstrated in New York City where Carnegie Hall was saved from destruction by the joint efforts of citizens and leading public officials. Among those active in that great civic effort were: Gov. Nelson Rockefeller, Mrs. Franklin D. Roosevelt, Mayor Robert Wagner, and, for the arts, Isaac Stern and a host of distinguished American artists.

I am pleased to say at this time that Actors' Equity Association, AFL–CIO, headed by Ralph Bellamy, has offered to launch, at the appropriate time, a national campaign for funds to reequip the Capitol Theater without 1 cent of cost to the taxpayers. This offer is a crucial one, and should do more than anything else to save the Capitol Theater. What Isaac Stern and his colleagues did for the cause of American music at Carnegie Hall in New York City can be done for all of the performing arts in Washington by saving the Capitol Theater. I can think of no more important and significant effort in the arts in this country in recent years than saving the Capitol Theater and financially insuring the future of the National Symphony Orchestra.

The Commissioners of the District of Columbia have objected to the enactment of legislation to save the Capitol Theater. Their argument is that they "consider it inadvisable to divert badly-needed District funds to a use which, in comparison with the overall needs of the District, must be considered of a lower priority."

Senator J. Glenn Beall, Republican, of Maryland, and Representative Charles McC. Mathias, Jr., of Maryland, have both introduced legislation to provide funds for the National Symphony Orchestra. Like the bill by Senator Douglas, the bill introduced by Senator Beall provides for saving the Capitol Theater. At the time this bill by Senator Beall was introduced, the Washington, D.C., Evening Star reported, March 16, 1963, that—

> Walter N. Tobriner, President of the Board of District Commissioners said he thought it was "very desirable to preserve the Capitol Theater as an outlet for events of cultural importance."
>
> Federal grants, rather than earmarked tax money would be the appropriate way to fund a District cultural program, Mr. Tobriner said.

Clearly, the Board of Commissioners of the District of Columbia are willing to tolerate, perhaps, even, to welcome the arts, as long as somebody else pays for them.

The District of Columbia which is so hard-pressed for funds that it cannot afford adequate schools, or to save its fast-disappearing cultural facilities, is losing more than $2 million a year in taxes, according to one recent estimate which could be realized from the completion of such building projects as those proposed for the Watergate area, the Providence Hospital site, 2700 Adams Mill Road, and the old Henderson Castle site on 16th Street NW.

High-rise apartment buildings are being constructed with great and increasing rapidity in the metropolitan area of which the District of Columbia is the center, while new construction in Washington is lagging far behind.

There are a number of reasons for this, some of which were stated by Fontaine C. Bradley at the hearing by the Board of Commissioners of the District of Columbia, on July 1, 1963, requesting, on behalf of Eugene Meyer III, Katherine Graham, Frederick S. Beebe, and the American Security & Trust Co., that the Commissioners redefine the boundaries of the Adams-Morgan urban renewal project so as to exclude the Meyer-owned Henderson Castle site from the project area.

The short shrift which the government of the District of Columbia gives its architects and builders—and shortchanges itself in addition—is strikingly shown by the editorial "The Style of the City" which was published in the Washington Post of October 21, 1963.

Unless the Board of Commissioners of the District of Columbia takes decisive steps at this time to change the present situation, building activities will be further discouraged, the population will further decline, and the District's tax base will continue to shrink.

I include the editorial "The Style of the City" to which I have referred, and a statement by Angus Duncan, executive secretary, Actors' Equity Association, regarding the need to save the Capitol Theater in the Nation's Capital.

[From the Washington Post, Oct. 21, 1963]

### THE STYLE OF THE CITY

The vicissitudes of the Watergate development in Foggy Bottom illustrate the reasons for the general mediocrity of commercial architecture in Washington. There is not one recent apartment or office building here that approaches the outstanding new work in cities like Baltimore and Detroit, let alone the traditional centers of good design.

The official critics, that plurality of agencies who exercise authority over the style of building, must bear much of the responsibility for this esthetic blight. The imaginative architect is confronted with public policies no more stable than the personal tastes of the constantly shifting memberships of the various boards and commissions, the most important of which like to work in the closet atmosphere of personal negotiations and private meetings. As a measure of official indecision, there have been some 15 repetitive formal hearings on the Watergate designs.

Watergate's architects originally cooperated with the Planning Commission's staff to the point of collaboration, only to find themselves vehemently attacked when the management of the Commission passed into new hands. The builders thought that they had reached an accommodation with the Fine Arts Commission, but now the membership of that Commission has also been changed and the new arrivals announce that there is no agreement.

After more than 2 years of continuous arguing, the issue at Watergate has now been narrowed to the height of the buildings along the river front, and whether they will rise 90 feet or 160. The Fine Arts Commission seems to follow the view that height adjacent to water or a parkway must necessarily be offensive. To the contrary, height alone is vastly less important than proportion. The Commission must decide whether to encourage high narrow buildings covering small areas of their sites and opening wide spaces at pedestrian level, or low broad buildings covering large areas. Foggy Bottom's leading example of a truly oppressive architectural mass will continue to be the State Department, only seven floors high but two unbroken blocks long.

As long as the city rigidly limits height everywhere, its new buildings will continue to be the squat cubes that already line its principal streets shoulder to shoulder. In this stage of the city's growth the clearly preferable choice is to let buildings at selected sites rise to considerable heights, to save space at ground level. Fortunately the Fine Arts Commission now seems inclined to experiment, in a gingerly fashion, with that idea.

Most builders, lacking the patience and the resources of Watergate's backers, will not risk good architecture until they are assured that innovation does not automatically subject them to delay and political attack. Washington requires an explicit and firm policy for good design, and that policy will be judged by its success in bringing grace and style to a densely inhabited modern city.

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### LEGITIMATE THEATERS IN WASHINGTON, D.C.

(Statement by Angus Duncan, executive secretary, Actors' Equity Association)

Actors' Equity Association is greatly troubled by the lack of an adequate program that would encourage the availability of quality theater in Washington, D.C. As our Nation's Capital, Washington exerts great influence throughout our country and overseas. Relative to other great capitals of the world, Washington lags far behind in providing for cultural activity befitting a capital city and, indeed, appears willing to strip herself of whatever facilities now exist for the theater arts. The Shubert Theater has already disappeared from the Washington scene, the Capitol and possibly the Keith are threatened with demolition. While informed observers of life in Washington deplore the shortage of good theater facilities, the political leaders of the community seem indifferent to the relentless advances being made by the bulldozer.

Preoccupation with a cultural center on the Potomac should not be an excuse for ignoring the need for planning theater facilities in the heart of the city and for failing to protect those theaters that already exist until new ones are built, for theater is not only an educational and cultural asset to a community, it also generates commerce and promotes beneficial activity in the city during nonwork hours.

A theater patron spends money not only at the boxoffice, but in restaurants, parking lots, shops, for taxicabs and other public conveyances. These facilities see little use during nonwork hours in Washington. At night and on many weekends, Washington streets are nearly empty and in some downtown areas totally barren of activity. Parking lots and garages have only a daytime use, retail stores see very limited evening activity, restaurants lose potentially valuable evening and weekend trade, public transportation equipment stands unused during a large portion of a 24-hour time period. By expanding the life of the city into evening hours, quality theater can produce revenue for the city and its citizens.

When Carnegie Hall in New York was threatened, the Governor, the mayor, and many more leaders of the State and city worked together to insure its retention. This was done despite the fact that all were concerned with developing New York's Lincoln Center. Many years ago, Mayor LaGuardia acted to have the city purchase the building that is now New York's City Center. The famous New York City Ballet and Light Opera Companies, housed in this structure, remain as living tributes to LaGuardia's foresight and political leadership.

The Capitol Theater must be preserved. Other fine theaters must be saved, and new theaters for our performing arts must be provided if our Nation's Capital is to provide cultural facilities that are adequate for the city's growing population and befitting its role as a world center.

Equity urges the political leaders of Washington to support Senator DOUGLAS' bill to save the Capitol Theater. Equity looks forward to the report of the President's Advisory Committee on Pennsylvania Avenue in the hope that the planners of tomorrow's Washington will recognize that the use made of buildings for cultural purposes is equally as important to the cultural life of a city as the beauty of the structures themselves.

## FRANKED PATRON MAIL

Mr. HARSHA. Mr. Speaker, I ask unanimous consent that the gentleman from Vermont [Mr. STAFFORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I was surprised to read a statement attributed the honorable chairman of the Legislative Branch Appropriations Subcommittee, that House opinion is unanimous in favor of allowing franked patron mail.

I, for one, am bitterly opposed to allowing Congressmen to send franked third-class mail without specific addresses of individual recipients. If a constituent is not important enough to be addressed by name, then we better not be writing to him.

I would also remind the House that in April 1962, an amendment on the floor of the House to bar such "junk mail" lost by only 5 votes in a record vote of 192 to 197. If this vote indicates any unanimous opinion on the part of the House in this matter, then I do not know the meaning of unanimous. If a vote were taken on the issue in the House now, I believe a majority of the House Members would vote to bar patron mail.

The chairman of the Appropriations Subcommittee is holding up action on the legislative appropriations bill because of the demand to bar the House from sending patron mail. In the meantime, we are spending money for operation of the Congress which has not even been appropriated.

## DALLAS, SHOWCASE OF CAPITALISM

Mr. HARSHA. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD I would like to include an editorial and a feature article from the Dallas Morning News of October 22, 1963. The editorial, "Quite a Town," and the feature by Walter B. Moore, "Giant Strides Built Dallas," tell once again the remarkable story of "Big D":

### QUITE A TOWN

Readers of the News' business page would find it hard to escape the conclusion that things are looking up around the Dallas area.

Business editor Al Altwegg reported the other day that employment in the Dallas metropolitan area rose to a record 507,500 for September and unemployment dropped below 3.4 percent, the lowest level of the year. This compares favorably with the August unemployment rates of the Nation, 5.2 percent, and the State, 4.6 percent.

There were good tidings on the same day for shareholders in area corporations, too. Texas Instruments reported that its net sales for the third quarter of 1963 were the highest for any quarter in TI history. The $2,923,000 in profits made the quarter the most profitable of the year.

Shareholders of Texas Industries Inc. were told at the same time that the firm's net income for the last quarter was a record $1,301,482 and heard a prediction that this fiscal year should be the best the company has ever had.

Benjamin Parrill, president of Miller Bros. Hat Co. Inc., reported that his firm registered a 7 percent increase in profits and a 9 percent boost in sales during the past fiscal year and foresaw an even better record for this year.

What keeps Dallas ticking so consistently in the business world?

Elsewhere on this page is an article by Walter B. Moore detailing "giant strides" in the development of this metropolitan community.

The enumeration reflects two basics:

Dallas has a broad and diverse foundation—finance, retailing, wholesaling, distribution, the arts, education, light industry properly balanced with heavy. Its economic eggs are in a lot of baskets.

Its leadership has been aggressive but sound. It is a leadership that takes risks but gets things done. Its financial institutions have been fiercely competitive, but in the final analysis unite on the essentials of progress.

### GIANT STRIDES BUILT DALLAS

(By Walter B. Moore)

Dallas grew, not steadily without interruption, but by a number of giant strides through which civic leaders obtained major enterprises. This fact is generally accepted by historians of this city, although they may differ as to which stepping stones were most important.

A longtime Dallas civic worker was recently asked to name some significant milestones of growth. His list, not necessarily in exact chronological order and certainly not in order of importance, should prove interesting to others who may have different ideas as to leading events causing this city's growth:

1. Selection of this site on the Trinity as a crossing point for pioneers and stagecoach lines.
2. Coming of the railroads.
3. Birth of a distribution center, with the establishment of farm-implement branches.
4. Development of the State Fair of Texas.
5. Establishment of SMU.
6. Merger of various commercial groups into a central chamber of commerce.
7. Campaign which secured the Federal Reserve Bank.
8. Selection of Dallas as regional center for both telephone and telegraph setups, the coming of the News from Galveston and other steps that made this a center for communications and graphic arts.
9. Kessler plan and resultant developments.
10. Trinity reclamation and associated developments.
11. Insurance firms' growth that followed the Robertson law.
12. Annexation of East Dallas and Oak Cliff.
13. Building of a leading air terminal.
14. Selection of Dallas as a site by Ford Motor Co. and other pioneer manufacturing plants.
15. Establishment of the right-to-work concept favoring individuality and industrial enterprises.
16. Building of the original Cotton Bowl and associated developments, including purchase from an individual of rights to the January 1 Cotton Bowl game and presentation of this event to Southwest Conference.
17. Securing of the Texas Centennial Exposition of 1936.
18. Enterprises associated with the east Texas oil field which made Dallas a petroleum financing, management and distribution center.
19. Adoption of council-manager form of city government.
20. Arrival of North American Aviation as the first very large manufacturing enterprise to establish a national reputation for Dallas management and labor ability and dependability.
21. Development as a convention center, including building of Dallas Municipal Auditorium.
22. Acquisition of hospitals, research and educational institutions associated with medicine, including Southwest Medical Foundation.
23. Beginning of science-oriented industries when present management took over what now is Texas Instruments.
24. Planned, orderly integration.
25. Establishment of science research center, SMU graduate program and other current emphasis on educational excellence.

Mr. Speaker, Dallas is a showcase for capitalism. Its tremendous growth, its many civic accomplishments, its fine schools, its great industries and businesses offering both profit and employment, its contributions to art and culture, its splendid recreational facilities, its outstanding airport, its acknowledged leadership in the field of transportation and communications, its wealth, its production, its contribution to the United States of America as one of the truly great metropolitan areas, all this and more has been accomplished through the efforts of the people of Dallas. The record has been made through the full operation of the private enterprise system, capitalism.

Those with vision and courage and willingness to do and dare invested their money, their brains, and their brawn and the result, as always when these ingredients are put to work, is spelled s-u-c-c-e-s-s.

Who gains from the progress of Dallas? All the people of Dallas. Those who invested money or talent, have been able to make a profit. Profit has enabled the industries to grow and prosper and create jobs. The whole community, the workers in the factories and stores, the industrialists and businessmen, the children share in the cultural, artistic, and recreational accomplishments.

What a contrast between the success of capitalism as seen in Dallas and the failures of communism in every country where the system operates. Dallas, and the success stories of hundreds of American communities, the standard of living of most of our people, the opportunity for all, offered in the United States is the best answer to communism.

I may be so bold as to suggest to the President and some of his advisers who seem to prefer a socialistic society, that they look around in America and compare the results of capitalism to those in Communist countries.

Instead of trying to curry favor with Khrushchev, Tito, and other Red leaders by depreciating our own accomplishments, it would be so refreshing if we heard some statements from the White House enumerating the blessings enjoyed by the people of America. Blessings, incidentally, shared with our enemies the Communists, by our free handouts to Yugoslavia, Poland through foreign aid, and now to Hungary, and Russia itself through selling them corn and wheat, every bushel of which is subsidized by American taxpayers. Just once, Mr. Speaker, I would like to hear President Kennedy express his faith in the American people instead of holding their efforts and their accomplishments in contempt as he continually downgrades whatever is done and calls for more controls, more Federal planning in the pattern of a socialist nation.

We, in "Big D," do not apologize for following the capitalist system. We brag about it. We invite President Kennedy, Arthur Schlesinger, Walter Heller, Walter Reuther, George Ball, Averell Harriman, and all the other advocates of a planned economy to come to Dallas any time and share with us the pride of a real American community, built in the best American traditions, and following the finest concepts of the foundation of America's greatness, belief in the individual.

## RURAL ILLINOIS 3 TO 1 AGAINST WHEAT SALE

Mr. HARSHA. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FINDLEY. Mr. Speaker, this noon I delivered to the White House 4,095 letters and postcards which refute earlier claims by the administration that rural America approves the Russian wheat sale.

All of the mail is from rural Illinois, and most of it flatly opposes the President's decision to sell. I left 2,751 communications which said no, and 1,344 which said yes. Most of those which said yes added stipulations which actually put them in opposition to the terms which the President said are acceptable.

Taking this into account, I estimate the mail shows more than 3-to-1 opposition.

Today's mail is the heaviest yet, and seems to be running about the same percentage. I will transmit this and any additional mail I receive so the White House will be kept fully informed.

The new total shows 1,767 yes, and 3,291 no, or 65 percent against.

This mail is especially significant because most of it is from my own district—an area with 46.4 percent of the population listed in nonurban categories. Most farms grow wheat.

Here are a few comments typical of those opposing the wheat sale:

Farmer from Greene County:

Just helping Russia to bury us at our expense.

Farmer from Sangamon County:

One year ago this country was alerted to the prospects of a third world war, avoided by promises to get soldiers out of Cuba, missiles, etc. No proof by inspection as pledged. Why do we reward the unfaithful?

Farmer from Calhoun County:

When you have a club, don't give it to your enemy and expect him not to use it.

Farmer from Cass County:

Let's wipe out hunger in the free countries first.

Farmer from Hancock County:

I do not have a bit of confidence in anything they do or say, and I wouldn't trust them any further than I could throw a ton bull by the tail.

Farmer from Greene County:

How does it happen that Freeman did not know of a shortage of wheat when he was in Russia? Is it possible Russia is storing food to carry through some crises?

Farmer from Morgan County:

Nor the $43 a bushel corn.

Farmer from Sangamon County:

I do not believe we should deal with a bunch of crooks and murderers of Khrushchev or any of the satellite countries. I think we will lose if we do.

Farmer from Cass County:

I do not approve, but I feel that I am in the minority because the majority will put the dollar ahead of principle.

Farmer from Jersey County:

This goes for Tito, too.

Farmer from Macoupin County:

Remember the scrap iron we sold Japan.

Farmer from Morgan County:

The New Frontier is taking us back to where Roosevelt took us and left us. If I gave you my honest opinion this paper would be scorched.

Farmer from Adams County:

Farm votes should not be for sale.

Farmer from Brown County:

This is one of the most stupid decisions the present administration has made yet. Why (many whys) should we be cooperative with our most dangerous enemy? Why should we?

Farm wife from Sangamon County:

I am a farmer's wife and to h—— with Russia. They don't care if their own people starve.

Farmer from Jersey County:

Why feed our worst enemy?

Here are comments typical of those who said yes to the wheat sale but added their own stipulations:

Farmer from Brown County:

But let's have those troops removed from Cuba in the deal.

Farmer from Schuyler County:

I do think it would have been a good time to insist that Russia withdraw from Cuba.

Farmer from Jersey County:

Provided we get a full cash payment on delivery and provided Russian troops are withdrawn from Cuba.

Farmer from Jersey County:

It is a mystery to me as to why the United States is selling wheat to Russia and Russia is not paying the United States for past debts.

Farmer from McDonough County:

They may just as well sell them wheat. They turned Cuba over to them. Broke the Monroe Doctrine without a struggle.

Farmer from Schuyler County:

If [it] would get rid of some surplus on a cash basis paid in gold at our port, and they agreed to get out of Cuba and stay out. I think we should get some settlement on Germany. And do they need wheat or are they trying to trick us? We should have market price at our port.

Farmer from Greene County:

We had just as well sell wheat to Russia, because we trade with other countries that will trade with them. But let's don't give it to them. Looks to me like a good time to use a little leverage.

Farmer from Adams County:

I approve selling wheat to Russia for what they need, but do not think we should sell them enough to dole out to their satellites. I think we should get credit for helping feed those people. If Russia objects, those satellites will know who kept them from getting our wheat.

Farmer from McDonough County:

I would approve only if Russia used it for their own use and they pay their debt due the United States first.

Farmer from McDonough County:

I feel that if we don't sell it direct some other country will buy and divert to Russia. However, I have these reservations. In exchange for the deal we should have some consideration such as: Russians out of Cuba, a relief in Berlin, or some other concession of importance.

## AD HOC COMMITTEES CIRCULARIZE CONGRESS ON BRACERO PROGRAM

Mr. HARSHA. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TALCOTT. Mr. Speaker, there are a number of ad hoc committees with religious sounding names who are circularizing Congress with statements and resolutions in opposition to an extension of the bracero program.

Seldom do these committees or religious associations give their credentials or the basis of their views or valid reasons for their resolutions. A little investigation will reveal that they have made little or no objective study of the problems, many have never been near a farm—some only recently, after their commitment to oppose the bracero program—some did not and do not know the difference between a "wetback," a "green carder" or a bracero. Most have never lived near a migrant farm family or in a rural community. None has ever been a local governmental official. None has presented any alternative proposal.

The simple fact is that they do not know or understand the problem of the farmer or the bracero or the domestic.

If you want a religious answer to the bracero issue, consult your personal pastor, priest, or rabbi. The clergy in areas where the bracero works and lives do not oppose the program. They have facts, experience, and knowledge, as well as compassion, theological training, and morality.

Naturally, all of us, proponents and opponents of the bracero bill, should be concerned with the pathetic plight of the migrant farmworker's family. The bracero program is an effective adjunct to a better life for domestic workers. It is the most satisfactory, humanitarian program yet devised to solve the social-economic supplemental farm labor problem.

## NATIONAL ASSOCIATION FOR RETARDED CHILDREN

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, I am pleased to call to the attention of this body the meeting presently being held in Washington of more than 1,000 members of the National Association for Retarded Children. I am happy to say that my district in New York, the 19th Congressional District, is well represented at this distinguished convention.

The National Association for Retarded Children is a voluntary organization of national stature. It was founded in 1950 by a group of parents who were anxious to take action to improve life for their retarded children. From this small nucleus, the organization has grown constantly, until now more than 1,000 local associations exist across the 50 United States.

We have recently seen in this Congress enlightened legislation being passed to benefit the mentally retarded, legislation outlining plans for national action far beyond the dreams these people of NARC could even imagine when they formed their organization. Our country is finally taking positive action to help the children and adults who are retarded today, and to prevent mental retardation and ameliorate its tragic effects on the lives of children of coming generations.

The members of the National Association for Retarded Children are to be commended on the role they have played in leading action at the community level to help all of America's 5½ million retarded citizens. I should like to record a welcome to them to the Nation's Capital and wish them continued success in their endeavors.

## THE DENIAL OF RELIGIOUS FREEDOM OF JEWS BEHIND THE IRON CURTAIN

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, total annihilation threatens Soviet Judaism. All the resources of the state are directed toward this purpose.

Alone and isolated, unprotected by law, cut off from their religious confreres abroad, victimized by a ruthless and unmitigating propaganda assault, deprived of the sacred accoutrements of religious practice, the devout Soviet Jewish believer faces the greatest danger to his religious life, his sacred beliefs and traditions.

Discrimination against Soviet Jewry in general and the practice of the Jewish religion is a matter of official Soviet policy. A virulent press campaign, designed to distort the image of the Jew by resurrecting time-worn anti-Semitic stereotypes, is a grotesque manifestation of this policy. In the metropolitan and provincial press, especially in areas where most Soviet Jews reside and where anti-Semitism is still widespread and endemic, the Jews are portrayed as worshippers of money. Rabbis and lay leaders are always depicted as extortionists of money from devout Jews ostensibly for religious purposes, but in reality for their own selfish gain. Drunkenness is cited as a frequent problem in synagogue life. In general, Judaism is ridiculed; its religious rites mocked; and its tenets portrayed as potentially or actually subversive.

In addition to the propaganda assault on Judaism, the Soviet state employs even more direct methods of circumscribe the influence and effectiveness of Judaism. No central organization is permitted to unite congregations, facilitate communications, and in general to serve the spiritual needs of the Jewish religious community as a whole.

The state prohibits printing facilities for the Jewish community. Thus, there are no Jewish religious publications. No Hebrew Bible has been published for Jews since 1917. A Russian translation of the Jewish version of the Old Testament has never been permitted. Nor has a Jewish religious book of any kind been published since the early 1920's, except for the recent publication of a siddur; that is, a Sabbath prayerbook. In 1958, an edition of only 3,000 copies of a prerevolutionary siddur was made available to the many thousands of practicing religious Jews. No prayerbooks for use on special religious occasions have been published, and Jews must rely on photographed copies of their religious calendars surreptitiously circulated among themselves.

Many other forms of religious discrimination obstruct the Soviet Jew in practicing his faith. A ban still exists on Hebrew so that Jews educated in the Soviet period cannot participate fully in the liturgy of Jewish religious observances. Indispensable accoutrements for the religious service such as the tallies and tefillin are prohibited. The public baking and sale of matzoth has been forbidden. Restrictions on building synagogues has reduced the number to some 60 or 70, and those few are expected to serve 1 million believers. Prior to 1957, Jews had no institutions to train rabbis, and the yeshiva established in 1957 as an adjunct of the great synagogue in Moscow has operated under great restrictions. In general, it could not hope to meet the demands that the service of a million practicing Jews would ordinarily require.

Jewish religious leaders have suffered direct personal attacks by Soviet authorities in a campaign of attrition and pressure on the Jewish community which has systematically increased since the middle of 1961. In June and July of 1961, synagogue presidents in six major provincial cities were deposed. Six lay religious leaders in Moscow and Leningrad were secretly arrested. In October 1961, the Moscow and Leningrad leaders were secretly tried on charges of alleged espionage and sentenced to long terms of imprisonment. Soviet Jews are made to feel disloyal no matter how innocent their relations may be with Israel or nations of the West. In this regard it is important to note that the religious Soviet Jew is cut off completely from his confreres beyond the U.S.S.R. No Jewish religious delegation from the Soviet Union has ever been permitted to visit religious institutions abroad, and Soviet synagogues are not permitted to have any official contacts, permanent ties, or institutional relations with Jewish religious, congregational, or rabbinic bodies outside the Soviet Union.

All these acts against religious Soviet Jews and their practices add up to a systematic policy of attrition, designed to intimidate and atomize Soviet Jewry. This policy seeks to cut the bonds that link the Jew to his historic religious past, to isolate him within Soviet society and isolate him from the world community of Jewry, and in the end to destroy his Jewish spirit; for this policy aims not only at the Jewish religion but also at the whole of Jewish consciousness.

This policy is, therefore, not another program in the real sense—it has none of its spasmodic emotionalism; nor is it Hitlerian in its mode; it is rather a policy of gradualism, attrition, and atomization calculated to seek the same end: destruction of all those essential qualities and characteristics, both interior and exterior, that make the Jew a Jew.

I trust the world will take cognizance of the foregoing and that appropriate and necessary representations will be made to the Soviet Union to the end that recognition will be given to the plaint of the Jewish people of the repressions practiced against their coreligionists in the Soviet Union. Perhaps the Soviet Government will pay heed.

## RECENT ACTION BY THE UNITED NATIONS ON ADMISSION OF RED CHINA INTO THE U.N.

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MORRIS. Mr. Speaker, I think that it is worth noting the recent action by the United Nations on the admission of Red China into the U.N. This was the 14th time that the proposal has been decisively rejected by the General Assembly. Again the United States took the lead in opposing such a move and I should like to call special attention to the statement made by Ambassador Adlai E. Stevenson, the U.S. representative to the United Nations, which points out our position toward such a move in clear and concise terms:

### STATEMENT BY AMBASSADOR ADLAI E. STEVENSON, U.S. REPRESENTATIVE TO THE UNITED NATIONS, IN PLENARY, ON CHINESE REPRESENTATION, OCTOBER 16, 1963

Nothing has happened in the world in the past year to justify the General Assembly seriously redebating the item which we now have before us; indeed quite the opposite is the case. For many years this issue has been dealt with in decisive fashion by the United Nations; in 1961 proposals to seat the Communist Chinese and expel the Representatives of the Republic of China were defeated by a vote of 36 to 48; last year they were defeated by 42 to 56. In 1961 also the Assembly decided by a vote of 61 to 34 that any proposals to change the representation of China would come under the provisions of article 18(3) of the charter and this requires a two-thirds vote. Since then the leaders of Communist China have further demonstrated both in words and deed that they do not accept the most basic principles of the charter. The Albanian proposal is consequently totally inappropriate and should be decisively rejected.

Given the behavior of the Communist Chinese in the past year, it is even more unfortunate that the constructive mood of this 18th session of the General Assembly, a mood in which all, or almost all, of us have taken such satisfaction, should be interrupted in the strident and discordant rhetoric of the cold war. As President Kennedy said in his address at the outset of this session, the whole world is now looking to the United Nations to see if the current pause in the cold war can be stretched into a period of cooperation during which both sides can gain "new confidence and experience in concrete collaboration for peace." The Albanian proposal to expel one of our founding members and to replace its representatives with those of the world's most warlike regime is in essence a proposal to install the chilliest advocate of both cold and hot wars in our halls.

Two years ago on the eve of our debate on this subject Communist China had subjected Tibet to its domination. Last year it was engaged in aggressive warfare against India, and by its own admission was using its influence during the crisis over Soviet missiles in Cuba to try to prevent the solution which the rest of the world welcomed. And now this year we find Communist China not only embroiled in both old and new disputes, on all of its peripheries, but also being the unique and aggressive advocate, alone in the councils of the world, of the inevitability and desirability of war as a means of solving international disputes.

Mr. President, in the past 2 years 19 plenary meetings have been devoted to substantive debate on the representation of China. Nearly all members have expressed their views. In both 1961 and 1962, proposals to expel the representatives of the Government of the Republic of China and to admit Chinese Communist representatives were decisively rejected, not by less and less support, as claimed by the Representative of Albania in his statement of September 27, but by a no vote of 48 in 1961 and by an absolute majority of 56 in 1962. One of the preceding speakers, furthermore, has based his case in part on the erroneous assumption that a majority of member states recognize Communist China. The fact is, of course, that an absolute majority of member states—namely 59—recognize the Government of the Republic of China.

The Albanian request that this Assembly reverse itself, that we throw out a loyal charter member and make room for representatives of a regime which is not a peace-loving state will not bear scrutiny.

In contrast to the Albanian delegate's protestations about the peace-loving nature of the Peiping leaders and their dedication to peaceful coexistence, the Chinese Communists have demonstrated repeatedly that they will not meet the qualifications of article 4 of the charter. The Government in Peiping is not peace loving; it does not concur in the obligations which the Charter imposes; and it is clearly neither able nor willing to carry them out.

A recent example is Communist China's reaction to one of the most significant international developments since our last debate on Chinese representation. I refer, of course, to the test ban treaty, the first successful step in 17 years of effort to limit the nuclear arms race. What has the Chinese Communist regime said about this agreement? Unlike the virtually unanimous majority of United Nations member states represented here, which have adhered to the treaty, the Peiping regime rejected it out of hand as a fraud, a trap, a deceit. "It is rotten to the core" is their specific reaction to this first momentous step on the path to peace and security by arms control.

The Chinese Communists' rejection of the test ban treaty, while disappointing, cannot be said to come as a surprise in view of their known attitude toward other efforts to diminish international tension and the danger of war.

Their objection to the strenuous efforts of the United Nations to bring about disarmament has also been repeated within the last 60 days. "Universal and complete disarmament can be realized only after imperialism, capitalism, and all systems of exploitation have been eliminated," they say. "To make propaganda about the possibility of realizing 'a world without weapons, without armed forces, and without wars' through universal and complete disarmament while imperialism still exists is to deceive the people of the world and is detrimental to the struggle for world peace."

Just ponder this for a moment. As we know, imperialism has long been a Communist synonym for the democracies of the West. Peiping is saying that only when these free, peaceful, economic and political systems have been eliminated, can we talk of general disarmament. In other words they are opposed to the work of the 18-member committee in Geneva; they are opposed to actions such as the resolution we have just adopted in committee I forbidding the placing of weapons of mass destruction in orbit; and they are prepared to talk about disarmament only when those who don't accept their ideology have been erased.

Such an attitude hardly is a recommendation for admission to the United Nations. But it is also hardly new. Long ago Mao Tse-tung expressed the iron maxim of Chinese communism in the words: "All political power grows out of the barrel of a gun." Only recently he was confirmed by one of his spokesmen as having said in 1957: "If the worst came to the worst and half of mankind died, the other half would remain while imperialism would be razed to the ground and the whole world would become Socialist (i.e. Communist). We must conclude that they accept nuclear war, because the death of half of the human race would improve the prospects for Chinese communism in the remaining half of the world.

In spite of all this evidence of the dangerous mood of Communist China, there may be delegations here who are still essentially unmoved. People who see Communist China's attitude as only one more aspect of the "cold war"; who regard this as a remote dispute—even if important—between big powers but with little real relevance and importance to them; who may even secretly take some comfort in the attitude of Communist China on the assumption that it to some degree assists them in the struggle against colonialism.

To those who are so inclined I urge that the real objective and aims of the Chinese Communists be studied more carefully. For their true objective is not the objective of African or Asian democratic nationalism; their true objective is to use this nationalism as a way station to world domination.

The efforts of peoples still under colonial rule to achieve freedom are to be supported, but the Communist Party in those countries is enjoined to work "independently among the masses" and to "guide the revolution on to the road of socialism" by which, of course, they mean communism. And lest there be any misunderstanding of what this means to the social fabric and leadership of those states, the leaders of Communist China add that "all forms of struggle, including armed struggle" are to be mastered and that "the transition from capitalism to socialism (that is, communism) in any country can only be brought about through the proletarian revolution and the dictatorship of the proletariat in that country." These words speak for themselves and they should speak to all of us.

No, Mr. President, while the Communist Chinese continue by word and deed to reject the obligations of the United Nations Charter—while they treat the organization with contempt and arrogance—they block their own admission to it. They—who have been branded as an "aggressor" by the United Nations—charge that the "United Nations flag has been imprinted with the ignominious hallmark of aggression against Korea." And they persist in asserting the right to use force if necessary to eliminate the Government of the Republic of China and take the island of Taiwan.

The Chinese Communists, according to Albania, consider "the liberation of Taiwan and the other Chinese islands * * * a legitimate right of this People's Republic of China * * *," an objective made more specific in a report of a political work conference of the Chinese Communist People's Liberation Army issued on March 6, 1963, which says: "We will speed the revolutionary and modernizing buildup of our army * * * to liberate Taiwan * * *." For many years the United States has sought without success to persuade the Chinese Communists to abandon the use of force as a method of pursuing their policies in the straits. It is no wonder, in the light of such an attitude, that we participate in a mutual assistance treaty with the Republic of China.

The standards of this organization were established after serious deliberation. Every member that has joined this organization is pledged to accept those standards. The Chinese Communists cannot amend or contradict them in the way they do and still expect the members of the organization to consider them seriously committed to obey them and undertake the responsibilities and obligations of membership.

The recurrent theme of "universality" running through the arguments of those in favor of the admission of Red China surely cannot be considered in isolation from such facts. We agree that universality represents a goal toward which the United Nations must strive. But the people of China are already properly and legitimately represented in the United Nations by the Government of the Republic of China. The United Nations must not weaken its dedication to the principles on which it was founded and which have been spelled out in its charter. It is these principles that should be universal. If we were to admit those who deny their validity, we would be creating an illusion of universality, which in time would probably turn out to be no more than a universal delusion.

Nor are the realists who maintain that the composition of the United Nations should simply reflect the world as it is realistic if they disregard these principles of international conduct. The argument that it is unrealistic to exclude the representatives of a regime that for 14 years has controlled hundreds of millions of people on the mainland of China brushes aside realities that have a direct bearing upon the issue before us. These realities include the unrepresentative and aggressive nature of the Chinese Communist regime; the fact that China is already represented in the United Nations by a government which is both able and willing to carry out its obligations under the charter; the fact that the Charter of the United Nations sets forth explicitly the requirements for membership; and finally the monstrous reality of the Albanian proposal to expel a member that has always supported the charter in order to make room for a regime whose creed and actions are diametrically opposed to the letter and spirit of the charter.

This argument of realism also overlooks still another reality, namely, that what keeps the people of mainland China from participating in the work of this organization is an unscrupulous regime that has interposed itself between the people of China and the rest of the world. The people of the United States have always been close friends of the people of China, and we are much concerned with their well-being and that they take their proper place in the modern world. But we believe we could do the Chinese people no greater disservice than to give them the impression that we are siding with their oppressors.

It has also been suggested that the Chinese Communists can best be tamed by admitting them into the United Nations. Although I still feel as I said in 1961, that "this is a most tempting thought which all of us would like to share," unfortunately weight of the evidence points the other way. In their bilateral relations they have been aggressive, expansionist and unfriendly to their neighbors. On the rare occasion when Chinese Communists have spoken in international meetings they have fostered disharmony and conflict. Even in the recently completed Centenary Congress of the International Red Cross the Chinese Communist delegate, Peng Yen, refused to support a resolution which "welcomed the efforts being made by the government to dispel the menace of armed conflict by the reduction of armaments, the banning of nuclear tests and weapons and the resort to peaceful methods of negotiation."

We have another concrete illustration of Chinese Communist behavior after they were brought into the international conference arrangement on Laos. Whenever the ICC has taken action to forestall the possibility of a resumption of full-scale hostilities on Laos, it has been subjected to attack by the Chinese Communists. Despite their protestations of peaceful intent the Chinese Communists have refused to cooperate and have, through their proxies in North Vietnam, sought to defeat the purpose of the international agreement to which they have become a signatory, thereby keeping this unhappy neighbor country in a constant state of turmoil.

Nor need we look beyond the speech of the Foreign Minister of Albania, the spokesman of Communist China in this Assembly. His two speeches to this Assembly have constituted a brutal reversion to the most extreme demagoguery of the cold war and have given the Assembly a vivid example of what would happen in our incessant struggle for mutual understanding and accommodation in the halls of the United Nations if Communist China should become a member.

In conclusion, Mr. President, the fact of the matter is that the General Assembly has ruled and ruled again on this matter.

In 1961 the General Assembly after a long, full, and a fair debate decided that it was not prepared to throw out one loyal member of this organization and to replace it by a regime which defies the charter and the organization itself, and which has the temerity to demand a license to permit armed aggression as the price of its admission to an organization dedicated to peace. That decision was reaffirmed with even greater conviction in 1962. Nothing has happened in the interim to cause us to reconsider that carefully considered decision. On the contrary, everything that has happened confirms the wisdom of that decision. The evidence mounts from month to month that Communist China does not believe in world peace and collective security nor the charter of this organization.

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## THE 18TH ANNIVERSARY OF THE FOUNDING OF THE UNITED NATIONS

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from Minnesota [Mr. FRASER] is recognized for 60 minutes.

Mr. FRASER. Mr. Speaker, today is the 18th anniversary of the founding of the United Nations.

This hour has been reserved to provide Members with an opportunity to join in paying tribute to the United Nations, not only to its outstanding works of peace in the past, but to its future as our best hope for achieving a world of peace with freedom under law.

Above all else, Mr. Speaker, we want to talk about the United Nations in realistic words, because each day it takes on more of the hard tasks of solving our complex international problems.

We need to address ourselves to this great international organization, not just with eulogies, but with honesty, candor, and enthusiasm.

Mr. Speaker, our distinguished and able colleague from Florida [Mr. FASCELL] serves as chairman of the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs. He is a strong friend of the United Nations.

I ask unanimous consent that his statement appear in the RECORD immediately following the conclusion of my remarks, to be followed by the statement of the distinguished gentlewoman from Ohio [Mrs. BOLTON], and ranking minority member of the Committee on Foreign Affairs. I also ask unanimous consent, Mr. Speaker, that all Members have 5 legislative days in which to add their statements to the RECORD.

Mr. Speaker, the United Nations has written its own record over the past 18 years. We have seen its effectiveness as a forum for discussion of crucial issues from the Berlin blockade to the October missile crisis.

It has helped by direct action to resolve crises which might otherwise have lead to major war in such places as the Suez and the Congo.

We are, perhaps, less conscious of the day-to-day work whereby the U.N. through its many activities is helping to lay a solid foundation for the development of an international community which can live and work in harmony.

Only last week the U.N. General Assembly banned weapons in outer space.

Here the U.N. crystallized world consensus at a given moment of time before the march of events—a changing technology and the arms race—might have made such a proposal unacceptable.

In short, the U.N., in a multitude of ways, in crises and in daily operations, supports the primary goal of U.S. policy: to further the emergence of a world in which nations can live together peacefully and in harmony, settling their differences by legal means rather than by the sword, a world in which every nation is secure and where the United States is therefore secure.

There is little disagreement on the value of the U.N. today.

It is, according to Gallup polls, consistently supported by over 80 percent of the American people.

But over the years a continuing question or complaint is registered: Is not the United States carrying too much of the burden?

In my opinion the answer is "No"—and let me tell you why I answer thus.

The United States makes two kinds of payments to the United Nations. First, as a result of mandatory assessments. The General Assembly has the authority, which it exercises, to assess member nations for the support of U.N. activities. At the first session of the General Assembly in 1946 it was decided that, in general, the costs of the organization should be shared on the basis of capacity to pay. The United States, however, argued that it was unwise to have any one member nation pay too large a share of the costs. The result was that a ceiling on assessments was created at 39.89 percent.

Later this was reduced to 33.33 percent, and in 1957 it was determined that ultimately the ceiling should be 30 percent.

At the same time the U.N. fixed a floor of 0.04 percent for the smallest payers.

Secondly, we make voluntary contributions to support a number of U.N. programs. Included among these programs are the United Nations expanded technical assistance program and the Special Fund, the United Nations Children's Fund, the U.N. Relief and Works Agency for Palestine Refugees, and the U.N. Fund for the Congo which provides economic help to the Congo.

We also make additional contributions to the World Health Organization.

In which category do the costs of our peacekeeping missions fall?

These are now the subject of mandatory assessments although we have also made extra contributions. This question was finally resolved, however, only after the U.N. began military operations in the Congo.

The General Assembly made assessments against the member nations to pay for this and the Suez operation. France, Russia and other countries refused to pay. They claimed that peacekeeping operations had to be authorized by the Security Council. The General Assembly voted to refer this matter to the World Court for an opinion.

The World Court ruled that the assessments were valid and enforceable. The General Assembly voted to approve the Court's decision. Now, if a country fails to pay, it will lose its vote in the General Assembly when it becomes more than 2 years in default on its payments. Next year the Soviet Union will be that far in default, as will France, unless they decide to pay up.

The current financial problems of the U.N. stem from these peacekeeping operations and the difficulties in getting countries to pay their assessments. The U.N. has resorted to stop-gap answers. First, the $200 million bond issue. Then, for the last 6 months of 1963, a so-called three-bite assessment was agreed upon. The first bite, $3 million, is paid by all countries according to the regular percentages; the next bite, $30 million, on a modified formula permitting the small countries to pay 45 percent of their regular share; and for the third bite, the major powers pick up the remaining balance.

The result is that the United States contributes about 37 percent of the total—far less than the 46 to 49 percent in earlier years.

This compromise—the three bite—was agreed upon because the small nations felt that peacekeeping was primarily the concern of the larger powers, and because they did not have the financial resources to stay in step with these extraordinary expenses. The U.N. has extended this formula for the first 6 months of 1964 and is still working on a longer term solution.

The proportion which our voluntary contributions bear to total contributions vary considerably. For example, our contribution to the World Health Organization's community water supply program is 100 percent. We are paying for all of it. This is one of those cases from which the impression is easily gained that we are shouldering far too high a burden.

In fact, however, counting the voluntary programs, the peacekeeping operations in both the Congo and the Middle East and pledges through the U.N. for economic assistance in the Congo, the total contribution is in the neighborhood of 45 percent.

Furthermore, in the area of voluntary contributions, the United States is very far from being the only participant.

In 1962, for example, our contribution to voluntary programs was less than 50 percent, whether U.S. contributions are compared against program pledges or program expenditures.

How do we measure a fair contribution?

If we take the simplest measure, the total productive wealth of a nation, we find that the United States in 1962 produced approximately 38 percent of the total productive wealth of all member nations.

This figure is larger, therefore, than our regular assessment and is larger than the "three-bite" compromise plan now in effect to pay for peacekeeping operations.

Let us fully understand, therefore, that wherever the United States is subject to mandatory assessments, the proportion is less than our share of the gross national product.

We are offsetting this, however, with our generous voluntary contributions. But even as we acknowledge this fact, we should understand that if the support for the United Nations were generated by applying the U.S. Federal income tax rates to all taxpayers in all member nations of the U.N., the American taxpayers would be paying considerably more than they are today in support of the United Nations, and as so many of my conservative friends like to point out, money in national treasuries does not get there by magic, it is withdrawn from the pockets of the individual taxpayer. Today the average contribution made by an American wage earner to the U.N. is approximately $3 a year. This includes the mandatory assessments and peacekeeping, as well as the additional voluntary contributions.

I use these figures only illustratively. My point is that the capacity of the United States to support the United Nations is enormous compared with the rest of the world, and the limitations we have been striving for on U.S. contributions are supportable primarily on the public policy ground that no nation should be contributing too large a share.

I firmly support that view. But do not let us get the notion that other nations are getting a free ride because, for the most part, they are not. Forty-two nations—the poorest—in 1962 paid more than they would based on their share of the world's wealth.

This results from the minimum contribution level set by the General Assembly. This point is important for one other reason. The U.N. does have a variety of programs, from malaria control to peacekeeping, some of which may not get off the ground unless we do contribute more than our 33 percent. We should not be reluctant to give these programs generous support.

Some of these programs, such as the Special Fund and the expanded technical assistance program, seek to do what we, through our aid program, are otherwise trying to do unilaterally. Even where we put in 50 percent or more, we are still ahead of the game.

Mr. Speaker, in closing, I would like to pay tribute to our Ambassador to the United Nations, Mr. Stevenson. The eloquent tribute paid him by the President in the preface to a collection of Mr. Stevenson's speeches soon to be published conveys my sentiments. The President's statement follows:

> Many crises have threatened the peace of the world since Adlai Stevenson became the U.S. Ambassador to the United Nations. The force, eloquence, and courage with which he has advanced the American viewpoint have played no small part in helping to confine those crises to the council chambers where they belong.

At the end of the preface, he adds:

> During his presidential campaigns Governor Stevenson raised the level of our national political dialog. As our representative in the United Nations, he has similarly raised the level of the international political dialog. The proof lies in the pages which follow.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. FRASER. I yield to the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I want to commend the gentleman for taking this time for this purpose and to congratulate him on the interest he is showing as a new Member of the Congress in the vital questions that have come before us. There is no more important subject than the one that the gentleman is discussing.

Mr. Speaker, when we concluded World War II by using the atom bomb, there was in the name of humanity only one tenable position open to the civilized nations and that a position of united, formalized opposition to military aggression anywhere on the globe. We could only speculate what new changes and dangers lay down the road of the 20th century and prepare to meet them.

Thus the United Nations was conceived and has operated as the single international organization empowered to handle critical areas of international interest and international dispute. It has been peacekeeper, economic adviser, banker, friend to the needy, sick, uneducated, and jobless of many nations of the world.

But it functions in a vastly different world than that of post World War II. When war ended, revolution began; revolution on many fronts—political—as the colonial order of things was replaced by nonwhite, non-Christian, but free and independent governments—almost three dozen of them.

Economic revolution, too, has broken out like a rash. Billions of people on other continents by voice and force demand to share in the standards we regard as ordinary. And in those nations experiencing a runaway birthrate, the economic revolution is fought side by side with the biological revolution, the one almost canceling out the success of the other.

Among the great powers of the world, the revolution in science has almost preempted all other events. Supersonic flight, intercontinental ballistic missiles, atomic energy, have captured their full attention and competition.

The global tide is running toward change—toward a new order of things in which no single country or area will be protected by time or distance—where human aspirations cannot be sealed off from those of the rest of the world by lack of knowledge, materials, or opportunity. Submission to force, to climate, to poverty, to ignorance, is becoming passé.

The new revolutions demand new rules to guide the international revolutionaries. Humankind shares no common color, no common faith, no common race—it shares only a common yearning for a decent life and individual freedom. It is essential, therefore, that we unite behind our common denominator—man's desire to be free.

Nations must share in a common dedication to freedom and also share in the responsibility to protect it. The vehicle of their common purpose is the United Nations. Within the short span of 18 years, experience and events have confirmed our need of such an organization. It has been our most important force to extend peace and order and the boundaries of the free world. It has guarded the rights of self-determination for the new nations just learning to walk and has frustrated the exploitive purposes of the Soviet; it has been the voice and the hand of freedom in the trouble spots of many nations. It is our best experienced and only working world referee to date. I hope it can grow and develop its full potentialities as the guardian of peace and freedom.

**Mr. FRASER.** Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD.

**The SPEAKER.** Is there objection to the request of the gentleman from Minnesota?

There was no objection.

**Mr. FASCELL.** Mr. Speaker, today is United Nations Day. Eighteen years ago the U.N. came into being. It was conceived in the mind of the greatest American of the 20th century—Franklin D. Roosevelt—standing today as a monument to him and to world peace imposed at the conference table rather than on the battlefield.

It is useful to compare the U.N. on its 18th anniversary to the status of the League of Nations at a similar time.

Deprived of U.S. participation, scorned by the militarists who were shortly to bring about World War II, the League helplessly stood aside while Japan marched on Manchuria and China, ignored the resurgence of German militarism, bowed to the Italian rape of Ethiopia, and watched but did not understand the subversion of the Comintern.

The United Nations in a same period has forced the withdrawal of Soviet troops from Iran, stood up and fought the Communist invasion of Korea, restored and kept the peace in the Middle East and prevented Communist penetration in the Congo.

There are those in the United States who say the U.N. is un-American. I say it is a valuable instrument of American foreign policy.

There are those who say it is costly. I say that American lives are more valuable than American dollars and the U.N. has preserved American lives.

Some claim the U.N. is part of the Communist conspiracy. I say nonsense.

Some friends of the United Nations are disappointed that it has not become a superstate with an army capable of forcibly imposing peace on the world, superceding national sovereignties.

The purpose of the U.N. is not that—those great men who brought the United States into the U.N. did not intend such a result—they intended a world forum where the moral force of all nations threatened by disputes could be brought to bear on disputants—and that is what we have.

I am proud to be chairman of the subcommittee of the Committee on Foreign Affairs that has oversight over U.S. involvement in the United Nations.

I am confident it will continue to serve the desire of the people of the United States and of the world for a peaceful world in which to bring up their children.

**Mr. FRASER.** Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON] may extend her remarks at this point in the RECORD.

**The SPEAKER.** Is there objection to the request of the gentleman from Minnesota?

There was no objection.

**Mrs. FRANCES P. BOLTON.** Mr. Speaker, it is a very real pleasure and privilege for me to say a word on this United Nations Day.

Much water has flowed over the dam since those meeting in San Francisco gave birth to the United Nations.

Some of it has found its way quietly through calm valleys, some of it has been tossed rather violently against rocks of disagreement. None of it has reached the great sea of understanding and constructive togetherness that we dreamed of.

When I had the privilege of being the first woman to represent this great body at the 1953 Assembly, there were less than 60 members. Today there are 111. These 10 years have brought even increasing international problems with no lessening of misunderstanding, but the United Nations is still a sounding board for all the free nations—a meeting place—a forum. Newly emerging nations look to it for principles of self-government, for help in technical training for their people.

But with the rapid pace of new membership accepted without any preliminaries, there has come what may be a dangerous and profound change in the principles that led to its founding.

It was to have been a uniting of those nations whose goals were peace. But even at the outset one of the strong powers had little desire for a peace in which it did not have complete control. The battle for power began at the very beginning and continues on, even as here in our United States there have always been two great factions, one believing that strength lay in the union of autonomous states, and the other insisting that the Federal Government in Washington control. At the moment the latter element is using all its strength to build a powerful Central Government. Opposition to this is gathering strength, as the people begin to realize what it is that is being done to them.

So, in the United Nations these many new nations are beginning to see that being on their own has not necessarily brought them the independence and freedom for which they hoped. They will see more clearly when they have accepted the responsibilities of such freedom and independence.

Mr. Speaker, it is my earnest hope and humble prayer that all people here in the United States and out across the world will draw together during the years to come in a clear knowledge and certainty that the peace for which we set up the United Nations can be had only when each individual and each nation examines the depth of its desires and seeks first the kingdom of God, after which all things will be added unto them.

**Mr. HOLIFIELD.** Mr. Speaker, will the gentleman yield?

**Mr. FRASER.** I yield to the distinguished gentleman from California.

### U.N. AND THE ATOM

**Mr. HOLIFIELD.** Mr. Speaker, when the United States and the Soviet Union—which are capable of inflicting unacceptable destruction on each other within the space of an hour—agreed that it was in their common interest to put a brake on the further extension of thermonuclear power, they conducted their negotiations directly and privately. This was the only safe and sensible thing to do.

And it may well be that next steps toward control of the arms race—if such steps can be agreed upon—will be worked out in direct negotiation among the major nuclear powers before such agreements are submitted to an international body. I would expect this to be the case. But this does not deny the role and relationship of the United Nations to the search for some secure formula for arms control and disarmament.

One of the first subjects of business for the General Asembly was the bold proposal by the United States to prevent a nuclear arms race before it began by placing the management of atomic power under international control. If the Soviet Union had accepted that dramatic initiative by the United States, the world would be a far different and better and healthier place for all of us today. Since then the United Nations has been discussing and debating the subject of disarmament in general and nucler disarmament in particular year after year in forum after forum. Has all this been futile? I do not think so.

This protracted preoccupation of the United Nations with the subject of disarmament has served as a constant reminded that the people of the world are weary of war and tired by the burden of armament. These debates—with their proposals and counterproposals—also have served to reveal the real policies, as distinguished from the propaganda, of the two sides. For example, when the Soviet Union first delayed substantive disarmament discussions because they insisted that discussions should take place within a 10-nation forum instead of a 5-nation forum, and then won agreement for a 10-nation forum, and then walked out of that forum because they did not like the way things were going, it was clear to all which side was serious about negotiating and which side was not. Repeated incidents of this kind have had an educational effect upon the leaders of other nations.

Furthermore, the United Nations has served as a useful center for direct negotiations and as a promoter of new negotiating efforts—as with the establishment of the present 18-Nation Disarmament Conference which has been working for the past 2 years in Geneva.

But the essential relationship between the United Nations and disarmament is that the peacekeeping capacity of the United Nations is the only substitute for the warmaking capacity of nations. Disarmament and peacekeeping are two sides of the same coin.

This linkage has been seen clearly by the United States and made a condition of progress toward general disarmament. When U.S. Delegate Adlai Stevenson described the U.S. plan for general and complete disarmament in 1961, I believe we made a breakthrough in the dialog of war and peace. His description of the relationship between peacekeeping and disarmament are, I believe, well worth recalling:

> In a world without arms, military power would be taken out of the hands of nations; but other forms of power would remain—and mostly in the hands of the same states which are the most powerful military states today.
>
> Conflicting ideologies would still be with us.
>
> Political struggles would still take place.
>
> Social systems would still be subject to disruptive pressures from within and without.
>
> Economic strength would still be a factor in—and an instrument of—national foreign policies.
>
> And the world would still be the scene of peaceful transformations—for it cannot and should not remain static.
>
> Let us be clear about all this:
>
> Disarmament alone will not purify the human race of the last vestiges of greed, ambition and brutality—of false pride and the love of power. Nor will it cleanse every last national leader of the least impulse to international lawlessness. No sane and honest man can pretend to foresee such a paradise on earth—even an earth without arms. * * *
>
> It therefore seems clear * * * that the only way to general and complete disarmament lies along two parallel paths which must be traveled together. One leads to the absence of arms; the other to the presence of adequate machinery for keeping the peace. As we destroy an obsolete institution for the settlement of disputes we must create new institutions for the settlement of disputes—and simultaneously.
>
> Let me repeat for emphasis. We do not hold the vision of a world without conflict. We do hold the vision of a world without war—and this inevitably requires an alternative system for coping with conflict. We cannot have one without the other.

This is the U.S. position today: We can safely dispose of the machinery of war only as we build, simultaneously, effective machinery to keep the peace and resolve the conflicts that would remain in a world without arms. This is the essential relationship between the United Nations and disarmament.

But it has been clear since that first fateful atomic explosion in 1945 that inherent in the atom was the potential not only for the destruction of mankind, but for its lasting betterment. I have mentioned a few of the efforts through the U.N. for disarmament. I would be remiss if I did not point out the progress that has been made through the U.N.—or more properly through its affiliated specialized agent, the International Atomic Energy Agency—toward constructive uses of the atom.

Since that explosion in Hiroshima the world has lived with a threat and a promise. Both stem, oddly enough, from the inevitable proliferation of atomic power. The threat, of course, lies in a proliferation of the atomic weapons; the promise in a proliferation of the manifold peaceful uses of atomic energy.

The U.N. in its efforts toward disarmament has served to keep an uneasy lid on the threat. And the IAEA has sought to maximize the promise by spreading the growing body of scientific knowledge on ways the atom can serve mankind.

The U.S. Government took the lead after World War II in an attempt to internationalize atomic energy. However, due to Soviet intransigence, the International Atomic Energy Agency did not come into being until 1956.

Not widely known is the fact that the IAEA was created for a purpose which it never had to fulfill. At the time of its birth it was believed that nuclear materials would be in extremely short supply and that some agency should be set up to parcel out the limited quantities available. As things worked out, there proved to be a relative abundance of nuclear materials and the problem became one of insuring that the materials were used for peaceful purposes. It was not until last year that the IAEA began to focus clearly on the many other tasks it could accomplish in this field of infinite promise. An advisory committee, headed by Dr. Henry Smyth, U.S. Ambassador to the IAEA, filed a report which highlighted three basic considerations which the IAEA should reflect in its future activity.

First, the committee stressed the growing future applications of nuclear energy through wide areas of the world.

Second, it underlined the necessity of helping nations to build the skills and institutions required to utilize the new atomic technology.

Third, it cautioned against the uncontrolled spread of atomic reactors without international safeguards to assure the utilization of fuels and fission products for peaceful ends.

In connection with the final assumption, it was clear that an international agency would be more effective in assuring adequate inspection for a number of reasons. An international body would apply a more uniform set of inspection standards than would a number of countries conducting their own inspections. An inspection conducted by a group of technicians of different nationalities would insure against fraud and be more credible to the international community. Moreover, experience in international inspection is the only kind really relevant to the associated arms control and disarmament problem. And finally, an international organization is cheaper and more efficient than a series of national bodies.

Let us examine for a minute what the IAEA has been able to accomplish in the few years of its existence. There are now well in excess of 200 research reactors around the world, of which more than 25 are in developing countries. In about a dozen nations, in addition to our own, nuclear power programs are underway. The Agency has conducted power studies in a number of countries, pointing out areas where atomic power could be competitive and practical. It has provided information and cost estimates to these countries and has assisted them in reactor development and in the training of specialized personnel to operate and maintain these facilities.

In the field of inspection, it has maintained regular inspections of facilities below a certain power level. These inspections are now being extended to larger reactors. Although this program has been hampered by the refusal of some larger atomic powers, notably the Soviet Union, to submit to inspection, the experience gained in other countries will be invaluable when these safeguards can be applied on a truly international basis. And it is important to remember that today's limited inspection has prevented the diversion of nuclear materials to military uses in those areas where it has been carried out.

Concurrently with growing utilization of the atom for power has been a vast increase in man's knowledge and peaceful application of radioisotopes. The IAEA has assured that these advances in the fields of medicine, agriculture, and industry have been speeded to other countries of the world where they may be put to effective use. Through the Agency supplies of essential radioisotopes have been made available to those countries not yet able to produce them.

A further vital service rendered by the Agency is that of training scientists and technicians from other countries. Without this training these nations would be unable to join their world neighbors in realizing the atom's limitless potential for good. Already these technicians are returning to their home countries and applying their new skills to further their national development.

In the atom man has discovered the potential for molding his environment and ending the ancient scourges of hunger, pestilence, and disease. But the same power poses a challenge to his capacity to maintain a civilization of law and order. The IAEA is an institutional response to this challenge, and the extent to which it succeeds in its vital tasks and responds to new scientific breakthroughs will affect the course of history. For the sake of man's self-improvement, as well as his survival, it must not fail.

Mr. LEGGETT. Mr. Speaker, will the gentleman yield?

**Mr. FRASER.** I yield to the gentleman from California.

**Mr. LEGGETT.** Mr. Speaker, I am reminded of Lincoln's adage that you can fool some of the people all of the time when I get the usual run of Carl McIntyre, Smoot, and Birch literature in my office constantly from the same misled, misinformed group, who, out of desperation, question the loyalty and religious faith of all representatives when they are confronted with the necessity of choosing between realistic alternatives. These folks are the authors of more "cleverisms" than the free mind can comprehend, one of which is the voice calling from high on the U.N. building, "Let me out." A clever ditty to these people appears to be the sole answer to all of our fundamental problems and they always promise massive retaliation for the nonconformer. I have a dozen of these honest but misled folks in my district who purport to speak the voice of 400,000.

The theory of many government critics is that you can state anything, get someone to agree with you, ignore the real facts, and all of a sudden you have created a cause.

This week, all over the United States, we are celebrating United Nations Week, and today, October 24, 1963, United Nations Day. Plain people all over my congressional district are congregating in groups to pay honor to the organization created in San Francisco in 1945. There will undoubtedly be some who will laud this organization more than is deserving. For many, a free organization between the nations of the world—the pros and the cons thereof—generate very real emotional feelings.

I commend Democrat Senator Albert Gore and Republican Senator Gordon Allott for their realistic reported appraisal of their impressions of the 1962 General Assembly to which they were official American delegates. They jointly pointed out that the United Nations, to be sure, was no universal panacea for all world ills; it was a cumbersome debating society. They cited, however, that the U.N. was perhaps better than we knew, first, in providing a forum where an untrammeled flow of words might be exchanged between nations; and, second, that potentially the U.N. was the only group of its kind, based on multilateral agreement to keep the peace between large and small powers; and third, the U.N. is a tremendous educational facility in the exchange of vital information and the grounding of all nations in fundamental concepts of international law and procedure.

Where else could the United States have formally indicted Cuba and the Soviet Union but in this forum? With propaganda machines finely developed by all nations, it is essential in international relations, not only to have right on your side, but there must be a method of communicating a position.

The Monday-morning quarterbacks are now pointing up that Vietnam, Korea, Cuba, and Latin American coups are all the result of a Communist dominated U.N. Representative Robert N. C. Nix, of Pennsylvania, writing in a local magazine, has eloquently set forth that anything can be proven out of context relative to our foreign policy. Coups, revolts, and reverses disturb the conservative mind which basically wants things to stay just about like they were yesterday. Anybody thinking of tomorrow is obviously communistic—how the liberals and conservatives have changed places in 25 years.

The U.N. has provided the forum where nuclear testing limitation debates were first held and the world powers were there taught the benefits of mutual restraint in this area.

The real fear of a few Americans of the United Nations is their fear of communism. They have no answer for Communist mimicked demands for equality of people and this makes them uneasy and frustrated. It is unrealistic that we can fight a war with Japan, Germany, and Italy, killing thousands on each side during a 4-year period, and today enjoy nearly $5 billion worth of yearly trade with these nations and yet, our World War II ally, with whom we have not clashed ever in battle, we are prepared never to recognize a de-Stalinization and continue a cold war of nerves during our lifetimes.

Many persons are panicked to change the status quo. Our President is not, and neither is the majority of his political party. The President may rely on the fact that he will have sustained support from people who are not concerned with appeasement, but are concerned with people peacefully living with people who understand each other.

**Mr. NEDZI.** Mr. Speaker, will the gentleman yield?

**Mr. FRASER.** I yield to the gentleman.

**Mr. NEDZI.** Mr. Speaker, I am most happy to join my colleagues in paying tribute to an organization which has demonstrated its effectiveness and holds promise of creating a world of peace. Tensions have been and will continue to be great. Our days are full of crises.

Some are crises of danger: Threats to survival—to life and liberty and all the work of all the centuries. Other threats are less extreme, but nonetheless dangerous: Subversion of those ideas and ideals which we hold dear; threats to those ways of conducting affairs which we call civilized and which have been brought into being through agonies of thought and trial and error—threats to our institutions of freedom, of business, of government.

Other crises are those of opportunity: Opportunity to work for the kind of world we would like to live in; opportunity to promote our varied interests in many different ways; opportunity to work with other likeminded nations so that strengths may be teamed up and results may be greater than could be obtained from anyone's trying to go it alone.

Some of the threats can be countered—and some of the opportunities grasped—by the United States acting alone. Other threats and other opportunities are best handled in concert with other nations. In either case we work to prevent what we know to be bad and to promote what we believe to be good.

Now, two of the paramount duties of any civilized government are, first, to protect the lives and rights and property of citizens, and second, to promote the general welfare, of the citizens end of the state. It is for these two reasons that the other 110 members of the United Nations belong to the organization. We belong to the U.N. because we think it is useful for us to do so. The U.N. represents a few of the many different ways in which the U.S. Government works to protect and promote the interests of our country and its citizens.

Let there be no mistake: Neither the U.S. Government nor the U.N. is a charitable institution, engaged in dispensing alms to worthy indigents. Both are institutions which exist to serve self-interests—the U.S. Government to serve the self-interest of its people, the U.N. to serve the self-interests of its 111 members. I am not talking about selfish interest, but self-interest. The terms are not synonymous, nor are they interchangeable.

We work through the U.N. because it is helping to build the kind of world we would like to live in and do business in. The U.N. is helping to build our kind of world.

What kind of world do we want? One that is safe, at peace, secure for little nations as well as big ones? Yes. One in which there are decent and honorable rules to govern the relations between men and among nations? Yes. One in which there is a reasonable degree of tranquility in the domestic affairs of the various nations? One in which there is ever-broader opportunity for economic and social progress? One in which justice can flourish and the blessings of liberty be counted secure? The answers, of course, are all affirmative. These are the positive attributes of the kind of world we want to see.

In all of these affairs the U.N. is active: The U.N. is working for peace and security; the U.N. is working for law and order; the U.N. is helping to counter threats to domestic tranquillity in many countries; the U.N. is helping provide more economic and social opportunities for millions of people in scores of countries; the U.N. is working for justice; the U.N. is helping many nations to promote the general welfare; the U.N. helps to secure the blessings of liberty. It is no accident that the words and concepts found in our U.S. Constitution are echoed in the language and ideals of the U.N. Charter. We helped write that charter and most of the other authors had knowledge of the ideas and the phrases of freedom found in our basic documents.

Nor is it an accident that the American people, by an overwhelming majority in all the nationwide polls, support the U.N. But, I suspect that some of the most ardent supporters of the U.N. root for the organization for the wrong reasons—just as some of the most vocal critics are against the U.N. for the wrong reasons.

Supporters often talk about the U.N. as if it were the one and only organization in the field of international relations; the only means available to the United States in the search for peace and progress. Critics denounce the U.N. for being a "world government." In point of fact the U.N. approaches neither extreme: It is neither the one and only tool used by the U.S. Government in the field of international affairs, nor is it a supergovernment which can tell every nation how to conduct its internal affairs, commit the armed forces of any nation, or raise money through taxation.

The U.S. Government uses all kinds of means to protect and promote its interest. Some actions we take all by ourselves: Deciding on the size of our Armed Forces, the production of weapons and the level of defense expenditures; undertaking research and development in the fields of atomic energy and outer space; deciding on tariff and trade policies, the level of foreign aid, or how much to spend for our embassies overseas or for the work of the U.S. Information Agency. It is we alone who decide whether to recognize another government, whether to allow our citizens to trade with other nations, or whether to ratify treaties. These and similar matters—both policies and programs—are made in the United States of America, period. They always have been, and are today, the kind of decisions which no one else can—or should—make for us. The U.N. does not, and should not, make these decisions. The U.S. Government should make them, and does make them, in the light of our own interests and our assessment of the best ways to advance them.

Next there are a whole series of bilateral decisions made by the United States and other individual nations after negotiation and agreement. These usually take form as treaties and cover a kaleidoscope of subjects ranging from the traditional ones of friendship, commerce, and navigation on to base rights and status of forces and deployment of nuclear weapons; tracking stations for space and missile research; economic and technical cooperation; and other matters which are best handled by the United States directly with other individual nations. For example, development of the St. Lawrence Seaway is of little concern to anyone except the United States and Canada; flood control on the Rio Grande is of immediate interest only to the United States and Mexico. These, and similar matters, are best handled bilaterally. There will continue to be plenty of room—and need—for bilateral negotiations and bilateral arrangements.

We have regional arrangements; NATO, SEATO, CENTO, and the oldest of all, the Organization of American States. We belong to these organizations for purposes of mutual defense, or for purposes of economic cooperation, or the furthering of agreed goals in political matters. We belong to regional organizations because it is easier, better, or less costly for us to work through such organizations than to work by ourselves.

Those are formal arrangements on a regional basis. There are also informal arrangements. The best known of these is called the Atlantic Community. Depending on who is doing the talking, the phrase "Atlantic Community" means North America plus Western Europe; or North America plus Central and South America plus Western Europe; or all the nations which own any of the rocks and beaches washed by the Atlantic Ocean; or all of the NATO nations plus all the Rio Pact nations. So you can see the definition is elastic.

Assuming that we are talking about the second one—all the Americas plus Western Europe—here we have a tremendous building job to do. The Common Market in Western Europe is part of the job. Alliance for Progress is another part. The economic progress and solidarity of North America—the United States and its immediate neighbors to the north and south—is still another part. All together these separate elements and other synchronized actions make up the grand design of the Atlantic Community, the center of the strength for peace, the backbone of the financial forces and technical tools needed for progress, the center of the strongest forces for building our kind of world.

In addition to all of these cooperative endeavors we have need for still another organization, an international one with almost global coverage; the United Nations. We have it because we need it, because there are jobs that we want done which cannot be well done, nor done so easily, through any other grouping of forces.

Our problem is not, as some would have us believe, to choose one or another of these interlocking concerts of nations—neither the regional alone, nor the Atlantic community alone, nor the U.N. alone. Our job is to work through each—or all—at such times, and for such purposes, as will best serve the national interests of the United States.

I keep coming back to the national interests of this country as a standard of measurement for our actions. How else are we to judge? By someone else's interest? By consulting tea leaves or a deck of cards? Or a reasonable analysis of all the favorable facts and a hardheaded decision as to what is best for us?

It is this last standard which, when applied against the facts of life in today's dangerous and exciting world, leads us to belong to, to work in, and to benefit from the United Nations. And as in any discussion of U.S. policy, we must always ask the question: "What are the alternatives?"

Can the search for peace be prosecuted better than through the U.N.? Is it possible to put together meaningful arrangements for nuclear control and practical disarmament measures on other than a global basis? Have we the time and the talent and the energy to send out negotiating teams to the other 110 U.N. member countries every time an issue of worldwide interest comes along? Or is it easier, cheaper, and more convenient to do business at a single place and at agreed times?

Are we so self-sufficient that we need no partners in the job of building for peace and progress? Shall we go it alone in trying to map the winds and waves and weather? Shall we turn the clock back before 1853 when Lieutenant Maury represented the U.S. Government at the first international meteorological conference?

Are our hopes so low, our ideals so tarnished, our confidence so shaken, our will so weak that we can forget about the United Nations and its work of peacekeeping and nationbuilding?

Merely to ask the questions in this way obviates the need for answers.

Yet many people are worried about our relations with the U.N. They read criticism not only from foes of the organization, but also from long-time friends. They hear that the U.N. is going bankrupt, and learn that many nations are refusing to pay for certain U.N. operations, particularly peacekeeping operations. They are told that the U.N. is trying to murder the idea of self-determination in the Congo. They read that the United States is losing its shirt in the U.N. General Assembly votes, that the new nations of Africa and Asia are taking the U.N. over, making an unholy alliance with the Communist bloc, and destroying the U.S. influence. And they read that the U.N. does not do anything about repression in Hungary or about Indian aggression in Goa, but sticks its nose into the affairs of U.S. allies in Africa.

Were all the charges true we would have good cause for worry. Fortunately, most of them are not.

The U.N. is not bankrupt, although it is in temporary financial difficulties because it has been carrying on two peacekeeping operations we, the United States, are tremendously interested in, but which a few large nations have refused to pay for and many small nations have claimed they cannot afford to pay for. One of the peacekeeping jobs is in the Middle East where a U.N. Emergency Force—UNEF—is patrolling the borders of Egypt and Israel, maintaining peace in the Gaza area.

The largest and most expensive peacekeeping operation, however, is the one in the Congo. This is also the least understood.

In 1960 the Congo became independent of Belgium. The Belgian armed forces left. Shortly thereafter the Congo started to fall apart, and violence and bloodshed followed. Various factions in the Congo took after each other. The Government of Belgium sent troops back to protect the lives of its nationals in the Congo. The Congo Government did not want the Belgian troops and appealed to the U.S. Government to send U.S. troops to help restore order.

We could have done this—just as we sent 14,000 troops to Lebanon in the summer of 1958. But the Congo situation was different. Had we responded to the invitation from the Central Government of the Congo, what was to prevent the Russians from responding to a similar request from factions which were unhappy with the Central Government? And if the United States were on one side and the Russians on another, would not this be a situation which might result in active hostilities between Russian troops and U.S. troops? Might not this increase the risk of war, even nuclear war?

What was the alternative? It was to avoid direct confrontation between the United States and the U.S.S.R. in the Congo by asking the U.N. to take over the job of peacekeeping and restoring order. The U.S. Government told the Government of the Congo we were turning down its request for troops but would support any request for help from the United Nations. The Government of the Congo did ask the U.N. for help and the U.N. responded.

The record of the U.N.'s success in keeping the peace, countering repeated attempts at secession, and in strengthening the new Congolese Government and economy is a matter of record. The Congo is now well on its way to assuming a responsible, viable, and independent role in the growing community of African states.

One particular worry about the new African and Asian nations has not found a base to stand on. That is the fear that as the U.N. membership went from 51 to 111, a great many of the new members might—because of reaction against the evils of colonialism—team up with that self-professed anticolonial, the U.S.S.R., and turn the U.N. into an anti-U.S., anti-Western club. This has not happened. The new nations do not vote as a solid bloc. Nor do they consistently vote with the U.S.S.R. and against the United States.

The Afro-Asian members are making their own choices, each country judging what its own best interests are and how they will be served by any particular vote, or abstention. It is worth noting that the U.S.S.R. has never been successful in getting one of its resolutions adopted if the United States was in active opposition to it. The U.S.S.R. can count on only the votes of the Communist bloc and Cuba. The free ones vote as they see fit. And it is good to know that most of them most of the time see things the way we do.

The U.N. is very much alive. The Security Council meets. The General Assembly debates and votes action. The Secretary General remains an effective executive agent. He was not turned into a three-headed monster by the Soviet-sponsored troika proposal. And, through the specialized agencies, the U.N. is working for the peace and prosperity, the health and safety, of the big as well as the little nations.

In the U.N. General Assembly, all nations, and their delegates are required to practice what we preach: Law and order, representative democracy, free and open debate under regular rules of order, voting in accordance with agreed procedures, and responsibility for decisions. No single political bloc or geographic grouping can dictate to the General Assembly. There is no veto power in the Assembly, so no nation can block a resolution wanted by most members. Since no nation can exercise the power of dictation every nation must exercise the power of attraction for its ideas and policies, for the resolutions it introduces, for the arguments it develops.

Through the U.N. and its specialized agencies and other related bodies there are being encouraged those relations of government and business and labor which emphasize our ideas about the best ways to achieve economic and social and political development: private ownership; individual initiative and responsibility; increased production and productivity with benefits shared among owners, workers, and customers; fair dealings under equitable laws.

Through the World Bank and other U.N. financing institutions the U.N. is providing capital for economic development on terms and conditions which are in line with our ideas of doing business in a responsible way. The Bank has courses in economic development and the formation of capital which are given to persons from the lesser developed areas who are now, or will be shortly, in charge of developing policies and practices to be followed in their nations. These courses emphasize our ideas about capital institutions, our ideas about credit and interest rates, our ideas about how investment and economic development are best encouraged. The Soviet Union is not a member of the World Bank and has no influence whatsoever in its decisions.

Anyone who will look at the facts cannot fail to conclude that the U.N. is helping to build the kind of nations and kind of institutions we can live with.

We do not think of the U.N. as a substitute for U.S. direct action. It is not a substitute for cooperation with other nations on affairs of local regional concern. It is not a block nor a bar to effective informal consultation and joint effort, as in the Atlantic community. It is not a substitute for needed defense alliances. We do not try to pretend that the U.N. is something it is not, or that it can do things it was not set up to do. However, we should not ignore its obvious uses, its established place in the conduct of diplomacy, its work in the quest for peace, its help in building the kind of world that is fit for free men to live in, to work and play and do business in.

In any serious discussion of U.S. interests, and ways in which those interests—strategic, defense, political, diplomatic, economic, and cultural—can be protected and promoted; in any discussion of the alternatives available; in any examination of the record; the consensus is: We need the U.N. because it is helping to create our kind of world.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. FRASER. I yield to the gentleman.

Mr. TEAGUE of California. Let me say first, while I very frequently find fault with the United Nations, as we all have, and sometimes we have been disappointed, I was one who did vote for the measure authorizing the purchase of the bonds. So I speak in a general category anyway as one who is friendly to the United Nations. I would hope the gentleman from Minnesota would agree with the statement I am about to make. I have been here for some years now, and I am sure those who have been here for a similar period of time will concur that this House never had a stancher and more effective supporter of the United Nations than your predecessor, Dr. Walter Judd. I think it is most appropriate that the Record here make note of that fact.

Mr. FRASER. I thank the distinguished gentleman for his remarks. May I add that while my predecessor and I were before the people of our district, I found considerable satisfaction in the fact that both he and I shared the same views on many important international issues not only as to the need to support the United Nations but the need to maintain a strong program of helping the underdeveloped and newly emerging nations. I welcome these sentiments and I think they deserve tribute.

### THE U.N. MEETS ITS CHALLENGES

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. FRASER. I yield to the gentleman.

Mr. STAFFORD. Mr. Speaker, today the United Nations is 18 years old. It was also 18 years ago that a well-known financier and a very wise man—Beardsley Ruml—made a prophetic statement about the United Nations. In 1945 Mr. Ruml said this:

> At the end of 5 years you will think the United Nations is the greatest vision ever realized by man.
>
> At the end of 10 years you will find doubts—within yourselves and all throughout the world.
>
> At the end of 15 years you will believe the U.N. cannot succeed. You will be certain that all the odds are against its ultimate life and success.
>
> It will only be when the U.N. is 20 years old that you will revere and laud the dedication of those who devoted their energies to it through its turbulent course. For by then we will know that the U.N. is the only alternative to the demolition of the world.

The first stages of this prediction have turned out to be remarkably accurate. I would remind you that 2 years ago, as the 16th General Assembly met in New York, the United Nations was without an executive head, and without a plan to avert bankruptcy.

At that moment a desperate questionmark seemed to hang over the fate of the world organization. Tiny but noisy minorities who still cling to isolationism, or who are prepared to risk war by go-it-alone intervention, jumped up and down in shrill glee. There were convinced that the U.N. was finished. They were, of course, abetted by the Russians who did their best to paralyze the executive arm of the U.N. with their infamous troika proposal.

At the same time gloomy prophets and the hip-shooting analysts who dominate small parts of the press administered the last rites and prepared to bury the U.N. in public print. Even the responsible press and news magazines wondered out loud in unison: "Can the U.N. survive?" The implications seemed to be that if it did survive, it would be but a shadow of its former self.

Well, Mr. Speaker, the U.N. survived. It not only survived, but emerged a better, stronger instrument for keeping the peace—subject to only one qualification. That qualification is the question of finances.

At this very moment, the United Nations—supported by the United States—maintains the peace in the Middle East and the Congo.

At this very moment—at U.S. initiative and under the auspices of the U.N.—the nations of the world are still seeking some safe formula to halt the deadly arms race and put the world on the path toward true peace.

At this very moment—at U.S. initiative and under U.N. auspices—the nations are meeting in an effort to find other formulas for cooperation in outer space.

At this very moment—at U.S. initiative and under U.N. auspices—the nations are working on concrete plans for a great decade of economic and social progress.

This, then is the major business today of the United Nations: Peace; cooperation in space; and improvement in the standards of living for the world's impoverished people. All of these activities are carried on through the U.N. Each of them, if successful, will bring enormous benefits to the United States.

Mr. Speaker, the U.N. has not expired from anemia, as its early critics were wont to predict, or from overindulgence, as the latter-day doomsayers would have it. Instead, it has grown in its capacity to act with each successive challenge to its survival.

The role of the United Nations in today's troubled world is no longer in doubt. The U.N. is a vital force for peace, growing progressively in its usefulness to us and to the other nations of the world.

Mr. Speaker, the United States stands to benefit from the United Nations in direct proportion to our enlightened support and participation. Today, on the U.N.'s 18th anniversary, this House should reaffirm that support and express its gratification at the high quality of our participation to date.

I, for one, take this opportunity to do so.

In closing, let me take this occasion, as the Representative from Vermont, to pay special homage to one from my own State who played such an important role in the early growth of the United Nations. I refer, of course, to Ambassador Warren R. Austin.

**Mr. FRASER.** Mr. Speaker, I thank the distinguished gentleman from Vermont for his very fine statement.

**Mr. DENT.** Mr. Speaker, will the gentleman yield?

**Mr. FRASER.** I yield to the gentleman from Pennsylvania.

**Mr. DENT.** Mr. Speaker, I want to thank the gentleman for yielding and apologize to him for breaking in at this time on this very important discussion we are having in the House of Representatives. I want him to know that I had a special order myself this afternoon, but I have to leave for Pittsburgh immediately and thus will not be able to take it.

I just want to make a comment here about an incident that happened in the last 24 hours that has been called to my attention, which I believe is worthy of note at this point, because it has a great deal to do with the total matter that we are discussing, which is the cause of the United States and the United Nations and its foreign relations and prestige in world and domestic affairs.

It appears that a group called newspapermen are on a tour, as they call it. If Congress were to take a tour, they would call it a junket, but these newspapermen call it a tour. One of the newspapermen is an editor from my home district. He is sending back a daily communique, and it appears that on the day he was in Paris he states in his communique they had arranged for a meeting with President de Gaulle. However, in his communique he states that in talking to the State Department through the Embassy that they were advised at the Embassy not to meet President de Gaulle since he no longer has any influence in French politics. I was going to suggest to the House that perhaps with all of the money that we are spending we could perhaps have a small appropriation made to buy Dale Carnegie courses for the members of the Embassy who think along the same lines.

I thank the gentleman for yielding.

**Mr. REUSS.** Mr. Speaker, will the gentleman yield?

**Mr. FRASER.** I will be glad to yield to the gentleman from Wisconsin.

**Mr. REUSS.** Mr. Speaker, I am very proud to be associated with the gentleman from Minnesota in saluting the 18th birthday of the United Nations today, and with the other gentlemen on both sides who have joined with him. I am persuaded that it is the idealism and vision of the United Nations Charter which has made the American people stick with the United Nations through thick and thin for the last 18 years.

I doubt that there are many people in my constituency in Wisconsin, or for that matter in any other constituency, who can quote verbatim from even a single article of the Charter of the United Nations. But almost everybody knows somehow that the United Nations stands for cooperation among nations and that it stands against coercion.

Almost everyone knows that the U.N. stands for justice and economic and social progress and for human rights. And we Americans know that these are the things that we stand for, that the authors of the Declaration of Independence and the framers of the Bill of Rights stood for. We know that the U.N. stands for the kind of world we would like to live in and the kind of world we are determined to have our children live in.

And because of this devotion to the U.N. through thick and thin, it is becoming for us to seek continually new ways in which our country may usefully make the United Nations an even more constructive and creative organization.

I would like very briefly, Mr. Speaker, to suggest a couple of such ways. We have seen in recent months the terrible dilemma that our country has gotten into in far-off Vietnam, where on the one hand we are determined to protect that unhappy country against Communist invasion and infiltration, and on the other hand we have been increasingly worried because the Government of that country, headed by President Diem, seems unresponsive to the needs of its people and the desires of its people; has allowed persecution of one or another religious sect to go on; and in many other aspects presents itself as a very embarrassing client of the United States.

I have suggested, and I suggest again today, because I think it is something that we might usefully consider, that either the United States or another friendly nation table before the United Nations a proposal to invoke the mediating and observing processes of the U.N. in Vietnam. There are at least three important things that such an invocation of the United Nations could accomplish. A U.N. mission in Vietnam, in the first place, could identify and contain outside aggression. In the second place, the mere presence of such a United Nations mission in Vietnam—and there is not now such a mission—could constitute a guardian for human rights and provide help to end some of President Diem's current repressions.

Thirdly, and perhaps most important of all, it would tend to clarify the proper interest of the United States in South Vietnam. That interest is to protect South Vietnam against Communist aggression, not to hinder it by presenting the United States clothed in the robes of the protector of a backward-looking and unrepresentative client government.

I know it is said that if we do this we are going to lose South Vietnam, but to this I would say: Not at all. We can and should continue our military protection of South Vietnam under the United Nations auspices. If this produces difficulties with the Diem government, I would say that we have those difficulties already, and I would point out for the historical record that from June until December 1944, the greatest land battle in the world's history was fought within the borders of France at a time when we did not recognize the Government of France and when we dealt solely with French military commanders.

I have been a rather regular reader of the statements made by Madam Nhu, President Diem's sister-in-law, since her arrival in this country. I frequently find myself in disagreement with what she says, but in this morning's paper she is quoted as saying:

> I telephoned my husband last night and told him, "Let us break off diplomatic relations with America and just take their military aid."

Well, I think this is a suggestion of Madam Nhu's that we might well seriously consider, particularly since it is she who made it. I think it would be entirely useful to get a United Nations presence into Vietnam. If the Diem Government wishes to break off relations with us, we can very well continue our military aid to tactical echelons of the Vietnam forces. Thus, we would be doing what we can to protect the country against communism, but at the same time we would be doing it under the banner of human rights which the U.N. can epitomize.

Mr. Speaker, to turn to another possible way in which the U.N. can be more meaningful in our life—and this is a field about which we do not ordinarily think in connection with the U.N.—we in this country are acutely concerned with the conservation of our natural resources, our woods, our wildlife, our waters, our soil and all the other things for which we act as trustee for generations yet to come.

What we are beginning to realize, however, is that the problem of conservation is not just a U.S. problem, but has to do with Africa, Asia, Latin America, and indeed with countries on both sides of the Iron Curtain. Thus, I am very pleased to find recently support in both the Department of State and the Department of the Interior for a suggestion which I made in this body, and which the Senator from Texas [Mr. YARBOROUGH] has made in the other body, that the issue of worldwide conservation be tabled before the United Nations. Out of such a conference might come, for example, an agreement by the wealthy countries to limit the import into those countries of the leopard skins, the rhinoceros horns, the feathers and other animal products which are slowly depleting the world resource of wildlife. Out of this conference might come some U.N.-sponsored conservation aids for the developing countries, enabling them to conserve their own resources.

Mr. Speaker, out of such a conference might come a recognition that whereas the countries on the other side of the Iron Curtain like Hungary have given to this country the Hungarian partridge, which is an important game bird, we now read that in Hungary practices are being pursued which go against the interest of worldwide conservation. We read that because Hungary is moving toward collective farms, the hedgerows between fields are being ripped up. We in Wisconsin who have provided over the years a hospitable home for the Hungarian partridge have long since found, to our sorrow, how the practice of so-called clean farming, getting rid of the cover between the fields, can hurt the cause of conservation and hurt the possibility of wildlife survival. Americans may not talk to Hungarians about the dove of peace, but perhaps we can talk about the partridge.

So, Mr. Speaker, not only between the developed world and the developing world, but between the two poles of the world, between the free world and the world dominated by communism, there is an opportunity here, I suggest, for a mutual effort that transcends the hatreds of the cold war struggle and that recognizes the conservation of our soil, our waters, our wildlife, as a problem of all the countries of the world. Our natural heritage belongs not to just one country or region alone, but to all mankind. All nations have a stake in preserving the stock of wildlife on this globe.

So, Mr. Speaker, I suggest here that in the field of conservation, and in the tormenting problem of Vietnam, there are ways in which we can do even more with the United Nations.

It is, therefore, appropriate on this 18th birthday of the U.N., that we give some consideration not only to how we can memoralize and do homage to what has been done by the United Nations in the years behind us, but to how it can be an even more effective agency in working toward world peace in the days to come.

Mr. Speaker, I thank the gentleman for yielding to me.

Mr. FRASER. I thank the gentleman from Wisconsin. It is my opinion that the imagination reflected in the gentleman's statement about the possible uses to which the United Nations should be put and the important function which they could play in such areas as Vietnam and in the conservation of our world resources, that these suggestions are very welcome and are the kind that will help make the United Nations grow and become an even more vital organization.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. FRASER. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Speaker, it is a pleasure to add my voice to those participating today in commemorating the 18th anniversary of the founding of the United Nations. In the spring of 1945, at town meetings throughout New Hampshire, the then proposed United Nations organization received a strong vote of confidence. I believe that the Granite State was the only one in the country that permitted its citizens to thus express their opinion at the polls.

New Hampshire granite was used as the cornerstone for the United Nations Building in New York. With an opening vote of confidence by the people of New Hampshire and with New Hampshire granite as a cornerstone of its building, the United Nations is thus of particular concern and affinity to residents of New Hampshire. We have supported the United Nations in the past and we shall support the United Nations in the future.

Our support is not blind support, however, and we reserve the right to criticize the actions of this body just as at our town meetings and, indeed, throughout the year, we reserve the right to criticize our elected officials and our own deliberative bodies. And, Mr. Speaker, I might add that this is a right that is frequently exercised, for in New Hampshire, we take the matter of government seriously. Our State motto is "Live Free or Die" and the freedom to criticize is important to freedom.

Support for the United Nations or any other institution of man should not be blind and unquestioning. There is a tendency among some friends of the United Nations to confuse valid criticism of this institution with hostility. Some criticism of the United Nations is unfair and unfounded in fact, but this is not true of all criticism of the United Nations. Just as some criticism of Congress is unfair, there are criticisms of this body that are constructive and well-founded. In my opinion, much unfair criticism of the United Nations comes from people who expect too much of it and thus, of course, are disappointed.

Let us recognize the United Nations for what it is. As such, we can surely applaud its progress on the long and tortured road toward a better world, a step, at least, toward man's aspiration for peace, a ray of hope. It is a deliberative body of imperfect men and nations. It is a forum where people can shout instead of shoot. It is a mechanism for adjusting world tensions and for all of its imperfections, it is a proven step, toward the sensible solution of the great problems of war and peace, of poverty and ignorance in the world today.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. FRASER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I welcome this opportunity to join in expressing support of America's participation in the United Nations.

Despite its many critics—and the fully justified criticism on some counts—the United Nations organization remains the most effective single international force for peace and order in a troubled world.

Nothing would do more to advance the Communist conspiracy in the world today than American withdrawal from the United Nations.

Nothing would do more to strengthen the arm of Premier Khrushchev than for the United States to yield the field to Soviet leadership in the U.N.

Recent events in the U.N. on the issue of Red China's admission indicate we are gaining support for our position, and America's stock is high among other U.N. members.

Among American citizens, I believe the United Nations' stock is also high and will continue to rise as the effectiveness of the U.N. grows.

In closing, it seems appropriate to recall the observations of a great British statesman many years ago:

> The United Nations was not created to take the world to Heaven, but rather to keep us from going to the other place.

The United Nations organization has not taken the world to the comparative heaven of international peace and justice as yet, but it has certainly helped substantially to prevent our going to the holocaust of thermonuclear war and has provided a useful forum for the peaceable discussion and negotiation of disputes among the nations.

With full awareness of the U.N.'s structural weaknesses, with equal awareness of the great importance of U.S. armed strength and readiness, let us continue to give our strong support to the United Nations in the years ahead.

Mr. FRASER. I thank the gentleman from Oklahoma for his statement. I think he has properly construed the role the United Nations has played during its 18 years.

Mr. MATHIAS. Mr. Speaker, in this discussion today of the United Nations, we should not forget that the urge for international cooperation and organization is deepseated in the history of the human race. We can better understand the desire of mankind to see the United Nations become a success when we consider the number of attempts that have been made through the years to create lasting international organizations.

### ANCIENT GREECE

The first antecedents of contemporary international organizations were organized in Greece before the birth of Christ. The amphictyonic councils, of which the Delphic council was the most illustrious, were composed of representatives of those tribes devoted to the same religious temple. Bound by the same religion, some city-states would agree upon the joint maintenance and security of holy places and provide for a council to discuss or manage such matters. The council members swore to observe the inviolability of shrines and the safety of pilgrims, and they pledged themselves to moderate rules of warfare: for example, the interruption of water supplies and the razing of cities were forbidden. The Delphic Amphictyony, however, touched political regulation only as an incident to its functions as a religious cooperative invaluable as an assembly of Greek opinion on matters of common concern, such as setting a price on the heads of citizens who had assisted the Persians or launching a crusade against some sacrilegious city, nevertheless the amphictyony had no force beyond the willingness of each member tribe to follow its resolutions. The most glaring weakness of the council lay in its voting arrangements, for as an ancient tribal institution it did not reflect the locus of power in cities like Athens, Corinth, and Thebes but rather granted two equal votes to each of its twelve tribes. Only in the last centuries before Christ were the voting arrangements reformed, but by that time the shadow of Macedon and Rome had passed over the Greek peninsula.

Out of amphictyonic councils it may be presumed that such Greek political confederation as the Phocian League, the Akarnian League, and the Boeotian League emerged. The Lycian confederation presents the first historical evidence of weighted voting in an intersovereign assembly, for middle-sized cities and one vote for each of the tiny settlements in Lycia. In the Achaean League there were genuine foundations for a Greek federal state: an assembly of the cities met twice annually to vote on "national" affairs; a senate, equivalent to a standing committee, an executive council, a secretary, and a general were elected. Continuous joint action in foreign affairs and federal tax levies on each of the member cities were distinctive attributes of the confederation. All these leagues, however, had the advantage of linking peoples with the same racial-cultural background in a political union, and in this respect they were very different from modern international organizations.

### MIDDLE AGES

During the Middle Ages, several examples of collective organization for specific purposes existed. Perhaps the most famous confederation of medieval times was the treaty among the Swiss cantons of Uri, Schwyz, and Unterwalden in 1315. It was followed by pacts with Lucerne, Zurich, Glarus and Zug, and Berne primarily for cooperation in repelling attacks. This league became the nucleus of the modern state of Switzerland.

A singular illustration of a combination of city-states for the promotion of trade was the Hanseatic League. The League originated as a society of commercial towns on or near the Danish isthmus for the protection of trade through the equalization of tools and the suppression of piracy. Gradually obtaining mastery of the North and Baltic Seas, the Hanse, including upwards of 50 cities, defeated both Denmark and Norway in 1370, thereby securing a virtual monopoly of sea trade and many other strategic economic concessions. As a political organization, the Hanse prescribed rules for the admission of new members, forbade any member city to make war without approval of its four closest neighbors, and permitted only the Diet to commit the whole League to war. Between 1363 and 1550 the Hanse convoked 53 general assemblies. Administrative expenses were shared by the members, an agenda was circulated prior to the Diet's meeting, and resolutions were passed by a majority vote of cities represented. Such resolutions were binding upon the entire League; failure to comply on the part of one town might lead to expulsion from the Hanse, the loss of all trading privileges, the arrest of visiting merchants, and the confiscation of the town's property in all the cities of the League. Because the Hanseatic League was an international "corporation" with an administrative center in Lubeck and self-governing "factories" in foreign ports from London to Novgorod, it ran counter to the rising tide of nationalism and the dynastic state of the 15th and 16th centuries. Consequently, it slowly withered away.

### EMERGENCE OF MODERN NATION-STATE

The most important arrangement of the new state system was the Peace of Westphalia in 1648, terminating the Thirty Years War on the Continent. No international organization was established by the peace treaty. But the joining of practically every European state in a diplomatic conference signaled the opening of a new era in international relations. Of all the many European sovereigns only the Sultan of Turkey was not mentioned in the Articles of Peace, and delegates from every state except Muscovy, Turkey, Poland, and England attended the conferences, which extended over 3 years.

In addition to sanctioning the independence of new states and redrawing the map of Europe rudimentary acts of international regulation which were to serve as important precedents were included in the treaty provisions for the abolition of many tolls upon commerce among the states of the Holy Roman Empire and the declaration that the navigation of the Rhine was to be free. Each principality of the Empire pledged that, if injured, it would first seek to bring its cause to a "friendly composition of the ordinary procedures of justice." Should the dispute not be terminated in 3 years, the other parties, being notified that "gentle means" had not succeeded, were obliged to aid the injured party by counsel or force.

As an international assembly, the Congress of Westphalia bore little resemblance to the intricate organization of 20th century peace conferences. No officer presided, no committees were formed, no votes were taken. But the cities of negotiation, including the route between Munster and Osnabrück, were neutralized from the war while both Papal Nuncio Chigi and Ambassador Contarini of Venice acted as mediators for the plenipotentiaries in Munster. Of the greatest importance to international organization, however, were the gathering of hundreds of envoys in a diplomatic conference which represented practically every political interest in Europe and the achievement by negotiation, rather than by dictation, of treaties which legalized the new order of European international relations.

Sixty-five years later in 1713, another great conference was held at Utrecht to end the war of the Spanish succession. Hostilities were still in progress when the plenipotentiaries assembled to confer on a general peace. Once again, practically every interest in Europe participated in the conference to negotiate a treaty of peace instead of imposing one by force.

During the 17th and 18th centuries, modern plans for international organization appeared. The Duke of Sully, minister of Henry IV of France, suggested in his memoirs a European confederation of 15 states; William Penn in 1693 proposed a diet of states, including Moscovy and Turkey, wherein voting would be weighted according to the foreign trade of the states. At Utrecht itself, the project of the Abbe de Saint-Pierre for perpetual peace called upon the sovereigns to submit their differences to judicial decision. In the event that any sovereign should refuse to cooperate in the judgment, the other states would unite their military forces against him.

Such schemes, humanitarian in outlook and containing the germs of future international organization, gained no acceptance within the 17th and 18th centuries state system—not quite free from its feudal origins nor yet pressed by rapid interstate communications. Clinging to personal sovereignty as a norm of political life, the princes established no practical international agencies.

Nevertheless, "congresses," emulating the meetings at Westphalia and Utrecht, became an accepted mode of international diplomacy to adjust the quarrels among states, quarrels which now affected every other member of the European state system. Thus, at Cambrai in 1722 representatives from Britain, Austria, Spain, France, the united Netherlands and several German states met for a period of 3 years to discuss, though not settle, a dispute between Spain and Austria; at Soissons in 1728 another gathering was called on the British-Spanish controversy over Gibraltar. In the war of the Austrian succession, every European state except Denmark, Switzerland, and Turkey was involved, and the congress at Aix-la-Chapelle worked out the final peace treaties among six European states. These are only a few of the "congresses" held during the 18th century.

Modern international organization differs from the conferences and congresses of this period in three major respects. Its foundation is still the treaty or interstate contract, but, first, the stress is on a multilateral agreement rather than a bilateral accord. Although the treaties resulting from the Conference of Westphalia and the periodic congresses of the period were multilateral in concept, the treaties themselves were concluded between only two states. Thus, a series of treaties were signed at each conference to register the new status of affairs. Secondly, treaties under modern international organization attempt to harmonize continuity and self-perpetuation of the basic document with modification of the terms. In other words, they are not made to be broken. And thirdly and most characteristically, modern international organization is institutionalized by periodic councils and permanent secretariats. Each of these aspects become explicit in the development of international organization in the 19th and 20th centuries.

### MODERN NATION-STATE SYSTEM

Toward the end of the Napoleonic wars, some 216 different delegations met in Vienna in 1814 to liquidate the unsettled political problems which the years of warfare had raised for Europe. By comparison with the pre-Napoleonic international gatherings, the Congress of Vienna made some remarkable advances toward international organization in the extent of first, its political settlement; second, the diversity of economic-social problems treated; and third, the procedure of the Congress itself. Not only were there 121 articles in the body of the Treaty of Vienna, but the final act of the Congress also legalized by unanimous international consent 17 other acts, declarations, regulations, and protocols to which different states had previously adhered during 1815.

The most notable contributions to the development of international organization resulting from the Congress are the following:

First. For the first time at an international conference, special committees were established to deal with selected problems. Of special importance to the Congress was the Statistical Commission which made a complete census of territories in dispute among the powers, thereby providing a reasonable basis for negotiation and heralding the modern practice of international organization with its factfinding commissions.

Second. By a new quadruple alliance, Russia, Prussia, Austria, and Great Britain displayed their determination to guarantee the peace terms of the Treaty of Paris and to thwart any revival of French aggression. They accordingly agreed to renew their meetings at fixed periods for the purpose of consulting upon their common interests, and for the consideration of the measures which at each of these periods shall be considered the most salutary for the repose and prosperity of nations and for the maintenance of the peace of Europe. The intention of the four European powers was implemented at the conference of Aix-la-Chapelle, 1818, at the conferences of Troppau and Laibach, 1820 to 1821, and the conference of Verona, 1822.

In this manner, several European states took it upon themselves the responsibility to maintain the peace of Europe, and for this purpose, they institutionalized their agreement by calling periodic meetings.

The legal mechanism for consultation among the great powers failed in 1825, but the practice of international conferences, in time of peace, among the states of Europe to regulate their political views and interests had been firmly established. No permanent machinery existed, but a series of conferences from 1826 to 1913 served to inculcate the habit of multilateral consultation and testified to the genesis of international organization.

It is virtually impossible to trace the rapid multiplication of international conferences during the latter half of the 19th century. Some grew out of common effort to stop a war in progress; others met to find agreements which would prevent the outbreak of hostilities. The conference in London, 1867, over the status of Luxembourg, for example, brought together all the great states of Europe, including the new Kingdom of Italy, and pledged them to respect the perpetual neutrality of Luxembourg, thereby easing for a few years a point of tension between France and Prussia.

The significance of this multiplication of conference lies in the adaptability of the device of consultation to the late 19th century diplomacy in both peace and war and the willingness of states to submit their propositions, pleas, and arguments to the hearings of other states. The new system of consultation among states, however, did not and could not fashion instantaneously an international community. Respect for the law and the swift punishment of criminals as typified by the national community loomed upon a horizon very distant from the first simple steps toward international organization.

International economic and social problems always require political activity for their ultimate solution, but some economic and social needs affect power relationships less than others. Consultations by the great powers during the 19th century proceeded with a nervous and hesitant pace toward a comprehensive international organization because they instantly challenged the European balance of power itself. During the century, however, a spate of international problems offered to statesmen and specialists alike the opportunity to confer without rousing too roughly the delicate sentiments of national pride; indeed, without loss of treasure or prestige the states of Europe fell upon their twin enemies—poverty and disease. To utilize the steamboat, the railroad, and the telegraph efficiently required international cooperation, while these communications, in turn, opened the dark door of envy and ignorance to let the hope of organized international work.

Of primary importance in the development of international organization is the proliferation of river commissions during the 19th century. The first of these was the Octrai of the Rhine, established in 1804. The Rhine River, flowing from western Switzerland and either bordering or traversing Austria, Germany, France, and the the Netherlands, drains fertile valleys, great forests, and both coal and iron territories. But the arbitrary tolls imposed by local princes and the right of cities to compel the transfer of cargo to local ships clogged the avenues of trade and impeded commerce. Furthermore, problems of navigation and security on the river were manifold.

The Octrai of the Rhine provided that there shall be a director general empowered to direct and supervise the establishment and the collection of navigation tolls; to administer everything in respect to the tolls and to watch over the execution of the agreement. The director general was appointed by the parties to the agreement which included all riparian states. By this means, the riparian states collaborated to improve and maintain the river, to collect common tolls for the costs of upkeep, and to secure the safety of navigation. The benefits of such an arrangement for commerce need not be dwelt upon.

The director general of the Rhine became a prototype of the international civil servant, responsible not to his government but the governments as a collective organization signatory to the treaty. The Octoi of the Rhine furthermore provided for assistant inspectors and collectors at the toll stations, to be appointed by individual governments, and an international commission to determine finally all appeals on questions of tolls and police regulations on the Rhine. The basic structure of modern international administrative agencies—an international conference or commission whose members are appointed by their governments and a director appointed jointly—was clearly foreshadowed.

The same type arrangements were made for other rivers in Europe, and notable the Danube River where both riparian and nonriparian states were included in the regulation of commerce on the river.

Several other problems of a "nonpolitical" nature were tackled by international organizations in the 19th century. Most prominent among these were the International Telegraphic Union and the Universal Postal Union, both of which are still with us today. In addition, smaller agencies concerned with health, science, copyright and patents, and railroads were established. Common to all of these agencies was the provision for a permanent secretariat responsible to all signatory governments and a general conference of delegates representing all signatories which met once a year or every 2 years. Even though these agencies dealt with technical problems on an international level, they provided invaluable experience for the architects of the League of Nations and the United Nations.

### LEAGUE OF NATIONS

The 19th century was an age of international consultation on political affairs; the 20th century begins a period of collaboration. A salient difference between international organization before and after the League of Nation lies in the achievement of a permanent agency through which states can collaborate continuously on the grave problems which affect the peace of the world.

The League of Nations did not spring full grown from the minds of wise statesmen. Indeed, its origins can be traced back to the various congresses of the 19th century culminating in the two international peace conferences at The Hague. Just as the Napoleonic Wars had interrupted the rudimentary peace parleys of the 18th century only to be revived in the Congress of Vienna, so did the First World War suspend the universal conferences at The Hague only to realize a more articulate association of nations in the League.

The League of Nations operated through three major organs: first, a Council, originally comprising Britain, France, Italy, Japan, and four smaller states designed by the assembly; second, an assembly, consisting of all the member states, originally 42 in number; and third, a permanent Secretariat whose chief officer, the secretary-general, was nominated by the Council and approved by a majority of the assembly. Even in these rough divisions the structure utilized the experience of the 19th century with its concert of major powers, its general assemblies such as the Congress of Vienna, and the institutions of dispassionate international secretariats most notably in the form of the telegraph and postal unions. On any matter extending beyond administrative regulations, equality of votes and unanimity of voice had ruled international procedure. The League of Nations circumspectly hewed to this line. Learning from the past, however, the covenant required the Council to meet at least once a year and the assembly to convene at stated intervals. For the first time in history, therefore, the world was provided with humming machinery to study and solve the causes of international war.

Whatever the reality of aggression proved, the fledgling international organization in 1931 and 1936 could not soar beyond its own limitations: the provincialism of the United States, the pessimism of France, the opportunism of the Soviet Union, the conservatism of Great Britain, all shuddered under the ruthless arrogance of Japan, Italy, and Germany while the small states, too frequently played with callous ambition or petty covetousness.

Yet for all these adolescent disorders the organization carried on its work. Throughout the 20 years of its brief life the League of Nations steadfastly promoted international administration. Cautious world cooperation was filled with new energy and, culling the weeds of the past from old bureaus, the League's international economic and social programs flowered in the fields of commerce, health, communications, and protection of helpless peoples. The Permanent Court sponsored by the League gained the respect of the world, and no reticulation of international law had ever spread so rapidly. Both at Geneva and in the cities of different continents the League encouraged conferences and consultations among statesmen, some of whom became close friends and sympathetic with other national views. In its best years, from 1924 to 1931, the foreign ministers of Great Britain, France, Germany, Poland, Czechoslovakia, Holland, and the Scandinavian countries frequently represented their states in the Council, giving to the international organization a political weight and center unparalleled in modern times. Not only were responsible ministers represented in the Council but distant states, notably Brazil and Argentina, appointed special representatives to Geneva with ambassadorial status to sit with the Council instead of utilizing on a part-time basis one of their envoys to a European state. Even the blasts of derision leveled at the military impotency of Geneva in later years could not alter the fact that no other international organization had ever united to condemn and punish a major state for violating its covenants to keep the peace.

The days of the League were unhappily numbered in the docket of security from international aggression. After helplessly expelling the Soviet Union on December 14, 1939 for its attack upon Finland, the League faded into the twilight of a shattered world at war. Japan and Italy had been revealed as blustering criminals in a community of nation-states, but their success in getting away with their loot forecast the doom of the first period of international collaboration. The weakness of the League of Nations to enforce its judgments, however, did not mean the end of international organization for the maintenance of peace; it indicated rather the urgency of shoring up its hollow structure. Scarcely had the Second World War blazed across Europe than men of vision set themselves to the task of creating a new charter for international collaboration.

### UNITED NATIONS

The history of the U.N., the second trial of international collaboration by a world organization for peace, has too many new pages for a seasoned analysis. The many facets of its international activities—in security matters, in economic, social, and cultural affairs—beggar an adequate description, and the mere account of its ever-proliferating conferences, commissions, and committees would make a dizzy array of details. But the continuity of the U.N. in many respects with the League of Nations gives the 8 postwar years some perspective. For dependent and colonial peoples the U.N. has carried a beacon of hope and a plea for equality unknown to the past degradations of slavery and exploitation. For the improvement of mankind through international economic and social cooperation it has afforded new insights and bold projects captivating the imagination on the limitless possibilities of improving health, nutrition, employment, education, science, and morals through international organization. All these things enrich the soil and the climate of international peace and security. For the deadly quarrels of nation-states the U.N. has provided a means of accommodation, a permanent forum, and a permanent tribunal; it has offered to all disputants its good offices and has successfully driven every state, large or small, to the bar of world opinion. The U.N. is an international organization, not a world government: as such, it bumps along the twisting, rocky, perilous trail first opened in the 19th century. Given a pliable, multilateral treaty for a constitution, an expert international secretariat, and the honest will of nation-states to work together for peace, the U.N. can make the 20th century a golden era of civilization.

Mr. RYAN of New York. October 24 marks the 18th birthday of the United Nations, for it was on that day in 1945 that the Charter of the organization entered into force. In the lives of young men and women, the age of 18 is a landmark, since it marks the end of one era in their lives and opens up to them many new privileges and responsibilities. Similarly, the 18th anniversary of the United Nations can serve as a landmark from which we can review the accomplishments of these formative years and assess the challenges for the future.

By physical measurement the growth of the world organization has been tremendous. From the 50 nations which signed the Charter at San Francisco on June 26, 1945, the membership of the United Nations has more than doubled and there are now 111 nations represented. The very existence of many of these countries is due in large part to the encouragement and assistance of the United Nations, and we may count the presiding of the United Nations at the death of colonialism and the birth of dozens of independent nations as one of the organization's major accomplishments.

More important than the growth in the size of the United Nations, however, has been its invaluable contribution in maintaining peace during an epoch in which peace has been in constant jeopardy. Today I would like to discuss several different ways in which the United Nations has contributed to maintaining the peace.

The first is as a policeman, when there has been a breach of the peace. On many occasions the United Nations has proved its capability to mobilize collective action for the maintenance or restoration of peace. In one way it may be surprising that the United Nations has succeeded in this peacekeeping function at all, for its Charter had been drafted with the concept that the great powers would continue to cooperate in peace as they had in war. Experience quickly proved that the requirement for unanimity among the big powers for Security Council action, in other words the veto, would prevent the United Nations from enforcing the peace in the manner which had been originally contemplated. For example, the military agreements by which members were to make armed forces available to the Security Council were never concluded.

In spite of the veto, however, the United Nations proved able to take decisive action to maintain or restore peace in numerous crisis situations. Attempts at overt armed aggression by the Communists were sharply reduced after United Nations forces repelled the aggression of North Korea in 1950 across the 38th parallel. The hostilities following the nationalization of the Suez Canal in 1956 were brought to an end after the General Assembly urged a cease fire and established an emergency force to secure and supervise the ending of the conflict.

The United Nations has also served an invaluable police role in areas where the transition to independence and the withdrawal of colonial power would otherwise have left a dangerous vacuum, a vacuum which would have been exploited by the Communists or other individuals seeking to promote their own purposes. The outstanding example is the Congo, where for more than 3 years the United Nations Force has worked tirelessly and often thanklessly to restore and maintain order and to train the Congolese to assume the responsibilities of self-government. A great Secretary General, Dag Hammarskjold, gave his life in this effort. The new Secretary General, U Thant, has reported that the time has now come in which we can envisage the early ending of the military activities and the withdrawal of the United Nations Force.

Similarly, the United Nations assisted in the transfer of West New Guinea from Dutch administration to the Republic of Indonesia. First bringing about a ceasefire, the United Nations then formed a Temporary Executive Authority to insure that needed public services, which had been previously carried out by the Netherlands, were not interrupted. The Temporary Executive Authority also helped prepare the people for the change taking place. The success of the United Nations efforts was culminated when the Dutch and Indonesian Governments resumed normal diplomatic relationships and exchanged representatives.

Korea, Suez, the Congo, and West New Guinea illustrate the policing functions of the United Nations, in which the organization steps into crisis situations where hostilities have begun and restores order. The United Nations has proved capable of fulfilling this function far more effectively than any single nation because the international organization has the sanction of the world community.

There is another way in which the United Nations has proved invaluable in contributing to peace in the postwar period. I refer to its role as a center for the pacific settlement of disputes. Throughout its 18 years of existence, the United Nations has exerted a constant effort to work out solutions to the basic international problems which give rise to tension. The political controversies which have been brought before the United Nations are too many to enumerate at this time, but they have included problems in every region of the world, such as the treatment of Indians and the racial policy in South Africa, the violation of human rights in Eastern Europe, and the Palestine problem.

Some of these problems have been successfully settled and have passed into history. Others are still with us and will undoubtedly remain with us for many more years. In any event, through the open discussion of disputes in the General Assembly and the Security Council, the issues have been clarified and public opinion has been focused upon the parties to the dispute, acting as a restraint and a sobering influence upon them.

The Cuban situation of 1 year ago provides an excellent example of the important assistance which can be provided by the United Nations. On United Nations Day last year the people of the world watched tensely as they witnessed the confrontation of the two great nuclear powers. On the surface the United Nations appeared powerless. It was the two great nuclear powers who held the world's future in their hands. Nevertheless, the world organization did not stand idly by and wait while the two giants decided which way they would move, but instantly exerted every influence it could in favor of peace.

First of all, the organization served to keep communications open between all the involved parties. Each side had a place it could present its case and make clear its understanding of the facts. The United Nations provided a site where representatives of each side could negotiate without a long controversy over whether and where such negotiations should take place. Second, it allowed parties not directly involved to make constructive proposals and take the dispassionate, impartial action of a third party. For example, at a critical moment it was Secretary General U Thant's intervention which led to the diversion of the Soviet ships headed for the island of Cuba and their interception by the U.S. Navy. Finally, it provided a funnel through which all the peoples of the world could channel their anxiety and make it weigh upon the great powers as they made their fateful decisions. We cannot pretend that the United Nations could have prevented a world holocaust if either the United States or the Soviet Union had acted rashly or irresponsibly or with reckless determination to fight it out once and for all. On the other hand, we should not overlook the fact that without the United Nations the chances of a peaceful outcome of the Cuban crisis would have been greatly diminished.

The United Nations also deserves more credit than it generally receives for bringing about the treaty to end nuclear weapons tests in the atmosphere. As in the Cuban situation, the decisive power lay with the United States and the Soviet Union. If those two countries had insisted upon the continuation of atmospheric tests, there would have been little the United Nations could have done to prevent it even if the radioactive strontium and iodine in children's bones doubled or tripled. On the other hand, however, who will ever be able to measure the influence of the United Nations in bringing about the Soviet and American decision to conclude the test ban treaty? The constant outrage of the peoples of Asia, Africa, and other parts of the world against the contamination of the atmosphere found expression in United Nations debates. The annual resolutions urging agreement on a test ban and requesting the nuclear powers to refrain from tests were impossible to ignore, and helped keep the negotiations alive even when their prospects seemed bleak. The study and conclusion of the United Nations Scientific Committee on the Effects of Atomic Radiation, that "all steps designed to minimize irradiation of human populations will act to the benefit of human health," was an additional impetus. As in the case of Cuba, so in the matter of a test ban the role of the United Nations was not decisive. Yet without the United Nations the successful conclusion might not have been achieved. If further progress toward mankind's control of armaments is made, we can be sure it will be in part because of the United Nations unceasing efforts in that direction.

Finally, the United Nations has contributed to the peace through its economic and social work to improve the welfare of all the people of the world. Perhaps in the long run this will be its greatest contribution, for poverty, hunger, illness, and ignorance are the greatest enemies of peace. During its 18 years of operation the United Nations has built a solid record of achievement in improving the welfare of the underprivileged.

First, it has worked in the technical sphere through 13 specialized agencies such as the Food and Agriculture Organization, the United Nations Children's Fund—UNICEF—and the World Health Organization. Through the Food and Agriculture Organization technical and scientific skills have been supplied to underdeveloped countries to assist them in improving their own farming methods. Through UNICEF programs of long-term benefit for children have been developed to replace the initial program of providing emergency food and clothing. Through the World Health Organization numerous communicable diseases have been attacked with the international cooperation which is essential if the diseases are to be eradicated and high priority has been placed on the training of health personnel for the strengthening of public health services. These are just a few examples of the ways in which the specialized agencies have contributed to the world's welfare.

Another way in which the United Nations has contributed to economic and social welfare is through its program of assisting in the economic development of underdeveloped countries. Through the expanded program of technical assistance and the development decade program, the United Nations has sought the same kind of objectives which the United States is seeking in its program of foreign aid to underdeveloped countries. The international organization has proved uniquely qualified to carry out development functions. First, it can draw on the technical resources of all its members. For example, it can employ technicians from every country or convene international meetings of technicians such as the United Nations Conference on the Application of Science and Technology for the Benefit of Less Developed Areas. Second, it does not face certain problems in providing assistance which are faced by individual nations, such as being suspected of chauvinistic motives, or meeting resentment if strict stipulations are attached.

In addition, a Special Fund and International Development Association have been established to assist large-scale projects and to help meet the pressing demands of the underdeveloped nations for capital assistance. In this year's annual report the Secretary General noted that the Special Fund has thus far approved 327 major projects in 120 developing countries and territories. Toward the program's cost of $672 million, the Special Fund was contributing 42 percent and the developing countries were contributing the remainder.

As still another contribution in the economic and social field, the United Nations provides important assistance to national efforts to improve welfare through the wide range of information and statistics it collects and reports on such subjects as housing, transportation, and population. Finally, as in the political field, the discussion of problems in the Economic and Social Council focuses attention on the issues involved and brings the weight of public opinion to bear in their solution.

These are just a few of the many ways in which the United Nations has assisted in promoting the economic and social welfare of the peoples of the world. They can be listed along with the organization's accomplishments in the field of collective security and pacific settlement as major contributions to peace which the United Nations has made in the past 18 years. There are many more which could be cited but a complete list would be far too long for any single speech.

Thus we may conclude that on its 18th birthday the United Nations is a vigorous organization with a bright future. It is a happy contrast with the League of Nations, whose 18th anniversary year was marked with Munich and from which several nations had already resigned. Remembering that an international organization can only be what its members make it, on United Nations Day of 1963 let us resolve to continue and strengthen our support of this organization and encourage other nations to do the same. If the United Nations can sustain the record it has achieved in its first 18 years, we can be confident that we are well on the road to lasting peace.

Mr. BROWN of California. Mr. Speaker, every year when some consideration of the U.N. comes up we not only hear eulogies from the U.N.'s friends and intemperate attacks from its foes; we also hear the perennial complaints that the United States is being voted down the river by various blocs of nations. The standard complaint is that the new Afro-Asian nations are teaming up with the Soviet bloc to hand us a regular shellacking in the General Assembly. Of course, the facts do not reveal any such thing, but the main complainers do not really care for facts—all they want to do is to scare the very young or the gullible.

However, many people of good will and good sense are deeply concerned lest the United States—which is one of the founders of the U.N. which is one of its strongest supporters and which pays more assessments than any other single nation—should fail to exercise a degree of influence proportionate to its power. For this reason they suggest that the voting system in the U.N. be changed from the present "one nation, one vote" system to some kind of weighted voting system.

I was interested to discover that the Department of State was concerned enough about this matter to undertake a study on weighted voting. After reading as much of the unclassified material as is available I come to the following conclusions:

First. We are doing all right under the present system and have a batting average of more than 86 percent.

Second. The application of weighted voting formulas would not change the results of past votes by terribly significant amounts—about 84 percent would have come out the same under any plan which was developed.

Third. No system which would substantially change the "one nation, one vote" rule would have any chance of adoption, anyhow.

The Department of State feels, and I agree, that for any system of voting to be adopted by the U.N. the following considerations must be present:

First. The system must be easy to understand.

Second. It must be based on factors for which adequate information is available.

Third. It must be applied in a reasonably equitable manner.

Therefore, the Department chose national income, population, and U.N. scale of assessments as the three factors with which to develop weighted voting formulas. The reasons are simple: National income figures are available and acceptable, because nations report them to the U.N.; population—a factor essential to any system of weighted voting—is also a matter of record in the U.N.; and U.N. assessments are already known and are based, roughly, on ability to pay.

Even without going to the electronic computers, anybody with a list of the U.N. nations—their population, national income, and their U.N. assessments—can figure out that any voting formula based on a simple application of one or any of the three factors would not be accepted. It would give too much voting power to the big nations and take away too much voting power from the small ones. While the big nations might like this, the small ones are guaranteed not to, since the "one nation, one vote" idea is prima facie evidence of equality of sovereignty. Obtaining such a change would be about as difficult as trying to obtain proportional representation in the U.S. Senate.

If the value of a nation's vote in the U.N. were directly proportional to its assessments for the support of the U.N., the United States alone would have almost one-third of the total votes since our assessment is slightly more than 32 percent. This would mean that the United States and one European nation would be able to stop action on questions which must be decided by two-thirds vote in the General Assembly. Since the United States and one other nation would have more than one-third of the votes and since the other 109 nations could not possibly muster the necessary two-thirds, any system which results in 109 nations being thwarted by two nations would not even be considered.

You get a somewhat similar result by using national income as the weight: The voting power of the wealthy nations, particularly the United States, Canada, and our NATO allies, goes up; the voting power of the Soviet bloc goes up, too; but the voting power of most nations goes way, way down.

If votes were proportional to the size of population, the U.S. vote would increase in value, because we are one of the 10 largest nations; the value of the Soviet vote would go up, too; but, 2 nations—this time China and India—would have almost as much voting power as all the other nations combined. Therefore, it is clear that no system of weighted voting based on simple application of the three factors, either singly or in combinations, could possibly be adopted.

The State Department's study then turned to some fancy combinations, with various weights assigned to each of the factors, sometimes taking two factors together. But regardless of the juggling of the figures, when the weighted votes were substituted for the votes actually cast on 178 rollcall votes of major importance to the United States, it was discovered that the results would have been the same in 148 cases, or 84 percent of them.

This leaves the question "How are we doing under the 'one nation, one vote' system?" I referred earlier to 178 rollcall votes of major importance to the United States. These were recorded in the General Assembly, either in plenary session, or in meetings in various committees. It should be noted that only "Yes" or "No" is counted as a vote—abstentions do not count. The United States voted 158 times, and abstained or did not take part in the vote 20 times. It voted "Yes" on 103 issues and "No" on 55 issues.

When we voted "Yes," enough other nations also voted "Yes" so that 98 of the 103 issues we voted for were adopted. When we voted "No," enough other nations voted "No" so that 39 of the 55 issues we opposed were defeated. Our batting average on "Yes" votes is 0.950; our batting average on "No" votes is 0.700; and the combined average shows that we were on the winning side enough times to have a batting average of 0.867. You do not have to be a Babe Ruth, or Roger Maris, or Mickey Mantle, to know that this kind of batting average is phenomenal.

On the statistics of it I do not see how we could do much better.

But even if we could do better with some kind of weighted voting system there is absolutely no chance of getting it adopted. In the first place any system which gives too much to the big boys and takes too much away from the smaller ones is not even going to get to first base. In the second place, to put any weighted voting system into effect would require revision of the U.N. Charter. The Russians have made it abundantly clear that they are just not interested in Charter revision until the Red Chinese have been admitted to membership; and we have made it abundantly clear that we are not interested in membership for the Chinese Communists; and so, right there is roadblock No. 1.

Even supposing this hazard could be removed there are still a lot of stepping stones to cross—and all of them are slippery. Charter revision on anything requires three distinct procedural steps. The first is approval by the U.N. Security Council, including the affirmative votes of the five permanent members; the second is approval by two-thirds vote in the General Assembly; and the third is ratification of the changes in the U.N. Charter by two-thirds of the U.N. membership, acting through their constitutional processes.

Since we are doing all right, anyhow—I might point out that the Russians have never gotten anything adopted in the General Assembly that we actively opposed, whereas we have gotten lots of stuff adopted over Soviet opposition—since weighted voting formulas give the same results in about 85 percent of the issues, and since no system which has been devised would have much chance of adoption, I suggest we stop shadowboxing with weighted voting and instead settle down to consideration of how we can make the U.N. work better under the existing charter.

Mr. CAMERON. Mr. Speaker, it gives me great pleasure to stand in the House today and pay tribute to the United Nations on its 18th anniversary. This pleasure is perhaps greater than that enjoyed by most of my colleagues who are participating in this special order. During 1961 and 1962 never was a kind word for the U.N. uttered in this Chamber by my predecessor. As a venomous spokesman and member of the militant John Birch Society, his violently anti-U.N. attitude was not a broad reflection of the will and wishes of California's 25th Congressional District. He reflected only the views of a small but highly vocal minority of reactionary crackpots who carry on a continuing fright campaign aimed at driving the United States out of the U.N., and the U.N. out of the United States.

Although an enlightened electorate caused by predecessor's forced retirement from public life, I must confess that the anti-United Nations assault in my district has not subsided. It is, however, I am happy to report, being met headon by most of my constituents, many of them members of the American Association for the United Nations. Where the Birchers bring heat, the AAUN brings light. Where the Birchers attack with lie, distortion, smear and hate, the AAUN defends with truth, fact, fairplay, and love of mankind.

Mr. Speaker, to hear the Birchers and Birchsymps tell it, the U.N. is an atheistic organization, not only because God is not named in the charter, but because the U.N. has no time for prayer.

The fact of the matter is that the U.N. General Assembly opens and closes each session with a moment of silence for prayer or meditation. And I would only point out that the U.S. Constitution does not name God. Does this then make that precious document, and the Nation upon which it was founded, ungodly? Certainly not—at least not to the logical mind.

And what of the Birch fallacy that the U.N. is too costly, that Uncle Sam is paying all the bills?

The United States share of the U.N.'s regular $82 million budget in 1962 was 32.02 percent, or about what 10 hours of World War II cost each of us.

What about the rightwing charge that the U.N. Commission on Human Rights and the Universal Declaration of Human Rights are, in effect, eroding our rights as American citizens?

This allegation is quickly refuted by examining the U.N. charter. Article 2, states that:

> Nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state.

Article I of the Declaration of Human Rights understandably nettles the Birchers because it enunciates a philosophy with which they are obviously not in sympathy:

> All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Another myth propagandized by the Birchers is that the U.N. is dominated by the Soviet Union. It is interesting to note that the Communists use the same line, but in reverse—the U.N. is controlled by the United States. Birds of a feather flock together, Mr. Speaker, but armed with a shotgun loaded with facts, we can declare open season on extremist species.

There are 111 member nations in the U.N., with only 10 of them actually under Soviet domination. Yugoslavia, definitely a Communist state although not under Kremlin control, frequently votes with the U.S.S.R. The remaining 100 member nations include the countries of Latin America, Western Europe and the United Kingdom, all friendly in varying degrees to the United States. The member nations of Africa and Asia, like the United States and its allies, vote according to the merits of the particular issue as it affects their own national interests—as do we.

Perhaps the most twisted tale spawned in the smoking typewriters of the paranoid patriots is the one dealing with the U.N. Military Committee. This is the one about Molotov, who, in a secret deal with Alger Hiss, fixed things so that American soldiers would always be directed by an agent of the international Communist conspiracy.

In the Hearst newspaper editions of April 7, 1963, editor in chief William Randolph Hearst, Jr., takes the lunatic wrappings off this modern-day fable concocted for the cult of nonthink. With the consent of my colleagues, I would like to insert Mr. Hearst's column at this point in my comments.

### Don't Believe Everything

(By William Randolph Hearst, Jr.)

The many evidences that there are some people who will believe anything—no matter how oddball or offbeat—prove we haven't come so far from the days of the goldbrick and snake-oil spielers, after all.

I don't go into the question of real weirdies who clutter any editor's mail with suggestions for trapping enemy missiles in artificial clouds of asparagus soup. Or solving transportation problems with polyethylene flying carpets.

This piece is just about the gullible ones who accept everything they hear or read as gospel.

Two real gassers of that kind have been bouncing around recently with the usual chain reaction of indignant belief. One was an oldie—a set of aphorisms attributed to Abraham Lincoln.

Every year it gets around in the period of the great Abe's birthday, although the Lincoln National Life Foundation long ago researched it and found it was written by an Erie, Pa., clergyman only 47 years back.

But it always finds umpty-ump hundreds of suckers who excitedly write to editors wanting to know why such important utterances of the 16th President aren't serving as our guiding maxims.

Actually, they are a sort of wrap-up of normally sound and conservative economic principles. What's wrong is that they are couched in sanctimonious language that would have made the author of the Gettysburg Address shudder. Plus the little matter of fact that Lincoln never said or wrote them. Write to the Lincoln Foundation at Fort Wayne, Ind., for full details if you wish.

Another whopper that has been agitating the agitatable ones concerns the United Nations. Recently I ran across it in a pattern of letters to a Florida newspaper that showed the writers had obviously been listening to the same lecturer or read the same mail circular.

They were in a tizzy of indignation. What kind of Government do we have, they demanded to know, that permits American soldiers to be directed by a United Nations military committee which is an instrument for Soviet intrigue because it is always headed by a Russian?

Furthermore, they demanded to know, how can the United States permit such an arrangement when (as apparently the writers believe any schoolboy should know) it grew out of a secret agreement between Vyacheslav "Ironpants" Molotov and Alger Hiss at the 1945 San Francisco Conference which created the U.N.?

The same far-out story has come my way in several forms since.

Having been a newspaperman for enough years so that, unfortunately, I can't claim any longer to be a schoolboy, I proceeded to check out this deep-dyed cloak-and-dagger tale. That's what we are taught to do in our profession.

As Pierre J. Huss, chief of the Hearst Headline Service Bureau at the United Nations, pointed out, who can say what Hiss and Molotov agreed to?

All we can report on is what happened, and if they had any conversation about having the Russians dominate the U.N. military, it just never got past the talk stage.

Yes, Virginia (that's the first name of one of the indignant letter writers) there is a United Nations military staff committee. Yes, reports my niece Millicent P. Hearst, who is working at the reporting trade at the U.N., the staff committee was set up at the San Francisco conference under article 47 of the U.N. Charter.

This U.N. Military Staff Committee was intended to serve a purpose—to advise and assist the Security Council on military requirements or cases where force may be needed.

And, oh yes—just one little, trivial point—the U.N. Military Staff Committee has never been given any work to do. It meets regularly and agrees to meet again.

Meanwhile, back at the shooting range, every military involvement of the U.N.—in Palestine, in Korea, in the Congo, in New

Guinea—has bypassed the committee as if it weren't there.

Here's an outline of its history:

At the time of its founding, it had been generally agreed that the U.N. would have a standing armed force to keep the peace. This was to be furnished by the great powers. It was to consist of 12 land divisions and roughly comparable naval and air strength.

Then, in the manner now familiar, the Soviet trapped the plan in a butterfly "nyet." It insisted that naval contributions to the U.N. force must not exceed the capacity of the weakest (navally speaking) of the five permanent members of the Security Council.

That gimmick sabotaged the idea of a standing U.N. military force. The United States, Britain, and France had major naval power. So did the Russians—mostly undersea.

But the fifth member, Nationalist China, had no navy at all, or what was jokingly referred to as two saipans and one junk.

That 1945 deadlock persists to this day. Since it would take a two-thirds vote of the U.N. General Assembly to amend the charter, the shadow military committee goes on existing and holding its shadow meetings.

Its generals and admirals, representing the five permanent Security Council members, gather twice a month and immediately ungather.

And, oh, another yes, Virginia—correspondent Millicent reports that you and the other angry letter writers had the key point all wrong.

The chairmanship is not held by the Russians but rotates among the five nations, a senior officer of another country taking over each new month.

When we check in this office, we check. So now for some onsite inspection.

One of my senior secret emissaries put on his best diplomatic homburg and false whiskers, and armed with all the equipment recommended in the latest catalog for spy hobbyists, went to watch the U.N. Military Staff Committee's coming and goings the other morning. Here is his intelligence report:

From 9:59 a.m.: Arrived front Secretariat Building. Adopted vacant stare so would be taken for an ambassador or such.

From 10:10 a.m.: Baby, it's warm out here. Joined by agent XYZ in green Tyrolean hat, as arranged. To fool anyone who might be listening, he said: "Muggy, isn't it?"

From 10:11 a.m.: Carload of Russians arrive (front of wrong building). Lots of full dress gold braid. Also lots of medals. Moved to other entrance.

From 10:19 a.m.: Fooled again. Navy car pulls up to entrance we left. Admiral arrives. Lots of full dress, gold braid, etc.

From 10:20 a.m.: Agent XYZ repeats: "Damhot out here." Invited indoors by St. Bernard carrying small keg of coffee (on rocks) round neck. Discovered that British, French, Nationalist Chinese all arrived before 10:30 start of meeting. Lots of gold braid, medals, etc. and etc.

From 10:42 a.m.: Learned from secret sources that secret goings-on were secretly brief. Owing to gold-braid curtain, could learn only that Lt. Gen. Garrison H. Davidson of the U.S. Army took chair over from Rear Adm. J. D. F. Bush of Royal Navy (who last month had succeeded Gen. Vladimir A. Dobovik of Red Army). Signing off—Agent QED.

Kidding aside, there is plenty of not-so-funny material for thought in this functionless U.N. Military Staff Committee. Above all, it shows how hopeless it was to expect cooperation from the Soviet, when it had its people in there throwing monkey wrenches from the start.

All three Secretaries General of the U.N. have tried to get a commitment for a standing U.N. armed force instead of the troops furnished by "volunteer" nations each time a force is needed.

President Eisenhower tried for it. And President Kennedy, in his first appearance before the U.N. in September of 1961, proposed that each nation earmarked special units of its armed forces to be on call when required by the U.N.

It is tragic that the factual record shows how faraway the U.N. is from the power needed to fully perform its function of keeping world peace.

It is even more tragic that so many Americans—not possessed of the unhappy facts—believe every tale that reaches their ears which suggests that the United States is always and only represented at international round tables by dolts—or idiots—or saps or spies.

Before reacting so hysterically they might at least check with their nearest and favorite newspaper editor.

Mr. Speaker, I could go on and on, with the help of Mr. Hearst and other noted Americans, disspelling Birch fiction with hard fact. But I believe my point has been made here today, a point which is being made day after day in my congressional district by members of the American Association for the United Nations—men and women, young and old, who have an allegiance to freedom, who make it a part of their daily lives, who do not spend their time at secret cell meetings where the concept of freedom is distorted by demagogs who feed the flames of fear and frustration in our tinderbox world.

I imagine there will always be a small minority of Americans hostile in the extreme to any U.S. policy of international cooperation. And perhaps, in a way, this is well for the U.N. For the rightwing attack has caused many of our inquisitive citizens to legitimately question and discuss our involvement in the United Nations, as well as our whole foreign policy.

Does the U.N. serve our national interest? Are we paying more than our share of the cost? Can the U.N. bring about changes in the behavior of nations? During the past 18 years has the U.N. justified its existence?

All these questions should be freely debated on the platform of reason. We have only to look at history to see that free debate works for truth and justice. Free debate is in the great American tradition and should always be vigorously sought.

It is during periods of enlightened discussion on great issues that the Presidency, the Congress, the Supreme Court—indeed all of our democratic institutions—have achieved their greatest strength.

The fact that our relationship to the U.N. is now the subject of national debate is, in my judgment, merely a reflection of our desire to come to grips with international problems. Contrary to the ominous predictions of 1945, the U.N. is not dying. It is growing into maturity because we are willing to discuss its functions in an era of turmoil, an era when, of necessity, the U.N. has become a significant force in world politics—a peaceful arena for the exercise of national power.

It is argued by some that present U.S. policy toward the U.N. is not geared to our national interest.

And then there are those who believe that national self-interest is selfish and unrealistic when viewed on a world scale, that our approach to the U.N. should be based strictly on faith. This view obviously cannot be accepted by responsible representatives who are sent to Washington as protectors of the national interest. This must be the first yardstick against which we must measure the wisdom of all our decisions.

Yet I think debate on the subject of national interest versus faith is more semantic than real. Idealism and realism need not be diametrically opposed. When we say that the United States is committed to and supports the United Nations, we actually mean—or should mean—that as people of a sovereign nation we are determined to make the U.N. a success—a determination born of conviction that the best interest of America is firmly linked to the peaceful development of a civilized world, a world where all the parts are protected by the whole.

I think this is the message which we here today are conveying to the United Nations on its 18th birthday—a birthday which traditionally marks the separation between adolescence and manhood.

Mr. HORTON. Mr. Speaker, on the occasion of this historical milestone—the 18th anniversary of the signing of the charter of the United Nations—I believe it is appropriate for this legislative body to take note of our country's participation in this international organization.

The United States has long supported the concept of multilateral cooperation as one important way of working toward the achievement of basic aims of U.S. foreign policy: The promotion of peace and security, and the promotion of economic and social growth. Today our country is associated with 71 international organizations and programs, to which we are contributing over $346 million.

It is clearly important that the United States take every possible step to assure that the activities of the international organizations are soundly conceived, effectively conducted, and efficiently administered.

Just over a year ago, the Assistant Secretary of State for International Organization Affairs, Harlan Cleveland, took a significant and far-sighted step in this direction. He appointed an Advisory Committee on International Organizations for the purpose of obtaining the advice and recommendations of informed independent citizens.

This Advisory Committee provides the Department of State with an impressive reservoir of knowledge, experience and expertise which can be drawn on at any time in an effort to strengthen the effectiveness of this country's participation in the international organizations. The members of the Committee, who have been meeting almost monthly, are making an important, generous and patriotic contribution to the conduct of U.S. foreign relations.

I am sure that Members of Congress who know personally members of the Advisory Committee would join me in noting that it is truly a distinguished group.

Indeed, to read the names of the committee is to be assured of advice and recommendations that reflect thorough analysis, objectivity, business acumen and the best interests of the United States:

Sol M. Linowitz, chairman: chairman of the board, Xerox Corp., Rochester, N.Y. Partner, Harris, Beach, Wilcox, Dale & Linowitz.

Harding F. Bancroft, executive vice chairman, the New York Times, New York City; formerly general counsel of the International Labor Organization.

Karney A. Brasfield, partner, Touche, Ross, Baily & Smart, Washington, D.C.; formerly member of the President's Committee on the Foreign Aid Program, 1961.

Andrew W. Cordier, dean, School of International Affairs, Columbia University, New York City; formerly executive assistant to the Secretary General of the United Nations, and Under Secretary in charge of United Nations General Assembly Affairs.

Lawrence S. Finkelstein, vice president, Carnegie Endowment for International Peace, New York City.

Ernest A. Gross, partner, Curtis, Mallet-Prevost, Colt & Mosle, New York City; former Ambassador, Deputy U.S. Representative to the United Nations and Deputy U.S. Representative in the Security Council.

Arthur Larson, director, World Rule of Law Center, Duke University, Durham, N.C.; formerly Director, United States Information Agency.

Joseph Pois, professor of public administration, Graduate School of Public and International Affairs, University of Pittsburgh, Pittsburgh, Pa.; formerly director of finance, State of Illinois.

Marshall D. Shulman, professor of international politics, Fletcher School of Law and Diplomacy, Tufts University, Medford, Mass.; formerly special assistant to the Secretary of State.

Francis O. Wilcox, dean, the Johns Hopkins University School of Advanced International Studies, Washington D.C.; formerly Assistant Secretary of State for International Organization Affairs.

Participants from Federal agencies—who have not been asked to assume responsibility for committee reports—are:

John W. Macy, Jr., Chairman, U.S. Civil Service Commission.

Robert Amory, Jr., Chief, International Division, Bureau of the Budget.

The able chairman of the committee, Mr. Sol M. Linowitz, I am proud to state, lives in Rochester, N.Y.—my own constituency. I have long known him as one who has earned the genuine respect of the business world, the legal profession, banking circles, educators, his community, and the many local, State, and National organizations in which he has served his fellow man. During the war he served with distinction in the U.S. Navy.

A day containing 25 or more hours would be a welcome innovation for Mr. Linowitz. He is chairman of the board of the Xerox Corp. which has its home in Rochester. He is a member of the boards of the J. Arthur Rank Organization and Rank Xerox in England, and of Rank Xerox, France, traveling frequently to both countries.

He also commutes to Japan where Fugi Xerox is the largest manufacturer of photographic equipment. He is a senior partner of the widely known Rochester law firm of Harris, Beach, Wilcox, Dale & Linowitz. The University of Rochester values his services as a member of its board of trustees, as does the Eastman School of Music.

He has given his time freely to the board of the American Association for the United Nations, to the United Jewish Welfare Fund, and to the New York Bar Association. He is a director of banking institutions in Rochester and a former president of the Rochester Chamber of Commerce. I should also add that he was the founder and moderator of the well-known television discussion program, "The Court of Public Opinion," which won several national honor medal awards from the American Freedoms Foundation.

I have the highest regard and admiration for Mr. Linowitz, and I can say without reservation or qualification that his very deep interest, and his time-consuming participation in the State Department's Advisory Committee on International Organizations guarantee the soundness of the committee's recommendations and constitute a real service to this country.

The advisory committee has prepared two reports which have been made public.

The first report, "Staffing International Organizations," was issued in April. The letter with which Mr. Linowitz sent the report to the Department of State summarizes it in these few words:

> In undertaking this study, our committee had one prime objective: To determine whether we in this country are doing all we properly should to make available to the United Nations and the other international organizations American citizens of competence, integrity, and responsibility as they may be required.
>
> Our committee is convinced that the United States is dedicated to the strengthening of the United Nations and to the development of an independent Secretariat as contemplated by articles 100 and 101 of the United Nations Charter. But we also feel that if the United States is fully to discharge its obligations, it must play a far more effective role than it has in the past in assisting the leadership of these organizations to meet their personnel requirements. We have, therefore, urged that our historic policy of political and financial backing for the United Nations should now be accompanied by a greatly strengthened program of assistance to the staffing effort.
>
> Our advisory committee report makes a number of recommendations toward this end. Some of them call for action on the part of the Government, others suggest steps which can and should be taken by business, educational, professional, and other groups to make available candidates for these positions. We hope that both in and out of Government there will be full recognition of the importance of these recommendations and a willingness to take the necessary action to make them effective.

No one can read this without being impressed by the need for action. The committee, in its conclusion, urged "an early determination in Washington that the staffing of international organizations with the best qualified personnel is a matter of national priority and significance." The report was issued 7 months ago. I hope that the Department of State will soon put these recommendations into effect.

The committee's second report on "The Technical Cooperation Programs of the United Nations System" was made public in June. The committee notes that "these programs have contributed materially to the advancement of economic and social development in the less developed countries." It concludes that they "can continue to do so in the future with increasing effect and promise" if the programs are effectively organized and administered.

I believe that these few sentences from the report capsule the content:

> A large number of technical cooperation programs have been established by the U.N. agencies and a complex organizational structure has been created to support them. In view of the importance of this multilateral effort to the less developed countries, and in view of the significant contribution the United States is making to the total resources of these programs (32 percent for most of the regular programs, 40 percent for the technical cooperation programs financed from voluntary contributions), the committee urges that the United States take a vigorous lead in pressing for a simplification and a better coordination of this organizational structure. A more effective integration of programs and organizations is required to assure the most productive use of limited resources available.

A third report of this hard-working advisory committee is in preparation. It will deal with the problem of financial management in the United Nations system. I understand that the report will make a number of constructive recommendations to accomplish more effective use of the contributions which are made to these organizations. Recommendations will also be made to strengthen this country's own fiscal policies and practices relating to international organizations, in order that the United States may influence more effectively the fiscal processes of those organizations. I hope that the report can be made available to this body in the near future.

The objective of the State Department's advisory committee is very simple. It is to make the participation of the United States in the international organizations as effective as possible. In conclusion, therefore, I would only say to my colleagues that the reports of the committee are well worth the few minutes it takes to read them. The committee is making a significant contribution to the conduct of U.S. international relations.

**Mr. GRABOWSKI.** Mr. Speaker, last year the Gallup poll released figures showing that some 90 percent of all Americans were in favor of the U.N.—5 percent were opposed and 5 percent had no opinion. Other colleagues have spoken cogently of the many reasons why this Government and this people belong to, and support, the U.N. The reasons must be convincing, because I can think of few other issues in this country where you can get a division of opinion of 90-5-5. Even back in the days when everyone liked Ike, I do not think he came anywhere near that 90-percent figure. The last presidential election, of course, was nip and tuck.

Who are these people that are against the U.N.? And where does the money come from to support their propaganda?

Some of the opposition to the U.N. comes from people who are extremely devout in their religious convictions. They are against the U.N. because it is "a godless organization." Of course it is. So is the U.S. Government. And our Constitution draws a very sharp line between what is proper for Government activity in the field of religion and what is not. The delegates to the U.N. come from 111 countries. Some of these countries are officially atheistic, as is the Soviet Union. In others there is a direct connection between the church and state, and we have some Catholic countries. We have Israel, we have Moslem nations, Buddhist nations, and we have others, like the United States, which has no state religion and every man is supposed to choose for himself.

Others are against the U.N. because they say "it costs too much." Certainly it costs money, every worthwhile activity does. But the entire amount of assessed and voluntary contributions to the U.N. and its specialized agencies came to about $230 million the last calendar year. This amounts to one five-hundredth of the total Federal budget and about $1.25 per capita. When placed against expenditure for liquor, tobacco, cosmetics, or spectator sports, our contribution to the U.N. can be seen in its proper proportion.

Other people are against the U.N. because they are afraid it is becoming a world government and will soon be messing around in our internal affairs. It is not a world government—it is not intended to be—and cannot become so under its present charter. Furthermore, the charter expressly prohibits the U.N. from getting into matters which are essentially within the domestic jurisdiction of the U.N. members, including us. In addition, General Assembly resolutions, except for the questions of finances, are only recommendations. The Security Council can act in ways which bind U.N. members, but the United States can veto any such Security Council action.

Other people are against the U.N. because they are afraid. They are afraid that the United States is losing its place in the sun. They are afraid our interests are being submerged in the general interests of the U.N. They are afraid that the clever foreigners will gang up against the country boys from the United States and vote our Nation down the river. They are afraid that the U.N. can order American soldiers into battle and they are afraid that the whole future of the United States is being placed in alien hands. These are real fears. They are just as real as being afraid of the dark. One way to cure fear of darkness is to let in light, and I think the people who are afraid of the U.N. need light.

The United States is not losing its place in the sun, nor in the U.N. We are still the most powerful nation on earth. Our influence in the U.N. is enormous and cannot be measured by our 1 vote out of 111 votes in the General Assembly. We pay 32.02 percent of U.N. assessments and the U.N. is not about to undertake anything involving finances without our OK. We swing a lot of weight at the U.N. because we are on the right side of the issues, and because other nations have the same basic interests that we do in freedom and justice and economic and social development.

I am always intrigued with the myth that in any kind of international negotiations the foreigners are always clever and right, and the United States is always stupid and wrong. When it comes to matching wits in any kind of debate, our U.S. delegation to the U.N. does not have to take a back seat to anybody. We field a pretty good team up there: Governor Stevenson, who has said, "the U.N. is built for trouble and thrives on it," Mrs. Edna Kelly, William Mailliard, Francis Plimpton and Charles Yost as delegates; and Mercer Cook, Charles Stelle, Jonathan Bingham, Sidney Yates and Mrs. Jane Warner Dick as alternates. You will note that two members of the delegation this year are distinguished Members of this House—Mrs. KELLY and BILL MAILLIARD.

As for the power of the U.N. to order American soldiers into battle, this is of course fantastic. The U.N. has no such power. The only time U.S. soldiers have been under a U.N. flag was in Korea, and here the U.N. asked the United States to be its agent and all the commanders of the U.N. operation in Korea have been U.S. generals, with the chain of command running right back to the Commander in Chief in the White House.

I often wish that people who are afraid of the U.N. and our involvement in it could spend a few days in Washington and New York and see what actually happens and talk to their fellow Americans who work in this part of our foreign relations. I think those who came to scoff would stay to praise.

Mr. CONTE. Mr. Speaker, how many of us have heard it said that "the United Nations is a great idea but that the world is not ready for it, yet"?

I find this idea absolutely charming. Here we have an organization celebrating its 18th birthday, full of vim, snap, bounce; working hard at a million different things; adopting resolutions about outer space, and nuclear weapons, and human rights; getting rid of malaria; working for agreements on atomic energy and safeguards for reactors; regulating the allocation of radio bands; promoting economic development; an organization which every new nation wants to join as speedily as possible; an organization with a total budget of about $200 million—and the world is not ready for it yet.

The United Nations has grown in membership, in size of budget—reflecting an increasing capacity to do something useful about the problems of our time—and the world is not ready for it yet.

In many nations there are voluntary associations for the United Nations. In our own Nation there are two: the American Association for the United Nations and the U.S. Committee for the United Nations. Gallup polls show that overwhelming majorities of the U.S. public are in favor of the United Nations—but the world is not ready for it, yet.

Eighteen years old and we are not ready for it yet.

If we are not ready for the U.N., what are we ready for? The League of Nations, the Holy Roman Empire? or what?

Or do you suppose people who say "the world is not ready for the United Nations" really do not have both feet in their mouths—just tongue in cheek?

Mr. Speaker, I commend the gentleman for his remarks on the readiness of the world for the United Nations, and would like to add to them.

Back when I was a boy, a famous manufacturer of a quality car had an equally famous slogan. It was: "Ask the man who owns one." This is the acid test.

Let us apply it to just a few of the U.N. activities today. Let us ask our own U.S. scientists whether their work would be further ahead or further behind without the United Nations. The material collected during the International Geophysical Year is still being analyzed and interpreted. The material being gathered during the current "Year of the Quiet Sun" will be of value for years to come.

Let's ask our weather men about the U.N. Are they ready for it? Could they do their work so well without it? Has it made things easier or harder? If you are going to have a really good world weather watch, you have got to have everybody in the act, and use information from all over—land, sea, and in the air, including way up. The U.N.'s World Meteorological Organization is in this business for a very practical reason; it is needed.

Let us ask the farmers of the world, especially in the underdeveloped areas whether they are ready for the United Nations. Ask them about what the Food and Agriculture Organization has done for them—better seeds, better stock, better agricultural methods, better machinery and equipment, and as a result, better crops, higher yields per unit of land, higher output per man, and a higher standard of living.

Let us ask the people in the field of public health about the need for the World Health Organization—and not just the need in the underdeveloped areas but also in the United States. The control of disease is one of our proudest achievements. A great deal of the credit must go to WHO; to its reporting services which keep track of outbreaks; to its setting of standards in the field of quarantine time for various diseases; to its aid to various national health services; and, lately, to its work as a clearinghouse for information about the effects of new drugs. Are the health people ready for the U.N.? Do they appreciate it?

You can ask the same kind of question about any of the U.N.'s specialized agencies. Or about any of the special programs—like the Children's Fund—just go ask a child who has been cured of yaws and who now gets some milk to drink whether he is ready for the U.N. Or, to take the most costly and most controversial of all U.N. operations, go ask Prime Minister Adoula of the Congo whether he is ready for the U.N. He has asked that the U.N. forces stay in the Congo until the middle of next year to help train his army and to help keep order until his own people are ready to take over the job of maintaining tranquillity.

Let us ask the citizens of the new nations which were formerly U.N. trust territories whether they are ready for the U.N.

Well, we could keep up this type of rhetorical questioning for a long time. And everyone knows what the answers have to be: The world is not only ready for the U.N., we could not get along without it.

**Mr. SICKLES.** Mr. Speaker, there is one little point about the United Nations that people sometimes forget to mention and I would not like to have it overlooked. It is a very simple point, but it is also very relevant.

The point is this: The United Nations is a plain necessity.

Can anyone really pretend to imagine a world with thermonuclear weapons—a world with dangerous national rivalries—a world of competing ideologies and systems without a world organization?

Can anyone imagine a world crisscrossed by jet aircraft—a world that is venturing into outer space—a world which can flash a photographic image across the oceans in a fraction of a second and which can reach into nearly every corner of the globe at the speed of sound—without some form of international organization?

Can anyone even think about a world of some 120 separate, independent, sovereign states without some form of international organization?

Can anyone seriously suggest that a world with the capacity to blow itself up, which is interconnected by transport and communication, which is interdependent economically, and which is being forced willy-nilly by scientific advance into the choice between cooperation or chaos—can anyone imagine such a world without world organization?

Mr. Speaker, the United Nations is the world organization which we have created because a world organization was, and is, a plain necessity. We can certainly improve it. But to suggest that we can do without it is to deny the second half of the 20th century.

**Mr. ST GERMAIN.** Mr. Speaker, today we celebrate the 18th anniversary of the founding of the United Nations. The great dream of Woodrow Wilson for an effective organization to promote peace and understanding among nations has become a reality.

While this world organization has had many crises, its record of success has been impressive. Since the adoption of its charter in 1945, a significant list of accomplishments has been compiled.

Foreign troops were withdrawn from Iran, Syria, and Lebanon as a result of discussions undertaken by the U.N. in 1946. In 1947 the United Nations prevented outside aid from coming to the Communist guerrillas in Greece by keeping watch over the northern borders of that country. A cease-fire in Kashmir was brought about by the U.N. in 1948. Even though the dispute has not yet been fully settled, there has been no further outbreak of armed hostilities.

In 1949 United Nations mediation assisted Indonesia in achieving independence from the Dutch and brought about a cease-fire in Palestine along with the signing of armistice agreements between Israel and her neighbors.

In 1950 U.N. forces halted aggression in Korea and forced the aggressor behind the 38th parallel. When France, Britain, and Israel took up arms against Egypt in 1956, the United Nations obtained a cease-fire and the withdrawal of troops. It also arranged for an emergency force to keep the peace along the Egyptian-Israel border and for the clearing of the Suez Canal. In 1958 U.N. representatives in Lebanon and Jordan helped to protect the peace in those countries.

The United Nations activities in the Congo beginning in 1960 are well known to us all. Regardless of the criticism leveled at these operations, they have prevented the spread of hostilities and aided in the stabilization of conditions. The agreement reached in 1962 by the Netherlands and Indonesia over the territory of West New Guinea and the provisions for interim control by the U.N. prior to Indonesian administration and eventual self-determination is another recent achievement of the United Nations. The assistance provided last year by the U.N. regarding the removal of Soviet missiles from Cuba helped to avert a tragedy which could have resulted in a major conflict.

This impressive record of United Nations achievements speaks for itself. It is an eloquent tribute to the value of this "action agency for peace and progress." I consider it a great privilege to join with my colleagues in commemorating United Nations Day.

**Mr. ROSENTHAL.** Mr. Speaker, listening to all the nice things being said about the United Nations on its 18th birthday reminds me that not everyone shares the same high opinion of this international organization.

I am not talking about the Communists. They have not really joined the United Nations; they cannot run the outfit; and they do not dare pull out. So they try to sabotage it at every opportunity, and nobody would be happier to see the U.N. weakened or broken up than the Communists.

Nor am I talking about the opposite extreme—the people who have seen so many Communists under so many beds that they think the sun casts a red shadow. There are a few people like this, and any organization that has one single Russian in it is, in their view, part of a vast conspiracy to burn the Bill of Rights, to destroy the Declaration of Independence, and to subvert our society. These people can see nothing good in the United Nations because it has some Communist members. These people are so afraid of the U.N. that they advise us to get out.

No, I am talking about people who, in all seriousness, believe that the United Nations is a failure because of the long list of problems which the U.N. has not solved—Berlin and the wall; Eastern Europe, particularly Hungary; South Vietnam; the Israel-Arab dispute; the India-Pakistan trouble; Cuba; dictators in assorted nations; the Congo; the population explosion; continued poverty; disease, and ignorance, and so on.

We try to convince them that the U.N. is not involved in many of these problems, and that it is helping in others; that the U.N. cannot and will not intervene in matters which are essentially within the domestic jurisdiction of individual nations; that some of these problems go back to the beginnings of recorded history; or that no one has asked the U.N. to take action.

But it seems to make no difference. Since the U.N. is not perfect, the argument goes on; and since it has not solved all the world's problems, then the U.N. must be a failure.

Does this same line of reasoning apply to any other manmade institution? Does it apply to the U.S. Government? Is our Government a failure because there are still problems in the United States of America? Are the various religions and churches failures because some vestiges of original sin keep cropping up? Is the FBI a failure because there are still crimes unsolved and criminals at large?

This is no reason to be negative about the United Nations. Look at the positive side:

First. It is the best organization we have ever put together for world peace and progress. It may not be perfect, but it is improvable.

Second. We need the U.N.—in fact we cannot get along without it—because it does so many things that we cannot do by ourselves.

Third. The U.N. is our kind of organization and is working in many different, and most important ways for our kind of world. And, as the U.N. is successful, we, the United States are better off.

Fourth. We helped to put the organization together; we have helped to keep it together; and we are its most influential member. This means, in no small measure, the U.N.'s future is up to us.

**Mrs. GREEN of Oregon.** Mr. Speaker, I am delighted to join my distinguished colleagues, including Representatives DANTE B. FASCELL and DONALD M. FRASER, in paying tribute to the United Nations upon the occasion of the organization's 18th birthday.

If modern man is not yet obsolete, Mr. Speaker, he owes a debt of gratitude to the U.N.

The United Nations came into being under a charter that described the organization as "a center for harmonizing the actions of nations" in the achievement of common ends. I believe that, regardless of its less publicized successes in the field of economic development, health, and education, the U.N. has earned its keep by its role in the Korean conflict, the Middle East turmoil and in the Congo.

And by so doing the U.S. national interest has been served.

During the 18 intervening years between San Francisco and today, the U.N. has grown in the direction of a future system of world order and peace. Flawed and imperfect as are all human institutions, the U.N. at a minimum provides a forum for disputes after other means have been found wanting. True, it cannot impose settlement of an issue. True, it is effective in the measure that its 111 member states permit it to be effective. However, in the cases I have just cited, the record is indisputable that the U.N. has often intervened in hostilities and restored order.

And its accomplishments are enhanced by the gamey enemies it has made during its lifetime.

To anyone who might cast a vote to weaken in any way or destroy the U.N., the question should be put: What is suggested to take its place? Military power in an awesome age of nuclear weapons that can literally depopulate the earth? The arrows launched by the bowmen at Agincourt struck their target with limited damage. Can anyone say the same today when both the Soviet Union and the United States possess a nuclear arsenal of overkill that could kill each other's populations many times over?

As I stated during the discussion on the United Nations bond issue legislation last year, any legislative attempt to constrict the actions of this Government in the U.N. is an attempt to sabotage the position of preeminent leadership which the United States has exercised from the beginning in the political organs of the United Nations. Beginning last year there have been disquieting expressions within Congress that the United Nations should not be relied upon to deal with major matters.

In recent years both a Republican and a Democratic President have spoken out in support of the U.N.

Former President Eisenhower, speaking of the U.N. financial problems in one section, observed that "our country has played a leading role in the development of this great forum and we must not fail it now."

President Kennedy in September 1961 declared that "our dedication to the charter must be maintained. New strength and new roles for the United Nations are required."

I suggest that on this observance we rededicate ourselves to the strengthening and improvement of the United Nations and its ancillary organs. This present crisis of confidence is caused as much by faintheartedness on the part of some of its friends as by its implacable enemies. In this connection we would do well to seek sources of independent financing for the United Nations so that financially it would have a greater degree of initiative.

A policy of strengthening the United Nations means affording it the latitude to improve the chances that there will be no major war at all. And in so doing, we should not compile the statistics on U.N. achievements as if they were baseball batting averages. The U.N., for example, succeeded in the Congo; it failed in Goa. The percentage is 1,000 as far as I am concerned given the historic, frightful disarray of international relations for centuries. The percentage is not 0.500. What was accomplished in the Congo could not have happened without an international organization. What happened in Goa would have happened without an international organization.

Already the U.N. has shown its potential for evolution—the enlargement of the Secretary General's position to that of an operating executive, the establishment of ad hoc military detachments under the aegis of the United Nations and the adaptability of the General Assembly in the face of the veto power that all the major powers want in the Security Council. The evolution is in the direction of increasing the ability of the United Nations to save succeeding generations from the scourge of war.

Mr. MATSUNAGA. Mr. Speaker, I wish to commend the gentleman from Minnesota [Mr. FRASER] for calling to the attention of this body the need for reaffirming our faith in the United Nations, the only international organization devoted to the peaceful solution of problems between nations.

On this day set aside as United Nations Day, we ought to reflect seriously upon our continued membership in the United Nations. There are many well-meaning Americans today who are clamoring for "the United States to get out of the United Nations, and the United Nations to get out of the United States." I am inclined to believe that this view is harbored by those who have been misinformed on the facts about the United Nations. For example, I have received many letters and circulars advising me to wake up to the fact that the U.N. is bankrupt, and urging me to do something about stopping our Government from paying our allotted share of the costs of operating the U.N.

The truth of the matter is that the United Nations is not bankrupt. For a full comprehension of this statement we must first realize that the United Nations finances are handled on the basis of many different accounts. There are accounts set up for the operation of the headquarters in New York and for the payment of salaries and expenses of the staff employed there. Then, there is another account for the so-called working capital fund; another account for the technical assistance program and for the U.N. Special Fund. Each of the 12 specialized agencies has its own budget; then there are accounts for the U.N. peacekeeping operations in the Middle East and in the Congo.

All of these accounts, according to information given me, are in sound fiscal condition, except the so-called peacekeeping accounts relative to maintenance of U.N. forces in the Middle East and in the Congo. The regular budgets are met by regular assessments which are generally well paid up. The special funds are financed by assessments or voluntary contributions and pose no real problem.

The only accounts which are in bad shape are those set up for military operations in the Congo and in the Middle East. In these accounts the U.N. has a deficit of about $100 million, about two-thirds of which is owed by the Soviet Union and other members of the Communist bloc. The Russians have flatly refused to pay anything on these peacekeeping accounts. They have argued that assessments for peacekeeping are not legal, despite the ruling of the International Court of Justice against such argument, and have refused to pay their fair share. Of course, their real reason for not paying is that they were opposed to the sending of peacekeeping troops to the Congo and to the Middle East.

Unfortunately, there is no way to force the Soviet Union and her satellite nations to pay their fair share of the costs of peacekeeping. However, there is a saving provision in the U.N. Charter which may serve to force payment. This is the provision which denies a vote in the General Assembly to any nation which defaults in the payment of its total assessments for 2 years. Whether or not Russia will pay its share when faced with the deadline is to be seen next year when the first meeting of the General Assembly takes place. I cannot believe that the Russians will be willing to suffer the loss of face and the denial of a vote in the General Assembly by refusal to pay when that time comes.

Whether Russia pays into the peacekeeping accounts or not, the truth of the matter is that the United Nations is in good financial condition on all other accounts. The alleged bankruptcy of the U.N. therefore is a baseless reason given for our withdrawal from its membership.

The United Nations has meant as much to the United States as the United States has meant to the United Nations. We need the United Nations just as much as it needs us. To heed the cry that the United States should get out of the U.N. and U.N. out of the United States would be playing directly into the hands of our cold war enemies, for that is exactly what they would want. Let us on this United Nations Day as the elected leaders of this Nation resolve to reaffirm our faith in the United Nations.

Mr. MULTER. Mr. Speaker, I am pleased to join with our colleague from Minnesota [Mr. FRASER] in speaking today in recognition of the 18 years of fine work done by the U.N.

The U.N. has served the world well in its capacity as a meeting place between East and West, as a forum for the discussion of the world's problems and most importantly as an organization for keeping the peace.

Starting with the efforts to end the Communist-led insurrection in Greece through an armistice between the Indians and the Pakistanis in Kashmir and a cease-fire in Palestine, the U.N. has shown its ability to bring belligerent parties to a cessation of active hostilities, even though it has failed to resolve the differences between the parties. As a police force, the U.N. has opposed, with force, the invasion of South Korea by North Korean and Chinese Communists, has imposed a detente in the Middle East, and in 1960 sent a force to restore order, prevent civil war, and to avoid a confrontation of the major powers in the Congo. The world is a different and better place because of these actions.

The U.N. works: it does not succeed at all in some cases and it rarely bats a thousand. But we must remember that the U.N. is a human institution and the very notion that it might work perfectly or even nearly perfectly is absurd. What human institution does work perfectly? Which of our local or State governments can claim perfection? Can our National Government claim that it never makes a mistake, that it always fulfills the tasks which it exists to perform?

For some obscure reason some of our citizens seem to feel that if the U.N. does not complete successfully the operations it undertakes, or if it makes an error, that it should be junked, dispensed with. It should be unnecessary to point out the fallaciousness of this argument. If we were to follow this reasoning we would then have to dispense with the House of Representatives as well.

I should think that it would be unnecessary to point out that the U.N. deals only with conflicts which nations or groups of nations are unable to solve otherwise. It deals only with problems that nations or groups of nations are unprepared, incompetent, or unwilling to deal with.

Under the circumstances, it is a curious system of accounting which reports that the U.N. has failed if the particular crisis it happens to be dealing with remains unresolved and the job remains uncompleted.

Yet, if one brush fire has been put out—although the threat of nuclear war has not been averted—if one armistice has been secured—although the source of hostility between the belligerents has not been removed; if one conflict has been put off without solving the underlying problem; if one epidemic has been contained without eliminating the disease; if one food bank has been established without ending hunger; if one conference has brought closer a source of cheap energy without electrifying the last village; if one school system has been started without ushering in universal literacy; if one delegation to the U.N. has gained faith in the democratic process without curing the world of coercion—if any of these things happened as the result of U.N. action—and they do happen with considerable frequency—then the U.N. must be accounted to have succeeded that much. It is no more realistic to measure the performance of the U.N. against the standards of Utopia then it is to measure the performance of a man against the standards of the Deity. I am often astonished when self-styled realists throw up their hands with lamentations because the U.N. has failed clearly to usher in the millenium.

The real U.N. is an organization of sovereign and sometimes hostile states which are represented by fallible men trying to cope with the quarrels, the poverty, the injustices inherited from the ages and compounded in the decade of the sixties. The U.N. can be no better and will be no worse than the nations which are its members, the men who represent them, and the people who support them. But it is a place, an organization, a system, for doing the best that the nations can agree to do.

There is no magic in the U.N. It is not yet good enough. It is only good enough to warrant our unflagging attention, our realistic appreciation and our utmost efforts to sustain and improve an existing piece of machinery that works within limitations for many important and crucial purposes.

Mr. **RHODES** of Pennsylvania. Mr. Speaker, I am pleased to join with my colleagues today in commemorating the 18th birthday of the United Nations. The U.N., and its specialized agencies, has made important contributions to world peace during its short existence.

### ILO WORKS FOR US

One of the most unusual of the specialized agencies of the United Nations is the International Labor Organization. It is unusual in that it is older than its parent organization: the U.N. was established in 1945, but the ILO was established in 1919.

It is unusual in its structure, which is tripartite: representatives of workers, employers, and governments join together to determine ILO's policies and to supervise its activities. This is a reflection of the fact that conditions of employment are not solely the responsibility of any single segment of society, but are the joint responsibility of management, labor, and government.

It is unusual in that the ILO recognizes, perhaps more clearly than other U.N. agencies, the intimate relationship of prosperity within a single nation with conditions of labor in that nation, and the interrelationship of conditions of prosperity among all nations.

The ILO is unusual in that it is concerned not only with bread-and-butter issues but with other values of deep concern to human beings. The ILO, in 1944, adopted the "Declaration of Philadelphia" which was later to become part of the ILO constitution. This declaration said, among other things, that "all human beings, irrespective of race, creed, or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security, and equal opportunity." The declaration went on to say that labor is not a commodity; that freedom of expression and association are essential to sustained progress; that poverty anywhere constitutes a danger to prosperity everywhere; and that the war against want must be carried out with unrelenting vigor within each nation, and by continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of governments, join with them in free discussion and democratic decision with a view to promotion of the common welfare.

Does all this sound familiar to us? Did we not decide, long ago, that labor is not a commodity? Have we not had freedom of speech and association written into our Constitution since almost the beginning of nationhood? Have we not taken steps in the United States to assure that prosperity was general? Have we not tried to get rid of poverty lest it be a threat to prosperity? Have we not had the idea—exemplified particularly during World War II on the War Labor Board—that cooperation on the part of management and unions and the Government was the best way to get things done? The answer to all these questions is "Yes."

This leads to the next question: "Why do we need the ILO?" The answer is a little more complicated. We need it because we are interested in the establishment of minimum standards of work and of production around the world. We know that one rotten apple can spoil the whole barrel, and one country with rotten working conditions may spoil international trade and the livelihood of decent employers and the jobs of those who work for them.

We know that we cannot sell quality products to people who cannot afford to buy them. Hence we, as an international trading nation are interested in prosperity overseas in other nations.

And we need the ILO to act as a searchlight for the conscience of mankind. There is not one of us here who would put his family to work under some of the conditions which are discovered from time to time by ILO people. Until recently, in one South American country, men were used as human brakes on railroads in the coal mines; they stood with their feet on the rails and with their backs against the front of the coal cars. Their feet were wrapped in rags, and the friction of feet against rails provided the braking power. No one considered it cruel or unusual—everybody did it that way, and always had. However, today such working conditions are on the way out, thanks to the kind of assistance which the ILO is equipped to provide.

One of ILO's early projects was in the field of maritime labor. With no international standards of any kind agreed on before ILO got into the act, the working conditions and the living conditions of sailors were unbelievable. And the possibility of ships carrying disease from one port to another was greatly increased. Today, as a result of actions taken in line with ILO recommendations and conventions, there are minimum standards for the employment of seamen, including preemployment medical examinations.

The ILO's interests range from A to Z—from antimony and atomic energy to zinc; from forests to factory; from apprenticeship to old-age benefits.

ILO has undertaken many studies on the safety and health of workers and issued codes and recommendations on regulations for protection from power-driven machinery and for protection of workers in mines and quarries, in atomic plants, in agriculture and forestry, and in the transport of dangerous materials. ILO experts have been sent to advise governments on drafting laws and regulations. It has granted fellowships for study in highly developed countries. It has supplied demonstration equipment.

Many studies on workers' health and safety have been published by ILO, some of which are distributed free of charge.

ILO has headquarters in Geneva, and branch offices in 12 countries and field offices in 7 regions of the world. More than 1,000 officials coming from about 80 different nations make up the permanent headquarters staff. Since 1948 the director general has been an American, David A. Morse.

Activities of ILO have expanded rapidly in the last few years, as reflected in its regular budget—under $10 million in 1961, over $11 million in 1962, and over $14 million in the current year. The United States contributes 25 percent of this assessed budget, or $3.5 million in 1963. This averages less than 2 cents a year for each American. ILO receives about $5 million additional from the U.N. expanded technical assistance program and is executing agency for 37 projects for which it received $29 million from the U.N. Special Fund, over a period of several years.

At the end of 1962, ILO had 358 experts at work in 71 countries and territories, teaching more efficient labor techniques and other means of improving worker productivity, mostly in developing countries. For example:

In Colombia, ILO has a program to train instructors in automobile, diesel and other mechanics; electrical trades, welding, masonry and woodworking, and maintenance of textile machinery. In 2 years, 242 instructors and 347 supervisors were graduated.

In Pakistan, training in labor management and technical supervision is conducted. Advice is being given to government departments, training institutes and private concerns, including the vast jute mills near Dacca. Instructors for building river craft and installing diesel engines are being trained.

In India, $657,000 worth of technical and scientific equipment to improve techniques for mine safety has been installed at the Central Mining Research Station.

Similar training programs are being conducted in Argentina, Cambodia, Ceylon, Chile, Malaysia, Iran, Iraq, Israel, and so forth.

As wages and working conditions improve overseas, U.S. workers are better off.

And as other countries become better suppliers, better customers and better—and safer—places for investment, all of America will be better off.

That is why we support the ILO.

**Mr. VAN DEERLIN.** Mr. Speaker, like most Members of the House, I receive hundreds of letters each month. Along with the usual brickbats and the unusual bouquets, I sometimes find a letter from an honestly worried citizen. Often as not, it is about the United Nations. The letterwriter will have heard that the U.N. is a creature of international communism, that it was started by the Russians, is mainly staffed by Russians, has a Russian as chairman of the Military Staff Committee—and in general jerks its arms and legs up and down when the Kremlin pulls the strings.

Some of these people are so upset they cannot even wait for me to open my mail. They paste a sticker on the outside of the envelope imploring us to "Get the United States out of the U.N., and the U.N. out of the United States."

In replying to one such worried letterwriter recently, I tried to answer, point by point, this accusation that the U.N., is "run" by Russians. I tried to do this by acknowledging the grain of truth underlying each statement.

The U.N. to be sure, was started by Russians, in that Russia sent delegates to San Francisco. So did we, and 49 other Nations.

It cannot be denied that a Russian heads up the U.N.'s Military Staff Committee—once every 5 months. This position is rotated monthly among the five permanent members of the U.N. Security Council. Thus, once every five times, a Russian has the job. The other four times it is held by a representative of the Republic of China, or France, or the United Kingdom, or the United States. Furthermore, this Military Staff Committee has never been implemented as the U.N.'s founders intended, and cuts no ice whatever in any U.N. military operations.

It is also true that there are some Communist-bloc citizens employed by the U.N. How could it be otherwise? They are members of the organization—and the U.N., like any other manmade organization, is a political animal. But of 20 top jobs, they hold only 2. And of the other professional and executive posts, Americans outnumber the Russians by almost 9 to 1.

But in the manner charged by U.N. detractors, a careful review of the record proves that this body in no sense is "run" by the Russians. They were not running it, certainly, when the decision was made to repel Communist aggression against North Korea. They were not running it when the General Assembly voted an investigation of the massacre in Hungary. They were not running it when member nations spurned a Soviet proposal to divide the Secretary General's office into a three-headed monster to be called "Troika." They were not running it, just a year ago, when the Security Council heard documentation of Russian perfidy in Cuba. And—to bring matters right up to date—they were not running it this week when supporters of Red China failed once again to win General Assembly approval for its admission.

We should avoid stating it boastfully, but the fact is that the Russians have never been able to get enough votes to have even one of their proposals adopted when America worked against it.

This does not mean that we run the U.N. either. The organization is composed of 111 members. Only the Communist states vote as a bloc on most issues. Other groups of nations come together for votes on certain issues—like colonialism or apartheid—and drift apart on other issues, such as Chinese representation or disarmament.

I asked the State Department to rack up some kind of box score. They produced some figures showing that, over an 8-year period, when we voted "Yes," 95 percent of the time a sufficient majority of other nations voted along with us to get the proposals adopted. When we voted "No," 70 percent of the time enough other nations voted with us to get the proposals defeated. Out of the total number of our "Yes" and "No" votes, other nations voted the same way we did 86.7 percent of the time.

Translated into baseball terms, this is a batting average of .867. Neither Maris nor Mantle ever approached that record for a season, to say nothing of 18 years.

**Mr. GILL.** Mr. Speaker, during recent months, there have been many occasions on which the United Nations has been roundly abused; there have been few occasions on which it has been praised or even evaluated constructively; it is good on this occasion to find the United Nations, and our participation in it, being treated in friendly terms.

It is said with some accuracy that history does not disclose its alternatives. We shall never know with certainty what the world would have been like without the United Nations, or without some of its actions. However, the horrible alternatives that have presented themselves on the many occasions before the U.N. has acted can lead only to the conclusion that the world, and this country, would be in a far more precarious and explosive state—indeed they might have already disintegrated into international anarchy or war—were it not for the mechanisms of this international organization.

The mere enumeration of the dangerous situations the U.N. has met or helped to solve should suffice to show its worth.

Where would the chaotic Congo be today without the peacekeeping function of the U.N. forces? Surely, unilateral intervention here by any nation would have been likely to touch off worldwide conflict.

How long would the uneasy peace between Israel and Egypt obtain without the U.N. border patrol? Open hostilities between these two nations could certainly touch off war throughout the Near East as it almost did once before.

Who can gage the value of the U.N. truce supervision in disputed Kashmir? Surely, a reopening of the struggle between India and Pakistan in this area would be a tremendous blow to the free world and a boon to the Chinese Communists.

The U.N. administration of the transfer of West Iranian or Dutch New Guinea from the Netherlands to Indonesia has kept a restraining hand on what could have erupted into open warfare involving far more than the two nations directly concerned.

Beyond these well-known examples of preventing open and widespread conflict, the U.N. has served us and mankind well by providing a "window" into potentially dangerous situations. We have used this window in Jordan, in Lebanon, and now in Laos. The threat of exposure and loss of face with the many peacekeeping nations of the world has been a mighty deterrent to Communists and other potential aggressors. In practice, all this "window" consists of is a few U.N. observers.

In looking at the actual peacekeeping activities of the U.N., we should not overlook its very important function as a forum for world opinion. The U.N. General Assembly, and its various councils, have provided both a forum and a means of recognition for the emerging nations of the world. On the whole, the new nations of Africa and Asia have acted with responsibility and restraint on the many questions that concern them in the U.N. They have not tended, as some feared, to vote as a bloc. They have not fallen under the sway or influence of a Communist bloc, whether it be Chinese or Russian. The dignity with which these new and often impoverished countries have been accepted into the family of nations has greatly contributed to the restraint and dignity with which they have conducted themselves to date.

On balance, Mr. Speaker, I think it clear that the United Nations has been and will continue to be of great benefit to us as a nation and to us as part of humanity. From time to time, we hear the strident calls of the far right to the effect that we should "get the United States out of the U.N. and the U.N. out of the United States." I submit that these people not only suffer from a lack of balanced information but they also reflect, in a wildly distorted fashion, this country's old leaning to isolationism. Most of us consciously reject the idea that America can ever withdraw unto itself and forget that the rest of the world exists. Certainly, our position of leadership in the world today prevents this if nothing else does. However, we often have trouble ridding ourselves of the self-conscious wish that if only the rest of the world will go away and quit bothering us, we would be much happier. I am afraid that much of the outcry against the U.N. springs from this visceral and unthinking attitude.

But how close we court disaster. Only a few months ago, this House defeated by a mere handful of votes an attempt to throw us into arrears with our U.N. assessments. Our years of effort to build a position of international strength in the U.N. could have been shattered in a fit of budget-balancing pique.

In all evaluations of the United Nations, I hope that we recognize that what success we have there, and the limited nature of our few failures, is basically due to the people who represent us. All too seldom do we recognize the caliber and the skill of our U.N. mission. I have faith that history will record the debt that we all owe to the tireless energy and humane spirit of people like the late Mrs. Roosevelt and to Adlai Stevenson, to mention but two. Indeed, if we have a history to record, it will be because these and many others struggled to insure that there would be a future. Let us set our minds to making that struggle easier and more fruitful.

Mr. MORSE. Mr. Speaker, we become so absorbed in the individual problems that the United Nations discusses, that we lose sight of its overall objectives. Today we have an opportunity to stand back and look at the world organization in perspective.

I have little patience with those who would acclaim the United Nations as the only hope for world peace, or who would condemn the organization as a Communist plot to weaken America. Both of these attitudes reflect inability to face up to the complexity and difficulty of international problems. The real picture, as in so many other fields, is a mixed one.

The United Nations is one approach to the achievement of an important international goal: a peaceful, stable world in which nations of diverse political, economic and social systems, religious beliefs and cultural traditions can live in relative harmony with one another.

Such a world will never be possible until we can develop standards of conduct and behavior which will be respected throughout the world. We can no more afford to permit nations to overstep their bounds than we can permit a landowner to trespass on the property of his neighbor.

The United Nations is the product of wartime hopes tempered by peacetime realities. Those who believed in 1945 that the establishment of the United Nations would put an end to world tension have been sobered by the realization that we have embarked upon a voyage bolder than has been attempted before in human history. We should not be surprised or discouraged because the products of centuries of distrust, suspicion and desire for national aggrandizement have not been eliminated in 18 years.

Nor, as has been alleged, has the United Nations operated against the interests of the United States. The General Assembly, on the contrary, has adopted the U.S. position on resolutions against the 50-megaton bomb, practices denying the Tibetan people of their independence, the continued thwarting of U.N. objectives in Korea, and the seating of Communist China in the U.N.

Concern has been expressed in recent years that the large number of newly independent Afro-Asian nations would weaken the U.S. position in the United Nations. Of course, there will be disagreements on specific policy issues. But we must realize that we cannot and should not control the opinions and actions of the whole world. National independence, if it is to be meaningful, must encompass independent political beliefs as well as independent governments and economies. We must not interpret disagreement with a specific U.S. policy as a rejection of the principles of freedom we support. Nations who have so recently gained their independence are not likely to surrender it lightly to the totalitarianism of the Soviet Union.

Why specifically, should we continue our support for the United Nations?

First, if we are to create a climate in which freedom can flourish, we must have "an untrammeled flow of words in an open forum."

Second, the United Nations is an important multilateral peacekeeping agency. It can resolve local disputes and prevent them from escalating into a worldwide conflagration.

Third, the world organization is an important educational tool. The reports and studies undertaken by the United Nations have enlightened the world on subjects ranging from the peaceful uses of atomic energy to the political status of women.

In the limited time we have today, we cannot hope to touch upon all the contributions being made by the United Nations. We can, however, take the opportunity to reaffirm our faith in the principles which underly the United Nations and to assert our continued willingness to cooperate within this framework for the creation of a harmonious, antitotalitarian world.

Mr. GALLAGHER. Mr. Speaker, 18 years ago, when the world was emerging from a long period of war that had engaged many nations, the United Nations was born. It was a hopeful beginning in a search for true world peace. In the years since its beginning, the world has several times tottered on the brink of war, violence has flared in some areas, and there have been many diplomatic crises. But general war has been abated, and crisis have been resolved through peaceful negotiations. In nearly every instance, the United Nations has played a significant role.

It is itself a troubled organization, but it has had strong, enlightened leadership and administration and it rises above its internal problems to serve effectively the cause of world peace.

It has now twice the number of member nations as were enrolled at its beginning. It fulfills its mission as a forum for discussion and solution of world problems. It has faced up to its responsibilities for preserving the peace, even to the point of using force as in Korea and the Congo.

It is appropriate that on this 18th anniversary of its founding we recognize its important contributions to the maintenance of peace and hope that it shall be ever more effective in its role as peaceful arbitrator of differences between nations. Perhaps the real measurement of the United Nations is the fact that this world is still in existence.

Mr. ZABLOCKI. Mr. Speaker, 18 years have passed since October 24, 1945, when the United Nations was founded.

The ensuing years have been some of the most tumultuous in the history of mankind. The winds of change have blown across whole continents. Colonial empires have been broken up. Dozens of new nations have been created. Peoples everywhere have been swept along on a tide of rising expectations.

There have been grave ruptures in the fabric of world harmony. The cold war between the Communist bloc and the Western Powers has dominated our age. Scientific discoveries harnessing the power of the atom have made even minor conflicts important.

Through all these times of headlong change, of hostility between nations, of danger from nuclear destruction, the United Nations has survived. Thursday as we celebrated the 18th anniversary of the United Nations founding, we also, in effect, observed its coming of age.

That was the theme I developed in remarks to the United Nations Day dinner sponsored by the mayor's committee of Alexandria, Va., for the United Nations, held last Thursday. In the address, which follows, the past of the United Nations was reviewed, its present status was assessed and its future was scanned:

### THE UNITED NATIONS: PAST, PRESENT, AND FUTURE

(A speech by Hon. CLEMENT J. ZABLOCKI, of Wisconsin, city of Alexandria, Va., United Nations Day Dinner, Thursday, October 24, 1963)

It is indeed a privilege and an honor for me to have the opportunity to speak to you this evening at this annual United Nations Day observance.

As one who has long been interested in the United Nations, I am particularly gratified when I learn of civic groups such as yours, dedicated to the purpose of better international relations and understanding.

The city of Alexandria, in creating this mayor's committee for the celebration of United Nations Day, has demonstrated an enlightenment unique among American cities. Truly, you may be proud of this community.

Each of you also is to be commended for your attendance here tonight, because it demonstrates your individual interest in international affairs, a subject of utmost importance in this atomic age.

As we are gathered here for this annual observance, the United Nations is 18 years old. To be 18 in this country is to come of age. At 18 an individual reaches—in most cases—full legal age.

Perhaps, then, we are not taking too many liberties if we say that tonight we are celebrating the coming of age of the United Nations. And while aware that the passage of time does not always bring maturity, we can assume that the United Nations is no longer an adolescent.

At such points in the life of an individual—or of an organization—it is fitting to review the past, evaluate the present, and scan the future for signs and portents. This I intend to do—briefly—tonight.

### THE PAST OF THE UNITED NATIONS

The United Nations was born at the conclusion of the most terrible and destructive war the world had ever known. It was the child of the five so-called great powers which had—at terrible cost—defeated fascism.

When the U.N. was organized many believed that it would insure that World War II was truly the "war to end all wars." How naive that hope was.

For it was based on a mechanism of collective security that took for granted that the wartime allies would remain peacetime allies.

As we know, the ink scarcely was dry on the Charter signatures when the Soviet Union began the aggressive acts that propelled the world into the era of cold war.

The cold war jammed the mutual security mechanism firmly. Not only was war far from being abolished, it became a terrifying and real possibility.

But in spite of this the United Nations survived. Unlike the League of Nations, it was able to overcome structural deficiencies and early, serious problems.

Why? Because—it seems to me—the great powers did not abandon the U.N. For all the animosity that has grown up between the Soviet Union and the Western nations, neither side has quit the United Nations.

Both blocs have flung hot and angry words at each other in the Security Council, in the General Assembly, and in the various technical and social councils. But both have kept talking.

All have realized that to stop talking is to risk fighting—with all the inherent dangers of a nuclear holocaust.

You may remember that shortly before the Korean conflict broke out, the Soviet Union, with much fanfare walked out of the United Nations. When the Russian delegation returned, there was a United Nations army fighting Communist aggression in Korea and the U.N. Charter had been amended to give the overwhelmingly pro-Western General Assembly more actual power.

The Soviets' action was a major tactical error. They have never repeated it.

Subsequently, the great powers have never ceased to actively participate in the activities of the United Nations. With this continuing participation the United Nations has gained greater importance with each passing year.

The inability of the Organization to cope with the Communist subjugation of the peoples of eastern and central Europe, and of Asia, has tended to obscure its concrete achievements. The list of these is an imposing one:

The United Nations has been successful in preventing or stopping war in Kashmir, Laos, the Middle East, Yemen, and New Guinea.

It has resisted aggression in Korea and has put down civil war in the Congo.

It has expressed and stirred the conscience of mankind by condemning Communist aggression and atrocities in Korea, Hungary, Tibet, and other places.

Today, for example; a U.N. team is in Vietnam to investigate charges of Buddhist persecution.

The United Nations has endeavored to enlarge the area of the rule of law in international affairs, thereby working for the establishment of a just and lasting peace.

It has assisted millions of peoples to achieve smooth transition from dependency to independent nationhood.

On this last point, I think it should be noted that between the end of World War II and 1961, more than 20 new nations with a population in excess of 700 million came into existence. Although their transition to independence was not entirely without bloodshed, the record on this score finds no parallel in the annals of man.

The role which the United Nations has played and continues to play in this process has, indeed, been most constructive.

But beyond giving a helping hand to the nations which have emerged from the swift breakup of the old colonial empires, the United Nations offers these newly independent nations a voice in the affairs of the world.

Further, the United Nations—through agencies like the Special Fund, UNESCO, the World Health Organization, the Food and Agriculture Organization and the Children's Fund—has provided the underdeveloped countries of the world with technical, economic and other assistance. It has sought to help these nations resolve their economic and social problems, and fashion a better future for their peoples.

Those, briefly, are the past accomplishments of the United Nations. But what of the present?

### THE PRESENT UNITED NATIONS

The United Nations of today bears only superficial resemblance to the Organization created in 1945.

First, it is more than twice as large.

In 1962, Rwanda, Burundi, Jamaica, Trinidad, and Tobago, Algeria, and Uganda were admitted to membership. On May 14 of this year Kuwait joined the U.N., bringing its total membership to 111.

Thus, the often-expressed goal of universal representation in the Organization is coming closer and closer to realization.

Second, the structural mechanisms that underlie the United Nations Organization have been adapted to meet the realities of our times. The Security Council—doomed to paralysis by the cold war and Russia's constant use of the veto power—is being more and more bypassed in favor of the General Assembly.

The Assembly, originally conceived as little more than a debating society, has become the principal organ of the United Nations. With a majority vote prevailing on most questions and no veto, it has been able to act effectively in many situations.

Of growing importance too has been the Secretariat. This international civil service now numbers about 5,000. As it has grown in size, so has the stature of its chief executive, the Secretary General.

Both Trygvie Lie and Dag Hammarskjold succeeded in expanding and strengthening the executive powers of the Secretary General during their years in that position. U Thant has carried on the thrust of their activities. Today, there can be no doubt that the Secretary General plays an extremely important part in building the power and prestige of the United Nations.

A recent example of this was the request by Indonesia and the Philippines that Mr. Thant determine whether elections in Sarawak and Borneo had indeed indicated the desire of those former British colonies to join the new Federation of Malaysia.

The survey conducted by the Secretariat, under U Thant's direction, proved to the world—although not to Mr. Sukarno—that the principle of self-determination was indeed realized in the forming of Malaysia.

A third change at the United Nations has been the kinds of matters discussed. With the heightened influence of the African nations in the General Assembly, cold war conflicts, to some extent, have been shunted aside. In their place have come issues of self-determination and equality of peoples and races. Portugal and South Africa have been called to accounting before the bar of world opinion.

As a member of the U.S. delegation in 1959 to the 14th General Assembly and from subsequent observations, I have noted a fourth significant change regarding the United Nations.

It is not a structural change, but rather a change in the attitudes of people everywhere about the U.N. and what it can and cannot accomplish.

There is a great deal more realism about the United Nations today than at any time in the past. Extravagant hopes that the U.N. would lead the world effortlessly to a lasting peace have vanished.

The disillusionment that replaced those hopes—a disillusionment that dismissed the U.N. as worthless—has also largely melted away.

In the place of extravagant hopes and black despair, there is today realistic knowledge of the kinds of activities the United Nations can, with success, undertake.

The new emerging nations are discovering that the world problems which seemed so simple of solution when they stood outside the international arena are, indeed, difficult and complex.

We in the United States are learning that while the vote in the General Assembly may sometimes go against us, our country, in general, enjoys the respect and support of the majority of the world's nations.

Even the Soviet Union and the Communist bloc may be learning that table thumping, troika touting, and obstructionism are not the way to win friends and influence delegates.

This new realism about the United Nations is a heartening trend. It indicates that the Organization—and attitudes toward it—are reaching maturity after 18 years.

### THE FUTURE OF THE UNITED NATIONS

But what of the future?

It is always risky to don the turban of a visionary, sit down to a crystal ball and pretend to have knowledge of things to come. But one need not be a seer to discern certain forces within the United Nations which will shape its future.

For example, we can expect a mounting campaign by the African nations to increase their representation in the major organs of the United Nations.

In 1945 when the United Nations Charter was signed there were three African nations represented. Today there are 32. With the growth of the African bloc has come pressure to reflect the increasing importance of Africa in the Economic and Social Council and the Security Council. Last May the Addis Ababa conference of African leaders unanimously insisted that Africa—as a geographical region—should have equitable representation in the United Nations. Further support for this position has come from other, non-African member nations.

In order to increase the size of the Economic and Social Council and the Security Council, the United Nations Charter must be revised.

The Soviet Union, however, has perennially refused to consider amending the Charter until its erstwhile ally, Communist China, is seated in the place of Nationalist China.

It remains to be seen what position the Soviet Union will take in the light of the mounting campaign by the African nations—whose good will it hopes to win—as against its commitment to Communist China—whose good will it seems to have lost.

There likely will be agonizing reappraisals in the Kremlin over this issue. We may be able to take some comfort from the discomfort of the Soviets.

The Sino-Soviet split will make itself increasingly felt in the future activities of the United Nations.

There was an indication of this on Monday of this week. The General Assembly, by a slightly larger margin than last year, voted to keep Communist China out of the United Nations for the 14th time, by a vote of 57–41 with 12 abstentions.

No longer was it the Soviet Union which put forth the resolution championing the cause of Red China. Instead, it was tiny Albania. Although the Soviet Union voted to seat Communist China, it refrained from praising that country's regime. There was, in addition, a similar general lack of enthusiasm for the cause among the bloc nations of Eastern Europe.

There is reason to believe that Russia may be coming around to the view of the United States that the Peiping regime should be considered an outlaw on the world scene.

Under these conditions, it is unlikely that Communist China will be seated in the U.N. in the foreseeable future. We can expect continuing success of our efforts to keep them out.

As we happily contemplate the Russians beset by new and difficult problems, let us not forget that our own role in the United Nations will continue to be far from an easy one.

The United States can look for continued difficulties between our NATO allies who have colonies in Africa—such as Portugal and Great Britain—and the newly independent, militantly-nationalistic African states.

There may be increasing trouble as well from France as that nation, under the leadership of President de Gaulle, embarks on a campaign to increase its world influence at our expense.

France may, for example, use the United Nations as a forum to attack or harass our current policies in Vietnam.

Suffice to say that our able Ambassador, Mr. Stevenson, and his staff will be called upon to exercise their highest diplomatic abilities. At the same time, they must offer the same dynamic leadership which has characterized United States participation in the United Nations Organization through the past 18 years.

### SUMMATION

In closing, I should like to point out that as a U.S. Congressman I am constantly receiving letters which demand that the United States get out of the United Nations, and vice versa. These came from John Birchers and other extremists in California, Texas, and Arizona; fortunately, few come from my own district.

The persons who write these cards and letters consider themselves anti-Communists. Yet I can think of few actions which the United States could take that would please the Communists more than having our country abandon the United Nations.

Without the United States, the Reds could make the U.N. a vehicle for their own propaganda. They could single us out as abdicating our responsibilities to the rest of the world; and they could blacken us as warmongers and imperialists without rebuttal.

It is certain that for the United States to leave the United Nations would be suicidal. It ill behooves these self-proclaimed patriots to espouse a cause which would be destructive to our Nation and its goals.

Rather, the United States must continue to work within the United Nations to build a community of nations, diverse, tolerant and genuinely independent, but bound together by a common humanity and by a common interest in peace and progress.

If the United Nations, with our help, succeeds in coming close to that goal, then we have truly fashioned a milestone in the history of mankind. If we fail—there may be no one left to write the histories of our failure.

Let us then, this evening, rededicate ourselves to the cause of international justice and understanding as expressed in the Charter of the United Nations Organization.

Our past efforts have aided the United Nations to come of age; now let us work so that nations united may come to peace.

## GENERAL LEAVE TO EXTEND REMARKS

Mr. FRASER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the subject of the anniversary of the United Nations.

The SPEAKER pro tempore (Mr. LIBONATI). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

## DR. ERNESTO GALARZA

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GUBSER. Mr. Speaker, a few weeks ago, I learned from newspaper accounts that Dr. Ernesto Galarza of San Jose, Calif., would be retained by the House Committee on Education and Labor to conduct an investigation into the tragic bus accident which claimed the lives of 32 human beings on September 17, 1963.

In a special order on October 16, I exposed Dr. Galarza as a man who had a conflict of interest and could be expected, judging from his long history of agitation and distortion of the truth, to use the investigation to further his long-standing campaign to discredit Public Law 78. In making my presentation, I cited a report by a majority of a committee of the Congress and an incident I personally observed. This evidence conclusively showed him to be unreliable and lacking in objectivity.

Mr. Speaker, it is shocking to me that a man such as Galarza, who has related this unfortunate accident and his opposition to Public Law 78 over his own signature, should be allowed to use the prestige of the Congress to continue his record of self-serving distortion of fact. Yet, he has been given such an opportunity after no consultation whatever between the chairman of the full committee and any member of the minority.

New information which I learned about just a few days ago makes the investigation stand out even more clearly as a ridiculous waste of taxpayers' funds and a duplication of what has already been done by perhaps as many as ten other agencies.

It is now obvious from this new information that this investigation itself should be investigated.

Galarza will be the consultant to two staff investigators, a Mr. Odell Clark and Miss Corrine Huff.

I know nothing about Mr. Clark, but I do know that Miss Huff was at one time a runner-up in the Miss Universe contest and is better remembered from an experience she had last year investigating another matter.

On August 8, 1962, she sailed for Europe at taxpayers' expense, aboard the *Queen Mary*. On this trip, she was part of a two-woman/one-man investigating committee scheduled to study equal job opportunity for women, while seeing Europe and cruising among the islands of the Aegean Sea. She and another female staff member of the Education and Labor Committee went along to assist the committee chairman, Representative ADAM CLAYTON POWELL, in ferreting out information for the committee.

As representatives of the Congress, traveling at taxpayers' expense, the trio traveled first class, stopping at the finest hotels. According to a well-known columnist, the chairman requested that the *Queen Mary* be met by a U.S. official at Cherbourg, France, with $100 U.S. equivalent in local currencies for each member of his party. The columnist stated that Chairman ADAM CLAYTON POWELL requested Army cars and chauffeurs and tickets for the first show and best dinner table at the Lido in Paris for himself and his feminine companions, tickets for the Venice Film Festival, London plays, and use of the Consulate's motor boat in Venice. He inquired concerning the possibility of a 6-day boat trip around the islands of the Aegean Sea and a possible visit to Rhodes for himself and his companions.

Miss Huff is undoubtedly an attractive person and may be well qualified as an investigator. But in light of the unfavorable publicity she brought upon the Congress by reason of her trip abroad a little over a year ago, I think it is unfortunate that she is involved in this very peculiar investigation.

Mr. Speaker, I have previously quoted from a report signed by a majority of a duly constituted subcommittee of the Committee on Education and Labor which reveals case after case of a shocking distortion of the truth by an organization of which Dr. Galarza was the educational director. This report which I have previously mentioned consistently refers to a film, entitled "Poverty in the Valley of Plenty," as a "disregard of the truth," "wholly false," and "a shocking collection of falsehoods, almost wholly unrelieved by any regard whatever for the truth and the facts."

Neither Dr. Galarza nor his defenders have made any effort to challenge the truth of this report. Rather, they have sought to discredit it, since it was not officially filed by the Democratic majority as an official House report but was inserted in the CONGRESSIONAL RECORD for March 9, 1950, a fact which I clearly stated in my speech of October 16.

I have talked with former Congressman Thomas H. Werdel who placed the report in the RECORD. He has assured me that it was signed by a majority of the committee. Former Congressman Werdel also assures me that a copy of the signed report was filed with the chairman of the committee and that he—Werdel—filed a signed copy, along with his extension of remarks, with the CONGRESSIONAL RECORD clerk.

Mysteriously, all of these copies have disappeared from the files and the only record left is the signed report as it appears in the CONGRESSIONAL RECORD as an extension of remarks by Congressman Werdel. Were it not for his action of March 9, 1950, this majority report would not only have been denied official status for reasons which can only be imagined, but it would have been lost for all time.

It continues to strike me as more than strange that peculiar things happen whenever Dr. Ernesto Galarza is involved.

Whether the report was officially filed or not is immaterial. The fact still remains that it was signed by and is the opinion of a majority of a duly constituted committee of the Congress.

If anyone doubts the truth of this statement, I urge him to contact our highly respected colleague, the gentleman from Oklahoma [Mr. STEED], who is one of the signatories. He will tell you, as he has told me, that the report was signed by three members of a five-man committee and reflects majority opinion. TOM STEED is well known to all of us and we all know his word is good.

It has been inferred that this report is not genuine and I say again with the support of the gentleman from Oklahoma [Mr. STEED], that this report genuinely reflects the opinion of a majority of the subcommittee and was signed by Richard Nixon, Thurston Morton, and Tom Steed. As the gentleman from Oklahoma, Congressman STEED, told me within the last 24 hours, every word of that report is the truth.

Justice Schottky of the Third District Court of Appeals in California thinks enough of this committee report to make reference to it in one of his decisions. On April 30 of this year he refers to it as reported in volume 30, California Reporter, page 353. He says:

> In February 1950 the subcommittee rendered its report and concluded that the charges made in the film, and hereinbefore enumerated were false. The report was printed in the CONGRESSIONAL RECORD and a copy reposes in the library of the AFL–CIO Washington Headquarters.

Now, let us prove my point in still another manner with absolutely no reference to the challenged report. Let us look to the judicial records of the State of California.

On May 18, 1949, a libel action was brought against several defendants in the superior court in and for the county of Los Angeles. The libel consisted of false statements made in a film "Poverty in the Valley of Plenty" for which the defendants were responsible. Named as one of the defendants was Ernesto Galarza.

Let me quote once again from Dr. Ernesto Galarza's sworn testimony on November 12, 1949, from the printed subcommittee hearings which can be found in the Library of Congress. Regarding this libel suit he says, and I quote:

> I have just been served and I am named as defendant in this suit.

Later on the same page he says in part:

> So whatever I had to do with this film, I am rather proud of that film.

Thus, it is established that Dr. Galarza was a defendant in this libel action. Because of his position as educational director of the union and his own sworn statement there is no question that he bears some responsibility for the film. The decision of the court further verifies his responsibility.

On May 24, 1950, the defendants confessed judgment and agreed to pay damages in the amount of $1 and further agreed not to make further showings of the controversial and libelous film and to destroy all copies, negatives, and duplicate negatives. Dr. Ernesto Galarza, as one of the defendants, joined in a confession of judgment. This is entered by the clerk of Los Angeles County as consent judgment No. 566888.

Mr. Speaker, what further proof is required that this man who has been retained to work with a well-traveled beauty queen and conduct an impartial investigation for the Committee on Education and Labor is capable of libel and distortion than his own confession?

Several years later when Dr. Galarza had severed his connection with the union, the film was again shown and a subsequent suit resulted in the award of $60,000 in damages plus interest from the date of the judgment for a total award of approximately $66,500. This case was appealed to the district court of appeals where Judge Schottky on April 30, 1963, sustained the decision of the trial court and adjusted the general damage to $10,000 plus $50,000 punitive damages.

This decision can be found at volume 30, California Reporter, page 350.

Though Dr. Galarza had left the union's employ prior to the offensive repeat showing of the film, the case is still pertinent because after 13 years two different courts found a film to be libelous in which Galarza shared a legal responsibility.

So, Mr. Speaker, Galarza stands as having confessed to participating in a libel in the production of the film "Poverty in the Valley of Plenty" and the majority opinion of the subcommittee is proven by the judicial record to be correct.

Within the last week Galarza has handled truth as though it were a Yo-yo with him pulling the string. He was quoted in the Palo Alto Times and the San Jose Mercury as saying that he had nothing to do with the film "Poverty in the Valley of Plenty" and that there never was a subcommittee report on it.

The extent to which he went to make this statement is incredible. To do so he must indirectly accuse not only me of lying but three Members of Congress, one of whom is still in this body, one who is today a U.S. Senator, and one who is a former Vice President of the United States. Additionally, he must believe that the superior court in and for the county of Los Angeles was guilty of distorting the truth. But what is most amazing is that he indicts himself as a purveyor of falsehood when he contradicts his own statement made under oath on November 12, 1949, and his own confession of judgment for libel. Which time must we believe Ernesto—when he testified under oath or when he talked to the newspapers last week?

Mr. Speaker, my remarks should not be interpreted as opposition to a fair-minded and impartial investigation of the tragic bus accident by a committee which properly has jurisdiction. It is my belief that several thorough and complete investigations are being made and there is no need for a further drain upon the taxpayer. But if the majority should feel that an investigation is warranted, then we as Congressmen and taxpayers have the right to be assured that it will be made by competent, unbiased personnel.

We have a right to something more than a "beauty queen" who was all over the paper a year ago as the traveling assistant to Representative Powell and a man such as Ernesto Galarza who stands convicted by his own confession of participating in a libel.

## IMAGE OF CHILE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. BRADEMAS] is recognized for 20 minutes.

Mr. BRADEMAS. Mr. Speaker, when President Kennedy announced the Alliance for Progress in his noble address of March 13, 1961, he made clear that the Alliance was not to be a one-way street. In particular the President urged the countries of Latin America to share with us their rich traditions of artistic and intellectual achievement.

Said President Kennedy at that time:

> We invite our friends in Latin America to contribute to the enrichment of life and culture in the United States. We need teachers of your literature and history and tradition, opportunities for our young people to study in your universities, access to your music, your art, and the thought of your great philosophers. For we know we have much to learn.
>
> In this way you can help to bring a fuller spiritual and intellectual life to the people of the United States, and contribute to understanding and mutual respect among the nations of the hemisphere.

Mr. Speaker, I am glad to say that President Kennedy's challenge has met with a warm response on the part of at least one of the greatest countries of Latin America, Chile.

For the Embassy of Chile has organized here in Washington, D.C., a series of presentations of Chilean music, art, and literature under the general title of the "Image of Chile." The series began last month and will continue into November.

As the distinguished Ambassador of Chile to the United States, The Honorable Sergio Gutierrez-Olivos, said, in announcing the "Image of Chile" series:

> We willingly take up President Kennedy's friendly invitation and challenge, for it affords us a unique opportunity to fulfill several desirable objectives.
>
> It permits us to portray, even in fragmentary form, the cultural heritage of a distant land still too little known and understood in this great sister Republic.
>
> It encourages us to pioneer an effort which we are sure will be emulated by other nations of Latin America, each with an eloquent and important expression of our common spiritual legacy.
>
> Finally, it permits us to reciprocate in some small measure the wealth of knowledge and ideas that flows from the United States to the rest of the world, and give form to the esteem and affection in which we hold this Nation and its people.

Ambassador Gutierrez-Olivos's remarks represent the imaginative response of one Latin American nation to President Kenendy's plea for increasing cultural communications between the countries of North and South America. Certainly the "Image of Chile" presentations offer a unique opportunity to North Americans to acquaint ourselves with the artistic and intellectual achievements of that country and to enjoy the works of some of Chile's leading figures in the performing and visual arts.

### INAUGURAL OF SERIES

Mr. Speaker, I had the pleasure on September 22, 1963, of attending the inaugural program of the "Image of Chile" here in our Nation's Capital. Participating in this opening event as speakers were our distinguished Secretary of Labor, the Honorable W. Willard Wirtz; Ambassador Gutierrez-Olivos; and our renowned conductor, pianist and composer, Mr. Leonard Bernstein, director of the New York Philharmonic Orchestra.

A splendid concert was presented that evening in the auditorium of the Department of State by the Ancient Music Group of the Catholic University of Chile as well as a brilliant recital of contemporary Chilean poetry, which was offered by a distinguished Chilean actress, Felicia Montealegre, also known in our country as Mrs. Leonard Bernstein.

Among the cultural programs which have already been or are to be presented during the "Image of Chile" are an exhibit of contemporary Chilean painting, a program of traditional songs, dances, and music by a Chilean folklore group and three roundtable discussions by leading American and Chilean authorities on Latin American poetry, fiction, and theater and several recitals by outstanding Chilean musicians.

Mr. Speaker, I want to take this opportunity to salute this pioneering effort by the Embassy of Chile and in particular to congratulate Ambassador Gutierrez-Olivos. His vigor and imagination are in large measure responsible for this contribution to the enrichment of the cultural life of our own country.

I must also note that this effort has been supported financially and in other ways, by many educational, business and private interests in both the United States and Chile.

May I also say that I hope this venture will prove to be only the first of many such efforts to increase the number and quality of intellectual and artistic exchanges between our country and the nations of Latin America.

The relative mutual isolation in which artists and creative thinkers in our hemisphere have so long found themselves is, I think, a great misfortune and programs such as the "Image of Chile" represent an important milestone in the direction of remedying this shortcoming.

### THE INTER-AMERICAN COMMITTEE

Mr. Speaker, I would like to take advantage of this opportunity to pay tribute to an organization which is working full time for the development of such cultural exchanges between the United States and Latin America, the Inter-American Committee.

The Inter-American Committee, which by the way, was one of the organizations which cooperated in organizing the "Image of Chile," is a private, nonprofit foundation established in January of this year. The IAC was formed precisely in order to cope with the serious vacuum which to too great an extent exists between intellectual and creative leaders in Latin America and their counterparts in the United States as well as the equally serious void which exists among many such persons in Latin America itself.

The Inter-American Committee undertakes to arrange for outstanding Latin American thinkers and artists to visit the United States and for leading Americans in the arts to go to Latin America.

In particular, the IAC directs its efforts toward enabling artists and writers from Latin America and the United States to meet each other and exchange ideas and views, to consider mutual problems, and to study and work with their counterparts from the different cultures of this hemisphere. The goal of these efforts of expanded cultural exchange is to develop a greater sense of community and of mutual respect among creative people in the Americas.

The executive director of the Inter-American Committee is Mr. Robert M. Wool. The chairman of the board of directors is Mr. Flavian Levine. Members of the board of directors are: Edward Albee, John Harrison, Andrew Heiskell, Israel Klabin, Richard M. Morse, Rodman C. Rockefeller, Robert Rossen, William Styron, Gore Vidal, and Robert M. Wool.

### ADDRESSES AT INAUGURAL OF "IMAGE OF CHILE"

Mr. Speaker, I ask unanimous consent to include at this point in the RECORD the addresses delivered at the inaugural program of the "Image of Chile" on September 22, 1963, in Washington, D.C.

The addresses follow:

### REMARKS OF SECRETARY OF LABOR W. WILLARD WIRTZ AT THE INAUGURAL PROGRAM "IMAGE OF CHILE," SEPTEMBER 22, 1963

It is my privilege to represent my colleagues of the President's Cabinet in welcoming you here this evening, and in expressing our deep appreciation to Ambassador Gutierrez-Olivos for bringing us the "Image of Chile."

If you were to inquire, or even wonder, why this privilege should be conferred upon the Secretary of Labor, I would not know the answer, but would find here at least the reminder that a nation's true culture is only what has, over the days and years, inspired its people's commonest labors.

The realization that each word of mine stands between you and the true pleasures of the evening reminds me that brevity is the child of silence, and a great credit to its paternity.

You would want me to say, though, for you, how grateful we are to Ambassador Gutierrez-Olivos and his associates, and to the participants in this program, for enriching our knowledge and understanding of a neighbor we know too little, for letting us renew our realization that "life is painting a picture, not doing a sum."

You would ask me to express, too, our pleasure at this response to President Kennedy's invitation, and our admiration for its coming first, in this generous fashion, through an embassy for which we know it represents a very major undertaking.

### SETTING OF THE CULTURE

Perhaps you will feel, too, that it is not amiss that I mention briefly a few of the things that will make it easier to transport ourselves into the setting of the culture we are this week to share.

So it is that we think this evening of a country so far to the south, that it is warmest in December and coldest in July—a country only 200 miles wide but stretching a distance as far, in terms we know, as from Alaska to Mexico, a country resting on the west shoulder of the Andes and sloping down with them to the sea.

I think, Mr. Ambassador, of the coincidence of geography with the history and friendship of the Americas, or perhaps it is more than coincidence: that all of America's mountains, from our own Rockies, down through the Sierra Madres, then on down along the length of the Andes, run north and south, so that they are not even barriers between us, but a backbone, rather, for freedom and friendship.

To turn from geography to history is to note that Chile, like the United States, is a country whose culture combines the influence of a people who were there earlier with that of others who came inspired sometimes less by culture than by conquest, from Europe. The native Araucanian of Chile played a very large part in the founding of its culture. The pivot point of your history, like our own, was one of revolution—ours in the late 18th century, yours in 1810, and marked 4 days ago, on September 18.

We remind ourselves of our freedom's genesis in terms of the rigors of Valley Forge and the crossing of the ice-filled Delaware, you in terms of the 18-day crossing of the ice-covered Andes by Jose de San Martin, Jose M. Carrerra, and Bernardo O'Higgins.

Your revolutionary doctrines were printed on a press which arrived in Chile in 1811—an important import from the United States. So you had your Tom Paines, too. One of the patriots of the junta which began the march toward Chilean independence on September 18, 1810, wrote, in words which could have been spoken tonight—when he looked toward what he spoke of as "the day when America, whether of the two continents, or of the South, shall speak to the rest of the world with a voice which will make itself respected so that her resolve will be opposed with difficulty."

### EDUCATION

If there is a segment of culture which we accept, labeling it as "primitive," we recognize that it is education which releases the fuller power "to give forms to one's dreams, to give shape to one's fancy, to change one's ideas into images, to express one's self through a material that one makes lovely"—to perform, in short, what Oscar Wilde identified as the function of art. And so we exalt, in our two countries, the importance of education—with universities that have now the age of centuries in their walls, with laws that make education compulsory, with the accomplishment in both Chile and the United States of a level of literacy well above the 75-percent mark.

A century and a half ago, our two countries collaborated in armed revolution. It was necessary, first, to put in freedom's foundations.

Two years ago we declared jointly—in the Alliance for Progress—a new, 10-year war against disease, and poverty, and inadequate housing, and hunger, and hopelessness—to give more meaning to freedom in more people's lives.

Tonight, and this week, we join—thanks to Chile's initiative—in tasting some of the fruits of our centuries of common aspiration and endeavor. We know that what we will learn anew this week is that while there may be boundary lines between nations, there are none between ideas, or beauty or people.

It is, finally, my particular privilege to introduce the evening's speaker.

### INTRODUCTION OF LEONARD BERNSTEIN

To say anything to you of who he is or what he has done would be to disregard the common knowledge of the part he has come to play in all our lives—that he has brought beauty and pleasure to us and has given them in their finest form to our children.

I should like to introduce him rather by reading what I came upon some time ago: a "six-part definition of an old-fashioned artist."

"First, and above all, a fiercely hard worker, an agonizer, never satisfied, yet always rewarded by the simple act of creating.

"Second, an extender of tradition, acutely aware of roots and lineage, who extends these by measuring them incessantly against the future: Therefore, of course, an insatiable progressive.

"Third, an inward-looker, a self-searcher, a soul-picker, who will spare no part of his body or spirit to achieve expressive cleanliness, stylistic rightness and moral truth.

"Fourth, a socially oriented conscience, a society-lover and implacable critic: Therefore, of course, a persistent radical.

"Fifth, a fountain of humor, of laughter, be it savage, snide, or shy; a sport, in love with the very athletics of creating art.

"And sixth, an experimentalist; but one who experiments with personal, interior materials. Which, in fact, sums up all the elements: You cannot make this kind of inner experiment without the agony of labor, the respect for traditions, the sense of future, the self-searching, the direct wire to human society, or the gift of laughter which protects against every undue pomposity and solemnity.

"This is the artist who will cackle and hoot if you call him dedicated, and rush off in a fit to create a very old-fashioned thing which men still call in their fumbling, old-fashioned way * * * beauty."

Ladies and gentlemen, the author of these words I have read, the director of the New York Philharmonic, a man who stands, a colossus of culture, astride our continents and brings them together by the miracles of music and marriage: Mr. Leonard Bernstein.

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REMARKS OF LEONARD BERNSTEIN AT THE "IMAGE OF CHILE" PROGRAM, SEPTEMBER 22, 1963

Mr. Secretary, Ambassador Guttierez, distinguished guests and dear friends: I am afraid that I stand here tonight in a rather oblique relationship to you all; my formal connection with the "Image of Chile" is a purely marital one. It is a curious experience for me to appear as a speaker-in-law, so to speak; but I do it warmly and willingly, because my affections for Chile have gone far beyond the confines of mere husbandly interest. Chile is a country that you love, that you cannot help loving, wife or no wife. Have you ever met a traveler returning from Chile who was less than in love with it? I haven't. There is a special charm in that country, and in its people—a mixture of Old World civility and New World freshness: a vitality born of that life-giving air and climate, together with the gentleness and peacefulness of a people snuggled into a sweet strip of earth between the Andes and the Pacific. It is a country wonderfully alive without being hectic; and that is a magic formula we Norteamericanos may well envy.

The first direct news of Chile I can remember came from my friend, Aaron Copland, our leading American composer, who in 1942 made a tour for the State Department of the principal countries of South and Central America—with an eye, of course, on what was happening musically in those parts. I will always remember the enthusiasm with which he returned: his excitement at finding new younger composers like Blas Galindo and Pablo Moncayo in Mexico, Guarmieri in Brazil, Juan Orrego-Salas in Chile, Hector Tosar in Uruguay—of course, that was over 20 years ago, and there have been many new names in the meantime. But way back then those were almost like names from Mars; and when Mr. Copland subsequently brought a good many of these young composers to study at Tanglewood, where I, too, was working, one had the feeling at first of meeting Martians, who upon closer acquaintance turned out to be real, live, gifted, dedicated musicians, not very different from our own. Copland also brought back stirring tales of a frontier culture: of Indians playing Schoenberg; of German refugees playing Indian drums; of disappearing Colonial social structures, of new nationalistic impulses. But what I recall most vividly of all his reports was his impression of Chile—warm, vital, simpático—so far away geographically, and so near to us in spirit and in humor.

My next brush with Chile occurred some 4 years later when I met Felicia Montealegre, who became my wife. In her I met that same warmth, vitality, simpatía; and through meeting her family and friends I began to be able to see and feel for myself the very special quality of that country.

### TOUR OF LATIN AMERICA BY NEW YORK PHILHARMONIC

But it wasn't until 1958 that I was finally privileged to go there. In that year the New York Philharmonic and I made an extensive tour—also under the sponsorship of the State Department—of every country in South America plus Mexico. It turned out to be one of the happiest and most exciting trips of my life, especially when I discovered the power of music in establishing friendships and lasting relationships on the widest basis. I am not speaking idly, or boastfully, or simply as a musician, but as a citizen of the United States, of the Americas, and, hopefully of the world. That tour happened to coincide with another South American tour that was being made by our then Vice President; and the coincidence yielded some striking observations, especially when the Nixon tour and the Philharmonic tour happened to intersect in Quito, Ecuador, where we exchanged notes. I reported to the Vice President tumultuous receptions, record crowds, cheering, stamping audiences, kisses, roses, embraces; while he reported to me the unpleasant, distasteful incidents of Caracas, Lima, and other places. Where did the difference lie? After all, we were both Americans, both on goodwill missions, and both vulnerable to the same demonstrations of anti-Yankee feelings, whether Communist inspired or not. Where did the difference lie? In music: in the exchange of the deepest feelings and revelations of which man is capable—those of art. We had music on our side. In other words: If we are really serious about communicating with one another, about knowing ourselves through our neighbors—in short, about peaceful civilization—then we can never overestimate the good that comes from artistic communion. When we touch one another through music, we are touching the heart, the mind, and the spirit all at once.

### PAUCITY OF ARTISTIC VISITS FROM SOUTH AMERICA TO THE UNITED STATES

As you can see, our State Department has been aware of this truth for a long time, and has stood behind such tours as those I have mentioned by Copland, the Philharmonic, and others. But it has still not been enough—it can never be enough. And of late there has been something of a falling off in this area, to say nothing of the paucity of artistic visits in the other direction—from South to North America. That is why this "Image of Chile" convocation is so important and necessary. There should be many more like it. I cannot stress strongly enough the need for constant artistic interchange—constant, not de vez en quando. The cries of budgetary strictures are really not to be taken that seriously. If I am not mistaken our entire tour of South America cost the State Department a great deal less than it costs to make one wing of an obsolescent bomber, and it accomplished a good deal more, if I may say so, in the matter of international understanding. Mrs. Rusk, please do convince the Secretary of State to send us back to Chile. Apart from anything else, I long to sit again in a little room on the outskirts of Santiago, and listen to the magical folksinging of Violeta Parra. I have always been a folk music fan, ever since I can remember—any kind—Hindu, Swahili, hillbilly. But I must say I have never felt so close to a newly discovered folk music as I did to those hearbreaking saludos and parabienes that poured out of Parra's mouth and soul. I only wish she too could be here for this "Image of Chile."

### SELF-KNOWLEDGE HAS BECOME A HEMISPHERICAL MATTER

I had not meant to get so seriously involved in this subject tonight; after all, I am only a speaker-in-law, and I intend to leave the bulk of the speaking to my dear wife, who will speak far more beautiful words than I can. But when I come near to this subject of cultural exchange, I can't help becoming a bit polemical; and I can't resist pressing home this one point. The future of our world is obviously an international one—or else it is a bleak future indeed. We have got to continue to know our neighbors better and better; the time of complacent isolation is over; and national boundaries must become increasingly purely geographical symbols. The road to peace is the road to universality; and this road is fed into by all kinds of smaller byways and avenues that come from self-knowledge, and knowledge of our immediate neighbors, growing into broad highways that lead to all parts of the world. But we must begin with ourselves; we must be exposed to images of all kinds. How interesting it would be now to have an "image of Alabama," for instance—and go from there to the great original concept of America—North, South, and Central, all together. History is rushing by; and self-knowledge has now become a hemispherical matter, at the very least. I was startled into a reminder of this concept the other day while I was in the process of solving one of those tricky British crossword puzzles—the Manchester Guardian, I think it was. The clue read: "Italian city starting in America"—answer in seven letters. After much brain racking, I discovered the answer to be "Perugia"; of course, an Italian city starting with Peru. But is Peru in America? Of course it is. Only we North Americans still don't think big enough to accept that natural concept. And we must begin to think that way soon, before it's too late. This presentation of Chilean art and thought is a significant step in that direction; and I congratulate all of you who have helped it to come to be, and hope that it will achieve everything you expect of it—especially those deep, warm ties that arise from artistic communion, and that lead to a fruitful, peaceful life on this earth.

Thank you.

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### Address Delivered by His Excellency Mr. Sergio Gutierrez-Olivos, Ambassador of Chile, at the Opening of the "Image of Chile," on September 22, 1963

Your Excellencies, Senators and Congressmen, Mrs. Bernstein, distinguished guests: Abraham Lincoln made a statement in his first inaugural address more than a hundred years ago that is pertinent to our own inaugural tonight, and to the "Image of Chile" program to follow:

"Physically speaking," he said, "we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them."

Lincoln referred to an existing union threatened by division and disintegration. We, as North Americans and Latin Americans, are concerned with a union in evolution, a union still incomplete in many respects, but a union that gives every promise of growing strength and permanence.

Geography unites us in the physical sense and we cannot separate. More important, we have no desire to separate and our determination is to draw ever closer to one another. Our economic and political unity is still in evolution, but it moves steadily forward.

In the cultural and spiritual sense, we are confronted by the paradox of possessing all the elements of unity, and of yet being separated by a wall which has no reason for being, and which we must tear down.

Our economic underdevelopment is an impediment to unity that we are doing our best to overcome, but we are moving at par with you and others in our cultural and spiritual development, and we are like you in so many respects that we should almost be able to take our cultural and spiritual unity for granted.

#### A ONE-WAY CULTURAL FLOW

But that is not the case. We Latin Americans know you well, but you do not know us as well. For some extent, we have performed a one-way cultural flow, and our presence here tonight is to help to remedy that deficiency.

Chile is a tiny land in comparison with the United States, but for many generations it has been giving expression in song and dance, in prose and verse, in sculpture and on canvas, to a cultural heritage and evolution that is uniquely its own, yet which has a common origin in the Parthenon and Scriptures which nourish your own cultural and spiritual values.

We are a people, like yourselves, with a highly developed and jealously guarded tradition of political democracy. Like yourselves, we predicate our democracy on a profound respect for man as an individual.

We are, like yourselves, a melting pot, an amalgam of varied national and racial strains. We need go no further than the participants in this evening's program to illustrate this truth. Besides such names as Montealegre, Lopez, Ramos and Mendoza, we have Soublette, Minoletti and Stratigopoulou. The folklore group soon to arrive from Chile includes a MacKenna, a Lathrop, a Dittborn, a Sauvalle, and guest artists to appear in this series include a Bronstein and Fischer, Chileans all.

Just as the internal strength and unity of a democracy derive from unwavering respect for man as an individual, so must the strength and unity of our international community derive from respect for the individuality of each nation and people in our midst. Here is the reason for President Kennedy's call to Latin America to "contribute to the enrichment of life and culture in the United States," and here is where we must level the wall that holds us apart in the cultural and spiritual sphere.

#### AN ANSWER TO PRESIDENT KENNEDY'S CALL

We are here tonight in answer to that call. We are here to inaugurate a modest, but honest presentation of our cultural heritage and evolution.

This evening and on evenings to come you will see something of a culture that differs from your own in many ways, but which certainly will find an echo and response in your minds and hearts, for your culture and our own, each in its own way, are but expressions of our common Western inheritance.

In this venture, we have met with generous support and cooperation from many sources in this country and my own—so many, that it becomes increasingly difficult to enumerate them all. To all the organizations and individuals who gave so warmly of their material, moral and artistic support, to all who contributed to this series, who cooperated in its organization and participate in it, I give my sincerest thanks.

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## TWO ANNIVERSARIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Louisiana [Mr. WAGGONNER] is recognized for 10 minutes.

Mr. WAGGONNER. Mr. Speaker, the week which we are now in is the anniversary of two of the important dates in free man's struggle against the force of godless communism and I cannot let the week pass without making note of the curious celebration of these anniversaries this Nation is engaged in.

It was 7 years ago this week that the spark of freedom, smoldering so long under the hated dominance of Russia, flared into a brilliant fire in Hungary.

The people, demanding the ouster of Erno Gero, the Hungarian Communist Party secretary and the formation of a new government under the leadership of Imre Nagy, broke forth in open revolt against communism. Revolutionary councils sprung up like mushrooms across the nation while the people, armed with clubs, axes, knives, and make-shift weapons, threw themselves against the Russian battle machine and carried their fight to the brink of victory. Nagy pleaded with the United Nations for help but the cries of the Hungarian people fell on deaf ears. To its eternal shame, neither this Nation nor the Communist-dominated U.N. lifted a finger to help these freedom fighters in their quicksilver moment of victory.

The forces of the Soviet, sensitive to the fact that a people's revolt against communism was on the verge of success, rushed 200,000 troops, 2,500 tanks and armored cars into the breech.

While the free world stood mutely aside, the Soviets slaughtered gallant men and women in a day of carnage, probably without parallel in human history. Some estimates of the slaughtered and executed reached 32,000. Another 200,000 fled the city as blood ran in the streets.

On the anniversary of this event, I can only find shame in my heart as I read how the administration is celebrating this black week of history.

On the seventh anniversary of this event, a group of Soviet Communists arrived in this Nation to accept our generous offer to sell the Russians enough wheat to bolster their economy, to save them from having to admit to the world that the Communist agrarian reform has dismally failed again and to permit them to ship $33 million worth of wheat purchased from Canada to Communist Cuba.

The administration has also announced its agreement to ship great quantities of corn to the Communists as well.

It staggers the sensibilities to capsule this absurdity in this way.

In other times, when men's backbones were straighter, this consorting with the enemy would be labeled for what it is: treason.

Some weeks ago, I asked Averell Harriman, the chief negotiator of the coexistence test ban treaty if he believed the Russians had deviated in any degree from their sworn purpose of burying us. He said that anyone who thought they had changed one iota was a fool. I accept his statement and believe it is true.

Yet it seems to me that every sinew of this administration is being strained toward every possible means of assisting the Soviets in what may be the hour when communism is in its worst difficulties. Many of us have prayed for the inevitable day when the Communist system would stagger and begin its collapse. At the first sign that this day may be close at hand, the administration advocates rushing to their rescue with whatever material and cooperation is needed to keep them propped up and alive.

No matter how thin you slice this attitude, it is still "baloney."

Communism is the deadly enemy of democracy.

Russia is the committed enemy of the United States.

Khrushchev is the arch enemy of President Kennedy.

It is that simple. It is undeniable.

If there is joy in Communist-held Hungary on this seventh anniversary, it is the rejoicing of the Red commissars who have their heels ground down on the necks of freedom-loving Hungarians.

If there is joy in Cuba on the first anniversary of our confrontation with Russia over their missiles 90 miles from Florida, it is joy emanating from within the Castro government.

If there were any way I could apologize to the people of Hungary for the sorry anniversary observation we are celebrating this week, I would.

If there were any way I could express my shame to the Cuban freedom fighters for the celebration of our confrontation anniversary, I would do that, too.

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## PSYCHOLOGICAL TESTING

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, during the past year I have been researching the impact of psychological, or what I more appropriately call "brainpicking," tests in American education. Parents are vitally interested in these tests which pry into parental, religious, and personal relations and beliefs of students. One of the greatest needs has been for parents to know more about the types of tests which are given and their background. In a series of addresses on this floor, I intend to detail as broad a picture as I possibly can concerning the so-called personality tests. These tests range from those which are mildly offensive and snooping to the outright inexcusable brainpicking test. They range from the established commercially published test to the teacher-prepared test in local schools.

As a setting for this work, I want to present a bibliography of the publishers of personality type tests with their frank catalog or brochure statement regarding what their tests purport to do. Often it is significant to take a good look at the self-serving statements of the publishers who brag up their tests in catalogs which are sent to guidance counselors throughout the country. Take for example, this interesting statement which appears in the catalog of Psychometric Affiliates regarding their liberalism-conservatism test: "Recommended for use in courses in the social sciences to clear up 'fuzzy' thinking about the meaning of 'liberalism.' "

As a start, I include at this point part I of the bibliography of standard American personality-type tests:

### APPENDIX I—PUBLISHERS OF PSYCHOLOGICAL OR PERSONALITY-TYPE TESTS

Acorn Publishing Co., Inc., Rockville Centre, Long Island, N.Y.: 1. Life adjustment inventory, R. C. Doll.

American Council on Education, 1785 Massachusetts Avenue NW., Washington, D.C.

American Guidance Service, Inc., Educational Test Bureau, 720 Washington Avenue SE., Minneapolis, Minn.

The Bobbs-Merrill Co., Inc., 1720 East 38th Street, Indianapolis, Ind.; also 4300 West 62d Street, Indianapolis, Ind.:

1. Detroit adjustment inventory.
2. High school personality questionnaire.
3. IPAT anxiety scale questionnaire.
4. Neuroticism scale questionnaire.
5. Sixteen personality factor questionnaire.

Martin M. Bruce Co., 71 Hanson Lane, New Rochelle, N.Y.; also 340 Oxford Road, New Rochelle, N.Y.:

1. Association adjustment inventory.
2. Test of social insight, youth edition.
3. Polyfactorial study of personality.

Bureau of Educational Measurements, Kansas State Teachers College, Emporia, Kans.:

1. Character-conduct self-rating scale (Brown).
2. Heston personal adjustment inventory.
3. Parsons social comprehension test.
4. Personality adjustment scale (Schrammel-Gorbutt).
5. The personality inventory.
6. Social comprehension test (Furbay-Schrammel).

Bureau of Educational Research, Ohio State University, Columbus, Ohio: 1. The Wishing Well.

Bureau of Educational Research and Service, State University of Iowa, Iowa City, Iowa:

1. Adjustment inventory (Bell).
2. Personality inventory.

Bureau of Publications, Teachers College, Columbia University, New York, N.Y.

California Test Bureau, Del Monte Research Park, Monterey, Calif.; also 206 Bridge Street, New Cumberland, Pa.; also 1415 Slocum Street, Dallas, Tex.; also 916 Williamson Street, Madison, Wis.:

1. Behavior preference record.
2. Bonney-Fessenden sociograph.
3. California test of personality.
4. Johnson temperament analysis.
5. Mental health analysis.
6. S–O Rorschach test.

Center for Psychological Service, 1835 Eye Street NW., Washington, D.C.: 1. Social intelligence test.

Committee on Diagnostic Reading Tests, Inc., Mountain Home, N.C.

Consulting Psychologists Press, Inc., 577 College Avenue, Palo Alto, Calif.:

1. Adjective check list.
2. Adjustment inventory.
3. Analysis of relationships.
4. California psychological inventory.
5. Children's hypnotic susceptibility scale.
6. Harvard group scale of hypnotic susceptibility.
7. Holland vocational preference inventory.
8. Orientation inventory.
9. Personality inventory.
10. School inventory.
11. Security-insecurity inventory.
12. Social competency scales (Cain-Levine).
13. Welsh figure preference test.

Cooperative Test Division, Educational Testing Service, Princeton, N.J.; also 4640 Hollywood Boulevard, Los Angeles, Calif.

Educational Test Bureau, 720 Washington Avenue SE., Minneapolis, Minn.: 1. Vineland social maturity scale.

Educators' Employers' Tests & Services Associates, 120 Detzel Place, Cincinnati, Ohio:

1. Hildreth personality and interest inventory,
2. Child personality scale.

Family Life Publications, Inc., Post Office Box 6725, College Station, Durham, N.C.:

1. A dating problems checklist,
2. Sex knowledge inventory.

C. A. Gregory Co. (see the Bobbs-Merrill Co.).

Harcourt, Brace & World, Inc., Tarrytown-on-Hudson, N.Y.; 750 Third Avenue, New York, N.Y.; 221 North LaSalle Street, Chicago, Ill.; 680 Forrest Road NE., Atlanta Ga.; 703 Browder Street, Dallas, Tex.; 1855 Rollins Road, Burlingame, Calif.

Depositories:

Georgia School Book Depository, Inc., 680 Forrest Road NE., Atlanta, Ga.

Lone Star School Book Depository, Inc., 703 Browder Street, Dallas, Tex.

J. K. Gill Co., 408 Southwest Fifth Avenue, Portland, Oreg.

John W. Graham, 708–716 First Avenue, Spokane, Wash.

New Mexico School Book Depository, Inc., Post Office Box 4128, Santa Fe, N. Mex.

1. Aspects of personality (Pintner),
2. Behavior rating schedule (Haggerty-Olson-Wickman),
3. Billett-Starr youth problems inventory,
4. Gordon personal profile and inventory,
5. Heston personal adjustment inventory,
6. KD proneness scale and checklist,
7. Rorschach method of personality diagnosis,
8. Syracuse scales of social relations,
9. Washburne social-adjustment inventory.

Houghton Mifflin Co., 432 Park Avenue, South, New York, N.Y.; 3108 Piedmont Road, NE., Atlanta, Ga.; 1900 South Batavia Avenue, Geneva, Ill.; 2 Park Street, Boston, Mass.; 715 Browder Street, Dallas, Tex.; 777 California Avenue, Palo Alto, Calif.; 1120 Avenue of the Americas, New York, N.Y.:

1. Pupil adjustment inventory (cum-file).

Institute for Personality and Ability Testing, 1602-4 Coronado Drive, Champaign, Ill.

1. Children's personality questionnaire,
2. Contact personality factor test,
3. High school personality questionnaire.
4. IPAT anxiety scale questionnaire,
5. IPAT 8-parallel form anxiety battery,
6. IPAT humor test of personality,
7. IPAT music preference test of personality,
8. Motivation analysis test,
9. Neuroticism scale questionnaire,
10. O-A personality test batteries—youth and adult,
11. Objective-analytic (O-A) anxiety battery,
12. School motivation analysis test,
13. Sixteen personality factor questionnaire.

Ohio scholarship tests, State Department of Education, Columbus, Ohio.

Personnel Press, Inc., 188 Nassau Street, Princeton, N.J.

Personnel Research Institute, Western Reserve University, Cleveland, Ohio.

Psychological Corp., 304 East 45th Street, New York, N.Y.:

1. Adjustment inventory (Bell).
2. Bender revised visual retention test.
3. Bender visual motor Gestalt test.
4. Blacky pictures.
5. Children's apperception tests.
6. Driscoll play kit.
7. Examining for aphasia.
8. Gordon personal profile and inventory.
9. Harris tests of lateral dominance.
10. Holtzman inkblot technique.
11. Make a picture story.
12. Minnesota counseling inventory.
13. Minnesota multiphasic personality inventory.
14. Mooney problem check list.
15. Picture-story test (Symonds).
16. Rotter incomplete sentences blank.
17. Thematic apperception tests (TAT).
18. Vineland social maturity scale.

Psychological Research Services, Western Reserve University, Cleveland, Ohio.

Psychometric Affiliates, Box 1625, Chicago, Ill.:

1. Academic freedom survey.
2. American home scale.
3. Children's personality questionnaire.
4. Ego strength test.
5. Family adjustment test and/or Elias family opinion survey.
6. High school personality questionnaire.
7. Human relations inventory (Bernberg).
8. IPAT anxiety scale questionnaire.
9. IPAT music preference test of personality.
10. Power of influence test.
11. Science research temperament scale.
12. Self-interview inventory.
13. Sixteen personality factor questionnaire.
14. Speech screening test (Weidner-Fensch).
15. Tulane factors of liberalism-conservatism.

Public School Publishing Co. (see the Bobbs-Merrill Co.).

Scholastic Testing Service, Inc., 3774 West Devon Avenue, Chicago, Ill.

Science Research Associates, Inc., 259 East Erie Street, Chicago, Ill.:

1. Curtis completion form.
2. Michigan picture test.
3. Personal audit.
4. SRA junior inventory-form A.
5. SRA youth inventory-form A.
6. SRA junior inventory-form S.
7. SRA youth inventory-form S.
8. Survey of interpersonal values.
9. Thurstone temperament schedule.

Sheridan Supply Co., Post Office Box 837, Beverly Hills, Calif.

Stanford University Press, (see Consulting Psychologists Press, Inc.).

C. H. Stoelting Co., 424 North Homan Avenue, Chicago, Ill.:

1. Behavior cards—a test-interview for delinquent children.
2. Children's apperception tests.
3. Free association test (Kent-Rosanoff).
4. Personality inventory.
5. Rorschach psychodiagnostic tests.
6. Szondi tests.
7. Thematic apperception tests (TAT).
8. Twitchell-Allen three dimensional personality test.

Western Psychological Services, 12035 Wilshire Boulevard, Los Angeles, Calif.:

1. Bender visual motor gestalt test.
2. Cassel group level of aspiration test.
3. Children's apperception tests.
4. Children's personality questionnaire.
5. Drawing completion test.
6. Five task test.
7. Forer structured sentence completion tests.
8. High school personality questionnaire.
9. House-tree-person projective technique.
10. IPAT anxiety scale questionnaire.
11. IPAT humor test of personality.
12. IPAT music preference test of personality.
13. Insight test.
14. KD proneness scale and check list.
15. Leadership ability evaluation.
16. Personality evaluation form.
17. Philo-phobe projective technique.
18. Picture world test.
19. Plastic doll play family.
20. Polyfactorial study of personality.
21. Rogers test of personality adjustment.
22. Rohde sentence completion test.
23. Rorschach psychodiagnostic tests.
24. Sixteen personality factor questionnaire.
25. Symonds personality survey.
26. Szondi tests.
27. Test of social insight—youth edition.
28. Twitchell-Allen three dimensional personality test.
29. Vineland social maturity scale.

World Book Co. (see Harcourt, Brace & World, Inc.).

## Appendix II—Alphabetical Listing of Psychological or Personality-Type Tests

### ACADEMIC FREEDOM SURVEY (AFS)

Author: Academic Freedom Committee, Illinois division, American Civil Liberties Union.

Publishers and distributors: (1) Psychometric Affiliates.

Administration: Not given.

Range: Not given.

Time: Not given.

From: AFS—Psychometric Affiliates, from catalog, page 7:

"With the aid of the ACLU booklet entitled 'Academic Freedom and Academic Responsibility,' a two-page test of academic freedom was constructed. It contained 12 items on rights of students, 7 on rights of teachers, and 4 general rights. Each item was answered on a three-point scale of 'Extent to which right is effectively assured—complete; as a general rule; very little or none.' Possible scores could range between 23 to 69."

### THE ADJECTIVE CHECK LIST (ACL)

Author: Gough, Harrison G., University of California (Berkeley).

Publishers and distributors: (1) Consulting Psychologists Press.

Administration: Group or individual.

Range: No age limit.

Time: No time limit.

From: ACL—1. Consulting Psychologists Press, catalog, page 15:

"A standardized 300-adjective list widely used in personality assessment and psychometric research, the ACL is made available with a comprehensive manual which included descriptions of the need scales for the ACL developed by Alfred B. Heilbrun, Jr. The adjectives and the scales have proved useful in studying descriptive correlates of test scores and in reducing interview or clinical judgments to statistically manageable units. Accessories include an attractive profile sheet."

### THE ADJUSTMENT INVENTORY (BELL) (TAIS)

Authors: Bell, Hugh M., Chico State College.

Publishers and distributors: (1) Consulting Psychologists Press, (2) the Psychological Corp., (3) the Bureau of Educational Research and Service.

Administration: Group or individual.

Range: Junior high through college.

Time: Usually completed in 35 minutes or less.

From: TAIS—1. Consulting Psychologists Press, catalog, page 18:

"This time-tested diagnostic aid for counselors and guidance workers has just been revised by the addition of two new scales to the four previously available. It now yields six scores: home adjustment, health adjustment, submissiveness (formerly social adjustment), emotionality (formerly emotional adjustment), hostility, and masculinity-femininity. New norms for high school and college students are included in the expanded manual. The straightforward simplicity, brevity, and ease of scoring have made the Bell a favorite for 20 years; the 1962 revision should continue this popularity. For junior high through college."

TAIS—2. The Psychological Corp., catalog, page 50:

"Aids the counselor and guidance worker in discovering the extent and sources of personal maladjustment in students and adults. The separation of adjustment into four types—home, health, social, and emotional—aids in the location of specific adjustment difficulties."

### THE AMERICAN HOME SCALE (AHS)

Authors: Kerr, W. A., Purdue University; Remmers, H. H., Purdue University.

Publishers and distributors: 1. Psychometric Affiliates.

From: AHS—1. Psychometric Affiliates, catalog, page 9:

"This scale is designed to measure the cultural, esthetic, and economic environment. Construction is based on profile and factor analyses. Discriminates between sociological areas. Scores correlate .92 with scores of interviewers completing the scale during home calls. Norms are based upon over 16,000 8th grade pupils in over 42 American cities."

### ANALYSIS OF RELATIONSHIPS (AOR)

Author: Chiselli, Edwin E., University of California (Berkeley).

Publishers and distributors: (1) Consulting Psychologists Press.

Administration: Group or individual.

Range: Nine industrial and school groups.

Time: No limit. Usually requires 30 minutes.

From: AOR—1. Consulting Psychologists Press, catalog, page 19:

"A 40-item power test of intellectual ability with a wide range of difficulty, the Analysis of Relationships test has great promise for business and industrial use as well as for schools. The test eliminates the speed factor and gives finer discriminations at the higher ability levels than older I.Q. measures used in many personnel offices. Administration and scoring are extremely simple. Preliminary manual gives tentative norms for 9 industrial and school groups, 30 different reliability and validity coefficients, data on age and sex differences. Norms on a national basis are in process of collection."

### ASPECTS OF PERSONALITY (PINTNER) (AOP)

Authors: Pintner, Rudolf, professor of education, Teachers College, Columbia University; Loftus, John J., assistant superintendent of schools, New York City; Forlano, George, assistant in educational psychology, Teachers College, Columbia University; Alster, Benjamin, teacher, Public Schools of New York City.

Publishers and distributors: (1) Harcourt, Brace & World, Inc.

Administration: Group or individual.

Range: Grades 4–9.

Time: Not given.

From: AOP—1. Harcourt, Brace & World, Inc., catalog, page 80:

"An inventory consisting of three sections covering ascendance-submission, extroversion-introversion, and emotionality."

### ASSOCIATION ADJUSTMENT INVENTORY (AAI)

Author: Bruce, Martin M.

Publishers and distributors: (1) Martin M. Bruce Co.

Administration: Not given.

Range: Not given.

Time: 10 minutes.

From: AAI—1. Martin M. Bruce Co., catalog, page 2:

"Personality test in multiple choice word association format. Approximately 10-minute administration. Provides indications of overall adjustment in terms of deviate thinking, extent of juvenile ideas, and 11 other personality traits."

### BEHAVIOR CARDS: A TEST-INTERVIEW FOR DELINQUENT CHILDREN

Author: Stogdill.

Publishers and distributors: (1) C. H. Stoelting Co.

Administration: Individual.

Range: None given.

Time: None given.

From: (1) C. H. Stoelting Co., catalog, page 5:

"Subject sorts 150 cards as the statements apply to him. A measure of delinquency potential."

### BEHAVIOR PREFERENCE RECORD (BPR)

Author: Wood, Hugh B., Ed. D. (Columbia), professor of education, University of Oregon; director, Curriculum Materials Laboratory; and editor, Curriculum Bulletin. Dr. Wood has had 8 years of experience as an elementary and high school teacher, principal, and superintendent in the public schools of Ohio and Colorado. He was research associate in curriculum at Teachers College, Columbia University, and held several fellowships while there. He was an instructor at St. Peters College, Jersey City, N.J., and associate professor of school administration at Alabama Polytechnic Institute, Auburn, before going to Oregon in 1939. He commanded college V–12 units for the Navy during the war. He has been curriculum consultant for the public schools of Connecticut, New Jersey, Pennsylvania, Alabama, and Oregon. He is now curriculum consultant to the Oregon State Department of Education. Dr. Wood is coauthor of a "Checklist of 50 Crucial Social, Economic, and Political World Problems," and 3 books on curriculum. He is a member of Phi Delta Kappa, Kappa Delta Pi, and the American Association of University Professors.

Publisher and distributors: (1) California Test Bureau.

Administration: Group or individual.

Range: Elementary, grades 4–6; intermediate, grades 7–9; advanced, grades 9–12.

Time: No time limit, 30–45 minutes are usually sufficient.

From: BPR—1. California Test Bureau, catalog, page 84:

"The behavior preference record is designed to: (a) provide a systematic sampling of some behavior situations related to the individual's understanding of democratic ideals, (b) elicit the individual's expressed preferences for various types of behavior, (c) discover the individual's reasons for the preferred behavior, and (d) stimulate discussion and decisionmaking about desirable behavior. It consists of a series of problem situations, followed by three to five possible courses of action from which the student selects one. Following the choices is a list of possible reasons for a particular choice. The student marks the reason or reasons which determined his choice. Scores are obtained for the following aspects of behavior: (1) Cooperation, (2) friendliness, (3) integrity, (4) leadership, and (5) responsibility, as well as the level of critical thinking used in explaining his preferences. Discussion periods in which the relative merits of different courses of action are considered, together with the adequacy of the reasons for choosing them, are recommended."

### BEHAVIOR RATING SCHEDULE (HOW)

Authors: Haggerty, M. E., Ph. D., dean of the College of Education, University of Minnesota; Olson, W. C., Ph. D., director of research in child development, University of Michigan; Wickman, E. K., the Commonwealth Fund, New York City.

Publishers and distributors: (1) Harcourt, Brace & World, Inc.

Administration: Group or individual.

Range: Grades kindergarten to 12.

Time: Not given.

From: HOW—1. Harcourt, Brace & World, Inc., catalog, page 78:

"Standardized scales for identification and study of the child's capacity to adjust to the demand of his environment."

### BENDER REVISED VISUAL RETENTION TEST (BRVRT)

Author: Benton, Arthur.

Publishers and distributors: (1) The Psychological Corp.

Administration: Not given.

Range: Age 8 to adult.

Time: About 5 minutes.

From: BRVRT—1. The Psychological Corp., catalog, page 46:

"A standardized measure of visual memory, designed to supplement the usual mental examinations of persons suspected of abnormality or impairment. Useful also in experimental research. The 30 design cards are bound separately and cased with the manual. Examinee draws on plain paper; record form is used by examiner to record results."

### BENDER VISUAL MOTOR GESTALT TEST (BENDER-GESTALT)

Author: Bender, Lauretta.

Publishers and distributors: (1) The Psychological Corp., (2) Western Psychological Services.

Administration: None given.

Range: None given.

Time: None given.

From: Bender-Gestalt—1. The Psychological Corp., catalog, page 46:

"A diagnostic and experimental technique of interest to clinicians and research workers. The subject reproduces a series of designs, his departures from the originals being interpreted in terms of the Gestalt laws of perception and organization. Studies of both children and adults are reported in the Monograph (American Orthopsychiatric Association, No. 3). The text by Pascal and Suttell includes 45 protocols for practice in scoring and 40 clinical case discussions."

### BILLETT-STARR YOUTH PROBLEMS (BILLETT-STARR)

Authors: Billett, Roy O.; Starr, Irving S.

Publishers and distributors: (1) Harcourt, Brace & World, Inc.

Administration: Group.

Range: Junior level, grades 7–9; senior level, grades 10–12.

Time: No time limit, allow about 60–75 minutes.

From: Billett-Starr—1. Harcourt, Brace & World, Inc., catalog, page 74:

"An inventory of student problems in junior and senior high school. Eleven areas cover; physical health, fitness, and safety; getting alone with others; boy-girl relationships; home and family life; personal finance; interests and activities; school life; personal potentialities; planning for the future; mental-emotional health and fitness; morality and religion."

### THE BLACKY PICTURES (BLACKY)

Author: Blum, Gerald S., Department of Psychology, University of Michigan.

Publishers and distributors: (1) The Psychological Corp.

Administration: Individual.

Range: 5 years old on up.

Time: Not given.

From: Blacky—1. The Psychological Corp., catalog, page 55:

"A set of 12 black-and-white cartoons designed expressly to elicit projective responses which can be sensibly interpreted in the language of modern dynamic personality theory. Although it can also be useful as a general diagnostic tool, clinicians and research workers find it especially valuable for the appraisal of the psychosexual development of individuals. The drawings picture the adventures of a dog named Blacky and Blacky's family; the use of canine characters minimizes the danger of resistance in the definitely structured situations, but does not seem to reduce projection and identification on examinee's part."

### BONNEY-FESSENDEN SOCIOGRAPH (B–FS)

Authors: Bonney, Merl E., Ph. D. (Columbia), professor of psychology, North Texas State College; Fessenden, Seth A., Ph. D. (New York University) professor of education and speech, Orange County State College.

Publishers and distributors: (1) California Test Bureau.

Administration: Group.

Range: All age levels.

Time: None given.

From: B–FS—1. California Test Bureau, catalog, page 86:

"The sociograph is essentially a chart upon which sociometric data can be recorded. It consists of a manila folder, the inside of which is printed with a triangular-shaped graph that is used for recording the sociometric choices of up to 40 students. The graph is so constructed that the data can be summarized easily and quickly. Space is provided for recording the following interpretations: class characteristics, individual characteristics, and natural groups. The sociograph has been developed in response to the growing awareness that the status and lines of interpersonal relationships of members of any group are important influences toward harmony, friendliness, and democratic functioning of that group. It aids in promoting these goals and in integrating discordant or isolated members in a constructive way."

### CALIFORNIA PSYCHOLOGICAL INVENTORY (CPI)

Author: Gough, Harrison, G., Ph. D., associate professor of psychology, and associate research psychologist, Institute of Personality Assessment and Research, University California, Berkeley.

Publishers and distributors: (1) Consulting Psychologists Press.

Administration: Group or individual.

Range: Adolescence through adulthood.

Time: No limit. Normally 45 minutes to 1 hour.

From: CPI—1. Consulting Psychologists Press, catalog, pages 6 and 7:

"A 48-item true-false questionnaire for normal individuals, based on the Minnesota multiphasic personality inventory, the CPI offers a combination of features which justify its description as 'a new achievement in personality testing':

"1. It provides 18 scales measuring easily understood and socially desirable behavioral tendencies rather than esoteric and pathological characteristics. These scales fall into the following categories: (a) poise, ascendancy, and self-assurance (includes measures of dominance, capacity for status, sociability, social presence, self-acceptance, sense of well-being); (b) socialization, maturity, and responsibility (includes measures of responsibility, socialization, self-control, tolerance, good impression, communality); (c) achievement potential and intellectual efficiency (includes measures of achievement via conformance, achievement via independence, and intellectual efficiency); (d) intellectual and interest modes (includes psychological-mindedness, flexibility, femininity).

"2. Its scales have been repeatedly cross-validated and most were empirically developed, i.e., based on the actual test responses of persons known to exhibit various kinds of effective behavior. The test contains three internal checks on the validity of responses to guard against faking.

"3. Its emphasis on universal behavioral tendencies makes it applicable from adolescence through adulthood, particularly in settings where one is interested in identifying and maximizing the positive and favorable personality assets of individuals.

"4. It provides the most complete manual ever published for a personality inventory—40 pages which contain practical advice on use and interpretation, including seven sample cases, plus summaries of extensive validity data and suggestions for further research.

"5. Norms are based on over 13,000 cases distributed through 30 States. Means and standard deviations are also given in the manual for 30 special educational, professional and other groups."

### CALIFORNIA TEST OF PERSONALITY (CTP)

Authors: Thorpe, Louis P., Ph. D. (Northwestern). Professor of education and psychology, University of Southern California. Also, was formerly director of the psychological clinic at University of Southern California. Dr. Thorpe has had public school experience, and taught in colleges in Michigan and Washington before going to the University of Southern California, where he offers courses and has written textbooks in the fields of personality, mental hygiene, and child development. He is a member of Phi Kappa Phi, Phi Delta Kappa, the International Mark Twain Society, and a Fellow of the American Psychological Association. He is co-author of the "Mental Health Analysis," the "Occupational Interest Inventory," and the "Musical Aptitude Test."

Clark, Willis W., Ed. D. (Southern California). Executive vice president and formerly director of research and technical services, California Test Bureau. Previously director of research and guidance for the Los Angeles city schools. Since 1922, Dr. Clark has conducted many university courses in guidance and evaluation. He is a Fellow of the American Psychological Association. He is author of numerous research studies appearing in professional literature and co-author of the "Ingraham-Clark Diagnostic Reading Tests," "Lee-Clark Reading Readiness and Reading Tests," "Mental Health Analysis, California Test of Mental Maturity," and the "California Reading Test," "Arithmetic Test," and "Language Test."

Tiegs, Ernest, Ph. D. (Minnesota). Editor in Chief, California Test Bureau. Formerly dean of University College and professor of education at the University of Southern California. Dr. Tiegs served for 15 years as principal and superintendent in the public schools of Wisconsin, Michigan, and Minnesota, before going to the University of Southern California where he offered courses and wrote textbooks in the fields of tests, measurements, and statistics. He is a member of Phi Beta Kappa, Phi Delta Kappa, and Phi Kappa Phi. He is co-author of the "California Reading Test," the "California Arithmetic Test," the "California Language Test," the "California Test of Mental Maturity," and the "Mental Health Analysis."

Publishers and distributors: (1) California Test Bureau.

Administration: Group or individual.

Range: Primary, kindergarten to grade 3; elementary, grades 4–8; intermediate, grades 7–10; secondary, grades 9 to college.

Time: No time limit. 40–50 minutes are usually sufficient.

From: CTP—1. California test bureau, catalog, page 87:

"This questionnaire helps to identify certain important components in personality and social development often referred to as 'intangibles'. It is designed to provide information on personal and social characteristics of individuals and groups, and to assist guidance personnel.

"By responding 'yes' or 'no' to the carefully chosen questions, students indicate how they feel, think, and act regarding a wide variety of situations which effect them as individuals or as members of groups. The instrument is divided into two sections: personal adjustment and social adjustment.

"Section 1 indicates how the student feels and thinks about himself—his self-reliance, his estimate of his own worth, his sense of personal freedom, and his feeling of belonging. Tendencies toward withdrawing and nervousness are also revealed. Section 2 consists of social adjustment components. It helps to show how the student functions as a social being, and how he feels about social standards, social skills, family, school, and community relationships."

### THE CASSEL GROUP LEVEL OF ASPIRATION TEST (CGLAT)

Author: Cassel, R. N., Ed. D.

Publishers and distributors: (1) Western Psychological Services.

Administration: Not given.

Range: Not given.

Time: Not given.

From: CGLAT—1. Western Psycholgical Services, catalog, page 4:

"A new approach to measuring and evaluating global aspects of personality levels of aspiration, reality adjustments, delinquency proneness, and psychopathy. Presents many stimulating research potentialities."

### CHARACTER-CONDUCT SELF-RATING SCALE (BROWN'S) (BCSS)

Author: Brown, Dr. Edwin J., Ph. D., Kansas State Teacher's College, Emporia, Kans.; professor of education, St. Louis University, St. Louis, Mo.

Publishers and distributors: (1) Bureau of Educational Measurements.

Administration: Group.

Range: For students of junior and senior high schools, Boy Scouts, Girl Reserves, and similar groups.

Time: No time given.

From: BCSS—1. Bureau of Educational Measurements, catalog, page 25:

"The purpose of this scale is to secure improvement in the character and conduct of individuals through self-rating. It contains 100 carefully selected items, provides a character-conduct point score for each student, and is an excellent device for creating a desire within each individual for attaining improvement in his character and conduct."

### CHILD PERSONALITY SCALE (CPS)

Author: Amatore, S. Mary.

Publishers and distributors: (1) Educators' Employers' Tests & Services Associates (ETSA Co.).

Administration: Group.

Range: Kindergarten to ninth grade.

Time: No time limit.

From: CPS—1. Educators' Employers' Tests & Services Associates, catalog, page 6:

"This scale measures the personality traits of pupils in kindergarten to ninth grade. The child can see both the strengths and weaknesses of his own character and personality. Rating may be made by teacher, parent, or pupil. By securing the rating of others, the teacher is able to secure a better all around picture of the child. Here is a valuable help to the teacher, counselor, and the child himself."

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Brademas, for 20 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. Waggonner, for 10 minutes, today.

Mr. Ashbrook, for 15 minutes, today, and to revise and extend his remarks and to include extraneous material.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Shelley.

Mr. Fino.

(The following Members (at the request of Mr. Harsha) and to include extraneous matter:)

Mr. Bow.

Mr. Martin of Nebraska.

(The following Members (at the request of Mr. Fuqua) and to include extraneous matter:)

Mr. Celler.

Mr. Healey.

Mr. Powell.

Mr. Hemphill.

(The following Member (at the request of Mr. Teague of California) and to include extraneous matter:)

Mr. Lloyd.

(The following Members (at the request of Mr. Nedzi) and to include extraneous matter:)

Mr. Fascell.

Mrs. Sullivan.

## ENROLLED BILLS SIGNED

**Mr. BURLESON**, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 844. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

H.R. 845. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

H.R. 2635. An act to amend the act of August 9, 1955, for the purpose of including the Fort Mojave Indian Reservation among reservations excepted from the 25-year lease limitations;

H.R. 6225. An act to provide for the rehabilitation of Guam, and for other purposes; and

H.R. 6481. An act to permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities.

## SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1064. An act to amend the act redefining the units and establishing the standards of electrical and photometric measurements to provide that the candela shall be the unit of luminous intensity; and

S. 1576. An act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction of community mental health centers, and for other purposes.

## ADJOURNMENT

**Mr. NEDZI.** Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until Monday, October 28, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1328. A letter from the Acting Chairman, Federal Communications Commission, transmitting a draft of proposed legislation, entitled "A bill to amend section 4(b) of the Communications Act of 1934, as amended, to exempt therefrom "special Government employees" as defined in section 202(a), title 18, United States Code, 76 Stat. 1121; to the Committee on Interstate and Foreign Commerce.

1329. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation, entitled "A bill to aid in the administration of the Pribilof Islands, in Alaska, by the Secretary of the Interior and to provide for the self-sufficiency of the inhabitants thereof, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

**Mr. MORGAN:** Committee on Foreign Affairs. S. 777. An act to amend the Arms

Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; with amendment (Rept. No. 863). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOORE: Committee on the Judiciary. H.R. 7457. A bill to provide legal assistance for indigent defendants in criminal cases in U.S. courts; with amendment (Rept. No. 864). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELLIOTT: Committee on Rules. House Resolution 554. Resolution taking H.R. 4955 from the Speaker's table and sending it to conference; without amendment (Rept. No. 865). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 555. Resolution taking H.R. 6143 from the Speaker's table and sending it to conference; without amendment (Rept. No. 866). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 556. Resolution for consideration of H.R. 5838, a bill to amend the act of March 3, 1901 (31 Stat. 1449), as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to make certain improvements of fiscal and administrative practices for more effective conduct of its research and development activities; without amendment (Rept. No. 867). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 551. Resolution declaring the House delegation to the North Atlantic Treaty Organization Parliamentary Conferences to be an appropriate committee of the House of Representatives for the purpose of implementing the act of July 11, 1956 (Public Law 689, 84th Congress); without amendment (Rept. No. 868). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 552. Resolution providing for an official picture of the House of Representatives; without amendment (Rept. No. 869). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON:

H.R. 8912. A bill to amend the Internal Revenue Code of 1954 to permit an employer, in his discretion, to deduct the required withholding tax from the wages of his employees only once a month even though their regular pay periods are less than a month; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 8913. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. FISHER:

H.R. 8914. A bill to amend the Internal Revenue Code of 1954 to provide that the value of a decedent's real property (or interest in real property) which was used as a ranch or farm or in some other trade or business shall be determined, for estate tax purposes, solely by reference to its value for such use; to the Committee on Ways and Means.

By Mr. HAGEN of California:

H.R. 8915. A bill to amend the Shipping Act, 1916, as it relates to certain leases, licenses, or assignments of ocean terminal facilities; to the Committee on Merchant Marine and Fisheries.

By Mr. HALEY:

H.R. 8916. A bill to protect American Indians from the flooding of their lands by any department or agency of the United States before suitable provision has been made for their relocation; to the Committee on Interior and Insular Affairs.

By Mr. LAIRD (by request):

H.R. 8917. A bill to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL:

H.R. 8918. A bill to amend the Shipping Act, 1916, as it relates to certain leases, licenses, or assignments of ocean terminal facilities; to the Committee on Merchant Marine and Fisheries.

By Mr. MATHIAS:

H.R. 8919. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947; to the Committee on the District of Columbia.

By Mr. MULTER:

H.R. 8920. A bill to revise the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

By Mr. PELLY:

H.R. 8921. A bill to amend the Shipping Act, 1916, as it relates to certain leases, licenses, or assignments of ocean terminal facilities; to the Committee on Merchant Marine and Fisheries.

By Mr. PEPPER:

H.R. 8922. A bill to authorize grants to assist the States in strengthening professional nurse education, in order to relieve the shortage of well-trained professional nurses and to meet the requirements of Federal, State, and local governmental hospitals and health agencies, as well as of nongovernmental hospitals and other employers; to the Committee on Interstate and Foreign Commerce.

By Mr. ST GERMAIN:

H.R. 8923. A bill to authorize the coinage of 50-cent pieces in commemoration of the 200th anniversary of the Touro Synagogue; to the Committee on Banking and Currency.

By Mr. TEAGUE of Texas:

H.R. 8924. A bill to provide for the disposition by the Administrator of Veterans' Affairs of certain real property acquired by the United States for the use and benefit of veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 8925. A bill to amend title 38 of the United States Code in order to provide that a disability which has been rated at or above a certain percentage for 20 or more years may not thereafter be reduced below such percentage; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H.R. 8926. A bill to amend the Shipping Act, 1916, as it relates to certain leases, licenses, or assignments of ocean terminal facilities; to the Committee on Merchant Marine and Fisheries.

By Mr. UDALL:

H.R. 8927. A bill to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WELTNER:

H.R. 8928. A bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or guide dogs accompanying blind persons and to attendants of disabled persons; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITENER:

H.R. 8929. A bill to authorize the prosecution of a transit development program for the National Capital region; to the Committee on the District of Columbia.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 8930. A bill for the relief of certain employees of the Bureau of Indian Affairs; to the Committee on the Judiciary.

H.R. 8931. A bill for the relief of Maj. Victor R. Robinson, Jr., U.S. Air Force; to the Committee on the Judiciary.

By Mr. MARTIN of Nebraska:

H.R. 8932. A bill for the relief of Shu Hsien Chang; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8933. A bill for the relief of Antonio La Diana and Livia La Diana, his wife; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 8934. A bill for the relief of Compton B. Thierens; to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 8935. A bill for the relief of Eumelia Custodia; to the Committee on the Judiciary.

By Mr. WESTLAND:

H.R. 8936. A bill for the relief of Leonard M. Dalton; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

400. By the SPEAKER: Petition of Henry Stoner, Old Faithful Station, Wyo., with reference to Congress initiating legislation to require that an appropriate committee make a study of racism in nonsouthern college and university fraternities and sororities in the United States, and report same to said House as a House document; to the Committee on Education and Labor.

401. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to the Ngo family of South Vietnam; to the Committee on Foreign Affairs.

402. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to initiating legislation amending the Rules of the House so that it will be out of order for a Member on the floor or in committee, to speak or hint slightingly of another Member's legal occupation before coming to Congress; to the Committee on Rules.

403. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to the use of much better grade of paper by the Government Printing Office; to the Committee on House Administration.

404. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to increasing the membership of the Supreme Court; to the Committee on the Judiciary.

405. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to a constitutional amendment relative to modification of 50-year-old laws; to the Committee on the Judiciary.

406. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to requesting Congress to initiate a constitutional amendment to preclude any chance of the selection of the President being taken out of the electoral colleges, or away from the House of Representatives; to the Committee on the Judiciary.

407. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to a resolution relative to American economics and U.S. financial integrity; to the Committee on Ways and Means.

# EXTENSIONS OF REMARKS

## Independence Day of Vietnam

EXTENSION OF REMARKS
OF
### HON. ADAM C. POWELL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Thursday, October 24, 1963*

Mr. POWELL. Mr. Speaker, on October 26 the Republic of Vietnam will celebrate the ninth anniversary of her independence. On this auspicious occasion, we wish to take this opportunity to send warm felicitations to His Excellency, the President, Ngo Dinh Diem; and His Excellency the Vietnamese Ambassador to the United States, Do Vang Ly.

At the Geneva Conference in the summer of 1954 Vietnam was partitioned along the 17th parallel. At that time, Western observers gave South Vietnam almost no chance of withstanding the challenge of Communist North Vietnam. I think it is worthwhile remembering this fact at a time when our thoughts on South Vietnam are filled with doubts and apprehension.

The situation that faced South Vietnam after the Geneva Conference was filled with many difficulties. The years of war had destroyed almost all transportation and communication, and the economy of the country had come to a virtual standstill. Political power was in the grip of the armed Cao Dai and Hoa Hao religious sects, the Binh Xuyen crime syndicate, and a number of other organized groups intent upon obstructing the development of a strong government at Saigon. There was the national army, but the soldiers were demoralized by recent military defeat and the very loyalty of the army was uncertain. Another major problem was the influx of more than 800,000 destitute refugees who had abandoned all they possessed in the north and fled southward from communism. On the credit side, South Vietnam's important assets were the firm leadership of Mr. Ngo Dinh Diem, the patriotism of the Vietnamese people, and the backing of the United States.

The independence of South Vietnam was officially proclaimed on October 26, 1954, but this event did not really alter the anticipation of a Communist takeover. It was considered only a question of time before the unstable south fell into the clutches of the Communists of North Vietman. Mr. Speaker, it happens that South Vietnam will celebrate the ninth anniversary of its independence. It means that for almost a decade now the Government and people of South Vietnam have been solving many of the problems that once threatened to destroy the country. Above all, it means that they have been successfully resisting the Communist attempts at aggression and subversion. It has been a long and terrible struggle, with a heavy toll in ravaged crops, confiscated livestock, burned homes, misery and death.

Since the Communists opened their all-out attack on South Vietnam, our country has increased both military and economic assistance and has repeatedly stated its determination to help the Vietnamese defend themselves. The United States sees the Communist attempt to conquer South Vietnam as a threat to our own security, because a Communist victory there might lead many people to believe that communism is in fact the wave of the future. The defeat of South Vietnam would increase the difficulty of defending the rest of southeast Asia and place in jeopardy the independent development of all free Asian countries.

The people of South Vietnam and their government have fought bravely against Communist aggression and subversion, and they have shown the world again that it is possible to stand up to the forces of communism. There are few people in the world today who have had to fight so steadfastly to preserve their freedom and independence as those who live in South Vietnam. They deserve our admiration, and I take this opportunity to salute them on the anniversary of their country's independence.

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## No. 20—New Hampshire: The Gamblers' Paradise

EXTENSION OF REMARKS
OF
### HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Thursday, October 24, 1963*

Mr. FINO. Mr. Speaker, it is a pleasure for me to tell the Members of this House a few things about gambling in the State of New Hampshire.

In 1962, $82 million was bet on New Hampshire's race tracks. This legal activity brought into the coffers of its State treasury almost $6 million in revenue.

According to the McClellan committee hearings, illegal gambling may be roughly calculated as having been slightly under $400 million last year. But New Hampshire realized that this illegal gambling was nothing but a gangster's grab-bag. So it acted—wisely and courageously.

I have no doubt that the New Hampshire lottery, to become operative next March, will flourish as an example of financial and social realism. The vast revenues now buoying the underworld will be significantly diverted into public coffers, to the benefit of the people rather than a select coterie of crime bosses.

New Hampshire has sensibly recognized that gambling must be controlled as it cannot be eradicated. Human nature cannot be molded to fit bluenose dreams. If New Hampshire's commonsense can be contagious, it will spell out the end of gambling as a major form of criminal sustenance, for gambling must be outlawed to be a fruitful source of government revenues.

I am certain that the New Hampshire congressional delegation is fully cognizant of the many ways in which their State lotterly will benefit the State. I hope they will join in seeking to give the wisdom of their State national scope by supporting my fight for the establishment of a national lottery.

My hat is off to New Hampshire for taking the necessary action to change their State from a gamblers' paradise to the people's haven.

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## Educational Rhythmics for Mentally Handicapped Children

EXTENSION OF REMARKS
OF
### HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Thursday, October 24, 1963*

Mr. CELLER. Mr. Speaker, any dedicated effort to improve the lot and increase the happiness of our mentally retarded children deserves the hearty support of this body.

I have been impressed with the inspiring efforts of Ferris and Jennet Robins on behalf of these unfortunate children. Mr. and Mrs. Robins were saved during the evacuation of Dunkirk. Subsequently they came to this country and spent 22 months entertaining our servicemen for the USO. Later they became American citizens. Much of their wartime work was in military hospitals, and they were startled at the impact of certain music and dance rhythms on the mentally disturbed.

From this discovery evolved the Robins special "schools of movement," which have pioneered what has become known as "educational rhythmics" for mentally retarded children. Through the use of carefully selected music and an adaptation of classical ballet techniques and syncopated rhythms, they have created a series of imaginative body movements that come naturally to the retarded child.

They learn to tie their shoes, walk up and down stairs, brush their teeth, and perform many tasks normally beyond their capacity. The story of the success of the Robins has spread, and has created a demand for wider dissemination of their unique and beneficial methods.

The outcome has been the preparation and publication of a stirring book entitled "Educational Rhythmics for Mentally Handicapped Children," a book designed to help the parent, the teacher, and anyone else working with these children.

One of the most touching sections is devoted to 100 unposed photographs of children reacting to the Robins method. It is exciting to see photographically how the music and movements appeal to the child's natural urge to imitate and play. The pictures again and again emphasize the actual beauty of a retarded child in its joy of movement—just where beauty is least expected. The enlightenment and happiness, the satisfaction of achievement, shows in each face.

Gentlemen, this book is a distinguished volume and a landmark in the unending battle on behalf of the handicapped child. It can do untold good. I am pleased to report that it is being placed on the shelves of the Library of Congress.

## B'nai B'rith: 120th Anniversary

EXTENSION OF REMARKS
OF

### HON. JAMES C. HEALEY

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
*Thursday, October 24, 1963*

Mr. HEALEY. Mr. Speaker, B'nai B'rith, the first national service organization to be founded in the United States is now marking its 120th year.

This celebration with its Biblical connotations—120 years being the lifespan of Moses—underscores B'nai B'rith's devotion to perpetuating the traditional moral values that underlie our Judeo-Christian heritage.

From its earliest days, B'nai B'rith has undertaken works of philanthropy, community service, and youth education. In the latter field, it met an urgent need by sponsoring the Hillel Foundations which provide religious and cultural centers for Jewish students on 247 campuses.

B'nai B'rith's work in the field of human relations and civil liberties is well known. Its Anti-Defamation League, founded in 1913, has pioneered to eliminate discrimination in employment, housing, and the like, and to promote intergroup harmony.

B'nai B'rith organized the first disaster relief for the victims of the Baltimore flood of 1868. It established a free employment bureau in Chicago, and manual and technical schools in Philadelphia and New Orleans, mobilized relief drives for victims in the Chicago fire and the San Francisco quake. During the Civil War, B'nai B'rith conducted a recruitment drive of its own, outfitted a Jewish company and cared for the families of the company's soldiers. B'nai B'rith began with a contribution of $60, and today it is a great service organization which spends millions in programs for youth activities, education, social work, and vocational training.

Of great significance is the fact that these accomplishments are the work of a widespread voluntary organization. Such a group has the imagination, flexibility, and vitality to adjust old causes to new needs. Our democratic society flourishes when civic and charitable work is carried on through service groups like B'nai B'rith. B'nai B'rith has rendered valuable service not only to the Jewish community, but to our entire Nation.

I salute B'nai B'rith as it celebrates its 120th anniversary this month.

## Czechoslovak Independence Day

EXTENSION OF REMARKS
OF

### HON. JOHN F. SHELLEY

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Thursday, October 24, 1963*

Mr. SHELLEY. Mr. Speaker, October 28 marks the beginning of a most glorious period in the modern history of the Czechoslovak people. Forty-five years ago on that day the Czechoslovak National Council in Prague proclaimed the independence of the Czechs and Slovaks and the establishment of the Republic of Czechoslovakia. That historic event marked the culmination of the centuries-old struggle which these sturdy and stouthearted people carried on against the overlords of their historic homeland. This national goal was attained as the result of ceaseless determination to work for its realization and also partly as the result of devoted, wise, and persevering leaders headed by the late great Thomas Masaryk.

The rebirth of the Czechoslovak Republic soon after the First World War also highlighted most startling revolutionary changes in the heart of Europe. The polyglot Austrian empire was shattered; imperial Germany was no more, and at the time there seemed to be no danger from any direction to freedom and peace in this part of Europe. The Czechoslovak people took full advantage of this auspicious circumstance, and with the aid of their friends abroad, in a relatively short time they succeeded not only in rebuilding their wartorn country, but made it a model democracy in central Europe where peace and freedom reigned. The country's economy was put on a sound basis, politically its stability seemed assured, and it became a prosperous, progressive state. But this happy state of affairs did not last long; Czechoslovaks enjoyed their hard-won freedom for only 2 decades, for the catastrophic events beginning in 1938 proved most disastrous to them. First, their country was dismembered, then they were robbed of their freedom, and with the beginning of the last war their fate was in the hands of ruthless Nazis. And we all know what has been their lot since the end of the war, especially since 1948, when they were forced to submit to Communist totalitarianism.

Throughout their long and turbulent history these people had not lost sight of their national goal, and they attained it in 1918. So today, even when suffering under an implacable and unrelenting totalitarianism, they are not downhearted, they are not in despair, but are confidently looking forward to the day when the chains which now hold them in check will be shattered and they will once more regain their freedom. I say this confidently because I have known many of these fine and hardworking people in my own State in California, especially in San Francisco where they have domiciled for generations and where they have proved themselves a real and indispensable asset to our community as loyal, industrious, patriotic, and gallant citizens of this great Republic. On the 45th anniversary of the Czechoslovak Independence Day, I join hands with these Americans of Czechoslovak descent and solemnly observe the anniversary of that historic event.

## H.R. 333, a Bill To Lift Antitrust Immunities From Labor Organizations

EXTENSION OF REMARKS
OF

### HON. DAVE MARTIN

OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
*Thursday, October 24, 1963*

Mr. MARTIN of Nebraska. Mr. Speaker, I have been receiving a good deal of mail lately concerning H.R. 333, a bill which amends the Sherman Act, Clayton Act, Norris-La Guardia Act, and Taft-Hartley Act so as to lift antitrust immunities from labor organizations. By far the great majority of these letters have been in support of this bill. Yet I have received other letters which condemn this bill and similar attempts to curb union monopoly power. These letters reveal certain misconceptions about the nature and effect of my bill.

First of all, my bill would not eliminate health and welfare benefits or pension plans. International unions and brotherhoods could continue to administer such plans, providing, of course, that these benefits could not be withheld as a lever to regain control of collective bargaining activities. If the large national and international unions did not see fit to continue these benefit and pension plans, they could be taken over and administered by the local unions on the basis of contributions received from local members. All benefit, pension, and strike funds must come ultimately from the local union member anyway, and if these contributions went no further than the local union, there is less likelihood that they would be diverted to pay for marble palaces in Washington and black Cadillacs for union leaders.

By the same token, sick leave pay, vacation pay, and overtime pay would not be eliminated. These and other issues would be negotiated by the unions with each individual company, neither having an unfair advantage in size or power over the other.

It is further charged that H.R. 333 would destroy craft unions, replacing them by industrial unions. This is not true. The Landrum-Griffin Act specifically states:

> It shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer engaged primarily in the building and construction industry to make an agreement covering employees engaged (or who, upon their employment, will be engaged) in the building and construction industry with a labor organization of which building and construction employees are members.

My bill does not amend the Landrum-Griffin Act, and, as a consequence, bargaining in the construction industry is not affected by H.R. 333.

These and similar attacks on my bill are merely attempts to divert attention from the central problem—the overweening power of big unions. They are red herrings drawn across the path of rational examination—see the "International Teamster," January 1963, page 25.

Union leaders, of course, deny that their power is excessive. They point to such large corporations as A. T. & T., which has net assets in excess of $24 billion, or Standard Oil of New Jersey, with $10.5 billion in assets, or General Motors, with $8.8 billion. In comparison, they say, all unions, national, international, and local, had combined net assets of only $1.3 billion—1960 figures.

Furthermore, they argue, only a third of the nonagricultural work force is unionized—unions being not yet significant in retail and wholesale trade, services, Government employment, finance, and the white-collar occupations generally.

On the surface, these are plausible arguments, yet, in a sense, cash assets and membership rolls are irrelevant to the issue of union power. A comparison of union financial assets with those of the giant corporations obscures differences in basic character and purpose. The function of the labor union is merely to represent workers at the scene of their employment and negotiate labor contracts acceptable to a reliably determined majority of them. A corporation, on the other hand, must invest in productive facilities costing billions of dollars to erect, and equip, millions of dollars a year to maintain and improve and replenish—an investment representing billions of dollars of built-in risk that must hold itself together through competitive sales and pay its taxes and expand its plants and refine its methods and pursue all manner of research in order to serve the public, its only source of revenue and perhaps eventual reward—see Maurice R. Franks, "What's Wrong With Our Labor Unions?" The Bobbs-Merrill Co., Inc., New York, 1963, pages 117–118.

Union strength, then, is strategic rather than quantitative. Union membership is concentrated in key industries: steel, coal, automobiles, construction, public utilities, communications, and transportation; and the power of such unions to disrupt the orderly processes of the economy and to damage the general welfare in the pursuit of their objectives is as awesome as these numbers suggest. The economic power of even the largest business organizations, subject as they are to a variety of legal and economic restraints, is as nothing compared to the power of the great international unions.

Unionism's power derives from the fact that the economy of the United States is a highly differentiated, complex, and interdependent system in which the cessation of only one activity or the breaking of only one link in the chain of production and distribution—if the interrupted function be a crucial one—can put a substantial part of the economy out of commission, if not paralyze it completely. Significantly, unions have succeeded in establishing control over just such crucial points in the economy. Moreover, the union rule that picket lines are not to be crossed, regardless of the merits of a particular strike, places strategic power in the hands of even the smallest union.

It is needful to point out at the same time that the strike itself, justified or unjustified, by no means represents the major harm that unions can inflict on society. It is the settlement which follows the strike, or even the settlement reached in lieu of a strike which may impose the harshest burden on society at large. Strikes end, their disruptions are temporary if severe, but the settlements which follow them may cause permanent distortions in factor and product markets yielding chronic unemployment, diminished rates of private investment and thus of growth, lessened international competitiveness and balance-of-payments problems. The occurrence of any one of these developments, and a fortiori where several are taking place simultaneously, diminishes the social dividend and contracts the economic alternatives open to producers and consumers. In sum, the community suffers a reduction both in its material welfare and in freedom.—Patrick M. Boarman, Union Monopolies and Antitrust Restraints, Labor Policy Association, Inc., Washington, D.C., 1963, pages 10–11.

Unrestrained union power, then, has an adverse effect upon the economy. What effect does it have on the individual union member?

With nationwide master contracts negotiated by the national union officers directly with their national counterparts in the corporation, it is clear that local unions in most mass-industry organizations no longer do their own bargaining on major issues. There is thus a widening gap between the rank-and-file member and the collective-bargaining process. He no longer has any significant control over the men who negotiate his wages, hours of work, and working conditions. Just as the corporation has had the effect of depriving ownership of decision-making, so big unions deprive the rank-and-file of similar privileges. My bill would correct this by providing that no union could represent employees of more than one company for purposes of collective bargaining.

H.R. 333 is not an attempt to put unions in an inferior position vis-a-vis management. It merely seeks to restore the balance which outmoded laws have tipped in favor of big unions.

Our Government prosecutes as a monopoly the A. & P., whose stores handle about 6 percent of the Nation's food supply, which must keep its prices competitive with those of tens of thousands of other stores, and which is without power to make anyone go hungry.

Yet, the Government does nothing, and it can do nothing, about the Teamsters Union, whose members handle not a small fraction of the Nation's food supply but virtually all of it; which can, without fear of substantial competition, raise the cost of food almost at will, and which has the power to shut off our entire food supply and make us all go hungry.

Clothing manufacturers may not lawfully conspire together concerning their dealings with suppliers—that is, contractors—or to fix their own selling prices on the basis of uniform labor costs, but they may lawfully conspire with a union to fix their suppliers' principal charges, to determine with what suppliers each will do business and what suppliers can do business at all, and to price their own products according to uniform, arbitrary, and even fictitious labor costs. And they do just that.

If any combination of soft-coal operators had the power to reduce the output of coal or to stop it for even a few days in order to raise prices or keep them high, the Government could enjoin them and prosecute them, even though they never used the power, and it doubtless would. If they used the power, their victims could sue for triple damages. But the Mine Workers Union may reduce output or stop it altogether. No one can move against them under the antitrust laws or under any other law for having the power. And, even when they use the power, only the Government can move against them, and it only when they have brought us to the brink of a national catastrophe.

Steel companies may not lawfully conspire together to fix suppliers' costs or prices, or their own costs or prices, or their customers' costs and prices. But James MacDonald, a labor monopolist, for reasons of internal union politics or interunion rivalry, and no other, may regulate labor costs in the iron mines, in the steel mills, and in hundreds of shops in scores of industries that use steel; and in the process he may close all the mines, all the mills, and all the shops, paralyze our economy, and force the Government to meet his terms.

Businessmen may not conspire together to put a competitor out of business, or to raise his prices, or to limit the territory in which he will sell his goods, or to exclude his goods from the market, or to use wasteful, expensive methods and techniques, or to block progress, but they may, through a labor union, do indirectly what the law forbids them to do themselves, notwithstanding that the adverse effects upon the public are the same in one case as in the other.

These oddities and others like them in our laws present one of our most important and most pressing problems if our system of free enterprise and our system of free collective bargaining are to survive. My bill, H.R. 333, represents, I think, the best approach to a solution of these problems. Such an approach has been supported by thinking people for many years. As long ago as 1950, Gustav Peck, senior specialist in labor for the Legislative Reference Service, concluded his report to Congress on "The Application of Antitrust Laws to Labor Practices Harmful to Market Competition" in the following way:

> In consequence, it would appear from this perspective that inclusion of restrictive labor practices within the scope of jurisdiction of the antitrust laws would not encroach upon labor organization and bargaining any more than upon corporate organization and bargaining in the productive process, but would prevent the monopolization of commerce, the exclusive control of supply of commodities, or the use of unreasonable restrictions upon the market. The public interest as defined in the antitrust laws would then include both industry and labor to the end that genuine competition in the market for production should prevail. (Hearings, U.S. Senate, Subcommittee of the Committee on the Judiciary, "To Protect Trade and Commerce Against Unreasonable Restraints by Labor Organizations", Feb.–Mar, 1950, p. 16.)

I believe it is time we acted.

## Tweter: The New Sweater

EXTENSION OF REMARKS

OF

### HON. ROBERT W. HEMPHILL

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 24, 1963*

Mr. HEMPHILL. Mr. Speaker, some months ago, with the wonderful assistance of the Small Business Administration, we of my district were proud to welcome into York County the Huntley Knitting Mills. The mill now employs over 400 people and the citizens of York and the surrounding community are most happy to have the industry there and have welcomed the personnel and the new shot in the arm that this concern has given to the economy of York and the area.

Now, Huntley Knitting Mills have presented to the sports-loving population a new, exciting, and revolutionary sweater, called the Tweter. It is made of 100 percent Orlon acrylic in big, bold stripes, and I quote from a recent advertisement which is most attractive:

> Destination: Any place that's wild and wonderful. The latest rage of the student body. An absolute discourager to winter winds in the grandstand * * * cozy "togetherness" on an evening's walk. Get hep and "in step" with the season with a genuine collegiate Tweter.

I salute Huntley Knitting Mills and its bright new innovation in casual wear. I am proud to represent a district in which the industrial effort is always forward.

I wish for Huntley Knitting Mills every success in this and other innovations.

## Representative Edna F. Kelly, of New York, Successfully Opposes Effort in United Nations Committee To Open League of Nations Treaties to Accession by Red China and Other Non-U.N. States

EXTENSION OF REMARKS

OF

### HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 24, 1963*

Mrs. SULLIVAN. Mr. Speaker, our colleague from New York, Congresswoman EDNA F. KELLY, long recognized as one of the outstanding experts in the Congress in the field of foreign policy and international affairs, has further distinguished herself and brought honor upon this House by her success in presenting the U.S. position in a highly controversial issue in the United Nations' Sixth, or Legal, Committee.

Mrs. KELLY—one of the few Members of the House of Representatives ever accorded such responsibility—was chosen by President Kennedy to serve this fall on the U.S. delegation to the 18th United Nations General Assembly. As a ranking member of the House Committee on Foreign Affairs, and as chairman of its Subcommittee on Europe, Mrs. KELLY brought to this assignment a fine grasp of the complexities of international affairs and an ability we have all seen demonstrated many, many times, in cutting through the window-dressing language to get to the key points of an issue.

She has now proved that this ability to push aside the nonessential elements to get to the heart of a controversy can be put to very good use in behalf of her country in the deliberations of the United Nations as well as in the Congress.

The Sixth, or Legal, Committee of the U.N., on which Mrs. KELLY has been representing the United States, handles questions relating to international law, treaties, conventions, and other international agreements. In addition, she has been handling before other committees of the U.N. General Assembly items dealing with atomic radiation, outer space, and enlargement of U.N. bodies, among others.

#### AMENDMENT VOTED DOWN 42 TO 38

The issue on which Mrs. KELLY successfully led a fight to uphold the U.S. position, over strong opposition from the Communist bloc and others, arose in connection with the proposed opening for participation by new nations of some of the old League of Nations treaties still in effect and serving a useful purpose, such as the one on counterfeiting. An amendment was offered to permit accession by any state. This, as Mrs. KELLY ably pointed out in a speech in the Committee on October 18, would have included not only those new countries which are members of the United Nations, but Red China and East Germany, or other non-U.N. states.

Mr. Speaker, under unanimous consent of the House, I am submitting the text of the remarks made by Congresswoman KELLY on this highly controversial issue. But first, I want to add that Mrs. KELLY's fight on behalf of our country to prevent Red China and East Germany to come into treaty relationships with the United States and other free nations through this subterfuge resulted in victory. The vote on the proposal was 42 to 38, in our favor with 10 abstentions. And yesterday, a new formula was adopted under which no non-U.N. state could accede to any League of Nations treaty without the approval of the General Assembly. All of us, I am sure, are proud of the manner in which Mrs. KELLY represented our Nation in this important matter, and thus I am sure there will be widespread interest here in reading the text of her U.N. address, as follows:

STATEMENT BY EDNA F. KELLY, U.S. REPRESENTATIVE IN THE LEGAL (SIXTH) COMMITTEE OF THE GENERAL ASSEMBLY, ON THE QUESTION OF EXTENDED PARTICIPATION IN GENERAL MULTILATERAL TREATIES CONCLUDED UNDER THE AUSPICES OF THE LEAGUE OF NATIONS, OCTOBER 18, 1963

Mr. Chairman, as chapter 3 of the report of the International Law Commission indicates, an examination of the substance and utility of open-ended multilateral treaties concluded under the auspices of the League of Nations is needed. Such an examination should determine which treaties are still in force and hold interest for states and what action may be necessary to adapt them to contemporary conditions. Draft Resolution L. 532 wisely calls for such a study but does not, in the meantime, delay opening for extended participation the multilateral treaties involved. Certain of the treaties, especially the Convention and Optional Protocol for the Suppression of Counterfeiting Currency, may be of immediate interest to states and should be opened for accession. As indicated by Interpol and as proved by recent accession by the United Kingdom, the treaties concerning counterfeiting remain useful and contemporary.

Perhaps there are other multilateral treaties concluded under the auspices of the League which are not, however, of interest to states or which are useful only if adapted to modern circumstances. The procedures set forth in the nine-power draft resolution is a simple and expeditious method of determining the usefulness and adaptability of such treaties. If they are no longer useful, no further action is necessary. If, on the other hand, certain of the treaties are currently outdated but are adaptable to contemporary circumstances by substantive amendments the protocol of amendment procedure suggests itself. In accordance with Resolution 24(I), the General Assembly, between 1946 and 1953, approved seven protocols which made necessary amendments of substance and replaced old participation clauses with clauses opening them to accession by new nations.

A substantive examination of the treaties should not, however, delay extended participation if certain states wish to accede immediately. The treaties should be opened to accession now. As the International Law Commission points out in its report, the original parties to such treaties intended them to be open for accession. The procedure for extended participation proposed in the nine-power draft resolution provides a simplified and efficient method of achieving the object of extending participation in useful treaties.

Such a procedure is not, in the view of the U.S. delegation, open to objection. The parties, by voting for the resolution, may consent to opening such treaties for extended participation. As stated before, the participation clauses of the treaties indicate an intention to make them open ended. What is involved is a simple adaptation of the participation clauses to the fact that the League of Nations has been succeeded by the United Nations.

Mr. Chairman, let me turn now to the two amendments L. 533 and L. 534. The United States regrets that a highly controversial political issue has been injected into the consideration of extended participation in multilateral treaties.

The amendment proposed by Ghana and others, contained in document L. 533, would request the Secretary General to invite "any state" not otherwise eligible to become a party to these treaties to accede thereto by depositing an instrument of accession with the Secretary General. On the other hand, the amendment tabled by Australia, Greece, and Guatemala, in document L. 534, would request the Secretary General to invite "each state member of the United Nations or of a specialized agency" to accede to the conventions. The United States strongly supports this latter amendment and hopes that the members of this Committee will vote in favor of it.

The Under Secretary, Mr. Stavropoulos, has previously explained to the Committee the extremely difficult position in which the adoption of an "all states" formula would place the Secretary General. As Mr. Stavropoulos has pointed out, unless the Secretary General is given precise directions by the Assembly, he would be put in the untenable situation of having to decide which entities that are not United Nations members should be invited to become parties to these treaties. Let me illustrate his difficulty by an example which is less embarrassing to those in this room than others I could cite. Suppose we had adopted this resolution a year ago. Would the Secretary General have been obliged to communicate it to Katanga? I could multiply examples. But what I have said demonstrates that the amendment of Ghana would impose upon the Secretary General the making of a political decision of a highly controversial and acutely embarrassing nature. The Secretary General quite rightly wishes to avoid this political function. If the supporters of the amendment proposed in document L. 533 really would like to spend some weeks discussing which entities, not members of the United Nations or its specialized agencies, are states, then they should say so. Otherwise, they should withdraw their amendment.

Mr. Chairman, this highly charged political issue cannot be decided by the Secretary General. It cannot be decided by the Sixth Committee. The Sixth Committee has no competence to determine, or business in attempting to determine that, for example, the so-called Peoples' Republic of Korea is a state. This is no more a question for the Legal Committee than for the Secretary General.

Every year, since the beginning of the United Nations, there have been proposals that all states should be invited to adhere to United Nations treaties or to participate in United Nations conferences. No such proposal has ever been accepted. The General Assembly has uniformly followed the principle that United Nations treaties and United Nations conferences are open to participation only by members of the United Nations and the specialized agencies.

We should follow that principle in the case now before us. The purpose of the nine-power draft resolution contained in document L. 532 is to welcome participation in League of Nations treaties by the great number of new states which have achieved their independence since the demise of the League. Those new states are virtually all members of the United Nations. They are participating here in the work of the General Assembly and in the work of our Committee. The amendment of Australia, Greece, and Guatemala will make possible their participation in these treaties if they desire to participate.

On the other hand, we doubt that the draft resolution, if amended as Ghana and others propose, would be acceptable to many of the members of the League who are represented here—and whose assent to this resolution is necessary, as stated in operative paragraph 2 of the resolution. We believe that most of these former members of the League would not be willing to accept this resolution if it implied that, whether they like it or not, they would be required to enter into treaty relations with entities which they do not recognize as states. Adoption of the all states formula would thus destroy the chance of implementing the underlying resolution. Indeed, adoption of the all states formula would effectively negate the possibility of participation by any of the newer states members of this organization, and our consideration of this agenda item would have been fruitless.

For these reasons, Mr. Chairman, we urge the members of this Committee to vote against amendment L. 533 and to vote in favor of amendment L. 534.

Thank you, Mr. Chairman.

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## Market News Service Problems Solved by Secretary Freeman

EXTENSION OF REMARKS
OF
**HON. DANTE B. FASCELL**
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
*Thursday, October 24, 1963*

Mr. FASCELL. Mr. Speaker, in recent weeks a number of my colleagues have inserted in the CONGRESSIONAL RECORD editorials and news stories warning of dangers in the Agriculture Department's expansion of the Federal-State Market News Service. As a member of the Foreign Operations and Government Information Subcommittee, I looked into this matter and I am happy to report that Secretary Orville Freeman has agreed to solve the three problems which the press has been highlighting.

Last August Secretary Freeman announced that farm market information which the Department collects will be directly available to anyone who wishes to lease facilities from the telephone service. In announcing the new service, Secretary Freeman said the Department must reserve the right to cancel the service to any subscriber who misused it. This raised the fear of censorship if the Department could cancel the service as retaliation against a newspaper or farm organization which happened to disagree with the Department on some political issue. Because the announcement of the new service stated that various U.S. Department of Agriculture news releases also would be sent on the market news wire, a number of newspapers warned that Government press releases sent over the new system would make it a propaganda function instead of an information service. Others warned that the Agriculture Department would be in competition with some private organizations which now pick up the Department's market information, edit it, add other facts, and wire the information to private subscribers.

I am happy to report that Secretary Freeman has agreed to solve each of these three problems. He explained that the right of cancellation was necessary to prevent speculators who subscribed to the news service from adding false market quotations as part of the Federal report. Secretary Freeman has now agreed to surround this right of cancellation with safeguards to prevent its use as a tool of censorship. Before any action will be taken, he said, a subscriber facing cancellation will be able to file a written statement or have a hearing on the proposed action. The proposed findings will be issued and the subscriber will have 20 days to file an answer before any ruling could be issued. Even after that, Secretary Freeman said, the subscriber facing cancellation would have his day in court, for the Department's action will be subject to judicial review under the Administrative Procedure Act.

On the question of the new market news service becoming a Government news agency, Secretary Freeman said that the various U.S. Department of Agriculture news releases will only be market quotations on purchases of commodities for the school lunch and surplus food distribution programs. On the question of competition with private organizations which now disseminate farm market information, Secretary Freeman agreed that the new system will not provide specialized service which now can be purchased from private organizations. These organizations identify various products and producers, thus making it possible for persons using the services to have more detailed information on farm market facilities. Secretary Freeman said the new Agriculture Department service will not identify producers or products, but will only carry the standard market quotations which are now available in Washington and at other Agriculture Department offices throughout the Nation.

I am confident the results which I am able to report to you would not have been possible unless the Nation's press had highlighted the situation. These developments prove once again the necessity for a free press able to analyze and criticize the Government and for a continuing fight for the people's right to know the facts of government.

Following is Secretary Freeman's letter spelling out the conditions under which the news service will operate:

DEPARTMENT OF AGRICULTURE,
*Washington, D.C., October 22, 1963.*

Hon. DANTE B. FASCELL,
*Foreign Operations and Government Information Subcommittee, Washington, D.C.*

DEAR MR. FASCELL: This is in further reply to your letters of August 22 and September 24 enclosing editorials on the expanded use of the Federal-State market news leased wire system.

As you know, the arrangement for individual use of the leased wire circuits was requested by agriculture producers and distributors who make extensive use of market information. The Department acted only after discussions with the Agriculture Appropriations Subcommittee of the House Appropriations Committee and after a request for public comments which resulted in overwhelming approval of the plan for expanded use of the existing leased wire system.

The editorials commented on whether the Department's authority to cancel the Market News Service could be used as a device for censorship. I can assure you that safeguards surrounding the Department's authority for cancellation make this impossible.

The Department must reserve the right to cancel service to an individual solely as a safeguard against false reports being issued which are identified as official Federal-State market news quotations. This administrative remedy is needed because there is no Federal statute which prohibits the false or fraudulent use of Federal-State market news reports. For example, in our opinion, intermingling data from various sources and ascribing them entirely to the Federal-State Market News Service, if practiced by a subscriber, should be stopped or the service should be canceled in order to protect the interests of producers and marketers who rely on the integrity and authenticity of official Federal-State reports.

An agreement in effect for several years between the Department and the PAM News Corp. which distributes market news to private subscribers, requires the corporation to separate the Department's official market reports from other market information. This agreement also reserves the right of cancellation.

In the unlikely event that it became necessary to exercise the Department's authority to cancel service under the market news leased wire system, the Department would follow the established procedure for withdrawal of voluntary fee services, such as inspection and grading, which are also provided under the Agricultural Marketing Act of 1946. The procedure gives the respondent the opportunity to file a written statement—or, if he wishes, have an oral hearing—to show cause why the service should not be withdrawn. Next, the respondent must be served with a proposed suspension order including tentative findings and conclusions, specifying the suspension period and providing 20 days to file exceptions. Only after ruling on the exceptions can the Agriculture Marketing Service issue a formal suspension order for the specified period.

This procedure, set forth in the Department's AMS Instruction 910-1, provides administrative safeguards against any abuse of the authority for cancellation. In addition to the internal procedure the Department would follow if cancellation were necessary, the action is subject to judicial review under the Administrative Procedure Act. This act provides, among other things, that the reviewing court shall decide all relevant questions of law and shall set aside any agency actions found to be arbitrary, capricious, an abuse of discretion, contrary to constitutional right, or for other specified reasons.

The editorials pointed out that the Department's announcement of the expanded Market News Service stated it would carry various U.S. Department of Agriculture news releases of importance to marketers. No general press releases or U.S. Department of Agriculture policy statements are carried on the leased wire circuits. We occasionally send administrative instructions during idle circuit time. The releases of importance to marketers refers to announcements giving the quantities and prices of commodities purchased for the school lunch or food distribution programs. Such information is carried as part of our market news program because they have at times a direct bearing on the market for the particular commodity.

The editorials commented on whether the expanded Market News Service will include identification of specific producers, thus competing with any private market information service. The dissemination of such information is prohibited by Department regulations, and it could not be made available under the new system. Section 536b (5) and (9) of title I of the Department's regulations prohibit publication of—

"(5) Information and reports furnished by dealers, manufacturers, associations, or others covering quantities of commodities processed, purchased, or sold during prescribed periods and the prices paid or received therefor."

* * * * *

"(9) Information furnished voluntarily by individuals or firms, relating to their farm or business operations, for use in making statistical analyses as a foundation for official estimates and reports."

I hope this has provided the information which the subcommittee desires. If you have further questions, please let me know.

Sincerely yours,
ORVILLE L. FREEMAN,
*Secretary.*

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## The Death of the President of the Ogden, Utah, Branch of the NAACP

EXTENSION OF REMARKS
OF
### HON. SHERMAN P. LLOYD
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
*Thursday, October 24, 1963*

Mr. LLOYD. Mr. Speaker, a leader from Utah in the civil rights movement has been killed while carrying out his public responsibility. His death occurred on October 18.

Detective Sgt. Marshall N. White, an 18-year veteran with the Ogden Police Department, was shot and killed while searching a home for a prowler.

Mr. White was President of the Ogden branch of the NAACP.

His life and death reflect the dual demands of American citizenship for individual rights and responsibility. Rights without responsibility is anarchy; responsibility without rights is tyranny. Mr. White gave full devotion to both.

Mr. White's life was taken while he was in the service of his fellow citizens, preserving law and order so that men and women living in freedom would be safe in their pursuit of life, liberty, and happiness.

His life added merit to the causes to which he dedicated himself.

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## Ohio Electric Co. and Rural Electric Cooperatives Join in New Project

EXTENSION OF REMARKS
OF
### HON. FRANK T. BOW
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
*Thursday, October 24, 1963*

Mr. BOW. Mr. Speaker, I am pleased to announce that the Ohio Power Co. and the rural electric cooperatives of Ohio are joining in a new generating project that will provide hundreds of additional jobs in our coal industry as well as the inexpensive electric power needed for continued development and expansion of Ohio industry.

The Ohio Power Co., and Buckeye Power, Inc., the latter a subsidiary of Ohio's rural electric cooperatives, will build a jointly owned, major electric powerplant.

The steam-electric station will have an initial generating capacity of 1,230,000 kilowatts and an ultimate capacity of 2 million kilowatts. Even initially, the plant would be the largest in Ohio and require an investment estimated at $125 million.

The new station will be named the Cardinal plant after the State bird of Ohio. It will be built on the Ohio River adjacent to Ohio Power's existing Tidd plant, at Brilliant, south of Steubenville.

Construction is expected to start immediately, with ground breaking to take place next Monday, and initial operation is scheduled for mid-1966. The plant will be operated entirely independently by a new corporation to be formed and jointly owned by the Buckeye group and Ohio Power.

The announcement was made jointly by Owen T. Manning, president of Buckeye Power, of Columbus, and Donald C. Cook, president of American Electric Power Co. and of Ohio Power, of Canton, in a press conference here attended by Governor James A. Rhodes. Ohio Power is one of six operating electric utilities in the seven-State American Electric Power System.

The announcement by Manning and Cook said:

> Because it encompasses new concepts in the electric utility industry, not only in its engineering and design but in the fact that here, for the first time, a major electric generating facility will be jointly owned by an investor-owned utility and member-owned electric cooperatives and financed entirely by funds obtained from the private money market. Also, plans call for the plant to be tied in to the transmission systems of six of the State's principal utilities, which will transmit, under contract, the cooperatives' portion of its power generation to the co-ops' transmission systems, substations, and load centers.

These utilities, in addition to Ohio Power, are: the Cincinnati Gas & Electric Co., Columbus & Southern Ohio Electric Co., the Dayton Power & Light Co., the Toledo Edison Co., and the Marietta Electric Co.

Virtually all of the bulk power supply needs of Ohio's co-ops today are purchased from the State's investor-owned utilities. This supply would be taken over by Buckeye Power sometime after completion of Buckeye's new plant facilities.

Howard Cummins, Buckeye general manager, emphasized that the co-op's investment in the Cardinal plant, through Buckeye power, is being financed by private sources, since their equity and net worth are now sufficient to attract private capital. The 30 co-ops in Buckeye Power serve about 135,000 electric customers in 74 of Ohio's 88 counties, according to Cummins.

Announcement of Ohio Power's proposal to the co-ops for their joint ownershop and operation of a major plant was made in late 1962 and has been under study since then.

According to A. N. Prentice, vice president and general manager of Ohio Power, the new Cardinal plant will burn an estimated 3 million tons of coal or more per year in its initial two units. Virtually all of it will come from mines in eastern Ohio and the Wheeling Panhandle area of West Virginia, Prentice said, adding that this fact alone would "provide a tremendous economic impact" on the two-State area.

This supply of coal, Prentice estimated, would require the employment of approximately 500 miners, in addition to scores of other workers in the transportation and allied fields. He added that 3 million tons of coal were the equivalent of a 40,000-car railroad train extending 300 miles—or the distance between the Cardinal plant and Indianapolis.

The studies, planning, design, and negotiations for the new plant have been actively underway for close to 2 years, under the direction of Philip Sporn, retired president of American Electric Power and Ohio Power and now chairman of the AEP System Development Committee.

In discussing the new plant, Sporn described it as representing an entirely new stage of development in the history of power generation technology. It will be ultramodern in concept and design and will initially house two 615,000 kilowatt turbine-generator units, which in themselves will further advance the frontiers of the generating art. Each unit will be of tandem design, with all sections of its turbine—the high-, intermediate-, and low-pressure elements—as well as the generator, all revolving on the same single shaft 200 feet long. They will be the largest single-shaft turbine-generator units in the world. The electrical generators themselves will also be the world's largest and will be water cooled.

The units will operate under steam conditions of 3,500 pounds per square inch pressure and a temperature of 1,000° F., with double reheat temperatures of 1,025° and 1,050°.

When in operation, Cardinal is expected to achieve a new low in steam-electric production costs, brought about by a combination of the units' anticipated generating efficiency and the entire plant's projected capital investment cost of about $100 per kilowatt of capacity. At 1,230,000 kilowatts, Cardinal will be Ohio's largest power station—with a capacity about 15 percent greater than that of the present largest plant, the Ohio Valley Electric Corp.'s huge Kyger Creek plant at Cheshire, also on the Ohio River.

The new plant will be complete in itself but will be located only several hundred feet south of Ohio Power's 220,000-kilowatt Tidd plant. The location, on the west bank of the Ohio, until recently was the site of the AEP system's 500,000-volt Tidd transmission test project, where high-voltage research was carried out during the period 1947–52 to pave the way for many of the Nation's major transmission lines of today.

The plant will be interconnected with, and backed up by, Ohio Power's six other major steamplants, as well as those of its affiliated utilities throughout the AEP system.

The co-ops were organized in the late 1930's for the specific job of building power lines to Ohio's unserved rural areas, where only 18.8 percent of the State's farms had such service. The first pole set anywhere in the Nation by an electric co-op was in Ohio—near Piqua—on November 14, 1935.

During the intervening years, the co-ops and the investor-owned utilities have made electric service available to all Ohio farms, of which 99 percent are now served. Member co-ops of the Buckeye organization have built over 30,000 miles of lines that deliver power to approximately 135,000 customers over roughly 65 percent of the State's land area. Much of this expansion has been with the aid of 100-percent loans from the Rural Electrification Administration.

A list of the Ohio rural electric cooperatives follows:

Pioneer Rural Electric Co-op., Inc., Piqua, Ohio.

Delaware Rural Electric Cooperative, Inc., Delaware, Ohio.

Inter-County Rural Electric Co-op., Inc., Hillsboro, Ohio.

Marion Rural Electric Co-op., Inc., Marion, Ohio.

Holmes-Wayne Electric Co-op., Inc., Millersburg, Ohio.

Belmont Electric Co-op., Inc., St. Clairsville, Ohio.

Midwest Electric, Inc., St. Marys, Ohio.

Paulding-Putnam Electric Co-op., Inc., Paulding, Ohio.

Licking Rural Electrification, Inc., Utica, Ohio.

Darke Rural Electric Co-op., Inc., Greenville, Ohio.

Union Rural Electric Co-op., Inc., Marysville, Ohio.

Tuscarawas-Coshocton Elec. Co-op., Inc., Coshocton, Ohio.

Lorain-Medina Rural Electric Co-op., Inc., Wellington, Ohio.

Morrow Electric Co-op., Inc., Mt. Gilead, Ohio.

North Central Electric Co-op., Inc., Attica, Ohio.

South Central Rural Electric Co-op., Inc., Lancaster, Ohio.

Tricounty Rural Elec. Co-op., Inc., Napoleon, Ohio.

Logan County Co-op Power & Light Association, Inc., Bellefontaine, Ohio.

Butler Rural Electric Co-op., Inc., Hamilton, Ohio.

North Western Electric Co-op., Inc., Bryan, Ohio.

Firelands Electric Co-op., Inc., New London, Ohio.

Carroll Electric Co-op., Inc., Carrollton, Ohio.

United Rural Electric Co-op., Inc., Kenton, Ohio.

Guernsey-Muskingum Electric Co-op., Inc., New Concord, Ohio.

Hancock-Wood Electric Co-op., Inc., North Baltimore, Ohio.

Buckeye Rural Electric Co-op., Inc., Gallipolis, Ohio.

Washington Electric Co-op., Inc., Marietta, Ohio.

Adams Rural Electric Co-op., Inc., West Union, Ohio.

Lake Erie Electric Co-op., Inc., Kelleys Island, Ohio.

Southeastern Michigan Rural Electric Co-op., Inc., Adrian, Mich.

Ohio's first electric co-op (Pioneer) was also the first in the Nation. It was organized in 1935, with construction started on November 14 of that year. Ohio's last co-op, Lake Erie, was organized in 1949.

Co-op lines have been financed to date by 100 percent loans from the Rural Electrification Administration. The total borrowed to date is $72,372.571. Payments on the principal amount to $30,454,299—approximately $3 million of which has been paid ahead of schedule—and the debt outstanding to REA amounts to $41,918,272.

Starting with "zero" figures in 1935, Ohio's co-ops today have: 30,000 miles of power lines in operation; 134,967 consumers receiving service; annual sales totaling 942,168,639 kilowatt-hours, and an average of 6,981 kilowatt-hours sold per consumer.

Ohio Rural Electric Cooperatives, Inc., with headquarters at 4302 Indianola Avenue, Columbus, Ohio, was founded in 1941. It is similar to a trade association functioning to solve mutual problems in power supply, safety, employees' insurance, legislation, scholarship program, supply of construction materials, warehousing, membership education, power-use education, legal problems, public relations.

Its officers are: President—Foster Scott, Chandlersville, Ohio; first vice president—Frank Clay, LaRue, Ohio; second vice president—Lloyd Leatherberry, Carrollton, Ohio; secretary-treasurer—Howard Mosier, Haviland, Ohio; executive manager—Howard Cummins, Columbus, Ohio, and counsel—John W. King, Columbus, Ohio.

Buckeye Power, Inc., with headquarters at 4302 Indianola Avenue, Columbus, Ohio, was organized in 1959, and is owned by all Ohio electric cooperatives for the purpose of generation and transmission of electric power to member co-ops.

Its officers are: President—Owen Manning, Coshocton, Ohio; vice president—Charles Wyckoff, Piketon, Ohio; secretary-treasurer—Powers Luse, North Baltimore, Ohio; executive manager—Howard Cummins, Columbus, Ohio, and counsel—John W. King, Columbus, Ohio.

The Buckeye group's engineering consultants are Southern Engineers, of Atlanta, Ga., and Loeb & Eames, of New York City.

Ohio Power Co. is one of six major operating companies comprising the American Electric Power System.

In its 15,400-square-mile service area, Ohio Power provides electric power for 485,000 customers. This area embraces parts of 53 counties in a broad belt across north-central Ohio and a wide area in the central, southeastern, and southern sections of the State. Population of the area is approximately 1,750,000.

To serve its customers, Ohio Power maintains a staff of approximately 3,700 employees. General offices are in Canton, with division offices located in Steubenville, Canton, Coshocton, Zanesville, Newark, Portsmouth, Tiffin, Findlay, and Lima. Offices and service facilities are maintained in 31 other cities and towns.

Ohio Power operates six steam-electric generating stations on the Ohio and Muskingum Rivers. Their combined power-producing capability is 2,900,000 kilowatts. These plants, plus 10 other major plants and several smaller ones, give the AEP system a generating capability of 7 million kilowatts—largest of any investor-owned electric system in the Nation. In addition to this capacity, Ohio Power has available for its customers backup generation from 19 other utilities with which the AEP system has interconnections.

The company operates more than 4,000 miles of transmission lines ranging from 23,000 to 345,000 volts, the latter being the highest in general use in the Nation. To carry electricity from transmission substations to the customers, Ohio Power operates more than 17,000 miles of distribution lines.

Ohio Power's history dates back to 1883 when the earliest predecessor companies came into being. Throughout its 80 years of existence, the company has pioneered many technological advances which have become standards for the industry.

Ohio Power is the Nation's 10th largest investor-owned electric utility company from the standpoint of sales of electricity, approximately 14½-billion kilowatt-hours having been sold in 1962. While Ohio Power sells more electricity than any other Ohio electric company, it ranks third in revenues received from electric sales and third in the number of customers served.

To provide its customers with electric service, Ohio Power has a net capital investment of nearly $700 million. This amounts to about $1,450 for each customer served and $200,000 per employee. During the past decade, Ohio Power has invested an average of $42 million per year for the expansion and modernization of its facilities.

Ohio Power's six major powerplants, their locations and capabilities follow: Muskingum River plant, Beverly, Ohio, 888,000 kilowatts; Philo plant, near Zanesville, 497,000 kilowatts; Tidd plant, Brilliant, Ohio, 220,000 kilowatts; Philip Sporn plant, Graham Station, W. Va., owned jointly with Appalachian Power Co., 1,100,000 kilowatts—Ohio Power's portion, 816,000 kilowatts; Kammer plant, Captina, W. Va., owned jointly with Ormet Corp., 675,000 kilowatts—Ohio Power's portion, 305,000 kilowatts; and Windsor plant, Power, W. Va., owned jointly with West Penn Power Co., 300,000 kilowatts—Ohio Power's portion, 150,000 kilowatts.

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# SENATE

## MONDAY, OCTOBER 28, 1963

*(Legislative day of Tuesday, October 22, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, Thy word is written in the very framework of the universe; Thy image is stamped at the very core of our being. It is Thy voice which, if we have but ears to hear, soundeth in the experiences which sing and sob and sigh across life's changing scenes.

Discarding every mask and disguise of pretense, which, alas, too often we wear before the face of man, we come praying that the fretful fears that film our sight may be cast out by a love that takes the dimness of our souls away.

In the vision splendid of divine Fatherhood and of human brotherhood, may we dream our dreams, fashion our lives, enact our laws, build our Nation, and plan our world until this shadowed earth, which is our home, rolls out of the darkness into the light and it is daybreak everywhere.

We ask it in the name of the One whose life is the light for all men. Amen.

### THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, October 24, 1963, was dispensed with.

### CALL OF THE CALENDAR DISPENSED WITH

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

### TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour, with statements in connection therewith limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

### COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. FULBRIGHT, and by unanimous consent, the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare was authorized to meet during the session of the Senate today.

### COMMITTEE MEETING DURING SENATE SESSION TOMORROW AND WEDNESDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare may be permitted to meet during the sessions of the Senate tomorrow and Wednesday of this week.

The VICE PRESIDENT. Without objection, it is so ordered.

### EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

### THE AIR FORCE

The Chief Clerk read the nomination of Maj. Gen. Fred M. Dean, 1450A, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade indicated, under the provisions of section 8066, title 10, of the United States Code, to be lieutenant general.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

### THE MARINE CORPS, THE NAVY

The Chief Clerk proceeded to read sundry nominations, placed on the Secretary's desk, in the Marine Corps and in the Navy and Marine Corps.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

### LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

## EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

### COMMISSARY AND REPORTS ON MESSING TRANSACTIONS

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting, pursuant to law, a report on commissary and messing transactions, for fiscal year 1963 (with accompanying reports); to the Committee on Commerce.

### COMPACTS FOR PROMOTING HIGHWAY TRAFFIC SAFETY

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the joint resolution approved August 20, 1958, granting the consent of Congress to the several States to negotiate and enter into compacts for the purpose of promoting highway traffic safety (with an accompanying paper); to the Committee on Commerce.

### ESTABLISHMENT OF INDIANA DUNES NATIONAL LAKESHORE

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

## PETITION

The VICE PRESIDENT laid before the Senate the petition of Howard and Dorothy Hillier, of Dafter, Mich., praying for a redress of grievances, which was referred to the Committee on the Judiciary.

## REPORT OF JOINT COMMITTEE ON NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL EMPLOYMENT AND PAY

**Mr. BYRD of Virginia.** Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal employment and pay for the month of September 1963. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

### FEDERAL PERSONNEL IN EXECUTIVE BRANCH, SEPTEMBER 1963 AND AUGUST 1963, AND PAY, AUGUST 1963 AND JULY 1963

### PERSONNEL AND PAY SUMMARY

(See table I)

Information in monthly personnel reports for September 1963 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

| Total and major categories | Civilian personnel in executive branch | | | Payroll (in thousands) in executive branch | | |
|---|---|---|---|---|---|---|
| | In September numbered— | In August numbered— | Increase (+) or decrease (−) | In August was— | In July was— | Increase (+) or decrease (−) |
| Total [1] | 2,492,169 | 2,515,033 | −22,864 | $1,341,472 | $1,370,198 | −$28,726 |
| Agencies exclusive of Department of Defense | 1,445,752 | 1,462,235 | −16,483 | 778,910 | 792,171 | −13,261 |
| Department of Defense | 1,046,417 | 1,052,798 | −6,381 | 562,562 | 578,027 | −15,465 |
| Inside the United States | 2,324,025 | 2,349,098 | −25,073 | | | |
| Outside the United States | 168,144 | 165,935 | +2,209 | | | |
| Industrial employment | 561,356 | 567,112 | −5,756 | | | |
| Foreign nationals | 160,600 | 161,600 | −1,000 | 28,032 | [2] 27,780 | +252 |

[1] Exclusive of foreign nationals shown in the last line of this summary.

[2] Revised on basis of later information.

Table I breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside the United States by agencies.

Table III breaks down the above employment figures to show the number outside the United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during September 1963, and comparison with August 1963, and pay for August 1963, and comparison with July 1963*

| Department or agency | Personnel | | | | Pay (in thousands) | | | |
|---|---|---|---|---|---|---|---|---|
| | September | August | Increase | Decrease | August | July | Increase | Decrease |
| Executive departments (except Department of Defense): | | | | | | | | |
| Agriculture | 108,365 | 114,843 | | 6,478 | $59,054 | $59,645 | | $591 |
| Commerce | 31,175 | 32,212 | | 1,037 | 21,240 | 20,766 | $474 | |
| Health, Education, and Welfare | 81,491 | 82,820 | | 1,329 | 43,158 | 44,152 | | 994 |
| Interior | 68,152 | [1] 69,834 | | 1,682 | 39,619 | 40,904 | | 1,285 |
| Justice | 31,953 | 32,127 | | 174 | 21,366 | 22,605 | | 1,239 |
| Labor | 9,499 | 9,670 | | 171 | 6,079 | 6,226 | | 147 |
| Post Office | 587,754 | 590,162 | | 2,408 | 287,983 | 291,714 | | 3,731 |
| State [2] [3] | 42,517 | 42,911 | | 394 | 22,630 | 23,737 | | 1,107 |
| Treasury | 85,661 | 86,678 | | 1,017 | 52,137 | 54,338 | | 2,201 |
| Executive Office of the President: | | | | | | | | |
| White House Office | 375 | 380 | | 5 | 260 | 272 | | 12 |
| Bureau of the Budget | 482 | 498 | | 16 | 447 | 466 | | 19 |
| Council of Economic Advisers | 47 | 46 | 1 | | 51 | 42 | 9 | |
| Executive Mansion and Grounds | 74 | 77 | | 3 | 40 | 42 | | 2 |
| National Aeronautics and Space Council | 29 | 30 | | 1 | 27 | 24 | 3 | |
| National Security Council | 42 | 40 | 2 | | 35 | 35 | | |
| Office of Emergency Planning | 467 | 470 | | 3 | 392 | 411 | | 19 |
| Office of Science and Technology | 109 | 50 | 59 | | 34 | 36 | | 2 |
| Office of the Special Representative for Trade Negotiations | 27 | 26 | 1 | | 21 | 22 | | 1 |
| President's Commission on Registration and Voting Participation | 7 | 17 | | 10 | 7 | 7 | | |
| President's Committee on Equal Opportunity in Housing | 4 | 4 | | | 7 | | 7 | |
| Independent agencies: | | | | | | | | |
| Advisory Commission on Intergovernmental Relations | 32 | 27 | 5 | | 22 | 28 | | 6 |
| American Battle Monuments Commission | 436 | 435 | 1 | | 94 | 89 | 5 | |
| Atomic Energy Commission | 7,227 | 7,267 | | 40 | 5,566 | 5,807 | | 241 |
| Board of Governors of the Federal Reserve System | 616 | 624 | | 8 | 427 | 446 | | 19 |
| Civil Aeronautics Board | 859 | 862 | | 3 | 667 | 697 | | 30 |
| Civil Service Commission | 4,038 | 4,073 | | 35 | 2,583 | 2,692 | | 109 |
| Civil War Centennial Commission | 5 | 5 | | | 6 | 4 | 2 | |
| Commission of Fine Arts | 6 | 6 | | | 5 | 7 | | 2 |
| Commission on Civil Rights | 62 | 90 | | 28 | 58 | 55 | 3 | |
| Delaware River Basin Commission | 2 | 2 | | | 2 | 3 | | 1 |
| Export-Import Bank of Washington | 293 | 299 | | 6 | 211 | 225 | | 14 |
| Farm Credit Administration | 240 | 237 | 3 | | 183 | 186 | | 3 |
| Federal Aviation Agency | 46,157 | 46,567 | | 410 | 33,718 | 34,785 | | 1,067 |
| Federal Coal Mine Safety Board of Review | 7 | 7 | | | 4 | 4 | | |
| Federal Communications Commission | 1,462 | 1,532 | | 70 | 1,073 | 1,118 | | 45 |
| Federal Deposit Insurance Corporation | 1,274 | 1,304 | | 30 | 850 | 864 | | 14 |

See footnotes at end of table.

TABLE I.—*Consolidated table of Federal personnel inside and outside the United States employed by the executive agencies during September 1963, and comparison with August 1963, and pay for August 1963, and comparison with July 1963*—Continued

| Department or agency | Personnel | | | | Pay (in thousands) | | | |
|---|---|---|---|---|---|---|---|---|
| | September | August | Increase | Decrease | August | July | Increase | Decrease |
| Independent agencies—Continued | | | | | | | | |
| Federal Home Loan Bank Board | 1,234 | 1,245 | | 11 | $867 | $906 | | $39 |
| Federal Maritime Commission | 240 | 243 | | 3 | 189 | 192 | | 3 |
| Federal Mediation and Conciliation Service | 398 | 399 | | 1 | 358 | 376 | | 18 |
| Federal Power Commission | 1,154 | 1,209 | | 55 | 855 | 903 | | 48 |
| Federal Radiation Council [4] | 4 | | 4 | | | | | |
| Federal Trade Commission | 1,155 | 1,614 | | 9 | 868 | 885 | | 17 |
| Foreign Claims Settlement Commission | 150 | 144 | 6 | | 86 | 86 | | |
| General Accounting Office | 4,511 | 4,591 | | 80 | 3,093 | 3,225 | | 132 |
| General Services Administration | 32,993 | 33,017 | | 24 | 16,755 | 17,247 | | 492 |
| Government Printing Office | 7,244 | 7,241 | 3 | | 4,399 | 4,784 | | 385 |
| Housing and Home Finance Agency | 14,117 | 14,189 | | 72 | 9,040 | 9,443 | | 403 |
| Indian Claims Commission | 21 | 21 | | | 21 | 28 | | 7 |
| Interstate Commerce Commission | 2,411 | 2,413 | | 2 | 1,711 | 1,788 | | 77 |
| National Aeronautics and Space Administration | 29,963 | 30,538 | | 575 | 24,422 | 22,768 | $1,654 | |
| National Capital Housing Authority | 441 | 435 | 6 | | 208 | 219 | | 11 |
| National Capital Planning Commission | 59 | 64 | | 5 | 45 | 54 | | 9 |
| National Capital Transportation Agency | 65 | 74 | | 9 | 58 | 64 | | 6 |
| National Gallery of Art | 310 | 316 | | 6 | 140 | 149 | | 9 |
| National Labor Relations Board | 1,988 | 2,017 | | 29 | 1,455 | 1,516 | | 61 |
| National Mediation Board | 138 | 128 | 10 | | 94 | 118 | | 24 |
| National Science Foundation | 963 | 971 | | 8 | 687 | 733 | | 46 |
| Panama Canal | 14,970 | 14,987 | | 17 | 7,625 | 5,020 | 2,605 | |
| President's Committee on Equal Employment Opportunity | 57 | 57 | | | 41 | 43 | | 2 |
| Railroad Retirement Board | 1,936 | 1,963 | | 27 | 1,126 | 1,174 | | 48 |
| Renegotiation Board | 220 | 219 | 1 | | 182 | 197 | | 15 |
| St. Lawrence Seaway Development Corporation | 163 | 169 | | 6 | 103 | 106 | | 3 |
| Securities and Exchange Commission | 1,359 | 1,391 | | 32 | 983 | 1,021 | | 38 |
| Selective Service System | 6,889 | 6,928 | | 39 | 2,268 | 2,366 | | 98 |
| Small Business Administration | 3,381 | 3,398 | | 17 | 2,246 | 2,338 | | 92 |
| Smithsonian Institution | 1,482 | 1,580 | | 98 | 851 | 851 | | |
| Soldiers' Home | 1,073 | 1,084 | | 11 | 365 | 379 | | 14 |
| South Carolina, Georgia, Alabama, and Florida Water Study Commission | 11 | 15 | | 4 | 7 | 11 | | 4 |
| Subversive Activities Control Board | 25 | 25 | | | 20 | 21 | | 1 |
| Tariff Commission | 275 | 283 | | 8 | 208 | 217 | | 9 |
| Tax Court of the United States | 156 | 158 | | 2 | 126 | 130 | | 4 |
| Tennessee Valley Authority | 17,788 | 17,984 | | 196 | 11,323 | 11,743 | | 420 |
| U.S. Arms Control and Disarmament Agency | 151 | 168 | | 17 | 123 | 150 | | 27 |
| U.S. Information Agency | 11,999 | 11,982 | 17 | | 5,712 | 4,262 | 1,450 | |
| Veterans' Administration | 172,759 | 172,577 | 182 | | 80,068 | 84,058 | | 3,990 |
| Virgin Islands Corporation | 553 | 616 | | 63 | 126 | 146 | | 20 |
| Total, excluding Department of Defense | 1,445,752 | 1,462,235 | 301 | 16,784 | 778,910 | 792,171 | 6,212 | 19,473 |
| Net decrease, excluding Department of Defense | | | 16,483 | | | | 13,261 | |
| Department of Defense: | | | | | | | | |
| Office of the Secretary of Defense | 2,154 | 2,203 | | 49 | 1,511 | 1,897 | | 386 |
| Department of the Army | 374,791 | [1] 378,712 | | 3,921 | 195,930 | 196,601 | | 671 |
| Department of the Navy | 340,919 | 343,864 | | 2,945 | 193,196 | [1] 198,738 | | 5,542 |
| Department of the Air Force | 297,269 | 297,173 | 96 | | 155,524 | 163,725 | | 8,201 |
| Defense Atomic Support Agency | 1,996 | 2,010 | | 14 | 1,029 | 1,080 | | 51 |
| Defense Communications Agency | 626 | 593 | 33 | | 383 | 392 | | 9 |
| Defense Supply Agency | 25,422 | 24,951 | 471 | | 12,695 | 13,749 | | 1,054 |
| Office of Civil Defense | 1,050 | 1,097 | | 47 | 946 | 906 | 40 | |
| U.S. Court of Military Appeals | 39 | 40 | | 1 | 34 | 36 | | 2 |
| Interdepartmental activities | 13 | 14 | | 1 | 9 | 9 | | |
| International military activities | 60 | 59 | 1 | | 42 | 43 | | 1 |
| Armed Forces information and education activities | 421 | 420 | 1 | | 220 | 233 | | 13 |
| Classified activities | 1,657 | 1,662 | | 5 | 1,043 | 618 | 425 | |
| Total, Department of Defense | 1,046,417 | 1,052,798 | 602 | 6,983 | 562,562 | 578,027 | 465 | 15,930 |
| Net decrease, Department of Defense | | | 6,381 | | | | 15,465 | |
| Grand total, including Department of Defense [5] [6] | 2,492,169 | 2,515,033 | 903 | 23,767 | 1,341,472 | 1,370,198 | 6,677 | 35,403 |
| Net decrease, including Department of Defense | | | 22,864 | | | | 28 726 | |

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[1] Revised on basis of later information.

[2] September figure includes 17,054 employees of the Agency for International Development as compared with 17,242 in August and their pay. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The September figure includes 4,654 of these trust fund employees and the August figure includes 4,674.

[3] September figure include 1,012 employees of the Peace Corps as compared with 1,075 in August and their pay.

[4] New agency, created pursuant to Public Law 86-373.

[5] Exclusive of personnel and pay of the Central Intelligence Agency and the National Security Agency.

[6] Includes employment by Federal agencies under the Public Works Acceleration Act (Public Law 87-658), as follows:

| Agency | September | August | Change |
|---|---|---|---|
| Agriculture Department | 3,897 | 1,881 | +2,016 |
| Interior Department | 3,038 | 528 | +2,510 |
| Tennessee Valley Authority | 61 | 60 | +1 |
| Total | 6,996 | 2,469 | +4,527 |

TABLE II.—*Federal personnel inside the United States employed by the executive agencies during September 1963, and comparison with August 1963*

| Department or agency | September | August | Increase | Decrease |
|---|---|---|---|---|
| Executive departments (except Department of Defense): | | | | |
| Agriculture | 107,065 | 113,598 | | 6,533 |
| Commerce | 30,521 | 31,546 | | 1,025 |
| Health, Education, and Welfare | 80,843 | 82,171 | | 1,328 |
| Interior | 67,585 | [1] 69,299 | | 1,714 |
| Justice | 31,587 | 31,758 | | 171 |
| Labor | 9,391 | 9,578 | | 187 |
| Post Office | 586,252 | [1] 588,669 | | 2,417 |
| State [2] [3] | 10,736 | 11,118 | | 382 |
| Treasury | 85,048 | 86,065 | | 1,017 |
| Executive Office of the President: | | | | |
| White House Office | 375 | 380 | | 5 |
| Bureau of the Budget | 482 | 498 | | 16 |
| Council of Economic Advisers | 47 | 46 | 1 | |
| Executive Mansion and Grounds | 74 | 77 | | 3 |
| National Aeronautics and Space Council | 29 | 30 | | 1 |
| National Security Council | 42 | 40 | 2 | |
| Office of Emergency Planning | 467 | 470 | | 3 |
| Office of Science and Technology | 109 | 50 | 59 | |
| Office of the Special Representative for Trade Negotiations | 27 | 26 | 1 | |

See footnotes at end of table.

**Table II.**—*Federal personnel inside the United States employed by the executive agencies during September 1963, and comparison with August 1963*—Continued

| Department or agency | September | August | Increase | Decrease |
|---|---|---|---|---|
| Executive Office of the President—Continued | | | | |
| President's Commission on Registration and Voting Participation | 7 | 17 | | 10 |
| President's Committee on Equal Opportunity in Housing | 4 | 4 | | |
| Independent agencies: | | | | |
| Advisory Commission on Intergovernmental Relations | 32 | 27 | 5 | |
| American Battle Monuments Commission | 7 | 7 | | |
| Atomic Energy Commission | 7,194 | 7,231 | | 37 |
| Board of Governors of the Federal Reserve System | 616 | 624 | | 8 |
| Civil Aeronautics Board | 858 | 861 | | 3 |
| Civil Service Commission | 4,035 | 4,070 | | 35 |
| Civil War Centennial Commission | 5 | 5 | | |
| Commission of Fine Arts | 6 | 6 | | |
| Commission on Civil Rights | 62 | 90 | | 28 |
| Delaware River Basin Commission | 2 | 2 | | |
| Export-Import Bank of Washington | 293 | 299 | | 6 |
| Farm Credit Administration | 240 | 237 | 3 | |
| Federal Aviation Agency | 45,107 | 45,507 | | 400 |
| Federal Coal Mine Safety Board of Review | 7 | 7 | | |
| Federal Communications Commission | 1,460 | 1,530 | | 70 |
| Federal Deposit Insurance Corporation | 1,272 | 1,302 | | 30 |
| Federal Home Loan Bank Board | 1,234 | 1,245 | | 11 |
| Federal Maritime Commission | 240 | 243 | | 3 |
| Federal Mediation and Conciliation Service | 398 | 399 | | 1 |
| Federal Power Commission | 1,154 | 1,209 | | 55 |
| Federal Radiation Council [4] | 4 | | 4 | |
| Federal Trade Commission | 1,155 | 1,164 | | 9 |
| Foreign Claims Settlement Commission | 110 | 103 | 7 | |
| General Accounting Office | 4,420 | 4,498 | | 78 |
| General Services Administration | 32,970 | 32,995 | | 25 |
| Government Printing Office | 7,244 | 7,241 | 3 | |
| Housing and Home Finance Agency | 13,927 | 13,996 | | 69 |
| Indian Claims Commission | 21 | 21 | | |
| Interstate Commerce Commission | 2,411 | 2,413 | | 2 |
| National Aeronautics and Space Administration | 29,950 | 30,525 | | 575 |
| National Capital Housing Authority | 441 | 435 | 6 | |
| National Capital Planning Commission | 59 | 64 | | 5 |
| National Capital Transportation Agency | 65 | 74 | | 9 |
| National Gallery of Art | 310 | 316 | | 6 |
| National Labor Relations Board | 1,955 | 1,984 | | 29 |
| National Mediation Board | 138 | 128 | 10 | |
| National Science Foundation | 949 | 958 | | 9 |
| Panama Canal | 170 | 167 | 3 | |
| Independent agencies—Continued | | | | |
| President's Committee on Equal Employment Opportunity | 57 | 57 | | |
| Railroad Retirement Board | 1,936 | 1,963 | | 27 |
| Renegotiation Board | 220 | 219 | 1 | |
| St. Lawrence Seaway Development Corporation | 163 | 169 | | 6 |
| Securities and Exchange Commission | 1,359 | 1,391 | | 32 |
| Selective Service System | 6,740 | 6,779 | | 39 |
| Small Business Administration | 3,324 | 3,343 | | 19 |
| Smithsonian Institution | 1,466 | 1,562 | | 96 |
| Soldiers' Home | 1,073 | 1,084 | | 11 |
| South Carolina, Georgia, Alabama, and Florida Water Study Commission | 11 | 15 | | 4 |
| Subversive Activities Control Board | 25 | 25 | | |
| Tariff Commission | 275 | 283 | | 8 |
| Tax Court of the United States | 156 | 158 | | 2 |
| Tennessee Valley Authority | 17,788 | 17,983 | | 195 |
| U.S. Arms Control and Disarmament Agency | 151 | 168 | | 17 |
| U.S. Information Agency | 3,378 | 3,416 | | 38 |
| Veterans' Administration | 171,763 | 171,578 | 185 | |
| Total, excluding Department of Defense | 1,381,097 | 1,397,616 | 290 | 16,809 |
| Net decrease, excluding Department of Defense | | | 16,519 | |
| Department of Defense: | | | | |
| Office of the Secretary of Defense | 2,101 | 2,143 | | 42 |
| Department of the Army | 323,381 | 327,598 | | 4,217 |
| Department of the Navy | 316,245 | 319,248 | | 3,003 |
| Department of the Air Force | 269,972 | 271,698 | | 1,726 |
| Defense Atomic Support Agency | 1,996 | 2,010 | | 14 |
| Defense Communications Agency | 595 | 565 | 30 | |
| Defense Supply Agency | 25,422 | 24,951 | 471 | |
| Office of Civil Defense | 1,050 | 1,097 | | 477 |
| U.S. Courts of Military Appeals | 39 | 40 | | 1 |
| Interdepartmental activities | 13 | 13 | | |
| International military activities | 36 | 37 | | 1 |
| Armed Forces information and education activities | 421 | 420 | 1 | |
| Classified activities | 1,657 | 1,662 | | 5 |
| Total, Department of Defense | 942,928 | 951,482 | 502 | 9,056 |
| Net decrease, Department of Defense | | | 8.554 | |
| Grand total, including Department of Defense | 2,324,025 | 2,349,098 | 792 | 25,865 |
| Net decrease, including Department of Defense | | | 25,073 | |

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[1] Revised on basis of later information.

[2] September figure includes 2,895 employees of the Agency for International Development as compared with 3,050 in August.

[3] September figure includes 647 employees of the Peace Corps as compared with 719 in August.

[4] New agency, created pursuant to Public Law 86–373.

**Table III.**—*Federal personnel outside the United States employed by the executive agencies during September 1963, and comparison with August 1963*

| Department or agency | September | August | Increase | Decrease |
|---|---|---|---|---|
| Executive departments (except Department of Defense): | | | | |
| Agriculture | 1,300 | 1,245 | 55 | |
| Commerce | 654 | 666 | | 12 |
| Health, Education, and Welfare | 648 | 649 | | 1 |
| Interior | 567 | 535 | 32 | |
| Justice | 366 | 369 | | 3 |
| Labor | 108 | 92 | 16 | |
| Post Office | 1,502 | [1] 1,493 | 9 | |
| State [2] [3] | 31,781 | 31,793 | | 12 |
| Treasury | 613 | 613 | | |
| Independent agencies: | | | | |
| American Battle Monuments Commission | 429 | 428 | 1 | |
| Atomic Energy Commission | 33 | 36 | | 3 |
| Civil Aeronautics Board | 1 | 1 | | |
| Civil Service Commission | 3 | 3 | | |
| Federal Aviation Agency | 1,050 | 1,060 | | 10 |
| Federal Communications Commission | 2 | 2 | | |
| Federal Deposit Insurance Corporation | 2 | 2 | | |
| Foreign Claims Settlement Commission | 40 | 41 | | 1 |
| General Accounting Office | 91 | 93 | | 2 |
| General Services Administration | 23 | 22 | 1 | |
| Housing and Home Finance Agency | 190 | 193 | | 3 |
| National Aeronautics and Space Administration | 13 | 13 | | |
| National Labor Relations Board | 33 | 33 | | |
| National Science Foundation | 14 | 13 | 1 | |
| Panama Canal | 14,800 | 14,820 | | 20 |
| Selective Service System | 149 | 149 | | |
| Independent agencies—Continued | | | | |
| Small Business Administration | 57 | 55 | 2 | |
| Smithsonian Institution | 16 | 18 | | 2 |
| Tennessee Valley Authority | | 1 | | 1 |
| U.S. Information Agency | 8,621 | 8,566 | 55 | |
| Veterans' Administration | 996 | 999 | | 3 |
| Virgin Islands Corporation | 553 | 616 | | 63 |
| Total, excluding Department of Defense | 64,655 | 64,619 | 172 | 136 |
| Net increase, excluding Department of Defense | | | 36 | |
| Department of Defense: | | | | |
| Office of the Secretary of Defense | 53 | 60 | | 7 |
| Department of the Army | 51,410 | [1] 51,114 | 296 | |
| Department of the Navy | 24,674 | 24,616 | 58 | |
| Department of the Air Force | 27,297 | 25,475 | 1,822 | |
| Defense Communications Agency | 31 | 28 | 3 | |
| Interdepartmental activities | | 1 | | 1 |
| International military activities | 24 | 22 | 2 | |
| Total, Department of Defense | 103,489 | 101,316 | 2,181 | 8 |
| Net increase, Department of Defense | | | 2,173 | |
| Grand total, including Department of Defense | 168,144 | 165,935 | 2,353 | 144 |
| Net increase, including Department of Defense | | | 2,209 | |

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[1] Revised on basis of later information.

[2] September figure includes 14,159 employees of the Agency for International Development as compared with 14,192 in August. These AID figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The September figure includes 4,654 of these trust fund employees and the August figure includes 4,674.

[3] September figure includes 365 employees of the Peace Corps as compared with 356 in August.

TABLE IV.—*Industrial employees of the Federal Government inside and outside the United States employed by the executive agencies during September 1963, and comparison with August 1963*

| Department or agency | September | August | Increase | Decrease |
|---|---|---|---|---|
| Executive departments (except Department of Defense): | | | | |
| Agriculture | 3,853 | 3,973 | | 120 |
| Commerce | 5,624 | 5,796 | | 172 |
| Interior | 8,852 | 9,015 | | 163 |
| Post Office | 262 | 270 | | 8 |
| Treasury | 5,363 | 5,311 | 52 | |
| Independent agencies: | | | | |
| Atomic Energy Commission | 262 | 279 | | 17 |
| Federal Aviation Agency | 2,965 | 3,076 | | 111 |
| General Services Administration | 1,730 | 1,735 | | 5 |
| Government Printing Office | 7,244 | 7,241 | 3 | |
| National Aeronautics and Space Administration | 29,963 | 30,538 | | 575 |
| Panama Canal | 7,427 | 7,593 | | 166 |
| St. Lawrence Seaway Development Corporation | 162 | 164 | | 2 |
| Tennessee Valley Authority | 14,598 | 14,783 | | 185 |
| Virgin Islands Corporation | 553 | 616 | | 63 |
| Total, excluding Department of Defense | 88,858 | 90,390 | 55 | 1,587 |
| Net decrease, excluding Department of Defense | | | 1,532 | |
| Department of Defense: | | | | |
| Department of the Army: | | | | |
| Inside the United States | [1] 138,974 | [2] 140,791 | | 1,817 |
| Outside the United States | [1] 4,635 | [2] 4,609 | 26 | |
| Department of the Navy. | | | | |
| Inside the United States | 196,002 | 197,437 | | 1,435 |
| Outside the United States | 1,273 | 1,263 | 10 | |
| Department of the Air Force. | | | | |
| Inside the United States | 128,758 | 129,757 | | 999 |
| Outside the United States | 1,083 | 1,082 | 1 | |
| Defense Supply Agency. | | | | |
| Inside the United States | 1,773 | 1,783 | | 10 |
| Total, Department of Defense | 472,498 | 476,722 | 37 | 4,261 |
| Net decrease, Department of Decrease | | | 4,224 | |
| Grand total, including Department ment of Defense | 561,356 | 567,112 | 92 | 5,848 |
| Net decrease, including Department of Defense | | | 5,756 | |

[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under U.S. agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of September 1963 and comparison with August 1963*

| Country | Total | | Army | | Navy | | Air Force | |
|---|---|---|---|---|---|---|---|---|
| | September | August | September | August | September | August | September | August |
| Canada | 24 | 33 | | | | | 24 | 33 |
| Crete | 83 | 78 | | | | | 83 | 78 |
| England | 2,987 | 2,974 | | | 119 | 121 | 2,868 | 2,853 |
| France | 21,175 | 21,219 | 17,321 | 17,341 | 12 | 12 | 3,842 | 3,866 |
| Germany | 77,619 | 78,132 | 65,633 | 66,106 | 85 | 86 | 11,901 | 11,940 |
| Greece | 258 | 247 | | | | | 258 | 247 |
| Japan | 50,234 | 50,599 | 17,638 | 17,804 | 14,330 | [1] 14,423 | 18,266 | 18,372 |
| Korea | 6,226 | 6,214 | 6,226 | 6,214 | | | | |
| Morocco | 1,397 | 1,496 | | | 736 | [1] 740 | 661 | 756 |
| Netherlands | 57 | 56 | | | | | 57 | 56 |
| Trinidad | 540 | 552 | | | 540 | 552 | | |
| Total | 160,600 | 161,600 | 106,818 | 107,465 | 15,822 | 15,934 | 37,960 | 38,201 |

[1] Revised on basis of later information.

**STATEMENT BY SENATOR BYRD OF VIRGINIA**

Executive agencies of the Federal Government reported civilian employment in the month of September totaling 2,492,169, compared with 2,515,033 in August. This was a net decrease of 22,864, including a net increase of 4,527 in temporary employment under the public works acceleration program authorized by Public Law 87-658.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1964, which began July 1, 1963, follows:

| Month | Employment | Increase | Decrease |
|---|---|---|---|
| July | 2,518,858 | 9,149 | |
| August | 2,515,033 | | 3,824 |
| September | 2,492,169 | | 22,864 |

Total Federal employment in civilian agencies for the month of September was 1,445,752, a decrease of 16,483 as compared with the August total of 1,462,235. Total civilian employment in the military agencies in September was 1,046,417, a decrease of 6,381 as compared with 1,052,798 in August.

Civilian agencies reporting larger decreases were Agriculture Department with 6,478, Post Office Department with 2,408, Interior Department with 1,682, Health, Education, and Welfare Department with 1,329, Commerce Department with 1,037, Treasury Department with 1,017 and National Aeronautics and Space Administration with 575. The decreases in Agriculture and Interior Departments were largely seasonal.

In the Department of Defense the largest decreases in civilian employment were reported by the Department of the Army with 3,921 and the Department of the Navy with 2,945. The Defense Supply Agency reported the largest increase with 471.

Inside the United States, civilian employment decreased 25,073 and outside the United States, civilian employment increased 2,209. Industrial employment by Federal agencies in September totaled 561,356, a decrease of 5,756.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

###### FOREIGN NATIONALS

The total of 2,492,169 civilian employees certified to the committee by Federal agencies in their regular monthly personnel reports includes some foreign nationals employed in U.S. Government activities abroad, but in addition to these there were 160,600 foreign nationals working for U.S. agencies overseas during September who were not counted in the usual personnel reports. The number in August was 161,600. A breakdown of this employment for September follows:

| Country | Total | Army | Navy | Air Force |
|---|---|---|---|---|
| Canada | 24 | | | 24 |
| Crete | 83 | | | 83 |
| England | 2,987 | | 119 | 2,868 |
| France | 21,175 | 17,321 | 12 | 3,842 |
| Germany | 77,619 | 65,633 | 85 | 11,901 |
| Greece | 258 | | | 258 |
| Japan | 50,234 | 17,638 | 14,330 | 18,266 |
| Korea | 6,226 | 6,226 | | |
| Morocco | 1,397 | | 736 | 661 |
| Netherlands | 57 | | | 57 |
| Trinidad | 540 | | 540 | |
| Total | 160,600 | 106,818 | 15,822 | 37,960 |

## REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL STOCKPILE INVENTORIES

Mr. BYRD of Virginia. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report on Federal stockpile inventories as of June 1963. I ask unanimous consent to have the report printed in the RECORD, together with a statement by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

## FEDERAL STOCKPILE INVENTORIES, JUNE 1963

### INTRODUCTION

This is the 43d in a series of monthly reports on Federal stockpile inventories. It is for the month of June 1963.

The report is compiled from official data on quantities and cost value of commodities in these stockpiles submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures by the Departments of Agriculture, Defense, Health, Education, and Welfare, Interior, and the General Services Administration.

The cost value of materials in inventories covered in this report, as of June 1, 1963, totaled $14,199,994,358, and as of June 30, 1963, they totaled $13,821,993,372, a net decrease of $378,000,986 during the month.

Different units of measure make it impossible to summarize the quantities of commodities and materials which are shown in tables 1, 2, 3, 4, and 5, but the cost value figures are summarized by major category, as follows:

*Summary of cost value of stockpile inventories by major category*

| Major category | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month |
|---|---|---|---|
| Strategic and critical materials: | | | |
| National stockpile [1] | $5,838,070,100 | $5,816,508,200 | −$21,561,900 |
| Defense Production Act | 1,500,410,200 | 1,499,504,900 | −905,300 |
| Supplemental—barter | 1,331,724,514 | 1,338,072,033 | +6,347,519 |
| Total, strategic and critical materials [1] | 8,670,204,814 | 8,654,085,133 | −16,119,681 |
| Agricultural commodities: | | | |
| Price support inventory | 5,078,707,963 | 4,715,435,333 | −363,272,630 |
| Inventory transferred from national stockpile | 127,608,991 | 127,608,991 | |
| Total, agricultural commodities [1] | 5,206,316,954 | 4,843,044,324 | −363,272,630 |
| Civil defense supplies and equipment: | | | |
| Civil defense stockpile, Department of Defense | 36,515,880 | 36,568,627 | +52,747 |
| Civil defense medical stockpile, Department of Health, Education, and Welfare | 185,856,386 | 187,671,055 | +1,814,669 |
| Total, civil defense supplies and equipment | 222,372,266 | 224,239,682 | +1,867,416 |
| Machine tools: | | | |
| Defense Production Act | 2,208,600 | 2,208,600 | |
| National Industrial Reserve Act | 91,807,300 | 90,108,500 | −1,698,800 |
| Total, machine tools | 94,015,900 | 92,317,100 | −1,698,800 |
| Helium | 7,084,424 | 8,307,133 | +1,222,709 |
| Total, all inventories | 14,199,994,358 | 13,821,993,372 | −378,000,986 |

[1] Cotton inventory valued at $128,409,100 withdrawn from the national stockpile and transferred to Commodity Credit Corporation for disposal, pursuant to Public Law 87-548, during August 1962.

Detailed tables in this report show each commodity, by the major categories summarized above, in terms of quantity and cost value as of the beginning and end of the month. Net change figures reflect acquisitions, disposals, and accounting and other adjustments during the month.

The cost value figures represent generally the original acquisition cost of the commodities delivered to permanent storage locations, together with certain packaging, processing, upgrading, et cetera, costs as carried in agency inventory accounts. Quantities are stated in the designated stockpile unit of measure.

Appendix A to this report includes program descriptions and statutory citations pertinent to each stockpile inventory within the major categories.

The stockpile inventories covered by the report are tabulated in detail as follows:

Table 1: Strategic and critical materials inventories (all grades), June 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month).

Table 2: Agricultural commodities inventories, June 1963 (showing by commodity net changes during the month in terms of cost value and quantity).

Table 3: Civil defense supplies and equipment inventories, June 1963 (showing by item net changes during the month in terms of cost value and quantity).

Table 4: Machine tools inventories, June 1963 (showing by item net changes during the month in terms of cost value and quantity).

Table 5: Helium inventories, June 1963 (showing by item net changes during the month in terms of cost value and quantity).

*New stockpile objectives*

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. Table 1 of this report reflects the new objectives for eight materials: Aluminum, castor oil, copper, feathers and down, lead, opium, tin, and zinc.

Appendix B contains excerpts from a statement by the Office of Emergency Planning setting forth the new policy with respect to objectives for strategic and critical materials.

TABLE 1.—*Strategic and critical materials inventories (all grades), June 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*

| Commodity | Cost value | | | Quantity | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Unit of measure | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Maximum objective [1] | Excess over maximum objective |
| Aluminum, metal: | | | | | | | | | |
| National stockpile | $487,680,600 | $487,680,600 | | Short ton | 1,128,989 | 1,128,989 | | | |
| Defense Production Act | 436,195,600 | 437,587,600 | +$1,392,000 | do | 863,515 | 866,581 | +3,066 | | |
| Total | 923,876,200 | 925,268,200 | +1,392,000 | do | 1,992,504 | 1,995,570 | +3,066 | [2] 450,000 | 1,545,570 |
| Aluminum oxide, abrasive grain: Supplemental—barter | 12,548,141 | 14,112,607 | +1,564,466 | do | 42,033 | 47,305 | +5,272 | (3) | 47,305 |
| Aluminum oxide, fused, crude: | | | | | | | | | |
| National stockpile | 21,735,100 | 21,735,100 | | Short dry ton | 200,093 | 200,093 | | | |
| Supplemental—barter | 22,747,400 | 22,747,400 | | do | 178,266 | 178,266 | | | |
| Total | 44,482,500 | 44,482,500 | | do | 378,359 | 378,359 | | 200,000 | 178,359 |
| Antimony: | | | | | | | | | |
| National stockpile | 20,488,000 | 20,488,000 | | Short ton | 30,301 | 30,301 | | | |
| Supplemental—barter | 11,775,508 | 12,245,709 | +470,201 | do | 20,387 | 21,072 | +685 | | |
| Total | 32,263,508 | 32,733,709 | +470,201 | do | 50,688 | 51,373 | +685 | 70,000 | (4) |
| Asbestos, amosite: | | | | | | | | | |
| National stockpile | 2,637,600 | 2,637,600 | | do | 11,705 | 11,705 | | | |
| Supplemental—barter | 5,924,711 | 6,325,124 | +400,413 | do | 23,662 | 25,600 | +1,938 | | |
| Total | 8,562,311 | 8,962,724 | +400,413 | do | 35,367 | 37,305 | +1,938 | 45,000 | (4) |
| Asbestos, chrysotile: | | | | | | | | | |
| National stockpile | 3,356,200 | 3,356,200 | | Short dry ton | 6,224 | 6,224 | | | |
| Defense Production Act | 2,102,600 | 2,102,600 | | do | 2,348 | 2,348 | | | |
| Supplemental—barter | 3,934,500 | 3,934,500 | | do | 5,532 | 5,532 | | | |
| Total | 9,393,300 | 9,393,300 | | do | 14,104 | 14,104 | | 11,000 | 3,104 |

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), June 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

| Commodity | Cost value | | | Quantity | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Unit of measure | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Maximum objective [1] | Excess over maximum objective |
| **Asbestos, crocidolite:** | | | | | | | | | |
| National stockpile | $702,100 | $702,100 | | Short ton | 1,567 | 1,567 | | | |
| Supplemental—barter | 6,727,616 | 7,161,157 | +$433,541 | do | 25,055 | 27,203 | +2,148 | | |
| Total | 7,429,716 | 7,863,257 | +433,541 | do | 26,622 | 28,770 | +2,148 | (3) | 28,770 |
| **Bauxite, metal grade, Jamaica type:** | | | | | | | | | |
| National stockpile | 13,925,000 | 13,925,000 | | Long dry ton | 879,740 | 879,740 | | | |
| Defense Production Act | 18,168,000 | 18,168,000 | | do | 1,370,077 | 1,370,077 | | | |
| Supplemental—barter | 88,179,044 | 89,245,063 | +1,066,019 | do | 5,698,306 | 5,773,494 | +75,188 | | |
| Total | 120,272,044 | 121,338,063 | +1,066,019 | do | 7,948,123 | 8,023,311 | +75,188 | 2,600,000 | 5,423,311 |
| **Bauxite, metal grade, Surinam type:** | | | | | | | | | |
| National stockpile | 78,552,500 | 78,552,500 | | do | 4,962,706 | 4,962,706 | | | |
| Supplemental—barter | 45,365,900 | 45,326,200 | −39,700 | do | 2,927,260 | 2,927,260 | | | |
| Total | 123,918,400 | 123,878,700 | −39,700 | do | 7,899,966 | 7,889,966 | | 6,400,000 | 1,489,966 |
| **Bauxite, refractory grade:** | | | | | | | | | |
| National stockpile | 11,347,800 | 11,347,800 | | Long calcined ton. | 299,279 | 299,279 | | 137,000 | 162,279 |
| **Beryl:** | | | | | | | | | |
| National stockpile | 9,770,200 | 9,768,400 | −1,800 | Short ton | 23,233 | 23,230 | −3 | | |
| Defense Production Act | 1,425,800 | 1,425,800 | | do | 2,543 | 2,543 | | | |
| Supplemental—barter | [5] 22,739,500 | 22,788,000 | +48,500 | do | 11,321 | 11,321 | | | |
| Total | 33,935,500 | 33,982,200 | +46,700 | do | 37,097 | 37,094 | −3 | 23,100 | 13,994 |
| **Beryllium metal:** | | | | | | | | | |
| Supplemental—barter | [5] 12,185,389 | 14,253,383 | +2,067,994 | do | 105 | 123 | +18 | (3) | 123 |
| **Bismuth:** | | | | | | | | | |
| National stockpile | 2,674,300 | 2,674,300 | | Pound | 1,342,402 | 1,342,402 | | | |
| Defense Production Act | 52,400 | 52,400 | | do | 22,901 | 22,901 | | | |
| Supplemental—barter | 5,519,000 | 5,540,200 | +21,200 | do | 2,506,493 | 2,506,493 | | | |
| Total | 8,245,700 | 8,266,900 | +21,200 | do | 3,871,796 | 3,871,796 | | 3,000,000 | 871,796 |
| **Cadmium:** | | | | | | | | | |
| National stockpile | 21,236,300 | 20,606,600 | −629,700 | do | 10,817,585 | 10,496,794 | −320,791 | | |
| Supplemental—barter | 12,312,800 | 12,327,700 | +14,900 | do | 7,448,989 | 7,448,989 | | | |
| Total | 33,549,100 | 32,934,300 | −614,800 | do | 18,266,574 | 17,945,783 | −320,791 | 6,500,000 | 11,445,783 |
| **Castor oil:** National stockpile | 52,639,400 | 51,290,600 | −1,348,800 | do | 201,842,565 | 196,035,582 | −5,806,983 | [3] 22,000,000 | 174,035,582 |
| **Celestite:** | | | | | | | | | |
| National stockpile | 1,412,300 | 1,412,300 | | Short dry ton | 28,816 | 28,816 | | | |
| Supplemental—barter | | 102,353 | +102,353 | do | | 2,693 | +2,693 | | |
| Total | 1,412,300 | 1,514,653 | +102,353 | do | 28,816 | 31,509 | +2,693 | 22,000 | 9,509 |
| **Chromite, chemical grade:** | | | | | | | | | |
| National stockpile | 12,286,800 | 12,288,000 | +1,200 | do | 559,452 | 559,452 | | | |
| Supplemental—barter | 21,442,800 | 21,766,349 | +323,549 | do | 678,608 | 699,654 | +21,046 | | |
| Total | 33,729,600 | 34,054,349 | +324,749 | do | 1,238,060 | 1,259,106 | +21,046 | 475,000 | 784,106 |
| **Chromite, metallurgical grade:** | | | | | | | | | |
| National stockpile | 264,674,200 | 264,674,600 | +400 | do | 3,797,409 | 3,797,409 | | | |
| Defense Production Act | 35,879,900 | 35,879,900 | | do | 985,646 | 985,646 | | | |
| Supplemental—barter | 224,671,600 | 224,671,600 | | do | 1,543,114 | 1,543,114 | | | |
| Total | 525,225,700 | 525,226,100 | +400 | do | 6,326,169 | 6,326,169 | | 2,700,000 | 3,626,169 |
| **Chromite, refractory grade:** | | | | | | | | | |
| National stockpile | 25,149,300 | 25,149,300 | | do | 1,047,159 | 1,047,159 | | | |
| Supplemental—barter | 5,578,370 | 5,578,370 | | do | 198,624 | 198,624 | | | |
| Total | 30,727,670 | 30,727.670 | | do | 1,245,783 | 1,245,783 | | 1,300,000 | (4) |
| **Cobalt:** | | | | | | | | | |
| National stockpile | 169,286,000 | 169,238,700 | −47,300 | Pound | 76,746,986 | 76,725,545 | −21,441 | | |
| Defense Production Act | 52,074,600 | 52,074,600 | | do | 25,194,122 | 25,194,122 | | | |
| Supplemental—barter | 2,169,000 | 2,169,000 | | do | 1,077,018 | 1,077,018 | | | |
| Total | 223,529,600 | 223,482,300 | −47,300 | do | 103,018,126 | 102,996,685 | −21,441 | 19,000,000 | 83,996,685 |
| **Coconut oil:** | | | | | | | | | |
| National stockpile | 15,856,800 | 13,432,800 | −2,424,000 | do | 104,643,733 | 88,639,435 | −16,004,298 | (3) | 88,639,435 |
| **Colemanite:** | | | | | | | | | |
| Supplemental—barter | 2,636,400 | 2,636,400 | | Long dry ton | 67,636 | 67,636 | | (3) | 67,636 |
| **Columbium:** | | | | | | | | | |
| National stockpile | 23,928,900 | 23,919,200 | −9,700 | Pound | 7,487,499 | 7,487,499 | | | |
| Defense Production Act | 50,255,500 | 50,238,900 | −16,600 | do | 8,222,684 | 8,222,684 | | | |
| Supplemental—barter | 799,200 | 799,100 | −100 | do | 388,877 | 388,877 | | | |
| Total | 74,983,600 | 74,957,200 | −26,400 | do | 16,099,060 | 16,099,060 | | 1,900,000 | 14,199,060 |
| **Copper:** | | | | | | | | | |
| National stockpile | 522,655,900 | 522,743,000 | +87,100 | Short ton | 1,008,336 | 1,008,313 | −23 | | |
| Defense Production Act | 60,801,100 | 60,111,000 | −690,100 | do | 108,435 | 107,167 | −1,268 | | |
| Supplemental—barter | 8,198,600 | 8,150,100 | −48,500 | do | 12,382 | 12,382 | | | |
| Total | 591,655,600 | 591,004,100 | −651,500 | do | 1,129,153 | 1,127,862 | −1,291 | [3] 775,000 | 352,862 |
| **Cordage fibers, abaca:** | | | | | | | | | |
| National stockpile | 37,741,400 | 37,740,900 | −500 | Pound | 149,737,510 | 149,736,028 | −1,482 | 150,000,000 | (4) |

**See footnotes at end of table.**

TABLE 1.—*Strategic and critical materials inventories (all grades), June 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

| Commodity | Cost value | | | Quantity | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Unit of measure | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Maximum objective [1] | Excess over maximum objective |
| Cordage fibers, sisal: | | | | | | | | | |
| National stockpile | $42,872,500 | $42,766,900 | −$105,600 | Pound | 316,649,462 | 315,983,593 | −665,869 | 320,000,000 | (4) |
| Corundum: | | | | | | | | | |
| National stockpile | 393,100 | 393,100 | ------------ | Short ton | 2,008 | 2,008 | ------------ | 2,000 | 8 |
| Cryolite: | | | | | | | | | |
| Defense Production Act | 7,242,300 | 7,092,000 | −150,300 | do | 26,227 | 25,683 | −544 | (3) | 25,683 |
| Diamond dies: | | | | | | | | | |
| National stockpile | 490,300 | 483,600 | −6,700 | Piece | 16,057 | 16,057 | ------------ | 25,000 | (4) |
| Diamond, industrial, crushing bort: | | | | | | | | | |
| National stockpile | 61,609,500 | 61,609,500 | ------------ | Carat | 31,113,411 | 31,113,411 | ------------ | ------------ | ------------ |
| Supplemental—barter | 15,456,700 | 15,456,700 | ------------ | do | 5,523,748 | 5,523,748 | ------------ | ------------ | ------------ |
| Total | 77,066,200 | 77,066,200 | ------------ | do | 36,637,159 | 36,637,159 | ------------ | 30,000,000 | 6,637,159 |
| Diamond, industrial, stones: | | | | | | | | | |
| National stockpile | 100,501,500 | 100,501,500 | ------------ | do | 9,315,183 | 9,315,183 | ------------ | ------------ | ------------ |
| Supplemental—barter | 186,481,478 | 186,668,300 | +186,822 | do | 15,452,658 | 15,452,658 | ------------ | ------------ | ------------ |
| Total | 286,982,978 | 287,169,800 | +186,822 | do | 24,767,841 | 24,767,841 | ------------ | 18,000,000 | 6,767,841 |
| Diamond tools: National stockpile | 1,015,400 | 1,015,400 | ------------ | Piece | 64,178 | 64,178 | ------------ | (3) | 64,178 |
| Feathers and down: National stockpile | 37,966,300 | 37,505,000 | −461,300 | Pound | 9,164,188 | 9,052,886 | −111,302 | [3] 3,000,000 | 6,052,886 |
| Fluorspar, acid grade: | | | | | | | | | |
| National stockpile | 26,167,500 | 26,167,500 | ------------ | Short dry ton | 463,049 | 463,049 | ------------ | ------------ | ------------ |
| Defense Production Act | 1,394,400 | 1,394,400 | ------------ | do | 19,700 | 19,700 | ------------ | ------------ | ------------ |
| Supplemental—barter | 33,525,900 | 33,528,800 | +2,900 | do | 673,232 | 673,232 | ------------ | ------------ | ------------ |
| Total | 61,087,800 | 61,090,700 | +2,900 | do | 1,155,981 | 1,155,981 | ------------ | 280,000 | 875,981 |
| Fluorspar, metallurgical grade: | | | | | | | | | |
| National stockpile | 17,332,400 | 17,332,400 | ------------ | do | 369,443 | 369,443 | ------------ | ------------ | ------------ |
| Supplemental—barter | 1,508,100 | 1,508,100 | ------------ | do | 42,800 | 42,800 | ------------ | ------------ | ------------ |
| Total | 18,840,500 | 18,840,500 | ------------ | do | 412,243 | 412,243 | ------------ | 375,000 | 37,243 |
| Graphite, natural, Ceylon, amorphous lump: | | | | | | | | | |
| National stockpile | 937,900 | 937,900 | ------------ | do | 4,455 | 4,455 | ------------ | ------------ | ------------ |
| Supplemental—barter | 341,200 | 341,200 | ------------ | do | 1,428 | 1,428 | ------------ | ------------ | ------------ |
| Total | 1,279,100 | 1,279,100 | ------------ | do | 5,883 | 5,883 | ------------ | 3,600 | 2,283 |
| Graphite, natural, Madagascar, crystalline: | | | | | | | | | |
| National stockpile | 7,056,200 | 7,056,200 | ------------ | do | 34,233 | 34,233 | ------------ | ------------ | ------------ |
| Supplemental—barter | 210,312 | 221,143 | +10,831 | do | 1,857 | 1,907 | +50 | ------------ | ------------ |
| Total | 7,266,512 | 7,277,343 | +10,831 | do | 36,090 | 36,140 | +50 | 17,200 | 18,940 |
| Graphite, natural, other, crystalline: | | | | | | | | | |
| National stockpile | 1,896,400 | 1,896,300 | −100 | do | 5,487 | 5,487 | ------------ | 2,100 | 3,387 |
| Hyoscine: | | | | | | | | | |
| National stockpile | 30,600 | 30,600 | ------------ | Ounce | 2,100 | 2,100 | ------------ | 2,100 | (4) |
| Iodine: | | | | | | | | | |
| National stockpile | 4,082,000 | 4,082,000 | ------------ | Pound | 2,977,648 | 2,977,648 | ------------ | ------------ | ------------ |
| Supplemental—barter | 1,041,400 | 1,066,000 | +24,600 | do | 994,920 | 994,920 | ------------ | ------------ | ------------ |
| Total | 5,123,400 | 5,148,000 | +24,600 | do | 3,972,568 | 3,972,568 | ------------ | 4,300,000 | (4) |
| Iridium: | | | | | | | | | |
| National stockpile | 2,525,800 | 2,525,800 | ------------ | Troy ounce | 13,937 | 13,937 | ------------ | 4,000 | 9,937 |
| Jewel bearings: | | | | | | | | | |
| National stockpile | 4,055,500 | 4,055,500 | ------------ | Piece | 51,270,565 | 51,270,565 | ------------ | 57,500,000 | (4) |
| Kyanite-mullite: | | | | | | | | | |
| National stockpile | 811,600 | 803,100 | −8,500 | Short dry ton | 9,387 | 9,289 | −98 | 4,800 | 4,489 |
| Lead: | | | | | | | | | |
| National stockpile | 319,298,100 | 319,298,100 | ------------ | Short ton | 1,050,370 | 1,050,370 | ------------ | ------------ | ------------ |
| Defense Production Act | 1,790,900 | 1,696,600 | −94,300 | do | 4,728 | 4,479 | −249 | ------------ | ------------ |
| Supplemental—barter | 78,282,200 | 78,398,600 | +116,400 | do | 327,998 | 327,998 | ------------ | ------------ | ------------ |
| Total | 399,371,200 | 399,393,300 | +22,100 | do | 1,383,096 | 1,382,847 | −249 | [3] 0 | 1,382,847 |
| Magnesium: | | | | | | | | | |
| National stockpile | 131,112,100 | 130,826,200 | −285,900 | do | 180,602 | 180,208 | −394 | 107,000 | 73,208 |
| Manganese, battery grade, natural ore: | | | | | | | | | |
| National stockoile | 21,025,500 | 21,025,500 | ------------ | do | 144,485 | .44,485 | ------------ | ------------ | ------------ |
| Supplemental-barter | 14,512,798 | 14,089,898 | −422,900 | do | 142,351 | 142,351 | ------------ | ------------ | ------------ |
| Total | 35,538,298 | 35,115,398 | −422,900 | do | 286,836 | 286,836 | ------------ | 50,000 | 236,836 |
| Manganese, battery grade, synthetic dioxide: | | | | | | | | | |
| National stockpile | 3,095,500 | 3,095,500 | ------------ | Short dry ton | 21,272 | 21,272 | ------------ | ------------ | ------------ |
| Defense Production Act | 2,524,700 | 2,524,700 | ------------ | do | 3,779 | 3,779 | ------------ | ------------ | ------------ |
| Total | 5,620,200 | 5,620,200 | ------------ | do | 25,051 | 25,051 | ------------ | 20,000 | 5,051 |

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), June 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

| Commodity | Cost value | | | Quantity | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Unit of measure | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Maximum objective [1] | Excess over maximum objective |
| **Manganese, chemical grade, type A:** | | | | | | | | | |
| National stockpile | $2,133,300 | $2,133,300 | | Short dry ton | 29,307 | 29,307 | | | |
| Supplemental—barter | 8,063,500 | 7,898,600 | −$164,900 | do | 117,607 | 117,607 | | | |
| Total | 10,196,800 | 10,031,900 | −164,900 | do | 146,914 | 146,914 | | 30,000 | 116,914 |
| **Manganese, chemical grade, type B:** | | | | | | | | | |
| National stockpile | 132,600 | 132,600 | | do | 1,822 | 1,822 | | | |
| Supplemental—barter | 6,840,800 | 6,683,300 | −157,500 | do | 99,016 | 99,016 | | | |
| Total | 6,973,400 | 6,815,900 | −157,500 | do | 100,838 | 100,838 | | 53,000 | 47,838 |
| **Manganese, metallurgical grade:** | | | | | | | | | |
| National stockpile | 248,240,100 | 248,240,300 | +200 | do | 5,851,264 | 5,851,264 | | | |
| Defense Production Act | 176,710,900 | 176,474,400 | −236,500 | do | 3,056,771 | 3,056,691 | −80 | | |
| Supplemental—barter | 234,006,134 | 233,672,555 | −333,579 | do | 3,419,628 | 3,431,592 | +11,964 | | |
| Total | 658,957,134 | 658,387,255 | −569,879 | do | 12,327,663 | 12,339,547 | +11,884 | 6,800,000 | 5,539,547 |
| **Mercury:** | | | | | | | | | |
| National stockpile | 20,039,500 | 20,039,500 | | Flask | 129,525 | 129,525 | | | |
| Supplemental—barter | 3,446,200 | 3,446,200 | | do | 16,000 | 16,000 | | | |
| Total | 23,485,700 | 23,485,700 | | do | 145,525 | 145,525 | | 110,000 | 35,525 |
| **Mica, muscovite block:** | | | | | | | | | |
| National stockpile | 27,631,200 | 27,631,200 | | Pound | 11,621,211 | 11,621,211 | | | |
| Defense Production Act | 40,857,700 | 40,857,700 | | do | 6,456,251 | 6,456,251 | | | |
| Supplemental—barter | 4,794,511 | 5,024,690 | +230,179 | do | 1,459,476 | 1,517,150 | +57,674 | | |
| Total | 73,283,411 | 73,513,590 | +230,179 | do | 19,536,938 | 19,594,612 | +57,674 | 8,300,000 | 11,294,612 |
| **Mica, muscovite film:** | | | | | | | | | |
| National stockpile | 9,058,100 | 9,058,000 | | do | 1,733,083 | 1,733,083 | | | |
| Defense Production Act | 633,300 | 633,300 | | do | 102,681 | 102,681 | | | |
| Supplemental—barter | 953,946 | 1,000,049 | +46,103 | do | 97,996 | 102,514 | +4,518 | | |
| Total | 10,645,346 | 10,691,449 | +46,103 | do | 1,933,760 | 1,938,278 | +4,518 | 1,300,000 | 638,278 |
| **Mica, muscovite splittings:** | | | | | | | | | |
| National stockpile | 40,598,300 | 40,598,300 | | do | 40,040,294 | 40,040,294 | | | |
| Supplemental—barter | 6,225,800 | 6,225,800 | | do | 4,826,257 | 4,826,257 | | | |
| Total | 46,824,100 | 46,824,100 | | do | 44,866,551 | 44,866,551 | | 21,200,000 | 23,666,551 |
| **Mica, phlogopite block: National stockpile** | 303,600 | 303,600 | | do | 223,126 | 233,239 | +113 | 17,000 | 206,239 |
| **Mica, phlogopite splittings:** | | | | | | | | | |
| National stockpile | 2,580,500 | 2,580,500 | | do | 3,079,062 | 3,079,062 | | | |
| Supplemental—barter | 2,190,891 | 2,257,672 | +66,781 | do | 1,870,499 | 1,911,482 | +40,983 | | |
| Total | 4,771,391 | 4,838,172 | +66,781 | do | 4,949,561 | 4,990,544 | +40,983 | 1,700,000 | 3,290,544 |
| **Molybdenum: National stockpile** | 85,295,900 | 84,528,100 | −767,800 | do | 80,516,745 | 79,816,730 | −700,015 | 59,000,000 | 20,816,730 |
| **Nickel:** | | | | | | | | | |
| National stockpile | 181,988,600 | 181,986,100 | −2,500 | do | 334,304,616 | 334,296,915 | −7,701 | | |
| Defense Production Act | 103,501,000 | 102,577,400 | −923,600 | do | 109,289,693 | 107,535,369 | −1,754,324 | | |
| Total | 285,489,600 | 284,563,500 | −926,100 | do | 443,594,309 | 441,832,284 | −1,762,025 | 323,000,000 | 118,832,284 |
| **Opium:** | | | | | | | | | |
| National stockpile | 13,661,700 | 13,661,700 | | do | 195,757 | 195,757 | | [2]141,280 | 54,477 |
| **Palladium:** | | | | | | | | | |
| National stockpile | 2,079,000 | 2,079,000 | | Troy ounce | 89,811 | 89,811 | | | |
| Defense Production Act | 177,300 | 177,300 | | do | 7,884 | 7,884 | | | |
| Supplemental—barter | 12,170,200 | 12,170,200 | | do | 648,124 | 648,124 | | | |
| Total | 14,426,500 | 14,426,500 | | do | 745,819 | 745,819 | | 340,000 | 405,819 |
| **Palm oil:** | | | | | | | | | |
| National stockpile | 4,739,300 | 4,598,000 | −141,300 | Pound | 26,330,769 | 25,545,593 | −785,176 | (3) | 25,545,593 |
| **Platinum:** | | | | | | | | | |
| National stockpile | 56,879,900 | 56,879,900 | | Troy ounce | 716,343 | 716,343 | | | |
| Supplemental—barter | 4,024,500 | 4,024,500 | | do | 49,999 | 49,999 | | | |
| Total | 60,904,400 | 60,904,400 | | do | 766,342 | 766,342 | | 165,000 | 601,342 |
| **Pyrethrum:** | | | | | | | | | |
| National stockpile | 415,000 | 415,100 | +100 | Pound | 67,065 | 67,065 | | 66,000 | 1,065 |
| **Quartz-crystals:** | | | | | | | | | |
| National stockpile | 69,060,700 | 69,060,700 | | do | 5,601,481 | 5,601,481 | | | |
| Supplemental—barter | 3,128,700 | 3,128,700 | | do | 232,252 | 232,352 | +100 | | |
| Total | 72,189,400 | 72,189,400 | | do | 5,833,733 | 5,833,833 | +100 | 650,000 | 5,183,833 |
| **Quinidine:** | | | | | | | | | |
| National stockpile | 2,039,700 | 2,010,900 | −28,800 | Ounce | 1,768,377 | 1,743,377 | −25,000 | 1,600,000 | 143,377 |
| **Quinine:** | | | | | | | | | |
| National stockpile | 4,047,900 | 3,622,600 | −425,300 | do | 6,399,732 | 5,727,732 | −672,000 | (3) | 5,727,732 |
| **Rare earths:** | | | | | | | | | |
| National stockpile | 7,134,900 | 7,134,900 | | Short dry ton | 10,042 | 10,042 | | | |
| Supplemental—barter | 5,668,507 | 5,713,182 | +44,675 | do | 6,948 | 7,251 | +303 | | |
| Total | 12,803,407 | 12,848,082 | +44,675 | do | 16,990 | 17,293 | +303 | 5,700 | 11,593 |

See footnotes at end of table.

TABLE 1.—*Strategic and critical materials inventories (all grades), June 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

| Commodity | Cost value | | | Quantity | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Unit of measure | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Maximum objective [1] | Excess over maximum objective |
| Rare earths residue: | | | | | | | | | |
| Defense Production Act | $657,800 | $657,800 | | Pound | 6,085,570 | 6,085,570 | | (3) | 6,085,570 |
| Rhodium: | | | | | | | | | |
| National stockpile | 78,100 | 78,200 | +$100 | Troy ounce | 618 | 618 | | (3) | 618 |
| Rubber: | | | | | | | | | |
| National stockpile | 776,324,900 | 766,068,300 | −10,256,600 | Long ton | 1,004,175 | 990,822 | −13,353 | 750,000 | 240,822 |
| Ruthenium: | | | | | | | | | |
| Supplemental—barter | 559,500 | 559,500 | | Troy ounce | 15,001 | 15,001 | | (3) | 15,001 |
| Rutile: | | | | | | | | | |
| National stockpile | 2,070,100 | 2,070,100 | | Short dry ton | 18,599 | 18,599 | | | |
| Defense Production Act | 2,725,100 | 2,725,100 | | do | 17,410 | 17,410 | | | |
| Supplemental—barter | 1,061,300 | 1,061,300 | | do | 11,632 | 11,632 | | | |
| Total | 5,856,500 | 5,856,500 | | do | 47,641 | 47,641 | | 65,000 | (4) |
| Rutile, chlorinator charge: | | | | | | | | | |
| Defense Production Act | | | | do | 7,052 | 7,038 | −14 | (3) | 7,038 |
| Sapphire and ruby: | | | | | | | | | |
| National stockpile | 190,000 | 190,000 | | Carat | 16,187,500 | 16,187,500 | | 18,000,000 | (4) |
| Selenium: | | | | | | | | | |
| National stockpile | 757,100 | 757,100 | | Pound | 97,100 | 97,100 | | | |
| Supplemental—barter | 1,070,500 | 1,070,500 | | do | 156,518 | 156,518 | | | |
| Total | 1,827,600 | 1,827,600 | | do | 253,618 | 253,618 | | 400,000 | (4) |
| Shellac: | | | | | | | | | |
| National stockpile | 8,724,100 | 8,621,900 | −102,200 | do | 17,402,027 | 17,197,814 | −204,213 | 7,400,000 | 9,797,814 |
| Silicon carbide, crude: | | | | | | | | | |
| National stockpile | 11,394,500 | 11,394,500 | | Short ton | 64,697 | 64,697 | | | |
| Supplemental—barter | 26,814,100 | 26,802,700 | −11,400 | do | 131,805 | 131,805 | | | |
| Total | 38,208,600 | 38,197,200 | −11,400 | do | 196,502 | 196,502 | | 100,000 | 96,502 |
| Silk noils and waste: | | | | | | | | | |
| National stockpile | 1,865,800 | 1,723,500 | −142,300 | Pound | 1,382,487 | 1,293,010 | −89,477 | 970,000 | 323,010 |
| Silk, raw: | | | | | | | | | |
| National stockpile | 486,600 | 486,600 | | do | 113,515 | 113,515 | | 120,000 | (4) |
| Sperm oil: | | | | | | | | | |
| National stockpile | 4,775,400 | 4,775,400 | | do | 23,442,158 | 23,442,158 | | 23,000,000 | 442,158 |
| Talc, steatite block and lump: | | | | | | | | | |
| National stockpile | 496,800 | 496,800 | | Short ton | 1,274 | 1,274 | | 300 | 974 |
| Talc, steatite ground: | | | | | | | | | |
| National stockpile | 231,000 | 231,200 | +200 | do | 3,901 | 3,901 | | (3) | 3,901 |
| Tantalum: | | | | | | | | | |
| National stockpile | 10,981,000 | 10,992,700 | +11,700 | Pound | 3,420,478 | 3,420,478 | | | |
| Defense Production Act | 9,734,400 | 9,734,400 | | do | 1,531,366 | 1,531,366 | | | |
| Supplemental—barter | 21,100 | 21,100 | | do | 8,036 | 8,036 | | | |
| Total | 20,736,500 | 20,748,200 | +11,700 | do | 4,959,880 | 4,959,880 | | 2,420,000 | 2,539,880 |
| Thorium: | | | | | | | | | |
| Defense Production Act | 42,000 | 42,000 | | do | 848,574 | 848,354 | −220 | | |
| Supplemental—barter | 17,130,658 | 17,411,129 | +280,471 | do | 8,278,975 | 8,400,250 | +121,275 | | |
| Total | 17,172,658 | 17,453,129 | +280,471 | do | 9,127,549 | 9,248,604 | +121,055 | (3) | 9,248,604 |
| Tin: | | | | | | | | | |
| National stockpile | 820,601,400 | 816,241,000 | −4,360,400 | Long ton | 337,486 | 335,692 | −1,794 | | |
| Supplemental—barter | 16,404,000 | 16,404,000 | | do | 7,505 | 7,505 | | | |
| Total | 837,005,400 | 832,645,000 | −4,360,400 | do | 344,991 | 343,197 | −1,794 | [2] 200,000 | 143,197 |
| Titanium: | | | | | | | | | |
| Defense Production Act | 176,692,200 | 176,463,100 | −229,100 | Short ton | 22,442 | 22,415 | −27 | | |
| Supplemental—barter | 32,097,700 | 32,097,700 | | do | 9,021 | 9,021 | | | |
| Total | 208,789,900 | 208,560,800 | −229,100 | do | 31,463 | 31,436 | −27 | (3) | 31,436 |
| Tungsten: | | | | | | | | | |
| National stockpile | 369,127,900 | 369,127,300 | −600 | Pound | 120,071,339 | 120,071,339 | | | |
| Defense Production Act | 318,770,700 | 318,813,900 | +43,200 | do | 78,186,563 | 78,186,563 | | | |
| Supplemental—barter | 18,648,200 | 18,651,400 | +3,200 | do | 5,762,319 | 5,774,827 | +12,508 | | |
| Total | 706,546,800 | 706,592,600 | +45,800 | do | 204,020,221 | 204,032,729 | +12,508 | 50,000,000 | 154,032,729 |
| Vanadium: National stockpile | 31,567,900 | 31,567,900 | | do | 15,730,893 | 15,730,893 | | 2,000,000 | 13,730,893 |
| Vegetable tannin extract, chestnut: | | | | | | | | | |
| National stockpile | 11,939,800 | 11,932,800 | −7,000 | Long ton | 42,795 | 42,770 | −25 | 30,000 | 12,770 |
| Vegetable tannin extract, quebracho: | | | | | | | | | |
| National stockpile | 49,219,200 | 49,194,400 | −24,800 | do | 198,928 | 198,828 | −100 | 180,000 | 18,828 |
| Vegetable tannin extract, wattle: | | | | | | | | | |
| National stockpile | 9,845,800 | 9,826,900 | −18,900 | do | 39,037 | 38,962 | −75 | 39,000 | (4) |

**See footnotes at end of table.**

TABLE 1.—*Strategic and critical materials inventories (all grades), June 1963 (showing by commodity net changes during the month in terms of cost value and quantity, and excesses over maximum objectives in terms of quantity as of the end of the month)*—Continued

| Commodity | Cost value | | | Quantity | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Unit of measure | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Maximum objective [1] | Excess over maximum objective |
| Zinc: | | | | | | | | | |
| National stockpile | $364, 339, 400 | $364, 353, 200 | +$13, 800 | Short ton | 1, 256, 866 | 1, 256, 866 | | | |
| Supplemental—barter | 79, 588, 200 | 79, 588, 200 | | do | 323, 896 | 323, 896 | | | |
| Total | 443, 927, 600 | 443, 941, 400 | +13, 800 | do | 1, 580, 762 | 1, 580, 762 | | [2] 0 | 1, 580, 762 |
| Zirconium ore, baddeleyite: National stockpile | 710, 600 | 710, 600 | | Short dry ton | 16, 533 | 16, 533 | | [3] | 16, 533 |
| Zirconium ore, zircon: National stockpile | 270, 500 | 202, 200 | −68, 300 | do | 4, 571 | 3, 416 | −1, 155 | [3] | 3, 416 |
| Total: | | | | | | | | | |
| National stockpile | 5, 838, 070, 100 | 5, 816, 508, 200 | −21, 561, 900 | | | | | | |
| Defense Production Act | 1, 500, 410, 200 | 1, 499, 504, 900 | −905, 300 | | | | | | |
| Supplemental—barter | 1, 331, 724, 514 | 1, 338, 072, 033 | +6, 347, 519 | | | | | | |
| Total, strategic and critical materials. | 8, 670, 204, 814 | 8, 654, 085, 133 | −16, 119, 681 | | | | | | |

[1] Maximum objectives for strategic and critical materials are determined pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). The Office of Emergency Planning is currently in the process of revising stockpile objectives. (See app. B, p. 21.)

[2] New objective. (See app. B, p. 21.)

[3] No present objective.

[4] Not in excess of maximum objective.

[5] Revised on basis of later information. In May 51 tons of beryllium metal at a cost value of $5,893,600 was reported with beryl.

Source: Compiled from reports submitted by the General Services Administration and the Department of Agriculture.

TABLE 2.—*Agricultural commodities inventories, June 1963 (showing by commodity net changes during the month in terms of cost value and quantity)*

| Commodity | Cost value | | | Quantity | | | |
|---|---|---|---|---|---|---|---|
| | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Unit of measure | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month |
| Price-support inventory: | | | | | | | |
| Basic commodities: | | | | | | | |
| Corn | $693, 927, 586 | $603, 676, 644 | −$90, 250, 942 | Bushel | 575, 466, 755 | 492, 124, 265 | −83, 342, 490 |
| Cotton, extra-long staple | 4, 350, 336 | 4, 350, 336 | | Bale | 15, 865 | 15, 865 | |
| Cotton, upland | 808, 295, 937 | 714, 465, 702 | −93, 830, 235 | do | 4, 676, 156 | 4, 135, 721 | −540, 435 |
| Peanuts, farmers' stock | 7, 365, 034 | 740, 938 | −6, 624, 096 | Pound | 63, 995, 427 | 6, 936, 808 | −57, 058, 619 |
| Peanuts, shelled | 8, 165, 174 | 11, 461, 601 | +3, 296, 427 | do | 46, 405, 553 | 66, 944, 036 | +20, 538, 483 |
| Rice, milled | 167, 186 | 139, 012 | −28, 174 | Hundredweight | 17, 012 | 14, 029 | −2, 983 |
| Rice, rough | 4, 893, 714 | 9, 562, 709 | +4, 668, 995 | do | 907, 491 | 1, 796, 161 | +888, 670 |
| Wheat | 2, 305, 695, 156 | 2, 167, 741, 439 | −137, 953, 717 | Bushel | 1, 156, 480, 749 | 1, 082, 464, 091 | −74, 016, 658 |
| Bulgur | 829, 637 | 263, 643 | −565, 994 | Pound | 15, 308, 649 | 4, 854, 112 | −10, 454, 537 |
| Total, basic commodities | 3, 833, 689, 760 | 3, 512, 402, 024 | −321, 287, 736 | | | | |
| Designated nonbasic commodities: | | | | | | | |
| Barley | 31, 097, 110 | 40, 632, 360 | +9, 535, 250 | Bushel | 35, 541, 601 | 46, 975, 637 | +11, 434, 036 |
| Grain sorghum | 754, 747, 058 | 695, 687, 394 | −59, 059, 664 | do | 689, 309, 139 | 633, 412, 519 | −55, 896, 620 |
| Honey | 113, 825 | | −113, 825 | Pound | 910, 259 | | −910, 259 |
| Milk and butterfat: | | | | | | | |
| Butter | 234, 453, 815 | 220, 836, 783 | −13, 617, 032 | do | 402, 506, 460 | 379, 845, 971 | −22, 660, 489 |
| Butter oil | 54, 307, 400 | 72, 189, 754 | +17, 882, 354 | do | 67, 562, 608 | 90, 958, 731 | +23, 396, 123 |
| Cheese | 20, 722, 635 | 19, 299, 616 | −1, 423, 019 | do | 55, 373, 274 | 51, 420, 373 | −3, 952, 901 |
| Ghee | 369, 883 | 1, 751, 446 | +1, 381, 563 | do | 455, 322 | 2, 169, 883 | +1, 714, 561 |
| Milk, dried | 106, 796, 628 | 104, 267, 892 | −2, 528, 736 | do | 723, 467, 953 | 706, 775, 691 | −16, 692, 262 |
| Oats | 10, 017, 108 | 11, 150, 720 | +1, 133, 612 | Bushel | 16, 592, 907 | 18, 623, 062 | +2, 030, 155 |
| Rye | 1, 305, 104 | 1, 619, 826 | +314, 722 | do | 1, 224, 452 | 1, 563, 326 | +338, 874 |
| Total, designated nonbasic commodities | 1, 213, 930, 566 | 1, 167, 435, 791 | −46, 494, 775 | | | | |
| Other nonbasic commodities: | | | | | | | |
| Beans, dry, edible | 3, 701, 469 | 8, 773, 377 | +5, 071, 908 | Hundredweight | 543, 610 | 1, 167, 649 | +624, 039 |
| Cottonseed oil, refined | 1, 014, 923 | 220, 364 | −794, 559 | Pound | 8, 339, 550 | 1, 267, 537 | −7, 072, 013 |
| Flaxseed | 14, 032, 982 | 15, 793, 357 | +1, 760, 375 | Bushel | 4, 730, 933 | 5, 327, 184 | +596, 251 |
| Soybeans | 4, 286, 019 | 7, 435, 749 | +3, 149, 730 | do | 1, 843, 083 | 3, 181, 807 | +1, 338, 724 |
| Turpentine | 433, 546 | 433, 546 | | Gallon | 826, 233 | 826, 233 | |
| Vegetable oil products | 7, 618, 698 | 2, 941, 125 | −4, 677, 573 | Pound | 41, 457, 220 | 17, 362, 311 | −24, 094, 909 |
| Total, other nonbasic commodities | 31, 087, 637 | 35, 597, 518 | +4, 509, 881 | | | | |
| Total, price support inventory | 5, 078, 707, 963 | 4, 715, 435, 333 | −363, 272, 630 | | | | |
| Inventory transferred from national stockpile: [1] | | | | | | | |
| Cotton, Egyptian | 103, 874, 843 | 103, 874, 843 | | Bale | 122, 955 | 122, 955 | |
| Cotton, American-Egyptian | 23, 734, 148 | 23, 734, 148 | | do | 47, 188 | 47, 188 | |
| Total, inventory transferred from national stockpile. | 127, 608, 991 | 127, 608, 991 | | do | 170, 143 | 170, 143 | |
| Total, agricultural commodities | 5, 206, 316, 954 | 4, 843, 044, 324 | −363, 272, 630 | | | | |

[1] Transferred from General Services Administration pursuant to Public Law 85–96 and Public Law 87–548. (See app., p. 19274.)

Source: Compiled from reports submitted by the Department of Agriculture.

TABLE 3.—*Civil defense supplies and equipment inventories, June 1963 (showing by item net changes during the month in terms of cost value and quantity)*

| Item | Cost value | | | Quantity | | | |
|---|---|---|---|---|---|---|---|
| | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Unit of measure | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month |
| Civil defense stockpile, Department of Defense: | | | | | | | |
| Engineering equipment (engine generators, pumps, chlorinators, purifiers, pipe, and fittings). | $10,023,273 | $10,015,517 | −$7,756 | 10-mile units | 45 | 45 | |
| Chemical and biological equipment | 1,772,521 | 1,816,557 | +44,036 | (1) | | | |
| Radiological equipment | 24,720,086 | 24,736,553 | +16,467 | (1) | | | |
| Total | 36,515,880 | 36,568,627 | +52,747 | | | | |
| Civil defense medical stockpile, Department of Health, Education, and Welfare: | | | | | | | |
| Medical bulk stocks and associated items at civil defense mobilization warehouses. | 142,210,155 | 144,150,887 | +1,940,732 | (1) | | | |
| Medical bulk stock at manufacturer locations | 5,420,642 | 5,415,928 | −4,714 | (1) | | | |
| Civil defense emergency hospitals | 37,531,514 | 37,444,461 | −87,053 | Each | 1,930 | 1,930 | |
| Replenishment units (functional assemblies other than hospitals). | 694,075 | 659,779 | −34,296 | (1) | | | |
| Total | 185,856,386 | 187,671,055 | +1,814,669 | | | | |
| Total, civil defense supplies and equipment | 222,372,266 | 224,239,682 | +1,867,416 | | | | |

[1] Composite group of many different items.

Source: Compiled from reports submitted by the Department of Defense and the Department of Health, Education, and Welfare.

TABLE 4.—*Machine tools inventories, June 1963 (showing by item net changes during the month in terms of cost value and quantity)*

| Item | Cost value | | | Quantity | | | |
|---|---|---|---|---|---|---|---|
| | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Unit of measure | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month |
| Defense Production Act: | | | | | | | |
| In storage | $21,400 | $21,400 | | Tool | 7 | 7 | |
| On lease | 2,144,300 | 2,144,300 | | do | 103 | 103 | |
| On loan | 42,900 | 42,900 | | do | 7 | 7 | |
| Total | 2,208,600 | 2,208,600 | | | 117 | 117 | |
| National Industrial Reserve Act: | | | | | | | |
| In storage | 82,780,700 | 79,933,300 | −$2,847,400 | do | 7,547 | 7,193 | −354 |
| On lease | 27,500 | 27,500 | | do | 1 | 1 | |
| On loan to other agencies | 2,036,900 | 2,176,600 | +139,700 | do | 201 | 225 | +24 |
| On loan to school programs | 6,962,200 | 7,971,100 | +1,008,900 | do | 1,648 | 1,916 | +268 |
| Total | 91,807,300 | 90,108,500 | −1,698,800 | do | 9,397 | 9,335 | −62 |
| Total, machine tools | 94,015,900 | 92,317,100 | −1,698,800 | do | 9,514 | 9,452 | −62 |

Source: Compiled from reports submitted by the General Services Administration.

TABLE 5.—*Helium inventories, June 1963 (showing by item net changes during the month in terms of cost value and quantity)*

| Item | Cost value | | | Quantity | | | |
|---|---|---|---|---|---|---|---|
| | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month | Unit of measure | Beginning of month, June 1, 1963 | End of month, June 30, 1963 | Net change during month |
| Helium: | | | | | | | |
| Stored above ground | $357,983 | $268,008 | −$89,975 | Cubic foot | 29,100,000 | 21,800,000 | −7,300,000 |
| Stored under ground | 6,726,441 | 8,039,125 | +1,312,684 | do | 804,500,000 | 905,400,000 | +100,900,000 |
| Total, helium | 7,084,424 | 8,307,133 | +1,222,709 | do | 833,600,000 | 927,200,000 | +93,600,000 |

Source: Compiled from reports submitted by the Department of the Interior.

## APPENDIX A

## PROGRAM DESCRIPTIONS AND STATUTORY CITATIONS

### STRATEGIC AND CRITICAL MATERIALS

### *National stockpile*

The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) provides for the establishment and maintenance of a national stockpile of strategic and critical materials. The General Services Administration is responsible for making purchases of strategic and critical materials and providing for their storage, security, and maintenance. These functions are performed in accordance with directives issued by the Director of the Office of Emergency Planning. The act also provides for the transfer from other Government agencies of strategic and critical materials which are excess to the needs of such other agencies and are required to meet the stockpile objectives established by OEP. In addition, the General Services Administration is responsible for disposing of those strategic and critical materials which OEP determines to be no longer needed for stockpile purposes.

General policies for strategic and critical materials stockpiling are contained in DMO V–7, issued by the Director of the Office of Emergency Planning and published in the Federal Register of December 19, 1959 (24 F.R. 10309). Portions of this order relate also to Defense Production Act inventories.

### *Defense Production Act*

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration is authorized to make purchases of or commitments to purchase metals, minerals, and other materials, for Government use or resale, in order to expand productive capacity and supply, and also to store the materials acquired as a result of such purchases or commitments. Such functions are carried out in accordance with programs certified by the Director of the Office of Emergency Planning.

### *Supplemental—barter*

As a result of a delegation of authority from OEP (32A C.F.R., ch. I, DMO V–4) the General Services Administration is responsible for the maintenance and storage of materials placed in the supplemental stockpile. Section 206 of the Agricultural Act of 1956 (7 U.S.C. 1856) provides that strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural products, unless acquired for the national stockpile or for other purposes, shall be transferred to the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). In addition to the materials which have been or may be so acquired, the materials obtained under the programs established pursuant to the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (50 U.S.C. App. 2191–2195), which terminated December 31, 1958, have been transferred to the supplemental stockpile, as authorized by the provisions of said Production and Purchase Act.

### AGRICULTURAL COMMODITIES

#### *The price-support program*

Price-support operations are carried out under the charter powers (15 U.S.C. 714) of the Commodity Credit Corporation, Department of Agriculture, in conformity with the Agricultural Act of 1949 (7 U.S.C. 1421), the Agricultural Act of 1954 (7 U.S.C. 1741), which includes the National Wool Act of 1954, the Agricultural Act of 1956 (7 U.S.C. 1442), the Agricultural Act of 1958 and with respect to certain types of tobacco, in conformity with the act of July 28, 1945, as amended (7 U.S.C. 1312). Under the Agricultural Act of 1949, price support is mandatory for the basic commodities—corn, cotton, wheat, rice, peanuts, and tobacco—and specific nonbasic commodities; namely, tung nuts, honey, milk, butterfat, and the products of milk and butterfat. Under the Agricultural Act of 1958, as producers of corn voted in favor of the new price-support program for corn authorized by that act, price support is mandatory for barley, oats, rye, and grain sorghums. Price support for wool and mohair is mandatory under the National Wool Act of 1954, through the marketing year ending March 31, 1966. Price support for other nonbasic agricultural commodities is discretionary except that, whenever the price of either cottonseed or soybeans is supported, the price of the other must be supported at such level as the Secretary determines will cause them to compete on equal terms on the market. This program may also include operations to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities for the purpose of stabilizing prices at levels not in excess of permissible price-support levels.

Price support is made available through loans, purchase agreements, purchases, and other operations, and, in the case of wool and mohair, through incentive payments based on marketings. The producers' commodities serve as collateral for price-support loans. With limited exceptions, price-support loans are nonrecourse and the Corporation looks only to the pledged or mortgage collateral for satisfaction of the loan. Purchase agreements generally are available during the same period that loans are available. By signing a purchase agreement, a producer receives an option to sell to the Corporation any quantity of the commodity which he may elect within the maximum specified in the agreement.

The major effect on budgetary expenditures is represented by the disbursements for price-support loans. The largest part of the commodity acquisitions under the program result from the forfeiting of commodities pledged as loan collateral for which the expenditures occurred at the time of making the loan, rather than at the time of acquiring the commodities.

Dispositions of commodities acquired by the Corporation in its price-support operations are made in compliance with sections 202, 407, and 416 of the Agricultural Act of 1949, and other applicable legislation, particularly the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691), title I of the Agricultural Act of 1954, title II of the Agricultural Act of 1956, the Agricultural Act of 1958, the act of August 19, 1958, in the case of cornmeal and wheat flour, and the act of September 21, 1959, with regard to sales of livestock feed in emergency areas.

#### *Inventory transferred from national stockpile*

This inventory, all cotton, was transferred to Commodity Credit Corporation at no cost from the national stockpile pursuant to Public Law 85–96 and Public Law 87–548. The proceeds from sales, less costs incurred by CCC, are covered into the Treasury as miscellaneous receipts; therefore, such proceeds and costs are not recorded in the operating accounts. The cost value as shown for this cotton has been computed on the basis of average per bale cost of each type of cotton when purchased by CCC for the national stockpile.

### CIVIL DEFENSE SUPPLIES AND EQUIPMENT

#### *Civil defense stockpile*

The Department of Defense conducts this stockpiling program pursuant to section 201(h) of Public Law 920, 81st Congress, as amended. The program is designed to provide some of the most essential materials to minimize the effects upon the civilian population which would be caused by an attack upon the United States. Supplies and equipment normally unavailable, or lacking in quantity needed to cope with such conditions, are stockpiled at strategic locations in a nationwide warehouse system consisting of general storage facilities.

#### *Civil defense medical stockpile*

The Department of Health, Education, and Welfare conducts the stockpiling program for medical supplies and equipment pursuant to section 201(h) of Public Law 920, 81st Congress, as delegated by the President following the intent of Reorganization Plan No. 1, 1958. The Department of Health, Education, and Welfare plans and directs the procurement, storage, maintenance, inspection, survey, distribution, and utilization of essential supplies and equipment for emergency health services. The medical stockpile includes a program designed to pre-position assembled emergency hospitals and other medical supplies and equipment into communities throughout the Nation.

### MACHINE TOOLS

#### *Defense Production Act*

Under section 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2093) and Executive Order 10480, as amended, the General Services Administration has acquired machine tools in furtherance of expansion of productive capacity, in accordance with programs certified by the Director of the Office of Emergency Planning.

#### *National industrial equipment reserve*

Under general policies established and directives issued by the Secretary of Defense, the General Services Administration is responsible for care, maintenance, utilization, transfer, leasing, lending to nonprofit schools, disposal, transportation, repair, restoration, and renovation of national industrial reserve equipment transferred to GSA under the National Industrial Reserve Act of 1948 (50 U.S.C. 451–462).

### HELIUM

The helium conservation program is conducted by the Department of the Interior pursuant to the Helium Act, approved September 13, 1960 (Public Law 86–777; 74 Stat. 918; 50 U.S.C. 167) and subsequent appropriations acts which have established fiscal limitations and provided borrowing authority for the program. Among other things, the Helium Act authorizes the Secretary of the Interior to produce helium in Government plants, to acquire helium from private plants, to sell helium to meet current demands, and to store for future use helium that is so produced or acquired in excess of that required to meet current demands. Sales of helium by the Secretary of the Interior shall be at prices established by him which shall be adequate to liquidate the costs of the program within 25 years, except that this period may be extended by the Secretary for not more than 10 years for funds borrowed for purposes other than the acquisition and construction of helium plants and facilities.

This report covers helium that is produced in Government plants and acquired from private plants. Helium in excess of current demands is stored in the Cliffside gasfield near Amarillo, Tex. The unit of measure is cubic foot at 14.7 pounds per square inch absolute pressure and 70° F.

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## APPENDIX B

### NEW STOCKPILE OBJECTIVES

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. Table 1 of this report reflects the new objectives for eight materials: aluminum, castor oil, copper, feathers and down, lead, opium, tin, and zinc.

The following excerpts from an OEP statement dated July 11, 1963, set forth the new policy with respect to objectives for strategic and critical materials:

"The Office of Emergency Planning is now conducting supply-requirements studies for all stockpile materials which will reflect current military, industrial, and other essential needs in the event of a conventional war emergency. On the basis of recently completed supply-requirements studies for the foregoing materials, the new stockpile objectives were established with the advice and assistance of the Interdepartmental Materials Advisory Committee, a group chaired by the Office of Emergency Planning and composed of representatives of the Departments of State, Defense, the Interior, Agriculture, Commerce, and Labor, and the General Services Administration, the Agency for International Development, and the National Aeronautics and Space Administration. Representatives of the Bureau of the Budget, the Atomic Energy Commission, and the Small Business Administration participate as observers.

"These new objectives reflect a new policy to establish a single objective for each stockpile material. They have been determined on the basis of criteria heretofore used in establishing maximum objectives, and reflect the approximate calculated emergency deficits for the materials for conventional war and do not have any arbitrary adjustments for possible increased requirements for other types of emergency.

"Heretofore, there was a 'basic objective' and a 'maximum objective' for each material. The basic objectives assumed some continued reliance on foreign sources of supply in an emergency. The former maximum objectives completely discounted foreign sources of supply beyond North America and comparable accessible areas.

"Previously, maximum objectives could not be less than 6 months' normal usage of the material by industry in the United States in periods of active demand. The 6-month rule has been eliminated in establishing the new calculated conventional war objectives.

"The Office of Emergency Planning also announced that the present Defense Mobilization Order V–7, dealing with general policies for strategic and critical materials stockpiling, was now being revised to reflect these new policies. When finally prepared and approved, the new order will be published in the Federal Register.

"New conventional war objectives for the remaining stockpile materials are being developed as rapidly as new supply-requirements data become available. They will be released as they are approved.

"The Office of Emergency Planning is also making studies to determine stockpile needs to meet the requirements of general nuclear war and reconstruction. Stockpile objectives for nuclear war have not previously been developed. Some commodity objectives may be higher and others may be lower than the objectives established for conventional war.

"After the nuclear war supply-requirements studies are completed, stockpile objectives will be based upon calculated deficits for either conventional war or nuclear war, whichever need is larger.

"The Office of Emergency Planning stressed that any long-range disposal programs undertaken prior to the development of objectives based on nuclear war assumptions would provide against disposing of quantities which might be needed to meet essential requirements in the event of nuclear attack. While the disposal of surplus materials can produce many problems which have not heretofore arisen, every effort will be made to see that the interests of producers, processors, and consumers, and the international interests of the United States are carefully considered, both in the development and carrying out of disposal programs. Before decisions are made regarding the adoption of a long-range disposal program for a particular item in the stockpile, there will be appropriate consultations with industry in order to obtain the advice of interested parties."

### STATEMENT BY SENATOR BYRD OF VIRGINIA

The cost value of Federal stockpile inventories as of June 30, 1963, totaled $13,821,993,372. This was a net decrease of $378,000,986 as compared with the June 1 total of $14,199,994,358.

Net changes during the month are summarized by major category as follows:

| Major category | Cost value, June 1963 | |
|---|---|---|
| | Net change during month | Total, end of month |
| Strategic and critical materials | −$16,119,681 | $8,654,085,133 |
| Agricultural commodities | −363,272,630 | 4,843,044,324 |
| Civil defense supplies and equipment | +1,867,416 | 224,239,682 |
| Machine tools | −1,698,800 | 92,317,100 |
| Helium | +1,222,709 | 8,307,133 |
| Total | −378,000,986 | 13,821,993,372 |

These figures are from the June 1963 report on Federal stockpile inventories compiled from official agency data by the Joint Committee on Reduction of Nonessential Federal Expenditures, showing detail with respect to quantity and cost value of each commodity in the inventories covered.

### STRATEGIC AND CRITICAL MATERIALS

So-called strategic and critical materials are stored by the Government in (1) the national stockpile, (2) the Defense Production Act inventory, and (3) the supplemental barter stockpile.

Overall, there are now 94 materials stockpiled in the strategic and critical inventories. Maximum objectives—in terms of volume—are presently fixed for 76 of these 94 materials. Of the 76 materials having maximum objectives, 62 were stockpiled in excess of their objectives as of June 30, 1963.

The Office of Emergency Planning is in the process of establishing new objectives for strategic and critical materials. This report reflects the new objectives for 8 materials: aluminum, castor oil, copper, feathers and down, lead, opium, tin and zinc; and contains pertinent agency explanation.

Increases in cost value were reported in 28 of the materials stockpiled in all strategic and critical inventories, decreases were reported in 34 materials, and 32 materials remained unchanged during June.

### *National stockpile*

The cost value of materials in the national stockpile as of June 30, 1963, totaled $5,816,508,200. This was a net decrease of $21,561,900 during the month. The largest decreases were $10,256,600 in rubber and $4,360,400 in tin.

### *Defense Production Act inventory*

The cost value of materials in the Defense Production Act inventory as of June 30, 1963, totaled $1,499,504,900. This was a net decrease of $905,300. The largest increase was in aluminum offset by decreases in nickel and copper.

### *Supplemental barter*

The cost value of materials in the supplemental-barter stockpile as of June 30 totaled $1,338,072,033. This was a net increase of $6,347,519. The largest increases were in beryllium, aluminum oxide, and bauxite.

### OTHER STOCKPILE INVENTORIES

Among the other categories of stockpiled materials covered by the report, the largest is $4.8 billion in agricultural commodities. Major decreases in agricultural commodities during June were reported for wheat, cotton, corn and grain sorghum.

Inventories of civil defense supplies and equipment showed increases in medical stocks; the machine tools inventories showed a net decrease; and the helium inventories showed a net increase during June.

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RIBICOFF:

S. 2261. A bill for the relief of Albert Paul Pitras and Anne Marie Pitras; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 2262. A bill to authorize the conveyance of certain real property of the United States heretofore granted to the city of Grand Prairie, Tex., for public airport purposes, contingent upon approval by the Administrator of the Federal Aviation Agency, and to provide for the conveyance to the United States of certain real property now used by such city for public airport purposes; to the Committee on Commerce.

By Mr. JAVITS:

S. 2263. A bill for the relief of Mimosa Thereseta Goderich; to the Committee on the Judiciary.

## RESOLUTIONS

## STUDY OF A NATIONAL SYSTEM OF SCENIC HIGHWAYS

Mr. HART (for himself and Mr. RANDOLPH) submitted a resolution (S. Res. 217) to authorize a study of a National System of Scenic Highways, which was referred to the Committee on Public Works.

(See the above resolution printed in full when submitted by Mr. HART, which appears under a separate heading.)

## CONGRATULATIONS TO NATIONAL ACADEMY OF SCIENCES AND NATIONAL RESEARCH COUNCIL

Mr. HUMPHREY submitted a resolution (S. Res. 218) conveying to the National Academy of Sciences and the National Research Council congratulations for its contributions to science and technology, which was referred to the Committee on Labor and Public Welfare.

(See the above resolution printed in full when submitted by Mr. HUMPHREY, which appears under a separate heading.)

## STUDY OF A NATIONAL SYSTEM OF SCENIC HIGHWAYS

Mr. HART. Mr. President, on behalf of the senior Senator from West Virginia [Mr. RANDOLPH] and myself, I submit, for appropriate reference, a resolution authorizing the Senate Public Works Committee to make a study of the development of a national system of scenic highways.

A public investment program should, wherever possible, carry out the dual role of contributing to the public welfare and providing for the expansion of the private economy. The proposal for a national system of scenic highways offers an exceptional opportunity in this respect.

We have in the United States some of the outstanding natural resources of the world, offering unequaled scenic and recreation opportunities for our people. Ready access to our major scenic resources is largely undeveloped.

The Interstate Highway System which will provide the transportation backbone for the industrial and commercial activities of the Nation naturally concentrates on major urban areas. This interstate program when completed will meet the requirements for this most important part of our economy. Now it is time to plan for future highway programs to provide access to our scenic areas, as yet often inaccessible because of the lack of good highway systems.

Many States, including Michigan, are developing programs which provide access to some of these areas. The Federal Government should be participating as a partner in these local programs in an attempt to achieve an integrated system which will return greater benefits to our Nation and to the respective States.

Planning is overdue for such a national scenic highway system, as a major subsidiary to the ongoing Interstate Highway System. This subsidiary system would tie presently remote and inaccessible areas more readily into the national economy and in reverse would make these areas accessible to people for their scenic and recreational enjoyment.

Such a development would be a modern parallel to the Federal interest in farm-to-market roads, under which the farmer was linked to the market areas of the States. A scenic highway system, tied in with our freeways, would make available to the city dweller the scenic areas and shorelines of the United States through recreational motoring.

The report of the bipartisan Outdoor Recreation Resources Review Commission found that by far the most popular form of recreation—20.73 percent—is driving. The drive through the countryside is the No. 1 pleasure for those who seek the outdoors.

We would anticipate that the Public Works Committee's study would probe the contribution that could be made to the scenic highway system by the local, State, and Federal governments. The Michigan Highway Department has been a leader in the Nation in highway development. I can visualize the interest our State agency would have in a program to make more available to the public the beauty and natural wonders with which our State is so richly endowed.

The east coast of Lake Michigan and the south shore of Lake Superior come instantly to mind as offering exceptional potential for such scenic drives. They would tie in with the proposed Sleeping Bear and Pictured Rocks National Lakeshores and make possible their fullest use and enjoyment.

A study of the potential of a national system of scenic highways would, of course, survey similar potentialities in other States. Indeed there are already before Congress proposals for scenic parkways and historic routes.

The system as I envision it could be designed—

First. To serve an area of true scenic value or other tourist interest.

Second. To enhance the natural landscape—with a minimum of disruption of forest growth or other values.

Third. To provide adequate views of the terrain and the scenic high spots, both as to viewpoint and duration.

Fourth. To avoid artificiality of location or alinement, and monotony of "scenic exposure."

Fifth. To provide access to beauty spots, overlooks, and natural wonders.

Sixth. To provide turnouts and rest or parking areas.

Seventh. To provide driving comfort and safety at reasonable speeds.

Eighth. To be signed and publicized as a scenic road—for the considerate use and enjoyment of the tourists, the nature lover, and the beauty seeker.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 217) was referred to the Committee on Public Works, as follows:

Whereas an adequate recreational program is essential to the well being of our citizens; and

Whereas the recreational needs of the Nation are growing at an ever-increasing rate; and

Whereas these needs are intensified because the recreational facilities available to our citizens are limited; and

Whereas the Congress has shown its recognition of these needs by providing for the development of national parks and national seashore within the limited areas which remain large areas; and

Whereas there are miles of shoreline along the Atlantic and Pacific Oceans, the Gulf coast, and the Great Lakes, and miles of forest, park, and mountain scenery which provide an excellent potential for scenic highway recreational use; and

Whereas the Outdoor Recreation Resources Review Commission has indicated that sightseeing by automobile is the Nation's number one outdoor recreational activity: Therefore be it

*Resolved*, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a detailed study and investigation concerning the role that the development and establishment of a national system of scenic highways could play in the Nation's recreation program. Such study and investigation shall include, but not be limited to: (1) an analysis of the functions of such a system, (2) the design criteria to be utilized, (3) the methods of financing the necessary construction, (4) the status of existing State plans for scenic highway systems, (5) the nature and extent of Federal, State, and local participation and responsibility, and (6) recommendations for Federal, State, and local action.

SEC. 2. For the purposes of this resolution the committee, from the date on which this resolution is agreed to through January 31, 1965, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1965.

SEC. 4. The expenses of the committee, under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

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## TRIBUTE TO THE NATIONAL ACADEMY OF SCIENCES: RESOLUTION OF COMMENDATION

Mr. HUMPHREY. Mr. President, I should like to join with other public officials, with scientists, and interested citizens in paying tribute to a great scientific organization on the occasion of its 100th birthday.

I refer to the National Academy of Sciences, which has been observing the centennial of its founding, by congressional charter, in 1863.

I wish to convey my personal congratulations, through the Academy's able President, Dr. Frederick Seitz, a distinguished physicist, to the staff, to members, and to friends of the Academy.

I believe that the Senate may wish to add its own formal congratulations.

For this reason, I submit at this time, for appropriate reference, a resolution which would express the official good wishes and appreciation of the Senate on the occasion of the Academy's completion of its first 100 years of honored service.

At the climax of these 10 crowded decades, the Academy has emerged to the most important role of its history—in the nuclear-space age of the 1960's.

The Academy and its operating arm, the National Research Council, today represent two great assets of this Nation. They are assets for the security of the free world in an age of peril. They are assets for the progress of mankind in a golden age of scientific opportunity.

The Academy and the Council seem, in effect, at the apex of their contributions. But still greater challenges confront them, now, as the Academy enters into its second century.

Today, to a greater extent than ever before, the well-deserved prestige of the Academy, both at home and abroad, makes it an invaluable "bridge" between Federal Agencies, between the executive and legislative branches, between Government and the private scientific community, between scientific disciplines, and between American and foreign science, including science in the Communist Nations.

### ROLE OF SCIENCE AND TECHNOLOGY TODAY

Few knowledgeable observers need be reminded of the crucial role of science and technology in modern society, both in terms of deterring war and fulfilling all of mankind's potential in peace.

In civilian affairs alone, science and technology are impacting virtually every aspect of American society; they are changing primary, secondary, and higher education, as well as postgraduate education.

They are transforming industry, agriculture, and communications.

They are effecting a revolution in international affairs, both in the highly industrialized countries and in the developing nations.

It is understandable, therefore, that the Academy is being constructively utilized to the greatest extent in its peacetime history by the highest office of the land—that of the President of the United States—through the Office of the President's Director for Science and Technology, Dr. Jerome B. Wiesner, in a number of vital studies.

Last Tuesday, President John F. Kennedy delivered a historic centennial address before the Academy. His speech was the highlight of a 4-day program crowded with landmark addresses by many of the greatest scientists of our time.

The superb talent associated with each of these scientific sessions evidenced the outstanding caliber of the 670 or so members of the Academy.

The many honored foreign scientists who journeyed to our shores to join with the Academy at these centennial meetings bespoke the high, worldwide reputation of the Academy.

It is a reputation for excellence, a reputation for international scientific leadership—such as that of the International Geophysical Year—a reputation for absolute integrity in search of verifiable truth.

### COMMITTEE ON SCIENCE AND PUBLIC POLICY

Most recently, the Academy has added to its well-deserved laurels through the initial activity of its new Committee on Science and Public Policy. This 15-man Committee serves under the chairmanship of the able former science adviser to the President, Dr. George B. Kistiakowsky.

Vision, leadership, and boldness by this Committee can, I believe, exert a particularly salutary influence. The Committee can and will address itself, I am sure, to many high priority issues—

where science crucially affects and is affected by public policy.

### PRESIDENT KENNEDY'S HISTORIC COMMENTS

Last Tuesday President Kennedy pointed out with profound and historic insight some of the many implications of this relationship—particularly, as man alters his environment. He stated:

> As science investigates the natural environment, it also modifies it—and that modification may have incalculable consequences, for evil as well as for good.
>
> * * * * *
>
> Science today has the power for the first time in history to undertake experiments with premeditation which can irreversibly alter our biological and physical environment on a global scale.

The President continued:

> The Government has the clear responsibility to weigh the importance of large-scale experiments to the advance of knowledge or to national security against the possibility of adverse and destructive effects. The scientific community must assist the Government in arriving at rational judgments and in interpreting the issues to the public.

### SUPPORT OF BASIC RESEARCH

And our Chief Executive wisely indicated—on one phase which I know is of deepest interest to the Academy—that, throughout all of science's efforts, it must be afforded adequate opportunity to pursue knowledge, not just for known—that is, for anticipated—ends but for the sake of knowledge itself.

Basic research—fundamental research—must not be shortchanged.

This has been a plea of countless Academy panels, and I, for one, should like to reiterate it today, as I have in the past.

### PLEA FOR RESTORED FUNDS FOR NSF

Specifically, I should like to express the strongest possible support of restoration of the full appropriations request for the National Science Foundation. This vital agency has become the principal supporter of fundamental research, across the board, in all disciplines. It has worked closely with the National Academy and with the President's science adviser.

Specifically, I commend the Foundation's wise efforts to help establish more university "centers of excellence." These efforts represent precisely the type of program which the National Academy's membership would, I know, wholeheartedly support.

### THREE MATERIALS TO BE REPRINTED

I ask unanimous consent that there be printed at this point in the RECORD the text of the resolution of commendation which I am introducing today; excerpts from Dr. Seitz' splendid testimony before a House Space Subcommittee, summarizing a few of the Academy's many past contributions to the Congress of the United States; and President Kennedy's centennial address to the Academy on October 22.

The VICE PRESIDENT. The resolution will be received and appropriately referred, and, under the rule, will be printed in the RECORD; and, without objection, the excerpts and centennial address will be printed in the RECORD.

The resolution (S. Res. 218) was referred to the Committee on Labor and Public Welfare, as follows:

Whereas by a unanimous Act of Congress, signed by President Abraham Lincoln on March 3, 1863, the National Academy of Sciences was chartered as a private and independent learned society which would serve as an official advisor to the United States Government; and

Whereas during the past one hundred years, in times of war and peace, the distinguished officers, staff, and members of the National Academy of Sciences have invaluably served the Government and people of the United States in the furtherance of science and technology; and

Whereas in 1916 there was established, as a part of the Academy's organization under its congressional charter, a National Research Council which helped to organize research and secure the participation of scientists and technologists in the solution of military problems during World War I; and

Whereas during World War II the National Academy of Sciences and the National Research Council again made immeasurable contributions to victory; and

Whereas in recent years the National Academy of Sciences, in the prosecution of its functions, has continued to demonstrate standards of excellence throughout the entire spectrum of science, from its most basic to its most applied aspects; and

Whereas the National Academy of Sciences has maintained the high esteem of the international scientific community and has ably represented this Nation in worldwide scientific organizations and endeavors; and

Whereas, as it enters upon the second century of its organization, the National Academy of Sciences is diligently fulfilling many of the most challenging commitments for service that have been undertaken in the annals of science: Therefore be it

*Resolved*, That the Senate hereby joins with the President and people of our Nation in conveying to the National Academy of Sciences and the National Research Council of such Academy congratulations and appreciation for the many outstanding contributions made by the Academy during the past one hundred years, and in expressing high confidence that the Academy will continue to serve the best interests of this country and all mankind.

The excerpts and address presented by Mr. HUMPHREY are as follows:

### ISSUES ON WHICH THE NATIONAL ACADEMY OF SCIENCES HAS BEEN OF DIRECT SERVICE TO THE CONGRESS IN THE PAST CENTURY

(Excerpts of statement of Dr. Frederick Seitz, President, National Academy of Sciences, before the Subcommittee on Science, Research, and Development of the Committee on Science and Astronautics, House of Representatives, October 15, 1963)

For your perusal, I have listed a number of cases in which the National Academy of Sciences has been of direct service to the Congress in the last century. In making this list, I have chosen some clear and well-defined cases in which we have been formally asked by Congress to investigate an important issue. I should add that there are many other instances in which congressional committees have called upon us to appear before them, formally or informally, and still others in which we have been of service to individual Members at their request.

### SCIENTIFIC INSTRUCTIONS FOR THE "POLARIS" EXPEDITION—1870

An act of Congress in 1870 authorized an expedition toward the North Pole, providing that the scientific operations of the expedition be in accordance with the advice of the National Academy of Sciences. A committee of the Academy provided such advice for the resulting voyage of the *Polaris*, which took place in 1871.

### TRANSITS OF VENUS—1871

A committee of the Academy was appointed to make plans for the observation of the transit of Venus across the sun's disk, which would take place in 1874. In 1871 Congress made the first of several appropriations for the purchase of instruments and the cost of the necessary expeditions for these observations, specifying that they be spent under the direction of a commission that would include the President of the Academy. The same commission remained in existence for the second transit of Venus, in 1882. These are the only two transits of Venus that have occurred since the Academy's founding; the next will occur in the year 2002.

### SURVEYING AND MAPPING OF THE TERRITORIES OF THE UNITED STATES—1878

The Sundry Civil Act of 1878–79 required the Academy to review the land surveys of a scientific character then being carried out by the War and Interior Departments and the Land Office, and to report to Congress a plan for the surveying and mapping of the territories of the United States. The Academy's plan, which recommended the termination of the earlier geological and geographical surveys, and the establishment of the new U.S. Geological Survey to take their place, became part of the Sundry Civil Act of 1879–80, thus bringing the Geological Survey into existence.

### NATIONAL BOARD OF HEALTH—1879

Congress established a National Board of Health in 1879 and requested the Academy to cooperate with the Board and report to Congress. The committee appointed by the Academy for this task remained in existence until 1883.

### THE SIGNAL SERVICE OF THE ARMY, THE GEOLOGICAL SURVEY, THE COAST AND GEODETIC SURVEY, AND THE HYDROGRAPHIC OFFICE OF THE NAVY DEPARTMENT—1884

A Joint Commission of the Senate and the House was established by the Sundry Civil Act of 1884–85 to report on the organization of these agencies "with the view to secure greater efficiency and economy of administration of the public service." The Joint Commission asked for the advice of the Academy. Not all the recommendations of the Academy were followed, but the following were: (1) The meteorological service became a separate bureau under the Department of Agriculture (later the Weather Bureau in the Department of Commerce); (2) The National Bureau of Standards was established in the Department of Commerce and Labor; (3) The Astrophysical Observatory was established under the Smithsonian Institution.

### SPECIFICATIONS FOR THE PRACTICAL APPLICATION OF THE DEFINITIONS OF THE AMPERE AND VOLT—1894

The act of Congress establishing the definitions of the ampere and volt, in accordance with the findings of the electrical congress of 1893, provided that the Academy should specify whatever details might be necessary for the practical application of these definitions, and that these specifications should be considered the standard specifications for the country.

### NATIONAL FOREST RESERVE IN THE SOUTHERN APPALACHIANS—1902

The Academy made a letter report to the Senate Committee on Forest Reservations and the Protection of Game, in response to an inquiry from the committee chairman relative to the conditions under which a reservation in the Southern Appalachians might be established.

### METHODS AND EXPENSES OF CONDUCTING SCIENTIFIC WORK UNDER THE GOVERNMENT—1908

The Sundry Civil Act for 1908–09 required the Academy to report to the Congress a plan for consolidating all "scientific surveys" and all "chemical, testing, and experimental laboratories" of the Government so as to "prevent duplication of work and reduce expenditures without detriment to the public service." A report was made, finding that the actual duplication of work was of small magnitude, but that the duplication of organizations and facilities was considerable, and that a permanent board should be established to try to bring about a "rational correlation of allied branches of scientific work carried on by the Government." It is not clear what was done with this report by the Congress.

### ADOPTION OF CENTIGRADE AND FAHRENHEIT SCALES—1916

The Academy appointed a committee on this subject in response to the requirement of a bill, H.R. 528.

### CONGRESSIONAL MEDAL—1920

In response to a Senate joint resolution the Academy named a committee which reported adversely on a recommendation for the award of a congressional medal to an individual for his discoveries related to radio receiving.

### METRIC SYSTEM—1922

At the request of a Senator, an Academy committee reported on a bill to fix the metric system of weights and measures as the single standard for certain uses. The Academy committee favored the bill.

### MATHEMATICAL ASPECTS OF REAPPORTIONMENT—1929

An Academy committee appointed at the request of the Speaker of the House reported on the several mathematical methods of calculating the apportionment of Representatives among the States.

### ADVICE ON CANCER RESEARCH—1937

A committee was appointed by the Academy at the request of a Senator to provide advice and suggestions with regard to a program of cancer research that would be authorized by a pending bill.

### TAXATION OF FELLOWSHIPS—1954

At the request of the Assistant Secretary of the Treasury the Academy convened a representative meeting to discuss for officials of the Treasury and representatives of the Senate Finance Committee the question of proposed limitations of the tax-free status of fellowship awards for scholarly study. A statement was prepared on the basis of this meeting.

### POLIOMYELITIS VACCINATION—1955

The chairman of the Subcommittee on Health and Science, House Committee on Interstate and Foreign Commerce, requested the Academy to name a panel of experts to discuss before the subcommittee the scientific aspects of a bill to defray the cost of poliomyelitis vaccination for certain groups. Afterwards the subcommittee chairman wrote to the President of the Academy, "a new standard of excellence has been established for the discussion of complex scientific problems before congressional committees."

### CHEMICAL ADDITIVES IN FOOD—1957

A panel was appointed by the Academy at the request of the Subcommittee on Health and Science of the House Interstate and Foreign Commerce Committee to discuss with the subcommittee the problems associated with chemical additives in foods.

### INTERNATIONAL GEOPHYSICAL YEAR—1958

At the request of the chairman of the House Committee on Interstate and Foreign Commerce the President of the Academy reported on the participation of the United States in the International Geophysical Year and in the international programs generated by it.

### INTERNATIONAL GEOPHYSICAL YEAR—1959

The Academy was represented with the National Science Foundation in a number of hearings on appropriations for U.S. participation in the International Geophysical Year.

### COLOR ADDITIVES IN FOOD—1960

A panel was appointed by the Academy at the request of the House Committee on Interstate and Foreign Commerce to provide scientific information on the problem of safe tolerances for color additives known to be capable of inducing cancer in man or animal.

### POLLUTION OF WATER, AIR, AND SOIL—1963

The chairman of the House Committee on Science and Astronautics requested the Academy to consider the feasibility of assuming responsibility for assembling and organizing information on the problem of pollution of water, air, and soil. Matter still under consideration.

These examples include only a few of the large number of inquiries answered by the Academy from individual Senators and Representatives, and of the large number of appearances by the President of the Academy and by especially designated members of the Academy before various House and Senate committees and subcommittees at their invitation to discuss pending legislation or other problems.

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## TEXT OF REMARKS BY THE PRESIDENT BEFORE THE NATIONAL ACADEMY OF SCIENCES, CONSTITUTION HALL, WASHINGTON, D.C., OCTOBER 22, 1963

I am happy to accept the invitation of the National Academy of Sciences to take part in this centennial celebration. It is impressive to reflect that 100 years ago, in the midst of a savage fraternal war, the U.S. Congress established a body devoted to the advancement of scientific research. Joseph Henry, to whom the development of American science owes so much, well said that the organization of this Academy marked "an epoch in the history of philosophical opinions in our country." It was, Henry added, "the first recognition by our Government of the importance of abstract science as an essential element of mental and material progress."

The recognition of the value of "abstract science" ran against the grain of our traditional preoccupation with application and technology. You will remember Tocqueville's famous chapter on "Why the Americans Are More Addicted to Practical Than to Theoretical Science." Tocqueville concluded that, the more democratic a society, "the more will discoveries immediately applicable to productive industry confer gain, fame, and even power on their authors."

But if I were to name a single thing which points up the difference this century has made in the American attitude toward science, it would certainly be the wholehearted understanding today of the importance of pure science. Science contributes to our culture in many ways, as a creative intellectual activity in its own right, as the light which has served to illuminate man's place in the universe, and as the source of understanding of man's own nature. We realize now that progress in technology depends on progress in theory—that the most abstract investigations can lead to the most concrete results—and that the vitality of a scientific community springs from its passion to answer science's most fundamental questions. I therefore greet this body with particular pleasure—for the range and depth of scientific achievement represented in this room constitute the seedbed of the Nation's future.

The last hundred years have seen a second great change—the change in the relationship between science and public policy. To this new relationship, your own Academy has made a decisive contribution. For a century, the National Academy of Sciences has exemplified the partnership between scientists who accept the responsibility that accompanies freedom and a Government which encourages the increase of knowledge for the welfare of mankind. As a result in large part of the recommendations of this Academy, the Federal Government enlarged its scientific activities through such agencies as the Geological Survey, the Weather Bureau, the Bureau of Standards, and the Forest Service.

But it took the First World War to bring science into central contact with government policy, and it took the Second World War to make scientific counsel an indispensable function of government.

The relationship between science and public policy is bound to be complex. As the country has had reason to note in recent weeks, scientists do not always unite among themselves in their recommendations to the makers of policy. This is only partly because of scientific disagreements. It is even more because the big issues so often go beyond the possibilities of exact scientific determination. I know few significant questions of public policy which can be safely confided to computers. In the end, the hard decisions inescapably involve imponderables of intuition, prudence, and judgment.

In this last hundred years, science has thus emerged from a peripheral concern of government to an active partner. The instrumentalities devised in recent times have given this partnership continuity and force. The question on all our minds today is how science can best continue its service to the Nation in the years to come.

I would suggest that science is already moving to enlarge its influence in three general ways: in the interdisciplinary area; in the international area; and in the intercultural area. For science is the most powerful means we have for the unification of knowledge; and a main obligation of its future must be to deal with problems which cut across boundaries, whether boundaries between the sciences, boundaries between nations, or boundaries between man's scientific and humane concerns.

As science, of necessity, becomes more interdisciplinary, so also, of necessity, it becomes more international. I am impressed to know that of the 670 members of this Academy, 163 were born in other lands. The great scientific challenges transcend national frontiers and national prejudices. In a sense this has always been true: the language of science is universal, and perhaps scientists have been the most international of all professions in their outlook. But the contemporary revolution in transport and communication has dramatically speeded the internationalization of science. And one consequence has been the increase in organized international cooperation.

Every time you scientists make a major invention, we politicians have to invent a new institution to cope with it—and almost invariably, these days, it must be an international institution. I am not just thinking of the fact that when you people figure out how to build a global satellite communication system, we have to figure out a global organization to manage it. I am thinking, as well, that scientific advance provided the rationale for the World Health Organization and the Food and Agriculture Organization—that splitting the atom leads not only to a nuclear arms race but to the establishment of the International Atomic Energy Agency—that the need for scientific exploration of Antarctica leads to an international treaty providing free access to the area without regard to territorial claims—that the scientific possibility of a World Weather Watch requires the attention of the World

Meteorological Organization—that the exploration of international oceans leads to the establishment of an Intergovernmental Oceanographic Commission. Recent scientific advances have not only made international cooperation desirable but have made international institutions necessary. The ocean, the atmosphere and outer space belong not to one nation or to one ideology but to all mankind.

As science carries out its tasks in the years ahead, it must enlist all its own disciplines, all nations prepared for the scientific quest and all men capable of sympathizing with the scientific impulse. Scientists alone can establish the objectives of their research. But society, in extending support to science, must take account of its own needs. As a layman, I can only suggest with diffidence what some of the major tasks might be on the scientific agenda. But you will forgive me if I venture to mention certain areas which, from the viewpoint of the maker of policy, might deserve your special concern.

First, I would suggest the question of the conservation and development of our natural resources. In a recent speech to the General Assembly of the United Nations, I proposed a worldwide program to protect land and water, forests and wildlife; to combat exhaustion and erosion; to stop the contamination of water and air by industrial as well as nuclear pollution; and to provide for the steady renewal and expansion of the natural bases of life. Malthus argued a century and a half ago that men, by using up all available resources would forever press on the limits of subsistence thereby condemning humanity to an indefinite future of poverty and misery. We can now begin to hope that Malthus was expressing, not a law of nature, but a limitation of scientific and social wisdom. The truth or falsity of his prediction will depend on our own actions, now and in the years to come.

The earth can be an abundant mother if we learn to use her with skill and wisdom—to tend her wounds, replenish her vitality, and utilize her potentialities. And the necessity is now urgent and worldwide; for few nations embarked on the adventure of development have the resources to sustain an ever-growing population and a rising standard of living. The United Nations has designated this the decade of development. We all stand committed to make this agreeable hope a reality. This seems to me the greatest challenge to science in our time: to use the world's resources to expand life and hope for the world's inhabitants.

While these are essentially applied problems, they require guidance and support from basic science. I solicit your help, and I particularly solicit your help in meeting a problem of universal concern: the supply of food to the multiplying mouths of our multiplying world. Abundance depends on the application of sound biological analysis to the problems of agriculture. If all the knowledge we already have were systematically applied, the world could greatly improve its performance in areas of low yield today. But this would not be enough, and the long-term answer to inadequate food production must lie in new research and new experimentation. And the successful use of new knowledge will require close cooperation with other nations. Already a beginning has been made: I think of the work in other countries of the Rockefeller and Ford Foundations, and the creation by the OAS of the Inter-American Institute of Agricultural Sciences in Costa Rica. I look forward eventually to the establishment of a series of international agricultural research institutes on a regional basis throughout the developing world.

Second, I would call your attention to a related problem—that is, the understanding and use of the resources of the seas. I recently sent Congress a plan for a national oceanographic program, calling for the expenditure of more than $2 billion over the next 10 years. This plan is the culmination of 3 years' effort by the Interagency Committee on Oceanography, and it results from recommendations made at my request by the National Academy.

Our goal is to investigate the world ocean, its boundaries, its properties, and its processes. To a surprising extent the sea has remained a mystery: ten thousand fleets still sweep over it in vain; we know less of the oceans at our feet than of the sky above our heads. It is time to change this—to use to the full our powerful new instruments of oceanic exploration—to drive back the frontiers of the unknown in the waters which encircle our globe. We need this knowledge for its own sake—and we need it to consider its bearings on our security and on the world's social and economic needs. It has been estimated, for example, that the yield of food from the seas could be increased 5 or 10 times through better knowledge of marine biology.

Here again the job can best be done by the nations of the world working together in international institutions. As all men breathe the same air, so a storm along Cape Cod may well begin off the shores of Japan. The world ocean is also indivisible; and events in one part of the great sea have astonishing effects in remote places. International scientific cooperation is indispensable if human knowledge of the ocean is to keep pace with human needs.

Third, there is the atmosphere itself—the atmosphere in which we live and breathe and which makes life on this planet possible. Scientists have studied the atmosphere for many decades; but its problems continue to defy us.

The reasons for our limited progress are obvious. Weather cannot be easily reproduced and observed in the laboratory. It must therefore be studied in all its unruliness wherever it has its way. Here, as in oceanography, new scientific tools have become available. With modern computers, rockets, and satellites, the time is ripe to harness a variety of disciplines for a concerted attack. And, even more than oceanography, the atmospheric sciences require worldwide observation and hence international cooperation.

Some of our most successful international efforts have involved study of the atmosphere. We all know that the World Meteorological Organization has been effective in this field. It is now developing a worldwide weather system to which nations the world over can make their contributions. Such cooperative undertakings can challenge the world's best efforts for decades to come.

Fourth, I would mention a problem which I know has greatly concerned many of you—that is, our responsibility to control the effects of our own scientific experimentation. For, as science investigates the natural environment, it also modifies it—and that modification may have incalculable consequences, for evil as well as for good. In the past, the problem of conservation has been mainly the problem of inadvertent human destruction of natural resources. But science today has the power for the first time in history to undertake experiments with premeditation which can irreversibly alter our biological and physical environment on a global scale.

The problem is difficult, because it is hard to know in advance whether the cumulative effects of a particular experiment will help or harm mankind. In the case of nuclear testing, the world is satisfied that radioactive contamination involves unnecessary risks—and we are all heartened that more than 100 nations have joined to outlaw testing in environments where the effects most directly threaten mankind. In other fields, we may be less sure. We must, for example, balance the gains of weather modification against the hazards of protracted drought or storm.

The Government has the clear responsibility to weigh the importance of large-scale experiments to the advance of knowledge or to national security against the possibility of adverse and destructive effects. The scientific community must assist the Government in arriving at rational judgments and in interpreting the issues to the public. To deal with this problem, we have worked our formal procedures within the Government to assure expert review before potentially risky experiments are undertaken. And we will make every effort to publish the data needed to permit open examination and discussion of proposed experiments by the scientific community before they are authorized.

If science is to press ahead in the four fields I have mentioned, if it is to continue to grow in effectiveness and productivity, our society must provide scientific inquiry the necessary means of sustenance. Military and space needs, for example, offer little justification for much work in what Joseph Henry called abstract science. Though such fundamental inquiry is essential to the future technological vitality of industry and government alike, it is usually more difficult to comprehend than applied activity—and as a consequence often seems harder to justify.

If basic research is to be properly regarded, it must be better understood. I ask you to reflect on this problem and on the means by which in the years to come our society can assure continuing backing to fundamental research in the life sciences, the physical sciences, the social sciences, on natural resources, on agriculture, on protection against pollution and erosion. Together the scientific community, the government, industry and education must work out the way to nourish American science in all its power and vitality.

I would not close on a gloomy note. For ours is a century of scientific conquest and scientific triumph. If scientific discovery has not been an unalloyed blessing, if it has conferred on mankind the power not only to create but also to annihilate, it has at the same time provided humanity with a supreme challenge and a supreme testing. If the challenge and the testing are too much for humanity, then we are all doomed. But my own faith is plain and clear. I believe that the power of science and the responsibility of science have offered mankind a new opportunity not only for intellectual growth but for moral discipline—not only for the acquisition of knowledge but for the strengthening of nerve and of will.

We are bound to grope for a time as we grapple with problems without precedent in human history. But wisdom is the child of experience. In the years since man unlocked the power stored up within the atom, the world has made progress, halting but effective, toward bringing that power under human control. The challenge may be our salvation. As we begin to master the destructive potentialities of modern science, we move toward a new era in which science can fulfill its creative promise and help bring into existence the happiest society the world has ever known.

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## FOREIGN ASSISTANCE ACT OF 1963—AMENDMENTS (AMENDMENT NOS. 240, 241, 242, 243, 244, 245, AND 246)

Mr. ELLENDER submitted amendments, intended to be proposed by him, to the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. JAVITS submitted amendments (Nos. 238 and 239), intended to be proposed by him, to House bill 7885, supra, which were ordered to lie on the table and to be printed.

## ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on October 25, 1963, he presented to the President of the United States the following enrolled bills:

S. 1064. An act to amend the act redefining the units and establishing the standards of electrical and photometric measurements to provide that the candela shall be the unit of luminous intensity; and

S. 1576. An act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction of community mental health centers, and for other purposes.

## TOM CONNALLY

Mr. YARBOROUGH. Mr. President, we have just received the sad news of the passing away, this morning, of one of the alltime great Members of the Senate, Tom Connally.

The loss of Tom Connally is a loss to the whole peace-loving world. In his 36 years in Congress, his leadership helped to mold American domestic and foreign policy with a wisdom rarely seen.

As chairman of the Senate Foreign Relations Committee, he helped create the United Nations, and was a leading influence in causing the United States to assume a leading role in the United Nations. He assumed the chairmanship of the Senate Foreign Relations Committee in July 1941, on the eve of the U.S. entry into the World War, and was a guiding power in the Government of the United States during the hard days of World War II and in connection with forging the instruments of victory. He was Vice Chairman of the American delegation to the United Nations Conference on International Organization, at San Francisco.

It was Tom Connally who sponsored ratification of the United Nations Charter in the Senate. He was a member of the American delegation to the first U.N. General Assembly meeting in 1946.

He was a great man. In 1952, after 24 years of distinguished service in the Senate, he decided, for health reasons, not to be a candidate for reelection. History and today's steady march toward a world at peace will prove him to be one of America's greatest Senators.

I was a young lawyer in Texas, more than 30 years ago when Tom Connally would come back to our State and would speak to his legions of friends at the crossroads, in the small towns, and in the cities. He would call thousands of them by their first names. He talked of the great goals and problems common to all mankind in a warm, simple way that made him loved and respected in a way exemplifying the finest in American statesmanship. Tom Connally looked like a Senator; he spoke like a Senator; he was a leader in the best traditions of our Government.

This is the way I will remember the beloved Tom Connally.

He was elected to the 65th Congress and to five succeeding Congresses, from March 4, 1917, to March 3, 1929; and in 1928 he was elected to the U.S. Senate, where he served from March 4, 1929, to January 3, 1953.

Mr. President, later in this session I hope to have more extensive remarks to make about this great Senator from Texas.

Mr. MANSFIELD. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. MANSFIELD. Mr. President, I would like to join the distinguished senior Senator from Texas [Mr. YARBOROUGH] in expressing deep sorrow at the passing of our late colleague, Senator Tom Connally, of Texas.

His contributions to his State and to the Nation, as well as to the deliberations of this body, have been many, and will be most enduring. He served with dignity as chairman of the Senate Committee on Foreign Relations. He was a strong asset to the party to which he belonged and to the Nation of which he was a citizen.

Although we have for some time anticipated this sad event, nevertheless we are deeply shocked at the news that Tom Connally has now gone to his reward.

On behalf of Mrs. Mansfield and myself, I extend to his family our deepest sympathy in this hour of sorrow.

Mr. MORSE. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. MORSE. It is with deep sadness, Mr. President, that I hear the announcement of the death of Tom Connally. He was a most valiant teacher of mine in the Senate. I worked with him for a good many years on many matters involving the foreign policy of this Republic.

Tom Connally was truly a great American. He has written on the pages of the history of the Senate a great record which will always be the greatest monument which possibly could be erected to his memory.

Tom Connally will live in American history. That is not true of most public servants. The record he made is a living one; it will live on for decades to come.

I join the Senator from Texas [Mr. YARBOROUGH] and the majority leader [Mr. MANSFIELD], in behalf of myself and Mrs. Morse, in extending to Tom Connally's family our deep sympathy.

Mr. YARBOROUGH. Mr. President, inasmuch as the Vice President of the United States, the former distinguished majority leader, and formerly my colleague from Texas, is now occupying the chair, and inasmuch as the rules of the Senate do not permit him to speak in the Senate, I wish to state that I know that in expressing our deep sympathy to the family of the late Senator Tom Connally, the Vice President would wish to join us in these remarks and in our expressions of appreciation for the outstanding services rendered by this very distinguished statesman.

Mr. FULBRIGHT. Mr. President, it was with sincere regret that I heard of the passing of former Senator Tom Connally, of Texas. His 36 years of service in the Congress, particularly during the Second World War and Korean war periods, provided an example of statesmanship for all to follow. It was under his chairmanship that the Committee on Foreign Relations passed on the United Nations Charter, the North Atlantic Treaty, the Rio Treaty, the Japanese Peace Treaty and other measures which have helped shape today's world.

His influence went very deep in the work of this body. I had served 4 years on the committee when Senator Connally retired, but I remember him well as a charming, interesting, and colorful individual. He added a great deal to the interest of all Members of this body.

Perhaps the sentiments of his colleagues and the memory of him as a man are best summed up in the closing paragraph of the resolution commemorating his retirement in 1952:

> *Resolved*, That the Committee on Foreign Relations expresses its warm affection for Senator Connally, and its deep appreciation for his devotion and outstanding service which he has rendered to the committee, to the Senate, to the United States, and to the entire free world by his great ability, initiative, and statesmanship.

## DR. OLAUS J. MURIE

Mr. BARTLETT. Mr. President, Olaus J. Murie is gone; but as long as one person who knew this great American continues to live, affectionate memories of a fine man will linger; and in his published works and in his contributions to the wilderness and to conservation and to the simple and good things of life, Olaus Murie has left an enduring monument.

Troubled by illness for many years, but resolutely following the outdoor life which he loved best whenever his health permitted him to do so, Olaus Murie died the other day in his beloved Wyoming. In commenting editorially on his passing, the Washington Post, said among other things:

> Even in his advanced years, Dr. Murie walked through a forest with the graceful stride of a panther.

On first reading that sentence, I flatly rejected the contention that Olaus Murie was a man of advanced years. On reflection, I had to agree that as time is usually counted, he was certainly not a young man, being 74 or 75 at the time of his death. Yet to me and, I dare say, to everyone else who knew him, he was always young in heart and spirit.

Wyoming was home for Olaus Murie and his wife, Mardy. Alaska was surely their second home, and Mardy's first, almost. It was there she was raised, and it was there she and Olaus met. The story of their meeting and marriage in Alaska is recounted in Mardy's fascinating book "Two in the Far North," telling of their life in Alaska.

I knew Olaus Murie more than 40 years. To know him was to respect him and to admire him. His abiding interest in nature and his determination to save some of the wilderness unspoiled for the future were as marked characteristics of the man as was his gentle spirit. We shall miss him.

Mr. President, I ask unanimous consent to have printed in the RECORD, as part of my remarks, the editorial which was published in the Washington Post last Friday.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

To thousands of people who had hiked or camped with Olaus J. Murie or had talked with him on a mountain trail, he was Mr. Wilderness. Even in his advanced years, Dr. Murie walked through a forest with the graceful stride of a panther. His ears were attuned to every sound of the "singing wilderness," as Sig Olson would say. He was a friend of every living thing and seemed to find his greatest enjoyment in introducing other human beings to the mysteries of the wilds.

Dr. Murie began his fascinating career as a sort of ambassador of the wilderness when he and his wife Margaret went to Alaska to study the caribou for the old U.S. Biological Survey. Later they studied the wolves of Alaska and many other wild animals in their natural habitats. He was an eminent authority on the elk and in 1949 led an expedition to New Zealand to study that species. His volume of "The Elk of North America" and various other books won him high distinction as a naturalist.

Yet it was to the unspoiled forests, streams and open spaces, rather than the world of books, that he belonged. At home with the natives of remote areas as well as with the wild life, he exemplified the gentleness and natural wisdom that some sensitive people seem to derive from close association with the earth and its creatures.

As president and later as council chairman of the Wilderness Society, he was a tower of strength in many conservation endeavors. His interest in the preservation of natural beauty was pointedly demonstrated in 1954 when he came to Washington from his home in Moose, Wyo., to participate in the 175-mile C. & O. Canal hike led by Justice Douglas. At the age of 65, he hiked the entire distance even though he was ill at the time. His friends of that and many other expeditions will remember him as a highly civilized being who had acquired an aura of nobleness from the wilds that he loved so much.

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## SHIPBUILDING PRICES AND COSTS

Mr. BARTLETT. Mr. President, recently I had the privilege of reading the text of an address presented by the excellent and able president of the Shipbuilders Council of America, Edwin M. Hood, at the National Propeller Club Convention, at Baltimore. In the belief that my colleagues will likewise find Mr. Hood's statement of interest, I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I am delighted to have this opportunity to talk about U.S. shipyard selling prices and the cost factors that govern them. This subject, it seems to me, has been badly maligned in recent years. Why U.S. shipyard prices should be singled out as a prime target for distortion while most other U.S. industries are similarly at an economic disadvantage with respect to their foreign counterparts is never made quite clear.

At the outset, however, let me say most emphatically that shipyard prices in the United States have followed a general downward trend over the past 6 years while shipyard costs, in the same period, have steadily increased. This pattern is perhaps unique against the backdrop of the general inflationary pressures which have prevailed in our economy since 1953.

But, the dramatic trend of prices and costs in our industry has been completely obscured by the prominence given shipyard economics in foreign countries. Not only are price and cost comparisons cited, but the modernization of certain shipyard facilities in Europe is frequently used to create the illusion that U.S. yards, as one observer put it, are "steeped in antiquity."

In the limited time allotted to me, it is my purpose to expose these illusions for what they are and to place the U.S. shipyard price-cost balance in clear focus.

First, a few moments should be devoted to what has taken place with respect to foreign shipbuilding. It is little realized that your tax dollars—and mine—were used either directly or indirectly to reconstruct and rehabilitate foreign shipyards which were damaged or destroyed during World War II. Under mutual security and foreign aid programs, better than 1 billion U.S. dollars were spent in this endeavor. It is hardly necessary to add that the expenditure of an equivalent sum of money with U.S. shipyards would have greatly improved the economics of shipbuilding and ship repairing in this country.

But, modernized facilities can frequently be a mirage. Willy Schlieker's yard in Hamburg, Germany, which for a while was widely advertised as the most up-to-date and most automated shipyard in the world has been bankrupt and its doors are now padlocked. William Denny & Co., the venerable Clydeside shipbuilder and manufacturer of a Hovercraft air cushion vessel which has been pictured as a forerunner of the merchant ships of the future, has reportedly within the month gone into voluntary liquidation. Earlier this year, the trade journals announced that the modern Swedish yard, Uddavallavarvet AB, had gone into receivership and was taken over by the Swedish Government.

The experiences of these yards suggest that any modernization scheme—whether grandiose or modest—must be predicated on the expectation of a sufficient work volume to enable adequate use of the facilities and to justify the investment of hard cash. Those who downgrade the progress of U.S. shipyards and clamor for even more ambitious improvement programs, would make sense if they could offer some assurances that work volumes will increase to adequate levels in the future. To be sure, with prospects for more work, greater strides could be made.

Even so, U.S. shipyards have not been pennywise and pound foolish. In the past 10 years, it is conservatively estimated that between $250 and $400 million have been spent for yard improvements. Supporting the higher estimate is the latest Census of Manufactures, published by the Department of Commerce, which shows that nearly $40 million were spent for capital improvements in the shipyards in 1958 alone.

Most of the latter-day techniques such as optical lofting, automatic flame cutting, new welding processes, prefabrication, and so forth, are already being employed in our shipyards. Attention is also being given to the adoption of computerized operations, tape controls, and more. And, the U.S. shipyard industry leads the world in developing and building nuclear powered vessels. This accomplishment would not be possible without the capabilities and facilities to deal with the full spectrum of engineering and technical problems associated with the nuclear age.

But, in the great American tradition, if U.S. yards could see the potential for more work on the horizon, I am confident the necessary funds for greater improvements would be forthcoming. And, with it, shipyards would be in a position to pass on greater savings to the ship operator, the public treasury, and the taxpayer.

American ingenuity is numbered among our greatest national assets. That statement is not new to this distinguished audience. But, ingenuity and progress in our industry have come to be an absolutely necessary way of life. And, those who suggest that U.S. shipyards with built-in higher costs, as represented largely by our higher standard of living, can by some magical formula overcome the cost advantages of our foreign competitors are out of touch with the economic facts of life.

Shipyards produce mostly custom-built ships requiring an infinite number of skills and many months to complete. The opportunities for assembly line cost saving techniques are therefore limited. For one thing, a shipyard production run is small. And, series production in our industry usually involves an order for only two or five ships of similar design.

In spite of considerable investments in capital improvements and tremendous progress in utilizing new techniques, labor costs still remain a major item in determining the total cost of constructing a ship. To put this point in better focus, a comparison of average hourly shipyard labor costs, including all fringe benefits, prevailing in the principal shipbuilding nations of the world during the period 1959–62 is most enlightening.

*Comparative average hourly labor costs in U.S. cents, 1959–62*

| | 1959 | 1960 | 1961 | 1962 |
|---|---|---|---|---|
| United States | 268.0 | 277.4 | 292.2 | 300.9 |
| Sweden | 142.4 | 149.0 | 159.2 | 169.2 |
| France | 77.0 | 84.0 | 108.0 | 124.5 |
| Norway | 96.7 | 99.9 | 104.6 | 109.3 |
| West Germany | 78.9 | 28.1 | 91.2 | 108.3 |
| Denmark | 89.6 | 95.0 | 101.8 | 108.0 |
| Netherlands | 75.5 | 80.0 | 91.7 | 100.2 |
| United Kingdom | 82.3 | 88.8 | 94.5 | 96.4 |
| Italy | 72.9 | 77.2 | 80.5 | 84.4 |
| Japan | 66.3 | 68.4 | 72.3 | 73.3 |

It will be seen that U.S. labor costs range from nearly double to four times higher than those of our foreign counterparts. But, labor rates alone do not necessarily dictate the final price of ships. Other factors have an important bearing. For example, Sweden, which has the second highest labor costs, is able to offset this disadvantage because of favorable, less rigid labor agreements. Swedish yards are unhampered by rigid work rules and are able to interchange workmen and skills to achieve great economies and cost savings.

My point in focusing attention on comparative labor costs here and abroad is not to disparage the American worker. It is to emphasize that the American standard of living, of which we are justifiably proud, is a not inconsiderable factor in the economic equation that determines the price of materials and services which shipyards must procure. There are also those who say that the productivity of the workingman, individually and collectively, must be included in the equation.

Thus far, I have endeavored to explain, in the language of the layman, the reasons why U.S. shipbuilding costs exceed those of foreign nations. I have also shown—I hope to your satisfaction—that our yards are anything but complacent, that they are technologically alert and that they are aggressively striving to reduce prices as well as costs. The index of estimated shipbuilding costs ranging from January 1, 1939 to December 31, 1962, provides more substantiating evidence of this point.

The experience curve, constructed by the Maritime Administration's Office of Ship Construction, reflects both labor and material costs of the shipbuilders. The curve is practically uninterrupted in its upward ascent. During the past 10 years, shipbuilding costs to the shipbuilder have increased about 33 percent. The rate of climb has been less severe lately, and it is hoped this short-term trend portends a leveling off of cost increases and greater productivity on the part of the labor force.

The trend of new ship selling prices in this country is even more striking. The experience curve, also drawn by the Maritime Administration's Office of Ship Construction, covering a time span from October 1957—when the subsidized ship replacement program got underway—through April of this year deserves wide notice.

Despite the fact that the shipbuilder's costs rose steadily during this period, shipbuilding prices fell steadily. The Maritime Administration's assessment of price trends shows that shipbuilding prices in December 1961 were about 22 percent below those which prevailed in October 1957. As of April of this year, these prices were still 18 percent below the October 1957 level.

You might ask—and properly so—how does the trend of ship prices in this country compare with other economic barometers during the same period? To provide this perspective, the Bureau of Labor Statistics' Consumer Price Index for all items would seem to be the most appropriate benchmark.

Plotting the Consumer Price Index against the same base as the new ship selling price index is also revealing. Consumer prices are 8 percent higher than they were in the fall of 1957. Shipbuilding prices today, however, are 18 percent below the level which prevailed nearly 6 years ago. And, contrary to the much-publicized charge in recent weeks by some of our friends in the shipping community, the Maritime Administration tells us that shipyard selling prices have increased only by 2½ percent from the low of December 1961. The charge that U.S. shipyard prices are today 7 percent above 1960 levels is obviously not shared by the Maritime Administration and certainly not supported by shipbuilders' records.

The pattern of decreasing prices and increasing costs in U.S. shipyards since 1958 is really the pattern of survival in a highly competitive industry. It reflects efforts to reduce man-hours and to conserve material purchases. In addition, it reflects efforts to decrease overhead, and in many cases, to eliminate considerations of profits.

With this performance on the part of the privately owned commercial shipyards, it is hard to find any justification for the present national policy of arbitrarily assigning slightly more than 50 percent of all naval ship procurements to Government-owned and operated naval shipyards whose costs are within the range of 10 to 33 percent higher. The needless drain on the Federal Treasury which results from this procedure should require no diagrams here, other than to say that a change in policy by awarding more of this work to privately owned commercial shipyards could start in motion a chain reaction of economic forces which could effect greater stability in the industry. Hopefully, President Kennedy's statement last month that "no wasteful, inefficient or unnecessary Government activity will be tolerated" offers the promise of a change in policy with regard to naval shipwork.

And, so it is—the destiny of the U.S. private shipyard industry is shrouded with a cloak of public, and frequently industry, misconceptions and confounded with an admixture of national policies and international politics. As to misconceptions, these sessions of the Propeller Club conventions help to "clear the air." But, as to national policies and international politics, it is encouraging to have some veteran shipyard officials on the other side of the Atlantic Ocean argue that a flourishing shipbuilding industry in the United States must be at the foundation of all Western maritime policy. Toward the attainment of that free world resource, as well as in the accomplishment of essential national objectives, the private shipyards of the United States will continue to pursue vigorous efforts to reduce prices further, while at the same time delivering the best ships in the world.

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## DEPARTMENT OF AGRICULTURE NATIONWIDE MARKET NEWS SERVICE

Mr. BEALL. Mr. President, since August 1, the Department of Agriculture has been operating in the news media field through its nationwide Market News Service. I have always held a dim view of Government activities which compete with private enterprise, and in the case of this news service, I must express the strongest opposition.

During the past few years, much has been said about managed news. However, I take pride in our free press and the contribution it has made to a democratic society. With the establishment of a Department of Agriculture News Service, the principle of a free press is put in jeopardy. Government by its very nature tends to expand. It is not unreasonable to fear that this first entry into competition with our private news services will be duplicated by other Federal agencies.

In view of the fact that this nationwide Market News Service represents a new activity for which Federal funds will be expended, it seems to me that Congress should have had an opportunity to examine the program. I hope that the appropriate congressional committees waste no time in scheduling a full study of this questionable activity.

Mr. President, I can see no justification for permitting any Federal agency to enter the news reporting field. The News Service of the Department of Agriculture should be terminated immediately, and it should be made crystal clear that Congress will not permit other Federal agencies to adopt similar activities.

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## FAREWELL TO TAX REFORM

Mr. PROXMIRE. Mr. President, I have recently indicated my dissatisfaction with the lack of tax reforms in the tax bill presently before the Senate Finance Committee. I think that this is a dissatisfaction shared by many persons who have been interested in improving our tax structure. I feel that a rare opportunity to obtain basic tax reform has been frittered away.

In the New York Times for Wednesday, October 23, an editorial made the same point. The editorial first quoted Walter W. Heller, Chairman of the President's Council of Economic Advisers, as stating that "opportunities for tax reduction do not come often in a nation's lifetime."

The same thing could be said about tax reform. As the New York Times points out:

> This was a year, if ever there was one, to undertake a basic overhaul of our eroding tax structure.

The article goes on to say:

> The administration agreed to discard its most effective reform measures in the vain hope of accelerating the approval of reductions.
>
> Thus, it scrapped its proposal to change the way in which oil and gas allowances are computed, a move that would have mildly reduced the preferential status of the oil lobby. It has in fact agreed to new provisions that will create new loopholes and complexities, making reform more necessary than ever.

In my previous remarks on the tax bill, I have also pointed out the possibility of inflationary trends. The Times also mentioned this possibility. The editorial states:

> (The administration) has neglected the possibility that tax cuts in the absence of reform may provoke an unhealthy boom. Inflationary symptoms are admittedly scanty, but, as the recent price increases in steel and other products demonstrate, they are more in evidence than the signs of an economic decline.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### A FUMBLED OPPORTUNITY

Walter W. Heller, chairman of the President's Council of Economic Advisers, observed recently that "opportunities for tax reduction do not come often in a nation's lifetime." The record shows that Dr. Heller is correct. It is only on rare occasions that there is widespread agreement on the need for tax reduction. This year was one of those rare occasions, but the performance of administration spokesmen at the autumn meeting of the Business Council indicates that they are continuing to make the least of it.

This was a year, if ever there was one, to undertake a basic overhaul of our eroding tax structure. With economic activity running at record levels, the administration's original request for a broad tax revision program, involving reforms as well as reductions, was the right approach. But the White House agreed to discard its most effective reform measures in the vain hope of accelerating the approval of reductions.

Thus, it scrapped its proposal to change the way in which oil and gas allowances are computed, a move that would have mildly reduced the preferential status of the oil lobby. It acquiesced in killing off its proposal for a 5-percent floor on individual deductions without insisting on an alternative method of simplifying tax payments and strengthening the tax base. It has in fact agreed to new provisions that will create new loopholes and complexities, making reform more necessary than ever.

The administration has not only been willing to sacrifice reform, it has also pledged itself, in the manner of the Eisenhower administration, to curtail spending in a way that will inevitably result in jettisoning many necessary civilian projects. It has made little effort to cut back in areas of conspicuous waste, like agriculture, or in the huge outlays for defense and space. Thus the President's commitment to hold down spending will mean relative reductions for the growing social needs of a growing population.

The White House has stressed that tax reductions are needed to prevent a recession by giving the economy a shot in the arm; but it has neglected the possibility that tax cuts in the absence of reform may provoke an unhealthy boom. Inflationary symptoms are admittedly scanty, but, as the recent price increases in steel and other products demonstrate, they are more in evidence than the signs of an economic decline.

If tax cuts are voted, the administration is sure to claim that it has achieved a major victory. But in surrendering on reforms and giving in on spending, it has lost more than it can gain. The White House has fumbled its opportunity to lay a solid foundation for long-term economic growth.

## THE CLOUDY CRYSTAL BALL

Mr. PROXMIRE. Mr. President, recently the New York Times published a fine analysis by M. J. Rossant, pointing out the danger and difficulty of basing tax policy on economic forecasting. The economic forecasters have been wrong almost as often as they have been right. The predictions made by the leading economic advisers of Government that if we did not have a tax cut this year we would have a recession this year have already been proved wrong.

I ask unanimous consent that the article to which I referred, entitled "Cloudy Crystal Ball," by M. J. Rossant, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, Oct. 21, 1963]

### CLOUDY CRYSTAL BALL: PESSIMISM OF U.S. ECONOMISTS FOUND FAULTY IN FACE OF ECONOMY'S STRENGTH

(By M. J. Rossant)

The administration's economic forecasters are back at the same old stand. Both Secretary of the Treasury Douglas Dillon and Walter W. Heller, Chairman of the President's Council of Economic Advisers, predicted last week that a recession was in the making for next year unless Congress approved an across-the-board reduction in taxes.

These predictions echo the alarmist view voiced by the administration, including President Kennedy himself, earlier this year. Washington then had the jitters about the state of the economy. It discarded its tax revision program of reforms and reduction to concentrate almost solely on across-the-board tax cuts because of the fear of a recession.

Tax reduction did not come through, but the economy did. Now, the administration is again talking in terms of tax cuts as a shot in the arm rather than as an instrument that can help to narrow the gap between the performance of the economy and its potential.

#### CAUTION IS VOICED

Mr. Dillon alluded to the weakening of the economic indicators over recent weeks as the omen of a possible downturn, while Dr. Heller observed that "beyond the first few months of the year it is not easy to find enough economic steam in the economic boiler to prevent backsliding into recession."

The reversion to scare tactics implies that the economy is in delicate health if not actually ailing. Yet the latest and most sensitive barometers show nothing of the sort. The strength in demand for bank credit, construction, and retail sales indicates a renewed quickening in the pace of the expansion.

The administration is evidently unimpressed by the strength of business, just as it is unperturbed that its earlier predictions of recession for this year were, fortunately, erroneous. It is difficult to know whether it is motivated by the desire to win a political victory, or by honest concern about the economy.

If it does regard a deterioration in activity as probable, it is far from alone. The pessimistic belief that the economy will falter if tax reductions are not forthcoming has enjoyed an extraordinarily long vogue in both academic and business circles. Even though the economy has refuted it, it remains in fashion.

#### BUSINESSMEN'S FORECAST

Last week, for example, the Business Committee for Tax Reduction for 1963, headed by Henry Ford 2d, chairman of the Ford Motor Co., and Stuart Saunders, chairman of the Pennsylvania Railroad, issued a letter warning that "there are indications that the economy is now approaching a critical juncture," and declaring that tax cuts were essential if the current expansion is not to be curtailed.

Tax cuts would probably help to accelerate and prolong the expansion. But, as the Business Council pointed out this weekend, it does not follow that failure to enact a tax cut makes a recession inevitable for 1964.

The fact is that the pessimistic forecast that remains so fashionable has been out of touch with reality for well over a year. If forecasters continue to stick to this line, and if Congress refuses to act, they may eventually get a recession, if only because there comes a time when the most robust and durable expansion rolls over and dies.

But the case for an imminent recession is pretty weak. Given the poor record of the pessimists, the burden of proving that the economy is headed for a downturn unless saved by tax cuts is on them.

By their reckoning, the expansion should have been dead and buried by now. Even Dr. Heller, who was clearly more bullish than most academic and business prophets and did not foresee a decline in 1963, does not appear to have appreciated the strength of the basic forces at work.

#### PREDICTIONS WIDE OF MARK

In a speech in Milwaukee last week, Dr. Heller blithely acknowledged that he had been "wide of the mark" in his forecast for 1962, when he had expected the economy to reach boom proportions. He said, however, that he had been "very close to the mark" for 1963.

Dr. Heller's projections were more optimistic than the majority contained in a study entitled "Business Forecasts for 1963," published by the Federal Reserve Bank of Richmond. On this relative basis, he looks good. But considering his assumption that tax cuts would be in effect by last July, his claim of accuracy is questionable.

The Council's forecast for gross national product—the market value of goods and services produced in the economy—in 1963 was $578 billion, plus or minus $5 billion to $573 billion was apparently intended to cover all conceivable possibilities, although the Council explicitly stated that it was counting on passage of the President's tax proposals.

Without tax cuts, it is probable that Dr. Heller would have plumped for a slightly lower range, from, say, $570 billion to $580 billion.

* * * * *

#### ESTIMATES EXCEEDED

Dr. Heller's crystal ball turned out to be cloudy. Despite Congress' failure to comply with the President's request for action by midyear, gross national product has been rising faster than Dr. Heller's most optimistic expectations.

During the first half, gross national products averaged close to $576 billion at an annual rate. In the third quarter, it was running at an estimated annual rate of about $588 billion. The average for the year should be in the neighborhood of $585 billion, which is above the upper limit of Dr. Heller's tax reduction forecast.

It is possible that anticipations of tax cuts have helped to strengthen business activity, but evidence on this score is inconclusive. The most that can be said is that Dr. Heller may have come closer to the target than the majority of experts, but he has not come near the bull's-eye.

It should be clear by now that the performance of the economy is not due to magic. It has a lot of things going for it, and there is no sign that they are fading out. All major sectors—consumers, government, and business—are contributing to the rise.

Yet Dr. Heller and Mr. Dillon seem to be suggesting that the strong performance of the economy has been done with mirrors. They seem unable to believe that it can be kept going on its own.

The administration may be right in its skepticism about the future. But its renewed harping on the dangers of recession do not seem warranted. In fact, it is serving to discredit its reputation for responsible forecasting as well as the role it has played in prolonging the expansion.

## FREEDOM OF INFORMATION

Mr. SIMPSON. Mr. President, the Professional Journalistic Society, Sigma Delta Chi, has today made public an exhaustive report prepared by its freedom of information committee.

The society found that freedom of information in the Federal Government is at the lowest ebb in history—a conclusion which comes as no great surprise to those of us who have questioned the administration's policies of truth suppression.

In language with which I completely concur, the society asserted that Federal departments are hiding behind claims of "confidential" information which has resulted in "spreading the blanket of secrecy over the records of Government and particularly over those records pertaining to spending of taxpayer funds." Sigma Delta Chi concluded further that Defense Department officials have created "an oligarchy of control" over news released from the Defense Department.

Every administration attempts to present itself in a favorable light, but the New Frontier has completely misused this logical prerogrative with gestapo tactics, deliberate lies, as in the case of the TFX investigation, the Cuban crisis, and more currently, in the situation in Vietnam. Much of this is brought out in the Sigma Delta Chi report which is destined to prove a significant contribution to the principle of freedom of the press and public awareness of the activities of elected officials.

I compliment the society for the depth and scope of its report and for the cogency of its conclusions.

Mr. President, the report is quite lengthy, and accordingly, I would like to call my colleagues' attention to the first section in which are found comments on the Defense Department, "the Government lie," "the TFX plane controversy," "Sigma Delta Chi testimony in Congress," and "Cuba and Vietnam."

I ask unanimous consent that these excerpts, together with a news item from this morning's Washington Post, be printed in the CONGRESSIONAL RECORD at this point.

There being no objection, the excerpt and news article were ordered to be printed in the RECORD, as follows:

[From Report of the 1963 Sigma Delta Chi Advancement of Freedom of Information Committee]

### PART I. THE FEDERAL GOVERNMENT

#### 1. FREEDOM OF INFORMATION AT LOWEST EBB

President Kennedy had a lot of fine things to say about freedom of information in the Federal Government just before and right after his inauguration in 1961. But these fine resolutions have slowly eroded away during his nearly 3 years in office, and your committee must report that genuine freedom of information is at its lowest ebb today in the history of our Federal Government.

This can be summed up briefly in two sentences, as follows:

1. Secretary of Defense Robert S. McNamara and his public relations director, Arthur Sylvester, have created an oligarchy of control over the release of all news emanating from the Department of Defense and which led to its boast of "management of the news" in the Cuban crisis late in 1962.

2. All of the rest of Federal Government falls back on the mushy claims of "confidential" and similar excuses in spreading the blanket of secrecy over the records of government, and particularly over those records pertaining to the spending of the taxpayer funds.

On the other hand, the American people are being deluged today with more governmental propaganda than at any time in the history of our country. And the Department of Defense, both in the Pentagon and at the various military bases, is leading the way in this.

Webster's dictionary gives the definition of "oligarchy" as "despotic power exercised by a privileged class," and that exactly describes the approach of Secretary McNamara to freedom of information in the Department of Defense. The record shows clearly that he wants no dissent from his subordinates and that he is determined to institute rules to cut down on the possibility of any dissent arising or finding its way to the press.

Your committee is concerned about this for two reasons.

First, a democratic government always faces the great danger of usurpation of power by the military unless there is a constant restraint exercised by an informed public opinion. Thus far this year there have been several indications of the military's stretching its power, from behind its solid curtain of secrecy, into the domestic life of our Nation.

Second, the Department of Defense spends more than $50 billion of tax funds a year and, of all departments of our Federal Government, its spending should be under the constant restraint of an informed public opinion to eliminate possible waste and corruption.

The rest of Federal Government, spending nearly another $50 billion of tax funds a year, does this under the blanket of what your committee can only describe as "mushy secrecy." Here is the way virtually all of Federal Government utilizes "mushy secrecy" to disregard the right of the American people to know about their Government, taken from an actual case in 1963:

1. Late in May, a newspaper asked Federal offices in its community for certain legitimate information, not pertaining to national security. It was told that such information must come from the headquarters at Washington.

2. The newspaper immediately asked the Washington offices for this information.

3. On July 1, the newspaper received a letter from the Federal agency in Washington stating that the information was "confidential."

4. The newspaper then appealed to Representative Moss's House Subcommittee on Government Information and to the Congressmen who represented its district.

5. On July 26, Representative Moss wrote, after making inquiries of the Federal agency, that its policy was not to withhold information generally but only in certain individual cases.

6. On July 31, the Congressman from the district wrote the newspaper and enclosed three items of information released by the Federal agency, over 2 months after it had first informed the newspaper that the information requested was "confidential."

If there is any doubt of this general policy of "mushy secrecy" in our Federal Government, your committee recommends that every newsman in our land try to seek out similar legitimate information from any Federal agency.

#### 2. THE MAJOR PROBLEM

The Department of Defense unquestionably represented the major problem in the information field during the last year. Both the policies and the practices of the Defense Department should cause grave concern among those interested in the maximum freedom of information.

It should be made clear at the outset, that the objections are not with the proper use of measures to protect the national security of the United States within the law and properly drawn regulations. No responsible newspaper reporters or editors have suggested that the Defense Department, or any other governmental agency, abandon properly administered secrecy practices necessary for the national defense.

The objections are raised to policies and practices that have been devised and used for the purpose of stopping the normal flow of information from the Defense Department on matters that are not involved with the national security.

The pattern of the Pentagon in the last 3 years would appear to be designed to quash dissent, and to close up the avenues through which evidence of dissent normally finds its way to the press and to the public. This pattern would appear to be designed to keep a close supervision over press contacts with civilian and military personnel at the Pentagon to quiet those who might provide information contrary to the views and facts the politically appointed civilian secretaries wish to have presented.

The record shows that the Pentagon has in fact instituted policies to control press contacts at the Pentagon, and has released false and misleading information in connection with a variety of major controversies. This is the pattern:

1. In May 1961, testimony released by the Senate Armed Services Committee disclosed that Secretary McNamara made a statement indicating he favored less information for the public as well as misinformation on our military developments. The attitude expressed in that testimony might explain some later developments. McNamara testified:

"Why should we tell Russia that the Zeus development may not be satisfactory? What we ought to be saying is that we have the most perfect anti-ICBM system that the human mind will ever devise. Instead, the public domain is already full of statements that the Zeus may not be satisfactory, that it has deficiencies. I think it is absurd to release that kind of information."

Under criticism from Representative JOHN MOSS, Democrat, of California, Secretary McNamara issued a four-point statement on information policy that seemed to retreat from his position in his testimony. Moss had called the initial McNamara statement "a gross disservice" to the American people and declared it was "advocacy of a program of misinformation."

2. In February 1962, Defense Secretary McNamara used the arbitrary claim of "executive privilege" to prevent the Pentagon censors from testifying on the operations of the censorship program that had resulted in highly questionable pattern of deletions from the speeches of high-level military personnel. There was no claim that national security was involved in this withholding incident. The letter from President Kennedy to McNamara on February 8, 1962, appeared to be a further extension of the arbitrary claim of "executive privilege" that had been used by the Eisenhower administration to hide a broad range of scandalous conditions in the regulatory agencies, in the Defense Department, and in the foreign aid program.

"I do not intend to permit subordinate officials of our career services to bear the brunt of congressional inquiry into policies which are the responsibilities of their superiors," President Kennedy said.

The Eisenhower administration's use of "executive privilege" sought to bar testimony from high-level officials of government. The Kennedy letter appeared to say that Congress could be barred from questioning low-level officials to go behind the broad general positions and self-serving declarations of heads of departments and their key aids.

3. During the crisis over Cuba in the fall of 1962, there was a wide range of complaints that misinformation was distributed by the Pentagon press office. There has not been sufficient documentation on these complaints to make a broad charge, or to pinpoint the responsibility for this misinformation. The Nation was in the midst of a crisis, and there is no doubt that mistakes were made by Government officials in the pressure of the crisis. It is also possible that there were some misunderstandings. However, there are some matters dealing with the Cuba crisis that are clear and premeditated efforts to limit access to information.

4. On October 27, 1962, during the Cuba crisis, Assistant Defense Secretary Sylvester issued a directive to control all press contacts at the Pentagon. That directive stated: "The substance of each interview and telephone conversation with a media representative will be reported to the appropriate public information office before the close of business that day. A report need not be made if a representative of the public information office is present at the interview."

It would be naive to accept the assurances of Sylvester and Secretary McNamara that the directive is for the purpose of making more information available in "an expeditious and equitable manner." Veteran Pentagon reporters, such as Mark Watson of the Baltimore Sun and Jim Lucas of the Scripps-Howard newspapers, comment that the Sylvester directive is a "gestapo" tactic. Their sharp criticism is echoed by almost every other military affairs reporter. Despite the criticism, McNamara and Sylvester refused to change the directive or withdraw it. (At the State Department, Assistant Secretary Robert Manning issued a memorandum that carried the same general view. However, he withdrew the memorandum after receiving complaints from a large number of State Department correspondents. He indicated he had only intended to use it during the emergency.)

President Kennedy has backed McNamara and Sylvester on the October 27 directive. The press complaints have subsided, and it would appear that this press policing device at the Pentagon will become permanent unless some new fury is raised on specific problems.

### 3. THE GOVERNMENTAL LIE

5. Shortly after the Cuba crisis, Assistant Secretary of Defense Sylvester boasted of the way the Kennedy administration had "managed the news" during the Cuba crisis. He followed this up with his infamous and controversial comment about the "inherent" right of the Government to lie when involved in a nuclear crisis. The full quotation from the transcript is as follows: "If we can talk to the general point, it would seem to me basic, all through history, that a government's right—and by a government I mean a people, since in our country, in my judgment, the people express, have the right to express, and do express every 2 and every 4 years, what government they want—that it's inherent in the Government's right, if necessary to lie to save itself when it's going up into a nuclear war. This seems to me basic."

Considerable controversy arose over the news stories dealing with Sylvester's speech. Later Sylvester denied that he had ever said the Government had an "inherent" right to lie. When Sylvester was before the McClellan subcommittee in connection with the TFX warplane investigation, Senator Karl Mundt, Republican, of South Dakota, asked him: "The question is that if you believe the Government has the right to lie to the people. You are speaking as a Government witness. I want to be sure that you don't carry that philosophy to the point of testifying before us under oath."

Sylvester answered: "You are making a quotation to me which was attributed to nobody, some faceless accuser which you are using. You have not quoted anything I have said."

Mundt asked: "If you said you did not make it, that is one thing. I have read it a dozen times in the paper, that you made that statement. I am not quarreling with you about that point of view at this time."

Sylvester replied: "Obviously, no Government information program can be based on lies. It must always be based on truthful facts."

### 4. THE TFX PLANE CONTROVERSY

6. Sylvester had been called before the McClellan subcommittee for making what is now admitted to be a false, misleading, and erroneous statement in connection with the TFX warplane investigation. On March 8, 1963, Sylvester held a press briefing and in a critical commentary on the McClellan subcommittee members stated: "You will hardly get a judicial rendering by a committee in which there are various Senators with State self-interest where the contract goes. So far there is only one Senator I have seen on the committee, Senator Muskie, who hasn't got an interest in it."

When Sylvester stated that "there is only one Senator I have seen on the committee, Senator Muskie, who hasn't got an interest in it," Sylvester was charging that Chairman McClellan and other members of the subcommittee had a State self-interest.

Under questioning, Sylvester admitted that he had no information to support this charge against other members' of the subcommittee. Only two of the members—Senator Henry Jackson, of Washington, and Senator Jacob Javits, of New York—had a State interest in the contract and there was nothing devious or hidden about this.

Committee members concluded that Sylvester had engaged in loose handling of the truth in an effort to discredit the McClellan subcommittee probe of the $6.5 billion TFX warplane contract.

7. Throughout the TFX investigations, the Pentagon released erroneous and misleading information. Also, high officials of the Defense Department refused to answer factual questions dealing with this multi-billion-dollar contract. Information was released indicating that Deputy Defense Secretary Roswell Gilpatric had served as a lawyer for the Boeing Co., and that this in some way balanced his affiliation as lawyer for General Dynamics in such a way that it canceled the possibility of any "conflict of interest."

When questioned by the McClellan subcommittee, Gilpatric admitted that he had not served as a lawyer for Boeing, but had only served as an unpaid witness on one occasion. The subcommittee developed testimony that Gilpatric's law firm of Cravath, Swaine & Moore had received $300,000 in fees from General Dynamics, and Gilpatric had been the lawyer assigned to General Dynamics prior to becoming Deputy Defense Secretary in January 1961. Gilpatric refused to answer questions on the details of what he contended had been a total resignation from his law firm with complete severance when he joined the Defense Department. He refused to discuss the substantial sums of money he received from his law firm after becoming Deputy Defense Secretary. He said that these were private as between him and his law firm. Defense Secretary McNamara also refused to discuss these matters involving the important details on the arrangements for Gilpatric to receive money after becoming the number two man in the Defense Department.

Navy Secretary Fred Korth refused to discuss the details of arrangements of loans his bank in Fort Worth, Tex., made to the General Dynamics Corp. in the fall of 1961. Korth, as president of the Continental National Bank of Fort Worth, Tex., approved the loans (identified only as being less than the $600,000 limit on the bank) to General Dynamics.

In January 1962, Korth resigned as president of the bank, but retained the bank stock with a value of more than $150,000. Then Korth took part in the discussions and decisions in the TFX warplane contract, and overruled the unanimous recommendations of his top naval officers and others and recommended that the contract go to General Dynamics.

Korth refused to tell reporters the amount of the loan to General Dynamics, or the circumstances surrounding the loan. He refused to tell reporters the value of his stock in the bank.

There was no national security question involved in the transactions between Gilpatric and his law firm, which still represented General Dynamics. There was no national security issue involved in the details of Korth's relations with the Continental National Bank of Fort Worth or in the details of the loan arrangement with General Dynamics.

Gilpatric and Defense Secretary McNamara refused to discuss whether these interests had been discussed, or what facts were made known to McNamara on Korth's and Gilpatric's interests.

### 5. SIGMA DELTA CHI TESTIMONY IN CONGRESS

On March 19, 1963, Representative Moss House Subcommittee on Government Information held a public hearing on the matter of management of the news in Federal Government. Witnesses who testified were Robert J. Manning, Assistant Secretary of State for Public Affairs; Arthur Sylvester, Assistant Secretary of Defense for Public Affairs; and members of the press, including Clark Mollenhoff, Washington correspondent for the Des Moines Register and Tribune and a member of your committee.

This report already has dealt with most of the matters discussed in the hearing. But in his testimony, Mollenhoff gave definitions of the four types of "management of the news" now practiced in Federal Government and your committee feels that this should be inscribed in the Record, as follows:

"Now, I think there is one thing that should be clarified here. There is an awful lot of talk in the press and in Congress on news management, without an effort to draw lines as between the different types of problems in this area. I want to very briefly just go over what I think are about the four types, because they have to be approached in different ways.

"The first would be the common news management, in which an administration puts out the information that is most favorable to it and then tries to make it a little difficult for you to get the other side of the story. This we fight to a degree all the time. I do not object to this too much, because that is part of the game—up to the point where you get the lies and the distortions, and at that point it is wrong.

"Also, such special directives as Sylvester's order of October 27 to control the press contacts at the Pentagon. This is an entirely different category. This is one that I think this committee and members of the press should fight in every respect until it is withdrawn, because, if this stays intact as it is, we will have other agencies that will follow it in the future.

"The mere fact that this directive is not enforced does not mean anything, either. Remember that it is a directive, and it can be used against personnel in the Pentagon at any point that they see fit to use it.

"That means that it is a club in their hands.

"Now, they may not use it for long periods of time, but I think that we have to continue to harp on this subject until it is corrected.

"The third area is the misuse of military security classifications to cover up mistakes of judgment, malfeasance, incompetence, and so forth.

"We have all run across many cases in this category.

"Then, fourth, and the one that I consider to be the most important, is the one of executive privilege.

"This committee has a great record relative to the abuses in this area, and there is no need to go into any more detail than to merely state that this is a claim of an inherent right by the executive branch to pull down the secrecy curtain at any point not only on the Congress, not only on the press, but on the Congress and the General Accounting Office.

"And when this administration took power, there were indications that it would not use executive privilege. There were a good many statements that it would not be used.

"Since then, it has been used. It has been drawn down a little bit by a statement by the President that he would not allow it to be used as it was used under the Eisenhower administration, by every individual in the whole executive branch of the Government. However, I am going to have to watch that in operation for some period of time before I have any great confidence that it will not take place again."

### 6. CUBA AND VIETNAM

Your committee took note of:

1. The international agreement, through an exchange of secret letters between President Kennedy and Premier Khrushchev, that led to the removal of the Russian long-range missiles from Cuba.

2. The great obstacles faced by American newsmen in their attempts to report U.S. participation in the undeclared war against the Communists in Vietnam.

Details of the secret international agreement between Kennedy and Khrushchev over removal of the Soviet missiles from Cuba never have been made public.

Immediately after the crisis, French newspapers carried stories, based on information from their government, that the United States had agreed to dismantle our missile bases in Turkey and Italy in return for the Soviet dismantling in Cuba.

This was denied by American Government spokesmen, yet within a few weeks the United States did dismantle its missile bases in Turkey and Italy, and it was announced that American defense in those areas against the communistic threat would be left to our nuclear submarines.

Meanwhile, on July 3, it was disclosed that no less than 40 secret letters and messages had been exchanged in a running communication between Kennedy and Khrushchev. One newspaper reported these letters as the "Government's most carefully guarded secret," and quoted a U.S. Senator, who insisted that his name be withheld, as saying: "I confess that I'm a little shocked to learn the great volume of these exchanges. What are they writing about at such great length, if not plans for serious negotiations on subjects affecting the entire Nation's security?"

Your committee realizes that it is almost impossible to conduct international negotiations in a fish bowl, but at the same time it sincerely feels that the secret agreement over removal of Soviet missiles from Cuba and the 40 secret letters and messages between the heads of the American and Soviet Governments are absolutely contrary to the principles of free government.

This is particularly true in the face of the fact that these secret communications undoubtedly dealt with subjects affecting the well-being of free American citizens and perhaps even their lives. Certainly the American people are entitled to a complete and accurate report on any international agreement relating to the encroachment of communism 90 miles from our shores, and likewise they also are entitled to a white paper or other official report from Washington on secret negotiations between their elected President and the chief of the communistic dictatorship.

What is taking place in our undeclared war against communism in Vietnam, which is costing both American lives and considerable tax dollars, is even more confusing.

On June 23, American newspapers reported that U.S. servicemen on duty in South Vietnam were being instructed to avoid "gratuitous criticism" and to give a more positive picture of the war to American reporters.

In its Log of July 4–11, the Associated Press gave details of how Vietnamese secret police pummeled, knocked down, and kicked American reporters and smashed their cameras.

On July 27, Editor & Publisher reported on the efforts of the South Vietnam Government to curtail the international press covering the feud between the Buddhists and the Diem government, and said that Vietnamese nationals employed by the foreign press had been threatened with prison.

Here again your committee sincerely feels that all of this is absolutely contrary to the principles of free government. The American people, called upon to fight an undeclared war in the jungles of the Far East, deserve complete and factual information from day to day and if the American Government officials in Vietnam are not supporting the American reporters, as has been reported, then our Government at Washington is obligated to step in and to give both cooperation and protection to representatives of the free American press.

[From the Washington (D.C.) Post, Oct. 28, 1963]

### PENTAGON NEWS CONTROL SCORED

CHICAGO, October 27.—Americans have been deliberately deceived and kept in ignorance about matters affecting security and use of taxes by politicians who have kept information at "the lowest ebb in history," Sigma Delta Chi, professional journalistic society, said today.

The 60-page report of the society's freedom of information committee leveled heaviest criticism at the Defense Department. It said Defense Secretary McNamara and Assistant Defense Secretary for Public Affairs Arthur Sylvester have created "an oligarchy of control" over news.

The committee said it was not objecting to "proper use of measures to protect the national security of the United States."

#### NEVER MADE PUBLIC

"The pattern of the Pentagon in the last 3 years would appear to be designed to quash dissent and to close up the avenues through which evidence of dissent normally finds it ways to the press and to the public," it said.

The committee said "the international agreement, through an exchange of secret letters between President Kennedy and (Soviet) Premier Khrushchev over removal of the missiles never has been made public."

It was disclosed that "no less than 40 secret letters and messages had been exchanged" between the two leaders during the crisis, the report said.

The critics acknowledged that negotiations cannot be conducted "in a fish bowl," but said that the American people were entitled "to a white paper or other official report from Washington on secret negotiations between their elected President and the chief of the Communist dictatorship."

The committee, headed by V. M. Newton, Jr., managing editor of the Tampa (Fla.) Tribune, urged passage of a law requiring all Federal Government records "other than those of a security nature" be opened constantly to public inspection.

#### EXCUSES DECRIED

"All of the rest of Federal Government falls back on the mushy claims of 'confidential' and similar excuses in spreading the blanket of secrecy over the records of government, and particularly over those records pertaining to the spending of the taxpaper funds," the report said.

Congressional freedom of information suffered its "worst year of the last decade" and 39 percent of all congressional committee meetings were held in closed session during the first 3 months of 1963, the society said.

The number of secret meetings was "6 percent higher" than 1962, said the report, and committees with the highest secrecy rate were the Senate Armed Services, 85 percent closed, and House Foreign Affairs, 74 percent closed.

## ADMINISTRATION IMMIGRATION PROPOSAL

**Mr. YOUNG of Ohio.** Mr. President, no provision of any national law is more distasteful to millions of Americans or to the peoples of many nations of the world than the concept of judging a man's worth for immigration to our country on the basis of his place of birth or the racial ancestry of his parents. This is contrary to the great traditions of this Nation. As a people we are morally committed to seek a national policy which will make real the simple truth of the words of St. Paul:

> God * * * hath made of one blood all nations of men for to dwell on the face of the earth.

Although most Presidents since Woodrow Wilson have called upon the Congress to take corrective action, President Kennedy's proposal to abolish the national origins quota system is the first time that a specific bill has been proposed to the Congress by a President. The law he seeks would squarely meet national needs and also be pleasing to foreign nationals. It recognizes that each immigrant has a special worth because of his potential contribution to the total manpower of our country and that he should be judged on his individual ability.

The bill will provide flexibility in refugee policy, remove offensive Asiatic restrictions, and increase basic quotas for many new nations. Over a 5-year period it would eliminate all quotas based on national origin. The total annual quota would be raised only slightly from the present 154,000 to an estimated 164,000. One important objective is for the reunification of families now separated by our outmoded immigration laws. It is with a sense of privilege that I cosponsored the legislative proposal to carry out the recommendations of our President. Let us remember at all times, we are the nation which chiseled on our Statue of Liberty:

> Give me your tired, your poor,  
> Your huddled masses yearning to breathe free;  
> Send these, the homeless, tempest-tossed to me;  
> I lift my lamp beside the golden door.

## CENTENNIAL CELEBRATION OF POSTAL CITY DELIVERY SERVICE

**Mr. KUCHEL.** Mr. President, 100 years ago Abraham Lincoln signed into law a bill to provide for the city delivery service of mail. Thus, in the dark days of the 1860's, the Great Emancipator brought to the American people a new and greater opportunity to communicate with one another through the mails.

Last Saturday evening, the National Association of Letter Carriers celebrated this centennial with a dinner in the Sheraton Park Hotel. They utilized the occasion to salute Hon. William C. Doherty, U.S. Ambassador to Jamaica.

Bill Doherty was president of the Letter Carriers of America for 21 years. The Letter Carriers have established a scholarship fund for the sons and daughters of their own members, to give them an additional opportunity, through appropriate competitive examinations, to continue their education in colleges and universities. I join in saluting Bill Doherty, in whose name the scholarship fund was created.

On that occasion, the Ambassador made an excellent speech in which he discussed the history of city delivery service and how, in 1863, one postal employee began on his own to deliver mail to the homes of families in one part of the community in which he labored.

From that small beginning under Lincoln's Postmaster General, the Congress became interested in providing this unique and hitherto unheard of service to all the people of the country.

Ambassador Doherty also discussed the role of the postal employee in the Government of our Nation, and the unselfish devotion to duty that has ever been his. Along with many Senators and Representatives I was pleased to be present on that occasion, as were members of the President's Cabinet and other distinguished citizens.

Mr. President, I ask unanimous consent to have the text of Ambassador Doherty's address printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### CENTENNIAL CELEBRATION OF POSTAL CITY DELIVERY SERVICE

Mr. Chairman, distinguished guests, and friends: It should be apparent to everyone who knows me at all, that this is one of the proudest and happiest moments in my life. I am overwhelmed by this generous outpouring of people from all walks of American life.

It is an especially proud moment to be able to share with so many distinguished friends the centennial of city delivery service.

And, of course, I am extremely gratified that this affair should serve as the source from which the scholarship fund, which has been given my name, will grow into being.

When we think of the modest beginning of our city delivery service just 100 years ago and then gaze upon this vast and glittering assembly, one is almost stunned by the progress achieved during the past century.

There has been a running argument over the years, ever since this country was founded, as to whether the Post Office is a business or a service. However, there is no doubt whatsoever that the whole concept of city delivery was based on the presumption of service—a vital and necessary service to the American people.

The credit of conceiving the idea of city delivery must go to a man who was both a postal clerk and a postal supervisor in my native State of Ohio. His name was Joseph William Briggs, and he was both the Assistant Postmaster and a window clerk in the Cleveland Post Office.

The Civil War was in full progress and the wives and mothers and sweethearts of the boys in uniform were naturally hungry for word of their loved ones. But, in those days, a citizen had to make his way to the local post office to find out if there was any mail for him.

There was a kind of primitive delivery service in those days, but it was irregular and unofficial. A patron could arrange to have a messenger pick up his mail and bring it to him—for a fee. The system was untrustworthy, expensive and slow, and few people used it.

So, one bitter cold day in Cleveland, in the year 1862, Mr. Briggs looked out at the long line of women waiting in the snow to inquire for their mail, and he had a compassionate thought. Why could not the U.S. Post Office devise a system of delivering letters to the homes of these people?

With Briggs, to think was to act. He devised a system and set up a route for himself. He then walked the route and delivered mail to the houses. He became America's first letter carrier.

Briggs then wrote to Postmaster General Montgomery Blair and described his experience. Montgomery Blair—a truly great Postmaster General—brought Briggs to Washington and put him in charge of developing the system on a nationwide basis. Congress was finally convinced of the soundness of the idea and passed the enabling legislation. Abraham Lincoln signed the bill into law on March 3, 1863 and on the following July 1, the first letter carriers in history started walking the streets of 49 of our largest cities—delivering mail to our citizens.

There are several aspects of this series of events that are worthy of special notice.

In the first place—just imagine the courage and the imagination and the boldness of the Lincoln administration—embarking on an experiment of such scope and magnitude in the midst of a great Civil War.

Just think of it. City delivery service was inaugurated on the very same day that the tragic slaughter was beginning at Gettysburg.

During my 21 years as president of the National Association of Letter Carriers, I saw administrations many times refuse to consider even the most inconsequential improvements in the postal service—or in the pay and working conditions of postal employees—because of some minor (and often largely imaginary) national crisis. But, here was a case of an administration—at the climax of the greatest crisis this Nation has ever faced—embarking on a bold civilian program of unparalleled magnitude.

And, the second moral to be drawn from these events is this: If the Government offers its citizens a worthwhile service, and makes that service attractive, available and reasonably priced—it will soon pay for itself.

When the idea of free city delivery was first proposed, the conservatives and diehards in Washington predicted national bankruptcy, ruin and devastation. However, this new program made the postal service so attractive that people found it almost irresistible. In its first year of being, city delivery cost approximately $300,000. But—postal revenues in that year—which had been steadily declining during the war years—leaped up by more than $3 million. More people started using the mails and they started using them more extensively.

As an old postal professional who literally grew grey in the service, I offer these two observations, Mr. Postmaster General, as something to be remembered in the years that lie ahead of you.

Enlightened boldness has seldom been tried in the postal system—but, when it has been tried it has always reaped great rewards.

And—intelligent regard for improving the service will accomplish more in the way of productivity and efficiency than will all the programs of arid economy ever conceived by the mind of man.

Although the city delivery service was inaugurated on a wave of generous impulses, it is regrettable that I must report that these impulses died down rather suddenly as the new system lost its novelty. During the 1870's and 1880's, Postmasters General began to show a marked reluctance toward paying letter carriers a living wage. The original salary was set at $800 a year maximum, and it stayed at that level for 25 years.

This led to the organization on August 29, 1889, of the National Association of Letter Carriers, in the city of Milwaukee, and the Postmaster General's home State of Wisconsin.

The organization of the NALC had to be carried out with the greatest secrecy, for fear of reprisals from management. As a matter of fact, the organizing convention was held under the cover of the annual encampment of the Grand Army of the Republic in Milwaukee that year—and many of those original organizers—including William H. Woods, of Detroit, the first national president—were wearing the blue of the Union Army at Gettysburg on the day city delivery was begun.

It may interest you to know that this original convention passed three principal resolutions regarding pay and working conditions.

The first called for an annual wage of $1,200 a year. This goal was finally reached in 1907—18 years later.

The second called for a guaranteed wage of $200 a year for all substitute letter carriers. The first guarantee of any kind for substitutes was achieved in 1945—56 years later. And there still is no guaranteed minimum annual wage.

The third resolution called for voluntary retirement—with pension—after 20 years of service. Seventy-four years have passed—and we are still trying to get voluntary retirement after 30 years.

So, you must admit, those early organizers of the NALC were not bashful. They were well in advance of their time—in many ways.

Of course, in those early and formative days, even a Neanderthal man would have been in advance of the social thinking of postal management.

Looking back from these days of happy accord with management—the conditions which have confronted letter carriers and other postal employees over the years seem primitive to the point of savagery.

As I look over this impressive assembly, I cannot help but reflect how impossible it would have been to hold such a gathering as this—until, relatively quite recently.

In the early days, it took courage to belong to a postal union. Management and the inspection service of that time looked upon the National Association of Letter Carriers with apprehension, antipathy, and bitter resentment.

Known members were assigned to the worst routes in their community. Leaders of the movement were fired out of hand for subversive behavior.

In 1903 President Theodore Roosevelt issued the notorious "gag rule" which made it unlawful for a Federal employee, or any group of Federal employees, to write or speak to a Member of Congress on any matter regarding pay or conditions of work.

The penalty for disobedience was instant dismissal.

Although this rule was plainly unconstitutional—since it inhibited the right of petition—it remained in effect for 10 years—until passage of the Lloyd-La Follette Act in 1912.

It is no coincidence that social gains within the postal employee force were held to a minimum during those 10 years. Postal employees could only complain to postal management which was the cause of the complaints in the first place.

I mention these things because—knowing the prestige and the respect that the NALC and the other postal unions enjoy today—it is easy to take all this progress for granted—as if it had been presented to us on a silver platter.

Nothing could be further from the truth. Every forward step we have taken was fought for, worked for and earned.

It has been a long journey from those furtive beginnings in Milwaukee in 1889 to the celebration of an occasion like this—and it has been uphill every foot of the way.

And, certainly, it would have been unthinkable in the past for so many people—from Government, from management and from labor—to join hands together in a common effort to create college scholarships for the specially talented sons and daughters of letter carriers.

Contrast for a moment, if you will, please, those dark days of yesteryear with the bright spectacle we witness here tonight. Honorable members of President John R. Kennedy's Cabinet in the presence of Postmaster General Gronouski and Secretary of Labor Wirtz; distinguished Members of the U.S. Senate and House of Representatives; His Excellency the Jamaican Ambassador to the United States, Sir Neville N. Ashenheim; the most outstanding trade unionist in the world today, AFL–CIO President George Meany; labor and management leaders and a vast army of kind and generous people.

I am delighted and proud that the letter carriers of the Nation voted to put my name on this noble project.

However, I am constrained to say that it would have been appropriate to name the scholarship fund after a gracious lady who succeeded in educating her nine children on the meager earnings of a letter carrier. She has also counseled and guided the hand of this speaker for nearly 2-score years. I would have named the scholarship fund after Gertrude Dacey Doherty.

Over the years, letter carriers, and the families from which most of them spring, simply have not had the economic means of sending their youngsters to college.

Even the State universities have been beyond their means—because in many instances, the financial affairs of the family were so straitened, the youngsters had to become breadwinners as soon as possible.

I can speak with some authority on this subject because, when I was a boy in Cincinnati, Ohio, almost half a century ago, I was forced to leave school in order to go to work, to add my bit to the family income.

My successor as president of the National Association of Letter Carriers and my dear friend, the brilliant, and learned, Jerome J. Keating, is a glowing exception. He worked his way through the University of Minnesota as a substitute letter carrier—and he even went on to take extensive postgraduate work. But, as Jerry Keating would be the first to admit, the burden was an almost intolerable one, far more than any youngster should be asked to bear.

And I will say here and now that there are precious few people with the determination and the mental and physical stamina of a Jerome J. Keating. I know you will agree that Jerry Keating is one of the exceptional people of our generation. I want to pay special tribute to him tonight as a great friend, a great organization president and a great labor leader in his own right.

During the more than 30 years that I served as an officer of the NALC I saw so many youngsters of great ability come into our organization—young men who could easily have become doctors, lawyers, business administrators, governmental leaders, scientists, or scholars if they had been given the educational opportunities—and I often wondered how the Nation could afford to continue to squander so many obvious and useful talents among its young citizens.

Mind you, I do not say this in derogation of the letter carrier career. Not at all. The career of a letter carrier is a noble one and it is followed by noble people—people who perform a vital service selflessly and for low pay.

We were and are proud to have these outstanding young men in our ranks and, I am happy to say, they are proud to be counted among our numbers.

But, the National Association of Letter Carriers, its members, and its officers, are determined that at least some of the children of these outstanding people shall have the educational opportunities that their parents were unable to enjoy.

I am gratified, more than I can say, at finding that so many of the friends of the letter carriers are sharing that determination with us.

As our society has become more specialized, and as it has become more and more endangered by its own inventiveness and ingenuity, we have become more and more aware of the universal need for people thinking, as a basis for our civilization. To survive in this perilous world we must develop generations, not only of scholars and scientists and specialists, but also of human beings with trained minds accustomed to hard and serious thinking. The exact measure of the progress of our civilization has always been the degree in which the common mind has prevailed over brute force. In the world of tomorrow and the day after tomorrow, this measure will be even more exact than it has been in the past. The minimum standards for survival will be higher; the standards for world leadership incomparably more severe.

The scholarship fund which you are making possible tonight will be a small but definite step toward meeting the challenge of the future.

So, thank you, from the bottom of my heart, for what you have done—what you are doing—and what you are planning to do.

I know letter carriers as well as any man on earth has been privileged to know them. I know from long experience that any effort or money that is spent on their behalf is invariably repaid a thousandfold—in satisfaction, in loyalty, in friendship, in gratitude. I know that—for the rest of your natural lives—you will be proud of what you have contributed to this great and noble cause.

Thank you—and God bless you.

Mr. KEATING. Mr. President, I wish to add to the remarks of the distinguished Senator from California [Mr. KUCHEL]. It was appropriate, indeed, that the fine organization known as the National Association of Letter Carriers should honor their former president, Bill Doherty, who is doing such a fine job as our Ambassador to Jamaica.

I have used the illustration of Bill Doherty many times in connection with the always recurring argument about career people versus noncareer people serving as ambassadors. Personally, I favor both. Ambassadors should be career people predominantly, but there is also an appropriate place for fine, outstanding men and women who have succeeded in other fields. Bill Doherty is an outstanding illustration.

## STUDY BY COMMITTEE ON GOVERNMENT OPERATIONS OF MATTERS PERTAINING TO INTERAGENCY COORDINATION, ECONOMY, AND EFFICIENCY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 569, Senate Resolution 215, which is noncontroversial.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution, as follows:

*Resolved*, That S. Res. 27, Eighty-eighth Congress, authorizing the Committee on Government Operations to study matters pertaining to interagency coordination, economy, and efficiency, agreed to March 14, 1963, is amended on page 2, line 20, by striking out "$88,000" and inserting in lieu thereof "$108,000".

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution.

The VICE PRESIDENT. The resolution is open to amendment. If there be no amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 215) was agreed to.

## CONTINUED SWEEPING OF TFX UNDER RUG IS CRITICIZED

Mr. MILLER. Mr. President, the perceptive columnist Richard Wilson has analyzed the recent developments in the TFX aircraft controversy in an article which was published in the Des Moines Register of October 22. He makes some telling points, not the least of which is summed up in this paragraph:

> What was considered an outrage in the Eisenhower administration is considered justifiable practice in the Kennedy administration. This is what is most exasperating to Kennedy's old friends at the Capitol. They say that the President seems to think that whatever a Kennedy does is right.

Mr. Wilson was referring to what he termed the "chronic apologists" for the Kennedy administration in continuing to sweep the TFX inquiry under the rug.

Mr. President, we cannot afford to have this matter swept under the rug, regardless of what administration is in the White House. Integrity is one of the principles upon which this Nation rests, and the minute a possible conflict of interest is permitted to exist with the full knowledge of public officials, this foundation will begin to weaken. Once the people get the impression that a public official can "get away with" anything, then they will lose confidence in their Government.

This matter has gone on too long. Questions which have arisen must be answered. The people have a right to know the answers.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "Continued Sweeping of TFX Under Rug Is Criticized."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Des Moines Register, Oct. 22, 1963]

### CONTINUED SWEEPING OF TFX UNDER RUG IS CRITICIZED

(By Richard Wilson)

WASHINGTON, D.C.—Chronic apologists for the Kennedy administration continue to sweep the TFX inquiry under the rug, although it is evident to those who have studied the record that the grossest kind of favoritism was involved.

The favoritism consisted of overriding by the civilian authority of the highest technical military consensus without a factual record, then or since, sustaining the decision.

President Kennedy's bland acceptance of this condition is very disheartening to his old associates at the Capitol. They thought that his experience as a member of the investigating subcommittee of the Senate Government Operations Committee would insure his vigilance as President where matters of this kind were concerned.

### DIFFERENT PERSONS

But as it turns out, Kennedy as a Senator seeking to discredit a Republican administration, and Kennedy trying to preserve the image of his administration, are two different men.

What was considered an outrage in the Eisenhower administration is considered justifiable practice in the Kennedy administration. This is what is most exasperating to Kennedy's old friends at the Capitol. They say that the President seems to think that whatever a Kennedy does is right.

Nor is it any less exasperating to Kennedy's old friends that the recent resignation of Fred Korth as Secretary of the Navy should be presented as owing solely to some sudden dispute other than TFX. For, it is the conviction of Senator McClellan, the chairman of the investigating committee of which John Kennedy was once a member and Robert Kennedy was counsel, that the President knew the full extent of what the renewed TFX inquiry will shortly reveal. These disclosures were laid before high Kennedy officials prior to Korth's resignation.

### A DEEPER RELATIONSHIP

The new evidence showed that the relationship of Korth with high officials of General Dynamics Corp. ran deeper than had been revealed.

Even the New York Times, as yet unaware of the new disclosures about Korth, concluded that the Secretary of the Navy should have disqualified himself from taking any action in the $6 billion TFX deal because of his association with General Dynamics, which was awarded the huge contract for a new biservice fighter plane.

The same reasoning applies with even more force to the Deputy Secretary of Defense and a man of fine reputation, Roswell Gilpatric. Gilpatric, deeply involved with General Dynamics through the law firm to which he will shortly return, should have disqualified himself from taking part in the TFX deal. He did not do so. It was a serious mistakes.

### SHOULDN'T HAVE PARTICIPATED

Korth and Gilpatric should not have been in the picture. They should not have participated even if it could have been shown, and it was not shown, that the General Dynamics plane was superior to the Boeing model. What now makes it worse is that they did participate and a record can be made that the Boeing plane was better and cheaper.

It would be highly embarrassing to Kennedy to admit any of this in connection with Korth's resignation. If it were to be admitted, this would be an indirect confession that Secretary of Defense Robert McNamara was wrong. That is a confession Kennedy will never make because it would also mean that Kennedy was wrong.

The record shows that McNamara did not formalize his decision until he had cleared it with Kennedy in a White House conference. Moreover, in that conference, according to the Senate record, Kennedy was not apprised of the full facts.

### HIS BASIC WEAKNESS

But, beyond all that, the TFX case has taken on its biggest intra-Government significance as the imposition of the will of civilian authority over military. All considerations of fact and evidence seem to have been set aside in favor of such a willful assertion.

This is McNamara's basic weakness. He has transferred to the matter of national defense the practices and customs of the dictatorial structure of private corporations. It doesn't work. McNamara could not know enough to put his judgment against the collective knowledge and experience of hundreds of military experts in the narrow field of supersonic fighter aircraft.

### THIS INQUIRING WILL CONTINUE

But he has unlimited confidence in his ability to do so. He could do no wrong. Korth could do no wrong, nor Gilpatric. This is the way corporations operate. But it is not the way the Government operates.

The McClellan committee is slowly but solidly making the record that shows the shaky basis on which the TFX award was made, and the interests of those who participated in making the award. This inquiry will continue for some time.

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## THE 45TH ANNIVERSARY OF THE CZECHOSLOVAK REPUBLIC

**Mr. KEATING.** Mr. President, today marks the 45th anniversary of the birth of the Czechoslovak Republic—a Republic which for more than 15 years has suffered under brutal Communist suppression. On this day, Czechoslovakian people all over the world will somberly reflect upon the history of their country, which once enjoyed the liberties of a free society but which now is closeted within the confines of Communist tyranny.

Mr. President, the Czechoslovakian people enjoyed prosperous development under the enlightened leadership of their two democratic Presidents—Thomas Garrigue Masaryk and Eduard Benes. During the 20 years of their influence, Czechoslovakia made remarkable strides not only economically and politically but also socially and culturally. Particularly during this period of time, the Czechoslovakian people learned to cherish the unique liberties of a free government—a government sensitive to the needs of the people—a government which today is so obviously lacking.

Mr. President, the Soviet occupation of Czechoslovakia has brought with it the exploitation of the land, the inspiration of class hatred, and the ruthless suppression of all those who oppose the dictates of the Kremlin. Barbed wire fences and mine fields have been set up throughout the country to instill fear and thereby allegiance to the Soviet Union. Clearly, this Iron Curtain is a blatant acknowledgment by the Communists of their own unpopularity.

Mr. President, the lips of the Czechoslovakian people have been silenced, yet their hearts remain faithful to the ideals of freedom. Let us who so highly cherish these ideals not forget the Czechoslovakians in their hour of anxiety. On this somber occasion, as we pay tribute to these fine people, let us reassure them that we have not forgotten their plight and that we are hoping and praying for their eventual liberation.

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## MAN OF THE YEAR AWARD

**Mr. KEATING.** Mr. President, the Pulse Man of the Year award for 1963 was presented on October 16, 1963, to John Kluge. As owner of the Metropolitan Broadcasting Corp., he has dedicated time, effort, and imagination to bringing variety and vitality to broadcasting. Metropolitan media has expanded under his direction from 4 to 13 stations. He has offered exciting leadership in the field of broadcasting and deserves our encouragement and thanks.

Mr. President, I ask unanimous consent to include following my remarks the text of Dr. Sydney Rostow's citation when he presented the award to John Kluge at the Pulse luncheon.

There being no objection, the citation was ordered to be printed in the Record, as follows:

### Text of Dr. Sydney Roslow's Citation of Mr. John Kluge as Pulse Man of the Year 1963 at the Pulse Luncheon in New York, Wednesday, October 16, 1963

Yesterday's accomplishments, John Kluge has said, "belong to yesterday. What makes us alive is that were looking ahead to today and tomorrow." I remember reading that credo in a broadcasting magazine story about John Kluge and metropolitan broadcasting, and I remember resolving to remember it.

It helps to explain why our man of 1963 can approach his task and his mission with a special vitality and concentration. It also helps explain how he can look at the same things other people have been looking at for years, and see different patterns, different possibilities, different implications, and even different scales. By that, I mean, in the vein of Dr. Theodor Levitt's "Marketing Myopia," a now famous essay from the Harvard Business Review, the vision to perceive that he is not in radio but in broadcasting, not in broadcasting, but in mass media; not in mass media but in communications; not in communications, but wherever his vision extends. In directing Metropolitan's expansion from 4 stations to 13, he has accomplished things no one thought possible. He decided independent operation could be profitable at a time when independents and even some networks affiliates were losing money. And he has proved his point, through prudent programing, through judicious purchase of feature films, through bold concepts of service on a local level. He has shown a flair for innovation and for people who innovate. And a rare genius for finding the right men for the right jobs, and giving them full responsibility and with authority and money to match. He has shown a willingness to pay well for facility and to upgrade as fast as possible. Among the people in whom he reposes confidence are people who are very mindful of research, as a contributing factor toward the kind of efficiency which means so much to John Kluge.

Mr. Kluge's broadcast experience spans a period of 16 years. During this time, he has been affiliated with a number of broadcasting properties—as president, partner, director, or major stockholder.

In 1951, Mr. Kluge directed the major part of his energies and resources toward broadcasting. He purchased the controlling interest in Metropolitan Broadcasting Corp. and accepted the responsibility of the top management position. He promptly set in motion policies that have spelled rapid success for the company in serving the public and as a business enterprise—in television—with WNEW-TV, New York City; WTTG, Washington, D.C.; KMBC-TV, Kansas City; WTVH, Peoria, Ill.; WTVP, Decatur, Ill.; and KTTV, Los Angeles—in radio—with WNEW-AM-FM, New York City; WIP-AM-FM, Philadelphia; WHK-AM-FM, Cleveland; KMBC-AM-FM, Kansas City; KLAC, Los Angeles; and, subject to FCC approval, WCBM, Baltimore—in representation—with Metro Broadcast Sales—in outdoor—with Foster and Kleiser—in show business—with Ice Capades, Inc.

Where next, John Kluge, Pulse Man of the Year 1963, who by reason of a rare talent, an immense capacity and what someone has called practically unlimited vision is helping to re-create an entire industry—balancing enlightened self-interest with the public interest.

WASHINGTON, D.C.,
*October 16, 1963.*

Mr. MILTON EISENBERG,
Office of Senator KENNETH KEATING,
*Senate Office Building,*
*Washington, D.C.*

DEAR MILTON: The enclosed is the complete citation of Dr. Sydney Roslow to John Kluge naming him "Pulse Man of the Year 1963." The ceremony takes place in New York today, Wednesday, October 16.

This is a major award in the broadcasting field and has been won by such other broadcasters as Robert Sarnoff, George Starr, and William Paley, etc. It would be a great compliment to Mr. Kluge, and I believe an appropriate gesture on the part of Senator KEATING if he were to insert this in the CONGRESSIONAL RECORD.

This could be done any time after today. Please let me know your reaction to this suggestion. Thank you for your many courtesies and for your help.

Warm regards.
Cordially,

FLORENCE LOWE.

## SCHENECTADY ARMY DEPOT

**Mr. KEATING.** Mr. President, I am deeply disturbed by reports, which are not denied by the Army, that the Schenectady Army depot may be threatened with closure. For many years I have been disturbed over the status of the Army depot and the recurrent moves of the Defense Department to transfer functions away from this area. In February, I was informed that the Army was studying its supply distribution system and expected in about 6 months to have a final conclusion as to the status of the depot. At that time the Army promised to notify me of any possible changes.

Mr. President, although I have received no notification from the Army, I have received, in answer to a query of my own, an ambiguous and disturbing letter in which the Army indicated that its study is completed but still under review. This letter will rouse deep anxiety among all those connected with the depot.

Mr. President, in the fear that the Army might complete the review and present the members of the New York State congressional delegation with an already accomplished fact, I am urgently requesting that the steering committee meet to discuss the question and take appropriate action to insure that what the Army itself describes as "the unique geographic location" of the depot be fully recognized.

## PATHWAYS TO PROGRESS AND PROSPERITY

**Mr. BYRD of West Virginia.** Mr. President, I ask unanimous consent to have printed in the RECORD at this point a copy of my remarks before the West Virginia AFL-CIO convention, held on October 25, 1963, at Charleston, W. Va.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### PATHWAYS TO PROGRESS AND PROSPERITY

(An address by Hon. ROBERT C. BYRD of West Virginia before the AFL-CIO Convention at Charleston, W. Va., October 25, 1963)

Queen Victoria's famed Prime Minister, Benjamin Disraeli, once said, "The secret of success is constancy of purpose." This is manifestly true of the AFL-CIO organization in West Virginia, which, through its constancy of purpose, continues to achieve social and material progress for the workers of the Mountain State.

No small measure of the success of the West Virginia AFL-CIO organization is due to Miles C. Stanley. His astute and energetic leadership has won for him not only the respect and admiration of the membership of this organization, but also that of persons in other walks of life. His leadership has forged the AFL-CIO as a sure and continuing force for progress and the improvement in living standards of workers.

The West Virginia story today is no longer that of a large segment of the population prostrated by grinding poverty. Rather, it is the drama of "operation recovery"—of a slow but heartening improvement in the State's economic health. We have only to look at the record to fully appreciate the economic progress which is taking place in our State.

In 1962, the average income per person in West Virginia rose to a record high of $1,810—or $136 more than in 1960. Parenthetically, workers' income in Charleston averaged $6,480 a year in 1962—or fourth highest among all cities in the United States, and 28.8 percent above the national average.

Retail sales are expected to exceed $1.9 billion by the end of this year, as compared with $1.8 billion last year.

During the 2-year period from January 1, 1961, through December 31, 1962, a total of 63 new plants was started in West Virginia, and 53 existing companies undertook major expansions. This industrial activity brought 14,429 new jobs to our State, with a new payroll of almost $59 million. Furthermore, business outlays for capital investments during those 2 years totaled $428 million.

Last year, more than 8 million tourists visited West Virginia, enriching the State by expenditures of around $325 million. This year—the year of our centennial—forecasts indicate that the stream of tourists will break all previous records, with expenditures reaching close to $400 million.

All of this progress may not appear to be spectacular, and no claim is being made that it is. But the progress that has been made is indeed heartening.

However, as I review the total picture of recent American economic trends, I am concerned about the future. We have much unused plant capacity in the country as a whole. Our private investments in plants and equipment are lagging. We also seem to be unable to bring unemployment down to an acceptable level.

During the past 6 years unused plant capacity has averaged 6 percentage points higher than the average of the preceding decade. Private investments in plants and equipment have fallen in recent years to 9 percent of the total output as compared to 10–12 percent in the first postwar decade. And during no year since 1957 has the average annual rate of unemployment fallen below 5½ percent.

Particularly disturbing are the recent trends in the labor market and the grim prospects for the years ahead. During the midsixties we expect that about 2½ million young people will be entering the labor market each year—some 40 percent more than in the midfifties. We also anticipate that because of advances in technology and productivity as many as 2 million workers will be displaced each year.

Thus, allowing for reductions in the labor force due to retirement, death, and other causes, it will be necessary to provide, during the next 3 years, about 3 million new jobs annually to keep the unemployment rate from rising above the current 5½-percent rate. If we are to bring the unemployment rate down to a minimum desirable goal of 4 percent, we will have to create 1 million new jobs annually.

We are faced with no easy task. To achieve the goal of 4-percent unemployment, the economy will have to grow by $15 to $25 billion more each year than it is now doing.

There are two aspects of this problem to which we must address ourselves with all possible speed if we are to take quick and forthright action against a possible extension of human misery in this country:

The first of these is the need to undertake private and governmental programs to increase both consumer demand and the incentive to invest.

The second of these is the need to make a candid appraisal of unemployment caused by automation, especially as it affects our older workers.

One program now before the Congress, which could increase consumer demand and the incentive to invest, is the proposed cut in taxes. Let me say at the outset that I regard the tax bill as one of the most important economic measures now before the Congress, and one on which action should be taken this year. If action on this bill is delayed until next year, the tax cuts should be made retroactive to January 1, 1964.

There are differences of opinion as to how potent a device the tax bill may be for stimulating consumer demand and the incentive to invest. But one thing is certain: Without a tax cut we will fall more and more behind our goal of accelerating the rate of economic growth while increasing the vulnerability of the economy to the ravages of the business cycle.

Business economists, as well as Government economists, have been pointing out that there is increasing danger of the occurrence of a business recession next year. We have not abolished those periodic fluctuations from business expansion to contraction associated with the phenomena known as business cycles. These periodic fluctuations have plagued the history of advanced industrial nations since the beginning of the 19th century. We have learned how to moderate business contractions. But they can still do plenty of damage to the volume of unemployment, the size of our budgetary deficits, and to our international financial position.

It is pointed out that the present business recovery, which began in March 1961, was 31 months old in September—already reaching the average duration of expansion in this country during the past 100 years. Thus, on the basis of age alone, the current business recovery may peak out early next year.

Even if we were not concerned about the problem of accelerating our rate of economic growth, we would be wise to anticipate and reckon with the increasing likelihood of a business recession, by passing the tax bill at the time when it would do the most good. Unfortunately, too often in the past, Government efforts have been self-defeating because of the poor timing in the use of Government tools for stabilization. It is in the interest of both economic growth and stability that we recognize the urgency of enactment of the tax bill.

If the Senate adopts the bill as passed by the House of Representatives, it will provide for a total tax reduction of $11 billion a year.

virtually every taxpayer and every business in the United States will receive some reduction in taxes. The cuts will take effect in two stages—the first in 1964 and the second in 1965. Two-thirds of the $8.7 billion reduction in taxes for individuals, and more than half of the $2.3 billion reduction in corporate taxes, would go into effect on January 1, 1964; the remaining reductions would occur on January 1, 1965. Individual tax rates would fall from the present range of 20 to 91 percent to a range of 14 to 70 percent. According to the Treasury, the average cut for individuals would be about 20 percent.

I believe that the bill will receive the support of all who prefer to face up realistically to the economic problems of our time. We may all have our reservations about different parts of the bill. But when these doubts are weighed against the overriding consideration that the tax bill as a whole is likely to have a strong and invigorating impact upon every sector of the economy, and upon every single taxpayer, hesitation must yield to wholehearted and active support.

Now, as to the need for taking a candid look at unemployment caused by automation, especially as it affects our older workers, we can see that today skilled persons are often being replaced by workers with greater skills—workers especially trained for automated equipment, who are often younger persons with quicker reflexes than older workers.

Thus, today, when a man is automated out of his job, he can seek retraining if he is not too old, or he can take an unskilled job at lower pay—if one can be found—or he can spend endless days in a never-ending search for a job for which he may think he is qualified, but which is nonexistent.

Of late, too, we have been hearing more and more about the fact that many technologically unemployed older workers do not have sufficient education for retraining for new skills. This factor, added to the realization that employment opportunities are more readily available to younger, more energetic workers, must bring us face to face with the knowledge that older workers need more of our regard today than ever before.

It seems to me that a positive approach to the special problem facing our senior citizens would be to lower the social security age limit to 60, or even, perhaps, to 55, and at the same time permit a greater degree of part-time employment on the part of retired persons who are on social security.

Releasing employees from full-time work at a lower age limit would, in effect, permit the continuation of automation without a concomitant increase in unemployment. Moreover, there could be a retention of consumer demand on the part of such retirees if social security payments could be supplemented by a greater degree of part-time employment than is now permitted under the Social Security Act, as amended. This is a social goal which certainly deserves a good hard look.

If the technological revolution which is exploding all around us is to be a human revolution in the best tradition of human progress, then we must be bold and imaginative and resourceful. If we have no fear of exploring the ocean depths, or the endless space of the universe, then we should not hesitate for one moment to devise or perfect the economic and social means by which we may provide ourselves and our posterity with a richer, more secure existence.

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## PROPAGANDA EDITORIAL SERVICE

Mr. METCALF. Mr. President, on October 7, 1963, the Industrial News Review, an editorial service of E. Hofer & Sons, 1405 SW. Harbor Drive, Portland, Oreg., distributed an editorial entitled "Bureaucratic Domination." The editorial misrepresents Knowles Dam and comes to the remarkable conclusion that, thanks to the existing utilities, there is no danger of a power shortage in Montana, a conclusion that the president of the Montana Power Co. himself negated at the House hearings.

Perhaps that conclusion is not so remarkable, considering the nature of Industrial News Review. It has been around for decades, collecting money from private utilities and other big businesses and sending out editorials which reflect the most extreme views, to thousands of newspapers. Some of these newspapers reprint these editorials and credit them to the Industrial News Review. Some newspapers' editors reprint them as their very own original comments.

Some Members of this body are well aware of the kind of "service" which Industrial News Review provides its industrial clients, and the disservice it provides unsuspecting readers of its editorials. The distinguished Senator from Alaska [Mr. Gruening] treated this subject in "The Public Pays," written more than 30 years ago, and which I am delighted to report, will soon be republished. Industrial News Review was also the subject of recent comments by the Northwest Public Power Association.

Mr. President, I ask unanimous consent to insert in the Record, immediately following these remarks, the Industrial News Review editorial to which I have referred, and the Northwest Public Power Association article about INR, entitled "Who Plants the Grass in the Grassroots Papers?"

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

### WHO PLANTS THE GRASS IN THE GRASSROOTS PAPERS?

(Most newspaper readers are aware that the Nation's railroad industry has spent millions of dollars in paid newspaper advertising to promote its deceptive campaign against "featherbedding." Less well known is the fact that the railroad industry is also behind many of the "featherbedding" editorials now appearing in newspapers from coast to coast. Last week, the Northwest Public Power Association, a nonprofit organization with offices at Vancouver, Wash., published a documented report on one of the propaganda mills that turns out slanted editorials, not only about "featherbedding," but also on other subjects dear to the heart of big business and big utilities. Here in part is the report, reprinted with permission of Gus Norwood, executive secretary, Pacific Northwest Public Power Association.)

Do you read the Industrial News Review? No, never heard of it? About all you read is your own little local daily? Because you know the editor and figure he gives an honest opinion on things that relate to your community?

Nevertheless, the chances are good that you do sometimes read the Industrial News Review, you and several million other subscribers to small hometown papers, even though you have never seen a copy of it.

#### THE HIDDEN PERSUADER

This strangely influential little paper is a 5-page lithographed sheet sent every week, free of charge, to the editors of all—more than 11,000—rural and community papers in the United States, by a Portland outfit. You, as a newspaper reader are exposed to the ideas of this onesided little publication because smalltown editors, trying to do the work of three or four men, often simply reprint the editorials so obligingly offered to them.

E. Hofer & Sons, publishers of this news sheet, have been the subject of isolated investigations off and on for years. INR was part of the public utility hearings before the Federal Trade Commission as early as 1928. It was written up at Harvard University in a Nieman Fellows report in 1948. This spring it was the subject of a term paper done in a course in propaganda analysis at Washington State College. The material uncovered in these investigations provides the answers to several interesting questions.

What is the service offered to overworked editors? Canned editorials that can be quickly set in type when the pressure of other work has kept the editor too busy to get at the editorial page before press time. Canned editorials are unsolicited editorial material sent to the editors, who are encouraged to use them as they see fit, either giving credit to the original source or printing the editorial without credit, as though the opinions expressed were those of the editor himself.

Who publishes the Industrial News Review? E. Hofer and Sons, 1405 Southwest Harbor Drive, Portland, Oreg. Started in 1913, it was expanded in 1923 to nationwide coverage. Samuel Insull, acting for the various electric utility committees with which he was connected, announced that arrangements had been made so that the service would cover the whole United States and that the expense had been underwritten by large manufacturing and holding companies.

Still subsidized by the big companies whose interests it promotes, E. Hofer is still a family enterprise. Since the death of its founder, Ernest Hofer, in 1934, the company has been continued by his sons, Robert M. and Laurance F. Hofer. Three grandsons are junior partners, the eldest, Robert D., serving as managing editor at the present time. In addition to the five members of the Hofer family, the firm employs a staff of from 7 to 10 people.

Where does the money come from? From those big companies who want INR to write and distribute editorials slanted toward their own benefit. "Industry, business and professions, including public utilities, retailers, railroads, mines, manufacturers, food processors, petroleum, financial institutions and others who believe that community prosperity and growth, sound government and reasonable taxation, must accompany individual and corporate prosperity," provide the financial support, according to the statement which appears on the masthead of each issue.

Federal Trade Commission investigations in 1928 indicated that, at that time, New York Edison Co., New York; United Gas Improvement Co., Philadelphia; People's Gas Light and Coke Co., Chicago; and Northwestern Light and Power Association, Portland, as well as more than 80 other utilities, subscribed to its service to the extent of $84,000, a year, about half of the total contributions made to the organization. Hofer and Sons themselves consider the exact names on the subscribers' list as "confidential."

However, it is known that in 1956 and 1957, Portland General Electric and Pacific Power and Light Co. both contributed $1,300 for each year.

Who receives these readymake editorials? They are sent every week to more than 11,000 rural newspapers. Hofer considers rural newspapers to be all those published in communities of less than 50,000 population as listed in N. W. Ayer and Sons Newspaper Directory. The only exceptions are those papers which have particularly asked to be taken off the mailing list.

### INR'S EDITORAL TOPICS

INR itself says that it comments on electric power, stockownership and securities exchanges, railroads, farm equipment, coal, retail distribution, petroleum, and ocean shipping. A detailed study of the issues of Industrial News Review between April 6 and May 18, 1959, showed the following distribution of editorial material:

Private versus public power—14 editorials. (INR never misses a chance to criticize public utilities.)

Inflation and cost of living—13. (It's too high.)

Railroads—12. (These editorials were about equally divided in their opposition to the practice INR refers to as "featherbedding" and the so-called unfair competition the Government parcel post service offers to the Railway Express Co.)

Labor and unions—10. (Most of these editorials were in support of the McClellan-Barden bill.)

Oil—10. (These were primarily in defense of the depletion allowance given to oil producers.)

Taxes—10. (INR believes taxes are too high and that the graduated income tax is often inequitable.)

Private enterprise in general—7. (INR pushes private enterprise at every opportunity. (A reader might easily decide that if the schools and the post office were not so well established, INR would label public education and public mail service socialistic.)

Ocean shipping—5. (INR pounds away at the necessity for continuing large subsidies to shipbuilders.)

Farm problems—5. (INR hammers away at the idea that farmers should have a higher income and that wages of workers be kept down.)

Airlines—3. (INR is opposed to Government regulation of airlines.)

Stock market—3. (INR claims that any fall in stock prices can be traced fairly directly to the iniquities of the capital gains tax.)

Freedom of the press—3. (INR implies that a government which deals in public power, for instance, is likely to take over the newspapers at any minute.)

Bureaucracy in general—2. (All Government agencies, INR believes, are bumbling, inefficient, expensive.)

Unclassified—11. (These articles were usually in praise of noncontroversial subjects, such as the Bible, the FBI, and local school boards, or against such things as communism, delinquency and crime.)

INR's habit of putting itself on the side of the angels serves to dispel the editors' uneasiness about INR's purposes in general. It therefore is made easy for INR to equate high corporation taxes or Government regulations, which INR's supporters oppose for their own purposes, with socialism and delinquency, which everybody opposes.

What are INR's general policies? In the words that appear on the masthead of every issue, the editors of INR express their personal convictions in discussing "industrial and economic questions that affect business stability and social progress."

The Hofer editorials are skillfully and professionally written, and they never lose track of the points that they and their subscribers want made. They employ guilt by association, glittering generalities, namecalling, halftruths, distortion, and sometimes guilt by omission of pertinent facts.

The principles which the Hofers say embody their convictions are three. First, representative government cannot continue to exist in this country unless the individual retains the privilege of making his living without regard to political considerations, and therefore the State must not become a mass employer of Amercan citizens. Second, public ownership and government domination of industry must be continuously resisted, not because industry is sacred but because the future of individual freedom, the Hofers maintain, is inseparable from the future of private enterprise. Third, as long as representative government is the system desired by the American people, they must be constantly reminded of the part private industry and private employment play in maintaining that system.

How wide is its influence? Indirectly its influence is great indeed. As Hofer himself says, the increasing number of people in suburban areas who read a weekly as well as a large daily paper is giving the country press between 40 and 50 million readers.

What about freedom of the press? A free press means the honest reporting of news and opinion, free of pressure from any organized group. Whenever any group forces its views on the public, the public has the right to know who is behind such a push.

The Hofers frequently mention that their publications carry no advertising. They say that they do not promote or publicize companies or products—the only thing they try to sell is ideas.

In one sense this claim is accurate. The names of the companies who pay for the propaganda are seldom mentioned. Yet INR does something more for its subscribers than simply sell their products. It hammers away at the kind of legislation designed to put millions of dollars into its subscribers' coffers.

No one questions that freedom of the press gives E. Hofer & Sons, as well as any other organization or individual, the right to hold whatever opinions seem right to them and to write about those opinions from whatever point of view they choose.

### READERS HAVE RIGHTS, TOO

But readers also have rights. Readers have a right to know who pays the bill on the propaganda they read. Readers may well ask, who plants the seed for this grassroots field of opinion? Who pays for the fertilizer? And who, then, will gather the harvest?

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### Bureaucratic Domination

The Government's proposed Knowles Dam project in Montana is an example of the lengths to which electric power socialization groups are willing to go. It has been bitterly denounced by Indian tribal councils, and with good reason—for it would flagrantly violate a treaty made with the Indians more than 100 years ago.

It would flood a huge amount of land, Indian and non-Indian, including valuable and irreplaceable farm and grazing land. Damage to the State's economy would be heavy. It would also flood two hydroelectric sites, now operated by tribes, and a third possible site.

There is, so far as one can see, no popular demand for the project. The Government agencies concerned are in the position of trying to force it down the throats of Montanans, regardless of their wants and requirements.

The dam cannot be justified on the grounds of need. There's no power shortage in Montana and no danger of one. Existing utilities see to that.

The project represents bureaucratic domination that, if it is allowed to run its course, will ultimately destroy local rights and responsibilities on a gigantic scale, and trample roughshod over everything and everyone that may get in the way. Then no freedom will be secure.

## CHIP ROBERT AND GEORGIA TECH'S 75TH ANNIVERSARY

Mr. TALMADGE. Mr. President, on the 75th anniversary of the Georgia Institute of Technology, one of its most beloved and outstanding alumni, Lawrence Wood "Chip" Robert, Jr., made an unallocated gift of $75,000 to the institution.

"Chip" Robert has long been a warm friend of mine, and he is also the friend of many Members of the Senate. He is widely known as the brilliant president of one of the world's top-ranking architectural firms. In addition to his private business, "Chip" Robert has a long and distinguished career of public service.

Mr. President, there appeared in the October 22 issue of the Atlanta Journal an article by Robert McKee which briefly traces the career of "Chip" Robert, and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Great Gift—Mr. Robert: Tech's Benefactor

(By Robert McKee)

A long and pleasant association was capped the other day when Lawrence Wood "Chip' Robert, Jr., made an unallocated gift of $75,000 to Georgia Tech. Georgia Tech was 75 years old, so Mr. Robert reckoned on the basis of a thousand dollars a year.

It all began in August of 1903—before Mr. Robert was 16 years old. He was intent upon enrolling at Cornell University to take a civil engineering course, but short of high school credits, he entered the subfreshman class at Tech to prepare for enrollment at Cornell.

From the very start he liked Tech, so there he stayed for 6 years. He became a graduate in civil engineering and then took postgraduate work in experimental engineering in 1909. He won the admiration of the Tech faculty because he worked hard from morn to dusk.

His daily marks were so high the faculty did not require him to take an examination during his 6 years as a student at Tech. He was No. 1 in his class when he received his bachelor of science degree in engineering in June of 1908.

### ATHLETE

Mr. Robert also wrote his name impressively on the athletic records of Georgia Tech. Because of his high scholastic standing, he was permitted to break the rule that decreed no student should participate in more than one branch of athletics.

He was on the school's baseball, football, track, and cross-country teams. He was captain of the cross-country team in 1907, and captained the baseball and football teams in 1908—the year of his graduation.

After leaving Tech, the young man from Monticello, Ga., decided to go into business on his own. He created his own firm, Robert & Co., now known all over the world as top-ranking architects, engineers and consultants.

He led the effort to organize the Georgia Tech National Alumni Association, and became its second president. He was elected as the first alumnus on the Georgia Tech board of trustees until it was supplanted by the State board of regents, then served two terms as a member of the regents.

### A MEDAL

In 1934 he received a medal as Tech's outstanding alumnus. At that time he was in

Washington serving under President Roosevelt as Assistant Secretary of the Treasury. He became a member of the President's Cabinet Council, the PWA and the RFC.

In World War II, it was his task to handle the construction of important military installations. These cost more than $2 billion, and were located in this country, South and Central America and the Pacific.

He is probably Georgia's most traveled citizen. Mr. Robert has been around the world 16 times. He had important posts in the Marshall plan in Europe and China and has been to Moscow five times since the end of the last war.

Through the years many honors have come to him, but none is more cherished than the knowledge that he was once a faculty member at the engineering school.

## REDUCTION OF U.S. MILITARY STRENGTH IN EUROPE

Mr. TALMADGE. Mr. President, there is increasing support for the withdrawal of much of the U.S. military troops and facilities from Europe. As I have stated in the past, this would be in the interest of our economy as well as an incentive to other NATO nations to share more of the cost of defending Western Europe.

Moreover, it has been shown that this can be done without jeopardizing the security of free Western European countries whose defense naturally is of prime concern to the United States. The fact that we can move great numbers of troops and equipment abroad very quickly was successfully demonstrated in the recent Operation Big Lift.

Mr. President, with reference to the balance-of-payments deficit, I have long contended that this critical problem could be greatly alleviated by taking positive steps in two directions.

First, our friends in the NATO Alliance should be given more responsibility and the attendant costs of defending their countries, thereby allowing the United States to cut back on its military establishment overseas.

Second, the balance-of-payments deficit could be lessened by a reduction in military and economic foreign aid, especially in areas where it has repeatedly been shown that such spending is wasteful and inefficient.

Mr. President, there appeared in the October 27 issue of the Atlanta Journal-Constitution an excellent column by Eugene Patterson, editor of the Constitution, who pointed out that a troop withdrawal is now possible and would go a long way toward alleviation of the balance-of-payments deficit.

I ask unanimous consent that this column be printed in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

[From the Atlanta Journal-Constitution, Oct. 27, 1963]

### A Troop Withdrawal Is Possibility Now

(By Eugene Patterson)

When Senator Richard B. Russell mildly asked the other day why the United States couldn't reduce its troop strength in Europe, his was no random inquiry from an uninformed observer.

The possibility of U.S. troop withdrawals from Germany became distinct last week when the Army demonstrated its ability to airlift a full division from Texas to Europe in 3 days.

Behind Senator Russell's question lay months of military study and years of political and diplomatic anticipation. Former President Dwight Eisenhower has now come out flatly, in the current Saturday Evening Post, and said it:

"Though for 8 years in the White House I believed and announced to my associates that a reduction of American strength in Europe should be initiated as soon as European economies were restored, the matter was then too delicate a political question to raise.

"THE TIME

"I believe the time has now come when we should start withdrawing some of those troops. * * * One American division in Europe can 'show the flag' as definitely as can several."

To reduce the quarter-million-man army in Europe to one division would be a severe cut indeed. But some reduction does appear to be in the works.

And this will jar Americans who have come to believe what they have long been told: That a U.S. troop pullout, tending to disengage us in Europe, would invite a Russian walk in.

For a long time that was demonstrably true. Disengagement simply meant pulling the Red Army behind the Elbe, but it meant pulling the U.S. Army across the Atlantic. Some new factors have arisen in the 12 years since the United States committed six divisions to NATO in Germany, however.

Largely through production of Lockheed transport planes at Marietta, Ga., currently increasing, the U.S. Army has become airborne. As last week's airlift of a division showed, troops can hop the Atlantic and fight within a week now. A few years ago the Nation did not have this airlift.

ECONOMIES RESTORED

Moreover, the European economies have been restored while U.S. troops guarded their soil. Now NATO nations like France and Germany can afford their own defense. Yet some of them, notably France, have declined to bother much with supporting NATO and have left the spending to Uncle Sam.

Presence of the large U.S. Army in Europe is now tending to discourage, not spur, the development of military strength by the Europeans themselves.

And finally, cost of the huge military establishment overseas is contributing to disturbing U.S. deficits in the balance of payments.

Thus the arguments are building for troop withdrawals from Germany, demonstrating that a policy which contributes to strength in one decade can begin to show a reverse effect in the next.

## A TV EDITORIAL FROM AMARILLO BY TOM MARTIN

Mr. YARBOROUGH. Mr. President, as chairman of the Freedom of Communications Subcommittee, I receive considerable mail from television stations discussing the work they do. Recently I received a copy of an editorial broadcast October 18, 1963, by Tom Martin, a distinguished award-winning Texas journalist. The editorial was broadcast over KFDA-TV in Amarillo.

Mr. Martin's editorial will be of considerable interest to my colleagues. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### A TV Editorial From Amarillo

Ever since we can remember, we have been told that the world contains seven wonders in all, but the trouble with this formula is that every time you begin to accept it at face value—up pops another wonder.

The latest wonder, of all places, pops up in Borger, our bustling neighbor to the north, which rightfully prides itself on being a clean, friendly community with a colorful past and a bright future.

We had the opportunity to speak to a group of friendly people in Borger this week and we inquired about a phenomenon we could not believe actually existed—but there it was and so here we are to tell about it.

If the firsthand intelligence we got can be believed—and we think it can be—something called the Borger Dental Association—which we presume, is something like a dentists' union there—the Borger Dental Association has declared war against socialism.

So far so good and that's a nice, direct stand to take. But there are wars and weapons to fight them with—and we were curious to find out what weapons the dental fraternity chose—and find out we did. It's called censorship by some, selective reading by others. But what it all boils down to is the fact that if you live in Borger you have one concrete advantage over the rest of us—namely—you don't have to do your own thinking. Some of the dentists will do it for you.

It seems that some members—or all of them—of the Borger Dental Association decided some time back that the country was heading down the rocky path toward socialism and communism—and that this was due at least partly to the scurrilous material on hand in the dentists' waiting rooms.

Being the direct types they are, the dentists took action. They voted to exclude all that socialistic propaganda from their waiting rooms—and to stock their magazine racks and coffee tables with only the finest extreme rightwing journals.

In a trice, it appears, all that dangerous material vanished. Out went Life and Look and Time and Newsweek—and, presumably Field and Stream, Mechanics Illustrated, Vogue, Charm, True Confessions, Modern Screen and TV Guide.

With these contaminating influences gone, the party line press took over, and today the dentists' offices have on hand such delightful and refreshing literary jewels as Dan Smoot's Report, Life Lines, Clarence Manion's Forum and Robert Welch's "American Opinion." All this, of course, is true blue Americanism, patriotic reading at its best—and if you don't feel your American blood tingle with pride while you're waiting for that nagging molar to come out—well, you won't be able to blame the dentists for it.

Having purified the air in Borger, we hear now the dentists are set to launch their crusade into other areas. They calculate that there are hundreds of other waiting rooms—doctors, lawyers, insurance offices and the like—just waiting to be uncontaminated. And that's enough—you'll pardon the expression—to set the saliva flowing for any square-jawed crusader.

Well, who is to say what—if anything—dentists should or shouldn't have as reading material in their waiting rooms. The service stations are stocked with touring guides and road maps. The washeterias abound with Christian Science literature. Any doctor worth his salt has—for curiosity value if nothing else—at least one copy of the American Medical Journal on his office table. And TV stations include listings of their fall schedules. So it's all part of the game.

But we're curious about a couple of things—and maybe one of the dentists would be good enough to write and let us know about them.

First, we note that the Bible isn't on the so-called approved reading list and we hereby petition the dentist to relent at least to this extent and allow an occasional good book to be placed. For further information call the Gideons.

Second, what happened to the spare copies from the leftover subscriptions to Life, Look, and Mechanics Illustrated? Do the dentists read them at home—or do they just chuck them?

Third—what happens when a patient might occasionally be silly enough to read some of those subservices magazines like TV Guide? Do you just let him—again, pardon the expression—do you just let him grit his teeth and suffer?

We'd be grateful for some word on all this—and in return, we have a suggestion to offer on what to do with all those discarded magazines and papers if they're piling up in the living rooms. Why not get them all together in one big stack and have a good old fashioned book burning—the kind they used to have in Germany.

And for now—that's 30.

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## UNITARIAN UNIVERSALIST ASSOCIATION SUPPORTS CIVIL RIGHTS BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by the board of trustees of the Unitarian Universalist Association on October 14, 1963, be printed in the Record at the conclusion of my remarks. Last Thursday, I called the attention of the Senate to six statements made by as many leading religious organizations and church bodies. Today I call attention to another in the growing chorus of voices from church leaders calling for the passage of civil rights legislation.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

### Resolution Adopted by the Board of Trustees of Unitarian Universalist Association on October 14, 1963

The Board of Trustees of the Unitarian Universalist Association, recognizing the seriousness of the deep racial crisis which has gripped the United States in recent months and weeks, and reaffirming the traditional concern of Unitarians and Universalists for the supreme worth of every human personality, the dignity of man, and the use of the democratic method in human relationships, respectfully urges that the Congress of the United States enact meaningful, comprehensive civil rights legislation to redress the legitimate grievances of the Negroes and members of other minority groups.

To this end, we endorse the substance and intent of H.R. 7152 and S. 1731 to strengthen voting rights, make discrimination in public accommodations unlawful, speed public school desegregation, establish a community relations service to mediate racial disputes, extend the life of the U.S. Commission on Civil Rights for 4 years and give it added responsibilities, authorize withholding of Federal funds from programs that are administered in discriminatory fashion; and establish as a permanent Commission the President's Committee on Equal Employment Opportunity.

We urge especially that the Congress erase the humiliation which accompanies the members of minority groups when they are refused accommodation or service in hotels, motels, restaurants, business establishments or places of amusement, and that a public accommodations law cover all establishments, of whatever size.

In addition, we urge that amendments be made to the bill to add a permanent Fair Employment Practices Commission to cover hiring, firing, and promotion in all types of employment and membership in labor organizations engaged in interstate commerce. And, further, that the bill be amended to give the U.S. Attorney General power to bring civil suits in all cases where Americans are denied their constitutional rights because of race or religion.

The civil rights program before the Congress represents minimal objectives at this critical point in our Nation's history. One hundred years after the Emancipation Proclamation, the American Negro finds that in education, in employment, in housing, in the exercise of his rights of citizenship, he is still a second-class citizen. The Congress should therefore act this year to bring to fulfillment the promise of the Emancipation Proclamation.

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## CIVIL RIGHTS

Mr. HART. Mr. President, it is easy to oversimplify issues and the positions men take on them. Labels are too easily applied, stereotypes too readily accepted.

Take the troubled field of civil rights, for example. Ask the average citizen how the sides line up and the odds are strong that he will say that northern Senators are for it, southern Senators against.

This is an oversimplification, Mr. President, as I intend to show.

Because two Senators from one of the most southerly of States have announced their readiness—yes, even eagerness—to vote "yes" on the entire administration's civil rights package.

On this issue—and others—these men speak clearly and with reason although I confess it is doubtful if they will swing many of their southern colleagues behind them.

These two men—I will not keep this body in suspense any longer—are Senators Hiram Fong and Daniel Inouye. There is no State further south than theirs.

The able Senator Inouye has told me he intends to vote for the strongest civil rights bill possible. And the position of the respected senior Senator from Hawaii—whose eloquent voice is often heard championing the common man—was recently presented in a delightful broadcast by NBC's "Monitor."

I ask unanimous consent that the text of that report be printed in the Record at this point in my remarks.

There being no objection, the report was ordered to be printed in the Record, as follows:

### Civil Rights

The State of Hawaii is an almost unbelievable amalgamation of races. As examples: one of its Senators—Hiram Fong—is of Chinese ancestry; the other—Daniel Inouye—is of Japanese descent. It has two Representatives in the House—Sparkey Matsunaga, Japanese background; and Tom Gill, who is what the Hawaiians call a "haole"—or white man. The Governor of Hawaii is an Irishman, Jack Burns; the Mayor of Honolulu is named Blaisdell and is a blend of several races.

During the years Hawaii fought for statehood, southern Members of Congress provided the principal opposition; they mistrusted the free and easy way in which the races mixed, in Hawaii. So when Fong came to the Senate, he mentioned the fact that Hawaii is the southernmost of all the States—that Kalae Point, on the big island of Hawaii, is farther south even than Key West, Fla. By comparison, Mississippi is Yankee country.

Fong himself can perhaps best be described as a middleground Republican—but his colleagues began bugging him about his Deep South background—wanted to know when he would take his place with the other Southern Senators in their fight to block civil rights legislation (which Fong naturally supports with all his might and main).

Anyhow, before the civil rights march on Washington, leaders of the National Association for the Advancement of Colored People gathered at the Capitol, Fong made a speech. From his obviously Hawaiian face, came these words: "Y'all know Ah'm a southern Senator, and you no doubt wonder where Ah stand on this question of civil rights."

He got an ovation to end all ovations.

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## CONRAD WIRTH

Mr. BYRD of Virginia. Mr. President, I learned recently, with deep regret, that Conrad L. Wirth expects shortly to retire from his position as Director of the National Park Service in the U.S. Department of the Interior.

Conrad Wirth is my friend. In fact, I think he is a great and good friend of every man, woman, and child in this country; and I think each of these millions of people who have visited our national parks will realize the truth in this statement.

I suspect there is no other single man in the United States who has done so much for the healthful recreation and pleasure of so many people, along with promoting conservation of our natural resources and preservation of our historic areas.

I intend to speak at greater length at a later date on the great work and fine contributions of Mr. Wirth, as Director of the Park Service; but today I simply want to note a few facts, and make three insertions in the Congressional Record.

The National Park Service was founded under an act of Congress passed in 1916. The Service is now 47 years old. Connie Wirth came into the Service in 1931. He became its Director in 1951. No one is more efficient in his life's work or more dedicated to it.

Mr. Wirth has been with the Park Service in all but 15 years since its establishment. And now our national park system comprises more than 200 units, including 31 national parks. These units cover some 26 million acres of public areas.

Through these areas the Government is engaging in the highly constructive service of preserving and interpreting great scenic, scientific, and historic assets of our people, and upward of 100 million people are benefiting from them every year.

I have visited virtually all of the national parks, and I know that in them is to be found some of the most beautiful scenery in the world, and those who use the parks know that they afford healthful recreation that cannot be surpassed.

It has been my privilege to work for the development of our national park system for some 30 years. My efforts and Connie Wirth's career with the Service are almost parallel. I regard the system as one of the most worthwhile of all Federal programs.

Most of the development has had the personal attention of Conrad Wirth. Before becoming Director of the Park Service 12 years ago he served under four former Directors: Horace M. Albright, Arno B. Cammerer, Newton B. Drury, and Arthur E. Demaray.

In more recent years Mr. Wirth has been engaged in the planning and execution of the nationally known "mission 66," which is probably the greatest program of its kind in the history of the country. I had hoped that Director Wirth would stay to see it through.

But he feels that he should retire. And certainly he has earned a rest. He has my greatest admiration, warmest personal regards, and very best wishes. And in this connection I ask unanimous consent to insert two letters and a newspaper editorial in the RECORD as part of these remarks.

I think the letters should be a part of the public record, and I should like to preserve the editorial for history. The first letter is from Mr. Wirth to the Honorable Stewart L. Udall, Secretary of the Interior, dated October 18, 1963. Permission to publish it has been received from both parties. It follows:

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
*Washington, D.C., October 18, 1963.*

Hon. STEWART L. UDALL,
*Secretary of the Interior,*
*Washington, D.C.*

DEAR MR. SECRETARY: As you know, I have been considering retirement since 1962. In February of this year, I submitted to you the names of five Park Service people that I felt were well qualified to fill the Associate Director position which had been vacant since Mr. Scoyen's retirement. Mr. Hartzog was selected from this list, and appointed. At that time, I indicated that I intended to retire in about a year, and gave you my reasons. While neither you nor Mr. Carver agreed that I should consider retirement, you indicated that you would respect my wishes. My reasoning has not changed since then.

You and the President have committed yourselves to further the development of a strong career service. Well-trained employees with an opportunity for advancement is basic to a strong career service. It is good government; it is good business. The National Park Service is a career service and, in my opinion, a very good one. It is a vigorous, capable, aggressive, and loyal organization, dedicated to serving the public in accordance with the objectives enacted into law by the Congress and the policies established by the administration and the Secretary of the Interior. These are traits that were built into it by its first Directors, Stephen T. Mather and Horace M. Albright, and maintained down through the years by the Directors who have followed them—Arno B. Cammerer, Newton B. Drury, and Arthur E. Demaray.

From my observations in over 35 years of Government service, I believe that if the integrity of career service is to be maintained and strengthened, three basic principles should be recognized:

1. Opportunity for advancement: There should be a general rule that key personnel subject to day-to-day pressures should retire in the early 60's, and younger, well-trained individuals advanced into the administrative and policymaking positions. This will result in quicker reactions to changes caused by our fast-growing national economy and the resulting increased needs of our people.

2. Use of knowledge and experience: There should be established within the framework of the civil service regulations a method for the retention of a reasonable number of senior employees as advisers, who would not be subject to day-to-day routine and pressures. This would bring better balance and stability into the organization. Today private business is picking up many of these well-trained Government employees on that basis.

3. Elimination of incentive distractions: The schedule C classification should be abolished insofar as it is applied to the operating and technical career bureaus. I don't know of anything that has discouraged career employees more than the establishment of schedule C.

There is little that I can do about items 2 and 3, but knowing your strong feelings with reference to a better career service I could not help but express my thoughts. I can do something about item 1. Therefore, I respectfully request your approval of my retirement, to be effective after the close of business on January 11, 1964.

I shall always be proud and grateful for the opportunity afforded me by Directors Albright and Cammerer, and Secretary of the Interior Harold L. Ickes, to play an important role in the CCC program in the thirties, working with many bureaus of the Department and the leaders in the State park field; and to Secretaries McKay, Seaton, and you for supporting the Mission 66 program during my tour of duty as the sixth Director of the National Park Service. Of course, I have a warm spot in my heart for Secretary Oscar L. Chapman, for it was he who gave me my promotion to Director of the National Park Service on December 9, 1951. I sincerely hope that I have lived up to his expectations. And you, Secretary Udall, have sparked and brought into focus the building of a national park system worthy of the American people. Certainly there is much yet to be done but the fact remains that the surge forward is underway, due largely to your efforts and leadership.

I believe we often forget the important contributions by our lawmakers, the elected representatives of the people, to the park and recreation programs. I have appeared before the committees of Congress for over 30 years and I have nothing but admiration, respect, and sincere appreciation for their helpful and thoughtful consideration of our requests and reports. I number many of them among my very best friends.

There are also the conservationists, individuals, and associations, as well as various civic minded people, many of whom have been of tremendous help to the Service and to me personally, for which I am most grateful.

And last, but most important next to Mrs. Wirth who has shared my ups and downs and is my greatest critic and by far my strongest supporter, are the employees of the National Park Service. I have known all of the five previous Directors of the National Park Service, and worked on the staff of four of them. They taught me much and helped me greatly, and they know my deep appreciation. But, I also know that they would understand and agree when I say that I owe the greatest debt of gratitude to the many loyal and devoted associates of mine in the National Park Service. Many of them have retired since I joined the Service in 1931, and those that are still in the Service I grew up with. No bureau chief could ever have had a more devoted, hard-working, and loyal organization than the people that make up the National Park Service. I shall never be able to adequately express to them my heartfelt appreciation. I commend them to you, and to the new Director.

Sincerely yours,
CONRAD L. WIRTH,
*Director.*

The second letter is from Secretary Udall to former Park Service Director Horace Albright dated October 22, 1963. It is offered for publication with the Secretary's permission. It follows:

OCTOBER 22, 1963.

Mr. HORACE ALBRIGHT,
*Los Angeles, Calif.*

DEAR HORACE: Needless to say, I share your concern over the items which appeared in the press which implied that Director Connie Wirth's retirement was a result of some policy crisis or personality conflict within my Department. Nothing could be more untrue—or more unfair to Connie.

You know the high esteem that I have for him and I attempted to convey this at the Yosemite conference when I stated that his contribution has given him a place "on the highest honor roll of those in this century who have done the most to preserve a rich outdoor legacy for the American people."

In order that you will have the true facts concerning the leadership transition in the National Park Service I want to recite them again:

(1) At the time Associate Director Eivind Scoyen retired in early 1962 it was my feeling, and I expressed it to Director Wirth, that he should be replaced with a career man who would be selected and groomed to become the next Director;

(2) Connie concurred, and late last year he submitted to me a list containing the names of five career Park Service employees whom he recommended for consideration for appointment as Associate Director;

(3) After much discussion and evaluation we decided to ask George Hartzog—who was then employed by downtown St. Louis—to come to Washington for a special interview, and at that time we persuaded him to return to the Park Service and accept the Associate Director's position;

(4) Later, in February or March Connie indicated that he intended to retire about January 1, 1964, and stated that he would like to announce his retirement at the Biennial Conference of Superintendents at Yosemite in October. At that time I agreed to attend this conference and we also decided to make a final decision during the intervening period on his successor and to announce his appointment simultaneously.

As you observed at Yosemite, the arrangements we made were carried out and it gave me the highest pride and satisfaction to note the deep affection and loyalty felt for Connie by his associates in the Park Service, and the warm and enthusiastic reception given to the announcement of the Hartzog appointment.

The public should know the facts I have outlined here and I am confident that you and other friends of Director Wirth and of the Park Service will help to see that the truth is disseminated and any misapprehensions are dispelled.

Sincerely,
STEWART L. UDALL,
*Secretary of the Interior.*

The editorial appeared in the Washington Evening Star of October 22, 1963, under the title "Mr. Park Service." It follows:

### MR. PARK SERVICE

We have sometimes been critical, even strongly critical, of the stiffnecked attitude of the National Park Service. When it stands like Horatius at the bridge, blocking some project vital to the emerging new Washington, patience runs low.

On the other hand, if it had not been for the National Park Service, Washington might well have lost, or perhaps never have acquired, what amounts to one of the finest park systems in the world.

Since 1951, Conrad L. Wirth has been Mr. Park Service to us.

Connie Wirth's retirement as Park Service Director was announced last Friday, 4 days after Assistant Secretary of the Interior Carver made a speech to park superintendents that was highly critical of the organization's attitudes and contained the implication that the Interior Department high command had lost patience with Mr. Wirth.

Among other things, Mr. Carver charged the Service with resorting to a semireligious mystique to thwart Interior Department policies. He said it fostered a public-be-damned attitude and was not cooperating with the Department's new Bureau of Outdoor Recreation.

Mr. Wirth denies that his retirement was hastened by his superiors. And Interior Secretary Udall, since Mr. Carver's speech, has taken pains to praise Mr. Wirth's record and to disavow to Mr. Wirth's subordinates Mr. Carver's implied slap. It is now clear that George B. Hartzog, who is to succeed Mr. Wirth as Director, was one of five men recommended for the post by Mr. Wirth. His selection does not presage an about-face in national park policy.

We are glad that this is the case. For to sacrifice to expediency or popular demands of the moment the basic policy of conserving natural America for generations yet unborn could have tragic consequences.

The men who fathered the park movement were zealots. They were missionaries. Without these qualities the movement never would have got off the ground. The men who continue their work must have the same basic zeal.

While we intend to continue to argue the merits of specific decisions on the use of park land, we do not believe that a "soft" policy concerning such use should be adopted. We congratulate Connie Wirth on 32 years of dedicated service to the Nation and especially to its Capital. If his successor does as well, we will all have been very ably served.

## ASSISTANCE TO THE AGED PROGRAM

Mr. McNAMARA. Mr. President, the Subcommittee on Health of the Elderly, of the Senate Special Committee on Aging, today issued a report evaluating 3 years operation of the Kerr-Mills medical-assistance-to-the-aged program.

This carefully documented report contains a great deal of information that I believe will be most helpful to the Congress and to the growing numbers of private citizens who are deeply concerned with the important problem of assuring economic access to adequate medical care on a decent, self-respecting basis to the 18 million Americans who have passed their 65th birthday.

I commend this report to my colleagues, and I ask unanimous consent that the introduction and summary, which highlight its conclusions, be placed in the RECORD at the conclusion of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

### MEDICAL ASSISTANCE FOR THE AGED—THE KERR-MILLS PROGRAM, 1960–63

#### INTRODUCTION

After 3 years of operation, the Kerr-Mills medical assistance for the aged (MAA) program has proved to be at best an ineffective and piecemeal approach to the health problems of the Nation's 18 million older citizens.

Since the Kerr-Mills program of medical assistance for the aged took effect on October 1, 1960—3 years ago—the Special Committee on Aging, and its predecessor, the Subcommittee on Problems of the Aged and Aging of the Senate Labor and Public Welfare Committee, have closely observed its operation and have periodically issued reports evaluating the program.[1]

This report of the Health Subcommittee of the Special Committee on Aging is the third such evaluation of the Kerr-Mills program, and is based upon study and appraisal of all available information.

The findings of this report confirm the conclusions of earlier studies that the MAA program did not, and could not by itself, constitute an effective national solution to the pressing and pervasive problems connected with the financing of the hospital and related expenses of the Nation's senior citizens.

The findings set forth in "Performance of the States," the 1962 staff report of the Special Committee on Aging, have proved to be still valid. Additional findings and new data have been added.

In brief, we find that the Kerr-Mills program of medical assistance for the aged, still suffers from these major defects.

1. After 3 years it is still not a national program, and there is no reason to expect that it will become one in the foreseeable future. Although all 50 State legislatures have met since this program was enacted into law 3 years ago, only 28 States and 4 other jurisdictions now have the program in operation.

2. Stringent eligibility tests, lien-type recovery provisions, and responsible relative provisions have severely limited participation in those jurisdictions where the program is in operation. In July of 1963, only 148,000 people received MAA assistance—or less than 1 percent of the Nation's older citizens.

3. The duration, levels, and types of benefits vary widely from State to State. Except for those four States having comprehensive programs (Hawaii, Massachusetts, New York, and North Dakota) benefits are nominal, nonexistent, or inadequate.

4. Administrative costs of MAA programs remain too high in most jurisdictions. In Tennessee, for example, administrative costs totaled 59 percent, while in four other States they exceeded 25 percent of benefits.

5. The distribution of Federal matching funds under MAA has been grossly disproportionate, with a few wealthy States, best able to finance their phase of the program, getting a lion's share of the funds. Five States, California, New York, Massachusetts, Michigan, and Pennsylvania, for example, received 88 percent of all Federal MAA funds distributed from the start of the program through December 31, 1962, although those five States have only 32 percent of the Nation's elderly people. New York alone, with 10 percent of the Nation's elderly, received 42 percent of this total.

6. The congressional intent to extend assistance to a new type of medically indigent persons through MAA has been frustrated by the practice of several States in transferring nearly 100,000 persons already on other welfare programs, mainly OAA, to the Kerr-Mills program. The States have done this to take advantage of the higher matching grant provisions of Kerr-Mills, saving millions of dollars in State costs but diverting money meant for other purposes.

7. The welfare aspects of the Kerr-Mills MAA program, including cumbersome investigations of eligibility, plus the requirement in most States that resources of an older person must be depleted to a point of near-dependency, have further reduced participation.

#### SUMMARY

##### *Intent of the Kerr-Mills MAA legislation*

The Kerr-Mills Act has two facets—one representing a relatively minor improvement in the already existing program of aid for people on old-age assistance (OAA), and the other representing a major innovation.[2] The primary feature of Kerr-Mills was the establishment of a new category of public assistance—medical assistance for the aged. This program, popularly known as Kerr-Mills MAA, offered an opportunity for the States to secure substantial Federal grants applicable—on a matching basis—toward meeting the medical expenses of older citizens who had previously been ineligible for help—the "medically indigent" aged. The "medically indigent" aged are those persons who are not on the old-age assistance rolls, but who are unable to cope with the costs of health services.

It was the intent of the Congress that the MAA program would provide broad health services to the many aged needing them but unable to afford them even though the individuals were not on welfare.

Achievement of such a goal for MAA would require that (1) all States establish MAA programs, (2) the programs include a comprehensive range of medical services consistent with the needs created by the poorer health generally suffered by the aged, (3) the eligibility requirements be realistic in terms of the health expenses and financial resources of the aged, and (4) the assistance be made available without humiliating or degrading our older people.

The evidence available after 3 years of Kerr-Mills operation, demonstrates conclusively that the congressional intent has not and will not be realized, with respect to any of these four goals.

##### *Limited use of the act*

Many States have not implemented the MAA program. As of the end of August 1963, only 28 States and 4 other jurisdictions had MAA plans in operation. Indications are that by the end of 1964, from one-fifth to one-third of the States still will not have MAA plans in operation.

In those States which have established MAA plans, implementation is, in many instances, nominal, because of a lack of State funds to finance the type of program that is required. Many States which have established MAA plans still do not meet what they themselves say are the basic needs (not including health needs) of those of their citizens who are on relief.

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[1] "Performance of the States, 18 Months of Experience With the Medical Assistance for the Aged (Kerr-Mills) Program," June 15, 1962. "State Action To Implement Medical Programs for the Aged," June 8, 1961.

[2] Since 1950 the Federal Government has assisted the States with funds to be used toward payments to suppliers of medical care for people on relief. The first part of the Kerr-Mills Act simply increased the amount of Federal funds available for that purpose under the program of old-age assistance.

Only 148,000 aged persons received any MAA help in August 1963—less than 1 percent of the Nation's elderly. And many thousands of these people had received care or were eligible for care under relief programs existing before enactment of Kerr-Mills.

Even according to the most conservative estimates, probably well over one-half of all applications approved for MAA through September 1962 were submitted in behalf of people previously receiving or eligible for medical aid under a public program other than Kerr-Mills.

As a result of the use of means tests for MAA which are almost as strict as those for OAA, the number of people who can receive help is severely limited.

*The means test*

"So that the county board of assistance can decide as fast as possible whether you are eligible for MAA, be ready when you apply to give them the facts on your age, residence, amount of income, and value of property. It may help if you bring papers that give this information. Also have with you the names and addresses of your husband or wife, your sons and daughters." [3]

MAA programs require an applicant to submit to a means test—an investigation of his income and assets. The means test is the basis of all relief programs. In most States, the highly restrictive nature of the tests, apart from any degrading qualities, exclude from help many of the aged who are desperately in need of assistance. There are at least 14 States in which the means test for MAA would serve to eliminate many of the aged people who qualify for other relief programs in those States.

Twelve States have "family responsibility" provisions which, in effect, also impose means tests upon the relatives of those who might be tempted to seek aid from the MAA program. These provisions not only are disruptive of familial relationships, but deter many proud people from seeking the care they need because they do not want to involve their families. "A number of elderly persons in Buffalo, when informed of this provision reportedly told the welfare commissioner, 'Please kill my application. * * * I don't want my son questioned.'" [4] The welfare commissioner of the city of New York has stated: "I believe that this requirement serves to bar uncounted, truly needy, older persons from seeking medical aid under this program." [5]

Nine States—including those with by far the largest number of people receiving help under Kerr-Mills MAA—have recovery provisions in their programs extending to the homes of people receiving help, and collectable after death. Since Americans of retirement age equate "free and clear" ownership of one's home with self-respect, the idea of a State taking a claim on that home is completely abhorrent to them. This further restricts participation in the program.

"Means-test medicine" requires that the applicant for MAA shroud himself in the welfare cloak. He must state, and in many jurisdictions his relatives are also required to reveal, the precise amounts and sources of his income, and the value of each asset. In "means-test medicine," far too much emphasis is placed upon the means test and not enough upon the medicine.

*Limitations on benefits*

Having navigated the eligibility maze, the applicant's expectation of relief is all too often not realized. Frequently, assistance available is totally inadequate. For example:

Question. "In Kentucky, what happens if the hospital patient is still sick after 6 days?"

Answer. "We pay only for 6 days. If the patient is in the hospital longer, the care may be paid for by a relative or a charity, or the hospital may discharge him. We do not know what happens after our responsibility is met." [6]

Many States participating in MAA sharply limit their programs in terms of types of services provided and the duration or quality of care supplied, in addition to specifying that benefits will be available only for certain kinds of illness or injury.

Only four States—Hawaii, Massachusetts, New York, and North Dakota—have plans which meet the Department of Health, Education, and Welfare's definition of a comprehensive health program. And in Hawaii, Massachusetts, and New York only 2 percent or less of total payments was for physicians' services—hardly indicative of comprehensive coverage of physicians' care.

Where nursing home care is provided, the payments are often no more than enough to provide a poor quality of custodial care and are totally insufficient to pay for any skilled nursing care. Custodial care is not medical care.

In some States, the medically indigent person is required to pay cash contributions from his meager resources toward the cost of care. In some States, he must make such payments before he can even qualify for MAA help. Louisiana's Department of Public Welfare even permits hospitals to collect from the MAA recipient and/or his relatives the difference between the amount billed and the allowance paid by the welfare fund. Use of such deductible and contributory provisions is particularly inappropriate, contradictory, and self-defeating in a program which has already employed a means test to prove inadequacy of resources, and for which the Congress has forbidden use of any "enrollment fees, premium, or similar charges."

*Freedom of choice restricted*

Even those relatively few aged persons who are declared eligible for limited help under MAA are not always able to get the care they need. In some cases, they cannot get care from the doctors of their own choice.

The limitations in the scope and levels of care in many of the MAA programs adversely affect the quality of care provided, the patient's freedom of choice, and the doctor's freedom to treat his patients in an individual way. They are dependent upon the willingness of hospitals and physicians to accept MAA payments—which are often below the "going" rates. In one State, for a while, some doctors, and hospitals refused to participate in the MAA program because the State found it necessary to reduce fees paid.

At least five of the jurisdictions with MAA plans require that services be secured from specified physicians or facilities only. As a practical matter, the failure of many jurisdictions to cover inhospital physicians' services means that a large percentage of MAA recipients must depend upon the services of hospital and clinic staff doctors. Half of the physicians in Louisiana, for example, do not participate in the MAA program.

Unfortunately, the "freedom of choice" and the quality of care envisaged are dependent upon much more liberal financing of MAA programs. Unfortunately, also, most of the States cannot generate the matching funds necessary for a comprehensive program.

*Distortion of congressional intent*

Total MAA expenditures (Federal and State) from the inception of the program through August 1963 were $580 million. Not even this thoroughly inadequate sum (total payments for 2½ years amounted to one-tenth of yearly medical costs for persons over age 65) represents exclusively new expenditures for a new program.

MAA money has been and is being used to pay for care for nearly 100,000 persons previously aided under other relief programs. On the basis of the income tests for old-age assistance, tens of thousands of additional recipients of MAA would have been eligible for care under OAA had the MAA program not been enacted.

It was not the intent of Congress when it authorized MAA that new Federal funds be used to relieve States and communities of a responsibility which they had already accepted. Congress intended that this help be extended to an entirely new group of citizens—not to those already on relief or who would be eligible for relief. Congress offered to assume the major share of a new responsibility in the belief that the States would be eager to assume the rest.

Despite the clear expressions of congressional intent that this was not to be a program in lieu of existing OAA medical care plans, a number of States, by their actions, clearly thwarted and distorted what was intended.

The motive is clear—the Federal matching formula under MAA is more generous than under OAA.[7] The method is simple—drop skilled nursing home care, for example, from the OAA program and transfer coverage for that service to the MAA program. Now, the OAA recipient in need of nursing home care cannot be provided the care he needs, for OAA no longer includes that service. A few forms are completed and the OAA recipient is swiftly transformed into an MAA recipient. The clear intent of the Congress is violated by these paper transactions.

A dramatic example of the impact of this policy of transferring responsibility for care from OAA to MAA recently occurred in the State of Washington. That State reported a total of $187,559 paid in behalf of 1,176 recipients of MAA during the month of May 1933. For the month of June 1963, however, Washington reported total payments of $1,282,149 for care of 9,623 recipients of MAA.

State officials explain that this tremendous increase in MAA payments and recipients was caused by the transfer of recipients of long-term nursing home care under the old-age assistance (OAA) program to Washington's MAA plan.

These transfers are totally inconsistent with the intent of the Congress when it enacted Kerr-Mills. A recent article analyzing the Kerr-Mills MAA program in Connecticut appeared in the August issue of the authoritative journal Hospital Progress. The authors, Albert W. Snoke, M.D., and Parnie S. Snoke, M.D., had this pertinent remark to make concerning the matter of transfer of assistance recipients to MAA:

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[3] "If You Need Medical Assistance for the Aged," informational leaflet No. 8, Commonwealth of Pennsylvania, Department of Public Welfare, March 1962.

[4] Quoted by Senator GEORGE R. METCALF in "New York's Medicare Plan," Hospital Topics, October 1962.

[5] At hearing of New York State's Joint Legislative Committee on Health Insurance Plans, November 16, 1962.

[6] Response to questions was made by Kentucky's commissioner of economic security at the 5th Annual Medical Services Conference of the Council on Medical Service of the American Medical Association, Nov. 25, 1962. The theme was "Kerr-Mills in Action—1962." The number of days of hospital care provided in Kentucky has since been increased to 10.

[7] The Federal Government will match up to a maximum of $15 of vendor payments for medical care under OAA. However, under MAA, there is no limit on the amount of vender payments subject to Federal matching.

"In this preliminary and tentative study of MAA in Connecticut, it is apparent that the program is an extension of an existing welfare program for health care of the needy aged. A large percentage of patients previously receiving assistance through OAA have been transferred to MAA. The caseload in Connecticut is steadily increasing."

### *Uneven distribution of Federal funds*

While the formula under which Federal grants are made to the States was intended by Congress to favor the States with low per capita incomes—where needs are greatest—in actual practice, a few wealthier States are getting the lion's share of MAA funds.

Some of the States with the lowest per capita incomes in the Nation are, in effect, contributing toward the cost of MAA programs in the wealthier States—while their citizens receive in some cases nothing, in others relatively little in return.

This result is not necessarily due to a lack of willingness on the part of the less wealthy States to do more for their older citizens, but is a consequence of the far greater tax bases in the wealthier States.

Nearly 88 percent of the $189 million in Federal funds allocated from the inception of the MAA program through December 1962 went to just five States—California, Massachusetts, Michigan, New York, and Pennsylvania. However, only 32 percent of the older population of the Nation reside in those five States.

This disproportionate sharing may well continue over the long run.

### *High administrative costs*

MAA's unavoidable administrative expenses constitute a substantial drain upon the limited resources of the States, which might otherwise be devoted to purchasing health care. In five States, such expense ranged from 25 to 59 cents for each dollar actually spent on medical care in 1962.

In general, those States which have the highest costs of administration are the States which can least afford the expense—those with very low per capita incomes. The Federal Government pays only 50 percent of the costs of administration while it may pay as much as 80 percent of the dollars going for actual medical care. Thus, only a relatively small portion of a State's funds may go for medical care when substantial amounts have to be allocated to administrative costs.

As compared with a program based upon use of the social security mechanism and with no means test, it costs a great deal of money to administer a program with the complex limitations on eligibility and benefits inherent in the MAA program.

In five States, administrative costs in 1962 for each applicant approved for MAA averaged over $100. The average cost per approved applicant in all States with MAA plans was $70.

In contrast, a social security-financed program would not spend millions in investigating income and assets of applicants and their relatives. The administrative expenses of such a program, estimated at 3 percent, would relate mainly to the procedure for making payments of hospital and related benefits, not to the determination of eligibility.

### *Conclusion*

In conclusion, 3 years of experience indicates clearly that the strained financial resources of the States—and the competition for those funds by other urgent public needs such as education, housing, roads, etc.—make the well-intentioned aims of the Kerr-Mills MAA legislation impossible of realization in all of the States in the Union.

This experience proves that Kerr-Mills cannot, of itself, solve that problem which we have found to be the most persistent and frightening one confronting millions of older people in all parts of the country—the problem of assuring economic access to adequate medical care on a decent, self-respecting basis.

## PTA MAGAZINE SERIES ON CIVIL LIBERTIES

Mr. DOUGLAS. Mr. President, the officers, editors, and directors of the PTA magazine, the official magazine of the National Congress of Parents and Teachers, are to be congratulated for their new effort to increase public unstanding of the fundamental guarantees of the Bill of Rights.

Beginning with their September issue, they are publishing a series of 10 articles on civil rights and civil liberties. The series begins with an article by the historian and Western Reserve University professor, Carl Wittke, on "Our Heritage of Freedom." The October issue continues the series with an article by the Yale University educator, Edward Gordon, "Freedom To Teach and Learn." Articles to appear in future issues will concern legislative apportionment, the Supreme Court decisions on prayer and Bible reading in the public schools, freedom of assembly, freedom of thought and expression and the right to silence, children's rights, search and seizure, and the teaching of the Bill of Rights in high schools. The editors express the hope that these articles "will stimulate thoughtful consideration and informed discussion of the issues involved."

This effort to promote understanding of the fundamentals of our liberty deserves support and commendation. I hope this series is widely studied, and I ask unanimous consent that the initial article by Professor Wittke be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### Our Heritage of Freedom

(By Carl Wittke)

In September 1787, 39 men in knee breeches and powdered wigs signed a few pages of parchment and departed for home after 4 long months of deliberation and debate and compromise. The product of their labors can be read in about half an hour. It is the Constitution of the United States. Practical men of affairs and experience, the Founding Fathers included some of the young Nation's wisest men. They were a small, well-organized minority, who believed it was necessary to lead a conservative reaction against the economic and social disorders that followed the American Revolution—against what some people called the excesses of democracy.

In the long contest to secure ratification of the new Constitution by the States, one of the most serious obstacles was the absence of a bill of rights that would guarantee individual liberties. Many of the members of the Constitutional Convention of 1787 were not opposed to a bill of rights. In fact, they had helped draft those bills already in existence in their native States. They were eager to return to their homes after hot months in Philadelphia, however, and they believed a bill of rights was unnecessary because the new Government was one of limited, specific powers only.

Moreover, did not the Constitution itself contain specific, judicial safeguards on matters that people were concerned about? It guaranteed the writ of habeas corpus, which protects people against being held in jail unlawfully. It forbade laws of attainder—that is, laws that punish people without resort to the courts. It prohibited ex-post-facto legislation and thus guaranteed that a person cannot be punished for an act which was not illegal when he performed it. Trial by jury was also assured. It was assumed, too, that the courts would protect the people from legislative and executive tyranny by applying the rule of reason and the guarantees of the English common law.

But these assurances were not enough for the American people. They remembered the centuries of political battles in Britain to establish individual liberties. Their American experiences with oppressive governments in colonial days were vivid in their minds. They were disturbed that the new Constitution safeguarded property rights but said relatively little about individual liberties. Five States ratified the Constitution only after receiving specific pledges that a bill of rights would be added to protect individual rights against encroachments by the Federal Government.

In the first U.S. Congress, James Madison, in fulfillment of the agreements made during the contest over ratification, presented the resolutions that developed into the Bill of Rights. He had examined more than 100 proposals from the States. The House of Representatives adopted 17; the Senate reduced the number to 12; and 10 were finally ratified by the States. For all practical purposes, therefore, the 10 amendments of 1791 may be regarded as part of the original Constitution.

### GUARDIAN OF OUR RIGHTS AND LIBERTIES

For our present purpose we may omit a discussion of amendments 9 and 10, which were intended to define more precisely the nature of American federalism and the powers reserved to the States and the people. The first amendment guarantees religious liberty and freedom of speech, press, petition, and assembly against interference by Congress. The second, asserting the right to bear arms, and the third, forbidding the quartering of soldiers in private homes, are not so significant today as they once were. The fourth amendment protects the individual's person, premises, papers, and other property from arbitrary and unreasonable search and seizure.

Amendment five is complex. It bars trial for a capital crime until a grand jury has examined the evidence and made formal charges either in a presentment or indictment. It protects a person in a criminal trial from being compelled to testify against himself. Its double jeopardy clause means that a person acquitted of an offense may not be tried for it a second time. It also guarantees due process of law in all things related to depriving a person of life, liberty, or property and provides that private property may not be taken for public use without just compensation.

The sixth and seventh amendments guarantee jury trial, the right to counsel, and the right to confront those who have witnessed against the accused. The eighth prohibits excessive bail and fines and unusual punishments.

The first, fourth, and fifth amendments are as important today to our evolving democracy as they were when they were first adopted in 1791.

Amendment one is based on the belief that the best way to make a government stable is to keep it flexible. A democracy requires free trade in ideas as well as in commerce and industry. The United States is not a closed society, frozen into a fixed mold. It is a process forever unfinished. In the eternal quest for truth and justice, the freedom of expression guaranteed by the first amendment is essential to orderly, peaceful progress if we would avoid tumult and revolution. The first amendment rests upon faith in the dignity, intrinsic worth, and intelligence of the individual, provided the channels of information are kept open so that truth may do battle with error in the marketplace of ideas.

There is a vast difference between dissent and disloyalty, between criticism and subversion. We believe, with Jefferson, that the opinions of men are not the proper concern of government. Only when they break out in overt acts against the peace and public order may government intervene. Nothing could have a more blighting effect upon a democratic society than silence forced upon its citizens by law.

Underlying the American faith in freedom is the belief that man still can make choices along the road of history and that not all of life is a matter of economic or biological determinism. The first amendment assumes that men are capable of reasoning and following the weight of argument to rational conclusions. In a democratic society, policy is distilled from public debate, and we progress by experimentation. Moreover, the more civilized we are, the more minorities we are likely to have. The first amendment recognizes the function of the catalysts in society—of those who would bring about changes. At the same time it protects society against attacks from those on the left or on the right who would impose their orthodoxies by the methods of dictatorship.

It is obvious that tolerance is not tolerance unless it tolerates disagreement. Free speech is meaningless unless it applies to unpopular minorities and guarantees their right to be heard as they do not advocate substituting bullets for ballots.

### FREE TO MOVE FORWARD

It is well to remember that slavery once was defended as a sacred right to hold a form of property. It was specifically protected by the U.S. Constitution, and abolitionists defied the fundamental law of the land when they insisted that all men should be free. Free public schools once were considered communistic because they involved the confiscation of one man's goods for the education of another man's child. Many remember the bitter contests over women's suffrage, workmen's compensation laws, mothers' pensions, and Government insurance of bank deposits. Free speech, a free press, and free elections have made all these things possible without the shock of social upheaval.

The freedoms guaranteed by the first amendment have preserved the evolutionary features of our democracy by keeping open the appeal to mediation and compromise. Progress often has been initiated by the dissatisfied and disgruntled critic.

In recent years the fifth amendment has assumed unexpected importance. I urge you to read it. It consists of just 108 words. They were written into the Constitution to protect individuals from persecution by arbitrary and tyrannical governments. The Founding Fathers knew their history. They knew the story of the heroes who in earlier centuries had defied legislative, executive, and judicial tyranny and won decisive victories for human freedom. A number of the State constitutions of the Revolutionary period forbade questioning prisoners to force them to incriminate themselves. It is not surprising that the same protection was put into the U.S. Constitution in 1791.

Several parts of the fifth amendment, as we have noted, deal with due process of law. Perhaps the most important part of our time is that which provides that no one can be forced to testify against himself. This protection derives from a time when confessions were wrung from the victims of tyrannical persecution by physical and mental torture. Under these circumstances, taking the fifth amendment could not be considered a confession of guilt. It was intended to serve all men and simply meant that some way had to be found to prove a man's guilt other than by the methods of the Dark Ages. Undoubtedly some who are guilty have appealed to the fifth to conceal their guilt. But it was and still is intended to shield the innocent from illegal and arbitrary acts of government.

### TO CHERISH AND DEFEND

The Bill of Rights remains the main bulwark of our liberties, and along with the Declaration of Independence has been the most admired abroad. Originally intended in 1791 to protect the majority from a powerful minority, its major function today is to protect individual liberty and the rights of unpopular minorities. It is our defense against regimentation and totalitarianism. It recognizes that individual variations, not blind conformity, invigorate democracy.

It must be cherished and defended. It will not be attacked head on in an effort to secure its repeal. But unless we are alert and eternally vigilant, it can become the victim of a slow, almost imperceptible process of erosion, especially in a time of international tensions that affect the national security.

The late Justice Murphy pointed out that "loyalty to our traditions of civil liberty is as much a part of our patriotism as defense of our shores and hatred of treason." More recently Chief Justice Warren has pleaded for the preservation of our basic freedoms "lest in our desire to be secure we lose our ability to be free."

## DECISIVE STEP TOWARD SAVING THE INDIANA DUNES

Mr. DOUGLAS. Mr. President, Chicago's American last week hailed introduction of S. 2249 by Senator Jackson and other Senators as a "decisive step toward saving the irreplaceable dunes," but properly pointed out that even when the bill to create the national lakeshore is passed—as I am certain it will be—the value of the park in practice will depend largely on the good faith of Indiana leaders.

While I would not show quite the restraint voiced by Chicago's American about the very hopeful developments of recent weeks, this newspaper has every right to a skeptical attitude. The American's long and thoughtful interest in saving the Dunes gives it this right and adds weight to its opinion. It is true that the administration bill to create an 11,700-acre Indiana Dunes National Lakeshore is not yet enacted, but the introduction of S. 2249 with the cosponsorship of approximately one-quarter of the Senate gives definite hope to those of us who are seeking immediate action on this legislation. I ask unanimous consent that the editorial from the American of October 23 be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### Step Toward Saving the Dunes

A bill to create an 11,732-acre national park in the Indiana dunes, thus saving the dunes from being turned into a sprawling industrial complex, has been introduced in the Senate. While the bill is not strictly speaking a compromise, it is probably the closest thing to it that could have been reached. Senator Paul Douglas, who has led a tireless battle to block the destruction of the dunes area, has our thanks and congratulations for gaining even this partial success.

It must be emphasized, though, that the Senate bill has only been introduced, not passed; that it faces stiff opposition in the House; and that even if it is passed by both Houses, its value in practice will depend largely on the good faith of Indiana politicians, a quality that has not been in noticeable oversupply.

Under the Interior Department's bill, the proposed Indiana Dunes National Lakeshore Park would consist of 10 scattered parcels of land stretching from the outskirts of Gary eastward almost to Michigan City. The Department said the areas set apart are those most suitable for "preservation and portrayal of the natural dunes," for beaches, recreation grounds, and nature study.

The bill also clears the way for construction of steel mills and a new deep-water harbor at Burns Ditch, a plan initiated by Bethlehem Steel and Midwest Steel Corps. (Since the whole point of the conservationists' campaign was to have these projects located elsewhere, the bill can't literally be called a compromise.) The most intriguing elements in the whole project, though, are two conditions attached by the Federal Budget Bureau to the harbor-building plan.

To qualify for Federal help, a fully integrated steel mill must be built at the Burns Ditch site and a yearly flow of 10 million tons of coal through the harbor must be guaranteed; or alternatively two integrated mills must be built and 5 million tons guaranteed. The coal must be destined for users other than the steel companies.

The steel companies cannot in fact make that guarantee. Coal shippers would have no particular reason to transfer their operations in this area to Burns Ditch; they can do the same job more cheaply through their present facilities in Chicago. Indiana seems to be taking a desparate gamble in making promises it can't back up, but we wonder whether there isn't an ace or two up somebody's sleeve.

For the moment, though, a decisive step has been taken toward saving the irreplaceable dunes from destruction. There is reason for considerable satisfaction in that.

## LOUIS BROWNLOW

Mr. DOUGLAS. Mr. President, the late Louis Brownlow was one of the finest practitioners and students of the art of public administration ever produced by this country. As journalist, administrator, and author he exemplified the unselfish and skilled public servant; his example has made the full meaning of public service clear to many students and officials and will inspire many others to come. Though without formal degrees and titles as professor, in his life and work he was in fact an educator of wide and lasting influence.

The distinguished scholar, Herbert Emmerich, who was Louis Brownlow's friend, has written a well-deserved tribute. I ask unanimous consent that it be printed in the Record.

There being no objection, the tribute was ordered to be printed in the Record, as follows:

### Louis Brownlow—1879–1963

(By Herbert Emmerich)

Louis Brownlow defied description. He was unique—a natural if you will. He was hard to photograph or to paint, nor did profilers or classifiers ever manage to catch the whole vivid essence of this gifted and beloved man. These lines will also be inadequate.

Nobody ever knew "Brownie" completely. The countless facets of his universal interests and knowledge were only partly revealed to each one. In the best sense he was all things to all men, for he was never to himself untrue.

He was unschooled but immensely educated. His special gift of total recall was a burden to him and he longed to forget something occasionally. He rarely did. He revered men of learning such as his late great friend Charles Edward Merriam and he never ceased to be astonished at the acceptance of himself as a peer by the world of scholars.

"Brownie" was empathy personified. His catholicity of interest, his intense curiosity, his immense reading, and his total recall, animated and mellowed by his radiant love of people, caused him to identify with everyone and with their vocations. His immense circle of friends in all lands and climes, not only felt the warmth of his interest in their lives, but unconsciously came to accept him as an honorary member of their professions.

He had an unaffected tolerance for every race and creed. He adored young people of whom so many came under his spell. But these were no maudlin relationships. His keen brown eyes perceived motivations and failings as well as strengths. Nor was he reticent in communicating praise and blame.

He abhored cynicism, cant, and tawdriness. He charily used such words as "leadership" and "excellence" but they were qualities he revered and himself personified.

He had the gift of projecting history into the future and at times his forecasts on men and events were uncannily prophetic. He liked to recall that in his long rich lifetime he had known men who had seen every President of the United States and even one French veteran who had seen Napoleon. He was our most profound student of the American Presidency which he considered the noblest invention of the Founding Fathers. His book on "The President and the Presidency" is a classic and the Executive Office of the President is his monument. No wonder that more than one President sought his counsel.

Quite remarkably his excursions into the larger theaters of national and international administration never diminished his interest in the problems of the community, and of the municipality, and year in and out he kept insisting on their essential interrelationships in our great society.

"Brownie's" "A Passion for Politics," his first memoir, was later eclipsed but not replaced by his passion for good administration in which he was a pioneer and in which field he made his most enduring contributions. "A Passion for Anonymity," his second memoir, expressed his administrative interests and the phrase symbolizes his conviction that in the public service the cause comes first and transcends the public recognition of the individual.

But he also was the great communicator. He believed that intelligence in related fields should be shared and disseminated and the Public Administration Clearing House was the institutional expression of this idea.

He had a rare understanding of the language of his country. He deplored the passing of the American tall-tale as an art form. He was the intellectual of the cracker barrel and he loved big talk, small talk, and above all, good long talk. But in fact he wrote better than he spoke. His severe apprenticeship under great journalists sharpened his natural gift for expressing his own inexhaustible stockpile of insights and memories.

All the world was "Brownie's" family and he gave generously of his time and substance to friends without thought of reward. But he had time and a special place in his heart for his own kith and kin, as son, brother, cousin, uncle, and great uncle, and they adored him.

As husband his love and tender devotion shone forth for all to see. In turn his gifted and lovely consort, Elizabeth Sims Brownlow, indefatigably shared and supported his dreams and aspirations. Their wonderful union was a model of affection and partnership.

His unquenchable spirit of freshness and enthusiasm remained vibrant until his very last breath, and his end came, as he would have wanted it to come, in action. We will think of Louis Brownlow again and again and when we do, I believe, it will be with joy in our hearts, and renewed inspiration to carry forward our own causes and aspirations.

Louis Brownlow waged a lifelong and victorious battle for his health. It may have been this battle plus his innate humility that fostered in him a sense of awe for the universe beyond the area of a man's rational comprehension.

In his memoirs he declared the faith he sought, the faith he found, and the faith he held in the following lines from Tennyson's "In Memoriam":

"That God, which ever lives and loves;
One God, one law, one element,
And one far-off divine event,
To which the whole creation moves."

## MIDNIGHT WELFARE SEARCHES AND THE SOCIAL SECURITY ACT

Mr. DOUGLAS. Mr. President, recipients of public welfare support are, nonetheless, still citizens or residents of the United States and protected by the civil liberties guarantees of the Constitution. In the District of Columbia, in Illinois, and in many other States, a number of questions have arisen concerning the appropriate methods of checking on the eligibility of recipients of assistance. There is, unfortunately, evidence that in some cases the Social Security Act has indirectly become a means for depriving some recipients of aid of the privacy guaranteed by the fourth amendment.

Charles A. Reich, associate professor of law at Yale University, has written a thoughtful article, challenging the constitutionality of night raids on families receiving assistance which may be of interest to many Members of Congress. I ask unanimous consent that this article, published in the June 1963 issue of the Yale Law Journal, be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### MIDNIGHT WELFARE SEARCHES AND THE SOCIAL SECURITY ACT

(By Charles A. Reich)

In many States, and in the District of Columbia, it has become common practice for authorities to make unannounced inspections of the homes of persons receiving public assistance. Often such searches are made without warrants and in the middle of the night. The purpose of the inspections is to check on recipients' eligibility for assistance. Eligibility, under State or local law, may be determined by many aspects of a family's circumstances, including the presence or absence of an adult man capable of supporting the family. The searches are sometimes based upon particular evidence known to investigators beforehand, but on occasion there have been mass raids designed as general checks on eligibility. The demand for entry may carry with it the threat, express or implied, that refusal to admit will lead to discontinuance of public assistance.

Under the Social Security Act,[1] the Federal Government participates to a substantial degree in State public assistance programs. The act sets forth detailed requirements that State plans must meet to qualify for payment of Federal funds and provides for approval of State plans by the Secretary of Health, Education, and Welfare.[2] Nothing in the act deals explicitly with the matter of searches. But the widespread use of midnight searches in the administration of welfare programs which are federally supported nevertheless presents a problem of national concern. This concern must be all the greater because persons on welfare are mostly unable to protect their own rights, and because the searches have become an integral part of an otherwise beneficent program that is central to the welfare state.

### I. WELFARE SEARCHES AND THE CONSTITUTION

The first question that must be asked is whether midnight inspections are consistent with the Federal Constitution. The fourth amendment provides:

"The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

The rights guaranteed by this amendment are enforceable against the Federal Government and, through the due process clause of the 14th amendment, against the States.[3]

Do searches of welfare recipients' homes without warrants violate the 4th and 14th amendments? They might be justified, if at all, only by one of these general arguments: (a) that the searches are conducted with the consent, express or implied, of the recipients; (b) that the object of the searches is not to secure evidence for criminal prosecution or forfeiture; (c) that the searches, under all the circumstances, are reasonable. These issues will be discussed below.

#### *A. Consent*

An entry or search that might appear to be a violation of constitutional rights may be validated by consent, express or implied. Welfare inspectors do not force their way in; they enter only when the occupant opens the door. Our first problem is whether this form of acquiescence in a search constitutes "consent."

Two leading decisions of the Supreme Court deal with the question of acquiescence to a search. In *Johnson* v. *United States*,[4] the occupant of a room opened the door after the police knocked and said they wanted to talk to her. The Court held that the occupant had not freely consented to the officers' entry and subsequent search:

"Entry to defendant's living quarters, which was the beginning of the search, was demanded under color of office. It was granted in submission to authority rather than as an understanding and intentional waiver of a constitutional right." [5]

In *Amos* v. *United States*,[6] officers went to a home and told the woman who answered the door that they were revenue officers come to search the premises, whereupon she admitted them. The Court ruled:

"The contention that the constitutional rights of defendant were waived when his wife admitted to his home the Government officers, who came, without warrant, demanding admission to make search of it under Government authority, cannot be entertained. We need not consider whether it is possible for a wife, in the absence of her husband, thus to waive his constitutional rights, for it is perfectly clear that under the implied coercion here presented, no such waiver was intended or effected."[7]

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[1] 49 Stat. 620 (1935), as amended, 42 U.S.C. §§ 301–1371 (1958).

[2] See, e.g., 49 Stat. 627, 629, 631 (1935), as amended, 42 U.S.C. §§ 601–02, 701–03, 711–13 (1958).

[3] *Mapp* v. *Ohio*, 367 U.S. 643 (1961); *Elkins* v. *United States*, 364 U.S. 206 (1960); *Wolf* v. *Colorado*, 338 U.S. 25 (1949).

[4] 333 U.S. 10 (1948).

[5] *Id.* at 13.

[6] 225 U.S. 313 (1921).

Thus the mere demand for admission by one in authority is likely to be considered as coercive.[8] The courts are quick to note the "disparity of position" between a Government agent and a humble ordinary citizen.[9] In light of these cases, it seems clear that the opening of a door by a welfare recipient, in response to a demand by official investigators, is not the consent to a search.[10]

The conclusion that consent is not present in a typical welfare search has been reached without assuming the existence of any pressure on the occupants other than that generated by the mere presence of authority. In reality, there is often a threat, sometimes made explicitly, and sometimes merely present in the mind of the recipient, that unless inspectors are admitted public assistance will be taken away. This fact greatly strengthens the conclusion that there is no freely given consent. In a recent case involving a coerced confession, the Supreme Court held that the threat that "State financial aid for her infant children would be cut off * * *" constituted an important element of coercion.[11] This case leaves little doubt that the Court would deem even an implied threat to cut off assistance as coercive in a welfare search situation.

If there is no voluntary consent, is there any ground for contending that recipients of public assistance impliedly consent to inspections when they accept assistance? The Supreme Court has held that in special circumstances, where a citizen is required by law to keep certain records, the citizen may be held to have accepted the obligation to permit them to be inspected.[12] However, the theory of such cases is that the citizen has in his possession property that does not belong to him—property that is public, not private. Welfare recipients are not required to keep any comparable records, and there is nothing else in their homes that could possibly be deemed public property justifying an inspection. Even under the public records doctrine inspection must be carried on in a reasonable manner. The Supreme Court, in upholding inspection of public records held by a private individual, stressed that the inspection took place at "a place of business, not a private residence," and that it occurred "during business hours."[13] The Court added:

"We do not suggest that officers seeking to reclaim Government property may proceed lawlessly and subject to no restraints. Nor do we suggest that the right to inspect under the regulations subjects a dealer to a general search of his papers for the purpose of learning whether he has any coupons subject to inspection and seizure."[14]

In summary, there is no theory under which it can be said that public assistance recipients consent, expressly or impliedly, to searches of their homes. The official demand for entrance is sufficient to render any apparent consent involuntary and the threat of loss of public assistance underscores the coercive nature of the demand for entry.

### *B. The object of the search*

Does the object or purpose of a search affect its validity under the fourth amendment? It has been argued that there is a significant difference between a search for evidence of crime and an inspection to check on eligibility for a Government benefit.

In *Frank* v. *Maryland*,[15] the Supreme Court had before it a city ordinance authorizing health inspectors to inspect homes for unsanitary conditions without a warrant, and subjecting householders to a fine for refusal to admit an inspector. In a 5-to-4 decision, the Court upheld the law. Its reasons were as follows: (a) the inspection was solely for remedial health purposes; no evidence for criminal prosecution or forfeiture was sought; (b) under the ordinance, valid grounds for suspicion were required to exist; (c) the inspection was required to be made in the daytime. The Court said: "Here was no midnight knock on the door, but an orderly visit in the middle of the afternoon, with no suggestion that the hour was inconvenient";[16] (d) the inspector had no power to force entry; (e) such inspection had a long history. The Court upheld that statute because it touched "at most upon the periphery of the important interests safeguarded by the 14th amendment's protection against official intrusion," and because "it is hedged about with safeguards designed to make the least possible demand on the individual occupant, and to cause only the slightest restriction on his claims of privacy."[17]

This decision is the chief argument in support of permitting some kinds of noncriminal inspections without warrants.[18] But the carefully guarded language of the opinion indicates that the holding would not be extended to apply to welfare searches. They lack the safeguards that the Court mentioned. Instead, welfare searches are frequently the very "midnight knock on the door" which the Frank case condemned. It would require a significant extension of Frank to permit the welfare searches.

Rather than being extended, the prospect is that the Frank case will be limited and that judicial protection of privacy will increase. The four dissenting justices in Frank, all of whom are still serving, contended that the inspection violated the 4th and 14th amendments despite its noncriminal purpose and its safeguards. They said that no Government official can invade a home for any reason unless he has a warrant or an immediate major crisis affords neither time nor opportunity to get a warrant.[19] Recent decisions of the Court show it to be moving toward a more sweeping, rather than narrower, interpretation of the right of privacy.[20]

The above comparison of welfare inspections with health inspections has assumed that the welfare inspections are not searches for evidence of crime. But this assumption itself must be questioned. The purpose of searching recipients' homes is, as already stated, to check on their eligibility. But under State public assistance laws, misrepresentation of eligibility may generally be prosecuted as a crime. For example, section 145 of the New York social welfare law makes it a misdemeanor to obtain public assistance to which one is not entitled, and specifies that failure to notify the appropriate welfare official of any receipt of income shall constitute presumptive evidence of deliberate concealment of a material fact. Moreover, under this statute welfare officials must report apparent violations to the district attorney. In Washington, D.C., misrepresentation may also be punished as a crime under section 32–765 of the District of Columbia Code. In California a false application for aid to a child constitutes the crime of perjury.[21] In addition, the unlawful taking of welfare payments, based upon misrepresentation of eligibility, has been held to constitute the crime of grand theft.[22] In New York, it would also constitute grand larceny.[23] In Pennsylvania it would be cheating by false pretense.[24]

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[7] *Id.* at 317.

[8] *Judd* v. *United States,* 190 F.2d 649, 650–51 (D.C. Cir. 1951).

[9] *Canida* v. *United States,* 250 F.2d 822, 825 (5th Cir. 1958). See also *Nelson* v. *United States,* 208 F.2d 505 (D.C. Cir. 1953, *cert. denied,* 346 U.S. 827 (1953); *Ray* v. *United States,* 84 F.2d 654, 656 (5th Cir. 1936).

[10] The status of the law on this point has been well summarized by Judge Washington of the Court of Appeals for the District of Columbia:

"Searches and seizures made without a proper warrant are generally to be regarded as unreasonable and violative of the fourth amendment. True, the obtaining of the warrant may on occasion be waived by the individual; he may give his consent to the search and seizure. But such a waiver or consent must be proved by clear and positive testimony, and it must be established that there was no duress or coercion, actual or implied. (*Amos* v. *United States,* 255 U.S. 313, 41, S. Ct. 266, 65 L. Ed. 654; *United States* v. *Kelih,* D.C.S.D., Ill. 1921, 272 F. 484.) The Government must show a consent that is "unequivocal and specific" (*Karwicki* v. *United States,* 4 Cir. 55 F.2d 225, 226), "freely and intelligently given." (*Kovach* v. *United States,* 6 Cir., 53 F.2d 639). Thus invitations to enter one's house, extended to armed officers of the law who demand entrance, as usually to be considered as invitations secured by force. (*United States* v. *Marquette,* D.C.N.D. Cal. 1920, 271 F. 120.) A like view has been taken where an officer displays his badge and declares that he has come to make a search (*United States* v. *Slusser,* D.C.S.D. Ohio 1921, 270 F. 818), even where the householder replies "All right." (*United States* v. *Marra,* D.C.W.D.N.Y. 1930, 40 F.2d 271). A finding of consent in such circumstances has been held to be "unfounded in reason." (*Herter* v. *United States,* 9 Cir. 27 F.2d 521.) Intimidation and duress are almost necessarily implicit in such situations; if the Government alleges their absence, it has the burden of convincing the court that they are in fact absent. *Judd* v. *United States,* 190 F.2d 649, 650–51 (D.C. Cir. 1951.)

[11] *Lynumn* v. *Illinois,* 372 U.S. 528, 534 (1963).

[12] *Shapiro* v. *United States,* 335 U.S. 1, 32–35 (1948); *Davis* v. *United States,* 328 U.S. 582, 587–91 (1946); *Wilson* v. *United States,* 221 U.S. 361 (1911). See also *Bowles* v. *Glick Bros. Lumber Co.,* 146 F.2d 566 (9th Cir. 1945), *cert. denied,* 325 U.S. 842 1945; *Rodgers* v. *United States,* 138 F.2d 992 (6th Cir. 1943).

[13] *Davis* v. *United States,* 328 U.S. 582, 592 (1946).

[14] *Id.* at 591.

[15] 359 U.S. 360 (1959).

[16] *Id.* at 366.

[17] *Id.* at 367.

[18] In Ohio *ex rel. Eaton* v. *Price,* 364 U.S. 263 (1960), the Supreme Court reaffirmed Frank, 4-4, and in the view of the dissenters, applied it to a different factual situation. However, the majority wrote no opinion, indicating that no extension of Frank was intended. *Cf. Abel* v. *United States,* 362 U.S. 217 (1960), also involving a noncriminal search; but in that case the search was upheld solely on the ground that it was incidental to a lawful arrest.

[19] *Frank* v. *Maryland,* 359 U.S. 360, 374. See also *District of Columbia* v. *Little,* 178 F.2d 13 (D.C. Cir. 1950), aff'd on other grounds, 339 U.S. 1 (1950), for a strong statement by Judge Prettyman that the fourth amendment applies equally to noncriminal searches.

[20] *Wong Sun* v. *United States,* 371 U.S. 471 (1963); *Mapp* v. *Ohio,* 367 U.S. 643 (1961); *Silverman* v. *United States,* 365 U.S. 505 (1961).

[21] Cal. Welfare & Institutions Code § 1550 (1956).

[22] *Dawson* v. *Superior Court,* 138 Cal. App. 2d 685, 292 P.2d 574 (1956).

[23] *People* v. *Hubbard,* 10 App. Div. 2d 735, 199 N.Y.S.2d 206 (1960).

[24] *Commonwealth* v. *Thomas,* 166 Pa. Super. 214, 70 A.2d 458 (1950).

Even more significant for the present discussion is the fact that searches by welfare inspectors have actually led to criminal prosecutions under the laws just cited. For example, in *People* v. *Shirley*,[25] defendant, Tressie Neal, received welfare aid for herself and her minor children. She reported to a county social worker that her only income was her welfare payments plus occasional earnings of the children, and that there were no unrelated adults living with the family. The social worker visited her home 1 day and found a man there, fully clothed but wearing bedroom slippers. Two days later, investigators came to the house at 2:30 a.m. and found the man in bed in defendant's bedroom. She then admitted that he had been living there for at least 6 months and that he had contributed to her support. She was found guilty of the crime of grand theft.

In *People* v. *Phipps*[26] a woman obtained welfare payments for herself and her nine minor children after stating that her husband was absent from home and that she was seeking a divorce. After accumulating considerable evidence that the husband was actually living at home, investigators paid a nocturnal call, described by the court as follows:

"Between 2 and 3 a.m. on January 28, 1959, investigators went to the Phipps home to investigate the truth of reports that Mr. Phipps was frequenting the home of Mrs. Phipps. The call was made at that unusual hour to preclude the anticipated explanation that Mr. Phipps was at the home for the purpose of visiting his children. As the investigators approached the home they encountered Mr. Phipps as he came out the back door. Mrs. Phipps and several of the children were inside the home. Both Mr. and Mrs. Phipps were fully dressed. She stated that Mr. Phipps had spent the evening there and they were still visiting and awaiting the return of a teenaged daughter who had gone out to attend a dance."[27]

Primarily on the basis of a subsequent admission, but also on the basis of the evidence thus obtained, husband and wife were convicted of grand theft.

In *Blackmone* v. *United States*,[28] Elizabeth Blackmone obtained welfare payments after representing that her husband had deserted her. The following excerpts from the court's opinion are relevant:

"On the evening of February 7, 1958, three investigators of the department of public welfare went to the house occupied by Mrs. Blackmone. Two of them went to the rear of the premises, and after a short wait, they observed a man running from the rear door in his bare feet and shirt sleeves. The investigators asked him where he was going and requested him to go back into the house with them, which, according to the statement of proceedings and evidence, he did voluntarily. Inside, they found Mrs. Blackmone and the third investigator, who testified that he had been admitted to the premises by Mrs. Blackmone. After some discussion, she stated that the man was her husband. Blackmone then said: 'Well, you've got me, boys. My name is Blackmone. I'm here, you can see. I've been here off and on about 3 years.'

"While in the house the investigators noticed men's clothing."[29]

Husband and wife were convicted, on the basis of this and other evidence, of the crime of welfare fraud.

Other cases, not themselves involving inspection, show the importance to criminal prosecutions of evidence that might possibly be obtained by searches of recipients' homes. In *People* v. *Bailey*,[30] the court held that where a man lives with the mother of welfare-aided children, the Department of Social Welfare has the right to treat him as if he were the children's stepfather and to compute eligibility by considering his income. The defendant mother was convicted of grand theft. In *People* v. *Ryerson*,[31] a husband and wife were convicted of obtaining welfare money by false pretenses because they represented that they had separated while actually continuing marital relations. In *People* v. *Hubbard*,[32] a charge of grand larceny was based on misrepresentation of marital status to the Department of Welfare.[33]

It should be added that even the narrowest interpretation of the fourth amendment applies it to evidence for forfeitures as well as crimes.[34] A search for evidence to cancel welfare benefits might well be deemed to be a proceeding for forfeiture.[35] While this term as used in the early search and seizure cases undoubtedly meant the confiscation of private property as a penalty for violation of law,[36] deprivation of welfare subsistence could be considered the modern equivalent of a forfeiture.

### *C. Reasonableness of search*

The only remaining argument to support welfare searches is the very general one that they can somehow be justified as reasonable. The Supreme Court has said: "It is only unreasonable searches and seizures which come within the constitutional interdict. The test of reasonableness cannot be stated in rigid and absolute terms. Each case is to be decided on its own facts and circumstances."[37]

In the two leading cases in which this statement was made, searches without warrants were held valid. But in both cases the searches were incident to lawful arrests, a circumstance which the Court recognizes as a special exception to the general rules governing searches and seizures and which is not present in the ordinary welfare search.

With respect to the reasonableness of a search of a private dwelling, not supported by a lawful arrest, the Supreme Court first stated its position in *Agnello* v. *United States:*[38]

"While the question has never been directly decided by this Court, it has always been assumed that one's house cannot lawfully be searched without a search warrant, except as an incident to a lawful arrest therein. The protection of the fourth amendment extends to all equally—to those justly suspected or accused, as well as to the innocent. The search of a private dwelling without a warrant is in itself unreasonable and abhorrent to our laws. Belief, however well founded, that an article sought is concealed in a dwelling house furnishes no justification for a search of that place without a warrant. And such searches are held unlawful notwithstanding facts unquestionably showing probable cause."[39]

This case is the first of a series in which the Court expressed the view that a private dwelling has a special sanctity. In the case of a home, even if officers have good reason to believe they will find evidence of wrongdoing, it is unreasonable per se for them to enter without first obtaining a warrant. The Court adhered to this strict view in *Taylor* v. *United States*.[40]

In *Johnson* v. *United States*,[41] the Court had before it a case which on its facts was remarkably similar to the nocturnal calls of welfare investigators. At about 7:30 p.m. an officer of the Seattle police force received information from an informant that persons were smoking opium in the Europe Hotel. The police and narcotics agents, arriving at the hotel, recognized the smell of burning opium, which led them to room 1. They knocked, identified themselves as officers, demanded entry, and were admitted. The Supreme Court held that while the search would have been justifiable if made upon a warrant obtained from a judge, since it was in fact made without a warrant it violated the fourth amendment.[42]

In the recent case of *Chapman* v. *United States*,[43] the Court explicitly reaffirmed the views expressed in Agnello, Taylor, and Johnson. It then went further and declared that a rented dwelling has the same protection as one that is owned, even if the landlord consents to the officers' search of the tenant's quarters.

The authorities discussed show that inspecting the homes of persons receiving public assistance without warrants is, regardless of variations in circumstances, unreasonable and therefore illegal and unconstitutional. Plainly, no arguments based on necessity to enforce the welfare laws will justify the search without warrants of the homes of welfare recipients. Nor will any amount of information showing the likelihood of violation. On this question, the Supreme Court has been so clear and consistent that further citation of authorities is unnecessary. In sum, midnight welfare searches, as commonly practiced, are a flagrant violation of the 4th and 14th amendments.

## II. THE SOCIAL SECURITY ACT AND THE RESPONSIBILITY OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

If the practice of searching the homes of public assistance recipients is unconstitutional, why has it continued so long? A major reason is that persons on public assistance are in no position to enforce a constitutional right of privacy. They lack the means and knowledge to litigate constitutional questions. And the available legal remedies are most inadequate. Until 1961 there was, for all practical purposes, no remedy whatever that could be invoked by a private individual whose home had been invaded in violation of the Federal Constitution. Since *Mapp* v. *Ohio*,[44] evidence obtained as the result of such an invasion has been inadmissible in a subsequent State criminal trial, and it might also be held inadmissible in a hearing to revoke eligibility for welfare. But these remedies are strictly after-the-fact; they do not bar the searches. The only way to bar the searches is to refuse to admit the investigators, and in the present state of the law that means risking the loss of subsistence for the family.

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[25] 55 Cal. 2d 521, 11 Cal. Rptr. 537, 360 P.2d 33 (1961).

[26] 191 Cal. App. 2d 448, 12 Cal. Rptr. 681 (Dist. Ct. App. 1961).

[27] 191 Cal. App. 2d at 452, 12 Cal. Rptr. at 683.

[28] 151 A.2d 191 (D.C. Mun. Ct. App. 1959).

[29] *Id*. at 194.

[30] 55 Cal. 2d 514, 360 P.2d 39, 11 Cal. Rptr. 543 (1961).

[31] 199 Cal. App. 2d 646, 19 Cal. Rptr. 22 (Dist. Ct. App. 1962).

[32] 10 App. Div. 2d 235, 199 N.Y.S.2d 206 (1960).

[33] In addition to evidence of the crimes described above, searches of recipients' homes might furnish evidence of closely related crimes, such as adultery or fornication. Section 405 of the Social Security Act also recognizes that states may impose criminal penalties based upon misuse of funds provided for the benefit of a child. 76 Stat. 188 (1962), 42 U.S.C. § 605 (1962 Supp.).

[34] *Frank* v. *Maryland, supra* note 16, at 365.

[35] *But cf. Flemming* v. *Nestor*, 363 U.S. 603 (1960).

[36] *Boyd* v. *United States*, 116 U.S. 616 (1886).

[37] *Harris* v. *United States*, 331 U.S. 145, 150 (1947); *United States* v. *Rabinowitz*, 339 U.S. 56, 63 (1950).

[38] 269 U.S. 20 (1925).

[39] Id. at 32–33.

[40] 286 U.S. 1 (1932).

[41] 333 U.S. 10 (1948).

[42] Crime, even in the privacy of one's own quarters, is, of course, of grave concern to society, and the law allows such crime to be reached on proper showing. The right of officers to thrust themselves into a home is also a grave concern, not only to the individual but to a society which chooses to dwell in reasonable security and freedom from surveillance. When the right of privacy must reasonably yield to the right of search is, as a rule, to be decided by a judicial officer, not by a policeman or government enforcement agent. Id., at 14.

[43] 365 U.S. 610, 613 (1961).

[44] 367 U.S. 643 (1961).

These circumstances bring into sharp focus the question of national responsibility for the administration of those State programs which receive Federal aid under the Social Security Act. Are midnight searches compatible with the act? And does the Department of Health, Education, and Welfare have any power or responsibility with respect to such searches? In the absence of other effective means to enforce the constitutional rights of a large group of the poor and the ignorant, these questions are urgent.

### *A. Are illegal searches compatible with the act?*

The Social Security Act provides for Federal-State cooperation in welfare programs. The programs are established and administered by State legislatures and State executives. To encourage the establishment of such programs, the Federal Government offers substantial financial assistance, both for subsistence payments and for administrative expense. To qualify for receipt of these Federal funds, however, the State programs must conform to specified Federal standards stated in the act. Interpretation of these standards, and application of them to State legislation, case-law, and administratice practice is the responsibility of the Secretary of the Department to which the particular program has been assigned—in the case of dependent child and similar benefits, the Department of Health, Education, and Welfare. On the basis of his periodic certification to the Secretary of the Treasury that a State program is or continues to be in conformity with the Federal standards, payments of Federal funds are made. If he finds a lack of or departure from conformity, they may be withheld.[45] It is uncertain whether his determinations are subject to judicial review.[46]

The standards set by Congress include matters of procedure and administration. For example, the Federal program of grants to State for aid and service to needy children contains detailed provisions as to how a State plan must be administered, including a requirement of fair hearings on denial of applications,[47] and safeguards for keeping confidential all information concerning applicants.[48] It is therefore clear that Congress has asserted the power to control at least some aspects of the administration of State plans, and that Congress has in fact concerned itself with questions of State procedure and administration. Against this background, the issue is whether the constitutional prohibition against searching homes must be recognized as one of the Federal standards to which the State plans must conform.

The Social Security Act itself does not contain any provisions with respect to search and seizure. This is not surprising; there is nothing about the Social Security Act, as distinguished from many other Federal statutes, which would suggest that search and seizure problems might arise under it. But Congress has enacted legislation with respect to searching private homes in connection with the enforcement or administration of any Federal statute. Section 2236 of title 18, United States Code, provides:

"Section 2236. SEARCHES WITHOUT WARRANT.—Whoever, being an officer, agent, or employee of the United States or any department or agency thereof, engaged in the enforcement of any law of the United States, searches any private dwelling used and occupied as such dwelling without a warrant directing such search, or maliciously and without reasonable cause searches any other building or property without a search warrant, shall be fined for a first offense not more than $1,000; and, for a subsequent offense, shall be fined not more than $1,000 or imprisoned not more than 1 year or both."

This statute is unquestionably binding on the Department of Health, Education, and Welfare, and all of its employees. It also applies to all persons acting as agents of the United States, including officers of the District of Columbia. While it is doubtful that a State officer enforcing a Federal-State program is an agent of the United States, the spirit of the statute is a broad one.[49]

The fact that Congress dealt explicitly with the search of dwellings is of special significance. The protections of the fourth amendment include many matters other than the search of dwellings; arrests, seizures, and searches of places other than homes are covered. But Congress deemed the privacy of homes to be of such importance that it singled out the practice of searching dwellings to declare affirmatively that the enforcement of Federal law by use of this practice is a criminal offense.

Congress has sought to insure that no State welfare program be approved under the Social Security Act unless it meets Congress' standards. It requires little by way of implication to read the act so as to include, among essential Federal standards, a congressional policy against searching dwellings that is so specific in its object and so broad in its applicability. Certainly if a State program expressly listed searches of dwellings among its provisions for administration, it would be highly incongruous to hold such a program to be in compliance with Federal standards.

But even if Congress had enacted no statutes dealing with searches by public officials, the Constitution sets its own standards for the administration of federally assisted programs. For example, Congress could not assist a State welfare plan which was administered so as to discriminate against persons because of their race or religion.[50] Government funds may not be spent in a way that discriminates in violation of the Constitution.[51] This principle has been asserted in a recent Department of Health, Education, and Welfare memorandum holding that a provision of Michigan law limiting benefits available to dependent child beneficiaries was inconsistent with Federal standards under the act.[52]

The principle is not limited to violation of the Constitution by discrimination. It is equally plain, for example, that the Federal Government could not spend its money in support of a program that violated the first amendment. The underlying proposition is that Congress may not apply public funds to any plan or program that violates any of the provisions of the Constitution.

### *B. The Department's responsibility*

In light of this principle, and in light of congressional policy on searches of dwellings, what is the power, and the responsibility, of the Secretary of Health, Education and Welfare with respect to a State welfare program administered by illegal inspections of recipients' homes? This question involves the Secretary's power to issue regulations governing federally supported state programs, or to disapprove programs that, in his judgment, do not conform to Federal standards.

The Secretary has general power to issue regulations under section 1102 of the Social Security Act.[53] With respect to State plans for aid to dependent children, his power is very specific; a State must "provide such methods of administration * * * as are found by the Secretary to be necessary for the proper and efficient operation of the plan." [54] The word "proper" should be emphasized. In at least two instances the Secretary has recognized and exercised the power to disapprove State plans on grounds not explicitly set forth in the Social Security Act. He disapproved plans which deny aid to needy children on the basis of a suitable home eligibility condition,[55] and he rejected Michigan house bill 145 because of arbitrary discrimination in its plan of eligibility.[56]

These powers and precedents seem ample to support a ruling or regulation by the Secretary barring the practice of administering State plans by unconstitutional searches of recipients' homes. In the case of the "suitable home" requirements, cited above,[57] the Secretary disapproved the State programs because they imposed "a condition of eligibility that bears no just relationship to the aid for dependent children program." [58] For authority the Secretary had only the general purposes of title IV of the Social Security Act, and the general principle that it would be unjust to withdraw aid from children because of the nature of the home in which they live. But the Secretary found that, despite the absence of more specific statutory authority, he was responsible to see that Federal grants were made only with respect to State programs that carried out the general purposes of the act. In the case of Michigan house bill 145, also cited above, the

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[45] 49 Stat. 628 (1935), 42 U.S.C. §§ 603–04 (1958).

[46] See *Arizona ex rel State Board of Public Welfare* v. *Hobby,* 221 F. 2d 498 (D.C. Cir. 1954); *Indiana ex rel State Board of Public Welfare* v. *Ewing,* 99 F. Supp. 734 (D.D.C. 1951), vacated as moot, 195 F. 2d 556 (D.C. Cir. 1952).

[47] 49 Stat. 627 (1935), 42 U.S.C. § 602(a) (4) (1958).

[48] 53 Stat. 1380 (1939), 42 U.S.C. § 602(a) (8) (1958).

[49] State officials are subject to an entirely separate Federal statute prohibiting them, subject to Federal penalty, from enforcing any law, state or federal, by means that deprive people of their constitutional rights. This is the old Civil Rights Statute, 18 U.S.C. § 242 (1958), and at a minimum it shows congressional concern that State officials enforce their laws only by constitutional means.

[50] This was recognized by Judge Schweinhaut in *Arizona ex rel. State Board of Public Welfare* v. *Ewing, Administrator of the Federal Social Security Act,* Civil No. 2008–52, D.D.C., 1952, *aff'd* as modified *sub nom., Arizona ex rel. State Board of Public Welfare* v. *Hobby,* 221 F. 2d 498 (D.C. Cir. 1954).

[51] E.g., *Burton* v. *Wilmington Parking Authority,* 365 U.S. 715 (1961).

[52] Memorandum by Alanson W. Willcox, General Counsel of the Department of Health, Education, and Welfare, entitled "Memorandum Concerning Authority of the Secretary, under title IV of the Social Security Act, to Disapprove Michigan House Bill 145 on the Ground of its Limitations on Eligibility." (March 25, 1963.) See also the statement of Secretary Celebrezze on this same subject, dated March 26, 1963.

[53] 49 Stat. 647 (1935), 42 U.S.C. § 1302 (1958).

[54] 53 Stat. 1379 (1939), 42 U.S.C. § 602(a) (5) (1958).

[55] Memorandum for The Commissioner of Social Security from Secretary Flemming, January 16, 1961.

[56] Statement of Secretary Celebrezze, March 26, 1963 (disapproving Michigan house bill 145 because of aribtrary discrimination).

[57] 49 Stat. 627 (1935), 42 U.S.C. § 602(a) (4) (1958).

[58] Memorandum for The Commissioner of Social Security from Secretary Flemming, supra note 57, at 2.

Secretary reasserted the authority to disapprove programs on general grounds, and the general counsel said that the Secretary could unquestionably disapprove a program which appeared unconstitutional. He said: "It would appear self-evident that the Secretary might properly disapprove a State plan so discriminatory as to be unconstitutional under the 14th amendment."[59] It follows that the Secretary can also disapprove a plan that is unconstitutional under the 4th and 14th amendments.

If the Secretary has the power, what is his responsibility and duty? The Supreme Court has suggested an answer in an analogous situation. A State provided financial aid to a private restaurant. It had the power to prohibit racial discrimination by the restaurant as a condition of supplying the assistance, but it failed to exercise this power. The Court said, in words that apply forcefully to the Department of Health, Education, and Welfare in the present situation:

"As the Chancellor pointed out, in its lease with Eagle the Authority could have affirmatively required Eagle to discharge the responsibilities under the 14th amendment imposed upon the private enterprise as a consequence of State participation. But no State may effectively abdicate its responsibilities by either ignoring them or by merely failing to discharge them whatever the motive may be. By its inaction, the Authority, and through it the State, has not only made itself a party to the refusal of service, but has elected to place its power, property, and prestige behind the admitted discrimination."[60]

Thus if the Secretary permits Federal funds to be dispensed to States which use administrative methods that violate the Constitution, he permits the power, property, and prestige of the Federal Government to support such practices—practices which cannot effectively be contested by the unfortunate victims. In such circumstances, the Secretary's duty to exercise his power by prohibiting the unconstitutional practices seems both plain and unavoidable. Here, as in the case of racial discrimination, there is evidence of the increasing need for government to intervene affirmatively if rights guaranteed by the Constitution are to be secured in fact.

### III. A FURTHER QUESTION

Social security and public assistance are the heart of the welfare State. They recognize that in a complex industrial society individuals cannot always be blamed for inability to support themselves, and that responsibility for individual subsistence must be widely shared. But must the price of State support be the erosion of self-respect, and individual rights against government?

Welfare implies dependence. And dependence means that people may more easily be induced to part with rights which they would ordinarily defend. A not uncommon psychology leads those who dispense welfare to feel it only just that the beneficiaries give up something in return. To some public officials, opening one's home to inspection evidently seems a reasonable condition to impose on those whose homes are supported by a public agency. In many others ways, subtle, and obvious, the recipients of public bounty are made to pay a similar price. They may be asked to observe standards of morality not imposed on the rest of the community. They may be forced to endure official condescension and prying.

If the welfare state is to be faithful to American traditions, government must recognize its duty, even as it hands out benefits, to preserve the independence of those it helps. In a complex society, individual rights are as much a community responsibility as food and clothing.

It is most unfortunate that the Social Security Act should have become a means, however indirect, for depriving some persons of the privacy guaranteed by the fourth amendment. The chief object of the amendment was to protect the home and, thereby, the integrity of every individual. The object of the Social Security Act was also to protect the home, and to protect independence and self-respect. It undoes the most fundamental purpose of the act if it is enforced by methods that violate the sanctity of the home and degrade and humiliate recipients. To insist that welfare officials obey the fourth amendment is no more than to insist that the high aim of the Social Security Act not be forgotten in the day-to-day difficulties of carrying it out; and to make certain that the act remains what it was, above all, intended to be—a guardian and insurer of the dignity of man.

## VALACHI TESTIMONY SHOWS NEED FOR TRUTH-IN-LENDING LEGISLATION

**Mr. DOUGLAS.** Mr. President, recent testimony before the Senate Permanent Investigations Subcommittee has shown that the criminal syndicate is financed in significant part by enormous—you might even say murderous—interest charges on underworld loans.

In his widely read column in the Washington Post, "The District Line," columnist Bill Gold recently commented on the widespread moneylending activities of criminal leaders who charge 200 percent or more a year with persuasive penalties for the delinquent borrower. Mr. Gold concludes that this testimony has "demonstrated the need for truth-in-lending legislation in dramatic fashion."

While S. 750, my truth-in-lending bill is not, of course, primarily designed to combat the criminal syndicate, nonetheless, it would provide a means by which the Federal Government could restrict the power of the syndicate. The main point is, as Mr. Gold suggests, that the underworld practice of usurious charges on loans is not so far divorced from the high and concealed interest rate practices commonly affecting the ordinary consumer. The consumer, in my opinion, is entitled to know the rate he is paying.

I ask unanimous consent that Mr. Gold's column of October 24 be printed in the Congressional Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

### This Kind of Friend You Don't Need

(By Bill Gold)

The news stories about Joe Valachi's moneylending activities mentioned an interest rate of 20 percent, but left me unclear as to details. The full text of Valachi's testimony is now available, and it spells out the enormity of this unsavory business with shocking clarity. Valachi would lend $1,000, for example, with the stipulation that it be repaid at the rate of $100 a week for 12 weeks.

The interest can therefore be stated as 20 percent of the amount loaned. But this is quite misleading because interest terms are not usually stated in this manner. When we speak of 6 percent, it understood that 6 percent per year is meant. And Valachi's loans had to be repaid in only 12 weeks. So the true interest rate was far in excess of 20 percent.

Calculating rapidly in his head, Senator Paul Douglas, Democrat, of Illinois, figured the true interest rate charged by loan-shark Valachi as over 150 percent. With a pencil, I figure it at 160 percent. (If you're checking on us, keep in mind that the borrower does not keep the entire amount of the loan for the full term; he repays it in installments.)

But whatever the exact figure, it is clearly a horrendous price to pay for borrowing.

What's worse, other testimony presented to the committee dealt with loansharks who charged 200 percent or more per year, and in one case 340 percent. They demonstrated the need for truth-in-lending legislation in dramatic fashion.

Almost everybody borrows money at one time or another, whether to buy something like a house or a car or to raise cash for other purposes. So we're all affected by interest rates, whether or not we realize it. And very often we don't realize it.

Shortly after Valachi told of his loanshark business, I was discussing his testimony with a man I know. I expressed wonder that anybody could be desperate or stupid enough to pay interest rates of that kind.

"Yeah," my friend said. "You'd think a guy would realize he was being taken to the cleaners. Why, you'd never get out of debt that way. When I run short, I just go to a friend who works in my shop and he lends me $10 until payday. I pay him back $11, and I'm finished with him."

I tried to explain that this was 10 percent per week, or 520 percent per year, but I don't think the message got through. The last I heard, the man was still borrowing from his friend in the shop. I shudder to think of what interest rate his enemies would charge him.

## BOARD OF UNITARIAN UNIVERSALIST ASSOCIATION URGES ENACTMENT OF MEANINGFUL, COMPREHENSIVE CIVIL RIGHTS LEGISLATION

**Mr. DOUGLAS.** Mr. President, the board of trustees of the Unitarian Universalist Association of North America, on October 15, unanimously adopted a resolution urging the Congress to enact meaningful and comprehensive civil rights legislation. The resolution endorses the substance and intent of President Kennedy's proposal in the form of S. 1731, and urges especially that the Congress enact a public accommodations feature which will "cover all establishments, of whatever size," and additions to the bill providing for "a permanent Fair Employment Practices Commission" and part III authority in all cases where Americans are denied their constitutional rights because of race or religion.

This encouraging further evidence of public support for strong and effective civil rights legislation is representative of the deep moral concern on this issue held by the vast majority of Americans. I was pleased to receive notice of this resolution from Dr. Dana McLean Greeley and I ask unanimous consent that his letter and a copy of the resolution be printed in the Record.

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[59] Statement of Secretary Celebrezze, supra note 56, at 2 n.1.

[60] *Burton v. Wilmington Parking Authority*, 365 U.S. 715, 725 (1961).

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

UNITARIAN UNIVERSALIST ASSOCIATION,
*Boston, Mass., October 23, 1963.*

Hon. PAUL H. DOUGLAS,
*Senate Office Building,*
*Washington, D.C.*

DEAR MR. DOUGLAS: It is my duty and privilege to report to you at once action taken by the board of trustees of the Unitarian Universalist Association (of North America) in regard to President Kennedy's civil rights legislation.

Our board of trustees acting upon the precedent and in the context of many denominational resolutions and expressions of convictions in the past, voted unanimously at its meeting on October 15 to urge adequate legislation at once. I do not need to say that this action is without any political bias on the part of our board and association, or that it seems to us to be entirely in accord with our belief in the principle of human brotherhood. We feel strongly that this legislation is a necessary tangible expression of our faith in human brotherhood.

We urge your support, for the sake of the people involved, for the sake of the integrity of our Nation, and for the sake of the image of America in the eyes of the world.

With cordial good wishes.

Sincerely yours,

DANA MCLEAN GREELEY,
*President.*

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RESOLUTION ADOPTED BY THE BOARD OF TRUSTEES OF UNITARIAN UNIVERSALIST ASSOCIATION ON OCTOBER 14, 1963

The board of trustees of the Unitarian Universalist Association, recognizing the seriousness of the deep racial crisis which has gripped the United States in recent months and weeks, and reaffirming the traditional concern of Unitarians and Universalists for the supreme worth of every human personality, the dignity of man, and the use of the democratic method in human relationships, respectfully urges that the Congress of the United States enact meaningful, comprehensive civil rights legislation to redress the legitimate grievances of the Negroes and members of other minority groups.

To this end, we endorse the substance and intent of H.R. 7152 and S. 1731 to strengthen voting rights, make discrimination in public accommodations unlawful, speed public school desegregation, establish a community relations service to mediate racial disputes, extend the life of the U.S. Commission on Civil Rights for 4 years and give it added responsibilities, authorize withholding of Federal funds from programs that are administered in discriminatory fashion; and establish as a permanent commission the President's Committee on Equal Employment Opportunity.

We urge especially that the Congress erase the humiliation which accompanies the members of minority groups when they are refused accommodation or service in hotels, motels, restaurants, business establishments or places of amusement, and that a public accommodations law cover all establishments of whatever size.

In addition, we urge that amendments be made to the bill to add a permanent fair employment practices commission to cover hiring, firing and promotion in all types of employment and membership in labor organizations engaged in interstate commerce. And, further, that the bill be amended to give the U.S. Attorney General power to bring civil suits in all cases where Americans are denied their constitutional rights becaues of race or religion.

The civil rights program before the Congress represents minimal objectives at this critical point in our Nation's history. One hundred years after the Emancipation Proclamation, the American Negro finds that in education, in employment, in housing, in the exercise of his rights of citizenship, he is still a second-class citizen. The Congress should therefore act this year to bring to fulfillment the promise of the Emancipation Proclamation.

## NEBRASKA SITUATION HIGHLIGHTS NEED FOR TRUTH IN LENDING

Mr. DOUGLAS. Mr. President, last Wednesday's Wall Street Journal contains a front-page story disclosing that $1 billion of consumer loans in the State of Nebraska have been declared to be usurious. The Nebraska Supreme Court recently ruled that all installment sales on which the consumer was charged a finance or interest rate in excess of 9 percent were usurious—the Nebraska usury limit being 9 percent per year. Of course, the effect of the Nebraska Supreme Court ruling is that credit sellers in the future cannot legally charge more than a 9-percent interest rate. More important, however, is the comment in the Wall Street Journal that on installment purchases credit sellers in Nebraska almost always charge an interest rate of more than 9 percent per year.

This Nebraska episode dramatically illustrates the need for the truth-in-lending bill which is now pending before the Senate Banking and Currency Committee. The truth-in-lending bill would require all lenders and credit sellers to truthfully and accurately disclose the finance charges and interest rates which are assessed for consumer credit transactions. I am sure that many, if not most, consumers in Nebraska will be surprised to learn that they have been paying—in almost every case according to the Wall Street Journal—a finance or interest rate in excess of 9 percent per year.

I feel confident that lenders would not have been so emboldened as to risk wholesale violation of the usury law in Nebraska if consumers, borrowers and buyers had known all along that their personal credit was costing them as much as 18 to 25 percent per year in interest on the purchases of used cars, as much as at least 18 percent for department store revolving credit, and sometimes in excess of 50 percent for department store credit. Indeed, even the standard rate charged by lenders for FHA-insured title I repair and modernization loans of 9½ percent per year is in excess of that permitted by the Nebraska antiusury law.

If the annual interest or finance rate had been disclosed on this $1 billion of personal debt, borrowers and lenders would have been immediately aware that the rate of interest charged was in excess of the 9 percent permitted by Nebraska laws.

Mr. President, I do not attempt to pass judgment on what is a fair interest rate for consumers to pay in Nebraska or any other State. However, I do think it is revealing that, according to the finance industry itself, borrowers in Nebraska almost always pay more than 9 percent interest rate per year. I believe that every borrower and buyer has the right to know the credit charges and interest rates he will pay on any consumer credit transaction. This is what the truth in lending bill would require.

Mr. President, I ask unanimous consent that the article from the Wall Street Journal be printed in its entirety immediately following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### NEBRASKA COURT RULES $1 BILLION IN TIME SALES SINCE 1959 WERE ILLEGAL—IT CALLS THEM USURIOUS LOANS; SOME BUYERS KEEP PRODUCTS, SUE TO GET PAYMENTS BACK

(By Kenneth G. Slocum)

LINCOLN, NEBR.—Are installment sales illegal?

In Nebraska, most that have been made since 1959 apparently are. And a State supreme court decision last week apparently means that no future time sales can be made in the State, unless they specify installment payments at what retailers and finance companies would regard as a very low rate of interest.

So Nebraskans who since 1959 have bought about $1 billion worth of cars, washing machines, and other goods on monthly payments face an alluring prospect: They can keep the goods without making the payments. In fact, about 200 have filed suit to get back from the sellers their downpayments and any installments they may already have paid. In one case a Lincoln couple that ordered some $18,000 worth of equipment from a Chicago firm early this year to set up a coin-operated laundry is skipping its monthly payments and suing to get its $500 downpayment back, while keeping the equipment.

What brought about this situation? Ironically, the desire of Nebraska's consumer-finance industry to get installment sales covered by a specific law.

#### DOCTRINE OR LAW?

Before 1959, Nebraska, like many other States, had operated under a time-sale "doctrine" that consisted of precedents set in court decisions, but not formalized by a legislative act. The doctrine permitted time sales even when the difference between the price the buyer wound up paying in installments and the price he would have paid in a straight cash sale exceeded the 9-percent rate limit set by State usury laws. The theory was that the seller was being compensated for having to wait to collect the full price and experiencing higher costs than he would in a straight sale, and the compensation for this was not an interest charge.

But retailers and finance companies, anxious to formalize time-sale procedure and to set maximum rates on installment sales, in 1959 got the Nebraska Legislature to pass a specific time-sale law. This permitted the time-sale price to exceed the cash-sale price by as much as 15 percent on some auto sales, and by as much as 12 percent on other types of merchandise, based on a 1-year payment period. It also touched off a series of State supreme court decisions that have thrown the industry into chaos.

In a test case in June, the court ruled that the wording of the 1959 act made the portion of a time-sale price to be paid in installments a loan of money to the buyer, and the difference between a time-sale price and a cash price was termed to be interest. Moreover, it ruled the legislature acted unconstitutionally in permitting such interest to be set at more than the 9 percent general usury limit. Though the State constitution, allows the legislature to set maximum interest rates, it forbids doing this in special laws—that is, laws not applying to everyone. The court found the 1959 act to be such special legislation, since it applied only to retail sales, not to manufacturers' and other wholesale sales.

### PENALTY FOR USURERS

The effect of this decision was to brand as usury all time sales made under the 1959 act at more than 9 percent interest—which, Nebraska finance men say, means nearly all times sales made under the act. And though the usury may have been unintentional, it still carries a penalty: The buyer can keep the goods and the usurer can't collect.

In later decisions, the court has hammered home the point. Last week it struck down a time-sale law hastily passed by the legislature in July to replace the 1959 act. Though the new law changed some wording, the court found it still amounted to unconstitutional special interest-rate legislation.

In an intermediate decision, the court went further to strike, seemingly, at the whole legal basis of a time-sale doctrine. In that decision, involving General Motors Acceptance Corp., the court ruled that "regardless of the term used" the difference between a time-sale price and a cash price is a charge for the loan of money or for forbearance of a debt and therefore, disguise it as we will, it is and remains interest.

The controversy these decisions have set off "not only can but probably will spread into other States," predicts Marvin R. Werve, vice president in charge of consumer credit at the Omaha National Bank. Lawyers note that 36 other States have some form of time-sale doctrine or law. But at least three of these—Missouri, Washington, and Wisconsin—have constitutional provisions identical to Nebraska's, prohibiting "special" laws setting interest rates, according to Max A. Denney, executive vice president of the American Finance Conference, an organization of sales finance companies.

Whether it spreads or not, the controversy is having bombshell effects in Nebraska. The legislature currently is meeting to see what it can do to clarify the situation. But, since last week's court decision killing its latest time-sales law, Governor Morrison has advised the legislature not to try to write any more time-sales laws, apparently since no one now can imagine one that the Supreme Court would uphold. Instead, the Governor has advised the legislature to attempt only to clarify the State's general interest laws.

One idea that has come up is to raise the usury limit to 12 percent. This would allow retailers and finance companies to collect on future installment sales something close to what they had been collecting. But it would not help those now holding apparently worthless time-sale paper written under the 1959 act. "We've already handed down an opinion to the effect that you can't breathe new life into a void contract with legislation," says Robert A. Nelson, a special assistant to Nebraska's attorney general.

About the only thing that will help these people, it seems now, is a possible feeling among customers that it would be unethical to press for return of money paid on time sales, or to stop payments on outstanding time-sale debt, because the sales were made in good faith (a point the State supreme court concedes). Some retailers and finance companies find it encouraging that, in an earlier case in which one lender's time-sale paper was found illegal, 80 percent of his debtors paid their installments anyway.

### TERRIBLE TERRY'S ROLE

But a number of Nebraskans obviously feel there is nothing unethical about trying to get back the money they paid on time sales while keeping the goods. One is Terry Carpenter, a State senator best known outside Nebraska for his attempt to nominate a fictitious "Joe Smith" for Vice President at the 1956 Republican National Convention. Inside the State, he is known to finance companies as "Terrible Terry" because of his lack of sympathy for our problems."

Mr. Carpenter says he bought two cash registers for about $7,000 from National Cash Register Co., Dayton, Ohio, and has paid some $1,300 on them. He currently is suing, not only to keep the cash registers and get back the $1,300, but to collect interest for the period the company held the money. His suit, he says, also is on behalf of all persons who bought National Cash Registers and other office machines since 1959, and on that basis could involve more than $10 million.

Mr. Carpenter contends there is nothing unethical about this. He says retailers and finance companies were warned by some legal sources in 1959 that the time-sale act they were pushing then might be unconstitutional, and should now take the consequences of disregarding this advice.

If suits by such people as Mr. Carpenter and the Lincoln couple succeed, it is unclear who would pay back the money—the sellers who originally wrote time-sale contracts or the finance companies that bought most of them. It would depend, lawyers say, on what agreement the two might make and what attitude the courts take.

### LIMIT ON NEW SALES

Meanwhile, new time sales in Nebraska can be made only at 9 percent simple interest. This parallels the situation in Arkansas, which threw out a time-sale law 10 years ago. Sears, Roebuck & Co. says it since has made all its Arkansas time sales at 10 percent simple interest, the maximum rate permitted by that State's usury laws.

Simple interest rates are lower than they look because simple interest is figured as a percentage of the average amount of debt outstanding while the debtor is making his payments. A time-sale contract specifying financing charges of 6 percent of the purchase price would be imposing close to 12 percent simple interest, since the buyer would constantly be reducing his outstanding debt.

In Nebraska, the effects of the limit have been severe. James Talcott, Inc., a big New York financing firm, withdrew its "substantial" time-sale financing operations from the State after the 1959 law was struck down, says Oran Hark, a vice president. Earlier it had financed time sales of construction equipment, among other things. International Harvester Credit Corp. has not yet ended its Nebraska financing of farm machinery sold by its parent corporation, says Herman Ebsen, president, "but if favorable legislation is not passed, we'll take another look at it."

There are some indications the Nebraska economy is suffering. New car sales in August dropped 9 percent below the 1962 month, the first decline in 1963, and auto men say used car sales have fallen much more. Appliance sales at Sol Lewis Co., an Omaha store, have dropped 10 percent since the supreme court decisions, "mainly because no one is willing to finance the marginal buyer at 9 percent simple interest," says Mitchell Lewis, treasurer.

## SALE OF WHEAT TO RUSSIA

Mr. PELL. Mr. President, I would like to direct our attention to an editorial which was published recently by the Westerly Sun in Westerly, R.I., and which pertains to the possible sale of U.S. wheat to the Soviet Union.

I have supported such an undertaking on the grounds that by selling wheat and other "soft" consumer goods to Russia and nations dominated by communism for "hard" currency we would be diminishing Communist resources to conduct aggressive policies against us. This editorial emphasizes that "any drawing together on common ground without sacrifice of our freedom or ideals is to our advantage because such contacts lessen the danger of war."

Mr. President, I believe this editorial is worthy of our consideration, and I ask unanimous consent that its full text be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### Russia Needs Wheat

The Soviet Union's great need for wheat to make up short domestic supplies has now been clearly set forth by Premier Khrushchev himself. He has told the Soviet people, in a speech that took up 3 pages of Izvestia, that this year's disastrous harvest has made it necessary to buy millions of tons of wheat from the West.

The Khrushchev speech was the final step in the process of gradually letting the people in on the dismal news. The best that he could say about the situation was this: "On condition that we economize on bread, the resources we have will be enough to supply normally the population of the country." He evidently included, in "the resources we have," nearly 10 million tons of wheat bought from Canada and Australia.

Whether the Kremlin also would like to buy some U.S. wheat has not yet been made clear. The chances seem good that Russia will seek more wheat somewhere, possibly from this country. Soviet needs are proportionately greater than ours, because per capita bread consumption is over 400 pounds a year, about four times the U.S. figure.

The extent of the Soviet need may encourage some feeling in this country that this is all the better reason to withhold our wheat. It may be argued that to sell wheat to Russia, under such circumstances, would be aiding the enemy. This is a narrow view of the situation, rooted in the idea that the only way to deal with the Soviets is to hold them at daggerpoint and beat them when it comes to war.

On the contrary, any drawing together on common ground without sacrifice of our freedom or ideals is to our advantage because such contacts lessen the danger of war. Selling Russia wheat when she needs it might be one of the best steps we could take in the direction of improving the climate for East-West agreement.

## RAIL PASSENGER SERVICE

Mr. PELL. Mr. President, in this time of decision and debate in the area of Federal regulation of the transportation industry, it is reassuring to hear fresh thinking and informed analysis eminating from the regulatory agency which is most intimately concerned. In this connection I would like to call the attention of the Senate to a very interesting speech entitled "Rail Passenger Service?" by Commissioner William H. Tucker of the Interstate Commerce Commission, delivered October 7, before the joint meeting of the American Association of Passenger Traffic Officers and American Association of Railroad Ticket Agents, at Miami Beach.

Commissioner Tucker gives a graphic description of the plight of our present rail passenger service, of the aging and obsolete equipment now in service and of the low rate of investment in research and development. At the same time, however, the Commissioner clearly sees an important and necessary role for the railroads in the crowded society of the future and he calls for innovation and new ideas on the part of rail management, Government, and everyone concerned to meet the needs to come.

This approach coincides with my own thinking. It was against this same background that I introduced in the 87th Congress, and again this year, my proposal for an interstate authority to operate high speed rail passenger service between Washington, D.C., and Boston. This proposal has prompted a comprehensive study of all transportation in the highly populated megalopolitan corridor of our Northeastern States, and that study is now in full progress within the Department of Commerce. We hope to get the results by the middle of 1964.

I commend Commissioner Tucker for making this clear and incisive statement on this important matter and I ask unanimous consent that his speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

### ADDRESS BY COMMISSIONER TUCKER

### I

Rail passenger service? Do we need it? What is its future? Let's start on these questions by briefly acknowledging the darker side of the present picture.

No railroad passenger man nor the general public needs to be told that railroads providing passenger service have their problems. Even those who generally predict a brighter picture for the common carrier as a consequence of governmental and transportation industry efforts of recent months have to admit that this progress will not substantially "rub off" on railroad passenger service. More pessimistic observers count the years of the life expectancy of intercity rail passenger service on the fingers of both hands and many are already pigeonholing rail passenger travel as a vestige of a bygone era along with the horse and buggy.

A quick glance at the huge deficits piled up each year, or at the absolute decline in passenger miles in the past 20 years, despite the increase in total intercity travel, is enough to assure most observers that passenger travel by rail is no breadwinner. Add the glamour of air travel, improved bus service, the American's insatiable, and sometimes incomprehensible, urge to drive his own car, and the future of rail passenger service seems even more bleak.

I'm sure that most of you will not accept passively this image of future railroad passenger service. At the same time I cannot truthfully say to you that your diligent efforts in improving service alone can solve this problem.

Adequate rail passenger service is, in my opinion, a vital and necessary requirement for many years ahead. While no one can give you an exact formula for assuring the future of rail passenger service, I would like to explore the present need for such service and some of the possible avenues which will improve its competitive posture.

### II

Several years ago the Bureau of Public Roads completed a study of passenger travel. This study revealed that from 1929 to 1956 the national economy reflected a 121-percent increase in gross national product. This growth was far outstripped by a 300 percent increase in automobile passenger miles. During the same period common carrier passenger miles rose by 84 percent. Although this gain was less than the economy's growth rate, it surpassed the 38 percent population increase.

While the reliance on the automobile has continued to increase to the point where 90 percent of all intercity passenger traffic now moves by private car, the tremendous increase in tourist and business expenditures still provided the common carriers with an increase of approximately 47 billion revenue passenger miles in 1962 over the 1935 level. In 1962, intercity buses accounted for 13.1 billion and the trunk airlines for 31.5 billion revenue passenger miles of this new traffic. Unfortunately, the railroads' share of this total gain was only 1.4 billion miles.

The changes in travel habits have not grown evenly in the years since 1935. Both rail and bus passenger service hit an all-time high during the war years. Subsequently, rail and bus passenger service hit an alltime peak of 97.7 billion passenger revenue miles, in 1944; although losses have been very gradual in recent years. Bus travel tapered off slowly after 1945, to 19.7 billion in 1961; and then climbed to 21 billion last year. Trunk airlines jumped from 1 to 7.8 billion in the forties and quadrupled in the next decade.

Looking at the three modes in terms of net income, I see some hope in the fact that the rail passenger deficit has been cut from its 1957 high of $723,670,000 to $394,277,000 last year. These savings, however, have resulted, to a large extent, from the large number of discontinuances and abandonments of rail passenger service, particularly after this course of action was stimulated by the Transportation Act of 1958. Whatever optimism might be encouraged by the decrease in the annual passenger deficit must be tempered by the realization that the drop in revenue passenger miles has been fairly proportionate to this deficit decrease.

Net income of the intercity bus industry has increased markedly during the past 8 years. With the exception of 1960, the industry has increased its net income annually. Last year's $42.4 million was almost a 180-percent gain over 1955. But a substantial portion of this new revenue has been the result of more charter trips and express carried.

Despite the rapid increase in air travel, net income for the trunk lines has failed to equal its 1955 high of nearly $63 million. Last year the trunk airlines showed an $8.3 million profit. Even this small margin was a distinct improvement over their $34.5 million loss for the previous year. In 1960 the trunk airlines barely broke even with a profit of $68,000. These profit fluctuations can be traced, in part, to the periodic variations in reequipment outlays, safety records, and the general financial outlook in the business community inasmuch as business travel supplies a large part of the trunklines' revenues. Nevertheless, the figures emphasize that the Nation's trunk airlines as a whole are not extremely profitable despite the large increase in traffic.

Perhaps, the bleak rail deficit picture and the rapid rate of growth of private automobile traffic as one of its real competitors have contributed more to the predictions of the demise of rail passenger service than anything else. A major effort to rejuvenate railroad passenger service, therefore, cannot be confined to examining the present and past travel trends with the financial records of the other two forms of common carriers.

Without underplaying the significance of these (now static) facts, I believe that it is much more important to evaluate the future need for rail passenger service. By 1970, the Bureau of the Census has estimated that the U.S. population will total between 209 and 214 million. The population for 1980 should be between 246 and 260 million.

While estimates of probable intercity passenger miles at a future date lack statistical precision, the Bureau of Public Roads has predicted that intercity travel could increase by 58 percent in 1970 and 133 percent in 1980 over 1961 levels.

This same study forsees a continuing relative decline in travel by common carrier. However, its traffic projections for common carriers still would result in a 30 percent increase by 1970 and nearly 50 percent by 1980 over the intercity passenger miles reported by all common carriers in 1961. I should add that I have read other studies which have been much more optimistic about the future use of common carrier service. Tourist and business expenditures for intercity travel are still rising far faster than the general economic growth. There will be more elderly people, who prefer not to drive, traveling during their retirement years. If the railroads can capture only 2½ percent of all the traffic generated, which is approximately their present proportion of all intercity traffic, in the next two decades, they can more than double their present total of revenue passenger miles.

### III

Let's look at the future through the eyes of those members of the public who rely almost exclusively on their own car for intercity travel. Giving due regard to the need for the development of new highways, I shudder to think about having seven cars moving tomorrow where three travel today. Without rail passenger service, we will have to build so many highways to accommodate this flood of vehicles that the most densely populated areas of the Northeastern States and parts of the west coast may have more public concrete than taxable land.

With forecasts predicting 2 new vehicles on the road for every 3 additional Americans, 100 million cars will be registered by 1975. Approximately half of all the mileage covered by these cars will be moving over the 10 percent of this Nation's thoroughfares which are in metropolitan areas. All these cars lined up bumper to bumper could circle the Equator 15 times. Measuring by the foot, Detroit is turning out cars much faster than we can build new streets and highways.

The large metropolitan areas are the first places to feel the effects of this accelerating worship of private transportation. As quick access to the cities becomes more difficult, the cultural and business sectors of these communities will continue to pack up and head for outlying areas. This is urban sprawl and the main cure for this disease is adequate transport facilities. The cities, in turn, will try to stem this tide by building bigger and better expressways. This will result in less available office and housing space and higher taxes and, as a consequence, even more businesses and people will head toward the suburbs.

The city of Los Angeles found that peak-hour traffic was increasing annually by 35,000 vehicles. As a solution the city embarked on a stepped-up freeway program. With the initiation of such a program, city traffic officials discovered that they were constructing 6 miles of six-lane freeway each year. However, to meet the influx of new traffic, the city would need 30 miles of six-lane freeway each year. Some transport and urban planners forecast that, as the present rate, the future highway program of this city will cover so much land that the taxpaying property will be barely sufficient to meet the basic community services.

If the same percentage of the public stanchly clings to the steering wheel, it is obvious that some cities will be transformed into highways and parking lots. For example, if all the travel in New York City was reliant upon private automobiles, then all of Manhattan below 50th Street would be filled with multistory parking garages.

While the urban dwellers look at their clogged highways as a problem which reaches its greatest proportions during rush hour commuter traffic, most city planners and transportation experts see two separate transportation problems—commutation and intercity travel. Rush-hour traffic jams present more immediate threats to the public but the intercity crisis is as real if not quite so obvious to the general public.

As the suburbs stretch farther and farther into the hinterland, the average commuter gets up earlier and gets home later. The 40-hour week was considered a tremendous social and economic advance over the 60-hour workweek of several decades ago. Does the average commuter get to use most of this extra time? I doubt it. He travels farther each year, finds more of his associates on the highways, and pokes along on these superhighways, often at about 20 miles per hour. At the present rate of automobile registration and urban sprawl, Clarence Commuter will soon be spending more time commuting and working than his grandfather did.

I am convinced that more commuters will have to turn to rail service for the longer commuter trips to the city. Moreover, reduced accessibility to the cities will affect intercity travel and place a premium on that form of transportation which will be economical, time-saving, and efficient. In my opinion modernized rail passenger service can provide this service at the lowest economic and social cost in many areas, particularly in the short to medium distance trips.

If this potential market for passenger transportation exists and an effective solution cannot be found by a greater reliance on private transportation, the answer must be supplied by the common carrier.

There is no question but that we need technology more than concrete if we are going to alleviate this highway movement problem. And we need this technology right now. It is possible to foresee tremendous changes in the not too distant future such as electronically controlled highway movement. But even this doesn't spell the end for rail passenger service. Moreover, what are we going to do in a transition period that could last a generation?

### IV

The establishment of an efficient and economical rail passenger system that does not pile up huge deficits is obviously not an easy task. Since 1930, except for the war years, the railroads have regularly ended up in the "red" on their passenger service. This fact alone has given support to those who talk of eliminating all rail passenger service in the East. Perhaps this move would help to solve the railroads' problems, but it surely would not solve the ever-increasing transportation troubles of the public.

There have been many suggestions about developing a marketable package for railroad passenger service. I am not about to suggest that the rail industry can solve this problem alone. Rehabilitation of rail service, both commuter and intercity, will need further assistance; assistance from the Federal Government and assistance from State and local governments. While some types of rail trips can be put on a pay-as-you-go basis, others will require external relief in the form of legislative changes, subsidies, loans, tax relief, or, as yet undevised, governmental props. If the unprofitable routes are the best method of transportation when compared to the total social and economic costs of alternative methods, the localities involved and the general public in their own interests should insist upon, and assist in, their development as a desirable public service.

During the past 2 years, there have been many developments which appear to offer significant aid toward the need for healthy rail passenger facilities. In my opinion, these are hopeful steps in the right direction; and necessary if rail passenger service is to reach its full potential. Although I have no pat solution for all the perplexities facing rail passenger service today, I would like to discuss some of the most promising approaches.

### V

One of the essential ingredients of improved passenger operations is the development of better equipment and services at economical rates. Modernization of passenger trains and terminals is long overdue. Having spent most of my life in the Northeast, I have not been fully cognizant of the more adequate and profitable passenger service offered elsewhere in the country. However, while there are some exceptions, the average for all U.S. railroad passenger service, equipment, and financial stability, is, to say the least, unimpressive.

According to the latest figures, 58.5 percent of the passenger cars are over 30 years old. Only 3.9 percent are under 6 years old. I know that you have been hearing about the advances being made to improve terminals, to offer better car service, and to provide a host of other technical and service benefits to your clientele. I have read about the steps being taken to offer better service in the proceedings of your last convention, and I realize that many other encouraging changes have recently been made. Nevertheless, we still have a long way to go before the general public apathy toward rail service can be substantially overcome.

One of the most promising signs in this area is the recent self-criticism of rail passenger service from those affiliated with the industry. This recognition of weaknesses and the impetus given to research and innovation is heartening. Last August the National Academy of Sciences report, "Science and Technology in the Railroad Industry," by a group composed, in part, of rail people, concludes that the industry has failed to explore fully all scientific and technological opportunities. A similar criticism of the lack of research, innovation and modernization was also made in a study released by the Railway Progress Institute a year ago.

The Research Institute proposed by the National Academy of Sciences report could possibly be another shot in the arm for updating rail passenger service, providing that the individual railroads are willing to lend their full cooperation.

Fare experimentation in rail passenger service has been recently dramatized by the announcement of the two Canadian railroads to cut fares by as much as 58 percent. Although not as eyecatching, the Boston commuter experiment on the Boston & Maine and the New Haven has been favorably received by the general public. In January the Boston & Maine added 178 commuter trains on 7 lines in the metropolitan area and dropped fares by 30 percent. The New Haven subsequently joined the demonstration project. Under the terms of the contract between State and railroad officials, the Federal Government through the Housing and Home Finance Agency and the Commonwealth of Massachusetts will pay the railroads over $3 million to help finance this experiment.

The Boston pilot study is allowing the railroads to experiment with various types of schedules, fares, and services in order to explore the various facets of the potential for rail passenger service. I am hopeful that similar projects can be initiated to test the potentials for other markets. The increased rush-hour patronage, the decline of highway traffic congestion, and the marked increase in patronage during the offpeak hours certainly suggest that this may be a successful prototype for other areas.

I do not want to convey the impression that devising a better cost-service package is the basic solution to the passenger dilemma. On the contrary, many other forms of assistance are required from external sources. Nevertheless, technological and service improvements must be made at an accelerated pace. Today, the railroads are spending only $7 on research out of every $10,000 received from gross operating revenues. One railroad, alone, accounted for 33 percent of the total; 5 railroads were responsible for 60 perecnt of the total; and 70 percent of the 103 class I railroad reported no research and development expenditures at all.

### VI

The second main source of help must come from those local and State governments of areas which require the preservation of passenger service. These bodies represent the general public and it is the general public who is going to be hit the hardest by the eventual cessation of rail service if passenger deficits continue to undermine the health of all rail operations. While the railroads must conduct their business in the interests of the public, it is unrealistic to believe that they can offer unprofitable services year after year.

In the longrun rail passenger deficits, without public assistance, must be made up through freight rate increases. If passenger service is to be subsidized, should it be done by the general public, or the freight shipper? To meet the increased freight competition by motor carriers, water carriers, and pipelines, rail rates have been lowered. A general decrease in profits from rail freight operations indicates that freight revenues can no longer pay for passenger deficits in many areas.

Relief from burdensome taxes is one direct way for States and cities to aid the railroads. In the *Railroad Passenger Deficit* case, 306 ICC 462, the Commission found that it took 12.8 percent of passenger revenues to meet taxes.[1] With the upward spiral of property taxes in metropolitan areas, partially due to the removal of highway rights-of-way from the tax rolls, immediate measures must be initiated to lessen the costs of maintaining rail facilities in densely populated areas.

Another related source of relief is the removal of inequitable tax assessment ratios which have discriminated against railroad property. All too often, it seems, that localities have attempted to bleed the railroads as possessors of "deep pockets." Many critics of high rail taxes also claim that local resistance to abandonments, trail discontinuances, and consolidations has stemmed basically from the desire to keep railroad tax payments flowing in. This at least appears to minimize tax burdens on other industries and the public.

Local or State subsidies constitute a third form of assistance such as in the Boston experiment. More extensive provision of equipment loans, and the provision of publicly supported terminal facilities at low cost rentals have also been introduced to place passenger service on a sounder financial footing.

Finally, State and local governments, where it becomes necessary, could assume ownership of lines and lease the trackage as has been done with part of the Rutland Railroad. The Staten Island presents another variation of this form of assistance where the line was leased to the city of New York and operated by the B. & O. as agents of the city.

On a nationwide scale this type of solution has resulted in renewed interest in the development of a National Railroad Passenger Service Corporation, which has been proposed to place all rail passenger service under the single control of a private or public corporation. This idea has been outlined in many different ways and will require additional research and discussion before any final conclusion can be drawn.

More local, but similar, programs are also under study in Philadelphia and the tri-State area of New York, Connecticut, New

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[1] In comparison, the corresponding percentage of freight revenues assigned to that service was 8.9 percent in 1957.

Jersey, to mention but a few examples. Increasing cancellations of passenger schedules, coupled with findings of many planners that rail service is vital to an efficient transport complex, have accelerated the extent of assistance offered by State and local governments. More help is immediately needed, for unless the public supports State and local assistance, the number of passenger discontinuances will continue to mount.

### VII

The need for governmental assistance exists at the Federal level as well. Repeal of the 10-percent Federal excise tax, depreciation guidelines geared to hasten equipment modernization, and expansion of the transportation research programs are the principal recent developments and they indicate a growing awareness of the magnitude of the passenger problem and a greater willingness to provide assistance. The Transportation Act of 1958 included a provision which has facilitated the reduction of those unprofitable passenger trains which were not required by the public and which placed an undue burden on interstate commerce. Aid to passenger operations from State and local governments also has been stimulated somewhat by the Federal Government.

Without infringing upon the responsibilities of States and cities to influence their own transportation systems, the Housing and Home Finance Agency has financed, in part, a number of passenger experiments utilizing various types of common carriers. The urban mass transportation bill has been passed by the Senate and is awaiting action in the House. Here again I can see greater emphasis on a coordinated transport system as well as a recognition that funds must be made available for equipment and facilities. Piecemeal consideration of transportation programs exclusively directed toward either buses, private automobiles, highways, airports, or rails must inevitably produce excess capacity, inefficiency, and, of great importance, increased costs of traveling to the general public.

The Department of Commerce is conducting a comprehensive analysis of the transport problems in the Boston-Washington corridor as a result of a proposal by Senator PELL, of Rhode Island. This study is attempting to determine the future demand for all types of transportation, although the principal emphasis is being placed on passenger service.

An adequate and efficient transport complex cannot be developed without this kind of comprehensive research. This "Megalopolitan Study" will include analyses of the kinds of improvement for rail passenger service which can economically be utilized to meet the demand for intercity passenger travel between now and 1980.

Another study is examining the country's passenger and freight requirements for a national emergency. While the public is informed about the tremendous contributions that the railroads made during World War II, there may be a lack of realism in the belief that railroads must maintain a reserve capacity to meet all defense requirements from profits gained solely from normal traffic revenues. If our country's defense needs will require the preservation of rail facilities which cannot be used for normal business, and which may place the railroads on the brink of bankruptcy, then I believe it is not only unfair but bad economic policy to make the industry, and ultimately the shippers, foot the entire bill for these national needs.

If State and local tax reforms and concessions are made, the Congress should consider legislation to make this new revenue source free of income tax until passenger deficits are eliminated. Such relief would reassure the State and local governments that their assistance to passenger operations will not be partially eliminated by Federal income taxes for those roads whose combined freight-passenger operations show a profit.

Making equitable the subsidies and user charges among the various common carriers, and between common carriers and private transportation, is also necessary to the development of a healthy system wherein each form of transportation can assert its service as well as its cost advantages. Any governmental aid to the passenger carrier, as well as road building programs, must be based on a demonstrated need for the particular transportation involved and on an overall evaluation of the effects which will befall competitively affected carriers.

President Kennedy's transportation message of 1962 recommended that: (1) user charges be extended to both commercial and private airplanes; (2) assistance to domestic trunk air carriers be reexamined and subsidies to other air carriers be reduced; (3) the Federal Government with its vast transportation bills should utilize privately owned carriage wherever practicable; and (4) additional research should be used to insure that the Federal Government maintains an equitable promotional and regulatory framework toward all carriers. I think that the President's analysis of the existing situation is as clear and concise as possible. I hope that the Congress will act on these proposals, most of which have been supported in principle by regulatory agencies for several years.

Railroad passenger operations are faced with very high inflexible costs for taxes, labor, material, and fuel. There is little that industry itself can do to lower these expenses. I have already mentioned several methods to reduce certain tax burdens. Improved use of labor, which constitutes 60 percent of passenger operating expense, may be possible under conditions of labor-management cooperation, if such conditions can ever again be achieved in the railroad industry.

### VIII

There are many bright signs that the necessary ingredients for adequate rail passenger service are beginning to be examined and implemented. However, greater effort is going to be required on the part of all concerned or it is going to be a case of "too little, too late." I strongly believe that, even if the industry introduces improved services and has the complete cooperation of Federal, State and local governments, the public must still be sold all over again on the convenience, comfort, and costs of railroad passenger travel. There has been a growing stigma attached to this service. So long as there is a climate catering to what seems to be a national urge to fly or drive, it's going to take more than the development of a better travel package from a technical standpoint.

The advent of an efficient rail service is not by itself going to bring passengers streaming to the doors of the nearest railroad station. At the risk of sounding like an advocate of slick promotional campaigns, I suggest that the major roadblock for you is dispelling the traveling public's apprehension about riding the rails. Whether the negative attitude which I think prevails is based on truths, half-truths, or is completely false makes little difference; rail service must be sold as a reasonable alternative to other transport facilities. It is undoubtedly trite to say: "Building a better mousetrap is but the first step, the real key to success is making the public believe you have something to offer." But it is undoubtedly trite because it is true.

Several of the research studies being conducted by the Federal Government should offer some insight into the most promising types of service for the railroads. Besides these programs which I mentioned earlier, the census of transportation should also produce some valuable information on traveling habits and preferences. But market research, including public relations efforts in rail passenger service, has definitely not been one of the strong points of your industry.

This necessary exploration of demand, service and sales is, at the same time, the first and last steps in developing a sound product. In order to design the equipment and services that are tailored to the public's desires, you must first know what the public wants. Then the public must be told that you've made rail service a convenient way to travel. And let's realize once and for all that the public just won't buy poor service.

Railroad sales historically have been geared to soliciting freight from a limited number of shippers. Gaining freight traffic, however difficult, is relatively simple compared to convincing passengers to leave the highways and ride the railroads. Any good freight agent can pinpoint the key determinants which influence shipper patronage—for instance, service reliability, cargo protection, rates, and available equipment.

On the other hand, you are playing in a different ball game when you attempt to influence passenger travel. The cost of private automobile transportation is figured only by how much is spent for gas, oil and tolls. Longer transit time is submerged beneath the urge to drive. And the air traveler still proudly announces that he flew from Washington to New York in an hour, despite the fact that it took 3 hours from his office in downtown Washington to Wall Street. The costs to and from the airport often similarly disappear from his consideration.

What is needed is a fresh perspective on the part of rail management dealing with passenger service. Many people do not realize the advantages of travel by rail. About one out of three Americans have never ridden a train. Most of those who have tried rail service have seen the worst of it—jammed commuter trains, overcrowded holiday trips, or the unkempt, one-a-day, branch line.

As a potential intercity traveler considers the various ways people move around our Nation he may be influenced by his TV set. In the course of normal viewing, he is bound to see advertisements suggesting that bus riding is the "easiest travel on earth," that he "take the bus and leave the driving to us," or that he "can fly to New York every hour on the hour." About the only time you can find a mention of railroad passenger service, at least here in the East, is as an incidental prop in one of the westerns.

It is not my intent to demean either the advantages or need for buses and airlines; they both will play important roles in transporting passengers. However, the railroads must significantly improve the present public conception of their passenger services.

### IX

Thus, it is going to take a concerted effort on the part of the industry and the Federal, State, and local governments to develop railroad passenger service to meet the intercity and commuter demands of the coming decades.

The potential market is available and the gap which would be left by the cessation of rail passenger service could be filled, if at all, only by enormous economic and social costs. The future of rail passenger service cannot be a question mark, it must be made a reality.

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## GILPATRIC AND TFX

**Mr. SIMPSON.** Mr. President, I would like to bring to the attention of my colleagues and to others who are following with interest the intricacies of the TFX controversy an article written by Clark Mollenhoff that appeared in the October 27 Des Moines Register.

The article entitled, "Gilpatric On Leave While in U.S. Post" discloses that the Deputy Defense Secretary did not sever his ties with his private business interests at the time he entered Government service.

It appears the Defense Secretary was only on leave from his law firm—the firm which did then and still does handle the General Dynamics account—while he was sitting on the impartial board which awarded the $6.5 billion TFX contract to General Dynamics.

Mr. Mollenhoff recalls that "Gilpatric was one of those recommending that the contract should go to General Dynamics" even though "the Pentagon source selection board had favored the Boeing Co. version of TFX."

I request unanimous consent, Mr. President, that the Mollenhoff article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### GILPATRIC ON LEAVE WHILE IN U.S. POST—DIDN'T SPLIT FULLY WITH LAW FIRM

(By Clark Mollenhoff)

Washington, D.C.—Group insurance records state that Deputy Defense Secretary Roswell Gilpatric was put on an "on leave" status rather than having severed his ties with the law firm of Cravath, Swaine & Moore, it was learned Saturday.

Documents stating that Gilpatric was on leave have been obtained by the McClellan Senate Investigations Subcommittee in connection with the probe of the TFX warplane contract.

This information is regarded by the committee as important in establishing Gilpatric's continued link with the law firm during the period he has been the No. 2 man in the Defense Department. Gilpatric has said he is going to return to the big New York law firm later this year.

#### GENERAL DYNAMCIS

Gilpatric was a lawyer for General Dynamics Co. from 1957 until he became Deputy Defense Secretary in January 1961. He has stated that when he came into the Defense Department he turned the General Dynamics account over to one of his partners in the law firm, who later became a director of General Dynamics.

During 1961 and 1962, Gilpatrick took part in the Pentagon decision on the $6.5 billion TFX program, and with Defense Secretary Robert S. McNamara went to the White House to discuss the contract with President Kennedy.

Gilpatric was one of those recommending that the contract should go to General Dynamics. The Pentagon Source Selection Board had favored the Boeing Co. version of TFX on grounds of anticipated superior performance and an estimated cost that was lower by $100 to $415 million.

#### URGED DELAY

After the contract award to General Dynamics was announced on November 24, 1962, Senator John McClellan, Democrat, of Arkansas, urged that the Defense Department hold off signing a formal contract until his investigators had completed a preliminary review.

Gilpatric wrote a letter to McClellan rejecting the suggestion that the contract should be held up, saying he had found that in the national interest it should be signed immediately. The contract was signed the same day.

Some members of the McClellan committee and some other Members of Congress have contended that Gilpatric should have disqualified himself from handling any aspects of the TFX warplane contract, even if he had made a complete resignation from Gravath, Swaine, and Moore.

#### LAW TIE CONTINUED

The law firm has continued to represent General Dynamics up to the present time.

General Dynamics officials have testified that approximately $300,000 in fees had been paid to the law firm up to the summer of 1963.

Gilpatric has testified that in 1957 or early 1958, he obtained General Dynamics as a client of Cravath, Swaine, and Moore, and until January 1961, he handled General Dynamics cases.

General Dynamics records show that he frequently attended board meetings, and was consulted on major problems when the firm was in serious financial trouble and obtained more funds through a merger with Material Services, Inc., a Chicago firm headed by Henry Crown.

#### DENIES IMPROPRIETY

Gilpatric has declared that there is nothing improper in his role in the TFX contract.

He has refused to discuss details of his arrangements with the law firm, under which he has been receiving more than $20,000 a year. He states that this involved compensation for past services. He has declined to say if any of it comes from the General Dynamics account.

#### UNDER TRUMAN

The records and correspondence between Gilpatric's law firm and the insurance company show that he also was put in on leave status with the group insurance plan in 1951 and 1952, when he served as Assistant Secretary to the Air Force in the Truman administration.

Gilpatric receives $22,500 a year as Deputy Secretary of Defense, and Secretary McNamara said he made a "great sacrifice" to come into the Government.

McNamara said Gilpatric plans to leave the Government soon because of heavy personal financial commitments that he must take care of through the more lucrative practice of law.

#### GROSS COMPLAINT

Representative H. R. Gross, Republican, of Iowa, has told the House that Gilpatric and Navy Secretary Fred Korth were involved in improper roles in the TFX contract.

He said both should have disqualified themselves because of close associations and financial ties with General Dynamics prior to coming into Government.

Korth has resigned as Navy Secretary effective November 1. He has released correspondence that disclosed he was promoting business for Continental National Bank of Fort Worth, Tex., while serving as Navy Secretary.

He used Navy stationery to promote deposits for the bank he formerly headed. He used a Navy yacht, the *Sequoia*, to entertain officials of the bank and some of the bank's "extra good customers."

Korth has denied that he was involved in any impropriety. The Justice Department has written to a Congressman that on the basis of evidence it has available, it does not believe the law on "conflict of interests" have been violated.

However, White House pressure is said to have been applied to induce Korth to resign.

## HUMAN COLOR

Mr. MORSE. Mr. President, Mrs. Walter F. Sanders of Waldport, Oreg., has brought to my attention a most sincere and touching essay which cuts through the many side issues which becloud the basic moral principle at the heart of the civil rights controversy.

I am deeply indebted to Mrs. Walters for having given me the opportunity to bring this very short essay to the attention of the Senate.

I ask unanimous consent, Mr. President, that her letter of September 30 and the essay attached thereto be printed at this point in my remarks.

There being no objection, the letter and essay were ordered to be printed in the Record, as follows:

San Marine Addition,
*Waldport, Oreg., September 30, 1963.*

Senator Wayne Morse,
*Senate Office Building,*
*Washington, D.C.*

Dear Senator Morse: The attached story is true, in that while babysitting, and reading stories to the children, I have been asked the question which prompted me to write this story.

At this time, with the segregation situation, and the problem of the color of people's skins, I truly believe this story is apt and fitting, and am hoping somehow it can be printed and read by thousands. I have sent a few copies to some of the newspapers.

I am sending this copy to you, just for you to read, and also with the hope that you will read it to your grandchildren.

Thank you for your courtesy.

Sincerely yours,
Mary A. Sanders,
Mrs. Walter F. Sanders.

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Dear Johnny: You asked me why there are so many different colors of people in the world. You wonder why some have white skins, some brown skins, and some red. Perhaps this will help answer your question.

When God made the flowers, He didn't make one size, or one color, or even one shape, just like people. We love all of the flowers, also the trees. Their leaves are of many sizes and colors. Some leaves are pale green, almost white, while others are yellow, or red.

To complete the color harmony in the world, God made the skins of His children of different colors also. To the American Indian He gave a shade of red skin. Many times you hear of them referred to as "Redskins." He gave the Orientals, such as the Chinese and Japanese, yellow skins. Some Negroes have a light brown skin, while others have a darker skin. Many of the so-called white race have very ruddy, or olive colored skins. No one's skin is really white.

Remember last year, how thrilled we were to see the lovely almost-black tulips in the garden, and the very dark red of some of the roses. We also like the yellow daisies, the beautiful brown iris, as well as the many white flowers.

Now Johnny, stop and think about this. Don't you think it would be a very uninteresting, pale and dull world if everything, and everyone, were only one color? A white world of fresh snow is lovely to look at, and also lots of fun to play in. It would not be so pretty if there were no green trees to be seen, nor if we did not see the limbs of the leafless trees, partly covered with snow.

How joyous and happy everyone feels when we see a rainbow after a storm. What a glorious picture one sees in the gold and rose of a sunset.

We know that God made everything in the world, and everything He made was good. You learned that in Sunday school, dear. Remember how soft is a kitten's fur, and the petals of a rose. These are only two of the lovely things God made that we touch.

Remember how good your nose feels when you put it in a bunch of lilacs. God gave the birds their joyous songs. He gave all of His children, no matter the color of their skins, the ability to compose beautiful music, as well as to sing many beautiful songs.

Always remember, Johnny, no matter what color of skin God gave to His many children, He made all of them with His love. He gave all of them the same good and loving hearts. If God loves all of His children, no matter what color their skin is, we should do the same. Every person of every race and every color is a child of God.

SEPTEMBER 30, 1963.

## QUIT THAT EXPANSION, COUNTRY

Mr. McGEE. Mr. President, the economic laws that govern a society in today's modern world border on the incomprehensible and it is easy to see why many people would rather consider the national budget and economy in more simple terms less prone to cause doubt and headaches.

Mr. President, Prof. Paul A. Samuelson, of the Massachusetts Institute of Technology, has written a very enlightening article on the conflict of economic theories and the future course of our Nation. This article appeared in the Washington Post for October 27 and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### SIMPLE-MINDED PROFESSOR: QUIT THAT EXPANSION, COUNTRY

(By Paul A. Samuelson)

What happened to talk of the "profit squeeze"? The fact that profits have been establishing new records every quarter has sent it into temporary hiding, along with talk that current depreciation should be adjusted to take account of algebraic changes in the price level.

When prices start to rise rather than fall, real-income depreciation will again come out of hiding. And when profits cease to grow so nicely, we shall again hear about "profitless prosperity."

I have a friend who is a simple-minded professor. His motto has always been: "What is good for me is good for me; what is good for the country is good for the country." He fears he has reached the peak salary a professor can get; so he is against everything that causes the country to expand.

Often he say to me: "How can you vote for Democrats when you know that they are the party that presses for high employment"? Experience has taught him that I am a hopeless case.

But, being simple minded, he cannot understand the political attitudes of businessmen. He has the naive notion that their primary interest is in profits. And, since profits are the residual leftover after relatively fixed costs get paid, he figures that profits are the principal beneficiary of rapid growth. I keep reminding him that the unemployed and the partially employed also benefit from rapid growth; but he concentrates on one thing at a time.

Most Americans have grown up knowing that just as winter follows fall, businessmen generally vote Republican. My professor friend came to this country as an adult. And although he has become accustomed to our summer heat and our autumnal gales, he still finds it marvelous and remarkable that the group whose interests depend on profits applaud the contractionist orthodoxies of Senator BYRD, and Secretaries Humphrey and Anderson of the Eisenhower administration. Although puzzled, he is grateful that they work for his interests and not for those of their stockholders.

When I point out to him that an occasional big businessman comes out in favor of a Democrat—Thomas I. Watson, Jr., in the 1960 Kennedy campaign, for example—my friend just shakes his head and says: "It is always for the wrong reasons that they go Democratic—out of a misplaced sense of idealism and not for selfish identification of true economic interests."

Like most professors, my colleague can become eloquent at times. He accosted me on the streets of Cambridge the other day with a wild look in his eye: "Do you know what your President Kennedy has succeeded in doing?" Whenever something is amiss, the President is put in my possession. I winced, expecting to hear that the White House had ruled that professors must teach at least twice a week or had cut out sabbatical years by arbitrary edict. The indictment was not long in coming.

"That man in Washington has added $100 billion to the gross national product in his 3 years of office. Think of what he'll do if we give him 8 years. Why that's a 20-percent increase since early 1961."

Trying to mollify him, I pointed out that almost all the increase was in real terms rather than merely reflecting price-tag increases. Also, modestly, I tried to make plain that productivity has been especially good from 1960–63 as compared to 1956–60, and that the GNP is produced by the citizenry and not by a few people in Washington. But Professor X was too smart for me.

"I'm not complaining about that part of the 4-percent growth which consisted of the $2\frac{1}{2}$-percent growth that was typical under Eisenhower. I can't reasonably object to that. But as an economist you know very well that increases in productivity are helped by a rising economy. And every time productivity rises in Detroit and Bridgeport, I have to pay just that much more for the maid who helps my wife with the housework.

"Take last year's pause in business. It might well have turned into a recession as in the good old days, if talk of a tax cut and stepped-up payments on veterans' insurance and lots of other things had not been done or been in the offing. I'm not getting any younger and if these postwar expansions are going to be stretched out in duration by Government interference whenever am I going to be able to enjoy those depression bargains?"

Taking leave of my friend (who is well able to take care of himself), I return to the subject of profits. Their behavior can, I think, be explained this way.

After the war, capital was scarce relative to labor and output here and abroad. Hence profits were large.

This led to the wherewithal and the incentive to undertake much capital formation. As capital piled up each unit of capital began to compete harder with each unit of capital at home and abroad. This process would have led to a gradual squeeze on the percentage to be earned on the investment dollar, whatever was done in Washington. The only thing that could offset this competitive process was new inventions and improved technology.

Along with the above basic trend, there has been the sad fact that real growth rates began to languish about 10 years ago. The formulas we use to estimate profits always contain in them a strong term reflecting growth or output. If output stays high but stagnant, profits get eroded away.

The above two factors account, I think, for the slackness of profits that took place in the late 1950's. Looking ahead I would stress one caution:

General price rises will do more to end the expansion of the 1960's than any other single thing. Where firms have the power to raise prices a little more or a little less, they can selfishly maximize their long-run profits by choosing a little less.

Here is a case where virtue will not have to be its own reward.

## DEVELOPMENT OF THE RAILROADS

Mr. McGEE. Mr. President, one of the most interesting chapters in the history of the West is the development of the railroad. The State of Wyoming owes much to the determination and energy of those hardy men who pushed the iron rails across the West.

It may surprise many people to know that this pioneer activity was carried on well into the 20th century. In fact the city of Casper, Wyo., has just celebrated the 50th anniversary of the completion of a rail link with lines to the north and south.

Mr. President, the Burlington Railroad has prepared an excellent summation of the railroad's arrival in Casper which was distributed at the anniversary celebration on October 20. This celebration included a steam train ride from Casper to Arminto, Wyo., and return. More than 1,000 persons attended that celebration. I ask unanimous consent that this brochure be printed in the RECORD.

There being no objection, the brochure was ordered to be printed in the RECORD, as follows:

### FIFTIETH ANNIVERSARY OF THE ARRIVAL OF THE BURLINGTON RAILROAD AT CASPER, OCTOBER 20—1913–63

Casper had yet to learn the meaning of the word "boom" when Burlington rails reached it in October of 1913. The State, in fact, could hardly be said to have outgrown its frontier atmosphere, for the so-called Old West of the last century was still very much in evidence.

The building of the line to Casper was part of a master plan of empire builder James J. Hill to connect the Pacific Northwest and Texas gulf ports with a direct, heavy duty railroad.

Hill, famous as the builder of the Great Northern, had bought the Burlington in 1901. He also had working control of the Northern Pacific. Sometime between 1902 and 1905 he decided to build an entirely new line south from Billings, both to provide a shorter route to the gulf, and to open the vast Big Horn Basin to development.

The railroad's only previous penetration of the Big Horn Basin was a line from Billings to Frannie, via Toluca. Construction southward from Frannie began on October 3, 1905, and reached Kirby, 12 miles north of Thermopolis, on September 3, 1907. There the line ended—at least temporarily.

Meantime, down in Colorado, events were taking place that would prove of importance to Casper. The Colorado & Southern Railway had been conducting an aggressive expansion program since 1900, and now had a system that extended—either by direct ownership or by trackage right agreements—from Orin Junction, on the Platte River 14 miles east of Douglas, southward to Denver, Pueblo, Trinidad, Amarillo, Fort Worth, Dallas, Houston, and Galveston.

It was readily apparent to James J. Hill that if the Big Horn Basin line from Billings to Kirby could be continued south through the Wind River Canyon and on to Orin Junction, his dream of a railroad from Pacific Northwest to the gulf would become a reality—if he could obtain the Colorado & Southern. Late in 1907, therefore, Hill and

Burlington President George B. Harris entered into negotiations with the principal owners of the Colorado & Southern, and purchased it on December 19, 1908.

Work on the line south of Kirby was resumed in July of 1909. Blasting a railroad through the rugged, scenic Wind River Canyon proved a difficult task, but Burlington tracks reached Casper on October 20, 1913. Construction continued throughout the winter and the line reached Orin Junction just 2 days short of 1 year after it had reached Casper; October 18, 1914. Casper now was a main point on the shortest rail route from the Pacific Northwest to the gulf. With the building of an 8-mile link between Wendover Junction and Guernsey, Casper was also placed on a mainline route to eastern markets.

The first Burlington train to roll out of Casper was an inspection train that had arrived the previous evening from Alliance, over the rails of the North Western line from Crawford. A. J. Mokler's Natrona County Tribune, of October 23, 1913, tells about it:

"BURLINGTON OFFICIALS VISIT CASPER MONDAY

"The Burlington inspection train arrived in Casper Sunday evening on the Chicago & Northwestern and was transferred to the Burlington line, and on Monday a trip was made west from here by the officials. The train consisted of two coaches and an engine especially built for the purpose of inspecting the company's roads. The officials on this inspection trip were E. D. Koller, assistant general manager, of Omaha; E. E. Young, general superintendent, of Alliance; G. S. Gupton, general freight and passenger agent, of Billings; W. W. Johnston, assistant general freight agent, of Omaha; F. D. Hunter, general agent, of Billings; and Messrs. Clenow and Winters of the Great Northern, who make their headquarters at Billings."

The first train into Casper over the new line arrived from Kirby Monday evening. The fact it arrived on time may have been construed as a good omen by those who turned out to greet it. The same issue of Mr. Mokler's Tribune gives this interesting account:

"ARRIVAL OF FIRST BURLINGTON TRAIN IN CASPER

"Train service on the Burlington system over the Casper and Greybull Division was commenced on Monday, October 20, and the first train came into Casper at 7 o'clock Monday evening, arriving in this city promptly on time. Quite a number of passengers were on the first train and the trip was made without a hitch anyplace along the line. The service for the present will be triweekly, leaving Casper at 7 a.m. on Tuesdays, Thursdays, and Saturdays, arriving at Kirby at 7 p.m. The train will leave Kirby at 7 in the evening. C. E. McMillen is the agent in Casper. He was the agent in Cody for a number of years, but was given the Casper station, which is considered a promotion. Mr. McMillen will move his family to Casper just as soon as he can find a house in which to live.

"At the present time two boxcars are being used as a depot, but one of the nicest depots in the State on the Burlington system will be built in Casper. This depot will cost $85,000, and will be built of brick and stone. It will be located at the foot of Center Street, and work upon the structure will be commenced as soon as the material can be gotten on the ground. Work upon a two-story freight depot 100 by 28 feet was commenced this week. This building is located at the foot of Wolcott Street, and will be between the main track and a sidetrack, so loading and unloading may be made from either side. The fact that the Burlington system is putting up these substantial and expensive buildings is an assurance that Casper is to be the principal station in Wyoming.

"A great many sidetracks have already been built in the yards here and a large crew of laborers and trainmen are at work loading cars with gravel on the north side of the river which is being used to surface the roadbed west from Casper. A large water tank is being built on the north side of the tracks at the foot of Center Street, and the roundhouse is being built east from the water tank. The dispatcher's office is at present located in a boxcar, but this office of course will be moved into the new depot when it is built.

"Just at present the service over the new road is not the best, but this will be improved as rapidly as possible. It is thought that through trains from the gulf to the coast will not be in operation until next summer, but work will be continued on the line between Casper and Orin Junction all winter and through service will be commenced as soon as possible. When this stretch of road is finished this will be a transcontinental line and some very fine trains will be put in service.

"The stations between Casper and Thermopolis are Cadoma, Bucknum, Petrie, Powder River, Armenta (now Arminto), Madden, Lysite, Schoening, Bonneville, Emery, Boysen, Dornick, and Minnesela. The distance between Casper and Thermopolis is 134 miles."

That portion of the line from Arminto to Bonneville was almost entirely washed out by flash floods in 1923, and had to be rebuilt in a better protected location. Burlington Railroad president Harry C. Murphy, then a young engineer well underway on his railroad career, was sent to Wyoming at this time and assisted in the relocation and rebuilding efforts.

During the oil boom years, around the time of World War I, the Burlington hauled long trains of tank cars to eastern refineries and marketing points. During War II, long oil trains moved in the reverse direction; from Texas to the Northwest in preparation for an attack on the Japanese forces. The Casper division was such a busy point that finding enough employees to conduct operations was a major problem; young men were recruited from all parts of the system and sent here. High living costs, lack of adequate housing and homesickness produced a continual turnover. The railroad erected a hotel to house employees, thus keeping many who would otherwise not have stayed. The housing shortage was so acute that one enterprising clerk in the division freight agent's office rented his cot—the only sleeping accommodations he could find—to two other workers each day, charging them $1 for each 8 hours of occupancy. At the end of 8 hours, the clerk's "guest" would be awakened and sent on his way, and the cot rented to another for the next 8 hours. Casper's "wide open frontier town" characteristics during the boom years afford quite a story, the telling of which will not be attempted here.

In subsequent years, Casper and the Burlington faced World War I, the "roaring twenties" and its dizzying booms, the great depression of the thirties, World War II and the vast surge of growth that followed.

Smoke from Burlington steam engines no longer blows down the historic Platte Valley. In place of the chuffing iron horse, superefficient diesel locomotives—resplendent in Burlington's silver or Chinese Red dress—flash over steel rails that pierce the rolling hills and prairies of central Wyoming.

Today, perhaps more than ever, the State stands on the threshold of unbounded expansion. A first question of any industry considering a Wyoming location is the quality of available railroad transportation. Is it dependable? Can rates be made to offset the disadvantages of Wyoming's greater distances from market?

The Burlington has, time and again in the post War II years, demonstrated its desire and ability to locate new industry in the Cowboy State. Existing lands owned by the railroad in Casper have been improved to attract new industry, and additional acreage has been purchased to insure that no industry will be turned away from Casper for want of a suitable location. As freight rates have been tailored to meet the needs of Wyoming shippers, freight schedules, too, have been trimmed, thus passing on to Wyoming the benefits of Burlington's post War II investment of almost $1 billion in modern equipment, stronger track and an efficient plant.

The Burlington is betting its next 50 years of partnership with Casper will see continuing growth of the oil capital city, and increasing importance of the mainline freight route between the Pacific Northwest and Southeast and gulf points.

## OLAUS J. MURIE

Mr. McGEE. Mr. President, it is with a real sense of deep personal loss that I speak today on the death last week of Olaus J. Murie. Olaus Murie earned and carried well the title of "Mr. Wilderness." Not only was he a great naturalist and former president of the Wilderness Society but he was a man to whom the wilderness was home.

One of the most fortunate occurrences of my life, Mr. President, is that I was able to spend many hours in the company of Dr. Murie and from him learn many new and interesting facts about the intricate balance of nature and the beauty and calm of a close association with a world unmarred by man's frantic attempts to control his environment. I have always loved the many wilderness areas present in my State of Wyoming but with Dr. Murie's help I was able to discover many new facets of beauty so that each visit to the wilderness became even more enjoyable. And I was but one of thousands of people who have benefited from an association with this perceptive man.

But Dr. Murie was more than a man keenly attuned to his surroundings. He was a man convinced that only man could save his natural heritage from those of his own kind who prefer plunder and profit to careful utilization and conservation. His efforts over many score years added significantly to the movement which has rescued many irreplaceable natural treasures from destruction and made the general public conscious of the need to preserve for our posterity some portion of our great land as it was before the arrival of civilization.

Mr. President, Dr. Murie was one of those rare individuals who do not intrude upon their environment but rather are a part of it, men who are completely comfortable in nature because they are "at home."

Wyoming is very proud that this man chose to make his home in the "Equality" State. We will remember him with warm and comforting memories and I sincerely hope that we will honor him by living up to the standards of gentleness, humility, and devotion to nature that he has set for us.

Mr. President, the Washington Post, on October 24, carried Dr. Murie's obituary and on October 25, published a moving editorial on this great man. I ask unanimous consent that these two articles be printed in the RECORD along with a copy of the Wilderness News release on Dr. Murie's death.

There being no objection, the articles and release were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 24, 1963]

### OLAUS J. MURIE

Olaus J. Murie, a former director, staff head and president of the Wilderness Society, with offices at 2144 P Street NW., died Monday in Jackson, Wyo., after a long illness. He was 75.

At the time of his death, Mr. Murie was chairman of the Wilderness Society Council, the governing body.

A mammalogist, he had received numerous medals and commendations, including the Leopold Medal and the National Audubon Society's special Audubon Medal Award.

He is survived by his wife, Margaret, of the home in Moose, Wyo.; two sons, Martin, of Yellow Springs, Ohio, and Donald, of Evanston, Ill.; a daughter, Mrs. Norman Miller, of Chicago, and eight grandchildren.

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[From the Washington (D.C.) Post, Oct. 25, 1963]

### OLAUS J. MURIE

To thousands of people who had hiked or camped with Olaus J. Murie or had talked with him on a mountain trail, he was Mr. Wilderness. Even in his advanced years, Dr. Murie walked through a forest with the graceful stride of a panther. His ears were attuned to every sound of the "singing wilderness," as Sig Olson would say. He was a friend of every living thing and seemed to find his greatest enjoyment in introducing other human beings to the mysteries of the wilds.

Dr. Murie began his fascinating career as a sort of ambassador of the wilderness when he and his wife Margaret went to Alaska to study the caribou for the old U.S. Biological Survey. Later they studied the wolves of Alaska and many other wild animals in their natural habitats. He was an eminent authority on the elk and in 1949 led an expedition to New Zealand to study that species. His volume on "The Elk of North America" and various other books won him high distinction as a naturalist.

Yet it was to the unspoiled forests, streams, and open spaces, rather than the world of books, that he belonged. At home with the natives of remote areas as well as with the wild life, he exemplified the gentleness and natural wisdom that some sensitive people seem to derive from close association with the earth and its creatures.

As president and later as council chairman of the Wilderness Society, he was a tower of strength in many conservation endeavors. His interest in the preservation of natural beauty was pointedly demonstrated in 1954 when he came to Washington from his home in Moose, Wyo., to participate in the 175-mile C. & O. Canal hike led by Justice Douglas. At the age of 65, he hiked the entire distance even though he was ill at the time. His friends of that and many other expeditions will remember him as a highly civilized being who had acquired an aura of nobleness from the wilds that he loved so much.

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### OLAUS J. MURIE, LEADING EXPONENT OF WILDERNESS

WASHINGTON, D.C., October 22, 1963.—Olaus J. Murie, our leading exponent of wilderness, passed away quietly yesterday afternoon (October 21, 1963) after a long illness, the Wilderness Society reported today. He was in St. John's Hospital at Jackson, Wyo.

A former director and staff head of the Wilderness Society, of which he was also president from 1950 to 1957, Dr. Murie at the time of his death was chairman of the society's council, its governing body. He was in his 75th year.

There will be no funeral, the society announced. Dr. Murie's ashes will be left in the back country of the mountains at a time and place yet to be chosen. Those who might wish to send flowers are, at the suggestion of Mrs. Murie, invited instead, if so inclined, to send contributions to the Wilderness Society for the recently established Olaus Murie Endowment for Wilderness and People.

#### HIS IMPACT CALLED INCALCULABLE

"His impact upon conservation and the cause of wilderness is incalculable," said Harvey Broome, president of the Wilderness Society.

"Olaus Murie," said Mr. Broome, "was for many years a leading mammalogist who received international recognition for his scholarship, but those who were closest to him will remember him best for his humility, his integrity, and his visions for mankind. He had a remarkable sense of humor but no interest in gossip or trivia. For him life was too noble to be wasted, and the myriad aspects of the earth which reached their climax in wilderness were the great challenge of his life."

"He was the one person who best personified wilderness in our culture," said Howard Zahniser, the Wilderness Society's executive director and editor, who had served on the society's staff under Dr. Murie since 1945. "His life and living," he said, "were in and from the wilderness, and in personality the concept of wilderness had a noble and compelling expression."

#### MEMORIAL FUND ESTABLISHED

The Olaus Murie Endowment for Wilderness and People to which memorial contributions were invited was recently established by members of the Wilderness Society's headquarters staff for the increase of wilderness appreciation, including the financing of wilderness trips by young men and women from urban areas.

Administered by the Wilderness Society, the fund would provide income expected to make possible at least one trip each year on one of the excursions sponsored as part of the society's "A Way to the Wilderness" program.

Emphasizing the special influence of Dr. Murie's deep interest in people, his fellow staff members said in initiating the fund: "We are glad to honor him with the establishment of a fund for the special purpose of bringing people to the wilderness and the general purpose of wilderness appreciation. We hope that others will join with us to increase the endowment and thus add to the effectiveness of this educational program."

#### ACHIEVED GREAT LEADERSHIP

Dr. Murie had achieved a great leadership for wilderness preservation and appreciation, said the Wilderness Society's announcement of his death, and such recognition as the superbly prized Leopold Medal, the National Audubon Society's special Audubon Medal Award, the Honor Roll Award of the Izaak Walton League, and the John Muir Award conferred on him by the Sierra Club at the Eighth Biennial Wilderness Conference in San Francisco, Calif., this past April.

His writings included "Alaska-Yukon Caribou," "The Elk of North America," "A Field Guide to Animal Tracks," and many contributions to scientific journals and to magazines. Just before his death, he was privileged to see the first copies of his booklet, "Jackson Hole With a Naturalist," published by Frontier Press, Jackson, Wyo. These writings, his illustrations of his own and others' writings, and his oil paintings that hang on many walls were described as both "evidence and agents of his leadership."

Back of all his achievement, said the society, was his wide and intimate personal experience with wilderness—in the Hudson Bay and Labrador regions; in the wilderness of Alaska, western Canada, and western United States, where for more than a quarter of a century he conducted field investigations for the U.S. Biological Survey and its successor the Fish and Wildlife Service; and in New Zealand, where in 1949 he led the scientific party of the New Zealand-American Fiordland Expedition.

His field work in and for many areas of wilderness included participation in the famous 1954 C. & O. Canal hike with Supreme Court Justice William O. Douglas. With Justice Douglas, he was one of the nine who hiked the entire canal distance from Cumberland, Md., to Washington, D.C.

He was married on an Alaskan expedition (to Margaret E. Thomas, on August 19, 1924) and with his wife raised their children (Martin L., Joanne E., and Donald O.) in Wyoming's Jackson Hole region, at the foot of the Tetons. His own drawings illustrate Mrs. Murie's recently published volume "Two in the Far North" (New York: Alfred A. Knopf, 1962) narrating their experiences during his Alaska wilderness studies.

He served with the Balloon Service in World War I, and during World War II was superintendent of the Jackson, Wyo., hospital where he died.

Olaus Johan Murie was born on March 1, 1889, in Moorhead, Minn., the son of Joachim D. and Marie (Frimanslund) Murie. He took an A.B. degree in 1912 at Pacific University, where he later was granted the degree of doctor of science, in 1949. In 1927 he received a master of science degree at the University of Michigan.

Dr. Murie is survived by Mrs. Murie at the Murie Ranch in Moose, Wyo., by his brother, Dr. Adolph Murie, of the National Park Service, who also has a residence at the ranch in Moose, Wyo.; by his three children—Martin L. Murie of 215 East Herman Street, Yellow Springs, Ohio; Mrs. Norman Miller of 5528 South Blackstone, Chicago 37, Ill.; and Donald O. Murie of 1512 Wesley Avenue, Evanston, Ill.; and by eight grandchildren—Margaret, Norah, Janet, Robin, David Jonathan, and Juliette Murie, and Benjamin Olaus and Paul David Miller.

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## BOLIVIA'S IMPORTANCE

Mr. McGEE. Mr. President, it was a real privilege for me to meet once again President Victor Paz Estenssoro of Bolivia during his recent visit to this country. I had met President Paz during a study mission to South America late in 1961. We found Bolivia to be a poor nation but a proud nation, one that was working determinedly to improve its situation with or without help from abroad. And in President Paz we found a man who made a very realistic appraisal of the situation as it existed in his country and was taking some very realistic steps to overcome the many obstacles in the path of Bolivian progress.

What was extremely remarkable for a country so poor was the degree of political stability. President Paz' program had a broad appeal and those elements that usually feed on the discontent of poverty were completely ineffectual. The Senators on that mission were greatly impressed and much heartened by this example of diligence and bootstrap self-improvement.

Mr. President, I note that there has been some criticism of our assistance to Bolivia by persons who somehow find that anything that is associated with the present administration is suspicious. I would hope that in our eagerness to make political progress we will not condemn, out of political expediency, those who are not striving to become carbon copies of our political institutions but are making real progress toward and better—and a freer—life for themselves.

Mr. President, the Washington Post carried a thoughtful editorial on President Paz' visit to this country on October 25. I ask unanimous consent that this editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BOLIVIA'S IMPORTANCE

"What you are attempting to do in your country," President Kennedy said in welcoming President Victor Paz Estenssoro, "is what I hope all of us in all of our countries in this hemisphere would try to do for our people." This was far more meaningful than the usual homilies exchanged at the time of state visits, and suggests why the presence in Washington of Bolivia's President is fitting and important.

Landlocked Bolivia is a poor country and it has known periods of wrenching instability. But long before the Alliance for Progress got underway, Bolivia committed itself to basic reform within a constitutional framework. Along with Mexico, Bolivia is an example of a revolutionary nation determined to remain the master of its own destiny.

Of course there are friendly disagreements with Bolivia and there are difficulties arising from Bolivia's dependence on tin sales. But few doubt that the government of President Paz is broadly responsive to popular demands for land reform, economic development, and improved educational opportunity. Beginning with the Eisenhower administration, the United States has granted extensive aid to Bolivia—a country with a socialist-oriented and nationalistic regime.

This history is the best answer to Cuban charges that the United States is by definition hostile to all revolutions. Surely Latin Americans will note that President Paz, in thanking the United States for its help, said that this country had "never demanded from us anything that might have tainted our national dignity and sovereignty."

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The VICE PRESIDENT. The amendment reported by the Committee on Foreign Relations is a complete substitute for the bill. Under Senate precedents, the committee substitute is treated as original text for the purpose of amendment. Amendments to the committee substitute are therefore amendments in the first degree, and subject to amendment in one further degree.

The question is on agreeing to the committee substitute, which is open to amendment.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KUCHEL. One of the members of the minority has asked the minority leadership to object, at the moment, to the adoption of the committee amendment and the consideration of the bill as original text. Does the objection now have to be made by me in order to protect a Senator's right?

Mr. MORSE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Parliamentarian informs the Chair that all the precedents are uniform and that no objection would lie to the procedure announced by the Chair.

Mr. KUCHEL. If I heard the Presiding Officer correctly, I thought he said that the bill before the Senate would be considered as original text.

The VICE PRESIDENT. That is correct.

Mr. KUCHEL. It has been my understanding——

The VICE PRESIDENT. The committee substitute would be, under the Senate precedents, considered as an original bill for the purpose of amendment.

The Parliamentarian informs the Chair that no objection could lie to that procedure, because of the precedents of the Senate.

Mr. KUCHEL. Let me see if I understand the distinguished President of the Senate. The bill, as it came from the Foreign Relations Committee, has been extensively rewritten from the bill as it went to the Foreign Relations Committee of the Senate.

The VICE PRESIDENT. The substitute is in the form of one amendment, the Parliamentarian informs the Chair.

Mr. FULBRIGHT. In the nature of a substitute.

Mr. KUCHEL. Is there any right, under the rules, for a Senator to object to the announcement the Chair has just made?

The VICE PRESIDENT. The precedents of the Senate are uniform, and no objection lies.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HICKENLOOPER. Any amendment which any Member of the Senate offered to the bill as it was originally referred to the committee, with the committee amendment reported to the Senate, would still be eligible as an amendment to the bill reported by the Senate Foreign Relations Committee, in the nature of a substitute. Is that correct?

The VICE PRESIDENT. Of course.

Mr. HICKENLOOPER. And any Member of the Senate would not be prejudiced in any way in connection with any amendment which he desired to offer to the original bill prior to any possible adoption of the committee substitute. He would not be prejudiced at all, as I understand.

The VICE PRESIDENT. The Senator is correct. Under the precedents of the Senate, the substitute amendment reported by the Committee on Foreign Relations will be considered as an original bill for the purpose of amendment, and not as an amendment in the first degree. It is subject to amendment in two degrees.

An amendment proposed to the House text has precedence over the committee substitute or any amendment thereto. Such an amendment to the House bill may be proposed while an amendment is pending to the substitute and takes precedence as to a vote thereon.

When the House bill and the committee substitute have each been perfected, the vote will come on the committee substitute as amended, if any amendment be made. A majority vote against the committee substitute would restore the House text, in whatever form it might be when the vote was taken.

The House text would then be open to further amendment.

Mr. KUCHEL. The only reason why I ask the question is that one of my colleagues asked me to make the inquiry. My recollection is that when a Senator in charge of a bill presents to the Senate a committee substitute, he asks unanimous consent that the bill as amended be considered as original text. If I am correct in that recollection, I should like to know why the Chair's advice has been different in this situation.

The VICE PRESIDENT. This is not a parallel situation. The Senator from California has two different situations in mind. What the Senator has in mind is a case in which many amendments have been made by the committee. This involves only one amendment.

Mr. KUCHEL. I do not understand that this is only one amendment.

The VICE PRESIDENT. The Chair is stating the situation as he understands it.

Mr. KUCHEL. I appreciate that courtesy. All I am trying to do is to obtain information.

The VICE PRESIDENT. The Chair understands.

Mr. KUCHEL. I thank the Chair very much. My only suggestion is that if one of my colleagues does desire to offer an amendment, in any fashion, to the bill as it came from the House, I want to be sure he has the right to do so.

The VICE PRESIDENT. Under the precedents of the Senate, the substitute amendment reported by the committee will be considered as an original bill for the purpose of amendment.

Mr. KUCHEL. Suppose the amendment is a part of the House language. Would that still be subject to amendment?

The VICE PRESIDENT. Certainly.

Mr. KUCHEL. I thank the Chair for his gracious consideration.

Mr. MORSE. Mr. President, I believe the Chair has stated the situation correctly, and that the comments of the Senator from Iowa clarified the matter, but because of the procedural situation and the fact that many Members of the

Senate are not in the Chamber, the situation should be understood. Bills come from committees with committee amendments, and such committee amendments are usually agreed to en bloc, with the understanding that such action does not prevent any Member of the Senate from offering an amendment later.

The VICE PRESIDENT. The Chair is of the opinion that the Senator from California had in mind that situation. The Senator from Iowa correctly stated the situation, as did the Chair, in reading the statement furnished by the Parliamentarian.

Mr. MORSE. I think it will be helpful to have this statement, so that Senators who read the Record tomorrow, who are not now present, and who may ask questions, will know the situation. I think this is the proper procedure, as shown in the course of the debate, to make sure that there is nothing to prevent a Senator from offering an amendment to the amendment in the nature of a substitute that is now before the Senate, as reported to the Senate by the Foreign Relations Committee.

Is not the Senator from Oregon correct in that statement?

The VICE PRESIDENT. The Senator is correct. A complete substitute for the committee substitute may be offered, if a Senator desires to do so. Amendments to the committee substitute would be amendments in the first degree and would be subject to amendment in one further degree.

Mr. MORSE. With apologies to the Chair, because his statement is so clear it really needs no further clarification, but in order to leave no room for doubt in the mind of any Senator, it is correct to state that any Senator who wishes to offer an amendment changing in any part any section of the committee bill which has been brought to the floor of the Senate, and which now is the pending business, has the parliamentary right to do so during the course of the debate. Is that correct?

The VICE PRESIDENT. The Senator is eminently correct. Amendments to the committee substitute are amendments in the first degree and are subject to amendment in one further degree.

Mr. MORSE. Last Friday a group of Senators—not all—who are opposed to the bill thought the bill would come to the floor of the Senate in the ordinary form and not in the special form in which it has come to the Senate. They left instructions with some of us that if it did come to the floor in the usual form, objection should be raised to the adoption of the committee amendments en bloc. However, there is no doubt that we are following a perfectly proper procedure. All we have before us is the Foreign Relations Committee substitute for the House bill.

Mr. HICKENLOOPER. Mr. President, at the risk of repetition, in fact and in effect, with the action which is being taken, an original bill is before the Senate, because, to all intents and purposes, the committee amendment becomes original text. Is that correct?

The VICE PRESIDENT. The Senator is correct—for purposes of amendment—because the amendment reported by the committee is a complete substitute for the bill.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Brewster in the chair). Without objection, it is so ordered.

## PRINTING OF ADDITIONAL COPIES OF HEARINGS ON NUCLEAR TEST BAN TREATY

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the concurrent resolution (S. Con. Res. 58) to print additional copies of the hearings on the nuclear test ban treaty for the Committee on Foreign Relations, which was, in line 5, after "Relations" insert ", and one thousand additional copies be printed for the use of the Committee on Foreign Affairs, House of Representatives".

Mr. FULBRIGHT. The House added an amendment merely requesting an additional 1,000 copies of the hearings for its own use.

I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arkansas.

The motion was agreed to.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. FULBRIGHT. Mr. President, it is my task today to commence the debate on the foreign assistance bill of 1963. I can start by assuring my colleagues that I intend to be very brief. Frankly, after some 15 years, virtually everything has been said about the basic objectives and characteristics of foreign aid. And I am just as tired of rehearsing the fundamental points as my associates are of hearing them.

Moreover, there is no real reason for me to present a lengthy and detailed explanation of the bill which is before us. The committee report, a copy of which is on the desk of every Senator, does precisely that. It gives a complete résumé of the contents of the bill. It explains the actions taken by the committee. It points to the further concerns of committee members, and it demonstrates just how the existing foreign aid legislation has been amended. It has the further virtue that it may be read by Senators in less time than they might have to devote to listening to me were I to set forth an elaborate dissertation, one replete with oratorical flourishes and exhortations.

On this occasion I believe it more useful to survey quite briefly where we have been, where we are now, and where—in my opinion—we should be going in the immediate future.

All of us in this Chamber are intensely aware of the many and varied criticisms directed at foreign aid. To hear some tell it, one would think that we had been spending our time over the last decade throwing away billions of dollars in a fruitless effort to repel the onrushing Communist hordes and to spray water on a world in flames. But let us look back over the record of the past 5 to 10 years and see whether this hyperbolic criticism even remotely resembles the truth.

The fact is, Mr. President, that the Communist bloc has been fought to better than a standstill during the cold war period of the last decade. The plight of Cuba is an obvious exception to any statement of that character, but I think it is equally obvious—or should be—that the very unfortunate situation on that island is largely attributable to factors which existed long before this country embarked on its foreign aid programs. The errors of the United States which compounded the underlying difficulties cannot be explained in terms of foreign aid. Indeed, they were not even all governmental in origin.

Since 1955, well over 50 countries—about half of them African—have gained independence and joined the United Nations. The remarkable fact is that not one of these new nations has succumbed to the Communist bloc, and it is not because the Communists did not make serious efforts to subvert these countries. It is also true that most of these areas have not turned toward close affiliation with the West. But, then, there was no logical reason to believe that they would. In any case, because of the very nature of the contest between the Communist bloc and the countries of the West, it is a clear gain for the latter whenever a new nation maintains its independence within the free world community.

Further, it must be noted that we are not merely holding our own at the points—such as Berlin—where the Communist bloc is exerting maximum pressure; we are seeing great ideological and political disarray within the bloc, as well as evidence that the Communists in many instances are being placed on the defensive. Where we are experiencing difficulties—and I have no intention of minimizing them—they are frequently attributable to factors which have little to do with the Communist challenge. Moreover, they do not lend themselves to short-term solutions.

I am not saying that all is right with the world. On the contrary, we are facing global problems which are extraordinarily complicated and difficult to resolve. Neither am I saying that foreign aid has been the single, or even the most important, determining factor which has brought us to the present stage in world affairs. What I am saying is that the outlook for our Nation and for the free world is at least as bright as any of us a decade ago had a right to expect it might be. In addition, it is quite apparent that we might have been in a radically different situation if Presidents Eisenhower and Kennedy had not been given the foreign policy tools to work with through congressional action on the program now before us.

In short, I do not think that those who have been most vocal in their opposition to foreign aid over the years will find their position vindicated by the current posture of the United States in the world.

In that connection, I should like to digress to say a word about a remarkable speech made yesterday in Frankfurt by the new Chancellor of Germany, Dr. Erhard. I had the privilege of hearing him. I was both surprised and gratified by the character and generosity of his comments about the alliance with this country and, more particularly, about the movement toward the unification and close cooperation of the countries of Western Europe with the United States. Dr. Erhard paid a strong tribute to the efforts, the expenditures, and the contributions made by this country to the revival of Western Europe. He also recognized the responsibilities of his country and the other countries which are members of the Common Market and of the NATO alliance. He acknowledged their responsibilties in connection with assistance to the underdeveloped countries, and particularly in sharing more equitably the burdens of their own defense.

I believe the speech of Dr. Erhard yesterday was extremely encouraging. It had direct relationship to the effectiveness of the Marshall plan which, of course, was the primary program in that area, or the initial program in the overall effort.

When we read, daily, of the criticisms and shortcomings of the foreign aid program, we should balance them by recognizing the great accomplishments that have already been made, especially in Western Europe, and also be glad that a man like Dr. Erhard, the new leader of one of the strongest nations in that area, has seen fit to make the statements to which I have referred. I hope every Senator will take the time to read Dr. Erhard's speech.

One thing is very clear, Mr. President, the world today is fundamentally different from the world we faced 15 years ago. There have been basic changes within the Communist bloc. Western Europe is a vital and prosperous area well able to play a much more important role in shaping the future of the non-Communist world. The underdeveloped areas of Asia, Africa and Latin America have moved great distances from their former obscurity and are wrestling with well-advertised and intractable problems. Everywhere we look—at every continent outside our own—we see the world in process of rapid transition. It seems obvious that the foreign policy tools needed a decade and a half ago are no longer the instruments which are best applied to the present world scene.

It is true that the foreign aid program has undergone considerable changes during its 15-year existence. But it is also clear that the pace of change has tended to lag behind events. I strongly believe the administration should give the most serious consideration to a profound reappraisal of the world situation now taking shape, and of the nature of the foreign policy tools which will be required to deal with the situation as it is developing.

While I tend to share the view of many Members of this body that at least portions of the foreign aid program are threatening to become obsolescent, I do not believe that we are yet in a position to take drastic action. There is far more danger in being precipitate than in tolerating temporarily a degree of obsolescence. I think we should be extremely mindful of the Clay Committee's admonition against abrupt cutbacks in the program. The very use of the term "phasing out" should inhibit any hasty dismantling of a structure which—despite its shortcomings—has amply served the national interest.

At the same time, I would urge the administration not to delay embarking upon a full-scale reexamination of foreign aid requirements before the next session of Congress, which is approaching at alarming speed.

I have some suggestions of my own to contribute to this process. But, before giving them, I must emphasize that these are strictly my personal views. I am speaking only for myself, not for other committee members. The report on the bill speaks for the committee.

First, I believe the time is approaching when we should separate the military component of the foreign aid program from the economic and other elements. Some while back, we succeeded in establishing the procedure whereby the foreign military assistance prorgam was reviewed in competition with our overall defense expenditures. There has long been merit in the more fundamental idea that military aid should be removed entirely from the foreign assistance legislation. I think the Foreign Relations Committee in the past has been reluctant to approve such a move, primarily because of fears that the military program would expand if considered in the context of the enormous Defense Department budget. However, I am now coming to the tentative position that the foreign aid program can no longer afford to carry this billion-dollar-plus burden.

My second point has to do with the general subject of development loans to the newly independent countries of the world. While I cannot pretend to any gift of prophecy, I suspect that within a relatively short period we shall be finding that a substantial number of underdeveloped countries will be unable to service or utilize efficiently many more large capital loans, even on highly flexible terms. Without in the slightest giving up on our long-term objective of assisting the underdeveloped nations toward economic growth and stability, it seems to me that a new tack will have to be taken by this country. I believe we should reduce substantially our bilateral development loan program, and look increasingly toward the international financial institutions for the provision of capital loans. Such a change should prove an inducement to other countries to increase their contributions to the international institutions, so that more funds would be available without an increase in the total cost to the United States.

In this connection, as loans become more difficult to service, and the likelihood of repayment diminishes, there will probably be an even greater necessity for close scrutiny of the underdeveloped economies. A good deal of pressure will have to be asserted in the direction of lending preconditions involving economic and social reforms and other highly unpopular steps. Our interests might best be served by letting the impersonal and efficient international institutions absorb the resentment which inevitably accompanies the imposition of discipline, while we maintain our relationships and pursue our objectives with the underdeveloped countries through other means. With this in mind, I believe we would do well to start paying much more attention to the International Development Association and the Inter-American Development Bank, as well as to the World Bank and the Monetary Fund.

These international institutions have now had sufficient experience so that I believe we can judge their efficiency with much greater assurance than we could have done 5 or 8 years ago. They have performed an extraordinarily fine service. Our need to wait for the results to become clearly evident was one of the reasons why this suggestion could not have been made with any assurance a few years ago. However, in view of their excellent record, I think the time has now come when it is appropriate to give consideration to this approach.

My third point grows out of the preceding one. It concerns the means through which we maintain our relationships and our presence within the underdeveloped world. Here, I think we should give priority attention to the development of the human resources which are increasingly being seen as the necessary precursors to meaningful economic development. It thus seems to me that we should maintain technical assistance programs comparable in nature to those now going on, but at reduced levels. At the same time, we should preserve and give even more weight to the various methods of providing educational assistance. Along with these two programs, I believe we can also rely upon the Peace Corps and our Public Law 480 programs to give evidence of our interest, to establish our presence, and to preserve a degree of influence over developments in the newly independent areas.

Finally, I believe we should provide the President with a sizable contingency fund, large enough to give him the ability to act with maximum effect in a critical situation, for it is obvious that any new approach which contemplates the elimination of supporting assistance and, in time, of soft development loans will place heavy pressures on the administration charged with executing such an approach. It is quite apparent that these pressures would probably be severe during the first transitional phase of any profound overhauling of the foreign aid program.

Mr. President, I have not offered these personal and very general recommendations for the future in any dogmatic spirit or with the belief that they will lead to a solution of all our problems with foreign aid. I am also well aware of the difficulties that would be experienced in efforts to give effect to such recommendations. However, I firmly believe that some such guidelines as these are prerequisites to a meaningful and fruitful change in our foreign assistance program, and I believe such a change must take place in the very near future.

Meanwhile, we must confront the foreign aid program as it stands. I think that our total congressional experience with the program leaves no room for doubt that we cannot tear up the blueprints before us and create a new structure on the floor of the Senate. Furthermore, I believe we might seriously jeopardize the national security if we were to slash deeply at the bill without reference to the existing framework, obligations, and objectives. There is also the compelling fact that substantial changes in the aid program have been made in recent times; and further changes have been carried out, consequent to the recommendations of the Clay Committee, which we have followed closely. I am personally persuaded that the reduced foreign aid program in roughly its present dimensions is currently a necessary element in our national security. As such, I believe it requires our support and final passage.

Mr. President, I am not normally given to employing military language in describing our foreign policy. However, in this case I believe we are now on the eve of marshaling our forces for a fresh attack on the problems confronting us in a very fluid period of world affairs. I do not believe that any commander worth his salt would pull the bulk of his forces out of the front lines in making his dispositions for a new assault. I believe that any large-scale departure from our present foreign aid arrangements at this time would pose unacceptable risks to our entire foreign policy position.

Mr. President, I yield the floor.

Mr. MORSE. Mr. President, we are starting one of the most historic debates that has occurred in my time in the Senate. The foreign aid bill which has been reported to the Senate by a voice vote from the Foreign Relations Committee of the Senate is not only a hodgepodge of meaningless compromises; it is also a body blow to the most vital defense weapon the American people possess; namely, their own economy.

It violates the oft-repeated professings of the Government of the United States that we support freedom around the world, and oppose tyranny and denial of self-government.

Enactment of the bill recommended by the Foreign Relations Committee would perpetuate the shocking waste and gross inefficiency which for years have characterized the administration of American foreign aid, both military and economic. The American taxpayers are being "rooked" by our worldwide-flung giveaway foreign aid program. They should rise up and hold to a political accounting any Members of Congress who votes for this bill.

This bill raises such serious monetary and foreign policy questions affecting the welfare of the American people that it must be debated in great detail, section by section and paragraph by paragraph. The welfare of our country calls for its rewriting here on the floor of the Senate.

The apologists for the bill in committee have given to the American people, in their committee report, a great deal of language about the need for future changes in our foreign aid program. But it has not produced those changes; as usual it has expressed pious hopes that the administrators of the program will make the necessary changes in foreign aid sometime in the future. This is the same old snow job that the committee for some years past has got away with. It must not be allowed to do it this year.

### UNFULFILLED RECOMMENDATIONS FOR CHANGES

Most of the committee report on this bill is a description of its provisions. But in three pages of "Committee Comments" there are briefly put down the many criticisms of foreign aid that were so strongly expressed in executive sessions of the committee.

When Members of the Senate are elevated to the high post of membership on the Foreign Relations Committee, they should be expected to have some measure of the courage of their convictions. Their convictions are outlined on pages 4, 5, and 6 of the committee report; but the committee has failed miserably to do its duty of writing those convictions into amendments recommended to the Senate.

What we have instead is a series of committee amendments that would produce another year of bloated, wasteful, uneconomic, and in many ways dangerous, American foreign aid. Almost every member of the committee has expressed the view that some part of the aid policy should be drastically changed. If the committee was unable to agree on what those changes should be, it should at at least have reduced the amounts available for expenditure.

But it did not even do that. Instead, it reported the bill to the Senate with amendments that would make it one of the largest foreign aid programs since 1954.

At the very opening of its "Committee Comments" the Foreign Relations Committee seeks to disown responsibility for the foreign aid bill, even though it is also recommending that $4.2 billion be spent on it. The committee report states:

> To a limited extent, the effectiveness of the foreign aid program depends upon the provisions of the legislation enacted by the Congress.

I pause to point out that Congress is rarely so self-effacing, and it surely would not be in this case were it not for the general and well-known uprising against foreign aid that is going on all over the country.

But the committee continues:

> Beyond the necessarily broad specifications of the law the success of the program depends upon the skill and sophistication, the judgment and farsightedness of those in the executive branch who administer the program. In this respect the enactment of the annual foreign aid bill is an act of faith in the wisdom of its executors.

There is the greatest instance of legislative buckpassing and irresponsibility that I have witnessed in 19 years in the Senate. The Foreign Relations Committee in those words is washing its hands of responsibility for foreign aid, except of course, for its endorsement of $4.2 billion to be spent on it.

The Constitution does not place Congress, nor the Senate, nor even the Foreign Relations Committee, on Capitol Hill to perform acts of faith in the executive branch. If that is all we are going to do here with this foreign aid bill, then we might better merely turn all the purse strings over to our friends downtown, and go home. We are doing no good here at all if we only perform acts of faith by giving administrators what they want to spend how they please, when at the same time we profess to oppose much of what is being done with the money.

As a member of the Foreign Relations Committee, I am ashamed of those words in the committee report. I do not intend to slough off my responsibilities that way. The success or failure of foreign aid and the foreign policies it is designed to achieve depends far more upon the skill, sophistication, judgment, and farsightedness of the Congress than it does upon all these qualities in its administrators. That foreign aid has been much of a failure as it has is really the fault of Congress. It is our fault because we have not done nearly enough nor gone nearly far enough to set forth the specific policies to govern its administration. It is we in Congress who provide the money; therefore, it is we in Congress who must set forth the way Federal funds are to be spent.

We cannot avoid being held to account for the success or failure of foreign aid, even if we do adopt the practice of the Foreign Relations Committee and decline to take a hand in correcting the abuses and mistakes we know to exist.

The committee report declares its disappointments in certain aspects of the program. It states:

> There have been instances of failure and inefficiency in the field, administrative and organization shortcomings, imbalances in the kinds and amounts of aid extended to certain countries, overgenerosity to some recipients and the neglect of other, more deserving recipients, the proliferation of aid programs—especially military aid programs—to an ever growing number of countries, and inexplicable delays in terminating assistance to countries which no longer need it or which have failed to make productive use of it.

I think that is a serious indictment of foreign aid. Yet Senators will find not one ironclad legislative proposal from the Foreign Relations Committee to correct these failures. The only major recommendation of the committee is for more money than was used last year.

The report states:

> The committee is less impressed with the case made by the executive branch for the maintenance of U.S. aid programs, even on a small scale, in virtually every underdeveloped

country in the free world and in a few developed or relatively developed countries.

But Senators will search in vain for any language proposed by the committee to correct this condition.

And again the report states:

> The committee sees little merit in aid programs whose sole or major justification is the maintenance of a U.S. "presence" or the demonstration of U.S. "interest."

After seeing little merit in such aid, the committee might be expected to put a stop to it, but no such thing. This report is an advisory opinion, not a program for carrying out one of the biggest expenditures made by the U.S. Government.

Again the committee report states:

> It (the committee) is equally unenthusiastic about aid programs, both military and economic, whose major purpose is to provide an alternative to Soviet bloc aid.

But the committee does not stop such aid.

Another committee conclusion is that aid extended through multilateral organizations is often more effective than bilateral aid because they can insist upon more conditions. But all the committee can do is ask the administration to give "careful consideration" to using the authority in section 205 whereby up to 10 percent of development loan funds may be lent to the International Development Association for relending.

Some of the committee's comments are directed to a justification of aid. It found some "significant improvements" in recent years, primarily the degree of concentration of aid in certain countries.

But the important finding was—

> The committee believes that major changes remain to be made in the foreign aid program.

Why did the committee not make them? That is the question that the report raises.

Continuing, the committee report states:

> In fact, the committee gave serious consideration to an amendment which would have terminated the program in its present form June 30, 1965, so that both the Congress and the administration could consider a major reorganization and reorientation of the program prior to that date. The committee refrained from adopting this amendment in the expectation, which it hopes will not prove unjustified, that the administration will submit a fiscal year 1965 program to Congress which has been revamped in major respects.

That is a nice expectation. That is an elegant form of "passing the buck." The way to revamp foreign aid is to revamp it. I am not too modest to point out that the amendment to which the committee report referred is my own. I ask unanimous consent to have it printed in the Record at this point.

There being no objection, the amendment was ordered to be printed in the Record, as follows:

> On page 8, between lines 17 and 18, insert the following:
>
> "Sec. 302. Chapter I of part III is amended by adding at the end thereof a new section as follows:
>
> " 'Sec. 620. (a) Prohibition on Furnishing of Assistance Subsequent to June 30, 1965.—Notwithstanding any other provision of this Act, no assistance shall be furnished pursuant to this Act to any country or area (or enterprise therein) subsequent to June 30, 1965 unless—
>
> " '(1) Such country or area has requested such assistance and can show that it is pursuing the following economic, political, and military policies:
>
> " '(A) That it (i) is seriously and continuously engaged in measures of helf-help, (ii) has taken appropriate steps to assure that its own private capital resources will be utilized within its own country or area, (iii) will encourage the development of the private enterprise sector of its own economy, (iv) has taken adequate steps, where appropriate and necessary, to bring about reforms in such fields as land distribution and taxation to enable its people fairly to share in the products of its development, and that the project or program for which economic aid is requested will contribute to the economic or social development of the country;
>
> " '(B) That it is promoting the maximum amount of individual freedom and is encouraging its people freely to choose their own government;
>
> " '(C) That it seeks to establish and maintain only such military force as may be adequate to prevent the internal overthrow of an elected government or to deter threatened external Communist attack;
>
> " '(2) The furnishing of such assistance is required by an irrevocable commitment made, or contractual obligation incurred, prior to the date of enactment of this section; or
>
> " '(3) In case of any such assistance extended in the form of loans, the interest rate thereon is not less than the average rate payable on obligations of the United States of comparable maturities.
>
> " '(b) The total number of countries or areas receiving assistance under this Act subsequent to June 30, 1965, shall not exceed fifty.' "

Mr. MORSE. Mr. President, adoption of this amendment would be a revamping of the foreign aid program. I think it would meet just about all the complaints the committee makes about foreign aid, except the complaint that not enough of our loan money is being channeled through international organizations. It would limit the number of countries receiving aid to 50 and would require them to demonstrate the value of the project, to show that their own capital was being usefully employed at home, show that it is taking steps to enable its people to join in economic progress, and show that it is not diverting resources into military adventures against its neighbors.

Some differences of opinion might be expressed within the committee as to the number of countries we are aiding at the present time. The figure of 107 has been discussed repeatedly in executive sessions but, depending upon how one would define "foreign aid," it is somewhere between 90 and 107. But 90 is too many; 80 is too many; 70 is too many. In my opinion we cannot justify more than 50. It is important to place the foreign aid program on such a footing that applicants come to us, and that we lay down the terms and conditions which must be met before we will spend the taxpayers' dollars for foreign aid in any country. The taxpayers are entitled to that protection.

One of the major criticisms I have against this aid bill is that Congress would fail, once more, to protect the legitimate rights of taxpayers with respect to a wise and efficient expenditure of their money. It was the clear duty of the Foreign Relations Committee this year, and it is the clear duty of Congress now, to revamp the foreign aid program so that the interests of taxpayers will be better protected than they will be if the bill recommended by the committee should become law.

It was said in the committee by a distinguished Senator, in his examination of various administration witnesses, that there are only eight countries this side of the Iron Curtain that are not receiving some form of foreign aid from the United States. I paraphrase him, but I believe accurately—and good naturedly, because he spoke good naturedly—when I say that he said on one occasion, "I am rather sure that if we do not do something about it, they will be getting it in another year."

For years we have been handing out the taxpayers' money as though it were only paper, instead of hard, cold, legal tender, and in many instances not getting a decent return on the money, but actually making things worse instead of better. It has been said many times that we do not buy friends with huge money gifts. Instead, we buy suspicion, distrust, and eventually enmity.

Mr. President, the people in the underdeveloped countries of the world tell us to our faces, when we engage in serious conversation with them, "We do not understand. We do not understand what you are hoping to get out of this." They do not realize that we believe in freedom, that we have been trying, on the basis of a dedicated interest in freedom, to really make them free. However, in instance after instance we have not been doing it effectively or efficiently; so we have lost a great deal of good will.

Then, too, they do not understand our professions about the loan program—many hundreds of millions of dollars loaned at three-quarters of 1 percent interest, when it is doubtful whether the interest covers the carrying cost of the so-called "loan," along with the 10-year grace period—when some of our allies make loans not at three-quarters of 1 percent interest but at 5 or 6 percent.

The Communist bloc nations, in connection with some of their loans, likewise charge a fair rate of interest.

Mr. President, the American people are saying, "Enough is enough. We have had it." The time has come to revamp the bill.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MORSE. I am glad to yield.

Mr. PROXMIRE. Is it or is it not true that Russia in its foreign aid program provides loans at a low interest rate, sometimes at 2 percent, sometimes less?

Mr. MORSE. As I recall the evidence before our committee, there is a program of great variation on the part of Russia. Some of her interest rates go up to 5 percent and 6 percent.

Mr. PROXMIRE. But they do have some interest rates which are very low?

**Mr. MORSE.** I believe that perhaps some Communist countries give money for nothing. That would not be a persuasive argument with me that we should do likewise.

**Mr. PROXMIRE.** I understand that. I am only trying to develop the facts so that I can understand the situation. The Senator makes a strong argument, which appeals to me very much, and I wish to know what the facts are. Is it also true that the provision in the foreign aid bill this year is somewhat more strict than the provision of last year, inasmuch as it would provide for three-fourths of 1 percent interest for a 5-year period?

**Mr. MORSE.** Which was opposed by the administration.

**Mr. PROXMIRE.** With no payment on the principal in the first 5 years?

**Mr. MORSE.** With some modification of it over the 10-year grace period. Do not forget that the spokesmen for the administration testified against any change in interest rates.

**Mr. PROXMIRE.** Is it the information of the Senator from Oregon that some of this money is reloaned to persons within the country at higher interest rates?

**Mr. MORSE.** I believe the record is a little fuzzy on that point. I am not asking for a higher interest rate because the money may be reloaned. I am not going to interfere with rights of sovereignty, once a country gets the money. I merely say we have a duty to determine the terms and the conditions under which it is to receive the money.

As this debate continues in the next 2 or 3 weeks, there will be a considerably detailed discussion of the various proposals which, in my opinion, would amount to an attempt on our part to intervene economically in the affairs of other countries.

I am as much opposed to that as I am to military intervention, but I strongly support our laying down the terms and conditions that applicants must meet to get a loan, just as the Senator from Wisconsin and I have had the experience of going through. I will strike out the reference to the Senator from Wisconsin, because perhaps he has not had to do this, but over the years I have had to meet terms and conditions as I have tried to get loans. I have either met them or I have not received the loans. So far as I am concerned, this is only one aspect, but this aspect involves what I consider to be a duty on the part of the Congress to revamp the terms and conditions that have been applied in the past and are still being applied by the State Department in making funds available to the recipients of foreign aid.

**Mr. PROXMIRE.** Has the Senator made any calculation of the degree of the subsidy involved? It is my understanding that the Government pays 4 percent on its money at the present time——

**Mr. MORSE.** I do not think it is 4 percent yet. I think it is 3 point something.

**Mr. PROXMIRE.** It is close to 4 percent. It depends on the period of the loan. Certainly, 30- or 35-year money comes close to 4 percent. Possibly it would be more.

At any rate, what I am trying to get at is whether there is any arithmetical analysis of what such loans amount to in terms of subsidy.

**Mr. MORSE.** I do not have those figures, but I shall be glad to furnish them.

**Mr. PROXMIRE.** Such figures would be interesting. In looking at such loans, if a program involves repayment over many years, the interest costs are often startlingly high.

**Mr. MORSE.** That is correct. That is why the amendment I have offered would have required a revamping of the fiscal policies we are to follow in our relations with applicants. If the amendment were adopted, at the end of 1965, an applicant would have to follow those procedures if he sought a loan or a grant.

Let me say again, because the issue will arise again and again in the course of the debate, that I am not seeking an end to grants. I am seeking an end to most of them. I am seeking to change the ratio of grants to loans, so that the major expenditures will be in the form of loans and not grants.

In the early 1950's, when foreign aid appropriations were at their peak, the ratio of grants to loans was about 94 to 6 percent.

**Mr. PROXMIRE.** Ninety-four percent grant money.

**Mr. MORSE.** Ninety-four percent grant money.

The figures may be off a percentage point or 2, but in recent years they have been in the neighborhood of 60 or 64 percent grants, and the rest in loans. The ratio should be reversed. We should give consideration to whether or not we could have a good foreign aid program with 75 percent loans and 25 percent grants.

There will have to be various grant programs for such humanitarian purposes as food for the starving, malaria control, assistance for education, and all such programs that go specifically to the protection of human values. This great humanitarian Nation is not going to stop carrying out moral principles. We have been providing grants for services which ought to be based on loans, instead of grants.

**Mr. FULBRIGHT.** Mr. President, will the Senator yield on that point?

**Mr. MORSE.** I yield.

**Mr. FULBRIGHT.** Merely for the record—I do not wish to disturb the Senator's argument—there was testimony in the hearing relating to this point. I think the Senator said 60 percent of the funds were for grants.

**Mr. MORSE.** Last year.

**Mr. FULBRIGHT.** The testimony appears in the House hearings on this particular point. Mr. Bell was testifying:

> Mr. Berry. With regard to our aid, which is nearly in the form of loans, now, isn't it?
>
> Mr. Bell. I think the figure is over 60 percent, Mr. Berry.
>
> Mr. Berry. In the form of loans?
>
> Mr. Bell. Yes, sir.
>
> Mr. Berry. On the other 40 percent——
>
> Mr. Bell. A large part of the other 40 percent is the technical assistance which we give, in which we provide technicians. We pay their salaries and travel expenses and so on.

I point out that much of that grant goes to international agencies, such as UNICEF, in the United Nations.

**Mr. MORSE.** Yes; but the figures the Senator has just pointed out were challenged. Mr. Bell's figures were challenged from the standpoint of definition. What he calls loans, in my judgment, to the tune of hundreds of millions of dollars, are not loans at all. They are huge subsidies. Merely saying that something is a loan does not make it a loan. In my judgment, a so-called loan at three-quarters of 1 percent, with a 10-year grace period, is not a loan at all. Mr. Bell can call it a loan, but if anything is collected, all that is collected is a part of the service charge for shuffling the papers in connection with that grant.

That is a part of the problem in connection with the foreign aid program. There is a pattern of dogmas; and there are many people in the Department swallowing those dogmas. When Mr. Bell takes the witness stand and says the transactions are loans, it does not make them loans. He should show what the taxpayer gets out of it. The fact is that it is not very much.

I also point out that he was talking about economic aid, not the foreign aid program as a whole. That is what I am talking about. Take a look at military aid, to the tune of many hundreds of millions of dollars. The overwhelming percentage is grant, not loan. The overall foreign aid program is still substantially a grant program, and not a loan program. Take a look at the definition and then determine what it costs the American taxpayers.

**Mr. PROXMIRE.** Mr. President, will the Senator yield?

**Mr. MORSE.** I yield.

**Mr. PROXMIRE.** The Senator has taken the position that we recognize the necessity for a substantial grant program, but that the grant program has been too big in the past and should be reduced.

Does the Senator also argue that, from the standpoint of efficiency and the effectivenss of this money, it is likely to be used more efficiently and honestly if there is a loan program—a fairly hardheaded loan program—under which people are required to account for the money and make some kind of program and plans for repaying the money?

**Mr. MORSE.** I agree.

**Mr. PROXMIRE.** And if they are able to secure funds only if they find there is a sound, workable, economic opportunity available?

**Mr. MORSE.** That is a part of the position I take. I shall detail that theme in subsequent speeches. Suffice it to say now that I favor loans in the field of foreign aid. I think the administration of these loans ought to be handled through lending agencies such as the Inter-American Bank, of which I have always been an ardent advocate, and other lending agencies that may be created.

I am also a project-by-project man and a government-by-government man. I look askance at a system under which the U.S. Government hands over money to government X, for example. I want to see a revamping of our program so that if a country wants a railroad, a road, or a harbor, the country makes an application for a loan in relation to that project, and the money is not merely handed over, but will be made available as progress is made on the construction of these projects.

We have had pretty good experience as to how the program works in this country, have we not?

Mr. PROXMIRE. I agree.

Is it not true that less graft and dishonesty may result where that kind of arrangement is in effect? We recognize that in many countries there must be grant programs, because it is the only kind they can have.

Mr. MORSE. I could not raise my right hand and swear and take the witness stand and give proof of a great deal of graft and dishonesty. It has not been in my province in investigations to seek such evidence.

Mr. PROXMIRE. I believe that is correct.

Mr. MORSE. All I can give the Senator is what has been reported to us, even by Government witnesses, from time to time, as well as by other qualified people who have had sad experiences in various parts of the world in connection with governmental dishonesty, corruption, and graft. Therefore, I give my impression as a member of the Committee on Foreign Relations. My impression is that there has been entirely too much of it, and we will not stop it until we revamp the terms and conditions and policies which shall prevail in connection with making American taxpayer money available for the so-called foreign aid program.

Mr. PROXMIRE. I believe the Senator has made an excellent answer. I should like to modify the implications of my question by agreeing that there has probably not been a great amount of graft or stealing. There has been some, and it has been proved or stipulated by authorities, but there has not been very much. I believe it is true that there has been a great amount of waste and inefficiency in connection with projects which have not worked out, projects which were not needed, and which, on the basis of careful analysis would probably have never been made if they had been required to be made on a hardheaded loan basis.

I find the Senator's argument persuasive, and I am delighted that he has made it.

Mr. FULBRIGHT. Mr. President, before the Senator from Oregon resumes his prepared speech, will he yield to me for a moment?

Mr. MORSE. I am glad to yield to the Senator from Arkansas.

Mr. FULBRIGHT. Of course, I am very glad to have the Senator explain his point of view on the bill. However, to say that loans are not loans completely negates the idea of an understanding or explanation of the situation. The Senator says the fact that Mr. Bell or the administration calls them loans does not make them loans. I agree. Even if the Senator from Oregon says something, his saying it does not make it so. However, what are the facts? The facts are that as to the loans, the principal is repayable, regardless of whether or not interest is collected on them. The Senator says that a three-quarters of 1 percent interest rate does not make a loan a loan. I do not know, then, what a loan is. If there is an undertaking to repay the principal on a certain date, I do not understand that that is not a loan. It is not a bankable loan. It was not set up in order to make money. It was never intended to be, in the foreign aid bill. I do not pretend it to be, and no one else does.

It is not like loans from the International Bank for Reconstruction and Development. They are not set up in that fashion. However, they are loans, as distinguished from the grants that were made under the Marshall plan, when there was no expectation of having a repayment of the principal.

If all that the Senator is arguing is that the interest rate is too low, that is another matter. However, when the Senator says that calling them loans does not make them loans, I become completely lost. I do not know how we are going to enlighten the public by that kind of argument. What does the Senator call an undertaking by a company in South America or elsewhere to pay back an amount of money in 35 years at a low rate of interest? What does the Senator call it, if it is not a loan?

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## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill—H.R. 6500—to authorize certain construction at military installations, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON, Mr. RIVERS of South Carolina, Mr. PHILBIN, Mr. HÉBERT, Mr. ARENDS, Mr. NORBLAD, and Mr. BATES were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a joint resolution—House Joint Resolution 782—making continuing appropriations for the fiscal year 1964, and for other purposes, in which it requested the concurrence of the Senate.

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## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill—H.R. 7885—to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. FULBRIGHT. Mr. President, may I ask if the message from the House on continuing appropriations applies to the foreign aid program. Is that what the message refers to?

The PRESIDING OFFICER. The Chair does not understand that the Senator's inquiry is a proper parliamentary inquiry.

Mr. FULBRIGHT. I withdraw it.

Mr. MORSE. If it were, it could not come at a more auspicious time, and could not be a better example of serving notice on the American people that they had better direct all their attention for the time being upon the politicians whom they have elected to Congress, to hold them to an accounting as to whether or not they will support this continuing waste of taxpayer money.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MORSE. I would like to answer the Senator from Arkansas in a moment, but I yield to the Senator from Vermont.

Mr. AIKEN. I wonder whether the Senator would not agree that the time has come when we should stop adopting continuing resolutions and get busy on deciding whether we shall pass appropriation bills.

Mr. MORSE. I could not agree more with the Senator.

Mr. AIKEN. It seems that we are overworking the continuing resolution procedure and postponing the facing of issues.

Mr. MORSE. The American people ought to be told that if we do not pass a foreign aid bill until next February, it will not have any detrimental effect on the interests of the United States in the whole field of foreign policy.

The matter can go over until the entire bill is revamped. The idea that we are faced with a mad emergency situation requiring immediate legislation is an old game. The American people should prepare for a great barrage of scarecrow headlines about crisis after crisis, and as to what will happen unless Congress passes the foreign aid bill demanded by the administration. I have seen that happen year after year. There is a terrific lobby that will waste a great amount of paper designed to scare the American people into bringing pressure upon those of us who will not knuckle under and agree with the Pentagon, the State Department, the CIA, and the White House. The American people should get ready for it. It will be a terrific campaign.

Now I wish to reply to my good friend from Arkansas. I do not believe I need tell him that I am pained to find myself in such complete disagreement with him on the pending bill, because usually the Senator from Arkansas and I are not in disagreement. I shall later, in my manuscript show that I am not raising any question as to the sincerity, loyalty, or dedication of the proponents of the bill. I merely cannot understand their lapse of good judgment. I believe they are completely wrong. That is why I am not a party to their proposal in connection with the pending bill.

I want to go back to the argument that merely calling something a loan does not make it a loan. I wish to tell the Senator from Arkansas my fear. He should prepare for the fact that many hundreds of millions of dollars of such loans will never be collected, and no serious attempt will ever be made to collect them. I am not interested in what label is put on the so-called loans. The fact is that in my judgment a large percentage of the so-called loans will never be paid back. One excuse after another will be given for not pressing a poor country, to collect the loan, because of a crisis that has arisen in that country.

The fact that we put the label "loan" on it does not make it a loan; nor does it mean that the taxpayers will ever get any of the money back.

The committee goes on to say:

> Specifically, the committee believes that countries which can take care of themselves should be eliminated from the program, that even more selectivity among countries should be introduced, and that prompt and serious consideration should be given to a greatly increased utilization of multilateral agencies, such as the International Bank for Reconstruction and Development, and its subsidiaries, notably the International Development Association.

When a congressional committee reports such a belief, it surely owes a duty to Congress and to the American people to act on those beliefs.

The time has come for the Senate to make clear to the Committee on Foreign Relations that it has had enough of its promises, and that it is going to rewrite the bill on the floor of the Senate.

I wish to advise the Senate that within the Foreign Relations Committee there is far from unanimity on the bill. Unfortunately, the usual legislative rationalizations that so frequently rear their heads in committees at the time of the markup of major legislation were urged in the Committee on Foreign Relations again this year and produced this unsound bill.

Every Senator knows the line of rationalization to which I refer. The arguments always are about like this:

> The House has already reported a bill with a much smaller amount. Therefore, we must recommend a bill with really more than we think should pass, in order to compromise with the House in conference.

As I have always said to the Senate, such a rationalization is nothing but intellectual dishonesty. It is a form of deception. It is not good faith conduct.

Senate committees owe the obligation to the Senate and the American people to report the Senate proposed legislation that they believe to be sound, not unsound, and authorization requests that they believe to be justified, not excessive.

Senate committees cannot justify recommending legislation that they know contains many bad features, but which is being sent to the Senate for the purpose of legislative jockeying with the House. When a committee acts on that premise, one never can be sure how much jockeying is going on among Members within the committee itself, in order to get other Members to support the compromising technique and, thereby, report to the Senate sections of a bill that some members of the committee hope will remain in the bill. The arguments of expedience are used in committee to seduce others to vote to report the bill to the Senate on the basis of the rationalization that the section will be dropped out in conference anyway.

Time and time again in my years in the Senate, I have seen bills come to the floor of the Senate with sections that have been adopted in committee on the basis of such motivations, only to find that they remained in the bill on the floor of the Senate and remained in the bill after conference. The Senate as a whole should rebel against this type of committee markup action. In my opinion, this foreign aid bill is honeycombed with such action.

A second argument made within a committee is that Senators should agree to report a bill even though they disagree with many parts of it, because they can reserve the right to offer amendments on the floor of the Senate. Of course, as we all know, every Senator has that right anyway, but he should never lend himself to voting to report a bill to the Senate when he knows that there are in the bill major features with which he does not agree. If Senators would stop the practice of agreeing to report a bill to the Senate in order to accommodate other Senators who want to get some bill before the Senate, and instead would insist on registering their vote in committee against the bill, a reform would be brought about that would do more to improve the legislative process in the Senate than all the other Senate reforms that are being proposed these days.

The place where a serious breakdown occurs in the legislative process of the Senate is within the committees themselves, at the time of the markup of bills. It is there that the bad compromises are agreed to, and many Senators who enter into those compromises try to rationalize a vote to report a bill to the Senate with the unsound argument that they reserved the right to support amendments to the bill on the floor of the Senate. They cannot justify shuffling off their legislative responsibilities that way. They owe it to their constituents to vote against any bill in committee that, in their judgment, contains major defects.

Do not tell me that if every Senator would take that position the legislative process would bog down and little or no legislation would be reported to the Senate. That argument is nonsense. To the contrary, if Senators would stop passing the legislative buck in committee at the time of the markup of a bill and insist that only bills which a majority of the committee believes are sound shall be reported to the floor of the Senate, the quality of legislation would be greatly improved.

Furthermore, it is not necessary to report a bill to the Senate with a favorable report. If a committee becomes deadlocked over an item in a bill, it can and should report a measure to the floor of the Senate accompanied by an adverse report of the committee. In my judgment, that is the kind of report that should have accompanied this foreign aid bill.

The committee held extensive hearings on the bill. It spent a long time on the markup of the bill. There was much opposition within the committee to section after section of the bill. In my opinion, the bill does not, in fact, represent a consensus of approval of a majority of the members of the committee. Individual members of the Committee on Foreign Relations can tell us how much they disagree with this or that section of the bill. But the committee itself did nothing about them. At the very least, the committee should have reported the bill to the Senate with a detailed statement which would have added up to an adverse report, setting forth the adverse opinions of committee member after committee member, totaling, in my judgment, well over a majority, to various sections of the bill.

Let us face it. The bill is the product of many powerful pressures. Some of those pressures are partisan.

This foreign aid bill, even with such feeble and inadequate changes as have been made in committee, is still the administration's foreign aid bill. There are those partisans who seem to think that unless Democrats go along with the bill, in some way, somehow they will become disloyal to the administration and the Democratic Party. That is more nonsense.

In my judgment, each of us, irrespective of our party responsibility, owes the obligation to our constituents to exercise an honest independence of judgment on the merits or demerits of the bill, testing the bill against the facts as we find them and by where the public interest lies. Such analysis shows that the bill is not in the best interests of the taxpayers and of the country.

The bill is the product of powerful administration lobbying. The State Department, the Pentagon, CIA, AID, the White House, business groups, and labor unions have been turning on the political heat for months, seeking to ram the major features of the bill through Congress. It is my view that partisan considerations have no place in a congressional consideration of what our foreign aid program should be.

No Democrat can justify voting for the bill on the grounds that party loyalty calls for such a vote because it is an administration bill. Rather, party loyalty calls upon him to vote only for a bill which, in his opinion, is in the best interests of his country, because only then will the bill be in the best interests of his party.

The same goes for the Republicans. No Republican can justify voting against this bill simply because its main features constitute a Democratic administration bill. He, too, has the same obligation to the Republican Party of voting only for a bill which, in his opinion, will promote the best interests of his country, because only such a bill would be in the best interests of the Republican Party.

In the course of this debate, we who are opposed to the bill will bring our case against the bill based on the major premise that the bill is against the best interests of our country from the standpoint of many domestic and foreign policy issues.

The amendment reported by the committee should never go to conference. The bill should be rewritten on the floor of the Senate, with the Senate acting as a committee of the whole, because, in my judgment, the Committee on Foreign Relations has failed the Senate in reporting such an unsound bill to the Senate.

In spite of the powerful lobbies, governmental and nongovernmental, which have been flooding the country with their support of the main features of this bill, I am satisfied that an overwhelming majority of the American people are already fed up with the waste, maladministration, and unsound foreign policies of many features of the bill. Their numbers will increase in landslide proportions once the people of our country, as a whole, realize how they are being taken for an economic ride by the foreign aid program. We have already poured into it, since 1946, more than $100 billion. We have already given more than $41 billion of aid to Europe. We have been taken for more than $9 billion by France, and we are now collecting our dividend from France in the form of De Gaulle's anti-American, nationalistic program.

The American people are not only fed up with the foreign aid program; they are also preparing to react against it at the citadel of American freedom—the voting booth.

Let me make clear that I do not question the loyalty to party or country of those who support the bill; but I do disagree with their judgment. I disagree with many of their interpretations of history and with their evalution of facts. In many respects they have allowed themselves to assume that the sound reasons that existed for foreign aid at the time of the historical, courageous stand of President Harry Truman, when he enunciated the Greece-Turkey Truman Doctrine; at the time of the adoption of the Marshall plan, which saved all Europe from communism; and at that time of the ratification of the NATO Treaty in 1949 are reasons which continue today and, therefore, justify the bill. It is the position of many of us who oppose the bill that those sound reasons for foreign aid of the era of the Truman Doctrine, the Marshall plan and the first years of NATO no longer exist. Foreign aid of today bears no resemblance in either cause or effect to the justification of foreign aid in the late 1940's and early 1950's. We propose to prove it as this debate progresses.

Mr. HOLLAND. Mr. President, at this point will the Senator from Oregon yield?

The PRESIDING OFFICER (Mr. McIntyre in the chair). Does the Senator from Oregon yield to the Senator from Florida?

Mr. MORSE. I yield.

Mr. HOLLAND. There is much substance to many of the statements made by the Senator from Oregon in regard to our foreign aid program in many places; but I wonder whether he also directs his statements to the situation in the Western Hemisphere. Inasmuch as we did so little for Latin America for so long, and inasmuch as we also know that Latin America is in a very confused and unstable condition, let me ask whether the Senator from Oregon believes that perhaps a different rule might apply to Latin America and to our dealings with the countries of Latin America, as compared with the rule applying to our dealings with other parts of the world.

Mr. MORSE. I favor providing to the countries of Latin America much more economic aid, under the terms I have already stated in the course of this speech; but I would propose that we extend much less military aid to Latin America—for reasons which I shall state during the next few days, in connection with the debate on the bill. I am not opposed to all foreign aid, but I am opposed to this foreign aid bill. I favor foregin aid which will be so devised that it will protect the interests of our country. However, in my judgment this bill would harm the interests of the United States, just as the administration of foreign aid in the past several years has harmed the interests of our country.

During the executive session of the committee, it was interesting to hear Senators, who apparently have gone along with the bill in order to get it to the floor of the Senate, berate the inefficiency of the administration in connection with our foreign aid around the globe, including the Western Hemisphere, and tell about the terrific waste of the personnel of foreign aid. I say frankly to the Senate that members of the committee expressed great concern about the lack of justification for all the personnel now being used in the administration of foreign aid; and I do not think I am guilty of an overstatement when I say that many Senators thought the personnel of foreign aid could be reduced at least 30 percent, and some Senators thought it could be reduced 50 percent.

Mr. President, Senators cannot pass that buck to the Kennedy administration. If that feeling exists, and if the facts support that feeling—and I am satisfied that they do, we have a clear duty to rewrite the bill during the next 3 weeks on the floor of the Senate. In my judgment, it will require that length of time to accomplish that task. I do not know of anything more important to the welfare of the United States than to stop the shocking waste and inefficient policies of our foreign aid program—some economic and some military—that are jeopardizing the best interests of the United States in many parts of the world.

Before I conclude my speech, I shall make some references to the problem in the Western Hemisphere and to some of the things which I think we need to do in order to have a better aid program.

Mr. HOLLAND. Mr. President, will the Senator from Oregon yield further to me?

Mr. MORSE. I yield.

Mr. HOLLAND. I am not in any sense finding fault with the Senator's statement with reference to our aid to other areas.

Mr. MORSE. I understand that.

Mr. HOLLAND. And not even with reference to his statements about our aid to the countries of the Western Hemisphere. However, it seems to me that there is a much more intimate relationship between our country and our Western Hemisphere neighbors than the relationship between the United States and the rest of the world. Also, we know firsthand about the confusion and the instability which exist in Latin America, and we also know firsthand about the good results which have come from numerous specific things we have done there. For example; I think of the Inter-American Highway. I believe we have had great good from it, and that the nations traversed by it have come into much closer cooperation with each other. I see the gap existing from the Canal through the central part of Colombia and through the Darien Isthmus, and beyond, which I think needs some attention.

From my own observation and travel, I can find various places where material things can be done, which will be of great advantage to those countries, and of some advantage to the United States; and I believe they will be productive of specific, longtime, favorable results. Those are the kinds of things I have in mind when I suggest that we can do many worthwhile things in Latin America if we find the way to do them to the best advantage.

So I hope the distinguished Senator from Oregon, the chairman of the Foreign Relations Committee's subcommittee which deals with Latin America, will, in this speech or in later speeches, deal rather specifically with that subject. For a long time I have felt that we have had a much more fertile field for well directed and well performed foreign aid there than in any other place in the world.

I thank the Senator from Oregon for yielding to me.

Mr. MORSE. Mr. President, I agree with the Senator's outline of objectives which he has given the Senate. I am in complete agreement. Before this debate is over, I shall discuss the Latin American situation. We have accomplished some good there; but I am afraid that when we consider our program in Latin America in its totality, we find that we have caused more harm than good, to date. It is sad to have that belief, but in my opinion that is the actual situation. That situation exists because we are doing such a poor job in administering the foreign aid program in Latin America. So much of the program has been based on a government-to-government relationship, rather than on a project-to-project relationship; and much of our program has strengthened antifreedom forces in Latin America. We have permitted the oligarchs there to dig in, whereas they should be participating with us in investing their earnings in the economic future of Latin America. We have frightened a good many of the democratic leaders of Latin America; and many of the governmental leaders there are greatly concerned about what we are doing in Latin America that is making it more difficult for them to defend the cause of freedom.

On Friday, I sent by page to the Secretary of State a confidential message reporting on what a very high official of a Latin American country told me; and his statement added up to a complete disagreement with U.S. policy. He is one of the great democrats in all Latin America. Before I finish my speech today, I shall deal indirectly with some of the charges he made.

I am pleading for a strengthening of the Alliance for Progress program; but if we do not revamp and rewrite this bill on the floor of the Senate, the program will increase the problems of the United

States in Latin America, rather than diminish them. In my judgment, the program called for by the bill as it now stands would be welcomed by Communist influences in Latin America. I believe that the bill as it now stands would strengthen the forces against freedom in Latin America.

I speak soberly and solemnly when I utter those words. In my judgment, the proposed foreign aid program is not the way to win freedom in Latin America.

It is essential that this be a lengthy debate, because the Foreign Relations Committee has made is necessary to turn the Chamber of the Senate into a great educational assembly hall to be used for the dissemination of information to the American people about the many weaknesses and failures and unsound policies of the foreign aid program.

We think it is important that the Senate be given an opportunity to consider thoroughly each item in this bill. We think it imperative that the American people be informed about this bill so that when they come to cast their votes as jurors, they will be voting on the basis of an enlightened understanding of the great harm that is being done our country by our foreign aid program as it now operates.

Therefore, we have notified the leadership of the Senate most respectfully that we will not agree to any unanimous-consent agreement calling for any time limitation on debate in connection with any amendment to this bill or on the bill, itself. We shall, of course, reconsider our position on this procedural matter if later on in the debate we become convinced that there has been full and adequate discussion of any amendment or of the bill itself.

I wish to make our procedural position very clear. What we are saying to the Senate is that we shall object to any unanimous-consent agreement proposal that seeks in advance of debate on any amendment or on the bill to limit the time for debate on that amendment or on the bill, and to fix a time certain to vote. We will never grant that agreement. We are going to insist on full debate in advance of any agreement. Whenever we become convinced that there has been adequate time to express our opposition to an amendment or to the bill, then, as I have told the majority leader, we shall be glad to sit down with him and see if we can arrive at terms and conditions for further limitation on the amendment, and in order to accommodate our colleagues, as a matter of convenience, fix a time to vote on that amendment. Frequent use of unanimous-consent agreements has had a very sad and detrimental effect upon the debating process in the Senate. The people who elected us to office have a right to expect us to be present during the course of debate.

They have a right to expect us to make whatever contribution we can to the substantive matter under debate.

The Senate is not merely a voting chamber. Our forefathers did not establish the Senate solely as a meeting place for Senators to come, before the roll is called, to cast their vote. In my judgment, that growing practice has polluted the stream of the legislative process in this body. That is why some of us, for some time, have tried to slow down the tendency in the Senate to act only under unanimous-consent agreements which fix a time certain to vote. We know what happens. With such an agreement, Senators are conspicuous by their absence.

That is why some of us who are interested in Senate procedural reform believe that committees, as a general rule, should not be allowed to meet while the Senate is in session. However, each Senator has the right to try to obtain such an agreement if he can. But we also have a right to prevent it; and as far as this issue is concerned, there will not be any such unanimous-consent agreement—and the majority leader knows it. He is our leader, too. Out of consideration for our rights I have no doubt that he will see to it that no such agreement is entered into in the absence of opponents of the bill.

However, those of us who take this position hold to the point of view that the subject matter of foreign aid is so vital to the welfare of the American people and the future of our country that we must insist that no restriction be placed upon full debate to the time that we are satisfied there has been full debate.

We have no intention whatsoever in engaging in a filibuster or in any prolonged debate tactic aimed at talking any section of this bill or the bill, itself, to death. However, we do intend to speak at whatever length is necessary to make the historical record that we think must be made for future reference and for the consideration of the American people who, I repeat, are going to cast the final vote on this subject matter.

### CHOICES OPEN TO SENATE

Because its committee has failed to do the job needed to make sense out of foreign aid, it will be up to the Senate to do the job. The Senate has several alternatives open to it.

It could reject all the amendments of the Foreign Relations Committee. They are primarily amendments adding $700 million on to the House-passed bill. Certainly if neither the committee nor the Senate wants to undertake a substantial rewriting job, the best thing to do is simply cut down the sums to be spent. We can do that by accepting the House bill. The House bill is not good in all its details; it could be perfected. But it is, in my opinion, much better than the committee recommendation, if for no other reason than it makes meaningful reductions in the amount available.

The group met last Friday. There were many who could not be present at that time—they were away or had other commitments, but gave assurance they would be with us at subsequent meetings to consider opposition to the bill. There was at the Friday meeting an expression of point of view on the part of several Senators that we should seek to substitute the House bill for the Senate committee version.

I would much prefer that we come to grips with all facets of the foreign aid problem and rewrite the bill in the Chamber. I hope that course of action will be followed, but if I should find myself in some kind of parliamentary box, where I would have to make a choice between the Senate committee amendment or the House bill, I shall vote for the House bill. It may very well be that in the course of time such a substitute proposal will be made.

A second path open to the Senate is to turn the Senate into a Committee of the Whole and rewrite the bill here on the floor. We will have enough amendments offered to do that. There is no lack of guidance as to how the bill should be written. We need only look at the committee report, and then translate the committee's criticisms into law.

The committee report is a devastating attack upon the foreign aid program. The truth is that the committee itself points the way to a revamping of the Senate bill. The sad fact is that the committee did not do its job. On the basis of the committee's own criticisms of foreign aid, it should have brought an entirely different bill to the Senate.

On the basis of the committee's own criticisms of foreign aid, I am at a loss to understand why it believes the Senate can justify passing the bill the committee has brought to the Senate.

On the basis of the committee's own criticisms of foreign aid, the committee should have at least reported the bill to the Senate adversely.

Mr. PROXMIRE. Mr. President, will the Senator yield on that point?

Mr. MORSE. I yield.

Mr. PROXMIRE. I believe the Senator has referred to page 5 of the committee report:

> Specifically, the committee believes that countries which can take care of themselves should be eliminated from the program, that even more selectivity among countries should be introduced, and that prompt and serious consideration should be given to a greatly increased utilization of multilateral agencies, such as the International Bank for Reconstruction and Development and its subsidiaries, notably the International Development Association.

I ask the Senator from Oregon if the countries that can take care of themselves have been eliminated from the program. If so, which countries are they, and what savings have been involved in their elimination?

Mr. MORSE. The answer is simple. The answer is no. On the basis of the criticisms of the committee, the committee should have given the Senate the benefit of its recommendations as to what countries could be eliminated.

Mr. PROXMIRE. There are countries, however, which can take care of themselves.

It is my understanding that Chester Bowles—a great administration champion of the foreign aid program a former Governor, Administrator, and Ambassador—made the statement many months ago that there were some countries in which the foreign aid program, or economic assistance program, was wasteful. As I recall, there were a number of such countries which could not take care of themselves, but which were not ready for aid. They could use the Peace Corps and food for peace, or they could use some kind of aid of that kind, which is not included in the bill, as I understand. I wonder whether any countries in such status have been eliminated from the program.

**Mr. MORSE.** The administration would point out that they are not giving a gread deal of aid to countries X, Y, and Z, but they are giving aid, as I have said earlier in my speech, to some 107 countries. That is ridiculous and absurd; an unjustifiable expenditure of the taxpayers' money, which is being poured into 107 countries around the globe.

The committee had a duty, in my judgment, to bring to the Senate a bill cut down in amount, a bill cut down in the number of countries to receive aid, and a bill cut down in a good many other respects, as the amendments which I shall be offering from day to day will show.

**Mr. PROXMIRE.** I should like to ask the Senator to go back to a point made previously, that we still have a program which involves heavily subsidized loans. They are subsidized in the sense that the interest rates are far below what the Federal Government has to pay for the money it borrows to loan again.

I wonder whether the Senator can inform the Senate as to whether our allied countries have made loans of this kind. It is my understanding, according to the committee report, that $2 billion is the total of all aid from other industrialized countries, in net expenditures.

I am wondering if countries that are on our side have made loans at low subsidized rates or if their rates are generally higher.

**Mr. MORSE.** As the Senator knows, I always have to be very careful about the accuracy of statements I make. If I make an inaccurate statement, it is only because I am acting on the basis of information made available to me from what I consider to be reliable sources. I am not going to "curbstone" on the information to which the Senator has referred. I will give the Senator my opinion on what the general policy is. The general policy is that few, if any, countries make loans on such easy terms as we do. The easiest terms are usually available only to former colonies, where strong investment and financial ties with the lending country remain. I shall try to obtain more specific information for the Senator.

**Mr. PROXMIRE.** I appreciate that. Another part of the committee report indicates that we should do everything in our power to persuade our prosperous allied countries to do far more than they have done in the past to provide a foreign aid program. We recognize that the growth rate of many of those countries is greater than ours, in proportion to their gross national product.

I wonder if there is any provision of any kind in the bill to bring that purpose about, or if any effort of any kind has been made to require or stipulate a greater participation by our allied countries.

**Mr. MORSE.** A pat on the wrist and support of the Morse amendment by the statement that if the administration does not do something by the end of fiscal 1965, Congress ought to do something. It is the same old "come along" and seductive argument that we have been faced with for years.

For years we have known that this program ought to be modified. The American people have had the carrot with the foreign aid stick held out in front of them to bring them along in support of a foreign aid bill. In my judgment, that kind of legislative and executive hypocrisy ought to stop, and we ought to make corrections here and now.

The press this morning reports that the Secretary of State and Mr. Erhard, of West Germany, apparently are in agreement that there ought to be a great strengthening of NATO. Who is going to pay the bill? I have heard that kind of tommyrot before. That is the kind of propaganda I was talking about earlier this afternoon when I said to the American people, "Be on your guard. The Secretary of State, the Secretary of Defense, and one administration official after another will try to scare you out of your clothes in the next few days by dire predictions of what is likely to happen if your representatives in Congress have the courage to stand up and rewrite the bill on the floor of the Senate and bring to an end this shocking waste."

They do not scare me. I am a pretty hard person to scare by that kind of talk. I have a few questions I wish to ask the Secretary of State about American foreign policy and NATO. Let him "hit the trail," on platform after platform, and justify the State Department's policy in regard to NATO. He cannot do it. The NATO countries have been taking us for a ride, aided and abetted by the State Department, the Pentagon, and the White House.

Consider the number of troops we have in Europe today. There are more boys there in American military uniform than in those of France, Canada, and Great Britain combined. We sent our Secretary of State over there because Erhard became a little excited, thinking an airlift might mean we were going to take some boys out of Germany. I say on the floor of the Senate today that we ought to take thousands out of Germany. We cannot justify having the number of American boys in Germany that we have there today.

The German leaders know it is not those boys that are making them safe. The German leaders know that if Russia moves against the freedom of Berlin and West Germany, Russia will have "had" it. Of course, we shall have, too.

There is no question about the determination of President Kennedy to see to it that the Russians do not take over Germany.

Do Senators think it is easy for me, with the dedication I have to the President of the United States, to stand on the floor of the Senate and state my complete disagreement with him on the question of foreign aid? I have pleaded for months with administration leaders to rewrite the program, so that we could be united on it and go before the American people as a united group, asking them to support a sound foreign aid program.

In my judgment, this administration has failed in its responsibility to the American people in the foreign aid program by not sending to Congress a redraft of the foreign aid program the moment this administration knew of the serious revolt that had arisen at the grass roots and at the precinct level of the country against the foreign aid program. If this administration does not know it, it is going to discover it.

I am keenly disappointed in the statements coming from the Secretary of State these days, and from the Pentagon.

I did not ask for this fight, but it is my judgment that I would fail the people of my State if I did not oppose the foreign aid bill in its present form.

I have done my best to study the facts about foreign aid. I came to the conclusion a year ago that the facts showed that the foreign aid program was so much against the best interests of my country that I opposed it then. There has been no improvement in the administration of foreign aid. I shall continue to oppose it until at least the committee criticisms of foreign aid, about which nothing was done to bring about corrections, are recognized and the bill is rewritten to take care of these deficiencies.

The Foreign Relations Committee recognized the criticisms. In my judgment, one cannot read the committee report and sanction the bill.

Senators should have been in the committee. They should have heard the great concern about Pakistan. It was deplorable. It was terrible that Pakistan should be entering into air landing rights agreements with Red China; that Pakistan should continue its anti-American attitude. But when we tried to cut back the bill, and efforts were made to withhold aid until Pakistan makes up its mind whether it is with the United States or with Red China, a remarkable attitude seemed to overcome the committee. It gave us the language for reform on foreign aid, but it did not give us the reforms. That is why I think we must turn the Senate into a Foreign Relations Commitee and write a new foreign aid bill in the next 3 weeks. That is why those of us who are opposed to the bill have no intention of having it rushed through the Senate. That is why in the next 3 weeks there needs to be a debate from coast to coast, until the American people become aware of the facts.

**Mr. PROXMIRE.** Mr. President, will the Senator yield further?

**Mr. MORSE.** I yield.

**Mr. PROXMIRE.** The Senator has pointed out to the problem of our having many thousands of troops in Europe, at great cost to this country.

They are serving the interests of this country primarily, but they are also serving the survival interest of West Europe. They represent an element in foreign aid. They represent a contribution which this country is making, as the Senator from Oregon has pointed out, of great proportions to the survival of West Germany, France, England, and other countries.

Is it not correct to say that if we recognize that contribution and add to it the $4.2 billion which the committee is asking the Senate to authorize for appropriations, and add the food-for-peace program, with hundreds of millions of dollars more, and add other foreign agencies, like the Peace Corps, with tens of millions of dollars more, and many more programs——

Mr. MORSE. And the maintenance of our troops abroad.

Mr. PROXMIRE. There are many more programs that we cannot even locate, and with respect to which even the Director of the Bureau of the Budget cannot tell us how much we have given and will continue to give. The Senator from Oregon is talking about only one part—perhaps the biggest part, but only one part—of the burden that has been placed on the American people. That burden is far greater than the $4 billion sought here.

Mr. MORSE. Much greater.

Mr. PROXMIRE. We are making a contribution to allied countries which can afford a much greater sacrifice than they are making. They are making a lesser sacrifice than they should be making.

Mr. MORSE. In one of our presentations, in the course of the debate, we shall give a detailed breakdown of the total expenditure of American dollars abroad. It is quite different from the total expenditure for foreign aid. Let us take, for example, the maintenance of America military personnel abroad. We must add that cost to the cost of the foreign aid program.

Mr. PROXMIRE. I may suggest to the Senator that in foreign aid we would have to consider any amount of money that is spent in this country for goods which are sent abroad. As I understand, there has been a very strong attempt, and in some respects a very successful attempt, to spend our money in this country for military assistance sent abroad, such as, for example, the expenditure for tanks, planes, and other military materiel.

Mr. MORSE. That is the argument of bribery.

Mr. PROXMIRE. If the Senator wishes to get an accurate picture of what foreign aid amounts to, he will have to include the value of the goods that are bought in this country. Then we may get a picture showing an expenditure of $6 billion or more and that would give a true picture of what this program amounts to.

Mr. MORSE. The Senator is correct. On the point of the money being spent in this country, we shall have to tackle in due course of time what I call the argument of bribery. It is the argument that 80 percent of the money is spent in this country. However, for what purpose? A great deal of it is spent for munitions; or the maintenance of so-called defense plants.

When I think of what is needed in heart research, cancer research, arthritis control, and in many of the other critical areas of American health, and when I think of what is needed in this country in the field of education, and the crying needs of underdeveloped areas in the United States, and the shocking increases in the number of unemployed people—yes, unemployable people—I look askance at all the heart-rending pleas for more money for NATO, or more money for countries which are already able to do a better job, not only for themselves, but also to help us in the program of doing a better job in underdeveloped areas of the world.

Mr. PROXMIRE. Let me ask the Senator——

Mr. MORSE. The Senator has made a point, and I wish to get to it. Then I will yield again. When I think of how little most of our NATO Allies, outside of West Germany, contribute to the protection of Greece and Turkey, I am a little aghast at Mr. Rusk's suggestion that there ought to be a stronger NATO. If he thinks we will get a stronger NATO by State Department preachment, he could not be more wrong. We have been pointing out to the French for months what its obligations are. Their gesture to us has not been a polite one, but, instead, a very rude one. They have told us very rudely where to go.

I think about how little Great Britain has done in the past half a dozen years. Yet when anyone raises any question about Great Britain, he is almost accused of being disloyal. Great Britain has not been paying her share of the freight for mutual defense and foreign aid.

Canada is another example; and we could go down the line. We can take Portugal, for example. We have poured money into a non-NATO ally, Spain. Yet we cannot find out from the State Department how much is being poured into that country. It is still top secret. We will blast it out of them, never fear. The American people are entitled to know every detail of the Spanish deal. I say from the floor of the Senate, "Mr. Secretary of State, give us all the facts."

What about the denial by Spain of harbors to Polaris submarines? Spain ought to be paying for its own infrastructure. So should France.

If we will only take the time in the Senate to dig into the whole foreign aid program of the United States, and tell the American people what the facts are, we shall make some changes. I will tell Senators why changes will be made. The American people will tell us we had better make changes.

Take a look at this interesting wording in the report of the Committee on Foreign Relations. It is a masterpiece of ambiguity.

I point to page 30, and read:

> This section adds a new provision to the Foreign Assistance Act prohibiting grant assistance to any economically developed nation "capable of sustaining its own defense burden and economic growth."

Who are they? The committee does not tell us. Which countries are they? Why did not the committee write them into the bill? They are left to the discretion of the administrators.

Then we get into the whole area of dispute over facts, the whole area of evaluating evidence. When we ask the Secretary or his administrators in a year or two, "Why did you not stop it?" the answer will be, "My conclusion was that I did not think they met the definition or the meaning of the language that Congress used." He will read that language right back at us. I have sat in the Foreign Relations Committee for years and have observed bureaucrats use every escape hatch in the vague language that Congress has written into the statute books.

We cannot leave any escape hatches. If we do, they will be used every time. It will be said, "We do not think those countries are capable of sustaining their own defense and economic burden. We have concluded that they have not reached that point yet."

Mr. President, many things must be done, and they must be done now. We sit in the Committee on Foreign Relations and talk about country after country. What does the committee do? It brings before us Secretary Rusk and Mr. Bell, Director of AID. They are given a word bath that is supposed to cleanse them from their wrongdoing in the senatorial words of the committee. They are told, "Naughty, naughty. Do not do it any more." Then the committee obtains a vague, general statement from Rusk and Bell, appreciating very much the advice that the committee has given them, and saying they will try to do better and will try to develop some rules and regulations that will be helpful. But next year, when they come back, nothing will have been done. We knew at the time that it would not be done.

Mr. President, I will not delude myself, or the Senate, or the people of my State. If we want to reform the administration of foreign aid—and Senator after Senator in the Committee on Foreign Relations, day after day, talks about the grave errors, inefficiency, and waste in the foreign aid program—the administration of the foreign aid program cannot be corrected by any wrist-slapping lectures to the Secretary of State, the Administrator of AID, or the Secretary of Defense. They must be tied down with restrictions in the bill.

So the jargon that the committee has written into the report does not impress me. It is a huge blanket of snow. The sad fact is that we can go back over the years and see that this statement is merely a repetition of past performances in the Committee on Foreign Relations. The committee tells the State Department, the Pentagon, and the other agencies, "You will have to do better." They promise to do better; but the next year we find things are worse.

Mr. President, I have had it.

The other day I heard a distinguished Member of this body, in the Committee on Foreign Relations, critically examine an administration witness. He said, "I am fed up with the program." He specified from his own knowledge the waste and inefficiency in the foreign aid program. I wonder where he was when this section of the committee report was written:

> This section adds a new provision to the Foreign Assistance Act prohibiting grant assistance to any economically developed nation "capable of sustaining its own defense burden and economic growth." Exceptions are provided in the case of firm commitments made before July 1, 1963, and in the case of additional military orientation and training expenses up to $1 million per country.

**Mr. DOMINICK.** Mr. President, will the Senator yield?

**Mr. MORSE.** Mr. President, the experts in bureaucratic evasion downtown must have thrown their hats in the air when they read that report and shouted, "Hallelujah! Waste can go on." Mr. President, it is unbelievable that this kind of report can be submitted.

A third choice for the Senate to consider is to recommit the foreign aid bill to the Committee on Foreign Relations with instructions to reduce it in sum and improve its policy directives. I shall move to do that very thing if it appears that that is the most helpful alternative to follow.

Mr. President, I did not hear the Senator from Colorado ask me to yield. I apologize to him.

**Mr. PROXMIRE.** Mr. President, will the Senator from Colorado permit me to comment for a moment at this point?

**Mr. DOMINICK.** Certainly.

**Mr. PROXMIRE.** It is my understanding that grant aid and military assistance to Europe amounts to something like $229 million, for fiscal 1964. It seems to me that that directly contradicts the provision which the Senator from Oregon read from page 47 of the bill, lines 15 through 21, which reads:

> No assistance shall be furnished on a grant basis under this Act to any economically developed nation capable of sustaining its own defense burden and economic growth.

They are not eastern European countries; they are western European countries. The fact is overwhelming that those countries are in exceptionally good economic condition and are expanding, growing, and prospering. They are well able to take care of their own defense. This language is a direct contradiction. Country after country in western Europe is listed.

I thank the Senator from Colorado [Mr. DOMINICK] for permitting me to make this statement.

**Mr. MORSE.** Again, I wish to ascertain the facts and make certain of the figures; but I shall comment on the general statement made by the Senator from Wisconsin. I do not know what the language in the committee report means. I think it is meaningless. It is not worth the paper it is written on, because it gives the Senate no guarantee as to what countries will be dropped out.

It may be asked: Does not the senior Senator from Oregon trust the administration of the foreign aid program? On the basis of past experience, the answer is "No." If by that question is meant, Do I trust the administration of the foreign aid program to do the things necessary to save the taxpayers hundreds of millions of dollars of waste in the foreign aid program? the answer is a resounding "No." The administrators of the program are not justified by their acts.

**Mr. PROXMIRE.** We are told that the names of the countries and the amounts to each country are classified.

**Mr. MORSE.** Ah, that is interesting. Classified.

**Mr. PROXMIRE.** The information is available to Senators, but it is classified. I do not believe it is revealing classified information to indicate that those are the countries in Europe which are prosperous, whose economies are expanding more rapidly than ours, and whose incomes are increasing more rapidly than ours, but which are spending a smaller proportion of their incomes on their defense than we are. Yet they are included in the bill to the tune of $229 million.

**Mr. MORSE.** I am glad the Senator has mentioned this subject. However, I point out that what the Government is doing by secrecy in the field of foreign relations is denying to the American people the facts that the people ought to have with respect to the development of a people's foreign policy. I do not care whether the President be a Republican or a Democrat; he does not own American foreign policy. It is not his foreign policy. He is but the administrator of the people's foreign policy. The sad fact is that this administration, like the administration before it, has denied to the American people the facts to which they are entitled, so as to enable them to form a valid judgment on what their foreign policy should be. Will the Senator tell me why that information should be classified?

Why should it be classified? I know of no good reason why it should be. I could bring to the Senate a stack of adverse reports from the Comptroller General, during the past several years, dealing with waste and inefficiency in the administration of foreign aid in country after country; but I cannot give the Senate the details, because they are classified. Why should they be classified?

**Mr. PROXMIRE.** Mr. President, if the Senator from Oregon will yield further, the total amount of aid proposed for Europe is not classified; the $229 million total proposed as our aid to the countries of Europe is not classified, but the amount of aid proposed for each country within that category is classified.

**Mr. MORSE.** Yes; and that is the crux of the issue. If we are to render an intelligent judgment as to whether the proposed policy is a good one, we should know how much is proposed to be given to Portugal, and for what purposes; and how much is proposed to be given to France, and for what purposes; and how much is proposed to be given to Turkey and to Greece, and for what purposes.

The Senator from Wisconsin is an American citizen, but he is not one of those in the bureaucracies. The bureaucrats can have access to that information; but the Senator from Wisconsin—who is one of the taxpayers who must pay the bill, and is one of the taxpayers who will have to do the dying if the bureaucrats follow a foreign policy that is not in the best interests of our country—is not given the facts. As a juror sitting in the jury box of American public opinion, he should have those facts in order to be able to pass judgment not only on a part of the evidence, but on all the evidence. A trial is going on in America; foreign aid is on trial, and the American people are the jurors. But the sad fact is that their Government, under this administration, as under the past administration, will not give them so-called "classified" material. Of course I am not asking that any particular fact which really involves the security of the United States should be made public; but such facts constitute only a very small percentage of those marked "Classified."

**Mr. DOMINICK.** Mr. President, will the Senator from Oregon yield?

**Mr. MORSE.** I yield.

**Mr. DOMINICK.** I thank the Senator from Oregon for yielding.

In the report, I have been reading a reference to a provision to amend the Trade Expansion Act, in order to provide most-favored-nation treatment to imports from Yugoslavia and from Poland. I wonder whether the Senator from Oregon can "clue" me in on this matter. Last year, in the Trade Expansion Act of 1962, Congress included a specific prohibition against such action. But now, a year later, we find that it is proposed that we say, "We really did not mean what we said then; we want to accept more imports from these countries, despite the fact that they are under Communist control, and have been."

Only the other day, I noted with some disfavor the fact that one of our allies who has been fighting the Communists was not given the privilege or courtesy of any sort of formal reception in Washington, whereas Marshal Tito was entertained in the White House. I do not understand how we can couple such actions with the proposed favored treatment to the governments of Communist countries which are supposed to be doing their best to eliminate us.

**Mr. MORSE.** I thank the Senator from Colorado for his statement. During this debate, other Senators will speak on the question the Senator from Colorado has raised.

We now find that the prohibition we included last year was not as specific as we then thought it was.

**Mr. DOMINICK.** But whereas President Truman cut off, in 2 months, our aid to 13 countries, President Kennedy has not taken any action of that kind.

**Mr. MORSE.** Yes. In connection with the speech which another Member of the Senate will make—one to be made by another member of our group—we shall call attention to that situation. I thank the Senator from Colorado for raising this point.

**Mr. DOMINICK.** I thank the Senator from Oregon.

**Mr. MORSE.** Finally, Mr. President, whichever of these choices we make, the Senate and the Congerss can no longer tolerate the approval of huge sums of money for a foreign aid program it knows is so faulty and unsound as this program is known to be. We cannot wait for the administration to do this job of revamping. We have been making and hearing these same criticisms of foreign aid in the Foreign Relations Committee for more than 5 years now, and we have been asking the administrations—Republican and Democratic—to do something about them.

The time to act is now; the place to act is in the Congress of the United

States; and the immediate action called for is the action of the Senate on the measure now before it.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Foreign Aid Debate Begins"; it was published today in the Washington Daily News.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### FOREIGN AID DEBATE BEGINS

This week the Senate starts debate on what's called the foreign aid authorization bill. This is the legislation which lays down the conditions under which U.S. taxpayer money will be used to help other countries, and fixes a maximum sum.

There appears to be more steam than usual behind efforts to economize, reduce the money total, and to apply stiffer restrictions.

Senator MORSE, for instance, has a whole series of guidelines he intends to propose. Others are shooting at less spending. Senator HICKENLOOPER, ranking Republican on the Foreign Relations Committee, thinks the foreign aid limit eventually will be cut from the $4.5 billion asked by the Kennedy administration to $3.7 or $3.6 billion.

Even more important than arbitrary money limits is a complete reorganization of the aid program, such as Senator MORSE urges.

Senator KEATING, for example, would shut off aid to countries which "use their own resources for military activities elsewhere," such as Indonesia and Egypt.

Reducing the money limits would help cut the Federal deficit. But reorganization should aim at a better serving of U.S. interests—whatever the amount we continue to spend.

Mr. MORSE. Last of all, Mr. President, I wish to refer to a matter on which I commented in the course of colloquy, some minutes ago, with the Senator from Florida [Mr. HOLLAND]. I have called on the Secretary of State to give me a detailed accounting of the action which our Government has taken in Santo Domingo and Honduras, in carrying out its public announcement that it was withdrawing American mission personnel from both of those tragic areas. I have advised the Secretary of State that, in my capacity as chairman of the Subcommittee on Latin American Affairs, I hear from a good many sources of information, all of which have to be checked. The other day a high official of a Latin American country spoke to me about the position of his government. That position was contrary to what he believed to be the position of the U.S. Government. I thought the first person to be notified of that was the Secretary of State; and immediately I got the information to him. So I have asked the Secretary of State to tell me who, and in what numbers, in American foreign missions in the Dominican Republic and in Honduras have actually been withdrawn; and I have also asked him to give me rebuttal proof to the charge that the United States is engaged in only token withdrawals. The charge is that the United States is, in fact, following a "wait and see" policy that is alarming many of our friends in trouble spots in Latin America, for those democratic leaders are saying that if we follow a so-called slap on the wrist token policy in Honduras and in the Dominican Republic, we shall have to assume the responsibility for the turning over of other regimes to either military juntas or to Communists.

Mr. President, in the committee, I offered an amendment which I think is on all fours with the promises of the President of the United States, publicly made—namely, that the United States is not going to give aid to regimes that come into power as the result of the overthrow by military force of democratically constituted, constitutional regimes—specifically, and of immediate concern, in the Dominican Republic and in Honduras. But, Mr. President, there will be others if the past policy—and I am not so sure that it is not the present policy—of the United States continues. So I offered an amendment which provided that no military or economic aid shall go to any countries where, by military force, constitutional, democratic government is overthrown, until there is a return to their constitutional systems. That cannot be done by way of civilian "stooges" nor can it be done with a military junta similar to the one in the Dominican Republic—a military junta composed of military officers trained under American military training programs, and making use of American military equipment, and blowing out the torch of freedom in the Dominican Republic.

The Secretary of State came to me. The Secretary of Defense came to me. I got the word treatment. I am used to it. I know how to evaluate it, too. We heard, "There is great merit in the proposal of the Senator from Oregon. We appreciate the suggestion. We think perhaps something can be agreed upon. Maybe we can get together and agree on some language that will accomplish what the Senator from Oregon has in mind." I always express my appreciation, but I always tell them that the test will be in the final wording.

One morning when I reached my office the Under Secretary of State was waiting. I was very much embarrassed. I thought it was terrible to have the Under Secretary of State, with all the things he has to do, waiting in my outer office to see me at 9 o'clock in the morning.

I said, "Why did you not tell me you wanted to see me? I would have been down here earlier."

As a policy of many years' standing, I never call members of the executive branch to my office. I go to their offices. If I have a problem to talk over with them, I belong in their offices, and not they in mine.

There were two drafts of language. I read them. Of course, the language did not change the status quo at all. I was given a great deal of nice-sounding verbiage. They had included language that, of course, they would not act as proposed unless the President should decide that our national interest made such action necessary. That is what he is doing now. That is the status quo. It did not mean a thing. In fact, it was an insult to my intelligence.

So I walked over to the Foreign Relations Committee and offered my amendment. I believe we ought to have an out-and-out prohibition, but, Mr. President, I am willing to arrive at a modus operandi.

Senators will have an opportunity to vote on the amendment I then offered, before the debate is over. I proposed an amendment that would provide that all aid, including military, economic, and other missions, shall stop unless the President of the United States, in reporting to the Congress, sets forth reasons which in his judgment, from the standpoint of our national interest, call for a continuation of the aid, and his report is approved by a concurrent resolution of both Houses of Congress.

Do Senators know what the argument used against the concurrent resolution proposal is? The argument is, "That is an interference by the Congress of the United States in American foreign policy." Not at all. It is an exercise of the checks-and-balances system. It happens to be the clear duty of the Congress, in carrying out its authority over the pursestrings, to lay down terms and conditions for the expenditure of funds; and if the Congress finds that the report that the President submits is not a sound report; if the Congress disagrees with him when he says that we ought to continue the aid in the national interest, Congress should say to him, "Not with the taxpayers' money." We ought to cut it off.

On the floor of the Senate I again say what the Secretary of State already knows. I am not satisfied with the administration of promised Government policy in connection with the Dominican Republic and Honduras to date.

That leads me to the last point I wish to make, because Senators will hear it in the debate. The following argument will be made: "What the senior Senator from Oregon is trying to do is to make the Congress of the United States the Department of State."

Not at all. What I am saying is that if the Department of State has a sound proposal supported by the President of the United States, there should be no trouble with the Congress. I have never known them to have any trouble with Congress if they really had a sound proposal.

What I am saying is that when we get into a situation in which a foreign aid program is honeycombed with waste, inefficiency, and injustice, the American people are entitled to have the Congress revamp the bill, write guidelines into the bill, place the prohibitions for the expenditure of funds in the bill, and make clear to the administration what the administration may spend for the enumerated purposes, and that that is all it may spend, until it comes to the Congress and gets more funds.

But it will be said that things move so fast in the world that we must see to it that there are a great many escape hatches written into the bill so that the administration can exercise the widest scope of discretion. They do not move so fast that the President cannot take 20 minutes to come to the Capitol for a joint session of Congress, if such a session were necessary. Events do not move so fast that the Secretary of State cannot come to Congress.

Let us be honest about the question. In all my 19 years in the Senate I have never known of a single emergency that arose that could not be handled by a quick message from the President of the United States in connection with foreign policy. Can the Senator imagine a greater emergency than the Pearl Harbor emergency of December 7, 1941? Franklin Delano Roosevelt then came to the Congress for a declaration of war. I could cite many other examples of emergencies in which Presidents who desired to carry out our system of checks and balances were not handicapped by taking a crisis up with the Congress.

My amendment calls for a concurrent resolution. If the report justifies the adoption of the concurrent resolution, the President will get it in a matter of hours. We know that. Therefore, the shuffling and shunting aside, the dismissal of my amendment because it provides for a concurrent resolution supporting the report of the President in my judgment is a failure on our part to carry out our duties under the checks and balances system.

Mr. President, I have talked much longer than I intended to today. But I think the interruptions were pertinent. I fully realize that there will be those who may wish that I would not talk as much as I shall before the present historic debate is over. I would rather leave the Senate than leave my responsibilities in connection with the bill. I am convinced that the administration is unaware of the great concern of the American people about foreign policy with respect to the administration's proposal in connection with this bill.

Those of us who are determined to see to it at least that the record is made, and that the Senate is given an opportunity to reform the bill, are not going to be deterred by pressure to speed up consideration of the bill. We do not propose to take any more time than is necessary to make our case, but we shall take all the time that is necessary to make it.

Mr. President, I yield the floor.

Mr. JAVITS obtained the floor.

Mr. SPARKMAN. Mr. President, will the Senator yield so that I may suggest the absence of a quorum?

Mr. JAVITS. I am glad to yield, and ask unanimous consent that in doing so I shall not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, since this is the opening day of the foreign aid debate and I have been a rather active participant in the field ever since I first came to Congress in 1947 and encountered the aid to Greece and Turkey program, and since the fundamentals are being discussed in the opening of this debate, I hope Senators will bear with me if I take perhaps 15 to 20 minutes to state what I consider to be the case for foreign aid and what I believe we need to do about it.

Certainly no one can quarrel with the Senator from Oregon [Mr. MORSE]—for whom I have the greatest respect, and indeed, affection—when he says the bill represents the expression of Congress as to foreign policy of the United States and, therefore, it is our duty to perfect it in every way we can.

There is no question that the foreign aid program is coming on difficult days. In my judgment, it will survive this particular session of Congress probably almost intact, whether the figure finally appropriated is three billion six, or seven, or eight, or nine—or four billion. Whatever the exact figure may be, the foreign aid program will be substantially carried on—as I believe even its opponents would probably admit—through this session of Congress.

The people of America are testing and questioning the validity and soundness of the program; and therefore its best friends—and I am one of them—must analyze for the people what is being done and why, and also how the situation may be changed to the benefit of the program and to the benefit of the foreign policy of the Nation.

Mr. President, the fundamental question, as I see it, is this: Can the foreign aid program be reoriented in a private enterprise direction so as to make the American people feel that the private enterprise system of the United States is being adequately brought into the program?

In my judgment, this is the only direction that the foreign aid program must take. I shall develop that point in a few moments, but that is the fundamental thesis.

The reason why the program is in trouble—and it is in trouble—is that neither this administration nor the previous administration understood what the private enterprise system is capable of contributing toward the foreign aid program, and has failed to use it, and continues to fail to use it.

The foreign aid program is not carried out in a vacuum. We cannot decide that we either can or will not carry out the foreign aid program. We made a decision in 1947, 1948, and 1949 in this respect, when we dealt with the Greek-Turkish aid program and the Marshall aid program. We knew then that we had to do it, or that the world would go Communist. We are almost in the same position today, but for a vastly different reason. If we do not carry on the foreign aid program, it will be carried on by others, without the motivations and interests which we serve.

The Soviet Union has a foreign aid program of its own, considered to be in the order of magnitude of almost the size of ours, something like $1.9 billion a year, as compared with what the committee has provided, in the way of economic, technical assistance, and other aid, of $2.3 billion.

Let us remember also that the Soviet Union beams its aid to countries with which it wishes to cooperate, or in which it may have an advantage in cooperating, and that those countries receive much more aid than we provide, because the Soviet Union has a much smaller list of countries to which she provides aid.

There are those who say, "Let the Soviet Union do it and choke, economically, in the process." Unfortunately, no such thing will happen. Many persons felt the same way about the Soviet Union and her economic development and her 5-year plans. What has happened in the 40-odd years of the Communist revolution is that Russia has become the No. 2 world power, or perhaps even No. A-1, as compared with ourselves. So the assumption that the Soviet Union would not move into countries out of which we would move, in respect of foreign aid, is an assumption we cannot and dare not take. Thus, our area of choice is relatively narrow.

Second, it is a fact that the gap between the industrialized nations in the world and the newly developing nations of the world is widening, not narrowing. In other words, our situation is improving at a faster rate than theirs. This presents again a point of great attraction for some other system; and the competing system in the world is the Communist system.

Third, the Communists are ready to trade. They are ready to trade on a barter basis, and do business on that basis. We do business on a commercial basis, while she does it on a political basis. So trade can be substituted for aid. So what they will not be able to fill in by direct aid they will do by trade.

Furthermore, Mr. President, we cannot leave the newly emerging areas in a vacuum. If a vacuum is left, it will be filled, and it will be filled by people waiting to fill vacuums, without the same considerations for which we are giving aid.

There is a great deal of talk about euphoria, and there is a great deal of talk about our being lulled into a state of complacency by the test ban treaty and the fact that the Russians have an ideological problem with the Communist Chinese.

How thoroughly it would harm the world if we suddenly pulled out foreign aid, or made such changes that it resulted in our pulling out. Would not the world say, "That settles it. The United States has been taken in. The only program which presents an obstacle against the spread of communism, namely, foreign aid, has been abandoned"?

The prime consideration in respect of aid which we give is, What is the need of the world which is friendly to us, in terms of it, itself, standing for freedom, if given half a chance? In other words, what are we doing to help that part of the world in the way of a bank for reconstruction, a bank for international development, an international financial institution, an inter-American bank? What are we doing together? We must do our fair share. Efforts along these lines represent our fair share, except that we have made a great mistake in not orienting it to the private enterprise system.

There is a vacuum in the world, in terms of the progress of nations, economically. The United Nations has variously estimated the vacuum as being somewhere between $10 and $12 billion a year in extraneous foreign investment. We are falling far short of that mark.

No real, measurable, effective progress can be made in the world unless we do our share toward the ultimate goal which I have described.

Without measurable progress, we are not "in business" ourselves. It is not a unilateral question. The world will not struggle long without it. The world will turn in the Communist direction. This is the competition we face. The world is not simple any more. It is a world in which mankind is in competition. If we forgo doing our part, we shall effectively yield to the competition. The competitor will move in and take over our business. That is the choice we face. The choice is not whether we shall go into the program or keep out. The choice is do we go in, or do we move out and have the Communist system go in? That is the choice which we have. That is the choice which has always been before Congress and it is why it has voted for the foreign aid program, notwithstanding unhappiness with the program in one phase or another.

Another point is that in connection with a program like this we cannot stop in the middle and slow down and have a reorganization. Reorganizations must be planned, and there must be a gradual phasing of work under the program. So we cannot dismantle the program tomorrow, or this week, and still expect it to be effective for the purpose for which it was designed, and endeavor to build a new structure for it. It cannot be dismantled and still leave us the hope that it will let us keep our place in the foreign aid competition.

So the real difficulty we are having is that there are some who think the program should be dismantled now; and it cannot be done without destroying it.

I recall speaking in 1957 in defense of the USIA in whose funds a cut of about 40 percent was made. It took the USIA years to recover. It has not recovered yet from the fact that the machinery was dismantled at that time.

The question calls for a national commission on the highest possible level to reexamine the foreign aid program of the United States and recommend how it may be reoriented and remain effective. I would very much favor such action, but that is a far cry from dismantling the program at this stage.

The basis for the program is the competition with the Soviet bloc and the need of the world for economic sufficiency if it is to remain substantially in the role of the free. Otherwise we are in the gravest danger in trying to change something which is working now not as effectively or as well as we would like it to, but which is working, and it will not wait for this complete revision to take place.

I said, when I began, that this program needs to be reoriented in the private enterprise direction. That is the big challenge which has not been met. There are efforts to bring private enterprise administration and private enterprise channels into this bill, but they are far from adequate in respect of the bill itself and in respect of the terms of the program.

Somehow or other, we have failed to enlist the private enterprise system, which has generated the $600 billion national economy of the United States, and which is responsible for the $1,000 billion production in the Atlantic community.

I note with satisfaction that the bill invokes aid from the industrialized countries of Europe, not only on a country-to-country basis but also through their private enterprise systems.

One of the other points about the program we must not forget is that it has encouraged, up to now, approximately $2 billion in aid from Europe for economic assistance. I have little doubt that if we folded up on this program, a great deal of that aid would fold up too, and that the tremendous buildup would be lost. It is a buildup that is not going as far as it should, but, still, it is an important contribution.

I am glad that private enterprise is invited into the foreign aid situation. However, the technique for having whole projects, the totality of effort in countries, the use of private enterprise, coordinated closely with private investment, has not been adequately pursued by our Government.

Also, the investing public has not been given an opportunity to participate in foreign aid. For example, I am the author, with other Senators who are similarly interested, of a bill which would open up to private investment participation a great part of the foreign aid program. No hearing has been held on the bill. One of the amendments which I hope to propose to the pending bill involves that kind of proposal. It is to open up to private investment a great part of the money that is being spent by us on foreign aid. There are a great many elements in that program which would justify business investment and American investor interest, not only on a profit basis, but also on a patriotic basis.

Changes have been made in the bill with respect to the investment guarantee program. I am very much pleased to see that being done. I am glad to see that the authorization is now being pushed up from $1,300 million, which has been very heavily used up, to $2½ billion.

We have made 57 such guarantee agreements. Nineteen of them have been negotiated in the past 2 years. That is by no means the totality of the countries aided by such private investment, but it is encouraging.

Therefore, we must make a drive for more of these agreements, as an incentive to private investment in these countries. It is a vital supplement to foreign aid.

Another amendment which I shall propose would provide that the administration be directed toward the urgent need for concluding these agreements. If necessary, we should condition our aid upon the fact that such agreements be concluded, so that private enterprise may have full opportunity to contribute its share.

The other aspect of private enterprise which is being dealt with in the bill is that the President is directed to carry out his programs of assistance through private channels to the maximum extent practicable, instead of wherever appropriate.

I believe that is a desirable change, if it is coupled with some machinery that will make it possible for the President to operate effectively.

I may give very serious consideration to proposing an amendment to the pending bill to appoint a real high-level commission of distinguished Americans in business and in the academic field—not in government—and representing the public interest, to see how the private enterprise system may be phased, in a more effective way, into the foreign aid program. This is a big subject.

The precatory statements which we make, such as the one referred to in the bill, to use private channels "to the maximum extent practicable," have been, in one form or another, on the statute books for a long time. From the standpoint of these amendments—and I have authored some of them myself—this provision somehow or other does not work out.

The bill also provides that the President shall "utilize wherever practicable the services of the U.S. private enterprise—including, but not limited to, the services of experts and consultants in technical fields such as engineering."

For example, David Rockefeller the other day suggested—a suggestion which I made about 2 years ago—the establishment of an industrial peace corps of distinguished executives, who could be utilized in the foreign aid program, provided they could retain their connections with their own companies.

Conflict of interest in this respect is not the problem it is cracked up to be, and can very well be handled.

Again, nothing is done about that. That suggestion is lying on the shelf. Nothing is done effectively except to make a generalized statement about the use of private channels and private enterprise.

The only way in which it can be done, and save this program from much harder attacks than are being made on it now, is to have a blueprint laid before the country. If the administration does not have the wit to do it, the business community should and will. We must show the country exactly how the private enterprise system can be tied in.

One other point that I believe is desirable is that the President is directed to take appropriate steps to discourage nationalization or expropriation or confiscation; injurious, discriminatory, or other actions which would result in such expropriations in areas where we are giving aid.

This is an extremely desirable idea. It is reflected also in the report of the Clay Committee, which urged us not to aid a foreign government in projects establishing government-owned industrial or commercial enterprises which compete with existing private enterprise;

therefore, clearly or by implication it does not want American endeavors of private character dismantled.

Those are all desirable, useful, and important provisions. However, they still do not bring the private enterprise system appreciably into the foreign aid program. That is the only way in which the program can be effectively reoriented.

From everything I can see, we are in for a foreign aid program for another decade, at least, and perhaps longer. If that is the case, I doubt very much whether it will survive year after year the attacks which are constantly accelerating in their intensity, such as the one being made here, and in the other body, and which will be made on the appropriation bill for foreign aid.

I believe that we must have, from the administration or from a commission source, a recommendation as to how the program may be reshaped and revamped in the public interest.

In my judgment, that means a heavy implementation with the private enterprise system as the means through which the program will be carried out.

The lines of this program are very clearly indicated by the proposal, for example, that development loans may be channeled through the International Bank for Reconstruction and Development, something which, a decade ago, was recommended by Christian Herter, who later became Secretary of State, and me in the House Committee on Foreign Affairs. If it takes 10 years to get a simple proposal like that through, that is perhaps some indication of the length of time which will be necessary to bring about a really effective participation by the private enterprise system in foreign aid.

Before I complete my preliminary statement on the bill, I wish to refer to one other amendment in which I have joined with the distinguished junior Senator from Alaska [Mr. GRUENING], which I think is a matter of the most critical importance to us. The amendment was contained in the House bill but was stricken by the Committee on Foreign Relations. It will be Senator GRUENING's purpose and mine to restore it. The amendment, which appears in the language stricken from the House bill on pages 18 and 19 of the bill, reads:

> No assistance shall be provided under this or any other act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which the President determines is engaging in or preparing for aggressive military efforts directed against—
>
> (1) the United States,
>
> (2) any country receiving assistance under this or any other act, or
>
> (3) any country to which sales are made under the Agricultural Trade Development and Assistance Act of 1954,
>
> until the President determines that such military efforts or preparations have ceased and he reports to the Congress that he has received assurances satisfactory to him that such military efforts or preparations will not be renewed. This restriction may not be waived pursuant to any authority contained in this Act.

This provision is directed against accelerating arms races, especially the accelerating arms race in the Near East to which the United Arab Republic is the principal party. Let us make it clear that the President has the power to cut off aid in a situation where our aid is filling in for the resources of a country which are being diverted for the purpose of aggressive military preparations. The fact is that the President has not taken this action in the case of the United Arab Republic. Therefore, he must be directed to take such action; otherwise he will not do it.

We had a precatory request to the President to do just such a thing in the bill up to now. It reads:

> It is the sense of the Congress that in the administration of these funds great attention and consideration should be given to those countries which share the view of the United States on the world crisis and which do not, as a result of United States assistance, divert their own economic resources to military or propaganda efforts directed against the United States or against other countries receiving aid under this Act, whether or not such efforts are supported by the Soviet Union or Communist China.

That language was directed against an escalation of the arms race in the Near East; but that provision, too, is now out of the bill, and the Committee on Foreign Relations has not restored it. So there is neither a sense request or a statutory provision in the bill today to deal with this situation.

Mr. AIKEN. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield to the Senator from Vermont.

Mr. AIKEN. Will the Senator explain what the situation would be in regard to the present altercation between Algeria and Morocco, both of which have been receiving assistance, or surplus food, at least, from the United States? Would the Senator's amendment require the United States to shut off aid to both countries?

Mr. JAVITS. It might very well, and quite properly so.

Mr. AIKEN. Until they stopped fighting?

Mr. JAVITS. I do not see any reason why such action might not have a salutary effect on both participants. The amendment would give the President a directive to shut off aid, where the aid which we are given presents the recipient nation with resources for "aggressive" military efforts. Conceivably, the President could make a determination that one of those countries was the aggressor. But the Senator from Vermont is probably much more correct when he says that the provision would result in cutting off aid to both countries.

Mr. AIKEN. It would be very difficult to judge which country was the aggressor.

Mr. JAVITS. I agree. I would not beg the question. Probably it would be impolitic for the President to decide which country was the aggressor.

Mr. AIKEN. I do not think he could decide.

Mr. JAVITS. I should like to ask the Senator from Vermont a rhetorical question: Does he not think the American people would have much more respect for the foreign aid program if it were used in such a way that it did not preempt the resources that are used to fill in for resources in a particular country, resources which were then diverted to forward an aggressive military effort?

Mr. AIKEN. Yes; I think the American people would be—and are—very much opposed to the United States rendering assistance to any nation for the purpose of perpetuating or creating war. It goes without saying that we have contributed to wars in many parts of the globe through enabling one side or the other to continue fighting, when perhaps, except for our assistance, they might not have been able to keep those wars going. I suppose we might call them little wars or brush fire wars; nevertheless, I am sure the American people object to our assistance being used for any such purpose.

Mr. JAVITS. I thank the Senator. I could not agree with him more.

I point out what this "sense" resolution which is contained in the foreign aid bill now, in the absence of a prohibiting amendment such as passed by the House, and which the Senator from Alaska [Mr. GRUENING] and I will move in the Senate, has resulted in. In the first place, it has provided surplus foods to the United Arab Republic, notwithstanding the fact that that country is sending troops into Yemen and has interfered directly in the affairs of a revolution in Yemen, with great mischief to us and our policy, and notwithstanding the fact that the United Arab Republic has committed aggression against Saudi Arabia.

The Senator from Vermont has referred to the situation of Algeria and Morocco, both of which are receiving surplus food aid.

The United Arab Republic is arming. It is buying arms openly from the Soviet Union. A report as recently as today indicates that the United Arab Republic is sending arms, planes, and troops to be ready to aid President Ben Bella in Algeria, in his war with Morocco. Nonetheless, the United States continues to give aid to the United Arab Republic. Moreover, President Nasser, of the United Arab Republic, constantly reiterates that the one basis for Arab unity is to drive the Israelis into the sea and, by armed aggression, to eliminate Israel as a state. He means it, as we know very well from the many demonstrable acts which have been taken in pursuance of that design, including the effort to subvert both Jordan and Saudi Arabia, the effort to unite Syria with the United Arab Republic, and the effort to bring about great Egyptian influence in Iraq and Iran. That is what is popularly called Nasserism.

Nonetheless, the U.S. aid program continues. Our aim in the aid program is to assist free nations. That objective is lost when one nation which we are trying to help dissipates its resources in aggression or preparation for aggression against another nation which we are also trying to help.

It seems to me that, knowing what we face, we cannot allow that situation to continue. It is calculated, as the Senator from Vermont [Mr. AIKEN] so very properly said, to depreciate the quality, character, and backbone of the aid program in the eyes of the American people.

I hope very much that we shall be successful in having this amendment restored to the Senate version of the bill, so that there may be agreement between the Senate and the House upon this section.

I should like to conclude as I began. We cannot rebuild the house of foreign aid while the house is being used. What we must do is to design a new building out of the present one. In my judgment, the new one must be based heavily on the private enterprise system, which has not been adequately used in respect to foreign aid.

I welcome the Senate committee amendments to accelerate and improve utilization of the private enterprise system, for, fundamentally, foreign economic aid is a business operation, and it can be carried on, and should be carried on, in the closest cooperation with American business. When the program is operated on that basis, it will gain the greatest respect from the American people. Furthermore, by implementing our foreign aid through the operations of American business, we shall also enlist the great resources of American business, and thus will improve the ability of American business to make contributions both of brains and of tangible aid to this program.

Finally, Mr. President, when we consider the argument that it is better to have this program as it now stands, rather than to permit a gap to occur between the present program and the development of a better one to succeed it, I point out that if we now were to suspend foreign aid, the vacuum thus caused would quickly be filled, but not by us; instead, it would be filled by our competitor, the Soviet Communist system. The nations of Europe may not give us, every day, their thanks for our foreign aid, even though we deserve them; but that is a rather superficial point, as compared to keeping them on the side of the free world by enabling them to have viable economies under this system, whereas in the absence of this system they will turn to the Communist system; and we cannot afford to allow them to do that, even if this program is not as economical or as efficient or as effective as it should be.

So, Mr. President, I favor this program, and we must favor it, until something better is available, even though our failure to devise an improved program is a great mistake; and at one and the same time I shall fight shoulder to shoulder with other Senators in the effort to build a better structure to do this job. However, I cannot favor dismantling this program while we try to build up a better one.

Mr. President, I yield the floor.

The **PRESIDING OFFICER.** The question is on agreeing to the committee amendment.

Mr. **MORSE.** Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **HUMPHREY.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

## JOINT RESOLUTION MAKING CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 1964

Mr. **HAYDEN.** Mr. President, on June 25, 1963, the Senate and House of Representatives passed and sent to the President a joint resolution making continuing appropriations for the months of July and August since most of the appropriation bills had not been enacted into law at that time. Subsequently, on August 27 of this year, that resolution—Public Law 88-55—was amended by extending the authority thereunder until October 31, 1963.

Today, the House of Representatives has passed and sent to the Senate, House Joint Resolution 782, the effect of which will continue until November 30, 1963, appropriations for those functions of the Government for which funds have not been enacted into law.

I ask unanimous consent that the Senate immediately proceed to the consideration of House Joint Resolution 782.

The **PRESIDING OFFICER.** The joint resolution will be stated by title.

The joint resolution (H.J. Res. 782) making continuing appropriations for the fiscal year 1964, and for other purposes, was read the first time by its title and the second time at length, as follows:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the joint resolution of August 28, 1963 (Public Law 88-109), is hereby amended by striking out "October 31, 1963" and inserting in lieu thereof "November 30, 1963".

The **PRESIDING OFFICER.** Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. **HAYDEN.** Mr. President, this joint resolution is similar to continuing resolutions which we have agreed to on two other occasions this year, and to others in prior years, and provides for the continuation of appropriations during November, 1963, as follows:

In those instances when bills have passed both bodies and the amounts or authority therein differ, the pertinent project or activity shall be continued under the lesser of the two amounts approved or under the more restrictive authority.

When a bill has passed only one House, or when an item is included in only one version of the bill as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate of operations not exceeding the fiscal 1963 rate or the rate permitted by the one House, whichever is lower.

In instances when neither House has passed appropriations bills for fiscal 1964, amounts are approved for continuing projects or activities conducted in fiscal 1963 not in excess of the current year's rate or at the rate provided for in the budget estimate, whichever is lower.

Mr. President, for the information of the Senate, I would like to report the status of the various appropriations for fiscal year 1964:

Enacted into law are the regular appropriation bills for the Interior, Treasury, Post Office, Executive Office, Labor, Health, Education, and Welfare, and Defense Departments, and their related agencies.

There are two bills which have passed both Houses—the legislative branch and Department of Agriculture appropriation bills—and conferences with the House have been requested by the Senate.

Three bills are presently in the Senate Appropriations Committee. Hearings are in progress on the independent offices and Departments of State, Justice, Commerce, and judiciary appropriation bills, and it is expected that the District of Columbia appropriation bill will be ready for markup within the next week or so.

Still remaining in the House Committee, pending finalization of the authorization process, are the foreign aid, public works, and military construction appropriation bills.

Mr. **SALTONSTALL.** Mr. President, the chairman of the Appropriations Committee has consulted with me, as the senior member of the committee on the Republican side of the aisle, in relation to the joint resolution. I believe that the Senate must pass the joint resolution. We cannot do otherwise because the appropriation bills referred to are still pending.

As I said to the distinguished chairman of the committee, for whom I have the utmost respect, I believe that we should not have to pass another joint resolution of the character of the one now before the Senate. It does not help Congress to have appropriation bills that were due to be passed before July 1 of 1963 pending for 5 months after they became due, so that we are asked to act on resolutions that would authorize the various departments of the Government to spend money on the basis of last year's appropriations or on the basis of the recommendations of the President, whichever amounts are lower. I do not believe that action gives us an opportunity to operate our Government as efficiently as possible. So I say that the Senate cannot do otherwise than to pass the joint resolution. The distinguished chairman of the Appropriations Committee, the Senator from Arizona [Mr. HAYDEN], for whom we all have the utmost regard, agrees with me that that is not a process which helps the prestige of the Congress.

Mr. **HOLLAND.** Mr. President, I wish to say to the Senator from Arizona, whose position I completely support in asking for the continuing resolution, that I have been puzzled to know what is happening with reference to some of the conferences which the Senate requested. For example, the Senate on June 26 passed the legislative appropriation bill. There has been no conference. There has been no appointment of conferees on the part of the other body up to this time.

On September 30, the Senate passed the bill making appropriations for the Department of Agriculture. As the Senator knows, I happened to handle that bill on the floor of the Senate. The House has not yet appointed conferees. On inquiry of the staff we find that probably no conferees will be appointed until after Armistice Day. Does the Senator know, or is he able to state for the RECORD, why we are encountering such long and unforeseen delays in the setting up of conferences for which the Senate has asked and on which the Senate has appointed conferees?

**Mr. HAYDEN.** I am in complete ignorance as to what motivated the House to cause the delay on those two bills. With respect to some of the other bills, the delay results from lack of an authorization act.

**Mr. HOLLAND.** The Senator from Florida is in exactly that same situation. He wanted to call attention to the fact that the Senate not only passed those two bills some time ago, appointed conferees on the part of the Senate, and asked for a conference with the House, but also that we have been trying to move ahead ever since, without avail, up to the present time. I deeply regret the delay.

**Mr. HAYDEN.** There will be either a continuing resolution for the next Congress, or we shall have to pass those bills.

**The PRESIDING OFFICER.** The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution—House Joint Resolution 782—was ordered to a third reading, was read the third time, and passed.

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## THE PROPOSED SUPERSONIC TRANSPORT AND A REPLACEMENT FOR THE OUTMODED DC-3

**Mr. RANDOLPH.** Mr. President, recently several airlines in the United States have expressed the intention of purchasing early models of an American-built supersonic transport aircraft, the production of which will be carefully monitored by the Federal Aviation Agency. Trans World Airlines, the first firm to make known its intention to buy the high-speed aircraft, has now been joined by Pan American Airways and by American Airlines.

The Aviation Subcommittee of the Senate Commerce Committee, under the chairmanship of the capable Senator from Oklahoma [Mr. MONRONEY], is currently holding hearings to better determine the progress and promise in this imaginative and important project.

The intent of our aviation firms to purchase a domestically built supersonic transport has far-reaching implications for the economy. At a time when our balance of payments must be improved, and the aviation leadership of the United States is seriously challenged by the development of the "Concorde" through the joint effort of the British and French, it is imperative that we take thoughtful action.

The expeditious and efficient construction of an American-built supersonic transport will enable this country to compete favorably with foreign airlines in the transcontinental travel market, and with foreign production of a similar plane. The major airlines who have thus indicated confidence in U.S. industry's ability to produce this advanced aircraft have done much to add impetus to the completion of a finished product. They have hastened the day when our citizens, and those of other lands may enjoy the fruits of American ingenuity and know-how.

Another area of air transportation which is receiving needed study by elements of the Federal Government and private industry, is the development of a suitable airplane to replace the faithful but outmoded DC-3. In this area, the Senator from Oklahoma [Mr. MONRONEY] has exercised vigorous leadership. Construction of such a plane would contribute to the service and convenience available to travelers in smaller cities and areas not normally served by large metropolitan airports.

It is encouraging to note that the Federal Aviation Agency is energetic in its support of a DC-3 replacement program, and that this diligent governmental agency believes such an aircraft would be, in their terms, "short-haul, safe, subsonic, and subsidy saving." I concur in this thumbnail sketch of a vitally needed adjunct to the aerial capability of the United States, and urge that significant emphasis be placed on its construction, as well as on that of the supersonic transport. West Virginia, and the Nation, would benefit from such a dual-purposed program of technological progress.

I commend the interest of the Senator from Oklahoma [Mr. MONRONEY], and the members of his subcommittee on that study as well as their study of the supersonic plane.

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## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

### FOREIGN AID MEMO SENT TO U.S. EDITORS

**Mr. HUMPHREY.** Mr. President, last week the senior Senator from New York [Mr. JAVITS] and I sent out a letter and memorandum to over 600 American newspaper editors calling to their attention certain basic facts about the foreign aid program. As I will be speaking later this week on the substantive points covered in the memorandum, I will not do so at this time.

However, I would like to ask unanimous consent to have the text of the letter and memorandum printed in the RECORD at this point.

There being no objection, the letter and memorandum were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
*Washington, D.C., October 23, 1963.*

DEAR ———: We believe there is an extraordinary need at this point to encourage better public understanding of the importance of the U.S. foreign aid program to the security and well-being of our country, and how U.S. private enterprise and voluntary organizations carry out their important role in it. So much emphasis has been given to foreign aid problems—both real and imagined—that there has been a failure to appreciate the value of its performance.

For the purpose of contributing to a more balanced perspective on this subject, we enclose with this letter a memorandum on foreign aid. It comments briefly on some of the current criticisms of the program and outlines in plain terms the factors which have caused us and many other public officials, whether Democrats or Republicans, to give it continued support. We submit this case for foreign aid for your consideration, mindful of the responsibilities we share to be informed of and weigh the important foreign policy developments of our times and to bring them fairly before the American people. For the foreign aid program has been traditionally bipartisan from the beginning and today foreign aid is called for by President Kennedy and supported by former President Eisenhower.

In the period ahead, the Senate will complete action on this year's foreign aid authorization and, thereafter, both the House and Senate will consider the bill at the appropriations stage. This is a particularly vital time for public consideration of foreign aid. It is our hope that this letter and memorandum will bring increased understanding to that consideration.

Sincerely yours,
HUBERT H. HUMPHREY,
*U.S. Senator.*
JACOB K. JAVITS,
*U.S. Senator.*

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### A CASE FOR FOREIGN AID

#### FOREIGN AID IS ESSENTIAL TO U.S. SECURITY

Contrary to charges that the foreign aid program is a "global giveaway," it is essentially a means to advance the security and well-being of the United States and the free world. Comprised of both economic and military aid, it is a vital arm of U.S. foreign policy which seeks to win the cold war and prevent hot wars.

This is why President Kennedy and former President Eisenhower support foreign aid so strongly, why President Eisenhower recently said: "Never has there been any question in my mind as to the necessity of a program of economic and military aid to keep the free nations of the world from being overrun by the Communists. It is that simple."

This is why the main finding in the Clay Committee report is that a sound foreign aid program is "essential to the security of our Nation and necessary to the exercise of its worldwide responsibilities."

#### FOREIGN AID IS AN INDISPENSABLE INSTRUMENT OF U.S. FOREIGN POLICY IN CRITICAL AREAS OF THE WORLD

A good example is found in the aid given through the Alliance for Progress to Latin America, the area described by President Kennedy as the "most critical in the world." In the face of anti-U.S. propaganda from Castro-Communist forces, U.S.-backed projects there have demonstrated our concern for Latin America's welfare. In the brief 2 years since this hemispheric cooperative effort was launched, some 140,000 new housing units have been constructed, 8,200 new school classrooms have been built, and more than 700 new community water systems undertaken. Tax and land reform measures have been adopted by many countries, more than 160,000 agricultural credit loans have been made, 4 million schoolbooks have been distributed, and more than 9 million children are being fed in 18 countries under the food for peace program.

The concrete results of our participation in the Alliance for Progress program can be illustrated by two examples:

1. Before the Alliance was launched, a shack in a Bogotá, Colombia, slum was the home of Campo Elias Bernal, his wife and his six children. Their total family income: $1 a day. Now, 2 years later, the Bernals are living in a modest but clean and facilities-equipped home in Ciudad Techo, an Alliance housing project near the Colombian capital. Priced at $630 and financed over a 15-year period, the Bernals are building their home through a system of self-help home construction widely employed under the Alliance throughout Latin America.

2. In Brazil, the misery of the Favela Bom Jesus until 2 years ago was typical of the slums ringing Latin American cities. Today this favela has been crushed by bulldozers and its inhabitants live in Barrio Alianca, a housing development near Rio de Janeiro named after the Alliance for Progress. It is a cooperative endeavor of a private foundation, the State Government of Guanabara and the United States.

### FOREIGN AID SUPPLEMENTS U.S. MILITARY STRENGTH AROUND THE WORLD AND REDUCES THE LIKELIHOOD U.S. FORCES WILL HAVE TO BE USED IN COMBAT

Military opinion is that without foreign aid, we either would have to tolerate Communist takeovers in various countries or commit American troops to fight brushfire wars there with weak local allies. Our aid supports 3½ million foreign troops who stand guard along Communist-bloc borders where U.S. troops might otherwise have to be stationed.

Through guerrilla warfare and stealthy subversion, communism uses human misery in unstable countries for its own ends. U.S. military aid to strengthen foreign forces and U.S. economic assistance to advance economic and social progress helps keep Communist and other radical movements from gaining the upper hand. Obviously, our aid alone is not sufficient, but it's one of our most effective weapons.

U.S. military aid supports foreign troops in countries facing the Communist bloc—from Greece and Turkey to Korea—at a price one-tenth that of maintaining comparable numbers of U.S. soldiers there. Were it not for foreign forces supported by our military assistance, it would be necessary to consider substantial expansion of our own forces at heavy costs in manpower and funds.

While the test ban treaty debate has evidenced concern for military safeguards for U.S. strength as against Communist power, it is often forgotten that our military aid is part of this safeguard and that economic aid is one of the chief nonmilitary safeguards for U.S. security and peace. The Communists may be expected to intensify their cold war efforts in the developing countries. In this situation, foreign economic aid is more important than ever as a safeguard against increased Communist influence.

### FOREIGN AID IS GOOD BUSINESS FOR THE UNITED STATES—IT MEANS MORE U.S. EXPORTS, MORE U.S. MARKETS ABROAD, AND MORE U.S. JOBS

Foreign aid purchases in the United States help account for the jobs of more than 550,000 American wage earners.

In 1962, for example, the Agency for International Development (AID) financed 25 percent of U.S. iron and steel mill product exports, 38 percent of our exports of fertilizer and locomotives, $50 million in foreign purchases of U.S.-manufactured electrical apparatus, and 10 percent of U.S. truck and bus exports.

The military assistance program also helps U.S. business. In addition to about $1 billion in procurement financed by the program itself, military assistance activities will contribute to cash and credit sales to allied governments this fiscal year expected to amount to about an additional $1.2 billion worth of U.S. military goods and services.

The percentage of aid-financed U.S. exports is rising sharply. AID financing of American commodities from fiscal year 1962 to 1964 will almost double, rising from about $500 million to $1 billion a year.

Foreign aid-financed U.S. exports help make American products more familiar to and desired by buyers in other countries. AID financed almost one-tenth of America's $7.5 billion of exports to underdeveloped free world countries in 1962. Foreign aid also helps develop growing economies which are better markets for American products. After postwar U.S. aid to Europe and Japan, U.S. exports to Europe doubled between 1959 and 1962, and American exports to Japan tripled in the last decade.

Can the United States afford substantial foreign aid expenditures in light of the current budget deficit?

Yes, since substantial aid cuts now would create later costs which would far exceed any immediate savings.

There are a number of countries where our aid is a decisive barrier to Communist takeover in the short or longer term. The cost of Communist gains in Cuba—a single small country—has been enormous both to the U.S. Government and to U.S. business there. The month's cost of mobilizing U.S. forces at the time of Khrushchev's missile threat last October would sustain aid programs in a number of countries.

The annual dollar cost of even a limited war in a single country might far exceed worldwide foreign aid costs for several years and result in immeasurable costs in American lives. The Korean conflict alone cost four times the total foreign aid request this year.

We have three-fourths of a million men in our Armed Forces stationed outside the United States. The foreign aid program is one of our best means of insuring that these men will not have to fight full scale wars. Its support of foreign troops also reduces the number of U.S. troops needed abroad and the expense of maintaining them there.

The United States spends $50 billion a year for defense to be prepared for wars we hope we never have to fight. We spend about 8 percent of that for foreign aid to reduce the probability of war and to maintain the initiative in the cold war. Military assistance makes as great a contribution to U.S. security, dollar for dollar, as the funds in our own defense budget. The cost involved in both programs is the price of our own security.

### THE FOREIGN AID PROGRAM PROPOSED THIS YEAR IS SMALLER THAN THE AVERAGE PROPOSAL OF PAST YEARS

This year's request is less than the amount requested in 10 of the 15 fiscal years since the Marshall plan began. It is about $1 billion less than the average request over the last 15 years, 4 of which were over $7.5 billion.

The United States today is spending 10 percent of its gross national product (GNP) to improve its national security. Only one-twelfth of this spending goes for foreign aid, and almost half of even this amount is for military and related strategic aid. The request for military aid is only 3 percent of the regular defense budget.

Foreign aid expenditures have declined as a percentage of U.S. gross national product from almost 2 percent at the beginning of the Marshall plan to seven-tenths of 1 percent today, as a share of the Federal budget from 11.5 percent in 1949 to 4.1 percent today.

### FOREIGN AID IS NOT NOW A MAJOR CAUSE OF OUR SERIOUS BALANCE-OF-PAYMENTS PROBLEM AND GOLD OUTFLOW

While aid has been an important contributory cause in the past, policy changes since 1959 and especially in the last year have achieved the result now that 90 percent of all aid commitments goes to purchase U.S. goods and services. Thus a cut of $1 billion in foreign aid would cut $100 million from the deficit in the balance of payments but $900 million from U.S. exports. Even if surplus agricultural commodities, military aid, and Export-Import Bank loans are omitted, 8 out of every 10 economic aid dollars are spent in the United States. Moreover, the U.S. share of actual total AID expenditures has been rising at a rate of about 10 percent yearly, and the military assistance program now has reached the point where it actually helps our balance-of-payments position. The present payments problem is a serious one, but it cannot be laid at the doorstep of foreign aid.

### SHARP CUTS IN THE FOREIGN AID PROGRAM WOULD DO SEVERE DAMAGE

Despite the recommendation of a $4.1 billion program by the House Foreign Affairs Committee, the program was slashed to $3.5 billion on the House floor. This heavy cut raises many dangers:

In the Alliance for Progress, the 25-percent cut to $450 million would mean that fewer funds would be available this year than last year, though the opportunities for useful investment in Latin America are substantially increasing, not decreasing;

Would indicate that just when the Alliance is demonstrating real progress and after U.S. criticism of Latin American performance, it is the United States which appears to pull back from its Alliance pledges;

Would reduce U.S. aid to all 19 Latin American countries under the Alliance this year to about the amount of Communist aid to the single island of Cuba; and

Would weaken pro-U.S. and pro-Alliance forces in Latin America and be a boon to Castro and the Communists. In gloating over the recent cut, one Communist newspaper wrote: "Only the naive and servile can continue to believe in the Alliance for Progress." Fidel Castro himself, attacking the Alliance on July 26 of this year as "an instrument of aggression against the Cuban revolution," scoffed that "the North American treasury every day is more incapable of mobilizing resources that will permit it to sustain * * * its allies in these countries."

In military assistance, a $400 million cut in this fiscal year to $7 billion would place the United States in a position of reducing assistance to its allies at a time when Communist threats to free world security are backed by an improving arsenal. About 70 percent of total military assistance in fiscal year 1964 (and almost 80 percent of associated supporting assistance) was planned to go to nine key countries on the periphery of the Sino-Soviet bloc. None of these countries has the resources to maintain the forces which our own Joint Chiefs of Staff consider desirable to repel any Communist aggression. Any reductions in military assistance would fall principally on these countries.

For development loans to countries in Asia, Africa, and the Near East, the reduction to $900 million would in view of present U.S. commitments tightly limit aid to many countries adjacent to the Communist bloc and hit our modest aid to African countries especially hard.

Requirements for U.S. aid this year to four countries under multilateral programs (India, Pakistan, Turkey, and Nigeria) exhaust more than 80 percent of funds which would be available. This leaves less than 20 percent available for 39 other countries in these areas of the world.

The House floor cut of $160 million is equivalent to all of the development loans made last year to all the countries of Africa and the Far East.

For the contingency fund, the reduction to $150 million would make the fund $100 million less than in 1963 and $125 million less than in 1962; and puts the fund at its lowest level since its establishment in 1959 as a separate fund to be available for unforeseen emergencies in a rapidly changing world.

### CHARGES THAT FOREIGN AID HAS FAILED AND GOES ON INDEFINITELY ARE INACCURATE

Foreign aid has generally done the job for which it is designed. This is true both where its principal aim was to forestall the threat of internal collapse and Communist military takeover, as in Korea, or where its purpose was to help countries toward economic growth and development, as with the Marshall plan. Moreover, the United States now has an end to its aid programs in mind, even though the end for some countries is not clearly in sight.

Foreign aid to 14 nations of Western Europe under the Marshall plan and to Japan, Spain and Lebanon has been an obvious success. Economic aid to these countries has been terminated, most of it some years ago; and other countries—especially Greece, Israel, free China, the Philippines, Mexico and Venezuela—will soon join the ranks of countries no longer receiving U.S. economic aid.

Military assistance to our NATO partners such as France, Germany, and the United Kingdom was designed to insure that NATO presented a creditable deterrent to Communist aggression in Europe. This has been accomplished, and the United States will make no new commitments for provision of military equipment to these countries.

Foreign aid has helped many countries in Asia, Latin America, and Africa move increasingly toward economic and political stability. It has assisted hard-pressed governments there to show that progress under non-Communist governments is possible and see tangible evidence of U.S. concern for their well-being.

Former successes in foreign aid are permitting reductions in its current cost, and successful military security assistance in the past has encouraged increased emphasis on economic development aimed at making countries self-sufficient as soon as possible.

### THE FOREIGN AID PROGRAM OF TODAY IS NOT THE SAME OLD PROGRAM MAKING THE SAME OLD MISTAKES

With the reorganization of foreign assistance efforts under AID in 1961 and the recruitment of many able persons including a number of businessmen, the economic aid program has substantially and continuously improved. Stricter standards have been introduced, self-help conditions for aid have been emphasized, interest rates have been raised and loan terms tightened for countries better able to bear them, and old procedures have been and are being streamlined.

The nature of the aid program has changed. Fifteen years ago our aid went almost entirely to Europe and Japan; today it is aimed at Latin America, Asia, and Africa. Where 90 percent of Marshall plan aid was in grants, economic aid is now on a loan basis, dollar-repayable and on soft terms. Ten years ago most of our aid went for military and related strategic assistance to arrest urgent problems; today this kind of aid has been cut in half and reduced by almost $1 billion over the last 3 years. Today, aid is aimed at long-term gains designed to forestall crises before they occur, not to meet them after they occur.

The present aid program is highly selective and concentrated. Estimates are that 20 countries will receive about 80 percent of total AID-provided economic assistance; 5 of these will receive 80 percent of Development Loan funds; 6 Latin American nations will receive 80 percent of Alliance for Progress funds; and 10 countries will receive almost 80 percent of total military assistance.

U.S. aid is not dispensed indiscriminately, the same for all countries. It is carefully tailored, with the aid of the congressional committees concerned, varying with the degree of United States and free world interest in a country, the extent of the country's needs and self-help measures, and the availability of assistance from other sources. Countries receiving economic aid fall roughly into three categories:

1. Where aid is directed to lasting economic and social development—some 30 countries.
2. Where the short-range goal of maintaining external or internal security is primary to the long-term development goal—about seven countries, a declining number.
3. Where U.S. participation is quite small and limited in scope—more than 40 countries, many of them in Africa.

Another major change in the aid program concerns the expanding role of private enterprise. Earlier aid programs consisted of technical assistance and military aid. Present programs, emphasize loan funds and guaranties against certain risks to U.S. investments, are designed to effect maximum economic growth based on private initiative backed by improved government services and policies. Also universities, foundations, unions, trade and citizen organizations, and many other elements of the private sector are heavily involved.

### THE FACT THAT THE DEVELOPED COUNTRIES OF EUROPE ARE NOT CARRYING THEIR SHARE OF THE ECONOMIC AID BURDEN DOES NOT MEAN THAT THE UNITED STATES CAN NOW AFFORD TO DO LESS

While other developed countries generally are not yet doing their full share, there has been progress—much of it due to U.S. pressure—and the United States is pushing them further.

Economic aid from Western Europe and Japan has doubled, from $1.2 billion in 1956 to $2.4 billion in 1962. By 1962, the proportion of direct U.S. economic aid to that provided by other developed countries was 60 to 40 percent, approximately the ratio of the U.S. national product to that of these other countries. Three or four West European countries give a greater share of their GNP for aid than does the United States.

The United States has increased its pressure for improved aid performance by other prosperous countries, especially concerning the terms or quality of their aid, and there has been some recent progress here as well. In some recent loans, the British have cut their interest rates effectively in half and Germany has increased its grace periods to 7 years.

Doing less ourselves, however, is unlikely to cause other countries to do more. A better answer lies in continued U.S. pressure, demonstrations that America will not assume aid burdens which others do now and should carry, and European awareness that their aid, like ours, can lead to expanding their commerce and markets.

### THE FOREIGN AID PIPELINE CANNOT BE USED FOR NEW PROJECTS IN THE YEARS AHEAD

It is sometimes said that foreign aid could be provided out of funds already voted by the Congress but not yet actually expended. This is not the case as these funds, the so-called pipeline, represent commitments the United States has made but not yet fulfilled. All funds in the pipeline have been committed for specific projects and purposes, though not yet fully expended. Only in rare cases could these funds be diverted to meet new requirements. It may take several years to spend all funds necessary to build a dam, for example, but the United States cannot promise to build another dam in a second country with the money set aside to build the first. While certain projects could continue with funds previously committed for them even if new funds were not available, others would cease only half-finished and no new projects could begin. In addition, planning and implementation of current projects often are predicted on the completion of earlier related projects to sustain program continuity and progressive achievement.

### THE FOREIGN ECONOMIC AID PROGRAM DOES NOT FIT THE STEREOTYPED NOTION OF GOVERNMENT-TO-GOVERNMENT AID WHICH NEVER REACHES THE PEOPLE

While aid is provided on the basis of explicit or tacit arrangements between the U.S. Government and foreign governments, it is a mistake to believe it goes only or even chiefly for government operations. Most development loan funds, for example, are used for imports needed by the economy as a whole, especially the private sector, industrial or agricultural credit for private borrowers, etc. In addition, the U.S. aid program furnishes a number of services for U.S. investors, including guaranties and surveys, and it involves a great number of private American educational, business, and professional organizations and figures. U.S. aid also has provided vaccines, health services, school lunches, classrooms, textbooks, water systems, housing, seeds, and technical training for millions of persons.

Mr. HUMPHREY. Mr. President, if Senators would look at the memorandum, they would see that it answers many of the questions which have been raised about the foreign aid bill. It outlines rather clearly the several features involved in the foreign aid bill and compares the foreign aid bill of the present year with the foreign aid expenditures and authorizations of previous years. The purpose of the memorandum was not necessarily to be persuasive and convincing, but rather to offer factual information that will keep the debate in the Senate—and I hope in the public press and other media—on responsible and reasonable terms.

Mr. President, I plan to make my major statement on the foreign aid bill in relation to the area of Latin America and the Alliance for Progress. I hope to do so tomorrow immediately after certain morning business has been transacted.

I also wish to announce now my intention of bringing to the Senate floor some tangible, visible evidence of progress in Latin America during the past 2 years—in other words, the use of visual educational materials.

Too often we depend upon merely the spoken word in the Senate to perfect our case. I have long been of the opinion that visual display material can be even more effective and, indeed, can be most effective with the American public. So

I announce today my intention of exercising rather unorthodox procedure tomorrow in presenting my case for the foreign aid bill.

Today I would like to call to the attention of my colleagues an analysis of one of the crucial problems confronting this hemisphere, communism in Latin America. Early this summer, an article in the Saturday Evening Post on this subject presented a truly alarming picture of the rising influence of communism in Latin America. Because of the importance I attach to having a balanced analysis of this issue presented to the American public, I asked our top Latin American policymaker in the State Department, Assistant Secretary Edwin Martin, to comment on this article. He has done so in a perceptive analysis of some of the problems we confront in Latin America and the progress we have made in meeting them during the past 2 years. His letter describes what we are trying to do to aid our friends to resist Communist infiltration of universities, labor unions, secondary schools, and communications media.

Mr. Martin's letter is a very good, hard-hitting answer to some of the points that were outlined in the Saturday Evening Post article.

I believe Mr. Martin's analysis, in indicating where we have progressed and what problems remain unsolved, points up once again the importance of ideological information and propaganda activities in the struggle for men's minds in Latin America. It is in that area that we have expended the least of our resources, and it is in that area of ideological information and propaganda or educational activities that we have used so little of our resources.

I found it most interesting that in the response to my "Report on the Alliance for Progress" which I issued in March of this year, Latin American observers commented most frequently on that section of the report in which I discussed the ideological basis of Marxism and Communism. Referring to the Mexican situation, I stated:

> The continued Marxist grip on the minds of some Mexican university professors and students attests once again to the fact that the ideological basis of communism is its principal attraction for educated groups, not its economic critique. It is for that reason that communism captures the university before the slum.

This strong attraction of Marxism and communism among the intellectual elite groups is one of the best reasons why we should step up our activities in the information, education, and propaganda fields.

We should not cut back our USIA programs in those fields, for example, but they should be expanded. If we paid a little more attention to the needs of our educational, cultural, scientific, propaganda and information activities, we would possibly be making much more progress in the Latin American area for the cause of freedom and democratic society.

We should step up our programs in the area of cultural and educational exchange. We should intensify our programs aimed at university students and professors, at television, cinema and radio writers and producers, and at journalists and editors. To do this, however, we must provide the necessary funds for these programs through USIA and the State Department's educational and cultural affairs program.

Mr. President, if there is any reason why we have been failing, it is the failures of Congress. This Congress, which was willing to appropriate more money for defense than the President asked for, is unwilling to appropriate the money the President asked for cultural, educational, and informational activities. Apparently, we feel that we are better generals than the Joint Chiefs of Staff and, apparently, that we are better educators than those responsible for our educational efforts overseas.

The recent action of the House in cutting the administration's requests for these programs was ill advised, ill considered and ill timed. At the appropriate moment, I intend to see to it—to the best of my ability, at least—that these cuts are reversed, that our people in charge of these programs in Latin America are provided with the funds to do the job that needs to be done.

I have advised our people in these agencies to come to Congress and say, "If you know how to operate the program better than we do, then take it, if you are going to constantly complain that we do not do a good job."

Let me make clear for the Record that while we put up half the money required to do the job, the Communists spend anywhere from 10 to 20 times as much as we do in the Latin American area alone on propaganda, informational, and cultural activities. Everyone knows that. We insist on having an arms race with the Russians in an area of the world where there are no arms—namely, Latin America. We spend far less on our educational, scientific, and cultural programs in the Asian, African, and Latin Americans areas than do our opponents and competitors, the Communists. We spend far more on military programs all over the world than do our competitors and enemies, the Communists. I happen to believe that our efforts in armaments produce some rather good results. The Communists have found they cannot keep pace. They are retreating from the arms race, only to step up their propaganda race. Since we have no intention of using the guns we manufacture to kill people unless a war is forced upon us, the Communists go ahead with their programs of education, information, and propaganda with little or no resistance from us.

Our friends in the USIA and the State Department, who handle educational and cultural programs, have done a very good job. They wrestle with a giant with one arm, while the other arm is tied behind the back, and both legs tied, because Congress prefers to provide money for military programs rather than for the tools and weapons that are really needed in the struggle today; namely, the cultural, educational, scientific, and propaganda activities.

I was in Germany over the weekend, and I talked with some of our ambassadors who were gathered at Bonn for a regional meeting of the chiefs of mission of the American diplomatic services in the European area. I learned, for example, that despite the limited amount of money available, many thousands of people in the Iron Curtain countries come to look at the American exhibits in American embassies there. My good friend, Mrs. Eugenia Anderson, who is our Minister to Bulgaria, was kind enough to call me by long-distance telephone from Bonn while I was in Frankfurt. She told me that the developments she had witnessed in Bulgaria were most reassuring and comforting; that each day thousands of people come to see the small number of paintings that the USIA is able to provide out of its limited budget for this area of the world. Of course, we operate under severe restrictions because of the Communist Government of Bulgaria, but the people are hungry for our message.

Mr. President, I saw the same thing in Latin America. I saw exhibits in Santiago, Chile, that attracted thousands of people. I saw binational centers that were giving educational services to thousands of people; and yet I saw our own country running a poor second to Cuba in terms of educational, or if we wish to so call it, propaganda material.

When the great United States of America cannot keep pace even with Cuba in the fields of cultural activities and educational activities, there is something wrong in terms of our priorities.

I believe I know what is wrong with our priorities. This morning, I spoke to a committee on behalf of the program for promotion of the arts in the Federal Government, and I made note of the fact that we go around as though we were paupers passing the cup, hoping to get the $30 million necessary for a National Cultural Center for the Capital of the greatest Nation in the world—for the capital of freedom in this entire world. Every other country in the world, with no exception, has a much better cultural center or auditorium and a much better cultural program in terms of government activities, than the United States.

But there are some very good horse races around here. There are some good night clubs. There are some fine commercial recreational establishments. We provide them with all kinds of tax deductions and business expense allowances to keep them going. But, when it comes to a National Cultural Center, the same Nation that has a Congress which votes a budget of $48 billion in one afternoon for defense expenditures stands paralyzed and cannot seem to find $30 million to build a National Cultural Center for the capital of the free nations of the world.

This is indicative of why we are in trouble in many parts of the world. We build the biggest atom bombs, and yet we put the least emphasis upon some things that are just as important.

Mr. President, I ask unanimous consent to have printed in the Record the letter to me signed by Assistant Secretary of State Martin in answer to the article which was published in the Saturday Evening Post entitled "Communism in Latin America."

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of State,
*Washington, D.C., July 29, 1963.*

The Honorable Hubert H. Humphrey,
*U.S. Senate.*

Dear Senator Humphrey: I was pleased to receive your letter of July 11, 1963 concerning Richard Armstrong's important article in the Saturday Evening Post on communism in Latin America. I have read the article with great interest and care and am happy to give you my appraisal of it.

I want to preface the critique by saying that my general comments do not constitute either agreement or disagreement with all the specific assertions of fact and value judgments which it contains. To give an opinion on each of these is a task beyond the scope of this letter.

As an overall judgment I would say that Mr. Armstrong has accurately identified the danger spots which the Communists are exploiting and correctly listed the different tactics they are using. He also issues warnings which many Americans would do well to heed. But I think he paints a darker picture of the degree of Communist gains than the facts at the present moment justify. This is by no means to say that Communist subversion is a minor threat. It represents a serious danger, and that is why we and our democratic friends throughout the hemisphere are combating it. Because these efforts are producing concrete results, I do not believe that we are teetering on the brink of disaster as an uncritical reading of the article would convey.

Turning to a few specifics, I do not agree with Mr. Armstrong's apparent impression that, because the "Communists have never sung their hopes so high," they see victory within reach. The Communists, I believe, are rather making the type of self-serving statements that reflect less rather than more self confidence. Certainly they see powerful social movements at work in the area which they, as a small minority, hope to mount and ride to power. But they also confront, as the author himself notes, some very strong forces, such as a growing number of reform-minded leaders of the democratic left, an Alliance for Progress on the move, and a greater mobilization of the middle and upper classes, the clergy and the armed forces. In this connection I want to point out that the ruling classes are not a hopelessly benighted group which stubbornly continues to oppose change, as the article implies. Many significant elements in these groups understand the social forces at work in their respective countries and are playing important roles in reform movements. Furthermore, the Communists are not as monolithic and well-disciplined as might seem. The missile crisis of last October severely tarnished the Castro image and deflated the claim that communism is the wave of the future. The tug of war between Moscow and Peiping for leadership of the world Communist movement is also sapping the strength of the Latin American Communists as divisions deepen in their own ranks.

I am sure you will agree with me that we must be very careful not to regard the growing manifestations of nationalism, anti-Yankeeism, independence and reform in Latin America as a yardstick by which to measure Communist strength. Our task is to assist the Latin American people, as we are doing through the Alliance for Progress, to work out their own solutions to their economic and social problems. At the same time we must also help them in other ways to defend themselves against the Communists who are constantly seeking to block the gains being made under the Alliance. Contrary to the implication of the article we do not regard Latin America as an "American fief" nor do we insist that the Latin American States become "simon-pure American style capitalist states." I think it is very important for us to interest other free world countries in involving themselves in Latin America to keep the choice from looking like one between communism and "U.S. brand democracy" and to put across the point that the choice is between a slave and a free world, enriched by variety.

Mr. Armstrong places considerable emphasis on the inroads which the Communists have made in intellectual and student circles. I would not minimize these inroads, but I do not think that they are greater today than they have been over the past two decades. What has increased is the determination of moderate elements to do something about it.

To illustrate this point I shall be glad to place at your disposal a paper prepared by my office at the end of 1962 which deals in some detail with the progress being made by non-Communist students in the universities. This year, despite some disappointments, I have seen nothing to invalidate my belief that the moderate elements in university circles, which have long been passive, are becoming increasingly aware that they have great interests at stake in the ideological struggle and that they must defend them actively. They still have a long way to go before becoming a powerful cohesive force, but the trend is a heartening one.

It is paralleled by a growing tendency in the more extreme lefist, though not strictly Communist, university and intellectual circles to say "a plague on both your houses," meaning on the Communist and the "Yankees." Without in any sense advocating "neutralism" or "third forcism," I venture to call this too a desirable development, because I welcome loss of faith in something evil as well as a spectacular conversion to something good. Public conversion comes hard to most people, especially to those who attach a lot of importance to "face." We will have to be patient with many prominent people who, precisely because they are breaking away from Communist influence, find it expedient to be noisily "anti-Yankee imperialist" in order to prove their intellectual, political, and emotional independence.

The special box on university leaders written by Trevor Armbrister throws out of balance the comments on university trends that Mr. Armstrong makes toward the end of his article. I have strong doubts that the Peruvian university student leader, for example, could make good his threat to stir up the peasantry. The cultural and emotional gaps between Latin American intellectuals and the workers of their countries are more frequently harder to bridge than those between well-oriented foreigners and those same workers.

The article gives an erroneous impression that the Communists hold a virtual monoply of the creative talents in Latin America. An equally impressive list of outstanding personalities whose attachment to the free world is beyond question could be prepared. To mention just a few: the Mexican painter Rufino Tamayo, the Argentine writer and poet Jorge Luis Borges, the Venezuelan Novelist Romulo Gallegos, the late Chilean Nobel Prize poet, Gabriela Mistral, and the Argentine Nobel Prize scientist, Bernardo Houssay.

It is hard to gage progress made in reducing the glamour of communism in certain intellectual circles in Latin America. However, I think that the stationing of Soviet missiles in Cuba and Khrushchev's cavalier treatment of Castro in withdrawing them under U.S. pressure produced a very marked disenchantment among intellectuals who were not confirmed Communists, many of whom have pronounced "ban-the-bomb" proclivities. The process of dissipating the vogue of extreme leftism and fellow-traveling will create many problems for us. We can expect it, in its early stages, to confront us with a myriad of hairsplitting, overtly anti-American factions. As Mr. Armstrong warns, we shall have to take care not to reunite them by looking on them with too little subtlety and understanding. Part of the job ahead is to convince the Latin American intellectual that he can live in dignity with us, without having to parrot our own particular sense of what is democratic and desirable. Part of our task with the Latin American intellectuals is to convince them that we are interested not only in their knowing our achievements but also in learning from what they have to offer to us. In other words cultural exchange must really be a two-way street.

Communist influence in the news media shows a pattern similar to that in intellectual circles. They have their own newspapers and magazines some of which are done well enough to have public appeal. Perhaps more serious problems exists in connection with reputable neswpapers and radio and TV stations which for a variety of reasons continue to furnish outlets for clever and unscrupulous Communists, fellow-travelers and opportunitists. Nevertheless, the total of their output or impact does not compare with the resources and influence of the media which follow an independent or anti-Communist line. The wide acceptance of USIA news output and radio and television programs is a clear indication of the orientation of the large majority of the Latin America news media.

Turning to Mr. Armstrong's description of the four main tactics being used by the Communist, I think the reader can get the impression that Communist subversion is running rampant throughout the hemisphere. This is not the case. Take the first tactic: "terror in the cities." The only place where we find terror being used to any significant extent is in Caracas, Venezuela where the Communist have been forced to resort to violence because they enjoy little popular support. In doing this they have provoked the wrath of a vast majority of the Venezuelan people and the Government. President Betancourt had undertaken increasingly energetic and effective security measures to deal with the problem.

The second Communist tactic mentioned by Mr. Armstrong is "guerrilla warfare in the backlands." At one point in the article he makes the statement: "Colombia is not the only country infested by Communist guerrillas." The truth of the matter is that there is no country in Latin America "infested" by guerrillas. The few bands which operate in Venezuela have gotten nowhere as the armed forces, with the cooperation of the campesinos, continue to harass them. In Ecuador last year an attempt by a band of young rebels (many less than 200 the author estimated) to launch guerrilla activities was quickly put down. Just a few weeks ago in Peru the Government caught Castro-type Guerrilla Leader Hugo Blanco as well as a group of Cuban-trained revolutionaries which had clandestinely entered the country from Bolivia. In Brazil there have been periodic instances of violence in the northeast with some indications of Communist involvement, but these should not be confused with Communist guerrilla activity which to my knowledge is nonexistent. Mr. Armstrong narrates the failure of Castro-backed Brazilian Communists to establish guerrilla training centers in the interior of Brazil. As I noted in my statement before the Selden subcommittee last February, and as Mr. Armstrong acknowledges but in passing, violence in Colombia is basically banditry rather than Communist-controlled insurgency.

With regard to the third tactic—"creation of popular fronts designed for the election of Communists for pro-Communists"—Chile is the only country where the Communists have an adequate base to pursue this approach. However, the results of the recent Chilean municipal elections and dissensions within the Communist-dominated coalition FRAP have considerably reduced the possibilities of the Communists coming to power through the next elections. On the other hand, Communist influence in British Guiana is quite a different matter, and the problem there is very real and substantial.

The Communist technique of infiltration—the fourth tactic—is the easiest to disguise and therefore the hardest to detect and counteract. While growing spirits of nationalism and independence may in the long run serve to frustrate Communist objectives, it now frequently serves as a shield for Communist infiltration and at the same time makes our task of warning a government of the consequences more delicate. Nevertheless, we are keeping a close watch over this form of subversion and doing as much as we can to help other governments deal with it.

You ask for a candid evaluation of the effectiveness of our antisubversion program in Latin America today. My answer is that, while we have a considerable way to go, we are making progress and I am optimistic. Our principal enemy in Latin America is not communism but immature intellectuals and demagogues with limited knowledge of communism and its results on the lives of people who live under it, and the widespread poverty, ignorance and disease which provides these people with arguments and issues. We are energetically trying to correct these ills, and in the process strengthen democratic institutions and remove the conditions on which communism breeds. The Communists are trying to exploit them in order to gain power and implant their totalitarian system. Based on this assessment, our program contemplates two parallel courses of action. One is to work with the Latin American governments through the Alliance for Progress to achieve greater intellectual and political maturity, economic development, social justice and political stability. The burden of our effort must be concentrated here. But while we do this, we must also make sure that our flanks are protected against the sorties of Communist subversion.

Ted Moscoso is in a better position to comment on the gains we are making through the AID program. I am glad that you sent him a copy of your letter to me asking for his suggestions. He will be writing directly to you.

With respect to the defense of our flanks, we are moving ahead on two fronts. One is the multilateral; the other the bilateral. Progress on the multilateral front is reflected in the decisions reached last April at the Managua meeting of Ministers of Governments, Interior or Security of the five Central American states, Panama and the United States. A copy of the final act is enclosed. Implementation of the decisions is in progress. Another accomplishment is represented by the report which the Council of the OAS sent to the governments this month urging that they implement the specific recommendations contained therein for control of travel to Cuba, the flow of subversive propaganda and the transfer of funds for subversive purposes. I am also sending you a copy of this document. A third element in the multilateral effort is the steps we are continuing to take to increase the isolation of Cuba and thereby reduce its subversive potential.

Bilaterally we are seeking to increase the internal security capabilities of the Latin American countries through a variety of measures tailored to meet the needs of each. The emphasis is on training and equipping the armed forces and civil police. The military personnel are being trained in riot control, counterguerrilla operations and tactics, intelligence and counterintelligence, public information, psychological warfare, and other subjects. The police personnel are training in organization, administration, riot control, records and investigations. To a considerable extent equipment being furnished to the Latin American countries under the military assistance program is designed to fit in with the increased emphasis on their internal security requirements.

While in this battle there is always the need for improvement, I am satisfied that our two-pronged approach to the problem of Communist subversion is making progress. Our task will continue to be to mobilize our human and material resources, and to make the most of the psychological advantages we enjoy in this respect. We have been developing constantly better techniques for doing so. We have, I am sure, many advantages of which we are hardly aware, and I am constantly pressing for identification and positive understanding of them, as well as of the much advertised liabilities we suffer in the area. My own conviction is that we can do everything better than the Communists, if we will not allow ourselves to be distracted from the job, or get panicky and expect miracles every day. With your help and that of others who, like you, have looked deeply into the Latin American scene, I am sure we can proceed with confidence.

I hope that this assessment of the Post article will be of use to you. If I can be of any further assistance, please do not hesitate to let me know.

Sincerely,

Edwin M. Martin,
*Assistant Secretary.*

Mr. HUMPHREY. Mr. President, the only reason we have not done better in many of these areas is that we really have not tried to do so. We have talked about it. We have made speeches about it. We have written articles about it, but we really have not tried.

Tomorrow, I am going to demonstrate how the Alliance for Progress, despite its imperfections, and despite the failure of Congress—and indeed the executive branch—to do the best job that could be done, has made substantial progress. I am hopeful the Senate will sustain the action of the committee.

The action of the committee on the Foreign Assistance Act of 1963, in reference to the Alliance for Progress, is not all I had hoped it would be. It is my view that the social progress fund for the Alliance for Progress should have been granted in its entirety. It is my view that the funds set aside for housing will be inadequate. It is also my view that the administration of some of these programs has been too tardy. We are beginning, however, to make considerable progress in the improvement of administration, and I want to be sure that whatever I may do as a Senator will not impede effective administration. I want to be sure that what we do in this program will be enough to really be effective.

I have used the example many times, because it is a relevant example, that if a man has a serious infection, which requires, according to medical analysis, treatment by penicillin, there is no use giving that patient 25,000 units of penicillin, even though much money could be saved by giving him that small a dosage. We might as well give him Smith's cough drops. In fact, he might be better off, because he would avoid the danger of a reaction. When a man needs 1 million units of penicillin to repel an infection, it does not do much good to give 100,000 units or 200,000 units.

The great area of Latin America is today the victim of very serious political and economic infection, political instability, economic backwardness, illiteracy, all sorts of social ills. We have been attempting to deal with that type of infection—political, economic, and social infection—with inadequate dosages of the treatment that has been prescribed. The doctors in Congress, I am afraid, are trying to cut down the dosage that the conservative doctors presented originally, or the original prescription. So I hope we will not let the patient die by quibbling over the cost of the medication.

Perhaps some of my colleagues have read the article, "Funerals Are Costly"—regular funerals and political funerals. It is costly to try to rescue nations once they have been the victims of tyranny or communism. The cost is fantastic.

Had we had more vision in some of those areas, we might have saved ourselves some trouble.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I am happy to do so.

Mr. DOUGLAS. At the very end of the foreign assistance authorization bill, at the bottom of page 53, there is some cryptic language, reading as follows:

> For the purposes of this title and title IV, the term "surplus agricultural commodity" shall include any domestically produced fishery product if the Secretary of the Interior has determined that such product is at the time of exportation, "in excess of domestic requirements, adequate carryover, and anticipated exports for dollars."

Does this language refer to what is known as high-protein fish concentrate, otherwise known as fish flour?

Mr. HUMPHREY. Yes; it can very well cover that product.

Mr. DOUGLAS. I am glad of that.

Is it not true that the American Academy of Science finds that high-protein fish concentrate, or fish flour, is completely wholesome and nutritious, has absolutely no toxic qualities, and is 100-percent safe?

Mr. HUMPHREY. The Senator is absolutely correct. In many areas of the world such a product could be used to meet nutritional deficiencies.

I think the amendment specifically related to canned fish products, which could provide greatly needed nutrition.

Mr. DOUGLAS. So it does include fish flour?

Mr. HUMPHREY. It is my interpretation that it includes fish flour.

Mr. DOUGLAS. Is it not true that fish flour has a high-protein content of approximately 85 percent?

Mr. HUMPHREY. I believe so. The Senator from Illinois has been one of the most persistent and effective advocates of this product. I made a trip about a year ago to South America. I cannot recall in which particular country it was, but I recall that in that country the medical profession told me there had been a decided improvement in the health of children particularly as a result of the use of fish flour, because it had brought about an increased intake of protein.

Mr. DOUGLAS. Is it not true that fish flour can be produced in bulk at an average cost of 14 cents a pound?

Mr. HUMPHREY. Yes; I have heard that testimony.

Mr. DOUGLAS. This amounts to a very cheap form of nutrient.

Mr. HUMPHREY. Yes.

Mr. DOUGLAS. Is not this of great benefit in tropical countries close to the equator, where the presence of heat and the absence of refrigeration makes it virtually impossible to preserve meat, fish, and milk?

Mr. HUMPHREY. The Senator is correct. Only dried milk can be used there. Fish flour involves very much the same type of operation. Fish is processed into a usable, nonperishable commodity.

Mr. DOUGLAS. And the American Academy of Science has pronounced it completely sanitary, sterile, and beneficial?

Mr. HUMPHREY. The Senator is correct.

Mr. DOUGLAS. And the Secretary of the Interior has given this product his endorsement?

Mr. HUMPHREY. The Secretary of the Interior has done so. The language on page 53 of the bill is:

> For the purposes of this title * * * shall include any domestically produced fishery product if the Secretary of the Interior has determined that such product is at the time of exportation in excess of domestic requirements, adequate carryover, and anticipated exports for dollars.

Mr. DOUGLAS. Now we come to the real catch. Because the head of the Food and Drug Administration, Mr. Larrick, has declared, on his own initiative, that fish flour, or fish protein concentrate, shall not be allowed to be sold in the United States because it is produced from the whole fish and therefore includes the digestive tract of the fish and the head of the fish. He has pronounced it repulsive and unesthetic, and therefore not fit for any American to eat.

I may say, in explanation, that the fish is crushed, subjected to a number of solutions of alcohol, a number of solutions of water, thoroughly baked, and is made completely sterile. But Mr. Larrick says it is unesthetic because it may raise in people's minds the memory of where it came from, although it is a brown powder, with no repulsive qualities, and although the Food and Drug Administration permits rattlesnakes, ants, silkworms, snails, chocolate-covered baby bees, grasshoppers, whole squid, and caterpillars to be sold in American stores.

Mr. HUMPHREY. Beetles and grasshoppers.

Mr. DOUGLAS. Yes, chocolate-covered baby bees and grasshoppers, to be sold. We are going to be faced with this fact: Here is a product we are going to export, but the Food and Drug Administration has said it is improper for Americans to eat the product, so it is prohibited for use by Americans. I can hear the Communist propagandists in Latin America and the Tropics saying, "Here is a substance Americans will not consume themselves, but they give it to us in assistance."

Does not the Senator think perhaps a little persuasion should be exercised on the Food and Drug Administration and its head, Mr. George P. Larrick to observe the realities of this product? The Senator is a pharmacist. This is only one of his many fine accomplishments.

Mr. HUMPHREY. I am not an expert on fish flour.

Mr. DOUGLAS. I should have brought some along with me.

Mr. HUMPHREY. I had some fish flour biscuits, or something the Senator had prepared. They are delicious. I will see what we can do to be persuasive and convincing with the head of the Food and Drug Administration. In many areas where the finest fruits are prepared and consumed, and where health standards are high, fish flour is an accepted food product.

Mr. DOUGLAS. But the head of the Food and Drug Administration prohibits Americans from eating it. There are Americans with low incomes and other people living in tropical countries whose diets would be greatly improved by the addition of fish flour. This product can be stored indefinitely without refrigeration. The foreign policy of the United States is subject to criticism in this respect.

Mr. HUMPHREY. I am hopeful that this new provision in the bill will be effective, and I trust that the Food and Drug Administration will not stand in the way of its implementation. In order to bar unfair criticism, it would seem to be a wise policy for the agency to reassess its earlier judgment and to see if it cannot find, within the terms of its scientific standards for purity and for——

Mr. DOUGLAS. They admit it is pure. They admit it has high value as food. They admit that it is extremely beneficial. However, they say, since it comes from the whole fish, it raises bad thoughts in the minds of people as to its origin, and therefore should not be permitted to be in circulation. They do not object to caviar.

Mr. HUMPHREY. The Senator is making a very good case.

Mr. DOUGLAS. Caviar, as the Senator knows—I know he leads a simple life and does not eat large amounts of caviar—caviar is the eggs of the sturgeon.

Mr. HUMPHREY. Only when I am out on the embassy circuit do I eat caviar. I must confess that before I came to Washington I had never indulged in caviar. After 15 years I believe I have gotten to the point where I almost enjoy it.

Mr. DOUGLAS. Oysters have a digestive tract. The Food and Drug Administration does not object to oysters, although oysters have a digestive tract.

Mr. HUMPHREY. The Senator has almost turned me against oysters.

Mr. DOUGLAS. As a matter of fact, one can eat silkworms. They are approved by the Food and Drug Administration. Frankly, there are many things that the Food and Drug Administration does which I do not like. This is only one of them.

Mr. HUMPHREY. I will do all I can to get the Food and Drug Administration to see the light on the matter to which the Senator has referred. I hope the Senator will feel that he has gained a rather substantial victory in the legislative process by the inclusion in the bill of fish products. He had considerable cooperation from a number of his colleagues from other parts of the country, but he has taken the lead on this matter. It seems to me that fish products offer a very fine opportunity for a source of food, and an opportunity for a better balanced program and a far greater use and availability for our people than heretofore.

Mr. DOUGLAS. Why should not the American people have the right to have fish protein flour?

Mr. HUMPHREY. I will take fish powder before I will take rattlesnakes or worms or beetles. Fish flour is perfectly nutritious, and it is a pure food, and it could well be included in the American diet.

Mr. DOUGLAS. I thank the Senator.

Mr. HUMPHREY. As I said, tomorrow I will hold forth on the Alliance for Progress, because to me the Alliance for Progress is the key and the heart of the whole foreign aid bill. I do not propose to say now or tomorrow that the Alliance for Progress has been a complete success. I do say, however, that it has made substantial contributions to a better life for millions of people in this hemisphere. I further say that it is on the road to success. I do not want anything to impede that process by unwise cuts or by restrictive language which might make it exceedingly difficult to carry out the program administratively.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## RECESS

Mr. HUMPHREY. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 51 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, October 29, 1963, at 12 o'clock meridian.

## CONFIRMATIONS

Executive nominations confirmed October 28 (legislative day of October 22), 1963:

### IN THE AIR FORCE

*To be lieutenant general*

Maj. Gen. Fred M. Dean, 1450A, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade indicated, under the provisions of section 8066, title 10, of the United States Code.

### In the Marine Corps

The nominations beginning Joseph A. Mallery, Jr., to be major, and ending Harold R. Davis, to be major, which nominations were received by the Senate and appeared in the Congressional Record on October 17, 1963.

### In the Navy and Marine Corps

The nominations beginning Anthony J. Adaschik, to be ensign in the Navy, and ending David L. McEvoy, to be captain in the Marine Corps, which nominations were received by the Senate, and appeared in the Congressional Record on October 9, 1963.

# HOUSE OF REPRESENTATIVES

## Monday, October 28, 1963

The House met at 12 o'clock noon.

Rabbi Isaac Freeman, Congregation Agudas Achim, Newburgh, N.Y., offered the following prayer:

Almighty God, impart Thy protection and wisdom to the chosen Representatives of the American people. Accept our thanksgiving for the opportunity to extend Thy gifts of material and spiritual bounty to the enrichment of human life and culture.

We pray that Thou wilt quicken and sustain within us the understanding and awe that the seeds of the future are contained in this present hour—that each act and decision embodies the potentiality of both blessing and curse. Grant us reverence for the goodness woven into the souls of men and the courage to be faithful to that reverence. May the wellsprings of our life be rooted in Thy eternity so that in word and deed, Thy dwelling place may ever be manifest in our midst.

May the words of our mouths and the meditations of our hearts be acceptable unto Thee, our Rock and our Redeemer. Amen.

### THE JOURNAL

The Journal of the proceedings of Thursday, October 24, 1963, was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2073. An act to place certain submerged lands within the jurisdiction of the governments of Guam, the Virgin Islands, and American Samoa, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 569. An act to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education, and to authorize for teachers in private nonprofit schools certain benefits under the provisions of titles V and VI of such act provided for teachers in public schools.

The message also announced that the Presiding Officer of the Senate, pursuant to Senate Resolution 168, 88th Congress, had appointed Mr. Fulbright, Mr. Bartlett, Mr. Scott, and Mr. Fong as a delegation to attend the general meeting of the Commonwealth Parliamentary Association, to be held in Kuala Lumpur, Malaya, beginning November 4, 1963.

The PRESIDING OFFICER, pursuant to said resolution, designated Mr. Fulbright as the chairman of said delegation.

### TO AUTHORIZE CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS, AND FOR OTHER PURPOSES

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 6500, an act to authorize certain construction at military installations, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Georgia? The Chair hears none, and appoints the following conferees: Messrs. Vinson, Rivers of South Carolina, Philbin, Hébert, Arends, Norblad, and Bates.

### ADDITIONAL VIEWS ON H.R. 8864, INTERNATIONAL COFFEE AGREEMENT ACT OF 1963

Mr. MILLS. Mr. Speaker, I ask unanimous consent that I may file a supplemental report to accompany House Report No. 870 on H.R. 8864 so as to include therein the additional views of the gentleman from Missouri [Mr. Curtis] and the gentleman from Texas [Mr. Alger] which were inadvertently omitted in the filing of the report of the committee.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

### CONTINUING APPROPRIATIONS FOR CERTAIN DEPARTMENTS OF GOVERNMENT

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, we are today about to bring up before the House a continuing resolution for appropriations for certain departments of the Government. I sincerely hope those of us who are vitally interested in trying to find out why we are approaching the 5th month of this fiscal year and the majority party has not brought appropriation bills before this House. I think we ought to know all of the reasons, then have a record vote so that we may be able to express ourselves as we rightfully should. If reasons or explanations are not forthcoming from the Democratic leadership, then I cannot vote for this continuing resolution.

### CALL OF THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 182]

Abbitt
Abernethy
Addabbo
Avery
Ayres
Baring
Barry
Battin
Bolling
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Brown, Calif.
Broyhill, N.C.
Buckley
Burton
Carey
Celler
Clark
Clausen, Don H.
Cooley
Cramer
Curtis
Daddario
Delaney
Diggs
Dingell
Dorn
Downing
Dwyer
Evins
Fallon
Farbstein
Feighan
Fino
Flynt
Ford
Foreman
Fountain
Fulton, Tenn.
Fuqua
Garmatz
Gary
Gibbons
Gill
Gonzalez
Grant
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gurney
Hagen, Calif.
Hall
Halleck
Harding
Harris
Harvey, Ind.
Harvey, Mich.
Hays
Henderson
Herlong
Hoeven
Hoffman
Horan
Hull
Hutchinson
Jarman
Jennings
Johnson, Calif.
Kelly
Keogh
Kilburn
King, N.Y.
Kluczynski
Kornegay
Landrum
Lesinski
Long, La.
McDade
McDowell
McIntire
Macdonald
MacGregor
Madden
Mailliard
Martin, Mass.
May
Miller, N.Y.
Minshall
Monagan
Montoya
Moore
Morrison
Multer
Nelsen
Nix
O'Brien, Ill.
O'Brien, N.Y.
Osmers
Patten
Pelly
Pepper
Pilcher
Powell
Quie
Quillen
Reid, Ill.
Reifel
Riehlman
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Roosevelt
Rosenthal
Roudebush
Ryan, N.Y.
St. Onge
Schneebeli
Shelley
Sibal
Skubitz
Springer
Stafford
Stinson
Taft
Taylor
Thompson, La.
Thornberry
Tollefson
Tupper
Utt
Wallhauser
Whalley
White
Wickersham
Widnall
Williams
Wright

The SPEAKER. On this rollcall 293 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

### CONTINUING APPROPRIATIONS FOR CERTAIN DEPARTMENTS OF GOVERNMENT

Mr. CANNON. Mr. Speaker, under leave previously granted by the House I call up House Joint Resolution 782, a joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes, and ask unanimous consent that this House joint resolution be considered in the House as in the Committee of the Whole.

The Clerk read the House joint resolution, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the joint resolution of August 28, 1963 (Public Law 88-109), is hereby amended by striking out "October 31, 1963" and inserting in lieu thereof "November 30, 1963".

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this is a resolution for 1 month, the month of November. It is the third continuing resolution during this session. We had a continuing resolution for July and August, a second one for September and October, and the pending resolution would bring us down to December 1, next.

The following bills for fiscal 1964 have been passed by both Houses and signed by the President: The appropriation bills for the Department of Interior, the Treasury and Post Office Departments, the Labor and HEW Departments, and the Defense Department.

Two of the supply bills are now on the Speaker's table awaiting conference—the legislative appropriation bill and the Department of Agriculture appropriation bill.

Three have passed the House and are now in the Senate awaiting action by that body—State, Justice, Commerce, and Judiciary; the District of Columbia bill and the independent offices bill.

This leaves four supply bills for the year still awaiting action by the House, the public works bill, the military construction bill, the foreign aid bill, and then, as nearly always, the closing supplemental bill.

There is no difference of substance between the pending resolution and the two previously acted on by the House. The phraseology is identical. The provisions are the same. The only change made is the 30-day extension to include the month of November.

Mr. BASS. Mr. Speaker, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from Tennessee.

Mr. BASS. Has the gentleman discussed with Members of the other body the possibility of getting these appropriations out at an early date?

Mr. CANNON. Of course, the main reason the four bills await action by the House is that we do not have the necessary authorizations. The legislative committees bring in the authorization bills and they must pass both Houses and be signed by the President before it is in order to bring in the appropriations. We cannot appropriate a single dollar until it is authorized by law. The authorization bills are holding us up. We must await authorization. The Senate is as fully aware of that act as we are. It is a great body, a very deliberative body. And they have been holding hearings on the three appropriation bills now over there. As soon as the remaining authorization bills are disposed of we are going to bring in the remaining appropriation bills.

Mr. BASS. I appreciate that the Committee on Appropriations cannot under the rules report out the bills until the related authorization bills are approved. However, this seems to be a great and a continuous practice of not being able to get our legislation and appropriations finished prior to the beginning of the fiscal year. Since it looks like we are beginning to stay in session all year, I wonder what the chairman would think about revising the bookkeeping of the Government and putting it on a calendar-year instead of a fiscal-year basis, so that these departments can know at the beginning of the year of operation exactly what the situation is going to be.

The SPEAKER. The time of the gentleman from Missouri has expired.

(By unanimous consent, Mr. CANNON was given permission to proceed for 5 additional minutes.)

Mr. CANNON. That would depend on the wishes of the House and of the Senate. I do not suppose the gentleman was here at the time, but many of us were here under the old constitutional provision when every other year the House had to adjourn by noon on the 4th of March. We convened in early December, passed all the essential legislation and all the appropriation bills. There was not a single instance that I recall in the last 50 years in which we failed by the 4th of March to dispose of all necessary business. Then we went home. We met our constituents, and we had enough time to visit with them and talk with them and learn what they were thinking about, and get their views on pending legislation.

I think we will agree that it has been a mistake in nearly every instance in which we have changed the Constitution, but it certainly was a great mistake when we changed the constitutional requirement that Congress adjourn every 2 years not later than the 4th of March.

Mr. BASS. I agree with the gentleman, and would say that that is one of the very few of what we call the good old days to which I would like to see Congress go back to.

I thank the gentleman.

Mr. JENSEN. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, it can be said that had all the authorizing bills been adopted early in this session the Committee on Appropriations would have had their work done before July 1, last. But such is not the case. We have authorizing legislation yet pending. So as much as I dislike to continue these continuing extensions for appropriations, the facts are that our hands are tied, so to speak. There is nothing we can do now except adopt this continuing resolution. That is all there is to say about it, Mr. Speaker.

I realize many Members of the House are completely fed up with this constant extension of time, but conditions are such that there is nothing we can do about it. The chairman, the gentleman from Missouri [Mr. CANNON], has given the House the facts on the bills that have been passed by this House, and those that have been signed by the President, and those that are still to come before the House. So I must say only that the Committee on Appropriations of the House of Representatives is doing everything it can to expedite the bills, in view of the circumstances that confront us.

Mr. Speaker, I yield back the balance of my time.

Mr. BECKER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, certainly, I want to make it plain here today that I have no intention of criticising our great and distinguished chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON]. I have a great respect for him, and a great respect for his ability. Therefore, my criticism is not of him or of my good ranking minority member of the committee, the gentleman from Iowa [Mr. JENSEN]. I have a criticism to make and it is over the management and conduct of the affairs of the Congress of the United States. Under the Reorganization Act, this Congress is supposed to adjourn on July 30. But, we are continuing to operate on emergency resolutions because we have not finished our business yet. There is no national or international emergency. Then our fiscal year starts on July 1. Every Member of this House knows, and so do all committee chairmen, and authorizing committees as well, that all authorization bills must be passed in time so that the Committee on Appropriations can act upon the authorizations, prior to June 30 before the start of the following fiscal year. My quarrel is with the operation of the Congress—and the inept operation. I might say—and what the cause of it is, I may have a sneaky idea in my mind—is a delaying action. Because in the early part of this year, we must remember, we were so to speak, "fiddling away while Rome was burning." Our time was being wasted, and we were not authorizing legislation for appropriations. Now the President of the United States said, "Give me an overwhelming Democratic Congress and I will get the legislation through."

Well, he has an overwhelming Democratic Congress and what has happened in these last 3 years? Here we are going into the 5th month of fiscal year 1964, and we still have major appropriation bills to be acted upon. And then what happened under the rule—under the rules of this continuing resolution under which we will function, there are three factors by which departments of Government are operating—and as I said last week, I take a case in point, the foreign aid program. Under that program, the department is operating, on the basis of appropriation of last year of some $4,100 million or $4,200 million, and the House authorized $3,500 million for 1964. The budget request was for $4,900 million and later they cut it to $4,500 million. So, consequently, today when we figure the aid program is operating on this $4,100 million—they can commit this Congress to $4,100 million right today and probably are doing so even though we have not passed an appropriation bill. Now I doubt very seriously that any Member of this House can be in agreement with that kind of inept operation by a great legislative body such as the Congress of the United States.

Why do we have fiscal years starting July 1 if we are bringing in appropriation bills in October and November? You have the responsibility in the majority party on that side of the aisle. I say to the majority leader, and I have asked twice, why has this legislation been held up to this date? We cannot just blame it on the other body, because our own authorization bills were late in coming through in this body this year. It seems to me we ought to get some answers as to what we will do and when we will do it.

The Democratic leadership and the administration are going to keep us here just by delaying the appropriation bills. Maybe that is the prospect they have in mind; that is, to keep us here to the first of the year. I do not know why; if there is legislation to be acted on, bring it out. Let us not have a Reorganization Act and say that we will adjourn on July 30 and then use an emergency that does not exist to keep us in session. I say it is wrong and is doing a great disservice to the American people, because the people all over the country and business all over the country are uncertain as to what we will do. They cannot function properly and carry on their affairs as they should with the constant threat of legislation being enacted by Congress.

The majority leader is here, and I wish he would answer some of those questions. The majority leader does not see fit to answer, so without any explanation I will ask for a rollcall and vote "no" in protest.

**Mr. JONAS.** Mr. Speaker, I move to strike the last word.

Mr. Speaker, I think when it transpires that on three successive occasions we are called upon to pass continuing resolutions in order to keep the agencies and departments of the Government functioning, we should have more information than is available from the discussion so far. For example, I would like to know on what basis NASA is operating. Is NASA spending on the basis of last year's appropriation or on the basis of the current budget request? As I understand the public law which would be extended by this resolution, it provided that agencies and departments of the Government could continue to spend at the lower of three levels: The rate provided in any new public law which has been enacted, which obviously would be binding; or at a rate not in excess of last year's appropriations or the rate provided in the budget estimate—whichever is lower. I ask the distinguished chairman of the Committee on Appropriations; is that correct? An agency of the Government which is operating under the previously enacted continuing resolutions would be restricted to the lower of two figures, that is, what was appropriated last year or the budget estimate submitted this year. Is that correct?

**Mr. CANNON.** Mr. Speaker, will the gentleman yield?

**Mr. JONAS.** I yield to the gentleman from Missouri.

**Mr. CANNON.** In response to the gentleman's inquiry and the remarks made by the distinguished gentleman from New York, under this continuing resolution they cannot, in the interim, exceed last year's rate or this year's budget estimate rate, whichever is lower. And the stricture in the statute is, "Not in excess." The truth about the matter is that on these bills yet to become law we are saving money. If the bills were in effect as they passed the House in many instances they would be spending more money than they are allowed to spend under this continuing resolution. The only possible exception, an outstanding exception, as the gentleman indicates, is the foreign aid bill, but even in this case, as in all instances, there is a brake upon expenditure, a redeeming feature, because we provide as follows, and I read from the continuing resolution statute itself:

> and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

In other words, when they finally get their annual appropriation in the regular bill, they must take out of it all of the money that has been spent by them since the 30th day of June under the continuing resolutions. So in every instance, the longer we wait for the bill to become a law, the more money remains in the U.S. Treasury.

**Mr. JONAS.** That is just the point I wanted to make. Since 4 months of the new fiscal year have already passed and most agencies and departments have spent at last year's rate, which in almost every case is lower than this year's budget request, we should be saving money by delaying the passage of the new bills and passing continuing resolutions.

Since the agencies apparently are getting along without difficulty under the continuing resolutions, which hold current spending to last year's rate, I think we should take that into consideration in the appropriation bills yet to be considered.

**The SPEAKER.** The time of the gentleman from North Carolina [Mr. JONAS] has expired.

**Mr. JONAS.** Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

**The SPEAKER.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

**Mr. JONAS.** For a period of 4 months, one-third of the new fiscal year, X agency has spent at the rate of last year's appropriation, which is substantially lower than the new budget. Why should we not properly take that into consideration in the bills that have not yet become law and make drastic reductions, because they have already operated under the old basis for one-third of the new fiscal year? Will that not give us an opportunity to make even greater reductions than we might have made had the bills been approved earlier in the year?

**Mr. CANNON.** The gentleman and I are in perfect accord, because I recently made the statement here on the floor, that we expect to take every advantage of this slippage. And we expressed the hope that the Senate would do likewise as to the bills over there. And we trust that they will do that.

Of course so far as this moondoggle appropriation is concerned—I do not think we will ever again pass a bill that carries that much money for such a purpose. I might say, however, if the gentleman will permit me just one more word, in addition to the fact that we are entitled to save money in this interval that has not yet been taken care of, the President has assured us, repeatedly, that he will see that there is a reduction in expenditure, that a curb, a restraint, will be put upon expenditures. An appropriation is not an ironclad mandate to spend every dollar of it.

**The SPEAKER.** The time of the gentleman from North Carolina [Mr. JONAS] has again expired.

**Mr. BECKER.** Mr. Speaker, I ask unanimous consent that the gentleman have permission to proceed for 3 additional minutes.

**The SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. JONAS.** Mr. Speaker, I would say that the only way we can be absolutely sure that the money will be saved that was not spent during the past 4 months is to be in touch with the departments to see that they are not now operating on a deficiency basis.

**Mr. BECKER.** Mr. Speaker, will the gentleman yield?

**Mr. JONAS.** I yield to the gentleman from New York.

**Mr. BECKER.** Mr. Speaker, if I could believe that these departments would do that I would yell "Hooray" and a million hosannas. The gentleman knows, as well as I, whether we passed an appropriation bill now or 3 months ago, that they will use up all of it.

**Mr. JONAS.** That is the reason I think we ought to make sure that consideration is given in future bills to the fact that the agencies operated for 4 months at the old rate and the Government did not fold up.

**Mr. CANNON.** Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, we have an antideficiency law. It took a while to perfect it, but it has been perfected and it has teeth. That law, in concert with the provisions contained in the statute which I have just read to the Members of the House, is an absolute guarantee that the situation is adequately covered. And, of course, Congress should take advantage of every opportunity in this respect on the remaining bills.

**Mr. CANNON.** Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain tabulations.

**The SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

### STATUS OF THE APPROPRIATION BILLS, 88TH CONGRESS, 1ST SESSION

**Mr. CANNON.** Mr. Speaker, under leave, I include a down-to-date reflection of the appropriation bills of the session and the corresponding budget requests.

There is no change from the last report, of October 10, because the situation is unchanged. We continue to mark time, awaiting the pleasure of the other body and, agreeable to the rules of the House, as indicated a few moments ago, the legislative authorization bills. The three regular bills remaining to be reported to the House—the public works bills, the military construction bill, and the foreign aid bill involve budget requests of about $11,320,000,000. The customary closing supplemental requests are not in hand, but the probabilities are that they soon will be; the amounts are dependent.

For the fiscal year 1963, $184,869,965 has been cut from the budget on the supplementals in this session.

As to the main budget, for fiscal 1964, the four bills signed by the President, disposed of $61,918,577,000 of his budget requests for appropriations. They were cut by $2,229,557,000. And, in the aggregate, they are below comparable appropriations for fiscal 1963 by $339,000,000.

The two bills awaiting conference, Agriculture and legislative, involve $6,550,973,450 of budget requests for appropriations.

Three bills—State-Justice-Commerce-judiciary, independent offices, and District of Columbia, are in the Senate.

The House has cut $4,731,266,426 from the budget requests considered in the nine regular bills for fiscal 1964 and, assuredly, will put the knife to those remaining. The other body has registered some dissent and, with equal assurance, we may confidently assume further disagreements with the actions of the House in those connections. But apparently nothing has yet developed to influence the earlier outlook for final congressional reductions, as to the regular bills for fiscal 1964, of the magnitude of $5,400,000,000.

No estimate of the aggregate probability for the session can omit the approximately $12,000,000,000—using a round amount because it does not stand still—of appropriations recurring automatically for fiscal 1964 under permanent law. That is not in the table to follow because it requires no annual action by the Congress. The principal expense is the interest on the national debt, tentatively estimated at $10,020,000,000 in the January budget; it will probably be higher.

The substantiating details are in the following table:

*The appropriation bills, 88th Cong., 1st sess., as of Oct. 28, 1963*

[Does not include back-door appropriations or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

| Bill number | Title | House | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Budget estimates to House | Date and report number | Amount as reported | Amount reported compared with budget estimates | Date passed | Amount as passed | House action compared with— | |
| | | | | | | | | Budget estimates | Amount reported |
| | **1963 SUPPLEMENTALS** | | | | | | | | |
| H.J. Res. 284 | Supplemental, Agriculture | [2] $508,172,000 | Feb. 26 (No. 45) | $508,172,000 | | Feb. 27 | $508,172,000 | | |
| H.R. 5517 | Supplemental | 1,641,507,106 | Apr. 5 (No. 198) | 988,756,506 | −$652,750,600 | Apr. 10 | 1,438,691,506 | −$202,815,600 | +$449,935,000 |
| | Public works acceleration. | (500,000,000) | | (............) | (−500,000,000) | | (450,000,000) | (−50,000,000) | (+450,000,000) |
| | All other | (1,141,507,106) | | (988,756,506) | (−152,750,600) | | (988,691,506) | (−152,815,600) | (−65,000) |
| | Total, 1963 supplementals. | 2,149,679,106 | | 1,496,928,506 | −652,750,600 | | 1,946,863,506 | −202,815,600 | +449,935,000 |
| | **1964 APPROPRIATIONS** | | | | | | | | |
| H.R. 5279 | Interior | 998,009,000 | Mar. 28 (No. 177) | 929,690,200 | −68,318,800 | Apr. 2 | 922,625,200 | −75,383,800 | −7,065,000 |
| | Loan authorization | (13,000,000) | | (6,000,000) | (−7,000,000) | | (6,000,000) | (−7,000,000) | |
| | Contract authority | (17,500,000) | | | (−17,500,000) | | | (−17,500,000) | |
| H.R. 5366 | Treasury-Post Office | 6,146,842,000 | Apr. 1 (No. 179) | 5,997,026,000 | −149,816,000 | Apr. 4 | 5,997,026,000 | −149,816,000 | |
| H.R. 5888 | Labor-Health, Education, and Welfare. | 5,759,489,000 | Apr. 25 (No. 246) | 5,449,988,000 | −309,501,000 | Apr. 30 | 5,449,981,000 | −309,508,000 | −7,000 |
| H.R. 6754 | Agriculture | 6,368,755,000 | June 3 (No. 355) | 5,979,457,000 | −389,298,000 | June 6 | 5,979,457,000 | −389,298,000 | |
| | Loan authorizations | [3] (855,000,000) | | [3] (855,000,000) | | | [3] (855,000,000) | | |
| H.R. 6868 | Legislative | [4] 148,580,245 | June 6 (No. 369) | [4] 140,038,919 | −8,541,326 | June 11 | [4] 140,038,919 | −8,541,326 | |
| H.R. 7063 | State, Justice, Commerce, judiciary. | 2,159,891,900 | June 14 (No. 388) | 1,851,269,900 | −308,622,000 | June 18 | 1,851,269,900 | −308,622,000 | |
| H.R. 7179 | Defense | 49,014,237,000 | June 21 (No. 439) | 47,092,209,000 | −1,922,028,000 | June 26 | 47,082,009,000 | −1,932,228,000 | −10,200,000 |
| H.R. 7431 | District of Columbia | (289,581,800) | July 8 (No. 499) | (284,286,800) | (−5,295,000) | July 11 | (284,286,800) | (−5,295,000) | |
| | Federal payment | 34,868,000 | | 32,868,000 | −2,000,000 | | 32,868,000 | −2,000,000 | |
| | Loan authorizations | (8,000,000) | | (8,000,000) | | | (8,000,000) | | |
| H.R. 8747 | Independent offices | 14,658,588,000 | Oct. 7 (No. 824) | 13,102,818,700 | −1,555,769,300 | Oct. 10 | 13,102,718,700 | −1,555,869,300 | −100,000 |
| | Total, 1964 appropriations. | 85,289,260,145 | | 80,575,365,719 | −4,713,894,426 | | 80,557,993,719 | −4,731,266,426 | −17,372,000 |
| | Total, all appropriations. | 87,438,939,251 | | 82,072,294,225 | −5,366,645,026 | | 82,504,857,225 | −4,934,082,026 | +432,563,000 |
| | Total, loan authorizations. | (876,000,000) | | (869,000,000) | (−7,000,000) | | (869,000,000) | (−7,000,000) | |
| | Total, contract authority. | (17,500,000) | | | (−17,500,000) | | | (−17,500,000) | |

| Bill number | Title | Senate | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | Budget estimates to Senate | Date and report number | Amount as reported | Date passed | Amount as passed | Senate action compared with— | |
| | | | | | | | Budget estimates | House action |
| | **1963 SUPPLEMENTALS** | | | | | | | |
| H.J. Res. 284 | Supplemental, Agriculture | $508,172,000 | Feb. 28 (No. 9) | $508,172,000 | Mar. 4 | $508,172,000 | | |
| H.R. 5517 | Supplemental | 1,652,300,456 | Apr. 24 (No. 155) | 1,486,096,841 | May 1 | 1,488,683,841 | −$163,616,615 | +$49,922,335 |
| | Public works acceleration | (500,000,000) | | (450,000,000) | | (450,000,000) | (−50,000,000) | |
| | All other | (1,152,300,456) | | (1,036,096,841) | | (1,038,683,841) | (−113,616,615) | (+49,992,335) |
| | Total, 1963 supplementals | 2,160,472,456 | | 1,994,268,841 | | 1,996,855,841 | −163,616,615 | +49,992,335 |

See footnote at end of table.

*The appropriation bills, 88th Cong., 1st sess., as of Oct. 28, 1963*—Continued

[Does not include back-door appropriations or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

| Bill number | Title | Senate | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | | Budget estimates to Senate | Date and report number | Amount as reported | Date passed | Amount as passed | Senate action compared with— | |
| | | | | | | | Budget estimates | House action |
| | **1964 APPROPRIATIONS** | | | | | | | |
| H.R. 5279 | Interior | 998,009,000 | May 22 (No. 181) | 979,093,400 | May 28 | 979,693,400 | −18,315,600 | +57,068,200 |
| | Loan authorization | (13,000,000) | | (6,000,000) | | (6,000,000) | (−7,000,000) | |
| | Contract authority | (17,500,000) | | | | | (−17,500,000) | |
| H.R. 5366 | Treasury-Post Office | 6,146,842,000 | May 3 (No. 168) | 6,074,216,250 | May 8 | 6,069,466,250 | −77,375,750 | +72,440,250 |
| H.R. 5888 | Labor-Health, Education, and Welfare | 5,759,489,000 | Aug. 1 (No. 383) | 5,494,627,250 | Aug. 7 | 5,495,827,250 | −263,661,750 | +45,846,250 |
| H.R. 6754 | Agriculture | 6,368,755,000 | Sept. 12 (No. 497) | 6,046,738,340 | Sept. 30 | 6,047,988,340 | −320,766,660 | +68,531,340 |
| | Loan authorizations | [3] (855,000,000) | | [3] (880,000,000) | | [3] (880,000,000) | (+25,000,000) | (+25,000,000) |
| H.R. 6868 | Legislative | 182,218,450 | June 25 (No. 313) | 168,273,069 | June 26 | 168,273,069 | −13,945,381 | +28,234,150 |
| H.R. 7063 | State, Justice, Commerce, judiciary | | | | | | | |
| H.R. 7179 | Defense | 49,014,237,000 | Sept. 17 (No. 502) | 47,371,407,000 | Sept. 24 | 47,339,707,000 | −1,674,530,000 | +257,698,000 |
| H.R. 7431 | District of Columbia | | | | | | | |
| | Federal payment | | | | | | | |
| | Loan authorizations | | | | | | | |
| H.R. 8747 | Independent offices | | | | | | | |
| | Total, 1964 appropriations | 68,469,550,450 | | 66,134,355,309 | | 66,100,955,309 | −2,368,595,141 | +529,818,190 |
| | Total, all appropriations | 70,630,022,906 | | 68,128,624,150 | | 68,097,811,150 | −2,532,211,756 | +579,810,525 |
| | Total, loan authorizations | (868,000,000) | | (886,000,000) | | (886,000,000) | (+18,000,000) | (+25,000,000) |
| | Total, contract authority | (17,500,000) | | | | | (−17,500,000) | |

| Bill number | Title | Conference | | | Public Law | |
|---|---|---|---|---|---|---|
| | | Date filed and report number | Amount as approved | Increase or decrease compared to budget estimates to date | Number | Date approved |
| | **1963 SUPPLEMENTALS** | | | | | |
| H.J. Res. 284 | Supplemental, Agriculture | | $508,172,000 | | 88-1 | Mar. 6 |
| H.R. 5517 | Supplemental | May 6 (No. 275) | 1,467,430,491 | −$184,869,965 | 88-25 | May 17 |
| | Public works acceleration | May 31 (No. 290) | (450,000,000) | (−50,000,000) | | |
| | All other | | (1,017,430,491) | (−134,869,965) | | |
| | Total, 1963 supplementals | | 1,975,602,491 | −184,869,965 | | |
| | **1964 APPROPRIATIONS** | | | | | |
| H.R. 5279 | Interior | July 11 (No. 551) | 952,456,500 | −45,552,500 | 88-79 | July 26 |
| | Loan authorization | | (6,000,000) | (−7,000,000) | | |
| | Contract authority | | | (−17,500,000) | | |
| H.R. 5366 | Treasury-Post Office | May 28 (No. 353) | 6,045,466,000 | −101,376,000 | 88-39 | June 13 |
| H.R. 5888 | Labor-Health, Education, and Welfare | Sept. 25 (No. 774) | 5,471,087,500 | −288,401,500 | 88-136 | Oct. 11 |
| H.R. 6754 | Agriculture | | | | | |
| | Loan authorizations | | | | | |
| H.R. 6868 | Legislative | | | | | |
| H.R. 7063 | State, Justice, Commerce, judiciary | | | | | |
| H.R. 7179 | Defense | Oct. 7 (No. 812) | 47,220,010,000 | −1,794,227,000 | 88-149 | Oct. 17 |
| H.R. 7431 | District of Columbia | | | | | |
| | Federal payment | | | | | |
| | Loan authorizations | | | | | |
| H.R. 8747 | Independent offices | | | | | |
| | Total, 1964 appropriations | | 59,689,020,000 | −2,229,557,000 | | |
| | Total, all appropriations | | 61,664,622,491 | −2,414,426,965 | | |
| | Total, loan authorizations | | (6,000,000) | (−7,000,000) | | |
| | Total, contract authority | | | (−17,500,000) | | |

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[1] Tentatively estimated in January budget at about $11,500,000,000 for fiscal year 1964.

[2] Shifted from budget for 1964, which was reduced accordingly.

[3] Includes $630,000,000 for Farmers Home Administration loans currently made from loan repayments in lieu of former practice of new public debt borrowings from Treasury.

[4] Excludes Senate items.

Prepared by Committee on Appropriations, House of Representatives.

NOTE.—Totals reflect amounts approved and comparisons at latest stage of congressional action on each bill.

### SUMMARY OF NET BUDGET RECEIPTS AND EXPENDITURES (THE TRADITIONAL ADMINISTRATIVE BUDGET)—3 MONTHS OF FISCAL 1964 VERSUS 3 MONTHS OF FISCAL 1963, WITH COMPARISONS

Mr. Speaker, in conformity with our practice, I include, under leave granted, for the information of Members and others a tabulation of budget receipts and expenditures in the first 3 months of fiscal year 1964 with pertinent comparisons.

#### BUDGET RECEIPTS

In contrast to budget expenditures which tend to recur more evenly throughout the fiscal year, the normal pattern of budget receipts shows September, December, March, and June as peak months; and receipts in the first half—July-December—of the fiscal year are usually lower than in the January-June second half.

Budget revenues were officially estimated at $86,900,000,000 in last January's budget for the current fiscal year 1964, which, if realized, would exceed fiscal year 1963 revenues by $543,000,000. That is the last official budget estimate; the Secretary of the Treasury updated the figure to $88,800,000,000 in testimony on the tax bill, which, if realized, would mean a $2,443,000,000 increase over actual fiscal 1963 revenues. In any event, in the first 3 months of the fiscal year—a relatively low collection period, actual budget revenues amounted to $20,932,000,000, slightly higher than the corresponding 3 months of last year.

#### BUDGET EXPENDITURES

Budget expenditures were officially projected in the budget last January at $98,802,000,000 for fiscal 1964 which, if held to, would represent an increase of $6,212,000,000 over the fiscal 1963 budget expenditures. On a straight monthly basis, it would mean an average of $8,233,000,000 per month, in contrast to which the expenditures in the first 3 months, July-September, averaged $7,994,000,000 which in turn compares with $7,707,000,000 in the corresponding 3 months last year; the national defense monthly average was up $142,000,000 over a year ago and the monthly average for all other items—nondefense—was $145,000,000 higher.

But in his August testimony before the Ways and Means Committee, the Secretary of the Treasury informally presented a revised estimate of $98,000,000,000 budget expenditures for fiscal 1964, in contrast to the original estimate of $98,802,000,000; supporting details are not available. This would represent an increase over fiscal 1963 of $5,410,000,000. Expenditures in the first 3 months, July–September, were $863,000,000 higher than those for the same 3 months last year; both defense and nondefense were up.

As in all past budgets, the original January budget expenditure—disbursements—estimate of $98,802,000,000 for fiscal 1964 represented a composite of first, estimated disbursements in fiscal 1964 from appropriations made in prior years—$42,353,000,000, or approximately 43 percent, and therefore not directly affected by current congressional action on the 1964 appropriation bills; second, $1,202,000,000 estimated first-year expenditure in fiscal 1964 associated with proposals for new legislation; third, roughly $11,781,000,000 estimated to be expended from permanent appropriations recurring automatically under prior law and therefore not required to be voted on in the current session; fourth, thus leaving only about $43,466,000,000 of the total $98,802,000,000 original spending estimate for 1964 subject to direct action in the appropriation bills of the current session.

### EXPENDITURES FOR DEFENSE, SPACE, AND INTEREST, AND ALL OTHER PROGRAMS

Both the State of the Union and Budget messages, last January, emphasized the fact that the expenditure estimates and programs for fiscal 1964 were so constructed that total proposed administrative budget expenditure for all programs other than national defense, space, and interest were slightly below the fiscal 1963 level—as then forecast—for such programs. The original net budget for fiscal 1964 for such other programs was $29,066,000,000. In the meantime, actual expenditures in fiscal 1963 for comparable purposes did not go as high as forecast in last January's budget, with the result that the $29,066,000,000 stands as an increase of $1,747,000,000 over fiscal 1963 rather than being below that year. In the first 3 months—July–September of fiscal 1964, expenditures for such other programs were $7,664,000,000—about $107,000,000 below the corresponding expenditure in July–September of last year.

### SURPLUS OR DEFICIT

Whether the budget deficit is the $9,200,000,000 informally projected by the Secretary before the Ways and Means Committee, and mentioned in the President's letter of August 19, or some other amount, fiscal 1964 represents the 28th year of budget deficits in the last 34 years. And the President advises that the next budget, for fiscal 1965, will also be in the red. And no assurance is at hand that the fiscal 1966 budget will be balanced. We have not had a balanced budget since fiscal 1960. In summary here are the official administrative budget figures of the last 3 years:

| | From July 1, 1961, to date | For 3 fiscal years 1962–64 |
|---|---|---|
| Fiscal 1962 (from July 1, 1961) | $6,378,000,000 | $6,378,000,000 |
| Fiscal 1963 | 6,233,000,000 | 6,233,000,000 |
| Fiscal 1964 (3 months to Sept. 30, 1963) | 3,052,000,000 | |
| Fiscal 1964 (estimate mentioned in President's Aug. 19 letter) | | 9,200,000,000 |
| Total, as above | 15,663,000,000 | 21,811,000,000 |

And in total, actual budget expenditures in the fiscal year closed on June 30 last, and those now informally projected by the Secretary for the current fiscal year 1964, compare with certain earlier years, as follows:

| | Budget spending | |
|---|---|---|
| | Over fiscal 1961 | Over fiscal 1954 |
| Fiscal 1963 actual: | | |
| National defense | $5,249,000,000 | $5,757,000,000 |
| Other than national defense | 5,826,000,000 | 19,296,000,000 |
| Total, 1963 over | 11,075,000,000 | 25,053,000,000 |
| Fiscal 1964 estimate | | |
| Total, 1964 estimate over | 16,485,000,000 | 30,463,000,000 |

### THE PUBLIC DEBT

Mr. Speaker, after 3 months of budget operations in the current fiscal year 1964 the total public debt, both direct and guaranteed, stood at $307,328,111,300.33 and compares with certain earlier dates as shown in the following table:

*Federal public debt—Direct and guaranteed*

[Fiscal years]

| | 1954 | 1961 | 1962 | 1963 | 1964[1] |
|---|---|---|---|---|---|
| 1. The debt at end of period (in billions) | $271.3 | $289.2 | $298.6 | $306.5 | $307.3 |
| 2. Amount per capita (in dollars) | 1,670.0 | 1,575.0 | 1,600.0 | 1,619.0 | 1,617.0 |
| 3. Average for a family of 4 (in dollars) | 6,680.0 | 6,300.0 | 6,400.0 | 6,476.0 | 6,468.0 |

[1] At Sept. 30, 1963.

In conclusion, Mr. Speaker, the following table elaborates the receipt and expenditure situation more fully:

*Net budget receipts and expenditures (the traditional administrative budget) 3 months of fiscal 1964 versus 3 months of fiscal 1963 and comparisons with full-year estimates*

[In million of dollars]

| | Actual for 3 months (to September 30) | | | Budget estimates for all of fiscal 1964 compared to actual result for all of fiscal 1963 | | | 1964 estimates over 1963 | |
|---|---|---|---|---|---|---|---|---|
| | Fiscal 1964 | Fiscal 1963 | 1964 compared to 1963 | Budget estimates for 1964[1] | Informal Treasury revision[2] | Actual, 1963 | Original estimates over 1963 | Informal, Treasury revision over 1963 |
| 1. Budget receipts (net) | 20,932 | 20,708 | +223 | 86,900 | 88,800 | 86,357 | +543 | +2,443 |
| 2. Budget expenditures (net): | | | | | | | | |
| (a) National defense (per official budget classification) | 12,858 | 12,433 | +425 | 55,433 | (3) | 52,743 | +2,690 | (3) |
| (b) Other than national defense | 11,125 | 10,687 | +438 | 43,369 | (3) | 39,847 | +3,522 | (3) |
| Total expenditures, net | 23,983 | 23,120 | +863 | 98,802 | 98,000 | 92,590 | +6,212 | +5,410 |
| 3. Net surplus (+), or deficit (−) | −3,052 | −2,412 | −640 | −11,902 | −9,200 | −6,233 | [4] −5,669 | [4] −2,967 |
| 4. Average monthly expenditure: | | | | | | | | |
| (a) National defense | 4,286 | 4,144 | +142 | 4,619 | (3) | 4,395 | +224 | (3) |
| (b) Other than national defense | 3,708 | 3,563 | +145 | 3,614 | (3) | 3,320 | +294 | (3) |
| Total monthly average | 7,994 | 7,707 | +287 | 8,233 | 8,167 | 7,715 | +518 | +452 |
| 1. Dividing net budget expenditures on the basis emphasized by the budget message of January 1963: | | | | | | | | |
| (a) National defense | 12,858 | 12,433 | +425 | 55,433 | (3) | 52,743 | +2,690 | (3) |
| (b) Space | 843 | 463 | +380 | 4,200 | (3) | 2,552 | +1,648 | (3) |
| (c) Interest | 2,618 | 2,453 | +165 | 10,103 | (3) | 9,976 | +127 | (3) |
| (d) All other expenditures | 7,664 | 7,771 | −107 | 29,066 | (3) | 27,319 | +1,747 | (3) |
| Total expenditures, net | 23,983 | 23,120 | +863 | 98,802 | 98,000 | 92,590 | +6,212 | +5,410 |

[1] As per original budget, January 17, 1963.

[2] Given by Secretary of Treasury to Ways and Means Committee in connection with tax bill (August 1963).

[3] No breakdowns available.

[4] That is to say, these 2 estimates represent a projected deficit in fiscal 1964 higher, by $5,669,000,000 and $2,967,000,000, respectively, than the deficit actually experienced in fiscal 1963.

Sources: Monthly Treasury statement for Sept. 30, 1963; budget for 1964; and monthly Treasury statement for June 30, 1963.

**Mr. OSTERTAG.** Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I realize, and I am sure we all realize, that we have no course to follow other than to adopt this resolution. But it seems to me that as we have moved along, not this year alone but in years past, by the adoption of these extensions of appropriations from month to month, we are engaging in a bad practice, something that lends itself to bad government and poor management.

I have reason to believe, Mr. Speaker, that despite the intent and the purpose of these resolutions, the agencies of Government are not strictly adhering to them. I realize too that whatever they expend between July 1 and the final adoption of the appropriation bills, must be taken out of their annual appropriation for the fiscal year involved. But it seems to me that until and unless they put their houses in order in adherence to these resolutions, which are applicable on the basis of last year's figures and last year's appropriations, we must insist and see to it that the intent and purpose of these resolutions receives the adherence of each and every department and agency covered.

**Mr. BECKER.** Mr. Speaker, will the gentleman yield for a question?

**Mr. OSTERTAG.** Very briefly.

**Mr. BECKER.** Very briefly. I would certainly go along with what the gentleman has said, because he leads me in this field. But we have not gotten one single reason here or explanation as to why this should be, why these things have been held up so the Committee on Appropriations could not get a chance to do its work.

**Mr. OSTERTAG.** As has been explained—and I think the major reasons which I believe can be accepted, but the main reason why many of these appropriations have not been enacted into law for the full fiscal year is because they lack authorization of certain projects or programs for this fiscal year.

Permit me to say at this point that I am not sure how we can correct this situation. But it seems to me, Mr. Speaker, our system is so wrong that this continuing practice will go on indefinitely. As I say, it is bad government and bad practice. Until we can find a way whereby these authorizations are either adopted or established the year before or early in the year so that we are in a position to appropriate funds as of the fiscal year, we are bound to have more of the same.

I do not know whether it would be appropriate or proper or legal to change our system of requiring authorizations the previous year as to the year in which we are operating, but something like that might, in and of itself, correct this bad situation.

**Mr. PILLION.** Mr. Speaker, will the gentleman yield?

**Mr. OSTERTAG.** I yield to the gentleman from New York.

**Mr. PILLION.** The gentleman suggests we have a cutoff date on authorizations? It seems a paradox to have authorizations continue the year round and then have a cutoff date as to the appropriations. In that way we have to wait all year long to see what the authorizations are going to be. It might be that we could require that all appropriations ought to be based upon authorizations that are passed, say, by July 1.

Does the gentleman from New York [Mr. OSTERTAG] have something like that in mind?

**Mr. OSTERTAG.** I had in mind that we might require all authorizations to be accepted and adopted by the Congress a year prior to the enactment of the appropriation bill involved.

**Mr. PILLION.** That is very simple.

**Mr. GROSS.** Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I would like to ask a question: First, what effect will this procedure have upon the formulation of the 1965 budget? How can the departments and agencies formulate a budget for 1965 under this sort of procedure, and if they cannot formulate a budget what kind of a bind are we getting into now with respect to the movement of appropriation legislation next year? Can anybody shed any light on what is happening to the budgetary procedure as of now when those responsible ought to be formulating a 1965 budget?

I would like to ask one other question since I did not get an answer to the first one. I should like to know whether this means the continuing resolution to November 30, 1963, will result in adjournment of the Congress sine die on December 1, 1963?

**Mr. CANNON.** I am certain the gentleman knows as much about the last question as any of us in the House. As to the first inquiry, we have three departments of Government, the judicial, the executive, and the legislative. From all appearances each department is to judge whether it is handling its own responsibilities adequately.

**Mr. GROSS.** Does the gentleman see any encouragement in this 1-month continuing resolution that we can be out of here on or about December 1?

**Mr. CANNON.** I would have no objection to that.

**Mr. GROSS.** And neither would I.

### GENERAL LEAVE TO EXTEND REMARKS

**Mr. CANNON.** Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the House joint resolution we are now considering.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

The **SPEAKER.** The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER.** The question is on the passage of the joint resolution.

The question was taken, and the Speaker announced that the ayes appeared to have it.

**Mr. BECKER.** Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 280, nays 11, not voting 141, as follows:

[Roll No. 183]

YEAS—280

Abele
Adair
Albert
Alger
Anderson
Andrews
Arends
Ashley
Ashmore
Aspinall
Auchincloss
Baker
Baldwin
Barry
Bass
Bates
Beckworth
Belcher
Bell
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Blatnik
Bolton, Frances P.
Bow
Brademas
Bray
Brock
Bromwell
Brooks
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke
Burleson
Byrne, Pa.
Byrnes, Wis.
Cameron
Cannon
Casey
Cederberg
Celier
Chamberlain
Chelf
Chenoweth
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conte
Corbett
Corman
Cunningham
Curtin
Dague
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Dent
Denton
Derwinski
Dole
Dowdy
Dulski
Duncan
Edmondson
Edwards
Elliott
Ellsworth
Everett
Fallon
Fascell
Findley
Finnegan
Fisher
Flood
Fogarty
Forrester
Fraser
Frelinghuysen
Fulton, Pa.
Gathings
Giaimo
Gilbert
Glenn
Goodell
Goodling
Grabowski
Gray
Gross
Grover
Gubser
Hagan, Ga.
Haley
Halpern
Hanna
Hansen
Hardy
Harrison
Harsha
Hawkins
Healey
Hébert
Hechler
Hemphill
Holifield
Holland
Horton
Hosmer
Huddleston
Ichord
Jensen
Joelson
Johansen
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keith
Kilgore
King, Calif.
Kirwan
Knox
Kunkel
Kyl
Laird
Langen
Lankford
Latta
Lennon
Libonati
Lindsay
Lipscomb
Lloyd
Long, Md.
McClory
McCulloch
McFall
McIntire
McLoskey
McMillan
Mahon
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meader
Michel
Miller, Calif.
Milliken
Mills
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Norblad
O'Hara, Ill.
O'Hara, Mich
Olsen, Mont.
Olson, Minn.
Ostertag
Passman
Patman
Perkins
Pike
Pillion
Pirnie
Poage
Poff
Pool
Price
Pucinski
Purcell
Rains
Randall
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Rivers, Alaska
Roberts, Ala.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan, Mich.
St Germain
Saylor
Schadeberg
Schenck
Schweiker
Schwengel
Scott
Secrest
Selden
Senner
Sheppard
Shipley
Shriver
Sibal
Sickles
Sikes
Sisk
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Snyder
Staebler
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Talcott
Teague, Calif.
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Toll
Trimble
Tuck
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Van Pelt
Vinson
Waggonner
Watson
Watts
Weaver
Weltner
Westland
Whitener
Whitten
Williams
Willis
Wilson, Bob
Wilson, Charles H.

Winstead
Wydler
Wyman
Young
Younger
Zablocki

NAYS—11

Ashbrook
Becker
Beermann
Clancy
Derounian
Devine
O'Konski
Short
Siler
Wharton
Wilson, Ind.

NOT VOTING—141

Abbitt
Abernethy
Addabbo
Avery
Ayres
Baring
Barrett
Battin
Boggs
Boland
Bolling
Bolton, Oliver P.
Bonner
Brown, Calif.
Bruce
Buckley
Burkhalter
Burton
Cahill
Carey
Clark
Clausen, Don H.
Cooley
Cramer
Curtis
Daddario
Delaney
Diggs
Dingell
Donohue
Dorn
Downing
Dwyer
Evins
Farbstein
Feighan
Fino
Flynt
Ford
Foreman
Fountain
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Gibbons
Gill
Gonzalez
Grant
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gurney
Hagen, Calif.
Hall
Halleck
Harding
Harris
Harvey, Ind.
Harvey, Mich.
Hays
Henderson
Herlong
Hoeven
Hoffman
Horan
Hull
Hutchinson
Jarman
Jennings
Johnson, Calif.
Kelly
Keogh
Kilburn
King, N.Y.
Kluczynski
Kornegay
Landrum
Leggett
Lesinski
Long, La.
McDade
McDowell
Macdonald
MacGregor
Madden
Mailliard
Martin, Mass.
May
Miller, N.Y.
Minish
Minshall
Monagan
Montoya
Moore
Multer
Nix
O'Brien, Ill.
O'Brien, N.Y.
O'Neill
Osmers
Patten
Pelly
Pepper
Philbin
Pilcher
Powell
Quie
Quillen
Reid, Ill.
Reifel
Riehlman
Rivers, S.C.
Roberts, Tex.
Roosevelt
Rosenthal
Roudebush
Ryan, N.Y.
St. George
St. Onge
Schneebeli
Shelley
Skubitz
Springer
Stafford
Stinson
Taft
Taylor
Thompson, La.
Thornberry
Tollefson
Utt
Wallhauser
Whalley
White
Wickersham
Widnall
Wright

So the joint resolution was agreed to.

The Clerk announcd the following pairs:

Mr. Nix with Mr. Cramer.
Mr. Kluczynski with Mr. Utt.
Mr. O'Brien of New York with Mr. Hall.
Mr. Clark with Mr. McDade.
Mr. O'Brien of Illinois with Mr. Roudebush.
Mr. Henderson with Mr. Foreman.
Mr. Herlong with Mr. Schneebeli.
Mr. Jennings with Mr. Hoffman.
Mr. Boggs with Mr. Halleck.
Mr. Bonner with Mr. Curtis of Missouri
Mr. Daddario with Mr. Whalley.
Mr. Evins with Mr. Tollefson.
Mr. Friedel with Mr. Reifel.
Mr. Harding with Mr. Mailliard.
Mr. Hays with Mr. Stinson.
Mr. Hull with Mr. Quillen.
Mr. O'Neill with Mr. Martin of Massachusetts.
Mr. Roberts of Texas with Mr. Hutchinson.
Mr. Lesinski with Mr. Landrum.
Mr. Diggs with Mr. Baring.
Mr. McDowell with Mr. Abbitt.
Mr. Montoya with Mr. Gibbons.
Mr. Jarman with Mr. Flynt.
Mr. Patman with Mr. Rivers of South Carolina.
Mr. Philbin with Mr. Taylor.
Mr. Donohue with Mr. Long of Louisiana.
Mr. Bolling with Mr. Hagen of California.
Mr. Gallagher with Mr. Gill.
Mr. Downing with Mr Gonzalez.
Mr. Brown of California with Mr. Leggett.
Mr. Burkhalter with Mr. Fulton of Tennessee.
Mr. Wright with Mr. Pilcher.
Mr. Grant with Mr. Fuqua.
Mr. Keogh with Mr. Oliver P. Bolton.
Mr. Garmatz with Mr Moore.
Mr. Buckley with Mr. Horan.
Mr. Dorn with Mr. Gurney.
Mrs. Kelly with Mr. Cahill.
Mr. White with Mr. Springer.
Mr. Shelley with Mrs. Reid of Illinois.
Mr. Addabbo with Mr. Avery.
Mr. Pepper with Mrs. Dwyer.
Mr. Rosenthal with Mr. Taft.
Mr. St. Onge with Mrs. St. George.
Mr. Ryan of New York with Mr. MacGregor.
Mr. Cooley with Mr. Pelly.
Mr. Fountain with Mr. Kilburn.
Mr. Abernethy with Mr. Harvey of Indiana.
Mr. Delaney with Mr. King of New York.
Mr. Minish with Mr. Ayres.
Mr. Farbstein with Mr. Bruce.
Mrs. Green of Oregon with Mr. Ford.
Mr. Harris with Mr. Widnall.
Mr. Multer with Mr. Stafford.
Mr. Wickersham with Mr. Miller of New York.
Mr. Roosevelt with Mr. Osmers.
Mr. Madden with Mr. Battin.
Mr. Feighan with Don. H. Clausen.
Mr. Carey with Mr. Wallhauser.
Mr. Gary of Virginia with Mr. Skubitz.
Mr. Johnson of California with Mrs. May.
Mr. Thompson of Louisiana with Mr. Hoeven.
Mr. Monagan with Mr. Burton.
Mr. Macdonald with Mr. Griffin.
Mr. Dingell with Mr. Harvey of Michigan.
Mr. Powell with Mr. Minshall.
Mrs. Griffiths with Mr. Riehlman.
Mr. Green of Pennsylvania with Mr. Quie.
Mr. Barrett with Mr. Fino.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

## TO GRANT ADDITIONAL TRAVEL AUTHORITY TO THE COMMITTEE ON EDUCATION AND LABOR

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 314 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved,* That, notwithstanding the provisions of H. Res. 103, 88th Congress, the Ad Hoc Subcommittee on a Science Data Processing Center of the Committee on Education and Labor consisting of not more than five persons, of whom at least two shall be scientists, may visit in Russia for not exceeding four days to inspect the All Union Institute of Scientific and Technical Information at Moscow.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the committee and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided,* (1) That no member or employee of said committee shall receive or expend local currencies or appropriated funds for subsistence in an amount in excess of the maximum per diem rates approved for oversea travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from California [Mr. SMITH] 30 minutes, and at this time I yield myself such time as I may consume.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield? I have an amendment at the desk.

Mr. SMITH of Virginia. I do not yield for that purpose at this time.

Mr. Speaker, this resolution reported by the Committee on Rules is one of the special travel resolutions that we have been presenting from time to time. It authorizes a subcommittee of five of the Committee on Education and Labor to make a visit to Moscow for the purpose of inspecting a scientific data processing arrangement that they have there which it seems exists in no other place.

This has been cleared with the State Department and has been cleared with the Russian Government to permit an examination of this collection of scientific data.

As you know, we have pretty near every agency of the Government delving somewhere in the field of scientific investigation. There are many scholarships awarded for that purpose, and many grants to universities and colleges for specific objects of investigation. It has occured to some of us for a long time what becomes of all that scientific data, after they get it, and after we spend our money for it. My information is that Russia has a central point at which all of this data is processed and gotten together so that they know what has been investigated and what remains to be investigated. I have been told in certain instances here in this country we have issued grants to make an investigation on why the wangdoodle wangdoodles, or something of that kind. Looking into the matter, we found out we have already investigated the wangdoodle once before and nobody knows what became of the data. It might be well for us to obtain some information as to all of this miscellaneous scientific data that we are constantly paying out money to have investigated and have it collected at one central point so that we do know what has happened to all of it.

Mr. BURLESON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Texas.

Mr. BURLESON. Mr. Speaker, I want to call attention to the resolution passed on August 26 of this year by the Committee on House Administration making available money to the ad hoc committee headed by our distinguished friend from Illinois [Mr. PUCINSKI]. At that time an amendment was added to the resolution which said that these funds are to be used within the United States.

I am not of a disposition to oppose this resolution before us today. That is not my idea, although I may question it. Certainly there is an inconsistency. What do we do about the resolution we have already passed which says the ad hoc committee cannot use the money outside the United States?

Mr. SMITH of Virginia. Your Committee on House Administration has passed this resolution?

Mr. BURLESON. Yes, sir.

Mr. SMITH of Virginia. I was not aware of that.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, the chairman of the Committee on House Administration raises a perfectly valid point, but if he will read the two resolutions he will find there is no conflict between the two resolutions. The travel resolution before the House today provides for the use of counterpart funds. None of the $7,000 that has been appropriated for use by this committee in the continental United States is going to be used under this travel resolution. If the gentleman will recall, a budget was presented to the Committee on House Administration for a specific purpose. It provides that $3,000 is to be used to hire a secretary for the committee, and $3,000 is to be used for travel expenses of scholars in this country to come to Washington to testify before the committee. The remainder is to be used for postage and stationery. So that none of this money appropriated by the Committee on House Administration is contemplated to be used in connection with House Resolution 314.

Mr. Speaker, will the gentleman yield further?

Mr. BURLESON. I do not know where you are going to get counterpart funds in Russia. We do not have any counterpart funds in Russia, and that is where you are going. I am not arguing the point; I am trying to be helpful, but if you are expecting to spend counterpart funds in Russia we do not have any there.

Mr. PUCINSKI. This resolution provides that only counterpart funds can be used. It is my understanding that there are funds available for travel in Russia under counterpart funds.

Mr. BURLESON. That is the point I am making. I had understood that in the past there had been counterpart funds used for travel in some countries on counterpart funds issued in another place. But if I understood the earlier resolutions out of the Rules Committee the first of the year, and the bill, House Joint Resolution 245 that passed here some months ago and is now in the other body, the use of counterpart funds is restricted to the country of authorized travel.

I may take advantage of saying this there may be some method of obtaining counterpart funds in one country to pay travel expenses in another. But unless the other body passes House Joint Resolution 245 I will never have another question about the use of counterpart funds, because I am a little tired of restricting ourselves here. Small as some of these things may be, we should get this thing on a uniform basis where both bodies treat themselves alike. Mr. Speaker, I would not violate the rules of this House, but I can get just a little upset about their not doing anything about this legislation which has been pending since the early part of this year.

The point again, getting back to the immediate issue I am afraid you are going to have to do something else in financing this trip. If we sell wheat to the Soviets we may create a counterpart fund. But as of now, I say I do not know where you are going to get counterpart funds for use in Russia.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Oklahoma.

Mr. ALBERT. If I may comment on the statement of the distinguished gentleman from Texas, I do not think it is a violation of the rules to insist on the comities between the two bodies and on the principle of coordinate duties of the two bodies of the Congress.

Mr. SMITH of Virginia. Mr. Speaker, I now yield to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume, and ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of California. Mr. Speaker, on each occasion I have presented these rules with respect to travel heretofore, I have heard the evidence in detail before the Rules Committee and have recommended each one of them, but in this instance I do not feel I am in a position to do so. We will listen to the gentleman from Illinois explain what he has in mind, as he did to me this morning.

We passed House Resolution 314 out of the Rules Committee some 6 months ago. It has not been taken up and I thought it was dead for the session, but I noted on Friday that it had been scheduled for today. Checking into it this morning, I find an amendment will be made to change the travel. Instead of five going there are going to be seven, and instead of just going to Russia they are going to Brussels, Holland, Frankfurt, Warsaw, Paris, and Italy.

It is my opinion that if you change this resolution, before we vote on it, the Rules Committee has the responsibility to hear and give people an opportunity to testify. I will admit freely that the gentleman from Illinois is interested in this resolution and I believe the gentleman from Minnesota [Mr. QUIE] is, but I think we should hear this further and determine whether or not the committee has jurisdiction to go to all these other places and whether there are any counterpart funds, and then bring the amendment down so that the Members of the House can read the amendment and know what we are voting on, because I do not think we are going to be voting on House Resolution 314 as originally reported.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from California.

Mr. GUBSER. I would like to know if the gentleman can enlighten me further as to why the Committee on Education and Labor has jurisdiction over a scientific and technical information meeting at Moscow. It seems to me someone should come up with the all-seeing eye that we heard about the other day. We heard the other day of a committee going to California to investigate a bus accident which belongs under an entirely different department of Government concerning a bill which is under the jurisdiction of the Committee on Education and Labor. Now today we see something which at least on its surface appears to be within the jurisdiction of the Committee on Science and Astronautics. I would like to inquire of the gentleman whether or not he can enlighten me as to why the Committee on Education and Labor properly has jurisdiction of this subject?

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. PUCINSKI. The gentleman will recall, and I believe the gentleman was here in 1958, when this country hit the panic button because of the first launching of the sputnik by the Soviet Union. This Congress enacted legislation known as the National Defense Education Act, which is on the books to this day and which has served as one of our major efforts to produce scientists and other needed scholars to participate in the effort to catch up with the Soviet Union. As part of the National Defense Act of 1958, the Congress created the Office of Science Information Services. This is the agency that was created in an effort to bring about a greater coordination of research activities to avoid duplication and waste and so on.

There is legislation pending before the House Committee on Education and Labor which has jurisdiction over the National Defense Education Act to amend the NDEA to give the Office of Science Information Services, which was created by the National Defense Education Act, greater authority to bring about the very thing that the distinguished gentleman from Virginia spoke of so eloquently—to bring about a better system of coordinating and disseminating research information so that we are not going to spend $17½ billion on a great deal of duplication. This is why the Committee on Education and Labor has basic and original jurisdiction in this matter. I hope I have answered the gentleman's question.

Mr. GUBSER. If the gentleman from California will allow me, and if he would be willing to yield further to the gentleman from Illinois, I would like to make further inquiry regarding this.

We have a Committee on Science and Astronautics and it is concerned with the subject matter of this investigation.

We also have a newly created subcommittee of the House Committee on Armed Services, the Subcommittee on Research and Development which deals with exactly the same things that the gentleman from Illinois has been discussing. I would like to know whether or not either of those committees has seen fit to send people to Russia to attend this international conference.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. PUCINSKI. I will try to answer the gentleman's question. I cannot speak for the other committees of this Congress. They are all doing a good job. I know for a fact the Committee on Science and Astronautics is very much interested in this matter. They have selected a subcommittee which is headed by the distinguished gentleman from Connecticut [Mr. DADDARIO], who is looking into the research aspects of NASA and other agencies associated and connected with space and space problems. I also happen to know that the distinguished chairman of the Committee on Armed Services [Mr. VINSON] has appointed a special committee of the Committee on Armed Services, which is headed by my very good colleague, the gentleman from Illinois [Mr. PRICE] who is looking into the situation with regard to waste in our defense effort. I also happen to know that we in this House, I believe, unanimously, established a committee which is headed by the gentleman from Alabama [Mr. ELLIOTT]. All three of those committees are working in their own respective disciplines. I have the privilege of heading a subcommittee of the Committee on Education and Labor on a national information center. But my committee is not looking into that aspect of the picture dealing primarily with duplication, but rather we are looking into the activities of the Office of Science Information Services, which was created by the Education and Labor Committee on which I serve, and which has the basic responsibility of coordinating the dissemination of research data generated in our universities and laboratories and various other educational activities interested in this work. Therefore, I see no conflict here. I supported the establishment of the Elliott committee because it has a special function. I am sure that this committee under the chairmanship of the gentleman from Alabama [Mr. ELLIOTT] will do an outstanding job. The fact of the matter is that this is a vast subject. We are dealing with only one specific subject in my committee and that is the establishment of a national information center which would coordinate and disseminate research information which flows from our universities and our schools. Neither of these three committees that we have been talking about up to now necessarily deals with that subject. We are dealing with a national information center.

The resolution that is before this House today is to afford this committee an opportunity to see what other countries are doing. I might say to this House that it is amazing and appalling how far ahead other countries of the world are in this field than our own country.

Mr. GUBSER. With the permission of the gentleman from California, I would like to ask one more question, and then I have sufficient information to vote on this subject. We know on the Committee on Education and Labor there are many staff members of very wide and very diverse talents. Miss Corinne Huff, the former Miss Universe runner-up, who figured very prominently in a famous trip to Europe last year, which was all over the headlines, was recently in California as a staff investigator investigating a bus accident there. She has since been to Europe to discuss the subject of equal opportunity for women. I would like to know if Miss Corinne Huff is going to be along on this investigation.

Mr. PUCINSKI. I can assure the gentleman that the resolution provides two scientists shall go along with the members of this committee. We have invited some very distinguished scientists, Dr. Karl Heumann, who is the executive director of the National Academy of Sciences, and Dr. Allan Kiron, who is head of research of the U.S. Patent Office, also serving as a consultant to our committee. I might also advise you that Dr. Frederick Seitz, the President of the National Academy of Sciences, appointed a very distinguished panel of American scholars who are working as consultants with this committee. So the answer to the gentleman's question is "No."

Mr. GUBSER. Is Corinne going or is Corinne staying?

Mr. PUCINSKI. The answer to the gentleman's question is "No."

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. I would like to ask the gentleman from Illinois for further clarification on the way this trip is being financed. I think the gentleman from Texas, the chairman of the Committee on House Administration, brought up a good point when he stated the way the resolution is now written, it appears that unless counterpart funds are available, you would not be able to make the trip, and counterpart is not available in Russia. I assume some other currency, a supply of which we do have, will be used to buy tickets to Russia and probably a supply of that currency will be taken into Russia to defray the expenses of the committee while there. If that is the fact, I think it should be disclosed to the House, and it also should be disclosed as to what currency is to be used.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman.

Mr. PUCINSKI. As the distinguished chairman of the full committee stated earlier, this trip had been discussed earlier with the State Department and also with the Soviet authorities. The State Department assures us that the language in this resolution does make counterpart funds available, I would presume from some other country. I do not know that for a fact, but I would presume there is some arrangement in existence because many committees of this House, many committees, go to Russia. There have been visits made to Russia, and I presume on those they used the same formula for those trips as they anticipate using for this trip.

Mr. RHODES of Arizona. Of course, the gentleman from Illinois knows we have Polish zlotys, the Polish currency, in abundance, and we also have Finnish markka, I believe. Does the gentleman know at this time whether one of these particular currencies will be used to defray the expenses of the trip?

Mr. PUCINSKI. I do not know which currencies would be used, but as I understand it, probably the travel expenses into Moscow will be handled through Copenhagen, because it is my understanding that if the House approves this very worthwhile trip of my committee, which is working very hard, certainly the State Department indicated they would handle the travel from Copenhagen into Russia. Perhaps there are other Members on the floor here today who have visited Russia and who might be able to shed some light on this subject. I do not know.

Mr. SMITH of California. Mr. Speaker, I yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I would like to ask the gentleman a question. How many members of the subcommittee or the committee are going on this trip?

Mr. PUCINSKI. Originally there were going to be three members and two scientists. That is why the original House Resolution 314 provides for five people. The members of the original group, besides the chairman, were going to be the gentleman from Indiana, [Mr. BRADEMAS], the gentleman from Illinois [Mr. FINDLEY]. Since then two other members have indicated a strong desire to go, the gentleman from Minnesota [Mr. QUIE] and the gentleman from New York [Mr. CAREY]. So we are asking today at the appropriate time to amend the resolution to substitute the figure 7 for the figure 5. Then we are going to have five members, myself, Mr. Brademas of Indiana, Mr. Carey of New York, Mr. Findley of Illinois, and Mr. Quie of Minnesota, and the two scientists, Dr. Heumann and Dr. Kiron.

Mr. GROSS. So the two scientists are not members of the committee?

Mr. PUCINSKI. That is correct. Those were the instructions from the Committee on Rules and one of the conditions under which House Resolution 314 was reported out by the Committee on Rules. The distinguished chairman at that time asked me whether any of our three members were scientists and I had to point out that so far as I know there are no scientists serving in the Congress of the United States. The committee felt that if this trip were really worthwhile and meaningful we ought to have the professional services of scientists.

Mr. GROSS. So in order to take along two scientists you will seek to amend the bill to change the number from 5 to 7?

Mr. PUCINSKI. No; that is in order to take two additional Members of the

Congress. The original resolution provided for three Members of Congress and two scientists. Two additional Members of Congress have requested permission to go, and so we are asking for that number.

Mr. GROSS. How many staff members will accompany them?

Mr. PUCINSKI. None.

Mr. SMITH of California. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Illinois [Mr. PUCINSKI] for the purpose of offering an amendment.

AMENDMENT OFFERED BY MR. PUCINSKI

Mr. PUCINSKI. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PUCINSKI: On line 4 strike out the word "five" and insert the word "seven".

On line 5 after the word "visit" strike out the remainder of that sentence and insert therein the following language: "the Center for Information and Documentation, Brussels, Belgium, 1 day; European Center for Documentation and Translation at Delft, Holland, 1 day; Gmelin Institute Documentation Center, Frankfort am Main 13, Federal Republic of Germany, 1 day; All-Union Institute of Scientific and Technical Information, Moscow, U.S.S.R., 3 days; Central Institute for Scientific and Technical Documentation, Computer Center Polish Academy of Science, Warsaw, Poland, 2 days; Centre National de la Researche Scientifique, Paris, France, 2 days; European Community Atomic Energy Scientific Information Center, Isbra, Italy, 1 day."

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois [Mr. PUCINSKI].

The amendment was agreed to.

The SPEAKER. The question is on the resolution.

The question was taken; and the Speaker announced that the "ayes" appeared to have it.

Mr. SNYDER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 119, nays 164, not voting 149, as follows:

[Roll No. 184]

YEAS—119

Albert
Anderson
Arends
Aspinall
Barry
Bass
Beckworth
Bell
Bennett, Mich.
Boland
Brademas
Brooks
Burke
Burleson
Byrne, Pa.
Cameron
Cannon
Casey
Celler
Chamberlain
Cohelan
Collier
Corman
Daniels
Davis, Tenn.
Dawson
Dent
Denton
Donohue
Dulski
Duncan
Edmondson
Edwards
Elliott
Everett
Fascell
Findley
Finnegan
Flood
Fraser
Frelinghuysen
Giaimo
Gilbert
Goodell
Grabowski
Gray
Hanna
Hansen
Hardy
Hawkins
Healey
Hébert
Hemphill
Holifield
Holland
Hosmer
Karsten
Karth
Kastenmeier
Kee
King, Calif.
Kirwan
Libonati
Lindsay
Long, Md.
McFall
Mathias
Matsunaga
Meader
Miller, Calif.
Mills
Moorhead
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Norblad
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Patman
Perkins
Pirnie
Price
Pucinski
Rains
Reuss
Rhodes, Pa.
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roush
Roybal
Ryan, Mich.
Senner
Sibal
Sickles
Slack
Smith, Iowa
Smith, Va.
Staebler
Stratton
Sullivan
Thomas
Thompson, N.J.
Toll
Trimble
Tuten
Udall
Ullman
Van Deerlin
Vanik
Westland
Wilson, Charles H.
Young
Zablocki

NAYS—164

Abele
Adair
Alger
Andrews
Ashbrook
Ashley
Ashmore
Baker
Baldwin
Bates
Becker
Beermann
Belcher
Bennett, Fla.
Berry
Betts
Bolton, Frances P.
Bow
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Byrnes, Wis.
Cederberg
Chelf
Chenoweth
Clancy
Clawsor., Del
Cleveland
Colmer
Conte
Corbett
Cunningham
Curtin
Dague
Davis, Ga.
Derounian
Derwinski
Devine
Dole
Dowdy
Ellsworth
Fallon
Fisher
Forrester
Fulton, Pa.
Gathings
Glenn
Goodling
Gross
Grover
Gubser
Hagan, Ga.
Haley
Halpern
Harrison
Harsha
Hechler
Horton
Huddleston
Ichord
Jensen
Joelson
Johansen
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Keith
Kilgore
Knox
Kunkel
Kyl
Laird
Langen
Lankford
Latta
Lennon
Lipscomb
Lloyd
McClory
McCulloch
McIntire
McLoskey
McMillan
Mahon
Marsh
Martin, Nebr.
Matthews
Michel
Milliken
Morris
Morrison
Morton
Murray
Natcher
Nelsen
O'Konski
Olson, Minn.
Ostertag
Passman
Pike
Pillion
Poage
Poff
Pool
Purcell
Randall
Reid, N.Y.
Rhodes, Ariz.
Rich
Rivers, Alaska
Roberts, Ala.
Robison
Rogers, Fla.
Rogers, Tex.
Rumsfeld
Saylor
Schadeberg
Schenck
Schweiker
Schwengel
Scott
Secrest
Selden
Shipley
Short
Shriver
Sikes
Siler
Smith, Calif.
Snyder
Staggers
Stephens
Stubblefield
Talcott
Teague, Calif.
Teague, Tex.
Thompson, Tex.
Thomson, Wis.
Tuck
Tupper
Van Pelt
Waggonner
Watson
Watts
Weaver
Weltner
Wharton
Whitener
Whitten
Williams
Willis
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman
Younger

NOT VOTING—149

Abbitt
Abernethy
Addabbo
Auchincloss
Avery
Ayres
Baring
Barrett
Battin
Blatnik
Boggs
Bolling
Bolton, Oliver P.
Bonner
Brown, Calif.
Buckley
Burkhalter
Burton
Cahill
Carey
Clark
Clausen, Don H.
Cooley
Cramer
Curtis
Daddario
Delaney
Diggs
Dingell
Dorn
Downing
Dwyer
Evins
Farbstein
Feighan
Fino
Flynt
Fogarty
Ford
Foreman
Fountain
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Gibbons
Gill
Gonzalez
Grant
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gurney
Hagen, Calif.
Hall
Halleck
Harding
Harris
Harvey, Ind.
Harvey, Mich.
Hays
Henderson
Herlong
Hoeven
Hoffman
Horan
Hull
Hutchinson
Jarman
Jennings
Johnson, Calif.
Kelly
Keogh
Kilburn
King, N.Y.
Kluczynski
Kornegay
Landrum
Leggett
Lesinski
Long, La.
McDade
McDowell
Macdonald
MacGregor
Madden
Mailliard
Martin, Calif.
Martin, Mass.
May
Miller, N.Y.
Minish
Minshall
Monagan
Montoya
Moore
Morgan
Morse
Multer
Nix
O'Brien, Ill.
O'Brien, N.Y.
O'Neill
Osmers
Patten
Pelly
Pepper
Philbin
Pilcher
Powell
Quie
Quillen
Reid, Ill.
Reifel
Riehlman
Rivers, S.C.
Roberts, Tex.
Roosevelt
Rosenthal
Roudebush
Ryan, N.Y.
St. George
St Germain
St. Onge
Schneebeli
Shelley
Sheppard
Sisk
Skubitz
Springer
Stafford
Steed
Stinson
Taft
Taylor
Thompson, La.
Thornberry
Tollefson
Utt
Vinson
Wallhauser
Whalley
White
Wickersham
Widnall
Wright

So the resolution was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Sheppard against.

Mr. Multer for, with Mr. Dorn against.

Mr. Delaney for, with Mr. Abernethy against.

Mr. Quie for, with Mr. Oliver P. Bolton against.

Mr. MacGregor for, with Mr. Roudebush against.

Mr. Powell for, with Mr. Kilburn against.

Mrs. Green of Oregon for, with Mr. Utt against.

Mr. Roosevelt for, with Mr. Thompson of Louisiana against.

Mr. Carey for, with Mr. Roberts of Texas against.

Mr. Rosenthal for, with Mr. Auchincloss against.

Mr. Addabbo for, with Mr. Cramer against.

Mrs. Kelly for, with Mr. Foreman against.

Mr. Green of Pennsylvania for, with Mr. Quillen against.

Mr. Philbin for, with Mr. Miller of New York against.

Mr. Johnson of California for, with Mr. Gurney against.

Mr. Kluczynski for, with Mr. Hoffman against.

Mr. Minish for, with Mr. Avery against.

Mr. White for, with Mrs. Dwyer against.

Mr. Barrett for, with Mrs. Reid of Illinois against.

Mr. Buckley for, with Mr. Martin of California against.

Mr. Daddario for, with Mr. Battin against.

Mr. Dingell for, with Mr. Stafford against.

Mr. Farbstein for, with Mr. Harvey of Indiana against.

Mr. Lesinski for, with Mr. Hoeven against.

Mr. Morgan for, with Mr. Skubitz against.

Mr. St. Onge for, with Mr. Stinson against.

Mr. St Germain for, with Mr. Widnall against.

Mr. Fogarty for, with Mr. Don H. Clausen against.

Mr. Nix for, with Mr. Riehlman against.

Mr. Shelley for, with Mr. Osmers against.

Mr. Ryan of New York for, with Mr. Hall against.

Mr. O'Neill for, with Mr. Burton against.

Mr. Monagan for, with Mr. Curtis of Missouri against.

Mr. O'Brien of New York for, with Mr. King of New York against.

Mr. Macdonald for, with Mr. Reifel against.

Until further notice:

Mr. Evins with Mr. Wallhauser.

Mr. Feighan with Mrs. May.

Mr. Kornegay with Mr. Hutchinson.

Mr. Henderson with Mr. Ayres.

Mr. Herlong with Mr. Taft.

Mr. Fuqua with Mr. Springer.

Mr. Garmatz with Mr. Griffin.

Mr. Friedel with Mrs. St. George.

Mr. Gary with Mr. Morse.

Mr. Downing with Mr. Horan.

Mr. Landrum with Mr. Cahill.

Mr. Jennings with Mr. Ford.

Mr. Boggs with Mr. Whalley.

Mr. Bonner with Mr. Tollefson.
Mr. McDowell with Mr. Fino.
Mr. O'Brien of Illinois with Mr. Harvey of Michigan.
Mr. Sisk with Mr. McDade.
Mr. Hays with Mr. Mailliard.
Mr. Hagen of California with Mr. Pelly.
Mr. Diggs with Mr. Schneebeli.
Mr. Wickersham with Mr. Minshall.
Mr. Harding with Mr. Moore.
Mr. Harris with Mr. Halleck.
Mr. Hull with Mr. Rivers of South Carolina.
Mr. Montoya with Mr. Gonzalez.
Mr. Long of Louisiana with Mr. Martin of Massachusetts.
Mr. Madden with Mr. Leggett.
Mr. Brown of California with Mr. Baring.
Mr. Patten with Mr. Abbitt.
Mr. Wright with Mr. Pepper.
Mr. Flynt with Mr. Gibbons.
Mrs. Griffiths with Mr. Grant.
Mr. Blatnik with Mr. Pilcher.
Mr. Burkhalter with Mr. Clark.
Mr. Vinson with Mr. Jarman.
Mr. Fulton of Tennessee with Mr. Gill.
Mr. Steed with Mr. Taylor.

Mr. HALPERN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

## INVESTIGATION INTO THE ACTIVITIES AND MANIPULATIONS OF ROBERT G. BAKER

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the investigation into the activities and manipulations of Robert G. Baker, erstwhile secretary to the majority in the other body, is of immediate concern to the Members of that body.

But it is also of serious concern to Members of the House of Representatives for we have been called upon to approve Bobby Baker's $20,000 a year salary as well as other Federal funds spent by this ponzi from Pickens, S.C.

Among other things, I want to know, Mr. Speaker, the circumstances under which a young German woman was hastily deported from this country a few weeks ago following an FBI investigation.

Members of Congress and the public are entitled to know whether there was any element of security violation concerned in this speedy and hitherto unpublicized deportation.

Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and to include a copyright article on this subject by Mr. Clark Mollenhoff in the October 26, 1963, issue of the Des Moines Register.

### United States Expels Girl Linked to Officials—Is Sent to Germany After FBI Probe

(By Clark Mollenhoff)

Washington, D.C.—A Senate committee will hear next week about the friendship of several congressional figures with an exotic 27-year-old German girl who was expelled from the country last August.

An outline of the girl's activities will be given to the Senate Rules Committee which is in the process of examining allegations regarding the conduct of Senate employees as well as Members of the Senate.

However, the evidence also is likely to include identification of several high executive branch officials as friends and associates of the part-time model and party girl.

#### WILLIAMS INTERESTED

It was learned Friday that Senator John Williams, Republican, of Delaware, has obtained an account of the woman's life in Washington over a period of more than 2 years.

The wife of a sergeant in the German Army, she came to the United States on April 6, 1961. Her husband was attached to the German Military Mission in Washington.

Last summer the FBI started an investigation of the girl. With less than a week's notice, she and her husband were sent back to Germany August 21, 1963, at the request of the State Department.

#### AT PARTIES

The investigation established that the beautiful brunette had been attending parties with and was associating with congressional leaders and some prominent New Frontiersmen from the executive branch of Government.

An incomplete list of her Government friends is reported to be in the possession of Senator Williams.

Senator Williams goes before the Rules Committee in a closed session next Tuesday to outline the areas that he feels should be investigated.

The German woman lived with her husband and a 5-year-old child in a comfortable brick home on Military Road in Arlington, Va., and moved in a crowd that included some well-known New Frontier figures. It was not a life that could be financed on the pay of a noncommissioned German soldier.

She was acquainted with Robert G. (Bobby) Baker, the recently resigned secretary to the Senate majority. She is reported to have been a frequent visitor at the Quorum Club, a private club for lobbyists and congressional employees, in the Carroll Arms Hotel, just across the street from the New Senate Office Building.

She has been at the house at 308 N Street SW., that records indicate Baker purchased. Carol Tyler, his $8,300-a-year secretary when he was employed by the Senate, lived there. Miss Tyler quit at the same time that Baker resigned in the midst of a controversy over his outside business activities.

There is no evidence that the German woman was any more than a mere friendly acquaintance of Baker and Miss Tyler.

#### KIN AMONG REDS

The German woman was born and reared in Kleinitz, East Germany, and still has relatives on the other side of the Iron Curtain. The possibility that her activity might be connected with espionage was of some concern to security investigators because of the high rank of her male companions.

The investigations by the FBI are reported to have dispelled the possibility that the woman had any political motive in her activities. She and her husband are citizens of West Germany.

There are reports here that they have been divorced since returning to Germany, but this could not be confirmed.

Those acquainted with the woman class her as "stunning," and in general appearance comparable to movie actress Elizabeth Taylor.

#### ANGRY OVER OUSTER

When she first came to the United States, she was reported to have told various men she was single, and later said she was divorced. Only in the last few months before she was called back to Germany did she tell associates that she was married, and then she said she was contemplating a divorce.

She is reported to have been furious because her important friends did not block her expulsion.

Neighbors say she told them she was a model, to account for her unusual hours. She would leave at odd hours during the day and night, the neighbors said, her husband remaining at home.

## MISLABELING OF IMPORTED MOHAIR BLENDS

Mr. FISHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISHER. Mr. Speaker, it has come to my attention that quantities of knitted garments are being imported into this country in violation of our labeling laws, contrary to the public interest.

The apparel I refer to relates to sweaters manufactured in Italy, which purports to be blends of stated mohair content, and other fibers. In July of this year 1,100,000 sweaters were admitted from Italy, valued at $5 million. In order to promote the sale of these garments the labels have grossly overstated the mohair content, and other fiber components in the products. In this way American women are being swindled because they are led to believe the garments contain more mohair than is the case. This constitutes a fraud and a deception.

This is indeed a hoax, and the effect of it is to downgrade the mohair fiber with this misrepresentation. This constitutes a form of deception which may very well cause the buying public to get a false impression of the mohair fiber. Mohair is a specialty fiber. Its reputation for resiliency and durability is well known. The growers have spent years improving the product, and this has added to its demand, both at home and abroad. But the importation of these sweaters, labeled falsely with respect to their mohair content, has serious adverse effect upon the consumer's acceptance and preference for the mohair fiber.

It is not possible at this time to state precisely how widespread is this reprehensible practice. I have been able to confirm the following, however: Fourteen sweaters bought at retail and selected at random from 9 different well-known retailers in this country were recently tested for fiber content by the United States Testing Co., an independent and reputable commercial testing company. In each and every one of these tests it was found that the label on the garment overstated the mohair content, and in every instance except one, very substantially.

In not a single instance did the label of any sweater tested truthfully state its fiber components. I am not prepared to say that no mohair-blend garment imported from Italy is honestly labeled. But I do know that among those investigated not in a single instance has one proven to be truthful.

It is also important to note that these garments that were tested were selected at random. They were not purchased from any shady or "fly-by-night" retailer. They came from the best and most reputable retail stores, including R. H. Macy's, Sears, Roebuck & Co., Lerner's, S. H. Kress, Bloomingdales, Bonwit Teller, Stern's, Korvette, and Abraham & Straus. Sweaters purchased at other stores are now being tested.

All of these garments, according to these labels, are of Italian origin. They are said to be hand-knitted. I am told they are produced in homes and under conditions ordinarily prohibited to American manufacturers. The wages paid to the workers are a mere pittance by comparison with American wage rates.

Retailers who sell these garments usually do a profitable business. They buy them at low prices, which reflect the low wages paid, and then proceed to sell them under the misleading guise of false labels. And despite this fact the sales are frequently promoted under the claim of superior styling, whereas most or all of them are produced by Italians working on farms and in city slums.

I want to emphasize that this fraud is felt not only by the consumers but also by the producers of mohair in this country who take great and understandable pride in the superior quality of their product. This sort of practice, if continued and expanded, will do irreparable damage to the market that has been acquired through the years for genuine mohair products. In fact, our domestic producers of comparable garments have seen their own employment decline during the past year.

Mr. Speaker, this calls for prompt and positive action. I am sending letters to the Chairman of the Federal Trade Commission, which administers the Wool Labeling Act, and to the Commissioner of Customs, urging them to initiate prompt action to remedy this problem and see to it that it is not permitted to recur.

Our entire industry is affected—the growers, the yarn spinners, and the knitted outerwear industry, and all others engaged in the production and processing of mohair and mohair products. I feel confident we will promptly get the relief to which we are entitled.

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## FEDERAL PAY LEGISLATION

Mr. **UDALL**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. **UDALL**. Mr. Speaker, the CONGRESSIONAL RECORD for Tuesday of last week contains remarks of Senator LAUSCHE, of Ohio, on the subject of Federal pay legislation. The Senator noted, first, what he described as the "shocking" fact that there are twice as many Federal employees as State employees in his State, and, secondly, that Federal employees in Ohio and elsewhere receive higher weekly earnings than State employees. He suggested that these were reasons for voting down any Federal pay proposals and described appeals for pay increases as "balderdash."

Mr. Speaker, I should like to make these comments. First, looking at the charts the Senator placed in the RECORD, I could not help noticing that there are only four States in the Union which have more Federal employees than Ohio. It happens that the Senator's State benefits greatly from a number of sizable Federal activities. In fact, Ohio has nearly six times as many Federal employees as my State of Arizona. However, I can assure the Senator that this is not because Arizona looks unfavorably upon Federal programs. On the contrary, we welcome Federal employees and payrolls in our State. We would like more. And if there is any sentiment in the Senator's State to reduce the number of Federal installations there, I can only say that the people of my State will gladly make room for them.

However, I am certain the Senator did not mean that he wants Federal installations taken out of Ohio or that he wants thousands of Federal workers there laid off. His point was that there should be no increase of any kind in any Federal salaries because the average salary paid Federal employees exceeds the average salary paid State employees in Ohio and elsewhere.

Mr. Speaker, this would be like my saying that the State and local governments of this country should cease all hiring because out of 9½ million Government employees in this country, a "disproportionate" 7 million work for State and local governments. Or I might say that no State or local worker should be increased in salary until State and local employment drops from the present 37 per 1,000 population to the 13 per 1,000 ratio enjoyed by the Federal Government.

Mr. Speaker, I submit that this kind of generalized objection to salary legislation is meaningless. I do not know how many scientists, engineers and top administrators—capable of managing multibillion-dollar programs—are employed in Ohio, but I know that the Federal payroll has to carry thousands upon thousands of the most highly trained people we have in this country. No State has anything like the space program, anything like the Department of Defense. To take an average of Federal salaries and say that it should be equal to or less than an average of State salaries in Ohio or Arizona is to assume that the two groups of employees are identical in nature and have identical jobs to perform. I do not see how Members of this Congress can make such a preposterous assumption.

To my mind, Mr. Speaker, there is no substitute for hard, painstaking study of specific facts. If one makes such a study of the Federal pay structure, as the eminent businessmen on the Randall Commission did for both Presidents Eisenhower and Kennedy, there can be no doubt about the need for meaningful increases in the Federal salary structure, particularly in the top executive and judicial categories, the Cabinet and the Congress.

For example, studies show that in the State of Ohio there are at least 17 public officials who are paid more than Senator LAUSCHE, surely one of the most important officials serving the people of that State. In fact, State salaries in Ohio range as high as $36,000, more than is proposed for Senators and Congressmen in legislation now before the Congress. I take no exception to this. I believe it is altogether proper that the State of Ohio pay such salaries, for no organization can hope to attract top talent without competitive salaries. However, I believe an examination of specific salaries in the State of Ohio may dispel any notions that salaries paid executives there are lower than salaries paid executives in the Federal Government. In fact, precisely the opposite is the case.

To cite one example, the president of Ohio State University receives a salary of $36,000, while the U.S. Commissioner of Education, who administers a multibillion-dollar program affecting every school district, most colleges and every taxpayer in the United States, receives a salary of $20,000.

In addition to the president, there are three other executives of Ohio State University whose salaries exceed the highest executives in the Federal Government. One is the vice president for business and finance, who makes $26,976. I am sure his responsibilities are heavy, but I doubt that they are heavier than those of the Director of the Budget of the United States, who must supervise expenditures of $100 billion a year at a salary of $22,500.

Another is vice president for instruction, paid $26,976, an important job but surely no more burdensome than that of the Administrator of the National Aeronautics and Space Administration, who makes $22,500.

Then there is the dean of the medical school, who makes $26,952. I have no quarrel with this salary, but surely this position does not exceed in responsibility that of the Medical Director of the Veterans' Administration, who manages over 150 hospitals and medical facilities from coast to coast at a salary of $21,050.

I am sure the president of Bowling Green State College in Ohio has a big job to do, but I seriously doubt that it is bigger or more vital than that of the Director of the Central Intelligence Agency, who makes $22,500, compared to the $30,000 earned by that Ohio college president.

There are more. The superintendent of schools in Cincinnati, Ohio, receives a salary of $30,000 a year. The city manager of that city also makes $30,000 a year. The city manager of Dayton receives $26,643 a year. These jobs require top talent, but so does that of Chairman of the Atomic Energy Commission, a job that pays only $22,500.

And there are still more. The presidents of three other State universities, the superintendents of schools in Akron and Cleveland, the mayor of Cleveland,

and the city manager of Toledo all receive salaries exceeding by $3,000 those of the Secretaries of the Army, Navy and Air Force.

Mr. Speaker, the argument is often made that Government service is a privilege and an honor, that we should not expect Government officials to receive the salaries they might receive in private industry. However, surely it is an honor to serve the State of Ohio just as it is an honor to serve the Federal Government. From the facts presented, I would say there is more than ample reason to increase Federal salaries at least to the level enjoyed in that State for comparable talent and responsibility. Much as I wish for the health and prosperity of Ohio, I would not want to see that State luring away our most capable Federal executives.

Mr. Speaker, every Member of this body and every Member of the other body represents a particular State. It is a great temptation at times to speak for our parochial interests. However, it is my judgment that we have a responsibility as well to speak for the national interest. If we do not, who will? We need the best talent this Nation has to offer, not the cheapest. It is time we made adjustments in our pay scales to insure that we will get the best people in the Federal service. If we do not, we will have no one but ourselves to blame for the waste and inefficiency which is bound to be the result in future years.

Mr. Speaker, this brings me to the final, and perhaps most serious, point made by the Senator from Ohio. He said there is no need to increase congressional salaries because there are ample candidates at the present salary level. In fact, he said there are 100 persons who would like to displace every Senator, and 500 persons who would like to take the job of every Representative. I am fascinated by this 5-to-1 ratio of interest in the House over the Senate, but I wonder if the Senator would not agree that this interest, in essentially the present ratios—whatever they are—would obtain even if the pay were but $500 a year, or a dollar a year, or, in fact, if these jobs required payment of $22,500 a year, not from, but to the Federal Government.

The question is not whether we can find people interested in serving in Congress. Obviously, as long as there are lobbies, as long as there are special interests, as long as there are people in this country who have special axes to grind, there will always be a maximum of interest in getting your own kind elected to Congress. The question is not whether ignoring congressional pay will wither away the number of prospects for congressional seats; the question is whether we want our Government ultimately run by millionaires and crooks, on the one hand, or by honest, first-rate public servants, on the other.

If Senator LAUSCHE's point is valid, then the Congress should never have raised congressional salaries in 1955 or at any point in our history. It is an argument against ever raising congressional salaries. It is another way of saying that the Congress of the United States does not amount to much, that people foolish enough to seek such office should be abused, berated, insulted and held up to ridicule, that they should be paid the least possible amount of salary and encouraged to move on to "honest" undertakings if they are so unfortunate as not to have independent income.

When my colleague, the gentleman from Virginia [Mr. BROYHILL] and I introduced Federal salary legislation, we did so with every expectation of abuse and scorn. Of course, some of this has been forthcoming. I do not mind being told that arguments of the Randall Commission and such arguments as I have presented are "balderdash." I have even been told by one correspondent that:

> The few honest, honorable people in our Congress can be counted on two hands—and you are certainly not one of them.

I expected this type of reaction. However, I am gratified that support for Federal pay legislation is coming in from far and near, and, happily, the leading daily newspaper in my own district, the Arizona Daily Star of Tucson, has endorsed Federal pay increases.

Mr. Speaker, without objection, I insert an editorial from the Arizona Daily Star at this point in the RECORD:

[From the Arizona Daily Star, Tucson, Ariz., Oct. 9, 1963]

### BETTER TOP U.S. SALARIES NEEDED

When leaders of large corporations agree that the salaries paid to U.S. Cabinet members and certain others of high governmental rank are too small, a real case for salary improvement is established. The plea for a pay raise in the upper brackets ceases to be simply a selfish one and becomes one of national concern.

Clarence B. Randall, retired board chairman of Inland Steel Co., reporting for his Advisory Panel on Federal Salaries, states the case for improved pay succinctly:

"Our findings: severe and inequitable salary levels for those in top positions in the executive branch and also for the judiciary and Congress.

"Never has our Federal Government had greater need for able men in posts of * * * responsibility * * * (but) we have created a situation where only men of substantial means can afford Federal appointment. And we have done so in a period which has no historical parallel in terms of its demand for men of experience and ability."

Along with the former Inland Steel executive there are on the Panel active or retired top executives of Eastman Kodak Co., Sears, Roebuck & Co., Brown Bros. and Harriman, and Stein Roe and Farnham. Also on the panel are Gen. Omar Bradley; George Meany, president of the AFL-CIO; and others of nationwide note.

The House Committee on Post Office and Civil Service has received the Panel's report. The cost of making the upper-echelon salary structure attractive would be chickenfeed compared to the cost of other Federal programs.

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## IS THE KERR-MILLS ACT MEETING THE HEALTH CARE PROBLEM OF OUR ELDER CITIZENS?

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KEOGH] may extend his remarks at this point in the RECORD and include certain tables.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KEOGH. Mr. Speaker, as the Members of the House are aware, in the summer of 1960, we considered various legislative proposals designed to help our older citizens with the mounting cost of hospital care. Many of us believed then, as we do now, that the only sound program was one based on our proven social security system—backstopped by public assistance. This is the policy which Congress had followed—with one temporary lapse—since 1935 in developing the defenses against the economic hazards of old age, early death, disability and unemployment. But in 1960, we adopted a different approach to the problem of financing health care in old age. Instead of a social insurance program as the first line of defense against these risks, we reversed our policy and adopted a public assistance, or relief approach. This we did by adopting what has become known as the Kerr-Mills Act.

As my colleagues are aware, this act, which has now been in operation for more than 3 years, has two parts—one, a relatively minor improvement in the already existing program of aid for people on relief and the other a major new departure. It is in this second aspect that the main purpose of Kerr-Mills is to be found, namely, the establishment of a new category of public assistance, one which would enable the States, with supporting funds from the Federal Government, to help people not yet on relief but financially unable by themselves to meet the cost of their needed medical care. This latter program, the major thrust of Kerr-Mills, is known as MAA—medical assistance for the aged. It is the program by which Kerr-Mills must be evaluated.

There are two standards by which the Kerr-Mills program can be effectively judged:

First. How effectively is the program helping the group that it was designed to help, the medically indigent aged? Or to put it in the terms its chief supporters have used to advertise it to the Nation: How effective has it been in helping those who need help?

Second. To what extent does a program of assistance to the medically indigent aged meet the need for governmental participation in financing the health costs of persons over 65?

A study recently issued by the New York Department of Social Welfare sheds considerable light on these questions and deserves thoughtful attention by all those who are seriously concerned about the responsibility that we, as Members of Congress, have for the health and welfare of all Americans.

The study analyzed old-age assistance—OAA—and MAA programs in all the States where they existed in the period covered; namely, the first quarter of 1963, in order "to obtain an accurate picture of the MAA program in New York State in relation to the national scene." Since the study was first issued last August, the Department has prepared additional comments on the material and included data covering the second quarter of 1963. These data only reinforce the findings based on the earlier material. The study itself provides a valuable tool for the assessment of the overall operation of the Kerr-Mills program. I request unanimous consent to have this report reprinted in full at the conclusion of my remarks.

Every Member of the House, I am sure, is concerned with this mounting problem of providing medical care for the elderly. There are differences among us as to how this can best be done, but there is no longer disagreement about the necessity for action.

I feel that I am in a uniquely advantageous position to present this analysis of the effectiveness of the Kerr-Mills program for two reasons: First, I cannot be accused of presenting a politically partisan study. It was prepared by a State agency which enjoys a long record of competence and objectivity. Moreover, it was prepared under an administration whose political persuasion differs from mine. Second, it comes from a State that cannot possibly be accused either of not having tried to make Kerr-Mills work, or of having any kind of "sour grapes" attitude toward it as a consequence of its not having received a proportionate share of the funds. On the contrary, my State was one of the first half dozen States to implement the Kerr-Mills MAA program. It got underway in New York in April 1961. I have here a table covering the nationwide operation of this program for the entire fiscal year 1963. It shows that New York received 35.2 percent of all the Federal money spent for this program during that period. With 10.2 percent of the U.S. population over 65 years of age, we got over a third of the Federal grant dollars. Mr. Speaker, under unanimous consent, I include the following table at this point in my remarks:

*Medical assistance for the aged—total payments, Federal matching amounts, average monthly number of recipients, average payment per recipient per month, fiscal year 1963*

[Preliminary data]

| Rank | Began payment | State | Total payments |  |  | Federal matching |  |  | Recipients |  |  |
|---|---|---|---|---|---|---|---|---|---|---|---|
|  |  |  | Amount [1] | Percent | Cumulative (percent) | Amount | Percent | Cumulative (percent) | Average number per month | Rate per 1,000 aged [2] | Average monthly payment |
|  |  | Total | $287,651,557 | 100.0 |  | [3] $147,766,642 | 100.0 |  | 116,471 | [4] 1.31 | $205.96 |
| 1 | April 1961 | New York | 104,164,581 | 36.2 | 36.2 | 52,082,290 | 35.2 | 35.2 | 31,176 | 17.2 | 278.43 |
| 2 | January 1962 | California | 59,424,939 | 20.7 | 56.9 | 29,712,470 | 20.1 | 55.4 | 17,468 | 11.4 | 283.50 |
| 3 | November 1960 | Massachusetts | 45,122,148 | 15.7 | 72.6 | 22,561,074 | 15.3 | 70.6 | 21,863 | 39.3 | 171.99 |
| 4 | November 1960 | Michigan | 19,844,597 | 6.9 | 79.5 | 9,922,298 | 6.7 | 77.3 | 5,034 | 7.9 | 328.50 |
| 5 | February 1962 | Pennsylvania | 16,842,826 | 5.9 | 85.3 | 8,421,413 | 5.7 | 83.0 | 5,469 | 6.2 | 256.64 |
| 6 | May 1962 | Connecticut | 11,555,554 | 4.0 | 89.3 | 5,777,777 | 3.9 | 87.0 | 4,556 | 18.8 | 211.38 |
| 7 | November 1961 | Illinois | 3,536,283 | 1.2 | 90.6 | 1,768,142 | 1.2 | 88.1 | 688 | .6 | 428.07 |
| 8 | November 1960 | Washington | 2,983,937 | 1.0 | 91.6 | 1,491,968 | 1.0 | 89.2 | 1,713 | 32.4 | 145.15 |
| 9 | June 1961 | Maryland | 2,855,187 | 1.0 | 92.6 | 1,427,594 | 1.0 | 90.1 | 6,317 | 31.8 | 37.67 |
| 10 | November 1960 | West Virginia | 2,708,053 | .9 | 93.5 | 1,904,303 | 1.3 | 91.4 | 6,582 | 51.3 | 34.28 |
| 11 | August 1961 | Idaho | 2,347,563 | .8 | 94.3 | 1,556,200 | 1.0 | 92.5 | 1,410 | 25.2 | 138.79 |
| 12 | August 1961 | North Dakota | 2,232,346 | .8 | 95.1 | 1,617,111 | 1.1 | 93.6 | [5] 891 | [5] 17.3 | [6] 208.83 |
| 13 | September 1961 | Utah | 2,131,263 | .7 | 95.9 | 1,358,467 | .9 | 94.5 | 1,276 | 27.9 | 139.20 |
| 14 | December 1960 | Oklahoma | 1,586,72 | .6 | 96.4 | 1,055,645 | .7 | 95.2 | 666 | 3.4 | 198.61 |
| 15 | August 1961 | South Carolina | 1,450,477 | .5 | 96.9 | 1,160,382 | .8 | 96.0 | 694 | 12.6 | 174.25 |
| 16 | July 1961 | Hawaii | 1,326,857 | .5 | 97.4 | 708,276 | .5 | 96.4 | 485 | 15.4 | 228.14 |
| 17 | October 1961 | Arkansas | 1,312,906 | .5 | 97.8 | 1,050,325 | .7 | 97.2 | 1,839 | 11.5 | 59.48 |
| 18 | January 1962 | Maine | 1,015,123 | .4 | 98.2 | 676,072 | .5 | 97.6 | 321 | 4.5 | 263.46 |
| 19 | December 1961 | Louisiana | 974,937 | .3 | 98.5 | 707,317 | .5 | 98.1 | 411 | 1.7 | 197.84 |
| 20 | April 1961 | Kentucky | 903,185 | .3 | 98.8 | 682,537 | .5 | 98.6 | 3,583 | 15.1 | 21.01 |
| 21 | August 1961 | Tennessee | 783,528 | .3 | 99.1 | 594,463 | .4 | 99.0 | 1,015 | 5.1 | 64.30 |
| 22 | January 1961 | Puerto Rico | 691,702 | .2 | 99.6 | 345,851 | .2 | 99.2 | 1,803 | 16.8 | 31.96 |
| 23 | February 1962 | Alabama | 687,336 | .2 | 99.6 | 543,270 | .4 | 99.6 | 220 | 0.9 | 260.85 |
| 24 | January 1962 | Oregon | 680,008 | .2 | 99.8 | 356,324 | .2 | 99.8 | 451 | 2.5 | 125.72 |
| 25 | October 1962 | Vermont | 198,720 | .1 | 99.9 | 125,333 | .1 | 99.9 | 66 | 1.3 | 332.86 |
| 26 | December 1961 | New Hampshire | 175,442 | .1 | 100.0 | 102,072 | .1 | 100.0 | 113 | 3.7 | 128.91 |
| 27 | May 1963 | District of Columbia | 75,451 | (7) | 100.0 | 37,726 | (7) | 100.0 | 80 | 1.8 | 471.57 |
| 28 | May 1961 | Virgin Islands | 27,623 | (7) | 100.0 | 13,812 | (7) | 100.0 | 224 | (8) | 10.27 |
| 29 | June 1962 | Guam | 12,265 | (7) | 100.0 | 6,132 | (7) | 100.0 | 57 | 110.0 | 17.78 |

[1] Excludes $1,372,474 in money payments to recipients not subject to Federal matching: New York, $150,472; Massachusetts, $1,161,561: Connecticut, $34,038; North Dakota, $26,403.

[2] Based on preliminary population estimates by Social Security Administration, as of July 1, 1963. Rates based on number of recipients in June 1963.

[3] Percent of total payments, 51.37.

[4] Based on States listed in this table. Rate including States not making medical assistance for the aged payments is 7.7 per 1,000 aged persons.

[5] Slightly overstated due to inclusion of an unknown (but probably small) number of persons who received money payments only in October 1962 through June 1963 (except March 1963).

[6] Slightly understated (see footnote 5).

[7] Less than 0.05 percent.

[8] No payments made in June 1963.

NOTE.—Details may not add to totals due to independent rounding.

Source: Department of Health, Education, and Welfare.

Mr. Speaker, bearing these facts in mind, one could fairly conclude that if Kerr-Mills were to work anywhere, it would work in New York. But this careful analysis of the operation of the program shows it is not working. And the logic of the analysis leads to the following conclusion which I quote from "Summary of Findings and Conclusions" of this study:

> There appears little doubt that the soundest approach to providing medical care for the aged is for basic care to be covered by OASDI; residual care by private insurance for those who have the means to pay premiums; and, for those unable to buy insurance, an MAA program revised for that purpose.

### ASSISTANCE NOT AVAILABLE IN RELATION TO NEED

Let me direct the attention of the House again to the analysis from the New York Welfare Department and the light it sheds on our first question; namely, How well is this program geared to the health and economic needs of the aged?

With regard to the effectiveness of Kerr-Mills in assisting the medically indigent aged, the primary question appears to be whether assistance is being provided in relation to the need for such assistance. The New York report shows that this, clearly, is not the case.

Half the States had no Kerr-Mills MAA program at all. The 7 million aged in those States could hardly be expected to be particularly grateful to the Congress for having enacted the Kerr-Mills medical assistance to the aged program. The citizens of those States contributed through their taxes to financing MAA programs elsewhere, but not one aged person in those 25 States in the period under study had received any help toward his medical costs unless he was already on the public assistance rolls.

I respectfully invite my colleagues to study the report I am putting into the RECORD. They will find there indisputable evidence that in the States that do have MAA programs, any relation between the provisions of these programs and the health and economic needs of aged citizens is purely coincidental.

Whether or not a State has instituted an MAA program and the extent of benefits and the eligibility requirements in those States that have MAA programs—these factors seem to depend on the State's financial position and the State's ingenuity in adjusting its existing welfare program to take advantage of increased Federal funds. The figures compiled by the New York Department of Social Welfare show conclusively that the distribution of both State and Federal funds under MAA do not reflect at all—I repeat, not at all—the health needs and the economic needs of persons over 65.

In the face of this evidence it seems increasingly strange to me that certain opponents of the King-Anderson bill can continue to extol medical assistance for the aged under Kerr-Mills as a program that can effectively help the aged who need assistance with the costs of medical care.

While, as the report notes, "the proportion of the aged with adequate incomes relative to ordinary living costs are fairly uniform among the States," and the quantity of medical services required by the aged, per person, in a given period of time, should not vary radically among the States, the average payment for medical care per recipient on the OAA and MAA rolls covers a range of almost ludicrous dimensions—from $109.42 monthly in New York to 22 cents monthly in Montana. See appendix table A. I suggest to you, my colleagues, that you take a sharp look at this table A and find the amount of the average monthly medical payment made in your State in relation to others, and I challenge anyone to find a basis for your State's comparative position that is in any rational way related to the needs of the aged.

The report makes it clear that "aged persons in similar circumstances are provided care in some States and denied care in others," concluding quite justifiably that "under this system it is a matter of geography rather than of physiology whether a sick, low-income, aged person will receive care at public expense in this country."

### ASSISTANCE TO STATE BUDGETS INSTEAD OF ASSISTANCE TO AGED

As the report points out, the Federal regulations governing the administration of MAA programs "allowed the States such wide latitude, that by maneuvering skillfully States were able to write MAA plans that would yield them increased Federal aid without increasing either the size of their caseloads or medical care outlays." Thus, they could use the Federal funds that were made available for the ostensible purpose of assisting the medically indigent aged and use them instead to take some of the pressure off their State budgets.

The report describes some of the ways that this can be done. For example, a State might transfer all of its OAA caseload that was in long-term care facilities, away from the OAA rolls and into the MAA program. This would not increase the overall costs, nor change the benefits to those already receiving assistance. But it would enable the State to obtain a higher proportion of matching funds from the Federal Government.

By examining tables D and F, we find that the two States with the largest number of MAA recipients, New York and Massachusetts, substantially reduced their OAA caseloads through transfer to MAA between September 1960 and March 1963, from 81,000 to 57,000 and from 78,000 to 57,000, respectively. They decreased their average payments for medical care per person on the OAA rolls from $33.45 in 1960 to $17.67 in 1963 in New York, and from $45.86 in 1960 to $17.57 in 1963 in Massachusetts.

Table F shows further 12 of the 25 States with MAA programs had fewer recipients in 1963 of both OAA and MAA benefits than they had recipients of OAA benefits alone in 1960.

The Kerr-Mills program has absolutely failed to reach a new group of persons. As the report concludes, "MAA's primary objective, helping a large proportion of low-income aged persons obtain medical care, has not been realized."

In the light of these figures, claims that vast numbers of aged who had never had governmental assistance available before to meet their medical costs, were now beneficiaries of the new MAA program, are shown to be quite patently untrue.

### MAA NOT PROVIDING COMPREHENSIVE BENEFITS

Kerr-Mills MAA legislation has been widely lauded as providing benefits comprehensive in scope. In this connection it is interesting to note that MAA benefits have in actuality been confined almost entirely to institutional care. While the authorizing Federal legislation permits a broad spectrum of benefits, during 1962, 95.1 percent of the funds spent under MAA were spent for hospital and nursing home care; 2.2 percent was spent on physicians' services; 2 percent on prescribed drugs; and 0.7 percent on dental care, and all other medical care.

It seems to me that these figures lend a hollow ring to the contentions one frequently hears that Kerr-Mills is so superior to the King-Anderson proposal because it provides such a broad scope of benefits.

The facts and statistics contained in the New York State report lead to the inescapable conclusion that Kerr-Mills is not meeting its primary stated objective—to provide assistance in financing the health costs of the needy and near-needy aged.

### KERR-MILLS DOES NOT MEET GOVERNMENT'S RESPONSIBILITY

But even if Kerr-Mills were so revised and so implemented as to accomplish this objective, and successfully assisted the indigent and the medically-indigent, the appropriate governmental responsibility for the health and economic security of the Nation's older citizens would not have been well met.

This is because public assistance programs should be, and traditionally have been, our last—not our first—line of defense against poverty. Both OAA and MAA are designed to help out an aged individual or couple after their savings and resources have been virtually exhausted, and after dependency has been established. It should be noted that the most frequent single cause for aged persons turning to public assistance is the exhaustion or reduction of their assets to meet medical care costs. The social insurance approach, as incorporated in the King-Anderson bill, would make benefits available before resources are exhausted. In most instances it could successfully prevent dependency and enable aged persons to retain their dignity and self-reliance.

The appropriate place for a Kerr-Mills type of program is to step in when all else has failed. When the Congress decides, as I am confident it will decide, to return to the sound principle of social insurance as the first line of defense against economic catastrophe, then it will be possible for the Kerr-Mills program to perform a useful and constructive function. With the crushing load of hospital costs for the needy aged taken off our welfare agencies, the States, left only with the small residual problem will be in a position to develop programs designed to meet the medical and economic needs of those for whom they are responsible. These can be sound programs and adequate programs. Kerr-Mills, as a supplement to social insurance, has an important and useful job to do. Kerr-Mills, as a substitute for social insurance, can only compound its already disgraceful record of failure.

## MEDICAL CARE EXPENDITURES FOR THE AGED IN THE UNITED STATES UNDER THE FEDERALLY AIDED PUBLIC ASSISTANCE PROGRAMS, JANUARY–MARCH 1963—A COMPARISON OF EXPERIENCE DURING THE FIRST QUARTER OF 1963 OF 25 STATES HAVING MEDICAL ASSISTANCE FOR THE AGED PROGRAMS IN EFFECT WITH 25 STATES NOT OPERATING MEDICAL ASSISTANCE FOR THE AGED PROGRAMS

### INTRODUCTORY REMARKS

This paper was prepared primarily to obtain an accurate picture of the medical assistance for the aged program in New York State in relation to the national scene. It presents an analysis of vendor medical payments made by the 50 States on behalf of the aged population of the country under two federally aided public assistance programs—old-age assistance (OAA) and medical assistance for the aged (MAA)—during the first quarter of 1963. In that period, 25 States reported expenditures under both the OAA and MAA programs. The remaining 25 States were operating only OAA programs. A number of these States are in various stages of inaugurating MAA programs. The earliest date any is expected to have programs in effect is July 1963. Four jurisdictions were omitted from this analysis: the District of Columbia whose MAA program went into effect in March 1963 but made no vendor payments that month; Guam, Puerto Rico, and the Virgin Islands, all of which had MAA programs in effect but under Federal financial arrangements somewhat different from the 50 States and District of Columbia.

The approach taken by this analysis was to compare experience in providing medical care to aged persons in the 25 States that had MAA programs in effect with the 25 States not operating MAA programs. There are also comparisons of caseloads, expenditures, and of various averages in March 1963 with those of September 1960, the month just prior to the effective date of the inauguration of the MAA programs by the Federal Government.

Although there has been some published material on MAA experience for the calendar year 1962, it was decided to compile and utilize experience for the first 3 months of 1963 instead because the data, though for a shorter period, were more recent and more typical than those for 1962. In 1962, some States had not been operating MAA programs for a full year and some that had programs in effect for 12 months were in their formative periods when caseloads and expenditures were appreciably smaller than they have been since.

The organization of the tabular material is in two parts. Tables 1 to 5, the text tables, give some background information on the State as well as January-March 1963 experience in both the OAA and MAA programs. These tables are followed by seven appendix tables identified by the letters A to G which cover a variety of aspects of the effects of the inauguration of the MAA program.

### SUMMARY OF THE FINDINGS AND CONCLUSIONS

An examination of the characteristics and of medical expenditures on behalf of the aged of the two groups of States elected to establish a second program for the aged and the other half did not. Within each group of 25 States there were States with:

Relatively high and relatively low percentages of aged in the population.

Relatively high and relatively low per capita personal income.

High and low proportions of aged population receiving OASDI benefits.

High and low proportions of aged population on public assistance.

Relatively high and relatively low average medical payments per person.

The ranges between the highs and the lows in each group of States were very wide and not justifiable by differences in the economic position or physical condition of the aged among the States. The proportion of the aged with adequate incomes relative to ordinary living costs are fairly uniform among the States. The quantity of medical services required by the aged, per person, in a given period of time should not vary at all among the States, yet it has—from as little as 22 cents to $109.48 per month per person on the public assistance rolls. Under current Federal regulations, although the Federal Government underwrites from 50 to 80 percent of medical payments, each State is free to decide which aged are eligible for medical care at public expense as well as the scope and quantity of services. Under this system it is a matter of geography rather than of physiology whether a sick low-income aged person will receive care at public expense in this country.

To pursue, further, the inquiry as to why some States did and other States did not initiate MAA programs it is necessary to go beyond an analysis of the conventional statistical averages since they revealed very little. One must delve into accounting records. At the time the Kerr-Mills Act became effective (the Federal act establishing the MAA program), some, but not all, States found themselves in a strategic position to benefit financially from the provisions of the law. The Federal regulations governing the administration of the MAA program allowed the States such wide latitude that by maneuvering skillfully States were able to write MAA plans that would yield them increased Federal aid without increasing either the size of their caseloads or medical care outlays. To illustrate how a State can benefit from the MAA program let us take a hypothetical case. State Q, whose per capita personal income is above the national average, would be reimbursed 50 percent of their outlays for medical care of aged persons on MAA. Its OAA position is presently as follows:

Caseload: 10,000; 9,000 living at home; 1,000 in long-term medical facilities.

Payments: Total, $1,060,000 monthly; for persons living at home, $675,000 for subsistence and $135,000 for medical; and $250,000 monthly for the 1,000 cases in long-term medical facilities.

Federal aid: $540,000 under current OAA regulations.

State and/or local costs: $520,000.

The State initiates an MAA program that would enable it to transfer the 1,000 in long-term medical facilities to the MAA program and retain the remaining 9,000 persons on OAA. This would not increase overall costs. Federal aid for the reduced OAA caseload would be $486,000 and for the 1,000 persons on MAA, $125,000 or a total of $611,000. The State benefits at the rate of $71,000 monthly. There are further opportunities to profit. Aged persons on programs for the blind and disabled who were receiving costly medical care could also be transferred to the MAA program where richer Federal aid was available.

It was certainly not the intention of the Congress in passing the Kerr-Mills bill to have the States use it as a vehicle for the States to reduce their appropriations for the sick aged. If this were the intention, the Congress could merely have enriched the Federal grant-in-aid formula for OAA and not establish a second program for the aged. The purpose of the sponsors of the Kerr-Mills Act was to inaugurate a second program for the aged which would aid aged persons not eligible for OAA to obtain needed medical care. A successful program would have resulted in increasing the proportion of aged persons on public assistance from about 14 percent to about 20 percent. This proportion would still be lower than the 22.4 percent of the aged population who received care under OAA in December 1950. Today the percentage of the aged aided under the two programs, OAA and MAA, is about 13 percent and in a declining trend. MAA's primary objective, helping a large proportion of low-income aged persons obtain medical care, has not been realized. Adoption of MAA programs by States not presently having this program would not improve the situation any.

A second objective of the Kerr-Mills Act was to serve as an alternative to providing medical care under the Old-Age, Survivors, and Disability Insurance (OASDI) System which was under consideration at the same time. The Kerr-Mills program cannot be considered as a substitute for medical coverage under OASDI. In the first place, under OASDI auspices, the means test required by Kerr-Mills provisions would be eliminated. Secondly, there would be equitable treatment of all the aged in the country regardless of State of residence.

Under public assistance provisions, where eligibility and scope of care is determined by each State, there are many inequities. Aged persons in similar circumstances are provided care in some States and denied care in others. Among the States, ranges in the proportions of aged who receive care are very wide as is the amount of care provided. In the low State, 2.9 percent of the aged received public assistance; in the high State, 49.5 percent. In the low State, the average monthly payment for medical care per aged person on public assistance was 22 cents; in the high State, it was $109.42. Such extremes are not found under the OASDI System. The proportion of the aged receiving OASDI benefits ranged from 52.1 to 78.5 percent. In a few years the percentages will be nearly equal in all of the States. The average monthly retired worker benefit ranged from $57.59 in the low State to $85.02 in the high State. Considering the proportions of previous income these benefits replaced, the averages are much closer than the raw figures indicate.

The Kerr-Mills program has been, to a large extent, an institutional care program. In 1962, of $250 million spent in the MAA program, 95.1 percent was for hospital and nursing home care and 2.2 percent for physicians. The appropriate role for public assistance medical care of the aged is to supplement medical care under OASDI. To accomplish that purpose, it is doubtful that two programs for the aged are needed—OAA and MAA. It would seem that the two programs should be merged.

It is contended that private insurance provides adequately for the health needs of the aged. Emphasis is placed on the figure that 50 percent of the aged have some kind of health coverage and that insurance carriers are now offering to the aged a variety of insurance plans. The 50 percent of the aged covered is heavily weighted with aged persons under 70 years who are still in the labor force, whose premiums are paid in full or substantially by their employers. As to the new insurance plans, they are beyond the means of most aged persons. Annual premiums average $225 for plans that pay only a fraction of medical costs.

The increasing proportion of aged in the population accentuates the problem. There appears little doubt that the soundest approach to providing medical care for the aged is for basic care to be covered by OASDI; residual care by private insurance for those who have the means to pay premiums; and, for those unable to buy insurance, an MAA program revised for that purpose.

### DISCUSSION OF THE TABLES

Table 1 summarizes data for the first quarter of 1963 for the 50 States as a whole and for each of the two groups of States—those operating and those not operating MAA programs in early 1963. In the first part of the table there are given some selected characteristics of the two groups of States which were thought might have some bearing on why some States chose to establish MAA programs and the others did not, on the size of their caseloads of aged persons, and on the relative size of medical expenditures for the aged. The latter part of the table gives caseload and expenditure experience in the first quarter of 1963.

The States with MAA programs had, in mid-1961, 57.7 percent of the total population and 58.2 percent of the aged population of the 50 States. The States with MAA programs had a higher concentration of aged persons in their populations than the other States—9.5 versus 9.2 percent of the population of all ages.

The per capita personal income in the MAA States was $2,480 as against $2,182 in the other 25 States in 1962. The national average was $2,357.

The number of aged persons receiving old-age, survivors, and disability insurance benefits (OASDI) per 1,000 aged in the population was, in mid-1962, 697 in the MAA States and 677 in the other 25 States.

The number of aged persons on the public assistance rolls per 1,000 aged in the population in December 1962 was 132 for the Nation, 127 in the MAA States, and 138 in the other States.

MAA recipients in early 1963 represented 6.2 percent of total persons on the two programs OAA and MAA combined. In the MAA States, MAA recipients were 10.7 percent of total persons in the two programs.

The inauguration of the MAA program under the public assistance titles of the Social Security Act on October 1, 1960 did not result in adding aged persons to the public assistance rolls. The number of recipients under the two programs for the aged, OAA and MAA, was in December 1962, 2,336,000, 13.2 percent of the aged population. In December 1960, the number was 2,346,000, 13.8 percent of the aged in that year. For December of earlier years the corresponding figures were:

In 1950 (OAA only) 2,786,000 persons; 22.4 percent of the aged population.

In 1954 (OAA only) 2,565,000 persons; 18.3 percent of the aged population.

In 1956 (OAA only) 2,514,000 persons; 17.3 percent of the aged population.

In 1958 (OAA only) 2,452,000 persons; 15.9 percent of the aged population.

In 1960 (OAA and MAA) 2,346,000 persons; 13.8 percent of the aged population.

In 1962 (OAA and MAA) 2,336,000 persons; 13.2 percent of the aged population.

The decrease between December 1960 and December 1962 shown above is an understatement of the extent of the decrease between the 2 years. The December 1962 figures included not only transfers from the OAA program but transfers of aged persons who, in 1960, were on other public welfare programs such as aid to the blind, aid to the disabled, general assistance, and medical indigents. The decline has continued since

December 1962. In March 1963, the number of aged on the rolls was 2,332,000 while the number of aged in the population had increased some 90,000.

Today, the proportion of the aged for under public assistance is but 60 percent of the proportion under care 12 years ago. There is every indication that this decline will continue despite the establishment of a new program for the aged—MAA.

During the first quarter of 1963, expenditures by the 50 States for medical care on behalf of aged persons on the OAA and MAA rolls totaled $175 million which was at an annual rate of $700 million. The average payment per month per person on the rolls in the two programs was $25.32. This was equivalent to an outlay of $3.33 per month for each of the aged persons in the population whether or not on public assistance. This was also equivalent to a monthly contribution of 31 cents for medical care of the aged under public assistance by each inhabitant of the Nation. One-sixth of 1 percent of the personal income of the Nation is being spent for medical care of aged persons on public assistance.

Average public assistance expenditures per person for medical care of the aged were higher in the 25 States with MAA programs than in the other group of 25 States. In the MAA States, the monthly average payments were: Per person in the caseload, $32.22; per aged person in the population, $4.10; per inhabitant of the 25 States, 38 cents. The corresponding averages in the other 25 States were respectively: $16.45, $2.26, and 21 cents.

The distribution of medical care expenditures for early 1963 was not available. There were some figures for calendar year 1962 when $634 million was spent for medical care in the two programs for the aged. Hospital costs were $256 million and nursing home costs, $244 million. Together they made up nearly 79 percent of the total. Physicians' services and drugs each amounted to a little over $52 million; together they accounted for 16.5 percent of the costs. A little over 1 percent was spent for dental care. By program, there were important differences in the distribution of medical expenditures by class of care as the table below shows.

*Percent distribution of medical care expenditures for aged persons on public assistance during calendar year 1962*

| Class of medical care | Old-age assistance | Medical assistance for the aged |
|---|---|---|
| All classes of medical care | 100.0 | 100.0 |
| Inpatient hospital care | 35.3 | 48.3 |
| Nursing home care | 33.0 | 46.8 |
| Physicians' services | 12.3 | 2.2 |
| Prescribed drugs | 12.3 | 2.0 |
| Dental care | 1.7 | 0.1 |
| All other medical care | 5.4 | 0.6 |

The MAA program, so far, has been little more than an institutional care program with 95 percent of total costs having gone for hospital and nursing home care. The small percentages for physicians' care and drugs were most likely services incidental to institutional care.

Tables 2, 3, 4 and 5 present data for each of the 50 States. Table 2 gives for each of the 25 MAA States and table 3 for each of the other 25 States some background statistical material. Tables 4 and 5 give, respectively, for the 25 MAA States and the 25 other States, performance in providing medical care to aged persons on the public assistance rolls during the first quarter of 1963.

In comparing the background data of the 25 States operating MAA programs with the 25 States not having MAA programs, no clue can be discerned as to why 25 States decided to initiate MAA programs and 25 other States are, so far, without MAA programs. Each group of States included some with high and some with low proportions of aged persons in their populations; some with relatively high and some with relatively low per capita personal income; some with relatively high and some with low proportions of aged receiving OASDI benefits; and some with high and some with low proportions of aged on the public assistance rolls.

In the MAA States, the percentage of aged persons in the population ranged from 4.7 in Hawaii to 11.3 percent in Massachusetts and Vermont. Per capita income ranged from $1,516 in South Carolina to $3,095 in Connecticut in 1962. The proportion of the aged population receiving OASDI benefits in 1962 ranged from 521 per 1,000 aged in Louisiana to 765 per 1,000 in Michigan. The number of aged persons per 1,000 in the aged population receiving public assistance in December 1962 ranged from 46 in Pennsylvania to 496 in Louisiana.

In the 25 States not operating MAA programs, there were equally wide ranges among the States in pertinent averages. In percent of aged in the population the range was from 2.4 percent in Alaska to 12.0 percent in Nebraska. In per capita personal income in 1962, the range was from $1,282 in Mississippi to $3,176 in Nevada; in the number of aged per 1,000 aged in the population receiving OASDI benefits in mid-1962, the range was from 579 in Alaska and 580 in Georgia to 785 in Rhode Island; as to per 1,000 of the aged in the population who were on the public assistance rolls, December 1962, the range was from 29 in Delaware to 399 in Mississippi.

Table 4 gives for the first quarter of 1963, for the States operating both MAA and OAA programs, average monthly caseloads in the two programs, expenditures for subsistence and for medical care for the two programs combined, and average monthly payments per month per person for medical care. Since the States were listed in descending order of the number of aged in the population it would be expected to find a steadily decreasing number of aged persons on public assistance. This did not turn out to be so. There were many irregularities. The first two States on the list were New York and California. The monthly average number aided in New York was 88,000, 5 percent of the aged population of the State. In California, the monthly average number aided was 280,000, 19 percent of the aged in that State. Yet the two States have many economic similarities. Annual per capita personal income in 1962 was $2,930 in New York and $2,871 in California. In 1959, median income of couples headed by aged persons was $4,077 in New York and $3,681 in California. On the other hand, among aged persons living alone or with nonrelatives, median income in California was $1,441 as against $1,179 in New York. On the whole the income position of the aged was about the same in the two States.

To carry the comparison between the two States further, total expenditures for the aged under public assistance during the first quarter of 1963 was $40.5 million in New York State and $99.4 million in California. New York State received approximately $22 million in Federal aid while California received about $49 million in Federal aid in that quarter. Yet New York State contributes more in Federal revenue than does California.

Taking other States in pairs and making comparisons will disclose anomalies. These result from the wide latitude the States have under public assistance regulations in writing their own public assistance plans.

Among the MAA States, the monthly average payment for medical care per aged person on the public assistance rolls ranged from $5.43 in Kentucky to $109.42 in New York. Per aged person in the State, average monthly outlays for medical care under public assistance ranged from $1.04 per month in Kentucky to $8.18 per month in Massachusetts. Finally, the average resulting from dividing total medical assistance granted aged persons by the total population of the State ranged from 10 cents per month in Kentucky, Tennessee, and Maryland to 94 cents per month in Massachusetts. Since these averages represent the Federal as well as the non-Federal shares of the costs, State and municipal appropriations were from 20 to 50 percent of the total depending upon the per capita personal income of the States.

Table 5 covers the 25 States not having MAA programs. The statistical data are for the OAA program. As for average monthly payments for medical care per person, they varied widely among the States. The average monthly payment per person on the rolls in the OAA program was lowest in Montana, 22 cents, and over $60 per month in Wisconsin and Minnesota. Other averages varied as widely.

### COMMENTS ON THE APPENDIX TABLES

Table A gives the average monthly payment for medical care per person in the caseload during the first quarter of 1963, by State. In the States with MAA programs, the averages represent the combined OAA and MAA recipients divided into the total medical care expenditures in the two programs. It will be noted that some States, although they operate MAA programs, have relatively low average medical payments per person. On the other hand, some States, notably Minnesota, Wisconsin, and New Jersey, which operate only OAA programs, spend more per month per person than is spent by most of the MAA States.

In table B each group of 25 States is ranked by amount of annual per capita personal income in 1962. The succeeding columns show: (1) the annual expenditures for medical care of aged persons on public assistance divided by the total number of inhabitants of the State, and (2) out of each $100 in personal income of the residents of the States, how much is spent in the State for medical care of aged public assistance recipients. These medical payments are financed only in part from State and/or local appropriations. The Federal Government reimburses the States from 50 to 80 percent of their medical care outlays depending upon the per capita income of the States.

In Table C the States are ranked by per capita personal income in 1962. The table gives the percentage the Federal Government contributes to each State for medical care payments made on behalf of aged persons on public assistance which is 50 percent for States with per capita personal incomes above the national average and up to 80 percent for States with below average per capita income. The table also shows the annual medical payment per inhabitant separated into amounts paid from Federal funds and amounts from State and/or local taxes. Among the MAA States the amount spent per inhabitant per annum from State and local appropriations ranged from 29 cents in three States, Kentucky, Tennessee, and North Carolina, to $5.64 in Massachusetts. In the States operating only OAA programs the average paid from State and local funds per annum per inhabitant ranged from 1 cent in Montana to $3.93 in Minnesota.

Table D is confined to the 25 States with MAA programs. The table has three panels, each showing average monthly grants to aged public assistance recipients. In the first panel are given the average amount of money payments (subsistence) and the average payment for medical care in the OAA program in September 1960, the month preceding the establishment of the MAA program. The second panel gives the corresponding averages in March 1963 of the curtailed OAA program, curtailed because of numerous transfers from OAA to MAA. The third panel gives the averages, treating the two programs for the aged, OAA and MAA, as if they were a single program. Unless one is thoroughly familiar with the development of the MAA program in each of the 25 States it is difficult to ascertain exactly what transpired during the 30-month interval between September 1960 and March 1963. In many of the States the current MAA program includes not only transfers from OAA but also transfers of aged persons from programs for the blind, the disabled, and medical indigents.

Table E covers the 25 States not operating MAA programs. It shows the average monthly payment per OAA recipient for subsistence and for medical care in September 1960 and in March 1963. Average monthly payments for medical care in March 1963 were substantially higher than they were 2½ years ago in practically all States. This was due in part to rising medical prices but mainly to the stimulus of enriched Federal aid for medical care legislated between the two dates. This would indicate that adequate medical care programs can be provided by the States under OAA without having to administer a second program for the aged.

Table F shows for each of the 50 States the number of OAA recipients in September 1960, the month preceding the effective date of the inauguration of the MAA program, and the number of aged public assistance recipients in March 1963. For the 25 MAA States, the March 1963 data show separately the number on the OAA rolls and the number on the MAA rolls as well as the totals for the two programs combined. Among the MAA States all but four, California, Louisiana, Alabama, and Arkansas, showed reductions in OAA recipients between the two dates under consideration. In comparing the September 1960 OAA figures with the combined OAA and MAA recipients in March 1963, 13 States had more recipients in the latter date than in the former. In how many of the States the increase was real is not readily ascertainable. Many current MAA recipients were formerly on other public welfare programs than OAA; e.g., programs for the blind, the disabled, and for medical indigents. Among the 25 States not operating MAA programs, all but 2, Texas and Florida, showed reductions in OAA recipients during the 30-month period. This table gives no consideration to the growth in the number of the aged in the Nation which was approximately 900,000 in the 30-month period. The data in the succeeding table does reflect the effects of this growth.

Table G gives the number of aged persons on the public assistance rolls per 1,000 aged in the population for December of each of 4 years: 1950, 1954, 1960, and 1962. The December 1950 and December 1954 rates cover OAA recipients only. They do not reflect care given to aged persons under other public welfare programs whose numbers are no longer identifiable. The December 1960 ratios include in addition to OAA recipients the small number of MAA recipients who had qualified for care under that program in a few States. The December 1962 figures include, in addition to the OAA cases, some 110,000 persons on the MAA rolls in 25 States. Between December 1950 and December 1962 every State except Maryland showed substantial reductions in the proportions of aged on the public assistance rolls. The national average decreased from 224 per 1,000 to 137 per 1,000 in that 12-year period. In December 1950 the proportion of the aged on OAA in Maryland was 61 per 1,000, 47th among the then 48 States and less than one-third the national average. In December 1962, OAA and MAA recipients per 1,000 population in Maryland was 65 per 1,000 aged, half the national average and 41st among the 50 States. Between December 1960 and December 1962, 11 MAA States showed increases in proportions of aged population on the public assistance rolls. All of the increases were modest in size. In half of the States the increases were attributable to counting under the aged public assistance programs certain classes of public welfare cases who were formerly in programs not exclusively for aged persons. All of the 25 States that presently do not have MAA programs showed reductions in the proportions of aged cared for under OAA between December 1960 and December 1962.

TABLE 1.—*Summary of selected characteristics and of old-age assistance and medical assistance for the aged experience of 2 groups of 25 States: 1 group having medical assistance for the aged and the other group not having medical assistance for the aged programs in effect during January–March 1963* [1]

| Item | Total of 50 States | 25 States with MAA programs in effect March 1963 | 25 States not having MAA programs in effect March 1963 |
|---|---|---|---|
| SELECTED CHARACTERISTICS | | | |
| Aged population (in thousands), July 1961 | 16,939 | 9,852 | 7,087 |
| Total population (in thousands), July 1961 | 182,232 | 105,175 | 77,057 |
| Percent aged in population, July 1961 | 9.3 | 9.5 | 9.2 |
| Per capita personal income, 1962 | $2,357 | $2,480 | $2,182 |
| Aged OASDI beneficiaries per 1,000 aged population, June 30, 1962 | 687 | 697 | 677 |
| Recipients of OAA and MAA per 1,000 aged population, December 1962: | | | |
| OAA and MAA combined | 131.7 | 126.7 | 138.0 |
| OAA only | 125.5 | 116.0 | 138.0 |
| MAA only | 6.2 | 10.7 | ------------ |

| Item | Total of 50 States | 25 States with MAA programs in effect March 1963 | 25 States not having MAA programs in effect March 1963 |
|---|---|---|---|
| OAA AND MAA DATA, JANUARY–MARCH 1963 | | | |
| Monthly average number of recipients: | | | |
| OAA and MAA combined | 2,293,893 | 1,290,437 | 1,003,456 |
| OAA only | 2,179,428 | 1,175,972 | 1,003,456 |
| MAA only | 114,465 | 114,465 | ------------ |
| Expenditures for 3 months (in thousands): | | | |
| Total OAA and MAA payments | $576,589 | $363,387 | $213,202 |
| Subsistence payments | 402,324 | 238,652 | 163,672 |
| Medical payments | 174,265 | 124,735 | 49,530 |
| OAA medical payments | 102,941 | 53,411 | 49,530 |
| MAA medical payments | 71,324 | 71,324 | ------------ |
| Average monthly payment for medical care in the OAA and MAA programs combined: | | | |
| Per person in the caseload | 25.32 | 32.22 | 16.45 |
| Per aged person in the population | 3.33 | 4.10 | 2.26 |
| Per inhabitant of the State | .31 | .38 | .21 |

[1] Excludes 4 jurisdictions having OAA programs: The District of Columbia which has no MAA program and Guam, Puerto Rico, and the Virgin Islands which have MAA programs in effect.

MAA = Medical assistance for the aged.
OAA = Old-age assistance.

TABLE 2.—*Selected characteristics of 25 States with medical assistance for the aged program in effect during the 1st quarter of 1963* [1]

| States ranked by number of aged in population | Population July 1961 (in thousands) | | | Per capita personal income in 1962 | Per 1,000 aged in population receiving OASDI June 30, 1962 | Old-age assistance and medical assistance for the aged recipients per 1,000 aged population, December 1962 | | |
|---|---|---|---|---|---|---|---|---|
| | Aged population | Total population | Percent aged | | | Total | Old-age assistance | Medical assistance for the aged |
| States with medical assistance for the aged program | 9,852 | 105,175 | 9.5 | 2,480 | 697 | 126.7 | 116 | 10.7 |
| New York | 1,737 | 17,178 | 10.1 | 2,930 | 728 | 48.4 | 32 | 16.4 |
| California | 1,431 | 16,386 | 8.7 | 2,871 | 665 | 187.7 | 177 | 10.7 |
| Pennsylvania | 1,149 | 11,356 | 10.1 | 2,368 | 726 | 45.5 | 41 | 4.5 |
| Illinois | 995 | 10,090 | 9.9 | 2,830 | 698 | 63.8 | 63 | .8 |
| Michigan | 657 | 7,934 | 8.3 | 2,399 | 765 | 83.3 | 76 | 7.3 |
| Massachusetts | 579 | 5,139 | 11.3 | 2,775 | 720 | 127.1 | 99 | 37.1 |
| Tennessee | 316 | 3,603 | 8.8 | 1,679 | 636 | 156.9 | 154 | 2.9 |
| Kentucky | 297 | 3,061 | 9.7 | 1,705 | 674 | 189.6 | 181 | 8.6 |
| Washington | 285 | 2,948 | 9.7 | 2,469 | 707 | 152.9 | 150 | 2.9 |
| Alabama | 268 | 3,324 | 8.1 | 1,538 | 604 | 380.9 | 380 | .9 |
| Oklahoma | 255 | 2,398 | 10.6 | 1,904 | 584 | 329.1 | 327 | 2.1 |
| Connecticut | 249 | 2,559 | 9.7 | 3,095 | 753 | 53.6 | 36 | 17.6 |
| Louisiana | 248 | 3,279 | 7.6 | 1,715 | 521 | 496.2 | 495 | 1.2 |
| Maryland | 234 | 3,146 | 7.4 | 2,664 | 658 | 64.6 | 39 | 25.6 |

See footnote at end of table.

TABLE 2.—*Selected characteristics of 25 States with medical assistance for the aged program in effect during the 1st quarter of 1963*[1]—Continued

| States ranked by number of aged in population | Population July 1961 (in thousands) | | | Per capita personal income in 1962 | Per 1,000 aged in population receiving OASDI June 30, 1962 | Old-age assistance and medical assistance for the aged recipients per 1,000 aged population, December 1962 | | |
|---|---|---|---|---|---|---|---|---|
| | Aged population | Total population | Percent aged | | | Total | Old-age assistance | Medical assistance for the aged |
| Arkansas | 198 | 1,803 | 11.0 | 1,533 | 630 | 288.8 | 279 | 9.8 |
| Oregon | 190 | 1,835 | 10.3 | 2,319 | 753 | 80.6 | 78 | 2.6 |
| West Virginia | 175 | 1,805 | 9.7 | 1,829 | 730 | 129.5 | 94 | 35.5 |
| South Carolina | 156 | 2,415 | 6.5 | 1,516 | 641 | 183.8 | 180 | 3.8 |
| Maine | 108 | 986 | 11.0 | 1,908 | 768 | 106.3 | 104 | 2.3 |
| New Hampshire | 69 | 620 | 11.2 | 2,229 | 770 | 68.5 | 67 | 1.5 |
| Utah | 62 | 938 | 6.6 | 2,041 | 689 | 114.0 | 90 | 24.0 |
| Idaho | 60 | 685 | 8.7 | 1,923 | 720 | 113.0 | 91 | 22.0 |
| North Dakota | 59 | 638 | 9.3 | 2,225 | 692 | 113.9 | 99 | 14.9 |
| Vermont | 44 | 388 | 11.3 | 2,021 | 738 | 127.3 | 126 | 1.3 |
| Hawaii | 31 | 661 | 4.7 | 2,409 | 744 | 55.6 | 38 | 17.6 |

[1] In addition to the 25 States with a medical assistance for the aged program in effect the following 3 jurisdictions also operated medical assistance for the aged programs Guam, Puerto Rico, and Virgin Islands.

TABLE 3.—*Selected characteristics of 25 States which did not have a medical assistance for the aged program in effect during the 1st quarter of 1963*[1]

| States ranked by number of aged in population | Population, July 1961 (in thousands) | | | Per capita personal income in 1962 | Per 1,000 aged in population receiving OASDI, June 30, 1962 | Old-age-assistance recipients per 1,000 population, December 1962 |
|---|---|---|---|---|---|---|
| | Aged population | Total population | Percent aged | | | |
| States with no medical assistance for the aged program | 7,087 | 77,057 | 9.2 | 2,182 | 677 | 138 |
| Ohio | 913 | 9,931 | 9.2 | 2,388 | 707 | 93 |
| Texas | 773 | 9,924 | 7.8 | 2,030 | 593 | 278 |
| Florida | 597 | 5,246 | 11.4 | 1,997 | 657 | 108 |
| New Jersey | 581 | 6,155 | 9.4 | 2,874 | 746 | 31 |
| Missouri | 509 | 4,325 | 11.8 | 2,373 | 655 | 207 |
| Indiana | 452 | 4,693 | 9.6 | 2,353 | 752 | 54 |
| Wisconsin | 412 | 4,040 | 10.2 | 2,276 | 743 | 75 |
| Minnesota | 363 | 3,448 | 10.5 | 2,230 | 679 | 118 |
| Iowa | 331 | 2,770 | 12.0 | 2,200 | 696 | 92 |
| North Carolina | 324 | 4,657 | 6.9 | 1,709 | 699 | 138 |
| Georgia | 299 | 4,032 | 7.4 | 1,714 | 580 | 306 |
| Virginia | 298 | 4,100 | 7.3 | 2,004 | 667 | 46 |
| Kansas | 243 | 2,195 | 11.1 | 2,164 | 673 | 102 |
| Mississippi | 193 | 2,217 | 8.7 | 1,282 | 602 | 399 |
| Nebraska | 167 | 1,462 | 11.4 | 2,250 | 685 | 78 |
| Colorado | 162 | 1,841 | 8.8 | 2,352 | 614 | 273 |
| Arizona | 97 | 1,428 | 6.8 | 2,064 | 636 | 130 |
| Rhode Island | 91 | 860 | 10.6 | 2,384 | 785 | 66 |
| South Dakota | 78 | 707 | 10.4 | 2,042 | 686 | 107 |
| Montana | 66 | 700 | 9.4 | 2,217 | 688 | 88 |
| New Mexico | 54 | 989 | 5.5 | 1,824 | 583 | 194 |
| Delaware | 37 | 460 | 8.0 | 3,096 | 735 | 29 |
| Wyoming | 27 | 354 | 7.6 | 2,178 | 663 | 105 |
| Nevada | 19 | 317 | 6.0 | 3,176 | 673 | 126 |
| Alaska | 6 | 236 | 2.4 | 2,610 | 579 | 234 |

[1] Excludes the District of Columbia which has an old age assistance but not a medical assistance for the aged program in effect.

TABLE 4.—*Monthly average number of old-age assistance and medical assistance for the aged recipients, expenditures for subsistence and medical care, average monthly payment for medical care per person in the caseload, per aged person in the population, and per inhabitant of the State during the 3-month period January–March 1963 in 25 States having a medical assistance for the aged program in effect*[1]

| States ranked by number of aged in population | Monthly average number of recipients January–March 1963 | | | Expenditures (in thousands) during 3 months: January–March 1963 | | | | | Average monthly payment for medical care per— | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Total | OAA | MAA | Total | Expenditures for subsistence | Medical-care expenditures | | | Person in the caseloads | Aged person in the population | Inhabitant of the State |
| | | | | | | Total medical | OAA medical | MAA medical | | | |
| States with MAA program | 1,290,437 | 1,175,972 | 114,465 | $363,387 | $238,652 | $124,735 | $53,411 | $71,324 | $32.22 | $4.10 | $0.38 |
| New York | 88,204 | 56,987 | 31,217 | 40,533 | 11,579 | 28,954 | 2,985 | 25,969 | 109.42 | 5.36 | .55 |
| California | 279,817 | 261,947 | 17,870 | 99,440 | 74,919 | 25,021 | 9,706 | 15,315 | 29.81 | 5.60 | .49 |
| Pennsylvania | 53,682 | 48,708 | 4,974 | 14,750 | 9,115 | 5,635 | 1,840 | 3,795 | 34.99 | 1.59 | .16 |
| Illinois | 64,241 | 63,611 | 630 | 16,734 | 8,778 | 7,956 | 7,166 | 790 | 41.28 | 2.80 | .26 |
| Michigan | 56,206 | 51,463 | 4,743 | 16,805 | 10,616 | 6,189 | 1,531 | 4,658 | 36.70 | 3.03 | .26 |
| Massachusetts | 79,984 | 57,884 | 22,100 | 26,337 | 11,854 | 14,483 | 3,044 | 11,439 | 60.36 | 8.18 | .94 |
| Tennessee | 50,317 | 49,244 | 1,073 | 7,200 | 6,102 | 1,098 | 896 | 202 | 7.27 | 1.14 | .10 |
| Kentucky | 57,493 | 53,884 | 3,609 | 9,471 | 8,534 | 937 | 748 | 189 | 5.43 | 1.04 | .10 |
| Washington | 43,799 | 42,792 | 1,007 | 12,589 | 6,913 | 5,676 | 5,155 | 521 | 43.20 | 6.52 | .61 |
| Alabama | 104,866 | 104,629 | 237 | 21,965 | 19,025 | 2,940 | 2,734 | 206 | 9.35 | 3.56 | .29 |
| Oklahoma | 84,952 | 84,132 | 820 | 23,807 | 18,774 | 5,033 | 4,540 | 493 | 19.75 | 6 45 | .68 |
| Connecticut | 13,927 | 9,276 | 4,651 | 4,777 | 1,611 | 3,166 | 519 | 2,647 | 75.78 | 4.14 | .41 |
| Louisiana | 127,797 | 127,363 | 434 | 31,925 | 26,456 | 5,469 | 5,179 | 290 | 14.26 | 7.15 | .55 |
| Maryland | 15,593 | 9,363 | 6,230 | 2,721 | 1,748 | 973 | 258 | 715 | 20.80 | 1.35 | .10 |
| Arkansas | 58,006 | 56,066 | 1,940 | 10,974 | 8,593 | 2,381 | 2,023 | 358 | 13.68 | 3.87 | .44 |
| Oregon | 15,683 | 15,207 | 476 | 4,042 | 2,279 | 1,763 | 1,618 | 145 | 37.47 | 3.01 | .31 |
| West Virginia | 22,883 | 16,098 | 6,765 | 2,998 | 1,834 | 1,164 | 429 | 735 | 16.96 | 2.22 | .22 |
| South Carolina | 28,442 | 27,759 | 683 | 4,354 | 3,461 | 893 | 551 | 342 | 10.47 | 1.86 | .12 |
| Maine | 11,620 | 11,262 | 358 | 2,929 | 1,769 | 1,160 | 861 | 299 | 33.28 | 3.52 | .38 |
| New Hampshire | 4,720 | 4,618 | 102 | 1,431 | 1,068 | 363 | 307 | 56 | 25.64 | 1.73 | .19 |
| Utah | 7,214 | 5,626 | 1,588 | 1,726 | 963 | 763 | 144 | 619 | 35.26 | 3.97 | .26 |
| Idaho | 6,965 | 5,476 | 1,489 | 1,791 | 1,006 | 785 | 180 | 605 | 37.57 | 4.22 | .35 |
| North Dakota | 6,753 | 5,856 | 897 | 2,160 | 1,135 | 1,025 | 452 | 573 | 50.59 | 5.69 | .51 |
| Vermont | 5,593 | 5,526 | 67 | 1,400 | 835 | 565 | 499 | 66 | 33.67 | 4.19 | .49 |
| Hawaii | 1,680 | 1,195 | 485 | 528 | 185 | 343 | 46 | 297 | 68.06 | 3.57 | .17 |

[1] Excludes Guam, Puerto Rico, and the Virgin Islands which had MAA programs in effect.

MAA=Medical assistance for the aged.
OAA=Old-age assistance.

TABLE 5.—*Monthly average number of old-age assistance recipients, expenditures for subsistence and medical care, average monthly payment for medical care per recipient, per aged person, and per inhabitant of the State during the 3-month period January–March 1963 in 25 States not having a medical assistance for the aged program in effect*

| States ranked by number of aged in population | Monthly average number of recipients January–March 1963 | Old-age assistance expenditures (in thousands) 3 months January–March 1963 | | | Average monthly payment for medical care per— | | |
|---|---|---|---|---|---|---|---|
| | | Total | Subsistence | Medical care | Person in the caseload | Aged person in the population | Inhabitant of the State |
| States not having a medical assistance for the aged program | 1,003,456 | $213,202 | $163,672 | $49,530 | $16.45 | $2.25 | $0.21 |
| Ohio | 86,593 | 21,718 | 17,318 | 4,400 | 16.94 | 1.57 | .14 |
| Texas | 223,590 | 46.442 | 39,009 | 7,433 | 11.08 | 3.09 | .24 |
| Florida | 70,253 | 13.225 | 9,978 | 3,247 | 15.41 | 1.66 | .19 |
| New Jersey | 18,558 | 5,296 | 2,744 | 2,552 | 45.84 | 1.42 | .14 |
| Missouri | 106,913 | 21,047 | 18,923 | 2,124 | 6.62 | 1.36 | .16 |
| Indiana | 24,431 | 5,343 | 3,193 | 2,150 | 29.33 | 1.56 | .15 |
| Wisconsin | 30,882 | 8,758 | 3,196 | 5,562 | 60.03 | 4.39 | .45 |
| Minnesota | 43,734 | 13,738 | 5,783 | 7,955 | 60.63 | 7.13 | .76 |
| Iowa | 30,703 | 8,282 | 5,370 | 2,912 | 31.61 | 2.87 | .35 |
| North Carolina | 44,821 | 7,368 | 6,400 | 968 | 7.20 | .98 | .07 |
| Georgia | 92,550 | 14,566 | 12,900 | 1,666 | 6.00 | 1.83 | .13 |
| Virginia | 13,808 | 2,384 | 1,737 | 647 | 15.62 | .71 | .05 |
| Kansas | 25,004 | 6,702 | 5,367 | 1,335 | 17.80 | 1.79 | .20 |
| Mississippi | 77,380 | 8,132 | 7,728 | 404 | 1.74 | .69 | .06 |
| Nebraska | 13,060 | 3,145 | 1,860 | 1,285 | 32.80 | 2.53 | .28 |
| Colorado | 49,259 | 15,409 | 12,166 | 3,243 | 21.95 | 6.47 | .56 |
| Arizona | 13,473 | 2,486 | 2,462 | 24 | .59 | .08 | .01 |
| Rhode Island | 6,100 | 1,527 | 1,252 | 275 | 15.03 | .99 | .11 |
| South Dakota | 7,892 | 1,913 | 1,592 | 321 | 13.56 | 1.43 | .15 |
| Montana | 5.947 | 1,230 | 1,226 | 4 | .22 | .02 | (1) |
| New Mexico | 10,787 | 2,613 | 1,924 | 689 | 21.29 | 4.10 | .22 |
| Delaware | 1,112 | 200 | 173 | 27 | 8.09 | .24 | .02 |
| Wyoming | 2,675 | 669 | 553 | 116 | 14.45 | 1.49 | .10 |
| Nevada | 2,538 | 682 | 527 | 155 | 20.36 | 2.58 | .15 |
| Alaska | 1,394 | 327 | 291 | 36 | 8.61 | 2.00 | .05 |

[1] Less than ½ a cent per inhabitant.

NOTE.—Excludes the District of Columbia.

APPENDIX TABLE A.—*Average monthly payment for medical care per recipient on the old-age assistance and medical assistance for the aged rolls, by State, January to March 1963*

| States with old-age assistance and medical assistance for the aged programs | Monthly average medical payment per person on the rolls | Rank of State by size of payment | States with old-age assistance program only | Monthly average medical payment per person on the rolls |
|---|---|---|---|---|
| New York | $109.42 | 1 | Minnesota | $60.63 |
| Connecticut | 75.78 | 2 | Wisconsin | 60.03 |
| Hawaii | 68.06 | 3 | New Jersey | 45.84 |
| Massachusetts | 60.36 | 4 | Nebraska | 32.80 |
| North Dakota | 50.59 | 5 | Iowa | 31.61 |
| Washington | 43.20 | 6 | Indiana | 29.33 |
| Illinois | 41.28 | 7 | Colorado | 21.95 |
| Idaho | 37.57 | 8 | New Mexico | 21.29 |
| Oregon | 37.47 | 9 | Nevada | 20.36 |
| Michigan | 36.70 | 10 | Kansas | 17.80 |
| Utah | 35.26 | 11 | Ohio | 16.94 |
| Pennsylvania | 34.99 | 12 | Virginia | 15.62 |
| Vermont | 33.67 | 13 | Florida | 15.41 |
| Maine | $33.28 | 14 | Rhode Island | $15.03 |
| California | 29.81 | 15 | Wyoming | 14.45 |
| New Hampshire | 25.64 | 16 | South Dakota | 13.56 |
| Maryland | 20.80 | 17 | Texas | 11.08 |
| Oklahoma | 19.75 | 18 | Alaska | 8.61 |
| West Virginia | 16.96 | 19 | Delaware | 8.09 |
| Louisiana | 14.26 | 20 | North Carolina | 7.20 |
| Arkansas | 13.68 | 21 | Missouri | 6.62 |
| South Carolina | 10.47 | 22 | Georgia | 6.00 |
| Alabama | 9.35 | 23 | Mississippi | 1.74 |
| Tennessee | 7.27 | 24 | Arizona | .59 |
| Kentucky | 5.43 | 25 | Montana | .22 |

APPENDIX TABLE B.—*Amount expended per inhabitant per annum and amount expended per $100 of personal income for medical care of aged persons on public assistance, by State (based on 3 months' expenditures during January to March 1963)*

| States with old-age assistance and medical assistance for the aged programs | Annual per capita personal income, 1962 | Annual medical payment per inhabitant | Medical payment for aged per $100 personal income | States with old-age assistance program only | Annual per capita personal income, 1962 | Annual medical payment per inhabitant | Medical payment for aged per $100 personal income |
|---|---|---|---|---|---|---|---|
| Connecticut | $3,095 | $4.92 | $0.16 | Nevada | $3,176 | $1.80 | $0.06 |
| New York | 2,930 | 6.60 | .23 | Delaware | 3,096 | .24 | .01 |
| California | 2,871 | 5.88 | .20 | New Jersey | 2,874 | 1.68 | .06 |
| Illinois | 2,830 | 3.24 | .11 | Alaska | 2,610 | .60 | .02 |
| Massachusetts | 2,775 | 11.28 | .41 | Ohio | 2,388 | 1.68 | .07 |
| Maryland | 2,664 | 1.20 | .05 | Rhode Island | 2,384 | 1.32 | .06 |
| Washington | 2,469 | 7.32 | .30 | Missouri | 2,373 | 1.92 | .08 |
| Hawaii | 2,409 | 2.04 | .08 | Indiana | 2,353 | 1.80 | .08 |
| Michigan | 2,399 | 3.12 | .13 | Colorado | 2,352 | 6.72 | .29 |
| Pennsylvania | 2,368 | 1.92 | .08 | Wisconsin | 2,276 | 5.40 | .24 |
| Oregon | 2,319 | 3.72 | .16 | Nebraska | 2,250 | 3.36 | .15 |
| New Hampshire | 2,229 | 2.28 | .10 | Minnesota | 2,230 | 9.12 | .41 |
| North Dakota | 2,225 | 6.12 | .28 | Montana | 2,217 | .02 | (1) |
| Utah | 2,041 | 3.12 | .15 | Iowa | 2,200 | 4.20 | .19 |
| Vermont | 2,021 | 5.88 | .29 | Wyoming | 2,178 | 1.20 | .06 |
| Idaho | 1,923 | 4.20 | .22 | Kansas | 2,164 | 2.40 | .11 |
| Maine | 1,908 | 4.56 | .24 | Arizona | 2,064 | .12 | .01 |
| Oklahoma | 1,904 | 8.16 | .43 | South Dakota | 2,042 | 1.80 | .09 |
| West Virginia | 1,829 | 2.64 | .14 | Texas | 2,030 | 2.88 | .14 |
| Louisiana | 1,715 | 6.60 | .38 | Virginia | 2,004 | .60 | .03 |
| Kentucky | 1,705 | 1.20 | 07 | Florida | 1,997 | 2.28 | .11 |
| Tennessee | 1,679 | 1.20 | .07 | New Mexico | 1,824 | 2.64 | .14 |
| Alabama | 1,538 | 3.48 | .23 | Georgia | 1,714 | 1.56 | .09 |
| Arkansas | 1,533 | 5.28 | .34 | North Carolina | 1,709 | .81 | .05 |
| South Carolina | 1,516 | 1.44 | .09 | Mississippi | 1,282 | .72 | .06 |

[1] Less than half a cent per annum per $100 of personal income.

APPENDIX TABLE C.—*Amount expended per inhabitant per annum for medical care of aged persons on old-age assistance or medical assistance for the aged, by Federal share and State and local share, by State*

| States with old-age assistance and medical assistance for the aged programs | Annual medical payment per inhabitant | Percent from Federal funds | Amount from Federal funds | Amount from State and local funds | States with old-age assistance program only | Annual medical payment per inhabitant | Percent from Federal funds | Amount from Federal funds | Amount from State and local funds |
|---|---|---|---|---|---|---|---|---|---|
| Connecticut | $4.92 | 50.00 | $2.96 | $2.96 | Nevada | $1.80 | 50.00 | $0.90 | $0.90 |
| New York | 6.60 | 50.00 | 3.30 | 3.30 | Delaware | .24 | 50.00 | .12 | .12 |
| California | 5.88 | 50.00 | 2.94 | 2.94 | New Jersey | 1.68 | 50.00 | .84 | .84 |
| Illinois | 3.24 | 50.00 | 1.62 | 1.62 | Alaska | .60 | 50.00 | .30 | .30 |
| Massachusetts | 11.28 | 50.00 | 5.64 | 5.64 | Ohio | 1.68 | 50.00 | .84 | .84 |
| Maryland | 1.20 | 50.00 | .60 | .60 | Rhode Island | 1.32 | 51.09 | .67 | .65 |
| Washington | 7.32 | 50.00 | 3.66 | 3.66 | Missouri | 1.92 | 52.91 | 1.02 | .90 |
| Hawaii | 2.04 | 50.00 | 1.02 | 1.02 | Indiana | 1.80 | 52.03 | .94 | .86 |
| Michigan | 3.12 | 50.00 | 1.56 | 1.56 | Colorado | 6.72 | 52.78 | 3.55 | 3.17 |
| Pennsylvania | 1.92 | 50.00 | .96 | .96 | Wisconsin | 5.40 | 53.10 | 2.87 | 2.53 |
| Oregon | 3.72 | 52.40 | 1.95 | 1.77 | Nebraska | 3.36 | 56.86 | 1.91 | 1.45 |
| New Hampshire | 2.28 | 58.18 | 1.33 | .95 | Minnesota | 9.12 | 57.96 | 5.19 | 3.93 |
| North Dakota | 6.12 | 72.44 | 4.43 | 1.69 | Montana | .02 | 55.74 | .01 | .01 |
| Utah | 3.12 | 63.74 | 1.99 | 1.13 | Iowa | 4.20 | 58.48 | 2.46 | 1.74 |
| Vermont | 5.88 | 67.07 | 3.94 | 1.94 | Wyoming | 1.20 | 50.86 | .61 | .59 |
| Idaho | 4.20 | 66.29 | 2.78 | 1.42 | Kansas | 2.40 | 57.52 | 1.38 | 1.02 |
| Maine | 4.56 | 66.60 | 3.04 | 1.52 | Arizona | .12 | 58.75 | .07 | .05 |
| Oklahoma | 8.16 | 66.53 | 5.43 | 2.73 | South Dakota | 1.80 | 72.16 | 1.30 | .50 |
| West Virginia | 2.64 | 70.32 | 1.86 | .78 | Texas | 2.88 | 60.79 | 1.75 | 1.13 |
| Louisiana | 6.60 | 72.55 | 4.79 | 1.81 | Virginia | .60 | 64.91 | .39 | .21 |
| Kentucky | 1.20 | 75.57 | .91 | .29 | Florida | 2.28 | 58.44 | 1.33 | .95 |
| Tennessee | 1.20 | 75.87 | .91 | .29 | New Mexico | 2.64 | 65.22 | 1.72 | .92 |
| Alabama | 3.48 | 79.04 | 2.75 | .73 | Georgia | 1.56 | 75.04 | 1.17 | .39 |
| Arkansas | 5.28 | 80.00 | 4.22 | 1.06 | North Carolina | .81 | 77.47 | .63 | .18 |
| South Carolina | 1.44 | 80.00 | 1.15 | .29 | Mississippi | .72 | 80.00 | .58 | .14 |

NOTE.—Annual expenditure rate based on most recent experience: January-March 1963; States are ranked in descending order of annual per capita income, 1962.

APPENDIX TABLE D.—*Average payment per recipient of old-age assistance, for money payments and for vendor payments for medical care, September 1960 and March 1963, and average payment per recipient in the combined old-age assistance and medical assistance for the aged caseloads, March 1963, in 25 States having a medical assistance for the aged program in effect*

| States with old-age assistance and medical assistance for the aged programs | Average payment per person on the old-age assistance rolls, September 1960 | | | Average payment per person on the old-age assistance rolls, March 1963 | | | Average payment per person on the combined old-age assistance and medical assistance for the aged rolls, March 1963 | | |
|---|---|---|---|---|---|---|---|---|---|
| | Total | Money payments | Vendor medical payments | Total | Money payments | Vendor medical payments | Total | Money payments | Vendor medical payments |
| Connecticut | $109.42 | $90.56 | $18.86 | $77.20 | $57.75 | $19.45 | $116.96 | $38.46 | $78.50 |
| New York | 107.87 | 74.42 | 33.45 | 85.06 | 67.39 | 17.67 | 153.56 | 43.46 | 110.10 |
| California | 90.19 | 80.43 | 9.76 | 107.70 | 94.84 | 12.86 | 119.14 | 88.62 | 30.52 |
| Illinois | 77.98 | 43.83 | 34.15 | 86.20 | 45.95 | 40.26 | 88.49 | 45.58 | 42.91 |
| Massachusetts | 106.89 | 61.03 | 45.86 | 85.59 | 68.02 | 17.57 | 107.60 | 49.18 | 58.42 |
| Maryland | 62.41 | 56.88 | 5.53 | 71.57 | 62.37 | 9.20 | 61.17 | 38.13 | 23.04 |
| Washington | 87.83 | 57.30 | 30.53 | 91.88 | 53.51 | 38.37 | 94.14 | 52.30 | 41.84 |
| Hawaii | 63.42 | 57.68 | 5.74 | 60.16 | 49.87 | 10.29 | 104.08 | 34.88 | 69.20 |
| Michigan | 76.59 | 65.93 | 10.66 | 78.28 | 68.99 | 9.29 | 98.51 | 62.96 | 35.55 |
| Pennsylvania | 68.54 | 64.69 | 3.85 | 78.04 | 62.22 | 15.82 | 95.06 | 57.42 | 37.64 |
| Oregon | 80.21 | 51.56 | 28.65 | 87.06 | 49.66 | 37.40 | 87.68 | 48.16 | 39.52 |
| New Hampshire | 79.21 | 62.11 | 17.10 | 99.29 | 77.16 | 22.13 | 102.57 | 75.02 | 27.55 |
| North Dakota | 90.18 | 55.41 | 34.76 | 86.83 | 60.95 | 25.88 | 104.49 | 52.72 | 51.77 |
| Utah | 72.19 | 67.20 | 4.99 | 64.52 | 57.23 | 7.28 | 77.61 | 44.58 | 33.01 |
| Vermont | 64.98 | 51.48 | 13.50 | 80.22 | 50.09 | 30.13 | 82.85 | 49.57 | 33.28 |
| Idaho | 69.61 | 60.19 | 9.42 | 71.86 | 61.29 | 10.56 | 83.91 | 47.79 | 36.12 |
| Maine | 66.39 | 53.39 | 13.00 | 78.22 | 52.73 | 25.49 | 86.87 | 50.53 | 36.34 |
| Oklahoma | 79.14 | 67.16 | 11.99 | 92.20 | 74.19 | 18.01 | 93.16 | 72.25 | 20.91 |
| West Virginia | 39.07 | 34.13 | 4.93 | 46.93 | 38.05 | 8.88 | 43.36 | 26.23 | 17.13 |
| Louisiana | 71.99 | 69.14 | 2.05 | 83.70 | 69.08 | 14.62 | 84.19 | 68.85 | 15.34 |
| Kentucky | 50.34 | 50.34 | ------------ | 57.51 | 52.32 | 5.19 | 54.39 | 48.44 | 5.95 |
| Tennessee | 41.86 | 41.26 | .60 | 47.04 | 41.24 | 5.80 | 47.41 | 40.38 | 7.03 |
| Alabama | 52.88 | 52.87 | .01 | 70.31 | 60.40 | 9.92 | 70.97 | 60.22 | 10.75 |
| Arkansas | 52.63 | 45.95 | 6.68 | 64.08 | 51.76 | 12.32 | 65.03 | 50.84 | 14.19 |
| South Carolina | 40.94 | 38.05 | 2.88 | 48.85 | 40.95 | 7.90 | 51.83 | 39.91 | 11.92 |

MAA=Medical assistance for the aged.
OAA=Old-age assistance.

NOTE.—September 1960 was the month prior to the enactment of the medical assistance for the aged provisions of the Social Security Act.

APPENDIX TABLE E.—*Average payment per recipient for old-age assistance, for money payments and for vendor payments for medical care, September 1960 and March 1963 in 25 States not operating on medical assistance for the aged program in March 1963*

| States with old-age assistance programs only | Average payment per recipient, September 1960 | | | Average payment per recipient, March 1963 | | | States with old-age assistance programs only | Average payment per recipient, September 1960 | | | Average payment per recipient, March 1963 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Total payments | Money payments | Vendor medical payments | Total payments | Money payments | Vendor medical payments | | Total payments | Money payments | Vendor medical payments | Total payments | Money payments | Vendor medical payments |
| Nevada | $74.96 | $68.98 | $5.97 | $90.37 | $68.67 | $21.70 | Iowa | $82.05 | $74.03 | $8.02 | $89.87 | $58.08 | $31.79 |
| Delaware | 50.48 | 50.48 | ---------- | 60.09 | 51.84 | 8.26 | Wyoming | 71.06 | 61.87 | 9.19 | 84.41 | 69.07 | 15.34 |
| New Jersey | 90.11 | 55.05 | 35.06 | 95.38 | 49.01 | 46.37 | Kansas | 80.24 | 68.11 | 12.13 | 90.99 | 71.82 | 19.17 |
| Alaska | 64.34 | 64.34 | ---------- | 68.07 | 69.45 | 8.63 | Arizona | 61.41 | 61.41 | ---------- | 61.40 | 60.68 | .72 |
| Ohio | 75.80 | 65.01 | 10.79 | 83.51 | 66.58 | 16.93 | South Dakota | 62.51 | 62.51 | ---------- | 81.05 | 67.55 | 13.50 |
| Rhode Island | 80.77 | 65.77 | 15.00 | 83.42 | 68.42 | 15.00 | Texas | 52.90 | 52.90 | ---------- | 69.12 | 58.07 | 11.05 |
| Missouri | 60.12 | 59.74 | .39 | 65.85 | 58.92 | 6.92 | Virginia | 46.58 | 37.52 | 9.06 | 57.93 | 41.89 | 16.04 |
| Indiana | 64.90 | 44.15 | 20.75 | 74.78 | 43.43 | 31.36 | Florida | 56.24 | 50.21 | 6.02 | 62.57 | 47.40 | 15.17 |
| Colorado | 100.55 | 83.53 | 17.02 | 104.31 | 83.04 | 21.29 | New Mexico | 68.17 | 59.64 | 8.54 | 80.67 | 59.38 | 21.29 |
| Wisconsin | 84.01 | 38.62 | 45.39 | 99.48 | 34.23 | 65.25 | Georgia | 47.26 | 47.26 | ---------- | 52.76 | 46.52 | 6.25 |
| Nebraska | 71.99 | 47.04 | 24.95 | 80.12 | 47.41 | 32.71 | North Carolina | 44.00 | 41.72 | 2.28 | 56.47 | 48.46 | 8.01 |
| Minnesota | 89.46 | 52.40 | 37.06 | 105.03 | 44.04 | 60.99 | Mississippi | 34.61 | 34.61 | ---------- | 35.24 | 33.23 | 2.00 |
| Montana | 64.00 | 63.74 | .27 | 68.73 | 68.61 | .12 | | | | | | | |

APPENDIX TABLE F.—*Comparison of number of aged persons on the public assistance rolls in September 1960 with the number on the rolls in March 1963, by State*

| States with OAA and MAA programs | Number of OAA recipients September 1960 | Number of OAA and MAA recipients, March 1963 | | | States with OAA programs only | Number of OAA recipients September 1960 | Number of OAA recipients March 1963 |
|---|---|---|---|---|---|---|---|
| | | Total | OAA | MAA | | | |
| Connecticut | 14,351 | 13,710 | 9,130 | 4,580 | Nevada | 2,596 | 2,546 |
| New York | 81,053 | 88,407 | 57,015 | 31,392 | Delaware | 1,268 | 1,111 |
| California | 254,139 | 280,363 | 261,983 | 18,380 | New Jersey | 18,950 | 18,504 |
| Illinois | 72,509 | 63,692 | 63,180 | 512 | Alaska | 1,422 | 1,392 |
| Massachusetts | 78,223 | 79,517 | 57,497 | 22,020 | Ohio | 89,185 | 86,333 |
| Maryland | 9,662 | 15,228 | 9,309 | 5,919 | Rhode Island | 6,746 | 6,050 |
| Washington | 48,283 | 43,624 | 42,639 | 985 | Missouri | 115,065 | 106,511 |
| Hawaii | 1,429 | 1,690 | 1,182 | 508 | Indiana | 27,203 | 24,344 |
| Michigan | 60,510 | 56,260 | 51,336 | 4,924 | Colorado | 50,795 | 45,640 |
| Pennsylvania | 50,101 | 52,570 | 48,514 | 4,056 | Wisconsin | 34,768 | 30,877 |
| Oregon | 16,769 | 15,658 | 15,185 | 473 | Nebraska | 14,760 | 12,996 |
| New Hampshire | 4,825 | 4,723 | 4,592 | 131 | Minnesota | 46,297 | 43,562 |
| North Dakota | 7,210 | 6,743 | 5,832 | 911 | Montana | 6,745 | 5,930 |
| Utah | 7,768 | 7,167 | 5,582 | 1,585 | Iowa | 33,942 | 30,553 |
| Vermont | 5,527 | 5,581 | 5,523 | 58 | Wyoming | 3,231 | 2,641 |
| Idaho | 7,169 | 6,960 | 5,426 | 1,534 | Kansas | 28,188 | 24,867 |
| Maine | 11,675 | 11,783 | 11,290 | 493 | Arizona | 13,977 | 13,467 |
| Oklahoma | 89,118 | 84,845 | 83,984 | 861 | South Dakota | 8,729 | 7,821 |
| West Virginia | 19,185 | 23,122 | 15,941 | 7,181 | Texas | 221,803 | 223,897 |
| Louisiana | 125,453 | 128,100 | 127,694 | 415 | Virginia | 14,562 | 13,726 |
| Kentucky | 56,115 | 58,134 | 53,811 | 4,323 | Florida | 69,499 | 70,239 |
| Tennessee | 54,442 | 49,969 | 48,933 | 1,036 | New Mexico | 10,963 | 10,776 |
| Alabama | 99,216 | 105,304 | 104,995 | 309 | Georgia | 96,523 | 92,403 |
| Arkansas | 55,969 | 58,272 | 56,256 | 2,016 | North Carolina | 48,231 | 44,729 |
| South Carolina | 31,958 | 28,318 | 27,598 | 720 | Mississippi | 80,235 | 77,198 |

MAA=Medical assistance for the aged.
OAA=Old-age assistance.

NOTE.—September 1960 was the month prior to the inauguration of the medical assistance for the aged program by the Federal Government.

APPENDIX TABLE G.—*Number of recipients of old-age assistance and medical assistance for the aged per 1,000 aged in the population, by State, December 1950, December 1954, December 1960, and December 1962*

| States with old-age assistance and medical assistance for the aged programs | Number of aged persons on the public assistance rolls per 1,000 aged in the population | | | | States with old-age assistance programs only | Number of aged persons on the public assistance rolls per 1,000 aged in the population | | | |
|---|---|---|---|---|---|---|---|---|---|
| | December 1950 | December 1954 | December 1960 [1] | December 1962 [2] | | December 1950 | December 1954 | December 1960 | December 1962 |
| Connecticut | 115 | 84 | 58 | 54 | Nevada | 250 | 206 | 137 | 126 |
| New York | 91 | 73 | 47 | 48 | Delaware | 61 | 56 | 34 | 29 |
| California | 310 | 257 | 181 | 188 | New Jersey | 60 | 46 | 33 | 31 |
| Illinois | 160 | 115 | 72 | 64 | Alaska | (3) | 334 | 260 | 234 |
| Massachusetts | 226 | 177 | 134 | 136 | Ohio | 163 | 131 | 98 | 93 |
| Maryland | 61 | 58 | 41 | 65 | Rhode Island | 146 | 107 | 74 | 66 |
| Washington | 331 | 249 | 169 | 153 | Missouri | 311 | 298 | 225 | 207 |
| Hawaii | 119 | 77 | 49 | 35 | Indiana | 129 | 95 | 60 | 54 |
| Michigan | 217 | 145 | 93 | 83 | Colorado | 417 | 378 | 294 | 273 |
| Pennsylvania | 94 | 59 | 44 | 46 | Wisconsin | 165 | 129 | 85 | 75 |
| Oregon | 164 | 133 | 89 | 81 | Nebraska | 182 | 128 | 89 | 78 |
| New Hampshire | 122 | 104 | 71 | 69 | Minnesota | 209 | 176 | 128 | 118 |
| North Dakota | 197 | 156 | 121 | 114 | Montana | 274 | 163 | 102 | 88 |
| Utah | 237 | 196 | 126 | 90 | Iowa | 175 | 144 | 102 | 92 |
| Vermont | 176 | 162 | 128 | 127 | Wyoming | 272 | 199 | 124 | 105 |
| Idaho | 286 | 180 | 123 | 113 | Kansas | 198 | 163 | 115 | 102 |
| Maine | 164 | 126 | 109 | 106 | Arizona | 362 | 255 | 151 | 130 |
| Oklahoma | 595 | 440 | 352 | 329 | South Dakota | 226 | 180 | 118 | 107 |
| West Virginia | 209 | 161 | 111 | 130 | Texas | 428 | 373 | 292 | 278 |
| Louisiana | 725 | 579 | 510 | 496 | Virginia | 85 | 71 | 50 | 46 |
| Kentucky | 285 | 218 | 189 | 190 | Florida | 208 | 240 | 122 | 108 |
| Tennessee | 283 | 253 | 173 | 157 | New Mexico | 311 | 327 | 212 | 194 |
| Alabama | 456 | 276 | 374 | 381 | Georgia | 483 | 390 | 326 | 306 |
| Arkansas | 539 | 311 | 285 | 289 | North Carolina | 285 | 199 | 151 | 138 |
| South Carolina | 383 | 325 | 207 | 184 | Mississippi | 445 | 396 | 418 | 399 |

[1] Includes medical assistance for the aged recipients in four States: Massachusetts, Michigan, Oklahoma, and West Virginia.

[2] Includes old-age assistance and medical assistance for the aged recipients in all 25 States.

[3] Not available.

## REPEAL OF RETAILERS' EXCISE TAX ON WOMEN'S PURSES

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include an article from the Portland, Oreg., Journal.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, today I have introduced a bill to repeal the retailers' excise tax on women's purses and handbags sold at retail for less than $15. This tax has long outlived its usefulness and is an unnecessary hardship on women of modest means.

I need no other explanation of my reasoning for introducing this bill than to place at the end of these remarks an editorial which appeared recently in the Portland, Oreg., Journal.

A woman's pocketbook and the cluttered condition thereof is almost as much a staple of comedy as the banana peel and the custard pie.

Therefore it was sure fire that the press wires would pick up the letter which Philip Lubliner, manager of Local No. 1 of the Pocketbook and Novelty Workers Union in New York City, wrote to Oregon's Senator MAURINE NEUBERGER and 10 other women Members of Congress. He asked them to lobby for the repeal of the luxury tax on women's pocketbooks on the ground that a woman's purse is as much a necessity to her as a man's untaxed pockets are to him.

Lubliner listed—and here is where men are expected to chuckle tolerantly—the "bedrock" items a woman has to cram into her handbag:

Change purse, mirror, comb, compact, lipstick, nail file, billfold, driver's license, address book, handkerchief, pen and pencil, tissues, key case, eyeglasses, cosmetic bag, memo pad, cigarettes, matches, bankbook, checkbook, medical supplies, and photograph folders.

Well, being merely male, we chuckled, all right. And then we began making an inventory of our own pockets, and the grin faded. The list included:

Two pens, a pencil, matches, two periodicals for reading on the bus, handkerchief, coin purse, key case with seven keys and a penknife, notebook, and a wallet. And the wallet contains 3 calendars, 14 membership cards and passes, 11 identification cards, 13 credit cards, fishing license, liquor license, driver's license, library card, 2 bus timetables, 7 personal cards, 2 draft cards, traveler's check record, glasses prescription, book of stamps, 3 blank checks, and 3 claim checks.

Maybe it would be easier for us men to start carrying handbags. If only they'd repeal that luxury tax.

## CIVIL RIGHTS

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. DUNCAN. Mr. Speaker, a few days ago, the gentleman from Texas [Mr. GONZALEZ] and many others addressed themselves to the subject of civil rights legislation. Earlier we enjoyed a protracted debate on this floor on the subject of the collection, compiling, preserving, and, if you will, the editing of historical documents.

Few there were who denied that the history of this country should be preserved, despite differences that existed on the extent of Federal participation in such a project. This was because all of us recognize that our illustrious predecessors in this body, and at the helm of this Government in its earlier days, had made history worthy of the notice and study of later generations. They had an interest in collecting the memorabilia of what they had done—but far more than that, they did.

I wonder as we consider this great social problem of civil rights, complexly intertwined as it is with education, housing, employment, production, and other causative factors, if future generations of lawmakers will feel that our efforts today are as worthy of note and preservation as we now consider the acts of Washington, Jefferson, Madison, Jackson, Lincoln, and others to have been.

I for one want to know, and I want to know now. This year is dying while we concern ourselves with minutiae. I think I know the problems. I think I know the differences. I think I know the arguments for compromise, and so have we all known for many months. The time when we might expect delay to solve these problems for us has long since gone by. The time has come to vote. The time has come to write today's history. The time has come to find out whether this Congress can make history or only collect and "edit" it. The time has come to tell our minority citizens—and we are all members of a minority group at one time or another—whether the Constitution means what it says or not.

There are those who would make of this a sectional fight; but men of good will know that the disease of racism is not isolated in one section of this country—it infects the whole body politic. There are those in this body whose constituency, whose environment, whose history makes this a most difficult step to take; but who know down deep that it is a step which must be taken. So it devolves upon the rest of us to do that which must be done, which should be done, to the ultimate relief of our minority groups, ourselves and our colleagues so constrained. They will thank us silently if we do so. We will be condemned, and justly so, should we not do so.

There are those who would make of this a political fight, but men of good will know that this is not so. Each major political party has had ample opportunity to do what needs to be done and garner therefrom the political advantages and disadvantages resulting therefrom. Each party has succeeded slightly and failed mightily. I care not, and history cares not, at this point who claims or receives credit. I care, and history cares, only that the job is done.

Sooner or later the battle must be joined. Sooner or later the test must be taken. I say that we have equivocated long enough and that we have vacillated long enough, that we have delayed long enough. I say "vote." Let us do what must be done if we can. Let us do what we can if we cannot.

## TRADE WITH YUGOSLAVIA

Mr. STAEBLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. STAEBLER. Mr. Speaker, in connection with the continuing discussion over trade with satellite nations and particularly with Yugoslavia, I would like to insert in the RECORD today this letter from former Ambassador to Yugoslavia George Kennan.

It was published recently in the New York Times and, I believe, is an excellent presentation of the need to continue certain types of trade with Yugoslavia.

Mr. Kennan, I am sure most of you recall, was the architect of the first effective free world program to halt the worldwide expansion of communism. He is a distinguished American and is dedicated to the cause of freedom.

### LETTERS TO THE TIMES—KENNAN BACKS SALES TO TITO—OPPOSITION DECLARED HARMFUL TO THE CAUSE OF ANTICOMMUNISM

To the EDITOR OF THE NEW YORK TIMES:

There was reported in your columns on October 11 a statement made by Senator EVERETT MCKINLEY DIRKSEN, and Representative CHARLES A. HALLECK, criticizing President Kennedy for permitting, by an order of May 14, 1963, the sale of $2 million of military supplies to Yugoslavia.

The President's action, they were quoted as saying, constituted a circumvention of congressional stipulations prohibiting military aid to Communist nations. The legislators referred particularly to the provisions of the 1963 Foreign Aid Appropriations Act, which they described as flatly prohibiting military aid to Communist nations, though leaving economic aid to the President's discretion, subject to certain restrictions enacted in 1961.

This description of the legal situation is not accurate. The act referred to did indeed inhibit aid to Communist nations; but the authorizing legislation empowered the President to make exceptions in instances where he considered this to be "vital to the security of the United States." This applied to sales of military supplies as well as to economic aid. The President was wholly within his rights in making such a finding.

#### PAYMENT FOR EQUIPMENT

With respect to the particular sale in question, the term "aid" ought never to have been used. Our military-aid program for Yugoslavia was terminated some 6 years ago, at the initiative of the Yugoslavs. Since then they have paid dollar cash for military equipment purchased in this country. They will do so in the present instance.

The inclusion of such sales under the provisions of the aid legislation is really a legal technicality. The purchases to be covered by this particular authorization consists of spare parts for end items acquired by the Yugoslavs in earlier years. These end items are, as I understand it, obsolete or obsolescent by standards of current military procurement; and no question of military secrecy is involved.

They were acquired in good faith. Many of them were paid for in cash. The spare parts are necessary to permit their full utilization. The Yugoslavs would presumably not have acquired them had they known that the spare parts were going to be denied; nor would we, I am sure, have made the initial sale had we thought this possible.

We are, after all, not sharpsters. What is involved here is the good faith of the U.S. Government, not as a sponsor of aid but as a partner to a commercial proceeding. Messrs. DIRKSEN and HALLECK may not believe that the good faith of this Government is vital to the security of the United States. I do. The President, in approving this sale, had before him my affirmative recommendation, submitted in my capacity as Ambassador to Yugoslavia, for which I gladly accept full responsibility.

The entire concept underlying the recent congressional effort to bar military sales to Yugoslavia was in my opinion seriously misconceived. The effort has already brought real damage to American interests in the confrontation with Soviet power. For many years prior to 1961 Yugoslav military purchasing had been directed almost exclusively to the West.

#### INCREASED DEPENDENCE

The insistence of the Congress that the Yugoslavs be denied even obsolete and surplus items for which they were willing to pay cash has been a major factor in causing them to turn again to Soviet sources of supply. The effect can only be to increase the dependence of their military establishment—one of the largest military establishments in Europe outside of Soviet control—on Soviet sources of supply. In this respect, the effect is analogous to that of the recent legislation denying the Yugoslavs normal tariff treatment for their exports to this country.

If, faced with such rebuffs from our side, the Yugoslavs still retain their independence, as I believe they will, this will have to be ascribed in the circumstances solely to their own fortitude and good sense, manifested in spite of, and in defiance of, the best efforts of some of our legislators to put them in a position where they would have no choice but to resubmit to Soviet leadership.

Why any Member of Congress, and particularly any congressional leader, would wish this to be said of him—and how, in particular, he could reconcile it with a professed devotion to the cause of anticommunism—escapes me.

GEORGE KENNAN.

PRINCETON, N.J., *October 11, 1963.*

## U.S. SPACE GAP THREATENS OUR NATIONAL SECURITY

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WEAVER. Mr. Speaker, James E. Webb, Administrator for the National Aeronautics and Space Administration, has a responsibility to present to this Congress and the Nation a realinement of our space program with national security as its prime objective. If he cannot do this effectively, I shall call for his resignation.

The United States has been racing alone to the moon while the Soviet Union has abandoned this manned moon project and concentrated on military control of the earth's atmosphere. This I have said before and again repeat to this House. In May 1961, this administration challenged the Soviets to a moon race as a public diversion from the fiasco of the Bay of Pigs. While the administration was dazzling the public by moonglow, Soviet subterfuge has been concentrating on the potential military values of space domination of the near-earth area. The Soviets have established a space gap due to this effort. They have 375 manned hours of flight to our 53½ hours.

Chairman Khrushchev now states publicly what the House Science and Astronautics Committee minority have previously reported—that the Soviets are not seeking to place a man on the moon at this time. This committee minority through their studies have recognized that the military-oriented space program of the Soviets is a very serious national security threat to the United States. Meanwhile, our civilian-oriented U.S. manned moon program has been for international prestige.

The public relations gesture of the President before the U.N. in offering a joint United States-U.S.S.R. effort to reach the moon has been nothing more than a publicity and political gimmick to cover up his knowledge that they were not even seeking the same goal as the United States in space. This type of news management has jeopardized our national security by concentrating on a moon shot for prestige purposes. This type of political maneuvering to cover up mistakes instead of presenting the truth to the American public is another evidence of the administration's poor faith toward the American people. This "moondoggle" has been a wrong objective in a race with the Soviet Union that never existed and has resulted in a space gap which threatens our national security.

Therefore, it becomes imperative that we immediately realine our space objective to national security and eliminate this space gap. I call upon James E. Webb, Administrator of the National Aeronautics and Space Administration to carry out this objective. If he cannot immediately reevaluate and report frankly and honestly to this Congress that this has been accomplished, then I feel it is our responsibility to demand his resignation. The Congress and the public can no longer tolerate public relations gimmicks and doubletalk concerning the space program and our space gap when our national security is threatened. Mr. Webb has this responsibility and if he cannot carry it out, frankly he should resign in the best interests of the Nation.

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## MORE MANAGED NEWS?

Mr. MARTIN of Nebraska. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BARRY. Mr. Speaker, there is no more revered professional journalistic society than Sigma Delta Chi. This society's Freedom of Information Committee has just released a 60-page report on news management in the Defense Department.

According to the Washington Post and Times Herald, October 28, 1963, the Sigma Delta Chi group made the following discoveries. I quote:

> ### PENTAGON NEWS CONTROL SCORED
>
> CHICAGO, October 27.—Americans have been deliberately deceived and kept in ignorance about matters affecting security and use of taxes by politicians who have kept information at "the lowest ebb in history," Sigma Delta Chi, professional journalistic society, said today.
>
> The 60-page report of the society's freedom of information committee leveled heaviest criticism at the Defense Department. It said Defense Secretary Robert McNamara and Assistant Defense Secretary for Public Affairs Arthur Sylvester have created "an oligarchy of control" over news.
>
> The committee said it was not objecting to "proper use of measures to protect the national security of the United States."
>
> ### NEVER MADE PUBLIC
>
> "The pattern of the Pentagon in the last 3 years would appear to be designed to quash dissent and to close up the avenues through which evidence of dissent normally finds its way to the press and to the public," it said.
>
> The committee said "the international agreement, through an exchange of secret letters between President Kennedy and Soviet Premier Khrushchev over removal of the missiles never has been made public."
>
> It was disclosed that "no less than 40 secret letters and messages had been exchanged" between the two leaders during the crisis, the report said.
>
> The critics acknowledged that negotiations cannot be conducted "in a fish bowl," but said that the American people were entitled "to a white paper or other official report from Washington on secret negotiations between their elected President and the chief of the Communist dictatorship."
>
> The committee, headed by V. M. Newton, Jr., managing editor of the Tampa (Fla.) Tribune, urged passage of a law requiring all Federal Government records "other than those of a security nature" be opened constantly to public inspection.
>
> ### EXCUSES DECRIED
>
> "All of the rest of Federal Government falls back on the mushy claims of 'confidential' and similar excuses in spreading the blanket of secrecy over the records of Government, and particularly over those records pertaining to the spending of the taxpayer funds," the report said.
>
> Congressional freedom of information suffered its "worst year of the last decade" and 39 percent of all congressional committee meetings were held in closed session during the first 3 months of 1963, the society said.
>
> The number of secret meetings was "6 percent higher" than 1962, said the report, and committees with the highest secrecy rate were the Senate Armed Services, 85 percent closed, and House Foreign Affairs, 74 percent closed.

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## THE CRISIS IN OUR CITIES

Mr. MARTIN of Nebraska. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. LINDSAY. Mr. Speaker, in the midst of legislative tussle and turmoil over civil rights and taxes, I wonder whether we have been overlooking some of the basic difficulties of our expanding country, particularly problems related to the growth of our over-populated cities.

In New York City, for example, there are unsolved problems relating to housing, education, transportation, highways, and the destruction of neighborhoods, narcotics, school dropouts, crime in general, the flight of business and culture, overpopulation, and underhousing. These are basic matters that lead to group tensions, as much as does outright bigotry and bias.

As the population continues to shift from rural into urban areas it also becomes apparent that action at all levels, and planning at all levels, and a good deal of coordination, will be required if our cities are to grow properly.

During my service in the House of Representatives, I have often addressed the Members from the floor of the House on the subject of the need for true middle-income housing in our cities and for a proper governmental structure that can adequately plan and coordinate the many areas of governmental interest in the housing field.

The same is true in respect of education.

It seems all but forgotten that 3 years ago the House discussed the question of the creation of a Department of Urban Affairs and the measure was defeated on the floor. I was one of those on the minority side that voted for the measure, even though I disapproved of the procedure by which the matter was brought to the floor for action—by reorganization plan rather than by a bill—and even though I would have structured the proposed Department somewhat differently.

In any event I believe that we should reorganize the Federal structure in the executive branch in order to pull together and raise the status of the too many agencies now concerned with urban affairs. As was done in the case of the

Department of Health, Education, and Welfare, these fractured agencies and bureaus should be merged and restructured in order that a single high level department will concern itself with the multiplicity of Federal programs now in existence which affect cities.

Even more important than the horizontal structure is the vertical structure. The consumers of our cities have never been represented in the Cabinet. The cities have never had a voice at high levels. Agriculture, labor, business, and industry—all are represented at the highest level in our Federal structure, the Cabinet level. But not the cities nor the consuming public who live in our cities. Admittedly this administration does not make use of Cabinet structure as much as former administrations. Nevertheless the departmental level is the basis upon which the executive branch is structured and Cabinet officers have powerful weight in the executive. This weight is felt when it comes to dealing with and establishing priorities in the budget. For these reasons I support a reorganization of the executive branch. I hope to raise the status of housing, approaches to air and water pollution, urban renewal, transportation, defense, school dropouts, narcotics, et cetera.

The congressional and Federal picture is such that unless middle-income housing programs are renewed before the end of the 88th Congress much of the new construction for middle-income apartment dwelling in cities will cease—urban renewal will slow to a halt. This means of course that in places like Manhattan, my home city, the trend toward Manhattan becoming a place for the very rich and the very poor will accelerate. Slums, which grow faster than they are removed or rehabilitated, will spread. Ghetto living will not be checked and in fact will worsen. Urban blight will become a national plague. Cities will cease to become a place for the couples with children. The middle groups, like middle-income housing, will be a thing of the past. In New York we have lost more than 900,000 middle-income families here in the past decade. Where have they gone? Some have gone to the suburbs—those are the more fortunate ones. Some others have headed for other parts of the country. Of course, a like number have come into the city but their income level has been lower. This significant change bears heavily upon the city's need to provide special services and facilities and of course affects our general economy. New York City is not atypical. Problems of New York City are the same as other cities.

In 1961, during House consideration of the housing bill, I proposed a measure to amend title I of the Housing Act, designed to assist the private arena to build and provide middle-income rental units in cities. My distinguished colleague and friend, Senator Javits, sponsored the same amendment in the Senate. If adopted by the Congress, it would have greatly lessened the housing crisis in New York City and other metropolitan centers. Also it would have been far more effective and far less costly than the provision adopted by the Housing Act in 1961.

I am reintroducing that measure today. I am convinced that it provides the best hope for increased middle income housing in the United States today. The bill would establish a Federal Limited Profit Mortgage Corp., self-financed, which could finance about 160,000 moderate income family units at a rate of 40,000 units a year. The mortgage loans provided by the corporation would be 90-percent loans. They would provide for complete amortization within a period of up to 50 years. The corporation would be financed by $100 million of stock investment by the Federal Government, and would have the authority to issue bonds which it is anticipated would raise $2 billion from the public over a 4-year period. The corporation would lend money to cooperative entities—foundations, trade unions, and similar organizations, or to private groups—subject to limitations on profits—to build moderate income housing with restrictions on rents and carrying charges, and with adequate provision for occupancy by middle-income families and the elderly.

This housing bill, Mr. Speaker, is modeled on a program developed in my own State of New York called the Mitchell-Lama program. It is a program which has received growing acceptance around the country. Senator MacNeil Mitchell of the New York State Senate and of my congressional district was the chief architect of this farsighted program and he deserves the thanks of all New Yorkers for his accomplishment. This bill which I introduce today will establish a national program modeled on this highly successful New York pilot system.

Mr. Speaker, I am also introducing today legislation to amend title I of the Housing Act of 1949 to provide more equitable procedures for the relocation of persons displaced from their homes or places of business by urban relocation projects. The bill will also increase the amount of relocation payments authorized to be made to such persons. More specifically, the bill would prohibit the disposal of any property in an urban renewal area until residents and business concerns have been relocated. The bill would require the local planning agency to encourage those displaced from an urban renewal area to relocate in the same general area when such action will assist in preserving "a desirable neighborhood character." The bill also provides that to the maximum extent feasible, individuals, families, and business concerns, which are displaced from an urban renewal area and temporarily relocated are accorded a priority of opportunity, under regulations prescribed by the Administrator to return to and relocate in such area in space and with rents comparable to what they had before. It would require the local planning agency to provide in the disposition contract provisions to insure this priority of opportunity.

The bill would require 6 months notification of relocation plus complete relocation information with respect to other locations, accommodations, and facilities which might be appropriate for his or its relocation. The bill would increase the maximum payment for both moving expenses and actual direct losses of personal property from $200 to $500 or, if greater, the total certified actual moving expense. The maximum relocation payment for business concerns and nonprofit organizations for both moving expenses and actual direct losses of property, would be increased from $3,000 to $5,000.

Finally, in order to qualify for a loan or capital grant under the Housing Act the program must include a full census of housing needs and housing availability in the area, including data on the total number of families in the area, the size and income of such families, and the number, type, and location of the housing units proposed.

If enacted, this bill can serve as a model for local action in the private arena which should force a new look at all future programs for title I housing in New York, including the practice by which the city administration relieves itself of planning and operational responsibility by turning over to private sponsors the responsibility—and the profit—for acquiring land, relocating tenants, removing existing structures and providing new construction.

Mr. Speaker, I should now like to restate my support for the creation of a Department of Urban Affairs. I have always felt that the interests of both the local and State governments and the Federal Government would be more effectively and efficiently served through the coordination in a single executive department of all Federal activities concerned with urban affairs. Immense problems which are necessary byproducts of the urbanization of our society completely justify representation at the Cabinet level of our cities' interests.

The problems faced by our cities demand the attention of all Americans because they deeply affect the lives and well-being of all Americans. Urban centers have become the core of our national economy. They are the production centers which bring together labor, finance, and the raw materials with which the country progresses. They are the centers of communication, the nerve cells which transmit information to the hamlets, towns, and countryside of our Nation. I therefore urge my colleagues to join with me in support of this legislation for better housing and an improved status for our cities in the councils of government.

This question of the creation of the Department of Urban Affairs is not a new one insofar as I am concerned. This is my fifth year in the House of Representatives and each year I have spoken and written at some length on the subject. My experiences in the executive branch of the Government under the Eisenhower administration and as a Member of Congress have convinced me that present Federal structure in respect of urban matters in the executive branch is uncoordinated and scattered. For the sake of housekeeping alone this move is important. It is sensible to collect under one roof many areas of Federal approaches to the urban problems now scattered in a variety of departments, bureaus, and agencies.

The urban affairs bill that I today introduce is I think a far better bill than the administration's original bill. Let me emphasize that this does not necessarily mean the enlargement of the Federal Government anymore than did President Eisenhower's reorganization of the Social Security agency and other Federal interests into a single executive department.

The preamble of my bill is important, Mr. Speaker, because it states the need for and the purpose of the bill. It provides that Congress recognizes the rapid increases in urbanization in the United States and the resulting problem of housing, urban renewal, slum clearance, prevention and elimination of urban blight, education, air and water pollution, water supply, sewage facilities, transportation and other areas. It reminds us that as urbanization increases the needs of our urban population also will increase. It emphasizes the importance of education, research, and technical assistance to municipal governments. It stresses the importance of focusing the attention for the solution of urban problems in the highest councils of government.

The bill provides for the transfer of all functions of the Housing and Home Finance Agency and its constituent agencies to the Department of Urban Affairs. It further provides that the President shall submit to the Congress reorganization plans to effectuate the transfer of these functions appropriately in the accomplishments of the purpose of the act.

Let me stress again that this bill would in no way constitute any additional drain on the Treasury. It merely assembles under one roof all of the Federal functions and offices now in existence. It will permit for the first time a consistent and coordinated approach to this important and ever-increasing problem of urban needs.

The principles underlining these proposals are by no means novel. As far back as former President Hoover's administration and again in 1937 there were recommendations for improving the planning and coordination of efforts to improve our national standard of living. Various proposals designed to establish a Cabinet level agency to cope with urban problems have been submitted to each Congress since the 83d Congress. That was over 10 years ago.

It has been argued that the problems created by the exploding metropolis are not necessarily answered by placing Federal responsibility for urban matters in a single organization unit—the problem is one of principle and philosophy, rather than of method. True, but the same was also true of the Department of Health, Education, and Welfare. The fact of its creation has led to the gradual formulation of a philosophy, establishing more clearly than in the past separate responsibilities of the Federal, State and local governments. It is also argued that the problem is basically one of research. Conceded, but anyone who has been in the business of research knows perfectly well that research can be wasteful and ineffective unless it is organized from top to bottom. That is what the Department of Health, Education, and Welfare has done. In short, it has been able to keep pace with the times, not by preempting local responsibility but by determining the overall nationwide scope of the problem. Without intimate knowledge of a problem in its related facet it cannot be solved.

Lastly, Mr. Speaker, I introduced today a House resolution creating a select committee to conduct an investigation to study the problems of urban areas. I have long been disappointed that the Subcommittee on Housing of the Committee on Banking and Currency has refused to conduct inquiries and hearings into the subject of urban renewal and related matters in our big cities. In my judgment the committee ought to travel to the big cities and take a firsthand look. All kinds of problems have developed in our cities in connection with the planning and programing of urban renewal. It is time that it was reexamined. We cannot legislate intelligently and soundly unless we know the facts and the practical workings of any program. Vest pocket renewal, for example, has never been studied by Congress.

Perhaps one reason for the congressional neglect is the busyness of a small subcommittee of a larger committee. There are many Members of Congress who would like to lend their time to the work of a select committee. I am one among them. We think we can do a job. But we need congressional backing to do so. If Congress is to appropriate funds for urban renewal, as it must, it is important that the efforts of localities be sensibly directed toward long-range objectives. The scotch-tape, bulldozer approach of many urban areas, including New York City, must be corrected. This resolution, then, would establish in the House a Select Committee on Urban Affairs which would enable the Congress to make an exhaustive examination of the housing problems of our expanding cities and to reexamine concepts of urban renewal and community development.

Mr. Speaker, the cries of our cities must be heeded. As the Congress becomes further enmeshed in one or two subjects of great moment it may neglect these other areas of equal importance. For these reasons I have made this speech on the floor of the House today, Mr. Speaker, and hope that it will serve as a reminder of tasks unfinished.

## INVESTMENT CLUBS IN OUR FREE ENTERPRISE SYSTEM

Mr. MARTIN of Nebraska. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, we realize that the cold war ideological struggle is still being waged with full intensity, and the advantages and virtues of our free enterprise system should be continually emphasized.

For this reason, I was very much interested in an article which appeared in the Sunday, September 22, edition of the Chicago Sun-Times, by its financial editor, Edwin Darby, dealing with the success of two outstanding young women in teaching the value of investing in American free enterprise, which I insert into the RECORD at this point.

The prime source of our economic strength is the investment by citizens in our free enterprise corporations, and American economic superiority is based on investor stimulation of our economy.

I feel this article is of a timely nature, and an example of sound American philosophy of investing in our Nation's economic growth.

### CLUBS HELP TEACH ABC'S OF INVESTING

(By Edwin Darby)

Helen McLane and Pat Hutar have a lot to answer for. And the list is only going to grow longer.

In the past half-dozen years the two of them, both attractive, pleasant women, have got all sorts of people involved in the stock market. Helen is a vice president of the Beveridge organization, a public relations firm that specializes in financial public relations. She's working part time on a master's degree in business administration. Pat has made her mark in politics and currently serves as a vice president of the Republican Citizens League of Illinois and a member of the board of governors of the United Republican Fund of Illinois.

But to a growing number of people all over the country and, yes, even in Europe, they are known as members of something called the Gold Coast Clippers. The Gold Coast Clippers is an investment club. Now 7 years old it can claim status among the pioneers of the investment club movement.

Today some 350,000 persons are members of investment clubs and together they are investing more than $65 million a year in stocks.

Helen and Pat have been not only members of a successful club but they also have become students of investing through the investment club medium. They have helped in the formation of hundreds of clubs. They have made speeches, appeared on radio and television, taught classes and served the National Association of Investment Clubs. Helen's a past president and this summer was a delegate to—startling as it may seem—the International Congress of Investment Clubs in Rotterdam.

#### PRIMARY PURPOSE: EDUCATION

Now the pair has written a book. It is called "The Investment Club Way to Stock Market Success." Doubleday & Co. is the publisher. It's a crackajack do-it-yourself guide to the formation and operation of an investment club. What's just as important, it is also highly informative on the mechanics and art of buying and selling stocks.

When a group of citizens band together to form a club they are hoping to pool their money and use it to make a dollar or three. But a primary purpose and benefit is education in the world of finance, free enterprise, and Wall Street. How far Helen and Pat have come in 7 years is evident.

They can write a chapter about how to read annual reports and their grasp is sure enough that they can discuss balance sheets in plain, everyday English, rather than in technical jargon.

Yet they confess that when they started out 7 years ago they were so ignorant of basic stock market information that they misnamed their club. The club members, the book reports, "picked the name 'Clippers' with the thought that they'd be spending their time in the future clipping coupons. It was only later on that they discovered this delightful task is reserved for bondholders, not shareholders."

Hard work, careful study and patience have paid off. Even after the general stock market disaster of 1962, the club claims a gain of 137 percent in 79 months of stock ownership.

It can be done. I know of one high-powered investment club so successful that the members, with wives, annually take a vacation trip on the profits and still manage to show an increase in assets. Last year, the members flew to Las Vegas for their outing. As part of the fun, the members approved an investment of $1,000 from club funds at the gaming tables. Results: a 100 percent loss.

### DOWNGRADE SOCIAL ACTIVITY

But these were sophisticated businessmen, well able financially to have some fun with a part of their money while still preserving the serious intent of the club. Pat and Helen are writing for the novice who wants to learn and who may be able to use the very convenient device of the investment club to earn while he learns. They recognize the social values of monthly club meetings, but they warn against letting the party aspect get out of hand. It not only distracts from necessary discussion, but also eats up profits. Recommended device: fines for members who miss meetings or fail to contribute to the investment discussion, with the money being used to pay for food, drinks, etc.

It is a basic tenet of the authors that a club has got to have a strict formal organization with officers, voting procedures, study assignments, and one standing committee on new investments and another assigned to what is perhaps the even more difficult task—deciding when to hold on and when to sell.

With the stock market booming and public interest increasing, it is probable that there'll be a new spurt in the growth of investment clubs. The McLane-Hutar book is recommended reading. Especially, the advice: Don't get discouraged, it'll probably be 2 years at best before a new club makes money.

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## PSYCHOLOGICAL TESTS—PART II

Mr. MARTIN of Nebraska. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I herewith insert part II of the bibliography of personality-type tests administered in American schools:

### THE CHILDREN'S APPERCEPTION TESTS (CAT)

Authors: Bellak, Leopold, M.A., M.D., director, Department of Psychiatry, City Hospital at Elmhurst, N.Y., and adjunct professor of psychology, New York University; Bellak, Sonya Sorel.

Publishers and distributors: (1) The Psychological Corp.; (2) Western Psychological Services; (3) C. H. Stoelting Co.

Administration: Individual.

Range: 3- to 10-year-olds.

Time: Not given.

From: Cat—1. The Psychological Corp., catalog, page 55:

"Ten drawings of animals in various social situations, prepared as a downward extension of the Murray TAT. Based on the theory that children identify more readily with animals than with human figures. The short form of the Bellak TAT blank is usually used for recording and analyzing the CAT. A supplementary set of 10 irregularly-shaped pictures is available for further exploration of special areas of tension; a separate manual accompanies the supplement."

CAT—2. Western Psychological Services, catalog, page 14:

"Full set of cards and manual."

Supplement to the CAT: "Ten pictures designed for special uses, in addition to those on the CAT; for use with disabled children, psychosomatic or hypochondriacal children. Includes fantasies over pregnancy, behavioral problems. Elicits specific themes. Full set of 10 pictures."

CAT—3. C.H. Stoelting Co., catalog, page 5:

"A version of the TAT for children. Ten drawings of animals in various social situations."

### THE CHILDREN'S HYPNOTIC SUSCEPTIBILITY SCALE (CHSS)

Author: London, Perry, University of Illinois.

Publishers and distributor: (1) Consulting Psychologists Press.

Administration: Group or individual.

Range: Ages 5 to 17.

Time: About 50 minutes for complete scale.

From: CHSS—1. Consulting Psychologists Press, catalog, page 13:

"A 22-item adaptation of the Stanford forms A, B, and C for use with children and adolescents aged 5 to 17. Contains verbatim instructions for two age levels. Items are generally of increasing difficulty, and testing may terminate after item 12 if subject is not experiencing hypnosis. Norms are being collected."

### THE CHILDREN'S PERSONALITY QUESTIONNAIRE (CPQ)

Authors: Porter, Dr. Rutherford B., director, division of special education, Indiana State Teachers' College; Cattell, Dr. Raymond, research professor in psychology, University of Illinois.

Publishers and distributors : (1) Psychometric Affiliates; (2) Institute for Personality and Ability Testing; (3) Western Psychological Services.

Administration: Group or individual.

Range: For children of 8 to 12 years.

Time: 30 to 50 minutes for each form.

From: CPQ—1. Psychometric Affiliates, catalog, page 4:

"Purpose: Parallels that of the HSPQ and the 16 PF which are for older ages. The CPQ extends systematic, continuous personality measurement down to the 8–12-year-old level. Inventory items designed to be especially appropriate to this age level yield scores on 14 independent dimensions, e.g., general intelligence, sociability, dominance, dependability, tension, etc., as in the older-age HSPQ and 16 PF.

"Format: Each of the two forms is a four-page booklet with 70 items, most of which are answered by checking one of two alternatives. Answers are placed directly on the test booklet, since the use of answer sheets may confuse some children in this age range. Standard instructions are given both by the test administrator and on the booklet. A profile grid is on the booklet, and a more detailed one can also be ordered separately.

"Where used: In schools, clinics, and research."

CPQ—2. Institute for Personality and Ability Testing, catalog, page 14:

(This catalog states everything identically as does the Psychometric Affiliates catalog.)

CPQ—3. Western Psychological Services, catalog, page 4:

"For the systematic and continuous personality measurement of children 8 to 12 years. Yields 14 independent and significant dimensions of personality. For schools, clinics, practitioners, and research. Norms are based on 1,476 children. Takes 30–50 minutes. Easy to administer, score, and interpret."

### THE CONTACT PERSONALITY FACTOR TEST (CPF)

Authors: Cattell, Dr. Raymond B., research professor in psychology, University of Illinois; King, Dr. Joseph E., president, Industrial Psychology, Inc.; Schuettler, A. K., (A.M.) Institute for Personality and Ability Testing.

Publishers and distributors: (1) Institute For Personality And Ability Testing.

Administration: Group or individual.

Range: Senior high school students and general adults.

Time: About 10 minutes, on an average, per form.

From: CPF—1. Institute For Personality and Ability Testing, catalog, p. 15:

"Purpose: A frequent need in personnel selection is to distinguish between those fitted for contact jobs and those better adjusted to working on their own. The CPF simply provides, in a single total, the scores on the five personality factors known to have largest correlation with extraversion and success in contact situations. Thus, sociable, extraverted personnel, such as salesmen, are distinguished from seclusive, introverted, self-sufficient personnel, such as machine operators. For job-application situations in which there may be strong temptation to misrepresent, a special 'motivational distortion' scale is included.

"Where used: Principally for industrial selection but also for guidance in high school and college."

### CURTIS COMPLETION FORM (CURTIS)

Author: Curtis, James W., supervising psychologist, Illinois Division of Vocational Rehabilitation.

Publishers and distributors: (1) Science Research Associates, Inc.

Administration: Not given.

Range: Grades 11–12, college, adult.

Time: Approximately 45 minutes.

From: Curtis—1. Science Research Associates, Inc., catalog, p. C28:

"Designed to evaluate emotional maturity and adjustment, the Curtis Completion Form is a sentence completion test. The testee completes 50 sentence-stems in whatever way he feels they should be completed.

"The Curtis Completion Form is useful in educational counseling to identify students who will benefit from psychotherapy or psychiatric treatment. For clinical psychologists, it is valuable for screening and diagnosis."

### A DATING PROBLEMS CHECKLIST (DATING)

Author: McHugh, Gelolo.

Publishers and distributors: (1) Family Life Publications, Inc.

Administration: Group or individual.

Range: High school and college students.

Time: Not given.

From: Dating—(1) Family Life Publications, Inc., from test and advertisement:

"Based on author's work with many young people, enables youth to register personal problems in boy-girl relations for counselors and teachers. Each package with counselor's guide."

### DETROIT ADJUSTMENT INVENTORY AND REMEDIAL SUGGESTIONS (DETROIT AI AND RS)

Author: Baker, Harry J., former director of the psychological clinic of the Detroit public schools. He is well known as an author of numerous books and pamphlets, for his special work with exceptional children, and as a designer of widely used tests in intelligence, aptitudes, and adjustment.

Publisher and distributor: (1) The Bobbs-Merrill Co., Inc.

Administration: Group or individual.

Range: Age 5 to adults.

Time: No limit given.

From: Detroit AI and RS—1. The Bobbs-Merrill Co., Inc., catalog page 25:

"This is a series of four inventories to help find the adjustment problems of persons of any age. A set of remedial leaflets is designed for each form to be given to pupil or parent to assist in correcting the bad and/or weak habits revealed by testing.

"Delta form: Ages 5–8 years. It is a two-dimensional inventory with several types of reactions: It enables the teacher to evaluate the strengths and weaknesses of pupils at an early age.

"Gamma form: Grades 3–6. It is self-administering and is also two dimensional with four types of reactions: habits, social, emotional, and ethical, geared to each of four environments: self, home, school, and community.

"Alpha forms: This is used in junior and senior high schools and is also self-administering. It may be used as a means of diagnosing and treating maladjustment problems and may also be used as a teaching aid for classes dealing with community and self-understanding.

"Self-analysis inventory: Geared to adults and also self-administered, this is an inventory of personal and social conduct to be used by prospective employers, social case workers, consulting psychologists and psychiatrists."

### THE DRAWING COMPLETION TEST (DRAWING)

Author: Kinget, G. M.

Publisher and distributor: (1) Western Psychological Services.

Administration: Not given.

Range: Not given.

Time: Not given.

From: Drawing—1. Western Psychological Services catalog, page 9:

"A widely used projective drawing technique: scoring and interpretation can be made in 30 minutes or less. Indicates psychotherapeutic progress. A valuable clinical instrument."

### DRISCOLL PLAY KIT (DRISCOLL)

Author: Driscoll, G. P.

Publisher and distributor: (1) The Pyschological Corp.

Administration: Not given.

Range: Not given.

Time: Not given.

Driscoll—1. The Psychological Corp., from catalog, page 47:

"For the clinical psychologist, pediatrician, research worker, or parent interested in systematic observations of children's doll play; designed to provide a standardized situation for investigating the dynamics of personality development and adjustment. A sturdy plywood carrying case opens to form a 23- by 30-inch apartment of five roooms and bath, inhabited by a family of five plastic dolls (mother, father, brother, sister, baby) with movable joints. The 27 pieces of specially built furniture are solid, durable, and well-proportioned."

### EGO STRENGTH TEST (EGO)

Author: Cassell, Russell N., Phoenix Union High School and College System.

Publisher and distributors: (1) Psychometric Affiliates.

Administration: Group or individual.

Range: Grades 7 and up.

Time: One class period.

From: Ego—1. Psychometric Affiliates, catalog, page 4:

"The (Q-sort technique) test obtains a measure of the ego strength or happiness maintenance of an individual. Its 68 items are derived from 4,275 contributed by 500 graduate students over a 7-year period. Yields part scores on ego status, social status, goal setting, mental health, physical health, and total score. Validation on mental patients, Federal prisoners, airmen, WAF's, chaplains and neuropsychiatric technicians. Norms on 763 normals, 211 simple schizophrenia cases, and 225 Federal prisoners. Untimed, one class period for 7th graders up; about 90 minutes for neuropsychiatric cases."

### EXAMINING FOR APHASIA (APHASIA)

Author: Eisenson, Jon.

Publishers and distributors: (1) The Psychological Corp.

Administration: Not given.

Range: Adolescents and adults.

Time: No limit, 30 minutes to 2 hours.

From: Aphasia—1. The Psychological Corp., catalog, page 47:

"A basic standardized procedure for systematic exploration of the language functions of aphasics. Thoroughly revised and greatly extended on the basis of 7 years' use of the first edition by practical speech diagnosticians and therapists.

"In addition to detailed instructions for administration of the examination, the 80-page manual contains chapters on the problem of aphasia, the areas and forms of aphasic and related disturbances, the kinds of diagnostic procedures which have been in use, and the problems of relating examination results to the therapeutic work of the clinic. It is not only a practical working manual but also a text that is valuable in training students. Fourteen plates of stimulus material in black and white and color are included in the manual; the examiner can readily assemble the few common objects also required."

### FAMILY ADJUSTMENT TEST AND/OR ELIAS FAMILY OPINION SURVEY (ELIAS)

Authors: Elias, Gabriel; Remmers, H. H., editor.

Publisher and distributor: (1) Psychometric Affiliates.

Administration: Not given.

Range: Not given, presumably all levels.

Time: 45 minutes.

From: Elias—1. Psychometric Affiliates, catalog, page 6:

"A new test which provides a measure of intrafamily homeyness-homelessness (acceptance-rejection) while appearing to be concerned only with attitudes toward general community life. The test booklet is entitled the Elias Family Opinion Survey in order to further this projective intent, and gives 10 subscores—attitudes toward mother, father, relatives preference, oedipal, independence struggle, parent-child friction, interparental friction, family status feeling, child rejection, and parental quality.

"In addition to serving its main and general function of measuring feelings of intrafamily H-ness, the FAT provides subtest scores, and clinical indicators of a number of adjustment trends.

"Norms: Percentile norms are provided, by sex, for ages 12–13, 14–15, 16–18 and 19 and over. Classification into H-ness categories is also provided. Interpretation is provided in terms of response indicative of psychotic reactions, and in terms of the subtest profile. Norms for the 10 subtests categorized into specific parent-child relationship are included."

### THE FIVE TASK TEST (FIVE)

Authors: Buhler, Charlotte, Ph. D.; Mandeville, Kathryn, M.A.

Publisher and distributor: (1) Western Psychological Services.

Administration: Individual.

Range: Children and adults.

Time: About 30 minutes.

From: Five—1. Western Psychological Services catalog page 16:

"The Five Task Test is both a performance and projective test. It provides valuable clinical insights into emotionality, motor skills, personality structure and dynamics. It presents five simple but interesting tasks of a performance nature. Facilitates clinical diagnoses and evaluation of children and adults. Takes about 30 minutes. A useful instrument for the child clinic, guidance center, clinician, counselor, school, and psychotherapy situation. Has rich research possibilities."

### THE FORER STRUCTURED SENTENCE COMPLETION TESTS (FORER)

Author: Forer, Bertram, R., Ph. D.

Publisher and distributor: (1) Western Psychological Services.

Administration: Not given.

Range: Adolescent girls and boys, men and women.

Time: Not given.

1. Western Psychological Services, from catalog page 15:

"A widely used projective test. Brings out dynamic interrelationships quickly and meaningfully. Useful in diagnosis, psychotherapy, personnel selection, and research. Easily administered, scored, and interpreted. Separate forms for men, women, boys, girls. A sensitive clinical instrument.

### FREE ASSOCIATION TEST (KR-FAT)

Authors: Kent, G. H.; Rosanoff, A. J.

Publisher and distributor: (1) C. H. Stoelting Co.

Administration: Individual.

Range: Not given.

Time: Not given.

1. C. H. Stoelting Co., from catalog page 5:

"This is the original Kent-Rosanoff Test, containing 100 words for study of free association."

### GORDON PERSONAL PROFILE AND INVENTORY

Author: Gordon, Leonard V., U.S. Naval Personnel Research Unit, San Diego, Calif.

Publishers and distributors: (1) Harcourt, Brace & World, Inc.; (2) The Psychological Corp.

Administration: Group.

Range: Grades 9–12.

Time: About 15 minutes.

1. Harcourt, Brace & World, Inc., from catalog page 75:

"Short, easily administered instruments yielding dependable measures of eight aspects of personality: Profile, ascendance, responsibility, emotional stability, and sociability; inventory, cautiousness, original thinking, personal relations, and vigor. A 'forced-choice' technique reduces faking of responses. An expanded manual for the profile contains new experimental data, including percentile ranks and validity data for various adult groups."

2. The Psychological Corp., from catalog page 51:

"Two short, easily-administered, forced-choice inventories designed to measure eight aspects of personality. Profile: yields indices of ascendancy, responsibility, emotional stability and sociability. Inventory: gives indices of cautiousness, original thinking, personal relations, and vigor."

### HARRIS TESTS OF LATERAL DOMINANCE (HARRIS)

Author: Harris, A. J.

Publisher and distributor: (1) The Psychological Corp.

Administration: Not given.

Range: Age 7 to adults.

Time: Not given.

1. The Phychological Corp., from catalog page 48:

"This manual of examining procedures brings together a number of accepted and and easy-to-administer tests of lateral dominance. Each test is fully described, with suggestions for interpretation. The tests do not yield a standardized score—rather, they provide a systematic basis for collecting sufficient information to make a clinical judgment possible."

### HARVARD GROUP SCALE OF HYPNOTIC SUSCEPTIBILITY (HGS)

Authors: Shor, Ronald E., Harvard Medical School; Orne, Emily C., Brandeis University.

Publisher and distributor: (1) Consulting Psychologists Press.

Administration: Group.

Range: For classroom demonstration.

Time: Not given.

1. Consulting Psychologists Press, from catalog page 14:

"An adaptation of Stanford Form A for group administration. Verbatim instructions for induction. Subjects record their own responses. Useful for classroom demonstration as well as research."

### HESTON PERSONAL ADJUSTMENT INVENTORY (HESTON)

Author: Heston, Joseph C., Ph. D., director of bureau of testing and research and associate professor of psychology, DePauw University, Greencastle, Ind.

Publishers and distributors: (1) Harcourt, Brace & World, Inc. (2) Bureau of Educational Measurements.

Administration: Group or individual.

Range: Grades 9–12, college, adult.

Time: About 45 minutes.

1. Harcourt, Brace & World, Inc., from catalog page 74:

"A measure of six important traits of personal adjustment: analytical thinking, sociability, emotional stability, confidence, personal relations, and home satisfaction. Questions are answered yes or no."

2. Bureau of Educational Measurements, from catalog page 23:

"This inventory will be found useful in student personnel work and in counseling adults for the following reasons: (1) it measures six important traits of personal adjustment; these traits are well established and easily interpreted; (2) a pupil's score on one trait is completely independent of his score on the other traits; (3) it affords adequate statistical reliability of measurement; (4) validation has been carried out both statistically and by actual clinical use; (5) it is usable at either college or high school level; (6) stable and representative norms are provided for the different age levels and both sexes; (7) it is simple to administer and unusually convenient to score.

"Attached answer sheets are provided for rapid handscoring. Separate answer sheets for machine scoring are available. A comprehensive manual explains in detail the methods of administering, scoring, and interpreting the inventory."

### THE HIGH SCHOOL PERSONALITY QUESTIONNAIRE (HSPQ)

Authors: Cattell, Dr. Raymond, Ph. D. D. Sc., research professor in psychology, University of Illinois; Beloff, Dr. Halla, M.A., Queen's University, Northern Ireland; Coan, Dr. Richard W., University of Arizona.

Publishers and distributors: (1) Psychometric Affiliates; (2) The Bobbs-Merrill Co., Inc.; (3) Western Psychological Services; (4) Institute for Personality and Ability Testing.

Administration: Group or individual.

Range: For children of 12 to 17 or 18 years.

Time: Averaging a half hour for one form but ranging to 1 hour.

1. Psychometric Affiliates, from catalog page 5:

"Purpose: Alike in clinical, educational, and vocational guidance diagnosis, it is important to assess all major aspects of the child's personality. This multidimensional test gives scores on 14 independent factors including general intelligence, emotional maturity, anxiety level, super ego strength, cyclothymia-schizothymia, etc. Although brief, and of inventory form (requiring, however, a minimum of reading vocabulary), the separate measures are of sufficient accuracy to give a substantial multiple correlation predicting a number of important real-life criteria and performances. The HSPQ dimensions parallel those of the 16 PF adult questionnaire, making possible systematic continuous or cross-sectional comparisons over the age ranges covered. The HSPQ also overlaps slightly with the upper age limit of the younger-age CPQ.

"Format: Each of the two forms is an eight-page booklet with 142 questions (10 to a factor plus 2 'buffers') to be answered by 'yes' or 'no,' 'a' or 'b,' responses on a standard answer sheet. Instructions are given both by the test administrator and on the booklet.

"Where used: In schools and clinics generally.

"Research basis: Six researches have been published describing how the 142 items were discovered by the factor analysis of over 300 questions designed to measure various aspects of personality, how the various unwanted factors, unreliable items, and response tendencies were cut out in the ensuing questionnaire construction, and how the meanings of the self-consistent factors were confirmed against those of the 16 PF personality tests, and the criteria behavior ratings. Data are now available on the relative roles of heredity and training in these factors.

"Norms: Adequate norms, on over 1,000 cases, are now available for boys and girls separately, with age corrections, over 12 to 18 years of age, for those personality factors showing age trends."

2. The Bobbs-Merrill Co., Inc., from catalog page 24:

"The Junior-Senior High School Personality Questionnaire for 12 to 18 year olds, is a multidimensional instrument providing scores on 14 independent factors including general intelligence, emotional maturity, anxiety, level, and others. Many years of research have succeeded in isolating the important dimensions of child personality and producing these valid and useful measures. The Junior-Senior High School Personality Questionnaire is a valuable group test to: (1) pick out children needing individual attention and guidance, (2) in combination with ability measures, to understand and predict school progress, (3) serve as a research tool for evaluating scholastic, personality and character education, (4) serve as an instrument for vocational and general guidance."

3. Western Psychological Services, from catalog page 4:

"For children 12 to 18 years. A multidimensional test which measures 14 independent and significant personality factors, including: general intelligence, emotional maturity, anxiety level, super ego strength, and cyclothymic-schizophrenia. Takes 30 to 60 minutes. Norms are based on 1,000 cases. Easy to administer, score, and interpret."

4. Institute for Personality and Ability Testing, from catalog page 12:

"Purpose: Alike in clinical, educational, and vocational guidance diagnosis, it is important to assess all major aspects of the teenager's scores on 14 independent factors including general intelligence, emotional maturity, anxiety level, super ego strength, extraversion, etc. Although brief, and of inventory form (requiring, however, a minimum of reading vocabulary), the separate measures are of sufficient accuracy to give a substantial multiple correlation predicting a number of important real-life criteria and performances such as popularity, school adjustment and achievement, and juvenile delinquency.

"Where used: In schools and clinics generally, in researches on inheritance of personality, and on personality factors in school success, family life, juvenile delinquency, etc."

### HILDRETH PERSONALITY AND INTEREST INVENTORY (HPIV) (HIGH SCHOOL FORM)

Author: Not given.

Publisher and distributor: (1) Educators' Employers' Tests & Services Associates.

Administration: Group or individual.

Range: High school.

Time: Within one class period.

1. Educators' Employers' Tests & Services Associates, from catalog page 6:

"The High School Form of the Inventory has been prepared for recording personal data concerning the characteristics, ambitions, and interests of pupils. The pupil makes the record using the two blanks prepared for the purpose. Significant features of these materials are their comprehensiveness and the opportunity afforded the pupil to record responses in his own handwriting. The inventory, which may be used with groups or individuals, can be given within one class period. For most satisfactory results the inventory should be given annually and the information blanks filed in individual pupil folders."

### HOLLAND VOCATIONAL PREFERENCE INVENTORY (HVPI)

Author: Holland, John L., National Merit Scholarship Corp.

Publisher and distributor: (1) Consulting Psychologists Press.

Administration: Group or individual.

Range: No age group given.

Time: Requires about 30 minutes.

1. Consulting Psychologists Press, from catalog page 21:

"The Holland Inventory is essentially a personality test which employs occupational item content and is based on the hypothesis that reliable and relevant data about personality and motivations as well as interests can be obtained from responses to a carefully selected list of occupations. Presently the inventory is scored for 10 scales and yields three response set scores. Scales include physical activity, intellectuality, responsibility, conformity, verbal activity, emotionality, control, aggressiveness, and masculinity-femininity."

### HOLTZMAN INKBLOT TECHNIQUE (HIT)

Author: Holtzman, W. H.

Publisher and distributor: (1) The Psychological Corp.

Administration: Individual.

Range: 5-year-olds to adults.

Time: Not given.

1. The Psychological Corp., from catalog page 56:

"For the elicitation and appraisal of projective-expressive responses, the new Holtzman inkblots offer the clinical sensitivity of the original Rorschach blots plus substantially greater objectivity and precision. Distinctive advantages of the "HIT" include:

"Richer and more varied stimuli—a total of 90 blots, including some that are asymmetric, some in one color other than black, some with new visual textures.

"Parallel forms—two forms, A and B, of 45 blots each, to evaluate change or progress on the part of the patient.

"One response to each blot—holding the total number of responses more nearly constant sharpens appreciably the discriminating power of the content, determinant, and other comparisons useful to diagnosticians.

"Flexibility—experienced psychodiagnosticians can select a smaller number of cards from either form (or both) to obtain multiple responses and explore more intensively areas of special importance in the particular case.

"More objective scoring—analysis of hundreds of protocols, using modern computer processes, has produced a scoring guide that makes results highly reproducible from one scorer to another.

"Percentile norms—for 22 response variables based on 8 groups, normal and pathological, ranging from normal 5-year-olds to adults and including such clinical populations as schizophrenics and mental defectives.

"Convenience—an 8-page record form with miniature outlines of the 45 blots facilitates recording and scoring as well as clinical analysis of the responses; a 1-page summary sheet adds convenience in totaling scores."

### HOUSE-TREE-PERSON PROJECTIVE TECHNIQUE (H-T-P)

Author: Buck, John N.

Publisher and distributor: (1) Western Psychological Services.

Administration: Individual.

Range: 3 years and older, also 15 years and older.

Time: Not given.

1. Western Psychological Services, from catalog page 7:

"A widely used versatile projective test with increasing applications in school, clinic, practice, and research. Provides much significant diagnostic and prognostic materials of the total personality. Is both a verbal and nonverbal technique. Used with subjects 3 years and older. Norms available for subjects 15 years and older. An important clinical instrument."

### HUMAN RELATIONS INVENTORY (HRI)

Author: Bernberg, Raymond E., Los Angeles State College. Department of Psychology.

Publisher and distributor: (1) Psychometric Affiliates.

Administration: Group or individual.

Range: High school, college, and adults.

Time: Not given.

1. Psychometric Affiliates, from catalog page 4:

"An effectively disguised test of a type of social (or lawful) conformity which discriminates between samples of law violators and ordinary conformists. Objective group test. Constructed with use of the 'direction of perception' technique. Comprehensive manual. Norm data on (1) senior high school boys; (2) college students; (3) regular churchgoers; (4) Los Angeles Police; (5) male inmates of a California youth prison; (6) adult male inmates Los Angeles County Jail; (7) adult female inmates, Los Angeles County Jail.

"Validity: discriminates between conformist and nonconformist groups. Social conformity defined by moral values, positive goals, reality testing, ability to give affection, tension level, and impulsivity. Thesis by Roys (1955) showed valid difference between delinquents and nondelinquents in Illinois."

### THE INSIGHT TEST (TIT)

Author: Sargent, Helen D., Ph. D.

Publisher and distributor: (1) Western Psychological Services.

Administration: Individual.

Range: Not given.

Time: Not given.

1. Western Psychological Services, from catalog, page 16:

"A verbal projective technique for personality study and diagnosis. Reinforces and enriches data of other psychological tests. Test tasks are readily acceptable to subjects. Has many clinical uses."

### IPAT ANXIETY SCALE QUESTIONNAIRE (IPAT ANXIETY)

Authors: Dr. Raymond Cattell, research professor in psychology, University of Illinois; Dr. I. H. Scheier, test editor, IPAT.

Publishers and distributors: (1) Psychometric Affiliates; (2) Institute for Personality and Ability Testing; (3) the Bobbs-Merrill Co., Inc.; (4) Western Psychological Services.

Administration: Group or individual.

Range: Senior high school students and adults of most educational levels.

Time: About 5 to 10 minutes on an average.

1. Psychometric Affiliates, from catalog page 7:

"Purpose: Good clinical work depends more and more, nowadays, upon meaningful instruments of measurement. Extensive recent research has separated a definite general anxiety factor from neuroticism and other abnormal symptom groupings. The present test is one of two (the other requiring apparatus and greater time), the validity and reliability of which have been exhaustively demonstrated against factorial and clinical criteria. It measures general anxiety level as distinct from general neurosis or psychosis.

"This test is planned for use as a brief (5 to 10 minutes), verbal, clinical questionnaire, clerically scorable. The total score is also susceptible of analysis to give indications of anxiety origins. It is valuable both in diagnosis (where it separates, for example, anxiety hysterics from general neurotics at the 0.001 significance level) and in prognosis where it can be readministered to plot changes during therapy.

"Where used: It is intended for general clinical use and also for screening out individuals, e.g., in college counseling, to reveal cases in need of advice or therapy."

2. Institute for Personality and Ability Testing, from catalog page 18:

(This company has the same worded catalog pertaining to this test as the above company (Psychometric Affiliates). However, the following is included by this company):

"The test is designed to place people as to anxiety level, psychiatric or other clinical diagnosis. The new 1963 handbook also reviews a great deal of new criterion information; for example, anxiety levels of over 2,000 clinical cases sorted into 23 groups of general clinical interest."

3. The Bobbs-Merrill Co., Inc., from catalog page 25:

"This questionnaire is for senior high school students and adults of 7th grade educational level or above. Test is untimed but usually required only 5 to 10 minutes.

"Its importance for guidance is indicated by criteria data on several thousand clinical cases which show that high anxiety, as measured by this test, predisposes to almost every known form of psychological disorder."

4. Western Psychological Services, from catalog page 4:

"A brief and objective measure of general anxiety, distinct from neurosis or psychosis. Reveals individuals in need of psychotherapy or counseling. For high school seniors and adults. Takes 5 to 10 minutes. Easy to administer, score, and interpret."

### IPAT EIGHT-PARALLEL-FORM ANXIETY BATTERY (IPAT-8)

Authors: Scheier, Ivan H., Ph. D., test editor, Institute for Personality and Ability Testing; Cattell, Dr. Raymond B., Ph. D., D. Sc., research professor in psychology, University of Illinois.

Publisher and distributor: (1) Institute for Personality and Ability Testing.

Administration: Group or individual.

Range: Normal or abnormal adults down to 14 or 15 years of age and seventh or eighth grade educational level.

Time: About 10 to 15 minutes per form.

1. Institute for Personality and Ability Testing, from catalog page 19:

"Purpose: This battery, the first of its type, provides as many as eight comparable forms for the repeated measurement of anxiety level over time. Each of the 8 forms contains 50 items, distributed over 7 subtests of questionnaire and objective (disguised-in-purpose) type.

"Only two or three of the same items are repeated from form to form. Thus, the forms can be used for repeated measurement of anxiety, no matter how short the interval between testings (e.g., immediately before and after a therapy session, application of a stress condition, etc.). Nonrepetition of items also means that the forms can be combined with one another as desired, to produce more highly reliable and intensive measurement of anxiety at any one testing occasion.

"Where used: Mainly in clinical practice and research."

### THE IPAT HUMOR TEST OF PERSONALITY (IPAT-HUMOR)

Authors: Cattell, Dr. Raymond B., research professor, University of Illinois; Tollefson, Donald L., assistant professor, St. Olaf's College.

Publishers and distributors: (1) Institute for Personality and Ability Testing; (2) Western Psychological Services.

Administration: Group or individual.

Range: For senior high school, college, and adults generally.

Time: About 30 to 45 minutes per form.

1. Institute for Personality and Ability Testing, from catalog page 24:

"Purpose: The test is designed to measure basic personality factors and motivation structure by an attractive and indirect approach; for use in circumstances where the subject should not realize that a personality test is being given or where deceptions might be attempted on the ordinary questionnaire test. Naturally, it also has disadvantages compared with a questionnaire, notably that some jokes are known to some subjects, thus reducing the reliability of the intercorrelations. The test is of clinical value in dynamic analysis, probing the nature and strength of personality reactions kept under repression."

2. Western Psychological Services, from catalog page 4:

"Measures basic personality factors and motivation structure. Uses a new, interesting, and indirect approach by probing nature and strength of personality reactions under repression. Based on factor analysis studies. Extensive norms for student population only."

### THE IPAT MUSIC PREFERENCE TEST OF PERSONALITY (IPAT MUSIC)

Authors: Cattell, Dr. Raymond B., University of Illinois; Eber, Herbert, W., consulting psychologist.

Publishers and distributors: (1) Psychometric Affiliates; (2) Institute for Personality and Ability Testing; (3) Western Psychological Services.

Administration: Group or individual.

Range: For adults and children (down to 6 years).

Time: 27½ minutes, form A; 27½ minutes, form B; 55 minutes total.

1. Psychometric Affiliates, from catalog page 7:

"Purpose: Emotional reactions to music have long been known to express deep personality differences. This test utilizes preferences for excerpts played on a record as a means of getting at primary personality dimensions, especially those of temperament and dynamic tendencies. As a personality test it has the advantage of being pleasant to take, simple to administer, and readily applicable to such groups as psychotics, children, illiterates, the blind, etc."

2. Institute for Personality and Ability Testing, from catalog page 24:

(Identically as the Psychometric Affiliates except for the following):

"Where used: In clinics, schools, mental hospitals, and in research."

3. Western Psychological Services, from catalog page 16:

"A new and indirect approach to insightful understanding of personality dimensions. Uses emotional reactions to music. Discriminates normal from abnormal individuals. Easy to administer, score, and interpret. For individuals, groups, children, illiterates, handicapped psychotics, and normal adults. Takes about one hour."

### JOHNSON TEMPERAMENT ANALYSIS (JOHNSON)

Author: Johnson, Roswell H., Ph. D., (Pittsburgh). Director of counseling emeritus, American Institute of Family Relations.

Range: For classroom demonstration.

Time: Not given.

1. Consulting Psychologists Press, from catalog page 14:

"An adaptation of Stanford Form A for group administration. Verbatim instructions for induction. Subjects record their own responses. Useful for classroom demonstration as well as research."

### HESTON PERSONAL ADJUSTMENT INVENTORY (HESTON)

Author: Heston, Joseph C., Ph. D., director of bureau of testing and research and associate professor of psychology, DePauw University, Greencastle, Ind.

Publishers and distributors: (1) Harcourt, Brace & World, Inc. (2) Bureau of Educational Measurements.

Administration: Group or individual.

Range: Grades 9–12, college, adult.

Time: About 45 minutes.

1. Harcourt, Brace & World, Inc., from catalog page 74:

"A measure of six important traits of personal adjustment: analytical thinking, sociability, emotional stability, confidence, personal relations, and home satisfaction. Questions are answered yes or no."

2. Bureau of Educational Measurements, from catalog page 23:

"This inventory will be found useful in student personnel work and in counseling adults for the following reasons: (1) it measures six important traits of personal adjustment; these traits are well established and easily interpreted; (2) a pupil's score on one trait is completely independent of his score on the other traits; (3) it affords adequate statistical reliability of measurement; (4) validation has been carried out both statistically and by actual clinical use; (5) it is usable at either college or high school level; (6) stable and representative norms are provided for the different age levels and both sexes; (7) it is simple to administer and unusually convenient to score.

"Attached answer sheets are provided for rapid handscoring. Separate answer sheets for machine scoring are available. A comprehensive manual explains in detail the methods of administering, scoring, and interpreting the inventory."

### THE HIGH SCHOOL PERSONALITY QUESTIONNAIRE (HSPQ)

Authors: Cattell, Dr. Raymond, Ph. D. D. Sc., research professor in psychology, University of Illinois; Beloff, Dr. Halla, M.A., Queen's University, Northern Ireland; Coan, Dr. Richard W., University of Arizona.

Publishers and distributors: (1) Psychometric Affiliates; (2) The Bobbs-Merrill Co., Inc.; (3) Western Psychological Services; (4) Institute for Personality and Ability Testing.

Administration: Group or individual.

Range: For children of 12 to 17 or 18 years.

Time: Averaging a half hour for one form but ranging to 1 hour.

1. Psychometric Affiliates, from catalog page 5:

"Purpose: Alike in clinical, educational, and vocational guidance diagnosis, it is important to assess all major aspects of the child's personality. This multidimensional test gives scores on 14 independent factors including general intelligence, emotional maturity, anxiety level, super ego strength, cyclothymia-schizothymia, etc. Although brief, and of inventory form (requiring, however, a minimum of reading vocabulary), the separate measures are of sufficient accuracy to give a substantial multiple correlation predicting a number of important real-life criteria and performances. The HSPQ dimensions parallel those of the 16 PF adult questionnaire, making possible systematic continuous or cross-sectional comparisons over the age ranges covered. The HSPQ also overlaps slightly with the upper age limit of the younger-age CPQ.

"Format: Each of the two forms is an eight-page booklet with 142 questions (10 to a factor plus 2 'buffers') to be answered by 'yes' or 'no,' 'a' or 'b,' responses on a standard answer sheet. Instructions are given both by the test administrator and on the booklet.

"Where used: In schools and clinics generally.

"Research basis: Six researches have been published describing how the 142 items were discovered by the factor analysis of over 300 questions designed to measure various aspects of personality, how the various unwanted factors, unreliable items, and response tendencies were cut out in the ensuing questionnaire construction, and how the meanings of the self-consistent factors were confirmed against those of the 16 PF personality tests, and the criteria behavior ratings. Data are now available on the relative roles of heredity and training in these factors.

"Norms: Adequate norms, on over 1,000 cases, are now available for boys and girls separately, with age corrections, over 12 to 18 years of age, for those personality factors showing age trends."

2. The Bobbs-Merrill Co., Inc., from catalog page 24:

"The Junior-Senior High School Personality Questionnaire for 12 to 18 year olds, is a multidimensional instrument providing scores on 14 independent factors including general intelligence, emotional maturity, anxiety, level, and others. Many years of research have succeeded in isolating the important dimensions of child personality and producing these valid and useful measures. The Junior-Senior High School Personality Questionnaire is a valuable group test to: (1) pick out children needing individual attention and guidance, (2) in combination with ability measures, to understand and predict school progress, (3) serve as a research tool for evaluating scholastic, personality and character education, (4) serve as an instrument for vocational and general guidance."

3. Western Psychological Services, from catalog page 4:

"For children 12 to 18 years. A multidimensional test which measures 14 independent and significant personality factors, including: general intelligence, emotional maturity, anxiety level, super ego strength, and cyclothymic-schizophrenia. Takes 30 to 60 minutes. Norms are based on 1,000 cases. Easy to administer, score, and interpret."

4. Institute for Personality and Ability Testing, from catalog page 12:

"Purpose: Alike in clinical, educational, and vocational guidance diagnosis, it is important to assess all major aspects of the teenager's scores on 14 independent factors including general intelligence, emotional maturity, anxiety level, super ego strength, extraversion, etc. Although brief, and of inventory form (requiring, however, a minimum of reading vocabulary), the separate measures are of sufficient accuracy to give a substantial multiple correlation predicting a number of important real-life criteria and performances such as popularity, school adjustment and achievement, and juvenile delinquency.

"Where used: In schools and clinics generally, in researches on inheritance of personality, and on personality factors in school success, family life, juvenile delinquency, etc."

### HILDRETH PERSONALITY AND INTEREST INVENTORY (HPIV) (HIGH SCHOOL FORM)

Author: Not given.

Publisher and distributor: (1) Educators' Employers' Tests & Services Associates.

Administration: Group or individual.

Range: High school.

Time: Within one class period.

1. Educators' Employers' Tests & Services Associates, from catalog page 6:

"The High School Form of the Inventory has been prepared for recording personal data concerning the characteristics, ambitions, and interests of pupils. The pupil makes the record using the two blanks prepared for the purpose. Significant features of these materials are their comprehensiveness and the opportunity afforded the pupil to record responses in his own handwriting. The inventory, which may be used with groups or individuals, can be given within one class period. For most satisfactory results the inventory should be given annually and the information blanks filed in individual pupil folders."

### HOLLAND VOCATIONAL PREFERENCE INVENTORY (HVPI)

Author: Holland, John L., National Merit Scholarship Corp.

Publisher and distributor: (1) Consulting Psychologists Press.

Administration: Group or individual.

Range: No age group given.

Time: Requires about 30 minutes.

1. Consulting Psychologists Press, from catalog page 21:

"The Holland Inventory is essentially a personality test which employs occupational item content and is based on the hypothesis that reliable and relevant data about personality and motivations as well as interests can be obtained from responses to a carefully selected list of occupations. Presently the inventory is scored for 10 scales and yields three response set scores. Scales include physical activity, intellectuality, responsibility, conformity, verbal activity, emotionality, control, aggressiveness, and masculinity-femininity."

### HOLTZMAN INKBLOT TECHNIQUE (HIT)

Author: Holtzman, W. H.

Publisher and distributor: (1) The Psychological Corp.

Administration: Individual.

Range: 5-year-olds to adults.

Time: Not given.

1. The Psychological Corp., from catalog page 56:

"For the elicitation and appraisal of projective-expressive responses, the new Holtzman inkblots offer the clinical sensitivity of the original Rorschach blots plus substantially greater objectivity and precision. Distinctive advantages of the "HIT" include:

"Richer and more varied stimuli—a total of 90 blots, including some that are asymmetric, some in one color other than black, some with new visual textures.

"Parallel forms—two forms, A and B, of 45 blots each, to evaluate change or progress on the part of the patient.

"One response to each blot—holding the total number of responses more nearly constant sharpens appreciably the discriminating power of the content, determinant, and other comparisons useful to diagnosticians.

"Flexibility—experienced psychodiagnosticians can select a smaller number of cards from either form (or both) to obtain multiple responses and explore more intensively areas of special importance in the particular case.

"More objective scoring—analysis of hundreds of protocols, using modern computer processes, has produced a scoring guide that makes results highly reproducible from one scorer to another.

"Percentile norms—for 22 response variables based on 8 groups, normal and pathological, ranging from normal 5-year-olds to adults and including such clinical populations as schizophrenics and mental defectives.

"Convenience—an 8-page record form with miniature outlines of the 45 blots facilitates recording and scoring as well as clinical analysis of the responses; a 1-page summary sheet adds convenience in totaling scores."

### HOUSE-TREE-PERSON PROJECTIVE TECHNIQUE (H-T-P)

Author: Buck, John N.

Publisher and distributor: (1) Western Psychological Services.

Administration: Individual.

Range: 3 years and older, also 15 years and older.

Time: Not given.

1. Western Psychological Services, from catalog page 7:

"A widely used versatile projective test with increasing applications in school, clinic, practice, and research. Provides much significant diagnostic and prognostic materials of the total personality. Is both a verbal and nonverbal technique. Used with subjects 3 years and older. Norms available for subjects 15 years and older. An important clinical instrument."

### HUMAN RELATIONS INVENTORY (HRI)

Author: Bernberg, Raymond E., Los Angeles State College. Department of Psychology.

Publisher and distributor: (1) Psychometric Affiliates.

Administration: Group or individual.

Range: High school, college, and adults.

Time: Not given.

1. Psychometric Affiliates, from catalog page 4:

"An effectively disguised test of a type of social (or lawful) conformity which discriminates between samples of law violators and ordinary conformists. Objective group test. Constructed with use of the 'direction of perception' technique. Comprehensive manual. Norm data on (1) senior high school boys; (2) college students; (3) regular churchgoers; (4) Los Angeles Police; (5) male inmates of a California youth prison; (6) adult male inmates Los Angeles County Jail; (7) adult female inmates, Los Angeles County Jail.

"Validity: discriminates between conformist and nonconformist groups. Social conformity defined by moral values, positive goals, reality testing, ability to give affection, tension level, and impulsivity. Thesis by Roys (1955) showed valid difference between delinquents and nondelinquents in Illinois."

### THE INSIGHT TEST (TIT)

Author: Sargent, Helen D., Ph. D.

Publisher and distributor: (1) Western Psychological Services.

Administration: Individual.

Range: Not given.

Time: Not given.

1. Western Psychological Services, from catalog, page 16:

"A verbal projective technique for personality study and diagnosis. Reinforces and enriches data of other psychological tests. Test tasks are readily acceptable to subjects. Has many clinical uses."

### IPAT ANXIETY SCALE QUESTIONNAIRE (IPAT ANXIETY)

Authors: Dr. Raymond Cattell, research professor in psychology, University of Illinois; Dr. I. H. Scheier, test editor, IPAT.

Publishers and distributors: (1) Psychometric Affiliates; (2) Institute for Personality and Ability Testing; (3) the Bobbs-Merrill Co., Inc.; (4) Western Psychological Services.

Administration: Group or individual.

Range: Senior high school students and adults of most educational levels.

Time: About 5 to 10 minutes on an average.

1. Psychometric Affiliates, from catalog page 7:

"Purpose: Good clinical work depends more and more, nowadays, upon meaningful instruments of measurement. Extensive recent research has separated a definite general anxiety factor from neuroticism and other abnormal symptom groupings. The present test is one of two (the other requiring apparatus and greater time), the validity and reliability of which have been exhaustively demonstrated against factorial and clinical criteria. It measures general anxiety level as distinct from general neurosis or psychosis.

"This test is planned for use as a brief (5 to 10 minutes), verbal, clinical questionnaire, clerically scorable. The total score is also susceptible of analysis to give indications of anxiety origins. It is valuable both in diagnosis (where it separates, for example, anxiety hysterics from general neurotics at the 0.001 significance level) and in prognosis where it can be readministered to plot changes during therapy.

"Where used: It is intended for general clinical use and also for screening out individuals, e.g., in college counseling, to reveal cases in need of advice or therapy."

2. Institute for Personality and Ability Testing, from catalog page 18:

(This company has the same worded catalog pertaining to this test as the above company (Psychometric Affiliates). However, the following is included by this company):

"The test is designed to place people as to anxiety level, psychiatric or other clinical diagnosis. The new 1963 handbook also reviews a great deal of new criterion information; for example, anxiety levels of over 2,000 clinical cases sorted into 23 groups of general clinical interest."

3. The Bobbs-Merrill Co., Inc., from catalog page 25:

"This questionnaire is for senior high school students and adults of 7th grade educational level or above. Test is untimed but usually required only 5 to 10 minutes.

"Its importance for guidance is indicated by criteria data on several thousand clinical cases which show that high anxiety, as measured by this test, predisposes to almost every known form of psychological disorder."

4. Western Psychological Services, from catalog page 4:

"A brief and objective measure of general anxiety, distinct from neurosis or psychosis. Reveals individuals in need of psychotherapy or counseling. For high school seniors and adults. Takes 5 to 10 minutes. Easy to administer, score, and interpret."

### IPAT EIGHT-PARALLEL-FORM ANXIETY BATTERY (IPAT-8)

Authors: Scheier, Ivan H., Ph. D., test editor, Institute for Personality and Ability Testing; Cattell, Dr. Raymond B., Ph. D., D. Sc., research professor in psychology, University of Illinois.

Publisher and distributor: (1) Institute for Personality and Ability Testing.

Administration: Group or individual.

Range: Normal or abnormal adults down to 14 or 15 years of age and seventh or eighth grade educational level.

Time: About 10 to 15 minutes per form.

1. Institute for Personality and Ability Testing, from catalog page 19:

"Purpose: This battery, the first of its type, provides as many as eight comparable forms for the repeated measurement of anxiety level over time. Each of the 8 forms contains 50 items, distributed over 7 subtests of questionnaire and objective (disguised-in-purpose) type.

"Only two or three of the same items are repeated from form to form. Thus, the forms can be used for repeated measurement of anxiety, no matter how short the interval between testings (e.g., immediately before and after a therapy session, application of a stress condition, etc.). Nonrepetition of items also means that the forms can be combined with one another as desired, to produce more highly reliable and intensive measurement of anxiety at any one testing occasion.

"Where used: Mainly in clinical practice and research."

### THE IPAT HUMOR TEST OF PERSONALITY (IPAT-HUMOR)

Authors: Cattell, Dr. Raymond B., research professor, University of Illinois; Tollefson, Donald L., assistant professor, St. Olaf's College.

Publishers and distributors: (1) Institute for Personality and Ability Testing; (2) Western Psychological Services.

Administration: Group or individual.

Range: For senior high school, college, and adults generally.

Time: About 30 to 45 minutes per form.

1. Institute for Personality and Ability Testing, from catalog page 24:

"Purpose: The test is designed to measure basic personality factors and motivation structure by an attractive and indirect approach; for use in circumstances where the subject should not realize that a personality test is being given or where deceptions might be attempted on the ordinary questionnaire test. Naturally, it also has disadvantages compared with a questionnaire, notably that some jokes are known to some subjects, thus reducing the reliability of the intercorrelations. The test is of clinical value in dynamic analysis, probing the nature and strength of personality reactions kept under repression."

2. Western Psychological Services, from catalog page 4:

"Measures basic personality factors and motivation structure. Uses a new, interesting, and indirect approach by probing nature and strength of personality reactions under repression. Based on factor analysis studies. Extensive norms for student population only."

### THE IPAT MUSIC PREFERENCE TEST OF PERSONALITY (IPAT MUSIC)

Authors: Cattell, Dr. Raymond B., University of Illinois; Eber, Herbert, W., consulting psychologist.

Publishers and distributors: (1) Psychometric Affiliates; (2) Institute for Personality and Ability Testing; (3) Western Psychological Services.

Administration: Group or individual.

Range: For adults and children (down to 6 years).

Time: 27½ minutes, form A; 27½ minutes, form B; 55 minutes total.

1. Psychometric Affiliates, from catalog page 7:

"Purpose: Emotional reactions to music have long been known to express deep personality differences. This test utilizes preferences for excerpts played on a record as a means of getting at primary personality dimensions, especially those of temperament and dynamic tendencies. As a personality test it has the advantage of being pleasant to take, simple to administer, and readily applicable to such groups as psychotics, children, illiterates, the blind, etc."

2. Institute for Personality and Ability Testing, from catalog page 24:

(Identically as the Psychometric Affiliates except for the following):

"Where used: In clinics, schools, mental hospitals, and in research."

3. Western Psychological Services, from catalog page 16:

"A new and indirect approach to insightful understanding of personality dimensions. Uses emotional reactions to music. Discriminates normal from abnormal individuals. Easy to administer, score, and interpret. For individuals, groups, children, illiterates, handicapped psychotics, and normal adults. Takes about one hour."

### JOHNSON TEMPERAMENT ANALYSIS (JOHNSON)

Author: Johnson, Roswell H., Ph. D., (Pittsburgh). Director of counseling emeritus, American Institute of Family Relations.

Publisher and distributor: (1) California Test Bureau.

Administration: Group or individual.

Range: High school students, college students and adults.

Time: 40–60 minutes are usually sufficient.

1. California Test Bureau, from catalog page 89:

"This inventory is designed to reveal several behavior tendencies which are characteristic of the individual. It provides information concerning some of the factors involved in relationships between mates, families, colleagues, and coworkers. It is widely used in marital counseling.

"The analysis requires the selection of one of three possible responses to each of a series of questions about a person called the 'Subject' or 'S'. The 'Subject' is usually the individual responding, but may be someone well acquainted with the 'Subject'. The nine behavior patterns or tendencies are expressed by the following scales: composed-nervous, 'gay-hearted'-depressive, quiet-active, cold-cordial, 'hard-boiled'-sympathetic, objective-subjective, submissive-aggressive, appreciative-critical, impulsive-'self-mastery'.

"This instrument is virtually self-administering. Complete instructions for administration, scoring, and interpretation are provided in the manual."

### KD PRONENESS SCALE AND CHECKLIST (KD)

Author: Kvaraceus, William C., professor of education, Boston University.

Publishers and distributors: (1) Harcourt, Brace & World, Inc.; (2) Western Psychological Services.

Administration: Group or individual.

Range: Grades 7–12.

Time: Not given.

1. Harcourt, Brace & World, Inc., from catalog, page 79:

"A device that identifies children whose environment and expressed attitudes and opinions closely resemble those of delinquents."

2. Western Psychological Services, from catalog, page 27:

"A delinquency proneness scale. High positive scores identify children whose expressed attitudes and opinions closely resemble those of delinquents. Scale is for grades 7–12. Checklist is for any age. Booklet contains scale and checklist. Takes about 25 minutes."

### LEADERSHIP ABILITY EVALUATION (LAE)

Author: Cassel, R. N., Ed. D.; Stancik, E. J. M.A.

Publisher and distributor: (1) Western Psychological Services.

Administration: Not given.

Range: Grades 9–12 and adults.

Time: Not given.

1. Western Psychological Services, from catalog, page 5:

"A new objective measurement for the identification of leadership and behavior; assesses the decision-making pattern when a person functions as a leader in influencing individuals or groups. Presents 50 practical problems to be resolved. Norms from ninth grade through adult levels. Easy to administer, score, and interpret."

### LIFE ADJUSTMENT INVENTORY (LAI)

Authors: Doll, Ronald C., A.M., instructor, Teachers College, Columbia University; Wrightstone, J. Wayne, Ph. D., director, educational research, board of education, New York, N.Y.

Publisher and distributor: Acorn Publishing Co.

Administration: Group or individual.

Range: Grades 9 through 12.

Time: Usually requires 25 minutes.

1. Acorn Publishing Co., from catalog page 4:

"This inventory, for use with pupils in grades 9 through 12, is helpful both in curriculum study and in guidance work. It conforms with the U.S. Office of Education's life adjustment program in the measuring of pupils' general adjustment to their high school curriculum as well as their feeling of need for additional experience in 13 specific areas, such as consumer education; religion, morals, and ethics; family living; vocational orientation and preparation; reading and study skills; citizenship education. The inventory can be used in curriculum surveys and for diagnosis of the curriculum maladjustments of individual pupils."

### MAKE A PICTURE STORY (MAPS)

Author: Shneidman, E. S.

Publishers and distributors: 1. Psychological Corp.

Administration: Individual.

Range: Not given.

Time: Not given.

1. The Psychological Corp., from catalog, page 57:

"A projective method in which the examinee chooses a background, populates it with figures, and tells a story to account for his choices and arrangement, or uses the figures to act out his story dramatically. The 22 pictorial backgrounds range from such definitely structured ones as a bedroom, a bathroom, etc., to such ambiguous ones as a vague grotto or cavelike opening. There are 67 cutout figures of persons (young, old, clothed, nude, wounded, etc.) and animals. The examiner may probe further by asking for story about specific figures and/or backgrounds; MAPS may also be used in therapy.

"A miniature theater which also serves as a carrying case is optional. Its use makes it possible for the figures to stand erect at varying distances in front of the background; without it, the picture is simply laid flat and the figures laid on it. The theater is made of wood and attractively finished."

### MENTAL HEALTH ANALYSIS (MHA)

Authors: Thorpe, Louis P., Ph. D. (Northwestern) professor of education and psychology, University of Southern California; Clark, Willis W., Ed. D. (Southern California) executive vice president, California Test Bureau; Tiegs, Ernest W., Ph. D. (Minnesota) professor of education, Los Angeles State College.

(For further information on the backgrounds of the authors, above, refer to material given with "California Test of Personality," or page 2 of the "Manual of Instructions.")

Publishers and distributor: (1) California Test Bureau.

Administration: Group or individual.

Range: Elementary: grades 4–8, junior high level: grades 7–9, secondary: grades 9–college.

Time: No time limit. Forty-five to fifty minutes are usually sufficient.

1. California Test Bureau, from catalog, page 90:

"The purposes of the Mental Health Analysis are to (1) Assist in obtaining a better understanding of the subtle forces which influence mental health, (2) help in detecting the presence of tensions and stresses which precede and underlie mental health disturbances, and (3) foster more positive and satisfying adjustments.

"The 1959 revision presents a completely rewritten manual containing added validity studies, new normative data, and an improved discussion on the use and interpretation of the scores. General improvements in booklets and profiles have been effected. The test items, however, have been retained intact. This instrument is organized into two sections: Mental Health Assets and Mental Health Liabilities. Each section has five components. Assets to be sought or amplified are: (1) Close personal relationships, (2) interpersonal skills, (3) social participation, (4) satisfying work and recreation, and (5) adequate outlook and goals. Liabilities to be minimized or corrected are: (1) Behavioral immaturity, (2) emotional instability, (3) feelings of inadequacy, (4) concern about physical defects, and (5) nervous manifestations. The 200 items are distributed equally between the 2 sections and among the 10 specific areas of the Analysis."

### MICHIGAN PICTURE TEST (MPT)

Author: Prepared by the Michigan Department of Mental Health.

Publishers and distributor: (1) Science Research Associates, Inc.

Administration: Individual.

Range: 8–14 years.

Time: 1 hour.

1. Science Research Associates, Inc., from catalog, page C28:

"(Sale restricted to those with training in projective techniques and personality dynamics.)

"Purpose: Projective personality technique for measuring emotional reactions.

"Interpretation: Rating scale for pupil adjustment provides method for classifying children's personal and social adjustment in terms of observed behavior.

"Content: Sixteen semistructured pictures representing social-emotional situations drawn from real-life experiences of boys and girls."

### MINNESOTA COUNSELING INVENTORY (MCI)

Authors: Berdie, R. F.; Layton, W. L.

Publishers and distributor: (1) The Psychological Corp.

Administration: Group or individual.

Range: Grades 9–12.

Time: About 50 minutes.

1. The Psychological Corp., from catalog, page 52:

"For counselors of high school students, based on the Minnesota Multiphasic Personality Inventory and the Minnesota Personality Scale, the MCI yields nine scores. Three scores identify areas in which teenagers may be adjusting particularly well or poorly: Family relationships, social relationships, and emotional stability.

"Four scores indicates students' characteristic ways of meeting problems and their behavior in social groups: Conformity, adjustment to reality, mood, and leadership. 'Question' and 'validity' scores are provided as checks on test-taking attitude."

### MINNESOTA MULTAPHASIC PERSONALITY INVENTORY (MMPI)

Authors: Hathaway, S. R.; McKinley, J. C.

Publishers and distributor: (1) The Psychological Corp.

Administration: Group or individual.

Range: Adolescents and adults.

Time: Not given.

1. The Psychological Corp., from catalog, page 53:

"A diagnostic instrument constructed entirely on the basis of clinical criteria. Ten scales: hypochondriasis, depression, hysteria, psychopathic deviate, masculinity-femininity, paranoia, psychasthenia, schizophrenia, hypomania, and social introversion. Four other scores are obtained: the question score, the lie score, the validity score, and the K score (a suppressor variable refining the discrimination of five of the clinical variables)."

### MOONEY PROBLEM CHECKLIST (MOONEY)

Authors: Mooney, R. L.; Gordon, L. V.

Publishers and distributors: 1. The Psychological Corp.

Administration: Group or individual.

Range: Adolescents and adults; form J, junior high school pupils; form H, high school students; form C, college students; form A, adults.

Time: Untimed, about 30 minutes.

1. The Psychological Corp., from catalog, page 26:

"Used to help individuals express their personal problems. The checklist method is particularly useful for group survey and research purposes, for identifying individuals who want or need help with personal problems, to increase teacher understanding of students, and to prepare students for counseling interviews. The problem checklists are not tests; they are self-administering, and for many counseling purposes require no scoring. Subjects read the problems, underline the problems that are of some concern, circle the ones of most concern, and write a summary in their own words. For some counseling and research purposes, the problems checked may be summarized by a quick and easy counting process. Such summary is by areas, which differ from form to form according to the age group for which the form is designed; typical areas are health and physical development, home and family, boy and girl relations, morals and religion, courtship and marriage, economic security, school or occupation, social and recreational, etc."

### THE MOTIVATION ANALYSIS TEST (MAT)

Authors: Cattell, Dr. Raymond B., research professor in psychology, University of Illinois; Horn, Dr. John, assistant professor of psychology, University of Denver; Radcliffe, Dr. John, senior lecturer in psychology, University of Sydney, Australia; Sweney, Dr. Arthur B., associate professor, Texas Technological College.

Publishers and distributor: (1) Institute for Personality and Ability Testing.

Administration: Group or individual.

Range: High school seniors, college, and adults generally. The reading ability required is about that needed to read the average newspaper.

Time: 50 minutes for persons with 11th grade reading ability.

1. Institute for Personality and Ability Testing, catalog, page 26:

"Psychologists are increasingly aware of the importance of supplementing ability and personality measurements by objective measures of motivation. It has been shown that the prediction of school achievement is much improved by including these tests, while in industrial personnel departments it is realized that a measure of motivation strength is as important as all other measures put together. In psychological clinics objective indications of the drives and tension levels in the individual are indispensable, and in social research it is imperative to get at the individuals' value systems. The test offers three fundamental advances on previous interest or motivation tests, namely: (1) It deals with the chief unitary dimensions found objectively by factor analysis in a comprehensive array of attitude interests for typical adult members of our culture, rather than with the arbitrarily defined, alternately narrow and complex pseudodimensions listed by the ad hoc batteries that have hitherto grown up arbitrarily in segregated clinical, personnel, and educational practices; (2) it measures by objective devices which are relatively safe from the deliberate faking or personal illusion which basically vitiate so many checklist 'projective' and opinionnaire interest batteries; (3) by using four logically and operationally district measuring devices, each shown by replicated research to measure uniquely on one of the four major components of motivational strength, the test is not bound by the 'response sets' and specific emphases of single vehicles, but instead allows for the breadth of expression which is needed if a motivational measure is to show good construct validity. MAT provides reliable measures of 10 of the clinically most useful among the roughly 20 dynamic factors so far found to be representative in a comprehensive coverage of adult motivation. Five of the dimensions are basic drives (technically ergs) and five are sentiment structures (or value systems) built up through learning experience and which focus on the main attachments in a person's life."

### THE NEUROTICISM SCALE QUESTIONNAIRE (NSQ)

Authors: Scheier, Ivan H., Ph. D., test editor, Institute for Personality and Ability Testing; Cattell, Dr. Raymond B., research professor, University of Illinois, Ph. D., D. Sc.

Publishers and distributors: (1) Institute for Personality and Ability Testing; and (2) The Bobbs-Merrill Co., Inc.

Administration: Group or individual.

Range: Senior high school students and general adults.

Time: About 5 to 10 minutes on an average.

1. Institute for Personality and Ability Testing, from catalog, page 17:

"Purpose: This is a brief, valid questionnaire device for screening out relatively neurotic individuals, in educational or industrial situations, and for obtaining an index of severity and type of neurosis in clinical work. Its brevity, and aptness for scoring by clerical help, make it most useful as a screening device, in the interests of high group morale, clinical selection, etc. It is virtually self-administering for either individual or mass-testing purposes.

"Where used: In clinics, schools, and in industry to screen job applicants, on whom ability measures are already available, into those likely to be maladjusted and those, at the other extreme, whose mental health fits them to lead, to take responsibility, and to occupy positions of stress."

2. The Bobbs-Merrill Co., Inc., from catalog, page 25:

"This is a brief questionnaire device for use in clinical work in determining relatively neurotic individuals in education or industrial situations and for obtaining an index of severity and type of neurosis (in clinical work). The test is valuable for clinical use in conjunction with ability measures in guidance work."

### O–A PERSONALITY TEST BATTERIES: YOUTH AND ADULT (O–A) YOUTH

Authors: Cattell, Raymond B., research professor, University of Illinois; Warburton, Dr. F., helper on test; Pawlik, Kurt, helper on test; Damarin, F., helper on test.

Publisher and distributor: (1) Institute for Personality and Ability Testing.

Administration: Group or individual.

Range: Youth O–A batteries, 11–16 years; adults O–A batteries, all literate adults.

Time: About 20–30 minutes per factor. The 14-factor youth O–A battery takes about 4½ hours; the adult 12 factor takes about 4 hours; and the adult 18 factor, about 6 hours.

1. Institute for Personality and Ability Testing, from catalog, page 22:

"Purpose: The O–A batteries are objective, nonquestionnaire, nonrating measures of personality designed to prevent motivational distortion or faking. The anxiety factor, and inhibition factor, the extraversion factor, and other important dimensions are measured. These batteries offer a better basis than any other for personality factor measurement, but they are not yet in a form to be used by anyone but a professional psychologist, familiar with the research literature, and able to work from essential technical instructions. However, it would be incorrect to say that the tests are restricted to research purposes, since very effective predictions have been made with them in 'applied' situations, important enough to merit the extra time which they demand, e.g., in military selection and clinical screening."

### THE OBJECTIVE-ANALYTIC ANXIETY BATTERY (O–A)

Authors: Cattell, Dr. Raymond B., Ph. D., research professor in psychology, University of Illinois; Scheier, Ivan H., Ph. D., test editor, Institute for Personality and Ability Testing.

Publisher and Distributor: (1) Institute for Personality and Ability Testing.

Administration: Group or individual.

Range: 14 to 15 years through adulthood.

Time: Depending on age and intelligence of subjects, and selection of tests, from 25 to 50 minutes.

1. Institute for Personality and Ability Testing, from catalog page 21:

"Purpose: Objective tests are vitally needed in clinical areas where deliberate distortion, defensiveness, and lack of self-insight reduce the value of traditional questionnaire inventories. The present battery overcomes these difficulties as an objective test parallel to the IPAT Anxiety Scale Questionnaire. The tests are nonstressful, interesting, easy to administer, and very brief in terms of the wealth of information provided. Test purpose is disguised, and two of the tests are of physiological type, thus minimizing tendency to falsify results deliberately.

"Where used: In clinics, private practice, for research, and for guidance work in schools and industry."

### THE ORIENTATION INVENTORY (ORI)

Author: Bass, Bernard M., University of Pittsburgh.

Publisher and Distributor: (1) Consulting Psychologists Press.

Administration: Group or individual.

Range: College students or other groups.

Time: Usually 10 or 15 minutes.

1. Consulting Psychologists Press, from catalog page 19:

"By means of only 27 forced-choice interest and opinion items, the ORI generates three scores which have shown promising relationships to various industrial and academic criteria. The scales: Self-orientation, interaction-orientation, the task-orientation—are based on Bass's theory of interpersonal behavior in organizations. Easily-scored. Manual provides tentative norms for college students and means of other groups."

### PARSONS SOCIAL COMPREHENSION TEST (P–SCT)

(An Excellent Test)

Author: Parsons, Verlin, Milton Vale, Kans.

Publisher and distributor: (1) Bureau of Educational Measurements.

Administration: Group.

Range: Grades 9–12.

Time: 40 minutes.

1. Bureau of Educational Measurements, from catalog page 26:

"This test measures the student's knowledge of the accepted rules of social conduct. It includes items which are of particular importance in the life and adjustment of high school students. The test possesses high validity and reliability. It is easy to administer, to score, and to interpret. The working time to take the test is 40 minutes."

### PERSONAL AUDIT (PA)

Authors: Adams, Clifford R., professor of psychology, Pennsylvania State University; Lepley, William M., professor of psychology and director, Psychology Laboratories, Pennsylvania State University.

Publisher and distributor: (1) Science Research Associates, Inc.

Administration: Group or individual.

Range: Grades 9–12, college and adult.

Time: Form LL 40–50 minutes, form SS 30–40 minutes.

1. Science Research Associates, Inc., from catalog page C28:

"Purpose: Form LL (long form) measures nine personality traits: (1) seriouzness-impulsiveness, (2) firmness-indecision, (3) tranquillity-irritability, (4) frankness-evasion, (5) stability-instability, (6) tolerance-intolerance, (7) steadiness-emotionality, (8) persistence-fluctuation, and (9) contentment-worry; form SS (short form) measures the first six traits.

"Interpretation: Personal audit scores may be used by the counselor as an aid to greater understanding of student's personality characteristics and by the clinician for diagnosis of present and potential maladjustment."

### PERSONALITY ADJUSTMENT SCALE (SG–PAS)

Authors: Schrammel, H. E., director, Bureau Educational Measurement; Gorbutt, Dorothy G., clinical psychologist; Children's Center, Detroit, Mich.

Publisher and distributor: (1) Bureau of Educational Measurements.

Administration: Group or individual.

Range: Junior—Senior high school, college, adult.

Time: Not given.

1. Bureau of Educational Measurements, from catalog page 24:

"This is a scale for evaluating the personal neurotic adjustment of junior and senior high school students, college students, and other adults. Item and scale validity was carefully established. The reliability of the scale is .91."

### PERSONALITY EVALUATION FORM (PEF)

Authors: Buhler, Charlotte, Ph. D.; Howard, Gertrude, M.A.

Publisher and distributor: (1) Western Psychological Services.

Administration: Not given.

Range: "schools".

Time: Not given.

1. Western Psychological Services, from catalog page 33:

"A clinical approach to understanding the total personality in action. Practical, effective, and revealing. For use in clinics, schools, and counseling programs."

### THE PERSONALITY INVENTORY (PI)

Author: Bernreuter, Robert G., Pennsylvania State University.

Publishers and distributors: (1) Consulting Psychologists Press; (2) the Bureau of Educational Research and Service; (3) Bureau of Educational Measurements; (4) C. H. Stoelting Co.

Administration: Group or individual.

Range: High school, college, adult.

Time: Usually completed in 25 minutes.

1. Consulting Psychologists Press, catalog page 21:

"One of the most famous of all personality inventories, the test of Dr. Bernreuter is very widely used particularly in business and industry. The personality inventory consists of 125 items responded to by 'Yes', 'No', or '?', and it yields six scores: neurotic tendency, self-sufficiency, introversion-extraversion, dominance-submission, sociability, and confidence. Norms (1938) are provided for high school, college, and adult men and women. For hand-scoring, questions should be answered on the test booklet itself. IBM scoring stencils cannot be used to hand-score IBM answer sheets."

3. Bureau of Educational Measurements, from catalog page 23:

"This inventory consists of six scales covering the following fields: Neurotic tendency, self-sufficiency, introversion-extroversion, dominance-submission, sociability, and confidence. Norms are available for high school, college, and adult ages."

4. C. H. Stoelting Co., from catalog page 5:

"The well-known and widely-used test of six personality traits, including stability, extroversion, dominance, social independence."

### THE PHILO-PHOBE PROJECTIVE TECHNIQUE (PPPT)

Author: Buck, John N.

Publisher and distributor: (1) Western Psychological Services.

Administration: Individual.

Range: 8 years old and older.

Time: Not given.

1. Western Psychological Services, from catalog page 16:

"A psychiatric-psychological interview technique for subjects 8 years and older. Quickly evokes significant data dealing with personality pathology and dynamics. Facilitates diagnosis and treatment."

### PICTURE-STORY TEST (PST)

Author: Symonds, P. M.

Publisher and distributor: (1) The Psychological Corp.

Administration: Not given (possibly individual).

Range: Adolescents.

Time: Not given.

1. The Psychological Corp., from catalog page 59:

"Twenty pictures on 6- by 8½-inch cards for use with adolescents. The method is identical with that of the Murray TAT, but each picture contains one or more youthful figures with which the subject can easily identify."

### THE PICTURE WORLD TEST (PICTURE)

Authors: Buhler, Charlotte, Ph. D.; Manson, Morse P., Ph. D.

Publisher and distributor: (1) Western Psychological Services.

Administration: Group or individual.

Range: Children, adolescents, and adults.

Time: About 30 minutes.

1. Western Psychological Services, from catalog page 7:

"A penetrating projective approach to explore personality dynamics and cultural forces in a global manner. Provides revealing insights to life, defense mechanisms, escape techniques, interpersonal and intergroup attitudes, social reactions, and adjustments as the subject 'creates his personal world.' For children, adolescents, and adults: individuals or groups, suitable for cooperative work performances. Has rich and protean diagnostic, psychotherapeutic, and research potentialities."

### THE PLASTIC DOLL PLAY FAMILY (DOLL PLAY)

Author. — — —.

Publisher and distributor: (1) Western Psychological Services.

Administration: Not given (possibly individual).

Range: Not given "schools."

Time: Not given.

1. Western Psychological Services, from catalog page 26:

"Flexible, plastic dolls. Arms, legs, bodies, heads can be twisted into different positions to assume lifelike poses in standing, sitting, walking; will withstand rough treatment. Realistically dressed. Ideal for work in clinic, practice, school, laboratory, training. Adult dolls are 4½ inches; children are 3½ inches and babies 1⅜ inches. Plastic doll play family includes father, mother, brother, sister, baby, grandmother, grandfather, and maid. ($12.50.)

"Full set of 30 dolls include: father, mother, boy-brother, girl-sister, baby-white, baby-Negro, maid-white, maid-Negro, grandmother, grandfather, uncle, aunt, doctor, nurse, Indian girl, Indian man, minister, teacher, nun, cook-Negro, gardener, policeman, mailman, clown, farmer, fireman, cowboy, cowgirl, bride, bridegroom."

### POLYFACTORIAL STUDY OF PERSONALITY (POLYFACTOR)

Author: Bruce, M. M., Ph. D.

Publisher and distributors: (1) Martin M. Bruce Co.; (2) Western Psychological Services.

Administration: Individual.

Range: Not given.

Time: 45 minutes.

1. Martin M. Bruce Co., from catalog page 2:

"Untimed true-false personality inventory. Standardized on institutionalized and normal populations. Offers assessments of 11 personality traits."

2. Western Psychological Services, from catalog page 3:

"Offers diagnostic profiles leading to categories of hypochondriasis, sexual identification, anxiety, social distance, sociopathy, depression, compulsivity, repression, paranoia, schizophrenia, hyperaffectivity. Is self-administered and takes about 45 minutes."

### THE POWER OF INFLUENCE TEST (POIT)

Authors: Cochrane, Roy, Ed. D. (Stanford University) Tacoma, Wash. Principal, Franklin B. Gault Junior High School, Tacoma, Wash. Formerly director of research and psychological services, Tacoma Public Schools, Tacoma, Wash.; director of guidance, Unified School System, Vallejo, Calif.; lecturer in guidance, University of California, Berkeley, Calif.; vocation instructor (Smith Hughes), Lassen Junior College, Susanville, Calif., and a member of the Puget Sound Guidance and Personnel Association. He is a member of Phi Delta Kappa; Roeder, Wesley S. (Southern California) Portland, Oreg., area director, California Test Bureau, 4226 N. E. Alameda, Portland, Oreg.

Publisher and distributor: (1) Psychometric Affiliates.

Administration: Group.

Range: Grades 4–12.

Time: About 5 minutes.

1. Psychometric Affiliates, from catalog page 9:

"Applicable through all school levels down to the fourth grade, the Poit is a systematic, well normed sociometric device for group administration to find friendless children needing help to find leaders for projects, determine class rapport, to help in classroom administration, and control, and to infer probable aptitude for diplomacy, politics, salesmanship, administration, etc."

## SURPLUS AGRICULTURAL PRODUCTS TO COMMUNIST COUNTRIES

Mr. MARTIN of Nebraska. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Wyman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. WYMAN. Mr. Speaker, after considerable study by a group of this body, an attempt will not be made to obtain a court injunction prohibiting the Secretary of Commerce from issuing export licenses for surplus agricultural products to Communist countries. A thorough review of the statutes reveals that Congress itself in 1962—Public Law 87–515—transferred to the President discretion to determine whether any particular export would be detrimental to the national security and welfare of the United States. This act was not cited in Attorney General Kennedy's opinion of October 9, 1963, to the Secretary of State.

Although congressional declaration of policy in the Agriculture Act of 1961—Public Law 87–128—declared that exports or sales to Communist countries of surplus agricultural commodities should not be made, the 1962 amendment literally constituted an abdication of congressional discretion to the Chief Executive.

Accordingly, from a legal standpoint, there is little that can be done except to propose an amendment to the Agriculture Act of 1961 to give the force of law to the policy therein stated.

It is inconceivable to many Members of Congress that the President should have declared that the shipment of millions of bushels of wheat to the Soviet Union or corn to the Communist Government of Hungary would not make "a significant contribution to the military and economic potentials" of these Communist countries, hence clearly detrimental to the national security of the United States. There is little that we could do right now that would more directly help the Soviet Union and at the expense of American taxpayers.

Just how bad the situation is can be seen in these few brief facts: By President Kennedy's decision the U.S.S.R. will be allowed to buy American wheat for $1.40 a bushel, although in the Soviet Union the price for wheat is $2.50 a bushel, while anyone in America who wants to buy it must pay more than $2 a bushel for the same wheat. To make things worse, those who were given export licenses and export wheat to the U.S.S.R. for $1.40 a bushel can turn right around and bill the Government for the difference between what the U.S.S.R. paid and the American market price. This will be a direct subsidy on shipments of wheat to Communist countries chargeable to the American taxpayer of at least 60 cents a bushel, cash money.

This sort of thing is bad government and bad business. More than this, however, the United States should not be selling wheat to Communist countries as a matter of principle.

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## THE KIDS WHO SAVED A TOWN

**Mr. TUTEN.** Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

**The SPEAKER.** Is there objection to the request of the gentleman from Georgia?

There was no objection.

**Mr. FLOOD.** Mr. Speaker, as a representative of a district that epitomizes the need for an area redevelopment program under Federal auspices, I want to spell out just a few items that illustrate this need.

As most of my colleagues know, anthracite coal was once the king in and around Hazleton, Pa. But in just the 10 years since 1950, jobs in the Hazleton mines dropped from 6,400 to 2,000. I do not have to spell out what this kind of shock means in human lives, community morale, and just plain dollars and cents.

Hazleton can be proud of the way in which it responded to this disaster. In the fifties, the industrial development corporation, local individuals and banks raised more than $4 million and actually succeeded in attracting or expanding existing firms that employed 3,000 men and women. But even so, despite all of this 16 percent of the work force was still unemployed by the end of that decade.

Today, it is still a depressed area, with unemployment somewhere between 10 to 12 percent. Thousands have left the area or simply dropped out of the labor market, thus not being counted as unemployed. In other words, despite all the local efforts to "do it alone," Hazleton still needs help. It cannot go on being successful in raising millions of local, hard-to-find dollars for industrial development. Its local sources have a limit, and more and more Hazleton must seek capital and technical assistance for its development program from outside sources. The local leaders know that. And the experts know that.

That is where ARA comes in. Several projects have been developed, and are being developed, that will result in new hope for Hazleton. One of them is the provision of public facilities, such as a much-needed water system to service an industrial park, thus making possible the expansion of operations by at least four existing companies. And this expansion will make possible the added employment of several hundred workers, in such firms as a trailer factory, a bakery firm, and a foam company.

Without ARA, the community itself could not have financed the construction of this water system.

Right across from Luzerne County lies Berwick, a town of about 14,000 population, and with a labor force of about 6,000. In the spring of 1962, American Car & Foundry announced plans to close down operations in Berwick and thereby dismiss—permanently and definitely—2,000 employees. That is one-third of the labor force in an area already classified as having substantial and persistent unemployment.

To make a dramatic story short, ARA loaned two separate organizations, one public, one private, about $1.5 million to purchase from ACF its property—to keep it from being dismantled and sold for scrap and to make it possible for the Berwick Forge & Fabricating Co. to use part of the property now and employ about 300 of the former ACF employees. This, of course, is only a beginning. But it is a beginning that never could have been possible without the prompt decision of ARA to come to the rescue of Berwick and its citizens. Furthermore, the town now has some prospects for several other industries which can use the basic parts of the old ACF facilities and thus sustain the hopes for the workers, the businessmen and the public officials.

This briefly described story has been described by Parade magazine as the "Town the Kids Saved," because the school children wrote to President Kennedy when the ACF announcement first was made, asking him to send help. They apparently had greater faith than a lot of callous critics today have. And John F. Kennedy did send help. It was in the form of a team of ARA experts who helped the community leaders work out a financial loan package that did help save the town.

Without ARA, the kids—God bless them—could not have saved Berwick.

### The Kids Who Saved a Town

(By Sid Ross)

This is the story of a town and of 61 schoolchildren who saved it from disaster.

The town is Berwick, Pa., and the children are fifth, and ninth-grade pupils at two of its schools. Last fall they started something that has changed the history of their hometown and provided an inspiring example for American communities everywhere.

It began last November 8, when Berwick's peace and quiet were shattered by a sudden announcement. The huge American Car & Foundry Co., the town's biggest industry, broke the news that it was going to close down its Berwick plant in late 1962.

The townsfolk were stunned. American Car & Foundry employed nearly half the city's manpower. When these men were thrown out of work, what would they do? What would happen to their wives, their children?

#### STRANGE NEW WORDS

The children themselves caught the fear in their parents' faces. They watched the adults gathering grimly to discuss the news; they overheard strange new words like "ghost town," "hard times," "depression.' There was tension and gloom in many of the households of this pretty little community of 15,000.

The next morning, in two different classrooms in two schools on opposite sides of town, the children came trooping in for their lessons. The classes were Mrs. Martha Kershners fifth grade in the 14th Street School, and Andrew Soback's ninth-grade civics class in the Orange Street School.

Mrs. Kershner recalls how upset the children were. "They gathered in the classroom at the window facing the plant," the teacher relates. "Some of them were crying. They knew, young as they were, what the news meant."

Soback says of his students, "Some of them had already planned to go to work for ACF after they graduated. And they realized this would mean they'd lose close friends whose families moved out of town, maybe even have to give up a college education for lack of money."

#### PRESIDENT'S PEN PALS

Both Mrs. Kershner's young fifth-graders and Mr. Soback's older pupils wanted to do something. But what? By a strange coincidence, a single idea occurred to both classes at the same time: Why not write a letter to President Kennedy?

It happened that letterwriting exercises were the regular lesson in Mrs. Kershner's class that morning. Each of her pupils composed a letter to the President. Then Mrs. Kershner put stamps on them and mailed them to the White House.

What did the letters say? Here's a sampling:

Wrote Paul Jaffin: "Mr. President will you please try to do something about them closing down the American Car & Foundry Co. of Berwick, Pa.? You see my father and grandfather won't have any work and then they will want to move."

Wrote Barbara Ann Dietz: "If (the plant) closes up my father will have to quit and then I won't be able to have any Christmas and we won't have any money to buy food to eat."

Lynn Garrison: "The people of Berwick need a new place for working." Yvonne Yohery: "Would you please send another company to fill its place?"

Meanwhile across town in Mr. Soback's ninth-grade civics class, students were attacking the problem from a more adult angle. The kids decided to deal directly with the President, because, says Soback, "they felt in a democracy they had the right to go to the top. About 10 of them formed a committee to draft the letter. They did a lot of research on Berwick and its advantages and resources."

The committee finished the draft at Student Donna Hummel's house one evening. "We felt sure President Kennedy would pay attention to us," she says. "ACF had helped our country win World War II and was important enough to stay where it had been for so many years."

Another ninth grader, Mary Ann Nickle, commented: "I read in the paper a while back that one poor little boy—in New York, I think—addressed a letter to God asking for $5 to buy Christmas presents for his family. Kennedy received the letter and sent $1. I thought if he could answer something as trivial as that he was sure to answer something as big and serious as our problem."

Their letter pointed out Berwick's advantages—the town is flood free, on a main highway, has access to three airfields, enjoys a skilled-labor supply. "During the past two World Wars," the letter added, "Berwick has been one of the chief suppliers of arms to our fighting forces overseas." This letter, neatly typed, also made its way to the White House.

Meanwhile, Berwic's adults were also getting busy. The mayor, businessmen, and labor leaders went to ACF, did their best to persuade the company to change its mind. But ACF officials shook their heads, argued that the centers of railroad traffic growth have shifted to the South and West. As a result, there was not enough business to support a railroad equipment plant in Berwick. The company had to get out.

### ENTER PLANNERS

From Harrisburg, the State capital, came planners to talk about ways of attracting new industry to Berwick. A new group—the Berwick Industrial Development Association—tried to raise some $2,500,000 to buy the ACF property, preferably with a U.S. Government loan from the newly formed Area Redevelopment Administration.

But progress on all these fronts was discouragingly slow, and the local newspaper urged the town to keep its chin up.

Now the scene shifts to Washington.

There the letters had come to President Kennedy's personal attention. He read them carefully, passed them on for "positive action" to William Batt, Jr., Area Redevelopment Administrator. One day the phone rang in Berwick school headquarters. It was Batt. He wanted to meet the kids who had written the letters.

The result was a special assembly on December 18 in the local high school. Guests of honor were Mrs. Kershner's 29 children and Mr. Soback's group of 32. Present also were Batt and Pennsylvania's U.S. Senator JOSEPH CLARK, who had driven up from Washington in a snowstorm. In Batt's briefcase were the original letters from the kids.

As the meeting got underway, Batt asked each letter writer to stand up, assured them individually that no one in Berwick was going to starve. Then he said to the entire audience:

"There's a lot to be done and most of it will have to be done by you people in the community, but we will see what we can do to help. If the initiative shown by these children of yours is any guide, I'm sure you will do it."

### NEW BUSINESS

That meeting was the turning point. Since then, Berwick has received $1,555,000 in loans from Batt's agency, plus another $350,000 from the Small Business Administration. The town will use the money to buy the ACF facilities, then attract new industries to use them. Already, the Berwick Forge and Fabricating Co. has agreed to occupy about one-sixth of the old ACF area.

Berwick isn't out of the woods yet, but there is new hope and pride among its people. A high Government official summed it up in a statement to Parade. He said:

"What has happened in Berwick is the result of many people working together—private enterprise, the community, the State, and the Federal Government. But the impetus for all of this activity came from the schoolchildren of Berwick. The concern they expressed for the future of their community and their families served as the spark for this joint effort. America can be proud of the children of Berwick."

"Come back in 8 or 10 years," adds the mayor, Wayne Schuyler, "and you'll find a bigger and a stronger Berwick than even when ACF was at its peak. We'll have some tough times, but we'll make it. And God bless our kids—the ones who wrote the letters."

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## CENTRAL VALLEY PROJECT, CALIFORNIA

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ULLMAN. Mr. Speaker, many of us noted in this morning's paper that today is the 28th day in a row of rainless weather in this area. Farmers are beginning to feel a real pinch, and unless relief comes soon, a serious feed shortage could result.

In my district, Mr. Speaker, and in other reclamation areas throughout the West, 28 summer or fall days without rain is not even unusual—it happens almost every year. And yet, western farms are among the most productive in the world.

The reason this is possible is explained in one word: "Irrigation." By reclaming lands with short water supplies, America is seeing in our own time an example of the ancient promise that "the desert will blossom like the rose." This is the second in a series of short talks describing the achievements of Federal reclamation projects. Last week I discussed the great Columbia Basin project, in the Pacific Northwest. Today I wish to call attention to the Central Valley project, in California, which even though not fully developed, is already one of the most successful operations the Government has ever embarked upon.

### CENTRAL VALLEY PROJECT, CALIFORNIA

An adventurous band of Spanish soldiers, chasing Indian runaways from the mission of Monterey, were the first white men to look into the great Central Valley of California. They found it to be a desolate expanse, part desert and part swamp, and turned back to the coast, leaving the valley to the Indians. It was about 100 years later before early settlers began using the river waters for irrigation.

Agriculture in the Central Valley has developed through three overlapping stages: the cattle ranching of the early days, followed by dry farming of small grains, and, finally, the specialized and intensified irrigation farming of today made possible by the application of water to the dry, parched lands of the valley.

In contrast to many reclamation areas, the Central Valley of California had a well-established history and a rich agricultural economy, much of it irrigated, developed solely by the ranchers and farmers and irrigation districts of the area long before the Federal Government undertook the construction of the Central Valley project. With the exception of the relatively small Orlando project on the west side of the Sacramento Valley, no Federal development of irrigation works had been undertaken in the valley prior to 1935, the date of the first Federal appropriation for the Central Valley project.

It was against this backround of intensive agriculture, which had developed critical water shortages, lowering groundwater levels, particularly in the San Joaquin Valley, and salt water encroachment on the rich delta lands, that the Central Valley project was planned and constructed by the Bureau of Reclamation. The project was designed to put a firm water base under the existing agriculture by supplementing local supplies with water from northern California's Sacramento Valley and to provide new water for lands which had no supply. Nature had not distributed the water resource of this area, either seasonally or geographically, according to the needs of man. The project redistributed this water by controlling and storing the floodwaters in the north and using it to supplement the precarious water supply in the south.

Today, the Central Valley, although not fully developed, is one of the world's choice agricultural regions. The large acreages of deep, smooth alluvial soils, the mild climate, the long hours of brilliant sunshine in the summer, and the controlled application of water have been used effectively for the production of high value crops. Five Central Valley counties are among the first 10 counties in the Nation in value of agricultural commodities produced. Besides supplying significant portions of the food needs of California's rapidly growing urban centers, the Central Valley furnishes nearly all the national supply of some fruits and a significant share of the national production of other crops, all made possible through the conservation and application of a once unused water resource.

The value of agricultural production in the vast Central Valley is greater than that of most whole States. During the 1962 crop year, there were 902,425 acres of land irrigated in the Central Valley project, producing a gross crop value in excess of $258 million. About $218 million, or more than 80 percent of this total, was accounted for by high value vegetable, nursery, and seed crops, fruit, nuts, and upland cotton. Since 1943, the year in which production was first reported on, the project has produced more than $2,555 million in crop value, or over 3 times the $789,314,539 of project construction costs as of December 31, 1962.

In 1953, a typical year, the Central Valley produced 98.5 percent of the figs, 87 percent of the almonds, 83 percent of the olives, 64 percent of the grapes, 35 percent of the asparagus, 25 percent of the rice, 18 percent of the cantaloupes, 16 percent of all fruit, and nuts, and 10 percent of the cotton raised in the United States. Thus, irrigation and drainage have turned a desolation of swamp and desert into an area of rich farms and attractive cities supporting a population of more than 2 million.

While the Central Valley project is primarily an irrigation project, it provides many additional benefits in the form of hydroelectric power, municipal and industrial water, flood control, navigation, salinity replusion, and recreation.

During 1962, the Central Valley project delivered 3,031,537 acre-feet of water for agriculture, municipal and industrial use, fish and wildlife, and other uses.

Gross power generation during 1962 was over 3 billion kilowatts, with a total of 40-power distributing customers receiving energy from the project.

Recreation areas were maintained at nine project reservoirs, with a combined water surface area of 63,000 acres and over 650 miles of shore line. Boating, angling, picnicking, and related outdoor sports were enjoyed, with an annual attendance estimated at over 4 million visitor days.

Shasta, Friant, and Folsom Reservoirs, as well as the smaller reservoirs, have reserves of storage space for flood control, and their operations have decreased flood dangers and damages amounting to millions of dollars.

The total cost of the project is now estimated at $1,480 million, which includes $433 million for San Luis unit joint-use features for which the State of California is scheduled to provide $238 million. Through December 31, 1962, project construction has cost $789,314,539, or 53 percent of the estimated total cost of the project as now authorized.

Net income to date from project operation has passed the $100 million mark. To December 31, 1962, a total of $106,733,605 was available to apply toward repayment of project costs. This is 17.2 percent of the cost of project features completed and in operation.

In 1962, the project gross income from all sources was $17,865,192. Net revenue amounted to $8,131,434.

The Central Valley project is an outstanding example of the success reclamation has had in combining the raw lands and scarce waters into a single productive resource.

Numerous irrigators have established adequately irrigated farms, providing livelihood for not only their own families, but for an equally great number of farm wage earners. From this economic base has sprung the prosperous community development which characterizes not only the Central Valley, but the entire reclamation West.

Human existence would be virtually precluded, and the agriculture as we know it today in the Central Valley could not exist without the assured source of water provided by this highly successful reclamation project. The growth and economic production of this area continues only by virtue of the water which is stored and delivered through manmade facilities—a living tribute to his ingenuity.

## STEPS TOWARD DEVELOPMENT OF A NEW SUGARBEET INDUSTRY IN CAYUGA COUNTY, N.Y., A BRIGHT SPOT IN THE RECORD OF THE AREA REDEVELOPMENT ADMINISTRATION

**Mr. STRATTON.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

**The SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. STRATTON.** Mr. Speaker, as Members of this House are aware, I have long fought for the area redevelopment program of this administration, and I have always supported the ARA bills, as being vitally needed to give an effective boost to the economy of my upstate New York area.

Some weeks ago the Area Redevelopment Administration was mistakenly attacked for the steps it has taken to promote the economic health of our area by encouraging a new sugarbeet industry in my district, in Cayuga County, N.Y.

I am happy now to be able to bring to the attention of my colleagues a thoughtful editorial on the impact of this new industry in our area which appeared in this morning's issue of the Syracuse Post-Standard, one of the most important and widely read newspapers in all upstate New York.

I am most pleased to see the Post-Standard's opinion that the Cayuga County sugarbeet project represents a "wise choice" for the ARA. I might add that the Post-Standard is not generally a supporter of the administration.

I am pleased to bring this editorial to the attention of my colleagues in the House, especially those who represent some of the other counties referred to in the editorial. I do hope this will show them the urgent necessity, from the point of view of the economic health of our upstate New York area, of supporting the proposed extension of ARA.

The editorial follows:

### New Sugar Industry?

The Area Redevelopment Administration has been criticized for allocating funds to projects providing little employment, but it is making a sound investment in a central New York sugarbeet experiment.

The Agriculture Department reports sugar yields from test beets just harvested are high, and the beets are of excellent quality for commercial use.

Farmers in Onondaga, Cayuga, Tompkins, Ontario, Seneca, Oswego, Wayne, and Yates Counties are participating in the experiment, which could add $12 million to the central New York economy.

The ARA is providing funds for the tests being conducted by the Cornell School of Agriculture, and it will pay 65 percent of the cost of a sugar refinery planned by the Pepsi Cola Co. near Auburn if sugarbeet production shows enough promise.

Central New York apparently has the soils and climate for successful development of this crop, although final decision must await further analysis. With sugar a widely sought commodity due to the shutting off of Cuban exports, the project in this area would seem to offer great opportunities.

If our farms can produce beets of such quality in a period of drought, the outlook with normal rainfall is highly encouraging. The ARA must be credited with a wise choice in this instance.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Pepper (at the request of Mr. Bennett of Florida), for the week of October 28, 1963, on account of official business.

Mr. Ryan of New York (at the request of Mr. Murphy of New York) for Monday, October 28 and Tuesday, October 29, 1963, on account of illness.

Mr. Fountain (at the request of Mr. Albert), for today, on account of official business.

Mr. Downing (at the request of Mr. Hardy), for Monday, October 28, 1963, on account of illness in family.

Mr. Gonzalez (at the request of Mr. Albert), for Monday, October 28, 1963, on account of death in the family.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Patman for 1 hour tomorrow on the life of the Honorable Tom Connally, a former Member of the House of Representatives, and later U.S. Senator from Texas, who passed away last night.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Trimble and to include extraneous matter.

Mr. Dulski.

Mr. Albert and to include an address by the President of the United States delivered at the University of Maine.

Mrs. Green of Oregon (at the request of Mr. Duncan) and to include extraneous matter.

Mr. Staebler and to include extraneous matter.

(The following Members (at the request of Mr. Martin of Nebraska) and to include extraneous matter):

Mr. Fino.

Mr. McLoskey.

Mr. Morton.

Mr. Alger.

Mr. Fulton of Pennsylvania.

(The following Members (at the request of Mr. Tuten) and to include extraneous matter:)

Mr. Buckley.

Mr. Burke.

Mr. Fraser.

Mr. Boland.

## SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 569. An act to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education, and to authorize for teachers in private nonprofit schools certain benefits under the provisions of titles V and VI of such act provided for teachers in public schools; to the Committee on Education and Labor.

## BILLS PRESENTED TO THE PRESIDENT

**Mr. BURLESON, from the Committee on House Administration, reported that that committee did on October 25, 1963, present to the President, for his approval, bills of the House of the following titles:**

H.R. 844. An act to declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

H.R. 845. To declare that certain land of the United States is held by the United States in trust for the Oglala Sioux Indian Tribe of the Pine Ridge Reservation;

H.R. 2635. To amend the act of August 9, 1955, for the purpose of including the Fort Mojave Indian Reservation among reservations excepted from the 25-year lease limitations;

H.R. 3306. To establish a revolving fund from which the Secretary of the Interior may make loans to finance the procurement of expert assistance by Indian tribes in cases before the Indian Claims Commission;

H.R. 6225. To provide for the rehabilitation of Guam, and for other purposes; and

H.R. 6481. To permit the government of Guam to authorize a public authority to undertake urban renewal and housing activities.

## ADJOURNMENT

Mr. TUTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Tuesday, October 29, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1330. A letter from the Associate Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report on title I, Public Law 480 agreements concluded during September 1963, pursuant to Public Law 85–128; to the Committee on Agriculture.

1331. A letter from the Comptroller General of the United States, transmitting a report on the review of selected aspects of Mail-Flo systems at the Philadelphia, Pa.; Denver, Colo.; and Los Angeles, Calif., post offices; to the Committee on Government Operations.

1332. A letter from the Comptroller General of the United States, transmitting a report on excessive costs included in prices for Falcon missile components purchased from Avco Corp., Crosley Division, Cincinnati, Ohio, by Hughes Aircraft Co., Culver City, Calif., under a contract negotiated by the Department of the Air Force; to the Committee on Government Operations.

1333. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to authorize the transfer of the Piegan unit of the Blackfeet Indian irrigation project, Montana, to the landowners within the unit"; to the Committee on Interior and Insular Affairs.

1334. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which this Service has approved according the beneficiaries of such petitions first preference classification, pursuant to the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1335. A letter from the Comptroller General of the United States, transmitting a report on unnecessary costs incurred because of the failure to standardize the tropical wool trousers of the Department of the Army and the Marine Corps; to the Committee on Government Operations.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of October 22, 1963, the following bill was reported on October 28, 1963:

Mr. MILLS: Committee on Ways and Means. H.R. 8864. A bill to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962; and for other purposes; without amendment (Rept. No. 870). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted October 28, 1963*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. Additional views. H.R. 8864. A bill to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes; without amendment (Rept. No. 870, pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. Report on world newsprint supply-demand outlook through 1965; without amendment (Rept. No. 871). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKER:

H.R. 8937. A bill for the relief of certain retired officers of the Army, Navy, and Air Force; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 8938. A bill to permit the importation, free of duty, of racing shells to be used in connection with preparations for the 1964 Olympic games; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:

H.R. 8939. A bill to provide that the retailers excise tax on luggage, handbags, etc., shall not apply to women's purses and handbags sold at retail for less than $15; to the Committee on Ways and Means.

By Mr. LINDSAY:

H.R. 8940. A bill to amend title I of the Housing Act of 1949 to provide more equitable procedures for the relocation of persons displaced from their homes or places of business by urban renewal projects, to increase the amount of the relocation payments authorized to be made to such persons, and for other purposes; to the Committee on Banking and Currency.

H.R. 8941. A bill to create a Federal Limited Profit Mortgage Corporation to assist in the provision of housing for moderate-income families and for elderly persons; to the Committee on Banking and Currency.

H.R. 8942. A bill to establish the Department of Urban Affairs and prescribe its functions; to the Committee on Government Operations.

By Mr. PERKINS:

H.R. 8943. A bill to amend the Manpower Development and Training Act of 1962; to the Committee on Education and Labor.

By Mr. SICKLES:

H.R. 8944. A bill to amend the Federal Employees' Compensation Act so as to permit injured employees entitled to receive medical services under such act to utilize the services of podiatrists; to the Committee on Education and Labor.

By Mr. CANNON:

H.J. Res. 782. Joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes; to the Committee on Appropriations.

By Mr. BROYHILL of Virginia:

H.J. Res. 783. Joint resolution to provide for the preservation and protection of certain lands in Arlington and Fairfax Counties, Va., and Montgomery County, Md., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CEDERBERG:

H.J. Res. 784. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FRASER:

H. Con. Res. 227. Concurrent resolution relative to planning for peace; to the Committee on Foreign Affairs.

By Mr. LINDSAY:

H. Res. 557. Resolution creating a select committee to conduct an investigation and study of the problems of urban areas; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BASS:

H.R. 8945. A bill for the relief of Royston Rudolph; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 8946. A bill for the relief of Alexis E. Lachman; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 8947. A bill for the relief of Bozo Juravic; to the Committee on the Judiciary.

H.R. 8948. A bill for the relief of Elie Boghdadi; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 8949. A bill to make certain expenditures in connection with the Peoria, Ill., Medical Center project eligible as local grants in aid toward that project; to the Committee on Banking and Currency.

By Mr. O'NEILL:

H.R. 8950. A bill for the relief of Antonio Pereira Damaso, Jr.; to the Committee on the Judiciary.

H.R. 8951. A bill for the relief of Helana da Rosa Alves de Faria; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DAWSON:

408. Petition of Theodore R. Hawes and others, Chicago, Ill., relative to requesting support of President Kennedy's civil rights legislation; to the Committee on the Judiciary.

By the SPEAKER:

409. Petition of Lois Kehrer, county clerk, Plumas County Board of Supervisors, Quincy, Calif., relative to Federal in-lieu payments for lands administered by the Forest Service and Bureau of Land Management; to the Committee on Agriculture.

410. Also, petition of George A. Brown, mayor, Waurika, Okla., relative to urging the earliest possible action on the Waurika Reservoir proposal; to the Committee on Interior and Insular Affairs.

411. Also, petition of C. E. Ziegenfuss, secretary, Dormont Public Schools, Pittsburgh, Pa., relative to requesting an appropriate amendment to the Constitution to restore Bible reading and prayer in opening exercises in public schools; to the Committee on the Judiciary.

412. Also, petition of Henry Stoner, Old Faithful Station, Wyo., requesting that the House of Representatives agree with the Senate that the House does not have absolute initiatory powers as to appropriation bills; to the Committee on Appropriations.

413. Also, petition of Henry Stoner, Old Faithful Station, Wyo., requesting that there be awarded a special medal to Alice C. Carney, of Taunton, Mass., who has just been retired as a public school teacher after 43 years of service; to the Committee on Banking and Currency.

414. Also, petition of Henry Stoner, Old Faithful Station, Wyo., requesting that the Committee on Foreign Affairs do a study and make it public relating to editorial comment in the Negro nations of Africa regarding southern racism in America; to the Committee on Foreign Affairs.

415. Also, petition of Henry Stoner, Old Faithful Station, Wyo., to insist to both the Department of State and the United Nations that constitutional representative democratic government be maintained, especially in the Caribbean area; to the Committee on Foreign Affairs.

416. Also, petition of Henry Stoner, Old Faithful Station, Wyo., requesting that the Committee on Foreign Affairs make a study relating to the Russian-United States wheat question; to the Committee on Foreign Affairs.

417. Also, petition of Henry Stoner, Old Faithful Station, Wyo., requesting that the Joint Committee on Printing cause to be listed in the CONGRESSIONAL RECORD, Representatives with residences in Washington, and showing their political affiliations, addresses, and their ZIP code numbers; to the Committee on House Administration.

418. Also, petition of Henry Stoner, Old Faithful Station, Wyo., to legislate for the creation of the Office of Capitol dentist; to the Committee on House Administration.

419. Also, petition of Henry Stoner, Old Faithful Station, Wyo., to censure the U.S. judge in New York City who last summer sentenced James M. Landis to Federal jail terms, to run consecutively, for income tax tardiness; to the Committee on the Judiciary.

420. Also, petition of Henry Stoner, Old Faithful Station, Wyo., to congratulate the Los Angeles Dodgers for beating the New York Yankees in four consecutive games, because New York City suffers from a superiority complex and this should tend to humanize New Yorkers; to the Committee on the Judiciary.

421. Also, petition of Henry Stoner, Old Faithful Station, Wyo., to legislate to require that the Presidential oath be given in the manner prescribed by the Constitution of the United States, and that the President-elect take the correct oath; to the Committee on the Judiciary.

422. Also, petition of Henry Stoner, Old Faithful Station, Wyo., to legislate to make it a Federal felony for persons beyond the age of 16 years to wear masks publicly, outside of a private residence; to the Committee on the Judiciary.

423. Also, petition of Henry Stoner, Old Faithful Station, Wyo., requesting Congress to initiate a study of American citizens owning ocean shipping lines flying foreign flags, especially of Panama and Liberia, and report their findings to the House of Representatives; to the Committee on Merchant Marine and Fisheries.

424. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to the House enacting legislation to abolish the tax exemptions of certain currently tax-exempt foundations since the practice works a hardship on the "unfavored"; to the Committee on Ways and Means.

425. Also, petition of Henry Stoner, Old Faithful Station, Wyo., with reference to Congress clarifying the meaning of section 4, 14th amendment, U.S. Constitution, as compared to article I, section 8, clause 1 of the Constitution relating to interpretation concerning the public debt; to the Committee on Ways and Means.

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# EXTENSIONS OF REMARKS

## Tribute to the First President of the Republic of Czechoslovakia

EXTENSION OF REMARKS

OF

### HON. NEIL STAEBLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. STAEBLER. Mr. Speaker, today, on the 45th anniversary of the Republic of Czechoslovakia, I would like to pay tribute to its founder and first President, Thomas Garrigue Masaryk. To men devoted to the cause of liberty, there can be no symbol out of the past more inspiring than that of President Masaryk.

He was born in 1850, poor in the material things of this world, but rich in intelligence and spiritual strength. Through hard work, he managed to overcome poverty; he graduated from the University of Prague. Fortified with a clear understanding of the Western humanitarian tradition, he concentrated his enormous energy on bringing the benefits of freedom and democracy to the Czechoslovakian people. He was an ardent patriot, pleading Czechoslovakia's cause before the nations of the world and often working closely with President Woodrow Wilson.

During World War I, the Czechoslovakian National Council, which he led, was recognized by the Allies as the de facto Government of Czechoslovakia. On October 28, 1918, he was elected the first President of the Republic, and was reelected until he retired in 1935 at the age of 85. Just before his death in 1937, he addressed a radio message to the American people, saying:

> Czechoslovakia proudly accepts the ideals of Washington, Lincoln, and Wilson. Let others find a solution to their own problems, but let us not allow them to touch our most important treasures: freedom of soul, freedom of word, and freedom of race.

Although Nazi and Soviet domination have destroyed Masaryk's dream of a free Czechoslovakia, the love of liberty, which Masaryk brought to the Czechoslovakian people, cannot be destroyed.

## No. 22—Arizona: The Gamblers' Paradise

EXTENSION OF REMARKS

OF

### HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. FINO. Mr. Speaker, today, I would like to bring to the attention of the Members of this House, more particularly the congressional delegation from the State of Arizona, some interesting figures having to do with the extent of gambling in that State.

Arizona's parimutuel turnover, in 1962, amounted to over $21 million from which the State collected, legally and properly, over $1 million. But this was only a small part of the story.

Illegal gambling is widespread in Arizona. The share of national offtrack betting allocated to this State, based on testimony before the McClellan committee, came to $360 million last year. The total figure for all kinds of illicit gambling as estimated at $750 million annually.

About 10 percent of the illegal gambling activity sticks to the underworld's fingers as gross profit. The official hypocrisy which keeps gambling illegal is bankrolling gambling's criminal entrepreneurs to the tune of $75 million a year. Arizona is a haven for the professional gamblers.

Most countries, Mr. Speaker, have the wisdom to recognize and regulate the human urge to gamble. All of our European and Latin American allies conduct Government-run lotteries not only as a means of raising revenue but cutting down its gambling problem to a minimum.

It is high time that Arizona and all of its sister States put a halt to its unknowing silent partnership with the mob. Like the rest of the Nation, Arizona needs Government control of gambling through a national lottery.

## Ozark Chapter, Association of the U.S. Army

EXTENSION OF REMARKS

OF

### HON. JAMES W. TRIMBLE

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. TRIMBLE. Mr. Speaker, last week the Association of the U.S. Army held its annual meeting here in Washington. At that time, the Ozark chapter of the association received the outstanding chapter award for having the greatest percentage increase in membership between July 1, 1962 and June 30, 1963. Present to accept the award were James S. Beckman and Tom Futral, officers of the Ozark chapter. We are proud of them and congratulate them on their achievements. When one considers that there are 121 chapters throughout the world, this is quite an honor for the Ozark chapter.

## Explanation of Rollcall Votes

EXTENSION OF REMARKS

OF

### HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. FULTON of Pennsylvania. On Tuesday, September 10, 1963, I was on official business in New York City as congressional adviser to U.S. mission on United Nations Committee for Peaceful Uses of Outer Space. I would have voted "yea" on final passage of S. 1576—rollcall No. 144—to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers and for other purposes.

On Monday, October 14, 1963, District of Columbia Day, there had been no notice that there was controversial legislation scheduled. Consequently, I scheduled consultations with constituents in my Pittsburgh district office in order to save these constituents the time and expense of trips to Washington, D.C. On final passage of H.R. 5871—rollcall No. 172—to provide for the retirement of District of Columbia court judges after 10 years of service, under the same formula for computation of annuity as under the present law, I would have voted "nay." Such pension, or pay increases, should all be considered under legislation for U.S. Government employees, studied for overall policy by the House Post Office and Civil Service Committee. I disapprove and oppose this procedure.

On Monday, October 21, 1963, I returned from my district, Pittsburgh, to Washington, D.C., and attended the House session. At the close of the session, I was advised there would be no legislative business of a substantial or controversial nature on Tuesday, October 22, 1963. I therefore flew back to Pittsburgh on Monday afternoon, October 21, at the close of the session, and on October 22 arranged for personal appointments for constituents at my Pittsburgh congressional office, and returned for the session, Wednesday, October 23, 1963. I make these trips to Pittsburgh at my own expense in order to give more efficient and personal service to constituents of my district and make myself available for individual personal consultation with constituents on urgent or complicated personal matters that could only be handled otherwise by correspondence on a delayed basis.

On October 22, 1963, I would have voted "yea" on final passage of H.R. 8821—rollcall No. 178—to revise the provisions of law relating to the methods by which amounts made available to the States pursuant to the Temporary Unemployment Compensation Act of 1958 and title XII of the Social Security Act are to be restored to the U.S. Treasury. This bill was passed by a remarkable majority of 350 to 1, so obviously no controversy was expected.

## Double Standards of the New Frontier

EXTENSION OF REMARKS

OF

### HON. ROBERT T. McLOSKEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. McLOSKEY. Mr. Speaker, I would like to share with my colleagues my findings and observations concerning the obvious double standards of the New Frontier which have taken place over the last 2 weeks.

After recommending a strong civil rights bill, Attorney General Kennedy than went before the House Judiciary Committee to recommend toning down the proposed legislation in that body.

After recommending numerous tax reforms to the House and Senate, Secretary Dillon appeared before the Senate Finance Committee and completely abandoned principle by urging their support for the House-passed bill in order to get anything through Congress this session to improve the administration's image.

However, nowhere has this "in-again-out-again Finnegan" attitude been better portrayed than on my House Public Works Committee. Last year authorization was made for a $900-million accelerated public works program to allegedly attack the unemployment problem by providing neo-political jobs in areas with chronic unemployment. This year, after the program had been funded by a 228 to 184 partisan vote, the administration pleaded for an additional authorization. In urging enactment of close to $1 billion in additional funds this year, President Kennedy stated on April 6 that—

> I hope that partisan activity will not be allowed to destroy or weaken a program aimed at our unemployment program.

When the tax bill passed the House last month, the Democrats on the Ways and Means Committee noted that—

> The effect of the tax reduction * * * in reducing unemployment * * * is a complete answer to the argument offered by some of increased Government expenditures in order to overcome unemployment.

Yet within 2 weeks hearings were called in my committee for the unnecessary and excess spending under the public works acceleration program.

While experts were testifying as to the merits of accelerated public works, Secretary Dillon was trying to talk the Senate Finance Committee into reporting out the tax bill by promising that accelerated public works "was not an administration bill" and that "I do not think that bill is necessary." Later in the tax hearings, Kermit Gordon, Director of the Bureau of the Budget, when asked by Senator BENNETT of Utah whether the program has the sponsorship and support of the administration said, "It does not, Senator."

This is a clear case of the administration's left hand not knowing what its other hand is doing. Mr. Gordon, who earlier this year stated that balanced budgets could be dangerous things, now piously states that some spending is not backed by the administration.

I, for one, am glad to hear this. But does the House Public Works Committee know it? Do the spending administrators in the departments and agencies downtown know it? Because my committee has had no official notice of the administration's position, I have written Chairman BUCKLEY of the House Public Works Committee with a copy to the sponsor of this legislation, Representative BLATNIK, asking that Mr. Gordon be called as a witness before the committee—not insofar as his economic theories are concerned, but merely to clear up one question—is the administration for the accelerated public works program or is it against it?

We cannot have it both ways. The administration cannot have its cake in Senate Finance and still eat it in the House Public Works.

All we wish to ask is, "Will the real priority spending legislation please stand up—will the rest please sit down for the benefit of all the American citizens?"

## The 45th Anniversary of the Republic of Czechoslovakia

EXTENSION OF REMARKS

OF

### HON. CHARLES A. BUCKLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. BUCKLEY. Mr. Speaker, today, October 28, marks the 45th anniversary of the birth of one of the great Republics of the world, the Republic of Czechoslovakia.

I rise today to pay tribute to that beleaguered nation and to its freedom-loving people.

The Republic of Czechoslovakia came into being some 45 years ago after World War I on October 28, 1918. Its first President, Thomas Garrigue Masaryk, was the cornerstone in the foundation of the Czechoslovakian Republic. He had the firm support of President Woodrow Wilson and the American people who have always given a sympathetic ear and constructive support to the ideals of freedom in all portions of the world.

Many years later in 1937 President Masaryk, then in his 87th year, said, "Czechoslovakia proudly accepts the ideals of Washington, Lincoln and Wilson. Let others find a solution to their own problems, but let us not allow them to touch our most important treasures: freedom of soul, freedom of word, and freedom of race." This simple but great man epitomizes the spirit and feeling of Czechoslovakians everywhere.

A short time later Czechoslovakia fell under the heel of Nazi totalitarianism to be followed immediately by the overwhelming oppression of Red communism. Today the freedom-loving peoples of Czechoslovakia still live under this brutal oppression.

I am certain, however, that within their hearts there still beats that same glow of freedom that has been their birthright and heritage of Czechoslovakians down through the ages. On this 45th anniversary I proudly salute the people of Czechoslovakia and the Republic of Czechoslovakia I am certain that in the future course of history that once again the Republic of Czechoslovakia will regain its birthright and that the people of that country will take their place in the forefront of the great democratic nations of the world.

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## The 45th Anniversary of the Czechoslovak Republic

EXTENSION OF REMARKS

OF

### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. FRASER. Mr. Speaker, today marks the 45th anniversary of the birth of the Czechoslovak Republic. As we look toward the future, it is appropriate to recall the liberal tradition which Czechoslovakia set as a new democracy and to which we hope she may soon again return.

Deprived of independence by the Thirty Years War, the Czech people were able, after 300 years of foreign domination, to establish the Republic of Czechoslovakia in 1918. Under the leadership of Thomas Masaryk as President, and of Eduard Benes as Foreign Minister, this new Republic built, in the uncertain interwar years, a liberal and progressive democracy.

On the domestic scene, Czechoslovakia acted decisively in numerous areas. An extensive land reform law, with compensation for expropriated property, was enacted and implemented. Special steps were taken to protect the rights of minority groups. A system of social insurance was established, to be copied by others in Europe. Unions were encouraged.

In foreign affairs, Czechoslovakia was the only nation which in 1931 protested Japanese aggression against China on behalf of the idea of collective security. Eduard Benes, Czechoslovakia's Foreign Minister and later President, was known as "a pillar of the League and the foremost spokesman of the small nations."

We are all aware of the sad history of Czechoslovakia from Mr. Chamberlain's trip to Munich through the war years to its domination by the U.S.S.R. I join today with my colleagues to express our fervent hope that one day Czechoslovakia will again have a free government which will not only reflect the aspirations of her people, but which will also reestablish Czechoslovakia's historic role of leadership in the councils of free nations.

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## Massachusetts Police Association Calls for Retention of the Death Penalty

EXTENSION OF REMARKS

OF

### HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. BURKE. Mr. Speaker, on Tuesday evening, October 22, 1963, I attended the 1963 convention of the Massachusetts Police Association at the Schine Inn, Chicopee, Mass. Under unanimous consent, I include a newspaper report on the convention that appeared in the Springfield Union, Springfield, Mass., Wednesday, October 23, 1963.

The news article is as follows:

POLICE SESSION VOTES TO KEEP DEATH PENALTY—STATE ASSOCIATION ACTS UNANIMOUSLY AT CONVENTION

The Massachusetts Police Association at its annual convention Tuesday at the Schine Inn, Chicopee, unanimously adopted a resolution calling for retention of the death penalty.

DOES NOT AGREE

Later U.S. Representative JAMES A. BURKE, of Milton, principal speaker at the convention banquet, said that he does not agree with the wholesale imposition of the death penalty in murder cases, but it must be retained on the books as a deterrent to the hardened criminal who has nothing to lose by using a gun.

BURKE noted that two Massachusetts policemen have been killed recently in gun battles with criminals and last week two desperados escaped from a jail near Boston. In all cases these men had nothing to lose and could have shot either a policeman or citizen.

One wonders what runs through the mind of a criminal at times like that when he probably faces life in prison anyway, he said.

QUOTES FIGURES

Quoting figures compiled by the Federal Government, Representative BURKE said that in 1961 alone, more than 9,620 policemen in the Nation were injured as the result of serious assaults and that 48 others were killed. This represented a rise of 150 percent compared to 10 years ago.

It seems the only time that policemen are respected is when they lay down their lives, but then they are quickly forgotten, he said. These men who have risked their lives are someone to be respected.

There is a need for a whole reappraisal of the police system and what they are set up for. The public should have a better understanding of the police problems.

Actually, the local police are the frontline of defense for the Nation's security and most of the Federal law enforcement agencies depend almost entirely on them for information and could not operate without them, the Congressman said.

OPPOSES CRITICS

He decried the tendency on the part of do-gooders to break down the respect for local police by attacking enforcement of the law.

Representative BURKE said that he was not calling for use of the death penalty in all cases, since each case must be judged on its merits and the recommendations of law enforcement and court officials, but that its retention is necessary as a deterrent against the hardened criminal.

The association Tuesday also strongly condemned the use of civilian trial boards to pass judgment on alleged infractions committed by policemen along the lines of racial issues, brutality and other civil rights.

Capt. Daniel J. Holland, of the Springfield Police Department, convention chairman, said that such a board was recently used in York, Pa., but resulted in a complete demoralization of police personnel and a high rise in the crime rate of the community.

RATE DROPS

When the trial board was abolished, the crime rate was greatly reduced, he said.

Also Tuesday Sgt. Bernard S. Fleming, of Brookline, was nominated unopposed for president of the association, succeeding Chief Joseph C. Wright, of Brockton. Others nominated unopposed were: Sgt. Frederick T. Lane, of Malden, secretary, and Captain Holland, treasurer. Election will be today.

More than 100 police officials from western Massachusetts attended the opening session Tuesday. The convention ends tonight.

I also include my remarks made at the banquet on Brockton's Chief of Police Joseph Wright.

My remarks are as follows:

I am very happy to be here tonight. I am happy to be here because of the position of responsibility in your organization held by your president, Police Chief Joe Wright, of Brockton. Through many years I have come to know, respect, and admire Chief Wright, both as a man and as a high police official. In his private life he has shown himself to be a person of exceptional character, genuine good will and friendly loyalty. In his professional field he has progressively advanced to the highest position within the law enforcement unit of his community. He has done so by applying a determined diligence and perservering will to the acquirement of constantly new learning and knowledge in his profession. These are the basic qualities necessary for attaining superior competence on any job and they are the fundamental marks of an individual devoted to duty. For these qualities he has our universal admiration. Throughout his professional progress Chief Wright has retained the good nature, the sympathetic understanding the friendly disposition, the cooperative personality and the quiet humility which have always characterized his personality. For these qualities he has our united respect.

The combination of these attributes produces the capacity and the impact of leadership in an individual. The recognition of his possession of leadership, spirit and drive is essentially why Joe Wright is the head of the police force in the city of Brockton and why he was honored by your organization.

The city of Brockton is fortunate indeed, to have this man in such an exacting position. Chief Wright, it is a privilege for me to be here and to extend to you my sincere congratulations for a job well done. In doing so I know I echo the sentiments of your fellow citizens in the city of Brockton, with the further common wish that the good Lord will grant you many more years of lasting good health to continue your good work on behalf of your community, your State, and your fellow man.

## Washington Report

EXTENSION OF REMARKS

OF

## HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following newsletter of October 26, 1963:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas, Oct. 26, 1963)

THE 88TH CONGRESS

This Congress has been in session 145 days since it convened on January 9. Its work could have been completed weeks ago. It could adjourn now, but it won't. Major legislation pending:

1. Seven appropriation bills.
2. Civil rights bill.
3. Tax bill.

The only legislation which Congress must approve before adjournment is the appropriation bills. Proper procedure would demand approval of appropriation bills by the end of each fiscal year, June 30. Congress brings upon itself justifiable criticism when it allows its primary function to be shunted aside while weeks are spent on controversial and political measures.

There are 12 regular appropriation bills which make available the money necessary to run the departments of the Federal Government.

1. Treasury, Post Office, and executive offices.
2. Interior and related agencies.
3. Labor, Health, Education, and Welfare.
4. Legislative branch.
5. Defense Department.
6. District of Columbia.
7. State, Justice, and Commerce.
8. Agriculture.
9. Independent offices.
10. Military construction.
11. Public works.
12. Foreign aid.

The House has passed nine of these so far with military construction, public works, and foreign aid still to go. The Senate has given its approval to only six. It must still hold hearings on some of the remaining bills. This means Congress will be in session well into December, and perhaps after the first of the year.

The two bills responsible for the long session with its tremendous cost to the taxpayers are both sponsored by President Kennedy: (1) The civil rights bill, and (2) the tax bill. It appears now that neither will be passed in this session. As they are both identified with political expediency the fight will be even more bitter next year, an election year.

In the cloakrooms and other gathering places in Washington two other reasons are often given for keeping Congress in session. First, it keeps the national press corps here where the administration holds the center of the stage. If Congress adjourns, press coverage is dissipated among the 50 States and 435 congressional districts taking the spotlights away from the President. Second, it is said many Members of Congress don't want to face their constituents knowing that the majority of the people are opposed to the Kennedy tax proposal, many of the Kennedy spending programs, the Kennedy policy of "accommodation" of the Communists, and that the people are disturbed and critical over the Kennedy failures in domestic problems as well as meeting the Communist challenge especially in Cuba.

NOMINATIONS FOR SERVICE ACADEMIES

More than 100 young men from Dallas County applied this year for appointment to the service academies. Of this group I can appoint one principal for West Point, one for Annapolis. Six are nominated for the Air Force with the Academy officials making the final selection of the principal. My procedure in making selections is designed to assure all applicants an absolutely fair opportunity. All the boys compete in an examination conducted by the Civil Service Commission. The appointments are made strictly on the grades received on that examination without regard to personal friendship, politics, social standing, or any other criteria. If my opponent's son received the highest grade, he would get the appointment. These boys make it on their own without influence or special favor. It is a tribute to the boys and to the Dallas schools that we have so many competent applicants and that Dallas appointees make such fine records in all the academies.

Nominations for entrance in July 1964. West Point: Principal, James Dale Knox, Jr.; first alternate, Robert Walter Spiro; second, Dan Morey Parker, Jr.; third, Glen Raymond Zauber.

Annapolis: Principal, Carl Amos Gaines; first alternate, John Tom Kriese; second, James Bryan Robinson; third, John Martinez Greathouse; fourth, Donald Kenneth Bailey; fifth, Donald Ralph Stewart.

Air Force: James Elbert Houston, David Russell, Wade L. Bennett, III, John S. Heggie, III, Robert Morton Gillaspie, William Patterson Evans.

Merchant Marine Academy: 10 nominees will compete on a statewide basis for appointment, Terry Morgan, Scott M. Anderson, Robert E. Howell, Bill J. Shipp, Jr., Lewis F. Boyd, Jefferson A. Stewart, Charles J. Webster, Herbert F. William, Jr., James K. Thomas, Billy Griffin.

October 22, the first anniversary of the Cuban crisis marked by the failure of President Kennedy to back his words with deeds with the result, the consolidation of Soviet power in Cuba.

October 23, the seventh anniversary of the Hungarian revolution. The administration picked this day to approve the sale of several millions of bushels of corn to Hungary.

## The 18th Anniversary of the United Nations

EXTENSION OF REMARKS

OF

## HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mrs. GREEN of Oregon. Mr. Speaker, last Thursday, October 24, the gentleman from Minnesota, Representative DONALD M. FRASER, led a special order observance on the House floor upon the occasion of the 18th anniversary of the founding of the United Nations. I believe that Representatives FRASER and DANTE FASCELL, Chairman of the Subcommittee on International Organizations and Movements of the House Foreign Affairs Committee, are to be commended for encouraging Members to commemorate this important anniversary.

If modern man is not yet obsolete, Mr. Speaker, he owes a debt of gratitude to the U.N.

The United Nations came into being under a charter that described the organization as a "center for harmonizing the actions of nations" in the achievement of common ends. I believe that, regardless of its less publicized successes in the field of economic development, health and education, the U.N. has earned its keep by its role in the Korean conflict, the Middle East turmoil and in the Congo.

And by so doing the U.S. national interest has been served.

During the 18 intervening years between San Francisco and today, the U.N. has grown in the direction of a future system of world order and peace. Flawed and imperfect as are all human institutions, the U.N. at a minimum provides a forum for disputes after other means have been found wanting. True, it cannot impose settlement of an issue. True, it is effective in the measure that its 111 member states permit it to be effective. However, in the cases I have just cited, the record is indisputable that the U.N. has often intervened in hostilities and restored order.

And its accomplishments are enhanced by the gamy enemies it has made during its lifetime.

To anyone who might cast a vote to weaken in any way or destroy the U.N., the question should be put: What is suggested to take its place? Military power in an awesome age of nuclear weapons that can literally depopulate the earth? The arrows launched by the bowmen at Agincourt struck their target with limited damage. Can any one say the same today when both the Soviet Union and the United States possess a nuclear arsenal of overkill that could kill each other's populations many times over?

As I stated during the discussion on the United Nations bond issue legislation last year, any legislative attempt to constrict the actions of this Government in the U.N. is an attempt to sabotage the position of preeminent leadership which the United States has exercised from the beginning in the political organs of the United Nations. Beginning last year there have been disquieting expressions within Congress that the United Nations should not be relied upon to deal with major matters.

In recent years both a Republican and a Democratic President have spoken out in support of the U.N.

Former President Eisenhower, speaking of the U.N. financial problems in one section, observed that "our country has played a leading role in the development of this great forum and we must not fail it now."

President Kennedy in September 1961 declared that "our dedication to the charter must be maintained. New strength and new roles for the United Nations" are required.

I suggest that on this observance we rededicate ourselves to the strengthening and improvement of the United Nations and its ancillary organs. This present crisis of confidence is caused as much by faint-heartedness on the part of some of its friends as by its implacable enemies. In this connection we would do well to seek sources of independent financing for the United Nations so that financially it would have a greater degree of initiative.

A policy of strengthening the United Nations means affording it the latitude to improve the chances that there will be no major war at all. And in so doing, we should not compile the statistics on U.N. achievements as if they were baseball batting averages. The U.N., for example, succeeded in the Congo; it failed in Goa. The percentage is 1.000, as far as I am concerned, given the historic, frightful disarray of international relations for centuries. The percentage is not .500. What was accomplished in the Congo could not have happened without an international organization. What happened in Goa would have happened without an international organization.

Already the U.N. has shown its potential for evolution—the enlargement of the Secretary-General's position to that of an operating executive, the establishment of ad hoc military detachments under the aegis of the United Nations and the adaptability of the General Assembly in the face of the veto power that all the major powers want in the Security Council. The evolution is in the direction of increasing the ability of the United Nations to save "succeeding generations from the scourge of war."

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## Do We Need a Sputnik From the Sea?

EXTENSION OF REMARKS

OF

## HON. ROGERS C. B. MORTON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. MORTON. Mr. Speaker, our very limited efforts and lack of knowledge in the field of oceanography has been of great concern to me for several years.

While the national effort in this science of the seas has been fairly extensive during the past few years, the bulk of our oceanographic knowledge has come from the efforts of the ocean boundary States, a few private institutions and some special ocean-related industries. Maryland has met the scientific challenge of the ocean since the founding of the State. But all of these efforts have barely scratched the surface of this most important field of inner space research.

Recent legislation passed by the House, providing for a long range comprehensive program in oceanography is a step in the right direction. We must realize the importance of increasing our knowledge of the oceans and providing trained personnel for the application of that knowledge, to our national security and future welfare.

Under permission to extend my remarks I wish to introduce into the RECORD a speech made by my Maryland colleague, Congressman CHARLES McC. MATHIAS, JR., on October 19 before the Maryland Society of the Sons of the American Revolution. I was particularly pleased to note that Mr. MATHIAS urged the establishment of a National Oceanographic Laboratory in Chesapeake Bay. His reasons are valid and, it is my hope, that such an institution will be included in our national oceanographic program.

I recommend that every Member of Congress read Mr. MATHIAS' excellent treatise on the need for oceanographic research titled "Do We Need a Sputnik From the Sea?"

The speech follows:

### DO WE NEED A SPUTNIK FROM THE SEA?

(Address by Congressman CHARLES McC. MATHIAS, JR., of Maryland, October 19, 1963, before the Maryland Society of the Sons of the American Revolution, Hotel Belvedere, Baltimore, Md.)

One of the most menacing weapons at the command of Adolf Hitler at the outbreak of World War II was his fleet of U-boats.

Today the Soviet Union has commissioned, manned, and is operating a fleet of submarines more than 10 times the size of the German submarine fleet in 1939.

Our Intelligence indicates that the Russians now have approximately 600 submarines of which we believe 400 to be capable of fleet operations.

At this very moment a Russian trawler is lying off the Virginia Capes ostensibly fishing, but I venture to predict that every ship that leaves the Port of Baltimore—and all other Chesapeake Bay shipping—will be observed, logged, and reported Russian naval headquarters.

Consideration of the maritime aspect of the relationship between Russia and Cuba makes it easier to understand what has gone on in that island. A look at a map will show you how valuable it is for Russian ships to be able to extend their range by refueling in Cuba rather than making a mid-Atlantic loop from and to Russian home ports. This may explain why Russia withdrew the missiles from Cuba. What she primarily wanted in Cuba was not a missile base but a naval and maritime base.

Thus, we see that Communist Russia is achieving the dream of Peter the Great to make the Russian people into the dominant seafaring nation. Why they are doing this and how they are doing it become important questions to the American people.

Early in October I took my two small sons, Charlie and Rob, to the beach for their first look at the ocean. We stood there on the shore of our island—for that, indeed, is what our land is—an island in the midst of a gigantic ocean domain. As we stood there on that Indian summer afternoon I came to realize the sparkling sea as man's last frontier on earth—as 72 million square miles of unexplored and unexploited territory—as the giver of life as we know it on this planet and the key to our continued existence.

As a nation we have had a continuous and intimate relationship with the sea. While this has undergone cycles of emphasis and deemphasis, our ability to use the sea has turned up a governing consideration in every time of troubles. The Revolutionary War, the War of 1812, two World Wars, Korea, all saw the outcomes balanced precariously upon the success of our operations at sea. A future conflict may once again find sea-based power employed to tip the scales.

Important as our oceanic military posture has been, it is only a part of our historical maritime dependence. The Yankee traders of a former age used clipper ships to envigorate the colonies' economy. The slaves-rum-furs triangle of that day has developed more recently into a two-way exchange between our industrial-agricultural economy and the raw materials producers overseas. Virtually no technologically advanced nation is so self-sustained as to lack the need for imports of either raw materials or special manufactured goods. Once rich in natural resources, we have—and it is a sad admission—become a depleted nation and now depend entirely upon supply from abroad for many critical materials.

We have only recently—and very slowly—begun to understand the full impact of the sea upon our future. With this has come the realization that we are almost completely ignorant of what goes on in the entire area. Water covers roughly three-fourths of the surface of the earth, a feature well known to every observer of a globe—the area is immediately visible—the identity of the shoreline is well defined. But this is just a two-dimensional portrayal of the oceans. The third dimension—that of depth—is not apparent unless you examine a relief map closely. The sea averages about 13,000 feet in depth. The deepest point is roughly 35,800 feet, a hole into which Mount Everest would all but disappear. Eighty percent is deeper than 9,000 feet. The oceans contain 1.5 billion tons of water. If the surface of the earth were bulldozed smooth, sea water would cover it to a depth of 12,000 feet. Truly, the earth is the "water planet," for no other planet retains its moisture in liquid form. And it is this part of our planet that is largely unknown.

Man's activities on the planet have always included exploration. By restless curiosity alone—but more likely in search of the miracle of fabulous discovery—man has rather thoroughly unclothed the continents. To be sure, details are scanty about certain parts—whether in terms of topography, or more particularly subsurface mineral content—but about the ocean floor, man knows next to nothing. The resources of the ocean thus remain untapped.

The need for these resources, whether mineral or biological, for human nourishment is often considered a problem for the next generation—so that the urgency for immediate exploitation may superficially appear marginal. Studies are made of the economic payoff anticipated in ocean exploitation—but these are academic since little is known of what is there in the first place. We must first have charts of the oceans in terms of their physical descriptions of temperature, salinity, the presence of currents, etc.—then descriptions of the ocean floors in terms of topography and mineral content. Finally, we need to know more about fishes.

For a peaceful world, dedicated to mankind's physical and spiritual welfare, the vast expanses of the oceans hold out hope for more resources and consequent enrichment of life. But the world is not at peace. We are engaged in a struggle with an ideological camp whose announced and demonstrated objective is world domination. It is interesting to note that the Soviets have apparently recognized the sea's potentials and have begun a vigorous program of oceanography and ocean development. Can we afford to await an Oceanic Sputnik to be jarred to our senses?

Let us look a bit further at Communist interest. Here are a few significant facts:

Since World War II the Soviet Union has constructed more combatant ships, with the exception of aircraft carriers, than any other nation in the world.

Soviet and Chinese Communist merchant shipbuliding programs are as rapid as their plant facilities permit.

Soviet seaborne trade has expanded to the point that they buy or lease foreign merchant ships—I saw tangible evidence of this when I participated in several surveillance flights over the Caribbean and Atlantic waters during the Cuban blockade in the fall of 1962. I saw for myself the variety and quality of Russian shipping which is sailing the high seas.

The Soviet oceanographic research program surpasses that of the free world.

Soviet fishing fleets have gone in for factory-ship complexes. The capabilities for other than routine fishing operations were verified by the boarding of a Soviet trawler in the vicinity of an Atlantic cable break.

The Soviet submarine forces in the Atlantic have become more venturesome, as witnessed during the Cuban blockade.

The Soviet submarine, the *Severyanka,* is conducting oceanographic research.

A Soviet nuclear-powered icebreaker is in operation.

From these operations, we can—or should—derive a picture of their plans. They are aiming for world domination—and two-thirds of the world consists of ocean.

"This is all very well," you reply. "But let's go back to something you mentioned a moment ago—the economic payoff. Even the Soviets live in an environment of supply and demand. What can be derived from the oceans that can't be had easier and cheaper from the land?"

That's a good question. To be truthful, we don't know the exact answer. So little is known—so much is there to be learned. That is the reason we need an extensive program of oceanography—to build up our basic knowledge and understanding of the sea. But a few facts are at our disposal. Let's examine some of these.

Minerals are known to exist in many places. Sea water itself has some 60 elements dissolved in various forms. One cubic mile of sea water contains about 140 million tons of salt, 6 million tons of magnesium, 4 million tons of sulphur, and 2 million tons of potassium. Aluminum, iodine, manganese, copper, lead, and zinc are there—as well as the rarer elements such as cesium, uranium, yttrium, and scandium. About 5 pounds of gold are to be found in 1 cubic mile of sea water.

At present extraction processes are very uneconomic. The sea is jealously withholding its riches. But in the not too distant future a serious problem is going to arise. We will be faced with the problem of extracting fresh water from the sea. When this happens we will have all of the solids to deal with. Suppose that a million people in the United States use an average of 1,000 gallons of distilled sea water annually—and this figure is not unreasonable in judging our future requirements. Approximately a cubic mile of sea water would be needed. Over 150 million tons of solids will become available. Of course, the vast quantities of salt and magnesium will be more than we need, but other elements will be welcome additions to our supply of raw materials.

Minerals will probably be recovered in commercial quantities from beaches or the ocean bottom long before sea water extraction becomes feasible. Many new and old beaches contain deposits of interest that have been processed nicely by the crushing and grinding action of the surf. Additional processing necessary is generally simple and inexpensive—with an adequate water supply being a big help. Diamonds, gold, tin, and silica are taken from marine beaches, while titanium, a metal of rising importance in the jet and space age, is being mined from older beaches pushed up out of the sea by the subterranean forces which cause an emerging coastline in some localities.

Tin deposits are being mined in submerged beaches off Malaya, and the Japanese have long been working magnetite sands off their coasts. Diamonds are being dredged from beach sands off the west coast of South Africa. Our own beaches are not being similarly exploited. Possibly because the minerals are not there, but more probably because adequate surveys have not been made. At the very edge of the sea we begin to draw a blank.

The minerals in deeper waters away from beach areas have long been regarded as beyond our grasp. A small amount of relatively shallow dredging has taken place—100 or 200 feet in depth—but beyond that, the ocean floor has been the exclusive realm of Poseidon's creatures. Our knowledge of these areas consists, in the main, of spotty soundings. You have probably heard it said that we have better topographic maps of the moon than of the bottom of the sea on earth. This is true. Only a very few places in the ocean have accurately plotted bottom topography. And even this is changing. The sea bottom is a restless thing, forever being washed by currents, sprinkled by sediments from above, and heaved by the equalizing forces in an unsettled earth's crust.

A few mineral deposits of importance have been located and identified in deeper waters. The delicate physical, chemical and biological balance in the ocean has caused the formation of large nodules—or chunks—of materials which average about 30 percent manganese and contain significant percentages also of aluminum, copper and nickel. These seem to have been formed by a complicated process in which the electrically charged ions of these minerals collected on the smooth surface of a shark's tooth or a whale's ear bone. It took a lot of sharks to cover the bottom of the sea with manganese nodules, but our finny predecessor did not let us down. One survey has concluded that in the central and southeast Pacific alone there is an area larger than the continental United States literally covered with manganese.

Red clay is a form of sediment that covers some 40 million square miles of ocean floor. That found in the Atlantic Ocean has an alumina content of about 25 percent. Because of this and other reasons it would probably be a more attractive source of copper and alumina than a land deposit of similar grade. Another large expanse of ocean bottom is covered with a type of sediment called globigerina ooze. It is very high in calcium carbonate and is very similar to cement rocks which account for about 95 percent of the cement rock market. Extensive deposits are known to exist fairly close to shore. Concentrations of nickel and silver are found in fish debris which covers much of the ocean floor, but so little data exists at present that their economic significance is unknown.

These have been but a few of the minerals that we know about almost by accident—through the adventurous explorations of a few inquisitive people. The information on manganese nodules in the Pacific, for instance, came from a survey conducted at the turn of the century. Today we have better instruments, tools and analytical devices—available is the technology that yearns to discover signs of life on Mars or plant man's feet on the crunchy surface of the Moon. Our Nation—yes, mankind itself—should demand that we focus some of our technical abilities on the frontier of the sea. The resources are there for the taking. Nowhere in the solar system is there a more promising source of enrichment.

The sea is presently hiding enormous deposits of oil. Man has followed oil bearing strata to the low water line of a beach only to turn back when depths have exceeded a hundred feet or so. Drilling from Texas Towers in the shallow waters of the Gulf of Mexico has been successful, and a few wells have been drilled from specially configured ships in deeper water. But the sea keeps pressing us back. Somehow, the air breathing animal that we are—is repulsed by environmental conditions beneath the sea which are far less formidable to conquer than those in outer space.

In space we have a vacuum—or a lack of pressure. Beneath the sea there is an excess of pressure. In both cases, we have to take our atmosphere along with us. The problems of subsisting man in either outer space or the inner space beneath the sea are in many ways identical to the modern engineer. We have only decided to do one and not the other. The time has come when we should reexamine our ambitions and devote proper attention to the frontiers of our own planet.

Our first need is a national policy. This should identify our goals—our objectives for the peaceful exploitation of the oceans. Notice the word "peaceful." It can be assumed that the Department of Defense is going to make full use of the oceans to enhance our military posture. We need to identify what else it is that we should try to accomplish—through what means—under whose cognizance. What steps should be taken by which agencies? What are the needs for legislation and funding? What participation should be solicited from the industrial, financial, scientific, or other communities? A well-developed and inclusive policy should establish guidelines for all elements of government. Every citizen should have it at his disposal also so that he might plan with confidence for the future.

Development of this policy has already begun because of economic and intellectual interest at the citizen level. The State of Maryland is fortunate to have the Institute of Natural Resources of the University of Maryland at Solomons Island and the Chesapeake Institute of Johns Hopkins University—both leaders in this field. In addition, a number of Maryland industries such as Westinghouse and Textron are engaged in private oceanographic research and development.

It is my firm belief that with the increased emphasis on oceanographic research and the great and pressing need for exploration of inner space, the time is now at hand—and I want to make a strong case—for the establishment of a National Oceanographic Laboratory in Chesapeake Bay. At the present time there is no oceanographic facility at a Federal level south of Wood's Hole and, I believe, the Chesapeake Bay is an ideal location for such a laboratory. It offers a ready access to the open sea and, at the same time, provides a location which would be convenient for consultation with other Government facilities and with the great universities of the Eastern States.

One of the greatest needs for the establishment of a national ocean policy stems from the general interplay of international relations. The process of interaction of peoples upon the sea has been influenced primarily by the tremendous expanses and the relatively inexhaustible richness of living resources in the oceans. Cooperative enjoyment of the oceans has been, in general, the law of the sea.

The contemporary scene, in contrast, has recently begun to be less cooperative—more studded with demands for exclusive authority of states over larger segments of the world's oceans. By far the most controversial demands are those to extend the territorial sea beyond the previously narrow limits generally accepted in international law. Claims to exclusive authority over resources in the high seas include the exploitation of fisheries and certain natural resources—principally oil at this time—found in the Continental Shelves near many coasts. These will quite probably be extended in the future to create further conflicts and controversy in the open sea not contiguous to any particular state. The technology to exploit these areas of the high seas is at hand, and it may be reasonably predicted that conflicts of interest are in the offing when technology has developed the necessary operating systems.

The U.S. Government policy should take cognizance of impending—and inevitable—undersea developments. It should recognize that commercial interests will create new situations never before contemplated under the framework of international law. Free world development will quite probably be paralleled by nationalized projects of the Socialist camp. Inherent in these is potential conflict. We need not wait for a crisis to precipitate the formation of our national guidelines.

Two easily identifiable areas of oceanic development are apparently needed. One of these is oceanography. We simply need to know more about the ocean—to compile and digest tons of data in order that our scientific understanding of this region will be more complete. Fortunately, there is a program in existence which is actively pursuing this knowledge. The 10-year oceanographic program, under the sponsorship of the Interagency Committee on Oceanography is supported by legislation and is progressing satisfactorily. All of the State and Federal Government agencies such as the Navy, Coast and Geodetic Survey, the National Science Foundation, and others with particular interest are actively engaged as are members of the scientific community with particular contributory skills. We may expect our scientific understanding of the oceans to advance with great strides under the aegis of this program.

Another feature of ocean exploitation has not been so lively. This is what might be called ocean engineering—the application of engineering technology for the development of underwater devices and systems. For some reason we have been content to watch the slowly expanding knowledge of the sea without daring to put it to work.

The Wright brothers did not hold up their flights at Kitty Hawk because of inadequate meteorological information—they flew with what they knew. Several years later, the Naval Appropriations Act of 1916, approved March 3, 1915, authorized the setting up of the National Advisory Committee on Aeronautics to "supervise and direct the scientific study of the problems of flight, with a view to their practical solution, and to discuss their solution and their application to practical questions." The establishment of laboratories to conduct research was authorized.

From the NACA sprang the great wind tunnel experiments which laid the engineering foundation for our assault upon the atmosphere. The NACA cowling and many other engineering contributions too numerous to mention assured our leadership in flight. We need now to consider what needs to be done about our engineering leadership in the oceans. The need for a similar program suggests itself when we contemplate the enormity of the task.

One thing is certain—ocean engineering is now lagging oceanography. We are learning more about the ocean, but doing less. The recent search for the ill-fated submarine *Thresher* is an outstanding example of how little we know about inner space. The *Thresher* went down in approximately 8,400 feet of water—but had it gone down in only 840 feet the results of the search would have been about the same, due to our lack of ocean engineering knowledge.

We must somehow bring the great weight of our technical and engineering abilities to bear upon this problem if we are to maintain our position—or if we do not want to risk falling behind in the development of this critical region. A national policy is needed for overall guidance—this is the job of the executive department. All of our Government agencies must accept the new challenge and make plans to get their feet wet where needed. Congress should recognize the need for ocean engineering development and see to it that an adequate program is supported with appropriate legislation.

Finally, the citizenry of this country must realize that the sea is a dominant influence in their future. A concerted effort will require participation by industry, educational institutions, foundations, associations and individual citizens. It is a program which must be approached with the adventurous spirit of the pioneer which our forefathers so ably demonstrated.

The challenge is great—the need is pressing. Let us hope that we all have the courage to carry it through.

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# Address by President Kennedy at the University of Maine on Relations With the Soviet

EXTENSION OF REMARKS

OF

## HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. ALBERT. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address by the President of the United States:

### ADDRESS OF PRESIDENT KENNEDY AT THE UNIVERSITY OF MAINE ON RELATIONS WITH THE SOVIET

Governor [John H.] Reed, Senator [Margaret Chase] Smith, Senator [Edmund S.] Muskie, Congressman [Stanley R.] Tupper, Congressman [Clifford G.] McIntire, ladies and gentlemen, I feel honored to join you at this distinguished university.

In the year 1717, King George I of England donated a very valuable library to Cambridge University—and, at very nearly the same time, had occasion to dispatch a regiment to Oxford. The King, remarked one famous wit, had judiciously observed the condition of both universities—one was a learned body in need of loyalty and the other was a loyal body in need of learning.

Today some observers may feel that very little has changed in two centuries. We are asking the Congress for funds to assist our college libraries, including those in Cambridge, Mass., and it was regrettably necessary on one occasion to send troops to Oxford, Miss.

And more generally speaking, critics of our modern universities have often accused them of producing either too little loyalty or too little learning. But I cannot agree with either charge. I am convinced that our universities are an invaluable national asset which must be observed, conserved and expanded.

I am deeply honored by the degree which you award me today—and I think it is appropriate to speak at this university, noted for both loyalty and learning, on the need for a more exact understanding of the true correlation of forces in the conduct of foreign affairs.

#### RECALLS CLASH WITH SOVIET

One year ago this coming week the United States and the world were gripped with the somber prospect of a military confrontation between two great nuclear powers. The American people have good reason to recall with pride their conduct throughout that harrowing week. For they neither dissolved in panic nor rushed headlong into reckless belligerence.

Well aware of the risks of resistance, they nevertheless refused to tolerate the Soviets' attempt to place nuclear weapons in this hemisphere—but recognized at the same time that our preparations for the use of force necessarily required a simultaneous search for fair and peaceful solutions.

The extraordinary events of that week and the weeks that followed are now history—a history which is differently interpreted, differently recounted and differently labeled among various observers and nations. Some hail it as the West's greatest victory, others as a bitter defeat.

Some mark it as a turning point in the cold war, others as proof of its permanence. Some attribute the Soviet withdrawal of missiles to our military actions alone, while some credit solely our use of negotiations. Some view the entire episode as an example of Communist duplicity, while some others abroad have accepted the assertion that it indicated the Soviets' peaceful intentions.

While only the passage of time and events can reveal in full the true perspective of last October's drama, it is already clear that no single, simple view of this kind can be wholly accurate in this case. While both caution and commonsense proscribe our boasting of it in the traditional terms of unconditional military victory, only the most zealous partisan can attempt to call it a defeat.

While it's too late to say that nothing has changed in Soviet-American relations, it is too early to assume that the change is permanent. There are new rays of hope on the horizon—but we still live in the shadows of war.

#### CALM AND CAUTION

Let us examine the events of 12 months ago, therefore, and the events of the past 12 months, and the events in the next 12 months, in a context of calm and caution. It is clear there will be further disagreements between ourselves and the Soviets as well as further agreements. There will be setbacks in our Nation's endeavors on behalf of freedom as well as successes.

For a pause in the cold war is not a lasting peace, and a detente does not equal disarmament. The United States must continue to seek a relaxation of tensions, but we have no cause to relax our vigilance.

A year ago it would have been easy to assume that allout war was inevitable, that any agreement with the Soviets was impossible and that an unlimited arms race was unavoidable. Today it is equally easy for some to assume that the cold war is over, that all outstanding issues between the Soviets and ourselves can be quickly and satisfactorily settled and that we shall now have, in the words of the psalmist, an "abundance of peace so long as the Moon endureth."

The fact of the matter is, of course, that neither view is correct. We have, it is true, made some progress on a long journey. We have achieved new opportunities, which we cannot afford to waste. We have concluded with the Soviets a few limited, enforcible agreements or arrangements of mutual benefit to both sides and to the world.

But a change in atmosphere and emphasis is not a reversal of purpose. Mr. Khrushchev himself has said that there can be no coexistence in the field of ideology. In addition, there are still major areas of tension and conflict, from Berlin to Cuba to southeast Asia. The United States and the Soviet Union still have wholly different concepts of the world, its freedom, its future. We still have wholly different views on the so-called wars of liberation and the use of subversion.

And so long as these basic differences continue, they cannot and should not be concealed; they set limits to the possibilities of agreement; and they will give rise to further crises, large and small, in the months and years ahead, both in the areas of direct confrontation—Germany and the Caribbean—and in areas where events beyond our control could involve us both—areas such as Africa and Asia and the Middle East.

In times such as these, therefore, there is nothing inconsistent with signing an atmospheric nuclear test ban, on the one hand, and testing underground on the other; about being willing to sell to the Soviets our surplus wheat while refusing to sell strategic items; about probing their interest in a joint lunar landing while making a major effort to master this new environment; or about exploring the possibility of disarmament while maintaining our stockpile of arms.

For all of these moves, and all of these elements of American policy and allied policy toward the Soviet Union, are directed at a single, comprehensive goal; namely, convincing the Soviet leaders that it is dangerous for them to engage in direct or indirect aggression, futile for them to attempt to impose their will and their system on other unwilling peoples, and beneficial to them, as well as to the world, to join in the achievement of a genuine and enforcible peace.

While the road to that peace is long and hard, and full of traps and pitfalls, there is no reason not to take each step that we can safely take. It is in our national self-interest to ban nuclear testing in the atmosphere so that all of our citizens can breathe more easily. It is in our national self-interest to sell surplus wheat in storage to feed Russions and Eastern Europeans who are willing to divert large portions of their limited foreign exchange reserves away from the implements of war.

It is in our national self-interest to keep weapons of mass destruction out of outer space—to maintain an emergency communications link with Moscow—and to substitute joint and peaceful exploration in the Antarctic and outer space for cold war exploitation.

### NO REASON TO REGRET

No one of these small advances, nor all of them taken together, can be interpreted as meaning that the Soviets are abandoning their basic aims and ambitions. Nor should any future, less friendly Soviet action—whether it is a stoppage on the Autobahn, or a veto in the U.N., or a spy in our midst, or new trouble elsewhere—cause us to regret the steps we have taken.

Even if those steps themselves should be undone—by the violation or renunciation of the test ban treaty, for example, or by a decision to decline American wheat—there would still be no reason to regret the fact that this Nation has made every responsible effort to improve relations.

For without our making such an effort we could not maintain the leadership and respect of the free world. Without our making such an effort, we could not convince our adversaries that war was not in their interest. And without our making such an effort, we could never, in case of war, satisfy our own hearts and minds that we had done all that could be done to avoid the holocaust of endless death and destruction.

Historians report that in 1914, with most of the world already plunged in war, Prince Bulow, the former German Chancellor, said to the then Chancellor Bethmann-Hollweg: "How did it all happen?" and Bethmann-Hollweg replied: "Ah, if only one knew."

If this planet is ever ravaged by nuclear war—if 300 million Americans, Russians and Europeans are wiped out by a 60-minute nuclear exchange—if the survivors of that devastation can then endure the fire, poison, chaos and catastrophe—I do not want one of those survivors to ask another "How did it all happen?" and to receive the incredible reply: "Ah, if only one knew."

Therefore, while maintaining our readiness for war, let us exhaust every avenue for peace. Let us always make clear our willingness to talk, if talk will help, and our readiness to fight, if fight we must.

Let us resolve to be the masters, not the victims, of our history, controlling our own destiny without giving way to blind suspicions and emotions. Let us distinguish between our hopes and our illusions, always hoping for steady progress toward less critically dangerous relations with the Soviets but never laboring under any illusions about Communist methods and Communist goals.

### DISTANCE YET TO BE COVERED

Let us recognize both the gains we have made down the road to peace and the great distance yet to be covered. Let us not waste the present pause by either a needless renewal of tensions or a needless relaxation of vigilance. And let us recognize that we have made these gains and achieved this pause by the firmness we displayed a year ago as well as our restraint—by our efforts of defense as well as our efforts for peace.

In short, when we think of peace in this country, let us think of both our capacity to deter aggression and our goal of true disarmament. Let us think of both the strength of our Western alliances and the areas of East-West cooperation.

For the American eagle on the Presidential seal holds in his talons both the olive branch of peace and the arrows of military might. On the ceiling of the Presidential Office, constructed many years ago, that eagle is facing the arrows of war on its left. But on the newer carpet on the floor, reflecting a change initiated by President Roosevelt and implemented by President Truman immediately after the war, that eagle is now facing the olive branch of peace.

And it is in that spirit—the spirit of both preparedness and peace—that this Nation today is stronger than ever before, strengthened by both the increased power of our defenses and our increased efforts for peace, strengthened by both our resolve to resist coercion and our constant search for solutions. And it is in this spirit, I can assure you, the American Eagle still faces toward the olive branch of peace.

And in the months and years ahead, we intend to build both kinds of strength—during times of detente as well as tension, during periods of conflict as well as cooperation—until the world we pass on to our children is truly safe for diversity and freedom and the rule of law covers all.

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## Amherst College in Massachusetts Confers Honorary Doctor of Laws Degree on President John F. Kennedy

EXTENSION OF REMARKS

OF

### HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. BOLAND. Mr. Speaker, on last Saturday, October 26, Amherst College, until recently in my congressional district, held a special convocation to honor the President of the United States, John F. Kennedy. President Kennedy delivered the convocation address and participated in the ground break ceremonies for the $3.5 million memorial library to the late Robert Frost, one of America's great and illustrious poets and a former member of the Amherst College faculty.

Honorary degrees of doctors of laws were conferred by Amherst College President Calvin H. Plimpton upon President Kennedy and Archibald MacLeish, poet, statesman, and former Librarian of Congress, in the presence of John J. McCloy, chairman of the Amherst College board of trustees. Under unanimous consent, I include the news story from the Springfield Sunday Republican of October 27, the honorary degree citations, and the text of President Kennedy's address with my remarks in the Record:

[From the Springfield (Mass.) Republican, Oct. 27, 1963]

### Kennedy in Plea at Amherst for Aid on Problems—President Awarded Honorary Degree, Helps Break Ground for Frost Memorial

Amherst.—President John F. Kennedy on Saturday called upon all educated men and women of the United States to join in the solution of staggering problems facing a country that has lived 150 years in isolation and suddenly finds itself in the position of leader of the free world.

### DUAL PURPOSE

Speaking at a convocation called by Amherst College for the dual purpose of honoring the President of the United States and breaking ground for the new $3.5 million memorial library to Robert Frost, one of America's great poets and onetime Amherst faculty member, the President cited these problems as:

1. To find 10 million jobs in the next 2½ years;
2. To govern our relations with more than 100 countries so that the balance of power remains on the side of freedom;
3. To make it possible for Americans of all races and creeds to live together in harmony; and
4. To make it possible for a world to exist in diversity and freedom.

While the President was undisputed headline speaker of the day, it was left to Archibald MacLeish, former Librarian of Congress, Assistant Secretary of State, lawyer, and a poet in his own right, to set the tone for the day.

### PRESIDENT FOUND TIME

Noting that the Nation might well forget, in the passage of time, what memorable things happened here today, MacLeish stated, however, that "the people of this community will remember for many, many years that a young and gallant President of the United States, with the weight of history heavy upon his shoulders, somehow found time to come to our small corner of the world to talk of books, and men, and learning."

Even before MacLeish spoke his prophetic words, it was quite evident that the approximately 3,000 Amherst alumni and townspeople were quite excited over the prospects of seeing the President. They began streaming in from the fog-shrouded hills as early as 9 a.m. in a constant procession, forming long lines, waiting at the doors of the Pratt gymnasium where the event was to be held, or gathering in tight little groups to chat, while youngsters and dogs cavorted on the wide, leaf-covered lawns.

Just before President Kennedy entered the building a note of excitement filled the air. Even sophisticated Amherst alumni and their wives jumped up on chairs for a better look at him. When he finally appeared and the Amherst band struck up, "Hail to the Chief" the crowd, whether they all were Republicans, Democrats or independents, roared its greeting in an ovation that lasted until Kennedy walked down the long center aisle, mounted the platform and finally sat down.

### LONG LINES

Later in the day the crowd streamed in other long lines over the steep, grassy hills to the scene of the ground-breaking exercises, again loudly applauded when the President arrived in his long, white convertible on which were mounted the American and Presidential flags. When the ceremony was ended, a long line of State troopers and a couple of companies of Reserve Officers

Training Corps, personnel, had difficulty in keeping the crowd from bursting through the drift fences set up for the event.

They streamed back over the hill to the baseball field and waited another half hour in the boiling sun to see him take off in a Marine helicopter.

Even as the whirlybird rose in a great cloud of dust, the crowd waved its farewell.

The Associated Press after reported that the President arrived safely at his summer home at Atoka, Va. at 3:37 p.m.

### FOG DELAYS ARRIVAL

Dense fog over the entire eastern seaboard delayed the Presidential arrival for an hour and a half. Shortly after 9:30 the fog enveloping the Amherst area seemed to lift, but it returned again shortly. For a time college officials felt that the President might be obliged to come from Westover by motorcade, but the fog finally cleared sufficiently for a takeoff. The President and his official party arrived in three Marine Corps 'copters, landing on a baseball field ringed with blue-clad State troopers and ROTC cadets. A Westover AFB crash truck and an ambulance stood by.

The 'copters came down with such a rush that they caused clouds of dust to rise from the dry playing field, forcing the waiting crowds back.

The academic procession which opened the formal convocation in the huge gym, was led by a silk-hatted, gold-vested bow-tied marshal carrying an ancient pike from which flew colored streamers. The group of visiting dignitaries, clad in their black academic gowns, accentuated by the red, purple, blue and white scarves of their respective degrees, were finally seated on the stage.

### PA SYSTEM GOES HAYWIRE

Things were not destined to proceed smoothly, however. The public address system went haywire at the outset, causing speakers' voices to fluctuate madly from mere whispers to loud, raucous squawks which led MacLeish at one point to quip "I shall disclose * * * or rather, either the machine, or I, will disclose to you * * *."

President Kennedy, in a strong tribute, characterized Frost as one of the granite figures of the world. He was supremely two things, the President said, an artist and an American.

The President said that a nation reveals itself not only by the men it produces but also by the men it honors, the men it remembers.

"In America," he continued, "our heroes have customarily run to men of large accomplishments. But today this college and country honors a man whose contribution was not to our size but to our spirit, not to our political beliefs but to our insight, not to our self-esteem but to our self-comprehension. In honoring Robert Frost, we therefore can pay honor to the deepest sources of our national strength."

Frost, the President continued, brought an unsparing instinct for reality to bear on the platitudes and the pieties of society. His sense of the human tragedy fortified him against self-deception and easy consolation.

### "GAVE HIS AGE STRENGTH

"Because he knew the midnight as well as the high noon," President Kennedy said, "because he understood the ordeal as well as the triumph of the human spirit, he gave his age strength with which to overcome despair. At bottom he held a deep faith in the spirit of man."

Expressing full confidence in the future, President Kennedy said he foresaw an America which "will match its military strength with our moral strength, its wealth with our wisdom, its power with our purpose. I look forward to an America which will not be afraid of grace and beauty, which will protect the beauty of our natural environment, which will preserve the great old American houses and squares and parks and which will build handsome and balanced cities for our future. And I look forward to an America which commands respect throughout the world not only for its strength but for its civilization as well."

MacLeish, who preceded the President, saw in the person of Robert Frost an undying greatness.

### TALKS OF HONOR

Speaking with a fluency one might expect of the Librarian of Congress and a nationally recognized poet, MacLeish said, "There was something in Frost's fame that resists the fame as burning maple logs—rock maple, anyway—resists the flame. What it is, I think we know. At least there is an evening not many years ago, or many blocks from here, an evening others in this room will remember * * * which might tell us. It was his 80th birthday. Frost had been to New York for every possible honor, including some not possible, that had been paid him and on returning here to Amherst and his friends he fell to talking of what honor really was, or would be; to leave behind him, as he put it, a 'few poems it would be hard to get rid of.'

"Poems are not monuments—shapes of stone. Poems are speaking voices. And a poem that is hard to get rid of is a voice that is hard to get rid of. And a voice that is hard to get rid of is a man.

"What Frost wanted to know for himself, in the midst of all that praise, was what Keats had wanted for himself: To be among the English poets at his death—the poets of the English tongue. Reputation * * * above all, a literary reputation, is a poor thing. It rises and falls. It wasn't reputation that he was thinking about that wintery evening. It was something else * * * to be among the English poets is to be * * * to go on being. And he has."

After both President Kennedy and MacLeish concluded their talks, honorary degrees of bachelor of law, were conferred on them both by President Calvin H. Plimpton. The citations for these honors appear elsewhere in this edition.

Following the conclusion of the ceremony, the official party left the stage and proceeded to the site of the new library about an eighth of a mile away. It will be built on a hillside on the site of the Walker Memorial Library only recently razed. The $3.5 million building bearing Frost's name will house Amherst's 550,000 volumes.

It was quite evident from the outset that the law enforcement agencies were not going to take any chances with the President's life. About 150 husky State troopers lined the baseball field where the Presidential helicopter was to land, then moved up to the Pratt gym grounds nearby to guard all the approaches. Troopers even were posted on the rooftops of adjacent buildings. All were under the command of Col. Carl Larson, chief of the uniformed State police force. A large corps of secret service men, wearing only a small lapel button as identification, remained close to the President from the start to the finish of the day's program.

The only pickets—if they could be called that—were of a peaceful sort. About 50 undergraduates carrying banners proclaiming, "Mr. President, We Support Your Civil Rights Program" and "Civil Rights Law in 1963" stood patiently in the cold, damp fog for 3 hours until Kennedy arrived and waved his fleeting greeting.

It was a typical October Saturday morning in a small New England college town that greeted the President. There were some mink stoles in evidence, but mostly everyone wore sporty tweeds, flaming red dresses or jackets, and as they chatted with animation in small friendly groups, or waved excited greetings to classmates they haven't seen since last alumni day, they presented a scene that could be found in Amherst on almost any Saturday in October.

The small fry enjoyed the excitement immensely. One tyke ran all over the place on a hobby horse. Others played touch football. A brown beagle walked around with a Mickey Mouse balloon tied to its tail. There were lean, elderly old men who looked as though they once taught at Amherst, or younger, brisker collegiate types. Girls from nearby colleges added color and grace.

Despite the long, cold wait, the crowd remained in good spirits. In the gymnasium the crowd chatted, again in small groups, until asked to clear the aisles and stop smoking shortly before the ceremonies began. The Amherst band frequently cheered things up with the rousing "Lord Jeffrey Amherst."

### CLOSED TV CIRCUIT

Several hundred more persons, unable to get into the gymnasium, were able to see and hear proceedings through a special closed circuit television setup in an adjacent building.

In the press headquarters early reports were discouraging. The fog that made some roads in the area almost impassable, refused to lift and reports from Washington indicated that the President's plane would be a half hour late; then an hour; finally an hour and a half. The plane carrying the White House correspondents was delayed even longer.

All news wire services were represented by full complements of reporters and photographers.

Some of the town youths decided early to capitalize on the Presidential visit by offering parking on front and side lawns of adjacent properties for $1.

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[From the Springfield (Mass.) Republican, Oct. 27, 1963]

### OFFICIAL CITATIONS

These are the official texts of the citations accompanying the honorary degrees of doctor of laws conferred upon President John F. Kennedy and Archibald MacLeish, poet, statesman, and former librarian of Congress by Amherst College Saturday:

"John Fitzgerald Kennedy: A citation for the President of the United States reads more like a prayer to the heavens, for all hopes for the sanity of national and international understanding depend upon you. But while pledging our support, we can applaud your skill, admire your courage, and be grateful for your leadership. By virtue of the authority vested in me by the board of trustees of Amherst College, I confer upon you the degree of doctor of laws.

"Archibald MacLeish: Son of Yale, Harvard lawyer, American soldier and statesman, international poet and author. Through your efforts and through yourself you have revealed that incandescence which is the human spirit. Your interest has been deeper than morphology for you have seen into the mechanisms of the mystery in a way to give hope to the myopic and comfort to the blind. For going from man to men, from the particular to the universal in a way to enlarge understanding, we salute you. By virtue of the authority vested in me by the board of trustees of Amherst College, I confer upon you the degree of doctor of laws."

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### REMARKS OF THE PRESIDENT UPON RECEIVING HONORARY DEGREE OF DOCTOR OF LAWS, AMHERST COLLEGE, AMHERST, MASS.

Mr. McCloy, President Plimpton, Mr. MacLeish, distinguished guests, ladies, and gentlemen: I am very honored to be here with you on this occasion which means so much to this college and also means so much to art and the progress of the United States. This college is part of the United States. It belongs to it. So did Mr. Frost, in a large sense. And, therefore, I was privileged to accept the invitation somewhat rendered to me in the same way that Franklin Roosevelt rendered his invitation to Mr. MacLeish, the invitation which I received from Mr. McCloy. The powers of the Presidency are often described. Its limitations should occasionally be remembered. And, therefore, when the Chairman of our Disarmament Advisory Committee, who has labored so long and hard, Governor Stevenson's assistant during the very difficult days at the United Nations during the Cuban crisis, a public servant of so many years asks or invites the President of the United States, there is only one response. So I am glad to be here.

Amherst has had so many soldiers of the king since its first one, and some of them are here today: Mr. McCloy, who has long been a public servant; Jim Reed, who is the Assistant Secretary of the Treasury; President Cole, who is now our Ambassador to Chile; Mr. Ramey, who is a Commissioner of the Atomic Energy Commission; Dick Reuter, who is head of the Food for Peace. These and scores of others down through the years have recognized the obligations of the advantages which the graduation from a college such as this places upon them to serve not only their private interest but the public interest as well.

Many years ago, Woodrow Wilson said: "What good is a political party unless it is serving a great national purpose. And what good is a private college or university unless it is serving a great national purpose?" The library being constructed today, this college, itself, of course was not done merely to give this school's graduates an advantage, an economic advantage, in the life struggle. It does do that. But in return for that, in return for the great opportunity which society gives the graduates of this and related schools, it seems to me incumbent upon this and other schools' graduates to recognize their responsibility to the public interest.

Privilege is here, and with privilege goes responsibility. And I think, as your president said, that it must be a source of satisfaction to you that this school's graduates have recognized it. I hope that the students who are here now will also recognize it in the future. Although Amherst has been in the forefront of extending aid to needy and talented students, private colleges, taken as a whole, draw 50 percent of their students from the wealthiest 10 percent of our Nation. And even State universities and other public institutions derive 25 percent of their students from this group. In March 1962, persons of 18 years or older who had not completed high school made up 46 percent of the total labor force, and such persons comprised 64 percent of those who were unemployed. And in 1956, the lowest fifth of the families in the United States had 4½ percent of the total personal income, the highest fifth 45½ percent. There is inherited wealth in this country and also inherited poverty. And unless the graduates of this college and other colleges like it who are given a running start in life—unless they are willing to put back into our society those talents, the broad sympathy, the understanding, the compassion—unless they are willing to put those qualities back into service of the Great Republic, then obviously the presuppositions upon which our democracy are based are bound to be fallible.

The problems which this country now face are staggering, both at home and abroad. We need the service in the great sense of every educated man or woman to find 10 million jobs in the next 2½ years, to govern our relations, a country which lived in isolation for 150 years, and is now suddenly the leader of the free world, to govern our relations with over 100 countries, to govern those relations with success so that the balance of power remains strong on the side of freedom, to make it possible for Americans of all different races and creeds to live together in harmony, to make it possible for a world to exist in diversity and freedom. All this requires the best of all of us.

Therefore, I am proud to come to this college whose graduates have recognized this obligation and to say to those who are now here that the need is endless, and I am confident that you will respond.

Robert Frost said: "Two roads diverged in a wood, and I, I took the one less traveled by, and that has made all the difference."

I hope that road will not be the less traveled by, and I hope your commitment to the Great Republic interest in the years to come will be worthy of your long inheritance since your beginning.

This day devoted to the memory of Robert Frost offers an opportunity for reflection which is prized by politicians as well as by others, and even by poets, for Robert Frost was one of the granite figures of our time in America. He was supremely two things: an artist and an American. A nation reveals itself not only by the men it produces but also by the men it honors, the men it remembers. In America, our heroes have customarily run to men of large accomplishments. But today this college and country honors a man whose contribution was not to our size but to our spirit, not to our political beliefs but to our insight, not to our self-esteem, but to our self-comprehension. In honoring Robert Frost, we therefore can pay honor to the deepest sources of our national strength. That strength takes many forms, and the most obvious forms are not always the most significant. The men who create power make an indispensable contribution to the Nation's greatness, but the men who question power make a contribution just as indispensable, especially when that questioning is disinterested, for they determine whether we use power or power uses us. Our national strength matters, but the spirit which informs and controls our strength matters just as much. This was the especial significance of Robert Frost. He brought an unsparing instinct for reality to bear on the platitudes and pieties of society. His sense of the human tragedy fortified him against self-deception and easy consolation. I have been, he wrote, one acquainted with the night. And because he knew the midnight as well as the high noon, because he understood the ordeal as well as the triumph of the human spirit, he gave his age strength with which to overcome dispairs. At bottom, he held a deep faith in the spirit of man, and it is hardly an accident that Robert Frost coupled poetry and power, for he saw poetry as the means of saving power from itself. When power leads man toward arrogance, poetry reminds him of his limitations. When power narrows the areas of man concerned, poetry reminds him of the richness and diversity of his existence. When power corrupts, poetry cleanses. For art establishes the basic human truths which must serve as the touchstone of our judgment. The artist, however faithful to his personal vision of reality, becomes the last champion of the individual mind and sensibility against an intrusive society and an officious state. The great artist is thus a solitary figure. "He has," as Frost said, "a lover's quarrel with the world." In pursuing his perceptions of reality, he must often sail against the currents of his time. This is not a popular role. If Robert Frost was much honored during his lifetime, it was because a good many preferred to ignore his darker truths. Yet in retrospect, we see how the artist's fidelity has strengthened the fiber of our national life.

If sometimes our great artists have been the most critical of our society, it is because their sensitivity and their concern for justice which must motivate any true artist, makes him aware that our Nation falls short of its highest potential. I see little of more importance to the future of our country and our civilization than full recognition of the place of the artist. If art is to flourish the roots of our culture, society must set the artist free to follow his vision wherever it takes him. We must never forget that art is not a form of propaganda; it is a form of truth. And as Mr. MacLeish once remarked, of poets there is nothing worse for our trade than to be in style. In free society art is not a weapon and it does not belong to the sphere of polemics and ideology. Artists are not engineers of the soul. It may be different elsewhere. But democratic society—in it, the highest duty of the writer, the composer, the artist is to remain true to himself and to let the chips fall where they may. In serving his vision of the truth, the artist best serves his nation. And the nation which disdains the mission of art invites the fate of Robert Frost's hired man, the fate of having nothing to look backward to with pride and nothing to look forward to with hope.

I look forward to a great future for America, a future in which our country will match its military strength with our moral strength, its wealth with our wisdom, its power with our purpose. I look forward to an America which will not be afraid of grace and beauty, which will protect the beauty of our natural environment, which will preserve the great old American houses and squares and parks of our national past, and which will build handsome and balanced cities for our future. I look forward to an America which will reward achievement in the arts as we reward achievement in business or statecraft. I look forward to an America which will steadily raise the standards of artistic accomplishment and which will steadily enlarge cultural opportunities for all of our citizens. And I look forward to an America which commands respect throughout the world not only for its strength but for its civilization as well. And I look forward to a world which will be safe not only for democracy and diversity but also for personal distinction. Robert Frost was often skeptical about projects for human improvement, yet I do not think he would disdain this hope. As he wrote during the uncertain days of the Second War, take human nature altogether since time began, and it must be a little more in favor of man, say a fraction of 1 percent at the very least, our hold on the planet wouldn't have so increased.

Because of Mr. Frost's life and work, because of the life and work of this college, our hold on this planet has increased.

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## Remarks by John A. Gronouski, Postmaster General, at a Dinner Commemorating the Centennial of Free City Delivery, Sheraton Park Hotel, Washington, D.C., October 26, 1963

EXTENSION OF REMARKS

OF

### HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, October 28, 1963*

Mr. DULSKI. Mr. Speaker, this year our country celebrates the 100th anniversary of free city delivery. On Saturday, October 26, 1963, a dinner was held in Washington, D.C., commemorating the centennial of free city delivery, and we were privileged to hear an address by the Postmaster General, the Honorable John A. Gronouski.

Under leave to extend my remarks in the RECORD. I wish to include Postmaster

General Gronouski's remarks which follow:

One of the first things I heard about the postal service was that letter carriers always know what is happening long before anyone else does. The scheduling of this dinner is a case in point. The date was set months before I even knew I was going to be the Postmaster General. But the letter carriers must have known. Why else would they have set this great celebration on my birthday?

It is a pleasure to be here to help honor Bill Doherty and to commemorate the 100th anniversary of free city delivery. Free city delivery is even older than I am. And it is a lot older than Bill Doherty, even though his name has been synonymous with letter carriers in Washington for about as long as anyone can remember. But Bill is still young and exuberant.

Bill Doherty is one of the great labor leaders of this era. In his 30 years as a national officer of the National Association of Letter Carriers, he played a central role in building unions of Government employees into the influential and responsible organizations they are today.

Bill Doherty was one of the best ambassadors the postal service and Federal employee organizations ever had. The country was fortunate in getting him to put his ambassadorial talents to work for the Nation. He is the first labor leader to become an ambassador in the Nation's history. From all the reports I get he is doing a brilliant job.

Back in 1961, when he was still president of the NALC, Bill Doherty said the following about the personnel policies of the new postal administration: "The labor-management climate is practically ideal. For the first time in our recorded history, our opinions are sought and seriously considered before important policy decisions affecting us are made."

I am delighted that organizations of Federal employees have flourished under the Kennedy administration and that the Post Office Department has taken the lead in the area of enlightened labor relations. I want to reiterate what I have already said several times since becoming Postmaster General. I intend to carry forward the program of consultative management. My door will always be open to union leaders who have problems which they wish to discuss with me.

Bill Doherty managed to achieve great things without the advantage of a college education. The William C. Doherty Scholarship Fund, which will enable talented sons and daughters of letter carriers to go to college, is a wonderful way to honor him. The fund is another indication of the marvelous job organized labor is doing to open educational opportunities for its members' children. AFL–CIO unions award more than 1,000 scholarships annually, at a cost of more than $1 million each year.

I feel very deeply that every child who has the talent and ability to make use of a college education should get one. We talk a great deal about equality of educational opportunity in this country, but we do shockingly little about it. Huge differences continue to exist in the kind and quality of education available to our children.

Eight percent of our young people still fail to complete the eighth grade. One-third never finish high school. Almost half of those who do graduate from high school don't go on to college. Among them are many bright and ambitious youngsters. These young people want to continue their education, but they simply cannot afford it.

Half of the students in private colleges and universities come from families who rank in the top 10 percent of the Nation in terms of income. In public institutions 25 percent come from families ranking in the top 10 percent in terms of income.

This should not really surprise us. It costs about $1,750 to send a boy or girl to college for a year. Median family income last year was less than $6,000. In other words, it takes almost one-third of an average family's entire income to finance a year's college education for a single child. What is a family with nine children—like Bill Doherty's—supposed to do? To me, this is a terrible and depressing situation.

The postwar baby crop is now advancing to college age. College enrollment is expected to double in the present decade, reaching 7 million by 1970. To meet the minimum needs of this enrollment, we should be spending $2.3 billion a year for the expansion of college facilities. So far we are spending only $1.3 billion.

Progressive mechanization and the increasing complexity of American society demand that we sharply upgrade the educational level of our entire population. There are great gaps in the country's need for trained personnel—teachers and engineers, doctors and nurses—but there is less and less demand for people with no significant training.

When are we going to take action to meet this need? When are we finally going to see to it that gifted youngsters are not prevented by weight of economic circumstance from getting the education they require to fill openings in technical and professional fields?

President Kennedy's omnibus education bill calls for substantial Federal aid to increase educational opportunities at every level. Included are provisions for both loans and grants for construction to colleges and universities, and for assistance to students pursuing graduate study. I urge you to get behind this program and give it all the support you can.

I want now to present our City Delivery commemorative stamp. The whimsical drawing of a 19th century letter carrier walking in the rain accompanied by a small boy and a dog was done by Norman Rockwell. We all take free mail delivery to our homes so much for granted now that it seems a little hard to believe that it began only a hundred years ago. Up until 1863, when free delivery was inaugurated in 49 cities, mail in large communities was delivered by private carriers who charged the recipient 2 cents per letter. Where the "penny post," as it was called, was not in use, mail had to be picked up at the local post office. Picking up one's mail could be an onerous chore. Lines of people often stretched out for long distances from delivery windows.

Montgomery Blair, Abraham Lincoln's Postmaster General, who instituted free delivery, believed that good service and the convenience of the public should in all instances be the primary consideration of the Post Office Department, a belief we still subscribe to. In 1887, Congress required the Department to extend free delivery to every city with a population of over 50,000, and permitted its extension to smaller communities having a population of 10,000, or gross post office revenues of $10,000. The Department now employs about 170,000 city letter carriers.

The city delivery stamp is the first commemorative to employ a phosphorescent "tagging" technique. The stamps are coated with a luminescent material that glows green under the special lamps of a new electronic mail sorting machine. Airmail stamps coated with luminescent material will glow red. The new equipment detects stamps, automatically cancels them, and sorts all the envelopes so that they face the same way. It can handle up to 30,000 envelopes per hour. The new gear is an improvement over our older facer-canceler machines which operate on a photoelectric principle. It is a part of our overall program of developing and installing the most modern available techniques in the handling of mail.

I hope that this stamp, which went on sale in Washington today, will remind Americans everywhere of the fine spirit and dedication of the men who deliver the mail.

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# HOUSE OF REPRESENTATIVES

## TUESDAY, OCTOBER 29, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Job 28: 28: *Behold the fear of the Lord, that is wisdom; and to depart from evil is understanding.*

Eternal God, we are again turning our thoughts and desires toward Thee for Thou alone canst give wisdom to guide, strength to sustain, and hope to cheer us in these perilous days.

Grant that we may commend and commit ourselves completely and unreservedly to the sovereignty of Thy divine will in order that our finite and fallible human spirits may be taught by Thee and touched to nobler issues.

Inspire us with a deeper experience of Thy presence for this is our greatest need and the secret of our highest joy in a time when fear comes upon us and our faith begins to waver.

We earnestly beseech Thee that Thou wilt enthrone the spirit of our Lord in the mind and heart of our President, our Speaker, our Members of Congress, and all who are charged with the high vocation of building a civilization that will be worthy of being preserved and perpetuated.

Hear us in His name. Amen.

### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 782. Joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to a concurrent resolution of the Senate of the following title:

S. Con. Res. 58. A concurrent resolution to print additional copies of the hearings on the nuclear test ban treaty for the Committee on Foreign Relations.

### COMMITTEE ON RULES

**Mr. COLMER.** Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

**The SPEAKER.** Is there objection to the request of the gentleman from Mississippi?

There was no objection.

## MEXICAN LABOR

**Mr. HANNA.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

**The SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

**Mr. HANNA.** Mr. Speaker, all of us who represent various constituencies on occasion hear from two classes. First, that class that sometimes can tell you what you ought to do and, second, that class, which is always very small, who can tell you how to do it.

With reference to a bill we will have up very soon for consideration, the so-called bracero bill, I would like to compliment those who have told us what we ought to do. Now we are clear on the problem, but how to do it has not been made clear.

I would suggest, coming from a district in which this problem is very important, that we allow the 1-year extension as requested in this bill to see how to do it and what to do that have been so eloquently pointed out.

Mr. Speaker, as Representatives, we in this body have on frequent occasion heard from two classes of persons within our constituencies. First, that group, legion in number, who can tell you what to do and sometimes why you should do it. These persons are helpful in pointing up the problems of government. Second, that group, not so often found and usually small in number, who can tell you how to accomplish what has been so clearly pointed out, should be done.

With reference to the so-called bracero bill which will be before us tomorrow, we have had able and effective advice as to what we should do. We have been told logically, emphatically, and sometimes emotionally, why we should follow this advice. A decision was rendered by this body succinctly and unequivocally supporting this advice. What shall we do about the bracero program?—stop it. This decision was reported earlier this year to the farmers within my county. Those directly affected were the orchard operators and the Japanese trench gardeners, for these are the principal users of braceros in my county. They work 50,000 acres and produce approximately $50 million in crops. This acreage is in a critical area of competing land use. The economics of continuing agricultural pursuit in an environment of high land cost and high taxes demands very careful management, high production, and top quality of produce to sustain our agriculture. It is, however, important that it be sustained for several reasons.

First. It gives us a balanced economy. A good relationship in land use. It is the one successful retardant to complete urban sprawl and maintains the desirable green, open zones.

Second. It provides for ready market of the Los Angeles basin, a very ready source of garden fresh, row crop vegetables of high quality at reasonable prices.

Third. It sustains several important segments of related industries located in the county; food processors like Hunt Foods which within the county hire 6,292 persons and support a payroll of $33,500,000; food package and container manufacturers like Continental Can & Container Corp., which has a substantial employment and payroll.

Why do I take the time, Mr. Speaker, to bring the attention of this body to these facts after I have stipulated that in its wisdom the Congress has already decided what it should do? It is simply for this reason, gentleman: if we do not use some consideration in how we accomplish our decision, the maladjustment created in a sudden termination in my district is going to have serious and undesirable consequences in the very delicate but important balance that exists between the industrial and agricultural complex I have outlined. I know, Mr. Speaker, that there will be vehement rejoinders from my able colleagues who have for so long labored earnestly for the cessation of this program. They will assert correctly that they have been sounding the warning bell for some time. I agree. But will the gentleman allow me to point out that many times what is obvious in these Halls of Congress is not always conveyed so clearly to the citizens back in the districts. May I assure you earnestly and honestly that those Japanese strawberry farmers of Garden Grove and the old German-American citrus growers in Anaheim went into their 1963–64 crop plans relying in good faith upon the existence and continuance of this program. Whoever owed the responsibility to them of establishing the expectancy of what my able and, I believe, right colleagues have finally accomplished as a decision in this matter, failed them. Since I was not honored to be present prior to this year I cannot judge that shortcoming.

What I say to you now is that a termination at this point without the requested short, simple 12-month extension will work a hardship on a substantial number of honest, worthwhile and productive citizens. These same citizens have assured me that given this small consideration they will work out a solution to their problems and hopefully could accomplish it without putting so many acres out of agricultural pursuits as to seriously impair the interdependent economy of our county and of the Los Angeles basin complex.

Congress has determined decisively what to do in this instance. Is it asking too much that we cooperate in this instance with those citizens effected on how we accomplish our purpose? Could the extension request be weighed in just this light?

## CALL OF THE HOUSE

**Mr. HALEY.** Mr. Speaker, I make the point of order a quorum is not present.

**The SPEAKER.** Evidently a quorum is not present.

**Mr. ALBERT.** Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 185]

Abernethy
Anderson
Ayres
Baring
Battin
Bolton, Oliver P.
Bonner
Buckley
Burkhalter
Burton
Celler
Clausen, Don H.
Diggs
Evins
Feighan
Ford
Fulton, Tenn.
Fuqua
Grant
Gray
Green, Pa.
Harding
Harris
Harvey, Ind.
Harvey, Mich.
Hébert
Herlong
Hoffman
Horan
Hull
Hutchinson
Kelly
Kilburn
Long, La.
McCulloch
McDade
Macdonald
Mailliard
Martin, Mass.
May
Miller, N.Y.
Monagan
Montoya
Morrison
O'Brien, Ill.
Pelly
Pepper
Pilcher
Reid, Ill.
Riehlman
Rivers, S.C.
Roberts, Tex.
Ryan, N.Y.
St. George
St. Onge
Scott
Shelley
Skubitz
Springer
Stafford
Stinson
Taylor
Thompson, La.
Thompson, N.J.
Tollefson
Utt
White
Wright

**The SPEAKER.** On this rollcall 363 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

## SPECIAL ORDER VACATED

**Mr. PATMAN.** Mr. Speaker, I ask unanimous consent that the special order I have for today be transferred until tomorrow for the same time.

**The SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

## THE HONORABLE JOHN E. FOGARTY

**Mr. BOLAND.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a citation.

**The SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

### THE 175TH ANNIVERSARY CONVOCATION OF GEORGETOWN UNIVERSITY

**Mr. BOLAND.** Mr. Speaker, yesterday, it was my pleasure to attend the academic convocation of the faculties and students of Georgetown University to commemorate Chief Justice Edward Douglass White of the class of 1863 and to honor the Honorable Earl Warren, the Honorable John E. Fogarty, Dr. Alberto Lleras Camargo, Dr. Erwin N. Griswold, Dr. James M. Nabrit, and J. Cleo Thompson. The ceremony was an inspiring and moving event that reflected great credit on this very great and noble institution. Founded in the very year that the Congress of the United States was created in 1789, Georgetown University has sent her graduates into all fields of endeavor into many areas of this world. The sons and daughters have distinguished themselves, and their alma mater in bringing their learning and talents to the service of mankind.

Mr. Speaker, in a brilliant convocation discourse, the Chief Justice of the

United States, Earl Warren, sketched the life and ability of one of his predecessors and a graduate of the class of 1863 of Georgetown University, Edward Douglass White, Chief Justice, U.S. Supreme Court from 1910 to 1921. Chief Justice Warren made note of the spirit of unity Justice White engendered on the Court and the reconciliation which he fostered throughout his long public career after the War Between the States and asked for that same spirit today.

Let me say, Mr. Speaker, this plea could not have been made in a better forum. Georgetown University contributed much to the heroic efforts to unify this land following the Civil War. Sons of Georgetown fought on both sides of that struggle and her colors of Blue and Gray honoring these men adorn her banner today.

Mr. Speaker, the reception given to Chief Justice Warren, by the huge assembly, was one of the finest tributes that I have seen tendered to any man. Surely, this was a gathering that knew the temper of the times and recognized the courage it oftentimes takes to face the problems and issues squarely.

### HON. JOHN E. FOGARTY

Mr. Speaker, in conferring an honorary degree on our colleague, the Honorable **John E. Fogarty**, of Rhode Island, Georgetown University also honored the Congress of the United States. For anytime any Member of this great body is cited, the luster of Congress shines more brightly. The honorary degree presented to Congressman **Fogarty** marked the 12th time that he has been honored by a college or university. The honors, awards, and citations that our colleague has received from colleges, schools, societies, and associations total some 125. Few men who have served in the Congress of the United States have been so singled out for such dedication and devotion. I know we are all proud of him and all of us join in congratulating him as one more jewel is added to his crown of achievements.

Mr. Speaker, I am happy to read the Georgetown University's citation conferring this great honor on our colleague:

### CITATION

*The President and Directors of Georgetown College, to All Who Shall View This Document, Greetings and Peace in the Lord:*

Our country has summoned many of its noblest citizens to service in the Congress, where a man can serve his fellow citizens and our principles of government, without contradiction either between them or his own conscience. One such principle mentioned in the preamble to the Constitution, is government's responsibility for the welfare of the people. The laws, written in behalf of the spiritual and physical well-being of the citizenry, form one of the greatest monuments of the 175 years of the Congress history.

Today we honor a man who has worked, with great energy and distinction, to help build that monument. During his long career in the U.S. House of Representatives, he has authored or sponsored a long list of bills designed to encourage education and research, in the fields of physical and mental health, rehabilitation and education of the handicapped, mental retardation, and the problems of the aged. So energetic and successful have his efforts been in these fields, that he has received recognition from organizations all over the Nation, including the dedications, in his name, of three health and educational facilities in his home State of Rhode Island. Besides his strenuous efforts in the interest of the Nation's health affairs, he also has a distinguished voting record in behalf of those other principles of our Government: unity, justice, and freedom.

Accordingly, in tribute to an exemplary Christian gentleman, an illustrious and patriotic citizen, Georgetown University proclaims with the greatest esteem, **John E. Fogarty**, doctor of laws, honoris causa.

In witness whereof the president and directors of Georgetown University have issued these letters patent duly signed and sealed at Georgetown this twenty-eighth day of October in the year of Our Lord nineteen hundred and sixty-three, on the threshold of the one hundred and seventy-fifth year of the University.

**Edward B. Bunn, S.J.,**
*President.*
**Joseph A. Sellinger, S.J.,**
*Secretary.*

Mr. Speaker, I want to take this opportunity to congratulate the Very Reverend Edward B. Bunn, S.J., the president and father rector of Georgetown University, the Georgetown faculties and students on their marvelous convocation yesterday. I ask unanimous consent to include with my remarks an editorial from the Washington Post of October 28, 1963, and the citations to the other distinguished men who were honored yesterday by Georgetown University:

### GEORGETOWN'S ANNIVERSARY

In the rich and varied program of events which Georgetown University has planned for the observance of its 175th anniversary year, today's convocation at which Chief Justice Earl Warren will be the principal speaker, has special significance and distinction. Universities are conservators and transmitters of the past; but they are also active participants in the present, contributing knowledge and understanding to the solution of contemporary problems.

The contemporaneousness of this venerable and great institution of learning and the broad spectrum of its interests are marked by the roster of those upon whom it will confer honorary degrees today. In addition to the Chief Justice of the United States, recipients will be Congressman J. E. Fogarty, a noted supporter of medical research; Dr. James M. Nabrit, president of Howard University and one of the principal advocates in the desegregation cases decided by the Supreme Court nearly a decade ago; Dean Erwin Griswold of the Harvard Law School, an exemplar of the lawyer's commitment to public service; Dr. Alberto Lleras Camargo, former President of Colombia, who has rendered conspicuous public service to the whole of the Western Hemisphere; and James Cleo Thompson, a graduate of Georgetown Law School and an eminent Methodist layman and lawyer.

Americans in general, Washingtonians in particular, owe great gratitude to Georgetown University, an ornament of the Nation's Capital and a potent influence upon the Nation's affairs. Its varied schools have contributed much to the understanding of today's perplexities. We congratulate the institution and wish it continued usefulness into a long future.

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### CITATION

*The President and Directors of Georgetown College, to All Who Shall View This Document, Greetings and Peace in the Lord:*

The labors of the Founding Fathers of our Republic were crowned by a Federal Constitution which was promulgated in the year which witnessed the foundation of our college. Those Founding Fathers wisely distributed the functions of Federal Government, entrusting to the Congress the enactment of laws and to the President their execution, while to the judiciary, whose structure was crowned by the Supreme Court of the United States, they assigned the delicate and exacting task of insuring that in the application of the law of the land to the citizens individually and collectively the requirements of justice be tempered by mercy and equity.

A century ago Edward Douglass White was a student at Georgetown College, a member of the class the centennial of whose graduation was observed this year. More than a half century ago he became Chief Justice of the United States. The present Chief Justice now adds to the distinction implicit in these anniversaries by graciously accepting the university's invitation to be numbered among her alumni.

The eminent jurist whom Georgetown delights to honor repeatedly placed his talents and his learning at the service of the citizens of his town, his country, and his State, over whose destinies he presided for 10 years as Governor of California. Named Chief Justice of the United States, he has for a decade devoted himself generously to the lofty ideal of justice under law, that each citizen may duly share in the helps provided by our laws for the fuller attainment of those certain unalienable rights wherewith all men are endowed by their Creator—among which are life, liberty, and the pursuit of happiness—and in particular for the acquisition of that education in letters, arts, and sciences upon which the implementation of those rights has become increasingly dependent. His participation in the First World Conference of Lawyers for World Peace Through the Rule of Law, which met at Athens this year, evidences his conviction that among peoples, too, true prosperity must be founded upon justice under law.

It is, therefore, with deep admiration and heartfelt appreciation of his qualities and his achievements that Georgetown University names and proclaims Earl Warren, doctor of laws, honoris causa.

In witness whereof the president and directors of Georgetown University have issued these letters patent duly signed and sealed at Georgetown this twenty-eighth day of October in the year of Our Lord nineteen hundred and sixty-three, on the threshold of the one hundred and seventy-fifth year of the University.

**Edward B. Bunn, S.J.,**
*President.*
**Joseph A. Sellinger, S.J.,**
*Secretary.*

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### CITATION

*The President and Directors of Georgetown College, to All who Shall View This Document, Greetings and Peace in the Lord:*

When the hand of factionalism threatens to overturn a government, it often threatens to destroy the constitutional foundations of the nation. Freedom collapses, burying justice; a tyrant surveys the desolation and proclaims it peace and prosperity. Brigands haunt the rubble and plot to spread the ruin. In times of such danger a people must summon a leader armed with courage and experience to defend democracy against conspiracies whether of the right or of the left.

Twice has the Republic of Colombia issued such a challenge to the man we honor today; twice, as her President, he has responded with energy and insight. During his latest administration the citizens united in a national front to support liberal programs of agrarian reform. Thoroughly trained in the art of political journalism, he is quick to cut through propaganda filtering into his nation from bases of totalitarian sedition. As a former minister of education and university president he realizes that community action must be anchored in an expanding system of education. His vital participation in executive positions of various inter-American organizations justifies his reputation as one of the Western Hemisphere's most respected statesmen.

In this jubilee year Georgetown University proudly proclaims Alberto Lleras Camargo, doctor of laws, honoris causa.

As permanent witness to this honor the president and directors of Georgetown University have issued this document on the twenty-eighth day of October, the year of our Lord nineteen hundred and sixty-three.

Edward B. Bunn, S.J.,
*President.*
Joseph A. Sellinger, S.J.,
*Secretary.*

### Citation

*The President and Directors of Georgetown College, to All Who Shall View This Document, Greetings and Peace in the Lord:*

No true legal scholar either undervalues the established traditions of jurisprudence or takes them for granted, for carefully to cultivate them serves the interests of public order, prudently to enlarge them guarantees the liberty of the individual, critically to examine them keeps them relevant to the times.

Because he has done this for so many years as discriminating critic, perceptive teacher, and tireless author, it is fitting in this convocation whose theme is "Law and Public Service" to proclaim Erwin Nathaniel Griswold, honorary doctor of law.

In testimony of which the president and directors of Georgetown University have issued this document officially signed and sealed at Georgetown on the twenty-eighth day of October, in the year of our Lord one thousand nine hundred and sixty-three.

Edward B. Bunn, S.J.,
*President.*
Joseph A. Sellinger, S.J.,
*Secretary.*

### Citation

*The President and Directors of Georgetown College, to All Who Shall View This Document, Greetings and Peace in the Lord:*

The touchstone of justice is to render to each his due. Throughout human history, it has always been a difficult task in times of civil unrest and turbulence for a man to apply himself to the defense of the rights of all. This is rendered even more difficult by the necessity of making allowance for differing and often conflicting opinions. Furthermore, it is not at all easy to effect the proper balance that should exist between the just and necessary claims of the state upon its subjects and the preservation of those natural rights that each man possesses, not through the generosity of a government, whatever its form, but from the hand of God. Chief among the rights of man is freedom, which, as Pericles has said, brings us happiness and at the same time demands courage. Though man possesses liberty by his very nature, it frequently happens that men must work vigorously in its defense or to regain it when it has been lost.

It requires courage for a man, relying on his knowledge of the law and acting out of devotion to his people, to apply himself wholeheartedly to the defense of the rights of our country's citizens of Negro ancestry. For he could not fail to realize the storms of controversy that would surround the legal matters involved and he must be resolved to endure them. Justice, too, is gloriously embodied in a man who has devoted himself to a legal career and, at the same time, for a long period of years has imparted to youth the wisdom and happiness to be found in a life under law.

The president and directors of Gorgetown University today warmly honor such a man. With special joy in the fact that he is at the present time the president of a renowned university in this very city, they proudly proclaim James M. Nabrit, doctor of laws, honoris causa.

For a lasting testimony and memorial of this happy occasion, these formal letters patent have been issued, under the great seal of the University, from Georgetown in the city of Washington, this twenty-eighth day of October, in the year of grace 1963.

Edward B. Bunn, S.J.,
*President.*
Joseph A. Sellinger, S.J.,
*Secretary.*

### Citations

*The President and Directors of Georgetown College, to All Who Shall View This Document, Greetings and Peace in the Lord:*

It was the opinion of Cicero in which Augustine concurred that the state can not be administered without justice. To that statement we for our part would add that justice itself cannot be administered without men skilled in the law. It thereby becomes evident how beneficial and praiseworthy a function in our society these distinguished men fulfill.

With a sense of maternal joy Georgetown University today salutes one of her own sons who over a period of years as a lawyer in his own native State, as a member and chairman of various legal associations throughout the United States, and most recently as a delegate to the first Conference for World Peace Through Law at Athens, has with such outstanding results dedicated his life to this profession: J. Cleo Thompson, doctor of laws, honoris causa.

In witness whereof the President and Directors of Georgetown University have issued these letters patent duly signed and sealed at Georgetown this twenty-eighth day of October in the year of Our Lord nineteen hundred and sixty-three, on the threshold of the one hundred and seventy-fifth year of the University.

Eduardus B. Bunn, S.J.,
*President.*
Joseph A. Sellinger,
*Secretary.*

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I am very happy in the fact that Georgetown University has conferred an honorary degree upon my dear friend and colleague, the gentleman from Rhode Island [Mr. Fogarty]. There is no one I know of more entitled to that great honor and recognition than the gentleman from Rhode Island [Mr. Fogarty], a great American, an outstanding legislator, and a gentleman of deep faith.

I extend to my dear and valued friend, John Fogarty, my hearty congratulations, which congratulations I also extend to Mrs. Fogarty.

Mr. CAREY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CAREY. Mr. Speaker, I am pleased to join with our distinguished colleague, the gentleman from Massachusetts [Mr. Boland] in this timely tribute to an eventful day. Georgetown University, celebrating its 175th anniversary on the hilltop of American education, deserves all the lauds and paeans which a proud nation can convey.

Since the day when Bishop John Carroll spoke forth in the name of intellectual development, Georgetown University has opened its doors to men of all faiths, all needs, and all nations. Her proud sons move in all quarters, many professions, and high places.

As a nationally chartered intsitution her programs cater to cultural and educational diversity. Throughout Georgetown's history, however, there runs a main current which has never changed its course.

The theme of Georgetown's education is to impart those disciplines, spiritual, intellectual, and physical, as an integral part of the timeless and infinite education which befits man to act in the image of his Maker and the service of his brother. It is fitting, then, that on the occasion of this 175th anniversary, that Georgetown selected for its high honor our colleague, Representative John Fogarty, of Rhode Island, whose years of service in the House truly fit the configuration of the Georgetown image. In bestowing upon him its doctorate in law, the great university recognizes his life effort under the most primitive and principal law of the universe, that man scales those heights which are nearest his Maker when he stoops low to ease the burdens of the ill, the diseased, and the disadvantaged. Georgetown's history is enriched by the enrollment of this illustrious son, as our Nation is the greater for 175 years of Georgetown men.

## THE LUNAR SPACE PROGRAM

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, the announcement that the Soviet Union is withdrawing from the race to the moon has produced some disturbing reactions here in the United States. Here we have a breakdown in the Communist system. Here we have an opportunity to exert real leadership and show what a free economy can do. And we have those who are now advocating that we abandon our efforts to explore the universe. I am perturbed. Why must we do something just because the Soviet Union does it? Why should we refuse to do something just because the Soviet Union refuses to do it?

Mr. Speaker, I suggest that true leadership does not consist of reaction but in action in working under principle for the attainment of worthwhile goals. Those who are asking us to abandon our efforts in the lunar space program are asking us to concede a well-earned position of leadership. After working so long, after committing so much of our national resources, after attaining a measure of leadership in the space program, I for one am not willing to abandon or cripple a program which will assure us of outstanding leadership not only today but tomorrow as well.

### DECORUM IN THE HOUSE

**Mr. ALGER.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

**The SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

**Mr. ALGER.** Mr. Speaker, I take the floor with some sorrow and some humor. All of us in Congress have certain standards to maintain on the floor of this House. It has come to my attention that one of the gentlemen from Texas threatened another Texan on the floor of the House, to pistol whip him the way they did back home. I ask the gentleman from California to tell of the incident as he saw it.

**Mr. DEL CLAWSON.** I was a witness when this very unfortunate threat was made a few minutes ago on the floor of the House to pistol whip him as they did in Texas. Off the floor I saw the culmination of this thing when the gentleman from Texas [Mr. Gonzalez] threatened the gentleman from Texas [Mr. Foreman] and followed through by striking Mr. Foreman with his fist. I was frankly shocked and surprised to see this very undignified incident and irresponsible action by the gentleman from Texas [Mr. Gonzalez] take place in this House of Representatives.

**Mr. ALGER.** I want to thank the gentleman for corroborating what I understand to be the case. I want to compliment my colleague, the gentleman from Texas [Mr. Foreman], for his restraint in not retaliating by striking the other gentleman, the gentleman from San Antonio [Mr. Gonzalez].

**Mr. FOREMAN.** Mr. Speaker, will the gentleman yield?

**Mr. ALGER.** I yield to the gentleman.

**Mr. FOREMAN.** I thank the gentlemen for coming to my aid in this instance. In these matters I am perfectly capable of handling myself physically, particularly when it comes to fisticuffs. However, I was quite surprised to find that the gentleman from San Antonio completely lost his head, and evidently, his reasoning, and had to resort to striking me in these Halls of Congress because he disagreed with something that had been reported in the newspapers that I had said.

The gentleman from Texas [Mr. Gonzalez] said he understood that I had called him a Communist. This was certainly a misunderstanding on his part. I have stated that in my opinion Mr. Gonzalez' ultraliberal, leftwing voting record had done a disservice to the U.S. Constitution and helps to serve the Socialist-Communist cause. I stand behind this statement without retraction or apology.

### RAILROAD EQUIPMENT SHORTAGE

**Mr. CEDERBERG.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

**The SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

**Mr. CEDERBERG.** Mr. Speaker, I have just introduced a House concurrent resolution declaring "that it is the sense of Congress that the common carriers by railroad in the United States should give priority to the transportation requirements of domestic shippers and should not use their equipment and facilities for the movement of grain to be shipped to the Union of Soviet Socialist Republics or any other Soviet-bloc country, unless all other domestic transportation needs have been met."

The shortage of railroad equipment is already critical in many areas. To further aggravate this situation by diverting equipment from domestic needs to satisfy the shipment of grain and other commodities to the Soviet bloc, cannot in my opinion be justified under any circumstances. The failure to adequately serve our domestic needs first can have an adverse effect on our economy and result in serious commodity losses.

I suggest that the administration request that the Interstate Commerce Commission issue an order setting forth this domestic priority.

I have today sent the following wire to the President on this subject:

The President,  
*The White House, Washington, D.C.*

Dear Mr. President: The shortage of railroad facilities to adequately satisfy domestic requirements is critical. Respectfully suggest you request ICC to issue order stating that the needs for domestic transportation have priority over facilities to be used for shipment of grain and other commodities to Soviet-bloc countries.

Elford A. Cederberg,  
*Member of Congress.*

### TO SEND H.R. 6143 TO CONFERENCE

**Mr. BOLLING.** Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 555 and ask for its immediate consideration.

The Clerk read the resolution as follows:

*Resolved*, That immediately upon the adoption of this resolution the bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions, with the Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendments be, and the same are hereby, disagreed to and that the conference requested by the Senate on the disagreeing votes of the two Houses be, and the same is hereby, agreed to.

**The SPEAKER.** The gentleman from Missouri [Mr. Bolling] is recognized for 1 hour.

**Mr. BOLLING.** Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Brown], and, pending that, myself such time as I may consume.

Mr. Speaker, this resolution was heard by the Committee on Rules after objection was made to the unanimous consent request to send this bill, H.R. 6143, to conference. There appeared before the Committee on Rules in support of sending the higher education bill to conference members of both the Democratic and Republicans sides of the Committee on Education and Labor. There seemed to be virtually unanimous agreement in the Committee on Education and Labor in a bipartisan way that this bill should go to conference. All prospective conferees indicated that they would do their best to support the House position. Upon the conclusion of our hearing on this resolution, the Committee on Rules, again in a bipartisan fashion, reported the resolution favorably.

I know of no great controversy on this matter, Mr. Speaker, and therefore I reserve the balance of my time.

**Mr. BROWN of Ohio.** Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my colleague, the gentleman from Missouri, has properly explained this resolution, the adoption of which would send to conference H.R. 6143, the so-called Higher Education Facilities Act of 1963. However, the differences between the House and the Senate versions of this bill, or perhaps I should say the amendments that were adopted in the Senate to this House measure have been so broad and so important, that I believe the House would like to have a very short description of the differences between the two bills.

H.R. 6143 as it cleared the House carried three titles.

It provided in title I for grants for construction of undergraduate academic facilities $230 million a year for 3 years, or a total of $690 million.

Under title II, it provided for the construction of graduate academic facilities for 1964, 1965, and 1966 fiscal years $145 million. Under title III, loans for construction of academic facilities $120 million for each of 3 years, or a total of $360 million; making a total authorized in grants and in loans under the provisions of the House bill of $1,195 million. That, of course, was the form in which the House approved this particular bill some time ago.

When the bill reached the other body it was amended greatly. The first 35 or 36 pages of the bill, if I recall correctly, were stricken out by amendment and some 44 new pages of amendments were written into the bill by the other body. As the bill came back to the House from the Senate it was so amended that title I, construction of academic facilities, provided in part A thereof grants for construction of academic facilities $180 million for each of 5 fiscal years, for a total of $900 million. In part B of the same title I, grants for construction of graduate academic facilities for the fiscal year 1964 $25 million, and $60 million each for the fiscal years 1965 and 1966, making a total under parts A and B of $145 million, or about equal to that provided in title II of the House bill.

Then part C provided loans for construction of academic facilities—that is on page 55 of the bill, by the way—of $120 million for each of 5 fiscal years, or $600 million, compared with the figures in the House bill of $360 million.

Then under title II of the bill, the public community college assistance provision, $50 million a year is carried in the Senate bill, for 5 years, for a total of $250 million, making the Senate total authorization $1,895 million as compared to the House bill which carried $1,195 million.

In fairness I believe I should point out that the Senate bill, or the Senate amendments as written, would provide in several instances for a 5-year program where the House bill provided for a 3-year program, the House having taken the position that 3 years was a sufficiently long period of time to vote funds for these purposes, so to at least review it at the end of 3 years to see just what the situation then might be. But there is a difference between the authorizations contained in the Senate amendments and the authorizations carried in the House bill totaling $700 million.

As the gentleman from Missouri [Mr. Bolling] has properly explained, the members of the House Committee on Education and Labor, especially those who will be conferees, when they appeared before the Committee on Rules, made it very clear they favored the provisions of the House bill and they believed that the amendments adopted by the Senate were not justified and were not proper.

They gave assurances to the committee that they all intended to stand by and do everything within their power to protect the bill as it cleared the House.

Mr. Speaker, there are some of us who voted for this original House bill with some reluctance when it was before the House. I am of the opinion and conviction the House itself will not approve the adding of another $700 million to the total already authorized under the bill as it passed the House, in the amount of nearly $1.2 billion over a 3-year period, $1,195 million, a part of which, some $360 million, would be in the form of loans.

Mr. Speaker, as I understand it, none of the money carried in the bill as amended by the Senate would be on a loan basis, but would all be on a grant basis so the Federal Treasury would not be able to recapture any of the money contained in the bill if the measure as amended by the Senate should become law.

Therefore, Mr. Speaker, I hope that when this bill goes to conference we can expect, as we seemingly were assured in the Rules Committee, that the House conferees will do everything within their power and authority to protect the position of the House. I believe that has been the understanding on this legislation and the reason why this resolution is before us today.

Mr. Speaker, I reserve the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Mr. Powell, Mrs. Green of Oregon, Messrs. Brademas, Sickles, Gibbons, Frelinghuysen, Goodell, Griffin, and Quie.

## TAKING H.R. 4955 FROM THE SPEAKER'S TABLE AND SENDING IT TO CONFERENCE

Mr. ELLIOTT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 554 and ask for its immediate consideration.

The Clerk read the resolution as follows:

> *Resolved,* That immediately upon the adoption of this resolution, the bill (H.R. 4955) to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the Nation, with the Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendments be, and the same are hereby, disagreed to and that the conference requested by the Senate on the disagreeing votes of the two Houses be, and the same is hereby, agreed to.

Mr. ELLIOTT. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Brown], and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 554, now before us, provides simply that the House go to conference with the Senate on H.R. 4955 which is a bill designed to strengthen and improve the quality of vocational education and at the same time designed to considerably expand vocational educational opportunities throughout our Nation. This bill was passed by the House on August 6, 1963, and was passed by the Senate with a large number of amendments on October 8, 1963.

The more important amendments added by the Senate provided for $252 million more money than was authorized in the House bill, H.R. 4955; and provided for a vocational education work-study plan which was not included in the House bill.

An examination of the two bills with respect to vocational education indicates it was felt by both House and Senate that additional Federal grants ought to be made to the States to assist them to maintain and extend and, above all, to improve existing programs of vocational education; and that such grants should be made to develop new programs of vocational education so that persons of all ages in all States, including those in high schools, and including those who have completed or discontinued their formal education and are preparing to enter the labor market, and including those who have already entered the labor market but need to upgrade their skills or learn new ones; and including those with special educational handicaps, so that all of them will have ready access to vocational training or retraining in the light of actual or prospective opportunities for gainful employment and which is suited to the needs, the interests, and the ability to benefit of those who take such training.

The vote by which this bill passed the House—377 to 21—and the vote by which it passed the Senate—80 to 4—indicate certainly that there is wide agreement among concerned people of this country, including their Representatives and Senators in the U.S. Congress, that the vocational education program is one of the best education programs that our Government has ever undertaken.

We launched vocational education as a great Federal-State undertaking with the passage of the Smith-Hughes Act in the year of 1917. From time to time we have amended the original act. In my time in Congress I have twice had an opportunity to vote to make major expansions of the program.

What is before us now in the bill authored by the gentleman from Kentucky [Mr. Perkins] is a real landmark improvement of the whole vocational education legislation field. Through his bill we are bringing vocational education into a much more automated age than prevailed when the program was originally launched. In the Perkins bill we are setting vocational education into its rightful place among the scientific concepts that play a greater and greater role in our lives. We are upgrading vocational education to make it meet the tests of the age of the atom, and the age of space.

The question before us is simply whether we will send the bill to conference.

Every Member of this House recognized that the America we live in and that we love and serve is changing very rapidly. In many areas of the country such as the one that I come from, we are in the midst of great economic change, perhaps equal in its intensity and in its effect to the original industrial revolution that so changed old England and early America. We know that existing vocational programs are not always attuned to the new needs of a growing, vibrant, dynamic America.

This bill is what I would call a bill to provide "education for industrial growth." The result of the enactment of the Perkins bill into law will be that for a generation it will provide education for industrial development and growth.

Now the Senate added to this bill an extension of the National Defense Education Act for a period of 3 years. As the author in the House of the original National Defense Education Act of 1958, I would like to say to the House today that I have been extremely well pleased with the new opportunities that the Act has provided boys and girls and men and women throughout this land of ours. About a half million young people have been granted loans with which to attend college. The Senate, in its amendments extending the National Defense Education Act, also amended Title I of the Act which provides loans for college students by increasing the amount available for those loans from the present ceiling of $90 to $125 million. This amendment was in response to the showing, nationwide, by the 1,500 colleges that participate in the program that there was great need for this additional amount of money for these loans.

Mr. Speaker, many Members of the House will remember when we, through the mechanics of debate, hammered out the loan proposal in 1958 right here in this Chamber. My at-that-time Subcommittee on Special Education learned about how such loans as were available to college students in the year 1957 were working, and we held hearings in numerous places throughout the country in which we specifically inquired about such student loans as were then being made from private sources. We found that there were not nearly as many loans available as there were sometimes said to be, but we invariably found that students who borrowed money to attend college were good loan risks and that they repaid their loans in almost every instance. And I am happy to say today that our experience under the National Defense Education Act of 1958 has borne out exactly what we found. To date, the repayment of the half million loans that have been made is running at double the rate required by the law.

While I do not assert that the National Defense Education Act is perfect, yet I do contend that it has had a wonderful impact upon just about every phase of American education. It has provided hundreds of millions of dollars worth of equipment for the more precise and efficient teaching of the sciences and mathematics and modern foreign languages. It has encouraged the development of counseling and guidance in the educational systems of all the States. It has aided the expansion of existing vocational schools to train high grade technical people that are so greatly needed in our present economy. It has provided for an upgrading of existing qualifications of teachers of the languages and has provided institutes whereby counseling and guidance has become a standard part of the educational administration in this country. It has led to the expansion of our graduate schools all over the country, but particularly in the areas in which there has been a shortage of graduate study facilities. The fellowships provided under the act have gone into the training of several thousands of new Ph. D.'s that are badly needed.

I doubt that there is any considerable sentiment in this body to discontinue the National Defense Education Act.

So, I do not see any great complication in having the conferees on this bill deal with its extension. I feel rather certain that the conferees on the part of the House and the conferees on the part of the Senate will be able to reach an agreement that will be acceptable to both bodies and beneficial to education throughout our country.

The Senate also added an amendment providing for the further extension of Public Laws 815 and 874, commonly known as the impact laws, for another 3 years. Every Member of this House knows of the beneficial help that this program has been to areas of our country where Federal activity has created an undue impact on the local education systems. Under this bill we have spent, since it was enacted in 1950, about $2 billion for the building of schoolhouses, and the maintenance and operations of schools in these impacted areas. While there is some disagreement as to the provisions of the law, some claiming they are a bit too liberal in their definitions, yet I doubt that there are many who would disagree with the fact that that bill was necessary when it was passed and has continued to be necessary to the present time, and at least for the immediate future it is necessary that it be continued.

Again, our conferees will be working on a bill with which they are familiar. They will be dealing with what to them is an old subject. I am sure they will have the learning, the ability, and the skill to achieve an acceptable conference report with the Senate conferees that will enable this program to continue until the time when the House Committee on Education and Labor will have had the opportunity to look carefully at all provisions of this bill. In the meantime, the school aid for impacted areas law has expired, and it is urgent that we take action very soon to reenact it.

So, Mr. Speaker, our vote to send this bill to conference will be a fine opportunity for us to again register our belief in the necessity that we extend and improve and, to some degree, modify these fine programs that have been tested by time and seasoned by the salt of experience to the point that they are most helpful and most desirable to our educational system.

I urge the adoption of this rule and at the appropriate time I will move the previous question.

*Major differences between H.R. 4955, the Vocational Education Act of 1963 as it passed the House of Representatives on Aug. 6 and H.R. 4955 as it passed the Senate on Oct. 8, 1963—Appropriations authorized*

[In millions of dollars

| | Grants for vocational education | |
|---|---|---|
| | House authorization | Senate authorization |
| Fiscal year 1964 | 45 | 108 |
| Fiscal year 1965 | 90 | 153 |
| Fiscal year 1966 | 135 | 198 |
| Fiscal year 1967 and after | 180 | 243 |

Teacher training: The House-passed bill authorized funds to be used for inservice teacher training. A Senate amendment would broaden the authorization to include all types of teacher training.

Required expenditures: As it passed the House the bill would require the States to expend at least 25 percent of its new Federal funds in its area vocational education school programs either in operating costs or in construction. These are the programs that are geared for vocational training of high school dropouts and graduates. The Senate amendment would increase this amount to 40 percent.

Research demonstration and experimentation: Five percent of the funds authorized to be appropriated in the House version would be set apart for research and pilot programs directed particularly to communities with school dropouts and unemployed youths. The Senate version increases this reservation to 15 percent.

Residential vocational education schools: The Senate added a 5-year program with an initial appropriation of $15 million to establish and demonstrate the feasibility residential vocational education schools particularly in large urban areas.

Allotment formula: The Senate added a factor taking into account per capita income of various States in calculating the distribution of Federal funds to the States.

Area vocational schools: The Senate broadened the definition of area vocational schools so as to encompass various additional secondary school instruction situations and conditions.

Work study programs: The Senate added a 5-year program with an initial first-year authorization of $50 million to enable local educational agencies to provide part-time employment in public schools and other public agencies to students in full-time attendance at area vocational education schools.

In addition to the amendments to the Vocational Education Acts included in part A of the Senate bill, the Senate bill also extends the National Defense Education Act and the impacted areas legislation—Public Law 815 and Public Law 874.

Part B of the Senate bill extends for a 3-year period all titles of the National Defense Education Act. Other than minor technical amendments, the Senate bill authorizes an increase in the student loan authorization from the present $90 million to $125 million for fiscal year 1964, $135 million for fiscal year 1965, $145 million for 1966, and $150 million for 1967. It is anticipated that loan repayments will be received in sufficient volume after fiscal year 1966 to remove the necessity for further increase in the authorization. The Senate bill also raises the present $250,000 institutional ceiling to $800,000, thus enabling many of the larger institutions to participate more fully in the program. The Senate also amended the bill to expand the guidance, counseling and testing provisions of title V of NDEA to the seventh and eighth grades and provides for the additional $2½ million required for this expansion.

Part C of the Senate bill provides for a straight 3-year extension of the impacted areas legislation—Public Law 815 and Public Law 874. The only modification to these laws made by the Senate bill was the inclusion of the District of Columbia.

### WHAT H.R. 4955 WILL DO FOR VOCATIONAL TRADE AND INDUSTRIAL EDUCATION IN ALABAMA

The State of Alabama presently has six area vocational-technical schools in operation. Two additional area schools have been planned for some time. Just recently additional area vocational schools were authorized, section IV(5), H.R. 4955, would appear to be very timely by providing assistance for the construction of these schools.

As the State of Alabama continues to increase in industrial employment, it is essential that additional workers be trained in the immediate future. Many of the demands of industrial employment today were not in existence a short time ago. It is, therefore, important that the workers in Alabama be trained to meet the needs in a changing economy.

The vocational trade and industrial education program in Alabama in the high school and at the post high school level are doing a fine job in training individuals for industrial employment. However, there remains a vast number who should have additional training in order to remain productive workers and meet the emerging challenges of skilled workers in an industrial society. Many areas in the State of Alabama do not have the type of trade and industrial training necessary to meet the present and future needs of our people. Additional funds under this bill would assist greatly with this matter.

Provisions of H.R. 4955 will help Alabama, or any other State, to further evaluate their programs and do the necessary studies concerning current and projected manpower needs and job opportunities. Provisions of the bill will also make it possible for the training of persons with various types of handicaps. Expenditures by the State of Alabama for vocational trade and industrial education for 1961 were $1,190,116.88. Of this amount $176,310 were Federal funds.

### HOW THE NEW APPROPRIATION AUTHORIZED BY H.R. 4955 WOULD AFFECT TRAINING IN HOME ECONOMICS IN ALABAMA

Training for employment: It would provide opportunity in high school for training for wage-earning services requiring home economics knowledge and skills, at the same time that requirements for high school graduation are being completed. There is increasing need for this type of training. In Alabama, as well as in other States, some high school girls are already working either after school or on Saturdays. Of 25,402 girls enrolled in vocational home economics in Alabama high schools during the school year 1962–63, 9 percent were working on Saturdays and 5 percent after school. Many more might be able to supplement the family income if they were trained for new services that are emerging. This would seem important, since in 1961 only three States were lower than Alabama in per capita personal income.

Training for homemaking: If 25 percent of the existing appropriation for home economics is diverted to training for wage earning—as required in the House bill—this would be a handicap for Alabama in carrying on the vocational homemaking education program in high school, which has as its goal training for the occupation of homemaking.

In the school year 1962–63 there was a lack of funds for carrying out the vocational homemaking program in Alabama. I quote from the 1962–63 Annual Descriptive Report:

> No new programs have been possible during the year because of limited funds. Funds were not sufficient to carry the 381 reimbursed programs. In order to avoid proration or a cutback of term of employment, a reduction was made in the travel allowance for each vocational home economics teacher. This was done for all vocational services.

There is urgent need to retain the full amount of the present appropriations for home economics for the training of homemaking for youth and adults and for teacher education and supervision of home economics. It is through these vocational funds that a high standard of teacher education has been maintained.

Home economics educators conceived and put into practice some aspects of teacher education which are now accepted by all teacher education—such as student teaching by college students in centers provided by the teacher education institution off campus, State supervision of home economics programs, and home visits by home economics teachers to enable them to become acquainted with the families of their students and the communities in which they teach.

New training opportunities: The proposed appropriation would provide for Alabama youth and adults wage-earning training not now offered in home- and community-related occupations. This training would be available in area vocational schools, in junior colleges, and in community colleges, as well as in high schools.

With the technological developments bringing about changes in family living, and the increased employment of women outside the home, there is a greater need for additional types of home and community services.

Of the 14,974 mothers of youth enrolled in vocational home economics courses in Alabama during the school year 1962–63, 40 percent were employed outside the home—approximately 30 percent full time, and 10 percent part time. As more women become employed outside the home they will need to utilize more home and community services—possibly a child care center where small children can be left during the day under the care of trained personnel; the homemaker's assistant who will come into the home either full time or part time to do special cleaning, laundering, or prepare certain meals. Some of the emerging occupations for which training is needed are:

First. Child day-care center worker—to help care for children of employed mothers.

Second. Management aid in low-rent public housing projects.

Third. Visiting homemaker.

Fourth. Hotel and motel housekeeping aids.

Fifth. Supervised food service worker.

Sixth. Personal wardrobe maintenance specialist.

Seventh. Companion to elderly persons.

Eighth. Family dinner service specialist.

Ninth. Homemakers assistant.

### VOCATIONAL AGRICULTURE AND H.R. 4955

More than 50 percent of the land area of Alabama is devoted to farming. There are 109,000 farms in the State. The value of land and buildings alone devoted to farming is nearly $2 billion. In 1962, Alabama farmers marketed more than one-half billion dollars worth of products. There are 341 schools in Alabama which provide instruction in vocational agriculture. Total high school enrollment in this subject in 1962 was 18,446.

In addition to land in farms, Alabama has many thousands of acres of forest used in the production of lumber, pulp, and other forest products.

Under the provisions of H.R. 4955, there would be considerable increase in the amount of Federal funds available to Alabama for instruction in vocational education. In agriculture, the program of farmer training would continue in high school as well as for out-of-school young farmers and adult farmers. Improvement and expansion of the out-of-school farmer training program is particularly needed.

The proposed legislation provides liberalization of present instructional programs in vocational agriculture to extend and broaden educational opportunities for farm youth.

Training would no longer be restricted to the work of the farm and the farm home, but might be offered in such off-farm agricultural occupations as to train for employment in forestry, soil conservation, landscaping, horticulture, and a great number of jobs where knowledge of agriculture is important. The fields of landscaping, horticulture, and greenhouse operation, for example, employ an expanding number of persons for work in parks, private businesses, and institutions. It is likely that vocational agricultural instruction will be extended to many schools in large urban centers where such employment opportunities exist. Other examples of off-farm employment opportunities would be in businesses that purchase from farmers, market farm products, or provide supplies for farmers. On a nationwide basis it is estimated that 40 percent of our work force is employed in some phase of the broad field of agriculture. Of these, a great many need thorough knowledge about the work of farmers, their problems, and their aspirations.

More specialized training is needed for persons who will be employed on the farm as hired workers. Modern farm mechanization, for example, requires the services of persons who are skilled in the operation and maintenance of highly complicated and expensive farm machinery. Programs of specialized training for such work may be offered under the proposed legislation, for workers currently employed as well as for those who still are in school.

Many agriculturally trained technicians are needed, such as soil conservation aids, forestry aids, artificial inseminators, and custom operators of fertilizer and insecticide distribution equipment. Specialized training may be provided for such persons under this legislation, either in the high school or in specially equipped area schools.

While it is not specifically mentioned in the new legislation, it is expected the programs of leadership and citizenship training now conducted for students of vocational agriculture under the Future Farmers of America organization would be continued and would be expanded as the instructional program expands. The work of the Future Farmers of America is provided for by Public Law 740 of the 81st Congress, passed in 1950.

Some programs of instruction will involve more than one field of vocational education. For example, a person preparing for a career in agricultural sales might study basic agriculture and again up-to-date knowledge of farm practices, and also have training in sales provided through the distributive education branch of vocational training.

The proposed legislation includes funds to help in the establishment of facilities for area vocational schools. Training for many agricultural occupations, particularly those for technicians, probably would be offered through such schools that draw students from a wide area and which can offer training in employment fields where such specialized instruction would not be practical in a single community.

The legislation also provides for expansion in the funds for teacher training, supervision, demonstration or experimental programs, and research. This is a vital need in a field such as agriculture where technology is constantly changing, if teachers are to keep abreast of the times.

In extending and increasing the National Defense Education Assistance program for a 3-year period the legislation would permit many farm boys with limited financial resources, but good scholastic ability, to continue their education through college.

The bill provides additional funds that may be used for guidance, testing, and counseling programs, and extends these programs to the seventh and eighth grades. This would be expected to improve such services in rural communities.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, it is difficult to follow my illustrious friend and colleague on the Committee on Rules, the gentleman from Alabama [Mr. ELLIOTT], who has so thoroughly gone into the purposes and the reasons for this legislation now before us. This House resolution makes in order the sending to conference of the bill, H.R. 4955, known as the vocational education bill, with Senate amendments. As I attempted to do today on the previous piece of legislation, I feel at this time it might be helpful to discuss for just a few minutes the difference between the House and Senate versions of H.R. 4955.

The bill, H.R. 4955, as it passed the House dealt only with vocational education. When it reached the other body, the bill was amended drastically and very, very broadly. The first 25 pages, which seemed to have been all of the House measure, were stricken from H.R. 4955 after it reached the cloisters on the other side of the Capitol, and some 45 pages of new legislation were introduced as amendments to the bill.

The first portion of that amendment—or series of amendments, perhaps, I should say—dealt with vocational education. I shall first discuss the differences between the provisions of the House bill and the Senate bill dealing with vocational education matters.

The vocational education bill as it passed the House carried $45 million for the fiscal year 1964 which, of course, started July 1 last. As it passed the Senate, this appropriation had been lifted to $108 million.

For fiscal year 1965, the House bill provided $90 million: the Senate bill $153 million—all for vocational education, of course.

For fiscal year 1966, the House bill provided $135 million. The Senate bill for the same fiscal year, $198 million.

For 1967, and each year thereafter, the House bill provided $180 billion and the Senate bill $243 million, meaning the total cost for the first 4 years under the provisions of the House bill, that is the total authorized appropriation, would be $450 million, and for the Senate measure $702 million, as they had amended the House bill.

In addition, there was an extension of the practical nurse training program. The House had $5 million set aside for that purpose, and the other body, the Senate, provided $15 million.

Then under title III of the vocational education bill as it was rewritten in the Senate, an amendment adopted in that body authorized $50 million to be appropriated for fiscal year 1964, and "for each of the next 4 fiscal years such sums as may be necessary" for a work study program for vocational education students. There was no such provision whatsoever as I understand it, in the House bill, but that cost could run $250 million over the life of the program. However, after the other body, after it had completed its efforts at changing and rewriting the vocational education bill as it had been approved by the House, adopted two other amendments to the bill, something that could not be done in the House under our rule requiring germaneness. It adopted an amendment to extend the National Defense Education Act, which here in this body would require separate action, and which the House Committee on Education and Labor has been considering, and has a bill pending before it to do that very thing now. The Senate amendments to extend the National Defense Education Act are not carried in the House bill at all because of the rule of germaneness. The Senate amendment would provide $90 million for the first 2 years, the same as we already have for fiscal years 1962 and 1963, under present law. For 1964, this present fiscal year, it would provide $125 million compared to $90 million in the present law now in effect, for the balance of this fiscal year. Then for 1965 the Senate bill would provide $135 million, and in 1966 $145 million, and in 1967 $150 million for each of the following 3 fiscal years. I want to emphasize that the House Committee on Education and Labor has not yet dealt with that question. It is true most of this money provided would be used to make loans to students. That loan program, as the gentleman from Alabama explained to you, has worked very well. The students are already beginning to repay, some of those who received these loans. There is every indication the Government will not lose any substantial amount of money, if any at all, as a result of these loans to students that have been made under this act. There is a great deal of testimony, I understand, before the House Committee on Education and Labor as to the need for increasing the amount of money needed to carry on this student program under the National Defense Education Act in the future. So there is not too much complaint against that particular provision of the bill except that it seemingly provides, as passed by the Senate, more money than perhaps the House committee's investigation will show is actually needed, or can be used to good advantage.

Then the Senate proceeded to adopt another amendment to the vocational education bill as it passed the House. This was another bill now pending before the House itself. First it was passed out of the Committee on Education and Labor and sent to the Rules Committee to extend for 1 year present law, Public Laws 815 and 874, dealing with Federal payments to Government impacted school districts in lieu of taxes. The thing is very badly needed and has been pledged, and should be carried out at least until some determination is made as to when the program, if it is to be ended, should be stopped at some future date. Why do I say that? Because a great many school districts impacted by Government installations throughout the United States set up their budgets last April and May for the present school year on the basis they were to receive the same payments from the Federal Government in lieu of taxes they had been receiving in the past. Remember, when the Federal Government moves into a school district and builds a great installation there, it takes taxable property off the tax rolls of the school district, and leaves less income for the district. At the same time it reduces the tax income to the school district, the Government dumps a great many new students onto the local schools and says, "Here. Educate these youngsters we have brought into your community."

If any great corporation, such as General Motors or General Electric, moved a large industrial plant into any school district in America they would be compelled to pay local school taxes, just the same as any other property owner, to help support the schools of that area, and to educate the children of their employees.

A long time ago, just after the close of World War II, Congress, in its wisdom, enacted Public Laws 815 and 874 to provide for Federal payments in lieu of taxes to these Government-impacted school districts, because the Federal Government cannot be compelled to pay taxes on the property taken up, or to pay for the cost of educating the children brought into those areas and school districts. Yet these school districts, depending on the assurances that had been given them by Federal officials, believed, as always, that on July 1, as had happened in the past, with the change in the fiscal year, there would be funds available for the new school year which started last September. They went right ahead with their budgeting, went right ahead with their school planning, had their schools opened, and many of them are now faced with the sad situation that unless legislation of this type is enacted by the Congress between now and January, they will be compelled to restrict greatly the educational benefits extended to the youngsters of their areas, or even to close public schools in some instances, after the first of the year. Certainly none of them will be able to conclude the entire school year, until next May or June, unless legislation of this type is enacted, and the funds promised them are forthcoming.

The Senate, when it wrote into this vocational educational bill the amendment providing the extension of the Impacted School District Act, also provided for a 3-year extension, instead of a 1-year extension as the bill from the House Committee on Education and Labor originally proposed; and, in addition, provided that payments should be made in lieu of taxes by the Federal Government to support the schools in the District of Columbia, on the basis it is a Federally impacted district, in spite of the fact, I might add, as I have always been under the impression, that the District of Columbia was created to be the seat of our National Government. If I recall correctly, we are paying something like $50 to $53 million a year to the District of Columbia in lieu of taxes, part of which presumably is to be used to help support the schools of the District of Columbia.

The members of the House Committee on Education and Labor who will serve as representatives of the House on the conference committee, appeared before the Rules Committee and strongly indicated—in fact, some of them even pledged, almost in writing, or submitted written statements—that they intended to support, to the bitter end, the provisions of the House bill, especially as it pertained to the impacted school district amendment and to the Defense Education Act amendment. And likewise, if I understood the position of the conferees correctly, they intended to support the position of the House in holding down, to the figures carried in the House bill, the amount of funds to be made available for vocational education training which, by the way, while not a new program is a very greatly expanded one, the biggest vocational educational program ever provided by the Federal Government in all history.

Mr. Speaker, I reserve the balance of my time.

Mr. ELLIOTT. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. Sikes].

Mr. SIKES. Mr. Speaker, there are many of us who have a particular interest in the impacted area school bills which now are carried in the Senate version of the vocational education bill. We have been very concerned with the delays encountered in extending the authorization for these bills.

There has been considerable controversy about getting this bill to conference. I think the House is indebted to the gentleman from New York [Mr. Powell] and to the gentleman from Virginia [Mr. Smith] for clearing the atmosphere so that the step which is now proposed to send the bill to conference can be carried out.

In that connection, Mr. Speaker, may I take a moment to express my own very great appreciation for some of the finest work for schools that has been done by anyone, and that by the distinguished gentleman from Kentucky, my good friend [Mr. Perkins]. He has worked tirelessly to give us a workable program for the continuation of the impacted area bills, something extremely important to a great many schools.

Mr. Speaker, this is one of the most valuable programs we have in the field of education. Without the impacted area school bills a great many schools in this Nation would be operating on a restricted basis and on standards far below those which we want for the education of the young people of America.

This program has operated without criticism, without controversy, and without difficulty. It has been well administered. It has contributed immeasurably to the improvement of schools and the improvement of educational advantages for children.

I sincerely hope this will be the first item taken up by the conferees. We need it. We need it now.

Mr. Speaker, I am afraid there are but few people who really comprehend the seriousness of the situation with which schools are now confronted. This is late October. Schools are well into the scholastic calendar year. A great many schools in a great many States began this year's work counting on a continuation of the impacted area school bills. This was to be their assurance of adequate funds for a successful school year. Now they do not know whether they are going to have that assurance or not.

Mr. Speaker, without this, the financial assistance these bills provide, it is going to be necessary for each of these schools to cut back on their school programs in the middle of a school year. It should be obvious that would bring about chaos in school conditions. Or, in lieu of Federal funds, they will have to raise local taxes. Each of us can comprehend the difficulty of trying to change a school budget or trying to change a local tax structure in the average community in the middle of a school year.

Mr. Speaker, these are the problems with which schools are confronted. Time is running out. We are remiss in our duties if we fail to complete action on these bills now immediately. Our schools must have needed assurance that they can continue to operate on a sound financial basis and at a proper educational level.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Mississippi.

Mr. COLMER. We are all interested in the impacted area provision of this bill but I should like to inquire of the gentleman if he can see any justification for including the District of Columbia in this impacted area bill which has been expanded from time to time to include so many other effected areas and Federal activities. In other words, is it not true that the District of Columbia now is enjoying the benefits of Federal assistance? The gentleman's own committee takes care of that every year in a lump-sum contribution.

Mr. SIKES. That is my understanding. I do not believe that District of Columbia schools are properly a part of this bill, nor do I think they should be considered for this purpose at this time. That is a separate question to be determined in other legislation, if necessary.

I am talking about many schools in many States throughout the Nation that started this year counting on receiving impacted area school money. Without it they are going to be in a chaotic situation. It is our responsibility to complete action on this very shortly, and I hope that will be the case. I also hope this legislation will be continued not for 1 year but for 3 years.

Let us not get into this fight again in the middle of a presidential election next year. Let it have a continuation of the impacted area programs for 3 years—at least for 2—so that we can approach the problem in a more orderly fashion when again it must be considered.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. Findley].

Mr. FINDLEY. Mr. Speaker, I have requested this time to explain to the House that the Committee on Education and Labor has not been sitting on its hands in regard to impacted school aid.

I serve on the Dent subcommittee which handled this legislation. I can report that on May 15 the Dent subcommittee without a dissenting vote reported the impacted school aid extension bill to full committee. It reported the bill after lengthy consideration and after having the benefit of a special study committee consisting of Mr. Quie and Mr. O'Hara.

After long deliberation the subcommittee reported out a bill which had a civil rights feature in it, a feature which would withhold funds from any school district which practiced racial discrimination. It provided June 30, 1965, as the cutoff date. This feature was approved without dissent. I am especially conscious of this provision because I initiated it. It was a part of the impacted school aid bill which was reported out by the full Committee on Education and Labor on June 27. On that vote there were 25 votes for the bill with the civil rights feature in it, and only 5 opposed. It was reported to the House on July 9, only 9 days after the existing legislative authority for impacted school aid had expired.

So, had the administration desired to get action on impacted school aid it could have done so during the month of July, the first month after the expiration of the existing authority. This would have avoided the present hardship and uncertainty among schools depending on Federal aid.

Why was this action not taken? In my judgment, because of the civil rights feature. Why has the Senate taken this means of getting an impacted school aid bill before a conference committee? Simply because it makes possible the elimination of any civil rights feature to impacted school aid.

The legislation which will be before the conference committee will not include the House bill on impacted aid; therefore, the conference will not have before it the civil rights feature which the Committee on Education and Labor reported out. So it would not be proper for the conference committee to report a civil rights feature.

I submit that this is the basic reason why we have this resolution before us today. I express the hope that the conference committee will sustain the position of the House and will insist that the impacted school aid bill not be a part of this legislation, so the House will have the opportunity to work its will upon the impacted school aid bill which has been before the Committee on Rules since July 9, and also so the House will have the opportunity to work its will on the extension of the National Defense Education Act.

**Mr. CURTIS.** Mr. Speaker, will the gentleman yield?

**Mr. FINDLEY.** I yield to the gentleman from Missouri.

**Mr. CURTIS.** In other words, then, the title of this resolution as its relates to vocational education is not the full purport of this conference. Am I correct?

**Mr. FINDLEY.** That is correct. The legislation which will be before the conference committee will consist from the House side of the vocational education bill. From the Senate side it will consist of an omnibus education bill consisting of vocational education, a 3-year extension of impacted school aid without civil rights, and the extension of the National Defense Education Act program.

**Mr. CURTIS.** We are also holding up the vocational education bill which the House passed, and I think most of us are interested in that not being held up as the result of these other measures which are more controversial being added.

**Mr. FINDLEY.** Yes; I think that is true.

**Mr. CURTIS.** It seems to me that this is important to have brought out on the floor of the House. It is a further indication of the tactics employed by the leadership of the House under the direction, apparently, of the President of the United States. I think it is very unfortunate that these programs which do have an overwhelming majority of support are being used as vehicles to try to ram through other measures over which there is considerable controversy. Maybe these other measures which are controversial could pass on their own merits, but it is very unfair and unfortunate to tie them to measures which are not in controversy.

**Mr. ELLIOTT.** Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. PUCINSKI].

**Mr. PUCINSKI.** Mr. Speaker, this is a historic day for the young people of America. I would like to congratulate my own committee and the Committee on Rules for bringing this resolution to the floor today and sending this measure to conference.

I say it is a historic day because the measures to be resolved in conference will make giant steps in helping the young people of this country to obtain an education. The vocational education bill sponsored by the gentleman from Kentucky [Mr. PERKINS] offers thousands of young people in America new hope for acquiring new skills with which to find gainful employment. Through vocational education they can become meaningful members of the economic stream in our communities.

I believe this one measure can do more to resolve the problems of the country's youth than all the other programs that have been considered in Congress, and that goes for the youth conservation bill and many others.

The gentleman from Kentucky [Mr. PERKINS] is to be commended for the impressive contribution he has made to our Nation in sponsoring this bill.

But I am particularly happy over one thing, and I think the tens of thousands of young people who are attending the colleges of America are going to be encouraged when they hear and read the words of the distinguished gentlewoman from Oregon [Mrs. GREEN] when she testified before the Committee on Rules and indicated that she would either go along with the Senate version or, perhaps, remove completely the $250,000 annual ceiling on the total amount of loans each institution of higher learning can issue under the National Defense Education Act. I certainly hope the conferees will support this action. This loan program under the National Defense Education Act has been one of the greatest stimulants to higher education among the young people of America that this country has ever engaged in, and is one of our most worthwhile programs. Young people who have benefited from this program are paying their loans back. This program means that we are saying to every American child, if he has the qualifications, he can look forward to a higher education by applying for a loan under the National Defense Education Act.

There are 121 universities in the United States that have now exceeded the $250,000 annual limitation on loans. The Senate version raises the limit to $800,000 a year. In Chicago alone there are five universities that now have loan applications totaling more than $2 billion. This loan program is not a handout. This is the most American way that I know of doing things—helping these young people to get their higher education by giving them loans which they repay over a period of 10 years after they graduate from college. So it is my hope that the conferees on the House side will go along with the other body in accepting the amendment either to remove the ceiling completely on this loan program or raising it to $800,000 a year for each university because the 121 universities that have exceeded their $250,000 annual limitation are among the finest schools in the country. They are scattered all over the country in every single community and in every single State and in every single region. America will benefit by making these loans more readily available, if we remove this ceiling. For this reason, Mr. Speaker, I do hope that our House conferees will support this action. May I say here, Mr. Speaker, that the young people of the country should vote a special expression of appreciation to the gentlewoman from Oregon [Mrs. GREEN], who has worked tirelessly not only to improve the NDEA but has also been the moving spirit in getting through our committee and the House the higher education bill which will mean so much to our colleges and universities. The gentlewoman from Oregon [Mrs. GREEN] is indeed a champion of our young people and she deserves their everlasting appreciation.

**The SPEAKER.** The time of the gentleman has expired.

**Mr. ELLIOTT.** Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee [Mr. BASS].

**Mr. BASS.** Mr. Speaker, I rise in support of the resolution, House Resolution 554. The people of Tennessee have a vital interest in this legislation. Just recently local and State taxes have increased to the point that the people cannot now afford the imposition of additional taxes and take care of necessary educational requirements in areas that have been impacted by Federal employees. I have seen this in my own district and in other parts of Tennessee as well. I know if this legislation is not extended it will not mean that schools will be closed in these areas; it does not mean that our children will not have some form of education. But it will mean, Mr. Speaker, that we will not be allowed to take full advantage of the greatest of all our natural resources, namely, our brain power. I know I speak for all Members of Congress who represent areas where this situation exists today. I was discussing this problem with a leader in education from Tennessee yesterday. Local taxes have risen more than 300 percent since World War II. If this bill should not be passed, and if this impacted areas legislation were to cease, it would be necessary to further increase taxes. This would mean that taxes would be increased at the local level by more than 400 percent since World War II. This is the kind of burden that will be impossible for our people to carry in order to train and properly educate our youth.

Mr. Speaker, a 1-year extension of this bill, to me, would not make sense because, certainly, we already are almost finished with the year of 1963 and going into 1964. School budgets must be prepared for the coming year. Therefore, I certainly hope the conferees on the part of the House will insist on a 3-year extension, but certainly not to come back to the House with any extension less than 2 years for this very necessary legislation. Mr. Speaker, I urge our conferees on the part of the House to stick by the position that the House of Representatives has taken when we originally passed it, for a 3-year extension.

**The SPEAKER.** The time of the gentleman has expired.

**Mr. ELLIOTT.** Mr. Speaker, I move the previous question.

The previous question was ordered.

**The SPEAKER.** The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees on the part of the House: Messrs. Powell, Perkins, Landrum, Dent, Brademas, Frelinghuysen, Goodell, Martin of Nebraska, Quie, Bell, and Mrs. Green of Oregon.

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## DECLARING THE HOUSE DELEGATION TO NATO PARLIAMENTARY CONFERENCES TO BE AN APPROPRIATE COMMITTEE OF THE HOUSE FOR IMPLEMENTING THE ACT OF JULY 11, 1956

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 551 and ask for its immediate consideration.

The Clerk read the resolution as follows:

*Resolved,* That, notwithstanding the provisions of section 502 of the Mutual Security Act of 1954 (22 U.S.C. 1754), local currencies owned by the United States shall be made available to the chairman of the House delegation to the North Atlantic Treaty Parliamentary Conferences (appointed as an appropriate committee of the Congress to carry out the provisions of the Act of July 11, 1956 (Public Law 689, Eighty-fourth Congress)), to meet the expenses of such delegation and its employees in attending such conferences, including but not limited to expenses for the temporary rental of office space and for the employment of interpreters. No member or employee of such House delegation shall receive or expend local currencies (1) for subsistence in an amount in excess of the maximum per diem rates approved for oversea travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget, or (2) for transportation in excess of actual transportation costs.

Each member and employee of such House delegation shall make to the chairman thereof an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of local currencies furnished for per diem, and the local currency cost of transportation if furnished by public carrier, or if such transportaion is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman of such House delegation with the Committee on House Administration and shall be open to public inspection.

Mr. BOLLING. Mr. Speaker, the language of this resolution is complicated but its purpose is very simple. It will merely make it possible for the expenses of the Members of the House delegation to the North Atlantic Treaty Organization Parliamentary Conferences to be met by counterpart funds rather than by dollars. This complicated language is necessary because of the situation which exists in a provision of the Mutual Security Act. Obviously it is better for us and the American taxpayer if the expenses of such delegation can be met by counterpart funds rather than the additional expenditures out of the U.S. Treasury.

I know of no objection to this resolution and reserve the balance of my time.

Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith].

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, my understanding of House Resolution 551 is precisely as was just stated by the gentleman from Missouri [Mr. Bolling]. The chairman and delegates are entitled to go to NATO and will be leaving, I believe, Thursday night regardless of whether or not we pass this resolution. This is simply for the purpose of authorizing and making possible that counterpart funds can be used in connection with the expenses of this trip without spending U.S. dollars. Some Members have inquired of me, asking why we are passing this resolution. It is to allow counterpart funds to be used when these Members are entitled to go and when it is their obligation to go.

Mr. Speaker, I reserve the balance of my time. However, I do have requests here for time. If it is agreeable to the gentleman from Missouri, I will yield 3 minutes to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Speaker, I raise the question of whether the Senate delegation to the Conference will also be spending counterpart funds? They are not included in this resolution.

Mr. BOLLING. Mr. Speaker, I will yield to the gentleman from Ohio [Mr. Hays] to answer that question.

Mr. HAYS. Mr. Speaker, I can say to the gentleman that I do not know whether they will or not. The chairman of the Committee on Foreign Relations of the Senate is the chairman of the Senate delegation, although I understand now he is going to another conference and has appointed Mr. Sparkman as chairman of this delegation. They do have authority as members of the Committee on Foreign Relations to draw counterpart funds. They do not have the restriction which we have had put on by the Committee on Rules. They may or may not, depending upon their decision in the matter.

Mr. GROSS. I thank the gentleman for explaining it. I turn to page 2 of the resolution in which certain reporting procedure is set up. The resolution refers to the Mutual Security Act of 1954 (22 U.S.C. 1754). That law provides for detailed reporting and printing of expense accounts in the Congressional Record. But on page 2 of the pending resolution, beginning on line 7, there is set forth a different reporting procedure. I ask the gentleman, would this in any way nullify the provision already contained in law or would this expand the language contained in law?

Mr. HAYS. I would say to the gentleman that this language on page 2 conforms with the language that the Rules Committee has put in effect for committees this year. It is more restrictive than the language in the original law. The original language merely requires reporting. This language on page 2 puts it on a per diem basis, which was not required in the original law.

Mr. GROSS. In that respect it is different, but in other respects it does not go as far as section 502 of the act of 1954.

Mr. HAYS. I will say to the gentleman that the committee will report in accordance with the regulations of the Rules Committee and this act, both. We will try to meet whatever requirements have been made.

Mr. GROSS. It is the gentleman's opinion that this language does not restrict the reporting of all spending?

Mr. HAYS. No; I do not think so. It restricts the amount of money that we spend, but not the requirement for reporting.

Mr. GROSS. I am glad to support the resolution although I have never supported this NATO parliamentary deal. If you must take these trips I think you should spend counterpart funds rather than American dollars.

Mr. SMITH of California. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Speaker, my purpose is to get further information than is contained in the resolution itself. The purpose of the resolution seems to be perfectly logical, but this provides an opportunity to ask some questions about the Conference itself. The reason for my concern is that I am on a task force on our side of the aisle that has been looking into various aspects of NATO. I have been concerned about the economic aspects. I was looking for Congressman Quie, who is chairman of this group.

First, who is on our delegation? Is it composed of both Senators and Members of the House?

Mr. HAYS. The law provides nine Members from each body appointed, no more than five being of the same political party.

Mr. CURTIS. And they are members of the conference?

Mr. HAYS. Yes, sir.

Mr. CURTIS. What sort of agenda has been developed for this meeting that is in the offing? Or perhaps we should do it this way. Can the gentleman put in the Record what the agenda is, so that we may have the opportunity to look at it?

Mr. HAYS. I had a communication this morning. The agenda has been finalized and is on its way here. I cannot guarantee that it will arrive before we leave, but I should be glad to put it in the Record, either before we leave or when we return.

Mr. CURTIS. I thank the gentleman. Let me say, Mr. Speaker, that I am pleased that this delegation will, as I think it will, upgrade the dignity and respect of the NATO alliance itself. Some of those on my side of the aisle have been concerned that there seems to have been a weakening of the NATO alliance. A great deal of this weakening has been contributed to by some of our official actions.

I would now like to yield briefly to the gentleman from Illinois [Mr. Findley], who has been serving on this task force. He and I have been going over a list of some of the points which we had in mind.

Mr. FINDLEY. Mr. Speaker, if the gentleman will yield, I would like to direct a question to the gentleman from Ohio [Mr. Hays].

Mr. Speaker, I am glad that these NATO Parliamentarian Conferences are being held and I hope they will continue. I hope they will have great effect.

I would like to ask the gentleman from Ohio [Mr. HAYS] if the previous Conferences have resulted in agreement upon positions and then getting the positions carried out in the NATO community? What success has been had in that field?

Mr. HAYS. If the gentleman from Missouri [Mr. CURTIS] will yield, I would say to the gentleman that I think each year we have been a little more successful than we were in the beginning. I might say to the gentleman, very briefly, that in the beginning I think the Council of Ministers and the governments themselves were rather hostile to the idea of parliamentarians having anything very much to say about the Conference. I think this feeling has not only diminished but I think it has almost vanished under the direction of Secretary General Spaak and his successor Mr. Stikker. They have been very cordial. The Council of Ministers has been very cooperative. They have made translators and other staff personnel available which would cost a lot of money if they had not done so.

We send our resolutions that are passed to the Council through channels, in our case, through the State Department, and the State Department, in turn, forwards them to our Ambassador to NATO. I might say that there seems to be a feeling on the part of nearly all of the governments that this organization should be strengthened and that it should play even a more prominent role. In other words, I might almost say that in the beginning the governments were hostile while now they are very receptive and are encouraging members of the various parliaments to play a more active part in this area.

Mr. FINDLEY. If the gentleman from Missouri will yield further, can the gentleman from Ohio tell the Members of the House if any single resolution that has been adopted by the NATO Parliamentary Conference has been acted upon, either up or down, by the Council of Ministers?

Mr. HAYS. I cannot specifically cite one that has been acted upon up or down as it was issued verbatim. But I can say to the gentleman that several of the suggestions which have been made in resolutions have been later implemented in general terms by the Council.

Mr. FINDLEY. If the gentleman from Missouri will yield further, could the gentleman detail some of that in the body of the RECORD? It would be very helpful to those of us who are serving on this project committee on NATO unity on this side of the aisle. We have had great concern about the tendency toward bilateral contact with the Soviet Union in the past couple of years, as opposed to unified action in the NATO community.

Mr. Speaker, to cite a few examples, there are the proposed joint moon shot with the Soviet Union; the hot-line proposal which establishes instantaneous contact between Washington and Moscow, but without any counterpart linking the NATO capitals; the bilateral negotiations on selling wheat and corn; the negotiations for a nuclear test ban agreement which certainly bypassed one of our important NATO partners, France; the Skybolt incident; the withdrawal of missiles from Turkey and Italy, and the denial of information on nuclear weapons to our friends and allies in NATO, information that the United States and our allies know the Soviet Union already possesses.

So, Mr. Speaker, we are very concerned about the trend toward bilateral contact with the Soviet Union and hope that out of this conference will come a strengthening of NATO.

Mr. BOLLING. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I have asked for this time in order to answer the question of the gentleman from Illinois [Mr. FINDLEY]. May I say to the gentleman that I think in the instance, for example, of the test ban treaty 14 of the 15 NATO countries signed this treaty. There is a great deal of difficulty, among the NATO parliamentarians themselves, because they operate on a basis of unanimity, in getting resolutions passed and I regret that France has not seen her way clear to sign this.

I regret that France has not seen fit to sign it. Some of the things the gentleman has mentioned has been discussed in the NATO Parliamentarians Conference that have not been agreed to. There have been obstacles and there has been concern expressed. Some of these things have been talked about and debated in the political committee and I think that is all to the good.

I will be glad after the Conference this year to detail some of this. In fact, I will be glad to furnish the gentleman whatever reports of the committee there are and a verbatim report of the debates in the plenary sessions. I think he will be satisfied a great many of these subjects are covered. There has been a difference of opinion but I think we can agree it is all debated, and very forthright.

Mr. FINDLEY. I am sure the gentleman will agree that in regard to the test ban treaty the only nuclear powers were the United States, Great Britain, and France.

The other nations were not actually obligated either up or down in the nuclear field in a practical way in signing the treaty.

Mr. HAYS. I realize that, but signing the treaty was all they could do under the circumstances.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## ONE HUNDRED SEVENTY-FIFTH ANNIVERSARY OF GEORGETOWN UNIVERSITY

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, for 175 years Georgetown University has met the educational challenges of the times. This great institution of higher learning was the culmination of long years of planning and labor by Most Reverend John Carroll, S.J., D.D., first Roman Catholic bishop and archbishop of Baltimore and native of Maryland.

Christ's command to his followers, 2,000 years ago to teach all nations motivated John Carroll to write in 1788, "we shall begin the building of our academy this summer on one of the most lovely situations that imagination can frame."

Georgetown University, called the alma mater of all Catholic schools in America by Pope Pius XI, was founded by Bishop Carroll in 1789, but its traditions and methods can be traced back to the year 1534 when a group of missionaries known as the Society of Jesus developed a practical system of education that revolutionized teaching throughout Europe.

The various schools of this university have contributed knowledge and understanding to the perplexities of the times through these 175 years of its existence and the broad scope of its interests and teachings are marked by the roster of graduates who have become leaders and teachers not only in our own country but throughout the entire world.

Georgetown University's religious and educational environment has provided a rewarding and intellectual experience to thousands of these graduates whose influence is felt throughout the world today by their contributions in the fields of science and government, in medicine and law, in business and engineering, in practical education and, in fact, in all the various pursuits of civilized mankind.

All Americans, and particularly the residents of Washington, D.C., should take great pride in the educational influence this university has exerted for the past one and three quarters centuries.

The outward beauties of its buildings and campus are only physical evidence of the inward beauties of the soul acquired within its classrooms through knowledge, education, and understanding.

Many outstanding programs and events are planned by the university for this observance of its 175th year. I record here my congratulations to this great educational institution of higher learning and express my wish for a continuation of its influence on the minds of men and in the affairs of our Nation under the guidance of the Very Reverend Edward B. Bunn, S.J., the renowned president of Georgetown University.

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## BUSINESS LEADERS ENDORSE FOREIGN AID

Mr. STAEBLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. STAEBLER. Mr. Speaker, recently business leaders of key U.S. industries gave unanimous endorsement to President Kennedy's foreign aid program. They acted during the closing session of the White House Conference on Export Expansion.

The conference included more than 300 representatives of major industry, business, agriculture, and labor groups.

The resolution, introduced by Kenneth M. Spang, vice president of the First National City Bank of New York, reads as follows:

> The White House Conference on Export Expansion records its conviction that continuation of a well-executed aid program is indispensible under world conditions to U.S. foreign policy goals and to our national security, and, further, will contribute to American export expansion.

I think the number of people attending and the broad variety of business and labor which they represent is significant enough that the record should show their names. Therefore, I wish to insert their names in the CONGRESSIONAL RECORD:

Albuquerque council areas: Howard C. Eberline, president, Eberline Instrument Corp.

Anchorage council area: Donald L. Mellish, executive vice president, National Bank of Alaska.

Atlanta council area: E. T. Barwick, president, Barwick Mills, Inc.; Thomas S. Morgan, president, Thomas S. Morgan Co.; Harding D. Young, dean, school of business administration, Atlanta University; Lorimer Milton, president, Citizens Trust Co., Atlanta, Ga.

Birmingham council area: E. Ward Faulk, Hayes International Corp.; A. L. Vandergriff, president, Continental Gin Co.; Robert S. Weil, president, Weil Brothers-Cotton Inc.

Boston council area: Edward C. Bursk, vice president, marketing management, American Marketing Association; Roger P. Sonnabend, president, Hotel Corporation of America; Ralph M. Binney, vice president, international division, First National Bank of Boston; Charles F. Adams, chairman of the board, Raytheon Co.; John C. Dowd, president, John C. Dowd, Inc.; Irving J. Fain, chairman of the board and secretary, Apex Tire & Rubber Co.; Carl J. Gilbert, chairman of the board, Gillette Co.; Paul W. Leming, president, Van Norman Industries, Inc.; Harry D. Sharpe, Jr., president, Brown & Sharpe Manufacturing Co.; Raymond S. Stevens, president, Arthur D. Little Inc.; Thomas H. West, president, Draper Corp.; E. W. Miller, president, the Fellows Gear Shaper Co.

Buffalo council area: Charles Rumrill, president, Rumrill Co., Inc.; Harman Brereton, vice president and general counsel, Eastman Kodak Co.; James R. Houghton, Corning Glass Works; William H. Wendel, president, Carborundum Co.; Robert D. Murphy, president, Corning Glass Works International; Joseph F. Lynch, president, Lynch Equipment Co.

Charleston council area: James A. Morris, dean, school of business administration, University of South Carolina; Paul A. Belknap, president, Charleston Rubber Co.

Cheyenne council area: Robert W. Adams, president, Western Nuclear, Inc.

Chicago council area: Neil C. Hurley, Jr., chairman of the board and president, Thor Power Tool Co.; Milton E. Slater, executive assistant to president, Thor Power Tool Co.; John H. Barr, president, Barr Development Corp.; Thomas H. Miner, president, Thomas H. Miner & Associates, Inc.; Robert C. Beckerer, president, Link Belt Co.; William Blackie, president, Caterpillar Tractor Co.; Stephen F. Briggs II, president, Outboard Marine Corp. International; Jack L. Camp, president, International Harvester Export; Draper Daniels, vice president, McCann-Erickson, Inc.;

Robert A. Fergusson, president, Rust-Oleum Corp.; Will C. Grant, Chairman of the board, Grant Advertising, Inc.; Paul M. Green, dean, college of commerce and business administration, University of Illinois; Alonzo B. Kight, president, Borg-Warner International Corp.; John F. Probst, president, South Bend Lathe, Inc.; Herbert V. Prochnow, president, First National Bank of Chicago; John F. Spaulding, president, Skil Corp.;

Everett Kouler, president, James B. Bean Distilling Co.; Sherrill A. Parsons, vice chairman, Booz Allen & Hamilton; W. J. Platka, president, Platka Export Co., Inc.; Arthur E. Walton, vice president in charge of factories, Sears, Roebuck & Co.; A. Leighton Wilkie, president, Do All Co.; William P. Grayson, vice president, Ebony magazine.

Cincinnati council area: Kenneth Wilson, dean, college of business administration, University of Cincinnati; George M. Harrison, president, Brotherhood of Railway and Steamship Clerks, Freight Forwarders, Express and Station Employees; Neil H. McElroy, chairman of the board, Proctor & Gamble Co.;

Ronald E. Reitmeier, president, Catalysts & Chemicals, Inc.; Frank H. Richterkessing, president, Cissel Manufacturing Co., Inc.; Donald H. Robinson, vice president-group executive, Procter & Gamble Co.; Charles P. Taft, general counsel, committee for a national trade policy; David A. Meeker, president, Hobart Manufacturing Co.

Cleveland council area: R. A. Steudel, export service manager, Sherwin Williams Co.; Harry F. Burmester, president, Union Commerce Bank; Robert H. Davies, chairman of the board, Eltra Corp.; Russell C. Jaenke, president, Penton Publishing Co.; Chauncy B. Smythe, president, Thew Shovel Co.;

J. J. Strnad, president, Lempco International Inc.; Harry B. Warner, president, B. F. Goodrich Chemical Co.; Bertram D. Thomas, president, Battelle Memorial Institute; James J. Nance, president and chairman of the board, Central National Bank of Cleveland.

Dallas council area: Albert Long, senior vice president, Republic National Bank of Dallas; J. G. Flynn, Jr., vice president, international division, Collins Radio Co.; Patrick E. Haggerty, president, Texas Instruments, Inc.; John Lawrence, chairman of the board, Dresser Industries.

Denver council area: C. Neil Norgren, president, C. A. Norgren Co.; Russell J. Cameron, president, Cameron & Jones, Inc.; O. A. Knight, president, Oil, Chemical & Atomic Workers International Union; L. C. Rose, president, Colorado Fuel & Iron Corp.; L. K. Spitzer, president, Arrow Manufacturing Co.

Detroit council area: Tom Lilley, vice president, Ford International Staff, Ford Motor Co.; John W. Kinsey, manager, international division, Micromatic Hone Corp.; H. Glenn Bixby, president, Ex-Cell-O Corp.; Irving J. Bluestone, administrative assistant, International Union, United Automobile, Aircraft and Agricultural Implement Workers of America;

Roy D. Chapin, Jr., executive president, American Motors Corp.; Ray R. Eppert, president, Burroughs Corp.; Malcolm P. Ferguson, president, Bendix Corp.; John H. French, Jr., president, City National Bank of Detroit; Zenon C. R. Hansen, executive vice president, Lansing Division, White Motor Co.;

Louis Kingscott, Jr., president, Louis C. Kingscott & Associates, Inc.; James M. Roche, executive vice president, General Motors Corp.; Macauley Whiting, president, Dow Chemical International; Irving J. Minett, group vice president, Chrysler Corp.

Greensboro council area: J. Edgar Kirk, vice president, North Carolina National Bank, Raleigh; Charles R. Browning, chairman of the board, Aeronautical Electronics, Inc.; Robert P. Lynn, vice president, Burlington Industries Inc.; John H. Wheeler, president, Mechanics and Farmers Bank, Durham; Edwin A. Morris, president, Blue Bell, Inc.

Hartford council area: Hans H. Bohlmann, export manager, Seamless Rubber Co.; Joseph M. Barr, vice president, United Aircraft.

Honolulu council area: H. Tucker Gratz, president and chairman of the board, Pepsi Cola Bottling Co. in Hawaii.

Houston council area: Leonard F. McCollum, president, Continental Oil Co.; George W. Ebanks, vice president, international banking department, National Bank of Commerce, Houston; Richard E. Derby, president, Uncle Ben's, Inc.; Norman T. Ness, vice president and secretary, Anderson, Clayton & Co.

Jacksonville council area: Henry N. Folk, Jr., chairman, Pensacola Port Authority; John T. Lesley, general manager, Florida Citrus Exchange; Charles A. Rovetta, dean, school of business administration, Florida State University; W. F. Walker, president, Dantzler Lumber & Exports Co.

Kansas City council area: Jack F. Whitaker, Jr., president, Whitaker Cable Corp.; Howard W. Hardy, president, Great Plains Wheat, Inc.; Joseph M. Kramer, partner, Columbian Steel Tank Co.; Howard L. Roach, president, Soybean Council of America, Inc.

Los Angeles council area: Harper Q. North, vice president, research and development, Thompson Ramo Wooldridge, Inc.; Robert R. Dockson, dean, school of business administration, University of Southern California; B. F. Coggan, executive vice president, operations, Douglas Aircraft Co., Inc.; C. G. Hokanson, president, C. G. Hokanson Co., Inc.; Thomas V. Jones, president, Northrop Corp.; Erle Constable, executive vice president, Lockheed Aircraft International, Inc.

Memphis council area: Allen Morgan, president, First National Bank, Memphis; Hugo N. Dixon, chairman of the board, George H. McFaddon & Bros.; George R. Hirsch, managing partner, Cary-Hirsch Lumber Co.; Lewis Schuster, dean, school of business administration, Tennessee State University; M. H. Simmons, president, Plus Poultry Inc. of Northwest Arkansas; Richard O. Wilson, president, Wilco Machine Works, Inc.

Miami council area: L. J. Hodge, president, Standard Cap & Seal Co.; Joel C. Wilcox, port director, Port of Palm Beach; Richard Bertram, president, Bertram Yacht Co.; Harry N. Coll, president, Chris-Craft Corp; Nathaniel J. Klein, chairman of the board, Key Pharmaceuticals.

Milwaukee council area: Richard D. Cudahy, president, Patrick Cudahy Packing Co.; Henry Harnischfeger, president, Harnischfeger Corp.; William H. Jacques, president, Jacques Seed Co.; Joseph W. Simpson, Jr., president, First Wisconsin National Bank of Milwaukee.

Alfred P. Diotte, corporate secretary, Parker Pen Co.; Fred Salditt, director, Harnischfeger Corp.; Robert S. Stevenson, president, Allis-Chalmers Manufacturing Co.; Daniel Parker, president, Parker Pen Co.

Minneapolis council area: Paul V. Grambsch, dean, school of business administration, University of Minnesota; Lowell Andreas, manager, Honeymead Products, Inc.; John A. Moorhead, president, Northwestern National Bank of Minneapolis.

New Orleans council area: Harry X. Kelly, director, customers relations, Delta Steamship Lines, Inc.; Joseph T. Lykes, Jr., president, Lykes Bros. Steamship Co.

New York council area: George Inselman, president, American Institute of Marine Underwriters; Walter H. Johnson, Jr., general corporate executive, Interpublic, Inc.; Robert M. Norris, president, Nation Foreign Trade Council, Inc.; Kenneth M. Spang, vice president, First National City Bank; Louis A. Albarracin, senior vice president, Chase Manhattan Bank; Alfred Aufhauser, president, Industrial Raw Materials; Ad Auriema, president, Auriema, Inc.; John J. Bergen, president, John J. Bergen & Co.

John C. Bierwirth, vice president and director, International Division, National Distillers & Chemical Corp.; William G. Birmingham, Jr., executive vice president, Dodge & Seymour, Ltd.; William P. Bogie, editor, the American Banker; Willoughby F. Brazeau, president, American Steel Export Co.; James Smith Bush, president, Northwest International Bank; Howard L. Clark, president, American Express Corp.; Emilio G. Collado, vice president, Standard Oil Co. (New Jersey).

Basil G. Dandison, senior vice president, McGraw-Hill Publishing Co., Inc.; James P. Delafield, vice president, General Foods Corp.; George B. Doughman, manager, export department producer goods, International General Electric Co.; Percy L. Douglas, president, Otis Elevator Co.; Carl G. Drescher, president, Sinclair International Co.; Edward L. Dreyer, president, Adamas Carbide Corp.; George T. Dudman, president, Allen V. Smith, Inc.; Brian J. Dunn, president, Picker International Corp.

James A. Farrell, Jr., president, Farrell Lines, Inc.; Luke E. Fitchthorn, assistant to the president, American Home Products Corp.; Shelton Fisher, president, publications division, McGraw-Hill Publishing Co.; Emerson Foote, president, McCann-Erickson Corp. International; John M. Franklin, chairman of the board, United States Lines Co.; Carmine J. Grossi, vice president, Combustion Engineering International; Carlton A. Hohloch, vice president, Smith, Kirkpatrick & Co., Inc.; Alexander F. Jones, executive editor, Syracuse Herald-Journal.

Richard W. Kixmiller, executive vice president, Celanese Corp. of America; Kenneth Klipstein, president, American Cyanamid Co.; William E. Knox, chairman, Westinghouse Electric International Corp.; Felix E. Larkin, executive vice president, W. R. Grace & Co.; Albrecht M. Lederer, president, A. M. Lederer & Co.; Milton Levenson, president, Miles Metal Corp.; John W. Lienhard, president, International Telephone & Telegraph Export Corp.; William J. Marshall, president, Bourbon Institute.

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San Juan council area: Carlos J. Lastra, secretary of commerce, Department of Commerce, Santurce.

Savannah council area: J. E. Cay, Jr., president, Palmer & Cay, Inc.; William S. Hopkins, Jr., president, National Rosin Oil Products; Hobart Manley, president, Reynolds-Manley Lumber Co.

Seattle council area: Nick Bez, president, Peter Pan Seafoods, Inc.

Washington, D.C.: Frank M. Crugger, chairman of the board, National Small Business Association; John A. Gosnell, executive secretary, National Small Business Association; George Meany, president, AFL–CIO; Rudolph Faupl, international representative, International Association of Machinists; J. B. Hutson, president, Tobacco Associates, Inc.; L. A. Jennings, chairman of the board, Riggs National Bank of Washington; Clarence D. Palmby, executive vice president, U.S. Feed Grains Council; Joseph O. Parker, chairman, International Trade Development Committee; Charles A. Richards; Herbert W. Robinson, president, C.E.I.R., Inc.; Fred Burrows, executive vice president, International Apple Growers Association; Kenneth Clark, executive vice president, Motion Picture Association of America, Inc.; Robert W. Coyne, president, Distilled Spirits Institute, Inc.; Joseph D. Keenan, international secretary, International Brotherhood of Electrical Workers; Harry C. Moore, president, Beloit Corp.; W. A. Boyle, president, United Mine Workers; J. Belton Warren, director, Area 1, Glass Bottle Blowers Association.

## ZONING CONTROLS ARE DETERRENT TO GOOD DEVELOPMENT

Mr. KYL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KYL. Mr. Speaker, in a recent speech before the Institute of Planning and Zoning, Urban Renewal Commissioner William L. Slayton noted that zoning controls are "decidedly inappropriate to a large subdivision and a positive deterrent to good development."

Mr. Slayton also noted that the controls needed would give free rein to the talents of the planners.

As a matter of fact, Mr. Speaker, the emerging record indicates that free rein has been taken by those who arrange the financial affairs of the urban renewal programs. And they display considerable talent.

There is a law which says that in projects of this nature, all stock transfers must first receive approval of RLA. Yet major stockholders of the Harbour Square project apparently transferred 10 percent of their stocks to each of two employees in recognition of their faithful service to the firm. These gifts amount to half the holdings of the company in the project.

Now 10 percent might not seem like an unreasonable gift for faithful service. However, the gift should reach the total of $128,100 in 2 years for each recipient. This is a bit more than the usual gold-watch treatment afforded employees.

There are 427 housing units in Harbour Square—70 percent of them sold at the time of ground breaking at prices ranging from $20,000 to $70,000.

In the Columbia Plaza project, the faithful secretary winds up with another gift, 7½ percent of the stock, the same amount as is held by the company partners and a primary promoter of the project who also happens to be one of the employees of said firm. This is a $20 million project. In this instance the generosity of the firm for the secretary is overwhelming. Hurried computation indicates that this gift will probably total something in the neighborhood of a million and a half dollars, which is a nice neighborhood, even for redeveloped Columbia Plaza.

But this is not the end of the story. The "boss" says he still has irrevocable power of attorney over the gift and that he can sell the stock at any time. Since all the stock is now tied up as a guarantee for the man who supplied the real money, the secretary who was the recipient of the most gracious gift could be in somewhat of a quandary, which is beside the point.

Not beside the point, however, is the testimony that the stockbooks have been lost. This does not necessarily indicate anything sinister, because in the Columbia Plaza area many things have been lost, including good sense. And anyhow, we have finally received the admission that the whole thing was a mistake, because the area could not have qualified for urban renewal in the first place.

This is just another illustration of the irrefutable fact that the Congress had better redesign the entire urban renewal laws on the books or face the consequences of the myriad situations developing all over the country, which would be ridiculous if they were not so tragic.

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## AMELUNG GLASSWORKS IN FREDERICK COUNTY

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, I have today introduced a bill to designate the site of the Amelung Glassworks in Frederick County, Md., as a registered national historical landmark.

A great people must have a thorough understanding of their own history if they are to progress through succeeding generations. The glassworks founded by John Frederick Amelung in 1784 were certainly significant in the development of our modern industrial Republic. The extraordinary manufacturing community envisioned and erected by Amelung is as much a part of the story of the growth of American power to its 20th century height as the construction of our early canals and railroads or the enactment of the progressive legislation which fostered the growth of the Republic.

For the many thousands of Americans who are still engaged in the manufacture of glass, the site of the Amelung Glassworks will have a special appeal since excavations made there last year and this year have revealed information about 18th century glassmaking techniques never before known.

For a further description of the site and of the interesting archeological effort which has been undertaken there by a distinguished team organized by the Corning Museum of Glass in association with Colonial Williamsburg, Inc., and the Smithsonian Institution, under the direction of Paul N. Perrot, I am appending an article from the Frederick Post of Saturday, October 19, 1963.

### Finish Second Excavation Season at Site of Famous Amelung Works

The second season of excavation at the site of the New Bremen glass manufactory of John Frederick Amelung, south of Frederick near Flint Hill, and Park Mills, was completed yesterday.

The excavation was organized by the Corning Museum of Glass with the cooperation of Colonial Williamsburg, Williamsburg, Va., and the Smithsonian Institution, Washington, D.C.

#### ESTABLISHED IN 1784

The New Bremen glass manufactory was established by Amelung in 1784 with the help of a group of German glassmakers whom he brought from Bremen, Germany. Though active for only 10 years, it produced the most refined and distinguished glass made in America until the 19th century and its output was particularly notable for the number of elaborately engraved presentation pieces, several of which are preserved at the Metropolitan Museum of Art, New York City, the Winterthur Museum, Winterthur, Del., and the Corning Museum of Glass.

Until 1962 when the same team carried out the first professional excavation of the site, not much was known concerning the extent of Amelung's factory or the nature and size of his furnaces. The encouraging results of the first season which uncovered a fritting furnace of imposing size and of a type hitherto unrecorded in America prompted a continuation of the project.

#### ACCURATE ESTIMATES

According to Paul N. Perrot, director of the Corning Museum of Glass and administrative director of the excavation "the correctness of our estimates concerning the extent and importance of the remains has been more than vindicated. An extremely large structure 112 feet by 65 feet straddling the properties of Charles Smith, of Park Mills, and Mr. and Mrs. Exel Yingling, of Flint Hill, was uncovered. A preliminary study of its plan indicated that it housed at least two glassmaking furnaces and several ancillary structures all closely related in what, for its age, forms an imposing industrial complex."

I. Noel Hume, chief archeologist of Colonial Williamsburg, and archeological director of the excavation, has suggested that the structures bear a striking similarity to some of the plans published in Diderot's Encyclopedia in the second half of the 18th century. Mr. Hume noted, however, that "naturally Diderot's renderings represent plans of glass factories operating in France and it would be normal to find that structures constructed by German glassmakers in the United States be different in several particulars. The extent of these differences will only be revealed after further research has been completed. We are, however, in an excellent position this year inasmuch as the foundations uncovered are in a fair state of preservation. In addition to the buildings and furnaces a large number of glass samples were uncovered, particularly rich in fragments of pattern molded and ribbed tumblers and flasks of types which have not hitherto been directly linked to Amelung's production, as well as great quantities of remains from simple utilitarian pieces which are quite ordinary in quality."

"This year's excavation was again assisted by the owners of the properties involved and by Prof. William R. Quynn, owner of Amelung House. Without their generous support our task would have been impossible," said Mr. Perrot.

#### THOSE PARTICIPATING

In addition to the Smithsonian Institution which was represented by John Pearce, Associate Curator, Division of Cultural History, and by Richard Muzzrole, the following persons have participated in the excavation:

Kenneth M. Wilson, Old Sturbridge Village; Stuart Feld, Metropolitan Museum of Art; Cary Carson, Winterthur Museum; Frederick Wilding White, Rensselaer County Junior Museum; and Mrs. I. Noel Hume, Colonial Williamsburg.

The Corning Museum of Glass was represented by Miss Louise Kugler, curator of education; Adrian Baer, custodian; Raymond Errett, restorer-photographer; and Mrs. Paul N. Perrot.

"With this second excavation we are concluding our work at the Amelung site," stated Mr. Perrot. "Our purpose was to uncover as much new information as possible on one of our most distinguished early industries, and permit a clearer evaluation of Amelung's place in the history of glass.

#### TO PUBLISH FINDINGS

"This goal appears to have been reached and we expect in the not too distant future to publish a summary of Mr. Noel Hume's findings in the Journal of Glass Studies, a Corning Museum publication. The shed built last year over the first furnace will remain and we may add one or more protective structures this year over our new finds.

"Should it prove desirable to do further work at a later date we have the gracious permission of the owners to do so. In the meantime we hope that the site will not be molested by souvenir hunters and that all those interested in the preservation of the remains of 18th century industrial America will consider this small corner of Maryland a shrine from which sprang a fine tradition in glassmaking which exerted an important influence on the development of the industry particularly in western Pennsylvania and the Pittsburgh area."

Visitors to the site today can see the excavations made this year for the last time.

## PRESENTING PETITIONS TO CONGRESS IN SUPPORT OF CIVIL RIGHTS BILL

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DAWSON] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DAWSON. Mr. Speaker, article I of the Bill of Rights which is set forth in the first amendment to the U.S. Constitution, guarantees to the people, in positive words, the right to petition the Government for a redress of grievances.

A vast multitude of the people in the First Congressional District of Illinois, which I represent here in Congress, have grievances. They have gathered themselves and joined to present to the Congress, as the legislative organ of our National Government, a petition for the redress of their grievances.

It is my proud and solemn duty and privilege to tender to you their petition to the Congress and to the Federal Government.

There is a crisis in America that is now a national danger. Unless something is done about it, and it must be done soon, this crisis will become a national calamity.

The Declaration of Independence and the Constitution of the United States established that our national goal is equal justice under law for all persons.

More than 100 years have elapsed since the Emancipation Proclamation opened the way for America to fulfill that promise.

Until 1954, that promise was frustrated by the false doctrine of legal racial discrimination, effectuated through the techniques of segregation, degradation, and violence. Millions of Americans were subjected to cruel and indecent treatment and deprivation solely because of their ancestry and color.

The Supreme Court's decisions from 1954 onward have destroyed the basis for that cruel and unworthy doctrine. It is now clear beyond peradventure of doubt that no government may legally use its powers to compel, assist, or sanction any racial discrimination, whether effectuated by segregation or otherwise.

Under these court decisions, there has been much progress in the past 9 years toward giving increased meaning to the blessings of liberty and constitutional rights to many Americans. This progress is supported by the majority of Americans of all classes, creeds, and parts of our country including the churches, professions, business, labor, veterans, and the rank-and-file people of America.

However, there are still too many areas and groups that continue to demean, and to discriminate against, Negroes and other minorities. There is not, and there cannot be, any justification for such continued discrimination.

As a Negro and as the Congressman of the First Congressional District of Illinois which I have represented since 1942, I have repeatedly stated and asserted that the Negro people are proud to be American citizens and American Negroes. We have never been satisfied with second-class treatment for ourselves or for any American citizen.

We have borne these cruel and unjust burdens for 100 years since the Emancipation Proclamation. Time has run out. These burdens can no longer be borne. Our patience is gone. We demand and insist upon the full and equal protection of the law as guaranteed to us and to every American by the 14th amendment to the Constitution.

The Civil Rights Acts of 1957 and 1960 were good steps in the proper direction but they are far too small and inadequate to deal with the crisis of equal justice that now confronts our Nation.

It is for these reasons that thousands upon thousands upon thousands of the citizens of the First Congressional District of Illinois now present to the Congress through you, Mr. Speaker, their petitions for redress of grievances. They petition the Congress as follows:

> We, the undersigned, support the passage of H.R. 7453, a bill:
>
> 1. To enforce the constitutional right to vote;
> 2. To confer jurisdiction upon the district courts of the United States;
> 3. To provide injunctive relief against discrimination in public accommodation;
> 4. To authorize the Attorney General to institute suits to protect constitutional rights in education;
> 5. To establish a Community Relations Service;
> 6. To extend for 4 years the Commission on Civil Rights;
> 7. To prevent discrimination in federally assisted programs;
> 8. To establish a Commission on Equal Employment Opportunity; and
> 9. For other purposes.
>
> This bill was introduced in the House of Representatives on July 9, 1963, by Congressman WILLIAM L. DAWSON and was referred to the Committee on the Judiciary.
>
> This bill supports President Kennedy's civil rights legislation.

Mr. Speaker, as the author of H.R. 7453, the civil rights bill now pending before the House, I join in this petition of my constituents. I join in their demand for prompt enactment of the Civil Rights Act of 1963. This needed legislation is also supported by many of my colleagues who have introduced similar bills.

The legislative branch of the Government must put its full moral and legal weight in support of the command and promise of the 14th amendment to guarantee equal protection of the law. Sixteen years ago, President Truman emphasized in his profound speech before the Lincoln Monument on June 29, 1947, that:

> Civil rights today means not only protection of the people against the Government, but protection of the people by the Government.

That is indeed the true measure of fulfillment of our national destiny and tradition.

The prompt enactment of a strong civil rights law is essential to deal with the mounting crisis of violence, disregard of constitutional rights, and internal dissension which is weakening our national strength and unity.

Mr. Speaker, I now present to you this large bundle of petitions signed by thousands upon thousands of the citizens whom I represent.

## QUESTIONS FOR NATO

Mr. MARTIN of Nebraska. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. KEITH. Mr. Speaker, as a member of the House Republican task force on NATO, I have for a long time been interested in the problems involved in stationing American soldiers in Europe. Recent events have caused many of us to wonder whether or not the administration is contemplating a withdrawal of our forces from the Continent. Certainly it seems to me that any decision in this area should be made within NATO—our allies should be consulted and we should work together toward a solution which is satisfactory to all. The following editorials state this position clearly and convincingly: from the Quincy Patriot Ledger, "Questions for NATO," and from the New York Times, "The Troop Cuts":

[From the Quincy Patriot Leader, Oct. 23, 1963]

### QUESTIONS FOR NATO

Operation Big Lift—in which the United States is moving an entire armored division by air from Texas to bases in West Germany—has political as well as military implications for the North Atlantic Treaty Organization (NATO).

The question now being raised in European capitals is whether the United States will cut back on its military forces deployed in Europe.

Washington has been lofting trial balloons the last few months on the subject. In August there were reports the United States intended to reduce its 230,000-man force in West Germany by 40,000 men. After protests from Bonn, the Defense Department assured the Germans that no reduction in German-based forces was contemplated.

Then on Saturday, Defense Secretary McNamara's deputy, Roswell L. Gilpatric, said the time is near when the United States could reduce its forces overseas and cut heavy military spending abroad. The speech was cleared by the White House and the State Department.

Gilpatric said national defense was entering a new phase when shifts could be made in oversea deployments without impairing military strength or support for global allies.

Gilpatric pointed to Operation Big Lift as an example of the way in which the United States can deploy troops and equipment overseas in a hurry. But he said that any reductions in U.S. forces will be based on consultation with allies and so far as possible on agreed NATO policies.

Bonn has reacted to this speech by asking for clarification.

Two additional events have strengthened speculation that the United States may be about to reduce its oversea forces. One is the announcement Monday by the Army that it is replacing some "first generation" atomic weapons with more powerful and more mobile missiles and artillery. The Army, however, says this doesn't mean oversea troop strength will be reduced. The other is a report from Tokyo that United States and Japanese officials are discussing possibilities of reducing our garrison in Japan.

If the United States can bring some of its troops home without diminishing military strength in critical areas, there are powerful arguments in its favor. It would help our balance-of-payments situation and perhaps reduce overall military spending.

It is also about time the U.S. burden of defending Europe from aggression is eased and more of the load carried by prosperous Europe. Perhaps the United States is putting pressure on its European allies to do this, since of all the NATO members, the United States is the only one which has fully met its military commitments in Europe.

However, there are bound to be repercussion within NATO. A reduction in U.S. forces in Europe would add weight to French President Charles de Gaulle's contention that eventually the Americans will pull their forces out of Europe. This is one reason why De Gaulle is insisting upon developing an independent French nuclear deterrent. A U.S. cutback in its European forces would make De Gaulle more difficult to deal with and perhaps encourage other European NATO members to join forces with De Guallee in creating a European deterrent, rather than accept the American plan for a NATO multilateral nuclear force.

In addition, there is the psychological impact on Europe to consider. Signing of the nuclear test ban treaty may have lulled many Europeans into a false sense of security. A withdrawal of some U.S. troops from Europe might add to this complacency.

The United States cannot be expected to defend Europe indefinitely without a greater commitment from its European allies. Ultimately, a substantial number of American troops should be brought home from Europe if it can be done without jeopardizing the defense of the Continent. But this move must not be undertaken without full consultation with our NATO allies. The current hints from officials in Washington are bound to touch off some very difficult political questions within the alliance.

[From the New York Times, Oct. 27, 1963]

### THE TROOP CUTS

Secretary Rusk has used his visit to Germany to reduce the confusion caused by exercise "Big Lift" and by Pentagon talk of American troop reductions in Europe. Bonn now appears reassured that we will not default in our commitments to West Europe's defense.

This is the pound-foolish season in Washington, when budget planning can lead to pennywise cuts that reverse major policies. Last year Secretary McNamara unilaterally canceled the Skybolt missile program without giving adequate consideration to the political consequences abroad. In the subsequent crisis with London, the United States extended the life of Britain's national nuclear deterrent by a decade and, by angering General de Gaulle, helped precipitate his veto of Britain's entry into the Common Market.

This year the Pentagon seems to be urging unilateral American troop and aircraft cutbacks in Europe to help stem the dollar outflow. Deputy Defense Secretary Gilpatric has already justified reductions by pointing to the new capability of moving a whole division to Europe by air.

It would, however, be folly for the United States at this point to undermine Chancellor Erhard's pro-American policies by feeding Gaullist-inspired suspicions of an ultimate American withdrawal from Europe. A unilateral American decision right now would also undercut a vital reassessment of NATO's entire strategic concept and its force structure.

Hitherto, Secretary McNamara's strategy has called for large conventional forces in Europe to delay and, if possible, to avoid use of nuclear weapons in anything short of an all-out war. But Britain, France, and West Germany insist that NATO's war plans must continue to provide for early use of nuclear weapons if Russia is to be deterred; and in line with this reasoning both Britain and France are refusing to meet their conventional force commitments.

It is obvious that a serious attempt must be made to achieve a single, unified strategy for NATO. It is within that strategy, worked out jointly with Europe, that any decisions on American forces in Europe should be made. Nothing would be more destructive of alliance unity than a unilateral American move at this point.

In the impending discussions, the United States could well argue that a tripwire defense, if that is what the Europeans want, would reduce the number of American divisions needed in Europe. But if the Europeans want American forces to remain at present levels, the United States is entitled to insist that they fulfill their own agreed force goals and accept a greater responsibility for the dollar-outflow problem.

In this context there is no reason why conflicting American thoughts about troop cuts should not be aired. But they should be aired within NATO, as part of the strategic confrontation now getting underway—and before, not after, a unilateral American decision is taken.

## PSYCHOLOGICAL TESTS—PART III

Mr. MARTIN of Nebraska. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I herewith insert part III of the bibliography of personality-type tests administered in American schools:

### PUPIL ADJUSTMENT INVENTORY (PAI-CUM) (CUM-FILE)

Authors: Developed by the Educational Service Bureau, School of Education, University of Pennsylvania, Philadelphia, Pa., in conjunction with group B of the Philadelphia Suburban School Study Council.

Publisher and distributor: (1) Houghton Mifflin Co.

Administration: Group.

Range: Kindergarten—Grade 12 plus.

1. Houghton Mifflin Co., from catalog page 18:

"This instrument is designed to help school personnel understand each student. The short form can be used by any classroom teacher. From a five-point rating scale, a profile for each pupil can easily be constructed covering the following characteristics: Academic, social, emotional, physical, activities, and interests, school's influence upon the pupil, and home background. Pupils developing a profile indicative of abnormal tendencies on the short form can then be rated on the accompanying long form by the guidance counselor."

### THE ROGERS TEST OF PERSONALITY ADJUSTMENT (RTPA)

Author: Rogers, Carl R.

Publishers and distributors: (1) Western Psychological Services.

Administration: Individual.

Range: Children age 9–13.

Time: Not given.

1. Western Psychological Services, from catalog, page 4:

"Measures adjustment to companions. For children ages 9–13."

### THE ROHDE SENTENCE COMPLETION TEST (ROHDE)

Author: Rohde, A. R.

Publishers and distributors: (1) Western Psychological Services.

Administration: Not given.

Range: Not given.

Time: Not given.

1. Western Psychological Services, from catalog, page 15:

"Widely used sentence completion test. Reveals underlying drives and feelings, yet avoids creating resistance in persons being tested. Extensively used in personality study, personnel selection, and psychotherapy."

### RORSCHACH METHOD OF PERSONALITY DIAGNOSIS

(Individual record blanks)

Authors: Klopfer, Bruno; Davidson, Helen H.

Publisher and distributors: (1) Harcourt, Brace & World, Inc.

1. Harcourt, Brace & World, Inc., catalog, page 81:

"A 4-page folder providing forms for scoring, tabulating, summarizing, and interpreting the performance of one subject on the Rorschach ink-blot test."

### THE RORSCHACH PSYCHODIAGNOSTIC TESTS (RPT)

Author: Rorschach, Hermann, M.D.

Publishers and distributors: (1) Western Psychological Services; (2) C. H. Stoelting Co.

Administration: Individual.

Range: Not given.

Time: Not given.

1. Western Psychological Services, from catalog, page 10:

"The most widely used projective test. A standard clinical instrument around the world. For psychodiagnostic, psychotherapeutic, and research purposes."

2. C. H. Stoelting Co., from catalog, page 4:

"This is the widely used Rorschach test of 'ink-blots'. Complete set includes plates, 100 record blanks, and manual."

### ROTTER INCOMPLETE SENTENCES BLANK (RIS)

Author: Rotter, J. B.

Publishers and distributors: (1) The Psychological Corp.

Administration: Group or individual.

Range: High school, college, or adult.

Time: 20–40 minutes.

1. The Psychological Corp., from catalog, page 58:

"In addition to the usual clinical interpretations of the sentence completions, numerical scores of a more nearly objective sort can be obtained from this blank. The scoring method is based on a classification of responses in three categories: conflict or unhealthy responses, neutral responses, and positive or health responses. The blank may be used as a screening device for groups as well as individual clinical examinations."

### THE SCHOOL INVENTORY (TSI)

Author: Bell, Hugh M., Chico State College.

Publishers and distributors: (1) Consulting Psychologists Press.

Administration: Group or individual.

Range: No age limit given.

Time: None. Requires about 10 minutes.

1. Consulting Psychologists Press, from catalog, page 25:

"The School Inventory is an attitude scale which provides a quantitative measure of pupils' attitudes toward their school. Used with individual students as a diagnostic or counseling aid, it provides an understanding of a pupil's feelings about the school and its personnel. Administered anonymously to a school population, it provides a morale survey which may be useful to administrators."

### THE SCHOOL MOTIVATION ANALYSIS TEST (SMAT)

Authors: Sweney, Dr. Arthur B., associate professor, Texas Technological College; Cattell, Dr. Raymond B., research professor in psychology, University of Illinois.

Publishers and distributors: (1) Institute for Personality and Ability Testing (IPAT).

Administration: Group or individuals.

Range: Age 11 through 16.

Time: About 90 minutes.

1. Institute for Personality and Ability Testing, from catalog, page 27:

"Purpose: Motivation holds a vital place in the understanding of a child's behavior in school, at play, and in the family. Accordingly, the School Motivation Analysis Test (SMAT) was constructed to achieve for children the same comprehensive coverage of motivation as is achieved for adults in the Motivation Analysis Test (MAT). Like MAT, it operates with objective, unfakable measurement devices instead of the older opinionnaire type of item. SMAT measures 15 drive structures on both the conscious and relatively unconscious levels, including assertion, sensuality, gregariousness, curiosity, religion, patriotism, and others. The breadth of coverage makes the SMAT test measurement valuable for understanding and prediction in terms of a great number of important educational and adjustment criteria.

"Where use: Schools, guidance clinics, and research centers."

### SCIENCE RESEARCH TEMPERAMENT SCALE (SRT)

Author: Kosinar, William C.

Publishers and distributors: (1) Psychometric Affiliates.

Administration: Not given.

Range: Not given (norms include high school, however).

Time: About 5 minutes.

1. Psychometric Affiliates, from catalog, page 6:

"Items for the Science Research Temperament Scale were developed (by the Army psychology forced-choice technique to reduce falsification) on 514 professional research workers. It then was administered to 310 technical and scientific personnel, correlating r 0.28 and eta 0.50 with the scientific productivity criterion (inventions and scientific publications). Cross validations were then executed against the same criterion in a private research laboratory (N 30) and in a public research laboratory (N 36); these validity coefficients were 0.26 and 0.36 respectively, the SRT accounting for from 7 percent to 13 percent of the variance in scientific and technical productivity. The manual provides norms on scientific and technical personnel. National Science Talent Search winners, college students, and high school students. An aid in career guidance of youth and in selection of research and scientific personnel."

### THE SECURITY-INSECURITY INVENTORY (S-II)

Author: Maslow, Abraham H., Brandeis University.

Publishers and distributors: (1) Consulting Psychologists Press.

Administration: Group or individual.

Range: High school through adult ages.

Time: No limit given.

1. Consulting Psychologists Press, from catalog, page 23:

"A byproduct of 10 years of careful research by Professor Maslow on the concept of emotional or psychological security, the S–I Inventory provides a 75-item measure of the feeling of security. The test is divided into three equal parts, any one of which correlates over 0.90 with total score. Norms are based on 2,000 cases from high school through adult ages. Manual (1952) provides details of construction, correlations with other tests, and references to pertinent published research. Ideal as rapid screening device in schools, colleges, and clinics and for research work."

### SELF-INTERVIEW INVENTORY (S-I)

Author: Hovey, H. Birnet, Veterans' Administration, Salt Lake City.

Publishers and distributors: (1) Psychometric Affiliates.

1. Psychometric Affiliates, from catalog, page 4:

"This painstakingly constructed, partly factorial instrument has a heavy loading of unique content and yields scores on current complaints, emotional insecurity, guilt feelings, a composite neurotic score based on three foregoing, prepsychotic or psychotic, behavior problems, childhood illness, a composite maladjustment score based on latter three scores, and two special validating scores—one on carefulness and one on truthfulness of response. The device has been validated and cross-validated on neuropsychiatric and control veterans groups, retaining 185 of the original 573 items."

### SEX KNOWLEDGE INVENTORY (SEX)

Author: McHugh, Gelolo.

Publisher and distributor: Family Life Publications, Inc.

Advisory committee to the "Sex": Stone, Abraham, M.D., Planned Parenthood Federation; Duvall, Evelyn M., Ph. D., National Council on Family Relations; Dicks, Russell L., D.D., Duke University; Stokes, Walter, M.D., George Washington University; Kirkendall, Lester A., Ph. D., Oregon State College; Burkhart, Roy A., D.D., Ph. D., First Community Church, Columbus, Ohio.; Hill, Reuben, Ph. D., University of North Carolina; Foster, Robert G., Ph. D., the Menninger Foundation; Boys, Floyd, M.D., University of Illinois; Lamson, Herbert D., Ph. D.

Administration: Group or individual.

Range: High school seniors and college freshmen.

Time: Not given.

1. Family Life Publications, Inc., from advertising sheet with test:

"The Sex Knowledge Inventories provide discussional openings to cover more items of sex knowledge and attitudes than would ever be likely to come up in two or more interviews without them. They locate quickly key areas of misinformation and indicate unhealthy feelings concerning sex which so often are relevant to personal problems discussed in counseling. Most important of all, these tests make a major therapeutic contribution. They give evidence to the testee that what he knows, or doesn't know, is not unique to himself and that a lack of sex knowledge is neither unusual, bad, nor peculiar. This modifies self-concern about sex and tends to deemotionalize sex from fear-provoking attitudes and beliefs to a matter of fact consideration." (This quotation comes from Francis W. McKenzie, Graduate Division, Trinity College, Hartford.)

Form X: "An objective measure of sex knowledge through 80 multiple choice questions. Areas covered by the questions and discussed in the accompanying marriage counselor's manual include superstitions and misconceptions concerning sex, possible causes of poor sexual adjustment, birth control, sex techniques, conception, pregnancy, childbirth, and menopause."

Form Y: "This test measures individual understanding of the human reproductive system, knowledge of how sex parts function, and vocabulary pertaining to sexual activity. Form Y can be used to supplement form X or independently. With this test, it is possible to obtain an accurate measure of understanding of sex structure and function, even where vocabulary is lacking. Birth control items and sex technique questions have been omitted here. Instructions, a scoring key, and norms are provided."

### THE 16 PERSONALITY FACTOR QUESTIONNAIRE (16 PF)

Authors: Cattell, Raymond B., research professor of psychology, University of Illinois; Saunders, David R.; Stice, Glen F.

Publishers and distributors: (1) Psychometric Affiliates; (2) Institute for Personality and Ability Testing (IPAT); (3) The Bobbs-Merrill Co., Inc.; (4) Western Psychological Services.

Administration: Group or individual.

Range: Senior high school, college, and adults generally. The vocabulary required is that of the average newspaper.

Time: About 40 minutes.

1. Psychometric Affiliates, from catalog, page 5:

"This is a multidimensional measure covering 16 distinct, primary personality factors: emotional stability, schizothyme tendency, general ability, neuroticism, dominance, super-ego strength, surgency, etc. It yields the most comprehensive profile of personality yet offered in a single test. The test is based on many years of published research in which every item has been subjected to unusually sound foundation of proof that the 16 measures are stable and independent. The meaning of these 16 factors—in terms of clinical prognosis, success in occupations, social behavior, etc.—is becoming increasingly precise through studies now being reported in psychological research articles and textbooks, e.g., Cattell's 'Personality: A Systematic Study.'

"Norms: Norms are given for college students (including high school seniors), the general adult population, and 25 important occupational groups, with data on age trends."

2. Institute for Personality and Ability Testing, from catalog, page 9:

"Purpose: This world-renowned test is a multidimensional measure covering 16 distinct, primary personality factors; emotional stability, withdrawal tendency, general ability, dominance, super-ego strength, surgency, etc. It yields the most comprehensive profile of personality yet offered in a single test.

"Where used: For vocational selection purposes in regard to the nonacademic staffs of universities, ministers, airplane pilots, nurses, clinical workers, Army leader and infantryman selection, selection for fire departments, and in scholarship selection where emphasis is necessary on personal qualities required in further professional work. It is used clinically for initial screening and diagnosis, as an independent check for projective, misperception tests, and in the etiological investigation of clinical disorders."

3. The Bobbs-Merrill Co., Inc., catalog, page 24:

"The 16 Personality Factor Questionnaire, for seniors in high school, college, and adults, is a multidimensional personality instrument, covering emotional stability, general ability, dominance, and other factors—16 in all, yielding a comprehensive profile of the individual's personality. The 16 PF is based on many years of published research in which every item has been subjected to factor analytic investigation, thus providing evidence that the 16 measures are stable and independent. The 16 PF has many of the same uses, at a higher age level, as the Junior-Senior High School Personality Questionnaire. It is also used extensively for vocational selection purposes. The profile chart provides an additional useful interpretative tool."

4. Western Psychological Services, from catalog, page 2:

"This well known and widely used test covers 16 distinct primary personality factors. Yields the most comprehensive profile of any personality test. Based on factor analysis studies. Takes 50 minutes. Easily and rapidly scored. Norms for high school seniors, college students, and adults."

### SOCIAL COMPETENCY SCALES (CAIN-LEVINE) (CLSC)

Authors: Cain, Leo F., San Francisco State College; Levine, Samuel, San Francisco State College; Elzey, Freeman F., San Francisco State College.

Distributor and publisher: (1) Consulting Psychologists Press.

Administration: Group or individuals.

Range: Ages 5 through 13.

Time: No time limit given.

1. Consulting Psychologists Press, catalog, page 14:

"A 44-item behavioral rating scale to estimate the social competence of trainable mentally retarded children, the Cain-Levine scale yields a total score plus four subscale scores; self-help, initiative, social skills, and communication. Percentile norms based on mentally retarded children are offered for chronological ages 5 through 13. Comprehensive manual includes ample instructions for scales' use by teachers or clinicians. Scores are useful in diagnosis, placement, planning, and evaluation of training."

### SOCIAL COMPREHENSION TEST (FURBAY-SCHRAMMEL) (FS-SCT)

Authors: Furbay, John H., Ph. D., Kansas City, Mo.; Mills College; Schrammel, H. E.

Publishers and distributors: (1) Bureau of Educational Measurements.

Administration: Group.

Range: 9 to 12 and college.

Time: 80 minutes.

1. Bureau of Educational Measurements, catalog, page 26:

"This test aims to measure the student's knowledge of the accepted rules for social conduct. It contains items devoted to the following sections: Social calls; teas, receptions, parties; introductions; invitations; table etiquette; dress and personal habits; public courtesies; correspondence; house guests; conversation; traveling; funerals; dances and balls; courtships; engagements; weddings and miscellaneous.

This test contains 14 to 32 items for each of the above divisions. The total number of items is 330. The time required to take the test is 80 minutes."

### SOCIAL INTELLIGENCE TEST (SIT)

Authors: Moss, F. A.; Hunt, T.; Omwake, K. T.; with assistance on the Second Edition by Woodward, L. G.

Distributors and publishers: (1) Center for Psychological Service.

Administration: Group or individual.

Range: None given.

Time: None given.

### S–O RORSCHACH TEST (SORT)

Author: Stone, Joics B., Ph. D.

Publisher and distributor: (1) California Test Bureau.

Administration: Group or individual.

Range: Adult.

Time: 30–50 minutes.

1. California Test Bureau, from catalog page 93:

"The S–O Rorschach Test is designed to appraise vocationally significant temperament traits of adults. It combines the subtle features of the highly developed and widely respected Rorschach ink-blot projective methodology with the practical group methodology of the objective test. The two main features of the traditional Rorschach are preserved in this test: (1) the 10 original stimulus blots are used, and (2) the same scoring system is employed. The SORT differs from the traditional Rorschach in several important ways, however. First, the stimulus-responses are provided to the examinee. Second, the total number of responses is fixed by means of the forced-choice format for presenting the standard stimulus-response. This also permits stencil scoring of the IBM answer sheets. Third, no inquiry of examinee reponses is conducted, and fourth the SORT is not intended for clinical use.

"The scores obtained from this instrument are grouped according to standard Rorschach scoring techniques. Scores on the SORT give information about mental functioning and temperament. Mental functioning variable include: Theoretical, practical, pedantic, induction, deduction, rigidity, formal structuring, and concentration. Reduction in efficiency is indicated by one or more of the following: Low generalization, perfectionism, poor control, high anxiety, or compulsivity. The temperament variables include: Persistence, aggressiveness, social responsibility, cooperation, tact, confidence, consistency of behavior, anxiety, moodiness, activity potential, impulsiveness, flexibility, and conformity."

### SPEECH SCREENING TEST (WEIDNER-FENSCH) (SST)

Authors: Weidner, William E., Mansfield Public Schools, Mansfield, Ohio; Fensch, Edwin A., Mansfield Public Schools, Mansfield, Ohio.

Publishers and distributors: (1) Psychometric Affiliates.

Administration: Individual.

Range: Grades 1–3.

Time: Not given.

1. Psychometric Affiliates, from catalog, page 9:

"Carefully developed by a speech therapist and a psychologist on total populations of first, second, and third grade children, this is a quick individual test covering ability to make the basic sounds. Purpose not overt to the child who looks at 33 pictures and names what he sees. Each response is scored for one key sound, and norms on 1,133 children permit interpretation against normal expectation on each response."

### SRA JUNIOR INVENTORY—FORM A (SRA JUNIOR-A)

Authors: Remmers, H. H., Purdue University, professor of psychology and education and director of division of educational reference; One of the country's outstanding specialists in attitude measurement, he has authored many books and journal articles. He is coauthor of the "SRA Youth Inventory" and for 17 years has conducted the annual Purdue University Guidance Conferences; Bauernfeind, Robert H., director of educational research at National College of Education (Evanston, Ill.). From 1953 to 1961 he served as director of the test department at Science Research Associates, and prior to his work there, was assistant professor of psychology and education at Carleton College, and assistant coordinator of the teacher training program at Carleton.

Publishers and distributors: (1) Science Research Associates, Inc.

Administration: Group or individual.

Range: Grades 4–8.

Time: Not given.

1. Science Research Associates, Inc., from catalog page C27:

"Purpose: Identification of student problems and needs as these are perceived by students themselves. The inventories consist of problem checklists expressed in the language of young people. The results are of value to school administrators and to personnel engaged in student counseling.

"Content: Students check statements describing their own problems. Does not give indication of degree or intensity of problems."

### SRA JUNIOR INVENTORY—FORM S (SRA JUNIOR-S)

Authors: Remmers, H. H., professor of psychology and education and director of the division of educational reference at Purdue University. Member of the American Education Research Association, the National Society for the Study of Education, and the American Psychological Association. Dr. Remmer is senior author of the "SRA Junior Inventory," and of several professional books in psychology and education. His books include "Educational Measurement and Evaluation," "An Introduction to Opinion and Attitude Measurement." He also serves as the editor for Harper and Brothers' Education for Living series. For several years he served as a member of the Advisory Committee on Research to the U.S. Commissioner of Education under the provisions of Public Law 531 on Cooperative Research; Bauernfeind, Robert H., a specialist in psychological concepts as applied to problems of educational guidance and evaluation, Dr. Bauernfeind is editor of the test department at Science Research Associates, a member of Sigma Xi National Scientific Honorary, and an associate member of the American Psychological Association. As editor of the SRA Test Department, he has direct responsibility for such test publications as the "Michigan Picture Test" (individual form), "The Drake Musical Aptitude Tests," and the "Flanagan Aptitude Classification Tests."

Publishers and distributors: (1) Science Research Associates, Inc.

Administration: Group or individual.

Range: Grades 4–8.

Time: Approximately 40 minutes.

1. Science Research Associates, Inc., from catalog, page C27:

"Purpose: Identification of student problems and needs as these are perceived by students themselves. The inventories consist of problem checklists expressed in the language of young people. The results are of value to school administrators and to personnel engaged in student counseling.

"Content: Helps identify problems in five areas: (1) 'About Me and My School,' (2) 'About Me and My Home,' (3) 'About Myself,' (4) 'Getting Along With Other People,' and (5) 'Things in General.' Separate scores are provided for each area. Includes strength-of-response format enabling child to indicate the intensity of each problem."

### SRA YOUTH INVENTORY—FORM A (SRA YOUTH-A)

Authors: Remmers, H. H.; Purdue University (refer to SRA Junior Inventory or the manual of instructions for more information); Shimberg, Benjamin, staff associate in the office of the president and also director of the Guidance Inquiry at Educational Testing Service, Princeton, N.J. Prior to his work at ETS, he was Assistant Chief of the Research and Evaluation Services Branch of the Division of Public Health Education, U.S. Public Health Service. During World War II, he served as a research psychologist in the aviation psychology program of the U.S. Army Air Corps. He is a member of the American Psychological Association, the American Personnel and Guidance Association, and the National Council for Measurements Used in Education; Drucker, Arthur J., research psychologist with the Personnel Research Section, AGO Department of Defense.

Publishers and distributors: (1) Science Research Associates, Inc.

Administration: Group or individual.

Range: Grades 7–12.

Time: Not given.

1. Science Research Associates, Inc., from catalog, page C27:

"Purpose: Identification of student problems and needs as these are perceived by students themselves. The inventories consist of problem checklists expressed in the language of young people. The results are of value to school administrators and to personnel engaged in student counseling.

"Content: Students check statements which indicate their own problems. Does not provide for measuring degree or intensity of problems. A basic difficulty score may be obtained. The same test booklet and answer pad are used in grades 7–12. A junior high school profile is provided for use in grades 7–9, a senior high school profile for use in grades 9–12."

### SRA YOUTH INVENTORY—FORM S (SRA YOUTH-S)

Authors: Remmers, H. H., Purdue University (more information can be obtained from "SRA Junior Inventory—Form A or Form S."); Shimberg, Benjamin, Educational Testing Service (more information can be obtained from "SRA Youth Inventory—Form A").

Publishers and distributors: (1) Science Research Associates, Inc.

Administration: Group or individual.

Range: Grades 9–12.

Time: Approximately 40 minutes.

1. Science Research Associates, Inc., from catalog, page C27:

"Purpose: Identification of student problems and needs as these are perceived by students themselves. The inventories consist of problem checklists expressed in the language of young people. The results are of value to school administrators and to personnel engaged in student counseling.

"Content: Contains characteristic problems that worry young people in the following eight areas: (1) 'My School,' (2) 'After High School,' (3) 'About Myself,' (4) 'Getting Along With Others,' (5) 'My Home and Family,' (6) 'Boy Meets Girl,' (7) 'Health,' and (8) 'Things in General.' A basic difficulty score identifies those students who may have serious personality difficulties. A unique feature of form S is its strength of response format: answer boxes are graded in size to represent 'big,' 'middle sized,' 'little,' or 'no problem' responses; thus indicate the importance attributed by students to each problem.

"Interpretation: The inventories yield separate scores for each area explored. National norms are provided for purposes of comparative assessment."

### SURVEY OF INTERPERSONAL VALUES (SIV)

Authors: Gordon, Leonard V., Measurement Research Division, U.S. Naval Personnel Research Field Activity, San Diego, Calif.

Publishers and distributors: (1) Science Research Associates, Inc.

Administration: Group or individual.

Range: High school and adult.

Time: 15 minutes.

1. Science Research Associates, Inc., from catalog, page C28:

"Purpose: Measures certain critical values involving the individual's relationship to other people or their relationships to him. A guide for counseling, occupational selection, and placement.

"Content: Scales derived by factor analysis, in forced-choice item format, yield scores measuring values individual attaches to: receiving support, showing conformity, receiving recognition, have independence, acting with benevolence, and exercising leadership. Separate norms for males and females at high school and adult levels."

### THE SYMONDS PERSONALITY SURVEY (SPS)

Author: Symonds, P. M., Ph. D.

Publishers and distributors: (1) Western Psychological Services.

Administration: Not given.

Range: "Pupils"—grades 6–12.

Time: Not given.

1. Western Psychological Services, from catalog, page 4:

"Provides basic information of personality traits, attitudes, and adjustments. Identifies pupils who may need special help and those who will advance. Measures mental age. For grades 6–12."

### SYRACUSE SCALES OF SOCIAL RELATIONS (SSSR)

Authors: Gardner, Eric F., Syracuse University; Thompson, George, Syracuse University.

Publishers and distributors: (1) Harcourt, Brace & World, Inc.

Administration: Group.

Range: Grades 5–12.

Time: Elementary and junior high, 50–60 minutes, senior high, about 50 minutes.

1. Harcourt, Brace & World, Inc., from catalog, page 73:

"Instruments at three levels that yield reliable information about the way individuals interact in order to satisfy their social needs. Two important psychological need situations are considered at each level: Elementary, grades 5–6, succorance and achievement recognition; junior high, grades 7–9, succorance and deference; senior high, grades 10–12, succorance and playmirth. The scales utilize a reference population that is personal to the individual pupil and that extends beyond the members of the group being evaluated, making it possible to compare social relations status of different groups and of individuals in nonoverlapping groups. They supply complete information on each member of a group—his evaluation of every other member and every other member's evaluation of him."

### THE SZONDI TESTS

Author: Szondi, L., M.D.

Publishers and distributors: (1) Western Psychological Services; (2) C. H. Stoelting Co.

Administration: Individual.

Range: Not given.

Time: Not given.

1. Western Psychological Services, from catalog, page 14:

"Well-known and widely-used projective test. Makes use of reactions to photographs. A stimulating approach to personality study, diagnosis, psychotherapy, and research."

2. C. H. Stoelting Co., from catalog, page 5:

"By interpretation of the subject's choices from 48 photographs of mental patients, a personality diagnosis may be made."

### TEST OF SOCIAL INSIGHT—YOUTH (TSI—YOUTH)

Author: Bruce, Martin M., Ph. D.

Publishers and distributors: (1) Martin M. Bruce Co.; (2) Western Psychological Services.

Administration: Not given.

Range: Grades 5–12.

Time: Not given.

1. Martin M. Bruce Co., from catalog page 4:

"A measure of the degree to which the individual uses withdrawal, passivity, cooperativeness, competitiveness, and aggressiveness to solve social and interpersonal problems. Designed for use from the fifth grade through high school."

2. Western Psychological Services from catalog page 5:

"Appraises characteristic reactions in resolving social problems. Assesses modes of social behavior; withdrawal, passivity, cooperation, competition, aggression. Norms for grades 9–12, delinquent and correctional institute populations, junior colleges, and adults."

### THE THEMATIC APPERCEPTION TESTS (T–A–T)

Author: Murray, H. A.

Publishers and distributors: (1) The Psychological Corp.; (2) C. H. Stoelting Co.

Administration: Individual.

Range: Boys, girls, men, and women.

Time: Not given.

1. The Psychological Corp., from catalog page 59:

"The TAT is a set of 31 picture cards providing 2 series of 10 each for boys, girls, men, and women. Stories and descriptions of the pictures reveal to the trained interpreter some of the dominant drives, emotions, sentiments, complexes, and conflicts of a personality."

2. C. H. Stoelting Co., from catalog page 5:

"The TAT test consists of a set of 31 picture cards and is a well-known projective measure of personality traits."

### THURSTONE TEMPERAMENT SCHEDULE (TTS)

Author: Thurstone, L. L., late director of the psychometric laboratory, University of North Carolina.

Publisher and distributor: (1) Science Research Associates, Inc.

Administration: Group or individual.

Range: Grades 9–12, college, and adults.

Time: 20 minutes.

1. Science Research Associates, Inc., from catalog page C26:

"Purpose: Designed to give a brief appraisal of seven relatively stable aspects of temperament. Subscores measure the following traits: active (tendency to hurry and 'be on the go'); vigorous (interest in physical activity and outdoor occupations); impulsive (ability to make quick decisions and to change readily from one task to another); dominant (tendency to take the initiative, assume responsibility, and display leadership); stable (ability to remain relaxed and calm under stress); sociable (liking for people and ability to get along with others); reflective (interest in quiet work and intellectual pursuits).

"Interpretation: Primary value is in assessing traits of normal personality important for school and job adjustment. The schedule is not intended for clinical use. Percentile norms for high school students and adults are provided on the answer sheets and in the manual.

"Content: 140 questions with 3 response alternatives: 'Yes' '?' and 'No'."

### TULANE FACTORS OF LIBERALISM-CONSERVATISM (TFLC)

Author: Kerr, Willard A., Tulane University.

Publisher and distributor: (1) Psychometric Affiliates.

Administration: Not give (possibly group).

Range: Recommended for use in courses in the social sciences.

Time: About 25 minutes.

1. Psychometric Affiliates, from catalog page 7:

"A research supported by the Tulane University Research Council and the Carnegie Foundation demonstrated the factorial independence of five factors of liberalism-conservatism: political, economic, religious, social, aesthetic. Two cross-validations of factorial purity by Voor at Catholic University have confirmed the independence of variables. Other validity data. About 25 minutes. Norms include 259 university students, 251 Catholic divinity students, and 32 American Veterans Committee members.

"Recommended for use in courses in the social sciences to clear up 'fuzzy' thinking about the meaning of 'liberalism'. These factors are more independent of each other than are the Thurstone Primary Mental Abilities."

### TWITCHELL-ALLEN THREE DIMENSIONAL PERSONALITY TEST (THREE)

Author: Twitchell-Allen, Dr. Doris, associate professor University of Cincinnati Graduate School, chief psychologist at the Longview State Hospital, Cincinnati.

Publishers and distributors: (1) Western Psychological Services; (2) C. H. Stoelting Co.

Administration: Individual.

Range: Age 4 and older.

Time: Not given.

1. Western Psychological Services, from catalog page 16:

"A stimulating new approach to personality testing. In this test, projective techniques are applied to ambiguous plastic objects, making use of spatial and tactile stimuli patterns. Subject expresses and reacts with gestures and verbalizations. For ages 4 and older. A unique and evocative instrument."

2. C. H. Stoelting Co., from catalog pages 5 and 138–1:

"A personality test presented as a projective technique and consisting of 28 ambiguous plastic figures varying from geometric forms to generalized organic forms, to more concrete human or animal forms. This test is unique in that the subject can express himself through gesture as well as verbalization."

"The three-dimensional personality test, presented as a projective technique, is offered as a clinical tool for both diagnosis and therapy, due to its special property of three-dimensionality combined with ambiguity. * * * Its purpose, according to the author, is to 'elicit the overt expression of the subject's interests, needs, goals, sentiments, feelings, and emotions.' "

### VINELAND SOCIAL MATURITY SCALE (VINELAND)

Author: Doll, Edgar A., director of research, Training School, at Vineland, N.J.

Publishers and distributors: (1) The Psychological Corp.; (2) Western Psychological Services; (3) Educational Test Bureau.

Administration: Individual.

Range: Infancy to adulthood.

Time: 20 to 30 minutes.

1. The Psychological Corp., from catalog page 49:

"A series of items in progressive order of difficulty arranged in a Binet-type age scale designed to measure the successive stages of social competence from infancy to adult life. The scale may be used as a record of developmental history, as a measure of growth, improvement or deterioration, as a guide for child training and social education, as a method of mental diagnosis and vocational or educational guidance, and as a measure of insight in mentally abnormal patients."

2. Western Psychological Services, from catalog page 5:

"A standard and widely used individual rating scale. For all levels of growth and development."

3. Educational Test Bureau, from catalog page 26:

"The Vineland Social Maturity Scale is an instrument for parents, teachers, counselors, social workers, clinicians, pediatricians, psychiatrists—at their respective levels of interest and practice.

"It is applicable in the following areas:

(1) A standard schedule of normal development.

(2) A measure of individual differences, hence deviation.

(3) A qualitative index of variation in abnormal cases.

(4) A measure of improvement following therapy.

(5) Clinical studies of retardation, deterioration, decline.

(6) Distinguishing between mental retardation with social incompetence (feeblemindedness) and mental retardation with social competence (often confused with feeblemindedness).

(7) Assistance in child guidance and training, home, or school.

(8) Evaluating influence of environment and handicaps. "The scale is based on 20 years of research, including 10 years of use on thousands of varied cases. It outlines performances in which the individuals show progressive capacity for looking after themselves and for participating in those activities which lead toward ultimate adult independence and civic usefulness. The items are arranged, like a Binet-type scale, in order of increasing average difficulty in six categories: self-help (general, eating, dressing) self-direction, occupation, communication, locomotion, socialization."

### WASHBURNE SOCIAL-ADJUSTMENT INVENTORY (WASHBURNE)

Author: Washburne, John N., Ph. D. Syracuse University.

Publisher and distributor: (1) Harcourt, Brace & World, Inc.

Administration: Group or individual.

Range: Grades 9–12, college.

Time: About 30 to 50 minutes.

1. Harcourt, Brace & World, Inc., from catalog page 75:

"A measure of students' social and emotional adjustment."

### WELSH FIGURE PREFERENCE TEST (WFPT)

Author: Welsh, George S., University of North Carolina.

Publisher and distributor: (1) Consulting Psychologists Press.

Administration: Group or individual.

Range: All ages.

Time: Requires about 50 minutes.

1. Consulting Psychologists Press, from catalog page 20:

"The Figure Preference Test is an intriguing nonverbal approach to personality measurement and research. It incorporates the well-known Barron-Welch art scale. The test consists of 400 black-and-white figures to which the subject simply responds 'like' or 'dislike.' Can be administered individually or in groups, to children and adults, to illiterates and mentally retarded, and to severely regressed psychiatric patients. While the items of the test have projective stimulus properties, the tentative scales provided are objectively scored. Included are three response-set scales, four empirically validated scales, and a number of judged-item scales, in addition to a movement scale, sex symbol scales and a figure-ground scale. A 35-page preliminary manual suggests a number of provocative areas of research application. Test booklets are printed on heavy book stock and are reusable. Users must prepare their own stencils from data in the manual."

### THE WISHING WELL

Author: Unknown; this is one of oldest tests in existence and has limited current use.

Publisher and distributor: (1) Bureau of Educational Research.

Administration: Unknown (probably group or individual).

Range: Grades 4, 5, 6, and 7.

Time: Unknown.

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## MORE MANAGED NEWS?

**Mr. MARTIN of Nebraska.** Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

**Mr. BARRY.** Mr. Speaker, during the Eisenhower administration frequent complaints were heard about dilatory action in the executive. In fact, alleged slowness to react was one of the chief complaints hurled by the New Frontiersmen at the Eisenhower administration.

Candidate Kennedy in 1960 promised to end all that, and "get the country moving again." We can assume that President Kennedy's remarks were simply campaign oratory. The following from today's New York Times proves the point, I quote:

### REPORTER DETAILS A QUEST FOR DATA—SAYS IT TOOK 8 DAYS TO GET U.S. FIGURES ON ONASSIS

WASHINGTON, October 29.—A reporter testified today that he had spent more than a week getting unclassified figures from the Department of Agriculture on Federal payments to a shipping company dominated by Aristotle S. Onassis, the Greek shipowner.

James V. Mathis, White House correspondent for the Advance News Service of the Newhouse newspaper chain, said the only reason he could assign to the delay was that "figures high in the administration were accepting hospitality from Mr. Onassis" at about the time he sought the information for an article.

He would not say that the Department's information officer had acted on instructions, noting that sometimes lesser officials did such things on their own.

Mrs. John F. Kennedy and Under Secretary of Commerce Franklin D. Roosevelt, Jr., were guests aboard an Onassis yacht in the Mediterranean recently.

Mr. Mathis testified at the opening of hearings by a Senate subcommittee headed by Senator EDWARD V. LONG, Democrat, of Missouri, on a proposed freedom of information bill. The bill is designed to give the public and the press increased access to records of Government agencies.

Earl F. English, dean of the University of Missouri's School of Journalism, and Mr. Mathis joined in supporting legislation aimed at curbing secretive Government officials.

A third witness, John C. Pigg, a farmer of Shattug, Ill., testified that even with the help of Senator EVERETT MCKINLEY DIRKSEN, Republican of Illinois, he had not been able to get information from the Agriculture Department on why his corn-acreage allotments were reduced in 1961 and 1962 under the feed grains program.

Mr. Mathis said he had tried to get the total payments made in the fiscal year ended last June 30 to Victory Carriers, Inc., a New York shipping company, under the program by which surplus farm commodities are sold abroad—his 8-day effort had required 30 telephone calls and numerous letters before he got the figures for the calendar year 1962 on October 15.

He said Victory Carriers was an American concern, but that Mr. Onassis, the Greek shipowner, held a "commanding position" in its operations.

He said he had wanted to relate the Agriculture Department statistics to similar figures to be obtained from the Military Sea Transport Service and General Services Administration "to illustrate Mr. Onassis' relationships of a financial nature with the Federal Government."

**Mr. Speaker, after reading the foregoing I am sure that all fairminded Americans can join with me in saying, "I miss Ike."**

## SOME AFTERTHOUGHTS ON U.S. FOREIGN POLICY

Mr. MARTIN of Nebraska. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. NELSEN. Mr. Speaker, Alan C. McIntosh, editor of the Rock County Star-Herald, of Luverne, Minn., is a keen observer wherever he goes. He and his wife have recently gone on a world tour, and it is apparent from the articles he wrote that he was not loafing—was not merely doing the pleasure circuit. I have read with great interest the articles he has written, and was particularly impressed by one which appeared a week or two ago, in which he sums up some of the things he saw and heard in various parts of the world.

It was my feeling as I read it that Mr. McIntosh's observations are deserving of attention both here in Congress and downtown in the executive branch of Government. I am suggesting therefore that it be printed in the RECORD by unanimous consent:

### SOME AFTERTHOUGHTS ON U.S. FOREIGN POLICY

(By Al McIntosh)

I said in the foreward that I am not an expert on foreign affairs—just a country editor.

However, after looking at how badly botched some of our policies have been, policies designed by the real experts I think I have a right to express a few opinions.

It is a terribly trite phrase to use when I say this is a shrinking world. And the changes are coming faster than we know in conquering distance. We are now looking ahead to the first plane flight to London where the flying time is scheduled for 2½ hours.

Which means that we no longer will ever live unto ourselves alone. Whether we want to be a part of the world we are very much in it. What happens in Vietnam today will affect our welfare tomorrow. No man lives on an island any more.

For instance, if we should lose Vietnam, God forbid, we could look forward to the collapse of India and the takeover of Thailand as just a preliminary to total debacle.

Speaking of Thailand I had heard before we left that that country was in grave danger of going Communist. This was stoutly denied to me a number of times on this trip. It was pointed out to me that certain conditions which make it easy for Communist influence to wax fat are not present in this land of happy people.

Usually, when the Communists make their appeal to the low-income group they point out how they could have a share of the big estates. This is not a matter of the usual importance for the people of Thailand. The land ownership percentage is high in Thailand.

Communism thrives too well when extreme poverty and starvation prevail. These people are well fed. The country grows more than enough rice for its own needs and Thailand is an exporting country.

And so they say. But I have my fearful doubts if all that is said is true. Thailand is being bombarded and infiltrated with Communist propaganda and influence. It is a country where the present king took the throne after the Communist assassination of his brother. Thailand lies in the path of the aggression launched by the Red Chinese.

India is a question mark—a country that desperately needs help, a country where corruption exists at all levels—where bureaucracy makes too many individuals reluctant to exercise individual enterprise and initiative.

India doesn't ask. It demands. It wants gifts with no strings. It is a country that is difficult to deal with because of the unbending arrogance of many of its officials.

It is a country where life is tragically cheap and where the human misery is incredible—misery so horrible that you will have nightmares of conscience for nights afterward.

A land of great charm and great people, who blame us for continually siding with Pakistan through the years over the border disputes yet forget to remember that their Krishna Menon always sided with Russia in the United Nations against us on everything.

The tragedy, to me, is that our "experts" in our foreign service too many times thought that American dollars were the panacea for every trouble throughout the world.

So we gave away our substance. To our astonishment we find that we are not loved.

Every American that goes abroad wants to be loved. Not for his money or his previous gifts, but for himself, and we get a bit hurt when we find that we are not always affectionately regarded as a person or a people.

We get the blame for everything.

We get the credit for precious little.

Yet I think we would do it all over again just the same way, Americans being what they are.

Now that our own financial cupboard is becoming a bit bare some of our recipients of aid are apt to adopt a back-of-the-hand attitude toward us.

With the integrity of the dollar under attack we can do a service to America if we try to preserve it.

We did give the millions and the billions away, too many times, to the wrong people for the wrong projects. Too many times our dollars wound up in the wrong pockets and the people who needed it most got nothing.

Some of the previous bungling would almost make one say in desperation, "if the Communists had blueprinted our program it couldn't have been worse."

We propped up despotic regimes and the money and goods never got out to those on the outside of the inner circle. Corruption was all to prevalent.

We were too timid. We let ourselves be whipsawed and intimidated by the politicians who threatened us with the loss of their friendship if the golden spigot was turned off.

The billions have been spent. Cutbacks are in order.

There is no use crying over spilled milk. But, we can profit by our mistakes.

Because, America does have an obligation to the world * * * but we cannot afford to carry all the world's troubles on Uncle Sam's two shoulders.

Why not face it? The people who are the real culprits are not the people in the State Department, the guilty are we the people.

We are the ones who skipped over the world news stories, telling of troubled areas, and turned quickly to the sports page. We had no interest in world affairs, even though it was our money that was being spent.

I would venture the statement that our State Department is not as good as its defenders say, neither is it as bad as what the critics say.

I encountered a number of State Department people, some were outstanding, some were little leaguers in a big league job.

On one occasion, at one embassy, I had the impression I was being given a "snow job." It was an interview full of rosy optimism. Other sources, there and in other countries, confirmed my impression that all was not that good. I hope it was a "snow job" because I'd hate to think that these career diplomats were that far off the track of facts.

#### SOME DEAD ON FEET

I have the feeling that some of our embassies in some countries are completely dead on their feet. In other countries we found dedicated, hard working, keen minded, State Department and USIS employees. Men doing their level best to do a real job for America.

We met ambassadors who live literally on the run trying to keep abreast of a crowded schedule in trying to do the best possible job for America. I am not talking about a crowded social schedule but a working schedule of meeting people who count—people at all levels.

Men like Ambassador Blair in Copenhagen, Green in Hong Kong, Reischauer in Tokyo, Meyer in Beirut are typical.

And mention should be made of Reischauer, the career diplomat, men whose salary is never quite commensurate with ability, who attack their problems with finesse and intelligence and integrity.

We do think that there should be a mention made that we have always with us the "third raters" who slip into positions of responsibility.

The authors of the "Ugly American" stirred up a hornet's nest with their book. They concluded the book with an analysis of why we failed too often to achieve our high-minded goals.

And I would say that many of those criticisms were valid then and now, human beings being what they are.

The Foreign Service and lure of foreign lands and excitement motivated many men and women to seek new frontiers. They were transported first class to their new posts. (While corporation presidents rode economy class.) Their cars were brought over free. They bought their food in the local commissary equivalent to the PX. They never bothered to learn the language. They showed no desire at all to meet the people of the country in which they were living.

#### DO NOT MAKE FRIENDS

Too many times they lived completely within their own circle, doing the usual cocktail routine over and over again, the same faces, the same petty gossip.

How could they make friends, if they had not bestirred themselves to get out and meet the "common people" if they did not know the language? They did not even make the effort.

This is not true of every Foreign Service employee, but there were enough who didn't care enough to do the real job.

We hear a lot about the Peace Corps. It has great virtues and enough faults. The clergymen say it costs $9,000 a year per person to keep the Peace Corps going while the churches maintain their foreign service missionaries for about $2,500.

Even so, we are getting value received from some dedicated men and women.

Let me say it this way. If—and it is that tragic word "if" again—our State Department Foreign Service personnel had had the same zeal that motivated the Peace Corps, we wouldn't have failed so tragically in so many places. We wouldn't have tossed away so many billions and we would have gotten more for our money.

When we say "more for our money" we are not talking about material repayment. All we wanted back was to help build a better world—a peaceful world where men could live without fear.

There was incredible waste in our foreign policy. And there is still waste today despite the anguished screams of trimmed budgets.

Every Embassy has military attachés knee deep. At our Athens Embassy we have about 75 military attachés. A former ambassador recounted recently how he wanted to get rid of 60 of them. They were like lilies of the field "they toiled not, neither did they spin" and performed no useful function. But the great white father in Washington refused to yield to his request. He had to keep all 75 of them.

More than one ambassador has said "why we need so many military attachés only heaven knows. I'll be glad when they are phased out."

Former Ambassador Rigg, who used to be in Greece, has told how the Reds forced us to send home 66 of the 78 people we had at our Embassy in Prague. The Communists he said, really did us a tremendous favor. The 12 staffers did a better job for America than what was turned out when we had 78.

The military will have more official cars than the Ambassadors, their entertainment budget will be much greater than the Ambassador, and we must remember that no poor man could afford to be an ambassador. They all exceed their entertainment allowances and it comes out of their own pockets.

Speaking of entertainment—the way of a diplomat is not easy. Visiting Americans expect the Ambassador to be tour guide, social secretary, baby sitter and income tax deduction. Many book appointments with an Embassy and never show up. It is a certainty that some sharpie is going to deduct his trip taxwise on "official business."

But it is the choral groups that add new gray hairs to their head. Every group, save the institutions that have gone before and know the score, thinks that they can defray expenses by giving a series of concerts.

The Europeans and Scandinavians are not excited about groups who are not of their nationality. They want to spend their summertime in their gardens, at the beach, or on holiday, not cooped up in a hot concert hall.

### EXPECT TO BE PAID

The worst of it is some of these groups expect to be paid. They expect the Embassy to organize the deal, advertise it, sell the tickets, etc.

One group, I think it was from Ohio, pestered one Ambassador to arrange a concert. He politely told them the facts of life. But—after further appeals he got the mayor to "pop" for a breakfast, he scheduled flowers to be sent to the concert hall, he arranged a concert at an old folks home. To this day he is still waiting for a letter to say why they never showed up.

Americans abroad are decent people. Not overbearing as they are commonly pictured. We do get impatient when we bump against the I-can't-be-hurried national attitude of a country when there is a plane to catch.

But as a rule—Americans are well behaved. But, there are exceptions.

One group, mostly Irish from a large American city, wrote one Embassy of their impending visit. They wanted a state banquet. They directed that the King and Queen of that country be present.

The Ambassador wrote back saying that it was impossible.

He said the weather would make it impossible to hold a reception outdoors but he would host one inside. He could accommodate 100 guests, he told them. The "marching and chowder" group kept notifying the Embassy that there would be extras. The total on the guest list had climbed to over 250 when the alarmed Ambassador said that the group would have to be divided into three sections. They would have to come at different times because the home would not accommodate that many guests.

### ALL THERE AT ONCE

What happened? They all showed up at the same time. Few ever took off their topcoats. (The Ambassador later discovered why.) They called to the King's brother (who had agreed to come) and would say "Come here, Princie."

The Ambassador and his staff were shuddering as these older age, pot-bellied bores swept up the refreshments.

The worst was learned when they finally departed. Then they knew why so many kept their coats on. The group had helped themselves freely to "souvenirs." Some of the pieces taken were family heirlooms, almost priceless.

To top it off, there were 19 holes in rugs where cigarettes had been stamped out.

They were the exception. Only a few Bostonians are that way—just like most Americans here and abroad are great kindly people.

We have hearts full of compassion and we have open purses for we want this to be a good world. Everywhere we went our military, air, naval, army were in evidence, a terrific financial burden that we carry to fortify our words that we will resist aggression.

We should, though, return to the old Yankee trader spirit.

We should remember the Scottish adage "many a mickle makes a muckel."

No nickel, no dollar is unimportant. There has been too much waste. Now that our dollar is under fire, in international monetary circles, everything must be done to preserve the integrity of the dollar.

We should, by now, have learned our lesson that friendship one can get by money isn't worth having. Friendship is only achieved by honesty and living deeds—not with dollars.

We, as citizens, must demand that we get more for our State Department dollars, but unless we interest ourselves more in the world about us then we can only bear the major share of the blame.

The world is in turmoil. There is hatred, discontent, jealousy. There is striving by the new nations and their politicians for a place in the sun. The man who wore a loin cloth in the jungle a couple decades ago now sits in the lobbies of the big hotels and at the council tables of the world as the world civilization fights its way upward.

### SIZE APPALLING

The size of the American "establishment" overseas is what appalls me.

A decade ago one could see the desperate struggle to get blasted nations back on their feet. But five trips later to the same countries we find spending spigots still running wide open.

Is this the concept of American policy forever—that we are destined to carry all the world on the back of our taxpayers?

I am not so sure that we can go on at this pace, pursuing this philosophy, much longer without disaster. And when I say "much longer" I am not refering to years.

Dr. Hans Morgenthau, head of Chicago University's Center for the Study of American Aid, says we haven't yet pursued a coherent, firm, intelligent, policy as regards foreign aid.

Dr. Eugene Black, former head of the World Bank, has said that "none of our objectives have been obtained."

Yet the American going round the world has the feeling that there is a bottomless pit of dollars that foreign aid policy planners think must be spent at all costs.

The trouble is that too many times we have rewarded our enemies and kicked our good friends in the face. We have actually subsidized Communist takeovers and too many times we have hastily beat a retreat leaving vast quantities of military materiel for the Reds to take over.

The truth is that the give away brigade has more money squirreled away that it ever admits while it is screaming against any cut in foreign aid spending. The truth is that as of June 23, 1963, there were unexpended balances of over $21 billions.

Fortunately—the $1.5 billions President Kennedy insisted on for India's Bokaro steel mill is not going to be spent. Congress put its foot down on providing a Socialist nation with a steel mill to compete with American private enterprise steel mills.

Congress has forbidden any more aid to Communist countries yet three months later we gave Tito $136 million.

The liberals say "Tito paid for the food we gave him."

But did he?

He paid only a part of the bill and that in Yugoslavian dinars which we can't take out of the country. Then we pass 90 percent back to the Yugoslavian Government in gifts or loans and Tito allows us to use the 10 percent servicing our embassy in Belgrade.

### WE GIVE, THEY SELL

We gave Communist Poland $61 million in cash and $672 millions in agricultural commodities and Poland turns around and sells, at a profit, our food to other Communist countries including $13 million worth of food to Castro and $15 million worth to North Vietnam Reds.

When we were in the Rama Hotel in Bangkok we watched a family for several days. The father and husband was a lean, dynamic, tall, rangy, man. His wife was a "bubbler" dressed in stylish summer clothes in keeping with the frightful heat. The son wore a bow tie, a jaunty hat, his pants legs didn't reach his shoes. He was dressed in perfect style—there were 3 inches of white sox showing between pant cuffs and his shoes. He was about a high school junior. He held his stylishly clipped poodle which also sported a bow tie. His sister was a frills and bows, cut, high school girl.

I learned that the father was the supervising engineer of the new highway that is being built in nearby Burma.

I wondered about several things as I watched this family. Would the mother and the two children adopt themselves and make friends with the native population or would they be aloof. Would they regard this summer as an ordeal or would they help make friends for America. I wondered about this road that this man would build which has been called economically unfeasible. General Ne Win kicks us in the teeth in Burma and we give him $10 million in military aid a year and AID is still going ahead with the road.

I wondered, too, if the Red Chinese would use our road to overrun Burma and Thailand if they invade India.

What else do we do? We gave $25 million to Ceylon, a country which had seized our oil properties without a dime of compensation.

And as we traveled through Arab countries we heard Nasser's broadcasts. He screams against us as he tries to perfect his Arab federation.

We gave last year direct economic assistance to Nasser of nearly $225 million.

Our loyal little friend, Turkey, a hard fighting country gets less than we give Nasser and we let him buy (a phony bookkeeping deal) $546 million worth of food with worthless Egyptian money and we have given him over a billion dollars' worth of food for peace.

### CURRENCY WORTHLESS

We get paid in that worthless Egyptian currency and most of it goes back to Nasser to meet his deficits or to build new factories or industries in Egypt. And with his unbounded gall he used $43 million of our money to declare a dividend to 1,500,000 workers as proof that state ownership of industry brings "prosperity."

We are underwriting the bills for the Arab or Communist grab for power in the middle east.

What does Nasser say to us?

"Thank you"—not on your life.

The Egyptians don't know about our generosity.

What Nasser tells them is "overthrow the lackeys who cooperate with our arch enemies, the English, the Americans and the Jews."

Ben Bella of Algeria talked sweet to us in Washington. Then he went to visit Castro and voiced a demand we give up Guantanamo. We gave Ben Bella $92 million.

We are the chief accomplice of the rape of Indonesia. We threatened another tried and true friend, the Netherlands, with the worst if they didn't hand over Indonesia to the blackguard Sukarno and then we gave this fanny-pinching nightclub rounder $787,300,000 in gifts.

And Sukarno wants still more, and some of our diplomats excuse it all by saying "he is the only one that can hold this country together."

We back down.

We don't have a coherent policy.

We don't even act, too many times, with self-respect.

We give money to these countries. We humbly asked them to help us out since our economy was starting to pinch. Couldn't we, we asked, sell American tourists a small part of the currency we had acquired from our food for peace.

### THEY SAY, "NO"

Burma said "No." So did Indonesia, Pakistan, Poland, and Yugoslavia.

Pakistan is drifting toward a friendly rapport with the Chinese Reds. Small wonder. When India's Krishna Menon was kicking up in the U.N. and thwarting us at every turn of the road, as though following a Communist roadmap, Pakistan stood with us. Now, we hurriedly arm her archenemy, India. Pakistan is worried. Our hasty sweet talk doesn't seem to convince her.

She has seen too many other countries jilted, when the showdown comes, by America.

And other countries round the world watch our prodigal spending, with lack of aim, coherence, or integrity and they regard us as fools.

No wonder the image of America is tarnished and we have lost the traditional reputation of being shrewd Yankee traders.

It is unpleasant for me to end this series of articles on what seems to be a sour note.

However, I wouldn't be honest with myself and with you, as our reader, if we didn't speak our mind and what we think is the truth * * * the way we, as a country editor, see the facts.

Truth is hard to find nowadays. Our State Department has become a super government—so much so in fact that it is almost impossible to pierce the veil even. Congressmen can't get the facts. Few know it but the State Department has a regulation forbidding the employees to talk, or give information, to Members of Congress.

This is still a great world and a world filled with opportunities for America and Americans. It will talke courage and faith and hard work, yes, and money. It is time, though, that we wake up to the fact that money alone doesn't do the job.

ACM.

## LEASE LAWS FOR COAL IN NEED OF REVISION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the present maximum coal acreage which may be held under option or lease—or both combined—on the public lands within any State, under the Mineral Leasing Act, is 15,360. The original limit established in 1920 was 2,560 acres, but from time to time Congress has found it necessary to enact legislation increasing the maximum to meet changing economic conditions. In the past I have sponsored some of that legislation at the request of the Interior Department.

In the last few years there have been startling changes in the production of coal for electric power. For many decades the consumption of electric power in the United States has doubled every 10 years. Until recently the coal industry did not receive its proportionate share of this increased market. Now, however, the coal industry is beginning to share in this increase and there are indications that the industry will be called upon to furnish a very large part of the Nation's expanding power needs.

According to the Federal Power Commission, the electric industry is expected to increase its generating capacity from 168,002,000 kilowatts in 1960 to 1,803,500,000 kilowatts in the year 2000—an increase to more than tenfold. The number of kilowatt hours generated is expected to increase from 753 billion in 1960 to 9,000 billion in the year 2000—12 times as much.

The expected reliance upon coal to help meet the power needs of the West is dramatically illustrated by the following excerpts from the Oil and Gas Journal of September 16, 1963:

> Demand for oil and gas will double in seven Western States in the next four decades, but two of today's relatively unimportant fuels—coal and nuclear energy—are the real comers in this market.
>
> The huge western coal deposits, which now supply only 2.5 percent of the market, are expected to meet 18.8 percent of the seven-State demand by 2000.

The article, summarizing a study by Keith W. Johnson, economist for Pacific Gas & Electric Co., contained a table showing that the 1960 coal consumption of the seven Western States—Arizona, California, Nevada, Washington, Oregon, Idaho, and Utah—is expected to increase to 172 million tons by the year 2000.

In recent years the capacity of electric power generating stations has increased at a fantastic rate. A few years ago a plant with 200,000 kilowatt capacity was considered very large. Many plants of 500,000 kilowatt are in operation today, and plants with 1 million kilowatt capacity are becoming more familiar. In July of this year Westinghouse Electric Corp. received an order for two huge steam generators to supply the Keystone coal-burning generating station with a capacity of 1,800,000 kilowatts. This plant, in Armstrong County, Pa., will burn about 15,000 tons of coal daily—over 5 million tons a year. To support the operation of this plant over a lifetime of 40 years, coal production aggregating about 200 million tons will be required.

There has been tremendous progress in the development of transportation of coal power to market, including unit or integral trains, high voltage transmission lines, and coal pipelines. These developments give promise that in the next few years the coal fields of the West will be in a position to help serve the power needs of the west coast. These coal fields do not in any manner represent a competitive threat to the coal fields of the eastern half of the Nation, because their distance from the consuming markets of the East bars them from such markets.

The construction of generating stations of modern size requires the investment of vast sums of money. Coal pipelines, high voltage transmission lines, and integral trains also involve the expenditure of a great deal of capital. Together, the generating and transportation facilities necessary to construct a plant similar to the Keystone plant, serving the west coast power market with coal from the public lands of the West, would require the investment of hundreds of millions of dollars, to be recovered over the plant lifetime of 30 to 40 years. Unless the reserves of coal necessary to serve such a plant for its entire lifetime can be assured, the investment of the necessary sums of money cannot be expected. If the coal of the West is to help supply power to the west coast in the future, the public land leasing laws must be modernized.

It does not appear to be feasible to revise the leasing laws by replacing the acreage limitation with a tonnage limitation such as 200 million tons. The difficulties arising from the uncertainties of actual mineral content appear insuperable to this method of procedure.

Coal seams vary from place to place, and the variation can be great, but it is not unreasonable to use a 6-foot seam for purposes of discussing average coal content. If a 6-foot seam existed throughout the entire area of 46,080 acres, 250 million tons of coal could be produced therefrom—assuming a 50 percent rate of recovery. It is unreasonable to assume the existence of the coal seam through the entire acreage of a lease, and for that reason it appears proper to say that 46,080 acres with a 6-foot seam would produce about 200 million tons—the amount needed for the lifetime of a plant like the Keystone plant.

According to estimates prepared by the U.S. Geological Survey, the United States as of January 1, 1960, had 830 billion tons of recoverable coal—assuming 50 percent recovery. Of this 830 billion tons, substantial amounts were situated in Western States with large areas of public lands; including Colorado, 40 billion tons; Montana, 110 billion tons; New Mexico, 30 billion tons; North Dakota, 175 billion tons; Utah, 13 billion tons; Washington, 31 billion tons; and Wyoming, 60 billion tons.

With these vast reserves of coal on the public lands of the West, modernization of the acreage limitation will not pose any threat of monopoly. I am therefore introducing a bill to increase the maximum acreage to 46,080 acres, and identical bills are being introduced by Congressmen MORGAN and SAYLOR. The Department of the Interior has not yet been asked for an official expression of viewpoint, but my bill would not change the existing provisions of the statute which have been construed to give the Secretary of the Interior discretion to reject applicants for coal leases if he feels the leases are not warranted in the public interest. Under these circumstances there appears to be adequate protection against any possible abuse of the public interest. Modernization of the maximum coal acreage will help the development of the economy of the West.

## FARM LABOR FACTS—FINALE

The SPEAKER pro tempore (Mr. ALBERT). Under previous order of the House, the gentleman from California [Mr. LEGGETT] is recognized for 10 minutes.

Mr. LEGGETT. Mr. Speaker, tomorrow the House will consider providing California and a number of other States with a labor source for another year. It is tragic economically that the Congress engage in such games with the prime tablefood-producing business of the State which has shown the greatest ability to absorb population and provide jobs, which has the highest agricultural wage and manufacturing wage in the Nation. Tomorrow many will perhaps admit they are not complaining so much about California as the oppressive wages paid in other States.

The report issued by the Department of Labor yesterday indicates that in the first half of 1963 the following States used bracero labor in the amounts indicated:

| States | Contracts | Percentage |
|---|---|---|
| Arizona | 8,371 | 10 |
| Arkansas | 4,768 | 5 |
| California | 46,643 | 57 |
| Colorado | 6,796 | 8 |
| Kansas | 223 | 0 |
| Montana | 2,208 | 3 |
| Nebraska | 2,037 | 3 |
| Nevada | 55 | 0 |
| New Mexico | 793 | 1 |
| South Dakota | 49 | 0 |
| Texas | 8,351 | 10 |
| Utah | 167 | 0 |
| Wyoming | 1,557 | 2 |
| Total | 82,018 | 100 |

These figures indicate that all of the States are cutting down substantially on this utilization of foreign labor supply.

I think it reasonable that this labor program be continuously curtailed as producers are able to mechanize and organized labor or the Department of Labor has the ready ability to provide a supplemental domestic labor force in quantity.

In the meantime, the Department of Labor's power to prescribe a domestic adverse effect wage rate has resulted in the following wages being paid during 1962:

TABLE I.—*Piece-rate earnings of Mexican nationals employed in California arrayed by crop according to total wages paid, Jan. 1 through Dec. 31, 1962*

[Published in March 1963 by the U.S. Department of Labor]

| Activity and crop | Total wages paid | Total hours worked | Average wage per hour | Wages as percent of total |
|---|---|---|---|---|
| Total | $41,275,707 | 32,792,670 | $1.26 | 100.00 |
| Pick tomatoes | 16,650,373 | 12,300,041 | 1.35 | 40.3394 |
| Pick lemons | 6,157,023 | 5,501,633 | 1.12 | 14.9168 |
| Pick oranges | 3,919,298 | 3,327,615 | 1.18 | 9.4954 |
| Cut asparagus | 3,217,489 | 3,037,801 | 1.06 | 7.7951 |
| Harvest lettuce | 3,064,014 | 2,435,809 | 1.26 | 7.4233 |
| Load tomatoes | 1,395,949 | 648,961 | 2.15 | 3.3820 |
| Pick beans, snap | 1,068,939 | 982,753 | 1.09 | 2.5898 |
| Pick grapes | 973,104 | 737,431 | 1.32 | 2.3576 |
| Pick cantaloups | 780,928 | 623,402 | 1.25 | 1.8920 |
| Pick strawberries | 739,465 | 617,572 | 1.20 | 1.7915 |
| Thin sugarbeets | 386,399 | 305,995 | 1.26 | .9361 |
| Pull and top carrots | 358,287 | 303,042 | 1.18 | .8680 |
| Pull and top onions, dry | 298,182 | 248,504 | 1.20 | .7224 |
| Harvest celery | 285,426 | 207,998 | 1.37 | .6915 |
| Pick cucumbers | 233,272 | 175,655 | 1.33 | .5652 |
| Pick grapefruit | 163,002 | 136,116 | 1.20 | .3949 |
| Pick figs | 161,305 | 117,291 | 1.38 | .3908 |
| Harvest tomato seeds | 110,024 | 78,093 | 1.41 | .2666 |
| Pull and bunch tomato plants | 97,270 | 77,956 | 1.25 | .2357 |
| Pick peaches | 96,289 | 61,220 | 1.57 | .2333 |
| Pick apricots | 93,345 | 80,509 | 1.16 | .2261 |
| Pick dates | 87,476 | 52,384 | 1.67 | .2119 |
| Pick olives | 81,777 | 56,991 | 1.43 | .1981 |
| Bunch parsley | 76,991 | 55,867 | 1.38 | .1865 |
| Pick bushberries | 75,940 | 66,188 | 1.15 | .1840 |
| Pull onions, green | 69,371 | 63,259 | 1.10 | .1681 |
| Harvest cabbage | 58,898 | 50,569 | 1.16 | .1427 |
| Cap cantaloups | 44,362 | 42,569 | 1.04 | .1075 |
| Pick up potatoes | 42,940 | 32,765 | 1.31 | .1040 |
| Pull garlic | 35,507 | 26,738 | 1.33 | .0860 |
| Pull and top turnips | 34,106 | 29,151 | 1.17 | .0826 |
| Harvest broccoli | 31,131 | 21,606 | 1.44 | .0754 |
| Pick watermelons | 30,637 | 18,000 | 1.70 | .0742 |
| Pick corn | 25,814 | 18,731 | 1.38 | .0625 |
| Cultivate spinach | 25,736 | 17,812 | 1.44 | .0624 |
| Pull and top parsnips | 24,539 | 22,280 | 1.10 | .0595 |
| Pick chili peppers | 19,030 | 15,705 | 1.21 | .0461 |
| Cap melons | 18,744 | 15,654 | 1.20 | .0454 |
| Pick tangerines | 16,473 | 11,787 | 1.40 | .0399 |
| Bunch mustard | 15,893 | 11,871 | 1.34 | .0385 |
| Harvest miscellaneous vegetables | 15,685 | 12,833 | 1.22 | .0380 |
| Harvest walnuts | $12,026 | 8,603 | $1.40 | 0.0291 |
| Thin lettuce | 11,888 | 8,945 | 1.33 | .0288 |
| Pick okra | 11,605 | 11,004 | 1.05 | .0281 |
| Pick peppers | 11,305 | 7,301 | 1.55 | .0274 |
| Pick honeydew melons | 9,359 | 5,618 | 1.41 | .0227 |
| Load celery | 9,350 | 6,603 | 1.42 | .0227 |
| Preharvest hops | 8,664 | 6,340 | 1.37 | .0210 |
| Culture mushrooms | 8,623 | 5,250 | 1.64 | .0209 |
| Irrigate multicrop | 8,311 | 7,752 | 1.07 | .0201 |
| Cultivate celery | 8,293 | 6,428 | 1.29 | .0201 |
| Sort and trim strawberry plants | 7,782 | 4,514 | 1.72 | .0189 |
| Thin miscellaneous vegetables | 7,374 | 4,860 | 1.52 | .0179 |
| Pull and top rutabagas | 7,293 | 4,536 | 1.61 | .0177 |
| Thin romaine | 6,793 | 5,325 | 1.28 | .0165 |
| Load potatoes | 6,751 | 3,346 | 2.02 | .0164 |
| Pick boysenberries | 6,690 | 5,869 | 1.14 | .0162 |
| Cap watermelons | 6,091 | 5,745 | 1.06 | .0148 |
| Pick raspberries | 5,484 | 4,618 | 1.19 | .0133 |
| Harvest rhubarb | 4,243 | 2,199 | 1.93 | .0103 |
| Pick cotton | 4,170 | 3,647 | 1.14 | .0101 |
| Prune orchards | 4,072 | 3,121 | 1.30 | .0099 |
| Plant onions | 3,538 | 3,394 | 1.04 | .0086 |
| Pick peas | 3,224 | 2,817 | 1.14 | .0078 |
| Thin broccoli | 3,143 | 2,525 | 1.24 | .0076 |
| Thin and hoe multicrop | 2,969 | 1,878 | 1.58 | .0072 |
| Thin cabbage | 2,369 | 1,724 | 1.37 | .0057 |
| Bag dates | 2,258 | 1,549 | 1.46 | .0055 |
| Harvest and cut flowers | 1,834 | 1,660 | 1.10 | .0044 |
| Harvest mustard | 1,797 | 1,600 | 1.12 | .0044 |
| Prune strawberries | 1,412 | 697 | 2.03 | .0034 |
| Preharvest dates | 1,187 | 845 | 1.40 | .0029 |
| Thin peppers | 1,040 | 1,005 | 1.03 | .0025 |
| Prune grapes | 1,038 | 949 | 1.09 | .0025 |
| Load lettuce | 756 | 350 | 2.16 | .0018 |
| Pull radishes | 445 | 418 | 1.06 | .0011 |
| Boll cotton | 408 | 422 | .97 | .0010 |
| Load peaches | 342 | 204 | 1.68 | .0008 |
| Thin celery | 334 | 166 | 2.01 | .0008 |
| Pick avocados | 320 | 268 | 1.19 | .0008 |
| Load carrots | 300 | 107 | 2.80 | .0007 |
| Harvest raisins | 209 | 140 | 1.49 | .0005 |
| Pick prunes | 180 | 160 | 1.13 | .0004 |
| Load cabbage | 4 | 2 | 2.00 | .000009 |

TABLE II.—*Piece-rate earnings of Mexican nationals employed in California, arrayed by crop according to average wage per hour, Jan. 1 through Dec. 31, 1962*

| Activity and crop | Total wages paid | Total hours worked | Average wage per hour | Wages as percent of total |
|---|---|---|---|---|
| Total | $41,275,707 | 32,792,670 | $1.26 | 100.00 |
| Load carrots | 300 | 107 | 2.80 | .0007 |
| Load lettuce | 756 | 350 | 2.16 | .0018 |
| Load tomatoes | 1,395,949 | 648,961 | 2.15 | 3.3820 |
| Prune strawberries | 1,412 | 697 | 2.03 | .0034 |
| Load potatoes | 6,751 | 3,346 | 2.02 | .0164 |
| Thin celery | 334 | 166 | 2.01 | .0008 |
| Load cabbage | 4 | 2 | 2.00 | .000009 |
| Harvest rhubarb | 4,243 | 2,199 | 1.93 | .0103 |
| Sort and trim strawberry plants | 7,782 | 4,514 | 1.72 | .0189 |
| Pick watermelons | 30,637 | 18,000 | 1.70 | .0742 |
| Load peaches | 342 | 204 | 1.68 | .0008 |
| Pick dates | 87,476 | 52,384 | 1.67 | .2119 |
| Culture mushrooms | 8,623 | 5,250 | 1.64 | .0209 |
| Pull and top rutabagas | 7,293 | 4,536 | 1.61 | .0177 |
| Thin and hoe multicrop | 2,969 | 1,878 | 1.58 | .0072 |
| Pick peaches | 96,289 | 61,220 | 1.57 | .2333 |
| Pick peppers | 11,305 | 7,301 | 1.55 | .0274 |
| Thin miscellaneous vegetables | 7,374 | 4,860 | 1.52 | .0179 |
| Harvest raisins | 209 | 140 | 1.49 | .0005 |
| Bag dates | 2,258 | 1,549 | 1.46 | .0055 |
| Harvest broccoli | 31,131 | 21,606 | 1.44 | .0754 |
| Cultivate spinach | 25,736 | 17,812 | 1.44 | .0624 |
| Pick olives | 81,777 | 56,991 | 1.43 | .1981 |
| Load celery | 9,350 | 6,603 | 1.42 | .0227 |
| Pick honeydew melons | 9,359 | 5,618 | 1.41 | .0227 |
| Harvest tomato seeds | 110,024 | 78,093 | 1.41 | .2666 |
| Preharvest dates | 1,187 | 845 | 1.40 | .0029 |
| Pick tangerines | 16,473 | 11,787 | 1.40 | .0399 |
| Harvest walnuts | 12,026 | 8,603 | 1.40 | .0291 |
| Pick corn | 25,814 | 18,731 | 1.38 | .0625 |
| Pick figs | 161,305 | 117,291 | 1.38 | .3908 |
| Bunch parsley | 76,991 | 55,867 | 1.38 | .1865 |
| Thin cabbage | 2,369 | 1,724 | 1.37 | .0057 |
| Harvest celery | 285,426 | 207,998 | 1.37 | .6915 |
| Preharvest hops | 8,664 | 6,340 | 1.37 | .0210 |
| Pick tomatoes | 16,650,373 | 12,300,041 | 1.35 | 40.3394 |
| Bunch mustard | 15,893 | 11,871 | 1.34 | .0385 |
| Pick cucumbers | 233,272 | 175,655 | 1.33 | .5652 |
| Pull garlic | 35,507 | 26,738 | 1.33 | .0860 |
| Thin lettuce | 11,888 | 8,945 | 1.33 | .0288 |
| Pick grapes | 973,104 | 737,431 | 1.32 | 2.3576 |
| Pick up potatoes | $42,940 | 32,765 | $1.31 | 0.1040 |
| Prune orchards | 4,072 | 3,121 | 1.30 | .0099 |
| Cut and trim celery | 8,293 | 6,428 | 1.29 | .0201 |
| Thin romaine | 6,793 | 5,325 | 1.28 | .0165 |
| Harvest lettuce | 3,064,014 | 2,435,809 | 1.26 | 7.4233 |
| Thin sugarbeets | 386,399 | 305,995 | 1.26 | .9361 |
| Pick cantaloups | 780,928 | 623,402 | 1.25 | 1.8920 |
| Pull and bunch tomato plants | 97,270 | 77,956 | 1.25 | .2357 |
| Thin broccoli | 3,143 | 2,525 | 1.24 | .0076 |
| Harvest miscellaneous vegetables | 15,685 | 12,833 | 1.22 | .0380 |
| Pick chili peppers | 19,030 | 15,705 | 1.21 | .0461 |
| Pull and top onions dry | 298,182 | 248,504 | 1.20 | .7224 |
| Pick grapefruit | 163,002 | 136,116 | 1.20 | .3949 |
| Cap melons | 18,744 | 15,654 | 1.20 | .0454 |
| Pick strawberries | 739,465 | 617,572 | 1.20 | 1.7915 |
| Pick avocados | 320 | 268 | 1.19 | .0008 |
| Pick raspberries | 5,484 | 4,618 | 1.19 | .0133 |
| Pull and top carrots | 358,287 | 303,042 | 1.18 | .8680 |
| Pick oranges | 3,919,298 | 3,327,615 | 1.18 | 9.4954 |
| Pull and top turnips | 34,106 | 29,151 | 1.17 | .0826 |
| Pick apricots | 93,345 | 80,509 | 1.16 | .2261 |
| Harvest cabbage | 58,898 | 50,569 | 1.16 | .1427 |
| Pick bushberries | 75,940 | 66,188 | 1.15 | .1840 |
| Pick boysenberries | 6,690 | 5,869 | 1.14 | .0162 |
| Pick cotton | 4,170 | 3,647 | 1.14 | .0101 |
| Pick peas | 3,224 | 2,817 | 1.14 | .0078 |
| Pick prunes | 180 | 160 | 1.13 | .0004 |
| Pick lemons | 6,157,023 | 5,501,633 | 1.12 | 14.9168 |
| Harvest mustard | 1,797 | 1,600 | 1.12 | .0044 |
| Harvest and cut flowers | 1,834 | 1,669 | 1.10 | .0044 |
| Pull onions, green | 69,371 | 63,259 | 1.10 | .1681 |
| Pull and top parsnips | 24,539 | 22,280 | 1.10 | .0595 |
| Pick snap beans | 1,068,939 | 982,753 | 1.09 | 2.5898 |
| Prune grapes | 1,038 | 949 | 1.09 | .0025 |
| Irrigate multicrop | 8,311 | 7,752 | 1.07 | .0201 |
| Cut asparagus | 3,217,489 | 3,037,801 | 1.06 | 7.7951 |
| Pull radishes | 445 | 418 | 1.06 | .0011 |
| Cap watermelons | 6,091 | 5,745 | 1.06 | .0148 |
| Pick okra | 11,605 | 11,004 | 1.05 | .0281 |
| Cap cantaloups | 44,362 | 42,569 | 1.04 | .1075 |
| Plant onions | 3,538 | 3,394 | 1.04 | .0087 |
| Thin peppers | 1,040 | 1,005 | 1.03 | .0025 |
| Boll cotton | 406 | 422 | .97 | .0010 |

## The following figures were accumulated by the Department of Labor for the balance of the United States:

*1962 reported piece-rate earnings of Mexican nationals*

| State and reporting area | Crop activity | Hours worked | Earnings for hours worked | Average hourly earnings |
|---|---|---|---|---|
| Arizona. | | | | |
| Cochise | Lettuce, harvest | 44,483 | $42,878 | $0.96 |
| Maricopa | Brussels sprouts, harvest | 5,045 | 4,851 | .96 |
| | Carrot, harvest | 14,755 | 12,572 | .85 |
| | Collard, bunch | 438 | 349 | .80 |
| | Cabbage, harvest | 4,952 | 4,947 | 1.00 |
| | Cotton, pick | 14,545 | 12,098 | .83 |
| | Grapefruit, pick | 20,015 | 24,115 | 1.20 |
| | Lettuce, harvest | 735,957 | 845,519 | 1.15 |
| | Mustard green, bunch | 4,035 | 4,401 | 1.09 |
| | Watermelon: | | | |
| | Cap | 447 | 510 | 1.14 |
| | Thin | 179 | 267 | 1.49 |
| | Harvest | 10,355 | 15,121 | 1.46 |
| | Green onion, harvest | 381,453 | 389,801 | 1.02 |
| | Dry onion, harvest | 106,293 | 122,925 | 1.16 |
| | Orange, pick | 23,428 | 27,684 | 1.18 |
| | Parsley, bunch | 1,489 | 1,465 | 1.18 |
| | Potatoes: | | | |
| | Harvest | 60,424 | 69,884 | 1.18 |
| | Load | 4,010 | 7,389 | 1.84 |
| | Radish, harvest | 6,621 | 6,135 | .93 |
| | Rapini, harvest | 5,682 | 8,556 | 1.51 |
| | Spinach, bunch | 339 | 325 | .96 |
| | Squash, harvest | 57 | 62 | 1.09 |
| | Strawberry, harvest | 1,047 | 1,164 | 1.11 |
| | Tangerine, pick | 1,312 | 1,678 | 1.28 |
| | Turnip, bunch | 1,680 | 1,538 | .92 |
| | Table beet, bunch | 108 | 113 | 1.05 |
| | Vegetable (mixed), harvest | 6,621 | 6,452 | .97 |
| Pinal | Lettuce, harvest | 46,200 | 56,901 | 1.23 |
| Yuma | Carrot, topping | 7,663 | 6,046 | .79 |
| | Cotton, pick | 26,931 | 23,394 | .87 |
| | Cantaloup, harvest | 77,745 | 89,947 | 1.16 |
| | Grapefruit, harvest | 51,134 | 43,363 | .85 |
| | Melon, cap | 8,457 | 12,093 | 1.42 |
| | Lettuce: | | | |
| | Harvest | 528,079 | 604,743 | 1.15 |
| | Seed, harvest | 2,611 | 3,742 | 1.43 |
| | Lemon, pick | 266,021 | 187,344 | .63 |
| | Orange, harvest | 9,111 | 8,744 | .96 |
| | Dry-onion, harvest | 6,237 | 6,724 | 1.08 |
| | Tangerine, harvest | 8,939 | 8,042 | .90 |
| Arkansas: West Memphis. | Cotton, pick and pull | 119,309 | $97,233 | $0.82 |
| Colorado: | | | | |
| Statewide | Sugar beet, preharvest | 384,031 | 436,170 | 1.13 |
| | Pickle, harvest | 138,075 | 118,551 | .85 |
| Western slope | Tomato, harvest (pick and load). | 9,025 | 10,879 | 1.20 |
| San Luis Valley | Spinach, harvest | 2,139 | 3,392 | 1.59 |
| Arkansan Valley | Onion, harvest | 8,294 | 11,021 | 1.33 |
| | Tomato, harvest | 23,474 | 29,619 | 1.26 |
| Northern | Carrot, harvest | 5,709 | 6,248 | 1 09 |
| Illinois: Northern | Tomato, harvest | 20,050 | 23,817 | 1.19 |
| Iowa: Muscatine | Pickle, harvest | 19,630 | 14,998 | .76 |
| Indiana: | | | | |
| Northwest | Apple, harvest | 2,064 | 2,549 | 1.24 |
| | Cucumber, harvest | 84,324 | 93,553 | 1.11 |
| | Tomato, harvest | 1,688 | 1,951 | 1.16 |
| Northeast | Cucumber, harvest | 8,003 | 9,152 | 1.14 |
| | Pepper, harvest | 2,046 | 2,178 | 1.06 |
| | Tomato, harvest | 15,631 | 24,091 | 1.54 |
| Kansas: Southwestern | Lettuce, harvest | 12,757 | 16,799 | 1.32 |
| | Sugarbeet, preharvest | 17,855 | 20,408 | 1.13 |
| Michigan: Statewide | Pickle, harvest | 997,732 | 842,086 | .84 |
| Montana: Statewide | Sugarbeet, preharvest | 131,722 | 143,312 | 1.08 |
| Nebraska: Statewide | do | 531,964 | 570,609 | 1.07 |
| New Mexico: Las Cruces. | Tomato, pick | 19,786 | 21,764 | 1.10 |
| Oregon: Rogue River | Pear, harvest | 87,388 | 153,279 | 1.75 |
| Texas: | | | | |
| Big Spring | Cotton, all activities | 33,854 | 31,407 | .93 |
| El Paso | do | 112,611 | 99,254 | .88 |
| Lubbock | do | 30,347 | 28,373 | .94 |
| Dallas | do | 64,655 | 53,075 | .82 |
| Utah: North Central | Pickle, harvest | 4,481 | 2,660 | .59 |
| | Miscellaneous vegetable, harvest. | 2,939 | 4,083 | 1.39 |
| Wisconsin: | | | | |
| Northeast | Apple, harvest | 7,090 | 9,515 | 1.32 |
| East Central | Lettuce, harvest | 71,034 | 81,613 | 1.15 |
| | Celery, harvest | 35,865 | 37,471 | 1.04 |
| | Pickle, harvest | 110,125 | 117,066 | 1.06 |
| Wyoming: Statewide | Sugarbeet, preharvest | 78,022 | 85,000 | 1.09 |

Source: U.S. Department of Labor, Bureau of Employment Security. Reported from records submitted by employers and employer payroll audits by Farm Labor Service representatives.

It is interesting to note that Arkansas Census Statistics, 1959, part 34, page 28, lists the average cotton wage paid in that State at 70 cents an hour, as opposed to the average bracero rate paid last year at 82 cents an hour in that State. Likewise the Texas average cotton wage paid in the same census publication for 1959 is listed at 73 cents an hour as opposed to the bracero rate last year of 82 to 94 cents per hour.

It is obvious that the bracero program is leading the wage rate in many States not depressing the same.

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## COMMITTEE ON EDUCATION AND LABOR

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. Pucinski] is recognized for 15 minutes.

Mr. PUCINSKI. Mr. Speaker, I have taken this brief moment today to discuss the action taken by the House yesterday on the resolution that was offered by my subcommittee to make a visit to several research information centers in Europe which figure importantly in our current investigation, but before I discuss that I should like to note for students of journalism how a story about a subject like this can be treated in various ways by various reporters. It would certainly be my hope that the professors of journalism would use the coverage of this story, which appeared this morning in the Chicago Tribune, as one example of how you can write a story to bring out one particular facet of a situation as it transpires. I thought my colleagues here on the floor would be interested in seeing the lead on the Chicago Tribune story. It states:

> The House voted 164 to 119 today to deny a House junket to Moscow to Representative Roman Pucinski, even after he promised he would leave a beauty contest winner secretary at home.

The gentleman who wrote this story is one of Washington's most highly respected journalists. Certainly I have the highest respect for him. I have no quarrel with the way he chose to handle this story. That is his privilege. For 20 years I exercised that same privilege. I am sure there have been occasions when those I wrote about did not quite agree with the manner in which I handled a story. I would be the last man in the world to try to influence any member of the press on how he should approach a story. But having said all this, I would not want the implication in this story to stand without the record showing that I do not believe it correct for this particular lead to imply by innuendo, or otherwise, that I had made some sort of promise here to leave a beauty contest winner secretary at home and that we had originally intended to take a beauty contest winner secretary along, but only after prodding by the House in an effort to bring about support for the resolution, did we make such a promise. The author of this particular article may not have intended such an impression but as I read the lead, that is the impression I get and I say, Mr. Speaker, there is nothing to even remotely justify such a suggestion.

I am sure the gentleman who wrote the story knows that the committee had no intention of taking any secretary along. Had the gentleman from California, who raised the question in the first instance, read the resolution, he would have found that it would have been impossible to even consider taking a secretary because the resolution itself, House Resolution 314, specifically designated the people that could go, and those were five Members of the Congress and two scientists. I had told the Committee on Rules who the two scientists were that were going, and I told the House yesterday who the two scientists were that were going. So I think if a journalist wants to have a little levity with a Member of Congress, certainly that is his privilege, but the fact of the matter is that running a picture of the young secretary and myself and the big story did create the impression that we had intended to take the secretary. Such an impression was wrong.

He further states that Mr. Pucinski had ducked answering the question in the first instance. I think if anybody wishes to read the record of the proceedings he will find I had replied immediately to the question asked by my colleague from California. I think my colleague from California knew that the young lady was not contemplated to go on this trip, and I suspect that he asked the question as a little form of needling another Member of Congress. But having said all this, I regret that the House took the action it did yesterday, and I have asked the chairman of my committee to resubmit a resolution to the Rules Committee. My committee is now conducting hearings on very important legislation. I think that we all realize the great problems that confront us not only in our own country but throughout the world in this whole field of exchanging scientific information. We in this country spend $17.5 billion a year for research and development. This is very important work. I think it is incumbent upon this Nation, as other nations are doing, to make this information as quickly and as readily available to other scientists as possible.

I have said many times before my committee that I would be the last man to propose restrictions on the scientific mind, because who is going to judge what marvels may come out of a scientific mind?

Up until 1942, Einstein was considered by many as somewhat a crackpot in the scientific community and, yet, thank God, that in 1942, we had a man named Einstein to help us put together a formula for an atomic bomb which helped to shorten World War II and save millions of American lives and the lives of other people as well. So it is not up to me to sit in judgment ever on the work of scientists, but I am also aware of the fact that many Americans are concerned about the high cost of scientific research. Therefore, it seems to me we can reach the very epitome of efficiency if we make available to our scientists a service which will make the exchange of scientific knowledge and information readily available. I am certain that scientists will impose their own discipline against waste and duplication once they have a means of quickly retrieving research completed by other scientists. This is what my committee is now doing. I said yesterday and I want to emphasize today, it is tragic that every other major nation in the world today is moving along in the direction of setting up national information centers for the exchange of research flowing out of its universities but our own country is still behind on that score. I am certain many diverse factors motivated my fellow Members yesterday in rejecting our resolution. I am sure they may have had their own reasons for taking the action they did take—perhaps we called the resolution up at the wrong time, calling it up on Monday when many of our Members are away or, perhaps, other factors are involved. But, it is certainly my hope that the Congress will permit the subcommittee to visit some of the other centers so that we can see what other nations of the world are doing in this very important field.

I had not mentioned the gentleman from California by name, but since I did refer to his remarks and I see the gentleman on his feet, if he wishes me to yield, I will be very happy to yield to the gentleman.

Mr. GUBSER. I thank the gentleman for yielding. I was not present during all of the gentleman's remarks which alluded to me.

Mr. PUCINSKI. Perhaps, I might read to the gentleman the Chicago Tribune story which was provoked by the question he raised. I would be very happy to do this so that the gentleman will know what was said.

Mr. GUBSER. I had not seen the newspaper story nor would I care to comment on it.

Mr. PUCINSKI. Perhaps I should read it to the gentleman before he proceeds so he may know what we are talking about. The Chicago Tribune story this morning said:

> The House voted 164 to 119 today to deny a junket to Moscow to Representative Roman Pucinski even after he promised he would leave a beauty contest winner secretary at home.

Of course, no such promise had been made because no such promise was necessary; nobody intended to take this young lady or any other young lady on this trip.

Mr. GUBSER. If the gentleman will yield, it is not my purpose to enter into any controversy or misunderstanding which may exist between the newspaper and him. I think the gentleman will agree that I asked for a point of information and the gentleman responded to my question. Now this is a traditional procedure, and I think we should not allow ourselves to come to the point where it is improper here for a Member to request information and to get an honest answer.

Mr. PUCINSKI. I have not the slightest quarrel with the gentleman for asking his question.

Mr. GUBSER. That is right.

**Mr. PUCINSKI.** I am sure the gentleman knew that this particular young lady was not scheduled to go on a trip, but he still has the privilege and the right to ask a question. He asked the question and I gave him the answer. I gave him a flat, categorical answer and then this story says that Mr. Pucinski ducked answering the question the first time. The Record will show that I answered the gentleman the first time, even though he might not have heard me, and I certainly emphasized to the gentleman that this young lady was not scheduled and never had been scheduled to go on any trip with my committee.

**Mr. GUBSER.** The Record does verify exactly what the gentleman is saying. Of course, I have no idea whether the gentleman revised and extended his remarks.

**Mr. PUCINSKI.** Now the gentleman is welcome to look at the original record and the gentleman will find that I did not revise this particular statement. There is one point I want to emphasize and that is the fact that I answered the gentleman from California that the young lady had never been contemplated to go on any trip. His question took me by complete surprise because we never even thought of this. The point I am making is that after I gave the answer that I did to the gentleman, this newspaper interpreted my answer as a promise that she will not go. Well, as I said earlier, a journalist is entitled to interpret news as he sees it, and if that is the way the gentleman saw it, that certainly is his right and privilege and I would be the last one in the world to argue with him about that.

**Mr. PRICE.** Mr. Speaker, will the gentleman yield?

**Mr. PUCINSKI.** I yield to the gentleman from Illinois.

**Mr. PRICE.** I might say, as one of those who was sitting on the floor yesterday during the debate and heard the gentleman from Illinois reply to the gentleman from California, that he gave the correct answer on the first inquiry of the gentleman from California, so there was no necessity for him to change his wording in the permanent Record. I have read the Record here today, and it is exactly as I heard it when I sat on the floor during the debate yesterday afternoon.

**Mr. PUCINSKI.** Mr. Speaker, I thank the gentleman for his contribution, and it certainly helps to confirm the fact that the Record does speak for itself. I have sat here in the Congress for a long time and watched the press report the news. I must emphasize, as one who has engaged in this practice for 20 years, that I would violently object and strenuously oppose any sort of restrictions on the complete freedom to interpret the news by our journalists. I think the men who write the stores, for whatever their reasons may be, must be the final judge. I cannot think of anything that can weaken democracy faster than if we or anybody else other than the bonafide editors decided to sit as an arbiter in judging how news should be handled but students of journalism ought to see this story because of the interesting manner in which it was handled. I am certain my former colleagues in the newspaper profession will quickly recognize the real purpose of the manner in which this story was handled, and since I engaged in this practice myself, I can appreciate the reporter's technique. But I think students of journalism ought to see what can be done with a story by an enterprising reporter. I want to set the record straight today just in case there is any doubt in anyone's mind that our committee requested permission to make this trip for the most serious of reasons. Members of this committee are all highly respected Members of this Congress, and the two scientists who have been selected to go with the committee, if approval is ultimately granted, are two of the most highly respected people in the scientific community. While I know the gentleman from California asked the question in good faith and in all sincerity, I would not want anybody to get the impression that the members of this committee or the scientists going on this contemplated trip have been contemplating taking along some secretary or diverting their attention in any other way.

**Mr. GUBSER.** Mr. Speaker, will the gentleman yield?

**Mr. PUCINSKI.** I yield to the gentleman from California.

**Mr. GUBSER.** I am glad the gentleman made this statement. I certainly want to join with him and let him know that I, for one, was not intending to cast any reflection whatsoever upon any of the members of the Committee on Education and Labor who might be going on this proposed trip to Russia. So that the gentleman will thoroughly understand the motivation of the gentleman from California, I would like him to know that just within the last 2 weeks this young lady whom I mentioned was sent to California by the Committee on Education and Labor to investigate a bus accident which, in my opinion, the Committee on Education and Labor had absolutely no jurisdiction over whatsoever. So, because her talents are diversified and because she is a versatile person, I could not help but wonder just how far the chairman of that committee was going to extend her talents. So I asked the question in good faith, not expecting or intending to embarrass the members of the committee.

**Mr. PUCINSKI.** Thank you. I do not know about the young lady's travels because she is in no way associated with my staff and I can only speak for my subcommittee, but I can assure the gentleman again, as I did yesterday, that no such intentions were had on the part of this committee.

Finally, I would like to refer to another aspect of this whole situation. In reporting this action, and I am sure in reporting the action we took today in permitting nine Members of the House to attend the NATO parliamentary conferences, and as we did some time ago, and in permitting a large delegation of Members, some of whom voted against our resolution, to attend the conference in Yugoslavia, I have noticed that so often these trips by Members of Congress are referred to as junkets.

Now, you cannot quarrel with the use of the word "junket," because certainly Webster defines it in many ways. One definition of the word "junket" is a trip for pleasure. Another definition which Webster gives to the word "junket" is a trip by officials at public expense. However, I think all in all the word "junket" has taken on a connotation of a pleasure trip, something that one is doing for his own personal pleasure and entertainment. Certainly over the years the press has created this impression.

Perhaps in many instances the press might be perfectly justified in describing a trip as a junket for pleasure, but if you will look at the resolution we introduced yesterday where we proposed to visit seven national world renowned information centers in seven nations in 11 days, one will quickly draw the conclusion that certainly this particular trip was no pleasure trip. I would say instead that it was a marathon engaged in by a group of dedicated Congressmen to see as much as they possibly could of this very important problem of information in the research field in a very limited time. So it would be erroneous for anyone, in my judgment, to term the trip that was proposed by this committee as a pleasure junket. For this reason, Mr. Speaker, I do hope that the Rules Committee will give a favorable report so that we may again bring this matter before the House. It would be tragic if this committee of Congress which has worked so hard and diligently and sincerely and honestly in pursuing a very important subject here were denied the opportunity to investigate these matters to see what other countries are doing so that we can report our own views and recommendations in our final report.

## PROPOSED SALE OF THE TVA

**Mr. BASS.** Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

**Mr. BASS.** Mr. Speaker, just recently a Member of the other body who is considered to be the leading candidate for the Republican nomination for President issued statements that have been alarming to the people of Tennessee and to the Tennessee Valley area. In a press statement some weeks ago he said that if he were elected President of the United States he would sell the TVA to private enterprise. Last month one of my colleagues addressed a letter to him asking if he were serious about his intention. Last week he wrote back that he was serious and would sell TVA.

Mr. Speaker, I am shocked that a man who is supposed to have the basic concept of government and the intellect to be President of the United States would make such a proposal, to slash up, divide, and destroy an institution that is so important not only to the seven-State area that it serves as a power producing and distributing agency but to all the Nation. To deny the great service it performs to all the people of the United States as a means of determining the actual cost of producing power; to stop the TVA from providing a yardstick for this purpose for all power-producing agencies in the United States, would be wasteful and foolhardy.

Every time one of the great leaders of the world comes to visit the United States, almost without exception he stops to view the great development of the TVA. Personally, I think the people of Tennessee would be utterly stupid to vote for a man for President who had this idea. If this man were elected President of the United States and made the offer to sell the TVA I believe he might be successful because I know of the erroneous publicity the TVA has had in many other parts of the United States, which has caused many Members to vote against it in the past.

Of course, this man is being consistent, he has always opposed TVA, but I believe that with the influence and the prestige of his Office if he should be President and make such a proposition it might be accepted. Particularly with the increase in the number of Republican Members of the House from the South, something which we also deplore. But if this should become a reality the Dixon-Yates deal of a few years ago, which was an attempt to take over part of our area, would look like a penny-ante poker game in comparison with what would happen in this country with the sale of the TVA.

Mr. Speaker, I hope that the people of our own country will stand up and take note as to exactly what this man is proposing when he offers to destroy this great institution which is serving a seven-State area in the South and which belongs to all of the people of the United States. It is providing a great service to all the Nation in the area of power production, cost analyses, and the yardstick for power cost to all of the citizens of the United States.

**Mr. EDMONDSON.** Mr. Speaker, will the gentleman yield?

**Mr. BASS.** I am happy to yield to my friend, the gentleman from Oklahoma [Mr. EDMONDSON].

**Mr. EDMONDSON.** I think the gentleman's comments are certainly timely. I might say to the gentleman that about 30 days ago I shared a considerable concern about some statements that the same distinguished son of a Western State had made in a visit in the congressional district which I have the honor to represent in Oklahoma when he made the statement that he was in agreement with Life magazine's description of the Arkansas River project as the granddaddy of all pork barrel projects and he thought it should be reexamined.

But if there is any comfort in the thought to the gentleman from Tennessee [Mr. BASS] in this fact, I would like to call to his attention that within the last 48 hours the same gentleman, having observed the fact that people were leaving his banner by the thousands in Oklahoma because of this statement about the river project, this same gentleman has come out with a statement that he has now repudiated his previous statement. He has now decided it is a great project, notwithstanding the fact that he has gone on record against it eight times in the last 5 years. In other words, he has had a shotgun conversion and he is now strong for this project in Oklahoma.

So, perhaps, if there is just a little heat on the subject of the gentleman's program down in Tennessee, we will see another shotgun conversion.

**Mr. BASS.** I thank the gentleman from Oklahoma for his contribution.

## THE SPACE PROGRAM

**Mr. MILLER** of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

**Mr. MILLER** of California. Mr. Speaker, I recommend for the reading and study of my colleagues an editorial entitled "Changing the Space Program" which appeared in the October 29 issue of the Washington Post.

The editorial points out the need to go forward with the conquest of space despite the announced decision by Premier Khrushchev, taking the Soviet Union out of the so-called race to the moon.

This editorial points up the fact that we have entered a new age of scientific exploration and conquest and that we must proceed without vacillation, doubt, or fluctuations of faith dependent on alternative claims upon our genius and resources or the varying emotions and intentions of rival powers.

Mr. Speaker, I have stood in the well of this House many times and denied that we were in a moon race with Russia. We have elected to go to the moon for certain scientific reasons as part of the general exploration of outer space; that by developing techniques to do this, we will have the technique to fully explore outer space and to bring back from it the benefits that will inure to mankind.

Mr. Speaker, nothing would please a rival power which seeks leadership in the field of outer space than to have us accept their word that they are not going to go to the moon. It is a fine ploy to lead us into a sense of security and then to turn around and destroy our prestige by doing what they say they are not intending to do. We are not going to allow Mr. Khrushchev, I trust, to tell this country where it should go or to lead it in this important area.

The editorial referred to follows:

### CHANGING THE SPACE PROGRAM

Plans of the National Aeronautics and Space Administration for a moon landing by 1970 are not fixed, immutable, unalterable, and beyond amendment. Good occasion may arise for deferring the target date—or hastening it. Reasons may develop for cutting down the $5.2 billion appropriation authorization, or for increasing it.

There are two reasons given for changing the space program that really do not seem relevant. One is that it should be altered so as to permit the diversion of more funds to research in biology and other sciences. The other one is that the space program should now be scrapped because Premier Khrushchev has disclosed that the Soviet Union is leaving the race to the moon.

This country needs to carry forward a program in outer space that will push its technology forward at a sound and rapid rate. The fact that we land a man on the moon is far less important than the fact that in trying to do so we are giving a focus to a vast expansion of scientific and technological knowledge. When we have that knowledge in hand, we may choose to use it to accomplish a different objective, or many different objectives. As a result of the lunar landing program we will have acquired by 1970, if not the capacity to actually land a man on the moon, a facility in the whole gamut of space science that otherwise we never could have acquired.

We need to go forward with the conquest of space. That need is not altered, diminished, expanded or increased, or influenced in any way by the equally valid needs of science that arise in other fields. The existence of the moon program is no excuse for neglecting the biological sciences, or social objectives of other kinds. These are absolute needs, too. We are not in an either/or predicament.

Apparently, the Soviet Union is in a position where it must choose. The anguish with which this choice to get out of the race to the moon has been made is suggested by what Soviet leaders have said in the past. Last August, in a speech on the exploits of Titov, Khrushchev said:

"The exploits of our cosmonauts reflect the great achievement of our economy, science, and technology. They demonstrate the great advantages of the Socialist system."

Pravda, exulting in Soviet space achievements, said in March 1961, that "the successes of the Socialist state are, figuratively, a multistage rocket which will unfailingly put all peoples into the orbit of communism."

Soviet superiority, said Marshal K. A. Vershinin, Chief of the Soviet Air Force, "is not a temporary advantage * * * but is a constantly active factor in the superiority of our Socialist country over the capitalist countries."

Red Star, in February 1961, said the launching of a rocket toward Venus represented "one of the graphic proofs of the Socialist system's incontestable superiority over the capitalist system."

The opportunity to make similar boasts about an early moon landing is one that the Soviet Union will forgo with great regret. We cannot even be sure that they have forgone that opportunity. In any case, the U.S. Government can hardly devise an accordion-like program, involving hundreds of thousands of people, that can be altered and amended from week to week to fit the fluctuating declarations of Premier Khrushchev's intentions. We need a space program that fits our intentions and not his intentions, or professed intentions.

This country needs to go forward into the space age. In that age, every town and city and village will become a port upon that great sea which is the sky. This circumstance will bring about an alteration of the horizons of all mankind. It will put into the hands of mortals greater power than they ever have possessed to shape their own environment. The vision of this future world has illumined the minds of young people, thrilled them with the possibilities of this new epoch in man's destiny, awakened their interest and excitement in the advancement of all human knowledge. We have entered a new age of scientific exploration and conquest. We must proceed in it without vacillation, doubt or fluctuations of faith dependent on alternative claims upon our genius and resources or the varying emotions and intentions of rival powers.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. RANDALL for Wednesday, October 30, and Thursday, October 31, on account of official business—appearance before Regional Conference of National Association of Electric Cooperatives.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOEVEN (at the request of Mr. MARTIN of Nebraska), for 1 hour, on October 30.

Mr. PUCINSKI (at the request of Mr. BOLLING), for 15 minutes, today.

Mr. LEGGETT (at the request of Mr. BOLLING), for 10 minutes, today, to revise and extend his remarks and include charts and tables.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HUDDLESTON.

Mr. CURTIS.

Mr. POWELL and to include extraneous matter, notwithstanding the fact that it will exceed two pages of the RECORD and is estimated by the Public Printer to cost $742.50.

Mr. FINO.

(The following Members (at the request of Mr. MARTIN of Nebraska) and to include extraneous matter:)

Mr. FULTON of Pennsylvania in two instances.

Mr. NELSEN.

Mr. BROOMFIELD.

(The following Members (at the request of Mr. BOLLING) and to include extraneous matter:)

Mr. HANNA.

Mr. PURCELL.

## ENROLLED JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 782. Joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes.

## ADJOURNMENT

Mr. BOLLING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 31 minutes p.m.) the House adjourned until tomorrow, Wednesday, October 30, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1336. A letter from the Acting Secretary of Commerce, transmitting a report of the activities relating to providing aviation war risk insurance as of September 30, 1963, pursuant to the Federal Aviation Act of 1958; to the Committee on Interstate and Foreign Commerce.

1337. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of a proposed bill entitled "A bill to revise the procedures established by the Hawaii Statehood Act, Public Law 86-3, for the conveyance of certain lands to the State of Hawaii, and for other purposes"; to the Committee on Interior and Insular Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 3735. A bill to set aside certain lands in Montana for the Indians of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.; with amendment (Rept. No. 872). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. House Joint Resolution 778. Joint resolution to provide for participation by the Government of the United States in the Hague Conference on Private International Law and the International (Rome) Institute for the Unification of Private Law, and authorizing appropriations therefor; without amendment (Rept. No. 873). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. House Joint Resolution 779. Joint resolution to amend the joint resolution of January 28, 1948, relating to membership and participation by the United States in the South Pacific Commission, so as to authorize certain appropriations thereunder for the fiscal years 1964 and 1965; without amendment (Rept. No. 874). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'NEILL: Committee on Rules. House Resolution 558. Resolution providing for the consideration of S. 777, an act to amend the Arms Control and Disarmament Act in order to increase the authorization for appropriations and to modify the personnel security procedures for contractor employees; without amendment (Rept. No. 875). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 559. Resolution providing for the consideration of H.R. 8864, a bill to carry out the obligations of the United States under the International Coffee Agreement, 1962, signed at New York on September 28, 1962, and for other purposes; without amendment (Rept. No. 876). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FALLON:

H.R. 8952. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. MATHIAS:

H.R. 8953. A bill to provide for the inclusion of the site of the Amelung Glassworks, Frederick County, Md., in the Registry of National Historic Landmarks; to the Committee on Interior and Insular Affairs.

By Mr. O'KONSKI:

H.R. 8954. A bill to amend section 409 of title 37, United States Code, to authorize the transportation of house trailers and mobile dwellings of members of the uniformed services within the continental United States, within Alaska, or between the continental United States and Alaska, and for other purposes; to the Committee on Armed Services.

By Mr. PERKINS:

H.R. 8955. A bill to authorize the construction of needed public works and other facilities in areas of extremely high unemployment; to the Committee on Public Works.

By Mr. RAINS:

H.R. 8956. A bill to amend the National Housing Act to authorize the Federal Housing Commissioner to make expenditures to correct substantial defects in one- to four-family dwellings covered by mortgages insured thereunder, or to compensate homeowners for such defects; to the Committee on Banking and Currency.

By Mr. ROYBAL:

H.R. 8957. A bill to amend title III of the Public Health Services Act to provide for a program to improve the humane care, comfort, and welfare of laboratory animals; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.R. 8958. A bill to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain; to the Committee on Interior and Insular Affairs.

By Mr. MORGAN:

H.R. 8959. A bill to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 8960. A bill to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain; to the Committee on Interior and Insular Affairs.

By Mr. CEDERBERG:

H. Con. Res. 228. Concurrent resolution expressing the sense of Congress that domestic transportation needs should be given priority over certain grain shipments to foreign countries; to the Committee on Interstate and Foreign Commerce.

By Mr. FRIEDEL:

H. Res. 560. Resolution to provide for a new seal and press for the use of the House of Representatives; to the Committee on House Administration.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUCHINCLOSS:

H.R. 8961. A bill for the relief of Joanne Marie Evans; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 8962. A bill for the relief of Ramon Angeles, Jr., M.D.; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 8963. A bill for the relief of Giuseppe Giuliano; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 8964. A bill for the relief of Diedre Regina Shore; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 8965. A bill for the relief of Nuwart Melikyan; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 8966. A bill for the relief of Mrs. Antica Dominis; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 8967. A bill for the relief of Lynette Margaret Warrilow; to the Committee on the Judiciary.

H.R. 8968. A bill for the relief of Milka Singh; to the Committee on the Judiciary.

# SENATE

TUESDAY, OCTOBER 29, 1963

*(Legislative day of Tuesday, October 22, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, following the example of our fathers, in the midst of a new day with its golden hours we come grateful for a laboring place in Thy vineyard, and that in work that keeps faith sweet and strong, Thou callest us to be fellow laborers with Thee.

Forgive the petulance of our impatience which is revealed in our easy discouragements, in our hasty judgments, in our childish outbursts because the kingdom of love and justice and peace seems too long delayed.

Our spirits are shadowed by the passing of an illustrious son of Texas and of the Nation, who in perilous times served in this body with impressive distinction and dedication, especially in complicated foreign affairs. As this day we lift up in grateful memory the long, faithful, national stewardship of Thy servant, Tom Connally, we humbly pray that we may be strengthened to play our part in the life of our times, to think clearly, to speak kindly, to act bravely, to walk in the light as Thou art in the light, to keep the faith, to finish our course, and then one day, falling on sleep, to gain the crown—the approval of the Master of all good workmen.

We ask it in the dear Redeemer's name. Amen.

## THE JOURNAL

On request of Mr. HUMPHREY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, October 28, 1963, was dispensed with.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

## MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (H.J. Res. 782) making continuing appropriations for the fiscal year 1964, and for other purposes, and it was signed by the Vice President.

## TRANSACTION OF ROUTINE BUSINESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that there be a morning hour for the transaction of routine business, with statements in connection therewith limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

## COMMITTEE MEETINGS DURING SENATE SESSION

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Investigating Subcommittee of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

On request of Mr. HUMPHREY, and by unanimous consent, the Subcommittee on Air and Water Pollution of the Public Works Committee was authorized to meet during the session of the Senate today.

## EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

### REPORT ON TITLE I AGREEMENTS UNDER AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Associate Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, for the month of September 1963 (with accompanying papers); to the Committee on Agriculture and Forestry.

### AMENDMENT OF COMMUNICATIONS ACT OF 1934, TO EXEMPT CERTAIN GOVERNMENT EMPLOYEES

A letter from the Acting Chairman, Federal Communications Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 4(b) of the Communications Act of 1934, as amended, to exempt therefrom "special Government employees" as defined in section 202(a), title 18, United States Code, 76 Stat. 1121 (with accompanying papers); to the Committee on Commerce.

### REPORT ON INADEQUATE STUDIES TO DETERMINE FEASIBILITY OF MAIL-FLO SYSTEMS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on inadequate studies to determine the feasibility of mail-flo systems and effect of systems upon operating costs at the Philadelphia, Denver, and Los Angeles post offices, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

### REPORT ON EXCESSIVE COSTS INCLUDED IN PRICES FOR FALCON MISSILE COMPONENTS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on excessive costs included in prices for Falcon missile components purchased from AVCO Corp., Crosley division, Cincinnati, Ohio, by Hughes Aircraft Co., Culver City, Calif., under a negotiated contract, Department of the Air Force, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

### REPORT ON UNNECESSARY COSTS INCURRED BECAUSE OF FAILURE TO STANDARDIZE TROPICAL WOOL TROUSERS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs incurred because of failure to standardize tropical wool trousers, Department of the Army and the Marine Corps, dated October 1963 (with an accompanying report); to the Committee on Government Operations.

### ADMINISTRATION OF PRIBILOF ISLANDS, ALASKA

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to aid in the administration of the Pribilof Islands, in Alaska, by the Secretary of the Interior and to provide for the self-sufficiency of the inhabitants thereof, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

### TRANSFER OF PIEGAN UNIT OF BLACKFEET INDIAN IRRIGATION PROJECT, MONTANA

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the transfer of the Piegan unit of the Blackfeet Indian irrigation project, Montana, to the landowners within the unit (with an accompanying paper); to the Committee on Interior and Insular Affairs.

### CONVEYANCE OF CERTAIN LANDS TO STATE OF HAWAII

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to revise the procedures established by the Hawaii Statehood Act, Public Law 86-3, for the conveyance of certain lands to the State of Hawaii, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

### SUPREME COURT DECISION IN CASE OF H. J. RYAN *v.* PRESIDENT OF THE SENATE

A letter from the Assistant Attorney General, Department of Justice, Washington, D.C., informing the Senate that on October 14, 1963, the Supreme Court dismissed the appeal for want of jurisdiction and denied certiorari in *H. J. Ryan* v. *President of the Senate;* to the Committee on the Judiciary.

### REPORTS RELATING TO PETITIONS FOR FIRST PREFERENCE CLASSIFICATION

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports concerning visa petitions according such petitions first preference classification under the act (with accompanying papers); to the Committee on the Judiciary.

## EXPRESSION OF GRATITUDE BY GUAM LEGISLATURE

The VICE PRESIDENT laid before the Senate a communication from the Guam

Legislature, signed by M. U. Lujan, vice speaker, expressing the appreciation and gratitude of that legislature for the Senate passage of House bills 6225 and 6481, relating to rehabilitation and urban renewal in Guam, which was ordered to lie on the table.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KEATING, from the Committee on the Judiciary, without amendment:

S. 741. A bill to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes (Rept. No. 593).

By Mr. FONG, from the Committee on the Judiciary, without amendment:

S. 1396. A bill to consent to the institution of an original action in the Supreme Court for the adjudication of the claim of the State of Hawaii to certain land and property situated within that State (Rept. No. 594).

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

S. 1451. A bill to amend section 41(a) of the Trading With the Enemy Act (Rept. No. 595).

By Mr. JOHNSTON, from the Committee on the Judiciary, without amendment:

HR. 2835. An act to clarify the status of circuit and district judges retired from regular active service (Rept. No. 596).

By Mr. SCOTT, from the Committee on the Judiciary, without amendment:

H.R. 4145. An act for the relief of certain individuals (Rept. No. 597).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 716. A bill for the relief of Gaetano Puccio (Rept. No. 599);

S. 1129. A bill for the relief of Thomas B. Bollers and Earlene Bollers (Rept. No. 619);

S. 1385. A bill for the relief of George Alexander Doumani (Rept. No. 600);

S. 1446. A bill for the relief of Andreina Viselli (Rept. No. 601);

S. 1479. A bill for the relief of Dr. Demetrios Flessas and Dr. Eugenia Flessas (Rept. No. 602);

S. 1516. A bill for the relief of Ana Murgelj (Rept. No. 603);

S. 1812. A bill for the relief of William John Campbell McCaughey (Rept. No. 604);

H.R. 1049. An act to amend sections 334, 367, and 369 of the Bankruptcy Act (11 U.S.C. 734, 767, 769) and to add a new section 355 so as to require claims to be filed and to limit the time within which claims may be filed in chapter XI (arrangement) proceedings to the time prescribed by section 57n of the Bankruptcy Act (11 U.S.C. 93n) (Rept. No. 605);

H.R. 1311. An act for the relief of Jolan Berczeller (Rept. No. 606);

H.R. 1345. An act for the relief of Peter Carson (Rept. No. 607);

H.R. 2260. An act for the relief of Mrs. Rozsi Neuman (Rept. No. 608);

H.R. 2445. An act for the relief of Mrs. Barbara Ray Van Olphen (Rept. No. 609);

H.R. 2754. An act for the relief of Mercedes Robinson Orr (Rept. No. 610);

H.R. 2757. An act for the relief of Woo You Lyn (also known as Hom You Fong and Lyn Fong Y. Hom) (Rept. No. 611);

H.R. 2968. An act for the relief of Kazimierz Kurmas and Zdzislaw Kurmas (Rept. No. 612);

H.R. 2985. An act to amend section 1391 of title 28 of the United States Code, relating to venue generally (Rept. No. 620);

H.R. 3384. An act for the relief of Lee Suey Jom (also known as Tommy Lee and Lee Shue Chung) (Rept. No. 613);

H.R. 6097. An act for the relief of Dr. Pedro B. Montemayor, Jr. (Rept. No. 614);

H.R. 6260. An act for the relief of Wai Chan Cheng Liu (Rept. No. 615); and

H.J. Res. 626. Joint resolution granting the consent of Congress to the establishment of an interstate school district by Hanover, N.H., and Norwich, Vt., and to an agreement between Hanover School District, New Hampshire, and Norwich Town School District, Vermont (Rept. No. 616).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1524. A bill for the relief of Hai Yung Jung and Johnny Jung (Rept. No. 617); and

S. 1737. A bill for the relief of Arthur Wendell Bolta (Rept. No. 618).

By Mr. LONG of Missouri, from the Committee on the Judiciary, with amendments:

S. 1664. A bill to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes (Rept. No. 621).

## WITHDRAWING SUSPENSION OF A CERTAIN ALIEN—REPORT OF A COMMITTEE (S. REPT NO. 598)

Mr. EASTLAND, from the Committee on the Judiciary, reported an original concurrent resolution (S. Con. Res. 66) withdrawing suspension of deportation of Joe Quong, and submitted a report thereon; which report was ordered to be printed, and the concurrent resolution placed on the calendar, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress, in accordance with section 246(a) of the Immigration and Nationality Act (8 U.S.C.A. 1256(a)), withdraws the suspension of deportation in the case of Joe Quong (A–5635350) which was previously granted by the Attorney General and approved by the Congress.

## AMENDMENT OF LIBRARY SERVICES ACT—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 592)

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report an original bill to amend the Library Services Act in order to increase the amount of assistance under such act and to extend such assistance to nonrural areas, and I submit a report thereon. I ask unanimous consent that the report, including a graph and tables, together with the minority views of the Senator from Arizona [Mr. Goldwater] and the Senator from Texas [Mr. Tower] be printed.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Oregon.

The bill (S. 2265) to amend the Library Services Act in order to increase the amount of assistance under such act and to extend such assistance to nonrural areas, reported by Mr. Morse, from the Committee on Labor and Public Welfare, was read twice by its title and placed on the calendar.

## EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Frank Kowalski, of Connecticut, to be a member of the Subversive Activities Control Board;

Theodore Jaffe, of Rhode Island, to be a member of the Foreign Claims Settlement Commission; and

LaVern R. Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission.

## BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. LAUSCHE:

S. 2264. A bill for the relief of Marija Zupancic; to the Committee on the Judiciary.

By Mr. MORSE:

S. 2265. A bill to amend the Library Services Act in order to increase the amount of assistance under such act and to extend such assistance to nonrural areas; placed on the calendar.

(See the remarks of Mr. Morse when he reported the above bill from the Committee on Labor and Public Welfare, which appears under the heading "Report of a Committee.")

By Mr. FULBRIGHT:

S. 2266. A bill to amend the Foreign Service Buildings Act of 1926; to the Committee on Finance.

By Mr. PASTORE (by request):

S. 2267. A bill to amend Public Law 88–72 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

## CONCURRENT RESOLUTION

### WITHDRAWING SUSPENSION OF DEPORTATION OF A CERTAIN ALIEN

Mr. EASTLAND, from the Committee on the Judiciary, reported an original concurrent resolution (S. Con. Res. 66) withdrawing suspension of deportation of Joe Quong, which was placed on the calendar.

(See the above concurrent resolution printed in full when reported by Mr. Eastland, which appears under the heading "Reports of Committees.")

## RESOLUTION

### TO PRINT AS A SENATE DOCUMENT, WITH ILLUSTRATIONS, A DOCUMENT ENTITLED "UNITED STATES ASTRONAUTS," WITH ADDITIONAL COPIES

Mr. SYMINGTON submitted a resolution (S. Res. 219) to print as a Senate document with illustrations, a document entitled "United States Astronauts," and ordering additional copies printed, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Symington, which appears under a separate heading.)

## TO PRINT AS A SENATE DOCUMENT, WITH ILLUSTRATIONS, A DOCUMENT ENTITLED "UNITED STATES ASTRONAUTS," WITH ADDITIONAL COPIES

Mr. SYMINGTON. Mr. President, on October 18 the National Aeronautics and Space Administration selected a new group of trainees for the astronaut program. That brings to 30 the number that are now in training in the astronaut program, including the original seven Mercury astronauts. The exploits of those seven are well known to all of us, to all Americans, and, in fact, to the whole world. Their 100 percent successful completion of these dangerous missions is truly an accomplishment of which all of us may be justly proud. For one thing, it proves that we still possess in this country that spirit for bold adventure and willingness to explore the unknown that made this country great. God grant that we never lose that spirit.

The original 7 were chosen on April 9, 1959, 9 more were selected on September 17, 1962, and 14 were added on October 18, 1963. America's manned exploits in space will be in the hands of those men, at least for the next several years. They will be the first Americans to orbit the earth in pairs, rendezvous in space, and live in the hostile environment for prolonged periods of time. And one of them, in all probability, will be the first American to put a foot on the surface of the moon. Since Mr. Khrushchev now says that the Russians have no manned lunar program, perhaps one of these fine American boys will be the first human being on the moon. That will be a historic day for all mankind.

Of these 30 men, 14 are from the Air Force, 10 from the Navy, 2 from the Marines, and 4 are civilians. In addition, the Air Force has selected six men—five Air Force and one NASA civilian—to be pilots in the research effort that may lead to orbital flight in the X–20 or other follow-on military programs.

In view of the great interest in these men, both by Members of the Senate, as well as Americans in general, Mr. Frank C. Di Luzio, staff director of the Space Committee, at the request of the chairman, has assembled their biographies and photographs into a single document so that we might have it as a ready reference.

I therefore submit, for appropriate reference, a resolution which authorizes the printing of this volume as a Senate document.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 219) was referred to the Committee on Rules and Administration, as follows:

> *Resolved,* That the document entitled "United States Astronauts" prepared for the use of the Senate Committee on Aeronautical and Space Sciences by the staff of the committee, shall be printed with illustrations as a Senate document; and that there be printed three thousand additional copies of such document for the use of that committee.

## FOREIGN ASSISTANCE ACT OF 1963—AMENDMENTS

Mr. KEATING submitted an amendment (No. 247) intended to be proposed by him, to the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. KUCHEL (for himself and Mr. Engle) submitted an amendment (No. 248), intended to be proposed by them, jointly, to House bill 7885, supra, which was ordered to lie on the table and to be printed.

Mr. MILLER submitted an amendment (No. 249), intended to be proposed by him, to House bill 7885, supra, which was ordered to lie on the table and to be printed.

Mr. ELLENDER submitted an amendment (No. 250), intended to be proposed by him to House bill 7885, supra, which was ordered to lie on the table and to be printed.

Mr. MORSE submitted an amendment (No. 251), in the nature of a substitute for the committee amendment, intended to be proposed by him to House bill 7885, supra, which was ordered to lie on the table and to be printed.

Mr. MORSE also submitted 14 amendments (Nos. 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, and 265), intended to be proposed by him, to House bill 7885, supra, which were ordered to lie on the table and to be printed.

Mr. PROXMIRE submitted two amendments (Nos. 266 and 267), intended to be proposed by him to House bill 7885, supra, which were ordered to lie on the table and to be printed.

Mr. COOPER submitted an amendment (No. 268), intended to be proposed by him, to House bill 7885, supra, which was ordered to lie on the table and to be printed.

## FOREIGN ASSISTANCE ACT OF 1963—AMENDMENT (AMENDMENT NO. 265)

Mr. MORSE. Mr. President, I wish to comment briefly on another amendment that I am sending to the desk, because of the discussion that was had by the Senator from Minnesota, the Senator from Illinois, and the Senator from Alaska.

The amendment differs from the proposal that was being discussed, which is the proposal in the bill, and which, so far as I am concerned, I shall not vote for. I shall offer the amendment as a substitute for the section of the bill that deals with this subject. The following is the amendment:

> On page 39 strike out lines 10 to 17 inclusive, and insert in lieu thereof the following:
>
> "Sec. 254. Restrictions on Assistance.—(a) None of the funds made available under authority of this act may be used to furnish assistance to any country covered by this title in which the government has come to power through the forcible overthrow of a prior government which has been chosen in free and democratic elections.
>
> "(b) The provisions of this section shall not require the withholding of assistance to any country if, following a determination by the President that the withholding of such assistance would be contrary to the national interest, the two Houses of Congress adopt a concurrent resolution approving the continuance of such assistance."

I submit the amendment and ask that it be printed.

The VICE PRESIDENT. The amendment will be received and printed and will lie on the table.

## CLEAN AIR ACT OF 1963—ADDITIONAL COSPONSOR OF BILL

Mr. DIRKSEN. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 432) to accelerate, extend, and strengthen the Federal air pollution control program, the name of the distinguished senior Senator from Hawaii [Mr. Fong] be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

## ESTABLISHMENT OF INDIANA DUNES NATIONAL LAKESHORE—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of October 21, 1963, the names of Mr. Bartlett, Mr. Burdick, Mr. Church, Mr. Clark, Mr. Dodd, Mr. Gruening, Mr. Humphrey, Mr. Inouye, Mr. Long of Missouri, Mr. McCarthy, Mr. McGovern, Mr. Moss, Mr. Nelson, Mrs. Neuberger, Mr. Proxmire, Mr. Ribicoff, Mr. Williams of New Jersey, Mr. Yarborough, and Mr. Young of Ohio were added as additional cosponsors of the bill (S. 2249) to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes, introduced by Mr. Jackson (for himself and other Senators) on October 21, 1963.

## FOREIGN ASSISTANCE ACT OF 1963—ADDITIONAL COSPONSOR OF AMENDMENT

Mr. GRUENING. Mr. President, I ask unanimous consent that the name of the able and distinguished senior Senator from New Jersey [Mr. Case] be added as a cosponsor of my amendment No. 231 to the foreign aid bill, H.R. 7885, and that on the next printing of the amendment his name appear as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 4955) to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the Nation; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Powell, Mr. Perkins, Mr. Landrum, Mrs. Green of Oregon, Mr. Dent, Mr. Brademas, Mr. Frelinghuysen, Mr. Goodell, Mr. Martin of Nebraska, Mr. Quie, and Mr. Bell were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 6143) to authorize assistance to public and other nonprofit institutions of higher education in financing the construction, rehabilitation, or improvement of needed academic and related facilities in undergraduate and graduate institutions; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Powell, Mrs. Green of Oregon, Mr. Brademas, Mr. Sickles, Mr. Gibbons, Mr. Frelinghuysen, Mr. Goodell, Mr. Griffin, and Mr. Quie were appointed managers on the part of the House at the conference.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

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## FOUND: A SECRETARY OF STATE

Mr. PROXMIRE. Mr. President, it always seems to be open season on Secretaries of State, whether in a Republican or a Democratic administration. The Secretary of State is always the target of attack in the Congress, throughout the country, in newspaper editorials, and so forth. Rarely are Secretaries of State praised for their policies.

The present Secretary of State is a remarkably patient, skillful, and intelligent man, who has served our country extremely well in the top position in our foreign policy. That is why I was delighted to see the lead editorial in this morning's issue of the New York Times entitled "Found: A Secretary of State."

It is pointed out in the editorial that the Secretary of State has done a remarkable job of bringing a unified policy from the diverse attitudes of the Defense Department, the Agriculture Department, the Treasury Department, the CIA, the Federal Reserve, and so forth, with reference to our troop commitments abroad. The article points out that the Secretary of State must "ride herd" in relation to foreign policy on diverse elements that have different ideas and different and conflicting viewpoints. Secretary of State Rusk has performed that task brilliantly. I may not agree thoroughly with this policy of Secretary Rusk, but I have great admiration for his skill and ability. Under present circumstances, it was very difficult for him, I am sure, to reach the agreement referred to. For that reason I rise to praise Secretary Rusk.

I ask unanimous consent to have printed at this point in the Record the editorial in the New York Times entitled "Found: A Secretary of State," and also the speech delivered recently by Secretary of State Rusk in Frankfort, Germany.

The PRESIDING OFFICER (Mr. McGovern in the chair). Is there objection?

There being no objection, the editorial and speech were ordered to be printed in the Record, as follows:

[From the New York Times]

### Found: A Secretary of State

In Frankfurt Dean Rusk demonstrated that this country now has a Secretary of State. He spoke with clarity and force about American policy and what we expect from our allies. He had spoken with equal force and clarity to the Pentagon and the White House before he left Washington.

The immediate issue is pressure for unilateral American troop cuts in Germany. It arises at a time when a new strategic reassessment in NATO, just getting underway, demands not only consultation but joint decisions on such matters.

Pressure for troop reductions has come from budget-planners in the Pentagon, from Treasury officials concerned about the dollar outflow, from Congressmen of both parties disturbed about Europe's laxness in its own defense and, most recently, from former President Eisenhower. This is a formidable array and, backed by it, Deputy Defense Secretary Gilpatric evidently obtained White House support for publicly airing thoughts about troop cuts, despite the State Department's objections.

The Gilpatric speech, combined with exercise Big Lift, aroused alarm in West Germany, as predicted. It shook the foundations of the policy President Kennedy himself had elaborated in Frankfurt last June, a policy designed to further Atlantic partnership despite the continued resistance of General de Gaulle.

That policy demands a relationship of mutual confidence with West Germany, something that has been achieved only recently after 2 years of conflict. It demands an active search for common programs—economic, political and military—which help unite the countries of free Europe and also the two continents of the North Atlantic world. It demands, above all, a continuous effort to make major decisions jointly with Europe, rather than alone.

No such policy can succeed when the Defense, Agriculture and Treasury Departments, the Federal Reserve and the Central Intelligence Agency are pursuing policies of their own, as they all have done in recent years. The President can formulate a foreign policy, but he cannot impose it unless a string Secretary of State, with his backing, rides herd on the mob.

Secretary Rusk forcefully sought and obtained that backing before he went to Frankfurt. That was why he was able to reassure the Germans about American defense commitments in Europe. And that was why he was able to reassert with conviction the American desire for a Europe that is united, that speaks with a single voice and that does its share.

If the Secretary of State perseveres in this course, we can expect better news from Washington and abroad than the country has had for quite some time.

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### Address by the Honorable Dean Rusk, Secretary of State, as Prepared for Delivery at Paul's Church, Frankfurt, Federal Republic of Germany, on the Occasion of the Dedication of a Memorial to Gen. George C. Marshall, Sunday, October 27, 1963

#### I. GENERAL MARSHALL

It is a great privilege for me to be here, Mr. Chancellor, to express to you and to the German people the gratitude of every American for the honor which you are paying today to George Catlett Marshall. I am especially happy that Mrs. Marshall is with us. It is of special significance that some of our most distinguished Senators and Representatives are with us—men who themselves were General Marshall's strong collaborators and who represent here the fact that the great partnership between you and us known as the Marshall plan engaged the commitment and dedication of every American citizen who took part in it. This great undertaking could not have been possible without the understanding and practical support of our citizens who are with us in spirit today.

To those of us who served with him, General Marshall was an Olympian figure. He led us through our greatest war but won the Nobel Prize for peace. He was a warm human being but a man of stern discipline with regard to the duties of public service. He had the profoundest respect for the constitutional processes of a Democratic people. Simple and uncomplicated in mind and spirit, he gave lessons to more sophisticated colleagues in clarity and perception of fundamentals. I can hear him now saying to his colleagues: "Gentlemen, don't discuss our problems so much as though they were military problems—to do so makes military problems out of them."

General Marshall had two essential attributes of greatness in a statesman. He had the ability to form large concepts—those goals, which as Lord Acton said, captivate the imagination by their splendor and the reason by their simplicity. And he had the will to persevere in these concepts, until they became reality.

When General Marshall came back from the failure of the Moscow Conference in 1947, the concept of a large plan to unite and restore Europe was forming in his mind. By early summer he had made his decision. On June 5, 1947, he spoke at Harvard, indicating that if the European countries would come together to form a joint plan for economic recovery, the United States would be prepared to join them in carrying that plan forward.

Of course, many men and many minds had offered him advice and help. But the responsibility was one that he could not share. Only he, carrying the responsibilities that he did, could advise the President—at a time of domestic economic difficulty and in the face of an approaching election—to go to the people and ask for $16 billion on what could, at best, be called a reasoned and necessary gamble.

But he had the concept clearly in mind. He was convinced that it was right, and he did not hesitate.

And so here we come to the second element of his greatness: His ability, having developed a concept to press ahead in its execution with steadiness and courage.

And it is due to that courage—his refusal to be intimidated by the uncertainties and difficulties he faced as he moved ahead in the summer of 1947—that we owe the fruitful economic partnership between Europe and the United States whose effects are increasingly evident today.

#### II. ECONOMIC PARTNERSHIP

That partnership has prospered far beyond the dreams of 1947, but it has not departed from the two basic concepts which General Marshall set forth.

First. That Europe should play its part in the partnership as a collective entity.

Second. That the United States should rise to the opportunities for cooperation which Europe's unity created.

The first of these concepts has been reflected in the creation of three great institutions—the Coal and Steel Community, Euratom, and the Common Market.

In these institutions the vision of a truly united Europe was first given effect: a Europe which could act as an entity, not by reason of the hegemony of one state or the endless negotiations of many, but because the European states had agreed to treat certain issues as matters of common concern, to be addressed by common agencies, on behalf of a single community.

And each time that Europe took an effective step toward greater economic unity, the United States responded to the need and the opportunity for closer partnership which that step created.

Our original loan to the Coal and Steel Community, our atomic cooperation with Euratom, and the passage of our Trade Expansion Act—all have given tangible evidence that the American goal was a united Europe able to stand on its own feet, and able to deal with the United States as an equal and self-respecting partner, and able to resume its historic role in world affairs.

There is much unfinished business for both Europe and the United States in the economic field. It is a full agenda: trade, development, and the balance-of-payments problem—a problem which arises from the economic and security functions the United States performs within the free world, and a problem which we believe can be met effectively by common measures in the OECD and elsewhere. As I reflect upon my own public service I find that I have spent half of it worrying about having too much gold and the other half about having too little; I wish we could discover what amount is just right.

The progress of the last 15 years gives us good grounds for believing that this economic agenda of partnership can be successfully dealt with, if we hold to basic concepts of which General Marshall spoke at Harvard.

Our economic partnership carries with it a deep commitment to reducing the barriers of trade among us—a course well understood and ably advocated by Chancellor Erhard. Liberal trade practices are essential to the economic well-being of our peoples and of the free world as a whole. They are no less vital to the achievements of our common political and security purposes, which require economic strength for their fulfillment. Yet in all our countries there are voices, often politically persuasive and sometimes strident, urging us to take measures which look in the other direction—back toward higher tariffs, narrow markets, and economic isolation. It would be dangerous to heed these counsels of yesterday. For the economic fragmentation of the free world could result in tearing down al that we have successfully built together in the last 15 years.

### III. POLITICAL PARTNERSHIP

President Kennedy spoke in this great city in June of the need for closer partnership between the United States and a uniting Europe, not only in economic matters but in political action and defense. I turn first to political cooperation. This question takes on special importance in the current phase of East-West relations.

Here I would register two warnings. First, the Soviet leaders have not abandoned their goal of world domination or their determination to push toward that goal by every means safe for them. Second, the limited agreements we recently have reached with the Soviet Union do not constitute a detente. The "hot wire" for emergency use between Moscow and Washington, the ban on atomic tests in the atmosphere and in outer space and under water, the declaration against placing in orbit weapons of mass destruction—these are useful but small steps toward peace. There can be no genuine detente without progress toward settling such critical political issues as Berlin and the division of Germany, Vietnam, Laos, and Cuba, and there can be little progress toward disarmament until inspection and verification are accepted. So, we of the free world are not justified in relaxing our guard.

However, there are interesting developments within the Communist world. There are the Sino-Soviet dialog and tensions in their state relations. There are growing signs of national awareness among the Communist states of Eastern Europe. There is an evident sobriety about the perils of a nuclear exchange. There are problems in the allocation of their economic resources among the competing demands of armaments, industrialization, consumer satisfaction, and the promotion of world revolution. And there are signs of growing interest in more personal freedom.

Processes of change are clearly evident behind the Iron Curtain. It would be a mistake to expect these changes to come rapidly. But it would be a mistake to underestimate the power of the ideas of freedom—ideas which historically have demonstrated their vitality and their roots in the very nature of man.

Our basic goal, as President Kennedy said at the Free University of Berlin, is to reconstitute Europe—not the artificially divided Europe which has existed since 1945 but a Europe in which every people will enjoy self-determination and freedom.

Such a Europe is now blocked by the policy of the Soviet Union, and events since 1945 suggest that this obstacle will not readily yield to oratory or persuasion. It can only be removed by force or by peaceful change. These are not matters to be decided by force which would itself destroy the goals we have before us. Increased trade and contacts with Communist nations may help. We should seek, as part of this effort to hasten constructive change, agreement on steps which point toward the removal of the present division of Germany. We must keep steadfastly before us our objective of the reunification of the German people in freedom. That goal is important, not only for reasons of justice and humanity, but because there can be no secure and lasting peace until the tensions inherent in the involuntary separation of the German people have been removed. No satisfactory political settlement is possible which ignores that goal. It follows from this that we must do nothing, in negotiations with the Communist nations, which would appear to put the stamp of approval on the status quo of the German people. It also follows that we must not allow such negotiations to place in jeopardy the growing strength and unity of the West.

These are not matters which can or will be decided unilaterally by the United States or any other country. That is why the question of political consultation takes on special importance. No agreement affecting our allies will be concluded by my country without such consultation.

Effective procedures for consultation exist, in the North Atlantic Council and through normal diplomacy. We have made good use of these procedures in the last 2 years. But we must move now toward an even more intimate partnership on these vital matters.

All our countries should take greater advantage of the opportunities which discussions in the North Atlantic Council offer to this end. The United States has greatly intensified its own initiatives to consult in the Council and hopes that other members will do the same.

I also hope that key policymaking officials from interested countries can come together more often, under the aegis of the Council, in ad hoc NATO groups. In this way, the men who are making decisions on these issues in the home capitals will come to have a better understanding for each others' views. There is a useful precedent for this in the Atlantic Planning Advisory Group, which brings together NATO policy planners from the several capitals at periodic intervals.

We are all aware of certain problems in the transatlantic relationship. My own impression is that these are not truly transatlantic in character but stem from the lack of an answer to the question: What is Europe and who speaks for it? Since the basic commitments of the members of great Atlantic Community are identical, I have no reservation about the vitality of transatlantic partnership between the United States and a strong, vigorous and united Europe.

But the answers here must come—as they had to come in 1947—from the European nations themselves.

### IV. DEFENSE PARTNERSHIP

I now turn to the second field in which President Kennedy indicated that the principle of European unity and Atlantic partnership can be given new meaning—that of defense.

We need substantial and diversified Western power to protect the Atlantic area.

This power must include both nuclear and nonnuclear components.

The NATO military authorities have approved force goals whose attainment would help to give us a balanced force structure. It is important that these goals be attained. Then no one anywhere could conclude that the West is lax or indifferent to the defense of its vital interests.

I hope that the alliance as a whole can meet its goals. In a genuine partnership, burdens must be equitably borne; all countries must contribute their fair share to the total strength of the alliance.

The United States is making, and will continue to make, its full contribution to this partnership. It is a source of pride that the United States has generally met or exceeded its goals, and a source of regret that certain others in the alliance have not. It is our strong conviction that the alliance as a whole should meet its commitments and we earnestly hope it will do so.

Since you of the Federal Republic and we of the United States are carrying the heaviest burden of NATO, let me speak to you very frankly. You and we are working in the closest partnership in NATO. We consult each other intimately. When we say that your defense is our defense, we mean it. We have proved it in the past. We will continue to demonstrate it in the future.

We have six divisions in Germany. We intend to maintain these divisions here as long as there is need for them—and under present circumstances there is no doubt that they will continue to be needed. Our forces in Germany are supported by the world's largest logistical system, which maintains these forces in the highest state of readiness with the most modern and powerful equipment. And they are backed by nuclear forces of almost unimaginable power.

And let me remind you that the central NATO front is not the only frontier of freedom on which the forces of the United States stand guard. We have more than 2,700,000 men under arms. Of these, we maintain nearly 1 million outside the continental United States, ashore or afloat.

As a nation with more than 40 allies and with worldwide defensive commitments, we are naturally very much interested in the mobility of our forces.

In this connection, let me say a word about the airlift of a U.S. armored division to Germany for maneuvers. This exercise was an experiment and demonstration arising directly from the airlift capability we committed ourselves to create in 1961, in the context of the Berlin crisis. Its fundamental objective was to permit the swift deployment of reinforcements in the face of a major crisis. It was thus the testing of a new and important additional capability which strengthens the military partnership between the United States and Europe.

Does the airlift of an armored division mean the withdrawal of American troops from Germany? The answer is "No"—the opposite is the case. Because of this airlift we have at the moment a seventh division temporarily in Europe. Moreover, equipment is in position for still another division. Thus, the airlift capability developed by the United States at such great expense provides a major source of added strength to the alliance.

The partnership among the North Atlantic allies must extend to nuclear defense.

The occasion to do so arises, as in the case of political consultation, from the need to meet a specific problem. That problem is posed by a growing Soviet nuclear power, reflected in hundreds of Soviet missiles aimed both at Western Europe and at the United States.

It has seemed to two successive U.S. administrations that the most effective way to meet this threat was by a combination of U.S. missiles and of MRBM's deployed to Allied forces under multilateral manning, control, and ownership.

Such a multilateral missile fleet would be militarily effective. Its accurate and well-protected missiles would be counted toward the total needs of Western deterrence.

It would strengthen Atlantic partnership by binding the United States and Europe in an inextricable nuclear tie. The missiles and warheads would be jointly owned and controlled; they could not be unilaterally withdrawn.

And it would strengthen European cohesion by providing the presently nonnuclear powers an opportunity to share in ownership, manning, and control of a powerful nuclear force on the same basis as other members of that force.

It would thus be an effective means of giving effect to the principles of which General Marshall spoke within the present political framework of Europe.

As that framework progresses, there must, of course, be room for evolution in this field, as in the field of political consultation. The President spoke clearly of this possibility in relation to the missile fleet when he said here last June that as Europe moves toward unity it can and should assume greater responsibility in this field.

### V. THE EUROPEAN RESPONSE AND GERMANY'S ROLE

The Atlantic partnership owed its beginnings, in the economic field, both to the indication of U.S. willingness to proceed and to the European response. As General Marshall said in his speech: "The initiative must come from Europe."

Sixteen years ago, Germany could play only a limited role in framing the European answer. But the ensuing years have seen the Federal Republic achieve a sound political system, a remarkable economic advance, and an eminent place in European, Atlantic, and world affairs. You have achieved a historic reconciliation with France. In these efforts, it was Chancellor Konrad Adenauer who provided the leadership and played an imperishable part in German and European history. His achievement was powerfully supported by Dr. Ludwig Erhard's economic miracle.

As a result of these great labors, Germany is able to play its vital role in developing European unity and partnership between Europe and North America. The opportunities which are now before you are at least as exciting as those which European countries faced 16 years ago.

A little more than a week ago, Chancellor Erhard stressed the need for such an effort, when he outlined the program of his government. It is a German program, based on what the Chancellor believes to be the best interests of Germany. But it is also a European program, an Atlantic program, and a free world program.

Let me say parenthetically, in the light of Mayor Brandt's constructive speech last Tuesday, that we Americans who strive for bipartisanship on our principal foreign policies are heartened to find the leaders of all of your principal parties in general agreement on the basic arrangement of your foreign policy.

We expect to move forward with Chancellor Erhard and his able colleagues toward European unity and Atlantic partnership.

In this effort the steadfastness of both our countries, and of other countries which share our goals will be tested to the full. For we will have to face obstacles as we move ahead.

There will be difficulties in further progress toward European integration and Atlantic partnership; these are to be expected in a movement of such historic dimensions. We must be prepared for temporary delays and disappointments. But we are moving with the flood of history, and there can be no other outcome.

If freedom is to prevail, we must move with deepest conviction and resolution.

I have come here today to make clear once again my country's readiness to give new dimension to our partnership.

It is for you and others who share the goals of European unity and Atlantic partnership to determine whether that effort shall go forward.

By going forward we will be honoring in the way which he would most appreciate, the statesman who first gave voice and meaning to these concepts, Gen. George C. Marshall.

## HAWAII CHURCH LEADERS SUPPORT CIVIL RIGHTS LEGISLATION

**Mr. HUMPHREY.** Mr. President, last week our colleague, Senator DANIEL INOUYE, sent each of us a letter calling our attention to a recent statement issued by a number of prominent church leaders in Hawaii. I was deeply impressed by this statement, particularly because of the experience it was based upon in our 50th State. I ask unanimous consent that it be printed in the RECORD following my remarks so that others may read it as well. It is another in the series of statements by church leaders supporting civil rights legislation that I am calling to the attention of the Senate.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

### AN OPEN LETTER TO ALL CONGRESSMEN FROM CHURCH LEADERS OF HAWAII

HONOLULU, HAWAII,
*October 17, 1963.*

HONORABLE SIRS: Several years ago you passed legislation which made Hawaii the 50th State of the Union. Prior to this event there had been expressed reservations about our capacity to handle our local affairs and to assume our rights and responsibilities as a State. Some of the reservations had to do with the large numbers of our people who were of oriental extraction whose parents or grandparents were immigrants from the Far East.

The granting of statehood to Hawaii has resulted in a reaffirmation of the American heritage of equal opportunity for all peoples. Whatever expressed or unexpressed reservations there may have been, the fact is that Hawaii has gained increased political stature, expanded economically, and matured socially since, and because of, statehood. Hawaii's significance within the life of our United States and before the world, and its contribution to the social-economic-political well-being of the Nation, has been measurably accentuated by its new status.

We in Hawaii cannot help but feel that we have been richly blessed—by nature, by historical circumstances, by geographical location, by our ties with the mainland United States. We feel that of all people we are most fortunate. We cherish for all people the kind of opportunity and equality which we have come increasingly to enjoy.

We observe, with a heavy heart and unhappy conscience, that there are others in this land of ours who have not been so privileged. We feel the injustice of the deprivations, discriminations, and inequalities under which our Negro brethren have suffered so long. We feel that there is no basic justification for not doing everything possible, as soon as possible, to accord full rights and opportunities to all citizens, including the Negro population. We believe that in the furtherance of this imperative the establishment of legislation which enunciates clearly the basic tenets of our American heritage is all important.

To this end we join, in earnestness of spirit, to urge you to pass a strong civil rights bill which will be the standard by which we strive to insure to all people the basic freedoms which we deeply desire for ourselves and which we believe to be the birthright of all men.

Mitsuo Aoki, Chairman, Department of Religion, University of Hawaii; Philip Yung Lee, President, Honolulu Ministerial Union; Seido Ogawa, Executive Director, Honolulu Council of Churches; Harry S. Kennedy, Episcopal Bishop of Honolulu; Makiko Ichiyasu, Executive Director, YWCA of Oahu; W. E. Phifer, Jr., Pastor, First Presbyterian Church; George A. Jacobs, Pastor, First Christian Church; Frank E. Butterworth, Superintendent, Hawaii Mission of the Methodist Church; Robert R. Dye, General Secretary, YMCA of Honolulu; Robert C. Loveless, President, Honolulu Christian College; John J. Morrett, Dean, St. Andrews' Cathedral, Thomas L. Crosby, Pastor, Central Union Church; James T. Ledbetter, Pastor, First Baptist Church of Honolulu; Joseph J. Bevilacqua, General Secretary, Hawaii Conference, United Church of Christ; Lawrence S. Jones, President, Honolulu Council of Churches.

## BRIBERY IN CONNECTION WITH SPORTING CONTESTS

**Mr. KEATING.** Mr. President, I am pleased to inform the Senate that the Senate Committee on the Judiciary has this morning unanimously reported favorably a bill that would make a Federal offense the use of interstate facilities to influence by bribery sporting contests.

Enactment of this bill, which was drafted in consultation with leading officials of organized sports including the NCAA and the Eastern College Athletic Conference, would strike a major blow at repeated scandals involving college and professional sports.

The Department of Justice, in endorsing the bill, described it as a step toward "strengthening the supporting role of the Federal Government in the assault on organized crime."

I am delighted by the bipartisan approval the bill received in the committee. A companion bill is pending in the House of Representatives, and there is every reason for confidence that the measure will soon be enacted.

The overwhelming number of men and women engaged in sports are a credit to the Nation. They will welcome this effort to drive the gamblers and hoodlums off the campuses and out of the sports arenas of America. The committee's action today is a hopeful sign of Congress' determination to help rid sports of any criminal contamination.

## CZECHOSLOVAKIAN CLAIMS SETTLEMENT—AMENDMENT TO FOREIGN ASSISTANCE ACT OF 1963 (AMENDMENT NO. 247)

Mr. KEATING. Mr. President, there is danger that the next step in "thawing" relations with the Communist bloc is going to cost American citizens over $100 million. This is the difference between the value of American-owned property confiscated by the Communists in Czechoslovakia and the amount the United States has agreed to accept as compensation.

Specifically, the Foreign Claims Settlement Commission has made awards of $113,645,205.21 in 2,630 cases growing out of the Czech nationalization program. These awards are now scheduled to be settled for $10.5 million, less than 10 cents on the dollar. To make matters worse, $8.5 of the $10.5 million already has been paid out of Czech funds seized in the United States, leaving a balance of approximately $2 million. It is my understanding that this balance will be obtained from an additional $9 million in Czech gold which we hold under an agreement with France and the United Kingdom, and the balance of the gold is then to be returned to the Communist Czech Government.

What all this high finance means is that American citizens are going to be left holding the bag for an amount in excess of $100 million. On its face, this is completely unjust.

It is also completely unprecedented. The United States since World War II has negotiated claims settlement agreements with Italy, Yugoslavia, Rumania, Poland, and Bulgaria. The Italian settlement paid 100 cents on the dollar, the others varied from 24 percent to 91 percent. Ironically, those with our present allies tend to be much more favorable to us than those with Communist bloc countries, but no agreement approaches the 10-percent settlement being considered in this case.

In my judgment, no such agreement should be made without giving the Senate an opportunity to pass on the matter. There is no reason whatever for treating this as anything less than a treaty abrogating the rights of over 2,600 American citizens. Before any such drastic action is taken, the Senate should be asked for its consent as in the case of other treaties.

Although recent claims have been settled by executive agreements, there is a precedent for Senate ratification in the Panama Claims Convention, approved by the Senate in August 1950. Since that settlement was for 90 percent, it strikes me as a good precedent to follow.

I am submitting an amendment to the foreign aid bill to express the sense of Congress that Senate confirmation of any agreement with the Czechs in this matter should be required.

This is a matter which deserves to be fully aired, and I hope that no commitment will be made by our State Department before the Senate has an opportunity to give this subject the closest scrutiny.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

## THE 40TH ANNIVERSARY OF AMERICAN ASSOCIATION FOR THE UNITED NATIONS

Mr. KEATING. Mr. President, very shortly the American Association for the United Nations will be marking its 40th anniversary. This association has played a unique role through the years in supporting first the League of Nations and now the United Nations in the efforts of these world organizations to maintain peace in a troubled world. The association has throughout the country 350 chapters and a total membership of about 60,000. In 1962 the AAUN had 2,400 speakers on the road addressing gatherings on the hopes and achievements of the United Nations.

Mr. President, the educational program of the AAUN has made a genuine contribution in making American citizens more aware of the possibilities of U.N. action and better informed upon all phases of United Nations work. The AAUN has distributed throughout the country pamphlets and information on the U.N. It has studied United Nations problems, such as the urgent question of financing, and it has offered a number of very constructive recommendations. The AAUN has cooperated with similar organizations throughout the world to create and sustain a grassroots support for the world organization.

Mr. President, although the AAUN seeks to back up our Government in its support of the U.N., the association is financed entirely by membership dues and contributions. Although contributions are deductible for income tax purposes, the AAUN receives no Government aid.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks, a 40th anniversary history and summary prepared by Mr. Clark M. Eichelberger which appeared in the AAUN News.

My congratulations to the American Association for the United Nations on its first 40 years of achievement, and my best wishes for continued success in its programs for the future.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

### OUR 40TH ANNIVERSARY, 1923–63

Clark M. Eichelberger, executive director of the American Association for the United Nations, introduces our brief history of our beginnings as an organization.

"This is the 40th anniversary of our association. On this page is a description of the organization of the League of Nations Association with a 'who's who' of its original leadership. The association today, with its name changed, has the same charter and corporate structure that was created in 1923. Shortly we shall announce our plans for special commemorative observances this year.

"I want to say here that any member of the AAUN, any chapter officer, any committee member, should be able to walk with his head a bit higher, with a feeling of pride that he is working for the cause of the United Nations. The triumph of this cause will be the triumph of the legal and spiritual organization of the society of nations. Failure will mean the destruction of all of us. The association has had a particular role to play from the time of its organization in 1923. The association has been and is a pioneer organization, preparing public opinion so that government can take additional steps toward leadership in the organized society of nations.

"We are convinced that the freedom to make aggressive war is one that the people of the United States both wish to abolish and are willing themselves to surrender, and that instead of seeing 'no reason' for doing it they plead as a reason the millions of young lives and the billions of treasure destroyed by the World War and the very preservation of civilization for ourselves and for posterity."

Sounds familiar, doesn't it? A ringing declaration of goals, it could be a 1963 statement of purposes of the AAUN.

It is, however, an extract from "A Challenge to the President" from the officers of the League of Nations Non-Partisan Association, issued in December 1923.

It was in May of 1923 that a group of Americans incorporated the new organization as an outgrowth of the experience of the prewar and wartime League to Enforce Peace.

Heading this new national movement, new in the mores of American nongovernmental existence, were men and women whom we would consider pioneers today. The word "pioneer" conjures up in our mind's eye long lines of covered wagons, guns, and rifles cocked for action by hardy men and women who crossed the uncharted territories of the yet to be settled United States.

Yet these people of 1923 were pioneers too:

Justice John Clarke, who resigned his Supreme Court seat to head the new citizens' organization.

Mrs. Carrie Chapman Catt, known nationally and internationally for her efforts to win the vote for women.

Raymond B. Fosdick, an American who had served as Under Secretary General of the League of Nations, 1919–20.

George Wickersham, who had been the Attorney General of the United States.

These were the first officers of the League of Nations Non-Partisan Association. Although they did not travel by covered wagon, these comfortably situated, prominent Americans took the difficult course of volunteer leadership to chart the unknown path of building public opinion in support of U.S. participation in the new world organization, the League of Nations.

It is interesting to review here the first statement of purposes issued in December 15, 1923:

"It is the aim of the League of Nations Non-Partisan Association:

"1. To make the value of American membership in the League and the Court known to the people of the United States.

"2. To inform regarding the League and the Court all candidates for the Presidency, the Senate, House of Representatives, and delegates to national conventions, and secure from them pledges of support for American membership therein.

"3. To urge in every possible manner the adhesion of the United States to the Permanent Court of International Justice on the basis recommended by President Harding and Secretary (of State) Hughes on February 14, 1923.

"4. To secure platform commitment in favor of American membership in the League of Nations from all political conventions held in 1924."

This early pronouncement from the association was issued from its first headquarters located at 15 West 37th Street in New York City. (In February 1924, the organization was to move to 6 East 39th Street because of the need for more space. The association stayed at 39th Street for several years, moving to 8 West 40th Street later.)

Organizations need funds to start and to exist. A look at the first ledger of the association shows these names as some of the prominent contributors and members:

John W. Davis, Ralph Pulitzer, Mary E. Woolley, Jane Addams, John D. Winant, Herbert H. Lehman, Edward Filene, Ruth Baker Pratt, Newton D. Baker, Thomas J. Watson, Mrs. James Lees Laidlaw, Samuel Fels.

The minutes book shows that the secretary of state of the State of New York, a Mr. James A. Hamilton, acknowledged receipt to the association of the certificate of incorporation "of your company" and placed it on file as requested, on May 11, 1923.

An early executive committee meeting, held even before the May date of incorporation, records that it was decided to set the dues at $1. The membership rolls of the League To Enforce Peace and the Woodrow Wilson Foundation were to be circularized to build strength into the new citizens' organization.

How many New Yorkers remember the Lexington Avenue Opera House? A minute of a meeting shows that there were to be arrangements made for a public meeting there to strengthen the program in that city.

An early edition of the League of Nations Herald, publication of the association, features an article from Washington on the flood of letters expected to arrive at the White House urging that the United States recognize the World Court. "Writing letters to the President is one of the main features of World Court Week," says the correspondent. "The letterwriting campaign is under the auspices of the Committee on International Justice and Goodwill of the Federal Council of Churches."

A report comes in the same issue of the Italian-Greek conflict over Corfu with an editorial comment that "the successful settlement within the month, of a controversy in all essential respects similar to the Sarajevo incident that began the World War, amply testify both to the value of the League and the skill of its leaders."

Dr. Fridtjof Nansen, Norwegian explorer whose name has become identified with passports for the world's homeless, was High Commissioner for Refugees of the League of Nations in 1923. His visit to the United States under the auspices of the Church Peace Union and organizations including the association was a major event of the year.

Announcement of the Bok Peace Award competition was made by the association in its journal, with the comment that members of our organization could express their approval or disapproval of the winning plan when it would be printed in an early issue.

The League of Nations as a debate topic in the high schools was reported at a new high, with students from over a dozen States writing into national headquarters for debate materials.

The question of outlawry of war through the League was answered in firm language by Justice John Clarke in a message to association members. "In my judgment the only reasonable prospect of outlawling war in time to prevent another world war, which will render discussion of the subject useless, is through the League of Nations," he stated.

National attention was focusing in 1923 on the issue of U.S. entrance into the World Court, and it was considered a matter of major importance that the association reemphasize its prime purpose—that of urging the entrance of the United States into the League of Nations. This move for national reaffirmation of purpose came at a time when public attention in this country was caught up in the World Court issue.

Twenty-five nations were represented at the 1923 meeting in Vienna of the International Federation of League of Nations Societies. Theodore Marburg, of Baltimore, former U.S. Ambassador to Belgium and leader in the association here, was instrumental in the setting up of the international agency. His son, Charles Marburg, continues this interest today in the World Federation of United Nations Associations. The report brought home to the United States by our own delegates, Henry A. Atkinson and Robert J. Caldwell, shows a high degree of warmth in the international discussions, but "with good spirit," the gentlemen say.

A report from Los Angeles tells of the "desire of the leaders of the General Federation of Women's Clubs to make the cause of international peace the central feature of our biennial convention in 1924."

The correspondent continues, "There is a feeling of much gratitude among California women that this State has been chosen as the first in which to begin to line up the forces which are working out a practical peace program."

And when women working for world peace were spoken of, there was one name that stood out in the League of Nations Non-Partisan Association. Mrs. James Lees Laidlaw, prominent New Yorker, served from the inception of our organization as a leader in the fight to bring the American public to a realization of our place in the world. Today, her daughter, Mrs. Dana C. Backus, carries on this tradition in the AAUN.

Looking backward helps us all to look forward. We are told that history is prelude. This bird's-eye view of the beginnings of our organization serves to bring into focus the background that forms the basis for today's efforts.

To not one of those first leaders of the association can it be said: "You did not work hard enough."

To none of them can we say: "You did not give enough time and effort to the organization."

To all of them it can be said: "Yours was the hardest job of all, trying to open new frontiers for our minds, bring new concepts to us as Americans, show the urgency of and practicality of our Nation reaching up to new responsibilities in the world."

Lessons to be learned? Of course, lessons for all Americans in the valiant beginnings of the citizens' organization called the League of Nations Non-Partisan Association; lessons we must cherish constantly.

## CATHOLIC ASSOCIATION FOR INTERNATIONAL PEACE SUPPORTS CIVIL RIGHTS LEGISLATION

Mr. KEATING. Mr. President, a statement recently issued by the Catholic Association for International Peace strongly endorses action on pending civil rights legislation.

The statement emphasizes the moral and religious principles at the heart of the basic question. It points out that while the enactment of civil rights legislation may reduce the threat of widespread violence, may enhance the prestige of our country and may increase the strength of our economy, the main basis for the Catholic Association for International Peace's support is that this legislation is designed "to remove from the Negro unjust burdens under which he has so long labored," and "to insure for the Negro the exercise of rights which he has been so long denied."

"These rights and their concomitant duties," the statement points out, "derive from the very nature of man."

Mr. President, I know that this statement will be of interest to many members, and I ask unanimous consent that it may be printed following my remarks in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

### STATEMENT OF THE CATHOLIC ASSOCIATION FOR INTERNATIONAL PEACE IN SUPPORT OF THE CIVIL RIGHTS BILL

The Catholic Association for International Peace, which seeks peace with dignity for all men throughout the world, strongly endorses the civil rights bill now being considered by Congress. The measures which this bill advocates are justified in terms of traditional Catholic principles regarding racial justice, principles which are being articulated with ever-increasing refinement and urgency.

In 1958, the Catholic bishops of the United States issued a statement on discrimination and the Christian conscience. The bishops pointed out that, although great strides had been made since they had addressed themselves to the evils of racism 15 years earlier, in recent years "the march toward justice and equality has been slowed if not halted in some areas. The transcendent moral issues involved have become obscured, and possibly forgotten."

Five years later, in spite of recent advances, these words are still applicable in large parts of our country, North and South. And it remains true that, as the bishops said, "the heart of the race question is moral and religious." Enforced segregation carries with it "the judgment that an entire race, by the sole fact of race and regardless of individual qualities, is not fit to associate on equal terms with members of another race. We cannot reconcile such a judgment with the Christian view of man's nature and rights."

In this country, enforced segregation has long deprived the Negro of rights and privileges which, in justice, are his. In the basic areas of education, employment, housing, and voting, oppressive conditions have prevented him from exercising his full human rights. The various evils which have followed upon this oppression, which are a direct consequence of segregation, are now being ascribed to the Negro and offered as reasons for continuing the very conditions that engendered them. This circle must be broken and the measures contained in the civil rights bill, as it was recently reported out of a House Judiciary Subcommittee, are designed to do just that. The provisions directed against segregation in public accommodations, the injunctive relief to be invested in the Office of the Attorney General in cases where constitutional rights are violated, the FEPC legislation—all insure that the Negro will more nearly attain that status in our society which is properly his.

The Catholic Association for International Peace supports the civil rights bill, not because it will, if enacted, reduce the threat of widespread violence—although it may do that; not because it will enhance the prestige of our country in other lands—although it may do that; not because it will increase the strength of our economy—although it may do that. The CAIP supports this bill and urges that it be enacted without crippling compromise because it is designed to remove from the Negro unjust burdens under which he has so long labored, because it is designed to insure for the Negro the exercise of rights which he has been so long denied.

These rights, and their concomitant duties derive from the very nature of man. The Catholic bishops of the United States said in their joint pastoral letter of August 23, 1963:

"Respect for personal rights is not only a matter of individual moral duty; it is also a matter for civic action. Pope John stated: 'The chief concern of civil authorities must * * * be to insure that these rights are acknowledged, respected, coordinated with other rights, defended and promoted, so that in this way each one may more easily carry out his duties.'

"We know that public authority is obliged to help correct the evils of unjust discrimination practiced against any group or class. We also recognize that every minority group in America seeking its lawful rights has the obligation of respecting the lawful rights of others.

"It is clear that the racial question confronts the conscience of every man, no matter what his degree of direct or indirect involvement. Indeed, the conscience of the Nation is on trial."

## HONORS FOR CLIFFORD E. CARPENTER

Mr. KEATING. Mr. President, a fitting honor recently came to a fellow townsman of mine in Rochester, N.Y., when Clifford E. Carpenter, editor of the Rochester Democrat & Chronicle, was installed as the new chairman of the National Conference of Editorial Writers. This tribute is an eloquent reaffirmation of the high esteem in which Cliff Carpenter is held by his fellow editors, and climaxes a long and varied career in journalism.

Cliff Carpenter's penetrating editorials have earned for him and his newspaper broad respect and admiration. They combine commonsense, wide knowledge, and effective use of the English language.

Because he speaks with authority based on travel, experience, and training, Cliff Carpenter has become one of New York's most important opinionmakers. I am delighted to have this opportunity to salute him for this recent honor and to wish him continued success and happiness in the days ahead.

Fittingly enough, an excellent example of the fine editorials was published in the Rochester Democrat & Chronicle on October 6, the day after Cliff Carpenter's elevation to chairmanship of the editors group. This editorial synthesizes the thinking of some outstanding citizens as they grappled with the issues of modern man's dilemmas. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### MODERN MAN'S WOE: FEARSOME, BUT THERE'S A SILVER LINING

Let's face it—modern man is in a terrible fix, a three-letter word meaning a "position from which it is difficult to escape." That was the all but inescapable conclusion reached in Rochester last week by a panel of experts who tackled, from their various vantage points of expertness, "Modern Man's Dilemma in an Age of Tension."

The colloquial "fix" is probably a more applicable word than "dilemma." The latter means a situation demanding a choice between equally undesirable alternatives. It would be a dreary day indeed if there were no desirable choices. As Rabbi Bernstein of Rochester put it, the word suggests a paralysis of will whereas we need a program of action to deal with the "fix" we are in.

Whatever the semantics, the realities cannot be softened or disguised by words. Our problems may not all be new but their extent and number give them a baffling complexity.

For example, there was tension when Moses led the Israelites from Egypt but it was unlike the tension created by the possession of nuclear weapons by the Big Powers.

There have always been inadequacy and indigency in a world of men but, as documented by State Commissioner of Social Welfare George K. Wyman, never in their modern proportions. Society cannot afford merely to throw up its hands at the fact that one of every six of the nations' adults, because of chronic disease, handicaps, old age or lack of jobs, cannot earn a living or keep house; that 1.5 million children are chronically ill; that 11 million persons are illiterate; that 30 million people live in slums; that two-fifths of the population support the other three fifths. There must be a will to find answers.

Other problems? One panelist emphasized that in the ranks of the dispossessed, the disinherited, the discriminated against, the Negro stands in the forefront. The Negro insists upon treatment as a human being of dignity and, in one view, achieving this is America's most urgent problem.

The very tangible benefits of that intangible quality of freedom must not be taken for granted. Who can quarrel, then, with the principle that our future hinges on the values we should cherish most—values like freedom, integrity, equality of opportunity, a sense of justice? Modern man often seems more attentive to expediency, finagling, chiseling. Is he bowing before false gods?

These problems—and there are more—cannot be avoided, despite the reluctance to meet them. As Dr. Marvin A. Block of Buffalo, phrased it, "In a world as tense and complicated as ours, it is normal for us to seek diversion or escape."

Certainly there is no permanent escape. Dr. Block made this clear when he spoke of those who try to elude reality through the use of alcohol, narcotics and other drugs. Thus the very urge to duck or ignore our problems itself becomes a major problem. It can be translated into the apathy that sends a school budget before an empty hearing room or causes pathetically small voters' turnout.

Nevertheless relaxation or relief from tensions is a vital part of society's therapy. Dr. Block concedes we must look to athletics, books, plays, music, movies, or a variety of avocations when ordinary living pressures become too great.

Dr. Howard Hanson, director of the Eastman School of Music, another panelist, is escape minded and makes no bones about it. But he takes a different angle. His theory is that our tensions grow in direct ratio to the jet-age speed in which we live: "We are like a jet plane hurtling through the air * * * bound for an unknown land with no pilot at the controls, or, at best, a pilot who has lost his sense of direction."

Every man, in Dr. Hanson's view, must have his "island," whatever its form, in which to commune with nature, to refresh his soul, to regain perspective.

This, we must agree, is not escape but a means of resharpening one's tools for dealing with problems. Here is more from Dr. Hanson:

"Even in this mechanistic age the islands remain * * * but if man is to find them he must search in the arts and the humanities. He will not find them in the sciences * * * science may be used * * * to kill or cure * * * it may take us to the moon but it cannot give purpose to the trip. Economy-minded Congressmen might do well to consider the possibility of saving billions of dollars by spending a few more million on the cultural exchange program * * *. Whence comes this judgment of comparative values, this sense of direction? Only from a search for God, for beauty as well as truth, for the meaning and purpose of life * * * from faith in the sanctity of the human spirit, from a belief of man in the grand design. For without this conviction man is a small rat caught in a cosmic rat trap from which he cannot escape * * *. To set man once again on the path which leads to heaven requires all of the powers of philosophy, art, and above all, of religion."

There is one answer, that of a nationally known musician and teacher. Are there other answers? Rabbi Bernstein sees the solution in an implementation of the Ten Commandments. In social and economic areas Commissioner Wyman envisions in some future day public welfare highly integrated into an organization of specialists from welfare, education, housing, labor, working with private leadership in the community—business, industry, management, labor, voluntary social agencies, and medicine. He sees the solution in a giant cooperative approach.

If one strong, consoling thought stands out in this fast synthesis of opinion, it is that our dilemma is also a hopeful paradox. The world, so deeply troubled, is rich in the potentials of good will, human talent, physical and spiritual resources, and a restless energy to progress. The way out, is to put them to work.

## FEDERAL VERSUS STATE JURISDICTION IN THE FIELD OF WATER DEVELOPMENT

Mr. KUCHEL. Mr. President, western America continues to face a vexing problem with respect to Federal versus State jurisdiction in the field of water and water development. The distinguished junior Senator from Idaho [Mr. JORDAN], a lifelong resident of his State and a former able chief executive of his State, is intimately and thoroughly acquainted with the water problems of the West. He has been a vigorous advocate for his State and for all of western America in maximum development of their natural resources.

On October 24, the Senator from Idaho spoke at the annual convention of the National Reclamation Association in Sun Valley, Idaho. He made a powerful presentation of some of the more important questions confronting Western

**States. He described in detail a piece of proposed legislation sponsored by Senators on both sides of the aisle, which would be a first step toward solving the Federal-State jurisdictional question in the field of water.**

**I ask unanimous consent to have printed in the RECORD the entire text of the speech of the distinguished Senator from Idaho.**

**There being no objection, the speech was ordered to be printed in the RECORD, as follows:**

### SOUND WATER RIGHTS—THE BASIS FOR SOUND WATER PLANNING AND SOUND WATER PROJECTS

Mr. Chairman, President Coles, distinguished guests and members and friends of the National Reclamation Association, I thank you for the warm welcome extended to me. I was most pleased to receive the invitation to meet with you and to share with you some of my thoughts concerning matters of common interest.

I am happy to be here, not only as your guest at this particular convention, but also, in a way, as one of your hosts to my home State, which I am proud to represent as a U.S. Senator and which I have been privileged to serve in various capacities. I join Governor Smylie, Senator Church, your Idaho director, Alex Coleman, and President Tom Olmsted of the Idaho Reclamation Association in welcoming you to Idaho.

This occasion has a special personal satisfaction for me. It permits me to proudly view your president, La Selle Coles, in action and to recall that many years ago when I was a senior at the University of Oregon I first met La Selle when he enrolled as a freshman along with my younger brother. I was head of a fraternity house at that time and we thought La Selle looked like a promising chap, so we took him in. I have followed his career through the years and he has fully justified the confidence we had in him. I salute him—and the NRA for having him as its leader.

No one recognizes more that I do the valuable service which the National Reclamation Association has rendered to development of the 17 Western States over the years. I approve, also, your more recent extension of interest in the two new States of Alaska and Hawaii.

Since becoming a member of the U.S. Senate Committee on Interior and Insular Affairs in 1962, and especially since joining the Irrigation and Reclamation Subcommittee upon organization of the 88th Congress, I have come all the more to welcome the counsel of this association, which I have drawn upon most of my adult life while wrestling with the water problems of Idaho, the whole Columbia Basin and now those of the entire Nation.

We members of the Interior Committee always welcome the testimony of your able secretary-manager, Bill Welsh, and/or that of your various directors or other representatives who appear before us from time to time.

Incidentally, I remind you that Bill Welsh knows Idaho well. He served for 24 years as the watermaster of the Boise River in the southwestern part of the State.

I was especially pleased to participate this year in the ninth annual conference between the NRA Board of Directors and my Interior Committee on March 6. We had a beneficial discussion of many issues, including some of those relating to my topic for today.

My subject for today is "Sound Water Rights—Basis for Sound Water Planning and Sound Water Projects." I defend the position that water for consumptive use such as domestic, municipal, irrigation and industrial should have priority over water for hydroelectric purposes. And I defend this position on the grounds that people need water and nothing will take its place, that desert lands need water and nothing can take its place, that food processing and allied industrial uses require water and nothing can take its place, but that electric energy can be supplied from many sources other than falling water and finally, that the primary responsibility for supplying the power needs of an area rests with the people locally.

Our stewardship of the Nation's water resources lies in putting these resources to the highest possible use. Now, let me talk with you some about how we can better assure the highest performance of our stewardship through the implementation of what I consider to be a very seriously needed piece of Federal legislation. This past April I joined Senator KUCHEL, of California, the ranking Republican on my Interior Committee and on my Irrigation and Reclamation Subcommittee, and the chairman of that subcommittee, Senator Moss, of Utah, in sponsorship of a bill designed to rectify and settle some of the existing problems arising from claims made by representatives of the Central Government in regard to the control and use of our Nation's water resources. This legislation primarily affects the West, but it should be of concern to all those interested in wise use of water and good government.

This bill bears the designation S. 1275. It may be familiar to many of you already. I hope it is. Companion bills have been introduced in the House of Representatives on a bipartisan basis. No hearings on this legislation have yet been held, or even set, because of the failure of various agencies of the executive branch to render the comments which have been requested of them on this bill in accord with the usual procedure.

At this point, let me give you a little background and describe briefly what S. 1275 would do. This is for the benefit of those of you not familiar with the problem or with this bill. Then, I wish to discuss some particular issues within the scope of S. 1275 about which I have been particularly concerned recently. And, finally, I will outline some of the other newer developments in this field—all with the purpose of demonstrating why I am so convinced action must be taken on this bill with a view to clarifying the status of water rights in our reclamation States, as well as in other parts of the Nation under some circumstances.

I will not undertake here to provide a complete history or a detailed legal analysis of what has come to be known as the Federal-State water rights controversy. I commend to you Senator KUCHEL's speech in the Senate on April 4, 1963, when he introduced S. 1275, if you desire citations of the pertinent statutory and case law on the subject. Also, I understand that there will soon be published a collection of the several papers on this subject which were rendered by various water experts at the Western Water Law Symposium held in conjunction with the 14th Annual Spring Conference of the National District Attorneys' Association in Los Angeles on March 11, 1963.

S. 1275 of this 88th Congress is a successor to Senator KUCHEL's S. 2636 of the last Congress. Earlier bills on the same subject, but differing in various respects, include the bill of former Senator Frank Barrett, of Wyoming, considerably revised as reported in the 84th Congress, and the so-called agency bill first suggested during the 85th Congress, representing the maximum consensus which could be gained at that time from certain of the most affected executive departments of the Federal Government. That agency bill having, as it did, approval by important segments of the Eisenhower administration, perhaps represented the high watermark, until now at least, for the States rights point of view in this field. It failed of enactment, in large part, because of the lack of broad support from the grassroots groups which withheld support because the bill did not, in their opinion, go far enough to limit Federal power.

I think such an attitude was a mistake. We might have been better off today if support had been forthcoming. Let me make it clear right now that S. 1275, though it does solve more problems than the agency bill, does not go as far as some would wish. It does not, for example, require Federal compliance with State regulation of water in all instances, as your association's resolution 2 of last year's convention would call for.

The important thing is that S. 1275 does all that we sponsors believe can be implemented in this Congress under this administration. I am happy to report that this time the grassroots groups seem to agree with this appraisal and are rendering excellent support. I hope this association will do so at this convention. More about that later.

Now, what does S. 1275 do? Briefly, it first includes all of the agency bill's protection against the reservation theory of the Central Government supremists. From the earliest days of water development in the West and, in particular, ever since the Desert Land Act of 1877, it has been assumed that nonnavigable water having its source on public, that is, Federal land was available for appropriation by people in accord with State law. This assumption was confirmed by the U.S. Supreme Court as late as 1935 when it said that such water was, to use the Court's words, "subject to the plenary control of the designated States, * * * with the right in each to determine for itself to what extent the rule of appropriation or the common-law rule in respect of riparian rights should obtain."

Then, in 1955 came the infamous *Pelton Dam* decision of the Supreme Court. This opinion restricted the definition of "public lands" in the Desert Land Act to mean only those open to entry under homestead laws and not those which had been withdrawn or reserved. This immediately gave rise to the centralists' contention that, therefore, upon any withdrawal or reservation of public lands the United States thereby ipso facto established for itself a priority to use, at any time in the future, waters of those lands, regardless of whether an individual or private or non-Federal public entity downstream might, in the meantime, otherwise qualify for a right to use the water in accord with the rules and procedures of the particular State.

S. 1275 would cure any possible defect in any such State-based right by providing: "the withdrawal or reservation of surveyed or unsurveyed public lands, heretofore or hereafter made, shall not affect any right to the use of water acquired pursuant to State law either before or after the establishment of such withdrawal or reservation."

Second, S. 1275 would make applicable to all future reclamation and other federally authorized or licensed works with respect to waters of the West the salutary principle of priority of consumptive over nonconsumptive uses. Such a rule is now applicable to flood control and navigation projects generally in the West. It has been written into many pieces of reclamation legislation on a project-by-project basis.

Third, S. 1275 would assure that in those instances when the United States claims a water right in its proprietary, as contrasted to its sovereign, capacity it must satisfy the same laws and procedures that would be applicable to you or to me in acquiring a similar proprietary interest in water. That is only fair. But, sadly, Federal officials of the executive branch have asserted that such State regulation is not applicable to them even when establishing a proprietary right without asserting any constitutional power of sovereignty. A Federal district judge recently rejected this bizarre Justice Department contention, but the Attorney General has appealed that ruling and we need S. 1275 to bury the centralists' contention even deeper.

For a fourth prong in the attack of S. 1275 against centralism, we have what actually should need no statute. But, here the Congress must act to put down what, to me, seems to be a most extreme assertion of the constitutional sovereign powers of the Federal Government.

The Bill of Rights assures anyone deprived of property by the necessary and proper action of the United States that he will be fairly compensated. Further, it is our practice that if agreement with the owner as to value is not reached prior to the impairment, then the United States initiates a court proceeding for the orderly and fair determination of that value. Meanwhile, the Federal project is then undertaken unimpeded by the proceedings to determine the extent of compensation.

However, such has not always been the experience in water matters. There lurks in the case law the theory of the navigational easement. This theory holds that inherent in the Federal constitutional power to regulate interstate commerce is the right to regulate broadly defined navigable waters without regard to existing uses of that water which may otherwise be protected under State law. Congress has relieved the prior right holders of the burden of this servitude in some instances, as under the Reclamation Act and the Federal Power Act. But, in other situations, including navigation and flood control projects, in the absence of specific relief, the United States can presently trammel rights which would be protected in any other context than water. Certainly no one claims that our power to build the interstate highway system includes the power to do so without compensating the owners who are deprived of land by it. There is no reason to treat water right owners differently. S. 1275 would abolish that different treatment.

The bill would do even more in this regard. Even in those instances where Congress has refused to exercise the asserted navigation easement, nevertheless the executive authorities have contended, and the Supreme Court has upheld them, that the United States may impair the water rights without reaching agreement on compensation with the owner and even without instituting court action to determine the issue of value.

The U.S. Justice Department has successfully left the injured party to redress his grievance by himself undertaking to bring suit, often without adequate accurate information as to the extent of the right the United States is claiming, and in all cases above $10,000 in the remote and difficult forum of the Court of Claims, rather than in his local U.S. District Court.

S. 1275 cures that, too. It not only says: "No vested right to the beneficial diversion, storage or consumptive use of any waters, navigable or nonnavigable, which is recognized by the laws of the State or States in which such waters are diverted or used as compensable if taken by or under authority of the State, shall be taken by or under the authority of the United States without compensation."

But it also goes on to add procedural protection to substantive protection by providing: "and where such rights are acquired otherwise than by agreement with the owner, they shall be taken the laws of the United States or of the States affected."

The bill also retains such other limits on Federal power as now exist and protects treaty obligations and other existing rights.

I move now to some recent manifestations of what I consider to be a regrettable attitude of the executive branch toward the integrity of water rights, State and local interests and the primacy of consumptive uses of water. In so doing, I believe I will demonstrate that we do have real problems and show further why we need S. 1275.

A general attitude of complacency, at best, and perhaps really one of smug indifference, toward the concern of the great majority of water people over water rights and development of the West has been exhibited by the failure of the present administration even to render, as yet, their requested comments on S. 1275.

In fact, Senator KUCHEL's similar bill, introduced in the last Congress on September 25, 1961, was never reported upon by the administration, although requests were made of four of its Departments plus the Bureau of the Budget and the Federal Power Commission. These agencies are all under control of the Executive Office of the President for purposes of reporting on legislation—this by virtue of an Executive order issued by President Franklin Roosevelt.

Thus, S. 2636, 87th Congress, died over a year after it was referred to the administration, for without reports we could not hold meaningful hearings and the executive branch thereby frustrated the legislative process—and, I think, the people's will.

It appears we are now encountering the same familiar stall. By letters of April 12, 1963, the chairman of the full Senate Interior Committee asked the same six executive agencies to offer their comments on S. 1275. We have yet to receive a single reply, beyond routine acknowledgments of the referral.

When the administration likes a proposal we have no trouble getting reports. But when a bill is inconsistent with a philosophy of paramount Federal authority, or is otherwise repugnant to the administration, they are dilatory about reporting, or even fail to report. They know that the usual practice is not to have legislative hearings and/or action without the executive branch comments having been rendered.

Sometimes delay can be attributed to a heavy workload and it becomes a matter of the squeaking wheel getting the grease. But in this instance, we sponsors of this bill have been squeaking. The administration knows of the desires of the sponsors for early consideration of this bill. Senator KUCHEL has been pressing for reports by the agencies. I have done so, too, including an expression at a recent committee hearing of my dissatisfaction with the absence of administration comments on S. 1275. But, nothing has been forthcoming from the agencies.

It seems to me that the elapsed time of over 6 months, plus the period on predecessor S. 2636 and the long consideration on similar legislation over the years, has given the administration ample opportunity to study the matter and prepare comments on S. 1275. I am glad to say that just a few days ago, in executive session, my Irrigation Subcommittee colleagues expressed the joint conviction that we had waited long enough for reports. As a result, Senator Moss, the chairman of the subcommittee, has written Secretary Udall insisting on action.

We have had experiences in the past when we set hearings without reports and we have found that the executive agencies thereupon get to work and get their comments formulated. They then either submit them in writing or appear at the hearings rather than have the bill considered without their views being known. We have actually encountered the ridiculous situation of having reports handed to us the night before, or on the very morning of, the commencement of hearings. This is a deplorable performance by the agencies, but I am willing to risk even that sort of treatment if it will advance the cause of this legislation.

I think it is time we call this administration's bluff on conservation—find out just how much they really care about the maximum utilization of the water resources of the West, or whether they intend to just pay lipservice to conservation while they turn their backs to the basic issue of water rights which is the very foundation upon which wise conservation practices are established.

President John Kennedy recently made a much-publicized tour, mainly in the West. Though the States he visited formed an interesting pattern relating to where the President ran poorly in 1960, and where Senators of his party are up for reelection next year, the tour was billed as a nonpolitical conservation tour. By platitudes he tried to mesmerize Westerners into believing that he was sympathetic and alert to our water resource needs, yet he holds back the word that would bring reports from executive agencies and thus clear the way for congressional action on legislation that is long overdue.

The President seems to forget that this is one Nation and that a strong West means a strong Nation. I do not mean to belittle the problems of the big cities of the East. I think they need our attention. What I do say is that the rest of the country cannot be ignored because of an infatuation with one's own political fortunes. And I say that sound reclamation projects in the West should not be jeopardized by a weird philosophy of Federal supremacy over water rights.

President Kennedy wound up his trip with a speech in Las Vegas, Nev. There he said: "Water is the key of growth and its wise use is essential to the development of the United States." I hope he means it. Even more, I hope he understands how to implement it.

I think that the water rights bill which I have been discussing gives the opportunity to find out. The President is in control of what his Department chiefs will say in regard to S. 1275. His brother, the Attorney General, heads the Department of Justice and that Department's report on the bill will be most influential, at least with those who follow the administration line in such matters. Another of his primary New Frontiersmen, Stewart Udall, heads the Department of the Interior and its report will also be most important.

Of course, within the Executive Office of the President the Bureau of the Budget acts not only as a fiscal agency but as a policy-implementing arm as well. How the President, or his policymakers, through that Bureau, controls the substance of agency reports and when, and if, the Bureau clears any reports at all, will give us the best evidence of how the President really feels about the wise use of water.

I am apprehensive about what the administration will say on S. 1275. This is, in part, because of the mere fact that they have, so far, repressed consideration of the bill by not making their views known. I fear this may represent animosity toward the bill.

But, more than that, I am apprehensive because of a recent administration action and the cavalier handling of it and of my inquiries concerning it. I fear their attitude thus expressed is symptomatic of what we may expect on S. 1275. Let me tell you about this recent experience of mine, which is convincing evidence that this administration is politically motivated and power dominated.

Encouraged by President Kennedy's enthusiastic support, last year Secretary Udall and a full complement of staff assistants made an extended trip to Russia on an inspection of Russia's centralized system of hydroelectric production and distribution. Since then, the Secretary has shown great alacrity in implementing changes by Executive order—all moving toward centralized control over more of the Nation's power production and distribution. Three examples illustrate what I mean.

Secretary Udall, last spring, decided to bring Bonneville power into southern Idaho. This decision was based on a feasibility report, hastily contrived and challenged on every hand for its flagrant inaccuracies. Action was taken without public hearings. In this instance speed was all-important. In contrast to their unwillingness to face up to the vital water rights issue is their eagerness to dominate and control electric power distribution.

The net effect of the BPA takeover in southern Idaho has been to increase the overhead and reduce the rates on existing Bureau of Reclamation contracts, thus circumventing the will of Congress as set forth in the original enabling legislation. But their zeal in building a power empire does not end with the marketing of power from Federal dams.

Moving swiftly and again without public hearings last March, the Secretaries of Agriculture and Interior issued a joint directive aimed at control or elimination of their non-Federal competitors. This joint order stipulates that applicants for transmission line right-of-way over public land must agree to turn over to the Government surplus capacity of the line for Government use, give the Federal Government the right to expand the capacity of the line for permanent Government use and no right-of-way will be granted if that line shall be contrary to Federal power marketing policy.

The net effect of this order has been to delay the orderly construction of about $250 million of transmission line construction by non-Federal taxpaying utilities.

Power revenues have played an important role as the paying partner of irrigation in some multipurpose projects. I hope this arrangement will continue but I wonder what effect the new "rolling maturity" accounting system adopted last spring by directive from the Secretary of Interior will have on this program.

If power costs are to be repaid first before irrigation costs, what happens to reclamation if the power costs are never repaid as they are rolled ahead with the addition of each new project?

From the three above-mentioned directives, the questions naturally arise, must we now clear future reclamation projects through the Bonneville Power Administration and what priority will be assigned future reclamation projects in relation to existing Federal power requirements for water? And are we moving toward a "commissar of kilowatts" patterned after the Russian system?

These are events of the past 6 months and offer convincing evidence that in the field of water resource development, the emphasis has shifted from reclamation to power. I have grave concern about this course of developments. Some of my inquiries on the Secretary's decision regarding southern Idaho reflected that concern. But I am not going into that here.

I well remember, and agree with, the remarks of your Arizona director, J. A. Riggins, Jr., during your board's meeting with the Senate Interior Committee in March, to the effect that our primary objective of getting water on the land or to people or industries should not be confused with, and possibly frustrated by, what should be a separately debated issue of Government versus private power.

Our main concern is with water for consumptive use and whether that use will be subordinated to Federal kilowatts. That is why I also inquired of Secretary Udall about administration policy on that question. This is the issue with which I deal here now.

Following his Bonneville-southern Idaho decision, I wrote to Mr. Udall on June 11, 1963. In my letter to Secretary Udall I told him of my dissatisfaction with his failing to hold public hearings in advance of his decision, so as to permit the people of Idaho to know what this action means to the State. I had been swamped with mail inquiring as to what his action implies.

I expressed my conviction that back through the years Idaho's contacts with the Bureau of Reclamation have been most satisfactory. I inquired whether now there might not arise a problem of intervention by an inappropriate agency in the future reclamation projects of the area, since the Bonneville Power Administration—an electricity agency rather than a water agency—was now taking over the present Bureau of Reclamation power contracts.

And, lastly, I referred to the Secretary's departmental reports and press releases on his decision and in my letter to him I said:

"You imply also that future reclamation projects will have priority over hydroelectric projects. These are comforting words to Idaho reclamationists and I hope this has administration approval; but because of the overriding importance of this issue, Idahoans will hope for verifications of your position by the Chief Legal Officer of the United States."

That is, of course, the President's brother, Robert. I continued:

"In order to clarify this point, may I suggest a simple statement something like this: The rights of the Federal Government to water originating in or flowing across Idaho for power purposes are subordinate not only to existing water rights but also to future irrigation rights to be acquired under Idaho's constitution and statutes."

Then I said: "If this sentence correctly states what I understand your position to be, does the Attorney General concur?"

About a month later I received a reply to my letter to Secretary Udall. But the reply was not signed by Mr. Udall. It was signed by the same Assistant Secretary, Kenneth Holum, who made the feasibility report I was challenging.

I immediately wrote again to the Secretary. I expressed dismay that the person originally making the challenged decision would be assigned to reply to an inquiry made of the Secretary personally, since it was he, the Secretary, who is the judge in the case, so to speak, of whom I inquired.

Further, I wrote Secretary Udall this in my second letter: "I am especially disappointed in Mr. Holum's answer to my question regarding water rights for future Idaho reclamation projects."

I told Secretary Udall what Mr. Holum had written—and I now quote Assistant Secretary of the Interior Holum's reply to my first letter:

Mr. Holum wrote: "You are correct in stating that it is the policy of the Department of the Interior that use of water for irrigation has priority over use of water for the generation of electric power, and will continue to have priority in the future. Whether Attorney General Kennedy concurs in this view is a question you may wish to submit to him."

I concluded this second letter to Secretary Udall by saying: "Mr. Secretary, I regard this as a cavalier answer to a question of great importance to my State. You are the Cabinet officer from whom one would expect to learn the administration's position on this matter. I now respectfully ask you this question: Does the present administration concur that the rights of the Federal Government to water for power purposes are subordinate to future irrigation rights to be acquired under State law?"

A month and one-half later, Secretary Udall himself replied. He too, said that it is the policy of his Department to give the use of water for irrigation a priority over its use for generation of electricity.

But, as to my question of whether it was the position of the executive branch, as a whole, that the rights of the Federal Government to water for power purposes are subordinate to future irrigation rights to be acquired under State law, Secretary Udall replied that this point—and I quote him: "did not relate to policies in the use of water but was concerned with the basic legal question of State and Federal water rights. In this area, as you know, it is the law that governs rather than departmental policies. Let me assure you this Department is not reluctant to announce its policies in any of its fields of operation. However, where a given problem must be resolved through the law by appropriate legal interpretations and judicial inquiry, it is not then a matter of policy formulation." The implication here is that Interior policy flaunts the law and is therefore meaningless.

The Secretary concluded by suggesting that I, rather than he, as I had requested, inquire of the Attorney General on the matter.

So I did then write Attorney General Kennedy. I told him of my previous correspondence with the Department of the Interior and quoted to him their suggestions that I communicate directly with him. I put it to Mr. Kennedy quite clearly as follows: "From this exchange [with Interior] it is clear that my question is still not answered and, as suggested by officials of the Interior Department, I now respectfully put the same question to you: "Does the present administration concur that the rights of the Federal Government to water for power purposes are subordinate to future irrigation rights to be acquired under State law?"

I concluded by saying: "The people of Idaho, with more than a million acres of desert land to reclaim, want assurance that the water rights to be acquired under State law for this purpose will be recognized by the Federal Government as having priority over existing uses by the Federal Government for power purposes.

"Your answer will be appreciated."

The reply was a shock, to say the least. Attorney General Kennedy, evidently not sufficiently interested in this very important matter to the West, delegated his Assistant Attorney General for Lands to answer.

Incidentally, this Assistant Attorney General, Ramsey Clark, has clearly spoken out against enacting legislation such as S. 1275. It is, therefore, clear that as a policy matter he would probably dissent even from the slight comfort given by the Department of the Interior's announced policy.

But, the real kicker in Mr. Clark's reply on behalf of the Department of Justice is this. After restating my question to make it clear he knew what I wanted, Mr. Clark finished his letter abruptly with this: "As you know, the Attorney General renders opinions only at the request of the President or the head of a department. Since the question you present calls for a legal opinion we are unable to respond to it."

Now, is that not a profound answer by the Attorney General's staff to a question propounded to him at the suggestion of top Cabinet officials? First, the person I originally questioned, Secretary Udall, evades the issue himself and refuses to exercise his prerogative as a department head to make the inquiry of the Attorney General which I asked that he make. He tells me to do it myself. And when I do, I, a member of the people's board of directors, so to speak, am told that the Attorney General is unwilling to answer my question. Now, I ask you, in all sincerity, how can the administration's position be ascertained?

Well, I will tell you what I think is the real answer. They know they cannot square what the Congress has repeatedly said the law should be with what the Justice Department has been telling the courts it is.

The statutes are legion in which the Congress has tried very clearly to maintain the integrity of water rights based on State law. This whole issue of Federal-State water rights really should not exist at all.

But the Justice Department—and I will admit that this occurred to some degree under Republican Attorneys General also—has been searching for every possible loophole, has been dreaming up far-fetched interpretations of our statutes, and has been selling a bill of goods to the courts. Sometimes the judge, or judges, have not bought the package. But the Justice Department, having the enormous human and financial resources of the Central Government behind it, as it has, appeals and appeals until a sale is made to some court, which is often not familiar with, or sufficiently respectful of, the nature of water rights in the West. Thus, the Department crams its doctrine down the throats of the little people who have been fighting for integrity of our time-proven and congressionally honored system of water rights.

Thus, the need for S. 1275 is clear. We need it so that, as to the problems it covers, in the words of this association's resolution of last year, we can "at once, enact a law so clear and unambiguous as to be incapable of evasion by either Executive order or judicial interpretation."

This is no mere academic problem, as some seem to believe. It is real. It is with us—today. It does make a difference. It means a great deal to the West. Let me spell that out even more than I have so far. I have specifics which have arisen even since our legislation was introduced in the Senate.

First, point 1 of S. 1275—the reservation of public lands effect on water rights: On June 3 of this year the Supreme Court announced its opinion in the long litigation over the waters of the lower Colorado River. This was primarily a dispute between Arizona and California, but I will not touch on that aspect here. The point for our purposes now is that the Court clearly upheld the Justice Department's theory that reservation of public lands implied a reservation of such water appurtenant to that land as may ever be needed in the future on such reservations—Indian, forest, wildlife, or recreation.

This theory the Court applied not only to congressional withdrawals but also to those effected by Executive order alone. And even though nothing was said in the relevant statutes or orders about the matter of water.

Mind you, I do not wish to deny to Indians, wildlife enthusiasts, forest users, or recreationists a call on any water which is needed for their purposes so long as some present higher use does not override. The point is that the Federal Government's reservation theory results in putting on the shelf, so to speak, for possible future use a valuable and often scarce, but usually renewable, resource in a highly unpredictable amount and quite apart from other existing needs for that resource.

For example, in the Southwest, water is precious and all available supplies are being developed to save existing agriculture or to meet existing or immediately future domestic and industrial purposes. In the case of one of the Federal water reservations the Supreme Court approved in the *Arizona* v. *California* case, the Court put on the shelf for conjectural future agricultural use, which would probably enure more to the benefit of absentee non-Indian lessees rather than the relatively few, 2,000, Indians on the reservation, enough water for the domestic uses of 1½ million people in the burgeoning population centers of the Southwest.

So, my point is that I do not think that is a wise allocation of water, and S. 1275 would avoid such unfortunate results by freeing the longstanding principles of western water law to work as they have for the benefit of the people over the years.

The second point of S. 1275, the consumptive use preference provision, is, of course, right on the nose of the legal issue I took up with the Interior and Justice Departments and on which they refused to tell their position concerning the present status of the law. We need S. 1275 to settle that point.

The third point of S. 1275, the requirement that the Federal Government comply with State regulation when asserting water rights under proprietary principles as distinguished from the sovereign power of eminent domain, is also a current and real issue. The Justice Department has recently announced its intention to appeal the lower court decision, I earlier referred to, which had denied the central supremists' claim of the right to take water without either complying with the State regulation or paying damages to the others it harms in doing so. That is the notorious *Fallbrook* litigation, and we need S. 1275 to avoid such claims by the Department of Justice.

Finally, the fourth point of S. 1275 is hardly academic either. On April 15, 1963, the U.S. Supreme Court handed down another decision granting to the executive branch a broad power to do that which S. 1275 would prohibit; namely, the seizure of water without first instituting court proceedings to determine fair compensation for those who will be harmed by the seizure.

In so doing, the High Court overruled western water lawyers, a western Federal district judge, and a three-judge panel of our western Federal 9th Circuit Court of Appeals. That is the well-known case of *Dugan* v. *Rank*, formerly known as *Rank* v. *Krug*. S. 1275 would avoid such a result in the future.

So, the situation is clear. There are real and present problems in the field of western water rights.

Water planning, such as is going on all the time and as would be implemented under the terms of other pending legislation, S. 1111, the water resources planning bill, is best done in full awareness of who has what and who can do what with regard to available water. Testimony at our irrigation subcommittee's recent hearings on the water planning legislation was, to a great extent, to the effect that S. 1275 should be enacted simultaneously with the planning bill, S. 1111. Harmonious and sound water planning requires sound water rights.

Also, the implementation of planning by the construction of projects requires sound water rights. The West cannot afford the luxury of disputes either before, during, or after the construction of our dams, conveyance facilities, and service works. Objections to proposals would often disappear if those who would be affected know where they stand with respect to water rights. We could proceed with the job sooner and run it more smoothly after it is finished. S. 1275 would remove many possible doubts which might otherwise exist concerning the far-reaching proposals which we can anticipate will continue to be the rule in the future of water resource development. Enactment of our bill would actually help Federal as well as State and local projects—by clarifying a now too confused situation concerning Federal authority under Federal projects.

Just as the problems I have discussed are clear, so is the solution. It is enactment of S. 1275.

And, as the solution is clear, so are the means necessary to implement it. It is broad grassroots support from organizations like yours.

Only with such support can we overcome administration indifference, and maybe even hostility, which, unfortunately, appears to exist. The westerners, in particular, and all those everywhere interested in good water resource development and good government must make their views known so as to impress upon President Kennedy, Attorney General Kennedy, Secretary Udall, and the rest of the President's advisers on this legislation, that this is an important matter and that it should be treated in the manner you and I, and others familiar with water development, know it must be treated—by enactment of S. 1275.

I am truly convinced that this time we are securing the necessary support to result in enactment of this vital legislation. Many important groups have already this year passed resolutions endorsing S. 1275, either specifically or by virtue of the scope of their stated position. Many good people have been working on this, including your own Nevada director and association first vice president, Hugh Shamberger.

We already have resolutions of support from the American Bar Association, the National Association of Counties, the National Association of Attorneys General, the Western Association of Attorneys General, and various State and local governments and associations of which I am aware. There may well be some national organizations which have expressed their support and which I do not personally know of at this time—the resolutions are coming in thick and fast from all around.

You probably noticed that I did not mention the National Reclamation Association. This is because you have not yet passed a resolution since introduction of S. 1275, though you did pass one on the subject of water rights last year.

I hope that during this convention you will adopt a clear-cut resolution putting the full, unqualified support of this important group behind S. 1275.

As I said, the course necessary to help the cause of water resource development and good government is clear. Other groups are doing their part to help. I hope the Kennedy administration will not stand in the way. I hope you will lend your voices to the cause.

Thank you very much.

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## RACIAL DISCRIMINATION

Mr. JAVITS. Mr. President, yesterday the Social Committee of the United Nations General Assembly adopted a very broad declaration on racial prejudice which is of great interest to the people of the United States. I ask unanimous consent that the declaration may be printed in the Record at this point in my remarks.

There being no objection, the declaration was ordered to be printed in the Record, as follows:

### Declaration by U.N. on Racial Prejudice

The General Assembly,

Considering that the Charter of the United Nations is based on the principles of the dignity and equality of all human beings and seeks, among other basic objectives, to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction, as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out in the declaration, without distinction of any kind, in particular race, color or national origin,

Considering that the Universal Declaration of Human Rights proclaims further that all are equal before the law and are entitled without any discrimination to equal protection against any discrimination and against any incitement to such discrimination,

Considering that the United Nations has condemned colonialism, and all practices of segregation and discrimination associated therewith, and that the declaration on the granting of independence to colonial countries and peoples proclaims in particular the necessity of bringing it to a speedy and unconditional end,

Considering that any doctrine of racial differentiation or superiority is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination either in theory or in practice,

Taking into account the other resolutions adopted by the General Assembly and the international instruments adopted by the specialized agencies, especially the International Labor Organization and the United Nations Educational, Scientific and Cultural Organization, in the field of discrimination,

Taking into account the fact that, although international action and efforts made in a number of countries have made it possible to achieve progress in that field, discrimination based on race, color, or ethnic origin in certain areas of the world nonetheless continues to give cause for serious concern,

Alarmed by the manifestations of racial discrimination still in evidence in some areas of the world, some of which are imposed by certain governments by means of legislative, administrative, or other measures, in the form inter alia, of apartheid, segregation and separation, as well as by the promotion and dissemination of doctrines of racial superiority and expansionism in certain areas,

Convinced that all forms of racial discrimination, and still more so governmental policies based on the prejudice of racial superiority or on racial hatred, besides constituting a violation of fundamental human rights, tend to jeopardize friendly relations among peoples, cooperation between nations and international peace and security,

Convinced also that racial discrimination harms not only those who are its objects but also those who practice it,

Convinced further that the building of a world society free from all forms of racial segregation and discrimination, factors which create hatred and division among men, is one of the fundamental objectives of the United Nations,

Solemnly affirms the necessity of speedily eliminating racial discrimination throughout the world and in all its forms and manifestations and of securing understanding of and respect for the dignity of the human person,

Solemnly affirms the necessity of adopting national and international measures to that end, including teaching, education and information, in order to secure the universal and effective recognition and observance of the principles set forth below, and

Proclaims this declaration:

### ARTICLE 1

Discrimination between human beings on the grounds of race, color or ethnic origin is an offense to human dignity and shall be condemned as a denial of the principles of the Charter of the United Nations, as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights, as an obstacle to friendly and peaceful relations among nations and as a fact capable of disturbing peace and security among peoples.

### ARTICLE 2

1. No state, institution, group or individual shall make any discrimination whatsoever in matters of human rights and fundamental freedoms in the treatment of persons, groups of persons or institutions on the grounds of race, color or ethnic origin.

2. No state shall encourage, advocate, or lend its support, through police action or otherwise, to any discrimination based on race, color or ethnic origin by any group, institution, or individual.

3. Special concrete measures shall be taken in appropriate circumstances in order to secure adequate development or protection of individuals belonging to certain racial groups with the object of insuring the full enjoyment by such individuals of human rights and fundamental freedoms. These measures shall in no circumstance have as a consequence the maintenance of unequal or separate rights for different racial groups.

### ARTICLE 3

1. Particular efforts shall be made to prevent discrimination based on race, color or ethnic origin, especially in the fields of civil rights, access to citizenship, education, religion, employment, occupation and housing.

2. Everyone shall have equal access to any place or facility intended for use by the general public, without distinction as to race, color or ethnic origin.

### ARTICLE 4

All states shall take effective measures to revise governmental and other public policies and to rescind laws and regulations which have the effect of creating and perpetuating racial discrimination wherever it still exists. They should pass legislation for prohibiting such discrimination and should take all appropriate measures to combat those prejudices which lead to racial discrimination.

### ARTICLE 5

An end shall be put without delay to governmental and other public policies of racial segregation and especially policies of apartheid as well as all forms of racial discrimination and separation resulting from such policies.

### ARTICLE 6

No discrimination by reason of race, color, or ethnic origin shall be admitted in the enjoyment by any person of political and citizenship rights in his country, in particular the right to participate in elections through universal and equal suffrage and to take part in the government. Everyone has the right of equal access to public service in his country.

### ARTICLE 7

1. Everyone has the right to equality before the law and to equal justice under the law. Everyone, without distinction as to race, color, or ethnic origin, has the right to security of person and protection by the state against violence or bodily harm, whether inflicted by government officials, or by individual, group, or institution.

2. Everyone shall have the right to an effective protection and remedy against any discrimination he may suffer on the ground of race, color or ethnic origin with respect to his fundamental rights and freedoms through independent national tribunals competent to deal with such matters.

### ARTICLE 8

All effective steps shall be taken immediately in the fields of teaching, education, and information, with a view to eliminating racial discrimination and prejudice and promoting understanding, tolerance and friendship among nations and racial groups, as well as to propagating the purposes and principles of the Charter of the United Nations, of the Universal Declaration of Human Rights, and of the declaration on the granting of independence to colonial countries and peoples.

### ARTICLE 9

1. All propaganda and organizations based on ideas or theories of the superiority of one race or group of persons of one color or ethnic origin, with a view to justifying or promoting racial discrimination in any form, shall be severely condemned.

2. All incitement to, or acts of violence, whether by individuals or organizations, against any race or group of persons of another color or ethnic origin shall be considered an offense against society and punishable under law.

3. In order to put into effect the purposes and principles of this declaration, all states shall take immediate and positive measures including legislative and other measures to prosecute and or outlaw organizations which promote racial discrimination or incite to or use violence for the purpose of discrimination based on race, color or ethnic origin.

### ARTICLE 10

The United Nations, the specialized agencies, states and nongovernmental organizations shall do all in their power to promote energetic action which, by combining legal and other practical measures, will make possible the abolition of all forms of racial discrimination. They shall, in particular, study the causes of such discrimination with a view to recommending appropriate and effective measures to combat and eliminate it.

### ARTICLE 11

Every state shall promote respect for and observance of human rights and fundamental freedoms in accordance with the Charter of the United Nations, and shall fully and faithfully observe the provisions of the present declaration, the Universal Declaration of Human Rights and the declaration on the granting of independence to colonial countries and peoples.

Mr. JAVITS. Mr. President, the declaration was adopted by a vote of 89 to 0, with 17 abstentions. One of the countries which abstained was the United States. The reason for the U.S. abstention was a provision in the declaration which may possibly present problems under the Constitution because it called upon the member states to pass legislation that would "outlaw" organizations which may be advocating racial discrimination or segregation. This presents a question for us under the Constitution of the United States and the right of free speech under the first amendment.

I have little doubt that we can deal with this issue when an opportunity comes to do so again in the General Assembly. I hope very much that, by making the necessary reservations as to the constitutional protections of the United States, or by other appropriate means which can be presented by our representative at the U.N., Gov. Adlai Stevenson, the United States will find it possible to join in this declaration. It is important that we do so.

First, the U.N. declaration affirms the basic human values of the charter.

Second—and very importantly—it lines up the whole world in a declaration against discrimination and segregation which is international in scope and demonstrates to the whole world that not only does the United States suffer from manifestations of this character, which affect particularly American Negroes, but that other nations have similar problems, and that the world is cognizant of them, and is now about to take a role in helping individual nations meet the problems.

I am particularly impressed with two of the declarations in this master declaration.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. The declarations are, first:

> Convinced also that racial discrimination harms not only those who are its objects but those who practice it,

Another declaration is:

> Convinced further that the building of a world society free from all forms of racial segregation and discrimination, factors which create hatred and division among men, is one of the fundamental objectives of the United Nations,

I think all mankind will applaud this declaration and its quality. I would feel deeply disappointed if the United States did not find a way to join in it, as I am confident it represents the overwhelming opinion of the people of this country, both as respects manifestations of segregation and discrimination in the United States and as respects our feeling that such discrimination and segregation should be eliminated, wherever else it may be, notably in connection with the policy of apartheid in the Union of South Africa, which is unjust for so many millions of persons there, and which endangers the peace and security of that great continent.

I am confident this can be done by appropriate reservation, in view of the legal problems which it presents to our delegation at the U.N., but I rise today to call attention to the importance of the declaration and to emphasize the fact that it is not only meaningful to point out that there is a great problem in the world and that segregation and discrimination on an international scale are one of the great problems of mankind, but that the United Nations is now trying to take a hand in an effort to solve them. This is to the good.

It represents my ardent desire—and I think it represents the desire on the part of the overwhelming majority of the American people; certainly the people in my State—that the United States should not refrain from being a party to the declaration, but that it should join in it, as can be done by appropriate reservation, at the time the vote is cast, to save itself from any implication that the constitutional mandate is being compromised.

That could not be done, anyway, under our law. The Constitution cannot be set aside by a treaty or declaration. In this case, the declaration is not a treaty. But I think we should make the necessary reservations and not fail to aline ourselves with a movement of such great importance to mankind and to the conscience of our country.

I ask unanimous consent that an article from the New York Times on this subject may be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### U.N. UNIT ADOPTS APPEAL TO ERASE RACE PREJUDICE—UNITED STATES AND 16 OTHERS ABSTAIN, FEARING CURB ON FREEDOMS—AMENDMENT SOUGHT

(By David Anderson)

UNITED NATIONS, N.Y., October 28.—A declaration against all forms of racial discrimination was adopted by the General Assembly's Social Committee here today. The vote was 89 to 0, with 17 abstentions.

The countries that withheld endorsement of the motion—Western Europeans, the British Commonwealth, and the United States—explained that they did so because the declaration threatened certain freedoms in its desire to stamp out race bias. In particular they opposed a provision that calls on all nations to outlaw organizations that "promote" racial discrimination.

"The purposes and principles of the declaration have our wholehearted support, as we have made clear time and time again," said Mrs. Jane Warner Dick of the United States. However, she continued, wording in the text upset a carefully worked out compromise by Asian, African, and Latin American delegations.

#### INCITEMENT IS FEARED

"Our legal and constitutional system has maintained a distinction between the mere expression of opinion and the voicing of statements likely to lead to crime or violence," she added.

A dozen speakers echoed this belief that the declaration trespassed on their countries' constitutional provisions.

While the size of the vote for the declaration made its adoption by the General Assembly a certainty, a move will be made to amend the one passage that the United States and the others cannot accept. The purpose would be to obtain unanimous approval.

Mrs. Dick said the United States was "confident that some basis can be found that will make it possible for this declaration to receive the overwhelming support it deserves." H. P. L. Attlee of Britain said it was still possible to improve the text at a later stage.

The Soviet bloc is expected to fight any amendment and a majority of member states may be content to let well enough alone. As one African delegate observed: "Free speech can go too far."

The declaration covers every aspect of racial discrimination that delegates from 111 nations could conceive possible. Its articles open with condemnation of any offense to human dignity and move on to outline what a state may not do, such as "encourage, advocate, or lend its support, through police action or otherwise, to any discrimination."

Civil rights, religion, jobs, and housing would be protected from bias of any kind. The policies, laws, and regulations of a country would be open to scrutiny if a nation abided by the declaration. Special reference is made to apartheid, as in South Africa, as something to be eliminated.

Guarantees of racial freedom in matters of civil service employment, the holding of public office, and voting were written into the declaration, as were such areas as teaching, education, and public information. A need for independent courts to hear racial cases is mentioned, along with the right to absolute equality before the law.

#### PROPAGANDA AIMS BARRED

The most controversial passages of the document deal with instruments or groups for propaganda and incitement of racial discrimination.

In conclusion, all member states and the United Nations itself are called upon to promote energetic action against racial intolerance and to foster respect for human rights, particularly as set forth in the declaration.

Much trouble was experienced in drafting the declaration. Debate on its provisions dragged on over 25 meetings, in the course of which 81 amendments or revisions were discussed. The dominant wish of the delegates was to strengthen a provisional text submitted by the Commission on Human Rights.

This came as no surprise since the Commission's approach was considered to be one reflecting its composition: of 21 member nations, only one, Liberia, was African and three—Afghanistan, India, and the Philippines—Asian.

Early in debate fear was expressed by the United States and Western European countries that the drive to abolish racial bias might get out of hand.

#### U.S. RELUCTANCE SHOWN

For example, it was felt that other freedoms, those of association and expression, were endangered. The question came to a focus in the hotly contested article 9, dealing with measures a government is expected to take against discrimination.

The United States reluctantly agreed to the outlawing of organizations that incite to or use violence for the purpose of racial discrimination. But then trouble developed.

Byelorussia introduced an amendment whereby groups merely promoting bias would likewise be outlawed and this was inacceptable to a number of delegations, including the United States.

It was to rearm this position that the United States abstained today and will attempt to have the text restored when it comes before the full Assembly for final action.

Western delegates have been disturbed by other aspects of the debate. It was argued that confusion had arisen between a declaration and a convention.

A declaration should concern itself with general principles and moral precepts to guide the conduct and behavior of nations, it was reasoned. A convention, due to be drafted next year, is to detail specific legal objections and impose sanctions. Yet the present declaration includes such detail.

#### REPRESSIVE IDEAS FOUGHT

The search for strong language by the Africans and Asians opened the way for the Communist bloc to inject concepts that were discarded only after long wrangling sessions. Among these were passages terming racial discrimination a threat to peace, neo-Fascist, and punishable under criminal law.

The United States led in the fight against every approach of this kind. "We do not believe it is necessary to restrict freedom for the expression of ideas, even ideas we loathe, in order to overcome discrimination," Mrs. Dick told the committee.

Adlai E. Stevenson, Chief U.S. Delegate, virtually assured the committee at the start of the debate that this country would support the declaration.

"We would not risk leaving the impression that we place anything but the highest priority on the fight against discrimination everywhere," he said.

Yet it now appears that the declaration, as it stands, would violate the U.S. Constitution.

Dr. Bonifacio de Miranda of Portugal noted that he had supported the declaration although abstaining in earlier voting. The reason, he explained, lay in Portugal's interest in abolishing discrimination in whatever form.

"We are pioneers in antiracism, the original multiracial society," he said.

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## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—PROPOSAL BY SENATOR MORSE

Mr. HUMPHREY. Mr. President, on the date of Wednesday, October 16, there appeared in the St. Louis Post-Dispatch an excellent editorial relating to a proposal offered by the Senator from Oregon [Mr. MORSE] to the foreign aid bill. This amendment was discussed yesterday by the Senator from Oregon. Indeed, it was discussed in the committee. It relates to the concern that has been expressed on the Senate floor on several occasions by Members of this body concerning the plethora of military coups in Latin American countries and what these do to our foreign relations, our programs in Latin America, and our foreign aid program.

As Senators may recall, the Senator from Oregon had suggested that Alliance for Progress loans and grants be denied any country "in which the government has come to power through the forcible overthrow of a prior government which had been chosen in free and democratic elections."

The purpose of the amendment was to exercise some discipline on the part of the United States in the use of our resources in countries in Latin America and elsewhere where military coups were undertaken and where juntas were in power at the expense of constitutional government and free elections.

The editorial is appropriate for this debate. I was aware of the editorial, and asked the distinguished Senator from Oregon if he would mind if I placed the editorial in the Record, because I believe the amendment merits our favorable consideration, and I want to go on record as so indicating.

I shall attempt to work with some of my colleagues in the Senate to see to it that the foreign aid bill is strengthened along the lines that have been suggested by the Senator from Oregon.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. That was also the position of the Senator from Minnesota in committee.

Mr. HUMPHREY. The Senator is correct.

Mr. MORSE. There was no formal vote with regard to the final language of the amendment, but I want the Senator to know I appreciate very much his putting the editorial in the Record. I consider it an honor. The Senator from Minnesota and I may have some differences with respect to certain aspects of the foreign aid bill, but we do not have any differences on objectives. We seek, to the best of our sights, to strengthen our country in its foreign relations in connection with adoption of a foreign aid program that will strengthen our country's security.

In the debate which is taking place—and it is to be not only a historic debate, but a vigorous debate—many Senators who are not participating in the debate are going to jump to a false conclusion that there are important differences of opinion among Senators who may differ with respect to certain sections of the bill. To the contrary, we have a common interest in trying to accomplish what we want done, namely, the development of a foreign aid program that will best help the cause of freedom around the world.

The Senator from Minnesota and other Senators who are joining the Senator from Oregon in opposition in respect to certain aspects of the bill are not against foreign aid; we are for foreign aid. That is why we have to be against the bill as presently written.

Mr. GRUENING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. I yield to the Senator from Alaska.

Mr. GRUENING. I should like to associate myself with the remarks of the distinguished majority whip [Mr. Humphrey] and those of the distinguished Senator from Oregon [Mr. Morse].

I would like to see foreign aid improved so that it can be effective. I am not opposed to foreign aid. I read with considerable interest and approval the numerous pertinent criticisms that were made in the report of the Committee on Foreign Relations, of which the two Senators, the Senator from Oregon and the Senator from Minnesota, are members. My amazement was compounded when I noted that following these valid criticisms, no appropriate recommendations for action were included in the report. If the criticisms are justified—and I believe them to be both valid, and pertinent—they should have been followed with appropriate recommendations to eliminate the appropriations that make such abuses possible.

Later in the day I shall make a speech on this subject, in which I shall point out how foreign aid can be substantially improved and made more effective by implementing some of the criticisms of the Foreign Relations Committee.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that at this point in our discussion the full text of the editorial to which I have referred be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

### Warning to Plotters

> Senator Morse's proposed amendment to the foreign bill, now before the Senate Foreign Relations Committee, reflects this country's growing concern over the trend toward military regimes in Latin America. In the last 18 months elected governments were overthrown in Argentina, Peru, Guatemala, Ecuador, the Dominican Republic, and Honduras. The military was the vital factor in each case, though civilian regimes have resumed control in Argentina and Peru.
>
> So Senator Morse suggests that Alliance for Progress loans and grants be denied any country "in which the government has come to power through the forcible overthrow of a prior government which had been chosen in free and democratic elections." The amendment is aimed particularly at the Dominican Republic and Honduras, where military coups occurred within the last month, but, as written, would also apply to Guatemala and Ecuador.
>
> The State Department is opposing the inclusion of the latter two countries on the ground that the United States has already recognized the new governments and should not terminate the continuing aid programs. The situation with regard to the Dominican Republic and Honduras is different. Last October 4 the United States suspended aid and diplomatic relations and ordered withdrawal of economic and military assistance missions.
>
> Senator Morse's proposal puts additional emphasis behind the new policy, but we do not think it should be made retroactive. Also, it may be found that it does not grant the President sufficient flexibility. He could not resume Alliance aid, for example, even if he determined that in a specific case it was in the national interest. The President would, however, retain discretion in the extension of various forms of support not in the Alliance program.
>
> There may be defects in Mr. Morse's proposal as it stands, but it aims in the right direction. Other Latin American countries remain under the threat of military coups, and if more fall the entire basis of the Alliance will be undermined. The premise of the Alliance is that the best hope for Latin America is economic reform under democratic rule and with the help of the United States. We cannot afford to let military dictators pervert the program.
>
> There is no question that the objectives of the Alliance can be attained only with the greatest difficulty. But they are sound, and they raise the hope of a better life for the impoverished people. That is why Alliance aid was made contingent on such reforms as the redistribution of land, more equitable taxes, and more democratic social and political procedures.
>
> In reality the Alliance aims at a middle way. Unstable because of poverty and illiteracy, Latin American countries generally are prime targets for the Communists on the one hand, and for the military, sometimes allied with the old ruling classes, on the other. A successful democratic regime is abhorrent to either extreme; the extremes are, or should be, abhorrent to the United States.
>
> The military is powerful in Latin America because, though not numerous, it usually has the organization and means to determine the course of events; and the Communists have strength because of their easy promises of better living standards. The United States in most instances has no business encouraging the military any more than the Communists. It must continue to seek ways of helping the people; a policy of denying aid to military dictators should cool the ardor of those who may be plotting to overthrow elected governments.

Mr. HUMPHREY. Mr. President, I call particular attention to the fact that the editorial is a very reasoned one. It points out:

> In reality the Alliance aims at a middle way. Unstable because of poverty and illiteracy, Latin American countries generally are prime targets for the Communists on the one hand, and for the military, sometimes allied with the old ruling classes, on the other. A successful democratic regime is abhorrent to either extreme; the extremes are, or should be, abhorrent to the United States.

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## THE SISTER CITY PROGRAM

Mr. BOGGS. Mr. President, I have great admiration for the sister city program which has linked American cities with communities of similar size in friendly countries around the world. The benefits to international good will from this program are incalculable.

I am particularly proud of the affiliation of Dover, the capital of my State, with the city of Lamia, in Greece.

Recently 29 citizens of Dover made a special trip to Lamia, along with Mr. and Mrs. Mark Bortman. Mr. Bortman is chairman of the civic committee of the people-to-people program.

Mayor Crawford J. Carroll, of Dover, was not able to go, and he was represented by F. W. Brittan, who was very active in the original effort to establish the bond between the two cities. Mrs. Brittan accompanied him.

Also making the trip were: Mrs. Richard C. Beckett, Mrs. William Bradford, Mrs. Andy B. Clements, Mrs. J. Norman Cubbage, Mr. and Mrs. Arthur Dobberstein, Mr. and Mrs. Earle J. Duncan, Mr. and Mrs. George Ehinger, Mrs. Lockwood C. Emmert, Mr. and Mrs. William E. Hallett, Mr. and Mrs. Donald K. Harmeson, Miss Margaret Hartnett, Mr. and Mrs. Edward S. Hodgson, James D. Lucas, Mr. and Mrs. Wilbur A. Miller, Dr. and Mrs. Maynard H. Mires, Mrs. F. J. O'Neill, Sr., Mrs. Harold J. Rau, and Mr. and Mrs. Lester N. Scharnberg. Arthur Southall of Milton, Mass., and Miss Florence W. Hopkinson of Boston, Mass., were also members of the group.

Mr. Brittan has since written a letter-type report on the trip which he was kind enough to send me, and I ask unanimous consent that it be inserted at this point in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Dear Senator Boggs: During the many years you have spent in public office, you have demonstrated your considerable interest in reaching a closer understanding among all the people of the world. Both as their Governor, and now as their Senator, the citizens of Delaware have been fortunate to be represented by a man dedicated to the furtherance of peace.

It was my privilege to have you as an honored guest at a luncheon meeting held to confirm the adoption by Dover of its sister city, Lamia, Greece. As you have continued to show interest in our program, I am taking the liberty to present a report on the recent visit to Lamia by 29 citizens of Dover, accompanied by Mr. and Mrs. Mark Bortman. Mr. Bortman is chairman of the civic committee of the people-to-people program. As Mayor Crawford Carroll was unable to join us, he had requested me to act as his representative.

Upon our arrival at the Athens airport, we were greeted by the president of the chamber of commerce; representatives from the Mayors Union of Greece; the assistant cultural attaché to the U.S. Embassy; correspondents from the Athens papers, as well as the editor of the Lamia daily newspaper; an observer from the London Economist, who remained with our group during our visit to Lamia and later wrote a report which appeared in the London Economist. This was our first taste of Greek hospitality and it was to continue throughout our trip, giving us a preview of the sincerity of feeling which the Greeks have for Americans. In addition to this reception at the airport, bouquets of beautiful roses were presented to Mrs. Brittan and Mrs. Bortman.

Driving from the airport to the hotel in Athens, we had our first and everlasting view of the Acropolis, which dominates this ancient modern city. Waiting for us at the hotel were individual messages of greetings to our group from Mayor Papasiopoulos, of Lamia, and within minutes after we had checked in, Mayor Papasiopoulos telephoned us from Lamia to bid us welcome. This was done even though he spoke no English and had to use the hotel operator to translate his good wishes.

On the following day we traveled by private bus to our sister city Lamia which lies approximately 150 miles northwest of Athens. As we left Athens our guide proudly advised us that the highway on which we were traveling was built by American generosity through the Marshall plan. Greece remembers with profound gratitude the assistance rendered her by the United States in the years following World War II when Marshall plan aid meant the difference between life and death. During part of the drive we seemed to be surrounded by the stark mountains of Greece, appearing as though the thousands of years had taken their toll of trees and natural growth. Then through areas where olive trees appear to be the only evidence of cultivation, and where farms are few and all members of the family must work incessantly to scratch survival from the barren soil. In these areas there is manifestation of poverty in depth, which for countless generations has been the heritage of the Greek farmer, as the rainfall is insufficient and the soil too rocky to produce a normal crop. His prized possessions are his goats, from which he derives milk and meat and uses the skins for his clothing. Occasionally one sees a donkey, the beast of burden of the ages, laden with twice its weight in fagots and the master riding on top of the pile.

Then suddenly our driver was pointing in the distance to Lamia, and all other matters seemed to become unimportant. There across the flat expanse between the mountains was our sister city which was settled, at least to us, in antiquity itself—460 B.C. As we drew closer, we saw that the town was built around and upon a hill at the top of which stood the ruins of the ancient fort which once held the original town within its walls. A half mile away we were met by motorcycle policemen and our entry to Lamia began to the familiar sounds of police sirens. Thousands of Lamians filled the streets and sidewalks while others stood on balconies and even on the rooftops.

As we stepped from our bus we could hear the people cheering and applauding. We were first greeted by an army general and the colonel of the Lamia police. Then, walking toward us in the middle of the street, appeared Mayor Papasiopoulos and his wife. After embracing the mayor, in the custom of the country, I introduced each member of our group to him and Mrs. Papasiopoulos and we started our walk up the street to the city hall. On both sides Lamians continued to applaud as we passed them, and many broke from the sidewalks to shake our hands and cry, "Welcome." Few Lamians spoke English, but they all had been taught to say the word, "welcome," with which to greet their American visitors. It is quite impossible to describe the feelings of warmth and sincerity emanating from this crowd of well-wishers.

At the city hall the mayor had prepared a buffet featuring a variety of local delicacies, including our first taste of Ouzo, the national aperitif. Present at this luncheon were the chairman and other members of the city council, the administrator of war veterans, the principals of the schools in Lamia, the directress of the girl guides, the director of the Boy Scouts, the chairman of the bar association, the chairman of the hospital and members of his staff, the president of the county medical society, the chairman of the workers center, and many other officials from the area. Each of these wonderful people shook our hands and bid us welcome, and although the language barrier was a problem, there was no question of their sincere desire to reach out to us and make us feel at home. The mayor had planned for members of our group to be housed with local families, during our 3-day visit, and after the buffet we were driven to our designated homes for a brief rest before the ceremonies of affiliation which were to be conducted that evening in Liberty Square.

Shortly before 6 o'clock Lamians began to gather at the entrance to Liberty Square, and by the time we arrived, the square was filled. In addition, every window, balcony and rooftop held others to witness the ceremonies. The colonel of police estimated the crowd to be between 15,000 and 20,000, or almost two-thirds of the population of Lamia. Our group walked between rows of schoolchildren in uniform, rows of girls in native costumes and young men wearing the uniform of the Evzones, the elite regiment of Greek soldiers who wear white skirts and have pompons on their shoes but have fought like wild devils in all their engagements. Here again, the crowd cheered and applauded as we walked to the end of the square, where seats had been placed for our party. Speeches were given by the mayor, the president of the Central Union of Municipalities and Communities of Greece, and the cultural attaché from the U.S. Embassy. Later we were presented with gifts for the city of Dover, and, in turn, we gave the mayor a certificate of honorary citizenship of the State of Delaware. Other members of our party presented the mayor with gifts sent by various Dover civic associations and clubs. Following the presentations, we were entertained by several groups of dancers in native costumes, climaxed by the exciting dances of the Evzones.

After the ceremonies on Liberty Square, I was given the honor of laying a wreath, supplied by our Embassay, at the monument erected in the memory of Anthanasios Diakos, on Diakos Square. This national hero was a Lamian who was finally put to death in 1821 by torture at the hands of the enemy during the war of independence against the Turks. The love and respect which Lamians hold for Diakos became evident during this ceremony. An honor guard of soldiers stood at rigid attention, and for the first time since our arrival, the faces of the crowd lost their smiles as they paid homage to the hero from Lamia. After a minute of silence, the band played the national anthems. It was interesting to note that on the many occasions the national anthems were played, "The Star-Spangled Banner" was always played first in honor of the American visitors.

That evening we were guests at the Lamian Club for a banquet given by more than 100 officials from Lamia and the surrounding communities. The principal speaker was Mr. Panos Iatrides, the general secretary of the Central Union of Municipalities and Communities in Greece. Here again, it is almost impossible to express the wonderful hospitality of our hosts. They succeeded in making each member of our party feel that he was the guest of honor. Following the banquet, we were conducted to the beautiful Municipal Theater for a special performance by the chorus of the municipality of Lamia under the direction of Mr. Aenian who is recognized as one of the most able choral masters in Europe. It should be sufficient to state that this group won second prize last year at the Conservatory of Rome in an international competition, but this fact in the minds of many of us was merely a reduction to written praise of a performance so outstanding as never to be forgotten.

On the second day, we visited Hypati, one of the most renowned health spas located about 18 miles from Lamia. The mineral springs of Greece have been famous from earliest times for their exceptional healing qualities and the springs at Hypati are recommended for the treatment of various skin diseases. These springs originated centuries ago, following a great earthquake. Upon leaving Hypati, we were driven to the ancient Cloister of Damasta, nested about 4,000 feet above sea level. They are completely self-sufficient, raising their own produce and weaving their own clothes. Carrier pigeons are their only means of communication when the road becomes impassable during the winter months. From the Cloister, we drove to the St. Lucas Club in Lamia for a luncheon given in our honor by the municipality of Lamia. Our hosts included the president of the Rotary Clubs of Greece, the president of the chamber of commerce, the chairman of the bar association, newspaper publishers, and the chairmen of many other organizations in the area. Most of these leading citizens gave a welcome speech and later each of our group was presented with a package made up of many local products and delicacies.

The afternoon was spent visiting the town, the schools, the hospitals, and the orphanage. Dr. Maynard Mires of our party, who is deputy director of the Delaware Board of Health, reported very favorably on the conditions of the general hospital, the tuberculosis sanitarium, the health center, and the malaria control station. All the equipment in the sanatorium was furnished through Marshall plan funds. Tuberculosis is still a serious problem in Greece and Dr. Mires told us of the outspoken appreciation of the doctors for this gift from America. Incidentally, Mayor Papasiopoulos is the chief surgeon at the Lamia General Hospital and his wife is a microbiologist.

That evening we returned to the Municipal Theater for a performance, by the famous national stage group of northern Greece, of the premiere of a new Greek tragedy "The Island of Aphrodite." It may be hard to believe that, although the play was presented in Greek, the excellence of the performance was such that we were able to follow its meaning without difficulty.

On the morning of our last day, we paused near the famous pass of Thermopylae where in 480 B.C., Leonidas, King of Sparta, and 300 Spartan soldiers held off an army of 3,000 Persians.

Our farewell luncheon was given at another spa, Kammena Vourla, and we learned that many of the dignitaries attending had traveled upwards of 50 miles to join us. The outstanding qualities and enormous quantities of food and wines could not dispel the sadness of departure. Although our memories of the past few days were bright, most of us found it difficult to hide our emotions at leaving these delightful people. As our bus drove down the highway, we could see our friends waving until we were out of sight.

Since our return, the relations between Dover and Lamia have continued to grow. Almost every day communications go out from school children, professionals, clubs, and civic organizations to their counterparts in Lamia, and it is hoped that a group of Lamians headed by Mayor Papasiopoulos will visit Dover in the spring of 1964.

I hope, Senator BOGGS, that this report may serve as firsthand evidence of a successful venture in bringing together the people of two towns even though they are from different nationalities, speak a different language and are thousands of miles apart.

Very truly yours,

F. W. BRITTAN.

## FOREIGN AID TO BOLIVIA

Mr. GOLDWATER. Mr. President, recently I was critical of the results of foreign aid in the case of Bolivia. President Victor Paz Estenssoro retorted that I should be more certain of my facts, before criticizing what has taken place in his country under our foreign-aid program. I agree with President Paz. In order that my colleagues and others who read the CONGRESSIONAL RECORD may better understand the reasons for my comments on Bolivia, I ask unanimous consent that chapter 8 of the book, "The New Argument in Economics," published by Van Nostrand and written by William Stokes, be inserted in the RECORD at the close of my remarks.

The author of this particular chapter, entitled "The Contraproducente Consequences of the Foreign-Aid Program in Bolivia," is Dr. William S. Stokes, senior professor of comparative political institutions at Claremont Men's College and the Claremont Graduate School. He was chairman of the Latin American Affairs Committee of the American Political Science Association and has conducted research in all the Latin American countries, leading to over 200 publications in English, Spanish, and Portuguese. Before accepting an endowed chair at Claremont Men's College, he was professor of political science at the University of Wisconsin. Dr. Stokes has lectured at many Latin American institutions of higher learning. His books are: "Honduras: An Area Study in Government," 1950; and "Latin American Politics," 1959.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### THE "CONTRAPRODUCENTE" CONSEQUENCES OF THE FOREIGN AID PROGRAM IN BOLIVIA

(By William S. Stokes)

### INTRODUCTION

In a letter to President Victor Paz Estenssoro of Bolivia (released May 14, 1961, in the United States and May 17 in La Paz, Bolivia), President Kennedy declared that the United States was now ready to assist Bolivia in a long-range economic program to achieve higher standards of living, economic progress, and social justice. President Kennedy promised loans and grants for the state tin and oil enterprises, roads, surplus agricultural products, an airport, and a sugar mill (totaling $50 million, including the West German credits), with other projects, such as low-cost worker and farmer housing to be undertaken as soon as the planning and programing could be completed.

In the last paragraph, President Kennedy said: "This great revolution has blazed a path for others to follow."[1] In the official translation of the letter in Bolivia, the sentence reads: "This great revolution has opened the road for other countries to follow." In the headlines to the letter as it was published in the official newspaper of Bolivia is the phrase: "Kennedy Eulogizes the National Revolution."[2]

Is this a "great revolution"? Has it "blazed a path for others to follow"? Should the President "eulogize" it? Is it worthy of long-range foreign aid?

Bolivia has already been the recipient of aid from the United States (from July 1, 1945, through June 30, 1960, a total of $191,200,000 in mutual security and economic program aid; $191,700,000 if military aid is included).[3] President Kennedy has determined that the country should receive more, and apparently he and his distinguished advisers are convinced that the Revolución Nacional is a model for other Latin American countries to follow. It therefore seems legitimate for the scholar and citizen to examine the nature of the Revolución Nacional and the aid it has received from the United States preliminary to a determination of the consequences of the President's "strong leadership" and "bold, imaginative program."

### THE IDEOLOGY AND POLITICS OF THE GREAT REVOLUTION

I have described elsewhere the origin of the Movimiento Nacionalista Revolucionario or MNR.[4] In association with a military lodge, the MNR seized power by force on December 20, 1943. The civilian-military oligarchy proceeded to govern by terror. At least 11 outstanding Bolivians were murdered in the period November 20–25, 1944, alone. The assassinations, tortures, and official thievery became so universally known that Sumner Welles said that the Government had "* * * turned Bolivia into an immense concentration camp" and, "torture and assassination were daily occurrences."[5]

Led by professors and university students, urban masses exploded into a direct, frontal assault on the centers of dictatorial power in La Paz in July 1946. When they burst into the governmental palace and finally found President Gualberto Villarroel hiding in a closet (armario), they shot him in the chest, and pushed his body out on one of the balconies that front on Ayacucho Street. From there they threw him to the mob below, which finished him off and hung his remains to a lamppost.[6]

Those leaders of the MNR who escaped began immediately to plan their return to power. In August 1949 they initiated such mass violence that it probably could be said that a state of civil war prevailed in the country. The army suppressed the uprising in 3 weeks of fighting. The next attempt, which was successful, was a 2-day attack on La Paz, the center of political power. The fighting from April 9–11, 1952, was fierce. A two-column analysis of the violence, published in El Murcurio of Santiago, Chile, on April 11, 1958, asserted that at least 5,000 lives were lost.

The original ideology of the MNR was basically Marxist-Leninist, although it was revisionist in not contemplating immediate affiliation with international communism. Theorists such as Walter Guevara Arze and José Fellman Velarde accepted historical materialism and the class struggle as central parts of their thinking. Ideally, the exploited masses should destroy the bourgeoisie and establish an economic system of socialism and a political system of dictatorship of the proletariat (people's democracy). The theorists argued, however, that Bolivia was obliged to import a third of its food and obtain foreign exchange by marketing minerals in other countries. Whether Bolivia could have socialism, therefore, depended upon whether socialism first succeeded in the large countries. A further difficulty was that class consciousness was not sufficiently developed among the Indians and mestizos to permit dictatorship of the proletariat at once. If Bolivia could not have socialism and dictatorship of the proletariat immediately, what could and should it have? The MNR theorists answered, revolución nacional. "The revolución nacional," Dr. Guevara Arze asserted, "does not deny the class struggle but is not based upon it." He added that later, depending upon the world development of socialism, Bolivia could base a revolution on the class struggle.[7]

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[1] Office of the White House Press Secretary, for release to a.m. papers, Sunday, May 14, 1961, Monday, May 15, 1961.

[2] La Nación (La Paz, 7 de mayo de 1961).

[3] International Cooperation Administration, Office of Statistics and Reports, United States Foreign Assistance and Assistance from International Organizations (Mar. 31, 1961), p. 60.

[4] William S. Stokes, "The Revolución Nacional and the MNR in Bolivia," Inter-American Economic Affairs (spring, 1959), pp. 28–30.

[5] New York Herald Tribune (July 31, 1946).

[6] For details and documentation of this episode, see Stokes, op. cit., pp. 30–32.

The original program of the MNR included: Opposition to Judaism and liberal democracy; prohibition of foreign capital in the media of communication; prohibition of the use of foreigners in command posts in the army; registration and control of all foreign employees in the country; absolute prohibition of the immigration of Jews; abolition of the "great private monopolies"; State control of commercial activities; nationalization of public services; class warfare through a union (alianza de clases) of the proletariat, peasants, and the middle classes against the "antinational superstate" (usually called the rosca) and its servants; and public education and social welfare directed by the State along political and nationalistic lines.[8]

Fellman Velarde, who was Minister of Education in 1961, described the programmatic objectives of the MNR in this way: "* * * it is necessary to eliminate imperialism and the great bourgeoisie that serves as its agent, returning to Bolivia the exploitation of its mines, redistributing the land, and diversifying the economy by means of the creation of new sources of wealth." [9]

The men who affixed their signatures to the act establishing the MNR were: Augusto Céspedes, Carlos Montenegro, Victor Paz Estenssoro, Hernán Siles Zuazo, Walter Guevara Arze, and José Cuadros Quiroga. In addition, there were eight other leaders who aided significantly in the campaign for power that followed.[10] Most of the original founders and their principal supporters have published works that expose their views. Although Marxist-Leninist conceptions are important in almost all cases, it must be emphasized that the MNR sought nationalistic applications of Communist formulas. Both Montenegro and Céspedes, for example, assert again and again that the MNR managed the data of historical materialism better than the scientific Marxists. By this they meant that the reality of Bolivia negated the possibilities of a successful class revolution. They therefore opposed the native Marxist activists and the trained members of the international apparatus who wished to impose the revealed truth of Marxism-Leninism on Bolivia in orthodox Communist fashion.[11]

A major work of Hernán Siles Zuazo published in 1954 revealed intellectual affiliation with Marxism,[12] but in his address to Congress in 1958, President Siles Zuazo repudiated class dictatorship, criticized the Communists, and associated himself with "Christian democracy." [13] Even Siles Salinas (who insists that President Paz Estenssoro clearly is a Marxist) asserts that Siles Zuazo is not a dogmatic Marxist.[14] A Congressman concerned with Latin American affairs told me in Washington in July 1961, the Secretary of State Dean Rusk had assured him that President Víctor Paz Estenssoro is not a Marxist. On the basis of the books, documents, and interviews available to me, I must conclude that President Paz Estenssoro is a revisionist Marxist-Leninist, whose policies have encouraged communism in Bolivia.

There is less disagreement as to the Marxist orientation of the leaders of the great labor unions, such as Juan Lechín, Vice President of Bolivia and head of both the Central de Trabajadores de Bolivia and the Confederación Minera de Bolivia, and Mario Torres Calleja, Secretary General of the Federación Sindical de Trabajadores Mineros de Bolivia or FSTMB. Stalinists and Trotskyites drew up the famous Tesis de Pulacayo (approved on May 18, 1946), which was adopted as the Programa de Principios of the FSTMB. The essence of the Tesis de Pulacayo was a commitment of the miners to subordinate temporary possibilities of economic gain to the greater task of achieving the proletarian revolution. The specific provisions of the Tésis and the Programa paralleled almost exactly the reforms of the MNR after the seizure of power in 1952. When Lechín arrived at Huanuni on May 7, 1961, after a trip to the United States to discuss foreign aid, he made a 20-minute speech to union members to the effect that his visit to the heartland of imperialism did not mean a giveaway (entreguismo) or betrayal of the working class. He told his audience that they must be prepared to zigzag if they expected to achieve their objectives, and on this point he reminded them that even Stalin made a temporary alliance with Hitler as a part of his long-term strategy.[15]

Perhaps the most important single source of information as to the ideological orientation of the MNR at the present time is the program of government for 1960–64. The program was drafted for the purpose, among other things, of persuading the United States to part with even larger amounts of foreign aid. Nevertheless, the program defends the politically unliberal and economically unsuccessful "reforms" achieved since 1952, some of which were contained in or alluded to in the first program, already discussed. In addition, the part that deals with the nature of the state and the role of law and certain institutions, such as the armed forces and the police, is clearly Marxist-Leninist. According to MNR, the state is an instrumentality at the service of the classes that control the means of production. "Legal norms—which are not mere abstractions removed from reality but part of the social phenomenon—reflect the interests of the economically dominant classes and are obligatory upon the members of society. The armed forces constitute the apparatus of force of the state and of the social classes that have public power and are designed to fulfill two principal functions. The first consists of defending the state from its internal enemies. This means defending the groups or social classes that have in their hands the management of the state, as opposed to those social groups with contradictory interests. This constitutes the function of conserving public order * * * and necessarily implies a political identification between the armed forces and the dominant classes.

"In the modern state the police are one of the instruments of coercion of the social classes that possess public power." [16]

The government established by President Víctor Paz Estenssoro in 1952 could not by any stretch of the imagination be described as democratic. The President and his advisers evidenced from the very beginning a passionate intolerance of the opposition. They arrested a former foreign minister, former minister of economic affairs, former chief justice of the supreme court, leaders of the major political parties, and many other prominent, even distinguished figures. Secret police organized under a bureau known as political control ferreted out the opposition, using unconstitutional methods that rivaled in ferocity those employed by the Nazi and Communist tyrannies. The jails were literally filled with thousands of political prisoners, and President Paz Estenssoro created concentration or "work" camps to accommodate the overflow.

Among such camps were Curahuara de Carangas, near Laz Paz, and those at Corocoro, Catavi, and Uncía.[17] The media of communication were intimidated. President Paz Estenssoro ordered the closing of La Razón in La Paz, a newspaper owned by Carlos Aramayo. In Cochabamba, MNR mobs burned and destroyed the daily Los Tiempos.[18] The leaders (dirigentes) of the MNR arrogated to themselves "super-legal immunities" and acted above constitution, law, or court. It has been alleged that they looted the public treasury and engaged in fiscal irregularities probably without parallel in Bolivia's history. As late as July 1961 it was revealed that about $1 million, which was supposed to be used to purchase 4,000 tons of lard, had disappeared.[19]

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[7] Alberto Cornejo S., Programas politicos de Bolivia (Cochabamba, Bolivia: Imprenta Universitaria, 1949), p. 164. See also pp. 159–164, 170–175. Other relevant sources include: Nestor Taboada Terán, Antologia de cuentos de la revolúción (La Paz: Talleres Gráficos Bolivianos, Publicaciones SPIC, 1954), passim; República de Bolivia, El libro blanco de la independencia económica de Bolivia (La Paz: Subsecretaria Prensa, Informaciones y Cultura, 1952), p. 188; Secretaría Ejecutiva del Comité Político Nacional del MNR, El pensamiento revolucionario de Paz Estenssoro (La Paz: E. Burillo y Cía, 1954), p. 303; Saturnino Rodrigo, Diario de la revolución nacional (La Paz: Librería Editorial "Juventud," 1955), p. 389; Andrés Townsend Ezcurra, "La revolución nacionalista de Bolivia," Humanismo (México, D.F.: No. 1, jul., 1952), pp. 49–50; Alberto Ostria Gutiérrez, The Tragedy of Bolivia (New York: Devin-Adair Company, Inc., 1958), pp. 103–118.

[8] Cornejo S., op. cit., pp. 147–151. See also Walter Guevara Arze, Plan de politica económica de la revolución nacional (La Paz: Ministerio de Exteriores y Culto, 1955), p. 200.

[9] José Fellman Velarde, Victor Paz Estenssoro: El hombre y la revolución (La Paz: Alfonso Tejerina, 1954), p. 95.

[10] Augusto Céspedes, El dictador suicida (Santiago: Editorial Universitaria, S.A., 1956), p. 245.

[11] See Carlos Montenegro, Documentos (La Paz: Imprenta "Nacional," 1954), pp. 50, 52–55, 62–71; Céspedes, op. cit., pp. 246–249.

[12] Hernán Siles Zuazo, "Hacia la planificación de la economia boliviana," Revista de la Facultad de Economia y Finanzas (Aruro, julio-diciembre de 1954), passim.

[13] Hernán Siles Zuazo, Mensaje al honorable Congresso Nacional, 6 Agosto 1958 (La Paz: Talleres de la Editorial del Estado, 1958), pp. 8, 34, 60, 85, 95, 101.

[14] Jorge Siles Salinas, Lecciones de una revolución. Bolivia: 1952–1959 (Santiago: Editorial Universidad Católica, 1959), pp. 59, 62.

[15] El Diario (La Paz, 8 de mayo de 1961). See also El Mercurio (Santiago, 13 de marzo de 1961); Mario Padilla A., "El Movimiento Nacionalista Revolucionario," Semana (21 de noviembre de 1960); Tesis de Telamayu (La Paz: n.p., 1960), pp. 1, 6; Presencia (La Paz, 30 de mayo de 1961); La Prensa (Buenos Aires, 22 de junio de 1961); Samuel Mendoza, "La situación en Bolivia," El Mercurio (Santiago, 9 de marzo de 1961); El Diario (La Paz, 17 de abril de 1961).

[16] Programa de Gobierno. Movimiento Nacionalista Revolucionario. Tercer Gobierno de la Revolución Nacional, 1960–64 (La Paz: E. Burillo, 1960), pp. 113, 115–116, 121.

[17] El Diario (La Paz, 12 de febrero de 1958; 14 de mayo de 1958; 16 de noviembre 1958); El Mercurio (Santiago, 25 de octubre de 1958; 2 de agosto de 1961); La Prensa (Buenos Aires, 13 de julio de 1961); Crónica (Cochabamba, 31 de julio de 1961); Ostría Gutiérrez, op. cit., pp. 205–219.

[18] Ultima Hora (La Paz, 11 de abril de 1958); Ostría Gutiérrez, op. cit., pp. 137–140; La Nación (Buenos Aires, 11 de marzo de 1958).

[19] Ultima Hora (28 de julio de 1961); El Diario (La Paz, 18 de diciembre de 1958); Presencia (La Paz, 13 de febrero de 1958).

When elections were scheduled for June 1956, with power to be transferred in August, it was obvious to Bolivian and foreign observers that the official candidate, Dr. Hernan Siles Zuazo, Vice President under Paz Estenssoro, would win. All effective political opposition had been suppressed. In addition, the MNR instituted universal suffrage, which meant, in effect, giving the vote to illiterates. Whereas only about 160,000 citizens were eligible to vote in the 1951 elections, approximately 1,200,000 were eligible to cast ballots in 1956.[20] To be certain that no embarrassing slips would occur, the government created an ad hoc committee to draft an electoral statute that would guarantee the effectiveness of the "imposición" (rigged election). They gave the illiterate Indians their colored ballots (papeletas de colores), and Dr. Siles Zuazo became President.[21] Paz Estenssoro departed for England to perform ambassadorial duties but returned to win the 1960 elections and assume the Presidency once more (with former President Siles Zuazo departing for Uruguay to perform ambassadorial chores.)

President Siles Zuazo closed the concentration camps, succeeded (early in July, 1957) in removing some extreme leftwing influence from the cabinet and party leadership, and permitted freer expression of opinion in the press. In addition, the President stated that the thousands of political exiles could return to Bolivia. In fact, however, most requests for the special transit visas (permisos de retorno) were reported to have been denied. Although administrative corruption reached unknown limits, and Siles had to denounce certain members of the previous administration for having enriched themselves at public expense, it is contended that not one person was punished for the operaciones fraudulentas.[22]

The MNR endeavored to eliminate the traditional army and to create proletarian armed militias dedicated to the defense of the Revolución Nacional. Juan Lechín, who is credited with having formed the militias, has claimed that the rural people (campesinos) made up fifteen regiments, the miners, 10,000 men, the railroad workers, 2,000, and the factory workers, 3,000. When a union was organized, its leaders immediately asked the government for arms for each man.[23] It was reported late in 1958 that at the last mining congress at Colquiri, the following resolution was adopted: "The militias should be strengthened, their command centralized, and their discipline ought to be based on the most profound class convictions. The Federation of Miners will arm the workers and at the same time provide them with an ideological conception of class. The armament of the proletariat and the peasants is one of the great conquests of our class and especially of the miners. The revolution has no more defense than that of the workers' militias." [24] However, the use of violence for political purposes, instead of protecting person and property, has sometimes failed to serve the MNR. Sometimes the militias have refused to follow orders or have acted contrary to government policy. Therefore, in recent years the MNR has begun to rebuild the professional army. The army is reputed to total about 80,000 soldiers at the present time,[25] and in the 1961 budget the Ministry of Defense received 52,700 million bolivianos (with only debt service and education receiving more).[26]

Although the MNR has always officially repudiated the class revolution and professes to represent an alliance of workers, peasants, and members of the middle class, it is a fact that the MNR's policies have desperately injured the middle class, perhaps even more than the upper class. The Government's policy of inflation, for example, meant that many members of the middle class were compelled to debase their standards. Many intellectuals and trained people left the country. Others abandoned their professions for black-marketing. Those with capital exported it in order to prevent government seizure. The Zondag report declared that inflation "* * * is about to wipe out the small middle class of Bolivia, which * * * is practically the only one that has the necessary education and management ability to give direction to the country." [27] Some writers argue that the MNR should have boldly eliminated the latifundistas (large landholders) as a social class in the first place.[28] There is little evidence that the MNR has curbed Communist infiltration from 1952 to the present. Indeed, there is demonstration of Communist presence and influence in the cabinet, legislature, court system, police, unions, and education.[29] There was enough support in the Chamber of Deputies in 1960 to approve a resolution introduced by Deputy Roncal calling for aid for the Cuban revolution (to defend the Cuban revolution is to defend the Bolivian revolution).[30]

Since returning to power in 1960, President Paz Estenssoro has reorganized the court system, permitted the Minister of Economy to intervene in the management of the newspaper El Diario of La Paz, decreed an estado de sitio (suspension of constitutional guarantees for 90 days beginning June 7), and forced Walter Guevara Arze, chief of the Movimiento Revolucionario Nacional Auténtico, and 31 followers, to flee to Peru. The Congress converted itself into a Constituent Assembly, in a manner that seems clearly unconstitutional, in order to add more than 100 amendments to the organic statute. Some of the amendments purported to give constitutional sanction to previous elections, while others gave the executive authority to effect economic change without approval from the legislature. Finally, the Communist assault on the Catholic church has intensified class conflict and resulted in the closing of a Catholic radio station.[31]

### THE GREAT REVOLUTION AND THE AGRARIAN REFORM

The Zondag mission described traditional agriculture in Bolivia as economically and socially backward and concluded that reform was absolutely necessary.[32] The problems were many. Some men owned too much property (latifundismo), and some too little (minifundismo). The 1950 census revealed that 4.5 percent of the rural landowners possessed 70 percent of all private landed property. On the other hand, the small and medium farmers, who made up 90 percent of the rural population, held only 30 percent of the land.[33] The evils of the colonato system, characteristic of the central valley and altiplano (highlands) of Bolivia, have been described by many writers.[34]

So inefficient was the system of agriculture that large percentages of the foodstuffs domestically consumed had to be imported each year: for 1925–29, 22.3 percent; 1940, 23.9 percent; 1952, 30 percent; 1953, 37.84 percent.[35] This situation was unnecessary. Bolivia has literally millions of acres of undeveloped land that studies have proved to be suitable for agricultural, pastoral, and extractive enterprises. For example, the possibilities for cacao and Brazil nuts are great. Bolivia's rubber is high grade and not likely to be replaced by synthetics. The climate and labor conditions in Yungas are favorable to tea growing (of which 155 tons worth $200,000 were imported in 1953). Pyrethrum, bananas, corn, rice, sugar, yucca, vegetable oils, tobacco, hard fibers, cusi palms for palm oil, honey, turmeric, cotton caranday palm wax, quebracho—all could be produced. Although low, governmentally controlled prices for coffee discourage its production, without such artificial barriers the possibilities were virtually unlimited. Quinna, grown in the Bolivian highlands, is a cereal extremely rich in vitamins and protein content. New varieties of wheat could be grown on the high plains, freeing the valleys for other crops. With an estimated 128 million acres of forest, Bolivia is one of the most richly endowed countries in the world in this resource.[36]

Instead of concentrating agrarian reform on national lands, the MNR enacted a decree-law on August 2, 1953, which provided for expropriation and distribution of lands that were already in use. The official program of the MNR for 1960–64 describes the agrarian reform as the most transcendental of all its conquistas because it liberated more than 2 million campesinos from serflike conditions.[37] The boast evokes sympathetic response, but the facts must be explored to determine what the effects of the agrarian reform have been.

There is evidence that the main ideological influence in the drafting of the expropriation decree was Marxist-Trotskyite.[38]

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[20] New York Times (June 15, 1956); Ostría Gutiérrez, op. cit., pp. 128–129.

[21] Ultima Hora (La Paz, 21 de febrero de 1958). For a defense of the Siles Zuazo administration, see Siles Zuazo, Mensaje al honorable Congreso Naciónal, op. cit., pp. 116 and appendices.

[22] Ultima Hora (La Paz, 2 de abril de 1958); El Mercurio (Santiago, 25 de octubre de 1958; 11 de abril de 1958); Ultima Hora (La Paz, 10 de abril de 1958); La Prensa (Lima, 23 de noviembre de 1958); see also El Diario (La Paz, 16 de noviembre de 1958); Pedro Zilveti Arce, La hora de la verdad (n.p., 1958), pp. 13–16; Ostría Gutiérrez, op. cit., pp. 219–220.

[23] Ercilla (Santiago, 8 de septiembre de 1955); see also Mario Padilla A., "El Movimiento Nacionalista Revolucionao," Semana (Noviembre 21, 1960).

[24] Ultima Hora (La Paz, 20 de octubre de 1958).

[25] La Prensa (Buenos Aires, 18 de junio de 1961).

[26] El Diario (La Paz, 3 de enero de 1961).

[27] Cornelius H. Zondag, Problems in the Economic Development of Bolivia (La Paz: 1956), pp. 24, 42, 156–157.

[28] Fausto Beltrán A. and José Fernández B., ?Donde va la reforma agraria boliviana? (La Paz: Talleres Gráficos Bolivianos, 1960), pp. 24, 185–186, 215.

[29] Guillermo Bedregal, La nacionalización minera y la responsabilidad del sindicalismo (La Paz: n.p., 1959), p. 23; Guillermo Martínez Márquez, "El dilema boliviano," La Presna (Buenos Aires, 4 de junio de 1961); Crónica (Cochabamba, 19 de junio de 1961); La Presna (Buenos Aires, 18 de junio de 1961; 22 de junio de 1961; 13 de julio de 1961); La Prensa (Lima, 12 de agosto de 1961); El Mercurio (Santiago, 6 de julio de 1961).

[30] El Diario (La Paz, 18 de agosto de 1960).

[31] La Prensa (Buenos Aires, 16 de diciembre de 1960); Guillermo Martínez Márquez, "Bolivia en 'estado de sitio' otra vez," La Prensa (Buenos Aires, 3 de marzo de 1961); Crónica (Cochabamba, 19 de junio de 1961); La Prensa (Buenos Aires, 18 de junio de 1961; 22 de junio de 1961; 13 de julio de 1961; 13 de agosto de 1961); El Mercurio (Santiago, 12 de agosto de 1961); La Prensa (Lima, 3 de agosto de 1961); El Diario (La Paz, 3 de agosto de 1961).

[32] Zondag, op. cit., pp. 78–79.

[33] Beltrán A. and Fernández B., op. cit., p. 18.

[34] See Stokes, op. cit., footnote, p. 38.

[35] Zondag, op. cit., p. 59.

[36] Zondag, op. cit., annex to chap. V., pp. 1–14, 150.

[37] Programa de Gobierno, op. cit., p. 41.

[38] Stokes, op. cit., pp. 39–40.

According to Article 156, hacendados or latifundistas (large landholders) whose lands are expropriated in whole or in part are to be offered compensation in the form of 2 percent, 25-year agrarian bonds. The value of the land was based on the formula of current tax assessment, which must have been calculated to take private property virtually without compensation. The vicious inflation that the MNR initiated further eroded the worth of the bonds. Article 160 provides that the beneficiaries of the land program can pay for the land on the same terms—price according to tax assessment, 25 years for amortization, 2-percent interest, Article 162 sets up a National Service of Agrarian Reform headed by the President. Article 164 gives the President supreme authority over the entire administrative system including in (sec. d) the final decision, without judicial appeal, on all concessions of titles to land. The agrarian law, therefore, provides for a centralized system of administration without checks or controls on the executive. The President is authorized to appoint whomever he chooses to administer the program, and he himself has the final vote. As I wrote in 1959, "This kind of unlimited, unchecked authority invites arbitrary action and abuse."[39] Let us see how the scheme has worked.

As soon as the decree was signed on August 2, 1953, many Indians seized land militarily. They took and used whatever they found, including about $15 million worth of cattle, many of which were prize breeding stock. Although the haciendas (large farms) had been supplying the cities with food, the people who seized or received land proceeded to grow food for themselves alone. The reason for this was that the prices the Bolivian Government offered the farmers for their produce were too low. When there were surpluses, the farmers smuggled their livestock, corn, rice, and other products into neighboring countries where they could sell at a profit. Bolivia, the home of the potato, was compelled to import this food from Argentina. Thus, the initial result of the agrarian reform was famine in the cities, which the United States was called upon to alleviate. However, about one-third of the food supplied by the United States was smuggled out of the country, and much of the rest went into black markets. Little reached the consumers who needed it most, although they waited hours in lines (colas) to get it. In December 1956 prices of U.S. food were raised from their formerly artificially low points of 10 to 20 percent of cost to market levels. Price controls were abolished. These actions encouraged local production to some extent.[40]

The National Service of Agrarian Reform was characterized by dishonesty, ignorance, and negligence. The local administration—called juntas rurales—produced anarchy and insecurity in the countryside. Trips to acquire data to implement the reform became expeditions of pillage. Aside from gifts in kind, the members of the juntas collected fees from the Indians they were supposed to benefit. A law of December 22, 1956, replaced the juntas by a new administrative system, but the results were no better. The new appointees, like the old, demanded food, drink, gifts, and fees for their labor. In many instances, the owner was not present at the time his property was investigated, but the officials proceeded to sign the form declaring that the proprietor had ceded his property to the Indians freely and voluntarily. It usually took several months to conclude the preliminary part of the paperwork. When the documents were transferred to higher authority, they entered a long winter sleep, although awakened promptly by gifts.

From the National Service of Agrarian Reform, the documents passed to the Minister of Campesino Affairs, and from there to the Legal Department of the Presidency, and finally to the Primer Mandatario (the President) himself. In the long meantime, the campesinos, orphans without direction, became adventurers. They sacked houses, occupied properties; and subjected the owners to terror and extortion. Many of the agitators who encouraged such activity were members of the MNR.

The lawyers prolonged land cases to increase their fees. The administrative and legal work was done so poorly that a second examination was often required (called a replanteo) to correct the mistakes made. The surveyors demanded "gross sums" for their services (such as 50,000 bolivianos each from 320 ex-colonos of the property Cocamarca in the province of Arque in Cochabamba). The campesinos were thus compelled to pay for lawyers, surveyors, judges, secretaries, and other officials, as well as for sealed paper, stamps, etc., in order to obtain titles to land. The total amount invested often was more than the market value of the land. For this reason, "* * * a great number of ex-colonos prefer to buy their parcels."[41]

In his address to the national congress in 1958, President Siles Zuazo estimated that it would take 30 to 40 years to complete the agrarian reform.[42] However, Beltrán and Fernández (1960) have calculated that if the rhythm of the first period of the reform—1953–56—were followed, it would take 485 years to redistribute the land. If the increased pace of the 1956–59 period were to continue, it would take 108 years.[43] As of May 1960, the government had granted 63,414 titles to 44,100 heads of family, involving 1,510,832.57 hectares, of which only 820,707.82 hectares went into individually held plots. In addition, 23,431 titles were almost ready for distribution to 12,670 heads of family.[44]

The average size of holding extended to campesinos has been 3.61 hectares.[45] Production has increased in some crops, especially sugar. It has fallen in others, such as wheat. However, it seems plain that the agrarian reform, even in instances in which a farmer has been able to secure title to land, has created fractionalized plots too small to encourage hopes of prosperity among the masses of rural peoples. Benjamin Maluenda, a Chilean agronomist, reported in November 1958 that the agrarian reform had had only one result: the subdividing of property.[46] Martínez Márquez, writing in June 1961, concluded that after 8 years, the agrarian reform had not resulted in increased production, lower prices of products, improvement in the living conditions of the peasants, or lessened political tensions in the country.[47] State interventionism in agriculture may have produced political consequences, however. Two Bolivian deputies have charged than an immense tonnage of coca leaves are being processed into cocaine in a factory in Santa Cruz, which is managed by Senator Luis Sandoval Morón, the "right arm of the government." The cocaine is allegedly exported to pay for arms flown in from Cuba, stored in Santa Cruz and Cochabamba, and from there distributed in Bolivia, Peru, Chile, and Argentina in preparation for other fidelazos (Castro-like coups).[48] Finally, even Augusto Céspedes, one of the founders of the MNR and editor of the official newspaper, La Nación, admitted that the agrarian reform had produced contraproducente consequences (the reverse of expectations), at least in the rich Cochabamba Valley. He uses such words and phrases as the following to describe what has happened: "Unproductive," "anarchy," "new tyranny," "disorder," "lower agricultural production," and "negative results."[49]

### THE GREAT REVOLUTION AND THE NATIONALIZATION OF THE TIN MINES

In response to their enchantment with nationalization of the means of production and the planned economy, the MNR seized the three great tin interests—Patiño, Aramayo, and Hochschild—on October 31, 1952.[50] Both evidence and logic argued strongly against nationalization. The Bohan report (1942) concluded without qualification that the three large companies "* * * are without a doubt superior to any staff which the Government of Bolivia, alone or with official American assistance, could put into the field."[51] However, the leaders of the MNR and their leftwing supporters had the terms of an ideology to fulfill, and in addition they could see that the companies were prosperous. They thought that by seizing the tin mines they would make a great killing. For example, Anaya—a Marxist-Leninist—declared that the nationalized mines would make enough money to pay for the agrarian reform; the electrification of the country; the colonization program; the construction of light and heavy industry; petroleum development; the building of schools, hospitals and the like on a great scale; and the development of water, air, and land transportation and communication.[52] Dr. Hernán Siles Zuazo, one of the founders of the MNR and president from 1956–60, read a paper at the Universidad Mayor de San Simón in Cochabamba on October 11, 1954, in which he declared: "For many years, Bolivia will depend on the production of its extractive industry."[53] The best proof of the grandiose expectations of the MNR nationalizers and planners is found in the statement of the president of the Corporación Minera de Bolivia (Comibol), the state mining enterprise, made in 1959. Guillermo Bedregal asserted that from the very moment of the decree of nationalization it was their expectation to finance all our ideals of social justice through operation of the mines.[54]

The leaders of the MNR and their supporters had long depicted the tin companies as exploitative, imperialistic enterprises that contributed little to the welfare of the country. The decree of nationalization itself asserts that the tin companies paid to the

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[39] Stokes, op. cit., p. 41.

[40] Roger A. Freeman, "The Revenue Problem of Bolivia" (ms. report by the Tax and Revenue Adviser, U.S. Fiscal Mission to Bolivia, La Paz, April 12, 1957. Supplement to Final Report on Assignment in La Paz, November 17, 1956, to April 24, 1957, dated April 29, 1957), assim.

[41] Beltrán, A. and Fernández, B., op. cit., pp. 58–71.

[42] Siles Zuazo, Mensaje, al honorable Congreso Nacional, op. cit., p. 35.

[43] Beltrán, A. and Fernández, B., op. cit., pp. 75–76.

[44] Programa de Gobierno, op. cit., p. 44.

[45] Beltrán, A. and Fernández, B., op. cit., p. 83.

[46] El Mercurio (Santiago, 24 de noviembre de 1958).

[47] Guillermo Marinez Márquez, "El dilema boliviano," La Prensa (Buenos Aires, 4 de junio de 1961).

[48] La Prensa (Lima, 12 de agosto de 1961). See also: La Razón (Buenos Aires, 2 de agosto de 1961).

[49] La Nación (30 de octubre de 1960).

[50] For the names of the companies that were seized and other details, see Stokes, op. cit., pp. 43–44.

[51] Merwin L. Bohan, Report of United States Economic Mission to Bolivia (August, 1942), Pt. IV, p. 4.

[52] Ricardo Anaya, Nacionalización de las minas de Bolivia (Cochabamba: Imprenta Universitaria, 1952), p. 338.

[53] See Siles Zuazo, "Hacia la planificación de la economia boliviana," op. cit., pp. 23–63.

[54] Guillermo Bedregal, La nacionalización minera y la responsabilidad del sindicalismo (La Paz: n.p., 1959), p. 9.

Government only a "tiny part" (minima parte) of the value of tin exports. The companies, the decree states, "were practically exempt" from the payment of taxes. What they paid to the Government would scarcely cover the most essential needs of the country, while the owners were "accumulating enormous fortunes" for themselves. The fact is that the mines before nationalization paid a large part of the taxes collected by the Government. René Ballivián shows what the revenues were for the period 1921-44,[55] and even Anaya admits that the taxes the mines paid in 1948 amounted to 47.45 percent of the total revenues of the Government.[56] The Bohan report demonstrated that Bolivia, almost alone among tin-producing nations, taxed its exports of tin very highly. There were 30 separate tax laws dealing with export duties. The result was that 20 percent of the c.i.f. value of tin exported was returned to the Government.[57]

Although the MNR did not formally nationalize the medium and small mines, almost the same effect was achieved by Government policy. The Ford, Bacon, and Davis survey of 1956 said: "As a result of this extreme taxation of private mines, the Government has maneuvered the significant private mines into a position where they are, in effect, nationalized without the Government having the headaches of their operations." The Government's take was often 100 percent of the profits, and the survey found that 25 percent of the mines were operating on a nonprofit basis as of June 1956. The MNR took 41 to 56 percent of net sales income without regard to the profit or loss of the mine or its replacement needs. In addition, the MNR established a complete monopoly of purchase and sales of all minerals, control over all imports of necessary equipment, and complete control of the Central Bank in regard to foreign exchange for the private mines. The number of small private mines declined by over 1,600 in the period 1953 through 1954. More would have ceased operations if it had been possible to do so without confiscation by the Government. "The major reasons for these conditions are attributable almost entirely to the unfavorable political climate and adverse economic environment for private initiative and private investment." The Ford, Bacon, and Davis survey concluded: "No other country in the Western Hemisphere takes so much from industry profits, and no other mining country in the Western Hemisphere has created such a condition of exhausted working capital and lack of self-sustaining mine operations as has Bolivia."[58]

The management of the nationalized tin mines by the Government of the MNR was an immediate and disastrous failure. As Victor Andrade, long-time member of the MNR and Ambassador to the United States at the time, admitted in 1957, "Most of the tin mined since 1952 has been at a loss. Almost every pound of tin taken from the Bolivian mines since 1952 has been at a loss."[59] Utilizing figures supplied by Guillermo Bedregal, president of Comibol,[60] I have prepared a chart that demonstrates what has happened through 1958:

*Record of management of nationalized Bolivian tin mines*

| | Tin produced (kilos, fine) | Tin exported (comibol) | Value, tin (comibol) |
|---|---|---|---|
| 1952 | 27,346,902 | 25,245,369 | $65,090,390 |
| 1953 | 26,034,007 | 29,974,273 | 61,360,919 |
| 1954 | 25,850,417 | 25,141,095 | 49,684,404 |
| 1955 | 23,484,543 | 23,793,512 | 48,035,681 |
| 1956 | 22,996,621 | 22,843,206 | 49,632,838 |
| 1957 | 21,648,353 | 22,389,816 | 45,488,068 |
| 1958 | 17,384,476 | 14,074,511 | 28,482,446 |

Although the above official figures do not go beyond 1958, studies of more recent Comibol statistical data indicate that the MNR has not been able to correct its mistakes. Production continues to decline. Costs continue to increase. One analysis (Comibol figures) show a 59-percent decline in production of the nationalized mines from 1952 to 1960.[61] Pacheco Arana, with the aid of official sources, concludes that the losses of the state enterprises from November, 1952, to December, 1959, amounted to 307,517,365,657 bolivianos.[62] Losing money on 18 out of 20 nationalized mines in 1960, the Government sustained a total loss for that year of 149,243,733,581.45 bolivianos.[63] According to Guillermo Bedregal Gutiérrez, president of Comibol, the loss was approximately $10 million in 1960 and $60 million for the entire period of state operation.[64] The cost of production for the years immediately preceding April 9, 1952, was estimated to be $0.70 per pound. According to Comibol, the cost rose to $1.17 by 1959 and $1.29 by 1960.[65]

Why could private enterprise operate the tin mines profitably? Why have the state enterprises failed to do so? The question evokes agreement on some points and basic disagreement on others. Let us examine first the areas in which there is substantial agreement.

It cannot be denied that the MNR and its leftist supporters encouraged the belief for years that, when the state nationalized the tin mines, the workers would achieve gains such as higher wages, shorter hours, less discipline, less work, and more fringe benefits. Aside from the fact that the unions were led by Marxists-Leninists-Trotskyites and anarchosyndicalists for the most part, the masses of the workers wanted their gains, and at once. They got them.

A decree of December 1953, created the so-called worker control (control obrero) under which the unions would elect representatives for 1 year to participate in the management of the mines. The consent of the control obrero was required for all personnel changes—hiring, firing, promotion, demotion, transfer; the control obrero must approve action on absenteeism, theft, sabotage; supervise allocation of housing, commissary supplies, distribution of mining materials and explosives; sign all purchase orders; check on health and safety conditions; report to union officials and workers; and he had the right of veto over management's actions. If the management should object, the issue is referred to Comibol and the miners' federation. If no agreement is reached, the case then goes to the Ministry of Mining. As the Minister of Mines is "always a leading member of the union" (for example, in 1961 the Minister of Mines was the Marxist Nuflo Chávez Ortiz), the records of the cases show that most of the decisions have favored the control obrero. I am indebted to the Ford, Bacon, and Davis report for the above data.

The report also asserts that "* * * the mines are very much lacking in competent supervision, and the working conditions have greatly deteriorated." There was a decrease in underground labor efficiency averaging 15 percent in the first 5 years of state operation of the mines. The working force of the nationalized mines continually increased, rising from 28,998 in 1952 to 34,500 in 1955. Safe practices and conditions were much below minimum standards. The report declares that there was a lack of materials, lack of discipline, disrespect for safety rules, lack of enforcement authority, pilfering of critical materials, lack of safety training, and interference from political groups. There was an increase of 61 percent in the frequency of fatal accidents per 1 million shifts worked in 1955 as compared to 1953. The commissary (pulperia is the word used in Bolivia) subsidy in some mines amounted to more than the total direct mining and milling costs at the mine. The workers enjoyed 80 paid holidays in 1955.[66]

The findings of the Zondag and Freeman reports were essentially the same. Zondag found that contrary instructions poured in on the mine managers from many and different sources—the Minister of Mines, the board of directors of the mining corporation, the general manager of the mining corporation, the union, and the control obrero. Labor had six channels of recourse to higher authority over their own management. The union exercised actual control over the commissary in many of the mines. The stealing of minerals and supplies were prevalent. There were daily interruptions of work for union meetings. The foremen and supervisors could not exercise their authority, as the unions refused to approve any dismissals. Many workers used up their sick leave at the urging of the unions. The mine doctors were afraid to reject workers with subjective complaints for fear of losing their jobs. Zondag found much featherbedding in Comibol's mines. The Freeman report indicated that the average mineworker earned almost as much as a Cabinet officer, although the Bolivian miner produced only one-tenth that of a U.S. miner in a comparable type of work.[67]

When Siles Zuazo was president, he boasted about the social security gains Bolivian workers enjoyed. "I should like you to show me," he challenged, "any other underdeveloped country which has so high a percentage of its workers covered."[68] I would argue that it is hard work, low wages, saving, few fringe benefits, and productivity—all leading to capital accumulation—which is what underdeveloped countries need if they desire to improve themselves economically. President Siles Zuazo's own figures indicated that the social security system added greatly to the costs of production and contributed to the state's vast deficits. Zondag found that social security costs were 67.5 percent of the employee's wage: Family subsidy, 13 percent of wage; rent allowance, 14 percent; social security, 5.5 percent; professional risks, 5 percent; 2 extra months' pay and other benefits, 10 percent; Sundays and bonus holidays, 20 percent. Ever since 1954, wages must be paid for 7 days per week even if no work is performed by anyone on Sunday. Two months' extra salary are paid at the end of the year; medical and pharmaceutical supplies are furnished free if there are over 80 employess in the enterprise; regular wages are paid for 90 days to sick workers; 90 days' notice or 3 months' wages are required for dismissal; with proper notice a fired employee is entitled to 1 month's pay for each year with the company; if the employee has worked in one place for 8 or more years, he gets this amount even if he resigns; finally, the employer is prohibited by decree from the number of his employees.[69]

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[55] René Ballivián C., Tasas e impuestos sobre la industria minera en Bolivia (La Paz: Otero y Otero y Calderón, 1946), p. 239. On the other hand, see the MNR position in Fernando Díez de Medina, Pachukiti y otras páginas polémicas, con la denuncia por defraudación de impuestos contra los multimillonarios Patiño y Aramayo (La Paz: n.p., 1948), p. 189.

[56] Anaya, Nacionalización de las minas de Bolivia, op. cit., p. 30.

[57] Bohan, op. cit., Pt. VI, pp. 31-32.

[58] Ford, Bacon, and Davis, Inc., Report on Mining Industry of Bolivia, Ministry of Mines and Petroleum (La Paz: not published, 1956, 9 volumes), Vol. II, Significant Aspects of the Bolivian Mining Industry, pp. 25-35; Vol. I, Summary, pp. 14-15.

[59] Victor Andrade, "Bolivia and the Future," Address, Cosmopolitan Club of Pennsylvania State College, February 23, 1957, daily CONGRESSIONAL RECORD (March 14, 1957), p. A2095; Address, Morgan State College, Baltimore, April 17, 1957, daily CONGRESSIONAL RECORD (May 22, 1957), p. A3923.

[60] Bedregal, La nacionalización minera y la responsabilidad del sindicalismo, op. cit., Appendix.

[61] Ultima Hora (La Paz, 11 de marzo de 1961).

[62] René Pacheco Arana, "La nacionalización de las minas," Presencia (La Paz, 11 de abril de 1961).

[63] La Nación (La Paz, 19 de agosto de 1961).

[64] Presencia (La Paz, 28 de julio de 1961).

[65] Pacheco Arana, op cit.

[66] Ford, Bacon, and Davis, Inc., Report on Mining Industry of Bolivia, op. cit., Vol. III, Significant Aspects of Bolivian Mining Industry, pp. 27-28, 34-44, 73-77, 83-85.

[67] Zondag, Problems in the Economic Development of Bolivia, op. cit., pp. 97-100; Freeman, The Revenue Problem of Bolivia, op. cit.

[68] Siles Zuazo, Mensaje al Honorable Congreso Nacional, op. cit., pp. 78-79.

The psychology (mentalidad), encouraged by the MNR, that to work less means to gain more, has resulted in a large number of strikes and work stoppages. Martínez Márquez estimates that the average number of strikes per year was 300 for the period 1952 to 1957. In 1958, the total was about 600.[70] The president of Comibol reports, somewhat sadly, that the union and its representative in the Ministry of Mines succeeded in getting $7,600,000 for "fictitious labor."[71] Comibol even resorted to an incentive system as a means of persuading the miners to work a little more. On October 31, 1958, the Government announced that those workers who stayed on the job for a year would be granted a substantial increment. Some districts took advantage of the offer. Now, however, the union—the FSTMB—insisted that the offer represented a labor gain (conquista laboral) and demanded that all districts should receive the bonus, including those that had struck so much and done so little that the state enterprise suffered a $4 million loss as a result of their activity.[72] Very recently the MNR has appealed to the unions to replace the Tesis de Pulacayo, which had a Marxist-Leninist proletarian revolution as its purpose, with the Tesis de Telamayu, which has as its purpose subordinating temporary workers' gains for the vital necessities of the Revolución National.[73]

Siles Zuazo argues that the reasons for the failure of the state to operate the mines economically are: low prices, insufficient capital, wornout machinery, inadequate electrical power, and an excessive number of workers who are kept on because of elementary social justice.[74] Beltrán and Fernández assert that what Bolivia imports costs about 300 percent more than in 1945. Tin was selling for $0.65 per pound in 1945; therefore, Bolivia should get three times that price of tin or $1.95 per pound just to break even.[75] If this kind of argument is accepted, then it would follow that an international commodity or cartel agreement with the United States buying tin at high fixed prices would be logical. The United States has already purchased much tin from Bolivia for political purposes, and our stockpiles exceed strategic requirements (as of July 1961) by about 150,000 tons.[76]

In any event, the contention that low prices explain state failure is erroneous. According to the Statistical Bulletin of the International Tin Council in London, except for the higher prices produced by the Korean police action in 1951 and 1952, the price per pound, fine, prior to expropriation was: 1948, $0.98; 1949, $0.98, and 1950, $0.93. Since nationalization, low prices and the Soviet dumping of tin in 1957 and 1958 cannot explain the deficits of the Corporación Minera. Using the above source, we find that the price in 1953 was $0.91; 1954, $0.89; 1955, $0.92; 1956, $0.98; 1957, $0.94; 1958, $0.91; 1959, $0.98; and 1960, $0.99. Other explanations are put forth, but they are hardly credible. Lopez Rivas, for example, blames the democratic, capitalistic, monopolies of foreign countries for the state's failures.[77]

Basic disagreement exists as to whether socialism or capitalism can best operate the means of production. All the independent studies, surveys, and reports that I have been able to read take the position that the inherent difficulties of socialism negate the possibilities of successful operation of the mines. The Keenleyside report, written before the MNR seized the mines, states: "Even if nationalization of the mining industry were theoretically desirable, it would be wholly impracticable in Bolivia under present conditions. The government has neither the financial resources nor the technical and administrative competence to undertake any such task."[78] The United States has supplied the MNR with more than $191 million in financial assistance and promises more, but the management of the state mines still lacks technical and administrative competence. A lawyer's group within the MNR (La Célula de Abogados del MNR) issued a public statement in August 1961, which accused the management of Comibol of such administrative ineptitude and dishonesty that state operation of the mines could only be termed "disastrous." The group called for the immediate resignation of the top officials, including Guillermo Bedregal, president of Comibol.[79]

All the recent reports assume that socialism will not prove economically viable and that therefore the MNR must return to a free economy. The Zondag report insists that a free economy is required "* * * because only a free economy can stop the present drain caused by the activities of speculation and runners of contraband. Only a free economy can force people to work again instead of making a few pennies by standing in line. Only a free economy will create confidence in the foreign investor which, once established, will result in the Bolivian investor bringing back vast amounts of capital now hoarded abroad."[80] The Ford, Bacon, and Davis survey, the most complete and thorough of all the studies, asserts: "Both the technical and economic problems are surmountable, and the industry should be able to overcome its present difficulties provided the Government takes the necessary steps in the available time to give Bolivia the economic and investment climate it needs." The same survey makes absolutely clear that it is not price or lack of subsidization that is causing the trouble: "It must be noted that during the past 4 years the nationalized mining of Bolivia has enjoyed the highest metal prices in the history of the industry, and, furthermore, the country has been subsidized by U.S. Government tungsten contracts to the sum of about $6¼ million annually. The Bolivian tin industry has been subsidized through all the Longhorn smelter contracts to an amount estimated at about three-quarters of a million annually." The survey concludes finally that Bolivia's only hope "* * * is through revival of private mining activity."[81]

It is not only the nationalized tin mines that are mismanaged and deficit-ridden, but all the other socialized industries as well.

The president of Comibol stated in 1959 that 70 percent of the economic activities of Bolivia were state owned and operated. This figure included not only the mines but factories, railroads, the state oil enterprise, and other activities.[82] Even in the face of the most overwhelming evidence that socialism is a failure in Bolivia, the United States has almost literally leaped to support the system. For example, the MNR called in Salzgitter A.G., a West German Government holding company with mining activities, to survey Comibol. There were some reports that Salzgitter might assume managerial responsibility under a production contract. At this time the Soviet Union allegedly announced that it was prepared to give Bolivia a $10 million tin smelter. The United States almost instantly changed its policy position of refusing credits to Comibol as a state enterprise born of expropriation. The United States agreed to put up $10 million for reequipment and concentration plants as well as exploration work to find new tin deposits.[83]

The United States should have told the Bolivian planners and the unions—one of which threatened to march on the capital if the Soviet offer was not accepted;[84] that a tin smelter does not make economic sense for them. The Bohan report made this point clear as long ago as 1942. The Ford, Bacon, and Davis survey established that the direct operating costs of a tin smelter in Bolivia would involve an estimated $491 per fine ton, about 90 percent higher than in foreign smelters, mainly because of the costs of imported materials and supplies. Also, there should be proved ore reserves for 25 years of operations in order to justify a smelter, something that is lacking in Bolivia.[85] Despite the evidence that the Soviet offer should have been described as spurious, the United States responded to the Communist challenge by establishing the important policy that this country is now prepared to subsidize nationalized industries whether just compensation is provided or not. Although the United States accepted Mexican expropriation of private oil properties with a token compensation, it had been a policy of this country, until President Kennedy's edict, not to reward confiscators.

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[69] Zondag, Problems in the Economic Development of Bolivia, op. cit., p. 169.

[70] Guillermo Martínez Márquez, "Bolovia en 'estado de sitio' otra vez," La Prensa (Buenos Aires, 3 de marzo de 1961).

[71] Bedregal, La nacionalización minera y la responsabilidad del sindicalismo, op. cit, pp. 26–29.

[72] Ibid., pp. 44–46.

[73] Tesis de Telamayu (La Paz: n.p., 1960), pp. 1–7.

[74] Siles Zuaso, "Hacia la planificación de la economía boliviana," op. cit., p. 41; Siles Zuazo, Mensaje al honorable Congreso Nacional, op. cit., p. 17.

[75] Beltrán A. and Fernández B., op. cit., p. 169.

[76] Hanson's Latin American Letter (Washington, D.C.: July 22, 1961, Number 853).

[77] Eduardo López Rivas, Esquema de la historia económica de Bolivia (Oruro: n.p., 1955), pp. 191, 202.

[78] H. L. Keenleyside, Head of Mission, Report of the United Nations Mission of Technical Assistance to Bolivia (New York: U.N., 1951), pp. 48–49.

[79] El Diario (La Paz, 3 de agosto de 1961).

[80] Zondag, Problems in the Economic Development of Bolivia, op. cit., p. vii.

[81] Ford, Bacon, and Davis, Inc., Report on Mining Industry of Bolivia, op. cit., Vol. II, Significant Aspects of the Bolivian Mining Industry, pp. 2–4; Vol. I, Summary, p. 15.

[82] Bedregal, La nacionalización minera y la responsabilidad del sindicalismo, op. cit., pp. 53–54.

[83] New York Times (January 11, 1961).

[84] Presencia (La Paz, 5 de noviembre de 1960).

[85] Ford, Bacon, and Davis, Inc., Report on Mining Industry of Bolivia, op. cit., Vol. I, Summary, p. 48.

What about payment for the expropriated mines? The government promised to pay in the decree of expropriation. The decree in article 3 listed certain values that it said would be taken into account when a final settlement was reached. The government promised in article 10 to reach a final settlement before December 31, 1953. In reaching the figure of real worth of the properties, the decree threatened in the preamble to subtract sums for alleged nonpayment of taxes or alleged noncompliance with fiscal provisions of the law in the past. Prior to settlement with the companies, the government promised in article 11 to pay 3 percent interest on the values described above, and in article 12 to deposit in the Banco Central de Bolivia 2 percent of the gross value of all minerals exported by the nationalized mines to be used as a fund to begin paying the owners of the mines for their property. Under the "retentions" system, the Patiño, Aramayo and Hochschild groups received through September 1959 a total of $16,825,581.34, according to the president of Comibol.[86] Even these sums were apparently given grudgingly. The president of Comibol says they were paid as a necessity and an imperative in the face of sabotage and judicial embargoes initiated by the former owners.[87] As the New Frontier increases Bolivia's stipends under the foreign-aid program, there might be enough money to make up the deficits and even to pay the former owners for the mines.

There were other consequences of the grandes conquistas and transformaciones profundas of the MNR. When the state enterprises failed and incurred great deficits, the planners printed paper money. This had the effect of producing a fantastic inflation. By December 31, 1958, the Revolución Nacional had printed and put into circulation 90 times as many bolivianos as existed in 1952, when they seized power by force. The exchange rate in 1952 was reported to be about Bs 110 to $1 up to Bs 160 to $1 on the free exchange. By 1955, the exchange rate was up to about Bs 14,000 to $1. On December 16, 1956, the government was persuaded to accept and put into effect a stabilization program devised by U.S. experts. The boliviano was to be stabilized at Bs 7,750 to $1, but by January 1959 the exchange rate was Bs 12,500 to $1. The plan failed, even though the United States provided $25,000,000 to back up the boliviano. The Banco Central, as of March 31, 1952, had in its vaults 344,961 gold pounds sterling and 17,765 kilos in gold bars. By December 31, 1957, only 2,921 kilos of gold remained. An editorial in Ultima Hora dated January 3, 1959, asserted that not even an adarme (the 16th part of an ounce) of the gold remained.[88] According to official data, the general index of the cost of living in Bolivia (1953–100) had risen by August 1960 exactly 3,031 percent or 30.3 times.[89]

### THE GREAT REVOLUTION AND U.S. FOREIGN AID

In the following quotations, I hope to provide some of the flavor of the U.S. foreign aid program in Bolivia ($191,200,000 as of June 30, 1960) through a sampling of comments from a 1960 document of the U.S. Operations Mission to Bolivia.[90]

In a letter from Rey M. Hill, Director, to Juan Haus Solis, Minister of Economic Affairs (1960), there is a reference to "an inadequate control system."

As of August 6, 1960, the Government of Bolivia/Distributors owed Bs 16.5 billion. This amount has been outstanding 2 to 4 years.

As of August 6, 1960, the Government of Bolivia/Distributors owed Bs 4.1 billion. This amount has been outstanding 3 to 4 years.

A portion of the funds that was used to purchase new commodities has been poorly handled.

Also sight should not be lost that the Government of Bolivia/Importers did not abide by the terms of payments as outlined in these agreements. Large sums were still outstanding. As of August 6, 1960, the Government of Bolivia/Importers owed Bs 6.3 billion. This amount should have been paid 2 years ago to the stabilization account.

The end results are that poor records were maintained, some of the equipment was sold without accountability, and the sales proceeds used for other purposes.

The mission on a monthly basis since August 1957 has requested the Government of Bolivia to provide information on the funds accruing to it. To date no reports have been submitted.

The largest single amount as of August 6, 1960, due the special account counterpart is Bs 9 billion owed by the Government of Bolivia/Y.P.F.B. for Avgas. This amount has been owed since 1958.

In re United States dollars aid:

Cooperating governments usually assume the leading role to control the aid commodities/equipment and submit to the U.S. mission reports regarding the arrival, distribution, usage, and storage of the commodities/equipment. In Bolivia the information required for these purposes has not been furnished by the Government of Bolivia.

Costly errors are in abundance.

The real difficulty regarding the monitoring and auditing of local currency projects has been the failure of the project sponsor to establish a separate bank account for the project funds and to submit quarterly progress and financial statements. Here again the key to the solution lies with the Ministry of Economy. One solution that is considered rather drastic is to cut off funds to the project until the project sponsor abides by the terms of the project agreement. Less drastic would be an educational program of utilizing the press and word of mouth that any project agreement entered into must be abided by. Since for 6 years most of the project sponsors have not abided by the reporting requirement of the agreements, it is considered advisable to begin the educational program immediately, and if this measure is not effective, commence to take drastic steps to cut off funds beginning January 1, 1961.

As of August 6, 1960, the mission had issued 210 reports containing 506 recommendations to the Bolivian Government. "Unfortunately seldom have any of these recommendations been acted upon."

ICA equipment valued at $20,500 "remained in the ports for 2 years."

No replies have been received to any of the above correspondence.

Many other recommendations pointing out misuse of funds, nonuse of equipment, etc., that have not been acted upon.

Since no reports have been forthcoming from the Bolivian Government on the amount of funds accruing for deposit. * * *

In re some Bs 3 billion:

This amount was not deposited to the special account counterpart in accordance with the economic assistance agreement between our two Governments but was transferred directly to the Ministry of Finance.

Since the present handling of import duty funds is not in conformity with the Mutual Security Act of 1954. * * *

* * * the failure of the Government of Bolivia to provide reports of any nature or have the project sponsors abide by the terms of the project agreement.

End-use/audit reports:

It was necessary for this staff to work 2½ years to account for the amounts owed by distributors who, as agents for the Government of Bolivia, sold the ICA food and cotton arriving during the 1954–58 period. These reports are available to the Government of Bolivia. They point out that Bs 20.6 billion is still owed. For the past year a part of the end-use/audit staff has field checked the use of the ICA hardware items. These field checks have included two detailed surveys of the ICA commodities/equipment that has remained for long periods of time in the Chilean and Peruvian ports.

These reports point out ICA-financed equipment remaining in the ports from 1 to 3 years and deteriorating, equipment purchased for certain projects and remaining in its original crates for long periods of time after arriving in Bolivia, misuse of local currency funds, and failure to file insurance claims within the statutory period.

A letter (n.d.) from Rey M. Hill, director to Juan Haus Solis, Minister of National Economy, refers to manipulations of Counterpart Funds.

In a letter from Jorge Tamayo Ramos, Minister of Economic Affairs, to the Superintendent of Banks, dated June 6, 1960, in re point 4 funds: "This action could be considered embezzlement with the aggravating circumstance of swindle."

"Many irregularities have taken place."

Exhibit A—Montellano & Co.: "Crédito Hipotecario has illegally retained the amount of Bs. 52,262,420 for its own use."

Exhibit C—American Export Co.: "The report submitted by the Controller's Office End-Use Inspector states that two Willys Jeep station wagons were handed over to the Minister of Economy without sale slip.

"The Cochabamba mayor's office received two jeeps under the same condition."

Other recent U.S. Government documents merit at least brief examination. Some of the words and phrases from the Selden-Fascell report for the House Foreign Affairs Committee (1961) are: " * * * great excess of miners. * * * inability to fire featherbedded laborers. * * * decreased agricultural and mineral production, voluminous contraband traffic, inflationary monetary policies." In regard to the Ford, Bacon, and Davis survey: "Due to political pressure * * * the Bolivian Government took no action on the recommendations. The Government's ability to implement its decisions is further handicapped by the existence of an armed milita of workers and peasants, infiltrated by Communists." On the U.S. aid program to Bolivia: "It should be tapered off as soon as possible, and assistance directed to specific projects."[91]

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[86] Bedregal, La nacionalización minera y la responsabilidad del sindicalismo, op. cit., Appendix.

[87] Ibid., p. 38.

[88] For documentation of the details of the Bolivian inflation, see Stokes, op. cit., pp. 46–47.

[89] Beltrán A. and Fernández B., op. cit., p. 128.

[90] Memorandum for Information and Action of the United States Aid Program (United States Operations Mission to Bolivia, September 1, 1960), in Spanish and English, pages not numbered consecutively throughout.

[91] Special Study Mission to Latin America: Venezuela, Brazil, Argentina, Chile, Bolivia, Panama, Report by Hon. ARMISTEAD I. SELDEN, JR., Alabama; Hon. DANTE B. FASCELL, Florida (Washington, D.C.: United States Government Printing Office, 1961), pp. 24–31, passim.

Some data relevant to the MNR in Bolivia may be found in the 1961 hearings of the subcommittee of the Committee on Appropriations of the House of Representatives. Although Dr. Gordon was an administration witness and favored the President's proposals for more aid for Bolivia, this exchange took place:

"Mr. Passman. Did not some of your witnesses testify that Bolivia last year was near bankruptcy?

"Mr. Gordon. It was and is near bankruptcy."

Further on in the hearings:

"Mr. Montoya. And I notice where they were not suffering any paucity of funds because of such small revenues because last year Bolivia, under the mutual security program, received $23 million in special assistance. That is $2 million more than their total revenues. They received $8,870,000 in technical assistance, or a total of $31,870,000. But let us go further with respect to Bolivia.

"They received a loan from the DLF of $4 million. That far exceeds their total revenues.

"But let us go further than that. This is what adds to the shock—the Export-Import Bank loaned them, during 1958 and 1959, $47.3 million, or approximately, in total U.S. funds, a ratio of about 3 to 1."

"Mr. Gordon. It is true * * * we have made, relative to the Bolivian Government revenues, enormous financial assistance in loans and grants together. The Bolivian case is, as I think I mentioned the other day, a particularly tragic case. None of us are happy with what happened there, either with respect to their own financial situation, or with respect to the failure so far of our aid program really to get the Bolivian economy even approaching getting on its feet. * * * I am sure that the future policy should differ very substantially from the past policy in the Bolivian case." [92]

On the other hand, in neither public nor private Bolivian sources can one find anything even remotely approaching enthusiasm for the U.S. foreign aid program. The kindest words are found in President Siles Zuazo's message to Congress in 1958. He made several very brief noncommittal references to U.S. aid and then finally used the phrase, "the generous cooperation of the people and North American government," in respect to the program.[93] All the official program of government of the MNR for 1960–64 says is, "The results obtained up to now are, in general, satisfactory." This is scant praise, and the next sentence says that the results can be improved by application of better methods.[94] Guillermo Bedregal, president of Comibol, says only (1959) that U.S. assistance is necessary to pay "public expenses." [95]

Mario Torres Calleja, secretary general of the miners' union (the FSTMB) and a Trotskyite, has provided a detailed criticism of U.S. foreign aid to Bolivia. The truth, he argues, is that in large part the aid the United States sent to Bolivia was food and fiber products that the United States overproduced and channeled into Bolivia as a dumping ground. To administer the aid, the United States has created a gigantic bureaucracy in Bolivia made up of inept and ignorant men who have contrived to waste the dollar aid so that all Bolivia sees of it are ciphers on paper. The aid never involved bringing machines or instruments of production. The U.S. objective was simply to dispose of surplus farm commodities in order to solve the farm crisis and to "destroy the agriculture and national industries and frustrate the diversification program and self-sufficiency plans begun in 1952." The North American experts are characterized by incredible ineptitude, the Eder plan for monetary stabilization was antinational and antiworker, and imperialist control of the minerals market has injured Bolivia. The union leader is against Yankee plutocracy, monopolists, and multimillionaire Yankees. Torres concluded by saying that his union would continue the anti-imperialist struggle, expressing its solidarity with the Cuban Revolution.[96]

Similar ideas are developed by Beltrán A. and Fernández B. in a serious study published in 1960. The principal reason for U.S. foreign aid in Latin America is to protect the 30-, 40-, and 50-percent earnings on capital invested of North American monopolies. As Latin America is of enormous importance to the monopolies, the United States has put into play a new form of slavery through the deceiving etiquette of American aid. The food program (of Public Law 480) is not disinterested. The purpose is twofold: (1) to permit the maintenance of high prices in the United States by dumping the surpluses in Latin America; and (2) to prohibit the development of a healthy agriculture in Latin America that might compete with the United States. In this way, it is possible to subjugate the Latin American countries and keep them in a perpetual state of dependency. The United States can use foreign aid to protect both its sources of raw materials in Latin America and also the markets for the manufactured goods of its monopolistic enterprises. The United States uses surplus food (excedentes agricolas) for the purpose of financing military dictatorship and furthering political corruption in order to guarantee a favorable climate for the investments of North American monopolies. The United States also provides technical assistance to Bolivia, but the means employed are absolutely fragmentary and superficial. The authors conclude that U.S. foreign aid has caused all the failures of the MNR. On the other hand, the cause of the countries that fight for their liberation can count on the definite help of the Socialist world, aid that is a guarantee of the success of an enterprise.[97]

### CONCLUDING REMARKS

If it can be assumed that the foregoing analysis is supported by sufficient evidence to merit the judgment of substantial accuracy, then it becomes crystal clear that President Kennedy's eulogy of the Revolución Nacional as a great revolution, which has blazed a path for others to follow, is a profound blunder, the consequences of which may prove disastrous for the United States. Undoubtedly the President was advised by trained, traveled, and talented specialists in Latin American affairs to write the letter, promise the aid, and praise the MNR. The names of such men and the reasons for their advice have not been revealed, however.

The Revolución Nacional is not a great revolution. It has not blazed a path for others to follow. It has lessened political liberty and retarded representative government. What is the direction of the present government? A scholar working in Bolivia writes (early 1961): " * * * Paz Estenssoro, willingly or unwittingly, placed himself in the hands of the far left of the MNR"; and "* * * the drift is toward the left." The same scholar's words and phrases support the thesis of this paper that the MNR's system of socialism and the planned economy is an ignominious fracaso or failure: "stagnating agrarian reform"; "plummeting tin production"; "hyperinflation"; "rising cost of living"; "mass exodus of professionals." [98]

The United States must have selected all its officials in Bolivia from the ranks of imbeciles and the deaf, blind, and dumb not to know what has happened in that country in the past 8 years, one Latin American writes.[99] Ramirez R. tells us, "We view with surprise the measures adopted by the United States, handing over enormous quantities of dollars to their own enemies." [100] In the view of Siles Salinas, U.S. aid to Bolivia is designed to provide an example to other Latin American countries of what not to do—seize land, nationalize, and "plan." [101] One increasingly notes the use of the word "antiejemplo" (literally, "counterexample") in Latin American publications to describe the Revolución Nacional in Bolivia. The feeling has assuredly developed, among some Latin Americans at least, that the quickest way to debase a country's economy is to nationalize it. This may well be the only positive consequence of the U.S. foreign aid program in Bolivia.

I submit that the evidence does not and cannot support the view that the MNR is a defender of the ideals and values of American culture. Massive U.S. aid has nullified the American policy of nonintervention in the internal affairs of other countries in the Western Hemisphere. The aid program has resulted in rendering the leaders of the MNR subject to extended tutelage by selected U.S. officials. Even so, no basic principles of the MNR have changed, and only a minute impact on policy can be claimed.

I am aware of the fact that it can be argued that the political authoritarianism of the 1952–56 period has been moderated in certain particulars. Some have insisted, erroneously in my judgment, that the presidential elections of 1956 and 1960 were democratic. The reforma agraria has so far permitted individuals to possess, if not to acquire legal title to, land, but there are influential elements in the MNR who agitate constantly for cooperatives or collectives. The public monopoly in oil has been mitigated to permit private exploration under prescribed circumstances. Some recognition of the value of private initiative is to be found in the Program of Government for 1960–64. Furthermore, Dr. Rowland Egger, special representative of President Kennedy, addressed high officials in the Government of the Revolución Nacional in November 1961, and said: "Bolivia is destined to a social and economic future of incomparable brilliance" (La Nación, La Paz, Nov. 12, 1961). However, the basic principles and policies of the MNR, it must be reiterated, have resisted assault. Is there anything in the expanded program of aid to the public sector, to which President Kennedy has committed this Nation, that will persuade the MNR to revise its principles and policies in a more fundamental and substantial way? In candor, one must recognize that, as of July 1961, President Paz Estenssoro was reported to be intent upon soliciting $150 million in aid from Premier Khrushchev and whatever else he might "cadge" from Red China.[102]

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[92] Inter-American Programs for 1961; Denial of 1962 Budget Information, Hearings before the Subcommittee of the Committee on Appropriations, House of Representatives, 87th Congress, First Session (Washington, D.C.: United States Government Printing Office, 1961), pp. 116, 266.

[93] Siles Zuazo, Mensaje al honorable Congreso Nacional, op. cit., pp. 43–44, 90, 92, 106.

[94] Programa de Gobierno, op. cit., p. 141.

[95] Bedregal, La nacionalización minera y la responsabilidad del sindicalismo, op. cit., p. 42.

[96] El Diario (La Paz, 17 de abril de 1961).

[97] Beltrán A. and Fernández B., op. cit., pp. 9, 124–125, 174–184, 210–211, 217, 219.

[98] Richard W. Patch, "Bolivia Today—An Assessment Nine Years After the Revolution," American Universities Field Staff, Vol. VIII, No. 4 (1961), pp. 4, 7, 10–11.

[99] Crónica (Cochabamba, 5 de junio de 1961).

[100] La Mañana (Asunción, 14 de abril de 1961).

[101] Siles Salinas, Lecciones de una revolución, op. cit., p. 43.

[102] El Mercurio (Santiago, 4 de julio de 1961).

Foreign aid, overtly or unconsciously, has become an instrumentality of American foreign policy. If this is true, then it follows that the foreign-aid program should be used to defend and advance the interests of the United States. One of the few interests on which the executive and Congress and the great majority of American citizens seem to be agreed is that communism should not inherit the earth. Modern-day communism is principally Leninism, and much can be learned about its nature and tactics by examination of Lenin's "The State and Revolution" and "Imperialism: The Last Stage of Capitalism." Communism operates as an international conspiracy with highly developed techniques of internal subversion and sophisticated employment of force and threats of force in international relations. Any country that demonstrates a desire to eradicate internal Communist subversion and external Communist pressure and coercion should be aided by the United States by specific measures designed to accomplish specific results.

However, some in the United States assume that the only way to prevent the Latin American countries from becoming Communist satellites is to extend massive support to leftwing, collectivistic movements. When the question is raised why such an assumption should be accepted, the reply usually given is that people are in a hurry to achieve the benefits of technology, and that rapid progress can be won only by permitting the government to control the means of production. In my opinion, this assumption can and should be challenged. Is not Japan developing more rapidly than India? From what I could see of East Germany with socialism and West Germany with capitalism (summer 1960), the latter had "turned the clock back" to a superior economic system. Better still, visit the heartland of socialism, the Soviet Union. Insofar as the great masses of human beings are concerned, the Soviet Union is a primitive, backward country. This was, at least, my own observational conviction. However, the best illustration of the falsity of the line of reasoning that the United States can oppose communism only by supporting leftwing revolutions is seen in Bolivia. Massive aid has been given. The public sector has planned and expanded, but the results have been contraproducente.

The President of the United States has provided a considered solution to this dilemma: Extend even greater aid to leftwing political authoritarianism and economic socialism. To do this, to refer to the Revolución Nacional as a model, is to produce confusion and consternation among those public figures of virtue and integrity in Latin America who support principles of individualism, voluntarism, representative government, and private initiative and enterprise. Only the Marxists-Leninists and leftwing nativist collectivists, who seek to do in other Latin American countries what the MNR has done in Bolivia, can possibly derive aid and comfort from the policy of the United States. Bills have already been introduced in Chile to expropriate U.S.-owned copper mines at a fraction of their real value, with payment to be provided indirectly through funds from the Alianza para el Progreso program.[103]

To those who argue that there are no alternatives, that there is only one course possible, I must insist that there is always another way, and not infrequently a better way. Such matters are appropriate considerations for another paper and should not unduly encumber the purposes and findings of this investigation. However, if the United States desires to inhibit the growth of communism in Latin America through the expenditure of public funds, then it must make such funds available to those men who by conviction and policy oppose communism. If the United States desires to spend public funds to aid other peoples to achieve higher material standards of living, it must make such funds available for governments and policies that make private initiative and enterprise possible. Books, documents, reports, interviews, and observation all lead me to conclude that Bolivia possesses the human and material resources appropriate for individual and collective life immensely superior to anything so far enjoyed in that country. The evidence suggests, in my opinion, that the Revolución Nacional cannot advance the good life, even with massive U.S. aid. At this point in the argument, the supporters of the MNR usually insist that withdrawal of foreign aid to the Revolución Nacional would instantly mean that Bolivia would become a Communist satellite. It is my judgment that U.S. support of the MNR has already led Bolivia closer to communism than at any time in the history of the country, and that continued support of the men and policies of the Revolución Nacional will continue to advance the cause of communism. If U.S. aid to Bolivia were withdrawn, the MNR would fall from power, and probably very quickly. Other Bolivians—talented, educated, competent, patriotic—and dedicated more to the ideals, values, and objectives of the United States and the Western World than the MNR'ers, are ready to assume power. Those familiar with Latin America know who these men are. It is possible that they and not the Communists would emerge with control of the state.

## TRADE POLICIES WITH COMMUNIST-BLOC COUNTRIES

Mr. HART. Mr. President, in remarks to the Senate on September 26, I urged a high-level, broad reexamination of our trade policies with the Communist-bloc countries.

Now the Senate Foreign Relations Committee has announced it will undertake such a review, and I commend the committee for their willingness to take on this important job.

Within recent days, the Detroit News had an excellent editorial on the need for a thorough reconsideration of the issues involved in trade with Communist nations.

I ask unanimous consent that this editorial from the Detroit News of October 11 be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Detroit News, Oct. 11, 1963]

### More Trade With Reds Weighed—After Wheat Sale, What?

Now that President Kennedy has cleared the way for the sale of more than $300 million worth of surplus U.S. wheat to the Soviet Union and its satellites, the question is whether this country should seek increased trade in general with the Communist world.

The Senate Foreign Relations Committee already has announced that it is going to review U.S. trade policy toward the Soviet bloc. We think that such a review will be valuable both in informing public opinion about present policies and in weighing the alternatives of a failure to increase trade.

Such a review is needed because the President emphasized that the administration approval of the "one-shot" wheat deal with the Communist nations did not represent a new Soviet-American trade policy. Instead, he described the deal only as "one more hopeful sign that a more peaceful world is both possible and beneficial to us all."

But the Soviet Union and its satellites already have indicated an interest in buying feed grain and perhaps other agricultural products from the United States. It is possible that there also could be an expansion of trade in other consumer products which the United States has been selling in limited quantities to the Communist world in recent years.

The limitations which the President put on the wheat sales would, however, restrain the expansion of trade. The wheat is being sold by private U.S. exporters for gold or dollars, in cash or under normal commercial terms; is being shipped in American bottoms whenever possible, and must be consumed within the Soviet Union and her Eastern European satellites. This final limitation was imposed to bar transshipment of grain to Cuba, Communist China, North Vietnam, and North Korea.

Expansion of trade between the United States and the Soviet Union also would be limited by the fact that the economies of the two countries are somewhat similar. In normal times, both are exporters of many agricultural products, although the United States has a much greater surplus than the Soviet Union ever has achieved. Both also export many industrial products although here, too, U.S. excess production is much greater than the Soviets.

In addition, trade is another weapon in the cold war in the minds of the Soviet strategists. The factors of demand and supply that govern trade in this country always can be subject to—and controlled by—political considerations in the Communist world. So it would be dangerous for this country ever to become dependent for any of its strategic supplies on the Soviet-bloc countries.

The factor of political advantage to the Soviet Union also must be considered. Increased trade with the Soviet Union would tend to indicate U.S. approval of the status quo in Eastern Europe. It also would lessen the effectiveness of the special consideration that the United States now gives to Poland and Yugoslavia in an effort to wean them away from full dependency on the Soviets.

Yet all of these arguments do not offset the possible advantages to be gained. The United States needs new markets to replace those it is losing to the Common Market in Western Europe. The United States needs greater exports to reverse the balance-of-payments deficit. The United States by selling more consumer products to the Soviet Union would harvest Soviet dollars and gold that could not be spent for armaments.

So we hope that the Senate Foreign Relations Committee gives open-minded consideration to the prospect of greater trade with the Soviet Union and its satellites. Always, of course, the committee must keep in mind the protection of the best long-range interests of this country, just as, we feel, Mr. Kennedy did in approving the sale of wheat to the Soviet bloc.

## CIVIL RIGHTS PUBLIC PROTESTS AND DEMONSTRATIONS

Mr. HART. Mr. President, one of the more controversial aspects of the current civil rights ferment has been its use of various kinds of public protests and demonstrations.

We have all heard these questions raised: Do these demonstrations represent a disrespect for law and order? Or are they in the mainstream of a great heritage and right of public protest protected by the Constitution? If so, are there limits to this constitutionally protected right of protest?

In August of this year, the American Civil Liberties Union, long a respected and vigilant guardian of the constitutional rights of all Americans, published a pamphlet entitled "How Americans Protest: A Statement on the Civil Rights Demonstrations."

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[103] Hanson's Latin American Letter (Washington, D.C.: August 19, 1961, No. 857).

This pamphlet surveys the constitutional development of the right of assembly from the Magna Carta, through early State constitutions, to its inclusion in the first amendment as "an independent right, equally as important as free speech and press." And it traces the history of public protest in this country from revolutionary days to the current civil rights movement.

Finally, the pamphlet examines the limitations on the right of assembly and finds that its abridgement can be justified only in order to protect other substantial rights.

Mr. President, I commend this ACLU pamphlet to all Americans, and I ask unanimous consent that its text and editorials on it from the Baltimore Sun and the Boston Herald be printed in the Record.

There being no objection, the article and editorials were ordered to be printed in the Record, as follows:

## How Americans Protest—A Statement on the Civil Rights Demonstrations

### FOREWORD

The American Civil Liberties Union views with firm hope the course being taken by the movement of our Negro countrymen toward full citizenship. A protest movement of such dimensions is bound to arouse opposition and be attended by disorders, perhaps some that will be more serious than have already occurred. But disorder is less to be dreaded than suppression of the right to protest. In our constitutional system this right is one of fundamental importance—a part of the purpose of our national being. It is also a means of resolving deep-seated problems—the loss of which threatens dangers of a much higher order.

We deem it essential, therefore, to revert to first principles—to inquire why the 1st amendment forbids Congress to make any law "abridging * * * the right of the people peaceably to assemble and to petition the Government for a redress of grievances," why the 14th amendment forbids State action abridging the same right, how Americans have used this right before, and how all this affects what we do in response to today's headlines.

The first amendment prohibition was a fruit of colonial experience. Bacon's Rebellion in Virginia, the Regulator movement in North Carolina, and the movement culminating in the Boston Massacre—all originated in denial to the people of a right to assemble and voice their grievances. The colonists therefore, had had bitter experiences at the hands of an unrestrained government willing to resort to shooting and hanging to suppress popular protest. Hence the architects of the Constitution rightly put the new government under restraint.

Yet in the very act of establishing a government they placed themselves under reciprocal restraint, acknowledging this in the word "peaceably" which they wrote into their definition of the first amendment right. Even so, the right they defined is quite as capable of being suppressed by violent citizen opponents as by an unrestrained government. Clearly, then, government is not only required to refrain from interference with peaceful assemblies; it must restrain the restrainers as well.

Those government officials and editorial writers, who have been quick to rebuke certain parts of the extraordinarily effective civil rights demonstrations of 1963, have forgotten this clear direction of the first amendment. They have likewise forgotten that the demonstrators have shown a keen awareness of the meaning and limit of the first amendment right. When breaches of order have occurred, the well-led civil rights assemblies have manifested truly remarkable self-discipline, and they have rarely been the aggressors.

But observers of these actions owe the protesters an additional concession; the grievances sought to be redressed are themselves the denial of a carefully defined constitutional right to equality. Members of the majority that has dominated the American society and its lawmaking machinery for the past century cannot escape responsibility for the years of callous indifference to the demands of nonwhite citizens. This indifference created the frustration which now finds expression in the current demonstrations. After decades of denial of rights, is it any wonder that demonstrations show such deep emotion? Or that some actions have been taken which inconvenience—or even interfere with rights of—other citizens? The American Civil Liberties Union does not assert that every civil rights demonstration has confined itself to constitutionally protected protests. But we remind every American who feels adversely affected by this activity that he is involved in the current crisis: he must face the issue of the deprivation of rights—rights having dignity equal with his own.

In the final analysis it is redress of the grievances that will measure the living value of the right to protest. In employing this time-honored American right, the people engaged in this movement have created an awareness of the extent of deprivation, and the justice of their cause, that never before existed among their countrymen. Yet ignorance of these matters persists, sometimes from almost conscious self-deception, more often from an unreal sense of distance from and noninvolvement in the issues. None of us is free from involvement.

The blot of inequality, of persisting vestiges of that slavery which the 13th amendment undertook to outlaw, is a curse upon all of us, and threatens the security with which we all enjoy the fundamental rights of an American. Until this lesson is brought home, until the grievances to which it relates are in fact redressed, we may expect an increasingly persistent employment of the right of protest. And a decent respect for our own interest in all of the rights of an American demands that we acquire and manifest a more perfect understanding of this one.

### THE AMERICAN HERITAGE OF PUBLIC PROTEST

The major impact of the civil rights demonstrations in 1963 warrants our knowing more of the American heritage of public protest. Too many of us have forgotten the important role protests have played in the history of the United States, and the constitutional rights involved.

De Tocqueville's "Democracy in America" pertinently remarks that the exercise of the right of association in order to pursue common objectives is a potent weapon of free citizens to resist tyranny of the majority and to achieve desired legislative action.[1] The first amendment contained in the Bill of Rights (1791) guarantees the right of the people "peaceably to assemble, and to petition the Government for a redress of grievances." This Federal constitutional guarantee was preceded by provisions of several State constitutions guaranteeing the right of the people to "assemble together, to consult for the common good, to instruct their representatives and to apply to the legislature for redress of grievances."[2] Although stemming historically from the right to petition the crown for redress, set forth in chapter 61 of the Magna Carta (1215), the U.S. Supreme Court has established that the American right is not limited to assembly in order to petition the Government but is an independent right, equally as important as free speech and press.[3]

The Declaration of Independence reminds us that this Nation came into being as an act of protest against discriminatory treatment of the colonies by the British Government. It is not surprising then that we find throughout our turbulent history numerous examples of public and even violent protest either against governmental action or to achieve the creation of new public policy. The formation of a Government of the United States followed such public protests as the Boston Tea Party and those of the earlier movements in Virginia and the Carolinas. In New York the protest took a less violent but no less effective form when the Sons of Liberty of New York published, on November 29, 1773, a resolution branding as an "enemy of the liberties of America" whoever aided in transporting, selling or buying the taxed tea. The forceful suppression of these protests culminated in a war of revolution, whose successful conclusion made the paper independence of 1776 an ultimate reality. The relationship between these protests enshrined in history and the current protests on behalf of equal rights for Negroes was recognized by Senator John O. Pastore in the course of Secretary of State Rusk's July 10, 1963, testimony before the Senate Commerce Committee on the pending civil rights bill. When Senator Thurmond challenged Secretary Rusk's approval of civil rights demonstrations, Senator Pastore asked Senator Thurmond whether he believed in the Boston Tea Party.

Slavery in the United States, prior to its abolition in 1865 by the 13th amendment, was the object of vigorous public attack and support in the North as well as in the South. William Lloyd Garrison, a leading abolitionist, was a pacifist; the agitation he led and countenanced did not include physical violence or go beyond the bounds of colorful speech and symbolic burnings of copies of the Federal Fugitive Slave Act of 1850 and of court decisions enforcing it.

Determined efforts to stop his nonviolent agitation for abolition involved disorderly public demonstrations and unlawful threats in several Northern cities. For example, on his return in 1835 from London, where he spoke against slavery, Garrison was criticized in the New York newspapers and met at the pier by a throng of 5,000 persons opposing abolition. His appearance in Boston was met with placards urging that he be tarred and feathered. Prominent people, including members of the clergy, joined in denouncing the abolitionists and Boston's Faneuil Hall, that historic cradle of liberty, was packed with a crowd of the best people to listen to speeches denouncing the abolitionists and in support of States rights and slavery. A month later a mob gathered in front of the Boston office of Garrison's newspaper, the Liberator, and dragged him through the street at the end of a rope. In 1838 a mob opposing the abolitionists rioted for several days in Philadelphia and in the process burned down the newly built Pennsylvania Hall.

For years abolitionists could not meet in New York City without encountering organized disturbances. And even during the

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[1] De Tocqueville, "Democracy in America" (New York, 1956), pp. 194–195.

[2] North Carolina Constitution, 1776, Declaration of Rights, art. 18. See also similar provisions in the constitutions of Pennsylvania, Rhode Island, and Massachusetts.

[3] *DeJonge* v. *Oregon,* 299 U.S. 353, 364 (1937).

Civil War the New York City draft riots of 1863, which in large part reflected anti-Negro sentiment, resulted in thousands of deaths and several lynchings of Negroes. Southern States, such as South Carolina, of course, handled abolition talk very simply by threatening to hang any abolitionist who might fall into their zealous hands. (It is only fair to add, however, that the abolition movement had its start and, prior to 1831, most of its members in the plantation States.[4])

Even though Garrison refused to support or condone them, violent demonstrations also supported the cause of abolition. The enforcement of the Federal Fugitive Slave Act of 1850 requiring the return of escaped slaves met with violent resistance. In 1854 the capture and return of Anthony Burns was met with riot in Boston as well as by Thoreau's famous denunciation, "Slavery in Massachusetts." The Supreme Court's Dred Scott decision in 1857, holding that an escaped slave remained the property of his master, aroused indignation and protest throughout the entire North. The raids, violence, and killings in the struggle to determine whether Kansas would be a free or slave State culminated in John Brown's raid on the Federal arsenal at Harper's Ferry seeking to arm volunteers, white and Negro, to invade the South and free the slaves. Although Brown was promptly captured and hanged, his truth that slavery is an abomination did indeed go marching on and all of the violence on both sides merged into the Civil War.

After the ultimate violence of that fratricidal war, in which more Americans were killed than in any other war in which the United States participated, the struggle to secure the freedom and equal rights of Negroes guaranteed by the 13th (1865), the 14th (1868), and the 15th (1870) amendments, continued. The strongest measures were taken by the Federal Government, including the passage of the Civil Rights Acts of 1866 and 1875, and the series of Reconstruction statutes imposing military rule on the defeated South until 1877.[5] During this period, as at present, Negroes demonstrated to obtain in fact the equal treatment under the laws which the civil rights acts undertook to grant them and then, as now, their peaceful protest actions were met with counterattacks and physical violence. For example, in May 1871, in Louisville, Ky., Negroes who insisted on riding in streetcar seats reserved for whites were dragged off the cars by fellow passengers and bystanders and beaten. When the U.S. Attorney General promised Federal court action to support the rights of the Negro riders, the streetcar company capitulated and allowed passengers to sit where they pleased. The Kentucky press approved this desegregation of the streetcars as a model for good race relations and the community accepted the new state of affairs.[6]

The Supreme Court's 1883 decision in the *Civil Rights Cases*,[7] holding invalid the act of 1875 which prohibited discrimination in public accommodations, brought to a halt that era of demonstrations to support the rights of Negroes. The 1954 decision in the school segregation cases [8] was the forerunner of the protests currently developing.

Wholly apart from the many forms of proslavery and antislavery agitation, our history has recorded many vigorous public protests, either against action taken by State or Federal authorities or urging action to be taken. Even under the Articles of Confederation it was necessary for State authority to cope with such uprising as Shay's Rebellion. In 1794 the militia of the infant Federal Government was called to suppress the Whiskey Rebellion in western Pennsylvania against the Federal excise tax on liquor. Public agitation against the Senate's ratification of the Jay Treaty terminating the War of the Revolution with Great Britain was so violent and extensive that John Jay, who negotiated the treaty for the United States, was burned in effigy in 1795 at the culmination of public meetings of protest in Boston, New York, Philadelphia, Charleston, Savannah, and other cities.[9] Convictions under the infamous Sedition Act of 1798 were protested by large assemblies before the jails demanding the release of the prisoners. In later demonstrations, the suffragettes helped secure voting rights for women; supporters of the Anti-Saloon League contributed to the enactment of prohibition; a "Bonus Army" of thousands of jobless veterans marched on Washington, D.C. in 1932; farmers in the Middle West protested against foreclosures of farm mortgages during the economic depression of the 1930's; and extensive agitation and picketing accompanied the attainment by labor of the right to organize. All these uses of the right of public assembly give solid precedent for the current demonstrations against unequal treatment of Negro citizens.

## THE RIGHT OF PROTEST

Two vital questions are immediately presented to the public as it views the current protests: what are the proper limits to which these demonstrations may go, and are the participants under any obligation to avoid occasions where violence may occur?

There is no doubt that some demonstrations have exceeded the proper limits of the constitutionally protected right of protest. For example, last July 4 a protest against discrimination in employment by Jones Beach State Park in Long Island, N.Y., took the form, not merely of legal picketing, but in addition of blocking automobile approaches to the park by bodies of demonstrators lying across the highway. More recently the blocking of all access to the construction site for Downstate Medical Center in Brooklyn, N.Y., in protest against the hiring policies in the construction trades, prevented persons from entering the site on their own business. Each of these violated legal protections of the public's right of movement and thereby exceeded the limits of constitutionally protected activity. The ACLU does not support such excesses; specifically we believe that physical obstruction of the right of movement does not merit civil liberties protection.

But citizens will variously judge these invasions of the rights of others—deliberately done on these occasions by persons prepared to accept the consequences of law violation. We owe these persons acknowledgement that the discrimination they object to is itself a violation of law—more outrageous in these cases because the public's funds, and thereby a measure of official sanction, are involved. Moreover, it recognizes but part of the problem to editorialize, as did the New York Times recently, that "protest certainly cannot be allowed to interfere with the rights of innocent bystanders." [10] This analysis neglects the fact that the majority, long indifferent to racial discrimination, may scarcely be considered to consist entirely of innocent bystanders. Some men of conscience are moved to use extraordinary means only because ordinary ones have seemed to fail.

The Supreme Court has made it clear that the right of assembly is a relative, not an absolute right, subject to regulation to protect the rights of others.[11] But it may be regulated only to protect substantial rights, not merely to avoid inconvenience. Just as the distribution of noncommercial handbills (an exercise of the comparable right of freedom of press) may not be prohibited merely to avoid littering,[12] so the right to assemble and protest may not be denied to avoid possible public unrest, or even violent opposition.[13] A permit may be required for the holding of parades or public meetings, and meetings and demonstrations may be regulated, for example, to prevent undue restriction of normal traffic or to limit use of facilities to one group at a time. But this power may not be used to "protect" the public from exposure to what some members of it—or some officials—do not want said.[14]

The American majority may well see the predominantly lawful activity which has characterized the current movement as bringing troublesome inconvenience. And indeed the protests forecast even more. Painful readjustments are demanded by the expressed grievances. Many people, in every section of the country, are only now beginning to understand how racism pervades our daily lives and to sense how profoundly all our ways will be affected in the process of eliminating it. As white citizens in northern communites begin to reexamine entrenched habits and customs, particularly those involving schools, employment, and housing, many of the same emotions may be stirred as in a deep southern community moving away from total segregation. Change is difficult and often frightening. But it is coming, and its accomplishment will occupy a towering place in history. Oliver Wendell Holmes said that a man must "share the passion and action of his time at peril of being judged not to have lived," and we are confident that Americans will increasingly welcome the sense of urgency which our time impels. We are also confident that as a beginning each community will bend to accommodate the immediate inconveniences engendered by today's legitimate protests.

The major aspect of the right to demonstrate which has had insufficient attention is found in the suggestions by many of the highest public authorities that assemblies likely to lead to breaches of peace should be avoided. Governors of various States and even the President of the United States have been among the authors of this misstatement of principle. The point that has not been made clear is that the important constitutional right of protest cannot be abridged by the violent threats of lawless individuals opposed to the objectives of the demonstrators.

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[4] Charles A. Madison, "Critics and Crusades" (2d ed.; New York, 1951), pp. 3–4.

[5] Claude Bowers, "The Tragic Era" (New York, 1929).

[6] Alan F. Westin, "Ride-In," American Heritage magazine, August 1962.

[7] 109 U.S. 3.

[8] *Brown* v. *Board of Education*, 347 U.S. 483.

[9] Claude Bowers, "Jefferson and Hamilton" (Boston, 1925), pp. 265–288.

[10] "Bounds of Protest," July 9, 1963; see also "Right Goal—Wrong Method," July 23, 1963; "Breakthrough or Breakdown?" July 31, 1963.

[11] *Hague* v. *CIO*, 307 U.S. 496, 516 (1939).

[12] *Lovell* v. *Griffin*, 303 U.S. 444 (1938).

[13] *Kunz* v. *New York*, 340 U.S. 290; *Terminiello* v. *Chicago*, 337 U.S. 1. As Mr. Justice Douglas said in Terminiello, of an intensely provocative speech made in a public meeting, "[a] function of free speech under our system * * * is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are or even stirs people to anger. * * * It may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea." 337 U.S. at 4. These words apply equally to protest demonstrations.

[14] *Hague* v. *CIO*, note 11 above (holding void a municipal "permit" ordinance which had been used by local authorities to prevent public meetings on behalf of union organization); *Rockwell* v. *Morris*, 211 New York State 2d 25, affd. 10 N.Y. 2d 721, cert. denied 368 U.S. 913 (requiring issuance of a permit to hold a public meeting for a speech by a "'self-confessed advocate of violence' and Hitlerian methods").

The courts have plainly declared that important constitutional rights, such as free speech and assembly and equal protection of the laws, cannot be curtailed because of apprehension that the exercise of these rights will result in riotous disturbances by lawless opponents. The U.S. Supreme Court very recently reiterated this point in *Wright* v. *Georgia*,[15] in reversing the "breach of peace" conviction of six Negroes for peacefully playing basketball in a "whites only" public park. There the Court said "the possibility of disorder by others (whites, whom the police anticipated would be provoked to a breach of the peace by the Negroes' presence) cannot justify the exclusion of persons from a place if they otherwise have a constitutional right (founded on the equal protection clause) to be present." The constitutional rights of speech and protest are equally fundamental.[16] In *Cooper* v. *Aaron*,[17] the "lawless opponents" were State officials themselves who, encouraging mob violence and interposing State units of the National Guard forcibly to prevent compliance with Federal court orders, led the school authorities in Little Rock, Ark., to ask a Federal court to postpone implementation of a desegregation plan because of extreme public hostility. The Supreme Court rejected this petition and ordered immediate reinstatement of the plan, saying that "law and order are not here to be preserved by depriving the Negro children of their constitutional rights." [18]

This issue arises in the streets, at police headquarters and at executive mansions before it reaches the courts and it is the Governors, the mayors, and the police officials who must bring home the truth that demonstrations for racial equality cannot be prohibited because lawless reaction is anticipated. Means must be found to turn the forces of law and order to the protection of the demonstrators and to prevent violence by those who would attack them.

It is unthinkable that the constitutional right to demonstrate peaceably should be abridged by the least tolerant element in the community. Reversing the denial of an injunction against interference with free speech of Jehovah's Witnesses, the Court of Appeals for the Eighth Circuit in *Sellers* v. *Johnson* [19] explained:

"Under such a doctrine (that individuals may be deprived of their constitutional rights of assembly if their unpopularity threatens a riot), unpopular political, racial, and religious groups might find themselves virtually inarticulate. Certainly the fundamental rights to assemble, to speak, and to worship cannot be abridged merely because persons threaten to stage a riot or because peace officers believe or are afraid that breaches of the peace will occur if the rights are exercised."

Of course police may be compelled to stop a public meeting or demonstration if the situation develops to the point of imminent riot. But before the tension reaches that stage police must act to prevent hostile threats against peaceful demonstrators from being carried out and to arrest those seeking to break up an assembly.[20] There is no legal or constitutional right for other citizens to interfere with a public assembly.[21]

### NEEDED: A NATIONAL COMMITMENT

The exercise of the right of assembly, protest and demonstration cannot guarantee a redress of all just grievances and of only those which are just. Not every movement of protest will be successful, nor will history necessarily judge to be just all those which are successful.

But grievances must be heard in order to be redressed—and in a forum where action can be taken that is responsive to the whole thrust of the problems raised. Underlying the emphasis which the civil rights movement now places upon public demonstrations is the proven inadequacy of the forums in which their grievances have previously been heard. The courts have responded to their suits with unequivocal declarations of the right to equal treatment. Yet 9 years after the decision in the school segregation cases, but a small proportion of Negro students in biracial districts attend integrated schools, and parks and other public facilities continue to discriminate. Presidents and Governors have issued Executive orders in response to the pleas of civil rights leaders, dealing among other things with discrimination in public employment. Yet lack of employment opportunities for nonwhite people is a problem approaching crisis proportions today. Congress has legislated that there shall be no discrimination in voting rights, but application of these laws has so far made only a small dent in the rejection that faces many Negroes seeking to vote.

Each of these forums—the judicial, the Executive, and the legislative—has responded, when it acted, with an unequivocal endorsement of the justice of the civil rights demands and each has contributed important gains which have in turn given impetus to both the demands and the awakening of the American conscience. But these gains, in the context of the total problem, have afforded only a token measure of redress. What has not yet come to pass is a commitment of the whole Nation to right the wrongs toward minority races embedded in the patterns of our national existence. Such a commitment can only come from a total awareness of the problems, and of the inconsistent clash that exists between our historic and constitutional standards of equality and our everyday practices. Only appeal in a larger forum—the public demonstrations—can achieve that total awareness. Only then will legislation, Executive action, judicial decree and private response concur to redress not merely some grievances, but an entire pattern of second-class citizenship.

Thus it is that our aggrieved countrymen have come to state their case in the largest forum our free society provides. They follow the path of countless others—from the participants in the Boston Tea Party to the suffragettes and the trade unionists. They count on a core of humanity and decency in their fellow men to respond to a case that is well and forcefully stated. And, as their cause is just, so may we as confidently count on the Nation's ultimate response to be equal to it.

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[From the Boston Herald]

### PERSPECTIVE ON OLD RIGHTS

The American Civil Liberties Union's scholarly new pamphlet on the legal and historical justification of civil-rights demonstrations ought to be read by everyone who seeks an understanding of this extraordinary social phenomenon of our times.

Indeed, the pamphlet constitutes a whole new gloss on the treasured first amendment rights of peaceable assembly and of petition to the Government for redress of grievances.

Although the ACLU does not abandon its traditional role as a friend of the underdog, in no sense is its pamphlet onesided.

It acknowledges that the current demonstrations have at times exceeded the proper limits of the constitutionally protected right of protest, citing two cases in point—the July 4 demonstration at Jones Beach State Park in Long Island, where pickets blocked access by automobiles by lying across the highway, and the more recent demonstration against discrimination in construction trade hiring in Brooklyn, where pickets prevented persons from entering the site on their own business.

"Each of these (cases) violated legal protection of the public's right of movement and thereby exceeded the limits of constitutionally protected activity," says the pamphlet.

But even these demonstrations ought not to be condemned out of hand, the ACLU goes on to suggest. "We owe these persons acknowledgment that the discrimination they object to is itself a violation of law, more outrageous in these cases because the public's funds, and thereby a measure of official sanction, are involved."

America's heritage of public protest, the ACLU notes, is indeed a rich one, including such notable events as the Boston Tea Party.

"The Declaration of Independence," declares the pamphlet, "reminds us that this Nation came into being as an act of protest against discriminatory treatment of the Colonies by the British Government."

And the ACLU also points out the lack of either legal or moral justification in suggestions that demonstrations ought to be discontinued when they meet with violent disfavor.

"The courts," says the pamphlet, "have plainly declared that important constitutional rights, such as free speech and assembly and equal protection of the laws, cannot be curtailed because of apprehension that the exercise of these rights will result in riotous disturbances by lawless opponents. Means must be found to turn the forces of law and order to the protection of the demonstrators and to prevent violence by those who would attack them. There is no legal or constitutional right for other citizens to interfere with a public assembly."

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[From the Baltimore Sun]

### SPEECH WITH ORDER

The American Civil Liberties Union, widely respected for its vigilant constitutionalism, has come out with a statement on picketing and demonstrations. The statement refers obviously to current activities, but it draws on universal rules. The law of picketing and of demonstrations, arising from constitutional guarantees, was developed in the great labor surge of the early thirties and thereafter. The ACLU now applies this body of doctrine as enunciated in the Supreme Court decisions to the current problems.

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[15] 373 U.S. 284.

[16] *Edwards* v. *South Carolina*, 373 U.S. 229 (peaceful protest on State capital grounds; *Rockwell* v. *Morris*, note 14, above; *Terminiello* v. *Chicago*, note 13, above (inflammatory speech which occasioned mob violence by opponents outside the meeting hall).

[17] 358 U.S. 1.

[18] 358 U.S. at 16.

[19] 163 F. 2d 877, 881.

[20] Police Commissioner Michael J. Murphy, of New York City, on June 20, 1963, issued a public statement describing the responsibility assumed by the police of department he heads. In it he said: "The police are the representatives of the government—a government of laws, not men. The police have a sworn duty to enforce the law—impartially, objectively and equally. * * * They recognize and respect the right of the people to express their views on matters of public concern. The police will protect the rights of all to peacefully assemble and petition. They will brook no interference with these rights by anyone. Their impartial role is clear and set by law."

[21] See dissenting opinions in *Feiner* v. *New York*, 304 N.Y. 315; also, David Fellman, "The Constitutional Right of Association," pp. 29–33.

The gist of the matter is that picketing and demonstrations come under the first amendment protections of the right to speak and assemble. The Supreme Court has held that the picket's placard is as much a publication as a newspaper or a constitutional treatise, and privileged in the same degree. The demonstration, a merely more complex or massive form of picketing or assembly shares the same protections under the Bill of Rights.

But every right involves a duty, and the duties keep the rights from being absolute. Just as there is an individual or a group right to speak, to publish, to persuade, by picketing and demonstration, so there is what the ACLU calls "the public's right to movement." It goes without saying that the picketing privilege does not extend to violent attack; neither does it extend to the blockade, however passive, of public ways. (A demonstration like that scheduled for next Wednesday in Washington, arranged with the help of law officers, does not constitute blockade of public ways—if it proceeds as planned.) "Physical obstruction to the [public's] right of movement does not merit civil liberties protection," says the ACLU.

Well, then, can provocateurs compel the prohibition of picketing and demonstration by threatening to precipitate violence or obstruction? Not at all, says the ACLU: "The important constitutional right of protest cannot be abridged by the violent threats of lawless individuals opposed to the objectives of the demonstrators." The rule, after all, is not a complicated one: Speech and assembly will be protected, and so will law and order.

## ANNIVERSARY OF HUNGARIAN REVOLUTION OF 1956

**Mr. HART.** Mr. President, October 23 marked the seventh anniversary of the Hungarian revolution of 1956. In the nature of things, time assuages bitter passions. We seem now to be progressing toward resumption of normal relations with the Hungarian Government.

This seems strange in the light of our bitter resentment at the time of the uprising's suppressions. Even so, there is wisdom in taking measures which must ultimately ease world tensions and lead to a less austere existence for the people of Hungary.

Taking this step is not condoning the 1956 attack on a virtually unarmed civilian population. It certainly is not an abandonment of concern and hope that the Hungarian people soon will win the personal freedom and national independence for which they fought so gallantly.

Mr. President, there are many thousands of persons—many now citizens of the United States—who fought in the Hungarian revolution and who were fortunate to be able to escape from Hungary. They fled from Hungary but not from a moral concern for the welfare and the future of their brethren whom they left behind.

During October, throughout the United States, these fighters for Hungarian freedom are commemorating the events and ideals of the Hungarian revolution of 1956. They will reaffirm their determination that the Hungarian people's yearning for freedom shall not be forgotten.

Mr. President, I join with them in this desire.

## SPECIAL TREATMENT FOR FILING OF DELINQUENT TAX RETURNS

**Mr. WILLIAMS of Delaware.** Mr. President, today I wish to call attention to another situation wherein this administration after finding a glaring violation of the law by one of its Frontiersmen allowed this individual merely to submit a quiet resignation and then promptly proceeded to brush the whole episode under the rug.

On August 14, 1963, Mr. Herbert K. May, Deputy Assistant Secretary of State for Inter-American Affairs, submitted his resignation, which was accepted by the administration with the usual profound regrets.

The record shows that Mr. May not only had a historical record of delinquencies in the filing of his tax returns but also had neglected to file any returns at all during the 8-year period 1953 to 1961. When this was discovered the only action taken was to allow him in 1963 to file returns retroactively for those delinquent years, 1953 through 1961, and then submit what as far as the public was concerned was an honorable resignation.

This is quite a contrast to what would have happened had this been an ordinary laborer or farmer without proper political connections.

Some explanation of this special treatment for this New Frontiersman should be forthcoming from both the Department of Justice and the Treasury Department.

At this point I ask unanimous consent to insert a letter dated October 3, 1963, signed by Mr. Mortimer Caplin, Commissioner of Internal Revenue, confirming this situation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
*Washington, D.C., October 3, 1963.*

Hon. JOHN J. WILLIAMS,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR WILLIAMS: In response to your letter of August 21, 1963, there is shown below a summary of the income tax filing record of Mr. Herbert K. May for the years 1948 through 1962.

YEAR AND FILING RECORD

1948, timely filed.
1949, delinquently filed in 1951.
1950, delinquently filed in 1952.
1951, delinquently filed in 1953.
1952, delinquently filed in 1953.
1953 through 1961, delinquently filed in 1963.
1962, timely filed.

The district director in Baltimore, in whose office all of these returns were filed, reports that there are no outstanding unpaid assessments for any of these years.

I hope that this information satisfactorily answers your questions in the matter.

With kind regards,

Sincerely,

MORTIMER CAPLIN,
*Commissioner.*

## SOME DIED

**Mrs. NEUBERGER.** Mr. President—

> The average prescription costs a week's wages for these people * * * something they could not possibly afford. Some went without drugs * * * they had to stay sick * * * some died.

These words spoken by the Acting Health Minister of Colombia, Dr. Alberto Escobar, paid grim tribute to the efficiency of a fearsome campaign by drug companies, including leading American firms, to choke off the sale of low-cost drugs in Latin America. In a recent report from Caracas, Venezuela, and Bogotá, Colombia, published by the Herald Tribune, William Haddad furnished firsthand evidence of the guerrilla warfare currently being waged by a combine of American and Latin American drug firms.

The Colombian and Venezuelan Governments, troubled by the poverty of their people, have been attempting to stimulate the marketing of low-cost generic-name drugs. Last year the Colombian Government succeeded in enlisting the cooperation of a major American drug manufacturer, McKesson & Robbins. McKesson, in partnership with a Colombian drug firm, began to market some 76 drugs under their generic names at an average price one-seventh the prevailing prices for identical drugs under manufacturers' trade names.

What was the reaction of McKesson's fellow manufacturers? As reported in the Tribune, Herman C. Nolen, chairman of the board of McKesson, made the following charges:

> Major pharmaceutical manufacturers refused to sell bulk materials for the low-cost drug program.
>
> Doctors were advised that it was impossible to produce quality pharmaceuticals at the low prices.
>
> Retailers were told by the drug industry that generics would bankrupt their business.
>
> Medical journals in South America refused generic drugs ads and wrote critical editorials and stories.
>
> Rival drug concerns opened up generic drug packages and contaminated the low-cost drugs.
>
> Potential partners in South American countries were pressured to rebuff McKesson. In one country, a company interested in joining McKesson said it suddenly received a threat that all its insurance would be dropped and its bank credit cut off.

This is not a pretty picture of American free enterprise serving the needs of our Latin American neighbors.

Several weeks ago, I appeared on a panel for the National Committee for the World Health Organization together with Dr. E. Gifford Upjohn, chairman of the Upjohn Chemical Co. I welcomed the opportunity to solicit Dr. Upjohn's reaction to the charges being aired and I asked him to comment on the generic name program.

His reply, I regret, was sadly unenlightening. Dr. Upjohn stoutly objected "to have somebody steal the product which was developed on the basis of our research and start manufacturing it without any thought for the patent rights that relate to it."

Stealing what patent rights? Of the 76 drugs marketed under their generic names by McKesson & Robbins, only 1 was patented and for that 1 McKesson entered into an entirely valid licensing agreement.

Decrying "shortsighted political and economic interference," Dr. Upjohn stressed the need for profits to stimulate research. He found "particularly ominous" any proposals to "restrict trade names." He stated:

> No industrial concern can afford to invest in research for the future if it cannot be assured of a reasonable commercial protection for the contributions it makes to scientific progress and to the superior quality of the products it produces; so it may make a reasonable return on its investment.

I know of no one in Congress who would deny to the drug companies "reasonable commercial protection," but I submit that it is not "shortsighted political interference" to question where reason ends and monopolistic price-fixing begins.

In this morning's Herald Tribune, Mr. Haddad cites newly unearthed evidence of intraindustry "commercial protection" so rapacious as to make the infamous international cartels of the 1930's blushing novices by comparison.

Mr. Haddad and his team have uncovered an astonishing assortment of documents from the files of the very companies involved, to prove the charges which he makes. Replete with secret codes, fictitious names, and a highly developed structure of price-fixing agreements, the image emerges of an industry which all but abandoned competition in the free market. He writes:

> Experts who have reviewed the documents are convinced that the price structure of certain drugs widely marketed in the United States is based on international agreements. They believe that if the cartel were broken and a free market prevailed, U.S. drug prices would tumble.

McKesson & Robbins maintains, and it has no apparent reason to exaggerate, that it is now making a 20-percent profit on sales under its generic name program—and predicts a 25-percent margin by the end of the year.

The observer is forced to conclude that such profits are considered insufficient by McKesson's competitors, who, if the Tribune's charges are true, prefer to maintain the exorbitantly high prevailing price levels for drugs throughout the world by conspiracy, intimidation, threat, and boycott.

The acute allergy of American drug companies to price competition, calls for the most searching congressional scrutiny. The documents produced by the Herald Tribune team have now been placed in the hands of the Senate Antitrust and Monopoly Subcommittee as well as the Justice Department. I am confident that the subcommittee will address itself unstintingly to the task of restoring competition to this most vital of industries.

Mr. President, I ask unanimous consent that the Herald Tribune articles of September 29 and October 29, 1963, be printed at the close of my remarks, together with an outspoken and perceptive editorial from the Oregon Statesman of September 18, 1963.

There being no objection, the articles and editorial were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, Sept. 29, 1963]

### DRUG WAR STAKE: DEATH

(By William Haddad)

CARACAS, VENEZUELA.—The pressure campaign to stop the sale of low-cost drugs in Latin America has spread from Colombia to Venezuela.

Biogen Laboratories here—one of the Nation's oldest drug manufacturers—joined with McKesson & Robbins in a plan to market 60 drugs at a fraction of prevailing rates and immediately ran into an industrywide boycott.

Venezuelan Government officials have full details of the secret meeting at which the boycott was proposed.

In addition, the College of Pharmacy (established by the Venezuelan Congress to represent the Nation's pharmacists) has compiled a sizzling account of drug company abuses including overbilling for raw materials, net profits declared in Venezuela as compared to those declared in the United States, true costs of promotion, producing and advertising and of the concerted efforts to keep prices high.

#### PRESSURE

The same pattern of pressure persists in Colombia, where—despite down-the-line denials by drug firms—the Herald Tribune research team found added evidence to support charges by McKesson's Board Chairman Herman C. Nolen, that a "malicious and concerted" campaign was being waged against his company to block the sale of low-cost drugs. The charges were first made during a secret session of the Foreign Relations Committee and revealed in the Herald Tribune.

The Senate Antitrust and Monopoly subcommittee has the task of investigating his charges. If the Senators went to Colombia this is what they would find:

A tenacious, determined President—Guillermo Leon Valencia—who told the Herald Tribune in an hour-long interview: "I'd rather lose my office than this campaign."

Is there—Mr. President—an organized campaign to block your program?

"I'm afraid such a campaign exists. It is an extremely dangerous campaign because it is a hidden one."

Down-the-line backing of Mr. Nolen's charges by the Ministry of Health.

"There is no doubt in my government's mind," Acting Health Minister Dr. Alberto Escobar said, "that a malicious, organized and systematic campaign is being waged against the program.

"It has frustrated our objective of getting low-cost drugs to the people."

Who's to blame?

"AFIDRO," he said—this is the Colombian drug manufacturers association which also represents the 15 U.S. companies who do approximately half of Colombia's drug business.

Industry sources flatly deny the charges, contending that the companies are not operating in concert, that any actions by any one are "spontaneous" and motivated "by individual needs."

What happens, Mr. Minister, if the campaign continues?

"If the drug companies continue their campaign, then the government will find the drugs somewhere even if we have to go into the manufacturing business ourselves."

America's friends are worried about the impact of possible U.S. intervention on behalf of the drug manufacturers. Listen to Alberto Lleras Camargo, former President of Colombia; and one of the two former Presidents working to give "central direction" to the Alliance for Progress:

"If your Government does intervene for the drug companies, it could do serious damage to the Alliance."

U.S. drug companies are accused of "economic colonialism" because of a system used to withdraw money from Colombia. Investigating the charges, the Herald Tribune found that U.S. drug companies charge their wholly owned Latin American subsidiaries prices for raw materials far above the world market prices. This, Colombians charge, keeps the Latin American profits low and allows companies to take out their high profits in dollars.

For instance, on September 4, according to sworn invoices, the Colombian subsidiary was charged $1,942 for raw materials selling for $530 on the world market. Another case that day showed $386.63 as the Colombian price and $133 as the world price. Other examples on July 3: $150 and $29.50; $8.50; and 74 cents; $250 and $72.75.

U.S. customs statements supporting the invoices bear the sworn legend that the prices are accurate.

Key medical journals won't accept McKesson's advertisements. One publishing source said: "If I accept their advertisements, I'd lose my other customers. It's better to have 40 ads than 1."

How do you know?

"Representatives of the drug industry just let you know."

#### SUSPENSIONS

Presented with this information—and two instances where medical journals had folded after accepting advertisements on the low-cost drug program—Mr. Anibal Fernandez, AFIDRO's articulate and dynamic executive secretary, said:

"If this were so the industry would be the first to condemn the practice."

Congresses sponsored by medical associations are underwritten by drug manufacturers. One carried an exhibit on the low-cost—organic—drug program. The president of the medical association received a call from the manager of an American drug company threatening to cut off all drug industry contributions if the exhibit was not removed. The doctor balked, demanded the threat in writing. That ended that, but today most medical congresses fail to carry exhibits on the generic program.

Human costs are high. Dr. Escobar said a survey was conducted at Samaritana's Hospital "in a very low income section of the city. We learned that the average prescription cost a week's wages for these people * * * something they couldn't possibly afford. Some went without drugs * * * they had to stay sick * * * some died."

A raging controversy persists over the "quality and potency" of low-cost drugs. To get a definite answer to that argument, the Herald Tribune went to Dr. Juan Jacobo Munoz, president of Colombia's College of Surgeons and chief of surgery at the National Cancer Institute. He said:

"When I remove a patient's adrenal glands, he can't live without a daily prescription of steroids. I prescribe the low-cost—or generic—drugs. You might say it is a test by fire. If the drugs aren't of the right potency or the right quality, the patient dies. None of my patients has died from this cause. Is that proof enough for you?"

Colombian Government charges that the industry is not cooperating in its generic drug program are hotly denied by manufacturers. They also deny a campaign exists among doctors and druggists. They dispute the Government claim that two markets exist: one for low-cost, or generic drugs, and the other for brand names. Most of all they say it's impossible for McKesson to be making a profit and selling at low prices. McKesson maintains it is now making a 20 percent profit on sales and predicts 25 percent by the end of the year. This despite the fact that on the 76 generic drugs produced, the average price is one-seventh the prevailing price.

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[From the New York Herald Tribune, Oct. 29, 1963]

### High Stakes in Low-Cost Drugs—Secret Code in Drug Documents

(By William Haddad)

(Some drug companies are involved in an international plan to inflate prices. This agreement does not by any means involve the entire industry—but some top firms are involved. Here insiders, men who knew what went on, men who took part, tell their story to the Herald Tribune. They are willing to talk to Senate investigators. They will tell of secret codes, fictitious names, all the paraphernalia of a plot. These men—who worked for that segment of the industry involved in this international agreement—now feel a moral obligation to speak out. Here is their story.)

Secret documents of a worldwide cartel that rigs drug prices have been uncovered by the Herald Tribune and turned over to the Senate Antitrust Subcommittee.

The documents are also being studied by the Department of Justice.

Several U.S. pharmaceutical firms are involved. Their actions, however, should not be taken as an indictment of the entire industry, which, like any other industry, has its sharp operators. Involved with the U.S. firms are German and Italian companies. As a result of the cartel's activities, prices on some of the world's most important drugs have been kept unrealistically high.

Traditionally, drug manufacturers attribute the high cost of drugs to research expenses.

Among the papers is a secret code used to disguise price fixing and payoff communications. Fictitious names, decoded, become drug names: "Pluto" becomes the manager of a U.S. firm overseas, a "sinner" denotes a person who had dared to depart from price-fixing agreements.

A "disturbed family," in the code, refers to a price-cutting situation and a "powwow" is a price-fixing meeting.

When decoded an innocuous-looking letter containing high personal references and a sprinkling of company names becomes a startling document on price fixing.

The papers were obtained by the Herald Tribune from several sources. The information in them dovetails. In one situation, the separate files of two companies arguing over a "disturbed family" situation are included.

Named in the papers is a score of senior executives of major U.S. drug companies.

Experts who have reviewed the documents are convinced that the price structure of certain drugs widely marketed in the United States is based on international agreements. They believe that if the cartel were broken and a free market prevailed, U.S. drug prices would tumble.

A competitive market, however, is the last thing the drug manufacturers mentioned in the secret documents want.

In Venezuela, for instance, in a case dating from 1958, when an ambitious sales manager of a U.S. subsidiary, eager to impress his superiors with increased sales, began to offer discounts to a large drugstore chain, he triggered a violent chain reaction on three continents.

The manager's actions forced another U.S. company to cut prices to its large accounts to regain the edge lost to the first company.

The "enforcer" for a third U.S. company, the documents show, began wiring and writing its New York home office for help, urging the company's top executives to see executives of the other firms to keep the competition from competing.

The records show that the executives met in New York and tried to restore order in the "disturbed family." Similar meetings were held by the foreign and U.S. companies in Venezuela.

The international operation is vividly spelled out in one letter from the "sinner" to his home office in New York:

"Yesterday afternoon we (name of drug) distributors had a meeting in the offices of (a U.S. company), to talk once again about the prices of these products."

At the meeting were several U.S. firms, the Germans and the Italians. Together, they represented all the producers of a major and widely used drug.

"At this meeting," the letter continued, "we were accused of not having adhered to the agreement which, according to them, we had made in October of last year with respect to these products.

"This agreement * * * had applied solely to the presentations of the pure drug which, at that time were the only ones in the market, and had not applied to the newly developed derivatives.

"Furthermore, we, for our part, had always accepted that each of the firms would deposit with a bank, in favor of the other firms, a check for 25,000 bolivares, which would become effective in case any one of the firms were to violate the agreement.

"The purpose of arriving at that agreement was to equalize the list prices of all products, and we did so in almost all cases, with small exceptions."

#### ON THE CARPET

The letter concluded with this explanation:

"I am telling you all this for your cognizance and also asking that you let Mr. ——— (a top U.S. executive) know so that he may be informed of the present price situation * * * to enable you, in case (the "enforcer") tells you that we are fooling around with prices, to answer them immediately that we have at no time lowered the prices."

Order was temporarily restored after several meetings at a hotel in New York, but sporadic trouble continued to break out, causing the "enforcer" to write his home office superiors that the "sinner" had destroyed "mutual confidence" and should be reported to his company.

A year later, when the "sinner" was called on the carpet again for cutting prices to large customers, he reacted violently:

"I will not make any 'fuss' nor will I fight with anybody, but simply return to the independent policy which I maintained in the past, without agreements or such nonsense."

This triggered another set of international meetings. When they were over, the "enforcer" reported the results to his New York office:

"We convoked a powwow (with all the major U.S., German and Italian firms) present.

"During the powwow it became evident that a U.S. company was engaged in a price-cutting scheme * * * It also became evident that another U.S. firm (the "sinner") had followed suit without consulting the remaining partners" (those companies present at the meeting).

The report described the price-cutting sales manager in these words:

"(He) wants to become a branch manager and to this end is trying to prove to his superiors that he can sell lots, while lacking in managerial training and experience that would show him that such methods can be disastrous to the profit-and-loss statement."

#### SOURCE OF PROFITS

In other words, profits come from the rigged prices, not from increased sales.

The report continued:

"During the powwow the previous confidence was restored and it was said and agreed, 'Let's try again.'

"The stubbornness of a disturbed family was, as usual, the cause of it all."

The report was signed: "Pluto."

In another case, the U.S. producers of an important drug fixed a high import price on their product shipped to a third country in anticipation of the foreign government's plan to set a price ceiling based on import costs.

Through laxity, the German and Italian producers of the drug had failed to take similar precautions.

For the U.S. companies, this presented a serious crisis, for it would expose their exaggerated price structure. Hurried meetings were held and in a report to New York the fear and the dilemma were vividly pictured:

"If we go down to the lowest competitive level, how could we explain then our previously submitted costs? And how could we afford to have from the States billing prices much lower than the ones used at stateside with the U.S. Government? If we do not go down, how can we sell?"

Their natural answer: Get the Germans and Italians to raise their prices and give up the market. After several international meetings, a key New York executive got this report:

"Both the representatives of the Italian and German companies were very well aware of the great danger * * * each of us (the four U.S. companies present at the meeting) made our contributions as to what will happen should the Government establish percentages for the distributors, wholesalers and retailers on such rockbottom prices. There will be not a penny left for promotion, advertising, overhead, etc. The (German) was willing to jack up his prices to more or less our levels and so were (the Italians).

"We are all very hopeful that an agreement be reached otherwise (we) anticipate a price war. And I am not only concerned about this country, but I fear that these extremely low prices in this market will have a repercussion in other countries."

The pact was arranged.

Many such cases are outlined in the documents now in the hands of the Senate subcommittee and the Justice Department.

The role of the Senate subcommittee is clear: Legal authorities have told the Herald Tribune that many of the activities mentioned in the documents may not be illegal under existing antitrust laws. The subcommittee has the responsibility to determine if new laws are needed.

Those activities which are clear violations of the antitrust laws fall into the realm of the Justice Department.

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[From the Oregon Statesman, Sept. 18, 1963]

### Drug War on M. & R.

The largest drug wholesaler in the United States is McKesson & Robbins. When in 1962 Colombia invited all major drug firms to participate in a program of selling drugs under their generic names instead of their trademarked names, McKesson & Robbins was the only firm which offered to participate. It bought a half interest in a Colombian drug manufacturer and began to sell 322 drugs at dramatically low prices. As reported in the New York Herald Tribune: "an antibiotic used in treatment of respiratory infections and typhoid sold for 3.6 cents per capsule, compared with the trade name product that sold for 29 cents. An arthritic was able to buy a month's supply of prednisilone for $2 instead of the $16 it had cost before."

When McKesson & Robbins offered to carry the program to other Latin American countries it found its way was blocked. And the established drug industry in Colombia retaliated by appeals to the drug industry of the United States, which interceded with the State Department.

What later developed, according to the complaint of McKesson & Robbins, was that

> the drug industry began to "gang up" on this firm. Its action in Colombia touched off a "huge commercial war to stop the sale of low-cost, lifesaving drugs, some at prices one-tenth the prevailing rates," in the language of the Herald Tribune, which has featured the controversy in a series of articles. The board chairman of M. & R. testified before the Senate Foreign Relations Committee that certain pharmaceutical manufacturers refused to sell them raw materials useful for the generic drug program.
>
> The late Senator Estes Kefauver, who had conducted a series of hearings which revealed the pricing practices of pharmaceutical houses, wanted to have the committee investigate the McKesson & Robbins charges, but lacked support from his committee. After the case received publicity in the Herald Tribune, Senator PHIL HART, Kefauver's successor as chairman of the Senate Antitrust and Monopoly Committee, got committee approval for a closed door investigation. When that is completed the committee will decide whether to conduct public hearings on the matter.
>
> The plea of the concerns hostile to the M. & R. program is that the practice invades patent rights, but M. & R. say they pay appropriate royalties on patents. Another objection is that cut rating dries up funds for research. That, however, would not justify boycotting of M. & R., which is willing to pay going prices for raw materials.
>
> The American drug industry's alarm is partly over loss of some lucrative markets abroad but also the threat of loss if sale of drugs and pharmaceuticals by generic names becomes common in America, where exclusive trade names permit higher markup.
>
> The pharmaceutical and drug industry of the country is quite cohesive. The wonder is that McKesson & Robbins was willing to go it alone on the Colombia deal. That it has complained to the Government shows that it must have been under heavy pressures. Presumably its competitors now call it a traitor to the club.
>
> Let the investigation proceed. Let it be thorough, giving all the parties a chance to testify, M. & R. in support of their charges and their policies, the regulars in support of their practices. But if there is such a price spread between drugs marketed under generic names and those marketed under trade patented names, why don't American houses go into selling under generic names?

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## THE COOPER-ERVIN JUDICIAL REVIEW AMENDMENT TO THE HIGHER EDUCATION BILL—H.R. 6143

**Mr. ERVIN.** Mr. President, the first amendment to the Constitution of the United States provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

History makes it crystal clear that the Founding Fathers drafted and ratified this constitutional provision to erect "a wall of separation between church and state"; to secure to every man the right to worship God according to the dictates of his own conscience; and to outlaw forever the congressional appropriation of tax-raised funds for the direct or indirect support of any and all religious institutions and their activities.

As the late Justice Robert H. Jackson so well declared in the Everson Case (330 U.S. 22, 26):

> One of our basic rights is to be free of taxation to support a transgression of the constitutional command that the authorities "shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." * * * This freedom was first in the Bill of Rights because it was first in the forefathers' minds. It was set forth in absolute terms, and its strength is its rigidity. It was intended not only to keep the state's hands out of religion, but to keep religion's hands off the state and, above all, to keep bitter religious controversy out of public life by denying to every denomination any advantage from getting control of public policy or the public purse.

Four times in the past 16 years, namely in the Everson Case, the McCollum Case (333 U.S. 203), the McGowan Case (366 U.S. 420), and the Torcaso Case (367 U.S. 488), the Supreme Court of the United States has expressly declared that the first amendment means at least these things:

> Neither a State nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a person to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or nonattendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a State nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups and vice versa. In the words of Jefferson, the clause against establishment of religion by law was intended to erect "a wall of separation between church and state."

It is obvious that the Federal Government would be aiding religious educational institutions and using tax moneys for their support and participating in their affairs if it makes grants or loans to them under the provisions of H.R. 6143. Indeed, the proponents of the bill virtually admit this to be true by section 2, which asserts that the bill is to be passed to assist the colleges and universities eligible to receive benefits under it.

The fact that the bill provides, in substance, that the grants and loans authorized by it are to be used for the construction of classrooms, laboratories, libraries, and related facilities for instruction or research of a secular nature is immaterial.

The first amendment forbids the Federal Government to grant support to religious educational institutions. It does not merely prohibit Federal support of the religious activities of religious educational institutions. It prohibits aid to their secular activities as well. Consequently, Congress cannot divorce religious activities of a religious educational institution from its other activities and support the latter.

This is made plain by statements in the Everson Case—pages 33 and 46–47—the McCollum Case—page 212—and the Zorach Case—343 U.S. 306, page 314—that Government cannot aid or support the blending of secular and religious instruction. By this it is meant that the Federal Government cannot support a college or university which offers both secular and religious instruction. This is made crystal clear by Justice Douglas in his concurring opinion in the Abington School District Case, which was handed down on June 17, 1963. See pages 3–5. I quote the words of Justice Douglas:

> The most effective way to establish any institution is to finance it, and this truth is reflected in the appeals by church groups for public funds to finance their religious schools. Financing a church either in its strictly religious activities or in its other activities is equally unconstitutional, as I understand the establishment clause. Budgets for one activity may be technically separable from budgets for others. But the institution is an inseparable whole, a living organism, which is strengthened in proselytizing when it is strengthened in any department by contributions from other than its own members.
>
> Such contributions may not be made by the state even in a minor degree without violating the establishment clause. It is not the amount of public funds expended, as this case illustrates; it is the use to which public funds are put that is controlling. For the first amendment does not say that some forms of establishment are allowed, it says that "no law respecting an establishment of religion" shall be made. What may not be done directly may not be done indirectly lest the establishment clause become a mockery.

Millions of Americans share the conviction that the making of grants and loans of tax-raised moneys to religious colleges and universities violates the first amendment.

Unfortunately, however, there is grave doubt as to whether or not these millions of Americans can obtain a judicial determination of the question of the constitutionality of such grants or loans to colleges and universities owned or controlled or operated by religious denominations.

When it advocated the passage of a bill authorizing Federal aid to institutions of higher learning before a House committee several years ago, the Department of Health, Education, and Welfare admitted this to be true. The fear that existing Federal procedures bar a court test in cases of this nature arises out of certain statements made in *Massachusetts* v. *Mellon,* 262 U.S. 447. See pages 486–489.

When H.R. 6143 was under consideration by it, the Senate adopted the so-called Cooper-Ervin Judicial Review Amendment conferring upon the U.S. District Court for the District of Columbia jurisdiction to determine the constitutionality of specific grants or loans which the Federal Commissioner of Education may propose to make to specific institutions under the terms of the bill.

Under this amendment, any taxpayer can bring a suit in behalf of himself and all other taxpayers against the Federal Commissioner of Education in the U.S. District Court for the District of Columbia to determine the constitutionality of the specific grants or loans which the Commissioner may propose to make. The amendment restricts jurisdiction of such cases to the U.S. District Court for the District of Columbia in order to make it certain that the Commissioner will not be harassed by suits in all areas of the United States. It prevents a multiplicity of trials of such suits in the U.S. District Court for the District of Columbia by providing that if two or more actions are brought to test the validity of the same proposed grant or loan, the U.S. District Court can consolidate all such actions for the purpose of a single trial and judgment. It provides, in substance, that the action must be brought within a limited period of time specified by the Commissioner himself. It prevents any injury to any applicant for a grant or loan by specifying that when an action is brought to test its validity, the Commissioner shall hold the amount of the proposed grant or loan in escrow until the case is determined.

The Federal Commissioner of Education can obtain a speedy review by the Supreme Court of any judgment adverse to him which may be entered in the U.S. District Court for the District of Columbia. This is true because a direct appeal would lie from the U.S. District Court of the District of Columbia to the Supreme Court of the United States under the provisions of section 1252 of title 28 of the United States Code.

The procedure established by the amendment is unlike the procedure invoked by the single taxpayer in the Mellon case. Since the taxpayer suing under the amendment sues in behalf of himself and all other taxpayers, he asserts an interest sufficient to require the court to entertain jurisdiction of the case. Moreover, the amendment does not authorize a challenge to any appropriation made by Congress. It merely affords a means of challenging upon constitutional grounds only administrative action which the Federal Commissioner of Education may propose to take in respect to a specific grant or loan to a specific college or university.

When all is said, there is no reasonable basis for objection to the Cooper-Ervin amendment. Congress ought to legislate in constitutional light, and not in constitutional darkness. The amendment will enable Congress to obtain a speedy answer to the question whether or not Congress is exceeding the power it possesses under the Constitution when it undertakes to authorize grants or loans of tax-raised moneys for construction purposes to colleges and universities owned, or controlled, or operated by religious denominations. If the Court should adjudge that congressional grants or loans of this character do not violate the Constitution, its decision would remove the basis for any constitutional objection to them. But if the Court should adjudge that grants or loans of this nature do violate the Constitution, then such grants or loans ought not to be made by a Congress whose Members are bound by a solemn oath or affirmation to uphold all of the Constitution, including the first amendment.

Congress cannot assume that it will obtain an answer to this constitutional question in a suit now pending in the State courts of Maryland, which challenges the validity under the first amendment and the Maryland constitution of certain grants or loans of State funds to certain religious colleges in Maryland. This is true because the Maryland court may emulate the examples set by other State courts in recent years, which have adjudged State grants to religious schools unconstitutional under State constitutions and laws without considering the first amendment at all. This happened in the following cases:

*Matthews* v. *Quinton* (Alaska), 362 P. 2d 932;

*Silver Lake Consolidated School Dist.* v. *Parker* (Iowa), 29 N.W. 2d 214;

*McVey* v. *Hawkins* (Missouri), 259 S.W. 2d 927;

*Zellers* v. *Huff* (New Mexico), 236 P. 2d 949;

*Judd* v. *Board of Education of Union Free School Dist. No. 2* (New York), 15 N.E. 2d 576;

*Dickman* v. *School District No. 62C* (Oregon), 366 P. 2d 533;

*Haas* v. *Independent School Dist. No. 1 of Yankton* (South Dakota), 9 N.W. 2d 707;

*Visser* v. *Nooksack Valley School District No. 506* (Wash.), 207 P. 2d 198; and

*State* v. *Nusbaum* (Wisconsin), 115 N.W. 2d 761.

Be this as it may, the Cooper-Ervin amendment deserves the support of all Senators and Congressmen who believe in the rule of law. This is true because a constitutional or legal right is without value unless there is a procedure for its enforcement. Certainly Congress ought to make it clear by retaining the Cooper-Ervin amendment in H.R. 6143 that it is unwilling to nullify the first amendment, and that American citizens can challenge the constitutionality of congressional grants or loans of tax-raised moneys to church owned, controlled, or operated colleges and universities in the Federal courts, which are vested with the judicial power of the Federal Government.

If Congress fails to do so, it will necessarily engender in the minds of millions of Americans the conviction that it is unwilling to have its constitutional power under the establishment of religion clause of the first amendment subjected to judicial determination.

## GEORGE HARTZOG AND THE OZARK RIVERS

Mr. SYMINGTON. Mr. President, an editorial appeared in the St. Louis Post-Dispatch for October 18, 1963, commenting on the good news that George B. Hartzog, Jr., is to be the next head of the National Park Service. The editorial notes the close acquaintance Mr. Hartzog has had with St. Louis and with the Missouri Ozark streams. It also comments that Mr. Hartzog will be especially suited to oversee the development of the Ozark Rivers into a protected and preserved area should the Ozark River bill, which has now passed the Senate, also successfully pass the other body.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the St. Louis (Mo.) Post-Dispatch, Oct. 18, 1963]

### George Hartzog and the Rivers

It was a happy coincidence, and perhaps a significant one, too, which brought on the same day the news that George B. Hartzog Jr., is to be the next head of the National Park Service and that, by unanimous vote, the Senate Interior Committee approved the Ozark bill.

Mr. Hartzog made admiring friends in St. Louis by his perserverence and enterprise while in charge of the development of the riverfront national park. In that time he also became a good St. Louisan. In fact, once assured of the completion of the Gateway Arch, he left the Federal service to settle here as director of Downtown St. Louis, Inc. Secretary of the Interior Udall persuaded him to return for a brief "breaking in" and then promotion to the superintendency of the Park Service.

It was as a St. Louisan that Hartzog became enthusiastically addicted to the beauties and the pleasures of the Current and the other fast-running Ozark streams. If the Senate, at the urging of Senators Symington and Long, passes the rivers bill, and if the House follows this example next year—and there is good reason to believe that it will—Missourians will be assured of the presence in Washington of a man who knows their precious streams and who will guard them as they must be guarded for posterity.

## WATER RESOURCE PROBLEMS ARE INTENSIFIED—ADMINISTRATION AND CONGRESS SHOULD RESPOND WITH AFFIRMATIVE ACTION—PUBLIC WORKS ARE NEEDED

Mr. RANDOLPH. Mr. President, our Nation's water problems must have priority consideration. That these problems are being neglected is a tragedy. Earlier this year many communities were the victims of devastating floods. Now, substantial portions of our country suffer the dire consequences of prolonged drought.

Flood control and water supply requirements in the United States must not be sacrificed in the interest of any other objective. We have made some progress but not enough.

It is my judgment that we should demonstrate a dedication to the water resource problems and needs of our citizens in a degree at least equivalent to our dedication to such programs as space exploration, nuclear power subsidization, military assistance abroad, and foreign economic aid.

Mr. President, unless this Congress acts promptly, progressively, and effectively on programs to solve the Nation's water problems we will fail to meet the challenge. And the history of this deficiency doubtless will record loss of human life, vast damage, and destruction of public and private property, and a stunting of the national economic growth potential, due to flood, drought, and fire.

This is not a new declaration on my part. I am repeating and emphasizing an urgent appeal made on October 21, 1963, in telegrams to the President of the United States, to the Vice President of the United States, and to the majority leaders and majority whips of the Senate and the House.

In those communications to the executive and legislative leadership, the view was expressed that although flood control and water storage project authorizations and appropriations should be expedited, we see delays and stalemate prevailing in the legislative process.

I urge now, as in my messages to the leadership, that we make legislation concerning water resources items of high priority in the Congress—and at once. I am hopeful for these actions and affirmative results:

First. That there will be a minimum of additional delay in taking to a House-Senate conference a vitally needed measure to extend river basin development authorizations, as well as to authorize other multipurpose water projects on which there have been adequate hearings. We of the Committee on Public Works strongly support the position of our distinguished chairman, the senior Senator from Michigan [Mr. McNAMARA] that neither the Senate nor the House has a right to refuse to confer with the other on differing versions of the same measure. After a bill has passed both bodies—with one having amended that of the other—there is the obligation to confer. There is the additional obligation of the conferees to work diligently and in good faith and in the best public interest, to the end that they will bring forth a report—not a stalemate.

Second. With the fiscal year already a quarter gone, it is vital that flood control authorizations be finalized and that there should promptly follow affirmative action on fiscal 1964 appropriations necessary to finance flood control and navigational aid projects for which appropriations hearings have been held. I congratulate the senior Senator from Louisiana [Mr. ELLENDER] and his associates of the Public Works Appropriation Subcommittee. They have performed a significant service in compiling a thorough record of hearings on many vitally important water resource projects in need of financing. I am privileged to be an ex officio member of the subcommittee presided over so capably and conscientiously by Senator ELLENDER, and I am cognizant and appreciative of the diligence with which he patiently builds the record through long hours of hearings. As a consequence, I believe the Senate would be ready to act intelligently on reasonably short notice on any fiscal 1964 civil works appropriations bill sent to this body by the other.

Third. In addition to the major flood control and navigational aid projects under the direction of the Army Corps of Engineers, there are many other vitally needed water resource development and utilization projects at the community level which need assistance. And this is an area in which the accelerated public works program is invaluable. In a protracted drought season such as much of the country has been experiencing, the water shortage and water system deficiencies of many communities have been accentuated and have become emergencies—in many instances acute emergencies with adverse health and inadequate fire protection implications. Because of their economic plight and status, these APW-eligible communities come to special attention through applications they file under provisions of the Public Works Acceleration Act of 1962. I point out, Mr. President, that a number of eligible West Virginia communities with serious water shortage problems or inadequate or outmoded water distribution systems cannot obtain the Federal assistance they need to correct their situations because the APW funds appropriated have all been obligated or programed for obligation. This applies with respect to numerous eligible communities of other States, too.

The communities to which I make reference can do little, if anything, under the regular water pollution control and/or community facilities programs to solve the problems of their water supply and sewerage deficiencies. They cannot meet the problem totally under the loan programs because they cannot develop financially satisfactory loan applications and supporting papers. The acute problems of these communities persist—even grow worse—while they fail to qualify under the loan programs and cannot obtain grants because funds are not available. Their water supply sources are either dried up or unsafe from the public health standpoint; they continue to have unemployment at rates which make them eligible under the APW Act; and among their other needs for water supply and distribution assistance is the vital one of water quantity and pressure sufficient for fire protection purposes. We have communities in West Virginia where a single fire probably would create a huge conflagration of homes, educational institutions, and commercial and industrial establishments. We have other communities which need both residential and industrial water systems, and in one instance an establishment employing 225 persons may be forced to close unless the community can obtain and operate a water system. In view of these conditions there should be expeditious appropriation on an emergency basis of the remaining $50 million authorized, but not yet appropriated, under the Public Works Acceleration Act of 1962. I urge in this instance that such funds—even though vastly inadequate when compared with the total needs—be earmarked for helping local communities eligible under the act to finance critically required water supply projects.

Fourth. The need for and the validity of the $900 million program authorized by the Public Works Acceleration Act of 1962—for which $850 million have been appropriated—continue to be present. There remain too many areas of chronic labor surplus—too much unemployment. There remain too many unmet, but vitally important, public facility and public improvements needs in numerous communities eligible under the APW Act.

The job opportunities provided and the economic stimulation stemming from acceleration of public works are sound reasons for continuing the program, and there is added the fact that the projects provide permanent or long life and useful public improvements and facilities. The communities eligible under the act need assistance to provide employment on APW program projects; otherwise, they would not be eligible.

We are informed that funds appropriated under the original authorization have been obligated or programed for obligation. There remain hundreds of millions of dollars worth of approvable applications from communities where the job opportunities, economic stimulation, and improvements or facilities to be provided by the projects are vitally needed. I urge, therefore, that there be action to authorize, and appropriations to finance, extension of public works acceleration, especially for projects in which local government bodies will share in the costs. And I would urge, also, that priority status be declared for water supply and sewage system projects, but I am not suggesting that an extended APW program be limited exclusively to water projects.

Mr. President, it is unnecessary that I speak in this forum of the importance of water; nor is it necessary that detail be used concerning water overabundance in flooding and water shortage in drought periods. There is general knowledgeability on these conditions.

It is time for Congress to return priorities to the fundamentals—land, wood, water, and the fossil fuels of the earth on which we live—and to the earthly problems of people, peace, and prosperity.

Conversely, I believe we should place less emphasis and invest less of our available revenue and debt commitment to outer space, to vehicles to destroy mankind, to misused military assistance abroad, and to nuclear power giveaways.

I renew in this forum the urgent appeal made to the White House and to leaders of both bodies of Congress that high priority be given to acceleration of public works and to flood control and other programs and projects intended to help solve the Nation's water problems.

The cause is real. The task is an imperative one.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

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## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is H.R. 7885. The question is on agreeing to the committee amendment in the nature of a substitute.

Mr. HUMPHREY. Mr. President, I shall address myself today to a certain portion of the foreign aid bill, commonly referred to as the Alliance for Progress.

I should like to discuss today the most important part of the foreign aid bill which is before the Senate for consideration this week. I refer to our assistance to Latin America through the Alliance for Progress. It is through our participation in the Alliance for Progress that we extend aid to the area described by President Kennedy as "the most critical area in the world."

I agree with President Kennedy's analysis of this area. It is the most critical. Therefore, it requires the most thoughtful consideration and attention during this debate. While there may be differences of opinion expressed by Members of the Senate, I am confident, as was said earlier today by the senior Senator from Oregon [Mr. MORSE] that we have the same objective, namely, to make the Alliance for Progress an effective and vital instrument of American policy for the improvement of political, economic, and social conditions in the Western Hemisphere.

The aim of the Alliance for Progress, as defined in the Declaration of the Peoples of America which precedes the Charter of Punte del Este, is to "unite in a common effort to bring our people accelerated economic progress and broader social justice within the framework of personal dignity and political liberty."

The main objective must never be lost sight of. We need constantly to keep in mind that we are striving for accelerated economic progress, that we are seeking to bring about broader social justice, and that we are striving to do all this within the framework of personal dignity and political liberty.

Therefore, we have deplored developments such as military coups and also developments which have indicated a tardiness or slowness in the fulfillment of projects and programs.

I will not elaborate here on the conditions and circumstances which stimulated President Kennedy's call for a new "Alliance for Progress" in this hemisphere and which inspired 20 American republics to subscribe to the Alliance program in the Charter of Punte del Este. These conditions are well known. Briefly stated the Alliance for Progress was called forth by the shocking economic and social inequality between privileged and impoverished, between glittering capitals and festering slums, between booming industrial regions and primitive rural areas. The Alliance is a response to the revolutionary challenge of an unjust social order, a social order in which true peace—peace based on justice—is impossible.

At this time, as the Senate considers the annual authorization bill for the foreign aid program, I would like to offer a brief appraisal of the Alliance for Progress as it looks to one U.S. Senator after 2 years of operation.

I have visited most of the countries in Latin America. Not only have I visited them; I have worked in them, in an effort to understand more clearly and fully the social and economic conditions that prevail in those countries, and to observe the political forces at work. I have been in close contact with the officers of this Government—ambassadors, members of diplomatic missions, and mission directors of our AID program and the Alliance for Progress program, and with USIA officials and others. I have done this in an attempt to gain a better understanding of what the United States is doing in Latin America and to observe at first hand how this great cooperative endeavor of mutual assistance between the United States and its sister republics to the south is progressing.

I emphasize once again that the Alliance for Progress is not merely a U.S. program; it is basically a program in which the efforts of the republics to the south—the Latin American countries—will be the major effort, and ours will be a supplemental or auxiliary effort. However, the sense of inspiration and political dedication to the principles of democratic government must come from the United States as well as from the countries we seek to help.

On the second anniversary of the Alliance, which we celebrated last month, we heard repeated cries of desperation, doom, and despair about the fate of the Alliance. I wish to go on record as saying that I do not share this judgment of pessimism and gloom. I am fully cognizant of the difficulties. I do not approach this discussion or debate with the feeling or attitude that all is well. I approach the discussion knowing that we have only begun our effort; that a brief and faltering start has been made; but that at least a start has been made. We are beginning to show signs of progress, and I do not want to see the beginning we have thus far accomplished lost because of frustration or because of unhappiness about the pace of events.

My own conclusion today remains approximately the same as stated in the opening sentence of the "Report on the Alliance for Progress" that I wrote and issued in March of this year:

> In terms of where it was a year ago, the Alianza para el Progreso has taken a giant leap forward. In terms of where it has yet to go, it has taken only a short faltering step.

I should like to elaborate on this conclusion in terms of: First, what we have learned in the past 2 years; second, what we have accomplished; and, third, what remains to be done.

I remind Senators, as we discuss the benefits of foreign aid, that we are discussing a program that is at work in some of the most difficult areas of the world. It was one thing to work with Western Europe, where there was a body of citizenry who were highly knowledgable in the areas of industry, agriculture, and science; where there was a high rate of literacy; and where there was industrial know-how. All we needed to do in that instance was to supply capital and a modest degree of technical assistance, and also to supply faith and confidence. We did that under the Marshall plan, and the results were miraculous.

Now we are working in areas of the world where there is little or no managerial skill or know-how; where industrial development is at a minimum; where agricultural development is actually primitive; where the rate of illiteracy is staggering; and where disease and poverty are the pattern of the day. I submit that in conditions like those it is difficult to have a good record of accomplishment, at least when that record is compared with the record of development in Western Europe.

We have been subject to many frustrations. We have had to condition ourselves to many disappointments. This is not to excuse bad administration; neither is it to be interpreted as an excuse for poor planning or for a failure to keep our commitment to the objectives that we say we support. I merely wish to put the foreign aid discussion in a proper frame of reference. We are now, in the main, talking about the foreign aid program as it is directed toward areas of the world that, regrettably, are backward technically and scientifically; that have a short supply of skilled manpower and an inadequate number of trained public administrators. We are talking about an area of the world that is in an explosive situation in terms of political and social developments.

It is because I feel this way that I speak today not on behalf of every feature of the foreign aid program but also of the concept and purpose of foreign aid as an essential part of our total program of national security. I want to be clear on this point. There will be, as there have been, statements and speeches made in this body and in the other body that are critical of foreign aid. With some of that criticism I agree. It is our duty during this debate to try to improve the administration as well as the substantive framework of legislation relating to foreign aid. I look upon certain amendments that have been suggested as highly desirable. I voted for some amendments in the Committee on Foreign Relations that I intend to vote for once again on the floor of the Senate. So I do not want my remarks to be interpreted as a carte blanche approval of everything that the administration has requested or of everything that has been done. I want my remarks to be interpreted as a thoughtful appraisal of the foreign aid program as it relates to our overall national objectives and our overall national security effort. I believe that this debate, if we will but participate in it, if we can have an honest discussion about the differences that we hold, can do much to put foreign aid, as a Government policy and a good Government program, on a much better footing and give it much better support in Congress and among the public.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the Senator from New York.

Mr. JAVITS. I wish to express to the Senator my own satisfaction at having joined with him in the memorandum to editors throughout the country, a memorandum which is on the desk of every Senator. It seeks to sum up the case for foreign aid. I assume that in due course the Senator will have it placed at the proper point in the Record.

Mr. HUMPHREY. I did that on behalf of the Senator from New York and myself as of yesterday.

Mr. JAVITS. I thank the Senator. One of the things I should like to stress is the emphasis on the private economy in all its phases in the carrying out of the foreign aid program. I know the Senator from Minnesota feels keenly about this. It should be a matter of considerable satisfaction to the country that together, in a bipartisan way, we will endeavor to implement that particular commitment effectively. I know how seriously the Senator feels about the obligations he undertakes. I think this should be an important item of consideration in the whole foreign aid program. A number of Senators, including the Senator from Minnesota and myself, will join, in the most purposeful way, in seeing that a great part—as great a part as is humanly possible—of the foreign aid program is carried on the shoulders of private enterprise, where it should have been lo, these many years.

Mr. HUMPHREY. I agree. I again commend the Senator from New York for his inspirational and personal leadership in the formulation of the private enterprise effort known as ADELA, which relates to private development in the Latin American area. I have been associated with the Senator from New York in this effort. I believe we have made some progress.

Mr. JAVITS. We have made great progress.

Mr. HUMPHREY. We have attempted to arouse greater interest on the part of the private economy of the United States and Western Europe in Latin America. We are seeking to promote investment in that area by the private sector of our economy and that of Western European countries, as well.

It is my view that without greater participation by the private sector of the economies of the United States, Canada, and Western Europe and without greater participation by the private individuals in Latin America, we shall not be able to succeed. Therefore, the words of the Senator from New York are most appropriate; and he can be assured of my faithful and, I hope, my helpful assistance.

Mr. JAVITS. It is most helpful; and I am very grateful to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, much of the premature pessimism about the Alliance results from an underestimation of the magnitude of the task and from false expectations about what could be achieved in a brief period of time. Today, we are well aware that nostalgic recollection of the dramatic success of the Marshall plan in restoring economic and social vitality to the war-ravaged, but highly advanced, modern societies of Western Europe should not delude us. We are aware, as I have stated, that this European experience does little to illuminate the path to speedy economic and social development in underdeveloped areas in Latin America. The reform and modification of social and economic traditions that have persisted for two centuries are not going to be accomplished in 2 years—and probably not in a decade. It should be understood by now that the Alliance for Progress has just begun. We have had 1 year to prepare for it and 1 year of actual operation. It is premature to pronounce any definitive judgment on its success or failure; but it is fair to say that it has had, and is making, a beginning.

Among the more difficult lessons which had to be learned during the first 2 years, none proved more difficult than the fundamental truth outlined in the Alliance charter—namely, that the Alliance is not just another U.S. aid program. Rather, it is, as I have said, a cooperative endeavor by 19 Latin American countries and the United States to enjoy more fully the cultural, spiritual, and material riches available in the 20th century—an endeavor to make these accessible to the whole population, rather than to only a select few. Following from this, there is today a wider—if still imperfect—understanding of the fact that the actions of Latin American countries themselves in achieving the goals of the Alliance are far more important than those of the United States. In quantitative terms, it is agreed that 80 percent of the material resources for Alliance programs must come from the Latin American countries themselves. In fact, that figure may be even higher; some have said that up to 90 percent of the material resources must be generated in the Latin American countries. But far more important, the leadership necessary to mobilize both the quantitative and qualitative resources of the societies must come from within. A key role will invariably be played by the political leaders who are currently in power in a country. The political decisions taken or not taken will in great part determine the progress or failure of the Alliance in a given country. The ability of the U.S. Government to influence these political decisions is always limited, sometimes nonexistent. Political leadership is the most important ingredient in determining whether Alliance programs will progress in a given country.

Therefore, Mr. President, when we see a failure or when we find a shortcoming or are able to expose some inadequacy, let it be clearly understood that these are not always our fault. We are having to work with, and to depend upon, people in the Latin American countries themselves for leadership and followthrough that are necessary in order to make any program effective. I tend to believe that in the first place, we assume that we are more or less saving the world singlehandedly, that somehow or other we are paying all the bills, and that, therefore, if things go wrong, the fault is ours alone. But, Mr. President, the truth is that we are not saving the world singlehandedly, and that we ought not do so even if we could, because this is a responsibility to be shared by many. Furthermore, we are not paying all the bills; to the contrary, we expect others—and call upon them to do so—to do far more than we do, which is entirely right. In addition, all the mistakes which may be made are not necessarily our fault. We make our fair share, to be sure; but many of them are mistakes which are inherent within less developed social structure. Mr. President, not only have we made mistakes and shared in failures; we have also gained victories and shared in accomplishments. If Senators will examine the display of photographs in the rear of this Chamber, and will notice the difference, in country after country, between what was and what is—the difference in housing, in schools, in sanitation, in health and education, in harbors, and in roads, they will see that great gains have been made. It is regrettable that there is so much more to do; but I do not think we should condemn a program and throw it out simply because there is yet more to do and because the task for the future seems to be an exceedingly heavy burden.

So, Mr. President, if we are today buoyant with hope about the prospects for Peru and Argentina, it is because of the promise engendered by the election of a new set of political leaders who are determined to convert the disillusions of the past into valid programs for the future.

If we are despondent about the Caribbean area—and surely I have expressed deep concern and worry about this area—it is because we have witnessed once more the vulnerability of two governments which could not rely on a strong, well-developed, democratic institutional structure. We need strong democratic institutions to support strong leaders. In fact, we need to develop strong democratic institutions to support the kind of reforms that this Government of the United States is demanding of our partners in Latin America. I repeat what I have stated before:

> The assault on the recently elected constitutional governments of the Dominican Republic and of Honduras by those who have not experienced a tradition of free democratic government is a cruel blow to political freedom in this hemisphere, and to the Alliance for Progress.

If a government can inspire confidence and hope among its people, it can advance toward the Alliance goals—regardless of where it starts. Disillusionment in this hemisphere has not been greatest in the least advanced countries—which in some cases are some of the most advanced economically.

We are likely to experience disappointment and disillusionment again in certain Latin American countries over the course of the next decade, just as we have experienced it the past weeks in the Caribbean. In most cases these will be caused by a failure of political leadership and a failure to build political institutions which are capable of sustaining and implementing the basic structural modifications in their societies, as called for under the Alliance for Progress. I remind Senators that we are administering strong medicine in the reforms we require for cooperation under the Alliance for progress, and we are attempting to remedy in a few years the abuses of two or three centuries. So the great question before the democratic peoples of the world is whether we can effectuate adequate reforms in the political, economic, and social structure, through the democratic process, or whether these reforms will come only with blood and revolution. I hope we can perfect a system—under our guidance and leadership, in cooperation with other democratic peoples and leaders—

that will bring about genuine reform, without violence and without revolution, because all too often revolutions play into the hands of the dictators and destroy what they were designed to fulfill.

So, Mr. President, I hope it cannot be said that we contributed to such disappointment because we failed to give consistant and strong support to governments which sought to implement the aims of the Alliance for Progress.

We must always remember that the objectives of the Alliance are political, as well as economic and social.

As the U.S. Coordinator of the Alliance for Progress has stated, the Alliance includes not only a social revolution against the scourge of hunger, disease, and illiteracy, but also a political revolution whose "single most important force" is "the quest for first-class citizenship." "Free countries," Mr. Moscoso rightly concludes, "do not develop on bread alone." Political democracy and free constitutional government must remain an indispensable goal of the Alliance for Progress.

It is to this very proposition that several Senators in this body have addressed themselves in recent weeks as we have witnessed the emergence of juntas in the Dominican Republic and in Honduras. It is because of our conviction that political democracy and free constitutional government must remain an indispensable goal of the Alliance for Progress that we have called upon the Government of the United States to insist upon a constitutional government, and, to deny the juntas and military cliques American aid. That is why I said earlier today that it is my intention to cooperate with the Senator from Oregon [Mr. MORSE], who is chairman of our Subcommittee on Latin American Affairs, in bringing into the bill the kind of objectives that he has sought in his amendment to cut off the aid programs to those governments that throw out or destroy duly constitutionally elected governments. The Senator from Oregon will find plenty of allies in this body for that worthy endeavor. I am grateful to him for having raised his voice on that subject, because it is all too easy to accommodate ourselves, as some people say, to being "realists."

If we are going to fulfill our responsibilities under the Alliance for Progress and the charter under the Alliance, we must live up to our commitment to achieve broader social justice within the framework of personal dignity and political liberty. Either we should commit ourselves to the proposition of political liberty, democratic institutions, and free constitutional government or we should quit calling the program which we are now advancing the Alliance for Progress.

The Alliance for Progress has a character about it. It involves more than merely money. The Alliance for Progress is not merely another grant or loan. The Alliance for Progress is a great mission, a dedication to economic progress, to social justice, to constitutional government, to personal freedom, to political liberty. It is a commitment by our Government and by others to democratic institutions and constitutional government. It is because of my firm belief in that principle that I feel we must not back up 1 inch in our responsibilities and the commitments that we made, and to which we affixed our signature at the Punta del Este Conference.

Mr. President, it is of utmost importance for the Alliance in the years ahead that we have in the past 2 years managed to discard many of the old cliches which have governed our thinking about Latin America in the past.

One cliche, now exposed in all its hollowness, is that which portrays the Latin American countries as being divided between avaricious oligarchs and primitive masses, the former united in a concerted plot to oppress the latter. This explanation is not adequate and will no longer do. There remain oligarchs and there remain oppressed masses—far too many of both. But such a dichotomy ignores the growth of a substantial middle class in most of the larger Latin American countries. It ignores the growing number of enlightened progressive leaders springing from the aristocracy, even from the military and, indeed, the church. It ignores the growth of well-organized unionized workers in most metropolitan centers of the hemisphere. Overall it ignores the growing awareness in the hemisphere of the truth of President Betancourt's statement that, "If we cannot help the many who are poor, we cannot save the few who are rich."

It also ignores what I found to be a fact—the growth of a responsible group of young men and women from the universities and colleges. There is a renaissance of social dedication and commitment among the youth in many of those countries. Although the middle-class citizen, enlightened aristocrat, the unionized laborer and the socially conscious youth may be far too few in number, it is from these groups that the leadership for the Alliance for Progress program must come. It is to those groups that we should give our support, help, and encouragement. It is time for the old cliches to be dropped and these new realities faced.

In summary then, the experience of the past 2 years has taught us that the Alliance is a long-term program, that the Latin American Continent includes a diverse and rapidly changing group of societies whose social, political, and economic systems cannot be explained in terms of the cliches of the past.

Also during the last 2 years they taught us that we must expect to experience many disappointments, but we can also be encouraged by many achievements.

I would now like to shift from what we have learned to what has been accomplished. Despite the brevity of the period, there are certain concrete accomplishments one can point to after 2 years. In the brief 2 years since this hemispheric cooperative effort was launched, some 140,000 new housing units have been constructed, 8,200 new school classrooms have been built, and more than 700 new community water systems undertaken. Tax and land reform measures have been adopted by many countries, more than 160,000 agricultural credit loans have been made, 4 million schoolbooks have been distributed, and more than 9 million children are being fed in 18 countries under the food for peace program.

There are other accomplishments. We have had cultural exchange programs that have been increased. Thousands of young students from Latin America are attending universities and technical schools in the United States. There are many information programs under the supervision of the U.S. Information Agency. Many new binational centers that encourage reading in English and a better understanding of our respective countries have been established. Vocational schools have been constructed and staffed. I have seen those things with my own eyes. I have been in country after country and have witnessed the work that is underway. Colleges have been staffed; universities have been constructed. In cooperation with democratic leaders—people who believe in personal liberty and personal freedom—we have been able to make an impact upon the young people in college after college and university after university. In many cases, the Communist forces have been defeated. The forces of liberty and democracy are in the ascendancy.

Those are some of the good news headlines that we ought to know. I have witnessed the rennaissance in the Argentine, in the Central American republics, in Chile, Peru, and Colombia. The prospect is not all dark and despairing. Much of it is bright and hopeful.

But these statistics are poor illustration of what the Alliance has accomplished for individual persons and individual families. To give a concrete idea of what the Alliance means to our neighbors in this hemisphere, as I said earlier, I have brought to the Senate Chamber several photograph panels which graphically illustrate some of the accomplishments of the Alliance during the past 2 years.

There are a great number of exhibits available which we could display if we but had the space to display them and the time properly to study them. Our information centers in Latin American countries are popular. Thousands of people come to them to hear the story of American democracy as an example for Latin American republics is reaching the people.

These six pairs of panels in the rear of the chamber indicate the difference in the lives of six groups of Latin Americans wrought by the Alliance; they show their situation before the Alliance was launched—and after 2 years in progress. Let me briefly describe these panels:

### BRAZIL: HOUSING

First. Before: The Favelo Bom Jesus is typical of urban slums in the city of Rio de Janeiro. This urban squalor—without water, electricity, or sewers—is the lot of more than half a million people in the State of Guanabara.

Second. After: Former residents of Bom Jesus are now being resettled in the Barrio Alianca—the Alliance Suburb—a new community taking shape 22 miles outside Rio near the textile mill town of Bangu. The project will consist of 2,250 houses. Barrio Alianca, and other demonstration housing projects in Guanabara State, are being financed under an AID grant of Cr$1 billion generated from a title I sale of Public Law 480 commodities to Brazil. The State of Guanabara is also applying Cr$1 billion to the project.

Mr. President, I am happy to see in the Chair at the present moment the former director of the food for peace program, the Senator from South Dakota [Mr. McGovern], under whose direction much of this program was launched. We have been able to convert surplus American food into housing to help eradicate the slums in Rio de Janeiro. We have been able to sell surplus American food stocks to Brazil, and loan back to Brazil the money generated by the sale of the food, so that Brazil and the local State government of Guanabara could build 2,250 homes for 2,250 families.

I know this is a small effort, and there is great need for hundreds of thousands of additional houses in Brazil, but we have made a beginning. It seems to me we should keep in mind that democracy needs beginnings. There will be plenty of work for future generations, but we need to make a start. We have made a breakthrough.

I have seen the slum areas of Brazil. I have walked through the streets and seen conditions beyond description, even beyond human endurance. But we are beginning to crack this problem. The facts prove my statement.

### VENEZUELA: AGRICULTURE

Third. Before: This Andean farmer plows the land using the same primitive techniques as his father and father's father have employed for generations.

Fourth. After: Under the Alliance for Progress, mechanized agriculture has become a more common sight in Venezuela. Through the country's land reform program—which is one of the best, the National Agrarian Institute has settled over 53,000 families on 2 million hectares of land distributed over more than 500 farm cooperative settlements. A $10 million social progress trust fund loan from the Inter-American Development Bank is currently being used to finance various colonies and agrarian developments in Venezuela. An additional $10 million loan from AID is financing a program of supervised agricultural credit in Venezuela, making it possible for the Banco Agricola y Pecuario to make loans to small farmers. The program combines technical assistance with credit facilities so that farmers may learn new production methods and acquire facilities and machinery to make improvements in their farms.

I also point out the great growth of rural cooperatives under the Alliance for Progress. Two years ago I offered an amendment to the AID bill to encourage the development of rural cooperatives—producers cooperatives, housing cooperatives, farm cooperatives, and rural electric cooperatives—for agrarian people.

I believe that much of the battle against Castroism and communism in Latin America will be won or lost in the agrarian areas. I want to see this Government do much more in the agrarian field. We are all too often dazzled by the sight of new, big industrial establishments. Much of the real poverty in Latin America is in the rural areas. From those areas hundreds of thousands of people migrate to the cities hoping to find something better.

The emphasis needs to be placed upon agrarian reform; but also upon the new techniques of agricultural farm credit—little bits of credit for the family farm through the development of the rural cooperative.

Mr. President, the report on the development of cooperatives in Latin America is very encouraging. This bill would authorize an additional $25 million for the development of an Inter-American cooperative financial institution to help finance national cooperative developments and local cooperative developments for rural people. I believe this is one of the better features of the bill.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I am glad to yield.

Mr. MORSE. I do not wish to interrupt the Senator, but I am appreciative of the approach he is making to this problem of the Alliance for Progress. The point the Senator is making about giving a little bit of credit to the farmer in Latin America is important. I believe I could summarize my attitude by saying that providing credit to enable the farmer to purchase a sow is much more important than all the silk purse policies the State Department might make available to him. It is a good example of what we can do for the farmer in Latin America.

The Senator from Minnesota has just spoken about the credit union and the cooperatives, and providing farm machinery on an area basis which can be loaned out and made available to central cooperatives for the improvement of livestock. All that goes along with the type of modern agriculture which we have developed in the United States.

I say it is exportable. It is a good illustration of what I keep talking about when I say, "Let us export our economic freedom." That is the way to whip communism. The approach that the Senator from Minnesota is making is unanswerable. It is what we need to do in the Alliance for Progress program.

Mr. HUMPHREY. I thank the Senator from Oregon. He has witnessed many of these developments, and has been deeply shocked by some of the unbelievable conditions that prevail in certain areas. Unless this program can reach the people, unless the program of the Alliance for Progress is identified with the poor, the needy, the peasant, the campesino—the workers and their needs—it will not succeed.

The Alliance for Progress is not merely a program of finance. It is not merely a program of big industry. It is a program essentially designed, as the charter of that Alliance provides, to bring about progress in the economy, social justice, personal liberty, and political freedom.

We need to keep all those objectives foremost in the discussion on the Alliance, and the amendments which will be offered to the bill.

My primary purpose in making this speech today is to put into the Record the philosophy that I believe is necessary if we are to win this struggle. We have our work cut out for us.

Mr. PROXMIRE. Mr. President, will the Senator yield further on that particular point, which is very important?

Mr. HUMPHREY. I am glad to yield.

Mr. PROXMIRE. Does the Senator say that the bill would provide more funds for cooperatives?

Mr. HUMPHREY. Yes.

Mr. PROXMIRE. Twenty-five million?

Mr. HUMPHREY. That is correct; $25 million over and beyond what is available from the Inter-American Development Bank, and what has been made available under the Social Progress Trust Fund and the Development Loan Fund.

Mr. PROXMIRE. Does the Senator not agree that certainly one important element—and I believe the crux—in land reform in Latin America is the availability of credit to farmers at low interest rates?

Mr. HUMPHREY. The Senator is correct.

Mr. PROXMIRE. The difficulty in these areas is that historically the interest rates have always been very high, in fact usurious—typically 15, 20, 25 percent not being unusual.

Mr. HUMPHREY. It is not only not unusual; it is the pattern.

Mr. PROXMIRE. It is the pattern. Is it not true—that in the administration of the program in Latin America and the providing of the $25 million additional for cooperatives, the loans will be at low interest rates so they can be repaid and will not be prohibitive, so that the benefits will go to the farmers and not the moneylenders.

Mr. HUMPHREY. The Senator may rest assured on that score, because a loan to a cooperative goes to a nonprofit institution, so to speak.

Mr. PROXMIRE. It is member-owned? And the members are the small farmers who borrow from it.

Mr. HUMPHREY. Yes; it would be member owned in this instance by the campesinos, or the farmers. There would be no need for a high interest rate.

The only requirement is that the interest rate should at least be sufficient to take care of the administrative costs.

One of the more pleasing developments in Latin America is in the credit union development and the cooperative development, which provide funds, resources, and technical assistance at moderate rates of interest. I insisted, in my discussions with officials handling this program, that more emphasis be placed on this aspect.

Let me digress for a moment——

Mr. PROXMIRE. Mr. President, before the Senator digresses, let me say that he is eminently correct when he says we should export this particular genius of the American system. There is no phase of the American economic system that has been more productive, more efficient, or has done more for the American people than agriculture. The cooperative movement has been extremely helpful. The National Credit Union headquarters is located in Madison, Wis. CUNA, as it is known, has been sending its experts to South America and doing work there very quietly. Not much has been reported about it. They have been helping in the credit union movement and helping the little people so that they can establish that kind of cooperative effort. With the little these farmers have, they make it go as far as possible on a cooperative basis. They have been rendering excellent service.

If our agricultural cooperatives, with their record of success, can take part in this program, it can be very helpful to those countries. This is a point of foreign aid that we should encourage. The aid the Senator from Minnesota has been stressing reaches the individual person, and provides an opportunity for the Campesino to have a stake in his society and economy. When that is a fact he is going to be a foe of the Communist and will stand for free government and a free nation. Small landholders have always provided the prime opposition to the Marxist, Leninist, Stalinist, Khrushchev push. That is why this part of the program is so crucial.

I am happy that the Senator from Minnesota is emphasizing the importance of this aspect of the program.

Mr. HUMPHREY. I thank the Senator from Wisconsin, who has great knowledge of the development of the cooperative movement and its role in America, and what it is doing overseas. Senators will be interested in knowing that one of the universities providing training in the cooperative movement in Latin America is the University of Wisconsin. This help is being provided the Latin American countries themselves, because of the success we have had with it in this country. Not only is capital being made available, but leadership and the training for leadership are being made available. That is one of the significant accomplishments of the Alliance for Progress and the AID administration—the program of cooperative development and expansion in Latin America and the training of people for the cooperative movement. It has been quite encouraging.

I have insisted on having regular reports from the AID administration and the Alliance for Progress on the cooperative endeavor. I was the author in the Senate of the amendment that instructed the AID administration to engage in the training of cooperative leaders in the cooperative movement in the areas of credit unions, housing, agricultural production, marketing, rural electric co-ops, and so forth. I have had reports every month. Each month the reports are better. Each month there is evidence of significant progress. Our leaders in the cooperative movement and cooperative interests in America have been sent into Latin America to speak, to train, and to provide seminars to help in the establishment of a cooperative movement, and to stay with it long enough to set it going.

They do not get the headlines, but this is what has been happening. As the Senator from Wisconsin has said, a going cooperative movement is death to communism. The Communists can never take over. The only way the impoverished rural people, known as the campesinos, are going to get ahead is by pooling whatever resources they have in a cooperative effort, and obtaining some capital and guidance. It is not only money that they need. They need land reform and modern agricultural techniques, because the farmer who does not learn modern techniques will soon lose his land, and it will go back where it came from. But land reform is needed, along with supervision with respect to credit, supported by the development of rural cooperative works. I have seen the program in operation. I went into certain countries in Latin America a while ago, and attended cooperative meetings. I visited with those who are operating and managing the cooperatives.

In Panama, for example, people who were impoverished, starving, were enabled, through the cooperative movement, through AID and the Alliance for Progress, to buy some fishing equipment, a fishing boat, and a refrigerator boat, and were able to establish a cooperative. Not only did they do much better, but they were beginning to be able to provide for schools, roads, and so forth. We have concrete evidence.

The trouble is we do not hear about the good things. We hear about somebody's mistakes. Do we ever hear about safe drivers? No; we hear about those who have accidents. Do we ever hear about people who conduct good, normal lives? No; we hear only about those who get into trouble. I do not know why we have to emphasize the negative, when we are supposed to be people who emphasize the positive.

Let me say a few words about Central America. I point out that I do not speak of this area on the basis of photographic observations or reading about it. I have been in all the countries of Central America save one. I have been privileged to meet with the officials of the government, with the heads of trade unions, with agricultural people, and with school heads. I have visited schools and rural areas and colleges and universities. I have visited industrial projects and slum areas. I have had the privilege of addressing the Congress of El Salvadore and of Mexico. In other countries, I have sat down with representatives of industry and labor. Therefore, when I speak of the Alliance for Progress and its development in this area, I do so from on-the-spot observation as well as study of the records of the program.

Mr. President, in the rear of the Chamber there is one chart marked "Central America: Mobile Health Program." This is a project which I advocated in the Senate several years ago at the time that we discussed the so-called White Fleet. I urged, instead of building large hospitals and big health centers, which were stationary, and to which people had to come in many of the backward or underdeveloped or poor areas of the world, that we equip mobile units to take medical care to the people, that we utilize our technology of communication, regardless of whether there were roads. I said we could develop a kind of unit that could move across any terrain, to bring modern medicine and modern health care to the people.

On one of the panels in the rear of the Chamber, labeled "Before," there is an illustration showing the need for preventive health and sanitation measures in Central America. It shows the kitchen in a rural home. Until recently, modern medicine has been unknown or unavailable in the rural villages of Central America. The annual per capita income has averaged less than $100 a year, and many village people have never worked together outside their families.

There is another panel in the rear of the Chamber entitled "After."

Today, under the unique Alliance for Progress program, mobile health teams—traveling by jeep, boat, and mule—are introducing modern medicine to remote villages of six Central American countries. Drugs and medicine are being distributed to people in 600 villages by teams of Central American doctors, public health nurses, and sanitarians. Resources of AID, the Peace Corps, and food for peace have joined in this Alliance program to help villages carry out preventive health measures and build health centers and other community projects. High-protein food for peace commodities are also being distributed, and team nurses are teaching mothers how to prepare food and are advising them about general nutrition, general sanitation, and personal hygiene.

I have seen this program in operation. Rather than hearing the distressing news of some colonel who is trying to shoot his way into power, it would be wonderful if the American people could know that there are today many mobile health units—jeeps, trucks, and hospitals on the backs of mules, going into the back country with doctors, nurses, and medical technicians to carry modern medical care and preventive medicines to the people.

How was this done? Through the Alliance for Progress. The people who are doing it are sacrificing their lives. Sometimes I wonder how many people in the United States, who are living so comfortably in air-conditioned homes, with good sanitary conditions and facilities, with the best of food and clothing think of the many sacrifices that some employees of this Government are making, in faraway places in infected areas and infested swamps.

I have seen it. It would be good occasionally to give a little credit to some of those who are literally sacrificing their lives. I know of Ambassadors who have lost their children to what we call tropical diseases as they were serving their country in faroff places.

I know of people in the AID group and in the Alliance for Progress who have suffered terrible sicknesses as they sought to help others. There are Members of the Senate who have served on teams which have gone to faraway places and who have come back incapacitated for a while because they gave of their health and of their time to help others.

This program has involved sacrifices; it has had its martyrs and its heroes, as well as its bums. I wish to say something about some of its heroes.

One of the panels in the rear of the Chamber is entitled "Bolivia—Community Water Supply System." That panel shows the situation before a change was made. The panel entitled "Before" shows a Bolivian youngster in the village of El Paso filling his water jug from the community's only water supply—an open canal contaminated by human and animal waste.

Then there is the "After" panel. It is 1 year later, and residents of El Paso have a potable water supply system consisting of a stone-covered water channel and a filtering system which is protected from exterior contamination. The system includes concrete-covered storage tanks and more than 3,000 meters of galvanized pipe. Although the project was financed by AID to the amount of $10,000, the 907 men, women, and children of El Paso contributed approximately $400, plus material and labor. To encourage this, and similar self-help projects, the U.S. AID mission in Bolivia has provided $270,000 to finance community water programs that will provide safer water to 85 percent of the urban population, as well as to 500 rural villages, within 5 years. The project is also planned to stimulate development of a national water supply authority and other local organizations for administration and operation of these new water supply systems.

I do not know of anything that we could do which would contribute more to the happiness and health of the people than to encourage and aid in the development of a potable supply of sanitary water in countries of Latin America, Asia, or Africa.

The amount of money that we put into this project is $270,000. It will finance community water programs to serve 85 percent of the urban population of the whole country.

I am not prepared to say how much it costs to fire one Polaris missile on a test flight. I venture to say that it costs more than $270,000. I read the other day that we had fired another Polaris missile off the coast of Florida for a distance of approximately 2,300 miles. I am pleased that the missile worked. I know that it is essential to the defense of our country. However, I think it is about time to compare costs in the area of missiles as well as costs in the area of civilian undertakings.

I venture to say that there have been more missiles that did not go off than there have been Alliance for Progress programs that did not work. I am sure of it. There have been more mistakes in the construction of modern military weapons, which had to be revised, or taken back, as it is said, for readjustment or modifications, than there have been projects relating to the health, education, and welfare and the productivity of people under the aid program.

Yet for some peculiar reason we hear little about the failures that we encounter in the space program or in the military program. I do not mean to downgrade the importance of these programs. They are important. I wish to make it clear that we cannot have scientific research without failures. I do not believe that we can conduct a program, in an area of instability and poverty and misery, without having failures. I do not believe we can conduct a modern corporation without having failures.

During the past weekend I had occasion to talk with a very important business executive. He told me what the difference was between public service and private service. The difference is primarily, he said, that if a person is the head of a big corporation he is given responsibility for conducting the operations of that corporation. The measurement at the end of the year is whether he made more money than he lost.

This executive said to me, "They don't come and say to you, 'You bought too many thumbtacks,' or 'Your advertising program on this particular item did not work.' What is most important is the result."

Mr. President, there is hardly an automobile produced on an assembly line in connection with which there is not an occasional car that must be turned back. A few of the first automobiles produced of a particular line, even in the most experienced companies, are what are called lemons.

However, the president of General Motors is not fired because every car that came off the line is not perfect. What the corporation looks for is the profit statement at the end of the year. If the profit statement shows some positive results, there is the possibility that the man who was responsible for that achievement will be rewarded and praised.

I am only asking that we take a good look at the assets and liabilities, at the debits and the credits. If the assets at the end of a particular period of time add up to a little more than the liabilities, if the credits are a little better than the debits, it seems to me that we can say that there has been progress and some success.

One of the benefits that are shown relates to Colombia. It is the Alliance for Progress housing in the city of Ciudad Techo. One of the panels shows the scene before the program went into effect. It shows a two-room, ramshackle structure that served as the home for Campo Elias Bernal, his wife, and their six children. Due to poor eyesight and illness, Sr. Bernal is unemployed. The family's entire income amounts to only $1 a day that the father earns through odd jobs.

Another panel shows the new home at Ciudad Techo to which the Bernal family will soon move. It is a part of the vast Alliance for Progress housing project outside Bogotá. They and 27 other families are now building their houses through a system of self-help. The total price of the home is $630, which will be financed over a 15-year period. The Ciudad Techo housing project was inaugurated by President Kennedy and President Lleras Camargo on December 17, 1961. Construction began in January 1962, and will be substantially completed during July 1963. The total anticipated population of Ciudad Techo will be approximately 90,000 people. The project is being assisted with an AID grant of half a million dollars and an AID loan of $12 million, which is repayable to the Government of the United States.

Here is a home that is satisfactory, comfortable, and sanitary; a home that will provide adequate shelter for a family consisting of the husband, wife, and 6 children, for the price of $630. So such housing can be provided. I have seen these homes. While they do not compare with what we call housing in the United States, they have some highly creditable features. They are clean. They are warm. They are ventilated. They are spacious. They have running water. They have electricity. They provide a modicum of comfortable housing. This has been done through the AID program and the Alliance for Progress.

I should like to discuss education and community development in Honduras. Honduras is a country in Central America. It is rather backward in its economic development. Its progress has been slow. Recently it was the victim of a military coup, one that Members of this body deplored. We wanted our Government to take responsible, effective action to bring about constitutional government once again and to deny the junta any of the benefits and privileges of the Alliance for Progress program.

One of the panels shows the little Honduran village of Palo Pintado, which until recently was a community steeped in old-country traditions. Housing consisted of minimal shelter without light, water, or toilet facilities; agriculture was on a subsistance level; small handicraft industries were incredibly primitive and education consisted of only two grades taught by one unqualified teacher in a single, dimly lit, and poorly furnished room.

The next panel shows what happened after the program was underway. The change in the village of Palo Pintado is represented by this new Alliance for Progress school constructed jointly by the Education Cooperative Service and the citizens of Palo Pintado with support from the Governments of the United States and Honduras. With the assistance of AID, a home demonstration center has been established which has introduced a number of improvements to the village. Among them: Furniture has been built for 50 percent of the homes, outdoor toilets for 30 percent; 90 percent now have smokeless stoves; 80 percent have been improved with lime paint; and nearly all have replaced loose dirt floors with a mixture of ashes and sand that is pounded into a hard, dustless surface.

These improvements may not sound like much to people in the United States, but they are substantial improvements for those people who have lived with so much less. I observed the construction of schools in Honduras. I saw people in the rural countryside building desks and chairs and all the other facilities inside the schools. I watched women from rural families gather the rock that was used in the construction of the schools. With a little outlay of cash, under the terms of the Alliance for Progress, with some technical assistance provided by the Alliance for Progress, schools were established—not one, but hundreds. They were established through the work of rural labor. The families gathered the rock and the stone for the walls. The sons and fathers built the desks, tables, and chairs. They were engaged in a self-help program, with just a little cooperation from the U.S. Government and our AID mission.

Mr. President, these are encouraging sights; they need our continued support.

Mr. President, these are but six examples of how the Alliance for Progress is bettering the lives of individuals and facilities and communities in Latin America. These are not dry statistics, but graphic illustrations of successful aid to human beings.

I do not have time to detail here the total accomplishment during the past 2 years in the individual fields of land reform, tax reform, private enterprise, and housing, but there is substantial accomplishment. However, I believe a summary of what is happening in these fields should be placed in the Record. Therefore, I ask unanimous consent to have printed at the close of my remarks the following appendixes:

Appendix 1: Land reform.
Appendix 2: Tax reform.
Appendix 3: Private enterprise.
Appendix 4: Housing.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, I intend to present additional information later this week on recent developments in the field of public administration, education, and cooperatives.

For the long-range future of the Alliance, one of the major accomplishments of the past 2 years has been the beginning of a change in attitude within the traditional elite groups toward the problems of social and economic reform. A few years ago it could be said that the difference and fatalism of the ruling groups of Latin America was well expressed in the remark of the late 19th century Chilean President Barros Locco:

> There are only two kinds of problems facing society: Those which get solved by themselves—and those which defy solution.

Today this attitude is no longer characteristic of many of the ruling groups. There are individuals from the traditionally privileged groups—the professional classes, the landowners, the businessmen, the universities, and the church—who are beginning to take the lead in championing the economic and social reconstruction of their societies prescribed by the Alliance Charter. If they remain exceptions to the rule, if they are far too few in number, if they are a half century late in asserting their leadership, it is nevertheless a fact today that an increasing number are joining the representatives of the rising middle class to provide the leadership that will be necessary to insure the ultimate success of the Alliance. What is still doubtful is whether they will move fast enough and with the desperate sense of urgency that the situation calls for.

It is here, I believe, that we can make a real contribution, pointing out the urgency which exists among these groups and individuals, and moving to back up the reforms which have been temporarily, at least, initiated, but which are just beginning to take hold.

One of the most hopeful signs in the Latin American scene in recent years is the renaissance of the Catholic Church and a new awakening on the part of the church leaders to the shocking social and economic problems of the continent. Since the meeting of the Latin American hierarchy at the Eucharistic Congress in Brazil in 1956, church leaders have begun to focus attention on the social injustice perpetuated by the traditional indifference of the privileged classes to social and economic problems.

Today in Chile, Panama, Venezuela, northern Brazil, Argentina, and Colombia, members of the hierarchy are pushing actively the reforms stipulated under the Alliance Charter. Whereas formerly the active espousal of progressive social and economic policies was largely confined to religious orders like the Maryknoll priests or to isolated pastors, today they are supported by occupants of metropolitan sees. They are supported not only by the occupants of the metropolitan sees—archbishops and bishops—but by the Vatican itself. This has made a great difference in the role of leadership of certain of the leading citizens of Latin America.

Mr. MORSE. Mr. President, will the Senator from Minnesota yield briefly to me?

The PRESIDING OFFICER (Mr. Inouye in the chair). Does the Senator from Minnesota yield to the Senator from Oregon?

Mr. HUMPHREY. I am glad to yield.

Mr. MORSE. I am very glad the Senator from Minnesota has called attention to what I believe is the great economic renaissance in the Catholic church in many parts of Latin America, and I think he does well in pointing out that it is bringing a great deal of economic benefit to the masses of people in Latin America, although not in all places.

The Catholic church in the Dominican Republic has a great deal to answer for. Apparently it has been under Spanish domination, and has not become a part of the economic renaissance of the Catholic church in Latin America. Its opposition to the establishment of democratic government in the Dominican Republic is well known; its attempt to prevent the election of Bosch in the first place is well known; its support of the junta is well known. But the Catholic church in the Dominican Republic is not the Catholic church in many other parts of Latin America.

At the time of the inauguration of the new president of Peru, there was an inaugural mass on the preceding Sunday; and I sat there and listened to the sermon which was delivered at the mass, and heard the comment of delegate after delegate from inaugural delegations from countries around the world, who said that that political sermon was clear notice of the need for economic reform in Latin America. They called attention to the pleas by the priest who preached the sermon for greater distribution of the wealth of the country on an equitable basis, and for land reform, and for all the other objectives of the Alliance for Progress program which the Senator from Minnesota has so eloquently explained today. It was a remarkable sermon, and was a great symbol of what is happening in Latin America, from the standpoint of the faith that dominates there and of the good that can be accomplished by the Alliance for Progress program, which in my judgment is on the road to its accomplishment.

So I think the tribute the Senator from Minnesota has paid to the segments of the Catholic church in Latin America that can be said to be parties to an economic renaissance is most deserved, and I wish to join him in it.

Last of all, in my capacity as chairman of the Subcommittee on Latin America, I wish to thank the Senator from Minnesota for his exposition of the objectives of the Alliance for Progress program, for his exposition of the obligations which we and the other 19 signers of the Act of Punta del Este undertook, and for his exposition of the accomplishments which the Alliance for Progress program has already achieved in the first 2 years. I yield to no one in my ardent support of these objectives and in my ardent support of a sound program for the Alliance for Progress.

The Senator from Minnesota well knows that the Alliance for Progress really was born in the Senate Foreign Relations Committee when the now President of the United States was a Senator from Massachusetts. We spent the appropriation of approximately $150,000 which the Senate gave our committee. We expended a large proportion of it in the form of contracts into which we entered with universities, research centers, institutes, foundations, and recognized scholars on Latin America. He will recall that I made the motion that the study ought to be made for us, as authorized by the Senate, and that we, as members of the Foreign Relations Committee, should sit as jurors in passing valued judgments on the results of the studies. The then Senator from Massachusetts seconded my motion and made a brief and effective statement in support of it. The motion was adopted, and the full Foreign Relations Committee approved the motion; and we went forward with the study for which the Senate had appropriated the funds. As the Senator from Minnesota knows, a whole series of research treatises, with recommendations for action in Latin America, was prepared for us; those treatises contained the recommendations which subsequently the then Senator from Massachusetts, after he became President of the United States, wrote into the Alliance for Progress program. They are just as sound today as they were when our committee approved them and when the President of the United States enunciated them and initiated them in the form of the great foreign policy program known as the Alliance for Progress program.

Although I am highly critical of the bill now pending before the Senate, I want to do everything I can to help the Alliance for Progress program become a great reality, for in my judgment it is the answer to communism in Latin America, and we have a clear duty to make this program work. That is why it grieves me to find myself in the position of having to point out that the Alliance for Progress program has so many defects in it that, in fulfilling my trust to my office, I must oppose the pending bill unless it is modified.

I would that I could take the Alliance for Progress program out of the bill and treat it as a separate bill, for no one could be a more ardent advocate of it. But if I have to take the Alliance for Progress program along with all the other parts of the pending bill, so far as my vote is concerned, the Alliance for Progress program will have to be voted against—although only temporarily, only as a matter of parliamentary strategy in the Senate—for not only do I favor the Alliance for Progress program as it has developed to date, but, in addition, I would strengthen it, and I would vote for funds for it if we could get a better guarantee that the objectives of that program will be accomplished.

So, regardless of whatever differences may develop during this debate between the Senator from Minnesota and myself, we do not have any difference as regards our objectives in connection with the great Alliance for Progress program.

Mr. HUMPHREY. I thank the Senator from Oregon; and I think it proper and most appropriate for me to state that the administration of the AID program and those responsible for it would be well advised to consult most directly and intimately with the Senator from Oregon on the matters he brought to the attention of the Senate in the debate yesterday. Certainly I am not here to argue with the Senator from Oregon, and he knows that. We have the same objectives; and during my remarks today, I have attempted to emphasize the objectives of the Alliance and to point out how important it is that we keep them foremost in mind, and not merely be satisfied with the development of housing or schools or public works, but also concern ourselves with the development of political liberty, constitutional government, and personal liberty. These are the big objectives of the Alliance for Progress; and it will be my purpose, if I can serve any useful purpose in this debate, to try to bring about a reconciliation of views. I think that can be done; I do not think we are very far apart. I shall not discuss that point now; but I say most respectfully to the distinguished Senator from Oregon—that it will be my purpose to try to find ways and means, without sacrificing any principle, to bring about better understanding of what we are seeking to do by means of the bill, and to write that into the bill.

No bill is sacrosanct. The pending bill can be amended, and no doubt it will be amended. I wish to see it state the purposes we have in mind, rather than get bogged down in some detail which gets us off the track.

We can and will get to the proposals that the Senator from Oregon has offered in the committee and spoken about on the floor of the Senate. I know that he will offer amendments. I wish to study those amendments. I assure the Senator from Oregon that I will study them with a friendly attitude. I am confident that after the Senator from Oregon has discussed them with the chairman of our committee, with members of the committee, and with members of the administration who are responsible for conducting the program, many of the differences will be reconciled. I make that prediction on the floor of the Senate, because we ought to be working together on the program, and we are going to work together. We cannot afford to have the program of the Alliance for Progress or the other parts of the foreign aid program killed or substantially weakened because of basic differences over a particular feature. We can arrive at some proposals that will alter or modify these projects, titles or provisions of the bill without doing damage to the objective—in fact, enhancing the objective.

Mr. President, I wish to proceed, and then I wish to yield the floor because I know that the Senator from Alaska will deliver a fine address. I have had an opportunity to visit with the Senator from Alaska today, and I know that he will give us some very constructive suggestions.

Again I make the statement that the purposes and objectives of the Senator from Alaska and my own are alike. What I seek to do, if I can play any role at all in the discussion, is to bring us closer together and see if we cannot save the bill and make it a real, viable instrument for the conduct of American foreign policy on a constructive basis that will substantiate and support democratic and constitutional government, and bring the effects of the bill down to the people. I am sure we can do so.

Mr. President, I was commenting on the attitude of the hierarchy of the Catholic Church in reference to certain developments in Latin America. The farsighted social and economic philosophy of Pope John's recent social encyclicals "Mater et Magistra" and "Pacem in Terris" is being strongly pushed by the Vatican. These are great encyclicals. They have great importance in what we are seeking to accomplish in the many underdeveloped and underprivileged sections of the world. Men who would once be "promoted" to mountain parishes for their advanced views are now being appointed bishops and cardinals. Why? Because there is a renaissance of social progress and economic progress in the church. I can document it.

Probably the best known among those bishops and cardinals who are now providing progressive leadership is the Archbishop of Santiago, Chile, Raul Cardinal Silva Enriquez. Cardinal Silva's advanced social views are well expressed in the now well-known pastoral letter issued in November of 1962 by the Chilean bishops on "Social Reform and the Common Good."

The pastoral letter scathingly criticized existing social and economic abuses, deplored the inequality in distribution of incomes, and called on the Government to extend and speed up its reforms and its social welfare program. Offering its own example, the church in Chile is now redistributing most of its own lands to local peasants.

In the 2 years since the Alliance was launched there have therefore been significant accomplishments—even if these accomplishments only make a dent in solving the staggering problems of the hemisphere. We have begun to appreciate the cooperative nature of the Alliance. We have a better appreciation of the importance of political leadership and viable political institutions in achieving the aims of the Alliance. We have witnessed at least a beginning of interest among the traditional ruling classes in the aims of the Alliance for Progress.

We have even learned about the geography of Latin America. There is not any one real Latin America. There are many countries in what we term "Latin America." Each country is a little different. Each has its own history. Each has its own traditions. Each country must be considered independently. Yet there are regions that have some common denominators. One of the great accomplishments thus far is the development of the Common Market in Central America—the development of the Central American Bank for the financing of regional projects. Regionalism in Central America, with its 12 million people, is beginning to work. Exports have increased; the standard of living is going up. These are good signs.

I would like to turn now to assess briefly some problems confronting the Alliance which must receive our immediate attention.

First of all we must translate our new understanding of the cooperative nature of the Alliance into the formal machinery which administers the Alliance programs. The spurning by certain nations 2 years ago of a U.S. suggestion to establish a multilateral system for making Alliance decisions contributed heavily toward the development of the present bilateral system under which the principal decisions are made by the U.S. Government. Former Colombian President Alberto Lleras Camargo's conclusion that this represents "the Alliance's greatest error in procedure" would appear to be valid. Writing in the current issue of Foreign Affairs, he states:

> Inter-American organs were set up to study and prepare plans for national development, but it was left entirely to the United States initiative not only to find the way in which its contribution should be made available, but also to arrive at some standard of judgment as to how and when and to whom support should be apportioned for carrying out Alliance plans. The result was to create a pattern of bilateral operation which, on the one hand, set the tone of the discussions between the United States and each separate Latin American nation for each particular case; and on the other hand it caused an unending series of misunderstandings, resentments, conflicts.

Former President Lleras, joined by former Brazilian President Kubitschek, has now proposed that the multilateral character of the Alliance—which he refers to as the "original character"—be accomplished by establishing an inter-American body to administer the Alliance. The newly formed Inter-American Development Committee may be the body which could appropriately be entrusted "with the responsibility of scrutinizing the extent to which each country, including the United States, fulfills the commitments it assumed at Punta del Este."

That is what was done under the Marshall plan when in Europe there was established the Office of European Economic Cooperation, so that the proposals that were made by the United States would also have to be considered in terms of their effect upon the totality of Western Europe by every country represented on the committee. I think we need very much the same sort of thing to make the Alliance a better instrument. Although I am in no way qualified to pass judgment on the particular procedure to be adopted, I accept the basic premise of increasing the role of the Latin nations in making the basic decisions which will govern the operation of the Alliance in the hemisphere as as whole. As I have said, our experience with the participation of European governments in the administering of the Marshall plan suggests that we should not fear this change away from a strictly bilateral approach and toward a multilateral system in administering the Alliance.

Progress is being made in extending credit for agriculture and half of the countries of the continent have received sizable Alliance loans for agricultural credit. Cooperatives are being formed in some areas. Programs are underway to open up new areas by building penetration roads. Land distribution under agrarian reform programs is proceeding in Venezuela, Colombia, and Chile.

The importance of rural development can hardly be overstated. I have emphasized it here today. Over half of the countries of Latin America continue to spend sizable amounts of precious foreign exchange reserves to import food to feed their populations. This occurs in countries that are primarily agricultural. For the common man in half of Latin America the key to a higher standard of living in the near future is still an increase in agricultural productivity. In this field the United States has a record of proved performance. We abound in technical expertise in the field of agriculture and the key to success appears to be our ability to secure the widespread adoption of known and proved techniques.

Another reason for increasing our emphasis on agrarian reform and rural development has been stated by President Lleras Camargo:

> The imbalanced growth of population in Latin America places an increasingly heavy burden on cities.
>
> For there is no sort of economic expansion, however swift or successful, that can assimilate both the rural masses who cease to live by agriculture and the new surplus hands, whether in the town or in the country, who come year by year to glut the labor market.

To the extent that rural modernization slows down the exodus to the city, it alleviates the problem engendered by rapid population growth.

The economic development of the rural sector is intimately linked to the progress of the industrial sector, for industrialization can flourish only if it has available progressively widening markets. The purchasing power of a modernized rural sector is of great potential stimulus.

I am not disturbed by the criticisms that the Alliance is now focusing too much attention on rural areas and too little on "Latin America's troubled cities." I would sustain this new emphasis on rural development and in many countries increase it. I am not suggesting that we attempt to reverse the long-range secular trend toward urbanization which is characteristic of our modern technological world. Nor am I suggesting that we attempt to discourage industrialization and encourage concentration on production of raw materials through a predominantly agricultural economy. What I am stressing, however, is the need to improve the living standards in rural areas and to increase agricultural productivity, and to do so through the application of modern techniques.

Indeed, today we are witnessing one of the ironies of Marxist determinism. Today we see the Soviet Union, which has for decades assailed the United States for preventing industrialization and keeping Latin American economies confined to producing raw materials, imposing upon Cuba a modern day mercantile system in which Cuba is the raw-material-producing colony for Russia, and the captive market for the Soviet Union's manufactured goods. This is 20th century Soviet colonialism.

I insist that the Alliance programs must give special consideration to rural and agricultural development, because it is necessary that someone redress the balance which events have tilted heavily in favor of urban men, and financed by urban-oriented financial institutions. The whole complex of international lending institutions—the World Bank, the Export-Import Bank, the International Monetary Fund, private banking houses—is heavily geared toward urban and industrial development.

I doubt that there is a farmer in any one of them. I doubt that there are many people in these institutions who really have any expertise in agricultural credit and agricultural technical improvements.

Most of these institutions do not find it possible to channel substantial capital into agricultural programs. And yet the basis of the modern agricultural revolution which we have experienced in the United States, is heavy capital investment, plus a large dose of scientific development and scientific know-how. It is investment in machinery, in fertilizer, in seeds, in scientific research, and in technical training. According to Dr. Earl Buty, dean of agriculture at Purdue University, agriculture is one of the biggest users of capital in the United States. The total capital assets of U.S. farms in 1963 is estimated at $214 billion. Agriculture is big business in this country. It requires great expenditures and investments. In a study of Indiana farms, the total capital investment per farm was $138,000, averaging out to an investment of over $78,000 per man. This is four times the average capital investment per industrial worker in this country.

If agricultural and rural development are to flourish in Latin America, large amounts of capital will be required.

I was pleased to see George Woods, the new President of the World Bank, emphasize this fact the other day, when he stated that the World Bank had been derelict in agricultural financing and agricultural credit. I hope that the statement of the new President of the World Bank means that the international financial institutions which have such an important role to play in Latin America will give increased emphasis to the agricultural credit and capital needs of that area. In the absence of other sources, the Alliance agencies such as AID and the Inter-American Development Bank must be principal sources for this agricultural capital.

But once again it is not only the economic consequences of rural underdevelopment that are of importance. The glaring gap between booming industrial urban regions and primitive rural areas is social and political dynamite.

I remind Senators of the fact that in Moscow, in 1952, when Stalin was still alive, the international Communist movement in its party congress in Moscow, laid down the proposition that communism on the international front would exert its main effort in the rural areas of Latin America, Asia, and Africa—but primarily Latin America. Even with the advent of Mr. Khrushchev and the de-Stalinization period, that objective has never been renounced. On the contrary, there is all the evidence anyone would ever need that the major push of the Communist movement today is in rural Latin America. Yet our Government and the international lending institutions are so completely addicted to industrialization and urbanization that the rural areas have been neglected far too much.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I am glad to yield.

Mr. DOUGLAS. Is it not true that in Venezuela the administration of President Betancourt has emphasized rural areas; has divided the land so as to create approximately 30,000 small holdings, and, as I understand, has also carried on a very extensive housing program for rural areas?

Mr. HUMPHREY. The Senator is absolutely correct. President Betancourt is one of the great democratic leaders in Latin America who understand the importance of the rural area in the government's endeavors. He was elected with the massive support of the peasants, which offset his defeat in the city of Caracas.

Mr. DOUGLAS. And he has done this with the cooperation of the Alliance for Progress?

Mr. HUMPHREY. Very much so. I emphasize the importance of local leadership and national leadership. There is a need for our own Government's agencies to place emphasis on rural development, cooperative development, rural credit and the technological information necessary for modern agriculture.

We are rapidly learning that the situation most susceptible to violent revolution is the existence of vast differences in the level of development, income, and growth within a country. To the oppressed peasant of northeast Brazil, the dazzling splendor of São Paulo is more of an incitement to revolution than the faraway places of the rich United States. Political and social stability demands that the gap between rich regions and poor regions be narrowed.

The growth of stable political and social institutions requires that the bulk of citizens be integrated into the political and social life of society. Today, in most Latin American countries, the mass of rural people remain utterly cut off from the political life of the nation. Political democracy is the province of the few. It is not valued by the many who are hungry, impoverished and illiterate. Indeed, it is often viewed as a luxury for the few at the expense of the many.

If political democracy is to survive and to flourish in Latin America it must be proven that the neglected masses can enjoy the benefits which we associate with it. This presupposes a decent standard of living, of education and of health as an essential prerequisite to active participation in the political processes of society. Rural development and modernization is, therefore, a requirement in the path to the goal of first-class citizenship for all.

In discussing priorities for the Alliance for Progress, I should like to include at least a brief reference to the role which private voluntary associations must play. As many Senators know, I have long been a stanch advocate of emphasizing the people-to-people approach to foreign aid, of channeling aid through voluntary associations to the greatest extent possible. In Latin America there is a vast array of voluntary groups made up of both local and U.S. citizens. These agencies are often closer to the people at the grassroots level than those in official governmental positions.

I am pleased to note that the work of voluntary agencies in Latin America is receiving more attention from Alliance for Progress officials. I am happy to note a definite change in the attitude of Alliance officials in the past year toward voluntary associations. I believe that a good deal of the credit for this change in attitude within the U.S. Government should go to the U.S. Coordinator of the Alliance for Progress, Mr. Teodoro Moscoso. Today, there is a greater appreciation of the role that voluntary groups can perform, not only in alleviating the sufferings of the poor, but also in fostering needed economic and social development, and in introducing the political skills necessary for a functioning democratic government.

The important role played by voluntary associations of all types in promoting economic progress is also reflected in their contribution to the growth of stable political institutions. This point is too often overlooked. If the masses of Latin America, who have for decades remained outside the political process, are to be capable of achieving and of exercising the rights of citizenship, they must acquire the skills and knowledge necessary for participation in the political process. These skills, and this knowledge cannot be acquired in an atomized society. It is the atomized society that is easy prey for totalitarian government. In one of the best capsule definitions of "totalitarian government," Hannah Arendt once defined it as the elimination of all subgroups between the individual and the state. Tocqueville remarked over a century ago on the many private voluntary organizations in the United States which provide the training ground, the school for acquiring the knowledge and experience which are necessary for political participation. Such elementary things as how to organize a meeting, run an election, conduct a debate, or decide a dispute issue are learned primarily in private groups and associations. Once having been learned there, they can be easily applied to participation in local, State, and National political life. Voluntary associations therefore have a vital role to play in accomplishing both the political and the economic aims of the Alliance for Progress.

One final point on what needs to be done. I have often said that if our contribution to the Alliance is to be effective, there must be strong programs in all important fields. We cannot be concerned only with our economic aid, but similarly with the success of our efforts in the political, informational, military, educational, and cultural fields. There are times when an educational exchange program is more important than a new road.

In the response which we received from Latin Americans on the report on the Alliance for Progress, we find this view corroborated.

One section in the report which attracted a great deal of attention from Latin Americans is the part in which we refer to the continued Marxist influence among Mexico's elite, particularly in the National University of Mexico. It concludes:

> The continued Marxist grip on the minds of Mexican university ideological basis of communism is its principal attraction for educated groups, not its economic critique. It is for that reason that communism captures the university before the slum.
>
> This is one more reason why more emphasis must be placed on education, on propaganda, on exposing both the elite groups and the public at large to liberal democratic ideas and institutions.

That is why the Congress, as well as the executive branch, must increase its attention to our programs for Latin America in the educational and informational fields. This means giving stronger support to our USIA, and State Department cultural-educational exchange programs, and, of equal importance, stronger support to the many valuable nongovernment programs in these fields.

The success of the Alliance, the success of the Latin American nations in mobilizing their own resources will depend in great part on their ability to avoid embroilment in costly military programs that contribute nothing to their security. Some program of limiting military expenditures, of achieving arms control, is essential.

Our Government should encourage the Latin American nations to make an arms control agreement as broad as possible so as to limit the large amount of funds which are so often wastefully devoted to armaments. The current situation in which the small countries compete for military forces which are too large for their immediate needs, and far too expensive to be maintained without outside assistance, is deplorable and unacceptable.

The whole matter of arms assistance to Latin America requires immediate scrutiny. And it is not enough for the United States alone to take this initiative. It must be done in the OAS, because if we were to deny certain countries military assistance—and I think we should—they could get it someplace else. We must arrive at some kind of a hemispheric agreement on this matter, and quickly, for I am here to say that we will weaken and possibly cause the failure of the Alliance for Progress and all that the Alliance means unless something is done to implement an effective arms control agreement in this area.

This is where we can provide leadership. Instead of pouring money into arms—over $50 million—we should diplomatically endeavor to bring about a complete arms control and disarmament agreement in the Western Hemisphere. We can provide the shield of protection those countries will need from outside forces. That these countries will expend their limited capital resources upon armaments is deplorable. It means they will not be able to use that money for the essentials of health, education, housing, agriculture, and industry, which is the only way they can possibly save themselves from being destroyed by a dictatorial power.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GRUENING. I very heartily approve what the distinguished Senator from Minnesota is saying. I do not quite follow him when he says that if we withdraw military aid from some countries, they will get it somewhere else. I think if we learn that in countries, where millions of poor, sick, undernourished, half-starving people live, their rulers are spending the limited funds available on armaments, we should stop sending them our dollars. I think we should not only cut out military aid, but should insist that they do not arm themselves and spend their money on arms which have nothing to do with defense, but which, as experience has shown, are used to overthrow duly elected governments. We should insist that they stop this nonsense and spend the money in helping their people. That is the objective and purpose of the Alliance for Progress.

Mr. HUMPHREY. I said it needed to be done through the Organization of American States. There may be a country like Costa Rica, which has no military organization——

Mr. GRUENING. And Costa Rica deserves the highest praise for it.

Mr. HUMPHREY. It deserves high praise. There may be another country that does not have any and does not spend money on military assistance. But if a third country, a border country, starts piling up arms, and there is a history of enmity between it and its neighbors, the other countries become concerned. What I am saying is that military assistance is essentially wasteful. That is the first point.

Mr. GRUENING. That is correct.

Mr. HUMPHREY. Second, in order to get rid of that kind of program, we ought to take the initiative in the Organization of American States to have an arms control and disarmament agreement among the Latin American countries. I believe that is the answer. That initiative has not been taken. The reason I mention it today is that it ought to be taken.

I am glad the Senator from Alaska has spoken. I know the Senator from Oregon has made a major issue of it. I joined in the effort to reduce military assistance to Latin American countries. Much of it is a sheer waste. It does not help those countries at all, but merely promotes regional animosity.

Mr. GRUENING. It is worse than waste. It is not only a waste of money that should go into economic development, but it leads to overthrow of the few democratically-elected regimes.

Mr. HUMPHREY. The Senator is correct.

Mr. GRUENING. There is one problem the Senator will have to face in proposing action by the members of the Organization of American States. It may be very difficult to get junta-controlled countries to enter into agreements like that. Those governments maintain themselves in power because they have big supplies of arms mostly furnished by the United States. Those countries have regimes in power that resulted from overthrow of civilian governments, and they are not going to join in such an agreement in OAS. What can be done when a majority of the countries in OAS do not join in such agreements?

Mr. HUMPHREY. First, we should deny juntas this assistance.

Mr. GRUENING. I could not agree more completely.

Mr. HUMPHREY. And if we cannot get full agreement in the Organization of American States, we can apply selectivity in the elimination or withdrawal of economic assistance.

Mr. GRUENING. I hope that will be the policy of the Congress and the administration.

Mr. HUMPHREY. These are little guidelines for those who administer the program.

I shall conclude my remarks, and then try to answer questions that may be asked.

If the Latin nations mobilize the resources needed to push ahead in implementing alliance social and economic programs, they will not be able to indulge in the unnecessary and nefarious luxury of missiles, hydrogen bombs, and nuclear or any other kind of submarines. If they should decide to indulge, for example, in the fallacy of competing for nuclear weapons, they will do so at the expense of the welfare of their people. Today all the time and money and effort of the Latin American nations are required to met the first challenge—the challenge of social revolution. Today the Latin American nations must decide whether they will follow peaceful revolution leading to progress, or violent revolution leading to tyranny. Today they still have an opportunity to make a choice. Tomorrow they may not.

The choice between peaceful revolution leading to progress and violent revolution leading to tyranny in Latin America is also a choice for the Untied States. Our commitments under the Alliance, as well as those of our Latin American neighbors, must be honored. Nothing is more harmful to our prestige, to our national image, and to our foreign policy interests than the appearance of reneging on commitments made. The recent action of the House of Representatives in drastically reducing the Alliance for Progress funds requested by the administration is interpreted in every Latin American country as precisely that. Most of the major Latin American newspapers, including those most friendly to the United States, did not fail to note that the House figure approved for the entire Latin American continent was only slightly above the total Soviet aid to Cuba alone.

I want that statement to "soak in." The amount that was approved by that one part of Congress for the entire Latin American continent was only slightly above the total amount of Soviet aid to one country alone, Cuba. I do not believe the Senate will concur in such a sharp reduction. I do not believe the Senate will join in reneging on our commitment. I am confident the Senate will do its duty to honor in full the United States commitment under the Alliance for Progress.

With this firm support of the United States, the Latin American nations can meet the internal challenge of social revolution. With the close and consistent cooperation between all Americans of this hemisphere, north and south, the Alliance for Progress can succeed, and I believe it will succeed.

I join in commending those who have contributed such great efforts to the program of the Alliance, and urge that they look upon this discussion of the Alliance, its strengths and its weaknesses, as a discussion in a friendly attitude of seeking to improve the program, and not in any way to weaken it.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. PROXMIRE. The Senator has delivered a great speech. We all acknowledge the Senator from Minnesota as one of the most brilliant orators in the Nation. This exposition of the Alliance for Progress has been badly needed, for many reasons, particularly because it is positive and constructive, and because it points out the many positive aspects of the Alliance for Progress.

I particularly appreciated the emphasis on self-help, on direct assistance to individual persons in Latin America, assistance to the poor people, the campesinos, the workers who need the assistance. I also appreciated the Senator's emphasis on the Roman Catholic Church's contribution, which has changed so dramatically recently, and which is so constructive and useful; also the emphasis on rural areas in a developing country, because that is where most of the people live, and that is where standards must be improved and where we can make a contribution, particularly in contrast with the great failures of agriculture that the Communists have had.

I ask the distinguished Senator, who is a member of the Foreign Relations Committee and the majority whip, about the real crux of the situation. I believe that virtually all Senators approve of some degree of foreign aid. It is a question of how much. It is a question of how much we can afford.

The House, as I understand, has set forth in its report, at page 131, a total of over $1 billion of estimated unexpended balances as of June 30, 1963. This includes $79 million for Argentina, $137 million for Brazil, $81 million for Chile, $75 million for Colombia, $46 million for Peru, $48 million for Venezuela, and a great deal of money for many other countries.

Is it true that these unexpended balances are committed or obligated in large part?

Mr. HUMPHREY. Yes.

Mr. PROXMIRE. Is that the explanation?

Mr. HUMPHREY. That is correct. One of the reasons why many of the unexpended balances have not been dispensed or actually expended in connection with projects is that, first, there may be a matter of local cooperation which does not meet our standards, or the planning has not been fully completed. I do not want to misinform the Senator, but I believe the unexpended balances are obligated. I should like to consult with Mr. Holt, the staff director of the Senate Foreign Relations Committee, who knows as much about Latin America as anyone, so that I may give an accurate answer to the Senator from Wisconsin.

The total nonobligated funds up to June 30, 1963, for he Alliance for Progress were $90.8 million. That is the amount that is not obligated or put out on projects, the amount which has not gone through the tedious and sometimes very slow and laborious process at the AID administration level.

Mr. PROXMIRE. So, in effect, 90 percent of the overall $1 billion has been obligated and committed, and it is now a matter of handling it in a cautious and prudent and careful way?

Mr. HUMPHREY. Yes. I was one of those who privately expressed some concern to AID officials about this amount of unexpended funds. I was told that one of the reasons that they were not spent was that we were insisting upon certain guarantees in the spending of the funds.

We have had some experience, as the Senator knows, with situations in which some of the so-called change was lost on its way to the program. We wanted to be sure that that did not happen.

Mr. PROXMIRE. The House provided $450 million for the Alliance for Progress, plus $200 million under other laws for Latin American aid, and the Senate committee would provide $650 million plus $175 million. Therefore, the Senate committee is about $175 million above the House.

Mr. HUMPHREY. That is correct. The $650 million figure represents an increase over the House figure.

Mr. PROXMIRE. There may be a good answer, but what concerns me is the fact that we are asking for this large amount even though up to 1960 the total aid to Latin America, although it fluctuated, averaged about $300 million or $400 million. Now it is nearly three times that amount.

Mr. HUMPHREY. That is correct.

Mr. PROXMIRE. We have certain unexpended balances, and we have trouble finding projects which we feel are sound and on which the funds can be expended. I wonder on what basis the Senator would justify going $175 million above the House figure.

Mr. HUMPHREY. First, the programs in Latin America up to 1960 were very minor. There were primarily technical assistance programs, and most of them were conducted under the auspices of the Organization of American States. They were programs of the Public Health Service, and they were very limited. It is tragic that we did not do much more. We waited too long. The infection has set in, and now a heavier dose of treatment is required.

Since 1960 we have started to take a new interest in Latin America. The Senator may remember that Dr. Milton Eisenhower went to Latin America at that time. Then there was the Bogotá Conference; and the earlier stages of the Alliance for Progress were somewhat outlined in the 1960 period.

In 1961 we authorized the Alliance for Progress funds and really got down to the business of establishing the organization and asking the countries to establish planning agencies and develop project plans on a countrywide basis. We established standards for countries receiving grants and loans. Therefore, I believe it can be quite factually stated that until 1962 we did not really have much of a program in Latin America. The 1962 period was preparation and programing, and had to do with policy statements, in an effort to arrive at agreements that would facilitate projects, and with the staffing of organizations in Latin America. In some countries there were no plans. There were no planning bodies. Experts had to be employed to help design a plan.

Mr. PROXMIRE. It was a different program, a new program, so we insisted on certain conditions. Is that correct?

Mr. HUMPHREY. The Senator is correct.

Mr. PROXMIRE. We insisted on certain specific conditions. That seems to me to be wise. It is wise to insist on certain conditions if we are to have a successful program. I believe that one of the conditions was that for every dollar that we put into South America we insisted that a substantial contribution be made by the recipient country.

Mr. HUMPHREY. The ratio is about 4 to 1.

Mr. PROXMIRE. The Senator says 4 to 1. The countries receiving aid would have to invest their capital. I am concerned about this because it is my understanding that wealthy persons in these nations still follow the policy of depositing funds in anonymous Swiss accounts, and the capital is not staying in those countries, as it should. I wonder whether the Senator can inform the Senate on the success of that particular condition.

Mr. HUMPHREY. There is no doubt that there has been so-called flight capital from South America on the part of some of the ruling cliques—we use the word "oligarchies"—by some of the people who have little faith in their country. Those people undoubtedly have sent their capital off to Swiss banks and New York banks, or at least out of the country, and have not kept their capital at home to use it. However, that is not true of governments; it is true of certain individuals.

I took this question up with the Treasury Department and the State Department, and about 6 months ago I received a report to the effect that as to the amount of flight capital, which I had indicated was exaggerated substantially, actually more new capital was coming into Latin America than was leaving. But I would not want to mislead the Senator. I think there is far too much flight capital. One of the reasons for that is that we have been insisting upon certain tax reforms and social reforms, which the rich, who have had things their own way for so long, refuse to abide by. So they get out with their money. However, we are doing many things today, privately and governmentally, to encourage an inflow of capital. I believe this activity has been working quite well in certain countries.

Mr. PROXMIRE. Is there any arithmetical report to show the amount of South American money that is being contributed to match our capital? Is the ratio 4 to 1?

Mr. HUMPHREY. So far the the Alliance for Progress projects are concerned, the relationship pretty well accords with what was agreed upon at Punta del Estes. I have received a little advice and counsel from the staff which shows me that the program really operates quite well. For every $20 million that we put into a project, about $80 million is contributed by the recipient government.

Mr. PROXMIRE. Has it been found that that is being done?

Mr. HUMPHREY. Yes; it has been done on many projects, except those projects with respect to which we make grants.

Mr. PROXMIRE. For loan programs, but not for grants?

Mr. HUMPHREY. But for development programs, if we total what is being done in a country, a substantially larger amount is being contributed by the country, and the persons in that country, than is contributed by the United States; and that is as it should be.

Mr. PROXMIRE. What is the situation with respect to the grant programs?

Mr. HUMPHREY. We contribute much more in the grant programs than we do in the loan programs. We may pay more for projects in grant programs, but not always. We provide some financial aid in the form of grants for schools, but the recipient countries contribute the labor, raw materials and land. The United States provides them with certain raw materials that are not otherwise available, and with certain technical assistance for the building of schools.

Mr. PROXMIRE. Was it not conceived at the time the Alliance for Progress program was under discussion that the Latin American countries would match our grant money?

Mr. HUMPHREY. I believe so. In the main, they have matched our grant money; but I was trying to be quite careful and specific. I would not want my remarks to be reexamined later and have someone say, "He did not tell all the truth." I believe there are some projects in which we have contributed more than the recipient country. However, in the main, I think they match what we contribute, overall, even if we may contribute more to a specific project.

Mr. PROXMIRE. What about land reform?

Mr. HUMPHREY. This is usually done by the recipient country out of its local capital or with loans made by IDB from AID.

Mr. PROXMIRE. The Senator in his speech laid perfectly proper emphasis on rural progress; but if there is to be rural progress, it is necessary to have land reform. There must be good land, fertile land, in the hands of the campesinos or small landowners, so that they can operate family farms. If good land is not available, no matter how much money is put into the project, the activity will not be successful. How is the land reform progressing?

Mr. HUMPHREY. It is progressing well in some countries. I have received unanimous consent to have printed in the RECORD, following my remarks, a study on land reform. I believe the Senator will find it quite helpful. It deals not only with land reform, but also with tax reform.

Mr. PROXMIRE. My next question was to have been about tax reform.

Mr. HUMPHREY. It has begun in many countries, though there is still a long way to go.

Mr. PROXMIRE. We have made this a condition for our assistance, have we not?

Mr. HUMPHREY. We have consistently advocated tax reform, that is what has caused more trouble in terms of flight capital than any other thing. In country after country, we have withheld money for project after project because tax reform had not been undertaken.

Mr. MORSE. Mr. President, will the Senator yield for a comment in a lighter vein?

Mr. HUMPHREY. I yield.

Mr. MORSE. I wish the Senate could proceed as rapidly with tax reform as some countries in Latin America are proceeding.

Mr. HUMPHREY. I wish we could, too; I am afraid we are contesting with them as to who will come out second.

Mr. PROXMIRE. What about monetary reform, a point we were discussing a little earlier? Many of the Latin American nations have been plagued by crushing interest rates. Because they have been suffering from inflation, it is difficult to accomplish monetary reform. As I understand, monetary reform was not a stated condition of Alliance for Progress assistance. However, in my judgment, it is as essential as land reform and tax reform. What progress has been made in that area?

Mr. HUMPHREY. I am quite convinced that this is a vital part of any program we have with the Latin American countries. We surely will want to submit a report on it. Obviously, a country like Brazil is a classic example of a need for some fiscal or monetary reform. Our Government has indicated to Brazil the importance it attaches to monetary reform.

Mr. PROXMIRE. I thank the Senator from Minnesota. Once again I commend him upon making a most helpful speech.

Mr. HUMPHREY. If the Senator will read in the Record tomorrow the text of a paper I have offered on tax reform, he will find it reassuring. AID has initiated a number of programs through the cooperation of business schools—for example, Harvard University School of Business Administration, the Internal Revenue Service of the Treasury Department, the Brookings Institution, and others. With the assistance of these fine institutions and Government agencies, a program of tax reform has begun in many Latin American countries. The U.S. Government has trained a number of Latin Americans in the field of taxation, in tax collection, in setting up accounting systems, and for the establishment of proper tax offices in a Government agency.

For example, in the fiscal year 1963, the Government of Argentina, by tightening up on tax collections through a training program that we offered and tax reform, 215,000 new taxpayers were placed on the tax rolls. Some of the taxpayers were big ones. This has yielded $100 million in new revenues.

Due to improved tax collections and recent tax reforms, Brazil is expected to collect more than $200 million in increased revenues. A tax law was passed last November raising the income taxes.

In Chile, there has been a considerable effort toward tax reform. This is one of the countries where tax reform is really needed. Chile has a training school and has trained in the past year 375 new inspectors and assessors. Chile's tax collections have increased substantially.

In Colombia, income taxes now provide 40 percent of the total revenue; a few years ago, they provided little or none of the revenue.

In Panama, income-tax collections are at a record high. There has been a 40-percent increase over the previous year.

The Dominican Republic—and I think this is one of the reasons why that country may have had a coup—passed one of the roughest income tax laws, reaching 63 percent of the top brackets of income. Some of the persons having larger incomes did not like the law.

In Venezuela there has been tax reform of a substantial degree. The amount of tax receipts increasing by more than 30 percent.

In a number of countries good progress has been made. If one were to examine into each of those countries, he would see that there is much more that needs to be done. But great progress has been made.

It is to the credit of the Alliance for Progress that it has adhered to its standards.

Mr. PROXMIRE. I hope we shall continue to insist on such standards. They are absolutely essential if we are to achieve our objective, and if those countries are to grow and resist communism and have the kind of broad-scale ownership participation in the economy that is essential to freedom.

I hope we shall not be satisfied with the progress that has been made. We should insist that it continue. This is an encouraging beginning; but it is only one step in a long journey.

Mr. HUMPHREY. The question of flight capital is discussed in one of the papers I have received unanimous consent to have printed at the conclusion of my remarks. While flight capital was a troublesome problem a couple of years ago, the situation is now rather stable. The trouble now is to bring the capital that left the Latin-American countries back to those countries. That activity will have to be related to political stability.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. I congratulate the Senator from Minnesota for the general tenor of his remarks. My wife and I spent some time in Colombia and Venezuela last December and January. For the sake of the Record, I may say that the trip was at our own expense. I try to keep in touch with developments in Central America and in the Caribbean. I am a most hearty supporter of the Alliance for Progress.

It may possibly be that we should ask experts from some of the countries which have reformed their tax systems to come to this country and help us collect our taxes in a better way. I have just obtained a table, which has been circulated inside the Treasury Department, showing that in the year 1959, five Americans having gross incomes in excess of $5 million in that year did not pay a single cent in taxes. And there were 10, with incomes between $500,000 and $5 million, who did not pay 1 cent of tax. Moreover, their gross taxable income did not include interest on State and municipal bonds, writeoffs for intangible drilling and developmental costs in the oil industry, and certain other items such as excluded capital gains, as well. So we have a very black record, I may say; and, as the Senator from Oregon and the Senator from Minnesota have implied, it seems to be very difficult for us to put through any income-tax reform.

But, as regards Latin America, let me ask whether there appears anywhere a breakdown as to how the Alliance for Progress intends to distribute these funds, country by country? I know this information generally is concealed or is not stressed.

Mr. HUMPHREY. Yes. The books, country by country, outlining the proposed projects were before the Foreign Relations Committee.

Mr. DOUGLAS. Is that information included in the hearings record?

Mr. HUMPHREY. I do not believe so.

Mr. DOUGLAS. Would it be a violation of confidence to place it in the Congressional Record?

Mr. HUMPHREY. The problem is that when it is made public, one country is inclined to say, "Country X is getting so much money; why are we not given a similar amount?"

Mr. DOUGLAS. I understand.

Mr. PROXMIRE. We know that, anyway.

Mr. DOUGLAS. I understand.

Mr. HUMPHREY. The Senator from Wisconsin says "We know that, anyway"; and I believe he is correct. I have not been pleased with the rule—which we adopted several years ago—that we should eliminate from the hearings statements of the items country by country. However, that information is available. I now show the Senator from Illinois the booklet; and I encourage all Senators, before they vote on the bill, to carefully examine this book. It shows, for example, the items for Argentina, Brazil, El Salvador, Guatemala, and Honduras; and in this book Senators can find reports which give a rather concise analysis of the amounts we have sent to each country, the amounts we now intend to send there, the projects, and their present development.

Mr. DOUGLAS. The Senator from Alaska has submitted a most interesting amendment, as I understand—one to deny aid to countries in which the governments have come into power because of a military coup d'etat. I am not sure that I shall vote for the amendment in its present form; but certainly I am in agreement with its general principle, and certainly I would say we should give a special bonus to countries which are maintaining democratic institutions, under great pressure. I refer particularly to Venezuela, Colombia, Costa Rica, and El Salvador.

Mr. HUMPHREY. That is correct.

Mr. DOUGLAS. And, in northern South America, to Bolivia.

Mr. HUMPHREY. And also Mexico and Chile.

Mr. DOUGLAS. Yes. I am not at all certain about Peru. But I think we should be very careful about giving aid to Santo Domingo and Honduras, where the present governments have come into power by means of revolution and military coup d'etat. I hope Congress will take, on this matter, some general stand which will be strongly influential upon the aid we give, instead of being treated as merely a pious pronunciamento which these countries can read and then can throw into the wastebasket.

Mr. HUMPHREY. I agree with the Senator from Illinois; and I have tried to make that point clear today. I so stated in the committee, and I so voted in the committee; and I intend to so vote on the floor of the Senate.

Mr. DOUGLAS. Does the Senator from Minnesota believe that the present provisions on that subject, as now set forth in the bill, are strong enough?

Mr. HUMPHREY. I think the present provision is rather good—as follows:

> SEC. 254. RESTRICTIONS ON ASSISTANCE.—None of the funds made available under authority of this Act may be used to furnish assistance to any country covered by this title in which the government has come to power through the forcible overthrow of a prior government which has been chosen in free and democratic elections unless the President determines that withholding such assistance would be contrary to the national interest.

Mr. DOUGLAS. Is that provision retroactive?

Mr. HUMPHREY. No. It applies to countries in which the governments now in power have come into power through coup d'etats or juntas—for example, the juntas in Honduras and in the Dominican Republic. Under this restriction, those countries would be denied such funds. Under this provision, the President is given authority to offer funds, but only if he finds that is in the national interest of this country; and the burden of proof would be upon the President. We may even wish to strengthen that provision; but I want the Senator from Alaska to know—for one day he said to me, on the telephone, that he would like me to watch out for that provision, since he had a keen interest in it, as did the Senator from Oregon—that I tried my best to get the original language proposed by the Senator from Alaska included in the bill. The committee finally settled upon the language I have just read to the Senate, and backed it up by rather strong language included in the report, as follows:

> GOVERNMENTAL CHANGE BY COUP D'ETAT (SEC. 106(D))
>
> The committee has been gravely concerned over the number of elected governments in Latin America which have been overthrown by force in recent months. The Charter of the Organization of American States declares in article 5(d) that "the solidarity of the American States and the high aims which are sought through it requires a political organization of those states on the basis of the effective exercise of representative democracy."
>
> The Conference of Foreign Ministers of the American Republics at Santiago, Chile, in August of 1959 declared that "the existence of antidemocratic regimes constitutes a violation of the principles on which the Organization of American States is founded, and endangers the living together in peaceful solidarity in the hemisphere * * *", and, "* * * The governments of the American Republics should be derived from free elections."
>
> The forcible overthrow of duly elected governments is a step entirely out of harmony with the principles of the inter-American system and of the Alliance for Progress. It is difficult to see how the economic and social goals of the Alliance can be achieved in the face of such political instability. Thus, assistance furnished to irregular governments is unlikely to accomplish the purposes of the Alliance for Progress.
>
> Furthermore, such assistance may very well encourage ambitious militaristic forces elsewhere in the hemisphere to believe that they too can carry out coups d'etat with impunity and continue to receive American aid and otherwise to participate in the Alliance for Progress. It is important that vigorous steps be taken to dispel this dangerous delusion. The Alliance for Progress is threatened from both left and right in Latin America. The United States has gone to considerable lengths to protect the Alliance from the threat from the left represented by Castroite subversion and infiltration. It is equally important that the Alliance be protected from the threat from the right represented by the forces of the ultraconservative traditional oligarchies.
>
> Finally, there is at stake here the credibility of the United States, whose ambassadors, speaking for this Government, have repeatedly warned Latin American military leaders that the United States would look with disapproval on the overthrow of constitutional governments. If our word is to be believed in the future, we must follow through on these warnings by concrete steps to express disapproval.
>
> For these reasons, the committee has adopted an amendment—

And so forth.

Mr. GRUENING. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. GRUENING. I am in hearty agreement with the comments of the Senator from Illinois; and I believe the language the Senator from Minnesota has read is adequate. It is forthright, and it shows the committee's purpose. But I would make one reservation. There is a reservation in the language that if the President decides that this provision is contrary to the national interest, it is void. But, in practice, this means that some subordinate official, who may not be at all in sympathy—and recently a high official of the State Department said some juntas are good, and some are bad, but that we must not rule them out—can decide. If the decision, theoretically made by the President, actually is made by a subordinate official, the result might be to nullify the entire purpose. So I think we must watch that very carefully.

Mr. HUMPHREY. The Senator has raised a flag of caution which I am quite sure will be observed by the responsible authorities in our Government. It is well known that the President of the United States is fully aware of the attitudes of certain Senators—and I believe the majority of the Members of this body—on the question of juntas and military coups. I do not believe—and I hope that I am correct in my belief—that a minor official in the Government—someone other than the President or the Secretary of State—would be making a decision that would permit assistance to go on unabated and uninhibited to the juntas and military coup takeovers. I believe that one of the purposes of the debate is to make it crystal clear that while we do not wish to tie the President's hands and leave him in a diplomatic straitjacket, we expect that the objectives of the Alliance for Progress and the statements of principles of the Organization of American States will be fulfilled by our Government.

The objectives and criteria laid down are quite specific, namely, representative government, constitutional government, democratic institutions. The language in the bill clearly expresses the view of the majority—not merely the majority but all the members of the Foreign Relations Committee; and I am confident that it will express the view of the vast majority of Senators. I do not believe that the President or the Secretary of State would permit minor officials to make such a decision. The important decisions of the recent past have been made at the highest level, as they should.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GRUENING. If I correctly interpret the remarks of the Senator from Illinois, he said that we should be selective in our basis of aiding countries, and that we should aid them more generously when they fulfill the prescription of the Punta del Este Conference and the principles laid down by President Kennedy, that such democratic regimes—regimes that want to help themselves, regimes that have a social conscience, and regimes that want the funds to be distributed throughout the entire body politic and not merely to the few on top—regimes that make sure our funds will be honestly administered, with purpose to achieve these desirable objectives and are working with us—should have our aid. I think the countries mentioned by the Senator from Illinois are eminently entitled to that kind of preference.

Mr. HUMPHREY. I thoroughly agree. I would be more than happy to support an amendment to the bill which would require that kind of priority and that kind of emphasis. Countries that stand by the principles of the Charter of Punta del Este, the principles of the Organization of American States Charter, and the principles that we have laid down for receiving our aid, should be rewarded. Such a rule is a way to express our disapproval of countries that violate those principles.

Mr. GRUENING. May not the result be that nations which are not following the policies will be far more likely to move into line and follow the example of the more enlightened countries that are following more democratic and intelligent policies, and in consequence are receiving our aid? Will not those enlightened countries set an example to the recalcitrant nations that are not cooperating and not doing anything to make the Alliance for Progress successful?

Mr. HUMPHREY. In his authority under the terms of the act, the President of the United States has followed, in several instances, the very doctrine that is being described. For example, I point to Venezuela, where there is a pro-democratic, friendly, responsible government that has had to fight for its life. Our Government and the President of the United States have made it unqualifiedly clear that that is the kind of government of which we approve. We support it with money and, if need be, with our strength, to maintain it as a free institution and a free government. We did the same thing in Colombia. It should be noted that President Kennedy's first two visits to Latin America were to Venezuela and Colombia. The second two were to Mexico and Costa Rica.

We so acted in relation to the Dominican Republic immediately after the election of Juan Bosch. We now wish to make sure that that junta is not rewarded after having taken over. I think we have expressed rather firmly today our concern over that subject.

Mr. GRUENING. The Senator from Minnesota pointed out that possibly one of the contributing factors of the coup in the Dominican Republic is that President Bosch was putting through a taxing program when there had been no effective or just tax program. He was putting through a land reform program, and the powers that always had monopoly control—the little feudal group at the top, the successors of Trujillo—opposed that program. That was one of the motivations of the coup d'etat. It is therefore absolutely essential that the United States adhere to the determination not to recognize these usurpers, and to make crystal clear that we will not restore recognition; that we will not restore aid until the constitutional regime which was elected freely—perhaps the first ever in the history of the Dominican Republic—is reestablished.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Illinois.

Mr. DOUGLAS. I heartily approve what the Senator from Alaska and the Senator from Minnesota have said. I only hope that it may come true. There is always a good deal of suspicion and friction between the permanent civil servants and the legislative bodies. Sometimes we are extremely unjust in our judgment of them. I think it is frequently true that they are somewhat unjust in their judgment of us. I believe there is a common tendency on the part of the Foreign Service to believe that Congress does not know much, if anything, about foreign affairs and that they know best, and they so interpret the laws which we pass that the laws conform to their prejudices, interests, and opinions.

We have all been very much shaken by the recent memorandum of Assistant Secretary Martin, issued after the revolution in Santo Domingo and after the revolution in Honduras which, while not exalting juntas as a permanent policy, was certainly a plea in mitigation. I do not wish to make any attack upon Mr. Martin. I know him slightly. I think he is a very decent individual. But I am sure that he speaks the opinion of a large section of the Foreign Service of the United States. The President cannot watch everything. He has great tasks on his hands. I am not at all certain that our aspirations, hopes, and instructions will actually be carried out.

In that connection, is there not a possible loophole in lines 10 to 12 on page 39 of the bill, which states:

> None of the funds made available under authority of this Act may be used to furnish assistance to any country covered by this title in which the government has come to power—

And so forth.

Mr. HUMPHREY. I see the language.

Mr. DOUGLAS. In response to the question of the Senator from Wisconsin, the Senator from Minnesota said that more than $1 billion of unexpended balances had been appropriated under previous acts. Cannot the Foreign Service of the United States say, "This restriction applies only to additional funds authorized or appropriated under this act, but does not apply to the unexpended balances and previous commitments"?

I notice that the Senator shakes his head, and that the staff authority shakes his head. For the sake of the record let it be said that the whip and the staff director shake their heads. But is that action binding upon the Foreign Service and upon Assistant Secretary Martin?

Mr. HUMPHREY. I do not wish the Senator to think that by a shake of my head I was able to shake up the Foreign Service. I am not even saying that it needs to be shaken up. But I am saying that the language of the amendment to the bill, H.R. 7885, which is "an act to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes," including the word "act," relates to the act of 1961.

Mr. DOUGLAS. Not this particular bill?

Mr. HUMPHREY. It relates to this particular bill, also.

Mr. DOUGLAS. Let that be clear in words of burning steel and sent down to the State Department and the Latin-American desk.

Mr. HUMPHREY. I believe there are representatives within the precincts.

Mr. DOUGLAS. That is why I raised my voice, so that they might hear.

Mr. HUMPHREY. They will have no trouble understanding the vigor with authority of this act." That word "act" has been spelled out. Section 254, on page 39 of the bill is entitled "Restrictions on Assistance." It reads in part: "None of the funds made available under authority of this act." That word "act" refers to the Foreign Assistance Act of 1961, as amended. The pending bill is but an amendment and extension of that act. The word "act" includes everything legislated in foreign assistance acts since 1961.

Mr. DOUGLAS. Then let it be made clear that unless the President should declare otherwise this would cut off any aid to Santo Domingo and to Honduras; is that not correct?

Mr. HUMPHREY. The Senator is correct.

Mr. DOUGLAS. Would it cut off aid to Peru?

Mr. HUMPHREY. It would not cut off aid, because Peru now has a duly constituted government.

Mr. DOUGLAS. How did it come to power?

Mr. HUMPHREY. It came to power as a result of a most recent election.

Mr. DOUGLAS. Are we going to legitimatize the Government of Peru?

Mr. HUMPHREY. There was a junta in Peru, which I vigorously protested and criticized on the floor of the Senate a dozen times. The junta threw out the victor in the election of 1962. Our Government then brought pressure to bear upon that junta. Elections were called for in June of this year. Free elections were held in June. They were supervised elections. We observed them. Fernando Belaunde Terry was elected president, and a congress was elected. I believe the Congress of the United States sent a delegation, headed by the distinguished Senator from Oregon [Mr. MORSE], which attended the inauguration of the new President.

A duly constituted government is in power in Peru today, and I hope and pray that it will endure.

Mr. DOUGLAS. What is the interpretation of the Senator from Minnesota on the Government of Argentina? Is that a revolutionary government or is it a duly-elected democratic government?

Mr. HUMPHREY. It is now a duly elected government.

Mr. DOUGLAS. When was it given absolution?

Mr. HUMPHREY. Argentina recently had a free election.

Mr. DOUGLAS. I see.

Mr. HUMPHREY. Representatives of the Congress attended, as did representatives of the President.

Mr. DOUGLAS. What about the Government of Haiti?

Mr. HUMPHREY. So far as I know, the Government of Haiti is a dictatorship. If I had my way, all aid would be cut off from Haiti.

Mr. YARBOROUGH. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I am glad to yield.

Mr. YARBOROUGH. Is not the President of Peru, Mr. Belaunde, a graduate of the University of Texas?

Mr. HUMPHREY. That is one of his many qualities. Yes, he is a graduate of the University of Texas. We can always rely on the Senator from Texas to arrive at the climactic moment to put his blessing upon any Texan who holds a responsible position.

Mr. DOUGLAS. What is the status of Haiti? Is that a revolutionary government; or is it a legislative, democratic government?

Mr. HUMPHREY. The Senator from Illinois knows the answer to that question.

Mr. DOUGLAS. No; I do not. I know the answer that I would give, but I do not know the answer the State Department would give.

Mr. HUMPHREY. I cannot answer for the State Department, of course, but I will help coach the State Department.

Mr. DOUGLAS. How would the Senator coach the State Department?

Mr. HUMPHREY. I would coach them by saying it is a dictatorship, that it is unworthy of support by the Government of the United States. I said so in the hearings 2 years ago. I insisted that aid be cut off from Haiti because the President of that country has exercised dictatorial power at the expense of humanity and all the principles of justice.

Mr. GRUENING. Mr. President, will the Senator from Minnesota yield for a question?

The PRESIDING OFFICER (Mr. MCCARTHY in the chair). Does the Senator from Minnesota yield to the Senator from Alaska?

Mr. HUMPHREY. I am glad to yield.

Mr. GRUENING. Granting the very specific stipulations which the Senator from Illinois has wisely propounded, is it a fact that under this new provision all economic aid would be withdrawn from the Dominican Republic?

Mr. HUMPHREY. That is correct.

Mr. GRUENING. And also all military assistance programs?

Mr. HUMPHREY. Yes, that is correct.

Mr. GRUENING. And also the Peace Corps?

Mr. HUMPHREY. No. I do not believe the Peace Corps should be included, and I should like to make that clear.

Mr. GRUENING. For the record, it is important that be stated.

Mr. HUMPHREY. Yes. Later, as we come to the section in the bill which I believe would exclude the Peace Corps, I shall say something about it because I believe the Peace Corps should not be used as a sort of weapon in the diplomatic struggle. Let us try to keep the instrumentality of the Peace Corps on a very high plane, people to people. Our young people are working in the Peace Corps and doing the job of working primarily with people and not with governments. So I would hope we would not exclude the Peace Corps from any of these countries.

Mr. GRUENING. How about contributions through the United Nations from the United States to the Dominican Republic?

Mr. HUMPHREY. I doubt that we could have any control there, nor do I believe we should have, because if we should start that, we would encourage the Soviet Union to say, "We do not believe the funds we have contributed in this special fund should be used to make contributions to countries X, Y and Z."

Mr. GRUENING. I am not prepared to dispute that, but I call attention to the fact that I have discovered 21 "spigots" through which foreign aid is poured out to various countries. Many of these are not included in the legislation, but I believe that is something we should be vigilant about.

Mr. HUMPHREY. I am sure the Senator from Alaska will exercise vigilance. I am trying to get hold of the handle of this spigot in my effort. This spigot is a big one; and when one opens it, it really splashes. If one closes it, it is surprising how thirsty some people get.

In connection with Haiti, I should like to make it clear that Haiti does not receive any substantial aid from the United States at present and would not qualify under the provisions of the pending bill. It receives financial aid only under Public Law 480 and through a military control program.

Mr. DOUGLAS. Would I be pressing the Senator from Minnesota too far if I were to ask him whether Guatemala is eligible?

Mr. HUMPHREY. The Senator from Illinois certainly is pressing, but he is a fearless man and an honest man, and he deserves a courageous and honest answer.

I should say that under the provisions of section 254, unless the President of the United States felt that it was of overriding national interest, Guatemala would not be eligible.

Mr. DOUGLAS. I thank the Senator from Minnesota. I agree with him thoroughly. So we have made it clear, have we not, that the intent of the bill and the intent of Congress, unless reversed by the President, is that there should be no further economic aid or military assistance to Santo Domingo or to Honduras. Have we not also made it clear that, if a revolution should occur in El Salvador, they would receive no aid?

Mr. HUMPHREY. Does the Senator mean by a junta or a coup?

Mr. DOUGLAS. Yes.

Mr. HUMPHREY. Yes. El Salvador is desperately trying to make its government work. They have a fine program, and they have a President who is a moderate, a middle-of-the-road man. He cannot be looked upon as a radical. If that government were to be destroyed by a junta or a coup d'etat, I would hope the President of the United States would make it clear within the hour that not one nickel would go to them.

Mr. GRUENING. We have an excellent Ambassador there.

Mr. HUMPHREY. Yes. Ambassador Williams is one of our best Ambassadors. He has done a remarkable job in El Salvador. Substantial progress is being made there.

Mr. DOUGLAS. Would I weary the Senator from Minnesota too much if I asked another question?

Mr. HUMPHREY. No; of course not. However, I do not wish to make the Senator from Alaska wait much longer, because I know he has a dramatic and memorable address to deliver in support of the bill.

Mr. DOUGLAS. Costa Rica is one of the finest Latin American States. It has no army. It has had no revolution. Any change in government takes place peaceably. There is a very low rate of illiteracy, probably the lowest of any Latin American country. I do not believe there is any danger of an internal revolution in Costa Rica. The land is fairly well distributed. Democratic institutions are strong. But Costa Rica has a neighbor, Nicaragua, and Nicaragua has been hostile to Costa Rica. At one time it had its army poised on the border. I believe I may have played a minor part in getting some American airplanes down there to fly over the border to discourage the Nicaraguan troops from actually invading Costa Rica. There is always that threat to Costa Rica.

Suppose Nicaragua were successful in overthrowing the Government of Costa Rica, and set up a pro-Nicaraguan government inside Costa Rica. What would be the attitude then? Would aid go to such a government imposed from the outside, just as the Communists succeeded in overthrowing the democratic Government of Czechoslovakia?

Mr. HUMPHREY. We would be faced with two situations. The first would be possibly an instance of aggression. If that were the case, it would have to be taken up with the Organization of American States.

Mr. DOUGLAS. Which would do nothing.

Mr. HUMPHREY. That is not always the case. Secondly, and more importantly, if the country of Costa Rica were overthrown by subversive instruments or agents—I gather that is what the Senator thinks would be done—and not by overt military action——

Mr. DOUGLAS. Well——

Mr. HUMPHREY. Let me get to the point. If Costa Rica were overthrown or occupied by another state, that government would be denied all assistance under the bill.

Mr. DOUGLAS. Good.

Mr. HUMPHREY. Furthermore, the aggressor would be denied such assistance.

Mr. DOUGLAS. Let the Latin American Division of the State Department take notice of that.

Mr. HUMPHREY. I believe it did.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. I think it would be much stronger than that. I think if there were an invasion by Nicaragua of Costa Rica the United States would go to the assistance of Costa Rica.

Mr. GRUENING. If the Senator will yield, the Senator from Oregon is coming to my side when he says that there is a time when the United States has a right to intervene when a government is overthrown.

Mr. MORSE. Any time the Senator from Alaska wanted me to join him on that set of facts, I would have been glad to join him.

Mr. HUMPHREY. Mr. President, so the RECORD will be clear, I think it should be said that at this time there is no known threat from Nicaragua. It could happen, but there is no threat at this time. We are talking about a hypothetical case. I want to be sure we do not in any way have the RECORD indicate that such a hypothetical case is a reality, or a probability. But, in terms of a hypothetical case, if there were aggression, we would be committed, under the Treaty of Rio, to come to the assistance of the victim of the attack. We would have the instrumentality of the OAS, which is less than effective, but at least we would have that.

Mr. DOUGLAS. Mr. President, that is the understatement of the year.

Mr. HUMPHREY. I am becoming very modest.

Further, we could cut off aid to the aggressor, and whoever was the puppet of the aggressor, not only under this act, under all other acts.

Mr. GRUENING. In other words, we would have an aid overkill?

Mr. HUMPHREY. That is a good way to express it.

Mr. DOUGLAS. Mr. President, the Senator has enunciated an admirable statement of policy, which I hope will be borne out. Is there any way to make this policy effective on the CIA?

Mr. HUMPHREY. I think the Senator goes far beyond my capabilities. Let me say only that President Kennedy is much concerned over the Alliance for Progress and its success and over our relationships with the republics in the Latin American countries, so that every effort will be made to repel aggression, to deny any form of assistance to those who violate constitutional governments and overthrow constitutional governments, and also to exercise a restraining hand, in light of recent experiences, upon instrumentalities of the Government of the United States in case such instrumentalities should get out of hand.

**Mr. DOUGLAS.** I do not want to abuse the CIA. It has done many fine things, but I think the experience in Egypt in 1956 sends up a warning flag. It will be remembered that the State Department, which was then headed by Mr. John Foster Dulles, took a somewhat strong stand toward Egypt in its seizure of the Suez Canal, and sent out Mr. George V. Allen, who was then the Assistant Secretary of State. I am not sure whether he came from the State of Texas, but he came from North Carolina——

**Mr. HUMPHREY.** The Senator can be sure that if he came from Texas, the Senator from Texas [Mr. YARBOROUGH] would have jumped up and told us about it.

**Mr. DOUGLAS.** Some weeks later Colonel Nasser made a speech at Alexandria in which he said he had heard about the projected trip, but that a highly placed American Government official had called upon him and told him not to pay attention to the representations of Mr. Allen; that he did not speak for the American Government, and that Nasser should pay no attention to him.

Nasser heard some expressions—I do not know whether they were correct or not—to the effect that he was urged to "kick that man downstairs." Nasser said he exercised great forbearance, and did not kick him downstairs. This naturally excited curiosity as to who the man might be.

I went to Egypt shortly after the Suez incident. I went up and down the Suez Canal, which was then blocked, and made some inquiries as to who the man was.

When I went there I thought it was the previous American Ambassador, Mr. Byroade, who had given some rather extraordinary testimony, I believe, that he did not know who was in power in the neighboring country of Tunisia. I must say that after my inquiries there I became convinced that I had unintentionally done Mr. Byroade an injustice. Now, 7 years after the fact, I wish to apologize publicly for entertaining such erroneous thoughts about Mr. Byroade. But I have cited the established facts to show that a leading citizen, who bore, and I think still bears, the name of a distinguished American family participated in an incident in which the CIA took over the direction of American foreign policy and persuaded a foreign government, with which we were on unfriendly terms, to adopt a contemptuous attitude toward an official of our Government. I think the record, if gone into, will bear out what I have said.

I see the Senator from Minnesota smile when I mention this. I do not know whether it is a confession of guilt or not——

**Mr. HUMPHREY.** It is an expression.

**Mr. DOUGLAS.** But it will be borne out. This is a difficult problem, but essentially the policy must be not merely the policy of Congress, not merely the policy of the State Department, but the policy of all parts of the U.S. Government; namely, that we will not waste money in revolutions in Latin America that overthrow peacefully constituted governments.

**Mr. HUMPHREY.** The only way I know we can make sure this type of coordination exists is to rely upon the Chief Executive of the country. If we were to write the policy into law, it would make no difference. The President of the United States has the responsibility for the conduct of our foreign policy. He is responsible for the control of the Armed Forces of the United States. He has command and control over all the agencies of Government in the executive branch, and the CIA is one of those. I do not know anyone who could do it except the President.

I have the feeling that this President, who is an active man, an intelligent man, and is constantly at the job of supervising the foreign policy of the country and the foreign relations of our Nation, would see to it that there was no conflict of command such as the Senator has outlined in the previous instance. I must place my complete confidence in the President, and I have confidence in him.

**Mr. DOUGLAS.** I have, too. The question is whether he can control all the more or less autonomous bodies that have grown up, and which frequently function in secret.

Several Senators addressed the Chair.

**Mr. HUMPHREY.** I want to be able to conclude my part of the discussion. I do not mean to cut it off, but I want the Senator from Alaska [Mr. GRUENING] to have his day in the Senate on his message.

There are examples that are disturbing. The Senator has brought to our attention an example. There may be disagreement as to all the details, but there was some problem with CIA in the instance of Egypt. We must rely upon the President of the United States, in light of that example, to keep a pretty close watch and control over the activities of any of the sensitive agencies, particularly the Central Intelligence Agency.

There are those of us in Congress who feel that a form of control ought to be exercised over CIA. For example, I have proposed a joint committee on national security, which would have overall supervision of the Central Intelligence Agency, as well as other agencies.

My distinguished colleague [Mr. McCARTHY] proposed a special committee in Congress, to have a type of supervisory jurisdiction over CIA.

The majority leader made a proposal of that kind.

I believe the time is at hand when we may have to take some legislative action. I believe it is necessary. However, under present circumstances, we must rely upon the President. I am sure he now recognizes, in light of Cuba, Vietnam, Egypt, and other places, that the CIA plays a very powerful role in American policy and in the conduct of our operations overseas, and therefore it must be as closely coordinated and supervised as any other department of the Government, and must not be permitted to operate on its own.

I will not make any accusations or charges, because I do not know enough about what the CIA has done or has not done. I know that there has been enough concern expressed so that some things may not be right.

I now yield to the Senator from Texas. Then I wish to yield the floor.

**Mr. YARBOROUGH.** I thank the distinguished senior Senator from Minnesota for yielding to me. I rise only because of some statements that were made to the effect that Mr. Allen might have been from Texas, that he went to Egypt as a representative of the President, and that another American told Colonel Nasser to kick him down the stairs. I only rise to say that if Mr. Allen were from Texas and were in Egypt on orders of the President and had Colonel Nasser attempted to kick him down the stairs, it is more than reasonable to assume that Colonel Nasser would have reached the bottom of the stairs first.

**Mr. HUMPHREY.** Long live Texas. The spirit of the Texans is what really sustains us in these moments of doubt and crisis. The Senator from Texas is doing a brilliant job in representing the people of the Lone Star State of Texas.

**Mr. YARBOROUGH.** I thank the distinguished senior Senator from Minnesota. I fear that with his very fine compliments directed toward me he is trying to lure me into voting for everything that is in the bill.

**Mr. HUMPHREY.** There could be something to that.

**Mr. YARBOROUGH.** He is complimenting me too generously today. Of course, I always fear Greeks bearing gifts, and it may be that there is some other motive behind his fine compliments to me. However, I am grateful.

**Mr. HUMPHREY.** So that there may be no doubt in the minds of anyone who may read the RECORD, let me say that everything I have said about the Senator from Texas is well deserved by him. He certainly deserves all the praise that he has received from me or any other Senator.

Having said that, I am confident that the Senator from Texas, who is such a brilliant, able, and dedicated public servant, will find it within his conscience and heart and experience to vote for the foreign aid bill.

There may be an amendment or two to adjust the bill slightly, for which he will wish to vote. However, when it is all over and the roll is called—not up yonder, but down here—I expect to see the senior Senator from Texas voting with us. I live for that day. It will be a day of joy and happiness.

**Mr. YARBOROUGH.** I thank the distinguished Senator from Minnesota. For a few moments I had the illusion that he would stop this accolade without tying it into the foreign aid bill. He did not even stop to insert a semicolon.

**Mr. HUMPHREY.** I stopped with a period.

**Mr. YARBOROUGH.** He went right into the large foreign aid bill.

**Mr. GRUENING.** Mr. President, I would like to add to the accolade to the

Senator from Texas. More important than the high approval which the Senator from Minnesota and other Senators have given to the Senator from Texas is my gratification to report that I was a personal witness to an outpouring of enthusiasm, support, admiration, respect, and affection of the people of Texas at a recent salute to the senior Senator from Texas in his hometown of Austin, where the municipal auditorium, holding 5,000 people, was packed to standing room only, and hundreds of people were turned away because there was not enough room for them. Never in my experience have I seen expressed more enthusiasm for the principles for which the senior Senator from Texas stands. I think that is even more important than that his colleagues highly approve of him.

**Mr. HUMPHREY.** I saw a copy of that program. I not only hope that the dinner was a huge success, in terms of well-deserved praise for the Senator from Texas, but I trust also that the political coffers were well filled, because campaigns in Texas are a rather expensive ordeal. I can think of no man who more deserves the support of the rank and file of the citizens of any State than does the Senator from Texas.

**Mr. YARBOROUGH.** Mr. President, I thank the distinguished Senator from Alaska for his very generous words. Moreover, I thank him for his kind words in Austin on October 19, where he participated in the program, and where his eloquence and his generosity contributed so much to the success of that affair. The fact that he was on that program, as was the Presiding Officer [Mr. INOUYE in the chair], both of whom are well known in my home State, was a great contribution to the success of the occasion.

The Senator from Alaska has visited a number of times in my hometown. His text on Mexico is well known, as is also his long service in the New Deal, under Franklin D. Roosevelt. He is well known also for his 14 years of service as Governor of Alaska. He has many friends in my State. It was because of his presence that so many people turned out on that occasion.

The Presiding Officer is also well known in my State. I am sure that the people of my hometown were thrilled by the fact that Senators from two of the newest States in the Union, representing the farthest south State and the farthest north State, as well as farthest west State, were present. A number of persons said to me that they felt honored that a representative from the newest State should be present on that occasion. We remember that during World War II some of our people from Texas found themselves in a rather difficult position, and that a battalion from Hawaii, of which the Presiding Officer was a brave and noble member, who was decorated for his action in combat, in which he lost an arm, came to the rescue of our men from Texas. These were men of the 36th Division, the old Texas National Guard Division, two of whose regiments go back as far as the Battle of San Jacinto, since 1836.

He was met at the airport. He is already an honorary citizen of the State, by act of the legislature in 1944. At the airport he was presented with awards on behalf of the 36th Division for the action of the Hawaiian battalion in coming to their rescue, when they were pinned down by Nazi fire during World War II.

I am grateful to my colleagues for their contributions, as I am also grateful to the Senator from Idaho and the Senator from Montana, and Members of the House, who caused this great outpouring of people.

I could not let this occasion pass without expressing my gratitude for the wonderful messages that others sent. I have in mind particularly the Senator from Illinois [Mr. DOUGLAS] and the Senator from Oregon [Mr. MORSE], who is in the Chamber, and others. We are grateful for the 96 beautiful letters and telegrams that were received. All of it was far beyond my just deserts. They may be helpful next year.

**Mr. HUMPHREY.** Mr. President, I yield the floor.

### EXHIBIT 1

### APPENDIX I

### LAND REFORM IN LATIN AMERICA

Land reform in Latin America is certainly not an offspring born with the Alliance for Progress, but reaches back to the earliest freedom struggles in the continent.

Robert J. Alexander, in his illuminating article "Land Reform in Latin America," Foreign Affairs, October 1962, underscores over a century of agrarian movements in South America. He reminds us that the great liberator Simón Bolívar undertook to seize estates from Spanish loyalists and distribute them to his armies. When the Republic was founded in Haiti, the rebellious slaves distributed the land of their former masters among themselves. From the time the colonists fled the Dominican Republic in 1821 until the rise of Trujillo, most of the land remained in the hands of the peasants. In many instances during the 19th century, Latin American nations initiated land reform by depriving the church of its vast holdings and distributing them among the laity.

"In recent decades agrarian reform has once again assumed hemispheric proportions. Mexico engaged in a massive redistribution of land in the years following the outbreak of its revolution in 1910. The fundamental achievement of the Bolivian Revolution which began a decade ago has also been land reform. In the last 3½ years, Venezuela has undertaken a large-scale land redistribution scheme. Within the last year, legislation calling for one type or another of agrarian reform has been passed in Colombia, Chile, the Dominican Republic and Brazil."

And since publication of this article we can add Costa Rica, Honduras, Panama, Nicaragua, Guatemala and Peru.

Mexico has undoubtedly been the leader in the modern land reform movement, and since the revolution has set the precedent for redistribution procedures throughout Latin America.

"The oldest of the contemporary agrarian reform programs in Latin America is that of Mexico, where it has been in process for about half a century.

"By early 1962 the total amount of land distributed since the first decree of January 1915 had reached approximately 50 million hectares. Some 12 million peasants are estimated to have benefited, with the result that the land under cultivation is now approximately equally divided between the beneficiaries of the land redistribution program and other proprietors, most of whom lost land through the reform.

"One program which has been very much influenced by the Mexican example has been that of Bolivia, following the revolution of April 9, 1952, which put the Movimiento Nacionalista Revolucionaria in power. Mexican officials helped in drawing up the basic law, and other assisted in putting the law into operation. Like Mexico, Bolivia has attempted to restructure the whole rural economy of the country and to integrate the peasant masses into the civil life of the nation. All tenants were granted the land on which, under the traditional Bolivian latifundia system, they had been allowed to build their homes and to grow crops for their own use. As a result, every Indian tenant was immediately converted into a small proprietor."

The process of land redistribution proposes a variety of questions—what land should be distributed, what kind of compensation paid, credit opportunities for cultivation of the land, technical assistance, transportation of goods from farm to market—all must be dealt with according to the unique agrarian situation in each country.

Some countries, like Chile, have limited their agrarian programs to seizing large idle, uncultivated remnants of the latifundia system, while other countries, like Bolivia, have found this method insufficient for their needs. Whenever land was cultivated by semifeudal techniques in Bolivia, it was confiscated, while soil tilled by modern machinery was to remain inviolate. In Mexico, land was supposed to be expropriated on the basis of irrigation, grazing, and agricultural potential.

Compensation procedures also vary to meet the requirement of each reform program. The Mexican, Bolivian, and Guatemalan agrarian laws call for payment set by the proprietor. In Venezuela, the Agrarian Institute negotiates a fair compensation price, and in Colombia, the National Geographical Institute arbitrates the value between the landowners and the Colombian Agrarian Institute.

Mr. Alexander stresses the diverse patterns of agrarian reform:

"The provisions under which expropriated land is transferred to new owners have varied greatly from country to country. At one extreme is Cuba, where, as we have seen, the State has retained most of the expropriated land, organizing it increasingly as State farms. At the other extreme is Bolivia, which has given the Indian peasant title to his land and has not sought to impose any pattern for the organization and use of the land. In a relatively small number of cases, the peasants have organized cooperatives, but in most instances they cultivate the land as individual farmers."

Under most agrarian reform programs, the peasants are granted the land without payment. In Venezuela, the new landowners, in addition to receiving titles gratis, have the option of purchasing additional land at low rates.

"In virtually every Latin American country that has undertaken agrarian reform, controversy has arisen over the advisability of concentrating effort on opening up and colonizing virgin hinterland as opposed to redistributing the holdings of the landlords. Actually both of these approaches are needed. Where population pressures on the land is great, the division of large landholdings is necessary both to lessen the likelihood of social explosion and to obtain the ultimately more efficient use of the land. Redistribution is cheaper than colonization and it promises a quicker incorporation of large elements of the peasantry into the market economy. In many areas, however, sole reliance on land redistribution may merely substitute munifundia for latifundia. That is, there is danger that the land will be divided into such small holdings that they cannot be cultivated efficiently or that they will never provide more than the barest substance. * * * The mere distribution of land is not a sufficient reform by itself. An effective program of agrarian reform must make sure that the new proprietors have access to credit to finance their crops and to buy equipment, and it must provide technical assistance and help marketing."

As a partner in the Alliance, the United States has assisted Latin nations to push ahead in their agrarian programs by supporting projects of the following nature.

Under the social progress trust fund over $65.8 million have been lent to Latin American countries for their agricultural development programs. Of this total, $22.2 is for agrarian reform and resettlement; $38 million for agricultural credit; and $5.6 million for irrigation and development of farm centers.

AID is specifically helping to finance the following:

1. Resettlement of excess farm population on unused farmland now available in areas both within and outside the Brazilian northeast.

2. Reduction of the large handling and storage losses between farm and consumer, creation of an adequate system of processing, storage, distribution, grading, and marketing for agricultural products and a system for credit to low-income families in northeast Brazil.

3. Through the National Bank of Costa Rica, provision of long- and short-term credit to medium- and small-sized farmers.

4. Development of modern agricultural institutions in Guatemala, Dominican Republic, and Peru.

5. Development of rural cooperatives in Nicaragua, Paraguay, and Uruguay, and supervised agricultural credit in Mexico and Venezuela.

6. The resettlement and reclamation program designed to settle 20,000 families yearly on sound economic units in Colombia, and assisting the development of a national credit program there.

7. Farm-to-market road construction in Paraguay, Nicaragua, Bolivia, Brazil, and Peru.

These are only a few of the projects which AID is supporting. In nearly every country, AID is assisting the Alliance goal of increasing agricultural production.

Mr. Alexander has emphasized that immediate results of redistribution programs is often an unavoidable decline in agricultural production.

"One of the basic purposes of agrarian reform programs in Latin America has been to increase agricultural output. However, in a number of cases the immediate result of redistributing the land has been a decline in production. The new peasant owners have not had the technical competence, nor in some cases sufficient interest to maintain former output levels."

To help relieve this temporary decline, AID has granted loans to Mexico and Venezuela in support of agricultural credit programs to small farmers. These loans, covering technical assistance, will assure the new farmers success and repayment ability.

Alexander climaxes his report on the following note:

"These problems (agrarian) must be solved, not only because one of the fundamental aspirations of the masses of Latin America is to possess and work their own land, but because this development is essential for the economic growth as well as the eventual political stability of the whole continent. The United States has done well, through the Alliance for Progress to associate itself with this movement."

The Charter of Punta del Este made land reform a primary goal for all of Latin America.

In the Dominican Republic, a major program of land reform was initiated in July 1962 after the passage of an agrarian reform law. More than 2,000 families have been settled on land formerly owned by members of the Trujillo family. As of March the Banco Agricola has made loans totaling over $15 million to 45,500 families.

In Bolivia, titles issued under the agrarian reform law since the revolution have gone to 181,000 families. The phenomenal growth in the Santa Cruz area has moved Bolivia from almost total dependency on imports for its rice and sugar to almost total self-sufficiency. The cooperative movement has gained such strength that the wool cooperative was responsible in February 1962 for the first commercial sized export of wool from Bolivia in 40 years.

In October 1962, Costa Rica adopted a revised land and settlement law. The Institute of Lands and Colonies was established to manage agrarian reform problems, approve colonization programs, expropriate land if necessary, and promote cooperative development. A progressive tax on properties larger than 247 acres was established. Rural agricultural credit is available for farmers through the Banco Nacional.

Under a new agency which provides supervised production credit to small farmers in El Salvador, approximately 5,800 agricultural credit loans will have been made by July.

In October 1962, the National Agrarian Transformation Institution in Guatemala was established to plan and carry out an agrarian reform program primarily based on exploitation of idle or undercultivated lands. The law provides for progressive taxation of land and for farm credit programs.

On November 27 an agrarian reform law was passed in Chile. Ownership of land has now become contingent upon proper land use and improvement. Under this law it is proposed that 5,000 families will be resettled in 1963.

As far back as March 1960, Venezuela had initiated a comprehensive agrarian reform program for the expropriation of large estates that were not in production or worked by tenants. By the end of 1962, over 1½ million hectares had been distributed to over 56,000 settlers.

### APPENDIX II

### TAX REFORM IN LATIN AMERICA

The mere nature of tax reform involves a complex of tax theory and techniques, economics, relations between executive and legislative and judicial branches, domestic and international politics, and the level of public and tax administration in general. In Latin America, tax reform is further complicated since changes must first be made in the traditionally rooted legal systems, class structure, and archaic governmental institutions.

Due to the sphere of influence connotated by the concept of tax reform in Latin America, assistance cannot and should not be administered by one agency, but demands the total resources of the United States and Latin America, both governmental and private. Nor can tax reform be brought about solely from outside. The process is necessarily a slow and painful one, all over the world.

The task of stimulating tax reform and improved collections in the Alliance countries carried quite delicate and difficult political and technical constraints. Also, the adoption of these foreign policy objectives implies an unprecedented diplomatic and economic involvement in the internal affairs of other countries. The delicacy, technical complexity, and novelty of the task have required a discreet, highly pragmatic, and experimental approach. Since the Charter of Punta del Este, the United States and multilateral agencies have been playing a major part in bringing about tax reform in a variety of ways adapted to the complexity of the problems and the present stages of development in particular countries.

One area of activity has been a continuous round of speeches and statements aimed at creating an awareness of the immediate need for tax reform. Where there was almost no discussion of tax reform prior to the Alliance, it is now generally accepted in many countries that reform is a sine qua non of economic and social development. To a considerable extent this newly kindled interest is the result of constant reiteration of the importance which the United States places upon tax reform. This United States insistance has been communicated not only through executive, AID, and U.S. legislative policy statements, AID missions in the field, and normal diplomatic channels, but has been emphasized in almost all assistance loans and grants made through AID, IDB, IMF, IBRD, etc. Similarly, the two tax conferences held under the auspices of the OAS–ECLA–IDB joint tax program have undoubtedly had an important public relations impact.

Tax reform is also a key element of negotiations for major programs of financial support and assistance to selected countries. It is significant that as a result of negotiations of this type governments in countries such as Brazil, Chile, and Colombia have pledged themselves publicly to programs of reform.

Another instrument for reform has been the tripartite tax study teams. These studies have stimulated efforts by the host governments to organize and continue the research activities which will be required on a long-term basis for sound tax reform. Assistance to the tax reform movement in Latin America must be in a form acceptable to those undertaking tax reform.

Political reaction in Latin America often makes it wiser to bring such pressure through Inter-American and multilateral agencies. Therefore, as a part of the U.S. total tax reform effort, AID took the initiative in developing the current policy: AID takes primary responsibility for assistance in improving tax administration; the OAS, due to its multilateral character, is the more effective instrument for tax policy and therefore has primary responsibility in that area.

Under the OAS joint tax program, a team of five experts has completed a thorough survey of the tax system of Panama. A considerable number of recommendations for reform designed to implement the principles of Punta del Este has emerged from this survey and has been made available to the Panamanian authorities. A group of four experts has prepared a complete survey of the fiscal structure of Ecuador.

AID has organized itself to assure that tax policy is coordinated and integrated into the total development picture. As part of its responsibilities, the Latin American Bureau makes sure that maximum efforts toward tax reform are included in each country program, (consistent with that country's development plan, if it has one), the capacity of the country for growth, the overall tax structure and the extent of self-help measures, and the political situation. In this way, tax reform is injected into the total programing and budgeting process and is considered a key element in all U.S. assistance programs in Latin America.

AID initiated a cooperative working program with the IRS in 1961. During the intervening months, 28 Internal Revenue men were used in 11 different countries, and the working relationship was formalized in an Inter-Agency Agreement between AID and IRS, signed May 29, 1963. This agreement, supplies AID with IRS tax administration specialists. Some 300 IRS men are already available for service in Latin America. Under the Argeement the services of Internal

Revenue are also available for the training of Latin American tax officials in the United States. As a formal part of the Alliance, the IRS has established a Foreign Technical Assistance Staff in the Office of the Commissioner which is giving primary attention to the improvement of tax administration in Latin America and in mobilizing the resources of IRS in this objective. Another cooperative venture has been the establishment of the Latin American Tax Assistance Reserve. Under this program selected IRS men undergo a 16-week training at the expense of AID and are then ready on call for short or long term assignments in Latin America. Coordinated with AID's own program of tax training, these cooperative efforts with the IRS have proven highly successful and have contributed directly to improvements in Chile, Peru, and Panama.

Finally, AID has stepped up training for tax administration in the United States. About 115 Latin Americans have been trained here since the Charter of Punta del Este. This is largely group training designed for impact on tax reform and has directly contributed to improvements in Chile, Guatemala, and Peru.

Before the Alliance, AID predecessors had one or two men working in Latin America. The OAS had none. The enthusiastic response from Latin American countries to available tax assistance had been testimony of their awareness of the necessity for reform and their readiness to help themselves implement new tax programs. Guatemala, Honduras, Nicaragua, Chile, Peru, Colombia, Costa Rica, and Ecuador have made urgent requests for assistance in various aspects of revenue improvement. But by far the most impressive achievements on any level have been those initiated and enforced by the Latin countries themselves without outside assistance. Since the Charter of Punta del Este almost all have adopted some form of tax legislation, and although results usually lag 2 years behind such reforms, worthwhile achievements have already been produced.

In the field of land tax, which until recently was the stronghold of tax reform resistance, cadastral surveys to locate and determine ownership of property for tax purposes are underway in Panama and Chile. Costa Rica, El Salvador, and Guatemala are embarking on similar programs and Colombia has requested assistance to improve its property tax system.

In fiscal year 1963, the Government of Argentina, by tightening up collections, added 215,000 new taxpayers to its rolls. Early this year, Argentina introduced further revenue measures which, with improved enforcement, are expected to yield an increase of $200 million in 1963. This alone represents 15 percent of the total 1962 revenues.

Due to improved tax collection methods and recent tax reforms, Brazil expects to collect a $200 million increase in Government revenues. A tax law was passed in November raising income and consumption taxes, broadening the use of withholding taxes, and instituting a tighter collection procedure on wage and bearer share income.

El Salvador has adopted a tax reform measure raising progressive income tax rates. These are among the highest in the hemisphere and yielded a 40-percent increase in receipts in 1962 over 1961.

Guatemala's first income tax law in history became effective July 1. Real property which has not been revalued for tax purposes during the last 15 years will be evaluated at 300 percent over previous assessed values.

In Chile, complete reassessment of taxes on all real estate, rural and urban, has been started. Individual reassessment of every separate property is in process. Estimates of revenue increases in 1963 due to various tax reforms are as follows: (1) from better administration, $16.5 million; (2) from property tax improvement, $9 million; (3) from reform in income, inheritance tax, etc., $16.5 million; for a total of $42 million. This is expected to double in 1964.

Chile's tax training school is a going concern, and by April 1963 had graduated 375 inspectors and assessors. A tax enforcement unit has been organized. A nine-volume manual on tax laws and procedures has been developed. A new project has been signed to streamline the legal collections system with an immediate target of 96 million escudos overdue and uncollected.

In Colombia, income taxes now provide about 40 percent of total revenues and are among the highest percentages of GNP in the hemisphere.

In Panama, income tax collections in 1962 were a record high at $15 million, a 40-percent increase over 1961, due to tax reform measures passed in 1961 strengthening procedures for dealing with fraud and tax evasion. Income tax returns increased 20 percent after removal from the law of a provision requiring proof of intent to defraud. A land system aimed at fuller utilization of vital land has been initiated. At the request of the Panamanian Government, a tax audit adviser was sent for 60 days to suggest improvements in tax audit procedures. As a result of this visit, an in-service training course to be given to all auditors has been initiated; and guidelines for examinations of books, records, audits, etc., are now used by auditors where previously no books or records had been maintained.

The Dominican Republic has passed a revised income tax system of progressive rates, reaching 63 percent on top brackets of income, which is already bringing in substantial increases in revenues.

In Mexico, an important series of tax reforms went into effect last year. Income tax rates were increased in the middle and upper brackets; a complementary income tax was imposed, starting at 3 percent for incomes equal to $14,000 and increasing thereafter to 15 percent. Total tax receipts in 1962 were 12 percent above 1961, and it is estimated that there will be a further increase of 20 percent in 1963. The establishment of a data processing unit increased the number on the tax roles from 700,000 in 1962 to 1.4 million in 1963. By the end of 1964 this figure is expected to jump to 3.5 million.

Due to a July 1960 reform measure in Venezuela, a 22-percent increase occurred in filed tax declarations over the prior year. During 1962, income tax receipts increased 30 percent over 1961.

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## APPENDIX III

## LATIN AMERICA: A POSITIVE VIEW OF PRIVATE ENTERPRISE

In a recent Vision article of May 1963, the editors point out some salient facts about private enterprise in Latin America:

"A disturbing attitude toward Latin America has developed in this country. It might be called the 'down-the-drain' syndrome. It manifests itself in a number of ways: Glum talk of bankruptcy, flight capital and ballooning inflation; fearful talk of political collapse and chaos; table-thumping talk of Communist takeovers up and down the line.

"Those who know Latin America well know that such an attitude is unrealistically onesided, that it could be dismissed were it not for the harm it is doing to effective policymaking of bureaucrat and businessman alike."

The article points out a number of optimistic trends in Latin America which seldom find publicity in the voluminous material published about the Alliance.

If increased private investment is one thermometer of a progressive alliance, the statistics are encouraging. In a recent Vision article of May 1963, one sees a side of the picture which is seldom publicized:

"Ford is expanding auto production in Brazil, after a recent talk between Henry Ford II and President Joao Goulart. Last year the company showed its confidence in Venezuela's economic and political strength by holding opening ceremonies at its new Valencia assembly plant right in the middle of the Cuban missile crisis and a fortnight after an outbreak of sabotage directed against U.S. companies. A group of U.S. chemical and financial firms is pushing ahead with a $72 million petrochemical project in Argentina despite the chain of crises there. Bethlehem Steel is expanding operations in Chile's politically sensitive mining industry in an effort to broaden its sources of iron ore.

"The list runs on and on. Caterpillar is doubling the size of its Sao Paulo plant, sending in fresh capital to help finance the job. J. I. Case hopes to be building a completely Argentine-made tractor by 1964. Esso, Shell, Phelps, Dodge, Sears are either setting up or expanding shop in Central America. Westinghouse is working with Central American Bank for Economic Integration on an electrical appliance and equipment industry for the area."

Nor is this optimistic surge of investment solely an American venture.

"Exports from the EEC countries to Latin America have jumped more than 60 percent in the last decade, and investment and supplier credits have risen from comparatively low levels to more than $400 million a year. General de Gaulle has made it plain (via a $150 million economic agreement with Mexico) that he considers Latin America the most promising of the developing areas, and indications are that France is about to launch a concerted trade drive in the more industrialized republics. There are also signs that France, by itself or in concert with the EEC, will negotiate tariff cuts with LAFTA and CACOM, something that Latin America has been hoping for ever since the birth of EEC and its attendant threat of tariff barriers against Latin American coffee and other vitally important agricultural exports.

"West Germany is Europe's fastest moving contender in the quest for Latin American markets. Her direct private investments there totaled $300 million by the end of last year, more than 5 times her African investment, and more than 7 times her Asian investment. Moreover, the increase in value during 1962 was on an order of 27 percent, most of it in Brazil and Argentina, the "riskiest" Republics, in the U.S. mind.

"The trend is likely to continue. Mannesmann has announced plans to triple production at its steel works in Minas Gerais. Volkswagen of Brazil is gearing for a multimillion-dollar expansion program that will make it the largest auto maker in Latin America. VW sees the potential small car market that can be created when LAFTA begins to jell, and it is convinced that the stakes are worth the risk. The picture is roughly the same on the Pacific coast. A German consortium will handle the expansion of Peru's Chimbote steel mill; another will build a copper refinery in Chile. * * * Japanese investors are developing thriving shipbuilding and steel industries in Brazil. All told, Japan's Latin American investments run to around $390 million and are growing by about $90 million annually."

Vision again turns the light onto another neglected facet of the Alliance and perhaps the most important—manpower and leadership.

"Very little has been said in the United States, or in Latin America, for that matter—about the new generation of political, academic, church, and business leaders arising in the continent. Most are men in their early forties or fifties; some are younger. All are well educated in the problems of the countries and infused with a sincere desire to do something to improve things. These men are moving to the top now, and as they do, government is getting more capable and business more aware of its responsibilities.

### APPENDIX IV

### HOUSING IN LATIN AMERICA

The need for housing in Latin America is so vast that it can scarcely be measured. The figures vary depending on the source or sources but all are in the millions of new units needed and billions of dollars. One figure that has been put forward—and is as good as any—is the Chase Manhattan's estimate of a need of 12 to 14 million units at a cost of some $10 to $13 billion.

In any event, there is no possibility of an overextension of building within the next few years. The important thing is to concentrate on the reasons for the deficit and on the solutions.

Two common misconceptions about Latin America are: That housing is important for social reasons, only, and has no economic significance; and that there is no capacity to save so that all housing must be government financed or financed from external sources.

This has led, in the past, to little financial aid from this Government, has deterred the establishment of private savings institutions for housing, has helped prevent the investment of private U.S. capital in housing in Latin America, and has led to defeatist attitudes toward the ability of the peoples of Latin America to house themselves.

Nothing could be farther from the truth—on both counts.

It is true that economic development is not the end product, but the means to the end, a higher standard of living and part and parcel of that end result. A partial result of the lack of housing is widespread unproductivity, social unrest, fertile ground for violent political upheavals, and dissatisfaction with the competitive, free enterprise society we are attempting to foster and perpetuate through a program of foreign aid. On those grounds, alone, financial assistance for housing is justified. Nevertheless, housing can stand on its own as a means of fostering economic development.

In the developed countries, social needs aside, homebuilding is an important and integral part of the national economy. The importance of housing to a national economy was recognized by the Congress in 1949 when it declared the national policy at home to be:

"The production of housing in sufficient volume to enable the housing industry to make its full contribution to an economy of maximum employment and purchasing power."

Year after year the relationship between business cycles and the home construction industry has been widely acknowledged. Now, Congress, in the past several Foreign Assistant Acts, has recognized that technical and financial assistance in the field of housing is a proper tool in economic, as well as social development abroad. AID in formulating its housing policy to carry out congressional intent, has, in effect, recognized that consideration must be given to housing as necessary for, and complementary to, industrial and agricultural development, has acknowledged the urbanization effect of economic development and the economic waste of the lack of planning, housing's relation to productivity, housing's contribution to full employment and housing as a means of inducing savings.

Perhaps the clearest justification and most persuasive argument for economic assistance for housing in the lesser developed countries is as an adjunct to industrial and agricultural development, what has been termed the "social overhead"; i.e., roads, power, railroads, etc.

Economic development means new factories and new agricultural settlements. Large movements of people are required in developing countries to man new residential centers. This makes imperative the creation of new supplies of housing to assure mobility and retain labor. New centers of work mean new locations where housing did not exist previously in sufficient quantities or quality to shelter the necessary labor force. Similarly, economic development of sparsely settled countries or areas—as in the case of Israel which I have visited on several occasions—requires planned regional development with new towns and population movements.

Aside from the need to service industrialization, housing is needed to shelter the new town population. Economic development results inevitably in urbanization and in country to town movements On the other hand, urbanization increases the need for a greater emphasis on the supply of housing.

In addition to a housing supply to attract and retain labor, the condition of existing housing can reduce productivity by affecting the physical health and mental attitude of labor. Some economists tend to minimize the effect of bad housing on productivity or assume that a greater relationship exists between productivity and food. It may be that the relative effect is indeterminable. Nevertheless, it cannot be questioned that some relationship does exist.

Housing is, too, one of the most potential markets in a poor country since in such countries housing is most deficient. In developed countries, the home construction industry offers three types of employment; onsite, offsite and tertiary. In the United States, for example, each housing unit provides between 2½ and 3 man-years of employment, one man-year on the job, one man-year in the factories producing building materials, and an additional half to a year in related fields. In countries which are underdeveloped to a limited degree, only, and which have a formal, organized construction industry, as is the case of so much of Latin America, as distinguished from Africa, housing plays as substantial a role in the national economy as in the so-called developed countries. In Chile, for example, construction represents a substantial portion of the entire economy and home construction is the major part of all construction. Some 110,000 persons are engaged in direct construction with another 150,000 persons occupied in producing building supplies. For the 10-year period from 1941–50, site development and homebuilding represented 3.2 percent of the net national product while from 1951–55, the percentage was 3.5.

Actually there is no lack of a market for housing in Latin America. The need exists, of course, but more important, the ability to pay for housing exists provided long-term mortgage money is made available. The essential requirement is long-term credit, a commodity that is lacking in most lesser developed countries. The need, too, is largely for local currency, not foreign exchange, since housing is labor—intensive and abundant labor exists in most lesser developed countries, and indigenous materials are largely used.

With the realization that long-term credit is the key to a solution to a large part of the problem, and, because we cannot expect, with U.S. resources alone, to solve Latin America's housing problem, AID has been concentrating on helping the governments and peoples of Latin America create savings institutions whose sole function is the accumulation of the savings of the many and the channeling of those savings into housing. We have utilized the advice and counsel of public-spirited U.S. savings and loan officials, many known to you, to advise such countries as Argentina, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Jamaica, Nicaragua, Panama, Peru, Uruguay and Venezuela. Their efforts have already resulted in home savings institutions being created in Chile, Dominican Republic, Ecuador, Peru, and Venezuela and the prospects of similar legislation in Argentina, Colombia, El Salvador, and Panama.

The success of home savings schemes, however, requires the impetus of initial capital. Without such initial capital, the slow rate of savings accumulation at the beginning will delay the flow of mortgage loan funds to such an extent that the early use of savings will be retarded inordinately and enthusiasm for saving will wane. Even in the United States, in the early days of Federal savings and loan associations, governmental participation was deemed essential to support initial saving and permit early lending.

We, therefore, have been providing "seed" capital loans for savings and loan institutions initiated with our technical assistance. "Seed" capital loans have been made to savings and loan systems in Chile ($5 million plus a $5-million grant and $1,500,000 of Public Law 480 funds), Dominican Republic ($2,100,000), Ecuador ($5 million), Peru ($9,500,000) and Venezuela ($10 million). Other such loans are contemplated for Argentina and Colombia. These loans are being funneled into the savings and loan system through forms of Federal Home Loan Bank Boards. Generally, these loans are matched by funds of the country involved.

These systems and loans are already bearing fruit. In Chile, as of October 1962, there were 20 private savings and loan associations with 19,000 savers and approximately $16 million in savings. An additional $35 million of savings has been accumulated in the savings department of the Banco del Estado. Some 2,000 loans had been approved for a total of $20 million on an average of approximately $7,000 per loan. In Chile, we suggested a linkage of savings and loans to a wage index to offset inflation. This has been a prime factor in increasing savings and is a technique we are hopeful of introducing throughout Latin America.

In addition to these "seed" capital loans, we have also made loans for direct government action: $12 million to Colombia primarily for aided self-help projects, $400,000 for a union project in Honduras, $2,500,000 to Panama's Banco de Ahorros for relending purposes, $5 million to the Mendoza Foundation of Venezuela and $30 million for slum clearance in Venezuela. Consideration is also being given to housing loans for Jamaica and Uruguay. This means that, to date, over $100 million of AID monies has been committed or under serious consideration for housing in Latin America. Add to this U.S. funds in the amount of $150 million transferred to the Inter-American Development Bank for housing loans and you have $250 million of U.S. moneys being channeled into the home construction and home financing industry in Latin America.

Another form of assistance is the all risk investment guarantee which authorizes AID to guarantee $240 million of U.S. capital invested abroad, against virtually any risk, with $60 million of this $240 million specifically earmarked for housing in Latin America. A subsidiary of Carl M. Loeb, Rhoades & Co., of New York, is making the first housing loan to be guaranteed under this program.

There is a proposal known as S. 582 to create an International Home Loan Bank within the Federal Home Loan Bank Board. This bill, introduced by Senators SMATHERS and SPARKMAN, with a similar bill proposed by Senator DIRKSEN, and by Representative WRIGHT PATMAN in the House, would authorize domestic savings and loan institutions to invest up to 1 percent of their assets in such an International Home Loan Bank which, in turn, could then invest in foreign mutual thrift and home financing institutions and foreign home loan banks. This would provide a potential $800 million for investment in housing abroad. Recently

Senator Sparkman said of this proposal that "a good base can be laid for favorable consideration of the International Home Loan Bank during the coming Congress."

The degree to which housing can aid in the economic development of a country depends, as in the case of other forms of economic development, on the stage of development, on the stage of development of the country concerned. In well-developed countries, housing's contribution to a sound economy and full employment is readily recognized. In more advanced "underdeveloped" countries, i.e., Latin America, a similar argument can be made for the essentiality of housing for industrialization, housing's place in urbanization and housing's contribution to saving and creating an atmosphere of saving. If economic development is to be a balanced program and if political demands and social expectations are to be fulfilled, more attention must be devoted to housing as an economic and social measure.

Mr. MILLER. Mr. President, I send to the desk an amendment and ask that it be printed in the Record and also that it be printed.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table; and without objection, the amendment will be printed in the Record.

The amendment (No. 249) was ordered to lie on the table, as follows:

On page 48, strike out the quotation marks at the end of line 3, and between lines 3 and 4 insert the following:

"(k) In order to encourage preservation of the financial solvency of the United Nations which is being threatened by the failure of some member nations to pay currently their assessments and/or contributions to the United Nations, no assistance shall be furnished under the provisions of this Act (other than supporting assistance under chapter 4 of part I, assistance from the contingency fund established under chapter 5 of part I, and military assistance under chapter 2 of part II), or any other law authorizing assistance to foreign countries (other than military assistance, supporting assistance, or assistance from the President's contingency fund), to the government of any nation which is more than one year in arrears in its payment of any assessment by the United Nations for its regular budget or for peace and security operations, unless the President determines that such government has given reasonable assurance of paying (independently of such assistance) all such arrearages and placing its payments of such assessments on a current basis, or determines that such government, by reason of unusual and exceptional circumstances, is economically unable to give such assurance."

Mr. GRUENING obtained the floor.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure, with the understanding that I do not lose my right to the floor.

Mr. MORSE. Mr. President, I discussed the amendment at some length in my speech yesterday. I cannot accept the proposal of the Senator from Minnesota [Mr. Humphrey] as I have already explained to him. He has been gracious enough to say that he wishes to give consideration to my proposal. I understand that officials of the administration wish to discuss my proposal with me.

The solution I am advocating is not an interference with the President of the United States in the administering of foreign policy. It is the carrying out of what I consider to be the clear duty on the part of Congress to check any administration, Republican or Democratic, in this field. We have a clear trust and duty not to leave this matter for determination by any President, because, eliminating all personalities, if we accept the provision of the bill, we do not do anything to accomplish the objective we have in mind; we merely maintain the status quo.

We have had this problem before, in our disagreement that some of us had with Assistant Secretary of State for Latin American Affairs Martin. His unfortunate article, published in the New York Herald Tribune some weeks ago, did much, I thought, to jeopardize many parts of the bill and it raised this point very clearly. As the Senator from Alaska [Mr. Gruening] has pointed out, apparently the Assistant Secretary of State for Latin American Affairs thinks that there are good military juntas. No such beast exists. A military junta is a beast that devours free governments. The fact that some civilian stooges or facades are put up to give the impression that the military junta will eventually return the country to constitutional government is a bill of goods I will never buy.

In my judgment, the administration ought to welcome my amendment. The administration ought to say, "We would not think of proposing to give support to a military junta on the ground that it is in our national interest, unless Congress agreed."

Any administration should want to present the question to Congress. It should want the support of Congress. It should not want to have written into law a provision that gave it unchecked discretion to support a military junta, without a congressional check.

To my President, I say: "In my judgment, you would perform a great service by giving the American people confidence in the procedures you will follow under the foreign aid bill if you would announce to them that you would like to have an amendment that required Congress to support you in a decision, if you ever found yourself in a position in which you really believed the national interest called for aid to some country whose constitutional government had been overthrown."

The senior Senator from Oregon will not vote for the bill, under any circumstances, if it contains the language of the committee; namely, that it will give us the words, but will give the President the power. I believe the point has been reached where we ought to serve notice on Latin America that we will not give aid to any military junta that overthrows a constitutional, democratic government.

The Senator from Illinois [Mr. Douglas] spoke about Costa Rica. I have received from President Orlich of Costa Rica a message making it perfectly clear that he supports the position for which I stand. The fight I have been making against military juntas is supported, for example, by Muñoz-Marín, of Puerto Rico, and by Jose Figueres of Costa Rica.

Throughout Latin America democratic regimes are frightened about the danger of military juntas taking over. It will not satisfy them if we pass the language of the committee, for they know that in the past, administrations of this Government have supported military juntas within a few weeks after the military juntas have taken over the government.

A few moments ago the Senator from Illinois [Mr. Douglas] spoke about Peru. The Senator knows the position the U.S. Government took with respect to Peru at the time of the overthrow of the Peruvian Government. We announced that we would not support the new Government. We made fine verbal statements and gestures, but in no time the U.S. Government recognized the military junta in Peru.

Assistant Secretary of State Martin refers to that military junta as a good one because of the record it made. It never was a good military junta. It could not be, because it was a beast—a political beast—that devoured a free, constitutional government in Peru. The U.S. Government never should have supported it.

We will not give confidence and a sense of security to democratic regimes in Latin America if we give them only verbal support. They understand our system of checks and balances. The one amendment, and the only amendment, in my judgment, that will serve notice of our sincerity of purpose is an amendment that provides that if there is an overthrow of a constitutional government, and a fact situation develops, or the President of the United States thinks it might be in our national interest to do business with that government, he should obtain the approval of Congress, for it is the taxpayers' money he will be spending. This is an example of a check on the purse strings.

I do not intend to vote for a foreign aid bill without such a check guarantee, whereby if there were an overthrow of a constitutional government, the President of the United States would be denied the power to spend a single dollar of the taxpayers' money in the country of that overthrown government until Congress said, "Mr. President, we have heard your reasons and have decided to support you" or "Mr. President, we have heard your reasons, and we reject them." That is the test of whether the system of checks and balances will be applied in such a delicate situation. This is a situation which, in my opinion, frightens democratic leaders throughout Latin America.

Before the debate has been concluded, I shall read into the Record messages from the leaders of democracy in Latin America, expressing their fear about exactly what has happened in the Dominican Republic and in Honduras. I said yesterday that I was waiting for the Secretary of State to give me the facts concerning the withdrawal of the U.S. mission personnel from the Dominican Republic and Honduras. I am still waiting for it, Mr. Secretary of State. The Senator from Alaska [Mr. Gruening] has also called for the information, and he told me a few minutes ago that he is still waiting for it.

I say from the floor of the Senate this afternoon: "Mr. Rusk, Secretary of State, when are we going to get the information? We want to know how many persons you have withdrawn from the Dominican Republic and how many you have withdrawn from Honduras; who they are; and who are still left there. The inference still is that you are engaging only in a sham withdrawal; that it is only a token withdrawal; and that raises a suspicion among our friends in Latin America that we are only waiting for the storm to blow over, and then, once again, the State Department, in keeping with what I think is the most unfortunate attitude of Assistant Secretary of State Martin, will give the American people another rationale in the form of unsupportable excuses, to the effect: "Well, it is the only course open to us; we have no other course."

We must see to it that we put a check on the administration, so that that cannot be done.

**Mr. YARBOROUGH.** Mr. President, will the Senator from Alaska yield?

**The PRESIDING OFFICER** (Mr. KENNEDY in the chair). Does the Senator from Alaska yield to the Senator from Texas?

**Mr. GRUENING.** I yield briefly, if it is understood that in yielding at this time I shall not lose the floor.

**The PRESIDING OFFICER.** Without objection, it is so ordered.

**Mr. YARBOROUGH.** Mr. President, I point out that Premier Khrushchev has lent aid and comfort to those who favor slowing down the American space program, but we are warned that Khruschev's statement that Russia is checking out of the moon race may be nothing more than a lure and trap to us, in the hope that we will slow down our effort if the Russians slow down theirs.

If the Russians have actually slowed down their effort to reach the moon, the cause is the crop failures in Russia year after year, whereas American agriculture has never been more successful than it is today.

A most perceptive editorial on this subject was published today in the Washington Post. The editorial, which is entitled "Changing the Space Program," reads as follows:

### CHANGING THE SPACE PROGRAM

Plans of the National Aeronautics and Space Administration for a moon landing by 1970 are not fixed, immutable, unalterable and beyond amendment. Good occasion may arise for deferring the target date—or hastening it. Reasons may develop for cutting down the $5.2 billion appropriation authorization, or for increasing it.

There are two reasons given for changing the space program that really do not seem relevant. One is that it should be altered so as to permit the diversion of more funds to research in biology and other sciences. The other one is that the space program should now be scrapped because Premier Khrushchev has disclosed that the Soviet Union is leaving the race to the moon.

This country needs to carry forward a program in outer space that will push its technology forward at a sound and rapid rate. The fact that we land a man on the moon is far less important than the fact that in trying to do so we are giving a focus to a vast expansion of scientific and technological knowledge. When we have that knowledge in hand, we may choose to use it to accomplish a different objective, or many different objectives. As a result of the lunar landing program we will have acquired by 1970, if not the capacity to actually land a man on the moon, a facility in the whole gamut of space science that otherwise we never could have acquired.

We need to go forward with the conquest of space. That need is not altered, diminished, expanded or increased, or influenced in any way by the equally valid needs of science that arise in other fields. The existence of the moon program is no excuse for neglecting the biological sciences, or social objectives of other kinds. These are absolute needs, too. We are not in an either/or predicament.

Apparently, the Soviet Union is in a position where it must choose. The anguish with which this choice to get out of the race to the moon has been made is suggested by what Soviet leaders have said in the past. Last August, in a speech on the exploits of Titov, Khrushchev said: "The exploits of our cosmonauts reflect the great achievements of our economy, science, and technology. They demonstrate the great advantages of the Socialist system."

Pravda, exulting in Soviet space achievements, said in March 1961, that "the successes of the Socialist state are, figuratively, a multistage rocket which will unfailingly put all peoples into the orbit of communism."

Soviet superiority, said Marshal K. A. Vershinin, chief of the Soviet Air Force, "is not a temporary advantage * * * but is a constantly active factor in the superiority of our Socialist country over the capitalist countries."

Red Star, in February 1961, said the launching of a rocket toward Venus represented "one of the graphic proofs of the Socialist system's incontestable superiority over the capitalist system."

The opportunity to make similar boasts about an early moon landing is one that the Soviet Union will forego with great regret. We cannot even be sure that they have foregone that opportunity. In any case, the U.S. Government can hardly devise an accordionlike program, involving hundreds of thousands of people, that can be altered and amended from week to week to fit the fluctuating declarations of Premier Khrushchev's intentions. We need a space program that fits our intentions and not his intentions, or professed intentions.

This country needs to go forward into the space age. In that age, every town and city and village will become a port upon that great sea which is the sky. This circumstance will bring about an alteration of the horizons of all mankind. It will put into the hands of mortals greater power than they ever have possessed to shape their own environment. The vision of this future world has illumined the minds of young people, thrilled them with the possibilities of this new epoch in man's destiny, awakened their interest and excitement in the advancement of all human knowledge. We have entered a new age of scientific exploration and conquest. We must proceed in it without vacillation, doubt or fluctuations of faith dependent on alternative claims upon our genius and resources or the varying emotions and intentions of rival powers.

Mr. President, I also wish to call attention to an article entitled "The Moon Race: Go or Not, the Cost Will be About the Same." The article, written by Howard Simons, was published today in the Washington Post; and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### THE MOON RACE—GO OR NOT, THE COST WILL BE ABOUT THE SAME

(By Howard Simons)

Whatever official Washington finally decides about the moon race—to go or not to go, or to slow down—the cost will be roughly the same.

It has been estimated that the U.S. moon program will cost $20 billion.

But even before Soviet Premier Nikita Khrushchev took his nation out of the race—temporarily, at least—American space agency officials were telling Congress this wasn't really so. The point that National Aeronautics and Space Administration officials were making was that the manned lunar landing, itself, will cost between $1 billion and $3 billion.

The rest of the $20 billion is earmarked for big-rocket boosters, launching pads, technical and scientific know-how, unmanned exploration, and tracking stations. And, these will be needed whether Americans travel to the moon's surface or not.

Doubt has been expressed in some quarters that NASA will be able to get Americans to the moon in this decade and for $20 billion.

Informed sources yesterday said that in recent weeks NASA officials have reappraised the moon program in the light of rising costs and schedule slippages. Their conclusion: the moon effort will not cost more than $20 billion and the 1970 target date still looks good.

To meet both the fiscal and the calendar goals, however, will require some program changes. These are now being made. Though the informed sources would not comment on the nature of the program adjustments, they did say the changes will be announced soon.

Unless the United States wants to abandon space exploration altogether or leave space superiority to the Russians, there seems little value in abandoning the manned lunar landing.

This is the view of many space experts who hold that the manned lunar landing, in spite of all the attention focused upon it, has been merely a symbol.

But because of this symbol, the United States is now racing to build bigger boosters than the Russians have thus far demonstrated. Unless this development continues, the Russians will continue to dominate space.

Moreover, in the view of these experts, although the pace of the U.S. space program has been set by real political needs, the ultimate objectives have always been there. Thus, there are military and scientific and practical applications of space near the earth. And beyond the moon there are the planets.

In effect, what these experts maintain is that with or without Soviet sputniks, Americans would have wanted to explore the heavens. The only question is whether to do it in a hurry.

Slowing down NASA's effort to get men to the moon within this decade brings as much horror to many space experts as does the suggestion of abandoning this goal outright. This is so because they say that it will cost the American taxpayer more to slow down than to keep on a steady pace.

NASA officials estimate that a slowdown in the sense of chopping a few hundred million from their budget request this year would raise the total cost of Project Apollo $2 to $3 billion. Not everyone agrees with the NASA officials.

But few persons argue with the notion that a slowdown or stretchout would cost the moon program some of its best scientific and technical talent, who would quit to seek other jobs.

Mr. FULBRIGHT. Mr. President, let me ask whether the Senator from Texas can tell us how much NASA is spending in Texas.

Mr. YARBOROUGH. I do not have in mind the exact figure, but the amount is a sizable one—although not as much as NASA is spending on research in California. As Senators know, 48 percent of all the research funds are spent in California. Furthermore, the amount being spent in Texas is not as great as the amounts being spent on the launching pads in Florida or the amounts being spent on the sites in Louisiana. However, Texas is among the four or five leading States in terms of the amounts being spent on research. In view of the research laboratories being established in Texas, I believe Texas will be among the leading four or five States.

Mr. FULBRIGHT. The NASA budget request was $5.7 billion. Would the Senator from Texas say that one-fifth of that is to be spent in Texas?

Mr. YARBOROUGH. No, because much of that work is subcontracted, as Senators know.

Mr. FULBRIGHT. The contemplated NASA expenditures in Texas would not have anything to do, would they, with the position of the Senator from Texas in regard to the U.S. attempt to reach the moon?

Mr. YARBOROUGH. Mr. President, the opinions of more than 10 million people in Texas would have something to do with my opinion in regard to that matter; but I would have great qualms about that program if I thought it would result in stopping research. However, the Washington Post article which I have had printed in the RECORD states that this is not an "either or" proposition, but that if research, including research in the biological sciences, were to be stopped, that would be a matter of grave concern.

Mr. FULBRIGHT. But the Senator from Texas knows that NASA has already hired a great majority of all the available scientists in this field, and scarcely any are left for use by the industries and the universities.

Mr. YARBOROUGH. Yes; but I point out that the effort to reach the moon will use only a small part of the total number available for scientific research, and the expenditures for landing on the moon program will involve only a small part of that total. The greater part of the research is in regard to space, about which we need to know, in any event—in connection with weather developments and modifications, and many other programs.

The research as to the kind of vehicles we can land on the moon and as to how man can live on the moon is only a small part of the total amount of research. The overwhelmingly large part of the research—approximately 80 percent, I believe—is on space exploration, as such, as distinguished from making a landing on the moon; and we need this space research, because of its effect on many other branches of science and many other effects on human life and environment, including pollution of the atmosphere and pollution of the space above the atmosphere. Many other important developments and programs are involved; and the cost of the effort to reach the moon is only a small part of the total.

Mr. President, I thank the Senator from Alaska for yielding to me.

Mr. GRUENING. Mr. President, last week the distinguished Senator from Arkansas [Mr. FULBRIGHT] made in the Senate a most important and impressive address in which he stressed the importance of our having priorities in connection with our Federal expenditures. He pointed out that there is a great shortage of educational facilities, classrooms, teachers, and also there are many unemployed, and that there are perhaps no more important programs or efforts than those in connection with education—not even the effort to reach the moon. I wish to say that I fully agree with him. I think it is extremely important that we take care of the necessities of mankind on this planet before we start reaching for the others, with which we can deal in due time.

Mr. YARBOROUGH. Mr. President, will the Senator from Alaska yield again to me?

Mr. GRUENING. I yield.

Mr. YARBOROUGH. As a member of the Educational Subcommittee, I have been a coauthor of most of the educational bills introduced in the Senate during the past 5 years. They include the National Defense Education Act of 1958. I thoroughly agree with the Senator from Alaska that we should make a real effort to provide Federal aid to education. I do not think the moon program or any of the other programs has slowed up the efforts to provide Federal aid in the field of education.

The Senator from Alaska knows that many people oppose the provision of Federal funds for education, on the theory that that program would infringe on their control, and on many other grounds totally unconnected with the cost involved in the effort to reach the moon. If I thought the program to reach the moon would slow up education in the United States, I would not advocate a continuation of the moon program. But the editorial and the article I have just now placed in the RECORD show that we are already so greatly committed to the effort to reach the moon that, in the long run, there will be little change in the cost, regardless of whether at this time any changes in that program are made, because the scientists are already employed and the money is being spent.

I thoroughly agree with the Senator from Alaska that we need to increase our efforts to have the Federal Government provide adequate aid to education. During the previous Congress, the conference between the House and the Senate on the aid-to-education bill bogged down, for the House would not agree. The House has said, both last year and this, that scholarships are among the things most needed. I honor the Senator from Arkansas [Mr. FULBRIGHT] for the Fulbright exchange plan and for his leadership in the field of education. Many scholarships should be provided.

In connection with the National Defense Education Act of 1958, the effort to make provision for scholarships lost by a margin of only two or three votes on the floor of the Senate. Loans for fellowships are provided for; but we should have 7,000 fellowships a year—that many people working on their doctorates, with grants from the Federal Government. We now have 1,500 a year—only a small beginning.

I favor all these educational programs—a great Federal "crash" program for education. I do not think the space program is the cause of our failure to provide Federal funds for education. The issue of Federal funds for education has been fought over for 20 years or so—long before the moon program was even thought of. Yet we still find the same objections being made—although they have been made for decades—in an attempt to prevent Congress from undertaking a real aid-to-education program.

I thank the Senator for his interest.

Mr. GRUENING. We all recognize that the Senator from Texas has been a stanch supporter of all forms of education. He has even gone beyond the administration program in urging an important piece of proposed legislation of which I am happy to be a cosponsor—the cold war GI bill—which would extend to young men who are drafted the same educational or similar educational opportunities to those that were afforded to veterans of World War II and the veterans of Korea.

But the issue that I believe was raised by the Senator from Arkansas was that, after all, we have only a certain amount of money to spend on all of our needs. If we are going to spend $5 billion annually on the space program, it is inevitable that some other domestic needs will be neglected. I share the view that we could take one or two of those billions of dollars and put them into education, into accelerated public works, and into measures which would put our unemployed to work and train those who are not adequately trained in order that they may obtain jobs. That would be more important than to have a target date for reaching the moon.

Let us suppose that we reach the moon in 1980 instead of 1970. Is the earlier date and its additional cost in billions of dollars comparable in importance to the needs of the people on earth? That is the point that I believe the distinguished Senator from Arkansas was trying to make—a view which I share.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a statement at that point?

Mr. GRUENING. I yield.

Mr. YARBOROUGH. One of the frustrations that I am sure I share with the Senator from Alaska is that it is easier, relatively, to get money for foreign aid, a trip to the moon, or vast expenditures amounting to $48 to $50 billion, than it is to get a smaller amount of money for domestic improvements in our country.

I am coauthor—and I am certain that the distinguished Senator from Alaska is also—of the Youth Conservation Corps bill—700,000 youths between the ages of 16 and 21 who are unemployed and not in school will remain dropouts because their educational attainments are so small. They could be made productive members of society if we had the equivalent of the old CCC to work with. The bill passed by the Senate has gone to the House and has there bogged down.

The Senate has passed a program related to water research. The senior Senator from New Mexico [Mr. ANDERSON] has led the fight for water research and the purification of water in our country. We are reaching the stage of water scarcity all over our country—even on the Atlantic seaboard.

Such programs cost little compared to the defense program. They cost less than the proposed trip to the moon. Year after year these programs have been urged. Session after session we have urged action. We pass the bills, they cross the center of the Capitol, and then they die.

We need those programs. I do not believe the program for the exploration of space is slowing our domestic programs. The domestic programs are slowed by inertia at home. There is an unwillingness to explore. I have sat as a conferee in conferences with Members who have said, "I will not spend any more for new programs." We would still be vassals of England if that attitude had prevailed in the Continental Congress. It is distressing that so many of these things are needed on the domestic front. It is not the exploration of space that slows them up; it is the inertia of the human mind that influences people to be reluctant to embark on a new program when the need is so patent.

The Youth Conservation Corps program is not new; the GI bill is not a new program. They represent the most successful programs for young people that our country has ever had. Yet we cannot continue such programs.

The need for water research is patent everywhere—certainly everywhere west of the Mississippi River. It is far more difficult to get a little money for many programs of that kind than to get a great deal of money for foreign aid or space exploration. Whether my views on space exploration are accepted or not, I am for those programs, and I shall fight diligently and as long as necessary for each of those needed domestic programs, particularly those in the field of education and public health.

## FOREIGN AID REFORMS ARE NEEDED NOW—NOT LATER

Mr. GRUENING. Mr. President, I rise to commend the able and distinguished chairman of the Senate Committee on Foreign Relations and his colleagues on that committee for the truly excellent report they have filed on H.R. 7885—the foreign assistance bill.

Time and time again in its report the committee is frank in pointing out areas where the foreign assistance program literally cries out for changes.

For example, on page 5 of the report, the committee states:

> The committee is less impressed with the case made by the executive branch for the maintenance of U.S. AID programs, even on a small scale, in virtually every underdeveloped country in the free world and in a few developed or relatively developed countries. The committee sees little merit in aid programs whose sole or major justification is the maintenance of a U.S. "presence" or the demonstration of U.S. interest. It is equally unenthusiastic about aid programs, both military and economic, whose major purpose is to provide an alternative to Soviet-bloc aid.

Mr. President, these words of the Foreign Relations Committee are long overdue. So are the words contained in the report further down on the same page:

> Specifically, the committee believes that countries which can take care of themselves should be eliminated from the program, that even more selectivity among countries should be introduced.

This is what I—and a small group of my colleagues—have been urging for years now.

The committee's report is replete with similar instances of deep soul searching by the committee as it studied the foreign aid presentation for fiscal year 1964.

Thus on page 8 the report states:

> The committee hopes through this amendment to avoid situations in which loans are made for projects beyond the technical and managerial capacities of the borrowing country.

And again on page 10 the committee stated:

> No program of technical assistance shall be undertaken in the absence of a prior commitment by the recipient country to accept responsibility for the continuation and financing of the program at the end of a period of not to exceed 7 years unless the program is scheduled for earlier completion.

In my report to the Senate Committee on Government Operations of a study of U.S. aid programs in 10 Middle Eastern and African countries, I stated:

> In the 10 countries studied, in the fiscal year 1962, there were 218 separate technical assistance projects on an almost unlimited number of subjects. There were in addition projects for which development loans were made, as well as local currency loans. Since they involve so many diverse subjects, it is a physical impossibility to make certain that their execution is efficiently carried out. We are thus scattering our aid as though from a shotgun rather than concentrating more effort on the fewer projects that need more aid now.

Copies of my report are available in the cloakroom.

It is to be noted that in its excellent report, the Clay Committee recommended a maximum period of 7 years for technical assistance projects—as did the Senate Committee on Foreign Relations—but the Clay Committee went further and stated that 3 years should be the average for such projects.

At least, however, the Senate Committee on Foreign Relations has made a beginning in this area.

With some of the other recommendations of the committee, I find myself in agreement. However, on some I find myself in total disagreement with the committee.

Thus beginning on page 6 the committee seems to be urging a wider delegation of lending authority to international development agencies. In theory this may lead to objectivity. But I cannot support the suggestion since it also leads to a further dilution and possibly a renunciation of congressional responsibility and the turning over to an international agency the responsibility for lending and spending U.S. dollars. This could be an abdication of the constitutionally prescribed responsibility of the Congress. I could never support that.

Again on page 9 the committee supports increased development grants to Africa. This recommendation I cannot support. The Clay Committee has rightly pointed out that the primary responsibility for the economic development of the African nations should rightly rest on the former colonial powers. I support the Clay Committee recommendation, and in this case not that of the Senate Foreign Relations Committee.

On the same page the committee supports increased development grants for the Near East. Having just completed a detailed study of our assistance programs in 10 Middle Eastern and African countries, I can categorically state that with the exception of Tunisia and Jordan our economic assistance programs in those countries should not be increased. At least that is my view, which I believe I amply document in my report.

On page 11 the committee states that the American-sponsored universities in Beirut and Cairo are "spreading American ideals and culture." This statement I dispute. From the study I have made I would be more inclined to state that these two universities are spreading not American ideals, but the ideals and thinking of President Nasser. I think that no further increase in funds for these universities should be made until we are assured that there is full academic freedom on its campuses. I object to spending U.S. tax dollars to spread Nasser's particular concepts of history and politics.

On the other hand I commend the committee most highly for its amendment authorizing the use of research funds for population control studies. This too is a long overdue amendment. We cannot sit idly by while the population explosion nullifies whatever economic gains are brought about by our aid.

The committee should also be commended for its addition of fish products to the list of Public Law 480 products. As I have pointed out in the past, the use of fish products to feed the hungry peoples of the earth offers a great potential new food source. If we could but overcome the stubborn resistance of the Food and Drug Administration to the use of protein concentrate we would make a further gain in discovering new food sources.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. DOUGLAS. I say "amen."

Mr. GRUENING. No one has done more to promote the use and acceptance of fish flour, fish protein concentrate, than has the distinguished senior Senator from Illinois. I hope that his efforts will be successful in respect to having the agency which controls this matter change its policy.

In the days ahead, as we debate this most important bill, I shall have occasion to point to other sections of the Foreign Relations Committee report, which makes well-merited recommendations for improvements in the U.S. aid program. The ones I have already pointed to should serve to illustrate the high caliber of the report. However, Mr. President, the time is long past when the Senate can, year after year, continue to denounce the manner in which the U.S. AID program is administered, when instance after instance of shocking waste in the U.S. AID program is brought to our attention, and yet continue to authorize appropriations at just about the level requested by the President.

This year is no exception.

In my opinion, the amount authorized for this program in the other body is more than sufficient to carry on this program richly. We shall gain no friends by being profligate. We shall only lose the respect and confidence of the other nations throughout the globe. The action by the Senate Committee on Foreign Relations in raising the total amount to be appropriated for the U.S. AID program to within $302 million of the amount requested, after correctly pointing out where savings can be made by tightening the program, is not only extremely disappointing, but also a negation of the committee's sound pronouncements. It is a case of not suiting the action to the word.

With all due respect to the committee, it should have started with the figure authorized by the other body and taken a hard look to see how much lower it would be if the committee's recommendations were carried out.

With foreign aid being dispensed in 79 countries, but with 80 percent of it concentrated in only 20 countries, the time has come to take a good hard look at our U.S. AID program in the other 59 countries and ask ourselves whether our aid program is really necessary to each and every one of those countries. Are we really doing our image any good in those countries, or are we doing it more harm than good? Are we really achieving something there in behalf of U.S. security and world peace—the long-presumed major objectives of our program?

We need to ask ourselves those questions and give ourselves honest answers, because U.S. economic and military foreign aid has in the past 16 years become part and parcel of our foreign policy.

In the days before the advent of these programs, the arsenals of U.S. diplomats abroad consisted almost entirely of their own diplomatic skills, their powers of persuasion, and the logic and soundness of the point of view they sought to convey. There was, of course, for an unfortunate numbers of years, our use of gunboat diplomacy in Latin America, but that has, happily, come to an end. I am glad that, as a journalist and later as the adviser to the U.S. delegation to the Seventh Inter-American Conference in Montevideo in 1933, I played a small part in bringing about this desirable reversal of previous U.S. policy.

The role of the Congress prior to the advent of the AID programs was essentially a negative one. Both Houses passed on appropriations to support the embassies and their staffs abroad. Under the Constitution, the Senate was given the role of advising and consenting to treaties negotiated by the executive branch. Essentially this latter function is a negative function, even granted the power to attach reservations to a treaty.

But this role of the Senate was not always thus confined or conceived.

Initially our Founding Fathers intended that the major role in foreign relations should be carried on by the Senate itself. The President's role was intended to be minor.

As a matter of fact, as originally reported to the Constitutional Convention on August 6, 1787, the treaty clause of the proposed Constitution made no provision whatsoever for any participation by the President in the treatymaking process. The clause read:

> The Senate of the United States shall have power to make treaties, and to appoint ambassadors, and Judges of the Supreme Court.

The exclusion of the President from the treatymaking process was urged by those who felt that, because treaties became, under the Constitution, the "supreme law of the land," the treatymaking process was basically a legislative function and should be entrusted to the Senate.

The provision in the Constitution giving the President a role in the treatymaking process is a unique clause. The President is given the power "by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur."

It should be carefully noted that the Founding Fathers intended the Senate's advice and consent to be a continuous process from the beginning to the end of the treatymaking process.

Thus Hamilton wrote in the Federalist—No. LXXV:

> The history of human conduct does not warrant that exalted opinion of human virtue which would make it wise in a nation to commit interests of so delicate and momentous a kind, as those which concern its intercourse with the rest of the world, to the sole disposal of a magistrate created and circumscribed as would be a President of the United States.

Years later—in 1818—Rufus King, who had been a member of the Constitutional Convention and who held the seat in the Senate now occupied by the able and distinguished senior Senator from New York [Mr. JAVITS] said on the floor of the Senate:

> In these concerns the Senate are the constitutional and only responsible counselors of the President. And in this capacity the Senate may, and ought to, look into and watch over every branch of the foreign affairs of the Nation; they may, therefore, at any time call for full and exact information respecting the foreign affairs, and express their opinion and advice to the President respecting the same, when, and under whatever other circumstances, they think such advice expedient.

As the years went on, the power of the Senate gradually was eroded. But now times are different. Foreign aid impels each and every Senator to consider the conduct of our foreign policy his business and responsibility, for he is called to pass judgment on the utilization of large sums—huge sums—of U.S. dollars to be given to one nation, to be withheld from another, to be loaned to still another.

This power must be jealously guarded and carefully exercised. It is every bit as important as the Senate's role in approving treaties. In some respects it can be said to be an even more important function, for its actions on treaties are perforce such as to amount to coming in at the landings—approval of the foreign aid program in advance means that the Senate is coming in at the takeoff.

Let us take the time to do the job right and thoroughly.

During the course of the debate on the foreign aid authorization bill, I shall offer a number of amendments designed to strengthen the foreign aid program. Some of these I have submitted already. Others I shall offer in the days ahead.

Today, I shall confine myself to discussing the sums of U.S. dollars involved in the House-passed bill as opposed to the amounts involved in the Senate committee amendment.

I believe the amounts added by the Senate are a grave mistake. One of the biggest problems besetting the foreign aid program over the years has been its lack of selectivity. Thus, in the 10 Middle Eastern and African countries I studied in fiscal year 1962, there were at least 218 separate projects. Surely in the interests of efficiency some of these projects—many of which have been going for more than 10 years—could be eliminated and millions of dollars saved.

I suggest, therefore, that we reject the committee amendment without prejudice to the amendments being brought up one at a time and each considered on it merits.

The Senate committee has, for example, increased title II development grants and technical cooperation from the House-granted figure of $217 to $225 million—an increase of $8 million. In the light of all these reports about doing too much for too many too fast, is that $8 million necessary or can the program work as well without it?

The Senate committee, as another example, has added $25 million to the contingency fund, making it $175 million. I cannot, Mr. President, conceive of a genuine emergency arising of sufficient importance that could not be stemmed sufficiently by the President using $150 million until the Congress can increase that fund. Is the added $25 million really necessary? The committee states that in 1962 it was necessary to transfer $275 million from the military assistance fund to the emergency fund. In 1963 the amount appropriated was more than was needed.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. GRUENING. Indeed, I yield.

Mr. FULBRIGHT. I merely want to make the record clear that the Senator is comparing these figures with the House figures. He is not comparing them with the administration's request, because in each instance which the Senator has mentioned the committee cut the recommendation of the administration. Is that not correct?

Mr. GRUENING. I know what the chairman states is so.

Mr. FULBRIGHT. Let me for the record state that originally the administration proposed to request approximately $4.9 billion. After the Clay report was published, the administration revised the request to $4.5 billion, in round numbers. They are not the exact figures. Again in round numbers, the committee cut that amount another $300 million, to approximately $4.2 billion. So it depends on how one is presenting the figures whether it is an increase or a decrease. We say in the report that we decreased the administration's request by $300 million.

Mr. GRUENING. I welcome the comments of the chairman of the committee. I applaud the action of the committee in having reduced, in limited degree, the estimates of the bill presented to it, but I shall endeavor to point out how we could effectively save more money and improve the program.

Mr. FULBRIGHT. Let me add to what I have said, that it is no secret, it is the universal practice, without exception, that in going to conference with the House, the amount is still further cut. The Senator knows that.

Mr. GRUENING. I have a feeling we should not count on what may happen, but should act on the basis of what we think should be done.

Mr. FULBRIGHT. It is not a question of "may happen," I say with due deference; it has always happened, and is bound to happen again.

Mr. GRUENING. As another example, take the increase of $300 million for military assistance. The House authorized $1 billion—the Senate committee increased it to $1.3 billion. We could save about $125 million by the adoption of the amendment which I have introduced to stop military assistance to Latin America. I am certain that a military assistance package of $1 billion as approved by the House will suffice.

This is what I mean, Mr. President, by full debate. Let us not adopt the committee amendments. Let us work with the House bill. Then let us add to it those amendments which one by one can be brought up by the committee and the Senate be permitted to work its will.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. PROXMIRE. Does the Senator plan to object to the usual unanimous-consent request that the committee amendments be treated en bloc and that the bill then be treated as original text?

Mr. GRUENING. Yes; I shall object on my own account and for the Senator from Oregon [Mr. MORSE].

Mr. PROXMIRE. I have done that before. I think in this particular case, when there is substantial sentiment for something like the House bill, and when each amendment should be discussed carefully and thoughtfully, that is a logical way to achieve that objective. I think it is not in any sense obstructing or slowing down the process, because as I understand, we would have an opportunity to take up each amendment and go back to the House bill. So what the Senator is suggesting is constructive and will not delay the Senate.

Mr. GRUENING. Both on behalf of myself and the Senator from Oregon, who has been obliged to leave for another commitment, I shall object to any unanimous-consent request on the bill at the present time.

Mr. PROXMIRE subsequently said: Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure.

Mr. PROXMIRE. The Senator has made an excellent statement. The reason I am asking the Senator to yield is that I was in error a few minutes ago when I discussed amendments to this bill. An entirely different procedure was used on the Senate amendments yesterday than the one that is often followed in the Senate. Instead of reporting a series of amendments, the committee reported one committee substitute. The usual procedure is to have the committee amendments considered en bloc. For that purpose it is necessary to obtain unanimous consent. In connection with the procedure that was adopted yesterday, no objection is in order. It was made clear by the Vice President and other Senators who were on the floor at the time that the procedure adopted yesterday was a perfectly proper and appropriate procedure. The reason I rise at this point is that I wish to correct the erroneous impression I left in the record a few minutes ago, when I indicated that I thought unanimous consent would be required to treat the committee amendments en bloc.

Mr. GRUENING. That was a highly technical parliamentary question. In reading the RECORD this morning, I found it not too easy to understand fully the reasoning of the Vice President, as suggested by the Parliamentarian. However, I believe our objective certainly is to have every amendment fully discussed, and not to be confronted with an accomplished fact. This is far too important a subject to be decided in an offhand manner, a situation in which millions of dollars and fundamental policy are involved.

Mr. PROXMIRE. The Senator is underlining the point that I have tried to make. All amendments are in order. Any Senator may offer an amendment without objection being in order. Any section of the amended bill may be amended.

This was one of the few times, certainly in my 6 years of experience in the Senate, when a committee had made a series of changes in the bill and submitted to the Senate a single substitute amendment, instead of reporting several amendments to be treated en bloc. But I understand the Senate Foreign Relations Committee has done this quite often.

Mr. GRUENING. I thank the Senator.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. FULBRIGHT. For the information of the Senator from Wisconsin, I should like to say that I have checked with the chief of staff of the committee, and I am informed that the procedure followed yesterday has been followed every year but one during the 6 years that the Senator from Wisconsin has served in the Senate. That procedure was followed in at least 5 of those years. It is not a devious plan to deceive Senators. It is a simpler way to do it that way than the other way.

Mr. PROXMIRE. I did not have any notion that anything devious was being done.

Mr. FULBRIGHT. That is the usual procedure.

Mr. PROXMIRE. The reason I raised the point was that in connection with most bills—although it is indeed different with foreign aid authorization bills, and I am sure that the Senator from Arkansas is absolutely correct with respect to foreign aid bills, and that it must have been handled in this way in 5 of the last 6 years—on most other bills, however, I am sure he will agree, when a number of changes have been made in a House bill, the committee reports the changes to the Senate in the form of committee amendments, which are treated en bloc. I see no objection to the procedure that has been followed here. It is a perfectly proper and desirable method of procedure. In fact, it is probably more efficient.

Mr. GRUENING. Mr. President, as for money, I can make certain suggestions as to how the sums recommended by both the House and the Senate committee can be further reduced.

In Brazil, because of the chaotic conditions there, we could save at least $172.3 million by stopping aid there. Brazil represents perhaps the most flagrant example of unwillingness to make itself eligible for U.S. aid under the Alliance for Progress program. It has welshed on every promise of reform. We have poured $2½ billion into that rich country and there is next to nothing to show for it. Yesterday morning's New York Times, in an editorial, points out clearly the long overdue and repeatedly urged need for fiscal reforms in Brazil. Until those reforms are made, we should stop all aid to Brazil.

But of course we are not stopping all aid to Brazil, however overwhelming the evidence that we should do so. In this morning's Washington Post I saw a little item on an interior page headed: "AID Project in Brazil," which says:

> The Agency for International Development has authorized an Alliance for Progress grant of $130,000 to send three engineer-technicians from the U.S. Bureau of Reclamation to assist in the development of hydraulic works in northeastern Brazil and to train Brazilians in that field.

Mr. President, just what does this mean? Is this the beginning of plans for a multimillion dollar hydroelectric program? Are we planning to create a Tennessee Valley Authority in Brazil? Are we contemplating one or more multimillion dollar power dams for Brazil? Certainly this item is highly suggestive, and I think it might be well if our Foreign Relations Committee, our Government Operations Committee, and our Appropriations Committee looked searchingly into what this entering-wedge of Bureau of Reclamation officials to assist in the development of hydraulic works in northeastern Brazil and to train workers in that field, signifies.

Unfortunately, the history of our foreign aid has been one of making far-reaching entering-wedge commitments which may look innocent and praiseworthy enough at the time but ultimately results in our expenditure, often wasteful, of millions, tens of millions, and hundreds of millions of dollars. The mere fact that in the face of Brazil's record of broken promises and failure to straighten out its chaos, we are continuing foreign aid in any form is most disturbing.

In oil-rich Libya—which no longer needs our aid—let us stop the program and save $12.5 million there.

The Dominican Republic and Honduras are already cut from economic and military aid, saving $51.7 million and $14.4 million for a total saving of $66.1 million.

Let us stop aiding aggressor nations such as Indonesia and Egypt which cause neighboring countries, also receiving U.S. aid, to spend money for armaments rather than economic development. We could save $140.9 million and $198.7 million for a total of $339.6 million.

Why should we continue to pour money into unstable Syria which also seems determined to build up their military might. We could save $400,000.

Prosperous Europe can well afford to increase its military and economic expenditures by $899.1 million to save the U.S. aid program that amount.

Algeria and Morocco are now bent on wasting their energies and our moneys on a war threatening to spread into world conflagration. According to press releases, Egypt's Nasser—made bold by our support of his actions in Yemen—has sent military forces to add fuel to the flames of the Algerian-Moroccan conflagration. Stopping aid to these two nations would save us $154.6 million.

The Argentine situation is at the present time so unstable—despite the statements that there have been elections there—that it would be well worthwhile to halt further aid to that country until it is politically on that sound basis so essential for economic development. If aid to Argentina were stopped we could save $156.5 million.

These few countries, where it is obvious that our money is either not needed or being wasted, received in fiscal year 1963 the grand total of $1,801.1 million.

Think of it—nearly $2 billion.

This amount should be unhesitatingly cut from the appropriation authorization.

To recapitulate, Mr. President, the following sums could be cut from the foreign aid authorization bill on the basis of fiscal year 1963 obligations:

| | *Million* |
|---|---|
| Brazil | $172.3 |
| Libya | 12.5 |
| Dominican Republic | 51.7 |
| Honduras | 14.4 |
| Indonesia | 140.9 |
| Egypt | 198.7 |
| Syria | .4 |
| Europe | 899.1 |
| Algeria | 79.6 |
| Morocco | 75.0 |
| Argentina | 156.5 |
| Japan | 67.8 |
| Total | 1,868.9 |

Those of us who are in favor of foreign aid—who realize how vital it is to the nations of the free world—can do most for that program by transforming it into a program using a rifle approach rather than a shotgun approach.

Those friends of the foreign aid program who take the attitude that the smallest criticism of the program—however justified—is sacrilegious are doing the foreign aid program a real disservice.

And the time to improve the program is now—not next year. It is always next year with the foreign aid program—and it has been next year for years and years past.

How can we defend voting huge sums for a program which reaches into at least 79 nations all over the globe and stands ready apparently to come into any newly formed country right on the heels of the proclamation of independence. There is no rhyme or reason for our being in Africa with thousands of men and women flitting around from one newly independent country to another offering our economic assistance and plans and program even before the new government can take office and stabilize itself, as we have also done in British Guiana, to our sorrow.

Mr. President, I would rather aid the unemployed Negroes of the United States than the Negroes of Africa. I would rather spend our funds in putting our fellow Americans without jobs into gainful employment. Our accelerated public works program is out of funds while countless good projects are processed and waiting. They should have priority over increased aid to Africa.

There is one question I wish answered by those who say that a U.S. "presence" is necessary and therefore an aid program is needed in a particular country. That question is: How was diplomacy conducted abroad by our able diplomats in the days before aid? It seems to me that our diplomats were doing pretty well generally without the use of vast sums of U.S. funds. Let us stop using dollars to take the place of shrewd intelligent diplomacy geared to farsighted policies and objectives.

I should like to amplify briefly the point I have tried to make in my speech, which is that we have been confronted in the last 15 years with an entirely new basic fact in foreign policy. Prior to that time it was assumed, under the Constitution, that the President made foreign policy, and that in certain limited fields, such as in treatymaking, the Senate advised and consented. We are now confronted with the new and unprecedented situation that millions of dollars are used as an instrument of foreign policy through our foreign aid program. Of course Congress is responsible for the appropriation of funds. Therefore the House and the Senate have a new duty and a new responsibility, which did not exist before, to inject themselves much more vigorously into the foreign aid program.

We have a right to study and to know where our U.S. dollars are going, and whether they are being used wisely. I sought to point out that there were a number of specific countries where, in my judgment, we could properly withhold foreign aid from countries until certain interval reforms were made, and from countries which engaged in aggressive warfare.

I prefer that approach to the blanket approach of the House of Representatives, of cutting off large sums of money without specifying where or why. I have in mind specific countries—and have named them—from which we could cut off our foreign aid. I hope that in the course of the debate those countries will be discussed individually. I believe it is a mistake to give foreign aid regardless of a country's failure to make reforms and regardless of whether it is engaged in aggressive warfare and misusing our aid in this manner. If we follow such a policy we will not have, in my opinion, a successful foreign aid program, a program that will be useful.

I believe that foreign aid is desirable. It has been a necessary program. I think the Alliance for Progress was an inspired idea. However, it has not worked as it should because we have not insisted on a quid pro quo, as we have the right to insist.

It has been said that when we go into a foreign country and say to it, "You must do such and such," we are interfering with the sovereign right of a government. I do not share that view when we are giving that country our financial and other aid.

No country is obliged to accept foreign aid. Any country can reject it nor is there any obligation for the United States to give aid to any country. However, we have a right to say to a country, "You need not accept our foreign aid. If you do accept it, we ask you to accept it on such and such terms." If that country does not like our terms it can reject them. That is not interfering with the internal affairs of a sovereign government. I feel that this fundamental aspect of our foreign aid program has been lost sight of. If the United States had kept it in mind, had adhered to it and made its position unmistakably clear, our program would have been far more successful and at a much lesser cost. It would have obviated some of the difficulties which now confront it.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD following the conclusion of the statement of the Senator from Alaska [Mr. GRUENING] an editorial entitled "Reshaping Foreign Aid," published in the Washington Post of Friday, October 25, 1963.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### RESHAPING FOREIGN AID

The administration owes a debt of gratitude to the Senate Foreign Relations Committee. Not only did the committee recommend a total foreign aid authorization of $4.2 billion—$600 million more than the House has approved—but the Senators subjected the entire program to a thoughtful scrutiny. The report accompanying the committee's recommendations is in most respects a model of legislative responsibility.

What lends weight to the verdict is that the committee's realistic dollar authorization was not the result of a mood of cheerful assent. The committee dealt in a hardheaded way with a program that is sometimes indifferently explained or defended. And the committee's report contains constructive recommendations for new approaches to the foreign aid program.

Specifically, the committee felt that "countries which can take care of themselves should be eliminated from the program, that even more selectivity among countries should be introduced, and that prompt and serious consideration should be given to a greatly increased utilization of multilateral agencies, such as the International Bank for Reconstruction and Development, and its subsidiaries, notably the International Development Association."

The reason why international agencies can often be more effective in administering foreign aid was set forth by Eugene Black in a statement quoted in the report:

"Because they are known to have no ulterior motives, they can exert more influence over the use of a loan than is possible for a bilaterial lender; they can insist that the projects for which they lend are established on a sound basis, and—most important—they can make their lending conditional upon commensurate efforts being made by the recipient country itself."

The committee's recommendation ties directly in with proposals already made to give more multilateral direction to the Alliance for Progress. This policy can point the way to a far greater return on the dollars invested in helping other countries to help themselves.

On some other details, there can be disagreements with the committee's recommendation. But on large points of dollar authorization and overall policy, Senator FULBRIGHT's committee offers the Senate a solidly wrought bill that should be overwhelmingly approved. That massive approval will be needed if the Senate, once again, is to rescue the foreign aid program from the brutal damage attempted in Passman's Gulch.

## THE KERR-MILLS ACT—MEDICAL ASSISTANCE FOR THE AGED

Mr. DIRKSEN. Mr. President, in order that the Senate be familiar with the differences of opinion current regarding progress under the Kerr-Mills Act and voluntary efforts to provide medical care for persons past 65, I invite its attention to the minority views set forth in the report issued yesterday by the Subcommittee on Health of the Elderly.

I am happy to acknowledge that even now it is out of date with reference to growth of health insurance. Yesterday the Health Insurance Association of America reported that at the end of 1962, 60 percent of all Americans over 65 were covered by voluntary health plans.

This increase of almost 10 percent in coverage during a single year dramatically demonstrates the rapid progress being made.

I ask unanimous consent that a shortened version of the minority views be placed in the RECORD at the conclusion of my remarks. I also ask unanimous consent that the supplementary views of Senator HIRAM L. FONG be placed in the RECORD thereafter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

### MEDICAL ASSISTANCE FOR THE AGED—THE KERR-MILLS PROGRAM 1960–63—MINORITY VIEWS OF SENATOR EVERETT MCKINLEY DIRKSEN, SENATOR BARRY GOLDWATER, AND SENATOR FRANK CARLSON

Improvement in methods of financing medical care costs for persons past 65 has been rapid and substantial during the past several years.

This improvement, which has been both quantitative and qualitative, has resulted in part from a continuation of higher income among older people, in part from volatile expansion and refinement of voluntary health insurance, in part from development of public programs encouraged by Federal grants-in-aid to the States and in part from continued growth of State and local aid programs which do not employ Federal funds.

It is almost inconceivable that an effort be made to evaluate any one of these major elements relating to medical care of older people without clear and careful reference to accomplishments by the others. Yet this is precisely what has been attempted in the majority report.

The Kerr-Mills Act medical assistance to the aged program, with which the report is concerned, was never expected "by itself" to provide the sole avenue for financing medical care for the Nation's 18 million persons past 65.

### OTHER PROGRAMS

Expansion of the medical care aspects of the old-age assistance program by the same act indicated the desire of Congress to continue medical services under that program to persons receiving cash public assistance, now approximately 12 percent of the Nation's over 65 population, and to afford greater flexibility to the States in developing medical programs for older people with limited or no resources. This action regarding the OAA medical vendor payment program has resulted in this type of benefit being newly made available to at least 600,000 people in 11 jurisdictions and in an expansion of OAA coverage under such programs in 4 other States to include the medically indigent, not in need of subsistence payments. To ignore this, is to leave out an important part of the picture.

The majority statement fails, also, to take into account State and local programs providing medical care for older persons without Federal grants. Conceding that information about such programs may be difficult to assemble, their existence must be recognized in any appraisal of medical care for older people.

One striking example in this regard is the State of Colorado. It has not enacted MAA, but it does have a medical care program, State supported, which as of June 30, 1962, covered 53,000 persons, 32 percent of the State's over 65 population.

It is interesting to note further, that the Colorado State Legislature, apparently on the basis of its experience, adopted a resolution opposing enactment of a medical service program under the social security system.

That voluntary health insurance, and its role in meeting the needs of older people, should be disregarded in an appraisal of MAA, however, probably constitutes the most glaring omission in the majority statement.

According to a report made by J. F. Follmann, Jr., director of information and research, Health Insurance Association of America, at the end of 1961, 55 percent of the people past 65 had voluntary health insurance coverage.

It should be noted that this report is almost 2 years old. Since then there has been an intensive development and sale of new health insurance plans for older people.

Nor is there substantiation for the claims, oft repeated, that those persons without health insurance are unable to pay for it.

In reporting on a survey of persons past 65 conducted by the National Opinion Research Center of the University of Chicago, Ethel Shanas, who directed the study said:

"All persons who had no health insurance were asked whether they would be interested in obtaining coverage. Half of them said they would be, but that they could not afford it (34 percent of the total) or that 'they won't sell me any' (16 percent). One-fourth said flatly 'I don't want it,' and the same proportion said, 'I've never thought about it'."

The new insurance plans, developed since the 1957 Shanas study, undoubtedly constitute an answer for the 16 percent who said "they won't sell me." Assuming continued validity of the survey's findings, this would leave roughly one-third of the uninsured (one-sixth of the total over 65 population) who deem their own finances to be insufficient to permit purchase of insurance. How many of these are now beneficiaries of old-age assistance medical services, Veterans' Administration medical benefits, the Kerr-Mills medical assistance for the aged program, and other federally supported programs, would provide a valuable area for study.

While there is agreement that some older people need and should have services related to medical care provided in part or totality through Federal and State funds, an attempt to appraise such programs without reference to private plans inevitably will be deficient.

That voluntary health insurance, supplemented by public programs where needed, is the Nation's method of choice for financing major medical costs is indicated by congressional mail and the results of polls conducted by Members of Congress.

Of 33 recent polls of the constituents by Members of Congress (23 Republicans and 10 Democrats), 31 produced majority views against a Federal social security system program.

Connecticut, whose MAA program is the object of criticism by implication in the majority statement, affords one of several instances wherein disregard of health insurance can be fatal to an accurate evaluation. As of now, 85 percent of that State's 65-plus population has voluntary coverage.

Any judgment regarding long-term policies of the Federal Government with reference to medical care for older people must, to be most valid, give recognition also to improving levels of income among older people. They strongly suggest that the percentage of older people unable to provide for their own needs has declined in recent years and further reduction in income deficiencies may be expected to continue in the future.

Older people today want to maintain their own independence, including the freedom to make their own decisions as to how money available to them shall be spent. Presumably older people of tomorrow will have similar desires for individual freedom.

These legitimate preferences, coupled with rising income patterns for older people, clearly suggest that Federal Government involvement in provision of services related to medical care for senior citizens should remain flexible.

Certainly any compulsory program, unrelated to need, would permanently freeze the Federal Government's role in medical care for individuals. It would involve serious dangers for the existing medical care system now based on maximum exercise of private initiative and individual responsibility.

One of the major programs to prevent hardship cases, of course, is the medical assistance for aged (MAA) program created by the Kerr-Mills Act.

Every effort should be made at both Federal and State level to make the MAA program work. Possibly amendments to the act will be required to clarify and completely implement congressional intent.

Whether one approves or disapproves of the approach envisioned by the Kerr-Mills Act, it is the law of the land. As such, its implementation should receive the full support of Federal officials. The negative tone of the majority statement depreciates this concept and thus tends, in itself, to help create a climate in which many older people may be denied the services intended.

It may be expected that the program will work if given full support.

### UNWARRANTED CONCLUSIONS

To conclude, as the majority opinion has, that MAA is not working, will not work, and cannot work is to form a premature judgment based on inadequate evidence.

This prematurity and inadequacy is reflected repeatedly in specific conclusions in the majority views. It is sufficient to cite a few examples from that opinion's introduction and summary.

The majority statement says in part: "Only 28 States and 4 other jurisdictions now have the program in operation."

Actually six other States have enacted legislation necessary to implement MAA. Eleven States, containing 15 percent of the people past 65, have neither enacted legislation nor have it pending. These include Texas, which is awaiting a constitutional referendum necessary before MAA passage and several which have created study commissions to develop program recommendations. They include two States (Indiana and Missouri) where legislation was enacted but vetoed by their respective Governors. They also include Colorado and several other States which reportedly feel existing State programs are adequate. If the concept of State responsibility is to continue to have meaning, it would appear prudent that the right to exercise this judgment at the levels of government closest to the people should be maintained.

The majority opinion further says: "In August of 1963, only 148,000 people received MAA assistance—or less than 1 percent of the Nation's older citizens."

The use of monthly figures, of course, seriously minimizes aid rendered; approximately 370,000 received MAA during fiscal 1962–63. More significant is the fact that not all potentially eligible older people needed the services. In addition, it must be remembered that approximately 12 percent of the over-65 population were eligible for benefits under the old-age assistance program.

The implication that family responsibility and "recovery" programs are improper is highly debatable. It should be noted that, in accordance with the Kerr-Mills prohibition of home liens, no recovery is permitted in any State from the older person or spouse; it can only be applicable to the beneficiary's heirs. Whether this is right or wrong, it would appear appropriate that the decision be made at the State level. The same logic applies to the requirement that families who are financially able should take care of their own members before State programs are invoked.

The most serious implication in this majority quotation, however, is that "low usage" automatically means "inadequacy." This is based on the highly questionable assumption that there is a vast unmet need for medical care among older people. It is equally and perhaps much more plausible that this "low usage" may be due to the adequacy of other existing mechanisms. In fact, it suggests that coverage by other programs may be exceedingly good.

The MAA record in the Chicago area affords evidence that assumption of adequacy may be the more correct conclusion.

The Bureau of Labor Statistics has developed what some budgetary experts regard as a "liberal budget" for couples and individuals past 65 for 20 major cities. For couples in Chicago (the highest of these 20 cities) it is $3,112 per year and for individuals living alone, $1,836 a year. Since the budgets, respectively, include $160 and $90 for gifts and contributions and assume rental of living quarters (most older couples and many single persons past 65 own their own homes), it appears reasonable in terms of the BLS budget, which may be high, to assume that $3,000 and $1,800 constitute adequate or more-than-adequate incomes.

Under Illinois MAA, individuals who do not have other resources available to them are eligible for benefits if their income is below $1,800. The maximum income requirement for a couple to be eligible is $2,400 per year. Apparently Illinois State officials and the legislature felt this was a more accurate determination of adequacy than the BLS budget. Whether the Illinois Legislature took homeownership and other factors into consideration in arriving at this income figure is not clear, but presumably they gave careful consideration to all factors in the situation of the State's older population.

In any event, by whichever standard is used, it would appear that the vast majority of older persons in the Chicago area whose incomes might be termed "inadequate," are eligible for MAA.

The fact that "only" (to use a word oft repeated in the majority views) 5,474 MAA applications were approved and "only" 2,039 were denied, withdrawn or otherwise disposed of in Cook County (of which Chicago is the county seat), during the first 23 months of the program's operation, reinforces the view that the alleged unmet need has often been greatly exaggerated.

Another quote from the majority statement says: "Except for those four States having comprehensive programs (Hawaii, Massachusetts, New York, and North Dakota) benefits are nominal, nonexistent, or inadequate."

Whether a program is "comprehensive," "intermediate," or "minimal" is based on definitions developed by the Bureau of Family Services of the Department of Health, Education, and Welfare with regard to the type of services provided. According to these definitions, which are set forth in the majority report, the administration social security financed proposal would qualify as a "minimal" program, unless one regards services by interns and residents in teaching hospitals and services by anesthesiologists, pathologists, radiologists, and physiatrists in the hospital as fulfilling the qualification regarding "physician services."

The significant fact is, however, that there is no real evidence for jumping to the conclusion that even "minimal" standards according to these definitions can be equated with inadequacy. The type of benefits cannot be isolated from other medical programs in the State. Tennessee, for example, contains no provision for physician services in its MAA program. An agreement by the Tennessee physicians voluntarily entered into and insisted upon by them, however, assures such services to all hospitalized persons unable to pay. In a similar way all of the States (six) referred to in the majority statement as omitting nursing home care do provide such services when needed through their OAA programs.

Another majority statement quotation says: "Five States, California, New York, Massachusetts, Michigan, and Pennsylvania, for example, received 88 percent of all Federal MAA funds distributed from the start of the program through December 31, 1962, although those five States have only 32 percent of the Nation's elderly people. New York alone, with 10 percent of the Nations elderly, received 42 percent of this total."

The five States referred to have 56 percent of the over-65 population in States with MAA. They are urban, industrial States which tend to greater use of assistance programs. Since they are among the States with the highest total and aged population, highest medical costs, and highest utilization patterns, their share of Federal medical funds will always tend to be greater than their share of the population.

A final example from the majority statement says: "Cumbersome investigations of eligibility, plus the requirement in most States that resources of an older person must be depleted to a point of near dependency, have further reduced participation."

The undocumented charge regarding eligibility investigations, if true, could easily be resolved by adoption of an amendment to the Kerr-Mills Act introduced by Senator Dirksen (and previously passed by the Senate, but rejected by the House of Representatives) or a similar change in the basic law.

A simple review of current eligibility requirements in the several States with MAA programs in operation or under development and a relating of such requirements to average per capita incomes and living costs in each will demonstrate the inaccuracy of the charge that "most States" require reduction of MAA beneficiaries to a "state of near dependency."

It should be noted further, with reference to this particular point and the entire majority statement, that careful examination of future developments under MAA, possible, probable, and certain, unfortunately has been given little attention. A number of States have and will have under consideration improvements regarding benefits, eligibility requirements, and other facets of Kerr-Mills operation. Among plans recently approved by State legislatures, but not yet in operation, are some which introduce new concepts.

### MAA INNOVATIONS SHOULD BE ENCOURAGED

One innovation is the proposed plan by South Dakota to purchase voluntary health insurance for persons who qualify under the State's MAA program. Although spokesmen for South Dakota discussed this plan with Health, Education, and Welfare Department officials at length prior to adopting the legislation, as of October 10 approval by HEW was not yet forthcoming.

It would appear, however, that it was the intent of the Kerr-Mills Act that States be free to purchase voluntary health insurance for MAA beneficiaries. Encouragement of this type of approach certainly would be appropriate on the part of the Department of Health, Education, and Welfare and all others interested in adequate medical service for older people.

### CONCLUSION

In conclusion, it would seem that the majority opinion that—"The evidence available after 3 years of Kerr-Mills operation demonstrates conclusively that the congressional intent has not and will not be realized"—will not stand up under even the most casual review.

The fact that much of the data used in the majority statement is based on a period when many States were getting started and some were engaged in perfecting plans authorized, but yet to be inaugurated, underscores the inconclusiveness of the evidence presented therein.

It bears repeating, further, that the preferred method of most Americans for meeting the major costs of medical care is voluntary health insurance. This is true of both young and old. This preference should be encouraged.

Because availability of adequate income wherever possible constitutes the best way to express such encouragement, the highest priority in Federal Government policies relating to older people should be those aimed at improving income and at preserving the dollar's value so such improvements will have maximum beneficial effect.

EVERETT MCKINLEY DIRKSEN.
BARRY GOLDWATER.
FRANK CARLSON.

### SUPPLEMENTAL VIEWS OF SENATOR HIRAM L. FONG

It is gratifying to observe Hawaii's medical assistance for the aged program described as one that provides comprehensive services. It reflects the firm desire of Hawaii's citizens to adequately care for their elders. It would appear that all States could do likewise in keeping with their own unique needs and resources.

The comments in the minority views with reference to the prematurity of any current judgment of the Kerr-Mills Act appear to be well taken. The program is new. Despite the comparative speed with which most States have taken action to effect its purposes, more time and experience with the various programs and their continuing improvements would seem desirable before seriously considering abandonment of the concepts of Federal aid on which present law is based.

It is, nonetheless, fitting that both majority and minority views consider the possibility of some changes in the Kerr-Mills Act.

This coincides with my view that additional legislation is needed. While persisting in the opinion that the proposal jointly sponsored by Senators SALTONSTALL, AIKEN, SCOTT, BOGGS, PROUTY, COTTON, and myself during the last session of Congress contains the most desirable elements for such legislation, it should be recognized that Kerr-Mills Act amendments along such lines might be a satisfactory legislative avenue for their accomplishment.

This plan, based on sharing of cost by Federal and State Governments with the advantages of State administration, gives three choices to all persons over 65 whose annual income for Federal tax purposes is below specified levels. The choices would give beneficiaries an option to choose (1) a diagnostic, preventive, short-term illness plan, (2) a long-term illness plan, or (3) private health insurance.

It is appropriate that the desirability of such an approach be reiterated as a part of this document.

The recurring suggestion in the majority report that social security financing is desirable impels me to comment.

Social security financing of medical care for the aged is grossly unfair. It would put the burden very heavily on wage earners regardless of their income or ability to pay. The $5,200-a-year clerk would pay as much social security tax as the $50,000 corporation president.

It would be especially hard on young people, struggling to feed, clothe, house, and educate their children and protect them currently with medical insurance, to be forced to shoulder at the same time the tax for hospital insurance for the aged. Through all their working years, America's working men and women would be compelled to pay a social security health insurance tax, yet receive none of the benefits for themselves until they reached age 65. Should they die before age 65, they would receive nothing for all their payments.

Social security taxation for aged health insurance is a very regressive tax, hurting most those in the lowest wage brackets. About 50 percent of America's workers earn wages of $5,000 a year or less.

Under the social security financed insurance plan of the administration, even those of the blind, the handicapped, the domestic workers, and the farmworkers who pay social security taxes would be taxed to pay for health care of the well to do.

Meantime, 40 percent of all taxable income in the United States on which no social security tax is levied would escape any responsibility whatsoever to help in this problem, including the income of 9 million American workers not in the social security system.

In October 1962, the Hawaii Medical Service Association informed me that the medical benefits proposed under the administration's social security plan could be offered in Hawaii for each senior citizen at an estimated $7.10 per month, or $85.20 per year.

Under the administration's proposed social security tax plan, an employee earning $5,200 annually, which is the maximum salary to be taxed, would pay $27.50 a year more than the tax he now pays under social security. If an employee age 20 would deposit this $27.50 in an insured savings and loan association each year for 45 years at 4¾-percent interest compounded quarterly (this rate is common in Hawaii and west coast States), he would have a nest egg of $4,093.78 at age 65.

If he continued to invest the $4,093.78 at 4¾-percent interest compounded quarterly, he could pay for an excellent medical care insurance policy with the $197.94 in interest on his savings each year and get better coverage than the administration's plan would provide. Or, he could buy the benefits of the administration plan for $85.20 and still have $112.74 left over.

Most startling of all, after he died, his nest egg of $4,093.78 would go to his family. Should he die before age 65, say at age 60, his family would inherit his savings of $3,126.16. Under the administration plan he would build no nest egg. Actually, the administration would have consumed his goose.

As one who voted for the Kerr-Mills law in 1960 and who has cosponsored an excellent voluntary health insurance plan for those aged persons not eligible for Kerr-Mills or old-age assistance, I believe there are better ways than the social security plan of the administration to meet the remaining problem.

All of us want to make sure proper medical care is received by our elderly citizens, those who arrived on this earth before us and to whom we owe so much.

As they reach their sunset years, and as others reach them tomorrow, next year, and in the years to come, their security and dignity are on our conscience.

Now in the twilight of their years, some of our senior citizens are in need of assistance. We must see to it that they enjoy their remaining years in peace and dignity, not as wards of the Federal Government, but as free citizens, able to live their lives in gracious fulfillment. As the administration plan is woefully inadequate, Congress should continue to explore better ways to meet the need.

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## LEGISLATIVE PROGRAM

Mr. DIRKSEN. Now that we are at that season of the year when there is a good deal of speculation about the schedule from now on and what one hopes will be the termination of the session, I am sharply reminded of the fact that Friday will be the first of November. If my arithmetic is correct, there will be, all together, about 35 or 36 legislative shopping days before Christmas week.

So I took it upon myself to confer with the majority leader this afternoon with respect to the calendar from here on. I pointed out that there are two election days in November, one in Texas and one in Kentucky, in case Senators have not voted absentee ballot and would want to leave the Senate, and if there were yea-and-nay votes, they would not be prejudiced by that fact.

It has been customary to have no real business on Veterans Day, the 11th of November. Then comes Thanksgiving, and finally comes that red letter day on the calendar—Christmas.

We have discussed the subject at some length, and I now ask the majority leader whether he has in mind at least a tentative schedule for the guidance and benefit of Senators and the country, and also for our friends in the press gallery.

Mr. MANSFIELD. I assume that the distinguished minority leader has had the same pressure directed against him that has been directed against me.

Mr. DIRKSEN. Precisely.

Mr. MANSFIELD. It is anticipated that the Senate will go over from Friday, November 8, to Tuesday, November 12. In that way, Veterans Day will be taken care of.

The Senate will go over from Wednesday, November 27, to Friday, November 29, for either a pro forma meeting on that Friday or for the passing of legislation as to which there is absolutely no question, and from Friday, November 29, to Tuesday, December 3.

Mr. DIRKSEN. That would take care of Thanksgiving Day, which falls on Thursday, November 28.

Mr. MANSFIELD. That is correct.

Then it is anticipated that the Senate will stand in recess or will operate on a 3-day adjournment basis between Friday, December 20, and Thursday, January 2. The Senate will reconvene at noon on January 2 and will complete the 1st session of the 88th Congress at noon the next day, January 3. If business is still pending, the Senate will adjourn at 12 o'clock noon, as it is required to do, and will convene for the opening of the 2d session of the 88th Congress at 12:01 p.m.

So far as voting in Texas, Kentucky, and elsewhere is concerned, we will do our best to accommodate Senators from those States to the extent that no votes will be taken on those days.

Mr. DIRKSEN. By the way, the election in Kentucky will be on November 5. In Texas, there will be a congressional election and also, I think, local elections on November 9, which falls on a Saturday.

Mr. MANSFIELD. The program I have outlined will accommodate that situation.

Mr. DIRKSEN. The program the majority leader has outlined would provide a respite from December 20 to January 2, which would be, I expect, 13 days, and would constitute the vacation, I take it, for the 1st session of the 88th Congress, in which to receive Santa Claus.

**Mr. MANSFIELD.** The distinguished minority leader and I are not playing Santa Claus but are facing up to the practicalities of a situation which we know will develop. But this is as nice a way as any to tell Senators that we anticipate we shall be in session until the legal time limitation for the 1st session of the 88th Congress, and that outside of the days which have been announced this afternoon, they can expect no respite. I think this is a sufficient warning to them to wear the right kind of underwear and to prepare for the right kind of winter—a cold one.

**Mr. DIRKSEN.** I am glad the distinguished majority leader has left intact my supernal powers as a forecaster, because I have insisted repeatedly, during the last few months, that Senators should provide themselves with Christmas trees for Washington. Obviously, it is quite decorous and in order and, further, proper to set up Christmas trees as early as December 20, when the Christmas recess will begin. For that, I am deeply grateful.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

**Mr. FULBRIGHT.** Mr. President, I was confused by one of the theses of the Senator from Alaska [Mr. GRUENING]. He stated, as I gathered, that the President has, in some sense, usurped the right of the Senate to conduct our foreign policy, as was intended, the Senator says, by the Founding Fathers. Yet in the latter part of his speech he seemed to suggest that the Senate should follow the House of Representatives in all of its recommendations, rather than the Senate Committee on Foreign Relations. I do not know whether he means to oust both the Senate committee and the President from determining these matters or not; but I am sure that is not what the Senator intended.

**Mr. GRUENING.** Mr. President, will the Senator yield, so that I may clarify my intention?

**Mr. FULBRIGHT.** I yield.

**Mr. GRUENING.** I tried to make two points. One was that since the advent of large sums of money as an instrument of foreign policy, which did not exist prior to the Marshall plan, Congress should assume a more active position in shaping foreign policy and not feel that, as traditionally, foreign policy should be left almost entirely to the White House. That was one point.

The other point was that I felt the House had done in effect what the Senate Foreign Relations Committee did not recommend specifically, but whose strictures and criticisms of foreign aid in its report on the bill should have led it to do. In other words, I felt that the committee report made some excellent criticisms and recommendations for improvements, but did not implement those criticisms and recommendations by saying, "Consequently, to correct these shortcomings, such and such sums can be eliminated." On the other hand, the House did not present the fine arguments the Senate committee did; nevertheless, the House acted as I feel the Senate committee should have acted.

**Mr. FULBRIGHT.** In its usual farseeing way, the House used a meat ax on the amount.

**Mr. GRUENING.** That is correct. It should not have used a meat ax. The Senate Committee on Foreign Relations was prepared to wield a scalpel, and detailed how it should be wielded but never actually inserted it in the flesh.

**Mr. FULBRIGHT.** As I have said, the fate of the bill has not yet been determined. Much yet remains to be done by both the Senate and the committee of conference. So I do not think we can say that there will not be any improvements, even along the line he discerns.

Be that as it may, I appreciate the kind remarks the Senator made as to the substantive provisions of the bill. I believe there is some distinction between policymaking as a broad policy as distinguished from the administration of a program such as this. Apparently some members of the committee—I do not say this with regard to the Senator from Alaska—believe they can administer this program better than the administration itself can do it. They well might do that. However, I think that would lead to confusion, too.

Really, I believe the principal criticism by members of the committee was of the administration of the program rather than of the broad policy of what it seeks to accomplish and what its objectives are, which I feel is the primary responsibility of the committee and of the Senate itself.

**Mr. GRUENING.** I think those criticisms could have been interpreted as a directive to the administration to make such changes as would conform to those very valid criticsms.

I think possibly the inclusion of one sentence to that effect might have eliminated all question I had as to the difference between the committee's action and the committee's word. In other words, if, after making these criticisms, the Foreign Relations Committee had seen fit to say, "We urge the administration to make appropriate cuts in line with these criticisms," that would have been appropriate and logical. In short, I think it would have been very useful if the action taken by the committee had been somewhat more specific. However, I emphasize that if these recommendations are carried out, I think that will be very helpful, indeed.

**Mr. FULBRIGHT.** I thank the Senator from Alaska.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from Mrs. Robert J. Phillips, president of the League of Women Voters, in which she discusses this program.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LEAGUE OF WOMEN VOTERS
OF THE UNITED STATES,
*Washington, D.C., September 12, 1963.*
Hon. J. W. FULBRIGHT,
*Senate Office Building,*
*Washington, D.C.*

DEAR SENATOR FULBRIGHT: League of Women Voters testimony in support of foreign economic aid was presented to the Senate Foreign Relations Committee in June, but we would like to add a few words now in view of the present plight of the Foreign Assistance Act of 1963. League members have been following the various steps of congressional action during the summer. They regretted the cuts proposed by the House Foreign Affairs Committee and then were shocked by the further slashes made by the House as a whole on August 23.

Writing on behalf of league members all over the country, I urge that you, as a member of the Senate Foreign Relations Committee, consider very seriously restoring adequate authorizations for funds. The House cuts concerned several categories of aid, but we are especially worried about the $160 million cut in the Development Loan Fund and the $150 million cut in Alliance for Progress. These are basic economic development programs with prior authorizations that should have been respected. We were, and are, convinced that the administration requests were suitable and necessary for development lending to countries able and ready to utilize such loans, and for carrying out our Latin American commitments.

We understand that your committee has already tentatively cut from the foreign aid requests some $300 million more than the House Foreign Affairs Committee. We especially deplored the cut in the Alliance for Progress social progress trust fund, from $200 to $175 million. We urge you now to review your recommendations and to submit the most favorable report on which you can reach agreement. Only thus will the eventual compromise in conference have a chance of being somewhere between administration requests and the inaedquate, House approved authorizations.

Opportunity to save the foreign aid program from grave damage now rests with the Senate—more immediately with the Senate Foreign Relations Committee. We find it hard to understand why the passage of a sound foreign aid bill should be such a struggle—why reluctant and halfhearted approaches should be made to programs that have so greatly served the security and cohesiveness of the free world. We hope your committee will reaffirm the objectives of foreign economic aid and recommend authorizations for stronger, not weaker, implementation of those objectives.

Sincerely yours,
MRS. ROBERT J. PHILLIPS,
*President.*

## FRANCE AND THE WESTERN ALLIANCE

**Mr. FULBRIGHT.** Mr. President, at this time I wish to discuss a subject not directly related to the pending bill. I understand that Senators who wished to discuss the foreign-aid bill today have now concluded their remarks.

Mr. President, one of the most heartening developments it has been my good fortune to witness was a speech by Chancellor Erhard, of the West German Republic, on Sunday; and at this time I wish to make comments on the attitude of the French toward the Western Alliance.

In his press conference of July 29, President de Gaulle made certain general statements which France's friends and allies can heartily endorse. The General also made certain observations, both general and specific, which are disappointing and perplexing to France's NATO partners. There is a tone of recrimination in General de Gaulle's remarks, of doubt and mistrust as to the motives and objectives of American policy. It is this mistrust that disturbs France's partners and weakens the Atlantic Alliance. It is important, therefore, that the suspicions that now divide us be discussed and debated in all their particulars, with a view toward restoring trust and confidence in the Western Alliance.

I think the remarks of Chancellor Erhard on Sunday did a great deal in this particular, in regard to Germany's part in the Western Alliance.

In his statement of July, President de Gaulle set forth certain basic principles that comport entirely with the views of the United States that "the fundamental factors of French-American relations are friendship and alliance"; that this friendship is "an outstanding psychological reality in keeping with the nature of the two countries"; that the Atlantic Alliance is an "elemental necessity" and that within it France and the United States have a "capital responsibility."

These broad principles are as valid in content as they are eloquent in expression. President de Gaulle is also correct in warning us against "depicting each scratch as an incurable wound." At the same time, I think it appropriate for us to remind France and the other countries of Western Europe that a viable alliance depends on common policies as well as common objectives, on cooperation in fact as well as agreement in principle. If the Western Alliance is to remain strong and united, it must be built on more than bonds of friendship and high regard. It requires working agreements for political consultation and the command and disposition of military forces, for economic cooperation and the lowering of trade barriers.

It is on this level of practical cooperation that French policy has been deeply disappointing to France's allies. It is a policy which, if long continued, could lead to the disruption of the Western Alliance, not by open repudiation but by abnegation in detail.

In a meeting at Harvard University last spring, a distinguished young professor of politics told me that I had made what he called a "useful and necessary" effort to understand what is going on in the Soviet Union and he urged me to make a similar effort with regard to France. I believe this suggestion was entirely appropriate. It is certainly important for Americans to make an effort to understand the political, military, and historical motivations of current French policy. It is no less important for France to make a commensurate effort with regard to the problems and objectives of American policy.

A meaningful dialog between France and the United States must begin with an examination of the profound impact on both countries of the events of the last 25 years.

France, as President de Gaulle pointed out on July 29, was "materially and morally destroyed by the collapse of 1940" and by the discreditable Vichy interlude. Following the liberation, France was beset by political and economic weaknesses at home and by the long and fruitless struggles in Indo-China and Algeria. All this time France was forced into a relationship of military and economic dependence on the United States, a deeply humiliating experience for a great and proud nation. Since General de Gaulle's return to power in 1958, France, with astonishing speed, has recovered her political stability, ended the colonial wars, and returned to vibrant economic health.

As a result of this great resurgence, France has ended her economic dependency on the United States and reasserted herself with vigor and confidence as one of the great nations of Europe. These developments are as welcome to the United States as they are to France, but the memory of defeat and dependency remains and one perceives in current French policy an excess of pride and assertiveness that is entirely natural for a great nation which was struck down and has only recently recovered its dignity and strength. It is natural for France to be acutely sensitive and proud at this juncture in her history, and it is even natural for her to feel resentment toward those who liberated her and then sustained her through the years of weakness.

It is natural but it does not represent an accurate interpretation of the events of the last 20 years. The United States did not wish to become the protector and benefactor of Europe after World War II. Still less did it wish to dominate Europe. Through the Marshall plan and subsequent programs of military and economic support, America came to Europe's assistance for the simple but compelling reason that Europe was momentarily incapable of sustaining itself and its recovery was vital to the interests of the United States. America's postwar policy toward Europe was by no means an exercise in pure altruism but neither was it an effort to dominate Europe. It was a policy of enlightened mutual interest and its success has brought signal benefits to both Europe and America.

These elemental facts provide the basis for an accurate assessment of the motives and objectives of American policy. I do not believe that President de Gaulle is disposed at present to take such a dispassionate view of American policy. One perceives in his remarks of July 29 that he is still looking at America through the distorting prism of wounded pride.

This attitude is reflected in the general's comments on economic and trade relations and on the American balance-of-payments problem. He acknowledges that the United States is carrying a heavy burden of military and economic assistance to many countries and that the balance-of-payments and dollar problems of the United States have become essential concerns. One might have hoped that President de Gaulle would regard these problems as essential concerns of the entire Alliance, which America's partners would wish to help alleviate. Instead, the general reasserted his hopes for a closed European economy.

France—

He said—

> cannot and does not wish to see the nascent economy of Europe and itself dissolved in a system of a type of Atlantic community which would only be a new form of that famous integration.

Lest there be any doubt about his intentions with regard to trade, the General refers in his statement to "the storms which will not fail to come up" on the occasion of the "Kennedy round" of tariff negotiations scheduled for next spring.

General de Gaulle points with justifiable pride to the restoration of France's currency, finances, and trade, without in any way suggesting that France might wish to make a greater contribution to the defense and security of the Western Alliance. Not only has France recovered its economic independence but, in the General's words:

> It finds itself receiving requests from many sides, and so, far from borrowing from others, particularly from the Americans, it is paying back its debts to them and even on occasion is granting them certain facilities.

If we wish to reply to President de Gaulle in a spirit as generous as his own, we might remind him of France's total unpaid debt to the United States of $6,340,164,589.32 deriving from World War I loans, of which $4,317,161,803.19 in principal and interest was due and unpaid as of June 30, 1963. The payment of this debt, on which France has been in default since June 1933, would unquestionably alleviate the American balance-of-payments deficits which the General concedes is an "essential concern."

The United States has not demanded payment of the World War I debts of France and other European countries. We have not demanded payment of these debts because we recognize, as we did not 30 years ago, that the war of 1914 was our war as well as France's, and that now, as then, the defense of the West must be a unified and cooperative endeavor in which each partner contributes in proportion to its resources. Our acceptance of the common obligations of the Western partnership was demonstrated with wisdom and success in the Marshall plan, which provided substantial grants for which repayment was neither required nor expected.

I emphasize the point that under the Marshall plan more than half of the amount which was given to France was in outright grants, for which France never undertook any obligation to repay. Incidentally, they received the largest amount, I believe, of any single country in continental Europe in the form of both grants and loans. However, the debt to which I referred that occurred during and after World War I was an obligation which they did assume and which they have never discharged.

This spirit of common interest and common obligation is strikingly lacking in current French policy. Like America in the inter-war period, France seems to believe that it has the option to participate or abstain from the projects of the alliance as it may suit France's peculiar preferences or ambitions. Just as America in the twenties demanded payment of the Allied war debts and then made payment impossible by high tariff barriers which prevented Europe from earning the dollars with which to pay, France now expresses sympathy and concern for the heavy financial burdens of the United States and proceeds to aggravate these burdens by seeking to exclude American goods from a closed European market.

Should France decide before next spring to join with her Atlantic partners in a general liberalization of trade, the way will be open to generate new levels of prosperity and accelerated economic growth in both Europe and America. Instead of the current tendency toward trade restrictions on one side followed by retaliation on the other, we can enter a new cooperative relationship, one which will alleviate the strains that now divide us and greatly strengthen the economic base of the Western partnership. As an initial step in this direction, one which would be as valuable in symbol as in substance, I think it would be highly desirable for the Common Market to rescind its recently elevated tariffs on American poultry and for the United States in reciprocity to rescind its tariff increases of March 1962 on European carpets and glass. To take these measures in the near future would constitute a vigorous reassertion of the spirit of the American Trade Expansion Act and of article 110 of the Treaty of Rome and would thereby create a new and promising atmosphere for the "Kennedy round" tariff negotiations next year.

Another theme of President de Gaulle's press conference of July 29 that is disappointing to France's partners is his reassertion of the view that American cannot be counted upon to meet its obligations in the defense of Europe. Because of the loss of the American nuclear monopoly and the acquisition by the Soviet Union of the power to devastate the American continent, the United States, in General de Gaulle's view, "is seeing its own survival as the principal objective in a possible conflict and is not considering the time, degree, terms, and conditions of its nuclear intervention for the defense of other regions, particularly Europe, except in relation to this natural and primary necessity." This assumption is the foundation of the General's conviction that France must build an independent nuclear arsenal. The alliance must be modified, he says, because, as he puts it, it "has been built on the basis of integration, which is no longer valid for us."

The assumption that the United States might stand aside while Europe is devastated and overrun is patently unfounded. In both word and deed, the United States has committed itself unalterably to the defense of Europe—by its adherence to the NATO treaty, by innumerable declarations and reassurances, and by the presence in the heart of Europe of 400,000 American troops. I do not know what further assurances would be required to persuade General de Gaulle that we intend to honor our obligations.

But even if these commitments are set aside, it is inconceivable from a strategic point of view that the United States would stand aside—or that the Soviet Union would permit it to stand aside—while Western Europe was overrun. A third world war could not possibly follow the pattern of 1914 and 1939 in which France was attacked while the United States remained temporarily unscathed behind its ocean barriers. As Paul-Henri Spaak has recently pointed out:

> It is inconceivable that the United States would allow Communist forces to overrun all of Europe when obviously this would be only a first step toward the next goal—that of knocking out the United States itself. (Paul-Henri Spaak, "Hold Fast," Foreign Affairs, July 1963, p. 618.)

Nor is it possible to imagine that the Russians would take the incredible risk of leaving the United States out of the conflict with its forces intact and able to intervene whenever it chose.

If anything at all can be regarded as certain about a possible nuclear war, it is that the outcome of such a conflict would be determined not in Western Europe but in the two great centers of nuclear power, in Russia and the United States.

We are dealing here in possibilities not certainties, but so is General de Gaulle. His strategic concept, as I see it, is one of preparing for the least likely contingency, that of a Communist attack on Western Europe from which the United States would be permitted and would choose to stand aside. It seems far more likely, if there is any rationality in Soviet strategic doctrine, that the reverse situation might occur, an assault on the United States from which Europe would be spared.

The overwhelming probability is that neither Europe nor America would be spared devastation in a nuclear war. In the two World Wars, the Western nations paid a grievous price for the illusion held by some of them that security could be found in isolation. We Americans have learned the costly lesson of our isolationism. It is our hope that our partners, who suffered far more grievously than we from the disunity of the past, will not be tempted to experiment with disunity again, because its price has become unpayable and few would survive to profit from the lesson.

For these reasons it is essential that Europe, including France, commit itself to a unified defense of the West. Europe can and should make a far greater contribution to the alliance than it is now making. The United States at present is putting 11 percent of its gross national product into defense and foreign aid, while some of its allies are doing less than half as much proportionately. The United States, which has committed itself to a unified defense of the West, will not of its volition abandon Europe, but this does not mean that it cannot be driven from Europe. If our partners pursue protectionist trade policies and decline to carry a proportion of the military and foreign aid burdens commensurate with their resources, the United States will be left with no choice but to reduce its commitments. General de Gaulle considers American withdrawal from Europe inevitable. It is not inevitable—unless Europe makes it so.

The necessary complement of a greater European contribution to the alliance is a greater European voice in its vital decisions. Europe can and should be brought into the strategic planning processes which govern the use of America's nuclear arsenal. A unified strategic planning system, aimed at the development of a strategic consensus among the allies, can be developed within the existing framework of NATO. The NATO Council, which has not played the significant role envisioned for it by the framers of the treaty in 1949, could now be developed into an allied strategic planning body on the model of the combined Chiefs of Staff of World War II. It could become the allied forum for long-termed political and military planning on the most fundamental questions of war and peace.

As Alastair Buchan, the Director of Britain's Institute for Strategic Studies, recently pointed out:

> The beginning of a solution to the problems of command and control of nuclear weapons lies in making the European allies partners in the Washington debate from which emerge policies on arms control, for the defense of Europe and for meeting the worldwide responsibilities of the United States. If the multilateral process is insufficient for all purposes, there are few people in Europe who would not welcome the deliberate cultivation of a "special relationship" between France and the United States. (Alastair Buchan, "Partners and Allies," Foreign Affairs, July 1963, p. 657.)

The final theme in President de Gaulle's remarks of July 29 on which I wish to comment is that of France's attitude toward the nuclear test ban treaty. General de Gaulle states that the treaty was negotiated by the Soviets and the "Anglo-Saxons," "in the absence of the Europeans, which clearly goes against the views of France." It hardly needs to be pointed out that the Europeans were absent only because France chose to absent herself.

The test ban treaty, said General de Gaulle on July 29, has "only limited practical importance" in that "it in no way alters the terrible threat that the nuclear weapons of the two rivals bring to bear on the world." In a subsequent statement made in the course of a tour of France in mid-September, General de Gaulle suggested that universal acceptance of the test ban treaty would constitute an agreement that "two privileged states should hold forever the monopoly of power," thereby "delivering the world to a double hegemony."

In his statement of July 29, General de Gaulle expressed the view that the only effective disarmament measures would involve the control or destruction of nuclear launch vehicles.

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intends before the end of the year to invite the states concerned to study with it this essential problem.

Whatever merit there may be in General de Gaulle's views on disarmament—and there may be great merit in them—one recognizes in his manner of expressing them the same wounded pride and aloofness that characterizes his views on so many other matters. This is, of course, disappointing to France's partners, who want her participation in their negotiations and decisions, both within the alliance and in their relations with the Soviet Union. But it is hardly reasonable to expect the members of the alliance to put the major issues of the decade on ice while France completes the process of recovering her full measure of strength and pride—including, perhaps, a sizable nuclear arsenal.

President de Gaulle's initiative in calling for a consultation on the control of nuclear delivery systems is a welcome and constructive proposal. At such time as it is more specifically formulated, it should receive the most serious consideration by France's allies and, hopefully, by the Soviet Union as well.

It is also to be hoped that further initiatives will be forthcoming from Paris—proposals relating to the Western alliance, to Germany and Central Europe, and to the entire spectrum of our relations with the Soviet Union. For too long France's voice has been a voice of negation and dissent within the Western community. The alliance has suffered for lack of the constructive counsel of one of its greatest and most creative members. Only when France has resumed her rightful place in the alliance will its affairs be in order. Only then will we have advanced in the useful and necessary effort toward understanding on which our security and welfare depend.

In a recent speech in The Hague before the Congress of the European Movement, former Secretary of State Dean Acheson, whose vision and diplomatic skill played a preeminent role in the shaping of the postwar unity of the West, warned of "a lethal danger which a revived European nationalism holds for both European and Atlantic unity, and for so elemental a necessity as the common defense." Mr. Acheson's speech contains constructive observations and proposals relating to the need for Western unity in the fields of defense, agriculture, monetary policy, and trade. I ask unanimous consent that it be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

## The American Interest in European Unity

(An address by the Honorable Dean Acheson at The Hague, the Netherlands, September 18, 1963)

American interest in European unity runs very deep indeed. And it is not the interest of a detached benevolent, albeit interfering friend. The American people have a direct and poignant concern with the affairs and with the quarrels of Europe. Over four centuries they have affected North America as much, though not always in the same way, as they have affected Europe itself.

### AMERICAN COLONIAL INVOLVEMENT IN EUROPEAN AFFAIRS

In the 17th and 18th centuries the colonists on the east central seaboard of North America became more concerned over involvement in European quarrels than they were impressed with the benefits to be derived from European connections. There were plenty of both. In the 17th century, Spain was established in Florida, the Caribbean, Mexico, Central and South America; Britain, in Virginia and New England; the Dutch, from the Hudson to the Potomac; and the French, in the Caribbean, Canada, and later, in Louisiana. As a result, every European war was extended to North America, so much so that they even acquired American names.

The War of the League of Augsburg (1688–97), to us King William's War, brought bitter Indian fighting to New England. The War of the Spanish Succession (1701–13), which we called Queen Anne's War, saw fighting in Canada, Florida, and the country west of the Alleghenies, where France began her effort to gain the West. Europe's War of the Austrian Succession (1743–54), in the American Colonies, King George's War, extended to Canada, New York, Pennsylvania, Ohio, and the Cherokee country; the Seven Years' War (1755–63), to us the French and Indian War, reached Canada, which France lost, and as far west as the Mississippi. Then came our first war with the British, (1775–81), and 30 years later, as a direct result of the Napoleonic wars, our second, the War of 1812.

The history of the United States, as an independent state, was focused on eliminating European sovereignties from the Western Hemisphere. By various means, including purchase, military pressure, and negotiation, it acquired Florida, the vast Louisiana Territory, California, and the Southwest, pushed the northern border further north, parried the French attempt to establish Maximilian in Mexico, and in 1898 eliminated the last Spanish foothold in Latin America.

The conclusions drawn from our early experience were stated by our first President, and became an article of faith in the United States during the century of isolation from the Treaty of Ghent (ending the War of 1812) to our reinvolvement during the 20th century in the world upheaval which originated in Europe. This article of faith was that "Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities."

This was wise advice and penetrating analysis at the end of the 18th century when President Washington spoke. For over a hundred years the United States profited greatly by following it.

But in the 20th century "our detached and distant situation," upon which the Farewell Address rested, had disappeared with terrestrial space itself. Our destiny was interwoven and our peace and prosperity entangled in what Washington referred to as "the toils of * * * ambition, rivalship, interest, humor, or caprice" of European nations.

### AMERICAN INVOLVEMENT IN TWENTIETH CENTURY EUROPE

Never has the world been so shaken as it was by the wars of this century, which Mr. Desmond Donnelly has called the European Civil War. No corner of the globe was too remote to escape their effect. Changes have been brought about of a magnitude unequaled since the collapse of the Roman Empire. The Civil War destroyed the six great empires which, by their concert and balance, gave order and system to human affairs throughout the world—the British, French, German, Austro-Hungarian, Ottoman, and Russian empires; and with them, the only global order and system which has ever existed. This collapse set off the Russian and Chinese revolutions, and brought the United States from isolated absorption in its own and hemispheric affairs to responsibility—at first, almost unaided—for preserving an environmnent in which free societies could exist and flourish.

It was plain to many among us from the start, and to nearly all after a short time, that the task of preserving and enlarging this environment required the combined and jointly managed efforts of both North America and Western Europe. The task was too great for either to undertake alone. And, should they drift or be driven apart, the problems of both would become unmanageable. No one saw this more clearly than that great British Foreign Secretary, Ernest Bevin.

The initial burden fell upon the United States and was responsibly assumed by the Marshall plan to provide the resources for the economic restoration of Europe; and, by the North Atlantic Treaty, to bind Europe and North America together to provide essential military security for both. By these revolutionary undertakings, American policy in the 20th century departed as drastically from 18th century policy as the realities of the 20th century differed from those of the 18th.

### NEW CONCEPTIONS IN EUROPE

From the very start of this new policy the United States, through the rare foresight of General Marshall, fostered a new outlook in Europe, a new attitude toward common European problems. His proposal was that the United States would back financially and economically a jointly devised European plan to meet common European postwar problems. He saw that recovery would be slow and faltering unless broader views and policies prevailed than separate national approaches permitted. Mr. Bevin seized the opportunity. The Paris meeting was convened and a whole new vista of opportunity was opened for Europe.

Brave and adventurous minds in Europe were ready to push through this opening and embark on uncharted seas. Robert Schuman, Konrad Adenauer, Jean Monnet, Alcide De Gasperi, and Paul Henri Spaak—to name a few—were every bit as bold as the navigators of the 15th century; and it is not boastful to say that the Government and people of the United States backed them at least as loyally as the royal champions of the earlier explorers supported them. These men, who charted the course of European unity, steered by a compass which pointed steadily at the joint consideration of concrete common problems to reach solutions in the common interest. They believed that, approached in this way, a unified Europe would be different from and greater than the sum of its parts.

What was also new was the gradual and pragmatic creation of European institutions to perform the function of joint consideration and decision in the common European interest, together with the acceptance of these institutions as authoritative within limits. Beyond determined limits, these institutions are subject to policy guidance from quarters closer to the national sources of power, and the whole interplay of common interests and local interests is subject to the authoritative decisions of the Council of Ministers. With these same processes, Americans have had long experience. With us they have been the useful, indeed essential, instruments for arriving at determination of the common good and the unity of a half continent as diverse in its population and their interests as Europe itself.

### AMERICAN INTEREST IN EUROPEAN UNITY

American support for unity in Europe rests not only upon belief in what this political habit can do for Europe, but, also, on what it is hoped may, under wise leadership, follow from it. The enlargement in Europe of the criteria of judgment and action from purely national considerations to common European considerations, would—it has been believed in America—not only increase the power and prosperity of Europe, but it could also enlarge political purposes and aspirations beyond the old nationalist drive for hegemony in Europe. Twice in this century the United States has been called in to turn back military attempts to achieve national hegemony. For 18 years it has stood guard in Europe to prevent a third attempt. The conception of a united Europe revived and strengthened only to be controlled and directed by a European power for its own national purposes, as an elephant is controlled by a mahout riding on its neck, has no appeal in the United States.

In America, as I believe in Europe, the hope has been that a Europe strengthened by the habit and practice of acting jointly upon its problems, seen as common problems, would raise its vision still further to conceive itself as part of a still larger whole. Within this larger field of vision, problems presented to Europe and to North America, would, by reason of the same habit and practice, be dealt with as common problems requiring joint action to reach solutions in the common interest.

### REACTION IN EUROPE TO NATIONAL ATTITUDES

This has been the hope and the goal toward which leaders in both Europe and North America have been working for over a decade. It would have been contrary to all experience to have expected this habit of enlarged vision and this practice of joint action to have proceeded smoothly and without a hitch, both within Europe and between Europe and North America. Unfortunately, more than a hitch has developed. Rather, voices have been raised in Europe repudiating the whole broader conception and approach as well as the institutional methods which have been designed for deciding and taking joint action in the common interest. The words used in this siren song are new words, but the music is the same music of national ambition, rivalship, interest, humor, and caprice which President Washington thought to be the very essence of European controversies. This is deeply disturbing to us in the United States not only because wherever we look progress in joint action seems to have been checked, but because we see in this incipient counterrevolution of policy an attack upon the movement toward unity within Europe, an undermining of the alliance between Europe and America, and the eclipse of that environment in which free societies may live and flourish, so heavily dependent is it on the joint thought and action of Europe and North America.

But some say that this is an exaggerated view of the current revival of nationalism in Europe. Some within the European movement itself, see it as a natural result of phenomenal economic recovery, as Europe's new sense of identity seeking manifestations of great power status, the ability and power to conduct its own strategy.

What this view reveals and what it conceals pretty well epitomizes the dangers inherent in it. The heart of the matter is that both Europe and North America, separately, are denied the freedom to conduct their own strategy. That is why we have both chosen to combine our resources in an alliance and seek joint action. The view just referred to would destroy what is essential to attain either European unity or Atlantic unity—that is, the ability to see problems as common problems requiring joint action in the common interest. Its focus is not upon common interests, but upon status symbols.

### THE NEED FOR UNITY IN DEFENSE

Fascination with status symbols has already headed both the European movement and the alliance into certain trouble in the military field. Over the past decade, thought about the defense of the European NATO area has been absorbed into, and frustrated by, almost total preoccupation with nuclear weapons—their ownership and control, their deployment, their utilization, whose fingers shall be on the trigger and whose upon the safety catch. For years I have insisted that the U.S. Government bears a heavy load of responsibility for fostering this state of mind in Europe. But we are concerned here not with apportioning blame for mistakes, but with finding the right path once again and right methods for staying on it. The mistakes have come from claiming or pursuing separate positions, separate policies; the right path is to see that the problems of defense are common problems and to seek jointly a common defense strategy and defense force.

Before anyone can think intelligently about the use of nuclear weapons in defense, one must have a strategy of defense in which all defenders and all weapons play their essential roles. The narrow approach of national separatism carries with it the seeds of disaster. This is no time to discuss the complex question of the use and control of nuclear weapons. But no one should labor under the illusion that to advocate separate French and British nuclear capabilities in order that they may conduct their own strategies and, at the same time, assume sub silentio, that Germany will continue, or be forced to continue, her self-denial of nuclear weapons, does not fly in the face of both experience and commonsense. Such a course is far more likely to prejudice, perhaps beyond repair, both the unity of Europe and an effective defense of Europe.

Into the murk of this confusion a shaft of commonsense has been thrown, and it will not surprise you to know that this has been done by a Dutchman. His proposal is that, before trying to agree on an answer, we try to agree upon the problem. In this time of vast and often, romantic ideas, the simple wisdom of the suggestion is almost overpowering. In the Hague it is presumptuous for a visitor to praise Mr. Dirk Stikker, though the temptation to one who has been his colleague, friend, and admirer for a decade and a half is great, indeed. But one must say, what is relevant to our purpose here, that Mr. Stikker has been in the forefront of those outstanding Europeans who have created the new European attitude toward the problems of our time which promises to change the course of history. What he has proposed is a joint operation to study the three essentials of European defense, which are to devise a comprehensive strategic plan based upon political objectives and covering the use of all forces and weapons, to determine the size, composition, and deployment of the military establishment required for the defense of Europe, and to ascertain the resources available to provide and sustain this defense. For over a decade these triune requirements have been largely treated as isolated one from the other with resulting hit or miss integration of all the essential factors. The Stikker proposal would allow a joint decision as to what forces and weapons are necessary, who can and should provide what, and how the whole force with its various weapons can be directed, controlled, and commanded to carry out a joint policy and strategy.

For a long time NATO had no other choice than to do the best it could with what forces the European allies could muster, strengthened by American divisions, and rely principally upon the deterrent effect of American nuclear weapons. With the economic recovery of Europe something better than this is possible—and obviously necessary. Mr. Stikker proposes that together we find out what it is and set about providing it, and that to do this we use the instrument we have jointly provided for that purpose, NATO. This is the method of those whom we may call the "new men." But it is objected to. "This organization (NATO) was built on the basis of integration, which is no longer of any value for us," said General de Gaulle in his press conference of July 29, 1963. By this view, the joint staff of NATO can play no part in the solution of the common problems of the defense of Europe, because it cannot be allowed to inquire into the separate capabilities and potentialities of NATO's members. To state this attitude is to reveal starkly the lethal danger which revived European nationalism holds for both European and Atlantic unity, and for so elemental a necessity as the common defense, which rests upon both of these unities.

### COMMUNITY OF INTEREST IN ECONOMIC AND FINANCIAL AFFAIRS

Today's economic and financial problems call for the same understanding of common interests and joint solutions. President Kennedy spoke of this at Frankfurt in June, quoting Thucydides. How contemporary Thucydides is. No publicist comes closer to the heart of our troubles than this sentence from the President's quotation: "each [ally] presses its own ends * * * which generally results in no action at all * * * each supposes that no harm will come of his own neglect, that it is the business of another to do this or that—and so, as each separately entertains the same illusion, the common cause imperceptibly decays."

In economic and monetary matters not only should the approach be joint, but it should be a joint approach by statesmen understanding the political ends to be achieved. Nowhere can greater damage be done by surrendering the field to experts, overburdened by their vast knowledge of detail and of the difficulties which it presents to them. When in April, 1949, Mr. Bevin, Mr. Schuman, and I met to plan the transformation of the occupation of Western Germany into the Federal Republic, we were confronted with the papers of men who had made an expertise out of the complexities of the occupation. Not only were these papers interminable and incomprehensible, but we found no path through their labyrinthine detail. We sent them back with instructions to redraft on the basis of a short memorandum of our aims. But, as these threatened to repeal the experts' knowledge and abolish their functions, in the end the nonexperts had to do it.

### THE NEED FOR JOINT GOVERNMENTAL ACTION IN THE MONETARY FIELD

The West will not be cured of its monetary instability by the homeopathic treatment of treasuries and central bankers. The problem requires discussion between governments, and in more audible tones than the sickroom whispers which financial experts deem necessary to preserve confidence in this or that currency. In these discussions it is essential that statesmen direct and experts devise. We are not in the grip of inexorable economic forces which like the gods of savages can only be appeased by the sacrifice of what we hold most precious. We must not let the experts be the priests who choose the sacrifices. "The great free nations of the world," said President Kennedy, "must take control of our monetary problems if those problems are not to take control of us."

The monetary problem does not consist of nor does it stem from the deficit in the balance of payments of the United States. Economic trends now in movement will of themselves probably correct this imbalance. If not, adjustment in a number, or all, of the items contributing to the deficit could, at least theoretically, correct and reverse the net flow of funds. The problem lies not in how or when to adjust, but in the fact that no matter how or when it is done—even by economic forces now in operation by no will of the United States—the result will, under the present arrangements of settling international payments, gravely and adversely affect European nations as well as the continuation of American policies, which have been and will continue to be, largely responsible for the growth of western economies and trade and the security of the free world.

This is not the time nor occasion for a monetary discussion, nor am I competent to lead it; but the basic situation is not so obscure as the jargon used to describe it would lead us to believe. For a number of years foreign nations have been accumulating dollar claims upon the United States (by not spending all the dollars that came to them), and have been holding these accumulated dollars with gold and some sterling in their monetary reserves. This was done because there was not, is not, and will not be sufficient gold for the needs of all, and dollars have been as acceptable to creditors as gold, since they are convertible into gold. Of course, the accumulation would cease if by reason of its amount or otherwise this expectation of convertibility came into doubt. So it cannot continue indefinitely.

But it does not follow from this that the interests of the United States or of other countries would be served by reducing the accumulation of dollars held abroad. Indeed, any marked reversal of the U.S. balance-of-payments position toward a period of surpluses would begin a drain on Western European reserves and, to check this, a series of moves in Europe to restrict imports, foreign lending, etc., with resulting serious decline in European economic growth. These measures would not only be harmful to both Europe and America but they would also defeat the attainment of surplus in the U.S. balance of payments.

The theoretical ideal, an exact balance in U.S. payments to and receipts from the rest of the world would, under the present arrangements, be only a little less undesirable than continued deficits or the inauguration of surpluses. World reserves would not expand with the economic need for them to maintain growth, and policies of the United States and Europe, essential for security and development throughout the free world, would be restricted.

The fact is that so fast has development and trade expanded in the free world as a result of the beneficent policies followed since the war, including those inaugurated at Bretton Woods, that the international monetary arrangements devised there are already outmoded for the great industrial nations. The problems presented by this new period of unprecedented and unforeseen growth are not primarily economic, financial, or technical. They are political in the highest sense, involving—as they do—an understanding of the highest priority objectives of a new international community, whose necessities transcend national interests, and the readjustment of the methods, arrangements and institutions for settling international payments to permit attainment of the highest common objectives. This is a field for intergovernmental agreement.

The governments participating in the so-called Group of Ten, which inaugurated the recent helpful enlargement of the resources of the International Monetary Fund, are obviously the ones to open discussion of this common problem. It is largely their problem. Other nations are affected as the industrial nations succeed or fail in solving their problem. There is no lack of proposals for dealing with it. The task lies not so much in choosing the method as in inciting many wills and fusing them into one seized of a joint purpose.

### THE LOOMING AGRICULTURAL IMPASSE

The same need to escape the tyranny of experts and find guidance in broader views exists in commercial policy. Two millenia ago the augurs sought to divine the course of human affairs from chickens; and the cackling of geese is said to have saved Rome. Now, again, we turn to fowl to read the portents. Is the row over the Common Market's poultry tariff the cackling which warns us that we must take counsel together in our common interest? Or should we read in the entrails of these martyred broilers a foretoken of a united Europe seeking economic autarchy at home at the expense of anarchy abroad? "It is not worth talking of the European Community," said General de Gaulle in July, "if it must be understood that Europe does not obtain its food essentially thanks to its own agricultural products, which can be largely sufficient."

Perhaps; but if the viewpoint of a united Europe is to be only that of inflated but parochial nationalism, Europeans will be untrue to the basic principle which can unite, and has already done much to unite, Europe and can then go on to unite Europe and North America in the service of the free world. This is the principle of solving common problems by joint study and action in the common interest. Another Frenchmen has seen the problems which agriculture presents today in the light of this principle. M. Jean Monnet, speaking in New York, saw as one of the four problems requiring joint European-American solution, the problems of agriculture in an increasingly industrial world.

The impact of scientific agriculture and land management upon most of Europe has come later than in the United States, but will be no less revolutionary when the full effect is felt. The same will be true in progressive stages throughout the world. Every year less land and less people could supply the commercial markets for agricultural products at low prices. This technological trend runs counter to the heavy social and political pressures upon Western governments to maintain larger numbers on the land than economic necessity requires, and to do this by artificially raised agricultural prices, often with resultant overproduction. The problem is further complicated by the one-crop agricultural countries which also tend to oversupply world markets, and by those deficiency countries who cannot earn the foreign exchange to buy foods and fibers at reasonable market prices.

To expound the agricultural problem in the Netherlands, of all countries, is the grossest presumption. Not only have your people been agricultural pioneers for centuries, but your distinguished Prime Minister is a world authority on the subject. So I jump to my conclusion, confident that he would not dissent. The world agricultural situation today presents not an economic, or commercial, or technical problem. It presents political and social problems of the greatest importance and complexity, calling for statesmanship based upon a deep sense of responsibility for the worldwide ramifications of all that is done. If the great nations which are exporters or importers of agricultural products, or both, attempt to export their difficulties, as we all attempted to export the depression in the 1920's and 1930's, we shall bring disaster upon all of us.

Agriculture not only presents a common and difficult problem, but it carries a built-in impediment to its solution. Here, again, the experts have a vested interest in the complexities of the problem. Moreover, their views are even further narrowed by their respective responsibilities as the representatives of special national agricultural interests. These interests insist—and insist vociferously—that the problem is not a common one, requiring a joint solution, but as Thucydides pointed out, each presses its own end, which results in no action at all.

In this situation, ministers of agriculture and their very knowledgeable staffs do not, and cannot be expected to, take the broader view which is essential to break through the cycle of cheaper and expanded production by technological advance producing protective tariff or quota action against the cheapened product, which produces retaliatory action, which produces counterretaliatory action, which reduces trade, which reduces economic growth, and so on.

So governments and peoples are faced with not only a most difficult problem but also with the handicap that those who know most about the problem have the least freedom of mind and action in solving it for the common good. In this situation it would seem sensible to turn to freer, though less technically qualified, minds capable of penetrating the mist of special circumstance to the common interest and joining in the search for steps toward a solution to further it. Since in every country agricultural questions are highly charged politically, governments cannot initially agree to more than advisory recommendations by men held in high esteem. The number should be small, so that they may work closely together. Nationality is of little importance compared with breadth of vision, understanding of economic and political forces, ability to use technical help without being overpowered by it—men of the quality, though unhappily there are few of them, of M. Jean Monnet, Mr. Gunnar Myrdal, Sr. Alberto Lleras-Camargo, and Lord Franks.

In this way proposals could be laid before governments and people in Europe and America which they could not otherwise obtain, proposals by which divergent social and political interests could, over time, be adjusted to the inevitable technological and scientific trends in the common interest of all. To determine upon these consultants should not be difficult. Since the acceptability of their recommendations to the public outside the scope of vested interests would depend on the recognized eminence of the authors and the wisdom of their conclusions, no advantage could be gained by maneuver in their selection. Obviously the Commission of the European Community would know those most qualified in Europe. If the Commission would consult with some of our great universities or foundations, it could easily add distinguished men from outside Europe and complete the panel. Funds would be no problem, and the consultants should be free to choose and organize their own staff.

A most important consideration would be to start the consultants to work as soon as possible. At present agricultural problems lie athwart progress in both the European Community and the discussions between the Community and the United States. A little delay in both would be a small price to pay for the injection of broad political and social vision into the present impasse between contending agricultural interests.

### IMPEDIMENTS TO JOINT ACTION IN COMMERCIAL POLICY

Apart from agriculture, these same impediments—the lack of the broad view of the common interest and the paralyzing control of experts—cast an ominous shadow over the impending round of negotiations to be held under the auspices of the General Agreement on Tariffs and Trade. Nowhere do we see dynamic leaders emerging, fired by the broad, common purposes which we all profess, but rather a host of faceless governmental technicians with the text book of GATT regulations in one hand and a sheaf of secret and mutually stultifying instructions in the other. One fears that the people in all countries eager for progress will be left "as on a darkling plain, swept with confused alarms of struggle and flight, where ignorant armies clash by night."

The goals which we all profess, and which have the additional merit of being sound, are those which inspired Mr. Cordell Hull 30 years ago to attempt to break through the circle of trade restrictions which had been the cause or effect, or both, of the great depression. In 1934 he inaugurated the trade agreements policy, pursued by the United States ever since with a pertinacity furnishing some qualification of Alexis de Tocqueville's observation that a "democracy can only with great difficulty * * * persevere in a fixed design."

On the principle that one can reveal a state secret without betraying it—for, as Montaigne observed, "I should not speak so boldly if it were my due to be believed"—I can tell you that one of the principal purposes of the trade agreements program over 30 years has been to reduce the American tariff. We have benefited greatly from success in that endeavor. Mr. Hull, with the shrewd insight into human nature of his mountain background, was aware that the best way to lead fellow citizens was through the method of a bargain. There was as Lord Melbourne observed in another connection, no nonsense about merit connected with that. The nation which emerges from the coming round of negotiations having skillfully limited its tariff concessions will not be the gainer but the loser. The round offers a rare opportunity to both the community and the United States to dispose of self-imposed handicaps upon economic growth.

Intellectually we know that this is true. We profess that our private enterprise societies need the benefits of competition, domestic and foreign, to provide a stimulus to our business managers and a mainspring to rapid economic growth. We declare that democratically controlled governments should seek to benefit the major interest of the great majority of their people—i.e., their interest as consumers—by making available a great variety of goods at the lowest possible prices. We profess also a concern and responsibility to make possible within the free world the economic development of peoples emerging from the production of only primary products. This means opening opportunities for them in the expanding trade of the great industrial nations. The late lamented Managing Director of the International Monetary Fund, Mr. Per Jacobsson, believed that here lay the greatest opportunity for help by the developed to the newly developing countries.

But how and from what source can instructions consistent with the attainment of these broad goals come to the negotiators at Geneva? With due deference and respect, I suggest that this is a problem primarily for Europeans. Those negotiating with the European Community have, in addition to the normal problems inherent in the subject matter, the task of guessing where the authority to make decisions rests. With whom are they negotiating? Sometimes the suspicion arises, with nobody. The situation is often reminiscent of dealing with the Soviet Union. Positions laboriously developed among the Six and the Community executive are presented to other nations on a take-it-or-leave-it basis, because of internal inflexibility.

With the difficulties of the pre-Federal period in which the European Community now finds itself the United States can sympathize, because our people had their own experience. It would seem possible out of that and subsequent experience to improvise in Europe a method and procedure for the coming negotiations. Would it not be possible for the national governments, through the Council of Ministers, to lay down the principles, standards and guidelines for the conduct of the negotiations, fixing on the Community executive, as the Treaty of Rome itself implies, the authority to conduct the negotiations and to make all necessary decisions arising during their course, the ultimate decision whether the executive had acted within the scope of its authority, and if not to reject the whole agreement, to rest with the Council of Ministers?

In some such way as this, broad direction of policy could come from an authoritative source to a responsible executive, avoiding the filter of anonymous experts and unidentifiable policymakers or policy frustraters. These trade negotiations are a crucial test for the European Community. Is it to be a major constructive and clarifying force in Europe, or one more piece of complicated machinery whose only role in this vital field of trade policy will be to enthrone the expert and bureaucrat? Is the Community to have leadership or only administration?

The decision is one which only Europeans can make. But it is one in which we Americans have quite as large a stake as you have. In this respect it is one of a long list of instances where all of us gain from the wisdom of each who sees the common good, and all of us suffer from the folly of each who believes that he has a separable interest.

## RECESS

**Mr. FULBRIGHT.** Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 26 minutes p.m.) the Senate took a recess until tomorrow, Wednesday, October 30, 1963, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate October 29 (legislative day of October 22), 1963:

### In the Navy

Rear Adm. Leonidas D. Coates, Jr., U.S. Navy, for reappointment as Chief of Naval Research in the Department of the Navy for a term of 1 year.

### In the Army

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

*To be lieutenant colonel*

Smith, Gordon L., O26029.

*To be majors*

Doiron, Henry D., O57850.
Reybold, Philip C., O62718.

The following-named officers for promotion in the Regular Army of the United States. under the provisions of title 10, United States Code, sections 3284 and 3298:

*To be first lieutenants*

Brown, Samuel L., O89768.
Gatlin, Jerry D., O97306.
McNeil, William D., O90473.
Phillips, Henry A., O91006.

*To be first lieutenant, Women's Army Corps*

Snell, Diane L., L604.

*To be first lieutenants, Medical Service Corps*

Heyen, George E., O97312.
Milne, Richard B., O96702.

The following-named persons for appointment in the Regular Army by transfer in the grades specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3290:

*To be lieutenant colonel*

Richards, Ralph J., Jr. (MSC), O37485.

*To be first lieutenant*

Thomas, Donald W. (MSC), O90054.

*To be second lieutenant*

Tang, Douglas B. (ARTY), O92130.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

*To be majors*

Higgins, Bernard, Jr., O2017852.
Kelleher, Edward D., Jr., O1338718.
Weaver, Frank E., O442109.

*To be captains*

Anderson, Ralph O., O4063709.
Averill, Jack E., O971954.
Barnhart, Richard J., O4018596.
Conley, Samuel G., Jr., O4041999.
Edmonson, James P., O4045258.
Erickson, Eric A., Jr., O4016148.
Farmes, William C., O1924970.
Franklin, Raymond D., O4009878.
Guffey, Connie S., O2271887.
Howard, Joseph D., O1877099.
Kirkpatrick, Andrew C., O4011046.
LaTour, Robert D., O4068215.
Levanger, John C., O4026677.
Lincoln, Richard L., O4064426.
Martin, Dale S., O4017851.
Meharg, Harold A., O4049497.
Moore, Peter W., O1885427.
Oelberg, Kermit N., O4076425.
Owens, Lawrence B., O1935670.
Patellos, Samuel W., O1935673.
Phillips, John H., O2265084.
Pitts, Russell N., O4005714.
Podurgal, Emanuel, O4006252.
Rehman, Donald I., O1932474.
Richards, Therman L., O2269360.
Robinson, Wayne, O968814.
Rosen, Donald E., O4031257.
Roshto, Lawrence E., O1924660.
Shortnacy, Harold L., O5304067.
Simpson, John H., Jr., O1873498.
Smith, Russell V., O1925763.
Stanley, Davey L., O4005269.
Tedlock, Billy L., O2265103.
Terry, Michael J., O4031185.
Trahan, Leon J., O4005977.
Ulmen, Patrick A., O1876379.
Ushijima, Ronald R. O4078102.
Whitley, George R., O4050452.
Whitmire, Roy A., O1891570.
Wright, Billy J., O4031530.
Zorn, Jack L., O2273353.

*To be first lieutenants*

Akers, Jimmy D., O5402074.
Akin, Jere H., O5307767.
Anglin, Richard C., O5302889.
Arndt, Gary L., O5510753.
Barrett, William I., Jr.,O5201916.
Barry, Joseph A., III., O4084643.
Benson, L. J., O5307858.
Berdux, Sylvester C., Jr., O5301731.
Bialkowski, Alan J., O5001199.
Blume, Geoffrey E., O5503749.
Bock, John E., O5207998.
Boss, Jerry L., O5508042.
Butts, Orville N., O5702491.
Coates, Albert, O5207256.
Coleman, Charlie W., O5301480.
Creasy, Calvin H., O2297727.
Danley, James M., Jr., O5404994.
Detrich, Virgil D., O5405129.
Drake, Cleo C., O5303075.
Frey, Jesse J., Jr., O5700190.
Friant, Fritz, O5511674.
Goodell, Peter N., O5704586.
Greenberg, Paul L., O5401800.
Hattori, Masaki, O5702369.

Heins, Derek H., O4084663.
Henderson, John S., O5509786.
Henderson, Richard H., O5400527.
Hughes, Jeremy H., O4085145.
Jobe, Joe D., O5301763.
Jones, James M., O5306185.
Keefer, John J., O5304224.
Kincheloe, Samuel E., O5308105.
Kroeber, Donald W., O5405147.
Leonard, William E., O5405440.
Lewis, Billie G., O5404392.
Marek, James A., O5403526.
Marsh, Nelson L., O5404261.
Merritt, William D., O5401192.
Monroe, Mark A., O5208171.
Moore, James L., III, O5309224.
Neal, George W., O5505026.
Paris, John M., III, O5007721.
Park, Donald R., O4084834.
Patton, Garry L., O5307124.
Pfister, Cloyd H., O5304497.
Pollard, Thomas L., O5508970.
Reed, George B., O1937661.
Rossi, Arnold T., O5704748.
Rubio, Euripides, Jr., O5826130.
Sanchez-Alicea, Esteban, O5826042.
Sanders, Marvin L., O4072019.
Sartori, Victor P., O4085538.
Stahl, Roland W., O5705028.
Strimbu, George, O4035802.
Swygert, John F., Jr., O5307658.
Tobin, Ernest H., O4086005.
Traas, Adrian G., O5503170.
Tudhope, Lawrence K., O5000207.
Vela, Rene A., O5404365.
Vercellone, Joseph E., O5005424.
Wagner, Fred L., O5308345.
Wesemann, Carl L., O5506837.
Youngblood, David T., O5307950.
Yurchak, Paul N., O5310841.

*To be second lieutenants*

Atkinson, John H., III, O5512132.
Britton, Joseph D., O5313390.
Calhoun, Richard W., O5409546.
Carlock, William C., O5517930.
Carrier, Gerald L., O5514036.
Cody, Michael A., O2306046.
Couch, John L., O5514870.
Crow, Stuart J., O5216504.
Dauber, Peter F., O5008649.
Davis, Norman J., O5310988.
Ferris, Edward J., Jr., O5314200.
Fleming, Roger S., O5215340.
Greene, Robert F., O5216959.
Griffith, Albert A., Jr., O5312281.
Hooks, Harold V., O5410132.
Hudson, Phillip F., O5008764.
Hunt, Richard, O5405717.
Kelly, Gerald L., O5707644.
Kravitz, Lawrence R., O5007533.
Kurtenbach, Frank J., O5514277
Laidlaw, Stephen R., O5311623.
Langley, Dennis S., O5010084.
Long, William H., O2296815.
Lunsford, Mirt S., Jr., O5313282.
Mannix, Joseph R., O5515130.
Marks, James B., O5313845.
Mellette, Julian R., Jr., O5311998.
Moorhead, Michael M., O5405863.
Naumann, Terrel K., O5312177.
Neal, Clarke L., O5210198.
Owens, John V., O5311712.
Perry, Richard, O2309770.
Prickett, Thomas R., O5215087.
Ray, Luther B., III, O5311061.
Schwend, William H., O5512248.
Scott, Kenneth R., O5511489.
Sexton, Donald E., O5210951.
Shauf, Elton R., O5512108.
Shaw, Edward W., O5007742.
Slife, Richard D., O5214347.
Tate, Dewey E., O5314941.
Tellman, David W., O5511986.
Thoms, Herbert G., O5008472.
Vaughn, Bernard W., Jr., O5315296.
Wise, Glenn L., O5410608.
Wright, Allen W., O5215655.
Yates, John R., O5210883.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3291, 3292, 3293, 3294 and 3311:

*To be major, Medical Corps*

Buswell, Arthur W., O1880053.

*To be captains, Dental Corps*

Caufield, John J., O5500520.
Cohen, George R., O5202612.
Hoffman, Jerry I., O5501052.

*To be captains, Medical Corps*

Cass, Kenneth A., O1932238.
Fair, William R., O2300466.
Forlidas, Nicholas G., Jr., O4023886.
Miller, Lee H., O5012604.
Welk, Richard W., O2313780.

*To be first lieutenants, Army Nurse Corps*

Duda, Helen, N2297624.
Jacobson, Constance E., N2301482.

*To be first lieutenant, Chaplain*

Scott, John C., O2307790.

*To be first lieutenant, Dental Corps*

Granath, Bruce B.

*To be first lieutenant, Judge Advocate General's Corps*

Thayer, Ernest C., III, O5414955.

*To be first lieutenants, Medical Corps*

Choolitch, Melvin P., O2309201.
England, Robert L., O2314260.

*To be second lieutenant, Army Nurse Corps*

Williams, Karyn S., N5411476.

*To be second lieutenant, Women's Army Corps*

Ralph, Rose A. C., L5302049.

The following-named distinguished military student for appointment in the Regular Army of the United States in the grade of first lieutenant, Judge Advocate General's Corps, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, 3288, and 3292:

Foreman, LeRoy F., O5514599.

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# EXTENSIONS OF REMARKS

## We Cannot Afford To Forget

EXTENSION OF REMARKS
OF
**HON. ANCHER NELSEN**
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, October 29, 1963*

Mr. NELSEN. Mr. Speaker, recently I received in my office a proclamation from the Council of Free Czechoslovakia, calling attention to the 45th anniversary yesterday of the birth of the Czechoslovak Republic.

The proclamation outlines the sorry history of a brave, freedom-loving people who worked hard to gain a republican form of government, only to see it trampled first by the Nazis and since by the Communists. The proclamation points out that the take-over by the Communists was made possible through the exploitation of class hatred, by destroying everything "requiring love of people and love of nation."

The utter bankruptcy of such a system is totally apparent, for Czechoslovakia is today a country controlled by barbed wire and mine fields.

Mr. Speaker, in view of many disturbing recent events, I feel compelled to say we must not forget the lesson of Czechoslovakia, nor the millions of peoples locked behind the Iron Curtain.

I want to join with freedom-loving Czechs in recognizing this day in their history, and in expressing my hope that freedom may one day come again to their great land.

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## Willis H. Warner

EXTENSION OF REMARKS
OF
**HON. RICHARD T. HANNA**
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, October 29, 1963*

Mr. HANNA. Mr. Speaker, word was received by my office here in Washington yesterday that Orange County has just lost its No. 1 citizen. Willis H. Warner, Sr., has long carried the sobriquet of Mr. Orange County. He served on the board of supervisors for over 25 years and was chairman of that body longer than any other man.

Willis was steeped in the history and early development of the county, leaving a hardware business in Huntington Beach to dedicate himself to a life of public service. During the difficult years of transition spanning the 1950's Willis Warner more than any one man was a stabilizing, constructive influence in extending the vital services needed to bridge the gap between a rural agricultural community, of some 200,000-plus population, and the vigorous and varied complex of industry, commerce, agriculture in a mixed population of over 1 million which now exists.

There are those who felt at times that Supervisor Warner relied more heavily on anchor than he did on sail when the winds of change blew most strongly. The strong and stable growth, the balance of the economy and the continuing bright prospects for the future should sufficiently confound his detractors.

I feel a sense of deep personal loss with the passing of Willis Warner. From the time I first served as president of the chamber of commerce for Westminster, Calif., I have had the wisdom of his counsel. As a practicing lawyer involved in matters of dispute brought before the board of supervisors, I have had his sympathetic and judicial consideration. As a State representative, I enjoyed his ready cooperation and a share of the wealth of knowledge on county affairs which was so uniquely his.

Mr. Speaker, I extend to his family, and the legion of those within Orange County that call him friend, my sincere expression of sympathy and regret.

## John W. Higginson: A Good Friend Leaves the Hill

EXTENSION OF REMARKS

OF

### HON. GEORGE HUDDLESTON, JR.

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 29, 1963*

Mr. HUDDLESTON. Mr. Speaker, Saturday, November 2, 1963, is going to be a sad day for many of us here on the Hill, particularly those of us who call the Old House Office Building "home," for it will be the last day of service of our beloved friend, John William Higginson. Mr. Higginson has been a member of the Capitol Police Force since 1951, and for 8 years, with only one brief recent interruption, he has hailed Congressmen and staff members alike—all by name—as we have come to work each morning via the First and Independence entrance of the Cannon Building. In fact, the mornings are going to be a little more difficult to face from now on, knowing we are going to be deprived of John's warm, hearty greeting at the beginning of each day.

Indeed, John Higginson is so much a part of the Hill life that some may not be aware of his distinguished service in other fields and other localities.

A native of Fall River, Mass., Mr. Higginson was for 29 years a member of the Fall River police force. For the last great portion of those years he was chief of the liquor and vice squad. Following his retirement in 1951, he came to Washington to be near his two children and his grandchildren and to go to work for the Capitol Police Force.

One of John Higginson's abiding interests is the young people of America. He once served as president of the Fall River Council of the Boy Scouts of America, and was a director of that organization for more than 15 years. His interest in our boys and girls is also manifested in the fact that, in connection with his membership in the Scottish Rite Masonic Order, he served as adviser to the DeMolays, an organization sponsored by the Masons for boys.

And of course I should mention that John served his country with dedication during the First World War. He enlisted in the Navy at the age of 18 and served until the end of hostilities as a chief shipfitter. His active interest in the veterans' cause continues and he is a member of the American Legion and the Veterans of Foreign Wars.

Though a lifelong Baptist, Mr. Higginson's marriage to the former Gladys Walker, of Brunswick, Maine, took place in the Episcopal Church of the Ascension in Fall River, Mass. Mr. and Mrs. Higginson celebrated their 40th wedding anniversary just last month. They now attend the Capitol Heights Baptist Church here in Washington.

Out of all of John Higginson's activities and interests, there is one which is obviously the most intense and most abiding, and that is his devotion to his family. Mr. and Mrs. Higginson are proud parents of a son and daughter and perhaps prouder grandparents of two grandsons and two granddaughters. Their son, John W. Higginson, Jr., and his wife have one daughter, Cynthia Louise, who is 16. The senior Higginsons' daughter, Gladys, and her husband—Mr. and Mrs. Donald Bulmar—are the parents of Donald, Jr., age 14; Steven, 12; and Robyn Lee, 1. Since their children and their families are now residing in the Washington area, Mr. and Mrs. Higginson plan to stay in the Nation's Capital after John's retirement.

So, Mr. Speaker, we can at least be thankful for that latter fact, and hope that John will come around to see us once in a while.

Meantime, I know that John Higginson's countless friends here on the Hill, both in and out of Congress, join with me in extending our warm gratitude for his dedicated service and for his friendship, and in wishing him many years of happiness to come.

## No. 23—Ohio: The Gamblers' Paradise

EXTENSION OF REMARKS

OF

### HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 29, 1963*

Mr. FINO. Mr. Speaker, today, I would like to tell the Members of this House, more particularly the congressional delegation from the State of Ohio, about gambling in that State.

Legal gambling in Ohio, as represented by the parimutuel turnover, came to over $138 million last year. The State Treasury benefited to the tune of over $10 million in revenue. But, far more significant were the vast amounts of money illegally gambled—much of which nourishes the manifold operations of the crime syndicates.

Ohio's portion of the national off-track betting estimates presented to the McClellan committee came to more than $2½ billion in 1962. On the basis of other estimates, total illegal gambling in the Buckeye State may have approached $5 billion last year.

In Ohio, as elsewhere, gambling's illegal status is a major bulwark of gangland prosperity. The crime syndicates thrive on gambling revenues. The 10-percent cut of the gross turnover which can reach $500 million, goes to line the pockets of the syndicate operators. This money is subsidizing every known form of crime and so long as gambling remains unchained and uncontrolled, it will continue to do so. This vast illegal gambling operation has made the people of Ohio the unwitting partners of the mob, which keeps the syndicates flush with cash.

Ohio, Mr. Speaker, will be a feeding trough for the underworld until such time as the human gambling tendency is recognized and controlled rather than chastised and outlawed. Throughout the world, government regulation of gambling by means of national lotteries has weakened crime with a hard blow to the wallet. Why cannot we in the United States demonstrate like wisdom?

## New Approach to Foreign Aid

EXTENSION OF REMARKS

OF

### HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 29, 1963*

Mr. BROOMFIELD. Mr. Speaker, the Alliance for Progress will have new allies for progress next year.

Citizens in Cali, Colombia, and Oakland County, Mich., are putting the final touches on plans for a unique experiment in oversea assistance which could mean more efficient help to those in need at less cost to the American taxpayer.

The idea behind this new concept in aid is essentially a simple one. It is that economic, political, and social growth often takes place in spite of—rather than because of—central governments.

It is a means by which people can help themselves, at home and in their own communities, rather than depending on handouts from Federal governments in faraway capitals.

It is a vehicle by which communities here in the United States can give of their talents and their experience to assist an area which badly needs such help.

For more than 2 years, I have been attempting to convince the Agency for International Development of the need for this new dimension in foreign aid.

With the assistance of Mr. David Bell, Administrator for the Agency for International Development, and Mr. Teodoro Moscoso, Coordinator for the Alliance for Progress, we now have the go-ahead for a pilot program to try out this new concept.

Mr. Moscoso has assigned an able and conscientious man from the Alliance, Mr. James Boren, to assist in its development and explore its future possibilities.

Mr. Boren, former deputy mission director for the Alliance in Peru, believes in the wisdom of this approach at the local level and, in fact, has successfully used this approach in Latin America.

Why was this new approach proposed to AID and the Alliance?

As a member of the House Foreign Affairs Committee, I have been well aware of the need for an effective and efficient foreign aid program. I realize that such a program is a vital part of the security of the United States.

But I have also been well aware of the shortcomings of many of our programs in the past.

It has been my observation that too many of our foreign aid projects and programs have been based too high.

We have funneled our funds into the capital cities of the countries we are attempting to help, and somehow these funds have failed to reach those who are most in need of our assistance.

We have had instances where our aid funds actually retarded, rather than improved, social and economic conditions. These aid funds have sometimes helped to keep the existing regime in power, maintaining the status quo, when the last thing we need for progress is to have things remain as they are.

In many other instances, paper barriers and bureaucratic regulations have slowed the process of providing assistance almost to a standstill. By the time our funds and our know-how have been brought to bear on a crucial problem, it has grown to a point where it is out of control and our aid is of little or no value.

What must be realized is that not only are we short on the dollars to bring about necessary reforms, but we are short of time as well.

It is my belief that this new approach offers a means of bridging these obstacles to progress, of getting our assistance down to those who need help the most. Further, this approach calls for maximum participation by the people themselves and an awareness of what is being done for them to a degree which has not been possible in the past.

It can create a climate of hope, of confidence in the future, which is a necessary first step toward resolution of economic and social problems of the magnitude we face in Latin America and many other areas of the world which have not yet begun to realize their full potential in providing a better life.

It took 2 years to reach this point and a recognition on the part of the Agency for International Development that the local-government-to-local-government approach might offer some solutions to these pressing problems.

After a year of attempting to try to convince AID that it should take a look at this approach on its own, I finally proposed that Oakland County, Mich., give it a try.

Further, I proposed that Oakland County join forces with the Cauca Valley, Colombia, and its principal city, Cali, in this pilot study.

Oakland County is typical of a great many areas in the United States. Located just outside the city of Detroit, it has undergone a population explosion which has transformed the area from a predominantly rural region to an urban area. Population has doubled, and doubled again in the past few decades. It is expected that Oakland County will continue this process of growth for years to come.

The Cauca Valley is just beginning to feel the strains and stresses of a rapid increase in population. Its growth rate is one of the highest in the world, and it is expected to continue to grow at this rate for the foreseeable future.

Cali and the Cauca Valley realize that they do not have the administrative machinery, the plans, the programs necessary to cope with this growth, to provide the jobs for this influx of thousands of new residents, to build a sound community which will be able to cope with the problems it foresees in the future.

Five experts from Oakland County visited Cali last spring. They were not paid a cent for their services. Four of the group received only travel pay and subsistence, while the fifth member of the team paid his own way completely because he believed so much in this approach.

What this group from Oakland County found in the Cauca Valley surprised them.

They found the valley unbelievably rich in natural and human resources, yet the majority of the people desperately poor.

They found topsoil in the Cauca Valley ranging in depth from 10 to 30 feet, yet the people were hungry.

They found the climate so delightful that the valley has been called the "land of eternal spring."

Yet the majority of residents had no suitable place to live, no running water, no sanitary facilities, little or no fire and police protection and almost no opportunity for an adequate education.

They found the Universidad del Valle an excellent academic institution with a bright future. But they also found that of 100 children of school age, only 75 would ever attend, only 27 of the original 100 would still be in school by the end of the third grade, only 2.7 would graduate from high school and a pitiful 1.6 would go on to college.

They found a bright, alert labor force, willing and eager to learn. But they found that the average wage for a working man with a family of three or four children was only $1.50 a day in a land where the cost of living is not cheap.

They found a bright and eager business community, realizing the problems they faced, not only in their business but in their community as well. But they found that the business community, while it was anxious to help, had little idea of how to solve these problems at the local level. Instead, they would apply to their Central Government for funds or programs and the long journey through redtape would begin, a journey which too often proved to be fruitless.

They found that property values are high and are rising rapidly in Cali. They found that a small part of the citizenry had wealth. But they also found that only 50 percent of the local property taxes were collected each year.

Of this amount, 95 percent went to pay municipal salaries, leaving little or nothing for funds to solve their own problems at home.

In its report following the inspection trip, the team from Oakland County wrote:

> We found in the Cauca Valley in general and in Cali in particular an area of great potential in terms of its natural resources, its climate, and its people. We found people with a willingness to work, with a strong commitment to improve their standard of living, and particularly we found a great desire for a good education for the young people. We found a rapidly expanding industrial development and a generally attractive atmosphere for industrial growth if monetary and political stability can be achieved.
>
> The potential is matched only by the problems—

The report continued.

> In general, it must be said that the standard of living for the vast majority of people is deplorably low, that the level of income is inadequate to meet the minimum needs of the population, that housing and public health pose serious problems in the development of the area, that municipal administration is antiquated, and that education has been tragically neglected. Further we found a general lack of confidence in the political process and the governmental enterprise, a great propensity to discount the integrity and effectiveness of government, and, in fact, the talents and achievements of the people themselves.
>
> It was the conclusion of this committee that not only could Oakland County and its experience and resources be helpful, but that it is imperative that these resources be employed as fully as possible at the earliest feasible date.

The U.S. Ambassador to Colombia, the Honorable Fulton Freeman, and AID Mission Director Charles Fossum were impressed with the diligence and the business-like approach of the Oakland County team. They suggested that a group of Colombians from the Cauca Valley come to Oakland County as quickly as possible to see for themselves the steps which the Michigan community had taken to solve its own problems.

The distinguished group from Colombia, led by Governor Balcazar of the Department of the Valle del Cauca, were impressed and amazed with what they saw in Oakland County.

They saw that local units of government can be more than simply administrative units to carry out national programs. They noted that these local units of government in our country plan their own futures, provide their own facilities and find solutions to their own problems without waiting for the Federal Government in many instances.

They approved of the active participation of citizens in their local units of government, of the cooperation between local units of government largely pioneered in Oakland County and the Detroit metropolitan region.

They determined to establish groups to implement their plans back in Colombia, similar to the Detroit Metropolitan Area Regional Planning Commission and the supervisors inter-county committee.

They want to establish the same kind of coordinated attack on their problems, in many cases similar to those which Oakland County has solved or is well on the way to solving.

On the last day of their visit to Oakland County, the group from Colombia sat down with their county counterparts and a proposed program was drafted.

It calls for Oakland County to establish a liaison office in the Cauca Valley, manned by an expert in public administration. Cauca Valley will send an industrial promotion specialist to Oakland County to inform American business of the advantages of investment and establishing new plants in the Cali area.

Scholarships will be exchanged between the Universidad del Valle and

Oakland University, and plans are underway for an exchange of professors as well.

As experts in the various fields of economics, finance, engineering, planning, and public administration are needed, they will be supplied to the Cauca Valley. Most of these experts will be volunteers serving without pay, or sent by local governments or private industry.

Total cost of this program? Less than $50,000 a year. Oakland County and the Cauca Valley will pick up more than two-thirds of the total cost without Federal contributions. The remaining one-third or less will come from the Agency for International Development, mostly for transportation costs to and from Cali.

I want to pay special tribute to the Oakland County team who have given so generously of their time and money in this program. Chairman Delos Hamlin of the Oakland County Board of Supervisors had a distinguished group under his direction. They were Chancellor D. B. Varner of Oakland University; Mr. George Catlin, head of area development for the Detroit Edison Co.; Mr. George Skrubb, director of the Oakland County Planning Commission, and Mr. Mark Jaroszewicz, an associate in the architectural firm of Tarapata-MacMahon.

The Colombian group, under the guidance of Gov. Gustavo Balcazar, included Mr. Herman Borrero, manager of the Cali public utilities organization; Mr. Jorge Herrera, Cali civic action committee; Mr. Pedro Caicedo, director of planning for Cali, and President Cesar Tulio Delgado of the Cali city council. All who met this group were impressed by their sincerity and the determination to find an answer to their pressing problems.

Dr. Delgado, who was former president of the Organization of American States, termed this new experiment a major step toward correcting a previously poor relationship between the United States and Colombia. He said that the people of Latin America have felt a certain bitterness that the people of the United States show less concern for the problems of their Latin American neighbors than they do for those of Europe, Africa, and Asia.

A major task of the experiment will be to see if better understanding can be created between Oakland County and the Cauca Valley.

I think it will, and that this approach could well lead to more such cooperative efforts between municipalities in the United States and their counterparts in Latin America.

Mr. Boren of the Alliance has told me he already has been contacted by communities in five States about the Oakland County approach and that more are coming in daily.

The National Association of County Officials and the American Municipal League are cooperating in this effort and are watching its results closely.

I am more than pleased with the cooperation I have received from Mr. Bell, Mr. Moscoso, Mr. Freeman, and Mr. Fossum and their able staffs in giving this program a try.

Reducing the problems in Latin America to a point where they can be understood and attacked at the local level will be a major breakthrough in development and I feel certain that it will lead to success.

In addition to the social and economic consequences of this approach, I think its effect in promoting political stability will be even greater.

This could well provide a training ground for future leaders in Latin America, leaders firmly grounded in democracy at the local level, close to the people.

It could create a greater confidence on the part of the people of Latin America in their own abilities to solve their own problems, at home and without massive amounts of assistance either from their own central governments or from Washington.

In my opinion, this program is an integral part of the Alliance for Progress. In fact, I think its direction and scope fit it uniquely into the Alliance to a greater degree than most realize at the moment.

The alliance between the Cauca Valley in Colombia and Oakland County in the United States is a forerunner of future alliances which will have great significance to the Americas in years to come.

It puts people into our plans for oversea assistance and helps them work together toward common goals of freedom and greater opportunity.

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## Need for Code of Ethics for Congress

EXTENSION OF REMARKS

OF

### HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 29, 1963*

Mr. PURCELL. Mr. Speaker, in light of recent events touching both bodies of the Congress and both political parties, I again call upon my colleagues to give consideration to a bill which I introduced on April 29 of this year, House Joint Resolution 392. This bill provides for a code of ethics for Members of Congress.

The public confidence in the Congress is being shaken by some recent disclosures and speculation. It is my belief that much of the speculation will be disproved when all the facts are known. By then, however, the damage will already be done. It is done by the press stories of innuendo based on the partial information which is available to them. The main reason I feel we must consider legislation like House Joint Resolution 392 is to prevent a recurrence of much of what has happened.

Among other things, the bill provides that each Member of Congress file with the House or Senate a sworn statement of his financial transactions each year. This statement would include the source and amount of all income, any gifts the Member received in excess of $25 in value, and so forth. Such reports would be public records.

There are other provisions limiting funds for congressional travel and providing for reporting of these expenditures, provisions to require congressional employees to be actually employed in the home district of the Member or in his Washington office, provisions prohibiting Members and their staffs from assisting in the prosecution of any claim against the U.S. Government for personal gain, and other provisions.

I believe that almost all Members of Congress are honest, upright, and dedicated citizens. They are among the finest citizens in the land. Therefore, I think their honor should be protected by passage of legislation which would eliminate the source of much of the incorrect and unfair speculation about the Members' activities.

I sincerely hope that House Joint Resolution 392 will be considered favorably in the very near future.

Thank you, Mr. Speaker.

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## Outstanding Public Service of Henry Shore, Regional Director, and W. G. Stuart Sherman, Regional Attorney, for National Labor Relations Board in Pittsburgh, Pa.

EXTENSION OF REMARKS

OF

### HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 29, 1963*

Mr. FULTON of Pennsylvania. Mr. Speaker, we in Pittsburgh, western Pennsylvania, and West Virginia, are proud of the fine record of Henry Shore and W. G. Sherman, of the Pittsburgh NLRB office, when they have been honored this year for a quarter of century of dedicated service. This excellent service to the National Labor Relations Board, which administers the Nation's principal labor relations law has been of real value to our industrial communities in giving fair service and impartial decisions. The confidence and respect of Director Shore and Attorney Sherman has been a weighty factor in the development, not only of fair and humane labor-management rulings and good labor-management relations, but are basic elements in the progress and advance of our whole economy.

I have asked for and have received the NLRB release covering the NLRB fourth annual awards ceremony in Washington, D.C., honoring Director Shore and Attorney Sherman, which follows:

NATIONAL LABOR RELATIONS BOARD,
DIVISION OF INFORMATION,
*Washington, D.C., September 6, 1963.*

Henry Shore and W. G. Stuart Sherman, Regional Director and Regional Attorney for the National Labor Relations Board in Pittsburgh, were honored Friday for a quarter century of service to the agency which administers the Nation's principal labor relations law.

They were 2 of 43 members of the NLRB staff given special recognition for 25 years' service at the Board's fourth annual awards ceremony in Washington.

Mr. Shore, who as regional director supervises NLRB operations in western Pennsylvania and much of West Virginia, is a native of Bellevue, Pa. He gained his law degree at the University of Pittsburgh and practiced law in Pittsburgh until he joined the NLRB September 8, 1937 as a field attorney. He was promoted to Regional Attorney in 1941 and Regional Director in 1947. His full quarter century service with the Board has been in Pittsburgh. Mr. Sherman, who received his LL.B. from Georgetown University Law School, began his NLRB career October 13, 1937. He worked as a member of the legal staff in Los Angeles and Atlanta Regional Offices before being promoted to his present position as chief attorney in the Pittsburgh office.

Secretary of Labor W. Willard Wirtz was principal speaker and NLRB Chairman Frank W. McCulloch presided at the ceremony which also honored three men who rose through Government career ranks to top positions with the Board through appointments by the President. Twenty-year Federal service pins were presented to Board Member John H. Fanning of Rhode Island, to Board Member Gerald A. Brown of California, and to General Counsel Arnold Ordman of Maryland. A 10-year service pin was given Board Member Boyd Leedom of South Dakota.

In 1937, when the 43 joined the 3-year old Board, they formed almost 15 percent of its total personnel. Few if any Federal agencies or departments have such a sizable percentage contingent of its early staff in such extended continuous service. Today, with more than 2,000 employees, the NLRB has 2½ percent of its personnel with more than a quarter century of labor relations experience.

We are also proud to have in the Pittsburgh NLRB office, the recognition of good and faithful service for 3 additional people at the fourth annual awards ceremony.

In Pittsburgh, three members of the NLRB regional office staff were awarded Federal Government service pins: Alys E. Gazal, 20 years; Emilie B. Alexander, 10 years, and Rosemarie Hermesky, 10 years.

In his address, at the fourth annual NLRB awards ceremony in Washington, D.C., Secretary of Labor W. Willard Wirtz paid tribute to the NLRB and its corps of quarter-century employees, who "built a law of job rights paralleling what it took the common law 3 or 4 centuries to do as far as property rights are concerned."

He said:

> I think of the National Labor Relations Board as having established a foundation of private freedom, private democracy in this country.

Secretary Wirtz' remarks:

### Excerpts of Remarks by Secretary of Labor W. Willard Wirtz

I wish I could boast of 25 years with the National Labor Relations Board, to having as a matter of remembered experience of my own what you people did and went through and started, not as a matter of public boast, but as a matter of inner pride and satisfaction which it must give you. I know it hasn't been a matter of glamor and glory and that kind of thing. There's been a lot of drudgery involved in it. I don't know what your attitude is about things; it all depends on that.

I think again of the three stone masons of Chartres. We all know it, but it's a story we repeat, as we repeat the Lord's Prayer or sing the Star-Spangled Banner, because it's so close to what is centrally important. A man approached three stone masons working at Chartres and asked them what they are doing and the answer of one, "I am cutting stones," and the answer of the next, "I'm making a living," but the answer of the third, "I'm building a cathedral."

I think that the National Labor Relations Board is made up of people who have thought from the beginning not that they are bucking for a GS–12 or that they are writing briefs or that they are pounding typewriters, but that they are building and preserving a free society. That is why there are so many of you here today; that is why although in all your lives a good many of you have never seen your names in the newspapers and you have read a thousand editorials critical of the National Labor Relations Board for every one that contained a single word of approbation; that is why it all seems so completely worthwhile.

I wish I had an experience which goes back 25 years in this field so that it would leaven all of the vicissitudes of today. What can seem very serious today to people who think back to labor relations and the basis on which you found them, which meant sweatshops and company unions and yellow dog contracts and sitdown strikes and all that kind of thing. Think of how far things have come since that time. Think back that you built a law of job rights, paralleling what it took the common law three or four centuries to do as far as property rights are concerned. You have built a jurisprudence in the plants of the country, take the form of the grievance machinery, and so on and so forth. You think back to a time when there were 12 million unemployed people in this country with a work force only a little more than half of what it is today. What can seem too difficult today as you look back over a period during which you built with your hands, with your heads, and your hearts; when you built the integrity of millions of individuals to which Judge Charles Fahy has already referred?

I wish I were sitting where you are. I wish I could claim that kind of accomplishment. The thanks you get are mostly unspoken. That is because your job has been for 25 years to buck the status quo, to change the status quo, and you don't get public plaudits for changing things. The criticism is almost always the other way. You have been stewards of a principle and few of us can boast of that. If the jobs from time to time have been the humdrum jobs, they have nevertheless added up to the accomplishment of a change which, so far as I know, is unparalleled in the jurisprudence or in the human relations, or in the economic relations of the democratic society and I say that without qualification and on a considered basis.

I know no other field in which, suddenly, the society, acting from desperation, because the circumstances of those times forced it to its senses, did what needed so much to be done, which probably wouldn't have been done if things hadn't been so bad.

I know of no other situation in which a whole new principle, a whole new concept, a whole new ideal, idea and ideal of the integrity of the individual were accomplished by statute.

Oliver Wendell Holmes said once that "So long as conflicting notions hold the battlefronts against each other and the idea destined to prevail has not been established, the time for law has not yet come." Your act was passed when the conflicting notions still kept the battlefronts against each other and you have had to fight the problem of making law work under those circumstances.

I say only to you that with whatever advantage comes from being not a part of the National Labor Relations Board, but having watched it as a teacher and Government administrator over the period of years, I say I know no other record which parallels yours when it comes to the changing of what would otherwise have been the situation through the work of an institution. I suppose most institutions simply ride along with what would have happened anyway. Not the National Labor Relations Board. The country is so different today from what it would have been if there had not been an NLRB, and I suppose that is probably the largest accomplishment in the history of the United States by a small group of people. I suppose that this whole revolution, for that's what it's been, has been brought about by a comparatively small number of people and they aren't just the labor leaders, they aren't the industrial labor relations managers; to a considerable extent they are those of you who have participated in the bringing of Government service to the aid of individual independence, of private freedom.

I think of the National Labor Relations Board as having established a foundation of private freedom, private democracy in this country.

I can only say to you my most sincere compliments I hope that for all of you, both those who are being honored here today as well as for others, this work means, as I say, not the pounding of a typewriter, not the writing of a brief, but of building and maintaining of a free society, which is the one thing which is most important to all of us.

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## John W. Higginson Retires

EXTENSION OF REMARKS
OF

### HON. JAMES G. FULTON

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, October 29, 1963*

Mr. FULTON of Pennsylvania. Mr. Speaker, on Saturday, November 2, 1963, our good friend, Officer John Higginson, will retire after 8 years of distinguished service as a member of the Capitol Police Force. We in the northeast corner of the Old House Office Building, will particularly miss John and the cheerful greetings in the morning that he extended to Congressmen and staffers alike.

Mr. Higginson has not only had a distinguished career on the Capitol Police Force but also as a member of the Fall River, Mass., police force which he served with for 29 years. Following his retirement from the Fall River Police Department in 1951, he came to Washington to be near his two children and his grandchildren and to go to work on the Capitol Police Force.

Throughout his life, John has been interested in the youth of America. In his native town of Fall River he has served as president of the Council of the Boy Scouts of America and has been a director of that organization for 15 years. As a member of the Scottish Rite Masonic Order, he also served as adviser to the Order of Demolay.

When World War I broke out, John enlisted in the Navy and served as a chief shipfitter until the end of the war. His interest in veterans' affairs has continued and he is an active member of the American Legion and the Veterans of Foreign Wars.

I know that John Higginson's many friends on the Hill will join with me in extending our appreciation and gratitude for the fine friendly service that he has rendered while working at the Capitol, and to wish him many happy and successful years to come in the future.

## Public Cry for Medicare—Fact or Myth

EXTENSION OF REMARKS
OF

### HON. THOMAS B. CURTIS

OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
*Tuesday, October 29, 1963*

Mr. CURTIS. Mr. Speaker, Congressmen and Senators this year have included in 36 polls a question asking their constituents' opinion of a social security hospital-medical plan for the elderly—the administration's proposal. These legislators are from both parties and represent all shades of political opinion and both rural and urban districts.

Thirty-one of these polls appeared in the Congressional Record and five in other publications.

In 34 of these polls, a majority of voters opposed the administration's plan. In only two did a majority support it. Some of the opposition ran as high as 90 percent of those answering the questionnaires.

These results bear out a point I have long maintained—that when the American people are fully informed on the facts of bad legislation, they will stand against it. Administration propagandists have tried to sell this program by holding it up as almost a "something for nothing, pie in the sky" plan that will give all older people hospital and medical care for only 25 cents a week. They counted on the voters to swallow this thesis and start a nationwide, grassroots movement for the bill that Congress could not resist.

The so-called Puritan Ethic that shocked the administration regarding the tax cut bill is again evident in the Nation's stand on the medicare legislation. This country is in no mood for Federal giveaways accompanied by Federal takeaways of individual freedom, particularly when the people now know that they are the ones who do the real giving. More and more of our constituents realize this bill will be expensive and will lead to an inferior system of health care.

The Gallup poll figures have shown a steady decline in support of the measure until now a majority oppose it, according to Dr. Gallup's soundings.

Under permission previously granted, at this point I place in the Record the pertinent medical care questions from polls taken this year by my colleagues in this and the other body:

1963 Congressional Polls re King-Anderson—Appearing in the Congressional Record

Frances P. Bolton, Republican, of Ohio, March 18, page 4457: Do you favor or oppose medical care: a compulsory health-care plan financed through the social security system. Favor, 37 percent; oppose, 50 percent; no opinion, 13 percent. (Opposes King-Anderson.)

Morris K. Udall, Democrat, of Arizona, February 28, page 3278: Medicare: President Kennedy has asked for a medicare bill which would pay a part of hospital bills for persons over 65. No doctor bills would be covered. The plan would be financed by a $1 per month increase in employees' social security deductions and a similar increase in contributions of employers. In general, would you favor or oppose a plan of this kind? Favor, 54 percent; oppose, 40 percent; no opinion, 6 percent. (Favors King-Anderson.)

E. Y. Berry, Republican, of South Dakota, March 21, page 4775: Do you prefer the present voluntary medical care program for the aged over a compulsory plan, financed by increased social security taxes? Yes, 76 percent; no, 20 percent; undecided, 4 percent. (Opposes King-Anderson.)

Peter Frelinghuysen, Jr., Republican, of New Jersey, March 28, page 5162: Do you favor increasing your social security taxes to finance hospital and nursing home costs for those over 65? Yes, 35 percent; no, 58 percent; no opinion, 7 percent. (Opposes King-Anderson.)

William S. Mailliard, Republican, of California, March 28, page 5160: Do you favor a plan managed by the Government and financed by greater social security taxes? Yes, 38 percent; no, 51 percent; no opinion, 11 percent. (Opposes King-Anderson.)

Harold R. Collier, Republican, of Illinois, March 18, page 4459: Medical care for aged under the social security program? Yes, 35 percent; no, 56 percent; undecided, 9 percent. (Opposes King-Anderson.)

James Harvey, Republican, of Michigan, April 11, page 6517: Do you favor placing medicare for the aged under social security and raising social security taxes in a sufficient amount to cover cost? Yes, 24 percent; no, 73.2 percent; no answer, 2 percent. (Opposes King-Anderson.)

Charles E. Chamberlain, Republican, of Michigan, April 23, page 6867: With regard to medical care for the elderly, do you favor: Increasing social security taxes to finance hospital and nursing costs for those over 65 (King-Anderson approach), 22 percent; a tax credit or Federal financing for private insurance for medical and hospital care for those over 65 (Bow bill), 24 percent; no Federal participation in this field, 32 percent; other, 8 percent; no answer, 14 percent. (Opposes King-Anderson.)

Robert T. McLoskey, Republican, of Illinois, May 7, page 7911: Medicare managed by Government and financed by greater social security taxes? Yes, 11.5 percent; no, 80 percent; undecided, 8.5 percent. (Opposes King-Anderson.)

Thor C. Tollefson, Republican, of Washington, May 9, page 8256: Do you favor medical care for people over 65 by increasing the social security taxes upon employees and employers? Yes, 34 percent; no, 40 percent; no opinion, 4 percent. (Opposes King-Anderson.)

W. R. Hull, Democrat, of Missouri, May 15, page 8769: Medicare: Do you favor bill to provide part payment of hospital costs for persons over 65, but no doctors' bill, through increase in social security? Yes, 32 percent; no, 65 percent; no opinion, 3 percent. (Opposes King-Anderson.)

K. W. Stinson, Republican, of Washington, May 20, page 8972: Would you favor compulsory medical care for the aged under social security with the cost paid for by increased taxes on employees and employers? Yes, 32.8 percent; no, 60.9 percent; undecided, 6.3 percent. (Opposes King-Anderson.)

E. C. Gathings, Democrat, of Arkansas, May 20, page 9060: Do you favor or oppose compulsory medical care for aged citizens tied to social security? Yes, 11 percent; no, 85 percent; no opinion, 5 percent. (Opposes King-Anderson.)

John S. Monagan, Democrat, of Connecticut, May 27, page 9599: Do you favor a program of medical care for the aged under social security exclusively? Yes, 28 percent; no, 49 percent; undecided, 23 percent. (Opposes King-Anderson.)

Dave Martin, Republican, of Nebraska, May 29, page 9885: Do you favor the King-Anderson medicare bill which provides for a compulsory health program for the aged under social security? Yes, 8.4 percent; no, 85.4 percent; not sure, 6.2 percent. (Opposes King-Anderson.)

J. Arthur Younger, Republican, of California), June 3, page 9939: Do you favor increase in social security tax to provide hospitalization for all? Yes, 21.3 percent; no. 69.8 percent; undecided, 8.9 percent. (Opposes medicare.)

Donald Rumsfeld, Republican, of Illinois, June 6, page 10432: Should the Federal Government provide some type of medical expense aid to persons over 65? If "yes," should it be accomplished by enacting King-Anderson bill (financed by increased social security taxes on employers and employees, given regardless of need)? Yes, 14.4 percent; no, 53.4 percent; no opinion, 32.2 percent. (Opposes King-Anderson.)

Thomas M. Pelly, Republican, of Washington), June 13, page 10904: The medicare program is before Congress again. Supporters argue that retired persons need help to meet high medical costs, and that the program would use the reliable social security system. Opponents argue that the needy aged already have some help, and that the social security deduction is too high now. How do you feel about the medicare program? No opinion, 0.5 percent; very much in favor, 26.7 percent; somewhat in favor, 11.5 percent; neutral, 3.4 percent; somewhat opposed, 10.3 percent; very much opposed, 45.8 percent; total in favor, 38.2 percent; total opposed, 56.1 percent. (Opposes King-Anderson.)

Bruce Alger (Republican of Texas), June 19, page 11230: Do you favor medical care for the aged by increasing social security taxes to finance such care? Yes, 5 percent; no, 93 percent; no opinion, 2 percent. (Opposes King-Anderson.)

M. G. Snyder, Republican, of Kentucky, July 23, page 13145: Should a Federal old-age medical care program be instituted with social security taxes? Yes, 31 percent; no, 62.3 percent; no opinion, 6.7 percent. (Opposes King-Anderson.)

Thaddeus J. Dulski, Democrat, of New York), July 30, page 13738: Do you favor a medicare plan which provides for a compulsory health program for the aged under social security? Yes, 78.2 percent; no, 19.8 percent; no opinion, 2 percent. (Favors King-Anderson.)

Jack Westland, Republican, of Washington), August 1, page 13933: Do you favor a voluntary medical care program for our senior citizens over a compulsory program? Yes, 79 percent; no, 21 percent. (Opposes King-Anderson.)

William G. Bray, Republican, of Indiana, August 12, page 14767: Do you favor: Compulsory Federal medical care for the aged under social security as proposed in King-Anderson bill? Yes, 22 percent; no, 73 percent; no opinion, 5 percent. (Opposes King-Anderson.)

O. C. Fisher, Democrat, of Texas, August 14, page 15048: Do you favor increasing your social security taxes to finance hospital and nursing home care for those over 65? Yes, 17.5 percent; no, 74 percent; no opinion, 8.5 percent. (Opposes King-Anderson.)

Ed Foreman, Republican, of Texas, August 27, page 16075: Do you favor the administration's Federal aid for medicare proposal? Yes, 12.3 percent; no, 87.7 percent. (Opposes King-Anderson.)

Robert McClory, Republican, of Illinois, August 28, page 16179: Do you favor hospital and nursing home care for people over 65, financed by increased social security taxes and increased Federal income taxes for those not under social security? Yes, 28.2 percent; no, 71.8 percent. (Opposes King-Anderson.)

Oliver P. Bolton, Republican, of Ohio, August 30, page 16201: Medical care (choose one): a. Compulsory health care for those over 65 financed through social security system? Favor, 36.5 percent; oppose, 49.5 percent. (Opposes King-Anderson.)

Charles B. Hoeven, Republican, of Iowa, September 9, page 16586: Do you favor placing medicare for the aged under social security and increasing social security taxes to cover the cost? Yes, 21 percent; no, 77 percent; no opinion, 2 percent. (Opposes King-Anderson.)

Paul G. Rogers, Democrat, of Florida, September 12, page 16909: Do you favor an increased social security tax to provide medical care for the aged? Yes, 38.7 percent; no 57.8 percent; blank, 3.5 percent. (Opposes King-Anderson.)

Silvio O. Conte, Republican, of Massachusetts), September 24, page 17949: Do you favor medical care for the aged: federally administered plan financed by employer and employee social security payments? Yes, 34.7 percent; no, 58.2 percent; undecided, 7.1 percent. (Opposes King-Anderson.)

Basil L. Whitener, Democrat, of North Carolina, October 10, page 19327: Do you favor increasing your social security taxes to finance hospital and nursing home care for those over 65 as proposed in the King-Anderson bill? Yes, 16.2 percent; no, 80.3 percent; no opinion, 3.5 percent. (Opposes King-Anderson.)

### APPEARING IN PUBLICATIONS OTHER THAN THE CONGRESSIONAL RECORD

A. S. Herlong, Jr., Democrat, of Florida: A questionnaire was mailed to all householders in his district in May of 1963. In answer to a question—should there be a compulsory medical care program for the aged within the social security system—7,952 voted for and 17,310 voted against, with 612 having no opinion and 314 failing to answer the question of the total of 26,188 returning the questionnaire.

John M. Slack, Jr., Democrat, of West Virginia: 50,000 questionnaires were mailed to a selected list of this Congressman's constituents in July of 1963. Four thousand returned the questionnaire with their choices marked. Those favoring medicare under the Social Security Act represented 42 percent, while 58 percent were opposed.

Charles E. Bennett, Democrat, of Florida: Do you favor an increased social security tax to provide medical care for the aged? Yes, 39.9 percent; no, 60.1 percent.

George F. Senner, Democrat, of Arizona—(see Arizona Republic October 3, 1963): Do you favor King-Anderson—730; Do you favor Kerr-Mills—611; Do you favor no Federal program—1,029.

William Proxmire, Democrat, of Wisconsin: October 1963 Newsletter * * * a 51-percent to 49-percent vote against hospital insurance for the aged to be paid by an increase in the social security tax.

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## My Fight for Civil Rights

EXTENSION OF REMARKS

OF

## HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 29, 1963*

Mr. POWELL. Mr. Speaker, much has been said in recent months regarding the necessity of passing an effective civil rights bill. This urgency has been recognized as essential for America's proof to the world that she believes in democracy.

The question of civil rights is no longer the problem of Negro people—it is the problem of all the people of the United States of America. Many fear that the United States may be finished as a great power in the eyes of the world unless she solves this problem and solves it now.

However, on November 7, 1944, when I was elected to the 79th Congress of the United States of America, I pledged myself to dedicate my efforts to the task of making democracy work. From the very beginning of my term, I introduced bills relating to underprivileged and minority groups and utilized every opportunity provided me to remind my colleagues of the importance of this issue. Now as we come to the time when Americans generally turn their hearts and minds to this all-important challenge of America, I would like to take this opportunity to review my record in this matter as evidenced by bills introduced and remarks made in the House of Representatives.

The material follows:

### MY FIGHT FOR CIVIL RIGHTS

### 79TH CONGRESS, 1ST SESSION

### *Armed Forces*

H.R. 2708 (Mr. Powell): A bill to prohibit race segregation in the Armed Forces of the United States after the termination of hostilities in the present war and the beginning of the demobilization.

### *District of Columbia*

House Joint Resolution 84 (Mr. Powell): Joint resolution proposing an amendment to the Constitution of the United States empowering Congress to grant representation in the Congress and among the electors of President and Vice President to the people of the District of Columbia.

### *Fair employment practices*

What we are interested in is a permanent FEPC—a permanent act of this Congress which will forever, in wartime and peacetime, rule out discrimination in public and private employment.

It is the cheapest and lowest form of politics to play upon any subject as delicate as is the subject of race in connection with legislation which is distinctly of a nonracial character. This bill should stand upon its own merits. It should be passed on its own merits or rejected on its own merits.

"I am opposed to this bill because it fundamentally negates the entire American tradition of the freedom of contract. I will never subscribe to the philosophy that the end justified the means. We are out to win this war, but not just another victory. We want to win a permanent, people's democratic victory. We cannot gain a moral victory with immoral means. This bill is immoral. * * * Its passage would mean that in the 'land of the free and the home of the brave' we have reverted to slavery, not just of the blacks but of the entire American working class" (Congressional Record, Jan. 31, 1945, pp. 652–653).

### *Lynching and violence against the individual*

H.R. 1747 (Mr. Powell): A bill for the better assurance of the protection of persons within the several States from mob violence and lynching.

### *Poll tax and voting rights*

H.R. 2183 (Mr. Powell): A bill making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers.

"This Nation will never achieve full stature until the whole South is free. The South can never start the upward march to political freedom until the chains of poll taxes are broken. * * * Two dollars is a lot of money to 6 million sharecroppers in the Southern States who average less than 6 cents per day. Two dollars is a lot of money to men who at the end of a year's work are told that they still owe the planter money" (Congressional Record, June 12, 1945, p. 5983).

### *Racial discrimination*

H.R. 1743 (Mr. Powell): A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry.

### *Labor (antilabor legislation)*

"Naturally, no American citizen wants unrest and dissension; nevertheless, this is America and among the things our men fought for were not only that a world might be made safe for democracy but also America. Democracy gives to a man the right not only to say what he wants to, when he wants, but also the right to stand together with his fellow citizens and demand the things he should have. Any attempt to take any of these things away from American workers is winning the war for Hitler."

"Generally speaking, this legislation denies the basic right of labor to strike. It will force American workers to work. It will prevent them from getting together their forces to strike if necessary.

"Put this bill in operation and American workers * * * would be chained to the wheels of economic slavery" (Congressional Record, Dec. 11, 1945, p. 11836).

### 79TH CONGRESS, 2D SESSION

### *District of Columbia*

H.R. 5990 (Mr. Powell): An amendment to the District of Columbia Appropriation Act for 1947.

"*Provided*, That no part of any appropriation contained in this act shall be used for any agency, office, or department of the District of Columbia which segregates the citizens of the District of Columbia in employment, facilities afforded, services performed, accommodations furnished, instructions, or aid granted on account of the race, color, creed, or place of national origin of the citizens of the District of Columbia."

### *Public accommodations*

H.R. 7220 (Mr. Powell): A bill to assure to all persons within the jurisdiction of the United States full and equal privileges with respect to public conveyances and places of public accommodations, resort, entertainment, amusement, assemblage, and institutions.

### *School lunch programs*

An amendment to the School Lunch Act of 1946 to provide that "no funds made available * * * shall be paid or disbursed to any State or school if, in carrying out its functions under this title, it makes any discrimination because of race, creed, color, or national origin of children or between types of schools, or with respect to a State which maintains separate schools for minority and for majority races, it discriminates between such schools on this account.

"We should see that this bill guarantees that the health of America's poorest citizens, the people of the minorities, be protected. I am sure the author of the bill intended this; I am sure all of us who are in favor of the bill want it. It does not in any way alter the existing educational pattern of some States; it does not mean equal education, which is another subject to go into some other time. I know we do not in some States spend equal amounts of money for education, but I am sure that no one can be found to say that we would not want to spend equal amounts of money for food. We are spending vast sums through UNRRA for Europe, and we should. We cannot do any less for our own American citizens.

"I am merely offering this amendment in the hope that we will be humane enough to see that minority races have the same opportunity in the free-lunch program as do those of the majority race.

"This is a program for the children of the United States; and the children who need it, whatever race, color, or creed, should have equally the rights and benefits of it" (CONGRESSIONAL RECORD, Feb. 20, 1946, p. 1494).

#### *Segregation in interstate transportation*

H.R. 1925. (Mr. POWELL): "The Supreme Court of the United States has just handed down a decision which marks the most important step toward winning the peace since the conclusion of the war. The decision abolishes separation of races in interstate transportation. It strikes at the heart of the un-Christian, undemocratic hypocrisy of some Americans. * * * It is ridiculous that Negro veterans who have fought all over the earth for democracy, returning to the United States, must ride in inferior, separate Jim Crow cars while prisoners of war from Germany are allowed first-class accommodations on all trains. It is a travesty that we can fight two wars to make a world safe for democracy in one generation and do nothing whatsoever about our own democracy here. When I say here, I mean here in the Halls of Congress. We have not passed a single win-the-peace law since the conclusion of the war. We have sat by and allowed the Supreme Court to do what we are paid to do."

### 80TH CONGRESS, 1ST SESSION

#### *District of Columbia*

House Resolution 30 (Mr. POWELL): Proposing an amendment to the Constitution of the United States empowering Congress to grant representation in the Congress and among the electors of President and Vice President to the people of the District of Columbia.

H.R. 805 (Mr. POWELL): To assure to all persons within the District of Columbia full and equal privileges of places of public accommodation, resort, entertainment, and amusement.

#### *Armed Forces*

H.R. 279 (Mr. POWELL): A bill to prohibit race segregation in the Armed Forces of the United States after the termination of hostilities in the present war and beginning of demobilization.

#### *Equal employment*

H.R. 3105 (Mr. POWELL): A bill to prohibit discrimination in employment because of race, religion, color, national origin, or ancestry. Also, H.R. 806.

#### *Interstate transportation*

H.R. 280 (Mr. POWELL): A bill to amend the Interstate Commerce Act so as to prohibit the segregation of passengers on account of race or color.

#### *Lynching and mob violence*

H.R. 278 (Mr. POWELL): A bill for the better assurance of the protection of persons within the several States from mob violence and lynching, and for other purposes.

#### *Segregation in Government cafeterias*

House Resolution 143 (Mr. POWELL): Directing the Committee on Education and Labor to conduct an investigation with respect to (1) the exclusion of Negroes as patrons of the public portions of the restaurants and cafeterias in the U.S. Government buildings in the District of Columbia, and (2) the exclusion of Negro employees as patrons of the restaurants and cafeterias in the U.S. Government buildings in the District of Columbia.

### 80TH CONGRESS, 2D SESSION

#### *District of Columbia*

H.R. 6227 (Mr. POWELL): To provide for home rule and reorganization in the District of Columbia.

H.R. 4951 (Mr. POWELL): To assure to all persons within the District of Columbia full and equal privileges of places of public education, accommodation, resort, entertainment, and amusement, and for other purposes.

H.R. 627 (Mr. POWELL): An amendment to this bill offered by Mr. POWELL to provide a new section in the District of Columbia Charter Act entitled "Functions Relating to Civil Rights."

#### *Armed Forces*

H.R. 4952 (Mr. POWELL): To prohibit race segregation in the Armed Forces of the United States.

#### *Poll tax*

H.R. 5261 (Mr. POWELL): Making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers.

#### *Civil rights*

In a general statement about failure of the 80th Congress to act:

"Now we have come to the period of the great crisis. Two billion, who can either be our enemies or our friends, look askance at the kind of democracy we practice in America and are saying, 'If that's what you want to force on us, no thanks.' Sure, we have the atom bomb but it cannot kill two billion people. Or maybe some of our leaders would like to try. Away with the Marshall plan, Truman doctrine, Mason and Dixon's line, the North, the South, black and white, and let the American plan have a chance. Let us practice at home what we preach abroad" (CONGRESSIONAL RECORD, vol. 94, pt. 10, p. A1874).

#### *Armed Forces segregation and Negro patriotism*

H.R. 4952 (Mr. POWELL): To prohibit racial segregation in the Armed Forces of the United States.

"I make no excuse, when I present this amendment, for the patriotism of my people, the Negro people. Back in the beginning of this Republic, the first blood that was shed that America might be free was shed on March 5, 1773, on Boston Common by a black man, Crispus Attucks. From the days of then until the days of now Negro people have been the most loyal minority in this democracy. The Negro people will stand ready at all times to defend this Nation, but they are saying, 'We want some of the democracy here now at home that you are trying to sell abroad to other people that you ask us to go ahead and fight for. We have proven our loyalty. We are asking for democracy now'" (CONGRESSIONAL RECORD, vol. 94, pt. 4, p. 4543).

### 81ST CONGRESS, 1ST SESSION

#### *Federally financed housing*

Statement in support of a civil rights amendment to the Housing Act of 1949:

"Let me speak to you very frankly as a Negro and let me tell you great northern liberals that, regardless of what Uncle Tom Negroes may inform you, the Negro people would rather continue living in the slums fighting for their God-given civil rights than to have public housing and be Jim Crowed, segregated and discriminated against.

"How long will you continue to say every time a civil rights amendment is brought up, 'It will kill the bill?' How can you be so consistently dishonest by promising people civil rights at campaign time and then repeatedly defeating civil rights on this floor?" (CONGRESSIONAL RECORD, vol. 95, pt. 9, p. 12186).

#### *Armed Forces*

H.R. 23 (Mr. POWELL): To prohibit race segregation in the Armed Forces of the United States.

#### *District of Columbia*

House Joint Resolution 43 (Mr. POWELL): Proposing an amendment to the Constitution of the United States empowering Congress to grant representation in the Congress and among the electors of President and Vice President to the people within the District of Columbia.

H.R. 24 (Mr. POWELL): To assure to all persons within the District of Columbia full and equal privileges of places of public education, accommodation, resort, entertainment, and amusement.

#### *Fair employment*

H.R. 21 (Mr. POWELL): To prohibit discrimination in employment because of race, religion, color, national origin, or ancestry.

H.R. 4453 (Mr. POWELL): Same purpose.

#### *Interstate transportation*

H.R. 22 (Mr. POWELL): To amend the Interstate Commerce Act so as to prohibit the segregation of passengers on account of race or color.

#### *Lynching and mob violence*

H.R. 115 (Mr. POWELL): For the better assurance of the protection of citizens of the United States and other persons within the several States from mob violence and lynching.

#### *Poll tax*

H.R. 117 (Mr. POWELL): Making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers.

#### *Labor relations*

Statement about pending congressional action on a Labor Relations Act:

"The Taft-Hartley law was the No. 1 election issue. There were 106 Members of the House who were here in the 80th Congress who are not here now. They voted for the Taft-Hartley law. If there is not an indication of the thinking of the American people, I do not know what is. A majority of the American people sent most of us to this Congress to repudiate and wipe out the Taft-Hartley law and to give them back the kind of a law which functioned in America under the name of the Wagner Act. The proof of the pudding is in the eating. Where are the 106 former Members who are not here now? They voted for the Taft-Hartley law and the electorate purged them on November 2" (CONGRESSIONAL RECORD, vol. 95, pt. 4, p. 5165).

### 81ST CONGRESS, 2D SESSION

#### *Armed Forces*

Statement in support of an antidiscrimination amendment to the Selective Service Act of 1948:

"Six years ago when I first came to this body I was the first to introduce legislation to abolish discrimination and segregation in the Armed Forces. At that time discrimination and segregation were rampant and rife in all branches of our military service. I have consistently kept up the fight. When this particular bill came before us in 1948 I led the movement that kept the House in session over 1 week. During the past 6 years we have seen considerable progress and today in our armed services, in the Coast Guard—which, of course, is really not a part of the Armed Forces but in time of war is a part of the Navy—and in the Navy, and to a certain extent in the Air Corps, there is but little discrimination and little segregation. In our Army, however, the President of our Nation and the committee which he appointed, * * * have come up against some stubborn opposition. The time has come now for the Congress to act.

"We are here to do that which education has not done. We are here to implement education. We are here to speed up the timetable of progress. * * * I believe the time has arrived for us to implement the educational processes which have been going along so well, because there is nothing further which can be done in the field of education. The President has spoken. The Fahy Committee report has been written and now it is up to the Congress to act.

"When we had the battle of the Belgian Bulge, Negro men who had been restricted to certain menial capacities were called up out of transportation and out of porter's work and given guns. Black and white stood together and fought for democracy. When victory came the Negroes were left in Europe and the whites paraded on Fifth Avenue. Is that democracy? Now, in peacetime, I ask that we here will do that which at least we owe to the citizens of this Nation, to our conscience, and to the world, given men the right to serve side by side with their fellow citizens in all branches of our services" (Congressional Record, vol. 96, pt. 6, p. 7679).

#### *Fair employment practices*

Statement in opposition to an amendment to remove the penalty provision of the proposed FEPC legislation introduced by Mr. Powell (H.R. 4453).

"If this amendment succeeds, then we will have nothing but a statement of policy.

"Those who are against any kind of FEPC will support the * * * amendment, then it is obvious that it is nothing but a subterfuge to kill FEPC. I can assure you that the people of this Nation who are in favor of FEPC are not in favor of the * * * substitute about which they know nothing. They are in favor of H.R. 4453 which has been before them for 6 years, since the 79th Congress" (Congressional Record, vol. 96, pt. 2, p. 2221).

#### *Housing—discrimination in housing*

Statement in support of a civil rights amendment to the Housing Act of 1950:

"It is time we took the bit in our teeth and took a positive stand on this issue. When this amendment to bar discrimination in housing came up before, it was defeated by the sponsors of housing on the ground that it would defeat final passage and that such amendments must be ruled out and brought only as civil rights bills. Since then we have voted on a civil rights bill. We know what happened; the FEPC bill was completely emasculated. We can no longer compromise. Now we must take a stand even if we run the risk of defeating final passage. There can be no compromise with wrong" (Congressional Record, vol. 96, pt. 3, p. 3877).

#### *District of Columbia*

Statement in support of an antidiscrimination amendment to the District of Columbia Appropriations Act:

"This is an amendment that I have offered for 6 years. The amendment which, if adopted, will clean up our Capital.

"This amendment has been defeated each year, but I am happy to say the record shows an increasing number of yeas in support of it.

"When we consider the Capital of our Nation, and more than that, the Capital of world democracy, we should submerge these local and sectional differences and try to legislate in Washington, D.C., a Capital whose atmosphere would be in keeping with the sentiments expressed yesterday on 'I Am an American Day,' a Capital in keeping with the principles of government that we are trying to sell to the peoples of the world through the Marshall plan, a Capital that would not be a world disgrace. All the money that we voted for today when we adopted the conference report on the Marshall plan was simply money poured down the drain, unless we prove to the peoples of the world that here in Washington, D.C., we are willing to practice what we preach. It is bad enough to practice native fascism sectionally but inexcusable to practice it right here in the Capital. The Marshall plan is nothing but lipservice to democracy unless we back it up with the practice of real democracy.

"Democracy that is dual—one way for dark and one way for white—is worse than no democracy at all, for it is a farce" (Congressional Record, vol. 96, pt. 6, p. 7543).

### 82D CONGRESS, 1ST SESSION

#### *Armed Forces*

"During the 6 years that I have been in the House I have always offered an antisegregation amendment to every bill that has come before us pertaining to the Armed Forces. I rise today to state that I will not do this during the period now—the period when we are at war. The thing that is important to us now is victory, victory at all costs, except the cost of losing our civil liberties.

"During the 6 years that I have fought for the abolition of segregation in the Armed Forces, step by step we have seen great improvement; and I am happy to state today that men of my racial group are serving with great distinction and courage in the Korean conflict. Before the Korean conflict Paul Robeson said that Negro people would not take up arms against Soviet Russia. The very next morning I stood in the well of this House and said that Paul Robeson was not stating the truth concerning the peoples of my group, that when the call to arms came, we would answer the same as anyone else, as they always have done. Time has proven that I was correct. * * * Segregation is vanishing in the Armed Forces.

"Before June 25, the Korean conflict, my aim was the abolition of segregation in the Armed Forces, and my record for 6 years substantiates that, but now we are at war and we must win. We must not give aid and comfort to our enemies, and on the other hand we must not lose any vestige of democracy that we have already won. In fact, we must go forward.

"Personally, during this session of Congress, I intend to press for all civil rights bills and intend to fight, by the way of amendments, for increased democracy on the home front. I intend to support during this war every single piece of legislation aimed at victory for our way of life. For the duration only, I will not offer any antisegregation bills as amendments to bills pertaining to the Military Establishment as long as progress continues and there are no violations of the order abolishing segregation.

"However, if there are any flagrant abuses, if there are any cases where segregation and discrimination do come to the forefront, then I will fight the slightest injustice, and if this injustice continues as a pattern, then I will be forced to come back to this floor and again raise the issue" (Congressional Record, vol. 97, pt. 1, pp. 646 and 649).

### 83D CONGRESS, 1ST SESSION

#### *Armed Forces*

H.R. 562 (Mr. Powell): To prohibit race segregation in the Armed Forces of the United States.

"Mr. Chairman, 9 years ago when I came to this House I introduced an amendment to abolish segregation in the Armed Forces and each time this bill or any bill concerning the Defense Department came up I did likewise. When the Korean conflict began I made a speech saying I would not introduce such an amendment during this conflict. I have introduced each year my bill which this year is H.R. 562, to prohibit race segregation in the Armed Forces of the United States.

"One-half of the Negroes now serving in the U.S. Navy are serving as messmen, nothing more than manservants to the admiral clique. It is in absolute defiance of the President's orders. I am bringing this particularly to the attention of President Eisenhower. Intelligent, ambitious Negroes are boycotting the U.S. Navy because they are not interested in making the world safe for democracy by shining shoes, nor are they interested in fighting communism with frying pans. The last vestige of aristocracy in America is the gold braid of the U.S. Navy. Generals of the Army no longer have manservants. This is a modernized, 20th-century form of slavery.

"In the second place, integration is not proceeding in the Pentagon, among the civilian personnel. * * *

"One last criticism: The military does not provide any Reserve Officers' Training Corps for Negroes in three States of the Union—Georgia, Mississippi, and Arkansas. Yet from these States scores of thousands of Negroes are drafted, but none of them with any chance of being commissioned as officers. The result is that there is a shortage today of qualified Negroes for commissioned Army assignments. The military must, therefore, provide immediately ROTC training in these three States.

"Finally, I want to point out that we have segregation on the run. A new bill is coming out of my committee—the Committee on Education and Labor—next week, which will give the President of the United States complete power to integrate schools on Army posts. This bill will give this power by virtue of leaving the problem up to the base commander of each Army base" (Congressional Record, vol. 99, pt. 6, p. 7971).

#### *Civil rights*

H.R. 2295 (Mr. Powell): To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

#### *District of Columbia*

House Joint Resolution 71 (Mr. Powell): Proposing an amendment to the Constitution of the United States empowering Congress to grant representation in the Congress and among the electors of President and Vice President to the people of the District of Columbia.

H.R. 169 (Mr. Powell): To assure to all persons within the District of Columbia full and equal privileges of places of public education, accommodation, resort, entertainment, and amusement, and for other purposes.

H.R. 170 (Mr. Powell): To prohibit discrimination in employment because of race, color, religion, national origin, or ancestry.

"Mr. Speaker, I am placing on the clerk's desk today discharge petitions for two of my bills, H.R. 169 and H.R. 170. * * *

"The great gap between our professions and our practices must be closed. This is the one great contributing factor to the increasing lack of respect by the American citizenry for the U.S. Congress, and of world citizenry for the U.S. leadership.

"As we plunge deeper into the second half of the 20th century, we find that not a single civil rights bill has passed the U.S. Congress under the leadership of the Republican or of the Democratic Party, except the provision which I was successful in inserting in the Federal school-lunch program. The hour has arrived to remedy this situation for the good of our country as a whole.

"Our Nation is the least liked nation in the world today, in Anglo-Saxon Europe and amongst the 2 billion peoples of the colored races of the rest of the world. We are least liked—despite the billions that we have squandered under various aspects of the Marshall plan—for many reasons, but the major reason that I have found, as a result of many months of travel throughout the world, is that the world knows we are trying to get them to follow a kind of democracy that we are not practicing at home. * * *

"No single thing will assure the peoples of the earth that we are resuming the greatness that once was ours, in terms of the spirit and in terms of ethical values, than to let them know that Washington, D.C., is one place in America where any human being can have the right to live as a free citizen—let them know that America is a place where each and every citizen, regardless of his color, creed, national origin, or ancestry, can have the right to exercise the talents God has given him and the training that he has accomplished.

"We cannot continue to endure as a nation with loud professions and little deeds. We cannot continue as a first-class power as long as we have second-class citizens. Our foreign policy is valueless unless our domestic policy undergirds it.

"The great crusade of right against wrong demands that we do even that which individually we do not agree with, but which corporately we are certain is for the best of our land, and our world" (CONGRESSIONAL RECORD, vol. 99, pt. 5, pp. 7114–7115).

### LYNCHING AND MOB VIOLENCE

H.R. 561 (Mr. POWELL): For the better assurance of the protection of citizens of the United States and other persons within the several States from mob violence and lynching, and for other purposes.

### POLL TAX

H.R. 560 (Mr. POWELL): Making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers.

### INTERSTATE TRANSPORTATION

H.R. 563 (Mr. POWELL): To amend the Interstate Commerce Act (U.S.C., title 49, sec. 3(1)), so as to prohibit the segregation of passengers on account of race or color.

### SCHOOL ASSISTANCE UNDER THE IMPACTED AREAS PROGRAMS PUBLIC LAW 815 AND PUBLIC LAW 874

"I am against subsidizing with Federal funds any form of segregation. I want to point out that under Public Law 874 the sons and daughters of Negro men serving in our Armed Forces are not allowed to go to schools which Federal funds built; that only the sons and daughters of white soldiers and white officers are allowed to go.

"Under Public Law 874, there has been a tremendous waste of the taxpayers' money to support separate schools on the basis of race.

"I have a number of complaints in my office from families of servicemen who are forced to send their children to separate schools outside the military posts. * * * They are serving their country in the armed services, and, as a penalty for such service, they are forced to send their children, who have never previously been exposed to segregation, to schools for colored in the communities surrounding the posts. At all of these forts, there are perfectly good schools on the posts, but they are for the white children only. * * *

"It is bad enough when segregation in schools comes about because of local boards of education, but it is infinitely worse when it is supported by action of the Congress of the United States. * * *

"The fundamental question facing Members of this body is simply this: Shall we continue to use tax money collected from the entire country to support a wasteful system of segregation in schools such as those located in Arlington County and nearby Maryland? * * *

"I believe that we should do everything possible to help out the local communities of this country so that the services provided for U.S. citizens will be uniformly high in all parts of the country, but I strongly oppose spending New York, Illinois, or New Jersey tax money to support segregated schools in Virginia, Maryland, and South Carolina, or anywhere else.

"I am against squandering Federal millions to maintain prejudice and to subsidize segregation" (CONGRESSIONAL RECORD, vol. 99, pt. 1, p. 1212).

#### *National Housing Act*

Statement in support of nonrestriction by race, creed, color, or national origin.

"Communism wins only when democracy fails, and communism can win by default regardless of whether we are a great colossus with one foot in Oak Ridge and the other in Fort Knox. The idea is fallacious that communism can be destroyed by gold and by atomic bombs; it can only be destroyed by the greater idea of democracy. Democracy is the finest idea man has ever dreamed of, and it is being defeated by the worst idea man ever concocted. Democracy is being defeated by communism globally today because of our failure to put it into practice.

" 'Piecemeal legislation,' you call it. All legislation is piecemeal. 'Education,' you say, will solve the problem. How long? The world tempo has been so increased that there is no longer time for education to solve our problems. We do not know what holocaust will be visited upon us within the next 30 days or the next year. We have made tremendous technical progress in America, but in terms of moral and ethical progress there is a distinct lag. Education cannot make up this lag; it is up to us, the elected Members of the House of Representatives of the United States of America, by legislation at every opportunity we have for the good of our Nation and our world that we hold up as a shining symbol of ethical and moral progress; that we let the 2 billion colored peoples of the earth know that we are not trying to sell a kind of democracy to the rest of the world that we are refusing to practice here.

"Let us have a bipartisan foreign policy backed up by a bipartisan democracy policy. You cannot have a successful bipartisan foreign policy with a bipartisan domestic Jim Crow policy" (CONGRESSIONAL RECORD, vol. 99, pt. 1, p. 1429).

### 83D CONGRESS, 2D SESSION

#### *Interstate transportation*

H.R. 7324 (Mr. POWELL): Providing relief against certain forms of discrimination in interstate transportation.

#### *White House Conference on Education*

Statement on the value of the proposed conference and acknowledging the Supreme Court decision of 1954 outlawing segregation in public school education.

"This bill is long overdue. After many trips to various portions of the earth on committee business, I have come back to the Committee on Education and Labor and repeatedly asked that we have some type of modus operandi to arrive at a Federal concept of education, an American concept of education and the proper relationships between State educational bodies and our Federal Government.

"We have floundered through these years without any clearly defined American philosophy of education. That is why we have the conflicts, the tensions, and the irritations that constantly crop up in our land.

"This White House Conference may easily be the first step toward bringing about a harmonious working together of the 48 States, retaining their individual philosophies of education, but working together on a Federal basis. This is the most serious problem facing our Nation. It demands our best. This bill has become much more important over the weekend because of the decision of our Supreme Court. Despite the fact that there are many Members of this body whom I personally respect, you cannot call the decision of the Supreme Court unconstitutional.

"We have it. It is a fact. We must go on from here now and see what can be done to make this great shining hour of democracy a more brilliant, a more luminous hour for all our people. We should not here in this body, especially, take this shining hour of democracy and allow it to be tarnished by the oratory of a few who are still living in the 19th century * * *.

"So let us go on from here today to greater heights. Let this great body, of which I am proud to be a Member, lift up the arms of our Government, whether it be the judicial, the executive, or the legislative arm" (CONGRESSIONAL RECORD, vol. 100, pt. 5, p. 6859).

### 84TH CONGRESS, 1ST SESSION

#### *Employment*

H.R. 690 (Mr. POWELL): To prohibit discrimination in employment because of race, color, religion, national origin, or ancestry.

#### *Interstate transportation*

H.R. 691 (Mr. POWELL): Providing relief against certain forms of discrimination in interstate transportation.

#### *Antisegregation Day*

H.R. 3016 (Mr. POWELL): Making May 17 in each year a legal holiday to be known as Antisegregation Day.

#### *Civil rights*

H.R. 389 (Mr. POWELL): To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

"Mr. Speaker, the U.S. Congress is a 19th century body in a 20th century world. In the field of civil rights we are still conducting ourselves along the pattern of yesterday's world. Tremendous changes are taking place in our country eradicating the concept of second-class citizenship. Yet the U.S. Congress has done absolutely nothing in this sphere. We are behind the times. We are a legislative anachronism. In an age of atomic energy, our dynamic is no more powerful than a watermill.

"For 10 years, my colleagues and I have introduced civil rights amendment after amendment, civil rights bill after bill, pleading, praying that you good ladies and gentlemen would give to this body the glory of dynamic leadership that it should have. But you failed and history has recorded it.

"I am proud to be a Member of the Congress of the United States. I am proud to be a Member of the legislative branch of the U.S. Government and I know you are too. But I beseech you to transform this emotion of pride into the deed of leadership. This is an hour for boldness. This is an hour when a world waits breathlessly, expectantly, almost hungrily, for this Congress, the 84th Congress, through legislation, to give some semblance of democracy in action. Our President and our Supreme Court cannot do all this by themselves and, furthermore, we should not expect it. We are derelict in our duty if we continue to plow looking backward. No man is fit for this new world, for this new kingdom of God on earth, who plows looking backward.

"I would like to serve notice that some of us intend after a reasonable time of waiting for our committees and our committee chairmen to act to use every parliamentary device we can to bring before this Congress civil rights bills of worth and value" (CONGRESSIONAL RECORD, vol. 101, pt. 1, pp. 1084 and 1085).

#### *District of Columbia*

House Joint Resolution 22 (Mr. POWELL): Proposing an amendment to the Constitution empowering Congress to provide by legislation for representation in the Congress of, and for granting the right to vote for presidential and vice presidential electors to, the people of the District of Columbia.

H.R. 3457 (Mr. POWELL): To eliminate certain practices involving racial or religious discrimination in the District of Columbia.

### *Poll tax*

H.R. 1600 (Mr. POWELL): Making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers.

### *Scholarship assistance to capable students*

H.R. 2179 (Mr. POWELL): To increase the supply of scientific and technical manpower in the United States by providing a system of scholarships for college and graduate level study of scientific subjects, to be administered by the Commissioner of Education.

H.R. 6176 (Mr. POWELL): To increase the supply of scientific and technical manpower in the United States by providing a system of scholarships for college and graduate level study of scientific subjects to be administered by the Commissioner of Education.

## 84TH CONGRESS, 2D SESSION

### *Federal assistance for school construction*

H.R. 7535 (Mr. POWELL): An amendment that "school facilities of the States are open to all children without regard to race, in conformity with the requirements of the U.S. Supreme Court decisions: except that if a State plan does not so provide, it shall not prevent payment of funds authorized under this act to such State for use in counties or other political subdivisions within the States that are operating their schools in conformity with the said Supreme Court decisions."

"The May 17, 1954, decision of the U.S. Supreme Court declared that segregation in public education was unconstitutional. This was followed by the May 31 order that all provisions of Federal, State, or local law requiring or permitting segregation in public education must yield to the principle announced in the 1954 decision. In spite of this clear pronouncement by the Court, the Federal agencies still refuse to withhold funds which certain defiant States are using to extend segregation in the public schools * * *

"In other words, the Supreme Court drew up a great guidepost with a sign pointing 'This way to democracy through integration.' Failure of the Congress to include my amendment will place this body in the position of ignoring the clear requirements of the U.S. Constitution * * *

"One of the most ridiculous arguments made by many of my colleagues is that my amendments will hurt the Negro people. When I ask how do they know, they tell me, 'Well, we know the Negro.' This is as stupid as for me to stand up before an audience of Irishmen on St. Patrick's Day and tell them that I know the Irish, or to tell a group of Italians of the Order of Columbus that I know Italians. These men who say they know the Negro do not even know the white man. During the very week that the State of Virginia by a vote of 2 to 1 thrust education back into the Dark Ages and voted to scrap public education, the school board of Arlington, Va., voted that they would integrate.

"Negro people have waited many, many years for this hour of democracy to come and they are willing to wait a few more years rather than see a bill passed which will appropriate Federal funds to build a dual system of Jim Crow schools in defiance of the law" (CONGRESSIONAL RECORD, vol. 102, pt. 1, pp. 1191, 1192, and 1193).

"We have before us a series of amendments that by no stretch of the imagination can be called extremism, or punitive, but amendments that are aimed at helping the States and school districts to integrate.

"I am sure that we all agree that whenever there is a constitutional Executive order, judicial decision, or legislative action, immediately it is encumbent upon all the other branches of the Government to yield to whatever that decision, order, or law may be. We implemented the Supreme Court decision for 57 years in Plessy against Ferguson, which was the doctrine of separate but equal. We in this House and in the other body passed amendments to the draft bill, the Hill-Burton Act, the Federal school lunch program, implementing the Supreme Court decisions. Now we come to a new decision, a decision of integration, and this is the first test whether we are going to abide by the Supreme Court decision as a legislative body.

"Any vote against the Powell amendment is a vote in favor of segregation. * * *

"Now, I would just like to close with this one thought. In the last line of Elizabeth Browning's "Sonnets From the Portuguese," there is this magnificent thought: 'God's realities always exceed man's fondest dreams'. We have before us the American dream. It is a dream of one nation, indivisible, with liberty and justice for all, and I believe that you should vote according to that American dream" (CONGRESSIONAL RECORD, vol. 102, pt. 9, p. 11757).

### *Civil rights*

"Today marks the first anniversary of the African-Asian Conference held in Bandung, Indonesia. I was privileged to be present. I rise today to commemorate that occasion by addressing myself to the problem of how we can win the uncommitted nations.

"The Asian-African Conference was a great parliament of the world's religions. The concept of brotherhood was stressed repeatedly. One speaker said: 'If our religion, whatever it may be, does not allow us to get along with our brothers, regardless of what his religion may be, then our religion cannot be of much value.'

"We are a privileged people, privileged to live at one of the great crossroads that every now and then the force of history thrusts upon an unwilling world. Which way we should take depends entirely upon the individual choices made by American people up and down the main streets of our villages and hamlets and in our towns and cities. Capitol Hill cannot do it for us. The Supreme Court cannot be our personal witness. Individual, personal, moral witness must be made. The faith of our forefathers is not enough but the ferment of our forefathers is a deadly necessity" (CONGRESSIONAL RECORD, vol. 102, pt. 5, pp. 6594 and 6595).

"The world is moving with a startling rapidity that transcends not only the visual but even the imaginative. With our Yankee courage, our Madison Avenue know-how, our Christian heritage and the bulwark of the Bill of Rights, in back of us, using our 25 million colored citizens as a spearhead, we can launch a drive for peace and for full equality now in the Far East. Only through such a bold maneuver can we win. History will pass us by if we do not" (CONGRESSIONAL RECORD, vol. 102, pt. 5, p. 6598).

## 85TH CONGRESS, 1ST SESSION

### *Civil rights*

H.R. 887 (Mr. POWELL): To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

"Strip the opposition to this bill of all hypocrisy, dishonesty, and subterfuges and only one reason stands out why anyone is opposed to this bill and that is because a minority in this country has made up its mind that under no circumstances is it going to allow colored citizens the right to vote—even in a Federal election. Clothing their arguments in sheep's garments of high-sounding phrases, nevertheless the heart of their approach is one of hypocrisy and dishonesty. The tragedy is that so many Members of this body, from both sides of the aisle and from areas outside of the southern section, are susceptible to the arguments being presented" (CONGRESSIONAL RECORD, vol. 103, pt. 7, pp. 9192–9193).

### *School construction*

H.R. 1213 (Mr. POWELL): To authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms.

### *Scholarship assistance to capable students*

H.R. 5030 (Mr. POWELL): To increase the supply of scientific and technical manpower in the United States by providing a system of scholarships for college and graduate level study of scientific subjects, to be administered by the Commissioner of Education.

### *Supreme Court decision on public school segregation*

Statement in observance of the third anniversary of the decision.

"On this third anniversary we are aware, of course, that the Supreme Court's words have yet to bear tangible fruit in some parts of our Nation. We are aware of bitterness and violence and of unconcealed defiance of the supreme law of the land. We cannot, and must not, ignore these manifestations of resistance, for the denial of his rights to even one of our citizens must be of concern to all. But neither, Mr. Speaker, should we be plunged into despair. Whatever the roadblocks, there can be no question in which direction we are moving. We are moving ahead.

"May 17, 1954, was truly a landmark in the history of human freedom. Let us salute this anniversary with pride and with renewed determination that its promise will surely be realized in our own land and throughout the world" (CONGRESSIONAL RECORD, vol. 103, pt. 6, p. 7117).

## 85TH CONGRESS, 2D SESSION

### *National Defense Education Act*

Antidiscrimination amendments to title proposals considered under the act: title II for scholarships, title III on loans to students and title VI on fellowships for graduate education.

"I feel that the philosophy underlying this excellent piece of legislation is that we are out to aid the individual. The school construction bill we had under consideration before was to aid the States. Therefore I have designed amendments to apply at the precise moment that an individual comes forward to seek a scholarship, to ask for a loan, or to look for a graduate fellowship. At that moment the individual comes forward, then there shall not be any discrimination based upon race or color. That would include about 25 million of our American citizens, Mexican-Americans, Japanese-Americans, American Indians, Puerto Ricans, and Negroes.

"There would not be any discrimination based upon religion, which would include mainly our Roman Catholic brethren and Jewish brethren.

"There would not be any discrimination based upon national origin, which would include those born abroad. Two of the outstanding contributors to our nuclear physics program today are in this category. One is of Italian birth and the other of German birth.

"Lastly, there would be no discrimination based upon sex" (CONGRESSIONAL RECORD, vol. 104, pt. 13, p. 16723).

### *Blind individuals*

H.R. 9702 (Mr. POWELL): To protect the right of the blind to self-expression through organizations of the blind.

### *Civil Rights*

H.R. 12536 (Mr. POWELL): To secure, protect, and strengthen the civil rights accruing to individuals under the Constitution and laws of the United States.

H.R. 10296 (Mr. POWELL): To amend part III of the Civil Rights Act of 1957.

### *Fair employment*

H.R. 9704 (Mr. POWELL): To prohibit discrimination in employment because of race, color, religion, national origin, or ancestry.

### *Housing*

H.R. 12538 (Mr. POWELL): To provide that Federal funds shall not be used for loans, grants, or other financial assistance to provide housing with respect to which there is any discrimination against occupancy on account of race, religion, color, ancestry, or national origin.

### *Interstate transportation*

H.R. 12535 (Mr. POWELL): Providing relief against certain forms of discrimination in interstate transportation and facilities furnished or connected therewith.

### *Lynching and mob violence*

H.R. 9701 (Mr. POWELL): For the better assurance of the protection of citizens of the United States and other persons within the several States from mob violence and lynching, and for other purposes.

### *Poll tax*

H.R. 9707 (Mr. POWELL): Making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers.

### *National Guard*

H.R. 9705 (Mr. POWELL): To eliminate discrimination and segregation in the National Guard and Air National Guard, and to prohibit the use of the National Guard and the Air National Guard to aid or abet the violation of Federal law.

## 86TH CONGRESS, 1ST SESSION

### *Economic and social development in less developed countries*

H.R. 6693 (Mr. POWELL): To promote the foreign policy of the United States and help to build essential world conditions of peace by the more effective use of U.S. agricultural commodities for the relief of human hunger, and for promoting economic and social development in less developed countries through the United Nations or its appropriate agencies.

### *Armed Forces*

H.R. 5277.

"This continuous peacetime draft is a new thing in our country and one that requires a hard look at the conditions which surround our Armed Forces.

"The armed personnel in the 13 Southern States amounted to more than 43 percent of the total. Yet we know that areas outside those 13 States subject Negroes to discrimination. Also we know that colored people other than Negroes are discriminated against in some parts of this country. So I would estimate conservatively that 50 percent of the armed personnel of our Government in this country is being trained in a discriminatory environment.

"I say that the Federal Government has no right to subject citizens to such discrimination. * * *

"I hold it to be an essential duty of this Government to prevent discrimination against members of the Armed Forces. Of course, this House knows that I do not favor discrimination anywhere, but at the very least we should protect our soldiers and sailors against it. * * *

"The ignoble practice of segregation has no legitimate place in a democracy. If it still persists in some area of this country, at least those who have been raised in the freer areas should not be subjected to it by the Federal Government.

"One-half of our armed personnel is now being unfairly punished by the Federal Government because of the conditions of segregation which they must endure as a part of their military service.

"This is unfair, unpatriotic, and unwise. I call upon my colleagues from all parts of the country to support H.R. 5277 so that we may put an end to such an abuse of our young citizens.

"If they are trained in a free environment they will know better the importance of defending freedom" (CONGRESSIONAL RECORD, vol. 105, pt. 4, pp. 5111–5112).

### *The blind*

H.R. 1878 (Mr. POWELL): To protect the right of the blind to self-expression through organizations of the blind.

### *Civil rights*

H.R. 619 (Mr. POWELL): To secure, protect, and strengthen the civil rights accruing to individuals under the Constitution and laws of the United States.

H.R. 618.

"The Committee on Education and Labor yesterday tentatively approved a bill-of-rights amendment to the new labor-management bill. It is unconscionable to think that any bill of rights can exist without there being included a guarantee of civil rights. There are 2,500,000 white workers in an undemocratic ghetto from which are excluded all Negroes, Puerto Ricans, Jews, and, in some instances, Catholics. Anyone who votes for a labor-management bill that includes a bill of rights without any rights of admission guaranteed for all Americans is flirting with the label of hypocrisy. Therefore, I am offering such an amendment to remedy this anti-American situation" (CONGRESSIONAL RECORD, vol. 105, pt. 10, p. 13594).

### *Equal protection of the laws*

H.R. 913 (Mr. POWELL): To effectuate and enforce the constitutional right to the equal protection of the laws, and for other purposes.

H.R. 617 (Mr. POWELL): To assure to all persons within the jurisdiction of the United States full and equal privileges with respect to public conveyances and places of public accommodation, resort, entertainment, amusement, assemblage, and institutions.

### *National Guard*

H.R. 910 (Mr. POWELL): To eliminate discrimination and segregation in the National Guard and Air National Guard, and to prohibit the use of the National Guard and the Air National Guard to aid or abet the violation of Federal law.

### *Fair employment*

H.R. 908 (Mr. POWELL): To prohibit discrimination in employment because of race, color, religion, national origin, or ancestry.

### *Voter Registration Commission*

H.R. 7957 (Mr. POWELL): To provide for the establishment of a Federal Voter Registration Commission to provide, in certain instances, for the registration of citizens of the United States for the purpose of voting in Federal and State elections, and for other purposes.

### *Housing*

H.R. 1053.

"Today the Civil Rights Commission started hearings in New York City, and the good people of Virginia have started desegregation. This, therefore, should be a day for sober reflection. Are we not witnessing increasing heroic honesty in the South and increasing cowardly hypocrisy in the North?

"May I say that the Powell type of amendment is just as applicable to the denial of Federal funds in New York City because of segregation there as it is in any other area in defiance of the Supreme Court. Also, I concur with the president of Notre Dame, Father Hesburgh, a member of the Civil Rights Commission, that in the North some areas practice discrimination in housing more than many areas in the South. Legislation to remedy this has been introduced by me and the number of the bill is H.R. 1053. It will prohibit discrimination prior to construction and during the lifetime of publicly financed housing by putting guarantees in the application for FHA insured mortgages" (CONGRESSIONAL RECORD, vol. 105, pt. 2, p. 1592).

### *Lynching and mob violence*

H.R. 914 (Mr. POWELL): For the better assurance of the protection of citizens of the United States and other persons within the several States from mob violence and lynching, and for other purposes.

### *Poll tax*

H.R. 912 (Mr. POWELL): Making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers.

### *Public schools and desegregation*

H.R. 7958 (Mr. POWELL): Authorizing appropriations for the operation of public schools in the several States which would otherwise be closed by State action intended to prevent compliance with certain orders of courts of the United States.

### *School construction*

H.R. 909 (Mr. POWELL): To authorize Federal assistance to the States and local communities in financing an expanded program of school construction so as to eliminate the national shortage of classrooms.

## 86TH CONGRESS, 2D SESSION

### *School construction*

Amendment providing an antidiscrimination clause in the proposed school construction bill, H.R. 10128:

"The school facilities constructed with the assistance of payment received under this act shall be available to students without regard to race, creed, color, national origin, or religion, in accordance with the Supreme Court.

"There are those who say this amendment will kill the bill.

"Who is going to vote against the bill if the Powell amendment is in there? Those who are opposed to Federal aid to education will. If they are in the majority we are going to defeat the bill anyway. Many southerners have told me they do not want the bill in any form.

"In the next place there are those who say my amendment is hurting the educational future of little Negro children. I would like to say that on every visit I have made to the South, and I have made many in recent months, every group I have talked to, every group of students, for instance, I talked to, has unanimously without dissent been in favor of this amendment. Every single church organization, including the National Baptist Churches, the Council of Bishops and the African Methodist Church are in favor of this amendment. The delegations to the NAACP national convention coming from the Southern States voted unanimously last year without any dissent in favor of this amendment.

"Therefore * * * the only recourse we have to impose these conditions or to guarantee that the Supreme Court decision is followed is by adopting this amendment. A vote against this amendment is a vote against the Supreme Court. A vote against this amendment is a vote against civil rights.

"I ask in conclusion that we adopt this amendment and get on to the business of having education in compliance with the law of the land which is 6 years old already" (CONGRESSIONAL RECORD, vol. 106, pt. 9, p. 11293).

### *Fair employment*

H.R. 13023 (Mr. POWELL): To prohibit discrimination in employment because of race, color, religion, national origin, or ancestry.

## 87TH CONGRESS, 1ST SESSION

### *African Freedom Day*

House Resolution 63 (Mr. POWELL): Expresses the sense of the House of Representatives with respect to the struggle of the African peoples for independence and nationhood, and recognizing April 15, 1959, as "African Freedom Day."

*Ambassadors and Foreign Ministers*

H.R. 6726 (Mr. Powell): Make it a crime punishable by a fine of $10,000 or imprisonment for 2 years, or both, to discriminate against ambassadors, public ministers and their servants.

*Apprenticeship program*

H.R. 8219 (Mr. Powell): Withdraws Federal support and approval from apprenticeship programs which deny individuals an equal opportunity to participate on account of race, color, or creed.

*Civil rights*

H.R. 1231 (Mr. Powell): Authorizes the Attorney General to institute proceedings for preventive relief, including an application for an injunction, (1) upon the written complaint or information on oath of any person threatened with loss of the right to equal protection of the laws by reason of race, color, creed, or national origin, who is unable to proceed in his own behalf, against any person or persons acting or conspiring to deprive him of the right to equal protection, and (2) upon the written request of State authorities, against two or more persons conspiring to hinder such State authorities from securing to any person equal protection of the laws.

Gives the district courts jurisdiction over such proceeding, regardless of the nonexhaustion of other remedies, and makes the United States liable for costs the same as a private person. Provides that existing rights or remedies are not impaired [amending 71 Stat. 637].

H.R. 540 (Mr. Powell): Omnibus Human Rights Act—Makes the Civil Rights Commission permanent. Directs the Attorney General to increase the personnel of the Federal Bureau of Investigation or Justice Department used to investigate civil rights cases.

Establishes a congressional Joint Committee on Civil Rights to make a continuing study of such matters.

Imposes a fine and/or imprisonment for any person to interfere with the exercise or enjoyment of another's civil rights. Increases the penalty to a maximum $10,000 and 20 years' imprisonment if death or maiming is the result of such wrongful conduct.

Enumerates rights, privileges (including right to vote), and due process protected. Penalizes an attempt to entice another into slavery or an attempt to sell another into involuntary servitude.

Prohibits discrimination in interstate transportation and punishes violators hereof.

Federal Equality of Opportunity in Employment Act—Declares the right to employment without discrimination because of race, religion, color, national origin, or ancestry to be a civil right. Declares it to be an unlawful employment practice for either an employer or a labor organization to discriminate against an individual because of race, religion, color, national origin, or ancestry.

Establishes a seven-member Equality of Opportunity in Employment Commission, to investigate, hold hearings, and issue orders for the prevention of unlawful employment practices. Provides that the Commission shall have the power to petition any U.S. court of appeals or district court for the enforcement of any order and grants the court jurisdiction to proceed in a determination of the case.

Federal Antilynching Act—Declares the right to be free from lynching to be a right of all citizens. Imposes a fine and/or imprisonment on any person who is a member of a lynch mob or who instigates or commits a lynching where death, maiming, or other serious physical or mental injury or damage to property results and on governmental officers or employees who neglect their duty in knowingly failing to prevent or punish lynching. Authorizes civil actions for injury or death as a result of a lynching.

Federal Anti-Poll-Tax Act: Makes it unlawful for any person to levy, collect, or require the payment of a poll tax or otherwise interfere with any person's right to vote in any national election.

*Death penalty*

House Joint Resolution 64 (Mr. Powell): Constitutional amendment—Proposes an amendment to the Constitution of the United States to abolish the death penalty under the laws of the United States, any State, or any other place subject to the jurisdiction of the United States.

*Education*

H.R. 264 (Mr. Powell): Authorizes funds for the operation of schools closed as a result of State action to prevent local compliance with desegregation court orders.

*Employment*

H.R. 262 (Mr. Powell): Federal Equality of Opportunity in Employment Act—Makes it an unlawful employment practice (1) for an employer to discriminate in employment because of race, color, religion, national origin, or ancestry, or to obtain assistance in hiring from sources discriminating for such reasons; (2) for an employment agency to fail or refuse to properly classify or refer for employment because of race, color, religion, national origin, or ancestry, or to force an employer to discriminate against an individual.

Establishes a seven-member Equality of Opportunity in Employment Commission, appointed by the President with the advice and consent of the Senate (1) to prevent any unlawful employment practice; (2) to investigate charges of unlawful employment practices and eliminate same, and (3) to restrain unlawful employment practices and take affirmative action to redress persons aggrieved thereby. Prohibits Commission members filing charges from participating in the hearing or trial. Provides procedure for judicial review and court enforcement of Commission orders.

Empowers the President to effectuate the purposes of this act with regard to Government employment.

*Equal protection of the laws*

H.R. 547 (Mr. Powell): Civil Rights Act—Title I: Declares it to be the intention of Congress that no one should be deprived of the right to the equal protection of the laws guaranteed by the Constitution because of race, color, religion, or national origin.

Title II: Authorizes the Secretary of Health, Education, and Welfare, to assist States and local governments in eliminating segregation in public schools. Requires the Secretary to make reports to Congress on the progress made.

Provides that the Secretary shall employ specialists to assist in plans for eliminating segregation in public education. Permits reimbursement to local officials and representatives carrying out authorized functions of the Secretary for travel expenses and subsistence.

Authorizes $2,500,000 per year for 5 years for carrying out the purposes of title II.

Title III: Authorizes grants to State and local governments to assist in meeting the cost of additional educational measures undertaken in an effort to eliminate segregation in public schools.

Title IV: Provides that the Secretary shall prepare tentative plans for the elimination of segregation in public education and forward such plans to the State Governor or appropriate official for concurrence.

Provides that where State and local officials do not agree to the plans submitted hearings are to be held after which the Secretary shall prepare and issue an approved plan for the elimination of segregation.

Title V: Authorizes the Attorney General to institute for or in the name of the United States proceeding for preventive relief against State officials to enforce compliance with the approved plans for integration.

Title VI: Authorizes the Attorney General to institute for or in the name of the United States proceeding for relief against any individual who deprives or threatens to deprive persons of the right to equal protection of the laws by reason of race, color, religion, or national origin.

Title VII: Provides that the district courts shall have jurisdiction of proceedings instituted hereunder. Provides that nothing in this act shall be construed to impair existing legal rights or remedies already available.

*Fair labor standards*

H.R. 6887 (Mr. Powell): Extends protection of Fair Labor Standards Act to employees of large hotels, motels, restaurants and laundries with gross sales of $1 million annually.

*Great white fleet*

House Congressional Resolution 66 (Mr. Powell): Expresses the sense of Congress on the use of a Great White Fleet in support of American foreign policy.

*Housing*

H.R. 544 (Mr. Powell): Fair Housing Practices Act—provides that Federal funds shall not be used for financial assistance to provide housing with respect to which there is any discrimination on account of race, religion, color, ancestry, or national origin.

*Immigration*

H.R. 543 (Mr. Powell): Grants natives of British Guiana, British Honduras, the British Virgin Islands, and the West Indies Federation unlimited access to the immigration quota for Great Britain.

H.R. 549 (Mr. Powell): Provides that individuals born in British Guiana, British Honduras, the British Virgin Islands, or the West Indies Federation shall be nonquota immigrants under the Immigration and Nationality Act [amending U.S.C. 8:1101 (a)(27)(c)].

*Impacted areas assistance and National Defense Education Act*

H.R. 9000 (Mr. Powell): Extends the program of aid for schools in areas affected by Federal activities for 2 years. Extends the National Defense Education Act for 2 years.

"In summary, this package carries a total for education in the United States for the next 2 years of approximately $902,992,000.

"I am extremely sorry that the Powell amendment banning funds to schools in defiance of the Supreme Court decision is not a part of the impacted areas portion of this legislation. Federal money is being spent for totally Federal projects in areas that have become impacted because of Federal work, most of them due to defense installations. It is shocking and totally inexcusable to have the children segregated in these schools. At the proper time next year, I shall press for action. I also believe that this entire phase should be carefully reexamined by my committee during the forthcoming year, because it is in danger of becoming an education pork barrel rather than really reaching the children who need this assistance; namely, school construction, maintenance, and teachers' salaries.

"I regret, too, that the forgiveness clause, as written, is a part of the National Defense Education Act because I, for one, would like to see this forgiveness clause completely changed, so that all people who obtain loans under this act and who teach for 5 years in public or private school shall be forgiven their loan. This would encourage more teachers to go into private and public teaching. The way it is now constituted, it waives

50 percent of the loan for those who go into public school teaching only.

"Also, I believe that the disclaimer affidavit should be abolished; and here, the gentleman from California [Mr. Hiestand] offered in committee an amendment which will take care of this problem without forcing our educators to be placed in an untenable position.

"I promise that during the coming year proper study and consideration will be given to both of these important portions of NDEA" (Congressional Record, vol. 107, pt. 14, p. 18244).

### *Interstate transportation*

H.R. 1229 (Mr. Powell): Provides that all persons shall be entitled to equal privileges of any public conveyance operated by a common carrier engaged in interstate or foreign commerce, without discrimination or segregation based on race, color, religion, or national origin. Subjects any person who denies or attempts to deny to any person such privileges to a fine of $1,000 for each offense. Permits action for damages or other relief in a U.S. district court without regard to the sum or value of the matter in controversy.

### *Juvenile delinquency*

"I am positive there is no one in the United States today who would dispute that juvenile delinquency is perhaps the most tragic evidence of social disorder we can imagine. It is evidence that we have not given our children the stable, sensible, and meaningful society we like to think we have. For the past 15 years we have been following a pace of change accelerated every day by the advance of science and technology. We have found little room in our busy lives for cushioning the impact of change on our young. We have abandoned them to hopelessness, cynicism, and desperation, and each year we reap larger and larger harvests of mental illness, delinquency, and crime.

"It is time, indeed, we stopped applying a bandage here and there according to what part of the body politic breaks out next. It is time, instead, to take the medicine of determination that is all we really need to improve the mental and moral health of our children.

"Juvenile delinquency, of course, has its ramifications in inadequate housing, inadequate job opportunities, lack of education, and discrimination in many areas. So does any social evil impinge one upon the other. The bill before you takes no wishful look at what better housing in a better neighborhood could do, or what an adequate educational system might accomplish. The bill has framed a proposal within the reference of where we are today, not where we might be—if * * * I suggest that when we go further into this matter, we do so with our hearts; that not only our minds be attuned to this end and that we view it with not only the assent of our minds but the consent of our hearts" (Congressional Record, vol. 107, pt. 13, pp. 17586 and 17587).

### *Lynching and mob violence*

H.R. 546 (Mr. Powell): Federal Anti-Lynching Act.—Defines lynching as the assemblage of two or more persons which shall, without authority of law, (1) commit violence upon the person of any citizen because of race, creed, color, national origin, ancestry, language, or religion, or (2) exercise by physical violence any power of correction over any person in the custody of a peace officer or charged with any criminal offense for the purpose of preventing the trial or punishment not authorized by law. Sets the maximum penalty for lynching at $10,000 fine and/or 20 years imprisonment. A State or local officer failing through neglect to prevent a lynching or to apprehend or prosecute any member of a lynching mob, shall be punished by a $5,000 fine and/or 5 years imprisonment. Any governmental subdivision failing through neglect to prevent a lynching or an abduction followed elsewhere by a lynching shall be liable for $2,000 to $10,000 in damages recoverable in a civil action. The interstate transportation of persons with a view to lynching is made subject to the penalties provided in the Lindbergh kidnaping law (death or life imprisonment).

### *Manpower resources*

H.R. 7396 (Mr. Powell): Provides for a program of occupational training and retraining of the Nation's labor force. Directs the Department of Labor to make studies and then develop training and skill development, programs utilizing the resources of industry, labor, educational institutions and State and local agencies. Grants weekly retraining allowances equal to unemployment compensation and relocation allowances to persons offered jobs in other areas. Provides for on- and off-the-job training and vocational training for the unemployed.

### *National Guard*

H.R. 263 (Mr. Powell): Prohibits a State National Guard from receiving Federal benefits if the State practices discrimination and segregation based on race, creed, or color in determining assignments or duties of members.

Prohibits units or members of the National Guard from being used to aid or abet the violation of any Federal law [amending U.S.C. 32: 108].

### *Narcotics*

H.R. 9153 (Mr. Powell): Authorizes the Surgeon General to make grants-in-aid to States and political subdivisions thereof in order to assist in solving their narcotic drug problems. Provides special grants for posthospital addict care programs. Directs the Surgeon General to prescribe general standards for a program of posthospital care, treatment, and rehabilitation for narcotic addicts.

### *Poll tax*

H.R. 1230 (Mr. Powell): Federal anti-poll tax. Makes it unlawful for any State, municipality, or other governmental subdivision to require payment of a poll tax as a prerequisite for voting at a Federal election.

### *Public conveyance*

H.R. 541 (Mr. Powell): Provides both civil and criminal penalties for any person who discriminated against another person because of his race, color, creed, or national origin with respect to accommodation in any public conveyance or place of public accommodation.

### *Servicemen*

H.R. 548 (Mr. Powell): Makes it a crime punishable by a fine of $1,000 and/or 1-year imprisonment to discriminate against members of the Armed Forces because of race, color, or creed [adding U.S.C. 18: 245].

### *Student aid*

H.R. 4930 (Mr. Powell): Provides for low-interest loans for medical and dental students under the National Defense Education Act. Requires such loans to be evidenced by a rate and to bear interest of 3 percent beginning 1 year after the borrower ceases to pursue a full-time course.

Provides for grants to medical and dental schools of $1,000 per year for each student at the school receiving a loan hereunder.

H.R. 6762 (Mr. Powell): Authorizes the Commissioner of Education to award 3,000 undergraduate scholarships in American institutions of higher education to certain students from Africa, Asia, and Latin America. Directs the Commissioner to allocate such scholarships on the basis of the higher educational needs of each nation in the aforementioned areas.

"This simple and direct legislative proposal can do much to meet some of the greatest challenges and opportunities for American educational leadership that we have yet faced in our time. This scholarship program for African, Asian, and Latin American students can provide a new beginning—and its effect can become truly massive—in the development of wise leaders and educated citizens among all peoples. * * *

"We must provide now the educational sustenance that is demanded in the name of humanity and of our common cause. The 'revolution of rising expectations' is going on all around us, and we can help make it a constructive transformation for good or we can ignore it—and someone else will help in their own way and for their own ends. What is needed now is education—that 'critical mass' of education that will permit the peoples of the less-developed areas of Africa, Asia, and Latin America to provide their own self-renewing leadership and education for the future. * * *

"In meeting the challenge of education for the young people and adults of Asia, Africa, and Latin America, I am convinced that very helpful insights are to be had from the experience of our own areas of Hawaii and the Commonwealth of Puerto Rico, as well as from the evolving West Indies Federation. These can enhance our scholarship program for the less-developed and newly emerging nations, on the one hand, as living demonstrations of bootstrap economic development and, on the other, of intercultural communication and understanding and of the development of responsible governmental leadership. * * *

"Finally, Mr. Speaker, I would close with the observation that this Nation which values its freedom so highly that it can give away well over $23 billion in foreign military aid grants in the last decade alone, can surely find it possible to support this modest educational program that, at a cost of about $100 million a year, may be even more for freedom and progress everywhere. And let us all remember that independence is not an end in itself, but only a beginning. The revolution of freedom is always unfinished business" (Congressional Record, vol. 107, pt. 6, pp. 7012 and 7013).

### *Territories of the United States*

Guam—H.R. 5716 (Mr. Powell): Provides for the election by the people of the territories of Guam and the Virgin Islands of a Deputy to the House of Representatives.

Virgin Islands—H.R. 545 (Mr. Powell): Provides that the people of the Virgin Islands be represented by a Delegate in the House of Representatives.

Virgin Islands—H.R. 5716.

### *Welfare and pension plans*

H.R. 7234 (Mr. Powell): Welfare and Pension Plans Disclosure Act Amendments—Amends the Welfare and Pension Plans Disclosure Act with respect to the method of enforcement. Makes bribery, embezzlement, or false statements concerning employee benefit plans a Federal crime.

## 87TH CONGRESS, 2D SESSION

### *Equal pay for women*

H.R. 11677 (Mr. Powell): To prohibit discrimination on account of sex in the payment of wages by certain employers engaged in commerce or in the production of goods for commerce and to provide for the restitution of wages lost by employees by reason of any such discrimination.

### *Manpower resources and capable students*

H.R. 8399 (Mr. Powell): Relating to the occupational training, development, and use of the manpower resources of the Nation, and for other purposes.

"In setting H.R. 8399 No. 1 on his priority list for domestic legislation, the President pointed out that this country cannot 'countenance the suffering, frustration, and injustice of unemployment, or let the vast potential of the world's leading economy run to waste in idle manpower, silent machinery, and empty plants.' * * *

"Despite recent indications of some recovery from the recession and a decrease in the unemployment rate, there still remain large numbers of workers who have exhausted, even extended, unemployment insurance benefits—those whose skills have become obsolete; the unskilled, especially those without high school education; older workers; minority groups; and the youth. * * *

"The fact that we are in the midst of the cold war only increases the need for the programs this bill will provide. The present struggle requires the maximum use of all our manpower, with no waste of the skills and ability to produce that are now available in the ranks of our long-term unemployed, and which can be fully exploited and utilized when these unemployed are trained for the skills needed today and tomorrow" (Congressional Record, vol. 108, pt. 3, p. 3001).

*Negro history*

House Joint Resolution 635 (Mr. Powell): To authorize the President to proclaim a week in 1963 as National Negro History Week.

*Public health service facilities*

H.R. 10217 (Mr. Powell): Repeals the provisions of the Hill-Burton Act which permits Federal assistance for hospitals which discriminate against persons on the basis of race, creed, or color [repealing U.S.C. 42:291 e(f)].

*Student aid*

H.R. 9743 (Mr. Powell): Authorizes the appropriation of $130 million for fiscal 1963 and $145 million for fiscal 1964 for making student loans under the National Defense Education Act. Repeals the limitation relative to the maximum amount of Federal capital contribution to any institution. Increases the number and amount of loans to medical and dental students and lengthens the period of repayment for such loans. Provides loans for interns.

*Territories of the United States*

Puerto Rico—House Joint Resolution 626 (Mr. Powell): Constitutional amendment—proposes an amendment to the Constitution of the United States granting representation in the electoral college to the Commonwealth of Puerto Rico.

Virgin Islands—H.R. 11709 (Mr. Powell): Amends the Revised Organic Act of the Virgin Islands concerning the election of senators to the legislature of the Virgin Islands.

*Welfare and pension plans*

H.R. 8723. "This Congress must assure the millions of men and women who are the beneficiaries of these plans, and their families, that their money is well handled and their promised benefits properly safeguarded" (Congressional Record, vol. 108, pt. 2, p. 1729).

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# SENATE

WEDNESDAY, OCTOBER 30, 1963

*(Legislative day of Tuesday, October 22, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou who dost speak to listening hearts in the holy hush of each new dawn and in the brooding quietness of the evening: Speak to us now, we pray, in the heat and burden of noontide's toiling.

Teach those who here, in the gaze of the Nation and of the whole world, minister in this temple of democracy, to value a conscience void of offense and the royalty of inward peace and poise, above all the pedestals, prizes, and preferments earth can give.

Help us to make true the image of our America, not as a giant flaunting its strength, but as a Good Samaritan bending in mercy and help over a sick and wounded world.

In the dear Redeemer's name, we pray. Amen.

## THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, October 29, 1963, was dispensed with.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

## TRANSACTION OF ROUTINE BUSINESS

On request of Mr. Mansfield, and by unanimous consent, it was ordered that there be a morning hour, with statements limited to 3 minutes.

## REQUEST FOR AUTHORIZATION FOR COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Air and Water Pollution Subcommittee of the Public Works Committee be permitted to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection——

Mr. DIRKSEN. Mr. President, I am reluctant to object; but I had to object in the case of one of my own committees, and had to inform the chairman that I would have to object. Therefore, I think I must pursue a consistent policy, and must now object.

The PRESIDENT pro tempore. Objection is heard.

## EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

## EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see end of Senate proceedings.)

## EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. McNAMARA, from the Committee on Public Works:

Brig. Gen. Walter P. Leber, U.S. Army, to be a member of the Mississippi River Commission;

Lt. Col. Robert H. Allan, Corps of Engineers, to be a member of the California Debris Commission; and

Col. Robert E. Mathe, Corps of Engineers, to be a member and secretary of the California Debris Commission.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

## SUBVERSIVE ACTIVITIES CONTROL BOARD

The legislative clerk read the nomination of Frank Kowalski, of Connecticut, to be a member of the Subversive Activities Control Board for the term expiring August 9, 1966.

Mr. RIBICOFF. Mr. President, I am pleased to support the nomination of Frank Kowalski, of Connecticut, to be a member of the Subversive Activities Control Board. He has the qualifications needed for the job and I am sure he will discharge his duties with probity and ability—continuing to serve his Nation well as he did while a member of the Armed Forces and the House of Representatives.

I fully endorse this nomination and urge its approval by the Senate.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

## FOREIGN CLAIMS SETTLEMENT COMMISSION

The legislative clerk proceeded to read sundry nominations in the Foreign Claims Settlement Commission.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

## LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

## BILLS AND JOINT RESOLUTION INTRODUCED

**Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:**

By Mr. KUCHEL:

S. 2268. A bill to amend section 7 of the act of May 21, 1920, to require the procurement of certain services from commercial suppliers when economy will result from such procurement, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. GOLDWATER:

S. 2269. A bill to amend the Internal Revenue Code of 1954 to allow a tax credit for certain tuition and fees paid by individuals to institutions of higher education and to allow a tax credit for certain contributions made by individuals or corporations to institutions of higher education; to the Committee on Finance.

(See the remarks of Mr. Goldwater when he introduced the above bill, which appear under a separate heading.)

By Mr. GOLDWATER (for himself, Mr. Allott, Mr. Young of North Dakota, Mr. Morton, and Mr. Tower):

S. 2270. A bill to amend the Internal Revenue Code of 1954; to the Committee on Finance.

(See the remarks of Mr. Goldwater when he introduced the above bill, which appear under a separate heading.)

By Mr. CURTIS:

S. 2271. A bill for the relief of Shu Hsien Chang; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S.J. Res. 129. Joint resolution to amend section 702 of the Housing Act of 1954 to increase the amount available to the Housing and Home Finance Administrator for advances for planned public works; to the Committee on Banking and Currency.

## GOVERNMENT COMPETITION WITH PRIVATE ENTERPRISE

Mr. KUCHEL. Mr. President, many of our businessmen find themselves daily struggling with the problem of Government competition. This matter has become so acute in the past few years that some businesses have been forced to close their doors. Our economic system has always been based on competitive private enterprise, regulated, where necessary, in the public interest, to prevent monopoly. The bill I am introducing today has grown out of a constant trend of the Government to minimize and, in some cases, abolish the competitive system.

American private enterprise has generated initiative, ingenuity, inventiveness, and a degree of productivity which has never been equaled in the history of mankind. The same forces that have produced such high standards of efficiency in private industry have not usually been duplicated to the same degree in the enterprises controlled and dominated by the Federal Government, which are, in essence, in competition with private business.

But Government competition takes other forms besides that of the Government corporation. For instance, Mr. President, earlier this year I was informed that some members of the drafting staff of the Patent Office were doing outside work—moonlighting, as it were—for various patent law firms which do business with the Patent Office. I immediately discussed this matter with the Commissioner of Patents. I then asked the Comptroller General to investigate these charges. Subsequently, after consultation with him, the information I had received was turned over to the Criminal Division of the Department of Justice and to the Patent Office, for further action. Such outside drafting is a clear conflict of interest. The existence of such practices means that competent private draftsmen outside the Patent Office are deprived of work which some patent attorneys find it more convenient to give to employees of the Patent Office.

I was pleased to see that, at long last, in the Official Gazette of the U.S. Patent Office for October 15, 1963, some attention was finally given to Commissioner's Administrative Order No. 50 relating to conflict of interest. This order was issued 9 months earlier—on January 29, 1963. The order "prohibits employees of the Patent Office from engaging in a private activity for compensation when such activity is connected with any business of the Government with which the employee may have a relationship by reason of his Government position."

The order continues, more specifically, to note that:

> The preparations by Patent Office draftsmen of drawings which become a part of a patent application is considered to fall within the area of prohibited activity.

The Patent Office draftsmen were notified of this order on January 24, 1963. Patent attorneys were finally notified 9 months later—on October 15, 1963. The order had provided that:

> Notice is hereby given of this ruling to all those practicing before the Patent Office. All are expected to comply therewith.

It remains, Mr. President, to determine whether this practice has been fully stamped out.

Assistant Attorney General Herbert J. Miller, Jr., wrote to me on October 22, 1963, that:

> Representatives of the Department of Justice plan to meet with representatives of the Patent Office in the near future and discuss with them the effectiveness of their remedial procedures, and the possibility of prosecutive action against those Patent Office employees who may have violated the conflict-of-interest statutes since January 24, 1963.

Assistant Attorney General Miller, I am glad to say, has informed the Patent Office that Patent Office draftsmen who do drafting work for patent attorneys during their off duty hours are in clear violation of the conflict-of-interest statutes and the various opinions and rulings of the Attorney General thereunder.

However, as the first and the second Hoover Commissions noted:

> The Government creates business-type enterprises in economic emergencies, in the emergencies of war, and for the development of projects which are not adapted to private enterprise because of their nature or their magnitude.

A very large portion of the Federal business enterprises, as we know, Mr. President, originated with the necessities of the First World War, the depression, and the Second World War.

One of the major problems before the Hoover Commission was the continuation of Government business enterprises after the emergency that engendered them has terminated. Without exception, the Commission found that:

> Agencies tend to perpetuate themselves, since by the time their tasks have been completed, their personnel and the citizens in the communities where they operate resist termination.

As a consequence, all too often they continue to function long after the original need has passed, and even when their operation is not in the public interest. They perpetuate themselves, and even grow in personnel and stature, in part, by living off of direct contracts from other Federal agencies. This vexing situation is responsible as much as any other single factor for the unnecessary Federal competition and, indeed, the Government encroachment which American businessmen face today.

Under the so-called National Economy Act, the Federal Government is able to utilize a reimbursable funding system for work done by one agency for another. The services of one agency by another have been utilized with all too uncanny ease. The purpose of this law is to allow Federal agencies the use of the existing facilities of other agencies when it is evident that such services could not be procured from nongovernmental sources. Interagency contracts are often completed as easily as one picks up the telephone. Sometimes they are awarded to Federal agencies whose primary function lies in another area, and who may not even currently have the necessary facilities and personnel to perform adequately the desired work.

Except for a very few instances, interagency contracts result in no tax revenue; no interest is paid on the capital invested; they seldom charge depreciation; and frequently their directing personnel are not included on their payroll. In effect, they deprive the Government of taxes which otherwise would be paid by private enterprise if it conducted these operations.

The continuance of such activities by the Government must be made subject to rigid justification; and the burden of proof, in all instances, should be on the Government. When, as is now the case, private enterprise is not given the benefit of the doubt, when true Government costs are not portrayed, and when such costs are not a determining factor in interagency contract awards, then a definite injury to the vitality of the whole private enterprise system, and, indeed, to every taxpaying citizen of this country, has been done.

I have discussed this problem over the years with many businessmen in my State and throughout the Nation. One recent example of Government competition in a field which is capably handled by private enterprise is that which exists in photogrammetry. This is the science or art of making maps from aerial photographs. Obviously, very accurate measurements are called for. This method is used today in all major mapping programs. Now we find that the Army Map Service has contracted to the Department of the Air Force to perform aerial photography and a Hiran survey of the country of Ethiopia, under a cooperative program that has been long established between the Department of the Army and the country of Ethiopia.

In a letter from the Department of Defense regarding this project it is stated:

> The cost of the operation was not a determining factor in deciding to assign this project to the Air Force rather than to obtain the photography by contract with commercial firms.

The result of this decision is a mapping program for 320,000 square miles, or about two-thirds of the country of Ethiopia, using three RC-130 aircraft for a period of 4½ years. The total cost is estimated to be approximately $10 million, of which $5 million "is for the additional costs involved in moving the elements to Ethiopia and providing the additional living expenses for personnel in the foreign area."

This means, according to the Department of Defense figures, that the normal precision aerial photography portion of the project is estimated to cost $11 per square mile. Even when taking into account a reduction for normal expenditures, which the Air Force has informally claimed reduces the square mile figure to $5, we find that several thousand dollars are being spent needlessly. These prices can be compared to that of a private firm which, in 1959, flew, on contract, 125,000 square miles of Ethiopia at a total cost to the Government of $2.93 per square mile, or a total difference of $3,461,400 of the taxpayers' money. This additional money is being spent—and, indeed, wasted—because the abilities and facilities of private industry were not considered.

There are still other areas where private industry's capabilities have not been utilized. For example, an interagency contract to the Coast and Geodetic Survey, from the Bureau of Reclamation for a silt-range survey on Lake Mead was recently completed. A previous survey was performed by the Navy some time ago, at a cost equal to that which a private firm would charge. However, since this type of a survey needs to be performed periodically, the Bureau of Reclamation again asked the Navy to perform the survey. Because of reasons of personnel, equipment, and so forth, the Navy declined to perform the survey, and suggested that a private company be contacted. A firm was contacted, and a proposal quoting an estimated cost of $135,000 was submitted. While reviewing this proposal, the Bureau of Reclamation received a solicitation by the U.S. Coast and Geodetic Survey to perform the survey. The contract was finally awarded to the Coast and Geodetic Survey, for amounts greatly exceeding that of the private proposal.

With regard to the activities of the Coast and Geodetic Survey, Mr. President, for almost 3 years, I have been interested in the unreasonable Government competition which has been occurring in the radio-avigation-chart field. A well-establised private firm, Jeppesen & Co., located in Denver, Colo., has been competently and competitively producing these charts. In the last few years, the Coast and Geodetic Survey has been providing unreasonable competition in that it has been selling comparable charts actually below its own cost of production. The Jeppesen Co. has not sought to eliminate the Coast and Geodetic Survey from competing with it. This company has merely focused its efforts on requiring that the Coast and Geodetic Survey include in its prices not only the cost of paper and printing, but also the cost of various technical processes which go into the production of the final product, as well as the mailing expenses and overhead and administrative expenses which the Secretary of Commerce allocates to the production of these charts.

As a result of the questions which were raised in 1961 by the senior Senator from Colorado [Mr ALLOTT], myself, and others, the Department of Commerce established an independent committee to study this question of unjust price competition in the area of radio avigation charts. The committee, chaired by Dr. Thomas Carroll, the president of George Washington University, had the benefit of background materials provided by both the Coast and Geodetic Survey and the Federal Aviation Agency. Representatives of the private business involved also appeared, and presented the views of private enterprise.

In its February 1 report to the Commerce Department, the Carroll committee stated:

> We have noted in our study that the definition of the cost of printing aeronautical charts is a narrow one, reflecting an 1895 law which requires a charge only for paper and printing. We believe that in the case of such charts the cost should include, in addition to paper, expenses incurred in actual reproduction after cartography, such as for photography, opaquing, platemaking, presstime, bindery-type operations, as well as materials used such as films and printing plates.

The committee also recommended "that the Coast and Geodetic Survey charge the purchasers of those aeronautical charts delivered by mail the full postage according to the public rates for postal services used."

In order to implement its recommendations, the committee urged that consideration be given to the enactment of legislation which would incorporate its recommendations.

There is presently pending before the Senate Committee on Commerce, S. 1336, which was introduced on April 18, 1963, by the Senator from Colorado [Mr. ALLOTT] and myself. This bill, completely in keeping with the Carroll committee recommendations, would codify these recommendations and update the 1895 statute which presently governs the pricing policy of the Coast and Geodetic Survey in the area of aeronautical charts. On June 19, 1963, the Aviation Subcommittee of the Commerce Committee held hearings on S. 1336. As yet, with other pressing matters before the committee, this bill has not been reported.

In my judgment, this substantive legislation should first be acted upon by the Commerce Committee, before any increases in the Coast and Geodetic Survey's radio aeronautical charting budget, which is now pending before the Senate Committee on Appropriation, is authorized. This is only simple justice. To me, it is unbelievable that the American taxpayer is expected to subsidize a Government operation which is already being capably and substantially conducted by qualified competitive private enterprise.

The PRESIDENT pro tempore. Under the morning-hour limitation, the time available to the Senator from California has expired.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDENT pro tempore. Without objection, the Senator from California may proceed for 2 more minutes.

Mr. KUCHEL. Mr. President, complaints have also been received in my office from several other organizations. The Consulting Engineers' Council, in its report entitled "Government Versus Consulting Engineers," noted that:

> Federal regulations and controls are difficult enough for the American businessman to comply with, but when direct competition from Federal agencies is added, the burden becomes unbearable.

This report concerns itself with another field of endeavor—that of consulting engineering—in which the Government has become a ruthless competitor.

Consulting engineering, which is a business practiced by professional engineers, contributes, through taxes, its full share of financial support to the operating cost of our Government. In fact, an increasing amount of our taxes seems to be going to pay thousands of professional engineers now in Federal employment. When the agencies employing these engineers openly solicit engineering services which could and should be performed by private consultants, we have the usual unhappy picture of one member of a profession paying another to take his livelihood away from him.

The Consulting Engineers' Council has noted several instances in which this has been the case. In December 1961, the Gering-Fort Laramie Irrigation District, composed of a group of private landowners in Nebraska, met to discuss with the Bureau of Reclamation personnel a proposed rehabilitation and betterment project, to be financed with loan funds secured from the Bureau. Five members of the irrigation district board of directors were present; six Bureau representatives attended. Two objections were entered by the irrigation district to the contract which was proposed: First, the 35-year repayment schedule; and second, the fee for engineering and administration proposed by the Bureau, equal to 23⅔ percent of the project cost.

Irrigation district representatives had already discussed this engineering project with a consulting engineering firm, and felt that their fee for the same project, approximately 6 percent of construction costs, would be preferable to the Bureau's 23⅔-percent fee. By resolution, adopted January 4, 1962, the irrigation district accepted the revised rehabilitation and betterment contract with the United States "with the express understanding that this district has the right to hire private engineering services if this district so desires."

The district met again on January 31, 1962, at the special request of the Bureau of Reclamation "to further consider the district's application for a rehabilitation and betterment loan." I am told that the official minutes show that Bureau of Reclamation representatives advised that the rehabilitation and betterment contract, as presented, involved the provision of all engineering by Bureau personnel, and that the retention of a consulting engineer would require redrawing the contract.

> This would take several weeks—

Advised the Bureau—

> and by the time the new form had been approved by the Director and the Commissioner, it could be too late to get it in the appropriations bill that year.

In case the hint was not strong enough, the Bureau further stated that the resolution of January 4 had been discussed with the regional director, and that, in the Director's opinion, "perhaps such a contract could not be approved."

Finding the obstacles erected by bureaucracy too much to overcome, the irrigation district reluctantly agreed to the retention of the Bureau as the engineering consultant. This is another tragic demonstration of the Government's refusal to consider the facilities of private industry. In this case, a group of local citizens seeking more water at lower cost was forced to pay more and to get less.

Several instances of outright solicitation by one agency to another have also resulted in competition with private business, thus higher costs. The Bureau of Commercial Fisheries has been active in soliciting AID contracts. It has become so active as to send one of its men around Africa, to see what possible jobs it could perform. This trip resulted in a $250,000 interagency contract between AID and the Bureau of Commercial Fisheries, for a ship and exploratory fishery survey of Ghana. This, unfortunately, coincides with its unsolicited proposal to Brazil, on which no action has, as yet, been taken.

Although no estimate can be adequately made regarding private industry's cost for the Ghana survey, it should be noted that private industry has adequate facilities to perform such a survey, and that probably the cost to private firms would be comparable, if not less. The important point here, however, is that no private firm was even considered, nor was the utilization of its facilities which were already in the area.

The damage of some interagency contracts can be exemplified in even more drastic terms upon the American free enterprise system. The Agency for International Development recently signed with the Corps of Engineers and its international branch known as the Inter-American Geodetic Survey an agreement to assist, advise, consult, and have responsibility for the accomplishment of detailed inventories of physical resources for Latin America. In effect, this means that the Inter-American Geodetic Survey, a military intelligence organization, will be advising and gathering civilian information which can only be of use to foreign governments and their domestic agencies whose functions are in land reform, taxation, and the advancement of natural resources.

On the surface, this agreement, known as the Participation Agency Service Agreement, appears to be in the interest of assuring technical quality. But there is no reason why competent private firms could not be contracted to serve the same function.

The Central American countries are already looking hesitantly at a U.S. military intelligence agency which wishes to gather such basic data for use in domestic reform and advancement. Out of all the needless waste and senseless competition with private enterprise in which the Government engages, no other single interagency contract or agreement can do the immeasurable damage that this agreement can do. It not only restricts private industry from work in natural resource surveys in Latin America, but it also tends to undermine the whole Alliance for Progress program which is seeking immediate reform. Presumably, one purpose of American assistance is to shore up neutral and free, friendly countries, so that they may know the values held by free peoples against totalitarianism. Certainly, one hallmark of a free society is the degree to which it encourages individual initiative and private enterprise. There can be little freedom when the state does everything. I hope that when comparable services are available at comparable cost from American firms, our Government will make better use of them than it is now doing. For that reason, I now introduce a bill to amend the National Economy Act in order that this principle may be more fully adhered to.

Mr. President, the bill I introduce will prohibit interagency contracting until the cost of such service had been ascertained and a determination has been made that such service cannot be obtained at lower cost under acceptable terms and conditions from any nongovernmental firm or business enterprise. This determination could be made by advertisement for bids; or, in the case of engineering, architectural, and other professional services authorized by law to be obtained under negotiated contract, a comparison of costs would be made on the basis of firm estimates submitted by the Federal agency or agencies offering to provide these services and free quotations submitted by a private firm selected for the assignment, following selection and negotiation procedures recognized and approved by the procuring agency. If the head of the agency then determined that such a service could not be obtained from private enterprise, he would prepare, and publish in the Federal Register, a notice containing a full and complete statement of the facts and circumstances relied upon in making that determination.

These procedures would not apply if a determination was made that the requirements of national security precluded procurement of such personal or other services from nongovernmental sources, or in case these services were authorized by other existing law. The Director of the Bureau of the Budget, with the approval of the Comptroller General, would issue the appropriate regulations to carry out this legislation.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD at the conclusion of my remarks and that it be held at the desk through Friday, November 8, for additional cosponsors.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from California.

The bill (S. 2268) to amend section 7 of the act of May 21, 1920, to require the procurement of certain services from commercial suppliers when economy will result from such procurement, and for other purposes, introduced by Mr. KUCHEL, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the first sentence of subsection (a) of section 7 of the Act of May 21, 1920 (41 Stat. 613, as amended; 31 U.S.C. 686(a)) is amended by striking out the words "Any executive department", and inserting in lieu thereof the words "Subject to the provisions of subsection (d), any executive department".

(b) Section 7 of that Act is amended by adding at the end thereof the following new subsection:

"(d) (1) No executive department or independent establishment of the Government, or any bureau or office thereof, may obtain or receive from any other such department, establishment, bureau or office upon a reimbursable basis any technological service of a kind rendered by commercial organizations until (A) the cost of the rendition of such service by such other department, establishment, bureau or office has been ascertained, and (B) it has been determined that such service of like quality cannot be obtained at lower cost under acceptable terms and conditions from any nongovernmental firm or business enterprise.

"(2) Determination whether any such service of like quality can be procured at lower cost from any nongovernmental firm or business entity shall be made by (A) advertisement for bids for the rendition of such service by nongovernmental firms or business entities; or (B) in connection with engineering, architectural, and other professional services authorized by law to be obtained under negotiated contract, a comparison of costs will be made on the basis of firm estimates submitted by any Federal agency or agencies offering to provide these services, and fee quotations submitted by a private firm selected for the assignment following selection and negotiation procedures recognized and approved by the agencies concerned. Whenever the head of any executive department, independent establishment of the Government, or any bureau or office thereof, determines that any such service cannot be so obtained from any nongovernmental firm or business enterprise, he shall cause to be prepared and published in the Federal Register a notice which shall contain a full and complete statement of the facts and circumstances relied upon in the making of that determination.

"(3) This subsection shall not apply to the procurement of the personal services of an individual, or to the procurement of any other service if it is determined that—

"(A) the requirements of national security preclude procurement of such service from nongovernmental sources;

"(B) the procurement of such service without regard to the provisions of this subsection is otherwise authorized by law.

"(4) All determinations made under this subsection shall be made in compliance with regulations which shall be promulgated by the Director of the Bureau of the Budget with the approval of the Comptroller General."

SEC. 2. The amendment made by this Act shall take effect on the first day of the fourth month beginning after the date of enactment of this Act.

## AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO TAX CREDIT FOR CERTAIN TUITION AND FEES

Mr. GOLDWATER. Mr. President, I send to the desk a bill and ask that it be appropriately referred to committee.

Mr. President, during the many days of hearings held by the Education Subcommittee of the Senate Committee on Labor and Public Welfare on education legislation, it became more and more evident that one of the major problems facing our Nation's colleges and universities and the parents of college students, is not the need to build more academic facilities, but to ease the burdens of parents who are sending their children to institutions of higher education and to give some relief to college administrators in order for them to increase salaries of faculty and to combat rising educational operating expenses.

Testimony dealing with these major problems of higher education was offered to the committee by Mr. Roger A. Freeman, senior staff member of the Hoover Institute on War, Revolution, and Peace, Stanford University; Dr. John Howard, president of Rockford College, Rockford, Ill.; Dr. Landrum R. Bolling, president, Earlham College, Richmond, Ind.; and Dr. J. O. Edmunds, president of Stetson University, De Land, Fla.

I have, therefore, prepared a bill incorporating the recommendations made by these distinguished witnesses before our committee. Briefly, the bill consists of two amendments to the tax code: First, it would provide a tax credit to parents for the tuitions and fees incurred by their dependents in attending college; second, it would grant a tax credit to individuals and corporations for gifts and contributions made to nonprofit institutions of higher education.

Mr. President, I have prepared a section-by-section analysis of my proposal and I ask unanimous consent that it be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the section-by-section analysis will be printed in the RECORD.

The bill (S. 2269) to amend the Internal Revenue Code of 1954 to allow a tax credit for certain tuition and fees paid by individuals to institutions of higher education and to allow a tax credit for certain contributions made by individuals or corporations to institutions of higher education, introduced by Mr. GOLDWATER, was received, read twice by its title, and referred to the Committee on Finance.

The section-by-section analysis presented by Mr. GOLDWATER is as follows:

### SECTION-BY-SECTION ANALYSIS OF GOLDWATER-CURTIS BILL

### SECTION 39—TUITION AND FEES PAID TO INSTITUTIONS OF HIGHER EDUCATION

(a) Taxpayer is allowed to take as credit against his final tax the amount of tuition and fees paid by him during the taxable year to one or more college or institution of higher education for himself or for any other individual for whom he can claim an exemption.

(b)(1) Credit for tuition and fees shall be allowed on the following schedule: (a) 100 percent of the first $100; (b) 30 percent of the next $400; (c) 20 percent of the next $1,000.

For example, a parent pays $1,350 in tuition and fees to a college on behalf of his son. Thus the parent would be entitled to a credit of $390 as follows:

| | |
|---|---|
| (a) 100 percent of first $100 | $100 |
| (b) 30 percent of next $400 | 120 |
| (c) 20 percent of next $850 | 170 |
| Total | 390 |

The maximum credit allowance under this provision would be $420.

(b)(2) Where more than one taxpayer pays the tuition and fees the credit allowance shall be prorated among the taxpayers. For example, a parent pays $500 and his son pays $1,000 in tuition and fees to a college. The credit allowance would be $420, of which the parent would be entitled to one-third or $140, and the son would be entitled to two-thirds or $280. NOTE.—The application of this subsection would be very limited inasmuch as each taxpayer must be able to claim an exemption for the individual for whom tuition and fees are paid. In the case cited above, the parent could continue to claim his son as an exemption even though the son is himself a taxpayer provided that the parent contributes more than one-half of his son's support while the son is a student.

(c)(1) Defines "tuition" and "fees" as those required for enrollment or attendance or required for courses of instruction at an institution of higher education. It excludes amounts paid for meals, lodgings and other personal, living or family expenses. If the tuition and fees include an amount for meals, lodging, etc., not separately stated, the portion of the amount attributable to meals, lodging, etc., shall be determined by the Secretary of the Treasury.

(c)(2) Defines "institution of higher education" as one which: (1) normally maintains a regular faculty and curriculum; (2) normally has a regularly organized student body in attendance where the educational activities are carried on (thereby excluding correspondence schools); (3) offer education at a level above 12th grade; and, (4) gifts made to it constitute charitable contributions within the meaning of the code.

(d)(1) If an individual receives a scholarship or fellowship grant (which are not included in gross income) or receives an education and training allowance under the Korean GI bill or War Orphans' Educational Assistance Act, the amount of such grant or allowance is deducted from the amount paid for tuition and fees in determining the credit allowance. Thus, if the amount paid for tuition and fees is $1,500 and the individual receives a grant or allowance of $800, then the credit allowance is based on $700, and not $1,500.

(d)(2) In the case of an individual who is a candidate for a college degree, credit allowance will be given only for tuition and fees paid for courses for which credit is allowed for a college degree. In the case of an individual not a candidate for a degree, credit allowance will be given for tuition and fees paid for courses required for the attainment of an educational, professional, or vocational objective. For example, a Foreign Service officer, transferred to a new post, may take a limited course of instruction in the language, culture, and history of the country to which he has been assigned, or a lawyer may wish to enroll in several graduate law courses to upgrade and enlarge his legal skills. Under both examples, it is intended that credit for tuition and fees paid would be allowed. On the other hand, a certified public accountant who enrolls in a course in Shakespeare merely for his own enlightenment and entertainment would not be entitled to a credit for tuition and fees paid, since the course in Shakespeare would not be part of an educational, professional, or vocational objective.

(d)(3) Provides that the credit allowance cannot exceed the amount of tax owed by the taxpayer. If the credit allowance is $420 and the amount the taxpayer owes is $400, then the credit allowance is reduced to $400. Simply a technical amendment to prevent a claim by the taxpayer that the Government owes him $20 or the amount in excess of his tax.

(e) If a taxpayer is entitled to a deduction under section 162 (relating to trade or business expenses) for tuition and fees paid, he may continue to claim the deduction and the credit allowance as well. However, the deduction and the credit together cannot exceed the amount actually paid for tuition and fees. For example, a taxpayer in the 30 percent bracket pays $150 in tuition and fees. He reduces his tax by $45 (30 percent of $150) by way of the deduction and is entitled to $115 as a credit. Since the total amount of the credit and the deduction is $160, the credit is thereby reduced to $105.

(f) Secretary of the Treasury is given authority to prescribe regulations to carry out this provision.

### SECTION 40—CONTRIBUTIONS TO INSTITUTIONS OF HIGHER EDUCATION

(a) Provides a credit against his final tax for an individual for the amount of his contributions to one or more institutions of higher education during the taxable year.

(b) The credit cannot exceed $100 in the case of an individual or $10,000 in the case of a corporation.

(c) Such credit will apply only if the contribution to or for the use of an institution of higher education is deductible as a charitable contribution. Where the contribution is made not to a college or university but to an agency, foundation or institution, such contribution may be only used by the agency for the same purposes that a college or university may use its funds.

(d) Definition of "institution of higher education" same as section 39(c)(2).

(e) Same as section 39(d)(3).

(f) Permits taxpayer to continue to take a deduction for charitable contributions as well as the credit provided by this section. In no event shall the deduction and the credit together exceed the actual amount of the contribution. Similar to the example set forth in section 39(e)(2).

(g) Secretary of the Treasury authorized to issue regulations to carry out provisions of this bill.

(h) Technical amendment—renumbering of code sections.

Section 2: Provisions shall apply to taxable years ending after the enactment of this act. If this bill becomes law in September 1963, a taxpayer may take advantage of the credits provided herein in filing his income tax return for the taxable year 1963.

## AMENDMENT OF INTERNAL REVENUE CODE OF 1954 RELATING TO TAX CREDIT FOR CERTAIN HOMEOWNERS

Mr. GOLDWATER. Mr. President, on behalf of myself, and Senators ALLOTT, YOUNG of North Dakota, MORTON, and TOWER, I introduce a bill to amend the Internal Revenue Code of 1954, and ask that it be appropriately referred to committee.

Mr. President, early in this session of Congress, I introduced a bill, S. 181, which provided for a national merit scholarship program and two amendments to the tax code. S. 181 was referred to the Senate Committee on Labor and Public Welfare and was the subject of hearings along with other matters before the Education Subcommittee.

I am now reintroducing this bill without the national merit scholarship program in order that the amendments to the tax code can be considered by the Senate Finance Committee during its hearings on the House-passed tax bill.

I ask unanimous consent to have included in the body of the RECORD a summary of the major provisions of this bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the summary will be printed in the RECORD.

The bill (S. 2270) to amend the Internal Revenue Code of 1954, introduced by Mr. GOLDWATER (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

The summary presented by Mr. GOLDWATER is as follows:

### 1. TAX CREDIT TO HOMEOWNERS FOR THAT PORTION OF THEIR REAL PROPERTY TAX WHICH IS USED FOR THE MAINTENANCE, OPERATION, AND CONSTRUCTION OF PUBLIC ELEMENTARY AND SECONDARY SCHOOLS

A. The taxpayer would continue to deduct the amount of his real property tax from his gross taxable income; after he determines what his tax will be, he then credits against his final tax that amount of his real property tax which is used for the maintenance, operation, and construction of public elementary and secondary schools.

B. Tax credit would be the amount actually paid by the taxpayer or $100 whichever is less. To illustrate, a taxpayer pays a real property tax of $600, of which $350 is used for public school purposes. As he does at present, the taxpayer would be able to deduct from his taxable income $600, and assuming that he is in the 20-percent bracket, this would result in a tax saving to him of $120 (20 percent of $600). After determining his final tax, for example, $500, the taxpayer in addition would be able to take a credit of $100 against his net tax, thus, instead of paying a tax of $500, he would pay only $400.

C. The taxpayer who takes a standard deduction would also benefit since the credit granted is taken against the final tax after all exemptions and deductions have been made.

D. The deduction together with the tax credit cannot result in a saving to the taxpayer of more than the actual amount of that portion of the real property tax devoted to public school needs. For example, the taxpayer pays a real property tax of $100, of which $60 is used for public school purposes. Assuming the taxpayer is in the 20-percent bracket, he would be able to reduce his tax by $20 (20 percent of $100), $12 of which is attributable to the tax for school purposes. Giving such a taxpayer a $60 credit—the actual amount paid for school purposes—would return a saving to the taxpayer of $72 or $12 more than the tax he paid for support of the public schools. Thus, the tax credit in this case would be limited to $48.

### 2. TAX RELIEF FOR FAMILIES WITH CHILDREN ATTENDING COLLEGE

A. The taxpayer is granted an additional deduction from his taxable income for the expenses incurred by him, his spouse, or his dependent or dependents, while attending college.

B. Expenses shall include tuition and fees charged by the college for a course of instruction and attendance at such college; books, supplies, and equipment; room and board, whether the student is living on or off the campus. The amount the taxpayer may deduct shall be the actual amount of expenses paid but not to exceed $2,000 for each child attending college. Of this amount, the cost of room and board may not exceed $90 a month while the student is in attendance at college ($45 in the case of a student living at home).

C. In addition to his child or children, the taxpayer may also deduct such expenses which he incurs as a student as well as those of his wife and anyone else whom the taxpayer can lawfully claim as a dependent.

D. The deduction is available to a taxpayer whose dependent is attending a college, university, or other institution of higher learning, such as medical school, dental school, law school, or other graduate school. This deduction is not available to a taxpayer whose dependent is attending a trade or vocational school or any other school which does not award a baccalaureate or higher degree.

E. The amount of expenses which the taxpayer may deduct from his taxable income shall be reduced by the amount by which the taxable income of the taxpayer exceeds $10,000 if the taxpayer is unmarried or if married, files a separate return or, $20,000 if the taxpayer is married and files a joint return or is a head of a household or a surviving spouse. Thus, if a taxpayer has $2,000 in educational expenses and a taxable income of $20,800, he would be entitled to a deduction of $1,200 ($2,000 less $800, the amount in excess of $20,000). The taxpayer thereby reduces his taxable income from $20,800 to $19,600. If the taxpayer is in the 50-percent bracket, he would thereby reduce his tax by $600 (50 percent of $1,200).

## FOREIGN ASSISTANCE ACT OF 1963—AMENDMENTS (AMENDMENT NO. 269)

Mr. LAUSCHE (for himself and Mr. DOMINICK) submitted an amendment, intended to be proposed by them, jointly, to the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. JAVITS submitted amendments (No. 270), intended to be proposed by him, to House bill 7885, supra, which were ordered to lie on the table and to be printed.

Mr. PROXMIRE submitted an amendment (No. 271), intended to be proposed by him, to House bill 7885, supra, which was ordered to lie on the table and to be printed.

## CLEAN AIR ACT OF 1963—ADDITIONAL COSPONSORS OF BILL

Mr. RIBICOFF. Mr. President, I ask unanimous consent that at the next printing of Senate bill 432, to accelerate, extend, and strengthen the Federal air pollution control program, the name of the distinguished Senator from Maine [Mr. MUSKIE], the chairman of the Subcommittee of the Public Works Committee, and the name of the Senator from Indiana [Mr. BAYH] be added as cosponsors.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## PROTECTION OF THE RIGHT OF THE PUBLIC TO INFORMATION—ADDITIONAL COSPONSOR OF BILL

Mr. HUMPHREY. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 1666) to amend section 3 of the Administrative Procedure Act, chapter 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information and for other purposes, introduced by the Senator from Missouri [Mr. LONG], on June 4, 1963, the name of the Senator from Tennessee [Mr. WALTERS] may be added.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## PLANNING FOR PEACE—ADDITIONAL COSPONSORS OF CONCURRENT RESOLUTION

Under authority of the order of the Senate of October 15, 1963, the names of Mr. MORSE, Mr. PASTORE, and Mr. PELL were added as additional cosponsors of the concurrent resolution (S. Con. Res. 64) relative to planning for peace, submitted by Mr. CLARK (for himself and other Senators) on October 15, 1963.

## NOTICE OF HEARING ON CERTAIN POSTMASTER NOMINATIONS

Mr. JOHNSTON. Mr. President, pursuant to the rules for committee procedure of the Committee on Post Office and Civil Service, the standing Subcommittee on Contested Nominations will hold a hearing in room 6202, New Senate Office Building on Tuesday, November 5, 1963, at 10:30 a.m. on the following postmaster nominations for: First, Graham, Tex.; second, Chugwater, Wyo.; third, Gettysburg, Pa.; fourth, Park Ridge, N.J.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. SCOTT:

Address by Senator GOLDWATER delivered before the Republican "Keystone Kickoff Dinner," on October 10, 1963, at Hershey, Pa.

## FOOD SHORTAGES IN SOVIET RUSSIA

Mr. YOUNG of North Dakota. Mr. President, this year marks the 30th anniversary of the tragic famine which was artificially created by the Communist rulers in the Ukraine in 1932 and 1933. In my State of North Dakota, which has more than 20,000 fine citizens of Ukrainian descent, this anniversary was given public attention when these descendants held meetings to express their protest over this tragic event and to demonstrate their support for those people behind the Iron Curtain. In a recent letter from Dr. Anthony Zukowsky, president of the State Branch of North Dakota, Ukrainian Congress Committee of America, Inc., he depicts the plight of the Ukrainian people in 1932 and 1933; and I quote from his remarks:

> Thirty years ago the Russian Communists instituted what history has recorded as the most inhuman act ever perpetrated on any nation, the famine which was deliberately started and maintained in an all-out effort to break the spirit of Ukrainians to agree on collectivization of their farms.
>
> In 1933 through the streets of Kiev, Kharkov, Odessa, and many other cities, the miserable wrecks of humanity dragged themselves on swollen feet, begging for crusts of bread or searching for scraps in garbage heaps frozen and filthy. Each morning wagons rolled along the streets, picking up the emaciated remains of the dead. The year 1933 brought death from famine in Ukraine to 7 to 8 million people.
>
> The Russians attempted to destroy the Ukrainian nation as they did to Volga-Germans, Krymian-Tartars and others after World War II, and there has been perhaps no disaster of comparable magnitude that received so little international attention. German Nazis were tried for their crimes but until now Russians were not brought before international courts for their crimes in Ukraine, Hungary, and elsewhere.
>
> Thirty years ago a politically manmade famine blighted Ukraine, today shortages of wheat highlight colonial Russian performance. It is truly unbelievable, that historically Ukraine alone was regarded as "the granary of Europe," but under Soviet Russian colonialism it has not been able, along with other new areas, to feed the population. This is not the drought, this is after over 30 years of experimentation of the Communist system of collective farming and its complete failure, which has cost millions of Ukrainians their lives.

Mr. President, today the lack of food in Russia is due in part to a severe shortage of wheat and other grains which was caused by a drought that spread over a wide part of Europe and Asia. However, as Dr. Zukowsky pointed out, the most important factor is failure of the Communist system to produce sufficient food. There is a total lack of freedom and a lack of initiative for farmers in the Ukraine and other areas of Russia to produce to their greatest capacity.

This failure to properly feed the people of Russia should be regarded as a step backwards for the Communist system. As members of the free world, we hear great claims about the collective agricultural system; but it is not a system that will produce each year and will maintain an adequate supply for poor crop years. We, as citizens of the United States and members of the free world, must do everything in our power to show the people behind the Iron Curtain that there is a better way of life, and that famines, either real or artificial, do not have to prevail today.

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## SENATE SHOULD MOVE ON CIVIL RIGHTS NOW

Mr. KEATING. Mr. President, bipartisanship can be credited with breaking the deadlock on civil rights in the House Judiciary Committee.

Those on the committee seeking a stronger bill than the President originally recommended succeeded in obtaining a number of important concessions. The important fact, however, is not who yielded to whom, but that a spirit of bipartisan cooperation ultimately prevailed.

Yesterday, at a meeting of the Senate Committee on the Judiciary, I attempted to move for a resumption of the committee's civil rights hearings. The chairman ruled my motion out of order on the ground that the civil rights bill had again been referred to the Subcommittee on Constitutional Rights.

In view of the chairman's statement, I have requested that the Subcommittee on Constitutional Rights schedule prompt hearings on a daily basis until the hearings are completed and a report has been prepared.

Of course, I am not naive or optimistic about the Senate Judiciary Committee doing anything about civil rights, and we must not delay whatever action can be taken on the Senate floor for 1 minute because of deliberations by this committee or the subcommittee which are either pending, promised, or proposed.

But now that the House Judiciary Committee has acted, it would be extremely helpful if the subcommittee would give serious study and consideration to the language of the bill that has been ordered reported. Such hearings would be a constructive and meaningful contribution to the legislative process, and I would think that they would be welcomed by every Senator seriously interested in shedding light on the issues in this area.

Mr. President, civil rights legislation can be enacted during this session, but only if we are prepared to lay the groundwork in the Senate now for speedy action on the measure the House is considering.

After long delay, a significant breakthrough on civil rights has occurred in the other body. I hope that this will inspire the Senate to move quickly to fulfill its own responsibilities in this vital area. While it is likely that several amendments to the bill reported by the House committee are desirable, I plan to introduce that bill in the Senate as a means of bringing it directly before the Senate at the earliest possible moment.

Mr. JAVITS. Mr. President, I too, wish to say a word about the bipartisan civil rights bill agreed upon yesterday by the Judiciary Committee in the other body. I call attention in that connection to a number of facts. One is that the bill as reported is a distinct improvement over the President's civil rights package of last June 19, thus confounding the strategy of retreat. The bill, as it finally resulted, is an improvement over the retreat which had been sought by the administration and which would only have resulted in bringing down the President's average further when the bill is faced with the expected fight in the Senate. The bill's section on equal opportunity in employment, its mandatory prohibition against the use of Federal funds to aid segregated Federal-State programs, and its protection of rights under the 14th amendment to include other rights, in addition to public school desegregation, mark it as a practicable and major advance in the civil rights field.

The bill is not ideal, but if effectively enforced as a law, would be capable of doing what must be done at this time. I think it is very important to point out that since the bill is a bipartisan product, after so much struggle, our colleagues in the other body understand that the bill has support in the Senate, and that we think the members of the committee did a good job and did not run away from the issue or report a weak bill.

I do not believe that the bill is a weak bill; it is a tribute to bipartisanship, which is absolutely indispensable in both the House and the Senate. Credit goes equally to Representative CELLER, the chairman of the committee, and Representative McCULLOCH, of Ohio, the ranking Republican member of the committee. It reflects the cooperation of the minority leader, Representative HALLECK. It shows also that liberals know how to deal with a difficult situation and are neither doctrinaire nor inflexible.

I take particular pride in the role of Representative LINDSAY, my own Representative in New York City, and also Republican Representatives MATHIAS, CAHILL, and MACGREGOR, who helped to turn the tide. I support them in their actions.

The PRESIDENT pro tempore. The time of the Senator from New York has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, as civil rights action must be bipartisan to be successful and giving all credit to Democrats who supported the committee bill, Republicans should be recognized, too. Republican members of the House Judiciary Committee made a very substantial and successful effort to strengthen the administration's proposals. This must be emphasized in order to counteract the highly erroneous impression which became current for a time to the effect that the effort of Republicans in the House over the past weeks has been only to weaken the civil rights bill. The provisions of the reported bill which strengthened the administration's proposals and in which the Republicans were important were as follows:

First. Extending part III, authorizing the Attorney General to bring civil rights injunctive suits, beyond only school desegregation, for which the administration had asked, to include intervention in equal protection of the laws cases brought under the 14th amendment generally. Although I hope for the inclusion in a House-passed bill of due process of law as well as equal protection of the laws, and for initiation of suits as well as intervention in suits already brought, the House committee version would if enacted be helpful in the extremely important cases of police excesses and denials of the first amendment right of assembly and petition for the redress of grievances which are arising in the growing demonstration movement. It was a significant improvement in eliminating the subcommittee's far too broad inclusion of all constitutional rights, regardless of race or color.

Second. Adding a Fair Employment Practices Commission. The President's civil rights message of June 19 made reference to this proposal, but the omnibus bill lacked a provision on it. The version adopted by the committee differs from the subcommittee's bill in that enforcement is in the courts rather than in the Commission. While I would prefer the latter method as closer to the type of regulatory administrative procedure now most widely in use, the committee's version, embodying the approach used in the wage and hour law, is not so clearly defective as to be highly objectionable. Inclusion of FEPC is certainly an improvement over the administration's proposal, although I disapprove of certain limitations of coverage and remedy in it.

Third. Public accommodations truly based on the full scope of congressional power, including both the commerce clause and the 14th amendment. The administration bill did not exhaust congressional power but relied only on the commerce clause; the subcommittee bill added State action of specific types under the 14th amendment. The committee bill now improves on both by incorporating the full scope of State action under the 14th amendment. Certain retail establishments are not clearly enough covered in the committee bill, although most are clearly covered, and I feel they should be included.

Fourth. Mandatory cutoff of Federal funds from discriminatory State programs. The administration provision gave a discretionary power to the President which, in the opinion of a great many legal experts, he already has. The House bill now makes that an obligation rather than merely an authorization and subjects it to judicial review.

Fifth. Extension of the life of the U.S. Commission on Civil Rights. The administration asked for extension for 4 years along with a strengthening of its powers. The committee bill makes the Commission permanent and expands its powers even more broadly, especially in the field of voting frauds.

Sixth. A census provision which could lead to enforcement of section 2 of the 14th amendment, which provides for reduction of representation in the House of Representatives to the extent of denial of the right to vote. The administration bill contained no such provision.

Seventh. Appeal from remand of suits sought to be removed from State to Federal court where Federal constitutional rights are involved. The many State court prosecutions of demonstrators on spurious charges, often carrying serious penalties, cry out for a fair forum which only the Federal courts, in many cases, can provide. The administration bill was silent on this aspect, and the Republicans joined with Democratic committee members in adding this provision.

I believe an important side effect of this bill should be an increased awareness on the part of the administration to consider the views of Republican members in this and other fields. The confusion and uncertainty created during the committee's deliberations on this bill could have been avoided, in my judgment, if the Attorney General had begun discussing the merits of the provisions with Republicans at an early date and not only at the 11th hour, when it was vividly brought home to him that Republican support is vital to get a meaningful bill through the Congress. I hope this lesson has been learned and will be applied in the Senate as well as during the remaining House proceedings on the bill.

The bill, as it now stands, leads to the following:

First, it will give recourse to the law and the courts in many areas—areas of great importance to civil rights—in which Negroes believe they had no recourse except through demonstrations in the streets. I believe if enacted into law in time—and I emphasize those words "in time"—those provisions can operate effectively to do what must be done.

Second, the bill would give notice that racial segregation and discrimination are intolerable to the Nation, and that the national interest demands that they end now. That is important to Southern States, which by rationalizations of interposition of States rights believe they can defy the Constitution and perpetuate racial segregation.

Third, the bill would open the door and invite major progress by those outside of Government, especially from American business, and also from education and voluntary organizations. It would lend aid to equality of opportunity, which is indispensable to a solution of problems related to jobs, education, housing, and community life, and afford a framework within which nongovernmental efforts can be most effective, and a standard would be set to which the recalcitrant 10 percent must adhere.

There is pending now in the Senate a public accommodations bill which we are told was ordered reported by the Senate Committee on Commerce. No report has yet been filed. The report is still waiting. It has been in that status for quite a long time. I believe that the report should be filed promptly. I urge the chairman of the committee to bring it about, because I believe that the Senate ought to have an opportunity to make a move. I believe that that move should be to start the debate in the Senate on the civil rights bill.

Mr. President, nothing will be done on the question of tax reduction before the end of the present year. If debate were started on the civil rights bill, based upon the Commerce Committee's reporting the bill, at least we would take it up a number of weeks before the House civil rights bill comes over here, with that much more opportunity to complete action by Christmas time. If action is not completed by Christmas time, the subject will inevitably go over until next year, with a grave danger that by our failure to act in time, we shall be lending ourselves to the continued need for demonstrations in the streets because there will be no adequate law to give redress to those deeply held grievances.

Mr. President, I close as follows: Yesterday was a critical day in the civil rights struggle in our country. This is an affirmative achievement, which I fully support.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for an additional 30 seconds.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. The Senate, which is a great battleground of civil rights, must do its part. The way in which it can do so is by starting the civil rights debate promptly. That calls for a report by the Committee on Commerce, which I strongly urge the chairman to make promptly, and I urge the majority leader to encourage him to make it promptly. It calls for opening the debate on the floor of the Senate. Then the country will know that we are committed to the civil rights struggle until completed, and it will not be the fault of the Congress, as a Congress, for not even trying. We cannot have that record unless the Senate begins the debate. I, as one Senator, under the proper procedures in the Senate, shall do my utmost as soon as the report is filed, to endeavor to bring that about.

## COLORADO STEEL WEEK

Mr. ALLOTT. Mr. President, on September 24, 1963, Gov. John Love of Colorado signed a proclamation designating the past week of October 20–26 as "Colorado Steel Week." Colorado Steel Week was aimed at telling steel's story to the people of Colorado and showing the increasing role of steel in our State's economic life.

A cornerstone of our Nation's economic and military strength, steel is one of America's basic industries, and its contributions to the State of Colorado have been many and varied. It is one of our State's largest employers, and one of the largest purchasers of goods, freight, and other services in the Rocky Mountain area. It works our mines, builds our bridges, lays our highways, erects our factories, works our farms, packages our food, supplies our homes, moves our trains and trucks, guards our security, and prolongs our lives.

Today in this Chamber I should like to express my appreciation to the people of this industry for their many contributions to the Nation and to my State. I feel that I can speak with some degree of knowledge about these contributions, for I was born in the shadows of the largest steel mills of my State, in the city of Pueblo. As a young man, I gained valuable experience and economic aid toward the completion of my education by working in three different departments of those mills. Firsthand I observed what this major industry meant to my community and State, from the largest suppliers of raw materials down to the local drug, hardware, and grocery stores.

Hence, Mr. President, I am the first to admit that it makes my hackles rise when I hear or read of this industry being maligned by such adjectives as "heartless," "cold," and "oppressive." To me, certainly in Colorado, at least, it is none of these. Rather, it has been the means of a livelihood, of coal to keep warm, and of completing a much-wanted education. For these I am grateful, and I wish the industry well as it continues its many worthwhile contributions to my State and its people.

I ask unanimous consent, Mr. President, to have the text of Governor Love's proclamation follow my remarks in the RECORD and to have printed in the RECORD a feature story published in the Denver Post of Wednesday, October 23, 1963, relative to a page from the history of the West to which this industry has contributed, entitled: "Barbed Wire Changed the History of the West."

There being no objection, the proclamation and article were ordered to be printed in the RECORD, as follows:

### TEXT OF GOV. JOHN A. LOVE'S PROCLAMATION

Whereas steel, in its many sizes, shapes, and forms is a basic product essential to our happiness, prosperity, and progress and one of the basic foundations upon which is built the independence and welfare of our people; and

Whereas Colorado owes her position as a great State to the availability of steel through the manufacture, warehousing, distribution, and fabrication of steel within this great State; and

Whereas the past, present, and future economic health of Colorado's vast and growing industries must come from the availability of steel and steel products to the State; and

Whereas the livelihood of every citizen of the State is directly or indirectly dependent upon the availability of steel and steel products; and

Whereas the livelihood of every citizen of the State is directly or indirectly dependent upon the well-being of the industry in the State;

Now, therefore, I, John A. Love, Governor of Colorado, do hereby proclaim October 20–26, 1963, to be Colorado Steel Week and urge every citizen to give thought and recognition to the thousands of uses of steel on behalf of the continued productivity and well-being of Colorado labor and industry.

Given under my hand and the executive seal of the State of Colorado, this 24th day of September, A.D., 1963.

JOHN A. LOVE,
*Governor.*

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[From the Denver Post, Oct. 23, 1963]

### ADVANTAGES NOTED: BARBED WIRE CHANGED HISTORY OF WEST

"Gents, bring on your cattle, bring on your steers," the brash, husky young man shouted from his buckboard on San Antonio's military plaza. "This is the best fencing in the world; it's light as air, stronger than whisky, cheaper than dirt."

Behind the 22-year-old John Warne Gates, 40 rough, tough Longhorn steers stampeded toward the frail-looking strands of barbed wire enclosing them. They thudded against it. One of the mesquite posts snapped, but the wire held. Stupified, the steers launched another attack. Finally, they backed away, stamping and snorting but convinced.

Convinced also were the Texas cattlemen that early evening in 1877.

#### DRIES BROW

Gates, salesman for the barbed wire invented in De Kalb County, Ill., 3 years earlier by Joseph Glidden, pushed back his newly acquired Stetson and dried a perspiring brow. He had been convinced of the barbed wire's worth but had never put it to an actual test.

As Gates, later to be known as "Bet a Million," repeated his spectaculars, orders for the barbed wire followed. Within new enclosures, the cattle were better cared for and better fed.

However, as one era in ranching was ushered in, another was bowing out—the era of the open range, the sweep of plains and prairies where a ranch was not measured in thousands of acres but in hundreds of miles. In a few short years the wide open spaces between the Mexican and Canadian borders became a network of barbed wire.

A passage from one of the periodicals of the time between 1871 and 1876 sums up the tremendous impact fencing had:

"The fencing of the United States costs more than everything in the Union, except railroads and cities, and more than either of these separately * * * and the annual repair of fencing costs more than all the taxes of the country, Federal, State, county and municipal combined."

Although, for a time, barbed wire seemed to be at the root of many of the problems that plagued those who tried to make a transition from open range to clearly defined property lines, its advantages soon became apparent.

Stock could be upgraded, their blood lines improved.

Desirable land and water could be fenced in and developed.

#### CROPS PROTECTED

Those who were interested in farming found that their crops were protected and yields increased.

The coming of barbed wire and fencing had its humorous aspects as well.

One Texas Governor was asked to free the county seat of Jones County, which was completely encircled by a fence, 15 miles distance, and having but 2 gates.

Another event involved the old Taos chieftain, Standing Deer, who had dropped into the village of Clarendon after a trading trip and was having difficulty with the settlers. Not knowing much about Indians, the townspeople were about ready to kill Standing Deer and his group thinking they were a Comanche war party.

Charles Goodnight, a friend of Standing Deer, luckily happened to be present and saved the party. Anxious to get back to safer territory, Standing Deer asked Goodnight a question that amazed the cowman: "How do you get back to Taos?"

"You surely know the way back to Taos," Goodnight said. You've lived in this country all your life."

"Si, senor," answered Standing Deer. "Pero alambre, alambre, alambre, todas partes—but wire, wire, wire, everywhere."

During 1880, the Nation's factories were turning out about 80 million pounds of barbed wire. In 10 short years this tremendous output was tripled.

#### GOOD LOCATION

The Colorado Fuel & Iron Corp.'s plant in Pueblo was in an advantageous location to feed the farmers' and ranchers' insatiable appetite for wire—especially barbed wire.

Variations of barbed wire and fencing began to mount and multiply so that the number of types defied the imagination. As one oldtimer phrased it, "You could ask a thousand ranchers what their favorite barbed wire was and get a thousand different pointed answers."

Today, standardized to eight types, barbed wire is still an essential item in any farm or ranch program.

But farmers and ranchers have found that barbed wire has many relatives—all equally as useful in the upkeep and appearance of their property.

Wire products and fencing come out of the C.F. & I. wire mills in Pueblo in the thousands of tons to protect poultry, hogs, sheep, to provide the tie that binds her balers and for simple repairs that are a part of the everyday life on any farm and ranch.

Woven V-mesh fence to ward off marauding wolves stand near to garden, lawn and ornamental fencing installed by nature-loving wives who want to improve the appearance of their flower plots and greensward next of their neat and well-kept homes.

"Bet a Million" Gates didn't know what he started years ago with his barbed wire fence test. No doubt, he'd have thought twice about betting that a simple little barbed wire installation would grow into one of the staple items of American industry—and one that literally changed the face of this Nation.

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## THE CONTRIBUTION OF THE U.S. OIL INDUSTRY TO THE U.S. BALANCE OF PAYMENTS

Mr. FULBRIGHT. Mr. President, Mr. Emilio G. Collado, vice president of the Standard Oil Co. of New Jersey, has recently released a statement entitled "The Contribution of the U.S. Oil Industry to the U.S. Balance of Payments," which I think is a very useful document.

The study is based upon a survey of foreign activities of U.S. oil companies and shows that these operations produced a net inflow to the United States of more than $638 million in 1962 and that the trend has been upward.

I ask unanimous consent to have printed in the RECORD the statement and the accompanying table.

There being no objection, the statement and table were ordered to be printed in the RECORD, as follows:

### THE CONTRIBUTION OF THE U.S. OIL INDUSTRY TO THE U.S. BALANCE OF PAYMENTS

In view of continuing national concern about the deficit in the U.S. balance of payments, the Standard Oil Co. of New Jersey, has made a study of the payments impact of international oil trade by U.S. companies. It is hoped that the new data will provide a useful factual basis for public policy.

The survey shows that the foreign activities of some 200 U.S. companies engaged in international oil operations produced a net inflow to the United States of more than $638 million in 1962.

There was a net payments surplus in each of the last 5 years; and the trend has been upward. The favorable balance by years was as follows:

| | |
|---|---|
| 1958 | $185,000,000 |
| 1959 | 261,000,000 |
| 1960 | 376,000,000 |
| 1961 | 173,000,000 |
| 1962 | 638,000,000 |

Without these favorable balances from the oil industry, the total U.S. payments deficit during these years would have been substantially greater.

The favorable balances seem likely to continue and increase. This can best be appreciated by reference to the fact that free world petroleum demand (outside of the United States) increased from 7.7 million barrels daily in 1958 to 11.6 million barrels daily in 1962—an increase of nearly 50 percent. By 1970 an additional increase of close to 70 percent above the 1962 level is anticipated. The U.S. oil industry, which holds an equity interest in 60 percent of proved free world reserves outside the United States, plans to continue to participate in this growth.

The impact of U.S. oil company operations on the balance of payments is made up of a number of elements. On the outflow side are U.S. purchases of petroleum from abroad and the flow of capital for investments abroad. On the inflow side are profits returned to the United States, exports of petroleum and refined products, and exports of equipment and supplies for the foreign operations of U.S. oil companies. The breakdown of these items for 1962 in millions of dollars was as follows:

| | |
|---|---|
| OUTFLOW | |
| Net oil imports | $1,325 |
| Capital outflow | 538 |
| Total outflow | 1,863 |
| INFLOW | |
| Exports of equipment, supplies, services | 923 |
| Remitted profits | 1,578 |
| Total inflow | 2,501 |
| Net inflow | 638 |

The attached table reports the data for all 5 years.

The favorable balances shown have undoubtedly been understated by the conservative estimating procedures employed. Moreover, data were not available for exports of oil-based chemicals and the proceeds from these exports have not been taken into account.

The figures do not include purchases of goods by U.S. oil companies abroad from foreign suppliers who had originally obtained such items from the United States. Nor do the figures include purchases from the United States by foreign governments and business firms which were made possible by income they received as a result of U.S. oil companies' operations abroad.

Several aspects of the figures are worthy of emphasis:

(1) The earnings remitted from the foreign operations of U.S. oil companies in 1962 amounted to $1,578 million, an increase of nearly 50 percent over 1958. For the 1958–62 period, profits sent back to the United States amounted to $6,293 million. This represents a very substantial contribution to the U.S. economy.

(2) The inflow of income from abroad far exceeds the annual outflow of funds for additional investments. For 1962, the excess of returned earnings over new investment was $1,040 million. The excess of earnings inflow over investment outflow for the 5-year period amounted to $3,930 million. It may be anticipated that in the future the companies operating abroad will continue to undertake substantial plant and equipment expansions, but increasingly expenditures for these purposes will be financed from retained earnings and depreciation funds.

(3) While net oil imports have risen about 22 percent over the past 5 years, the net payments surplus from oil industry activities has increased about 240 percent.

The substantial contribution to our balance of payments by the foreign activities of U.S. oil companies clearly indicates that great caution should be exercised in considering proposals which would impair these operations. In recent months, however, with the stated purpose of helping to reduce the payments deficit, a number of steps have been advocated which would in reality make little or no contribution to this desirable objective, while impeding foreign operations of U.S. oil companies and in other ways adversely affecting important national interests. For example, suggestions have been made to restrict the outflow of petroleum investment by discriminatory taxes. If adopted, such restrictions would have the effect of depriving our future balance of payments of the large net inflow of earnings which such investments generate. Similarly, balace-of-payments arguments have been used to urge further restrictions on petroleum imports, which already are strictly limited. These measures overlook the interrelationship between imports and exports and other credits in payments computations. They also overlook the contribution of imports to developing nations and to lower prices for American consumers.

It has also been suggested that U.S. military forces around the world should be denied ready access to nearby sources of petroleum products and should be required to purchase and ship these products from the United States. This measure would have little significant impact on the balance of payments because many of these purchases are paid for in dollars which never leave the United States; and a substantial portion of these purchases involves military needs which could not be satisfied by supplies from the United States. Moreover, the proposed restriction would increase costs to the military forces and reduce their mobility and effectiveness. It would also impair economic advancement and weaken support for the United States in those developing nations in which offshore procurement is concentrated.

In weighing the balance-of-payments effects of these or similar suggestions, it is essential to consider all elements in our payments balances and the long-term interrelationships among them. When all these elements are taken into account, it is clear that the net effect of foreign operations by U.S. oil companies is a very significant and growing contribution to the plus side of our payments ledger. These activities benefit free world nations and materially strengthen our own economy and our own national security.

*Historical U.S. payments balance—Oil industry (in millions of dollars)*[1]

| | 1958 | 1959 | 1960 | 1961 | 1962 |
|---|---|---|---|---|---|
| Net oil imports | 1,078 | 1,055 | 1,064 | 1,198 | 1,325 |
| Capital outflow | 649 | 511 | 455 | 747 | 538 |
| Total debits | 1,727 | 1,566 | 1,519 | 1,945 | 1,863 |
| Remitted profits | 1,169 | 1,100 | 1,143 | 1,303 | 1,578 |
| Capital equipment and other exports | 743 | 727 | 752 | 815 | 923 |
| Total credits | 1,912 | 1,827 | 1,895 | 2,118 | 2,501 |
| Net surplus | 185 | 261 | 376 | 173 | 638 |

[1] Sources: The Census Bureau publishes detailed figures on volumes and values of oil imports and exports. Capital outflows and remitted profits are reported regularly in publications of the Department of Commerce. For the other two categories—services and exports of nonoil goods to U.S. oil companies operating abroad—only incomplete or occasional survey data are available from official sources. Consequently, it has been necessary to extrapolate these figures from specific data points, using industry trends to estimate the missing figures. The reasonableness of the industry estimates has been checked against the experience of the Standard Oil Co. (New Jersey), which has compiled the data for its own activities.

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## KENNEDY ADMINISTRATION AS BUSINESS BENEFACTOR

**Mr. PROXMIRE.** Mr. President, the Kennedy administration and the President have been under attack by many people as being antibusiness or opposed to private enterprise. The fact is that the administration has a record of constructive assistance to business in many ways—in terms of profits, taxes, and keeping spending down. In recent months I have documented the improved economy record of the administration in the Record.

I am delighted that one of the outstanding financial commentators in the country, Sylvia Porter, has noted this in a thoughtful and penetrating article.

I ask unanimous consent that the article written by Sylvia Porter entitled "Kennedy Administration as Business Benefactor," may be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### KENNEDY ADMINISTRATION AS BUSINESS BENEFACTOR

(By Sylvia Porter)

The Kennedy administration is cooperating with and trusting the U.S. business to a degree unprecedented in modern times.

This may seem a shocking claim in view of the news last week that a Federal grand jury has reopened a broad probe into steel pricing practices. Coming on the heels of a round of selective steel price increases, this has been widely interpreted as another attack on the industry. But the fact is that the grand jury has been collecting information on steel pricing policies for more than a year and a half. It finally felt it had enough data to proceed with its investigation and the timing is strictly a coincidence. The fact is that probes of this sort are a continuing thing and there is nothing unusual about them.

The White House did not order a stepping up of this inquiry. Mr. Kennedy was really rocked by the response to his crackdown on steel in the spring of 1962, wants no part of a repetition.

Still because of the new inquiry and the memory of the brawls early in his administration, the "antibusiness" label again is being pinned on Mr. Kennedy. It is not warranted. Rather, Mr. Kennedy has been extending an olive branch to industry and here's proof.

On prices and profits: All Mr. Kennedy is saying about the recent steel price increases is that he is "concerned" that they "may stimulate other price increases which will affect adversely our competitive position abroad." As President, he couldn't say less. Any new price upsurge would spur a new wage spiral, revive the evil of inflation. It also would add to the Government's buying costs, thus swell the budget deficit.

As for profits, Mr. Kennedy has been repeatedly praising their role as crucial to the economy's growth and the administration has taken major steps to bolster profits of businessmen.

On taxes: In 1962 Mr. Kennedy offered individuals zero in tax cuts but he fought for and won tax concessions for businessmen running to over $2.5 billion a year. In the late 1950's, Mr. Eisenhower wanted to give businessmen similar tax relief but he retreated when leading Democrats in Congress demanded that individuals be given tax cuts simultaneously.

Now the White House is pushing a tax bill that would give individuals big breaks and businessmen plenty more too. The top corporation rate would be cut from 52 to 48 percent, the top individual rate would be slashed from 91 to 70 percent, small corporations would get the juiciest tax cuts of all.

On expense accounts: The first proposals for expense account curbs were rough but the White House backed down fast when it heard the howls. As finally passed, the curbs were greatly modified and Internal Revenue Commissioner Mortimer Caplin has ordered the IRS agents to go after only "abuses * * * the fellow who is really on a frolic. * * * We don't want to be in a position of trying to interfere with legitimate business activity."

On the budget: The spending lid is on. No new programs will be in the next budget, increases will be due primarily to expenses built into programs already voted by Congress. The spending curbs may not satisfy businessmen but Mr. Kennedy is certainly listening to their demands.

On interest rates: The administration actually has been ahead of the Federal Reserve System on moves to improve interest rates in order to protect the dollar. If a GOP administration dared say what this Democratic administration has been saying about interest rate levels, the cries of outrage would be deafening.

Of course, there's opposition by businessmen to Government and by Government to business and properly so. If this ever disappears, our private enterprise system will have disappeared and we will be in the dreaded "corporate state." But to accuse Mr. Kennedy of being antibusiness today is almost akin to accusing Senator Goldwater of being pro-Communist.

## DEVILS, DRUGS, AND SENATORS

Mrs. NEUBERGER. Mr. President, yesterday I cited appalling new evidence that American and foreign drug companies are engaged in price fixing on a massive scale. Documents, including internal records of the companies involved, have now been turned over to the Senate Antitrust and Monopoly Subcommittee. They outline a Gothic portrait of secret codes, fictitious names, and a complex network of pricefixing agreements.

Today, the New York Herald Tribune, in a forceful and compelling editorial, expresses its "confidence in the diligence of the Senate Antitrust Committee" in providing answers to the grave questions raised by these "accusatory documents." The Tribune expresses the hope, in which we must all certainly share, that "the Senate moves, and moves fast."

I ask unanimous consent that the editorial entitled "Devils, Drugs, and Senators," be printed in the Record at the close of my remarks, together with articles from the Herald Tribune and the United Press International.

There being no objection, the editorial and articles were ordered to be printed in the Record, as follows:

[From the New York Herald Tribune, Oct. 30, 1963]

### Devils, Drugs, and Senators

The high cost of living is hard enough to bear, even in the knowledge that it is borne aloft by certain ineluctable forces of inflation. But it is even harder to take if you suspect that some one is making a financial killing at your expense.

In yesterday's Herald Tribune our William Haddad reported evidence of a "worldwide cartel that rigs drug prices." The accusatory documents, which have been turned over to a Senate Antitrust Subcommittee, include a secret code used by the fixers in communicating with one another about strategy and in the manipulation of the drug market.

No one knows how many people are responsible for this conspiracy. No one knows how many nations are involved, or how many manufacturers or distributors have thus degraded themselves, or how deeply the pricefixing fraud has ballooned the cost of related goods.

For the answers to these questions the public must put its confidence in the diligence of the Senate Antitrust Committee. The one thing we do know is that any artificial inflator of the consumer cost of lifepreserving drugs is a devilish accomplice of the forces that contribute to the high cost of staying alive. The existence of a cartel of any size is an unconscionable reflection on the reputation of a vital industry.

We hope the Senate moves, and moves fast. We would also hope that a drug industry justly proud of its immeasurable role in the progress of our society, and which generally attributes the high cost of drugs to the need for costly research, would join spiritedly in an investigation—for its own protection as well as for that of the consumer. But the initiative must be taken by members of the Senate's antitrust panel, who should lose no time in putting their detectives on the job.

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[From the New York Herald Tribune, Oct. 30, 1963]

### Rapacious Drug Cartel—Senators Welcome Evidence

(By William Haddad)

"Important new evidence."

That's how Senator Philip Hart, Democrat, of Michigan, characterized the secret documents outlining a world cartel on drug prices which the Herald Tribune has turned over to his Senate Antitrust and Monopoly Subcommittee.

"So rapacious as to make the infamous international cartels of the 1930s blushing novices by comparison."

That's how Senator Maureen Neuberger, Democrat, of Oregon, characterized the documents on the floor of the Senate.

In doing so, the Oregon Senator called for a pick investigation of the cartel.

"The documents produced by the Herald Tribune team," she said "have now been placed in the hands of the Senate Antitrust and Monopoly Subcommittee, as well as Justice. I'm confident that the subcommittee will address itself unstintingly to the task of restoring competition to this most vital of industries."

Senator Hart, in response to reporters' questions, said the Herald Tribune's published version of the contents of the secret documents was "accurate," but that the subcommittee itself would not at this time go further in discussing the details.

Earlier this month the Herald Tribune turned over to Senator Hart letters, cables, files and interoffice memoranda pinpointing drug pricefixing between United States, German, and Italian firms. Involved were some of the leading U.S. companies and some of the world's most important drugs.

Along with the papers was the secret code which could be used to break the messages which flowed across three continents.

In its story yesterday, the Herald Tribune stressed that while important drug companies are involved in this plan, the pricefixing agreements by no means involved the entire industry.

The documents were obtained in a farflung investigation and came from several sources. Some of those who prepared the papers were the persons who turned them over to the Herald Tribune. All expressed a willingness to discuss them with either the Senate or Justice Department.

Some of the pricefixing activities vividly outlined in the papers may not be violations of existing antitrust laws, therefore establishing the authority of the Senate subcommittee to look into the problem. Those activities which are clear violations of existing laws are within the scope of the Justice Department.

Experts who have reviewed the documents feel that if the worldwide price structure of certain drugs is revealed, and a free market takes hold, drug prices in the United States would come tumbling down.

One of the many cases outlined in the files describes how the activities of an ambitious sales manager of a U.S. subsidiary triggered a three-continent reaction.

Eager to impress his superiors, he quietly offered a discount to a large drug chain, thereby violating the international agreements.

A second company—referred to in the code messages as a "sinner"—also started cutting prices.

The manager of a third company—the "enforcer"—saw dangerous local and international implications of the price cutting, and wrote to his New York home office to have his superiors get together with the superiors in the price-cutting companies and straighten out the "disturbed family"—the code name for a pricecutting situation.

The "enforcer"—the manager of a U.S. company—used the code name "Pluto" to sign his messages.

To settle matters, he called a "powwow"—pricefixing meeting—to bring the "sinners" into line. In New York, meanwhile, the U.S. executives got together to see what they could do from their end.

After extensive negotiations, "Pluto" succeeded in his mission, and prices were again brought into line.

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### Price Fixing in Drug Industry

Washington.—Senator Maurine B. Neuberger, Democrat, of Oregon, said in a Senate speech today that new evidence of price fixing in the drug industry is "so rapacious as to make the infamous international cartels of the 1930's blushing novices by comparison."

Mrs. Neuberger spoke as the Senate Antimonopoly Subcommittee confirmed it has received information from the New York Herald Tribune on price-fixing agreements among leading drug companies in the United States and abroad.

The companies involved were not named by the subcommittee nor by the Herald Tribune, but were understood to include manufacturers in West Germany and Italy.

The subcommittee currently has under advisement a proposal for a full investigation of charges by a U.S. drug company, McKesson & Robbins, that its program for selling low-cost drugs under their generic names in Colombia is being balked by other U.S. drug firms.

The subcommittee, headed by Senator Philip A. Hart, Democrat, of Michigan, held one closed-door hearing last week to gather background information on which to base its decision whether or not to conduct a full investigation.

Scheduled further hearings last week were postponed by the subcommittee and have not so far been rescheduled.

Leading U.S. drug manufacturers and the American Pharmaceutical Association have denied interference in the McKesson & Robbins program.

The Herald Tribune, which has been conducting its own investigation of the drug situation, said in a copyrighted story today it had given information on an international price-fixing cartel to both the subcommittee and the U.S. Justice Department.

Mrs. Neuberger said no person in Congress would deny to the drug companies the "reasonable commercial protection" they desire, but she added:

"It is not 'shortsighted political interference' to question where reason ends and monopolistic price fixing begins."

She said an image is emerging of "an industry which has all but abandoned competition in the free market."

## ADDRESS BY SENATOR GOLDWATER BEFORE CONNECTICUT INDEPENDENT INSURANCE AGENTS

Mr. CURTIS. Mr. President, on the evening of October 24, 1963, the distinguished Senator from Arizona, Mr. Barry Goldwater, spoke before the Connecticut Association of Independent Insurance Agents. His speech merits the attention of the Members of Congress and all the readers of the Congressional Record and I, therefore, ask unanimous consent for it to appear at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

### Speech by Senator Barry Goldwater

It is a welcomed opportunity, indeed, to be with people who understand the real meaning of economic security.

In the city where I spend most of my time, there seems to be confusion about the concept, misunderstanding of the methods, and fear of the facts.

There also is a vocabulary of convenience that beats anything I've seen in 11 years in Washington. At a presidential press conference, for instance, we were told that the economy is moving ahead, that everything looks good. Four days later, the Secretary of Commerce issued a statement describing the economy as "lackluster."

I doubt if even the most adventuresome of your companies would care to insure the probability that similar contradictions will not continue to mark the statements we will hear from Washington.

It could not be otherwise when, instead of following clearcut economic principles, our national administration is floundering in a choppy sea of outdated theories, pessimistic planning, and catch-as-catch-can, temporary solutions to matters of permanent concern.

It is one such matter of permanent concern—inflation—to which I should like to address myself. Certainly, in your business particularly and in the business of a free economy generally, there is no greater peril. Whether it is a peril in any particular year or not, it remains a specter that haunts the economic security of all citizens in all years.

Pretending that it does not exist, because it momentarily subsides, is scarcely a solution and hardly a sensible way of economic life. Just as you must deal in security that stretches into the future, with values that must endure, so must the Nation manage its affairs.

You would be derelict or worse if you based your own planning or permitted your clients' planning to be based upon wishful thinking rather than upon economic reality. And so would this Nation.

I view as wishful thinking, for instance, the now current view that the Government's budget and your budget are altogether different. You must keep yours in balance, hopefully providing even for savings, whereas Government is said to have a dispensation to keep its budget unbalanced.

When you spend more than your income, of course, you first dip into available savings—and then your creditors restrain you from more spending. The Government must restrain itself. It has no savings but it does have considerable to say about the supply of money itself.

In that way its budget is different from yours—unless you happen to print your own, of course. When Government spends more than it takes in, it borrows the difference and in the process can substantially increase the money supply—the classic condition for inflation.

The dispensation for Government to forget its restraints is granted, we hear, on behalf of "the people" who just end up owing the debt to themselves.

I would say that the dispensation is demanded, actually, by Government when it fears the people, mistrusts their wisdom, mistakes their judgments, and obviously feels that Government goals must replace personal goals.

You and the millions of Americans with whom you deal must feel this acutely. You deal in individual choices, freedoms, plans, and security. You have helped provide a greater and higher standard of personal security here than any place else on earth. As importantly, you have helped provide freedom's answer to regimented security.

You help, in your competition, to keep alive and vibrant that indispensable exercise of freedom—choice.

Remove choice, in the name of any social shibboleth, and freedom is eroded; real security is left dangling over a cliff of authoritarian whim and willfulness.

To remove economic choice is every bit as deadly to a free society as the removal of political choice.

To delegate to government the power to make more and more of our economic choices is to eventually prepare for government making—or replacing—political choices.

The very nature of economic and political power is involved. Both should be in the hands of the people generally. Real jobs spring from the real savings of citizens, not from the pyramid building of bureaucracy.

Real production comes from the tools bought by those savings, and not from the blueprints of bureaucracy.

Real security comes from the confluence of those economic streams—from a functioning capital market, from production shaped by competition, from profits fairly earned and equitably distributed, from energy freely invested, from enterprise prudently risked, from rewards rightfully earned.

Government and government spending has not and must not have a dispensation to disrupt or corrupt that equation. No single economic power bloc in our society should be able to do it. Nor should government or any segment of the economy be permitted to sweep the issues under a rug of electoral or special-interest convenience.

However, there are alarming signs that today the issue of inflation is being swept under that rug. Problems do not disappear because they are ignored. They are solved when they are faced, not in panic or confusion, but soberly and clearly.

For over a year now there has been discussion of the death of inflation. Prominent economists and some Government officials here and abroad have argued that, as a major economic phenomenon, inflation has been buried. And not even its ghost has been permitted to haunt the pressures for planned Federal budget deficits.

We had, in fact, heard more and more of the problems of maintaining adequate levels of employment and deflation as the major menaces to be faced by most of the nations of the Western World. The economic reality is far different. Inflation has reemerged as a major problem in many parts of the world.

Pierre-Paul Schweitzer, the new Director of the International Monetary Fund, puts it quite bluntly. "For some major European countries," he says, "the problem clearly is inflation. Deflation is not one of their present worries."

Latin America is lashed by runaway inflation in key areas. The orderly growth on which so many American hopes had been pinned has become seriously and gravely imperiled.

In Scandinavia, social experiments or not, inflation is back and very much in the running. Even Japan has been hit by a damaging blast of wage and price pressures. France and Italy are teetering on a rising ladder of prices.

America is now reasonably calm in the eye of this hurricane. But the winds swirling about us cannot be ignored.

In the middle and later 1950's we seemed gripped by the psychology of inevitable inflation. Fortunately, we were able to shake that off. The policies of the past administration and of the Federal Reserve Board were of significant consequence in helping change that psychology. But a reverse psychology, rejecting even the possibility of inflation, could also reverse all our gains.

We have had, in our economy, some excess capacity and fairly stable prices.

But also we have had a growing gap in our economic confidence. Government, instead of seeking thrift in these fortunate times, has moved deeper and deeper into debt, piling new spending programs on top of one another at such a rate that many a citizen must wonder if spending, not saving, isn't—after all—the order of the day and the wave of the future.

Should this psychology spread it would set ticking the fuse of an economic time bomb that could blow the good times to bits. For, given a gap of confidence through which to pour, inflationary action and thinking would plunge headlong into a reservoir of liquid assets held by the public. The resultant splash could be disastrous.

There are about $484 billion in bank deposits, currency, savings deposits, savings and loan accounts, and U.S. Government savings bonds and short-term securities in the hands of the public today.

Much of this could quickly be turned into market buying power if there is any doubt about the future value of money and the inflationary whirligig would be underway.

Those liquid assets are more, in fact, than the annual personal income of the public from wages and salaries, farms, professional and business incomes, income from all kinds of property and earning assets, and pension and retirement incomes.

Furthermore, out of disposable income, people are saving nearly $30 billion a year. The needed capital for renewal and expansion of our production machinery and businesses is accumulating in those savings. The solid capital base that separates growing nations from dependent nations is being firmed and preserved here. But it could be shaken.

Pressures to penalize productivity wash away at its roots. Measures that tend to make industries and businesses less competitive, particularly with their foreign counterparts, sap its strength.

Wage increases which are not within the bounds of productivity increases would have a similar effect. And, as we move closer to full use of our economic capacity, the impact of any such excesses easily could trigger the unhappy rise of costs and, ultimately, prices.

Above all, actions by the Federal Government which in any way undermine the confidence of our people in our ability to maintain a relatively stable price level, to maintain the value of our money—any such actions particularly would light the fuse on the inflationary time bomb.

We have had deficits in the Federal budget in each fiscal year since 1958, with the exception of 1960 with its $800 million surplus in the cash budget. A substantial deficit is forecast for the current fiscal year and for the next several after that.

I said forecast, I mean, of course, planned—and eagerly planned, apparently, in the sublime belief that inflation is a thing of the past. But what of the public debt that this is amassing and the psychology it may beget?

In the fiscal years 1958 through 1963 the public debt has increased by $30 billion. More deficits, of course, mean more debt—and the Government securities representing that debt can be inflationary if sold within the banking system.

On the other hand, if they are not sold to banks then they must take up savings which otherwise would be used to finance business expansion and consumer purchases. In this instance, the Government is simply competing with the other users of savings in the marketplace. And such Government competition clearly has stultifying rather than stimulating effects.

The possibility is high, therefore, that major reliance will be placed upon financing this mounting debt through the banking system. The result, we must constantly remain aware, can be to stimulate, not economic prosperity, but an inflationary sort of thinking and acting that would be like a snowball going downhill—gathering momentum and pushing prices ahead of it.

Economic leadership that does not remain aware of the perils of inflation, and so order its business as to combat it at every step, is leadership to economic chaos and disaster.

Economic leadership that seeks easy answers to satisfy popularity polls, rather than sound balance sheets, is leadership to a future of financial storm and stress.

There are those who say that chronic inflation is the price we must pay for economic progress. Such notions should be rejected. Instead, the avoidance of chronic inflation is the necessary condition for real economic growth.

The problem is global. In underdeveloped countries it is inflation that discourages the savings on which a capital market can be based. Inflation drives savings abroad, encouraging capital flight and thus deferring, on and on, the solution of economic problems.

In our own land it is equally serious in its implications. No greater responsibility rests upon the shoulders of our people and their elected leaders. Inflation is not a price that we can afford to pay for progress. It is not a price that we should have to pay. To pay it only undermines the future and solves very little in the present.

We are a strong nation with incalculable resources of talent, enterprise, and productivity. We should be an optimistic nation and a confident one.

We can earn both the optimism and the confidence by sound fiscal policies, responsible management of money—and the practice at the highest levels of Government of the same prudence, thrift, and realism that we should demand of ourselves in our homes and our businesses.

Let the shadow of irresponsible or extravagant economic policies be cast from Washington and the gloom could settle over every home in this land, over every hope for individual security, over everything, for instance, that you work so hard to embody in your own business.

We need, instead, to roll up our sleeves and go to work with sharp pencils and with sharpened tools to make of the craftsmanship and thrift that built this country, a new challenge in this land and a new inspiration around the world.

## SUPREME COURT REVIEW OF THE SCHNEIDER CASE

Mr. PELL. Mr. President, the Supreme Court agreed on Monday, October 28, 1963, to review the constitutionality of the law that takes citizenship away from naturalized American citizens who return to their country of origin and live there for 3 years or more. The issue arises in the case of Angelica L. Schneider, a young woman who came to this country from Germany, was naturalized, returned to Germany in 1956 to continue her academic studies, where she married a German national and where she settled.

In 1959, Mrs. Schneider had her American citizenship revoked under the onerous terms of section 352 of the Immigration and Nationality Act. She appealed this administrative determination, but lost in a specially empaneled three-man Federal court by a vote of 2 to 1. This is the case the Supreme Court has agreed to review.

Shortly after the Schneider case was decided initially by the Federal court, I introduced legislation, S. 1641, which would repeal that section of the Immigration Act under which this woman lost her citizenship. I did so for very compelling reasons. This law works an inequitable hardship on a number of naturalized citizens—the press reports some 1,200 persons lost their citizenship in a recent 12-month period under this statute—for it in effect says that this country recognizes two classes of citizens, the native born or first class, and the naturalized or second class. This cannot square with any reasonable person's sense of justice. Either one is a full-fledged citizen of this country, or he is not. Citizenship is neither divisible, nor provisional. It is conferred upon those persons who have met the formal requirements of our laws, and have indicated a desire to assume the responsibilities and duties of citizens of the United States.

Once the requirements have been met, the individual solemnly affirms his intent to become a citizen in a formal court proceeding. This, but for section 352, should confirm a classless citizenship upon the applicant. It obviously does not.

I am pleased that the Supreme Court has decided to review Mrs. Schneider's case, for I am confident that in their wisdom, the Justices of our highest Court can only find in favor of the individual stricken by this inequitable statute. But I am not pleased that this question has to be finally resolved by the judiciary. The Immigration Act is a creature of Congress. We are only too well aware that it is, in great part, an unfair and discriminatory instrument. There is ample evidence of this in the flood of private bills for the relief of certain individuals, the President's recent message calling for an overhaul of these laws, and the many attempts in recent years to legislate revision of the act. This question, simply, is one that it is up to Congress to resolve. It is a legislative matter. The Supreme Court admittedly can determine the constitutionality of the laws of this land, but it can only act with respect to cases or controversies. And for an individual to carry his case to the Court, requires both a long period of time and great personal expense. This is a burden we should not require of our citizens, whether native born or naturalized.

I believe these issues are clear, Mr. President. I can only ask that Congress recognize this, and act to resolve them.

## INTERNATIONAL DIPLOMACY

Mr. McGEE. Mr. President, the world is becoming increasingly more complex and it becomes more difficult day to day to determine exactly how we as a Nation are faring in the world of international diplomacy. This, perhaps, explains the continued appeal of those who have our foreign policy boiled down to two viewpoints—black and white. And, for their strange purposes, they see the world as rather black as far as our international purposes are concerned. The Communists seem to gain on all fronts, our allies falter and our own efforts are terribly expensive but productive only of confusion, waste and inefficiency. The obvious answer to this type of situation, in their eyes, is to abandon the field, to retreat back to a fortress America where all will be secure and the tenets of days gone by will restore us to "the good old days."

Mr. President, not only is this viewpoint highly illusory, it is based on a false premise. It may be important for certain segments in our society to picture us in a headlong retreat internationally but the facts speak otherwise. The truth is that we are making real progress in many areas of the globe while the communists falter and fail.

Strife-filled Africa—an entire continent ripe for Red takeover—has been kept from the Communist grasp and every day the new nations there seem less and less entranced with the Moscow line. The split between Russia and China has produced ideological repercussions that have stalled the impetus of the Communist movement and turned it back upon itself in fratricidal conflict.

Many more examples exist to show that while our foreign policy has not become any less complex it certainly has found many new avenues for the extension of our national interest and the suppression of the expansionist aims of the Soviet Union.

Yet it is at this time, when opportunity beckons, that many propose that we substantially reduce our efforts overseas. To me this is a great tactical error. The time to press our advantage is now, yet many would have us wait, pull back. This would only give away the advantage which has been gained at a rather high cost. Who knows when, if lost, this advantage could be regained.

Therefore, I would like to suggest that we view the world as it is and not in the black-and-white terms that lead us to dangerous oversimplification. And I would suggest that instead of dragging our feet that we put our maximum effort into turning the advantage we hold today into permanent gains.

Mr. President, in the November 5 issue of Look magazine our former Ambassador to Guinea, William Attwood, presents a clear and concise picture of the present state of international politics and makes several important suggestions why we must view the international situation in the light of reality. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Look, Nov. 5, 1963]

### WE FACE A NEW KIND OF WORLD

(By William Attwood)

(The Russians have given up the idea of risking war by trying to bluff us out of

Berlin. The once-monolithic Communist movement is cracked wide open, as the feud between Red China and the Soviet Union gets hotter. Thirty-two independent African nations now outnumber the Western allies in the UN.)

Nearly 3 years ago, when I was foreign editor of Look, I wrote a piece called "A Preview of Kennedy's Foreign Policy." In it, I said the people of America would have to get used to a President who believes in action, and I quoted Kennedy as saying he sought the job "because I want to get things done."

For most of the years since I wrote that article, I have been involved in a small way in helping this administration get some things done in Africa and elsewhere. Now, home again for a while, I've been asked by Look's editors to take a second look at Kennedy's foreign policy in the light of where we stand today.

The best way to start is to say that I've been struck, since I got home, by how little people seem to realize how much the world has changed in the last few years, how much has been accomplished and, most important, what remains to be done if our children are to grow up safe and free in this revolutionary era.

This is disturbing, if only because a democracy like ours can't act fast or update its policies without the support of public opinion. And people will support what needs to be done only if they can visualize the opportunities as well as the risks, and see some signs of progress.

Yet it appears that doubt, anxiety, cynicism, and indifference still permeate much of our thinking about foreign affairs. This is hard to explain. Since 1960, things have not always worked out the way the President hoped—no one, for example, forgets the Bay of Pigs—but enough has happened to justify a good deal more optimism than you can find among your friends and neighbors.

So let's begin by taking a look at some of the more hopeful developments of the past 3 years:

In the Congo, thanks to our decisive support of the United Nations, order is replacing chaos, and Soviet ambitions have been frustrated. Elsewhere in Black Africa, nation after nation has achieved independence with less bloodshed than takes place annually on U.S. highways. And American aid has helped their leaders, as in Guinea, resist Communist subversion and preserve their independence.

Laos, which was all but lost despite our costly commitment in men and money, has been neutralized. The outlook is better than it was during the 1960 fighting, and now the neutralist Prime Minister and his troops are actively resisting sporadic Communist attacks.

The big squeeze is off Berlin. The wall is still up, but, more than ever since the Cuban crisis, the Russians know better than to risk war by trying to bluff or bluster us out of the city.

In Algeria, who would have thought that a Socialist but nonaligned government would have emerged from what even the French called a "dirty war"? Timely U.S. aid soon after independence helped make friends where we might have expected enemies.

In the Middle East, the Communists have suffered serious reverses in the last year, particularly in Iraq. And the multimillion-dollar Soviet aid program in Egypt has failed to pay off in political influence.

United States-Indian relations have never been better. India remains nonaligned, but Red China's aggression has shown the world's second most populous country where the danger lies.

Fidel Castro still runs Cuba, but it's costing his Soviet backers a million dollars a day to keep him afloat, and he's no longer the hero he used to be in Latin America. We may not like him ranting on our doorstep, but he's likely to become more of a problem to the Russians than he is to us.

A test ban treaty with the Russians has been signed. The long, grim deadlock is broken, and the first tentative step away from nuclear war has been taken. It may be, as the President said, only the first step in a thousand-mile journey on the road to peace; but every sane man can rejoice that we have made a start.

And the one monolithic Communist movement has cracked wide open. We may have our family quarrels in the West, but what is going on between Russia and Red China is no mere quarrel; it's a feud of such proportions that the cold war, as we have known it, will never be the same again. Whatever challenges lie ahead, they probably won't include coping with an aggressive, singleminded, billion-strong Communist empire stretching from the Iron Curtain to the Yellow Sea.

None of this to to say that all's well with the world. The Alliance for Progress is still more a blueprint than a reality. Our grand design for European unity has blurred. In Vietnam, the war drags on, and the end is not in sight. And for most of mankind, poverty is still the rule, and freedom only a dream.

But on balance, the state of the world, as seen from Washington, looks considerably more hopeful than it did 3 years ago. This you would never suspect from listening to many of your fellow citizens. What you hear, all too often, is that the Communists are scoring all the points in the cold war, that Africa and Asia are as good as down the drain, that the U.N. is a failure, that foreign aid is wasted since nobody likes us anyway, and that Castro, shaking his fist on a Havana balcony, is just about the greatest threat our country has faced since Pearl Harbor.

A lot of this nonsense gets disseminated by the professional, self-styled anti-Communists who make a comfortable living scaring people all over the country, and who have a financial stake in making the Communists look stronger than we. Some of it also comes from the press, where bad news always rates the biggest headlines and good news is usually no news. But I suspect that the main reason for all the confusion about foreign affairs is that history is moving too fast these days for the average man to keep it in proper focus.

To understand what's happening in the world today, and to avoid getting confused or discouraged, we Americans in particular need to keep three things in mind:

The first is that we are living in one of the most revolutionary periods in human history. The old colonial order—and with it, the supremacy of the world's white, Christian minority—is vanishing. New nations—and new imperialisms—are rushing into the vacuum. This is the political revolution.

All of these new nations want to break through the sound barrier of modernization in a few years. I've just come back from one of them. Billions of people are hungry for the things we take for granted. This is the economic revolution.

But they are trying to do this in the midst of a population explosion that will double the number of people in the poor countries during the next generation. This is the biological revolution.

Meanwhile, supersonic flight, atomic energy and the intercontinental ballistic missile have made the world much smaller and much more dangerous. No place on earth is very far away, and no one is safe. Never in history have so many people been at the mercy of so few. This is the scientific revolution.

Together, these revolutions have already made the world a far different place from what it was as recently as World War II. And we have to realize that its battles can no longer be fought with bombs, but with modern factories and technical aid, with medicines and teachers, with rice and respect.

The second thing we have to understand is that a lot has happened, is happening and will happen in the world, regardless of what the United States does or doesn't do. Too many people still believe that when things don't go our way, somebody in Washington must be at fault. But the fact is that while our policies can help guide the course of history, they can't alter it or dam it up. Castro and Mao Tse-tung came to power because their countries were ripe for revolution. Eastern Europe is behind the Iron Curtain because the Red Army moved in during World War II. Charles de Gaulle may be a hard man to deal with, but there he is.

In Africa, the tide toward independence can no more be reversed than the tide toward full equality in the United States. Those who think so, whether they are Portuguese colonialists or southern segregationists, are living in a dream world. The choice today is either to curse the tide or to see to it that what is bound to happen, happens with a minimum of harm.

In short, being the strongest power on earth doesn't mean that we can impose our will, our system or our way of life on other countries. That's what the Russians try to do, and that's why they have made so little headway among the newly independent nations.

Fortunately, our aim—and our strength—is that we stand for free choice and not coercion. So long as a nation values its independence and does not threaten the freedom of others, we don't try to tell it how to manage its own affairs. This approach, this support for diversity instead of conformity, is the main reason why we are no longer distrusted—as the Russians are—in so many corners of the world. People in the underdeveloped countries are beginning to realize that what we want for them is what they want for themselves—national independence, political stability and economic progress in freedom.

So when things don't seem to be going our way, all the way, let's not wring our hands or look for scapegoats. We're not going to remake the world in our image, and we shouldn't try. Let's be satisfied to make the world safe for diversity. That's already a lot.

The third thing to remember is that the cold war slogans and attitudes that we've lived with ever since 1946 are getting obsolete.

In Western Europe, the threat of Soviet armed aggression has been successfully countered by NATO, and people breathe more easily. In Eastern Europe, the brutal discipline of the Soviet empire is not what it used to be under Stalin, and life is more tolerable. The Iron Curtain is there, but not so tightly drawn.

The Atlantic Alliance is no longer the only cornerstone of free world strength and influence. In the United Nations, the Western allies are outnumbered by 32 African countries alone, to say nothing of the Asians. Winning the support of these nations, even at the risk of annoying some former colonial powers, is vital to our long-range interests as well as those of the world organization.

And all around the globe, we are beginning to see that the big problems of the next generation may be, as Arnold Toynbee predicted, less East-West than North-South. After years of nuclear stalemate and a balance of terror, the Soviet leaders may realize that exporting communism by force is a futile exercise; already the younger generation of Russians is far more interested in buying cars and TV sets than communizing the world. But the problem of closing the gap in living standards between the rich industrialized countries, mostly in the north, and the poor underdeveloped countries, mostly in the south, is rapidly becoming the biggest challenge the world has ever faced.

Thus, if we can keep in mind that the world is in revolution, that the United States is not omnipotent and that the nature of the cold war is changing, we Americans will be in a better position to know where we stand and what we have to do. We may also conclude that there is more reason for satisfaction than for despair. That is certainly the mood among people in government whose job is working on foreign policy on a day-to-day basis. Unhappily, the professional agitators and headline seekers are those whose voices are more often louder in the land.

To look ahead, the big unfinished job is keeping the poor countries in the world from getting poorer while the rich get richer. The alternative is the kind of chaos and violence that the Chinese Communists will certainly exploit wherever the Russians don't.

I said this job was unfinished; actually, it has hardly begun. Our foreign aid programs have held the line here and there, but the task of helping the new nations develop healthy economies is far too big for the U.S. Government to undertake alone or even in conjunction with its allies. The necessary capital must and should come from private sources and international agencies like the World Bank.

Working in partnership with local firms and governments in the developing countries, American industry can give these fledgling economies a bigger push in less time, and in the process build up goodwill for American methods and products. One reason countries like West Germany and Israel are extending easy credits to Africa is that they foresee the day when the new nations will be potential customers, anxious to buy the goods they're now getting as free samples.

Nor should we underestimate the political impact of U.S. private investment. In Guinea, at a time when Soviet technicians were trying to reorganize the economy along Communist lines, the only really productive enterprise was—and is—a privately owned alumina plant in which half the capital, or about $75 million, was American. Thanks to the foreign exchange earnings of this plant, the Guinean Government was able to retain a measure of economic independence from the Soviet bloc. Its successful operation has been an object lesson to Africans who were inclined to believe Communist propaganda about rapacious American capitalism.

The problem thus far has been the reluctance of U.S. investors to risk putting money into countries they regard as unstable. Yet the paradox is that it takes capital investment to guarantee real stability and progress. Therefore, until greater confidence is generated, the solution would seem to lie in an expanded investment-guarantee program by the U.S. Government that would protect private investors against political risks such as expropriation.

This doesn't mean our foreign aid appropriations should be cut in the foreseeable future. Government has an important role to play in areas outside the scope of private investment; for example, in education and vocational training where schools and teachers are lacking, in providing surplus food where people are hungry, in helping launch selected agricultural and light industrial projects, in giving advice where it is requested, in furnishing technicians such as Peace Corps volunteers, in coordinating development programs with other free countries and international agencies and in discovering and encouraging opportunities for American investors.

Nor would the American people want to cut down on foreign aid if they were fully aware of what it is and what it's accomplishing. Today, too many people still think that it's a kind of giveaway program—although about 80 percent of it is spent on American products here in America; that it's costing us a lot of money—although it totals less than 1 percent of our gross national product and less than 10 percent of what we spend for military purposes; and that it's designed to buy or bribe allies—although we found out some time ago that leaders who can be bought aren't worth having on our side.

What a soundly conceived foreign aid program does do is to enable America to take part in the worldwide war against poverty. And taking part is the only way we can exert influence on the course of history. For in the world community, we Americans are by far the richest family in town, and if we turn our backs on our neighbors, we can forget about being community leaders.

So there is work to do for all of us—in business as well as in Government—who like to take part in the history of our time, for the next few years are going to be decisive in shaping the kind of world our children will inherit. There will still be dangers. But at long last, those of us nearing middle age can begin to see beyond the tensions that have been the trademark of our generation to the opportunities and challenges that lie ahead.

As a nation, we Americans have done pretty well since the President summoned us, in January 1961 "to bear the burden of a long twilight struggle, year in and year out, 'rejoicing in hope, patient in tribulation,' a struggle against the common enemies of man—tyranny, poverty, disease, and war itself." Whether we continue to do as well, year in and year out, will depend on our ability, as citizens of a powerful country, to see the world as it is and not as some of us would like it to be; to act with wisdom and compassion, and to be unafraid.

## ECONOMIC DISTRESS IN NORTHERN GREAT LAKES REGION

**Mr. HART.** Mr. President, in September of this year the people of Michigan, Minnesota, and Wisconsin took the first step toward laying the groundwork for a bold program of action to cure the economic distress in some 81 northern counties in these three States.

The occasion of this important beginning was the 2-day Northern Great Lakes Regional Land and People Conference called by Secretary of Agriculture Freeman which met in Duluth on September 24 and 25.

It was attended by more than 1,200 persons from the three States, including more than 350 from Michigan.

The conference was addressed by President Kennedy, Secretary Freeman, Secretary of the Interior Udall, Minnesota's Gov. Karl F. Rolvaag, Wisconsin's Gov. John W. Reynolds, Senator Mike Mansfield, Senator Eugene J. McCarthy, Congressman John A. Blatnik, and Congressman Lester Johnson.

The springboard for the conference was a comprehensive study and report developed last year by a task force appointed by Secretary Freeman. The report surveyed opportunities for new jobs and an improved economy through accelerated recreational development, adjustments in agriculture, greater use of existing forest resources, and better transportation and communication.

The northern Great Lakes region is clearly a land of latent opportunity. This 81-county area in northern Michigan, Minnesota, and Wisconsin is four-fifths forested and has some 27,000 lakes and 3,000 trout streams, making it ideal for outdoor recreation development. A work force of 560,000 lives in the area. A potential market of 50 million people lies within 500 miles of its borders. Yet more than 9 percent of the work force is unemployed.

The land and people conference was called so that the people of the region might begin the formulation of a coordinated regional plan of action to meet this problem which would be tailored to their own needs, desires, resources, and capabilities.

Six hundred persons participated in four workshops late into the night of the first day of the conference to prepare their recommendations.

The workshop on multiple use resource management, led by Dr. Gene A. Hesterberg of the Michigan College of Mining and Technology, recommended making a thorough water resource inventory, greater research and development activities in the use of timber and wood, and a multiple-use management policy affecting all the lands in the region, planned and coordinated by the three States in cooperation with the Federal Government. The workshop emphasized the great potential which lies in applying multiple-use conservation principles to private lands.

A second workshop on developing and coordinating local initiative was led by Dr. Frank P. Zeidler of the Wisconsin Department of Resource Development. Among other proposals, this group suggested the closer cooperation between county governing boards and local rural areas development groups.

George Wangensteen of Grand Rapids, Minn., chaired the workshop on land ownership and governmental structure problems. This group recommended that State and local governments reimburse local tax authorities for lands which they own. They also urged more effective use of zoning laws and exchanges of lands among governmental units to create larger and more easily managed blocks of public lands.

A fourth workshop on outdoor recreation development was headed by Paul M. Barrett of the Michigan Conservation Department. This group emphasized the need for an immediate recreation inventory in each State, greater coordination between public and private recreation development, and improved transportation in the region. They also recommended that tourist promotional efforts be coordinated on a regional basis.

Clearly this conference was only a beginning and the task of carrying the program forward will be both formidable and challenging. In looking at the job ahead, Secretary Freeman urged that land and people conferences be called in each State and in smaller areas to develop local and State plans for resource development which could then be brought back to a later regional meeting.

Governor Rolvaag of Minnesota suggested that the Governors of the three States regularly discuss their common problems and Governor Reynolds of Wisconsin pledged his strong support. Governor Romney of Michigan was represented at the conference by Bernard M.

Conboy, director of the Michigan Department of Economic Expansion.

President Kennedy, in addressing an audience of 5,000 on the first night of the conference, expressed his willingness and desire to sit down with representatives of the 3 States when they have developed a coordinated plan.

Assistant Secretary of Agriculture John A. Baker told the conference that what they accomplish "will influence people and resource programs far beyond the 81 counties of the Lakes States region. People with resources or economic problems similar to those found here will be following your progress with great interest—throughout rural America—and in other nations of the free world."

In his closing remarks to the conference, Secretary Freeman expressed both his confidence in the future of the Northern Lake States and the urgency of the challenge facing its people. He said:

> Our society is changing under the pressures of automation, mechanization and the advances of science. While we attempt to catch up with these changes, the backlash, immediate and painful, sometimes seems stronger than the progress underway. But these changes which are going on throughout our economy can, if we will it and work at it, mean a new dimension in the level of living for the people of this country and more leisure to enjoy the rewards of our great outdoors—an essential ingredient to meaningful living. I think we had better get ready for them here, for they will be coming as surely as night becomes day.

With that traditional American blend of local initiative with cooperative action among the States and between the States and the Federal Government, the people of the Northern Lake States have begun to ready themselves to do something about the economic life of their region.

I am in complete sympathy with this regional approach to our problems. I commend Secretary Freeman for providing the impetus for this effort. And I am confident the people of Michigan will do their part in the days ahead.

## SALUTE TO 452D TROOP CARRIER WING—BEST IN THE WEST

Mr. KUCHEL. Mr. President, an invaluable, unique, and dependable element of our national security is the devoted organization of defense reserves who carry on glorious traditions of the patriots of the Thirteen Colonies.

Repeatedly over the span of our Nation, unforeseeable crises and grave emergencies have necessitated summons to action of citizen-soldiers who devotedly stand in readiness to answer any sudden call to assure the freedom which all Americans cherish beyond measure.

In my native State of California, there are many such dedicated Reserve units, which are conspicuous for their state of efficiency, high morale, and competent training. In the forefront of their ranks is the 452d Troop Carrier Wing, headquartered at March Air Force Base in a county adjoining that where I reside.

The achievements of the 452d Troop Carrier Wing have just received unprecedented acknowledgment in the Seventh Annual Reserve Troop Carrier Competition carried out this summer. Under the leadership of Col. Earl O. Anderson, the wing commander, this unit compiled an imposing score of 8,347 points to emerge victorious for the third successive year. No other assemblage of our Air Force Reserve ever has been the winner more than once.

In competition designed to test tactical proficiency of the aircrews and their maintenance support, the 452d demonstrated skills far beyond Air Force standards in timing, en route flight procedures, and accuracy of aerial drops. The operation was a stern test of men and equipment, involving low-level drops of heavy loads, night navigation, and three-aircraft formation paratrooper drop.

The officers and men of the 452d Troop Carrier Wing (Medium) of our Air Force Reserve merit a grateful salute from all Americans and can be rightfully proud of performance embodying the appellation of "The Best in the West."

## TRIBUTE TO SHIMSHON YOUTH GROUPS

Mr. DODD. Mr. President, I want to offer my personal congratulations to one of this Nation's finest youth organizations which celebrated its 25th anniversary on October 27.

Formed in the autumn of 1938 in Bridgeport, Conn., by Mordecai Wucher, a member of the teaching staff of the Congregation Ahavath Achim's Hebrew School, this group is called Shimshon—or Samson—whose Biblical name means "courage and light."

Under Mr. Wucher's excellent leadership, Shimshon has become a shining example to youth groups throughout the country. Its achievements have been on display at Valley Forge under the auspices of the Freedom Foundation.

Encouraged to aim high in Americanism and Judaism, its member have gone on to become doctors, lawyers, rabbis, and outstanding citizens of their community.

In the spirit of American democracy, the members have always been advised that meaningful life in the United States is founded on teamwork.

Shimshon has taught its members the holiness of a good life, juvenile decency, and the development of character.

Mr. Wucher deserves a great amount of credit for his tireless efforts in working with the youth of his congregation.

I know that my colleagues in the Senate will want to join me in wishing happy anniversary to Shimshon and its founder, Mordecai Wucher.

## TRIBUTE TO CONRAD L. WIRTH

Mr. BYRD of Virginia. Mr. President, on Monday of this week I took occasion to pay tribute to the great and constructive work of one of the most dedicated Federal officials it has been my pleasure to know. He is Conrad L. Wirth, who has announced his intention to retire as Director of the National Park Service.

The National Park Service is part of the U.S. Department of the Interior. The Honorable Stewart L. Udall, Secretary of the Interior, recently did me the honor of quoting my views with respect to the people who make the National Park Service programs what they are.

Secretary Udall referred to my statement as follows when he said:

> One of the finest tributes I have ever heard given a group of men or to an organization was the one that Senator Byrd paid on the afternoon we took a hike with him a little over a year ago down in the Shenandoah, when he said to me in an aside: "You know, I've been visiting the parks and I've met Park Service people for 30 years and I've never met one that wasn't a superior man."

I did make that statement to Secretary Udall; and I want to make it again now, before the Senate of the United States. And I want to add that I have known Connie Wirth as a fine leader among these superior men.

I have reason to believe Secretary Udall shares my high esteem for Mr. Wirth. He made the statement I have just quoted at a conference of Park Service personnel held at Yosemite National Park only about 2 weeks ago, on October 18, 1963.

The Secretary was speaking with reference to the forthcoming retirement of Director Wirth and his successor, Mr. George Hartzog. And in that address he quoted in full a letter of the same date which he had just received from Mr. Wirth.

I inserted a copy of this letter in the Congressional Record on October 28, 1963, and it is to be found on pages 20316–20318 of the Record.

In that letter Mr. Wirth reminded the Secretary of the fact that in 1962 he had given notice of his retirement intentions, and that in February of this year he had communicated with the Secretary relative to the choice of his successor.

I cite the fact that Director Wirth's letter of October 18, 1963 has already been published in the Record, because Secretary Udall read it in the course of his address at Yosemite; and I now wish to request unanimous consent to insert the Secretary's address at this point in the Record—without repetition of the letter.

There being no objection, the address was ordered to be printed in the Record, as follows:

### Conference of Challenges

(Address by Stewart L. Udall, Secretary of the Interior, Yosemite National Park, October 18, 1963)

This is something to which I have looked forward. Two years ago I had the wonderful experience of meeting most of you down at the Grand Canyon. I have seen a lot of you since then, and I have looked forward, not only to the chance to meet and talk with all of you again—because I think these family reunions are one of the things that holds the Park Service together and makes it such a wonderful organization—but also to the opportunity tonight to say a few things that I have wanted to say for some time.

This is, I am sure you will agree—and I am sure you all know what's coming—a significant occasion. A lot of things that are unfortunate have been said and written in the last day or so that misrepresent the situation, but that will become plain, I hope, before I finish. I think that the opportunity we have here these days to discuss in a family way where we are going, and where we have been, and what we think of one another, is and should be a solemn occasion and one we will finally remember with satisfaction.

I have a letter which Connie wrote and delivered to me. I would like to read it to you because I think it is a document that will deserve an important place in our records.

I am going to save some of the things I want to say about Connie, some humorous and some serious, until this evening. But I do have one story about this man, whom most of you know better than I—although I have come to know him very well. I was joking with him while coming up here, telling him that the only public criticism I ever made of him in nearly 3 years was when I wrote an article saying that maybe Tiogo Road was a mistake. The next morning he was down in my office to tell me it wasn't. And I admitted to him that I had never seen it. I had uttered my opinion on the basis of the opinions of others who I thought had pretty good judgment. I had planned perhaps to take Marshal Tito up to see it, and finally to form a personal opinion of my own. But now I'll have to wait on that, Connie. But I do want to say to all of you here tonight that from my knowledge of the National Park Service, as a Congressman, as a citizen, and as a Secretary, I do not think there has been a time when its esprit has been higher, and when its prestige, not only in this country, but in the world, has been stronger than it is today.

During the past 6 weeks I have been to an international conference in Africa. I have worked with African park people, and I have come as a result of this experience, and as a result of the First International Conference on National Parks a year ago in Seattle, to have an even higher regard than I had had previously of what the National Park Service means to conservation in the world at large. I think that this is the result, of course, of the work that all of the dedicated Park Service people have contributed ever since Steve Mather, and even before him. And let us also admit the accomplishments of those on the outside who have helped us to raise and keep the standards high in the National Park Service.

The esteem and warm personal friendship that we have for Connie and Helen makes this an emotional occasion for all of us. This is a time to look backward, as well as forward, and I shall do some of both later this evening. But this is a time, too, when we must select a successor, and I want you to know that the process of selecting him—the man who will become the seventh Director of the national park system, is something that has not been taken lightly by the Director or by myself or my associates. It has consumed a period of nearly 9 months since Connie came in to see me, and we first talked about it. One of the most difficult things that any Secretary has to do is select his personnel, make his appointments, pick his associates. It requires a lot of soulsearching. It requires one to do the best and fairest job one can do in estimating the abilities of men. All of us, each of us here—as is true of all mankind and womankind—has his strengths and his weaknesses. We all have our abilities and our talents. Some of us do one thing better than someone else, and some of us are fitted to particular jobs and have particular capacities. We never know whether we should select a younger man or an older man, and it often depends upon what the particular job is that needs to be done in the future.

It was this type of thinking that went through our minds in the weeks and months when we thought over this problem. But certainly, and this is the thing that I want to stress above all—for I am acutely conscious of it and said this to Connie and George while driving down—the great thing about the National Park Service, which I think that one can say of few other governmental or nongovernmental organizations, is that an esprit and a tradition and a loyalty have been developed over the years that is to me one of the finest things that I have ever encountered in my governmental service. It is a tribute that I want to pay to all of you here.

I think there were two men who as heads of bureaus in this century did more in a way to start it, but they had associates who worked with them, too. They were Gifford Pinchot and Stephen Mather. They had different convictions on some things. Their assignments were different, really—they worked in different areas—but the one thing that both of these men did was to create a service, a spirit, a tradition, a devotion, that have permeated the entire organization. Not only that, but they selected devoted and dedicated people. The result has been that the National Park Service has never been, and never should be, one man or even one group of men. Each of you, in my opinion, is as important as another when we get right down to what makes the National Park Service a great organization. You are a great organization because of this dedication and esprit. You are a great organization because you are a team and because you work together. I would like to say to George, here, as I have said to Connie in the past, the only thing a Director can ask of you is that you carry out this great and high tradition of devotion and dedication, that you continue to work as a team, and that you give the very best that you have in loyalty and in achievement to your Director and to the Service and to whoever is the Secretary of the Interior. And the only thing, George, that I think that your people have a right to expect of you, as they had a right to expect it of Connie—and as he gave it to them—is the right to encourage each of them to make the finest and highest contribution that they can make, to do the most creative work, to feel free to do the best job they can in strengthening their part of the job in this great Service. One of the finest tributes I have ever heard given to a group of men or to an organization, Connie, was the one that Senator BYRD paid on the afternoon we took a hike with him a little over a year ago down in the Shenandoah, when he said to me in an aside: "You know, I've been visiting the parks and I've met Park Service people for 30 years and I've never met one that wasn't a superior man." I thought that that was one of the finest tributes that I had ever heard.

Let me say one other thing, too, and I will dwell on some of this at a little greater length this evening. There has been perhaps a little bit too much constructive criticism. We can sometimes overstate what we mean, or have our words misconstrued. But certainly there is always room in any organization for a challenge—indeed, that's the purpose of this Conference of New Challenges. One impressive thing about the National Park Service to me is that it doesn't let people get into grooves. There is always something new—a new assignment, a new challenge. The very fact that you work with nature, with the out of doors, is meaningful in the sense that you work with the seasons, you work with a changing situation, with people and with policies that are dynamic. In a way the most exciting thing to me about the National Park Service, and about the national park idea, is this built-in dynamism, this built-in dilemma and contradiction of protection and use. I mean that it is there, and we never solve it. We never solve that problem. Almost each day something comes up that causes us to stop and think about it and evaluate it. There is always some argument and some controversy about it, and it makes it exciting and interesting. It makes it challenging, it seems to me, for we have to have the door open to those who work with us, and we have to have it open to any ideas and suggestions and criticisms that anyone might have.

I am glad to learn that you have had such a stimulating conference here. I heard with interest the very marvelous speech that Starker Leopold gave, and the ones of Sig Olsen and others, and I know and hope that all of you will go back strengthened and reinvigorated for the task that faces you. But it does seem to me that with the new challenges we confront—and I shall discuss many of them this evening—we must be responsive, we must be creative, we must deepen and broaden the great National Park Service tradition. I think that if we meet the new challenges successfully, it will not be because we happen to have executives at the top of the Department of the Interior who are unusually interested in the park idea or in the park movement, or not because we have a Director, an associate director, or others in the top of the bureaucracy at Washington, who are particularly good at handling people, or are especially skillful. The success or failure in the years ahead will depend, as they have in the past, on your ability to be a loyal team, on your ability to challenge one another to bring out the best that you have. And I think that the men at the top should be responsive, should try to inspire where they can, and the men below them should never be unwilling to provide the thrust of a fresh initiative or a fresh idea.

So we have many challenges, and the task of selecting our top people, as I have said, is one of the most difficult of them. It may be that we choose wisely or badly. One will never know. Only time can tell about those things, but we must select. We must choose. The only thing we can ask is that you help us make the choice a good one, because, really, the success or failure of any Director rests on you and on your loyalty, and no one knows that better or has proved it better than Connie Wirth himself.

So I express the hope that you will help make this choice a fine one, and that you will help George Hartzog take his place, as Connie has taken his place, along with Horace Albright and Steve Mather and the others, as a great conservationist and a great leader. And so I am very pleased and honored to present to you the man that we are appointing as the new Director of the National Park Service, George Hartzog.

**Mr. BYRD of Virginia.** Mr. President, it may be appropriate at this time to say that publication of the Secretary's address is done with his permission, and that previous publication of Director Wirth's letter of October 18, 1963, to the Secretary was with permission of both.

And I should like to request further unanimous consent for publication in the RECORD at this time a self-explanatory United Press International dispatch of October 29, 1963.

There being no objection, the dispatch was ordered to be printed in the RECORD, as follows:

WASHINGTON.—Interior Secretary Udall flatly denied today that top Department officials forced the retirement of Conrad L. Wirth as Director of the National Park Service.

Wirth's decision to retire was his own and was reached long before the announcement last week, Udall said in an interview. The Secretary said he was "appalled" at reports the resignation was forced.

Informants said at the time that Wirth resigned under pressure, partly because of a National Academy of Sciences report scolding the Park Service for its attitude toward research. His resignation was announced barely 12 hours after release of the report criticizing Park Service research for an alleged lack of direction.

The report said the agency "has suffered because of a failure to recognize distinctions between research and administrative decisionmaking."

Before the report was released, Assistant Interior Secretary J. W. Carver criticized some Park Service operations in a speech.

Then a few days after Wirth's resignation, the National Republican Congressional Committee charged that Wirth was "purged by the Kennedy administration." The committee said Wirth was ousted because he "just managed the parks with efficiency, didn't try to expand bureaucracy."

Udall praised Wirth as an "outstanding public servant," who ranks "on the highest honor roll of those * * * who have done the most to preserve a rich outdoor legacy for the American people."

"Anything that indicates there was any unhappiness (with Wirth) by myself or anyone in the Department is unfair and untrue," Udall said. There was "no pressure of any kind or any dispute within the Department," he added.

Udall said Wirth began making retirement plans a year ago, and decided last February that the announcement should be made this month. It was timed for a recent meeting of Park Service officials at Yosemite National Park.

"None of us suggested the retirement, he had an entirely free hand," Udall said. It would have been "fine" if Wirth, now 64, had wanted to remain longer in his post, Udall added.

"I'm saying flatly there was no lack of confidence (in Wirth) at any time and no crisis over policy," Udall said.

Udall said Carver's speech was "the sort of thing you do within the family as indicating you can do a better job in some fields."

Mr. BYRD of Virginia. Mr. President, I suspect few people have observed Connie Wirth at work more closely than I have, and from personal knowledge and appreciation, I wish to say that in his retirement the Government will lose an example of public service at its finest, and the Nation forever will benefit from his constructive contributions.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER (Mr. PEARSON in the chair). Is there further morning business? If not, morning business is closed.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

Mr. ELLENDER obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield with the understanding he will not lose his right to the floor?

Mr. ELLENDER. I yield.

## U.S. FOREIGN POLICY IN THE WORLD TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of the speech entitled "U.S. Foreign Policy in the World Today," which I made before the student assembly of Rocky Mountain College, Billings, Mont., on Thursday, October 24, 1963.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

### U.S. FOREIGN POLICY IN THE WORLD TODAY

(Address by Senator MIKE MANSFIELD, Democrat, of Montana, Rocky Mountain College, Billings, Mont., October 24, 1963)

Thank you very much for asking me to be with you this morning. Your invitation is deeply appreciated. It has provided me not only with an occasion to come home to the State but to come home to an academic setting. As a former college student and college teacher I can say that there are times when I sorely miss the shelter of the campus. That is especially the case when the birds have gone south and the only things flying in Washington are wild political rumors and political brickbats.

I speak of the campus as a shelter in the sense that it is a place in which contemplation and ideas are encouraged. I certainly do not mean it in the sense of a realm detached from the pressures of life. I know, as you know, that that is no longer a valid concept of college life, if indeed it ever was. It certainly has not been true at least since the roar of the twenties gave way to the whimper of the depression-thirties which in turn was replaced by the great war of the forties and later, by the cataclysms of the post-war era and the Himalayan uncertainties—the immense possibilities for human advance or regression which have become apparent in the nuclear-space age.

In this recent history—all of it within the living memory of some of us here—the college campus has not been a refuge from the storms of life. Nor has it been an island haven high above the surging tides of our times. On the contrary, it has been one of these storms and immersed in these tides. It could not be otherwise and indeed it is good that it is not otherwise. The American college is inseparable from the mainstream of American life. It is now, as never before, the principal training ground for the leadership of the Nation. And more and more it has come to play an integrating and leavening role in the enlightenment and progress of the community as an entity in itself and as a part of the State, the Nation and the world.

Indeed, this political education week which you have designed is very much an evidence of the contemporary role of the college. I congratulate your student leaders and your faculty not only for sponsoring this undertaking but also for the breadth of the theme which you have selected.

Whether it is realized or not, foreign policy in the world today is of great importance not only to a few men and women in Washington but to every inhabitant of Billings, of Montana and of the United States.

For foreign policy is a national way of acting and reacting with respect to the rest of the world. And may I say there are many ways in which Americans as individuals would act and react for the Nation if the choice were to fall to them alone. Some Americans are eager to live in this world and of it. Some wish they might wake up in the morning and discover that the rest of the world or some part of it had disappeared during the night.

Some think we can do just about as we please in the world and some think we can do nothing. Some are anxious to do business with other countries. Others want no part of some or all of them.

Some love the peoples of the rest of the world and a few hate them and many neither hate nor love, know little about them and have not the time nor inclination to learn.

All of these attitudes and many others with respect to the rest of the world, are perfectly valid insofar as the individuals who hold them are concerned. Americans are free, and properly so, to react as they see fit—to have their personalized foreign policy so to speak—and to make no bones about it.

Yet the fact remains that as a nation we are on this planet with other nations, and someone has got to decide and to speak and act for the Nation as a whole. Whether we will it or not there is a constant action and reaction among nations which affects this Nation for better or for worse. And out of the myriad of possible American attitudes—all the way from outright hostility to indiscriminate love of the rest of the world, all the way from a sense of inferiority to a delusion of grandeur, all the way from doing nothing to doing everything—out of all these possible attitudes there must be distilled policies, foreign policies which, in effect, determine and govern our approach as a nation to the rest of the world.

What these policies are at any given time will have an immense meaning for the security and welfare of every American. If they are effective policies the Nation as a whole gains by them. If they are ineffective policies the Nation as a whole suffers from them. This is not to say that individual Americans may find certain effective policies in a national sense bad, for a variety of reasons. Nor, indeed, is it to say that individual Americans may judge for a variety of reasons ineffective national policies to be good.

The Presidency and, to the extent that it is involved, the Congress, are the political institutions which delineate, by word and action, the overall foreign policy of the Nation. The Presidency and the Congress are popularly responsive political mechanisms, and conflicting attitudes and viewpoints, and pressures within the Nation constantly press in upon both. Popular influences cannot and must never be ignored in a representative government. And yet, somehow, a responsible course of policy must be steered through these multiple popular influences—a course which safeguards the general interests of the Nation.

Clearly, our policy must possess continuity. But its application must take account of events which in today's world can develop and change course with remarkable speed. It is apparent that American foreign policy has the essential quality of continuity. Since the end of World War II, the United States has sought to encourage the development of a society of independent nations in a world free from aggression, hence warfare. In pursuing this policy, the United States has fought, as in Korea, and has often entertained the risk of further fighting in order to assure the continued independence of friendly societies and the integrity of its own basic national interests.

In addition, the United States has provided economic and military assistance designed to strengthen independent countries and enable their peoples gradually to evolve societies that may one day suit their own highest interests.

The United States has supported international organizations, such as the United Nations, which are designed to promote peace and the integrity of nations.

The United Nations has been in existence as an organization for 17 years. Some will look back over the years and rediscover that there is much in its record to applaud. Others will do the same and convince themselves that the organization has done little of value and, indeed, has become a kind of menace to this Nation.

But there are countless Americans in this State and in the Nation who seek neither to prove that the United Nations is all good or all bad. The only concern which they have is that the U.N. make a contribution to peace and to international decency. These Americans have not closed their eyes to the fact that this Nation—all nations—walk a tightrope stretched across the bottomless pit of a catastrophic nuclear war. These Americans recognize that the tightrope sways violently with every wind of conflict—whether it blows in Asia, in Africa, in the Middle East, or elsewhere.

These Americans will not dismiss as useless or worse, any rational attempt to temper these winds of conflict. They will not consign to the waste heap of history an organization which has helped to do that in the deserts of the Middle East, and in the high mountains of Kashmir between India and Pakistan. These Americans will not make light of the sacrifice of the life of Dag Hammarskjold, a great and decent human being who raised the barrier of the U.N. against the hurricane of hate in the Congo.

Nor will these Americans dismiss as useless or dangerous to this Nation the work which the United Nations has done in marshaling an international effort to feed and clothe and otherwise help children in need wherever they may be, the work to eradicate the scourge of diseases such as malaria in forgotten corners of the world, to teach the unenlightened how to farm better and to develop community skills and habits which may lead them out of the morass of a crushing poverty and a superstitious ignorance.

These American will not condemn an organization whose purpose is to build bridges of peace and understanding among nations where too few exist, whose purpose is to promote a less cruel and more decent life for men, women, and children throughout the world.

We may deplore the inadequacies of the U.N. We may criticize what are sometimes meddlesome tendencies on the part of immature member governments. We may denounce the irresponsibility which leads some nations to vote grandiose United Nations action in some situation or other and then leave by the nearest exit when the price of the action is announced in the Assembly. We may be dismayed by the moral preachments of certain nations which do not accord with their national practices.

It is proper that we deplore, criticize, and denounce when these expressions are required. Spades are spades and should be so called, in the U.N. or anywhere else. But in calling them—and I have done my share along with Arthur Lamey of Billings, as a U.S. delegate on two occasions to the U.N. General Assembly and in the Congress—I do not believe our purpose ought to be to destroy but rather to improve. Mature Americans can recognize the significant contribution of the organization to the world, and to this Nation as a part of it, while at the same time we recognize that the contribution is far from enough.

Every day, so far as most of us are concerned, is United States Day. Each of us in our own way might very well by our actions and words, 365 days a year, rededicate ourselves to the preservation and enhancement of all that this Nation means to us and all that it stands for in the history of mankind. And, may I say that I can see nothing inconsistent with the respect and love which we have for our country in giving recognition and careful attention once a year to a principal institution through which this Nation and all nations, if they have the will as well as the words, may find the difficult way to a decent understanding and mutual respect among the world's peoples and to a durable peace.

In seeking its national objectives in the world, the United States has turned away from the path of territorial conquest or domination of others. Nor has the United States sought to intimidate with nuclear superiority. On the contrary, we have tried consistently since the end of World War II to develop some form of international control over this new and immense source of power.

Over the past several years, the United States has tried to curb the hazard of nuclear fallout, to say nothing of the danger of nuclear war, by securing a treaty to limit nuclear testing. Such an agreement has now been reached under a Democratic President and a Democratic Congress. But the treaty itself is beyond parties. Indeed, it reflects the continuity of our policy. It is cast in the mold of international agreement on control which was the first concept of nuclear policy designed at a time when there was a Democratic President and a Republican Congress. And, in specific elements, the treaty adheres to a pattern first set forth under the Republican administration of President Eisenhower in 1958 at a time when the Democratic Party was in control of the Congress.

The test ban treaty reflects the continuity of policy, and its history also illustrates some of the difficulties which beset the President—any President—in seeking to maintain this continuity. In a society as dynamic as our own, there is an understandable impatience with the static quality that sometimes characterizes critical areas of our foreign policy. May I say in all frankness that I have on occasion shared that impatience. Years of continuous and repetitious effort to reach agreement on the test ban discouraged a great many Americans and fostered a sense of frustration. Yet because the President was persistent and because, in the end, the Senate by a preponderant majority of both parties saw value in the treaty for the Nation we now have an agreement which, hopefully, will put an end to one type of unnecessary contamination of the earth's environment in which we must all live. At the same time by this treaty we may well have taken a small but firm first step away from the great peril of nuclear war.

A similar sense of frustration and impatience shapes the attitude of many Americans toward foreign aid programs, and, again, I must say that it is an impatience which I have shared. If one has some firsthand experience of these programs, it is almost impossible to escape the conviction that there is a great deal of waste motion and aimlessness and presumptuousness in the administration of this element of policy. These characteristics have been there for many years and despite vigorous efforts at the present time to curb them, it is not at all unlikely that these faults persist to some degree. But may I suggest that if you would evaluate this program properly it must be placed in a broader context than that of imperfect concept or inadequate administration. What, we may well ask ourselves, would be the complexion of world politics today without this great effort in the past and its continuance?

History seldom reveals its alternatives and it is not possible to state with precision the countries which may have been spared collapse and a loss of their independence because they have received American assistance. We do not know what the political complexion of Western Europe would be today if its war-ravaged societies had not received aid. We do know, however, that the Marshall plan was a brilliant success in preserving the opportunity for freedom to restore itself in that region after the war. We do not know what would have happened to Greece and Turkey in the absence of the initiative taken by President Truman when he decided to assist these countries in 1947; but we do know that each has maintained its independence; each has progressed, remarkably so in the case of Greece whose national integrity was seriously threatened scarcely more than a decade ago.

We do not know what would have happened in India if we had failed to provide support to that country. We do know that strong centrifugal forces in India have always posed a serious threat to the continued cohesion of Asia's largest Republic. And it is reasonable to assume, too, on the basis of history that without aid from abroad there would have been a series of mass famines, with great political upheavals in their wake.

In Vietnam, where the problems have for many reasons been especially difficult, I think there is little question that without American support of the Republic of South Vietnam the entire Indochina peninsula would have been propelled into the Chinese Communist orbit. In consequence, the possibility for satisfactory relations with Asia, already sharply curtailed by events in China more than a decade ago, would have suffered another major blow.

To say that there are no quick and easy solutions to our problems is a commonplace. Yet even so fundamental and obvious a truth as this is not readily accepted by many of the people of a far flung, rich and vibrant democracy. There is ever present the tendency to see world problems in a simple black and white pattern and solutions in the same way. This is due in major part to the influence of the struggle with the Soviet Union, a struggle that has given world politics a bipolar look, if not a bipolar character.

The role of the United States in this struggle is to maintain the freedom of the United States which in this day and age is, perforce, alined with the maintenance of an international environment in which the concept of human freedom remains a vital and powerful factor. This is a continuing undertaking and, at times, a highly expensive and tedious one. Some aspects of this undertaking appear irrelevant to the central struggle against totalitarianism. And the absence of discernible results at particular points of tension tends to disturb us all. Berlin, Laos, Vietnam, nuclear rivalry, Cuba, and others which will occur to you are questions that have taxed our patience and our resources for years and the end is not yet in sight at any of them.

It occurs to me, however, that the continuity of our basic policy has a cumulative effect. It builds pressures, which every so often leads to some development that both strengthens and dramatizes our basic policy, thus making it more understandable to our own citizens and to the rest of the world.

The Cuban crisis last year, and the Berlin crisis the year before, for example, were such developments. The Soviet Union chose to test American policy on Berlin and Cuba. As a result there was a series of harassing gestures at Berlin during the summer and fall of 1961. These failed, however, to move the United States from its policy of no change in that city and no German solution under duress.

In Cuba last year, the Soviet Union introduced offensive missiles, then withdrew them in the face of U.S. countermeasures. This was one of those events which sometimes alters sharply the pattern of the main current of international relations. Both the Soviet Union and the United States stood on the edge of the bottomless pit of nuclear war in the Cuban crisis of 1962. And the rest of the world swayed with them on the rim of the abyss. That rendezvous with mass extinction which was not kept may well have altered the basic nature of the tensions which had led to it.

This is not to suggest that the adversary is now less committed to its expansionist policies than before the Cuban crisis. What is suggested is that the world knows now—with a new and grim intimacy what it has always known from a distance—the overwhelming cost which nuclear war would represent to civilization and the folly of not considering it fully in the calculations of the policies of any nation. What is suggested, too, is that American policy, often misunderstood by friend and foe alike, is now more comprehensible to both. These are dividends of very great importance.

A question frequently asked in Washington during the past summer concerned the shift in the Soviet Union's position on a limited nuclear test ban. In short, why did the Soviet Union abruptly decide to accept the U.S. position, which for years it had rejected? As with any analysis of Soviet motives, the explanation in this case is necessarily speculative. However, it is generally believed that a number of related factors produced the shift in Soviet policy. The Cuban missile crisis, as I have noted, had a most sobering effect.

The Sino-Soviet rift, about which so much has been written, certainly played a role in the Soviet decision. I have long felt that this quarrel in major part was inevitable in the light of the historic conflict of interests between China and Russia along the inner borders of the Asian mainland. The rift also arises from a difference between communism's two great powers over the means to be reached in attaining their ends. The Soviet Union seeks to avoid a general war and to consolidate its position at home and in Eastern Europe. China is still in a revolutionary thralldom compounded of militant nationalism, racism and ideological arrogance. It has been estranged from a great part of the world by the policies of both the United States and the Soviet Union. The leadership of the Soviet Union clearly has felt the need of some tangible expression of its policy of coexistence which would arouse popular support in Russia and Eastern Europe and lead to a further dampening of the Chinese thralldom.

Furthermore, there is no reason to doubt that the Soviet Union shares our concern with the problem of nuclear fallout. This insidious phenomenon has already done noticeable health and genetic damage to people of the two countries and others and could do a great deal more if international anarchy were to persist in nuclear testing. There is, too, a common interest with the Soviet Union in solving the problem of proliferation of nuclear weapons. The test ban treaty does not guarantee that other nations will forego development of these weapons. However, leaving aside France (already a nuclear power) and China, the treaty has been signed by about 100 nations including every country which appears to have the human and material resources that would permit development of these weapons over the next several years.

The struggle goes on with the Soviet Union, but as I have already indicated, the tone may well be changing to some degree. The sale of American grain to the Soviet Union is one of those measures which by serving the interests of both parties in a very direct way may contribute, in a general way, to the objective of a durable peace. The Soviet Union needs grain because of crop failures. It had the choice of buying directly from the United States or arranging to obtain American grain, or the flour therefrom, from third countries. The fact is that they could have obtained it. The fact is that U.S. grain has gone to Eastern Europe in the past and continued to go either as grain or in the form of flour by way of middleman countries such as West Germany and others who from time to time take it upon themselves to preach to us against the evils of trade with Communist countries. Indeed, West Germany does an annual trade with the Soviet Union alone which is equal to or greater than our trade with all of the Communist countries in the world.

By dealing directly with the Soviet Union instead of through the middlemen of Western Europe, the United States will realize exchange earnings from a large sale of grain. This will benefit our deficit balance of payments by precisely that much. It will, of course, greatly help our wheat-producing areas and at the same time affect beneficially all taxpayers who now bear the burden of storage costs for wheat stocks far in excess of any reasonable need for our own consumption.

I have spoken of our tendency to become impatient and insistent on solutions to problems that can only be settled over the space of many years. I should also take note of the tendency of some to exaggerate the significance of any easing of cold war tensions and to sense the tantalizing image of a stable peace just around the next bend.

Between these two tendencies, a more realistic approach I think would be to observe that the nature of present world tension is not static and immutable. Rather it changes as events cause the powers—including this Nation—to adjust their policies to changed conditions and new requirements. At present, it is the Soviet Union whose policies are undergoing most significant shifts. It was the Soviet Union, for example, which accepted the American position on the limited test ban question, not the other way around. It was the Soviet Union which approached the United States for the sale of wheat.

These changes reflect credit on the strength and continuity of the fundamental policy we have pursued since the early post-World War II days under administrations of both parties. As such, they should encourage Americans to support efforts by the Government to bring about still greater progress toward our national objectives. This will mean resisting the tendencies to self-defeating impatience and frustrations on the one hand, and illusory optimism on the other.

The direct antipathies between the Soviet Union and the United States constitute only one aspect of the problem of U.S. policy in the world today. Difficulties are arising in connection with the key Atlantic Alliance. The United States assists India and Pakistan and the effect of this assistance is neutralized by the inability of these countries to compromise the differences, particularly over Kashmir, that so embitter their relations.

There are other outstanding international disputes which serve to destabilize some parts of the world and to frustrate programs of economic and social development. The Arab-Israeli conflict is one of these, and like the Kashmir issue, is one that the United States has been deeply concerned with for many years. Such problems exist in virtually all parts of the world. In the Middle East, there is the civil war in Yemen. In the North African Magreb there is the grave border conflict between Algeria and Morocco. In Africa, there is the Congo and Angola, with problems in South Africa and possibly the Rhodesias lying ahead. In southeast Asia, there is the complex struggle surrounding the birth of the new state of Malaysia. And, of course, there are Laos and Vietnam. In Latin America, it is becoming clear that the Alliance for Progress will absorb energies from both North and South America for many years and even then the ultimate outcome is by no means clear.

There are few rational alternatives for American policy. The overriding objective of promoting the security and well-being of the United States amounts to a continuing effort involving just about every part of the world.

The thought that I should like to leave with you during this political education week is one of a hope for continued progress toward a world of stable peace and freedom in which our own peace and freedom will be unassailable. Yet this hope must be tempered by an awareness that the future is always uncertain and difficult. Of this, there is no doubt.

I should also like to suggest that time is on our side, provided we use it wisely. The years ahead will present a wide range of opportunities together with a normal complement of setbacks and mistakes. Our greatness as a nation in this period will be measured by our ability to catch some of the fresh breezes that history will offer and thus give greater momentum to our purposes. This ability will derive largely from the President but its exercise will depend primarily on the understanding support of an informed citizenry. It is with this in mind that I heartily applaud your political education week and express once again my great satisfaction that it is taking place in this city and in this State and my gratitude for your kindness in inviting me to participate.

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## COMPROMISE IN A DEMOCRACY

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent to have printed in the RECORD a speech entitled "Compromise in a Democracy," which I made before the Montana Education Association in Missoula, Mont., October 25, 1963.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

### COMPROMISE IN A DEMOCRACY

(Speech by Senator MIKE MANSFIELD, Democrat, of Montana, before the convention of the Montana Education Association, Missoula, Mont., October 25, 1963)

It is with great personal pleasure that I meet with you today. I have enjoyed a long affinity with the Montana Education Association, as a teacher in fact, and in retrospect over the years.

When I was asked to speak, today, several topics were suggested. The one entitled "Compromise in a Democracy," caught my attention at once. That is not strange, since the word "compromise" is very frequently associated with the word "politics."

An overworked, but nevertheless accurate phrase states that politics is the art of compromise, or "the art of things possible" as Count Cavour put it a century ago. Unfortunately, there are those who view both "compromise" and "politics" as equally noxious terms. But if that view had predominated in our history, this Nation would not have known an orderly evolution. Indeed, without the constant exercise of compromise, a popularly responsive and responsible government such as we know could not exist.

We have learned, through experience, that compromise is an essential ingredient of a government by consent. The history of our own State is a good example. The tradition of our early years, as you well know, is accented with violence. Many of our pioneers were veterans of the Civil War and our early history reflects some of the vindictive aftermath of that conflict. Vigilante law and the quick draw, not compromise and due process, were an early and accepted way of dealing with differences. In honesty, however, I suspect that the actual casualties which resulted from this approach in all the early years of the State's settlement do not equal the current output of death by violence in a week of TV westerns.

We have come some distance since those early days. Officeholders, today, are no longer removed by hanging but rather by the more refined—and, presumably, less painful—process of the ballot. I, personally and understandably regard this as a great achievement.

One of the keys to this transition has been the general recognition that an orderly society is inconceivable in the absence of the will to compromise. To say this is not to defend those instances in which compromise represents an abuse of public power and a violation of public trust. But I do say that the view which tends to hold compromise in contempt is a most unfortunate one. And it does not matter whether this view is applied in local setting, in State or National politics or, indeed, to international problems. For it is but one step from the disdain of compromise to the application of the opprobrium of appeasement or "sellout" to all who practice this essential art of political—indeed of all—human relations. And to cast aspersions upon the efforts to solve by compromise, problems which defy the simple solution is to invite chaos. And with it, would only come a return to the law of the vigilante and the quick draw—this, in a world in which one quick draw in the final analysis may be the last.

If there is anything which I have learned in more than 2 decades in Congress, it is that issues which have only two sides—and which can be disposed of largely on the basis of all right or all wrong—are for the most part either unimportant, old and settled matters or rarely, new questions which, not infrequently, have tragic implications. The declaration of war against Japan, for example, was passed in less than a day and with only one dissenting vote in both Houses of Congress. It was a clear-cut issue but it was also a tragic issue.

In Congress, today, most defense measures are also passed by nearly unanimous vote. The necessity for them is clear-cut and long established and remains essentially unchanged in the absence of significant change in the world situation. In every Congress, of course, we also pass many minor bills unanimously. But for the most part, they involve the relief of a single citizen who in some way or other has suffered some obvious injury at the hands of the Government or other matters of very limited implication.

But with respect to significant new issues, quick and unanimous agreement is unusual. There are just too many millions of persons in this country, too many groups and subgroups, whose interests are affected by the passage of legislation. Here are some of the more obvious divisions within our society.

There are 10 distinct geographic divisions and countless subdivisions in the United States, each with its own peculiar problems and interests.

The last census showed 125 million people living in urban areas and 54 million in rural areas. The former stress that the Government's resources and energies should be directed toward cleaning up slums, improving mass transportation systems and a thousand other worthwhile goals. The latter call for greater investment in conservation, more emphasis on strengthening the agricultural and livestock industries and so forth.

Over 20 million Negroes and numerous whites of almost every religious denomination ask for equality of treatment for all Americans in all walks of life and demand that it be given today. Other millions resist this effort and urge, in effect, there be a slowdown in the process of applying with greater equity the promise of the Constitution to all citizens.

There are more than 18 million persons over 65 years of age, many of whom are living out their final years in poverty and fear of financially catastrophic sickness. They ask that the rest of the Nation consider their past contributions, if not the future to which we are all headed, by providing a self-respecting and adequate system of insurance against the major financial hazards. Yet there are some—and I would hope not too many Americans—who would begrudge any such system to older citizens especially if it is under the general control of the Federal Government. But how, otherwise, it might be adequately provided is not made clear.

On the other end of the age spectrum, there are some 70 million persons under the age of 20. Their needs, if we are to look to a stable national future, include adequate access to higher education, commensurate with ability. They include in many parts of the Nation sufficient classrooms and teachers at all levels of education. And they include action to open up jobs, to end ill-advised or avoidable school dropouts, and to develop a sound, well-rounded national approach to the mounting delinquency problems of our young people. And no one knows better than educators that the term "juvenile delinquency" covers a complex multitude of factors which will not be dispelled simply because we have assigned them this glib name and then wrung our hands and deplored the name.

There is, too, as still another aspect of our national diversity, the endless conflict of industrial interests as among themselves and with agricultural interests. Poultry raisers in Georgia and beef producers in Montana and their Congressmen and Senators, including me, watch with growing concern the rising imports of their products into the United States. Detroit workers who owe their living in part to the export of automotive parts fear that tariffs which we impose will bring retaliation against them.

The Government sustains prices for raw cotton production in order to help one set of farmers. The cotton is disposed of at bargain terms abroad in order to keep the stockpiles from mounting too high. The bargain-term cotton is manufactured into various textiles abroad and when some of these are exported to the United States, we face the complaints of our own textile producers in New England, or, indeed, in the same States where the cotton is grown. And so it goes and we do the best we can to deal with these inconsistencies while at the same time, through compromise, we seek to strike some measure of equity for all parts of the land and for all groups in the economy.

In the political arena, the monopoly by the Republicans and Democrats leads some to suppose that there are only two well-defined parties in the Nation. But there are other political and quasi-political bodies competing for public acceptance and there are repeated divisions and alinements within each party. It is significant, for example, that in the vote in the Senate on ratification of the Nuclear Test Ban Treaty, 25 Republicans joined 55 Democrats in support of the treaty while only 8 Republicans joined 11 Democrats in opposition.

Anyone who has had the opportunity to travel the length and breadth of this great land cannot but be amazed by the tremendous vitality in its diversity. This quality contributes much to our strength and our greatness. At the same time it is a major source of the need for compromise. All of the diverse interests must somehow be contained within a broader concept of national interest. For, in the last analysis there is no future for agriculture in this Nation unless there is also a future for industry and the reverse is true. There is no future for Protestants unless there is also a future for Catholics, Jews and others and the reverse is true. There is no future for the Negro if there is not also a future for the white and the reverse is true. There is no future for Montana if there is not also a future for the other States and the reverse is true. In short, the diversities of interest must in some way find, through compromise and mutual restraint, a common meeting place in the national interest and a common hope in the Nation's future. Unless they do so the immense strength and vitality of the whole may be exhausted in the bitter schisms of the parts.

This Nation has grown great and is great, in short, precisely because we have learned the art of compromise. It has given us a powerful unity which undergirds our position as a nation in the world and provides stable progress at home. Throughout our history, only the Civil War yields an example of the overwhelming and devastating rejection of the process of compromise. That one exception came when the passion of various groups for their own point of view grew so overweening as to foreclose rational reconciliation among them. And even today, we are haunted by this failure of a century ago. Problems which might otherwise have long since been resolved are still with us. And we have still a difficult way to go before the racial and sectional fears and suspicions and misunderstandings—the grim heritage of that one great failure—are finally laid to rest, as one day they will be.

We would do well to consider some of the factors which complicate the art of mutual accommodation and make more difficult the tasks of this Nation. There are two which stand out and which have a special urgency for us today. I have touched upon one of these already. It has to do with the apparent compulsion of some to insist that the simple solution can be applied to every problem—no matter how complex it may be. The other is the tendency of many Americans to question the motives or loyalty of those with whom they disagree. Both tendencies have long existed in mankind. But the complex life of the 20th century has sharpened them—and at a time and under conditions when the Nation can least afford them.

The shrinking of distance, the greater mobility and forced association of peoples who a short time ago would never have come into contact with one another, the increased urbanization, the growing population, and the increasing impersonalism of our economic organization have all contributed to an atmosphere of greater anxiety and insecurity. And overall, hangs the ever-present specter of devastating nuclear conflict, although just a few weeks ago, we witnessed a glimmer of hope in this connection with the signing of the nuclear test ban treaty.

It is not surprising, then, that there is a nostalgic desire on the part of many to cling to the belief that a return to simpler days, days of the relative isolation of individuals, communities, and States is a choice still open to us as a Nation. I can understand this desire. Indeed, there are days when I share it. But the front page of any morning's newspaper is enought to dispel it. The added pressures within the Nation and the awesome dangers from without make it more imperative than ever that we seek solutions which take full cognizance of the complexities of modern life in this Nation and in the world. If we are to succeed in finding solutions we must draw into a common pool such wisdom and sensitivity as may be available in all parts of the Nation, in all political parties.

We cannot read any able citizen out of the community simply because we do not happen to agree with him politically. We cannot arbitrarily decide as some have done that an American as distinguished in his service to the Nation as former President Eisenhower or his Secretary of State, John Foster Dulles, were not only useless but even worse—virtual enemies of America. If these men were not worthy of bearing the name Americans then I am not and no person in this room is worthy of it. Who, then, is worthy?

The truth is that no single individual, no single group, no single political party has a monopoly on virtue or patriotism. None can lay claim to sole possession of all that is necessary to make our Nation work. None has all the answers. But all are Americans and each in his own way has a contribution to make which can only be made if we have a measure of mutual respect and mutual restraint and accommodation.

The democratic process—the practice of compromise—does not necessarily provide perfect answers. But it has supplied and will continue to supply suitable answers and the only answers suitable to a free people.

It does not matter whether the place where these answers are sought happens to be the Congress of the United States or the City Council of Missoula—or for that matter, the PTA, or the MEA. The problems facing Congress may be more complex. The decisions made by it may affect far more people. But in the final analysis in the House of Representatives, it is almost 440 men and women and in the Senate, it is 100 men and women meeting in a face-to-face situation trying to do the best that they can to serve the interests of the States and people whom they represent. There is nothing to keep Senators from pulling the Government apart in this process; nothing that is, except self-discipline, mutual respect, tolerance for the views of others, and a willingness to compromise. The system is far from perfect and the answers which it produces are not necessarily always the best. Nevertheless, the institution is bound together by the desire to safeguard and advance particular interests in the context of the total national good. It works largely because individual Senators are prepared not to press their concept of what is 100-percent perfect 100 percent of the time.

When a Senator is elected to the Senate leadership, he remains the Senator from Montana or Minnesota or Illinois or California. His primary responsibility is unchanged. Unless he serves the people whom he represents, he cannot serve the Nation.

To put it another way, leadership responsibilities in the Senate are not assumed at the expense of State responsibilities. They are an addition, not a subtraction.

The function of leadership in the Senate is to help to operate a principal branch of the Federal Government and to keep it geared into the other branches on behalf of the people of all 50 States. In practice, this means a great deal of work in concert with the President and with the Speaker of the House in an effort to see that what needs attention gets attention from all concerned. It means regular conferences every Tuesday morning with the President and other meetings, as critical issues of foreign or domestic policy arise. It means planning with the other Senate leaders—minority and majority—with committee chairmen and individual members for the legislative program It means cooperation, understanding, and accommodation with my distinguished Republican counterpart, Senator Everett Dirksen, of Illinois, because if this is not forthcoming the Senate would find it difficult to function as effectively as it has. The leadership's first function is to communicate the President's sentiments to the Senate and to make known the Senate's tendencies to the President. The followthrough involves the process of achieving the practical. It means riding herd on legislative measures, from their inception through the committees to the Senate as a whole and, long hours thereafter, on the floor until some disposition is made of these measures.

Presidential proposals may be voted up or down or modified in the Senate. But significant issues presented by the President warrant, as a minimum, the courteous but independent consideration of the Senate and a decision one way or the other. To bring this about, the leadership has only the persuasiveness of the Presidential proposals themselves, the patriotism and reasonableness of the Members of the Senate of both parties and the interest of the people of the States in the President's program. The leadership has no special powers to lead. It has only such respect and cooperation which may be freely bestowed upon it by the Senate as a whole.

Power is widely diffused in the Federal Government and it is very widely diffused in the Senate. Each Senator, including the majority leader, has one vote, no more no less, on every issue. Insofar as the Senate is concerned, it operates 99 percent of the time on the basis of the procedural cooperation of every Member. The 1 percent when it does not so operate accounts for almost all of the ridicule and criticism which from time to time throughout history has been directed at the institution.

By changes in the rules it may be possible that the operations of the Senate could be improved. But in the last analysis, the key to its effectiveness will remain where it always has been—in the voluntary restraint and the courteous behavior of each Member and where necessary, accommodation and compromise. There is no other way to function in a body of such individualistic men and women, each equal in his constitutional power. On the whole, the Senate has functioned effectively by this process. In the last Congress a great deal of significant legislation was considered and disposed of. Before this Congress expires, the great bulk of the program now before us will be considered by the Senate and much of it will be enacted. The achievement will reflect credit not on the leadership but on the Members of the Senate of both parties and on the way of life of the Nation which has produced a capacity for a cooperative unity and accommodation in diversity in its great institutions no less than in our society as a whole.

I have emphasized the legislative branch of the Government because it is most familiar to me. But these observations apply to a considerable degree to the executive branch of the Government. Too often we forget that the President of the United States is only a human being faced with a superhuman task. Every time he makes a significant decision, a thousand and one pressures are directed upon him from all parts of the Nation as well as from abroad. And he, too, must think in terms of the accommodation of these pressures to the end that the Nation stays on an even keel and moves in an orderly and unified progress. The President, too, does the best he can on the basis of patriotic dedication to the Nation and that applies, may I say on the basis of my personal observations for two decades, no less to President Eisenhower than it does to President Kennedy and to the Presidents who preceded them.

In these remarks, I have tried to emphasize that the words "compromise" and "politics" are not in themselves unsavory terms, but rather they are the staff of freedom. Successful compromise is as necessary as the air we breathe. This is true for all aspects of government—from the smallest community in Montana to the Congress and presidency of the United States.

I have every confidence that we will continue to exercise the goodwill toward one another and the moderation which have done so much to make this Nation great. And while the TV westerns will continue to awaken a warm and an understandable nostalgia for the simpler days of the frontier—especially since we do not have to bear their hardships in the comfort of our living rooms—I have every confidence that Americans also recognize that the real frontiers of the modern world now lie on the fringes of outer space. We will think and act as we must in order to live and prosper in this changed setting even as the frontiersmen thought and acted in consonance with the realities which they encountered and so, lived and prospered.

As educators, I can think of no way in which you might better prepare the youth of the state for a responsible, useful and satisfying life than to help them to understand what the Nation and world today are really like and to emphasize to them the place of compromise, mutual accommodation and tolerance in making both run in freedom.

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## DIXIE PROJECT, UTAH

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 552, S. 26.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 26) to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 26) to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 2, line 9, after the word "desirable.", to insert "The Dixie project shall be coordinated with the Cedar City water development program which includes the diversion of the waters of Crystal Creek into the Kolob Reservoir, and after completion of the Dixie project said waters of Crystal Creek and of the natural watershed of said Kolob Reservoir shall be exported for use of Cedar City and vicinity in accordance with an agreement entered by Cedar City and Iron County, Utah, on the 26th day of August 1953, with Kolob Reservoir and Storage Association, Incorporated, and Washington County, Utah."; on page 4, line 11, after the word "period", to insert "but not to exceed $3,500,000"; in line 23, after the word "project", to strike out "in a manner consistent with the other project purposes" and insert "but these undertakings shall be coordinated with the other project purposes"; on page 5, after line 12, to strike out:

> (b) The Secretary may make such reasonable provision in connection with the Dixie project as, upon further study in accordance with section 2 of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661, 662), he finds to be required for the conservation and development of fish and wildlife. An appropriate portion of the cost of the development shall be allocated as provided in said Act and it, together with the Federal operation and maintenance costs allocated to this function, shall be nonreimbursable and nonreturnable under the reclamation laws.

In line 23, after "Sec. 7.", to insert "(a)"; and on page 6, after line 3, to insert:

> (b) In the operation and maintenance of all facilities under the jurisdiction and supervision of the Secretary of the Interior authorized by this Act, the Secretary of the Interior is directed to comply with the appli-

cable provisions of the Colorado River compact, the Upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act (and any contract lawfully entered into by the United States under any of said Acts), the treaty with the United Mexican States, and the operating principles, and to comply with the laws of the State of Utah, relating to the control, appropriation, use, and distribution of water therein. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section and consent is given to the joinder of the United States as a party in such suits, as a defendant or otherwise.

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purposes of developing the water resources of the Virgin and Santa Clara Rivers, including the furnishing of municipal and industrial water supplies, the furnishing of an irrigation water supply to approximately twenty-one thousand acres of land, the control of floods, the generation and sale of electric energy, the conservation and development of fish and wildlife resources, and the enhancement of recreation opportunities, the Secretary of the Interior is authorized to construct, operate, and maintain the Dixie project, Utah. The project shall consist of the Virgin City Dam and Reservoir, tunnels, canals, siphons, pumping plants, and other works necessary to serve irrigated and irrigable lands along and adjacent to the Virgin River; a dam on the Santa Clara River near Gunlock, Utah, and other works necessary to serve irrigated and irrigable lands along and adjacent to the Santa Clara River and on Ivins Bench; and hydroelectric plants and transmission facilities at the Virgin City Dam and at such other points as are desirable. The Dixie project shall be coordinated with the Cedar City water development program which includes the diversion of the waters of Crystal Creek into the Kolob Reservoir, and after completion of the Dixie project said waters of Crystal Creek and of the natural watershed of said Kolob Reservoir shall be exported for use of Cedar City and vicinity in accordance with an agreement entered by Cedar and Iron County, Utah, on the 26th day of August 1953, with Kolob Reservoir and Storage Association, Incorporated, and Washington County, Utah.

SEC. 2. The project shall include such measures for the disposition of saline waters of La Verkin Springs as are necessary in the opinion of the Secretary to insure the delivery of water at downstream points along the Virgin River for water users in the States of Arizona and Nevada of suitable quality for irrigation, or provision shall be made to indemnify such water users for any impairment of water quality for irrigation purposes directly attributable to Dixie project operations.

SEC. 3. In constructing, operating, and maintaining the works authorized by this Act, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), except as is otherwise provided in this Act.

SEC. 4. Construction of the project shall not be commenced until there shall be established a conservancy district or similar organization with such powers as may be required by the Secretary, these to include powers to tax both real and personal property within the boundary of the district and to enter into contracts with the United States for the repayment of reimbursable costs.

SEC. 5. The interest rate to be used for purposes of computing interest during construction and interest on the unpaid balance of those portions of the reimbursable costs which are properly allocable to commercial power development and municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which this bill is enacted, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue. If the interest rate so computed is not a multiple of one-eighth of 1 per centum, the rate of interest to be used for these purposes shall be the multiple of one-eighth of 1 per centum next lower than the rate so computed. The portions of the costs which are allocable to commercial power development and to municipal and industrial water supply shall be repaid over a period of fifty years with interest at the rate determined in accordance with this section. The portion of the costs which is properly allocable to irrigation and which is beyond the water users' ability to repay in fifty years plus a ten-year development period but not to exceed $3,500,000 shall be returned to the reclamation fund within such period from revenues derived by the Secretary of the Interior from the disposition of power marketed from Federal projects in the Lower Colorado River Basin.

SEC. 6. (a) The Secretary of the Interior is authorized as a part of the Dixie project to construct, operate, and maintain public recreation facilities including access roads, to acquire or to withdraw from entry or other disposition under the public land laws such adjacent lands or interests therein as are necessary for present and future public recreation use, and to provide for public use and enjoyment of the same and of the water areas of the project but these undertakings shall be coordinated with the other project purposes. The Secretary is authorized to enter into agreements with State or local public agencies or other public entities for the operation, maintenance, or additional development of project lands or facilities or to dispose of project lands or facilities to State or local agencies or other public entities by lease, transfer, exchange or conveyance, upon such terms and conditions as will best promote their development and operation in the public interest for recreation purposes. The costs of the undertakings described in this section, including costs of investigation, planning, operation, and maintenance and an appropriate share of the joint costs of the Dixie project, shall be nonreimbursable.

SEC. 7. (a) The use of all water diverted for this project from the Colorado River system shall be subject to and controlled by the Colorado River compact, the Boulder Canyon Project Act (45 Stat. 1057; 43 U.S.C. 617t) and the Mexican Water Treaty (Treaty Series 994) (59 Stat. 1219).

(b) In the operation and maintenance of all facilities under the jurisdiction and supervision of the Secretary of the Interior authorized by this Act, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River compact, the Upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act (and any contract lawfully entered into by the United States under any of said Acts), the treaty with the United Mexican States, and the operating principles, and to comply with the laws of the State of Utah, relating to the control, appropriation, use, and distribution of water therein. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section and consent is given to the joinder of the United States as a party in such suits, as a defendant or otherwise.

SEC. 8. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this Act.

Mr. MOSS. Mr. President, few moments in my years in the U.S. Senate have given me greater satisfaction than this one. The bill before the Senate, which I introduced, and on which it was my privilege as chairman of the Senate Subcommittee on Irrigation and Reclamation to conduct hearings, authorizes the Secretary of the Interior to construct, operate, and maintain the Dixie Reclamation Project in Washington County, Utah.

The Dixie project is relatively small as reclamation projects go. Multiple-purpose in conception, it will assure supplemental and full irrigation water supply to about 21,000 acres in the county, and will supply municipal and industrial water to the city of St. George, the county seat. It will also generate badly needed hydroelectric energy, will tame downstream floods, and will establish attractive recreation areas. Its total cost will be about $45 million—most of which will be paid back to the Government, with interest—and it has been calculated that the benefits from the project will exceed the costs by a ratio of 2 to 1.

These "vital statistics" may make it seem that the Dixie project is just like any other sound reclamation project—better perhaps than most because of its excellent benefits to cost ratio—but important mainly because its enactment will represent another transaction in the West's most important business—that of conserving and making the best possible use of precious and scarce water resources.

But back of these dull-sounding statistics on Dixie lies one of the most dramatic episodes of the settlement of the West. The people of Utah's Dixie are no ordinary people. They are the descendants of some of the hardiest and most resourceful pioneers the West has ever known. Their forebears went into the southern Utah wilderness at the direction of Brigham Young, and under the most heartbreaking circumstances developed a half-dozen self-sufficient communities. Their story has become a legend celebrated in stories and verse.

The Dixie Cotton Mission, as it was called, was established in the winter of 1854. The first settlement was on the banks of the Santa Clara, one of the streams which the Dixie project will now harness, and settlements then spread to the Virgin River, the larger of the two streams involved. By cooperative effort the pioneers built diversion structures on the two rivers, and irrigated the lush green river bottoms to grow cotton, figs, sugarcane, tobacco, and other tropical agricultural products. They even experimented in the cultivation of silkworms so they could make silk as well as cotton cloth.

Their accomplishments were won against the greatest of odds. Again and again the diversion structures built with such sweat and toil on the Santa Clara and the Virgin were washed out, and again and again the carefully tilled farmlands were strewn with mud and boulders. Lesser souls would have been daunted, but the hardy people of this southwestern area of Utah stayed on to rebuild and build again. They suffered greatly from food shortages, sickness, disease, and other setbacks. After decades of effort, permanent diversion dams were finally constructed, and the silt laden waters of the two rivers brought under some restraint, but never over the whole long century since the Cotton Mission was founded have the waters of the Santa Clara and the Virgin Rivers been put to full and beneficial use.

That is what my bill before us here today would do. It would—at long last—make it possible for this arid and colorful area to realize its full potential. The project has been needed for a hundred years, has been a dream for over 50, and an objective actively and fervently sought for 25.

Hearings were held on it in St. George, and again in Washington, D.C. It was almost unanimously supported—by officials of the State of Utah, and by businessmen and farmers and citizens, and even schoolchildren of the area. And it came out of the Senate Interior and Insular Affairs Committee by unanimous vote.

The area the Dixie project will serve is a delightful garden spot. It has spectacular semidesert scenery, a mild winter climate, and the proximity of Zion National Park and other scenic wonders to make it a growing tourist center. The water from the project will place both its farms and towns on a firmer foundation. Let me hasten to interpose here, in case some of my colleagues from the South might be concerned lest Utah's Dixie should try to compete with the Southland's Dixie in cotton cultivation, that there is no danger. Utah's Dixie gave up cotton cultivation shortly after the Civil War, and is now concerned with fruitgrowing, cattle feeding, and turkey raising and processing—to name a few of the most important agricultural pursuits. In fact, St. George is the center of one of the largest turkey operations in the country.

I feel I can say without reservation that the problems which have held up consideration of the Dixie project for so many years have now all been successfully solved. The Virgin River is a tributary to the Colorado River, its small flow entering at Lake Mead, above the Hoover Dam. It is therefore a part of the Lower Colorado River Basin, as defined in the Colorado River compact. My bill provides that the use of all water diverted for the Dixie project from the Colorado River system shall be subject to and controlled by the Colorado River compact, the Boulder Canyon project and the Mexican Water Treaty.

The amount of water actually contributed to the Colorado by the Virgin and its tributary, the Santa Clara, is less than 1 percent of the flow of the mighty Colorado, so we are actually talking about an infinitesimal amount of water. But the terms of the water treaties in effect are being adhered to, and there is no problem in this respect.

The bill provides that the portion of the costs which is properly allocable to irrigation and beyond the ability of the water users to pay in 50 years, plus a 10-year development period, shall be returned to the reclamation fund by revenues derived from the disposition of power in the Federal projects in the lower basin. A committee amendment limited the amount that can be used to $3½ million; the Bureau of Reclamation indicated that only about $3,230,000 will be needed.

Funds are included in the project cost to work out a small saline water problem, and agreements have been reached with the State of Utah on the road problems.

Even the shadow cast over the project by the long controversy between California and Arizona over the division of the waters of the Colorado River has been completely lifted by the refusal last week of the U.S. Supreme Court to review its earlier decision. Of course, as I have pointed out, the Dixie project never would have any substantial effect on the amount of water available for division between these two lower basin States—the less than 1 percent the Virgin contributes to the Colorado River's flow is too small to be any real point of controversy. But could anyone have ever wanted to raise this question to hold up Dixie, the time has now passed.

Mr. President, enactment of S. 26 will mean the rehabilitation and rebirth of Utah's Dixie. The project it will authorize will have a great impact on both the economy and spirits of the people of this remarkable section of Utah. I trust it will pass the Senate today without further delay.

**Mr. BENNETT.** Mr. President, it gives me great pleasure to stand before the Senate today to voice my complete and enthusiastic support of the Dixie project bill, S. 26; and in so doing I also would like to inform this body of the unqualified support of virtually the entire State of Utah.

Today marks another important milestone in the fulfillment of a 100-year-old dream of the residents of Utah's so-called Dixie in the southwestern portion of our State. The story of the Dixie Cotton Mission is one of the most fascinating in all the history of Utah. The State's earliest leader, Brigham Young, decided to colonize that portion of the State and sent 300 wagons loaded with families and their provisions to the area. This was known as the Cotton Mission or the Dixie Mission because of the hot climate. Today a stalk of cotton would be a source of wonder to the children of Utah's Dixie, but in 1861 the people did plant and raise cotton for the State in a valiant effort to become self-sustaining.

Those early colonizers initiated an irrigation system which opened up the croplands and the fruit orchards that are in Utah's Dixie today. However, without river control and storage, it was then and still is today impossible to divert a plentiful supply of water from the rivers and streams in this arid region.

Water storage facilities are the primary need of the Dixie project area. Development of such facilities will enable the conservation and orderly release of water that is now largely wasted in floods. The project also will permit the conservation of those portions of normal flows which are in excess of immediate requirements for irrigation and other purposes. A reserve of stored water will serve as the foundation upon which to base a revitalized and modernized agricultural development. Any substantial economic increase and population growth for the region hinges heavily on this project.

### LEGISLATIVE BACKGROUND

In addition to hearings conducted in Washington, D.C. on May 7 and in St. George, Utah on May 17 by the Senate Irrigation and Reclamation Subcommittee, the House Interior and Insular Affairs Committee also held hearings on the Dixie project in St. George on October 2.

To express my unqualified support I have been privileged to appear and testify in favor of the project on two separate occasions.

I also have found at these hearings that the people of Utah are united in their earnest desires to see the Dixie project built after its having been under study by the Bureau of Reclamation since at least 1918. It was only World War II which blocked much earlier construction of the project at a cost that would have been but a relatively small fraction of the burdens which the people of Utah's Dixie are willing to undertake today so that the project may become a reality.

Since coming to the Senate I have thrown my full support behind the Dixie project—first to secure funds for the Bureau of Reclamation's investigation and planning activities, and then, after the Bureau had completed its restudy, to offer the first Dixie project bill, which was S. 14 of the 87th Congress. My colleague, Senator Moss, and others in the Utah congressional delegation introduced similar bills.

On January 9 of this year, I directed a letter to my junior colleague from Utah [Mr. Moss], inviting him to join in sponsoring the Dixie project. Five days later he chose instead to introduce his own bill, S. 26. So that I could be clearly on record in support of the project I introduced my bill, S. 655. Utah's Representatives in Congress LAURENCE J. BURTON and SHERMAN P. LLOYD also introduced their Dixie bills in the House.

The bills introduced by the junior Senator from Utah [Mr. Moss] and myself were essentially the same, except for one provision in my bill which pointed out the already existing contractual arrangement under which the Cedar City area would receive 8,000 acre-feet of water annually. This language was written so that Cedar City's citizens would be fully protected. When the Kolob Dam and Reservoir was constructed by the Kolob Reservoir and Storage Association in Washington County, Utah, in 1956, it was agreed that Cedar City would construct works for the diversion of up to 8,000 acre-feet of water from tributaries of the Virgin River for municipal use. It should be noted that Cedar City agreed to reimburse the project for power revenue losses resulting from this diversion.

In my testimony before the Senate subcommittee in Washington on May 7, I said it would be equally satisfactory to me for the subcommittee either to have my colleague's bill amended to add this clause or to approve my bill, whichever the committee desired. On October 16 the committee agreed to include my Cedar City amendment in the bill which it reported to the Senate.

Of course, the major benefits of the project will accrue to Washington County, in which it is located. The Dixie project is a proposed multiple-purpose water resource development in the Virgin River Basin in southwestern Utah. By regulation of flows of the Virgin River and its tributary, the Santa Clara River, the project would provide supplemental irrigation water to 9,455 acres of presently developed land and a full water supply for 11,615 acres of new land. The city of St. George would be provided with 5,000 acre-feet of water annually for municipal and industrial purposes. Construction of three powerplants would produce about 44,500,000 kilowatt-hours of firm electric energy and about 1,900,000 kilowatt-hours of secondary energy for sale annually. In addition, minor flood control benefits would result, as would fish and wildlife and recreation benefits.

Water storage facilities are considered to be the primary need of the Dixie project area. Development of such facilities would provide for the conservation and orderly release of water that is now wasted. The resulting supply of stored water would serve as the foundation for a revitalized and modernized agricultural development, and to permit local industry and population growth.

The proposed Dixie project will be divided into two divisions. The first is the Hurricane division along the Virgin River. It would consist of the Virgin City Dam, reservoir, and powerplant, the Hurricane division main canal, and the Bench Lake and Warner powerplants. The second is the Santa Clara division, which will consist of the Lower Gunlock Dam and Reservoir and rehabilitation of an existing canal. The total cost of the project is now estimated to be $44,822,000.

Utah's Dixie has experienced years of serious drought, and the water situation is even now critical. Unless the Dixie project is built, there appears to be no possibility that additional water supplies can be developed. The future of the entire area is dependent upon congressional approval and construction of the Dixie project.

### PROJECT REPAYMENT

That is why the local people have agreed to impose an almost unprecedentedly high tax to repay their share of the project costs. This 5-mill ad valorem tax contrasts with the usual levy of from 1 to 2 mills for other reclamation projects.

The local people have further demonstrated their complete cooperation by forming a local conservancy district which, based upon the high tax levy, will repay 76 percent of the irrigation costs. In order to complete repayment, the Dixie bill provides for allocating the remainder to power revenues that will arise from Lower Colorado Basin dams, since the Virgin River is a lower basin stream. This same principle is used in connection with the Colorado River storage project, which established a formal basin account. Moreover, it is my understanding that some 15 additional western reclamation projects have utilized the same principle without establishing a basin account.

As my colleagues know, it has been rumored that Secretary Udall and the Kennedy administration wish to make the Dixie project a hostage of the Lower Colorado River Basin bill, which could delay its approval by months and even years. It is my sincere hope that this is indeed a rumor, for I cannot stress too vigorously the urgency of the Dixie project and its importance to the economy and future well-being of southern Utah.

It is a well-known fact the projects included in the overall Lower Colorado River Basin legislation have been the subject of long litigation between the States of Arizona and California over rights to the waters of the Colorado River. The Supreme Court, on June 3, 1963, announced its opinion in the case of Arizona against California, et al. This opinion appears to clear the way for the Lower Colorado River Basin developments, though California has filed an appeal to the decision.

### NO ADJUDICATION ON SANTA CLARA AND VIRGIN

However, Utah's only use of water within the lower basin is from the Virgin and the Santa Clara tributaries—the right to which the Court did not adjudicate. Accordingly, Utah's right to expand its present lower basin tributary uses is not limited by the Court's decision, and likewise should not be included in the package of legislation for the Lower Colorado River Basin. The Virgin River is a captive stream and not an issue in the Arizona against California decision. It should be developed and considered on its merits alone, and the time for action is now, not a year or several years from now.

### AMENDMENTS TO THE BILL

In favorably reporting the bill about a week ago the Senate Interior and Insular Affairs Committee attached several amendments to the measure. I have been told by professional staff members of the committee that they are of a relatively minor nature and should not have any major effect to the overall project plan.

Despite these assurances I have taken the liberty to send the amendments and copies of the new bill to officials of the State—to Utah's Gov. George Clyde, who is one of the Nation's outstanding reclamation engineers; to Mr. Jay R. Bingham, the State's director of the Utah Water and Power Board; and to officials directly involved in the project in southern Utah.

To date I have not as yet received any replies, nor did I expect them this soon.

However, I feel the record should be clear that we are carefully studying these new amendments and should any new proposals or problems arise, I can only hope they will be considered when this legislation goes through the process in the House.

Initially, I am particularly concerned about the amendment limiting the power contribution from the lower basin for Dixie to $3.5 million. Our concern is mainly with protection of the Dixie people against being shortchanged because of this language. However, rather than obstruct the project at this time I am going to support the bill and, as I say, pave the way for further study before it reaches the House Interior and Insular Affairs Committee hearing stage.

### URGE PROMPT APPROVAL

In conclusion, Mr. President, I again voice my wholehearted backing of the Dixie project and urge its favorable approval. It has been determined by all agencies concerned that the project has engineering feasibility, that it is economically justified, that the reimbursable cost can be repaid within the standard 50-year repayment period, and that construction would be a forward step in the conservation and utilization of the lands and water resources of the entire region.

The passage of this bill will fill a vital niche in this arid region of the State and of the country. I support the bill, and ask my colleagues in this body to do the same.

**Mr. MANSFIELD.** Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc.

**The PRESIDING OFFICER.** Is there objection to the request of the Senator from Montana? The Chair hears none; and, without objection, the committee amendments are agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 26) was ordered to be engrossed for a third reading, read the third time, and passed.

**Mr. MANSFIELD.** Mr. President, I move to reconsider the vote by which the bill was passed.

**Mr. MOSS.** Mr. President, I move to lay the motion on the table.

**The PRESIDING OFFICER.** The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

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## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

**Mr. ELLENDER.** Mr. President, almost two decades ago we commenced the drainage of American wealth with the inception of the foreign aid program we are discussing today. Since the beginning of this program, in excess of $100 billion have been lavished on almost every country on earth.

It is too late now to discuss what might have been done by us when our foreign aid program was first established. But, I cannot help but remark we would be much better off today if most of the aid under our original Marshall plan, which was doled out on a 90 percent grant basis to the Western European countries, had instead been made available on a loan basis. It will be recalled that the Marshall plan contemplated loans for the rehabilitation of Western Europe. It did not contemplate gifts. There is no question, but that if the words of General Marshall had been heeded—as to making loans instead of gifts—our economy would be in a much better shape today than it is. At least we would not be confronted with the enigmatic balance-of-payments problem that hangs over our heads today like the sword of Damocles.

As early as 1957, I believe I was the first Senator to bring to the attention of the Senate the drain on our gold taking place not only because of the foreign aid program but also because of the large number of soldiers that the United States had stationed all over the world, particularly in Western Europe.

Though we cannot change what might have been, there is no reason for us to continue our folly by making the same mistakes over and over again.

If the nations of Western Europe had accepted the original concept of the Marshall plan, they would now be helping us in our endeavor to develop the backward nations of the world. But that has not happened, and is not happening. Western Europe still has its hand out and is looking for assistance, perhaps not in the same form it was given to them under the Marshall plan, but they are looking for a handout, nevertheless.

The recent military exercise we conducted, known as Operation Big Lift, caused our Western German ally, one of the most important nations in Western Europe, to become greatly concerned because she feared we were going to remove some of our divisions from Germany—which, by the way, contribute handsomely to the German economy.

When the NATO agreement was first conceived, we envisioned, with our Western Allies, that it would require, as I recall the figures, 95 divisions to be stationed on the Rhine.

Of that huge number of divisions, the United States was to contribute five to five and one-half divisions.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield for a question.

Mr. JOHNSTON. Is it not true that having American soldiers in foreign countries has greatly helped the economy of each foreign country where our troops are stationed?

Mr. ELLENDER. The Senator anticipates me. I expect to show that fact.

In my opinion, it is one of the main causes for the drain on our gold.

To maintain our divisions all over the world, particularly in Western Europe, it costs, in cold cash, over $3 billion a year. We do not pay soldiers with collar buttons—we use good hard tax dollars. The soldiers, in turn, spend that money abroad. To my way of thinking, that has been one of the chief causes for the gold outflow from our country.

Mr. JOHNSTON. In order to let the people know what effect stationing American soldiers in a particular place has, when military installations are located in certain parts of the United States, does it not increase economic activity in those particular localities?

Mr. ELLENDER. There is no doubt about it; but, of course, that does not affect the gold outflow.

Mr. JOHNSTON. No. I am using that illustration to show how military installations located in foreign countries help their economy.

Mr. ELLENDER. I see the point. In other words, the fact that South Carolina may have several thousand troops located there helps her economy. By the same token, the fact that we have in excess of 450,000 U.S. personnel in Western Europe is bound to have a salutory effect or the economy of Western Europe, particularly West Germany. The Senator is absolutely correct. There is no question about it. In my judgment, that is what caused Germany to take the position it did recently, as I shall point out later when I cite excerpts from some of the local newspapers.

I hold in my hand an article that appeared in the Washington Star, under date of the 27th of this month, by Mr. John Weyland, the headline of which reads, "United States Irritated With Allies Policy Attacks—Americans Stress We Alone Meet Arms Obligations."

The article reads:

> The United States is getting increasingly impatient with its European allies for criticizing U.S. military policies while refusing to meet their own Atlantic Alliance commitments, U.S. sources said today.
>
> Secretary of State Rusk, in Bonn for 2 days, had to reassure West German leaders about the continued presence of U.S. troops in Europe. There have been fears that Operation Big Lift would be used as a prelude to a partial withdrawal.
>
> ### REASSURANCE AWAITED
>
> Mr. Rusk's talks here did not produce an official West German statement that these fears have been entirely dispelled. The Government is understood to be waiting for further reassurances. Mr. Rusk is expected to give these in a public speech tomorrow in Frankfurt.

Which he did. I wonder where he obtained his authority.

The article continues:

> West Germany, like other European members of the Atlantic Alliance, has failed to meet its own NATO military obligations. These are being fulfilled only by the United States.
>
> The U.S. sources described an increasingly tough attitude on the part of the Kennedy administration toward such examples of a "double standard." They said that concern is mounting in the United States over the standard being frequently applied not only to military matters but to U.S. policy in general.
>
> They likened the Atlantic Alliance to a 20-mule team and said only one mule has been pulling while the others rode. It was time, they said, for the other mules to get out and help.
>
> The U.S. plan to sell wheat to the Soviet Union was mentioned as another example of Europe criticizing the United States for what Europe itself does. European trade with the Soviet Union is much greater than United States-Soviet trade.
>
> The U.S. sources said that for 17 years America tried to obtain a coordinated policy among the Allies on trade with the Soviet Union, but has not been able to get anywhere.
>
> On U.S. military strength in West Germany, the U.S. sources said that this represents an inconceivable amount of power, greater than any ever massed in this country before. They said the United States does not see any basis for reducing its combat capability in NATO. They added that the United States hopes the other members will show the same willingness to keep making sacrifices.
>
> ### WEST GERMANS PRAISED
>
> The sources said the United States does not feel that the rest of the alliance, particularly on the central front, is doing its share. West Germany was praised for making the second best showing after the United States, but it was said German military forces need to make big improvements in logistic support, equipment, and general combat readiness.
>
> West Germany announced at the beginning of this year that for economy reasons the planned buildup of its armed forces to half a million men will be delayed until late in the decade. This half million was its original NATO goal. The present strength is about 400,000 men.
>
> The Bonn government takes the position that the United States should not reduce its 250,000-man garrison in this country, though it represents a heavy drain on the U.S. budget and complicates the balance-of-payments problems.
>
> ### NO GUARANTEE GIVEN
>
> The U.S. sources indicated that Mr. Rusk did not guarantee in his Bonn talks that the number of U.S. troops will never be reduced, but emphasized that military strength is not determined by numbers alone. The U.S. Government recently announced a buildup in firepower in Europe through the shipment of more nuclear weapons.
>
> Mr. Rusk met for an hour today with West German Foreign Minister Gerhard Schroeder. The meeting, like Mr. Rusk's others here, produced no official word on the troop issue.
>
> A Foreign Ministry spokesman issued a statement saying that Mr. Rusk and Mr. Schroeder discussed East-West relations in a cordial atmosphere.

As I started to show a moment ago, when this alliance was first talked about, 95 divisions were envisioned, 5½ of which were to be supplied by the United States, and the rest by the countries of Western Europe. That arrangement was changed a few years later, and the number of divisions envisioned was reduced from 95 to 66. Of that amount, the United States was still required to furnish 5½ divisions.

Since I serve on the Appropriations Committee of the Senate, in 1960 I was given top secret information regarding the status of forces in NATO, by our armed services. Naturally, because this information is classified "top secret," I cannot give it to the public. But I can say that up to that time Western Europe had absolutely and positively failed to meet its obligations. Indeed I was so astounded by the information that was furnished to me that I wondered if it were true. I wondered how it was that our Defense Department, the Department responsible for NATO, could let this matter slide, as they did.

Between the Republican and Democratic conventions in 1960 I made up my mind to visit Western Europe to learn for myself whether or not the top secret documents reflected the true picture in Western Europe.

The picture was worse than what was shown by the secret documents. I invite Senators who are entitled to see these secret documents of 1960 to see for themselves. They will learn that most of the divisions in Western Europe were paper divisions at that time and very little had been done along the lines that were agreed upon back in 1951 and 1952.

What I am saying now was substantiated in 1961 when the Berlin crisis took place. At that time, we had to obligate ourselves to the tune of $3.247 billion to improve our readiness to meet this particular crisis.

In addition, $419 million was expended for the callup of the two National Guard divisions. We had to send more soldiers over there. Why? Because our so-called allies in Western Europe failed to carry out their part of the agreement. They reneged on their commitments. Now we are being asked to keep our soldiers there. We are being asked to let them stay there, and to spend the money to maintain them there. We are being asked to do that by our friends in Western Europe.

I ask unanimous consent to have printed in the RECORD an article which appeared in the Washington Post of October 29; also an article entitled "French Minister Urges Sweeping Revision of NATO," which appeared in the Washington Post this morning.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 29, 1963]

### RUSK VISIT CALMS GERMAN FEARS; GIVES ERHARD A WEAPON

(By Robert S. Elegant)

BONN, October 28.—Responsible West Germans today considered Secretary of State Dean Rusk's 52-hour mission of reassurance with sighs of relief. The greatest demonstration of his success was their tendency to remark sheepishly, "Of course, we weren't really worried at all."

Rusk's spirited renewal of the pledge to keep American combat forces in the Federal Republic at their present strength has calmed immediate German fears. But both German and American political analysts feel that it will not be long before the development of the next in the series of minor crises of confidence that have characterized relations between the two countries for the last 20 months.

The Germans' regular manifestation of the desire for reassurance has two chief sources.

First is the immediate fear that any detente between Washington and Moscow will result in the withdrawal of a substantial number of American troops from Europe, leaving Germany unprotected before her enemies. Rusk, therefore, went out of his way to stress that the two great powers are still a long way from a real detente.

The second reason is undoubtedly more abstruse and, probably, more fundamental. The West Germans, living in an incomplete nation behind an 800-mile-long frontier with Communist Eastern Europe, have an acute emotional need to know that they are inextricably linked with a powerful ally—and protector.

"We'll just have to reconcile ourselves to coming here two or three times a year to tell the Germans that we still love them," remarked one official in Rusk's entourage.

At the moment when an uncertain, new era has just begun with the succession of Ludwig Erhard to the chancellorship held so long by Konrad Adenauer, Rusk's confident demeanor and blunt manner were even more effective than his words.

Erhard had particular reason to be grateful for the visit, which many Germans have interpreted as a demonstration of President Kennedy's personal esteem for the new German administration. The new Chancellor has been given a powerful weapon with which to confront his enemies who charge that his political ineptitude and softness will weaken the ties between Washington and Bonn, thus imperiling German security. Now possessed of a pledge that American military power will continue to shield the Federal Republic, Erhard will undoubtedly utilize his visit to Washington next month to make that weapon even stronger.

The Secretary of State came to Germany over the weekend because of longstanding engagements to dedicate a memorial to Gen. George C. Marshall in Frankfurt and to confer with 31 American Ambassadors in Bonn. Instead, he spent most of his time calming perennial German jitters. He was so concerned with public opinion that he spent most of Saturday afternoon in discussions with the press.

The burden of Rusk's message, both public and private, was that the Germans need fear no reduction of American combat forces in the Federal Republic, despite the coincidence of the much touted aerial operation Big Lift, which deposited 15,000 American troops in Europe within 65 hours, and Deputy Defense Secretary Roswell Gilpatric's remarks that the new airlift capacity would enable the United States to reduce permanent garrisons abroad.

Rusk also struck a new note in American discussions with the European allies. In effect, he rejected German charges before they were made, noting that it was ridiculous for allies who had not met their full "force goal" commitments to NATO to be constantly questioning the purpose of the one ally that has met its commitments in full.

That approach disarmed the Germans. Rusk was himself somewhat startled when Defense Minister Kai Uwe von Hassel, who had earlier announced that his Ministry required detailed explanations of American intentions, dealt with the matter almost perfunctorily. Prepared to discuss the question at length, the Secretary found that von Hassel was content with a brief interview.

Erhard himself hardly touched on the troop issue. Instead, Rusk outlined the present state of negotiations with the Russians at length—another, but quite distinct aspect of Operation Reassurance.

"You can feel the difference in the atmosphere now that hard-nosed, suspicious Konrad Adenauer is on the sidelines," said one U.S. official.

Nonetheless, the seeds of the next German demand for more reassurance—another demonstration of affection—were already sprouting.

The Rheinische Post, a stalwart of Erhard's—and Adenauer's—Christian Union editorialized with satisfaction on Rusk's pledges. But the newspaper jumped on one phrase in Frankfurt, his speech in Frankfurt, his promise that "American troops will remain as long as they are needed." Asked the Rheinische Post plaintively: "And who will decide whether the troops are needed or not? The Americans of course."

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[From the Washington Post, Oct. 30, 1963]

### FRENCH MINISTER URGES SWEEPING REVISION OF NATO

PARIS, October 29.—French Foreign Minister Maurice Couve de Murville today said the current structure of the North Atlantic Treaty Organization (NATO) is out of date and called for sweeping reorganization of the 15-nation alliance.

He stressed, however, that a major reorganization will be possible only if other European members pull their full weight.

In a broad foreign policy review to the National Assembly, Couve de Murville defended France's decision "to play her own role in defense."

This decision, he said, was forced by the failure of other Western allies to meet their defense commitments.

"The United States has complained for several years now," he said, "that Europe today, risen from the ruins of the war, does not agree to a sufficient effort for its own defense, leaving to the United States the essential part of the burden, just as in the faraway days of 1950 when it alone had the necessary resources.

"And in fact, most of their European allies find this situation convenient where they can, without other preoccupation, to attend to their own affairs."

"That is the reason," he said, "why France wanted to get back control of its own forces—land, naval or air. That is why she decided on an atomic military program. In doing this, she has perhaps upset some of the fixed ideas in the Atlantic alliance. But she has shown herself as having a national will, and as a result is a real ally.

"The day when necessary changes are made and other European members of the alliance show the same will, then a reorganization of the Atlantic alliance on durable foundations will become possible.

"Then we will be able to satisfy the legitimate request of America for a different distribution of duties, because there will be a different distribution of responsibilities. Then we will assure, for the duration, the maintenance of this alliance and as a result the participation of the United States in the defense of Europe."

Couve de Murville said "systematic agreement is not a policy. Neither is it, in an alliance, a guarantee for promises made. France is perhaps a difficult ally. It is above all a loyal and sure ally. When grave crises come, everyone can see it."

Mr. ELLENDER. Mr. President, what does that mean? Only the future will tell. We are having a little trouble today in Western Europe in having our so-called allies collaborate with us. In the future I can see much trouble. How can we blame them? If we continue to furnish the money, if we continue to keep our soldiers there, if we continue to let the countries of Western Europe lean on our shoulders, of course they are not going to do anything about it, but let Uncle Sam carry the whole burden.

That has been the case in the past, and it will continue if we enact such bills as we have been enacting in the past 7 or 8 years.

For the past 10 years I have been traveling all over the world. I have brought back reports which are now Senate documents. They indicate what is happening. But they have had little effect on a curtailment of the vast sums that are being spent by our Government to maintain an umbrella, particularly to safeguard Europe.

While all this was going on, what did Europe do? Europe did not have to spend much money to protect itself militarily, because good old Uncle Sam was carrying the burden. While we were carrying that burden, the economy of those countries was raised to the point where we are having great difficulty now to dispose of some of the goods that we have produced.

Mr. JOHNSTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from South Carolina.

Mr. JOHNSTON. I commend the Senator for the facts he is bringing to the Senate in this connection. I also agree with him thoroughly when he says that our allies have not built up their military strength in connection with NATO. We could excuse them if they were not able to do it; but those countries are well able to do their share in putting soldiers in the field. Is that not correct?

Mr. ELLENDER. There is no doubt about it. I have brought that to the attention of the Senate on many occasions. However, my voice was a voice in the wilderness. Very few listened. We only succeeded in making small reductions in the budget estimate for foreign aid each year. However, no sincere effort has been made to taper off the program. We started the program in 1947, in the hope of completing it in 5 or 6 years, insofar as Western Europe was concerned. Did it stop? Here we are in 1963; and the amount of money being asked by the executive department is almost as much as the amount that was requested when the program was first placed on the statute books.

There is no end to it. As I say, we cannot expect our allies to do their part unless we stop or curtail these expenditures.

(At this point Mr. RIBICOFF took the chair as Presiding Officer.)

Mr. ELLENDER. Mr. President, with all the prosperity that now reigns in Western Europe, with the many thoroughly equipped divisions we have there, with all the money we are spending there now, there is in the pending bill $229,356,000 for use in Western Europe. How silly can we be? Those countries are better able to carry the burden than we are; yet some "striped pants" people from the State Department, who do not stop to think of the impact that all of this will have on our own economy, are recommending that we continue these programs, in the face of the condition of our own Treasury and in the light of the prosperity that reigns in Western Europe.

We must add to the amount that I have just indicated the amount of military assistance that we are giving to Greece and Turkey, a part of which should be provided by the countries of Western Europe.

There is in the bill the amount of $486 million-plus that we are furnishing countries that belong to NATO.

This goes on year after year. Eight years ago I brought it to the attention of the Senate at which time prosperity was already reigning in Western Europe. The answer I got was, "We are giving it to them this year because we are committed to do it. After we get through with this commitment, we will stop it."

Yet the commitments are made from year to year. I believe we must pay some attention to this problem.

It is shameful for us to appropriate as much as $486 million to assist our NATO allies. Of course, this is only military assistance. In addition we are furnishing a handsome sum for economic assistance to Turkey and Greece. Strange to say, that assistance does not appear in the European part of the program. The military assistance appears in the European program, but so far as economic assistance is concerned, Greece and Turkey appear in another area of the justification.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MORSE. I would like to have the record show, as the Senator knows, that most of the assistance which goes to Greece and Turkey is paid for by the American taxpayers, and a very small amount of it comes from our so-called NATO allies.

Mr. ELLENDER. Yes; a very small amount. The accent is on "very." I intend to bring this fact out when I speak on my amendment to reduce the military assistance program by $300 million.

I have been there, Mr. President, to check on all of this, particularly during the 1960 trip I spoke about a moment ago. I spent 6 weeks there, trying to verify the information I had obtained from the Department of Defense. It irked me to learn that our military missions abroad tried to justify what I discovered there. The divisions that were supposed to exist were mostly paper divisions. A few of them were armed. Perhaps to the extent of 60 to 65 percent of what could be called combat ready. I cannot give the exact number, because it is secret—although I have seen the figures in the newspapers on many occasions.

If in the summer of 1960 the Russians had struck, the only ones prepared to meet the foe would have been the divisions supplied by the United States and a brigade from Canada. The rest of the countries were not prepared. Yet, I repeat, what irked me was that our military missions, which were on the scene and watching what was happening, did not raise their voices at all. On the contrary, they justified what was happening, until I showed them that I knew what I was talking about, because I was armed with the top secret document to which I previously referred.

Mr. MORSE. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield to the Senator from Oregon.

Mr. MORSE. I am glad the Senator from Louisiana is making this point. I wish to supplement it with this statement: One of the myths that has been spoken around the Senate Chamber for a long time is that West Germany has been living up to her NATO commitment. Yesterday I checked with the Committee on Armed Services. Before this debate has been concluded, I shall have the figures, but I want to burst the bubble of that myth: West Germany has not been living up to her armament commitments to NATO, either. The fact is that the overwhelming burden of NATO obligations has been carried by the United States.

The senior Senator from Oregon has made it very clear that he does not intend to vote a single dollar for NATO until the NATO countries proceed to live up to their commitments. If they do, we can greatly reduce the amount of money that the United States is now spending in connection with NATO.

Mr. ELLENDER. I am sure the Senator from Oregon will find that there has been very little improvement since 1960. We still seem to be living on promises. This practice started a few years ago, when it was said that the NATO countries would have 500,000 troops in the field. Now the number has been reduced to 400,000. That situation should have been corrected quite a while ago, when the NATO agreements were entered into in 1951, and in 1952, when the NATO meeting was held at Lisbon. But none of our allies in Western Europe have lived up to more than a fraction of what they promised.

We are told by the Department of Defense and others that we are receiving from Germany quite a large number of orders for the manufacture of hardware for their troops, and that that will balance the money we are spending for the stationing of our troops in West Germany. Mr. President, those purchases do not amount to a drop in the bucket. When they buy from us, some of our treasure and resources are consumed. They are not doing us a favor. We now have a golden opportunity to force the issue, to force those people to contribute their share. If they do not, we should withdraw.

I said this many years ago—at least 6 years ago. And this lack of interest on the part of allies does not apply solely in Western Europe; it applies also in South Korea, South Vietnam, and Taiwan. Who is there today but the local troops and the troops of good old Uncle Sam? Consider South Korea, for example. The military operation there is supposed to be under the jurisdiction of the U.N.; it is supposed to be under the wing of the U.N. But how is it made that way?

To make the operation in South Korea a U.N. operation, the British have supplied two soldiers, the Canadians two, New Zealand two, Turkey a handful, Greece a handful, and Ethiopia and Thailand a handful. The total number of soldiers in South Korea, outside of the Republic of Korea troops and the 2 divisions supplied by the United States, is about 325.

To add insult to injury, the United States has been paying for the logistics for all of these soldiers, except the two supplied by the British, the two from New Zealand, and the two from Australia. Who can stand for a situation like that? It is a farce. Yet under this bill, we shall still be spending millions of dollars to maintain such a position.

As I have said for several years, there is a way to settle this problem. We have been furnishing Korea aid at the rate of half a billion dollars per year. We have been assisting Taiwan every year. We have once again started to provide assistance on a big scale to South Vietnam, and we shall continue to do so. But in all of these areas we are not receiving any assistance from our wealthy allies of Western Europe. As I have said on many occasions, the only time that those countries contribute a little money is when they are directly interested; when they are involved in something that they want to protect, as in Malaya, or to protect the oil in Kuwait. They will assist in those areas, because they are directly interested. But they are not directly interested in South Korea, or in Taiwan, or in South Vietnam. The burden in those areas is being carried solely by the United States, and we shall continue to carry it as long as we have this inept foreign aid program. I issue a warning that if it is important that freedom be maintained in South Korea or Taiwan or South Vietnam, we should get help from our Western European allies or pull out.

Mr. MORSE. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield to the Senator from Oregon.

Mr. MORSE. I am glad the Senator from Louisiana has placed in the Record the figures concerning the so-called allied assistance in South Korea. To me, those figures spell the word "deception." It is about time that the U.S. Government stopped deceiving the American people. It is about time the American people were given the facts about foreign aid.

I say to my administration: "You ought to lift the label of secrecy on about 85 percent of the material that is now marked 'Top Secret', because that information belongs to the American people. The American people are entitled to know the facts."

If the American people ever knew the facts about foreign aid and its administration, either Congress would stop supplying foreign aid in its present form, or most Members of Congress would remain at home the next time the people had an opportunity to enter the citadel of freedom in this country, which is the voting booth.

I wish to refer for a moment to the Senator's discussion of the situation in Europe. I am glad he has commented on what I call the bribery argument that is being used in an attempt to influence American public opinion to support this foreign aid bill. For weeks past, I have said that the pressures for it are tremendous. Hour after hour, Senators are receiving telephone calls from administration spokesmen who urge them to vote against the Morse amendments, the Ellender amendments, and other amendments. If the administration wants to pick that fight, I am ready to take it on, because I am going to disclose to the American people every fact in regard to the foreign aid program that I can disclose within the limits of secrecy that seal my lips with regard to a good many facts.

It is a sad commentary that under the Kennedy administration we have moved so far down the road toward Government by secrecy that we cannot disclose to the American people a good many of the facts they should know in connection with our foreign policy in regard to foreign aid.

So I wish to refer briefly to the purchases of military equipment made by Germany in the United States. That program is opposed by many of the labor leaders in this country, and I have been hearing from them. American workers need to be put to work in factories producing civilian goods—not munitions of war for Germany or for any other countries, but civilian goods that will help the economy of the United States and will expand it. We sorely need to expand it for the benefit of the underdeveloped areas within the territorial limits of the United States.

Let me say further, in regard to the argument about bribery—the argument that we should continue to vote for a continuation of this shocking foreign aid program because some of the money under it is spent in the United States, that we should use some of that money for heart research, cancer research, and health programs, and we need to use some of the money for education for the youth of America, and we also need to use some of the money to stop the waste of our natural resources and for programs to make better use of the natural resources of the United States. In short, we should use that money in this country, to develop our own economy.

The Senator from Louisiana spoke about our troops in Europe. Yesterday, I did some work with the Senate Armed Services Committee, in order to obtain some facts and figures which I shall use in a subsequent speech during this debate. At this time, I wish to ask whether the Senator from Louisiana is as aware as I am that Secretary of State Rusk went to Germany, the other day, and gave assurance that all the American divisions now in Germany would remain there.

Mr. ELLENDER. Yes, and I have already placed in the Record articles about that.

Mr. MORSE. I am glad to know that; and I am sorry I could not be in the Chamber at the time when the Senator from Louisiana began his speech.

Let me ask whether he knows of any right of the Secretary of State to go to Germany and, in behalf of the American people, give assurance that those divisions of American troops will remain there. Does the Senator know by what authority the Secretary of State could do that?

Mr. ELLENDER. I asked the same question when I presented the data, for I want to know. As the Senator from Oregon knows, I should like to have the answer put into the Record. I do not know of any such authority.

Mr. MORSE. Neither does the Armed Services Committee.

Mr. ELLENDER. But I say to the Senator from Oregon that today we seem to be in the hands of the military. They are "calling the shots"; they ask us for anything they want, and get it. We have military missions scattered all over the world. As I have often stated, the little missions we have abroad only keep things stirred up, in my judgment.

Mr. MORSE. The Senator from Louisiana has heard me say before, and I do not hesitate to repeat it, that the two greatest threats to the peace of the world are the American military and the Russian military.

Mr. ELLENDER. Certainly Senators should go abroad and should talk to some of our military men, in order to find out for themselves what is going on.

The members of some of our military missions say to the governments of those countries, "Thus and so needs to be done by you. Do as much as you can; and if you cannot do all of it, we will help you."

Mr. President, let us consider the money we have spent in Iran. As I have pointed out on many occasions, we have spent almost $1 billion training Iranian troops to fight Russia. As everyone knows, Iran is on the border of Russia. If we are to believe that Russia is equipped with many missiles which can travel 200 miles, 500 miles, 1,000, 2,000, or 5,000 miles, then it is obvious that in a matter of seconds Russia could destroy all of Iran. So I have often said that, despite the vast amounts of money we have sent to Iran, Iraq, and other small countries, to develop little armies there, those armies would be almost as effective to protect those countries as a popgun corps would be to protect the city of Washington against our generals. Yet we continue to send funds abroad; and in a few moments I shall show that we are now beginning a program in Africa—a brandnew area for our AID administrators to build their little empires. I have an amendment on that subject which I hope the Senate will adopt. The amendment would limit the military equipment we are to furnish to Africa for internal security.

Mr. MORSE. I shall support the amendment.

Mr. ELLENDER. And the amendment will limit the amount which can be put into the whole continent of Africa.

Mr. MORSE. I shall support the amendment.

Mr. President, will the Senator from Louisiana yield further to me?

Mr. ELLENDER. I yield.

Mr. MORSE. In my judgment, one of the greatest needs of this country today is to place drastic checks upon the American military; but I am satisfied that will not be done by the executive branch of our Government. Certainly, Congress has, under our system of checks and balances, a duty to do that; and one of the places to start it is at the purse strings.

The study I have made of American military forces in Germany satisfies me that it is an overstatement, in regard to any justifiable need, to say that we need to keep two divisions there. Two divisions are the maximum number, and it may be that we should not keep more than one division there. I believe the time has come to bring thousands of American troops back to the United States from Germany, for Germany knows very well that she is going to be protected in case of any offensive conducted against her by Russia. Germany knows very well that if Russia were to make that great mistake, Russia would be starting a nuclear war. So there is no need to have six divisions of American troops in Germany, in order to protect Germany.

Therefore, the time has come—now that our balance-of-payments problems are what they are—to see to it that those troops are brought back home. I do not buy the argument to the effect that Germany buys enough goods from the United States to really absorb the cost of maintaining those troops in Germany. First of all, Germany would have to spend the money for those goods, anyway; and if she wants to buy them somewhere else, let her do so. But we are now spending in Germany a great deal of the money we need to spend on domestic developments needed by our own country. So I wish to say that when the Secretary of State made that statement, he did not speak for me or for millions of other Americans.

Mr. ELLENDER. Neither did he speak for me.

Mr. MORSE. Millions of Americans were shocked by the gratuitous statement the Secretary of State made, the other day, in Germany; and I believe he should be held by Congress to an accounting for his going to Germany and telling the people there—without any check whatsoever with the legislative branch of our Government—what he thought should be our policy with regard to maintaining American troops in other countries.

It is time for us to serve clear notice on the State Department that we have had enough of the State Department's assuming legislative functions in connection with the foreign aid program and the defense budget.

Mr. ELLENDER. Mr. President, as I remember, 3 or 4 weeks ago former President Eisenhower indicated that he thought most of our troops should be removed from Western Europe. I recall reading somewhere that when the agreement was first made, our contribution of 5½ divisions to NATO was supposed to be on a temporary basis until the countries of Western Europe became wealthy enough or got back on their feet so that they could provide the NATO shield. But although Western Europe has become wealthy enough, that has not happened.

I repeat what I said a while ago. In 1960, when I questioned representatives of our own military missions, I was incensed to learn that we had more power in Western Europe than the rest of the European countries put together. I say that they failed to meet their obligations, and that there ought to be a way to put them on notice that either they must meet their commitments or we will stop our huge expenditures in that area. A continuation of those expenditures would so blunt our economy that in a short time we might lose our way of life. If we go too deeply in debt, as we are today—our debt is about $310 billion, requiring an expenditure of from $10.5 to $11 billion merely to pay the interest—we shall soon be led into some kind of "ism." We shall lose our way of life as we know it. I do not wish that to happen if I can help it.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CARLSON. I compliment the Senator from Louisiana for calling to the attention of the Senate and the country a problem about which I believe we must take some definite action. We have troops scattered all over the globe, so to speak. We have large installations in Germany, Korea, and Vietnam. We make military contributions to many countries in which we do not have troops, but rather military personnel as advisers. While I realize the value of such a course, the time has come to look into the situation, as the Senator from Louisiana has well stated with a view to returning many of those troops to the United States. We are in a different situation, in my opinion, than we were 10 years ago. We now have modern weapons with nuclear warheads. Our manpower in Germany could well be reduced based upon our defensive and offensive power and weaponry.

The Senator has rendered a real service. I sincerely hope that some action will be taken as the debate continues on the foreign aid authorization bill this year. It was discussed in committee. The problem was discussed from every angle.

For example, we learned that in Germany the United States is the only country that maintains its full quota of troops and equipment for NATO. Germany has been second. France, Italy, and Great Britain are far behind. Not only would it be in our own interest, but I think it would have a wholesome effect on those countries if we should serve notice on them that we shall make some changes.

Mr. ELLENDER. We are also maintaining the 6th Fleet in the Mediterranean. The 7th Fleet is in the Pacific waters around Taiwan. All that contribution is in addition to our NATO obligations.

What contribution has been made by our so-called allies? Nothing. We are carrying the entire burden. As I have often said, if we continue to carry it, if we continue to spend $50 to $60 billion a year for military equipment during peacetime, it will be only a question of a few years when the taxpayers of our country will be unable to carry the burden. We are going deeper and deeper into debt now. As all of us know, in the past 30 years, approximately, our budget was balanced only three or four times. But I do not call those budgets balanced budgets.

Once or twice the balancing occurred under former President Truman. That was due to the fact that much more money was appropriated than was needed toward the end of World War II. The war had ended; we had not spent what had been previously authorized.

We have read that under former President Eisenhower the budget was balanced. It might have been balanced on June 30—at the end of the fiscal year—but within 30 days we were again in the red. We did not pay our debts promptly, and probably for that reason we remained in the black. My friend the Senator from Kansas [Mr. CARLSON] could also keep his bank account in the black if he should postpone the payment of his debts in a similar way.

Mr. CARLSON. It would help.

Mr. ELLENDER. I cannot understand why the people who serve us in the Armed Forces, including the military men abroad who are at the head of military missions, can permit the things to happen that I have been describing, particularly in Western Europe. It is unbelievable. One must go there to see the situation for himself.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

Mr. CARLSON. The Senator from Louisiana has mentioned Vietnam. As the Senator knows, at the present time we have 12,000 American boys in Vietnam. We are presently spending $1 million or $1.5 million a day in Vietnam.

Mr. ELLENDER. One and one-half million dollars.

Mr. CARLSON. It ought to be of interest to people in that area to preserve the freedoms that we try to protect for those people. But what help are we receiving? We are getting a few soldiers from Australia and very little assistance from New Zealand. That is all the help we are getting in Vietnam.

Mr. ELLENDER. Mr. President, the Senator must have been in Vietnam recently. When I was in that country 2 years ago the information I received was that Australia, which was the only contributor to the forces, had provided a few trucks. But as far as manpower was concerned, we were the only nation which had supplied such help. If the Senator's statement is correct, I am glad to know that those countries are contributing a few soldiers in Vietnam. I hope that they are paying the logistics for the soldiers.

Mr. CARLSON. The reason I made that statement is that Secretary Rusk supplied a memorandum during the hearings, which appears on page 248, and reads as follows:

> ALLIED CONTRIBUTIONS IN SOUTH VIETNAM
>
> Currently Australia is providing a military advisory group to South Vietnam consisting of [deleted] officers and noncommissioned officers to instruct in antiguerrilla warfare.
>
> [Deleted.]
>
> New Zealand is now making arrangements to provide a small advisory group.

Mr. ELLENDER. Those are advisers, not soldiers. In other countries there are similar military missions consisting of a couple of officers and perhaps a few sergeants who train the local people how to use certain implements of war.

Mr. President, I submit that I have discussed only some of the cases where our allies are leaning on our shoulders. I assure the Senate that they will continue to do so unless we take the necessary and long-called-for action. That action will be taken only when we begin to make firm efforts toward reducing our foreign aid commitments. Our Western European allies are now financially able to supply most of the manpower required by the NATO shield; furthermore, they are financially able to give more assistance to the underdeveloped countries of the world, as I previously stated. But I am confident that so long as we continue our foreign aid program, they will do neither of those things.

Mr. President, a while ago I mentioned our ventures in Africa. It was my privilege to visit that great continent last year. I spent almost 12 weeks there.

I made a complete circuit of Africa in 1953, when the only two independent countries were Liberia and Ethiopia. Last year when I visited, more than 30 countries had become independent.

During the course of my stay, I happened to tell the truth in the wrong place about the capabilities of some of those countries. Two weeks ago the head of one of the countries I was speaking of at the time, and on which I had commented, paid a visit to the United States with hat in hand. He was the Premier of Nyasaland. I said last December that Nyasaland was incapable of self-government, that it lacked both human and natural resources. Nyasaland is strictly an agricultural country. There is nothing there but agriculture, and the most part of it is subsistence agriculture. Ninety-eight percent of those who farm in Nyasaland use the machete, the hoe, and the rake; while 2 percent have traction, that traction consists not of tractors, but bullocks and a few jackasses.

How can a country that farms the way I have described maintain a modern government? Nyasaland formerly received $20 million a year from North Rhodesia, which has a copper mine economy; and received additional money from South Rhodesia, which has a great many minerals and some very good farmland. The British agreed to permit Nyasaland to secede from the Federation of the Rhodesias and Nyasaland. What has happened? What I predicted in December happened last week. Dr. Hastings Banda, the Premier of Nyasaland came to the United States with hat in hand and said he had to have money in order to be able to operate his government.

That situation prevails not only in Nyasaland, but also in many other countries in Africa. I hope and pray that nobody thought the report I made on Africa was biased or prejudiced because I am from the South. I have tried to make objective all of the reports I have presented to the Senate. The things that I have predicted will come to pass.

In 1953, when I visited all of Africa, I put the Belgian Congo at the top of the ladder so far as progress was concerned, except for education. The Belgians had a good policy, which was to force those who invested in the Belgian Congo to plow back their profits into the economy of that area. Investors were not permitted to take out of the Congo more than a 6-percent profit on their investments.

In 1953 I said that, if and when Belgium ever left the Congo, darkness would return. That is in my report of 1953. When I went back in 1962, the prophecy that I made in 1953 had come to pass. I would say that now, the Belgian Congo is certainly in darkness. In 1953, it was a country which had a balanced budget, and a $225 million favorable balance of trade if I remember correctly. Its exports were greater than its imports. Today the outside world, particularly the United States, is putting up the money in order to keep this government alive.

In Africa as a whole, through fiscal year 1962, we have already spent $2½ billion. If the Senate should foolishly pass this bill, an additional amount of $683.2 million would be provided.

Mr. President, Africa is a great continent. It has vast natural resources to support it. In my judgment, if those natural resources were exploited for the benefit of the people there, a great economy could be developed over most parts of Africa. There is no question about that.

I should like to ask all Senators: If all those resources are in the hands of Europeans, and if those resources are being exploited for the benefit of Europeans, without taking care of the local people, how can that economy be developed?

No matter how much money we put into the hands of these new leaders, it will be insufficient, because we could not print enough money to raise the economy of Africa overnight. Two-thirds of the people of Africa live in central Africa, known as tropical Africa, which consists of two-thirds of the area.

I do not like to say this, but it is true that while the countries in that area have fine leaders, they do not have the resources with which to work—and that applies to natural and human resources.

Chad is one of the newly created states. It was only 7 years ago that the inhabitants of that area ever saw a plow or ever saw a wheel. They had never seen a wheel there yet an independent country has been made out of Chad.

The same applies to quite a few other so-called independent countries in Africa. Not one nation has been created out of French Equatorial Africa, French West Africa, or some of the British possessions that are not dependent upon the Europeans or our country. They are coming after us for assistance—assistance that we are unable to give unless we continue to borrow and pile up our debt.

I say that any assistance we provide for those people will not do the masses of the people much good. It will give them a little more buying power, but who will benefit from that? Those who own and control the businesses and the resources of Africa. Who are they? The Portuguese, the British, the French, and the nationals of quite a few other European countries.

Africa is in the sphere of influence of the Europeans, the same way that I believe the South and Central American area should be the sphere of influence of the United States. If we as a nation should need iron ore, copper, and other minerals to feed our hungry mills, we could not look to the west, the east, or the north for those resources. We must look to the south.

In my first trip to South and Central America, in 1952 as I recall, and again in 1958, I stated that if America is to remain strong and have sufficient resources to remain strong, we should in some way try to enmesh our own economy with the economies of the countries to the south of us.

I went so far as to state that our State Department should give no protection to an American investor in South or Central America unless that investor first made efforts to take care of the people locally, to help them build roads and schools. And if this were done, who would benefit? The investor. I am sure if the resources of Central and South America are explored, and not exploited, they will be sufficient not only to take care of our needs, but to develop the countries to the south of us and bring to the people there happiness and contentment.

I could give much more information with regard to Africa, but let me merely state that it would be the height of folly for us to agree to let the countries of Africa have $683.2 million of borrowed money.

Nigeria is one of the most developed of the new independent countries of Africa. All of the resources of this country, which is the most thickly populated one in Africa, are owned and controlled by the British—particularly gold, timber, and cocoa plantations. They are taxable resources and they are the resources that could be made to pay Nigeria's way to prosperity. But, they are under the supervision of and are owned by the British. It would seem that the British should be the ones to put up the money to develop this country.

Mr. President, are Senators aware of what the State Department has done? I do not know where it obtained its authority, but it agreed to make available to Nigeria $225 million over the next 5 years.

I point out to the Senator from Kansas [Mr. CARLSON], who is present, that about half of that amount would be in grants, and the other part on easy terms, at three-quarters of 1 percent interest, with 10 years' grace, and 40 years to pay. The British, who own and control all the resources in that area, agreed to put up $50 million.

I reiterate that, so long as we are so soft, so long as we continue to give of our treasure to those people, so long as we have personnel in our State Department and in the AID program who will peddle our resources to them, those people are not going to try to get anything from anybody else but soft Uncle Sam.

We should, by all means, stay out of Africa, except, as I have said, to provide some technical assistance. The Lord knows that they need that kind of assistance badly. I would be willing to vote the necessary sum to assist those people in this way. This could be done at a very small cost. We do not have to send college graduates there to teach those people how to read and write.

Technical knowledge could be given to those people on the same basis as was done in my own State 60 years ago, when I was a boy. The Extension Service was started in Louisiana about 60 years ago. At that time it was difficult to get the State to put up a sufficient amount of money to hire Extension Service workers. When the State consented, we had difficulty persuading the farmers to follow the example set by the personnel of the Extension Service. How was it done? Little farms were established in certain sections. They were model farms where the people could see what would happen if a little more fertilizer were put on the ground, or if it were cultivated in a certain way, or more water were put on the soil.

A similar program could be carried out in some areas of Africa, to the great advantage of the people there. I would willingly vote for technical aid projects of that kind. But when it comes to giving all this money to governments that are incapable of handling their own affairs because of a lack of human resources and natural resources, I am against that, because, no matter how much is given to them, it will all be wasted and we will go broke in the process.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CARLSON. I have been much interested in the discussion of the Senator from Louisiana in regard to Africa. During the hearings on the foreign aid authorization I went into this subject at some length with the Director, Mr. Bell, as shown at pages 582 through 585 of the hearings, in which we discussed aid to Africa. The Senator from Louisiana has not mentioned Public Law 480, the cost under that program amounting to $100 million last year. Nor has the Senator mentioned the cost of the Congo operation, of which we paid 48 percent.

I asked the Director, Mr. Bell, to submit for the record a list of the personnel we have in Africa. I shall ask to have included in the RECORD the table furnished by Mr. Bell, which appears on page 585 of the hearings. The table shows we have 2,461 employees there, made up as follows: 1,037 in direct hire for AID, 361 by contract, 913 in the State Department, 150 in the USIA—which total, according to my figures, 2,461.

Then we have 1,466 Peace Corps members. I ask unanimous consent that the table be made a part of the RECORD. It will be of interest to all Senators.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*U.S. Government personnel in Africa by agency, as of May 1963*

| Country | AID |  | State | USIA | Peace Corps |
|---|---|---|---|---|---|
|  | Direct-hire | Contract |  |  |  |
| Algeria | 3 | 2 | 33 | 6 | -------- |
| Angola | -------- | -------- | 6 | -------- | -------- |
| Burundi | -------- | -------- | 13 | 1 | -------- |
| Cameroun | 18 | -------- | 24 | 2 | 30 |
| Central African Republic | 1 | 1 | 8 | 2 | -------- |
| Chad | 3 | -------- | 9 | 1 | -------- |
| Congo (Brazzaville) | 4 | 1 | 20 | 3 | -------- |
| Congo (Leopoldville) | 22 | 24 | 70 | 15 | -------- |
| Dahomey | 7 | -------- | 8 | 2 | -------- |
| Ethiopia | 101 | 47 | 46 | 8 | 278 |
| Gabon | 6 | -------- | 12 | 2 | 41 |
| Ghana | 51 | -------- | 62 | 8 | 120 |
| Guinea | 25 | 16 | 26 | 3 | -------- |
| Ivory Coast | 22 | -------- | 26 | 2 | 51 |
| Kenya | 32 | 11 | 24 | 5 | -------- |
| Liberia | 102 | 68 | 43 | 2 | 129 |
| Libya | 72 | 3 | 49 | 8 | -------- |
| Malagasy Republic | 12 | 1 | 12 | 2 | -------- |
| Mali | 19 | -------- | 17 | 3 | -------- |
| Mauritania | -------- | -------- | 5 | -------- | -------- |
| Morocco | 39 | 3 | 54 | 11 | 56 |
| Mozambique | -------- | -------- | 6 | -------- | -------- |
| Niger | 4 | -------- | 9 | 2 | 16 |
| Nigeria | 157 | 106 | 62 | 21 | 295 |
| Rhodesia/Nyasaland | 30 | 16 | 25 | 5 | 42 |
| Rwanda | -------- | -------- | 6 | -------- | -------- |
| Senegel | 8 | -------- | 23 | 4 | 33 |
| Sierra Leone | 19 | 8 | 17 | 1 | 120 |
| Somali Republic | 59 | 40 | 25 | 5 | 39 |
| South Africa | -------- | -------- | 52 | 4 | -------- |
| Sudan | 76 | -------- | 37 | 5 | -------- |
| Tanganyika | 15 | 4 | 11 | 2 | 59 |
| Togo | 12 | -------- | 15 | 2 | 45 |
| Tunisia | 67 | 1 | 30 | 7 | 94 |
| Uganda | 15 | 6 | 12 | 3 | -------- |
| Upper Volta | 8 | 3 | 13 | 2 | -------- |
| Zanzibar | -------- | -------- | 3 | 1 | -------- |
| Regional | 28 | -------- | -------- | -------- | -------- |
| Total | 1,037 | 361 | 913 | 150 | 1,466 |

Mr. CARLSON. Mr. President, I share the views of the Senator from Louisiana with regard to the personnel who can render technical assistance, and can render aid to these people. I have sometimes been critical of certain of the folk we have sent over there, but when we realize that they are entering underdeveloped areas, it is not so easy for them, and therefore I give them credit. Our Nation has done much in those countries with missionaries of all denominations, and we have done it for many years. That is the type of people who will help improve the living standards of those people.

Mr. ELLENDER. There is no question about it. Of the $683 million, $270 million is for Public Law 480 food that we are sending there.

With respect to the Peace Corps, I have been in favor of it 100 percent. However, the way some of the work has been done and the way the money has been spent has been disappointing to me. In my opinion, the Peace Corps should try to teach the people of Africa to do a much better job than they are now capable of doing. They should be taught to use tractors and other equipment so that they may improve their agriculture and build roads.

The Senator from Oregon may be interested to know that we have more than 300 Peace Corps members in Ethiopia. Instead of having them teach the people there to do a better job than they are now doing in agriculture and in other areas, the Peace Corps personnel are employed as teachers in elementary and secondary schools, under the direct jurisdiction of the Department of Education of Ethiopia. In other words, we are paying about $9,500, on the average, for a Peace Corpsman to become a school teacher in Ethiopia. In this connection, Ethiopia pays us $72 for each Peace Corps teacher we furnish.

The same thing is true in Ghana, except that in Ghana we have approximately 200 teachers and Ghana pays about $130 or $140 a year of the $9,500 that we are spending on the teacher.

The Peace Corps is capable of doing a great job by having its members live among the people of Africa, Asia, and South America, encouraging the people to do some of the simple things of life. However, when we must pay as much as I have just stated for these corpsmen, and let them act as teachers, that may be all right; but it is not along the line of what I thought the Peace Corps would do. I do not believe it was ever intended that we should send Peace Corps men into Ethiopia, Ghana, Nigeria, and other places to serve as teachers under the same supervision as other teachers who serve there.

I must leave for another time a further discussion of Africa. There is a very fertile area there, as I have indicated in my report. A great deal of money has been spent without results because of a lack of capability of the people in many areas.

Returning to my prepared text, when anyone criticizes the foreign aid program, the proponents will always respond with the reply that "Surely, the program is not perfect, but it has accomplished important objectives." It is said that it has stemmed the Communists on the 38th parallel in Korea; and that it has prevented the Communists from taking over the little island of Formosa.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MORSE. I wish categorically to state that in my opinion the foreign aid program has not had any cause-and-effect relationship with respect to any of the alleged results. The fact that the Communists have not taken over Formosa is due to the presence of our 7th Fleet there, and no other reason. The fact that they have not taken over Korea is due to the 7th Fleet and the presence of 50,000 American military forces in Korea and tens of thousands more nearby, and no other reason.

The interesting thing is that in most of the places where we are pouring in military aid we have American boys there, and it is the American boys who give the guarantee and the protection. The military aid, for the most part, is either wasted or creates serious problems, to the detriment of our own welfare.

Mr. ELLENDER. The Senator understands that I was not expressing my own views.

Mr. MORSE. I understand. I wished to reinforce the Senator's statement.

Mr. ELLENDER. It is said that the program has kept the Communists from taking over the countries of Western

Europe. The abject failures of the program are overlooked.

These include such failures as the loss of Laos, the loss of Cuba, and the problems in South Vietnam, where we are currently spending $1.5 million a day.

In South Korea we are still spending at the rate of nearly one-half billion dollars a year and that has been going on for 10 years.

In Taiwan we are still spending in excess of $200 million a year. It seems unending. It is as though we were putting the money into a bottomless pit. In Korea we are over the barrelhead. There is no democratic government there, as we expected. It is more or less governed by a military government. Of course, it is true that a recent election was held; however, the democracy practiced in those areas is not the kind that we have in our own country.

Through fiscal year 1962 we have already spent $5,269 million in Korea. That does not include fiscal year 1963, and what is included in the pending bill.

In Formosa, during the same period—that is, through 1962, and not including the expenditures of 1963 and the amount provided in this bill—we spent in that little area, that little island one can almost jump across, $4,349,900,000.

In Vietnam, where we have just begun to spend in a big way—through 1962, but not including 1963 and the amount that is provided in the bill—we have already spent $2,447 million. We are still pouring money into those areas in larger sums than we did when the program was first started.

When I was in South Vietnam in 1961, President Diem refused to see me. On three previous occasions he was glad to see me. But on my last visit, he would not see me, because I had a bone to pick with him. On previous occasions, I had tried to point out that all his troubles stemmed from two areas or pockets inside his country. One of them is about 60 miles northeast of Saigon, and one is in the lower delta. In those areas were groups of people who never agreed with the Government of Diem. I doubt whether much of the assistance that we provided for that country was ever spent in those areas.

It is from those two areas that most of the trouble in South Vietnam stems. It seems to me that if sincere efforts had been made by the local government, there would not be any trouble in those areas today. Yet we have spent almost $2.5 billion in South Vietnam already. Last year we spent a great deal, and this year again a large amount will be spent.

We are being asked to continue the spending irrespective of the results. But we do not have the money to spend there. We receive no assistance except what the distinguished Senator from Kansas [Mr. CARLSON] spoke of; namely, from Australia, which sent a small training division of a few officers and a small contingent of men, and also New Zealand.

But the United States has more than 12,000 men in South Vietnam. What is in progress there is more or less an undeclared war. We are bearing the burden of taking care of that country, with hardly any assistance from other countries. So far as I am concerned—and I have said this on many occasions—I would have our allies chip in and help, or else I would have the United States pull out. I suggested many years ago that this is the only way to make our allies help. So long as we continue to supply the money lavishly our allies will not make a move. They will continue to rest their weary heads on Uncle Sam's shoulders.

In the 1964 budget, we have provided for South Korea and Taiwan a total of $635,800,000 for operations in those areas, without assistance from any other country. The whole free world ought to be interested in those areas. We are the only ones who are "ponying up," as it were.

Any of our successes, few though they are, can be attributed not to our foreign aid program, but to the successful implementation of a clear-cut foreign policy. Conversely, the failures have resulted not because of a lack of foreign aid money, but from the lack of a clear-cut and realistic policy. I am inclined to think that our foreign aid softheadedness has often harmed the implementation of our foreign policy. The leaders of foreign nations cannot help thinking that our softness in economic matters must spill over into other fields. Unfortunately, I myself believe that this is often the case.

But of greater importance than the little failures or minor mishaps is the complete failure of the program to attain the objectives we sought in Western Europe. After restoring Western Europe to a state of economic prosperity, unparalleled in all its history, we still have failed to eliminate communism from this area of the world. Today in Italy, the Communist Party, almost two decades after the inception of Marshall plan aid there, is stronger than ever. In France, the Communists can still obtain large percentages of the vote. All over Western Europe the Communists are waiting, and are hopeful of toppling any weak government at the first opportunity.

But, irrespective of the Communist threat, we are now seeing every day that the hand which has fed Western Europe is very often bitten. Today, the European Economic Community, to whom we acted as midwife, is holding a veritable dagger at our throats in almost every marketplace of the world. Instead of turning their new-found largess toward the underdeveloped nations of the world, as we have been doing, although our wealth has long since been expended, they are turning it within, strengthening their own economy at the expense of ours.

The time has come to replace idealism with realism. The action taken by the House on the foreign aid authorization bill is a step in the right direction, but it is still too expensive. We should insist on a tapering-off date.

In due course, I shall present to the Senate a number of amendments. I hope Senators will give their utmost consideration to them. I feel that such amendments would not only reduce the amount of money made available for foreign aid in fiscal year 1964, but would also strengthen a weak foreign aid program. Congress has been an overindulgent parent to the foreign aid program over the years. As a result, the program cannot stand on its own feet, and has produced little of value. It has failed, just as a pampered or coddled child can be expected to fail when he steps out into the world. It is time to begin to bend the twig in the way that it should grow.

### AMENDMENTS TO PUBLIC LAW 480 IN FOREIGN AID BILL

Among the amendments that I plan to offer is one to which I hope the Committee on Foreign Relations will pay heed. I wish to discuss it now. This amendment was incorporated by the House. I hope that the conference committee will stand firm on the Foreign Relations Committee decision.

From time to time, amendments have been made to the Agricultural Trade Development and Assistance Act of 1954 in the Foreign Assistance Acts. Many of those amendments did not receive the consideration which they would have received if they had been considered within the framework of all the other provisions of Public Law 480. This has resulted in a jerrybuilt patchwork which is a burden rather than a strengthening of Public Law 480. In principle, I feel it is unsound to attach an isolated amendment to a complicated act such as Public Law 480 by inserting it in some other authorization act.

In principle, I feel it is unsound to attach an isolated amendment to a complicated act, such as Public Law 480, by inserting it in some other authorization act, and I respectfully request that all such amendments be deleted from the Foreign Assistance Act of 1963—H.R. 7885—particularly in view of the fact that Public Law 480 will be up for overall review next year at which time all proposed amendments can be considered at the same time and their effect on the overall legislation can be better weighed and determined.

### AMENDMENT IN HOUSE BILL TO AMEND ELLENDER AMENDMENT

For example, there is a particularly bad piece of proposed legislation included in part IV, section 402 of the pending bill, in the form of an amendment to section 101(f) of Public Law 480, otherwise known as the Ellender amendment. While this proposed amendment was not included in the Senate version of this bill, I wish to go into it now in some detail, for the purpose of urging that the Senate make sure such an amendment is not included in the final bill.

In 1961, I pointed out in my report to the Senate Appropriations Committee on Foreign Operations that agricultural commodities had been sold to numerous countries under Public Law 480, title I, at great loss to the United States, through the acceptance of unrealistically low exchange rates. For instance, commodities had been sold to Yugoslavia for 300 dinars to the dollar, when the regular market rate of exchange was from 600 to as much as 750 to the dollar. In

Poland, sales were being made at 24 zlotys to the dollar, when the regular exchange rate was 55 to $1. Such giveaway practices occurred in sales to Spain, Turkey, Brazil, and numerous other countries. In other words, not only was the United States subsidizing the sale of its commodities to the world market price, and, as a result of the ship subsidy, financing about half of the costs of the ocean transportation, but it was also accepting in foreign currencies, in some cases, less than 50 percent of the world market price in payment for these commodities. This, of course, was the height of folly, for although we were loaning or granting about 75 percent of the proceeds of these sales back to the recipient countries, to assist in their economic development, the sales themselves were supposed to be business transactions.

There will also be found in the Senate Agriculture Appropriations Subcommittee hearings in 1961, a schedule of Public Law 480, title I sales reflecting the foreign exchange collection rate received, as compared to the market rate at the time of the sale, which shows that the United States suffered a loss of around $700 million, as of that date, as a result of this unconscionable practice. Although the United States was selling its agricultural commodities to these countries at unrealistically low exchange rates—as in the example of Poland, at 24 to $1—at the same time it was permitting the U.S. agencies which were using a minor percentage of the proceeds of these sales to purchase zlotys at the rate of 55 to $1, a more realistic rate.

On the basis of these facts, and to correct such abuses, I introduced an amendment to Public Law 480—section 101(f)—which was approved August 8, 1961, and which required this country, in making Public Law 480, title I sales, to obtain, under such agreements, rates of exchange which were not less favorable than the rates at which U.S. Government agencies could buy currencies from the U.S. disbursing officers in the respective countries.

This amendment, for the most part, stopped this giveaway practice. However, there now appears in the House foreign aid authorization bill for 1963, as section 402(a), an amendment which would change section 101(f) of Public Law 480 so as to require only that the United States obtain the highest rates of exchange legally obtainable. This amendment would not only permit the relaxing of the terms of the sales agreements with respect to the rate of exchange; it would also permit U.S. Government agencies conducting programs with foreign currencies to purchase such currencies at rates other than those at which the commodities were sold. House Report No. 646, at page 48, gives this as the only substantial reason for this amendment, and states that the Government agencies would like to get the currencies at realistic rates of exchange from the U.S. Treasury. Nothing is said as to why the U.S. Government should not get realistic rates when the commodities are sold—and, Mr. President, let no one tell you that these unfavorable rates we received for these sales resulted from a desire to get rid of the commodities. They resulted from political or giveaway considerations dictated by the State Department or the foreign assistance group.

Perhaps I can shed more light on this amendment by going into a little more detail. It is my understanding that in two countries—namely, Indonesia and Poland—the purpose of the Ellender amendment was defeated—although I do not know on what authority—by fixing the official rates of exchange between these two countries and the United States at arbitrarily low rates to correspond with the collection rates received in the Public Law 480 sales. This, of course, did not please the agencies downtown which had a need for foreign currencies, because when they came up for an appropriation from Congress for construction or other program purposes in certain foreign countries, they wanted to receive their full dollar's worth. In this regard we cannot blame them; but why should we not also get our dollar's worth in making these Public Law 480 sales?

It probably was not surprising that at the hearings on the State Department appropriation bill this year, representatives of the Foreign Buildings Operations of the State Department, which uses substantial foreign currencies, complained:

> The recent Ellender amendment to Public Law 480 had the effect of requiring this program to purchase Public Law 480 Polish zlotys at the rate of 24 to $1 instead of the previous rate of 55 to $1, which overnight multiplied the cost by a 2.3 factor.

It was pointed out that this was not at all the result of the so-called Ellender amendment, but was due to the action of the executive department in accepting an arbitrary low exchange rate in connection with Public Law 480 commodity sales to Poland. Inasmuch as the witnesses indicated that they had received their impression from the Treasury Department, there was addressed to the Secretary of the Treasury, by the subcommittee chairman, a letter, dated September 12, 1963, which, in substance requested advice as to why such an arbitrarily low exchange rate had been established.

By letter of October 11, 1963, from the Secretary, after an explanation to the effect that 24 zlotys to $1 was the best rate the U.S. negotiators could get in negotiating the sales to Poland, it was pointed out that any of the sales proceeds which the United States did not use, would, by the terms of the agreement, be repaid by Poland in dollars, after a specified number of years, at the same rate, and that as the disbursing officer's sales to the U.S. agencies were also at 24 to $1, no loss to the U.S. Government was involved. In other words, it was simply bypassing the law. Accordingly, why is there any need to change section 101(f), if we are not losing money under it now, provided Poland lives up to its agreement and we do not decide later to give Poland most of the proceeds? Why should we change the law, so that we shall begin to lose money on such transactions? Again, let me point out that we did not have to make the sales to Poland at substantially less than half of the world market price; and, accordingly, the decision to make these sales had to be a purely political determination, and in the interest of foreign aid. Incidentally, it is my understanding that the Treasury Department reportedly was unable to advise the committee what a realistic exchange rate between the United States and Poland would be at the present time; but if we ask any traveler who recently has been in Poland, he will tell us that, except from the U.S. disburing officer and from official Polish banks, one can obtain throughout Poland 75 zlotys to $1, and nobody asks any questions.

I think the facts that I have given show ample reason why an amendment such as this should not be attached to the foreign aid authorization act, and I again urge my colleagues who will attend the conference with the House on this bill not to recede to the House position on section 402(a) of H.R. 7885.

### OTHER PROPOSED AMENDMENTS

The other proposed amendments in the House bill; namely, sections 402(b) and 402(c), I object to on the principle which I have stated earlier.

There are two amendments to H.R. 7885 proposed by the Senate Committee on Foreign Realtions which relate to a change in the Public Law 480 law. While I have not studied these amendments and offhand see no great objection to them in substance—as stated before, I see no reason for their inclusion at this time in the foreign aid bill, as we will have an opportunity—hopefully, early next year—to review the whole Public Law 480 act, at which time they can be considered in proper context.

The first amendment, section 403(a) would change section 104(e) of Public Law 480 to permit an increase from 25 percent to 50 percent of foreign currency proceeds from title I sales to be used for loans to private business—Cooley (e) loans—and to broaden the purposes for which these loans might be made. I might say here, in passing, that where 104(e) money is presently available, it is due to the fact that the country does not have a favorable climate for investment, or is socialistically inclined and restricts this type of private loan. Where it is in short supply, the present purposes for which loans can be made are entirely sufficient to use all of the currencies available.

The other amendment, contained in section 403 (b) and (c), would make it possible to include fish as a commodity in Public Law 480 sales under titles I and IV. As the effective date of this amendment would not be until January 1, 1965, such an amendment could be included in next year's Public Law 480 act, with no loss.

Mr. President, in passing, let me say that I have no objection whatever to the inclusion of fish as a commodity for sale under Public Law 480, but I think it should be done in the proper manner through the Committee on Agriculture and Forestry.

Mr. President, as I stated, I have a number of amendments that I shall submit to the Senate which I have not discussed. I hope to discuss them when the time comes to consider the amendments.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CARLSON. I appreciate the Senator's yielding, for the reason that he discussed the amendment which would strike out the provision for 25 percent which is permitted to be loaned under the Cooley funds and substitute a 50-percent loan. I mention that subject because the Senator referred to my amendment. I submitted it for a definite reason. There are funds in many countries which need housing programs. I am advised that those funds could be used to great advantage for housing. While we have had difficulty in securing loan programs, it seems to me that there was one place in which we might, to great advantage, use Public Law 480 funds for a housing program rather than permitting those funds to lie around and not be used. That is my only reason for offering the amendment.

Mr. ELLENDER. The entire Public Law 480 program will be revamped next year. It is my belief that such amendments should be considered by the Committee on Agriculture and Forestry, and not here. Several amendments to Public Law 480 have been proposed which in my judgment should not be offered to the bill. There are amendments relating not only to Public Law 480, but also to other subjects which in my judgment should not be considered in connection with the foreign aid bill.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. ELLENDER. I yield.

Mr. CARLSON. I assure the Senator from Louisiana that, as far as I am concerned, no one is more familiar with the language of the law and the use of the funds authorized under Public Law 480 than is the Senator from Louisiana. Therefore, I appreciate the statement that the Committee on Agriculture and Forestry will next year revise the act, or at least study it with the hope of revision. But I did not desire personally to be in a position in which we would use dollars and not the funds we have already accumulated under Public Law 480. That is my only point.

Mr. ELLENDER. I very much appreciate that suggestion from the Senator from Kansas. As chairman of the Committee on Agriculture and Forestry, I assure the Senator that one of our first tasks when we return next year will be to revise Public Law 480 and to see to that the funds to which he has referred will be properly spent not only for our benefit but also for the benefit of the host countries that have them.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

Mr. RUSSELL. Mr. President, will the Senator withhold his request?

Mr. MANSFIELD. I withhold the suggestion.

Mr. RUSSELL. I hope that the Senator will make the quorum call a live quorum call. There has not been one for 3 days. Senators get out of the habit of even coming into the Chamber. There ought to be a live quorum call at least every 3 days.

Mr. MANSFIELD. I think that is a good idea. I ask the attachés of the Senate to advise Senators that the quorum call will be a live quorum call.

Mr. LAUSCHE. Mr. President, will the Senator yield so that I may ask a question of the Senator from Louisiana?

Mr. MANSFIELD. I yield for a question.

Mr. LAUSCHE. Will the Senator from Louisiana tell me by what amount his amendments would reduce the total appropriation recommended by the Committee on Foreign Relations? I understand that the Senator from Louisiana has several different levels. What would be the maximum reduction?

Mr. ELLENDER. Approximately $650 million.

Mr. LAUSCHE. Would that reduction bring the bill down to the House figure?

Mr. ELLENDER. Almost.

Mr. LAUSCHE. It would be above the House figure?

Mr. ELLENDER. Slightly; but I have other amendments to offer which would probably bring the amount within the range of the House figure.

Mr. LAUSCHE. That is the maximum. Does the Senator have a second level of reduction?

Mr. ELLENDER. I should like to see the figure lower than the House figure because, as I said in my main argument, we should begin to taper off the program and not increase it from year to year.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### USE OF SHIPS IN TRADE WITH CUBA

Mr. STENNIS. Mr. President, in May of this year, the Preparedness Investigating Subcommittee, of which I am privileged to be chairman, issued a report of its investigation into the Soviet military buildup in Cuba, pointed out the menace to the Western Hemisphere presented by communism in Cuba, and warned the Nation of the necessity for alertness and vigilance to all its sinister implications.

In recognition of the dangers presented by communism only 90 miles from our shores, the administration has taken certain steps to isolate Cuba through economic moves, including regulations to prevent or reduce the ocean traffic to Cuba in free world ships. Unfortunately, these regulations may have operated to accelerate and assist such traffic, rather than impede it. Since such traffic had increased rather than decreased, I submitted, on September 11, an amendment to the Foreign Assistance Act, S. 1276, designed to make it less attractive to our allies to continue carrying vital cargoes to Cuba, which only helps to perpetuate the Communist regime of Fidel Castro.

The amendment was identical with an amendment offered in the House, and the substance of these amendments is included in the bill recommended to the Senate by the Foreign Relations Committee.

The language of my amendment would broaden and strengthen existing legislation and plug the loopholes in existing legislation. These loopholes have, for example, permitted the United States to furnish continuing military assistance to free world countries which were nevertheless carrying Soviet bloc crude oil to Cuba.

As provided in the amendments the reported bill would:

First. Broaden the scope of existing legislation—section 107 of the Foreign Assistance Appropriations Act of 1962—to deny assistance of any kind to any country failing to take steps to prevent vessels under its registry from carrying to Cuba, equipment, materials, or commodities, in addition to military items which have been embargoed under the Battle Act. Presently only the Battle Act items plus those commodities designated as items of economic assistance, fall within the proscription of the statute;

Second. Broaden the coverage of existing law to deny any assistance in the case where equipment, materials, or commodities are transported from, as well as to, Cuba—presently, only the latter situation is within the statute.

Third. Prohibit the furnishing of assistance to countries in the Cuba trade which permit planes of their registry to transport materiel of war to or from Cuba—presently such transportation is not forbidden by the statute providing foreign assistance.

There is a crying necessity for putting more teeth—stronger teeth—into the existing law. The present law denies economic assistance, alone, to countries permitting their ships to transport items of economic assistance to Cuba, but these countries nevertheless are permitted to receive military assistance from the United States. The new language would plug the loophole in a number of respects, particularly in the case of crude oil, a critical military item which is being transported to Cuba in free world ships of countries receiving large amounts of assistance from this country.

Our experience since January 1, 1963, indicates that the following military aid program recipients have permitted the use of their ships for trade with Cuba: Great Britain, Lebanon, Italy, Norway, Denmark, and West Germany. It does not appear, however, that West German or Danish ships are now engaged in the Cuban trade. In fact, West Germany has recently taken legal steps to prevent this.

However, some of our other so-called free world allies have not been so cooperative. Italy, for example, which received $300 million in military and economic assistance in fiscal year 1963 was continuing through August to send vessels under its registry into the Cuban trade.

While there is no evidence that any free world country has itself furnished any Battle Act commodities or "items of economic assistance" to Cuba, since January 1, 1963, some free world tankers have transported Soviet bloc crude oil to Cuba. Since crude oil has not been placed on the Battle Act list of embargoed commodities, military assistance is not prohibited to countries which permit ships of their registry to transport this bloc crude oil. The amendment would correct this situation and should prove an important step in imposing the burden of crude oil and other petroleum delivery on already burdened Soviet bloc transport capability.

Unfortunately, trade with Cuba through free world ships—plus Polish and Yugoslavic ships—has continued on a very large scale although some steps have been taken in the direction of isolating Cuba from the economic life of the free world. Such steps include a ban on transportation of U.S.-financed goods by ships which have been to Cuba, an embargo on U.S. trade with Cuba, and steps to freeze Cuban assets in this country.

Notwithstanding these efforts, however, it appears that free world shipping to Cuba has been increased through a great part of 1963 and exceeded Russian shipping in the Cuba trade although Russia was far ahead at the beginning of the year.

It is evident from the figures obtained from naval intelligence and the Maritime Administration that free world shipping to Cuba has been increasing steadily over that of Russia shipping since April of this year and that the trend in this increase became clear much earlier in the year.

Since the beginning of this year, numerous free world nations have allowed their flagships to carry Russian and Soviet bloc goods to Cuba. During the period January 1, 1963, through September 20, 1963, the leaders in this shipping have been as follows: Britain, 93 trips; Greece, 81 trips; Lebanon, 40 trips; Italy, 14; Norway, 13. This is to name just a few of the countries carrying bloc goods to Cuba. Preliminary estimates show that Britain, Greece, Norway, and Italy alone, have been the recipients of $488 million in military and economic assistance for fiscal year 1963 alone.

Now let me introduce a table comparing free world shipping and Russian shipping to Cuba during 1963 which shows that although Russian shipping to Cuba in January 1963 led free world shipping 35 trips to 12, by April the free world held the lead 37 to 27 and has continued to hold this dubious honor.

*Shipping to Cuba*

| | Free world | Russian |
|---|---|---|
| January | 12 | 35 |
| February | 19 | 34 |
| March | 28 | 32 |
| April | 37 | 27 |
| May | 44 | 38 |
| June | 43 | 31 |
| July | 45 | 31 |
| August | 29 | 23 |

It is a chilling fact to contemplate, but the increase in free world shipping by nations receiving our assistance has been spurred—it is reported—by the premium rates being paid by the Soviets. The Soviets pay these bonus rates since present U.S. regulations, as stated, provide that any foreign vessel in the Cuban trade stopping at Cuba is ineligible to carry U.S.-financed cargoes. So the Russians make it up to them. These mercenary so-called allies have it both ways then—by assistance from us and by premium payments from the Russians.

I say that we should tell these countries that they cannot have it both ways, and I think these provisions should go a long way in bringing that message home to these greedy countries. If they want our help it is not too much to ask of them that they desist from aiding communism on our doorsteps, the communism that is being exported into so many South American and Central American countries like a spreading cancer.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield.

Mr. SYMINGTON. I congratulate the able Senator from Mississippi on his statement. I know that the American people will be gratified to realize that, as chairman of the Preparedness Investigating Subcommittee, the Senator is constantly following developments in Cuba.

Mr. STENNIS. I thank the Senator for his remarks, and for his very fine assistance. I did not realize that the Senator from Missouri was in the Chamber. I know of his fine interest in the work on this subject.

Mr. President, I yield the floor.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. RUSSELL. I will defer to the Senator for one moment, but I believe there should be a quorum present at least once every 3 days.

Mr. LAUSCHE. Mr. President, on behalf of myself and the Senator from Colorado [Mr. DOMINICK] I submit an amendment to the bill now pending before the Senate, which I probably will call up.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. RUSSELL. Mr. President, I renew my suggestion of the absence of a quorum; and I shall object to any suspension of this call.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 199 Leg.]

Aiken
Allott
Bartlett
Bayh
Beall
Bennett
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Church
Clark
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Ellender
Ervin
Fong
Fulbright
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Miller
Monroney
Morse
Morton
Moss
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. METCALF], and the Senator from Minnesota [Mr. HUMPHREY] are absent on official business.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], and the Senator from Nebraska [Mr. HRUSKA] are necessarily absent.

The Senator from South Dakota [Mr. MUNDT] is absent because of illness.

The PRESIDING OFFICER. A quorum is present.

## ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, if I may have the attention of Senators, the leadership has endeavored to arrive at a unanimous-consent agreement, without success.

In view of the objections to the unanimous-consent agreement, it is our responsibility to advise Senators to remain available for votes, which may come at any time from now on.

We realize that some Senators have longstanding engagements out of Washington, and commitments to participate as Senate delegates in various international conferences, which will take place in the near future, in the NATO conference, in Paris, and in the Commonwealth Parliamentary Conference at Kuala Lampur, among others.

It is with great reluctance, therefore, that we now urge Senators to cancel all such engagements and commitments, and others, which may not have been mentioned.

Our primary responsibility as Senators, as we all know, is here in this body. In view of the situation which has developed, it seems to us to be incumbent upon every Member of the Senate to remain here in order that this primary responsibility may be discharged.

Mr. SPARKMAN. Mr. President, of course no one can quarrel with the philosophy of the majority leader's statement. It is our duty to be here. Yet I believe it is quite regrettable that we must cancel attendance at meetings of international conferences, particularly the one with our NATO partners. It is a conference which was authorized by act of Congress, for which funds are made available each year. It was set up because it was felt wise to have a political underpinning for NATO.

This is not the first time that Senators have been prevented from attending a NATO conference. I remember that at the first one no Senator was able to attend. The House Members attended, and they represented us ably, I am sure. However, it does not present a complete representation, and withdraws from the representation the body of Congress that really has the greater responsibility in the field of international relations. It is most deplorable, and particularly to be regretted, that the Senate is denied the privilege of participating in this most important international conference, which has been authorized by the Congress.

**Mr. MORSE.** Mr. President, I am sorry that the majority leader has found it necessary to make the announcement he has made. Of course, I do not see what other announcement he could make. There will be those who will seek to make something out of the fact that we who are opposed to the foreign aid bill and who have refused to give unanimous consent to limit debate in order to vote on a certain date, are responsible for the inconvenience to our colleagues in the Senate who wish to go abroad to attend international conferences.

I regret it very much if we inconvenience them. However, there are procedures which Senators can follow if they feel it is more important to go abroad than to stay here for the debate on the foreign aid bill; that is the procedure of a live pair. They could try that procedure. I have been heard to say before that I believe it is too bad that we have not exercised that custom to the extent that it was formerly exercised.

Important as the international conferences are, I know of nothing connected with our duties that is more important than debating and considering a major piece of legislation involving the foreign aid program. I do not know of any proposed legislation more vital to the country that will come before Congress than the foreign aid program.

I am perfectly willing to take whatever criticism is to be heaped on my shoulders; and I know that my associates, who are also opposed to the bill, will share the responsibility.

We were elected to be here to enact legislation. If international conferences have to be arranged at a time when the Senate is in session, it is too bad for those international conferences, if going to them interferes with the work of the Senate.

There is another proposal that might help Senators who wish to attend the conference, for in due course of time a motion will be made to recommit the bill to the committee, to bring it in line with the committee's report.

If the committee's report is sound, the Committee on Foreign Relations ought to modify the bill to make it consistent with the report. That might require a couple of weeks. If we can obtain the necessary support to recommit the bill, I invite Senators to let me know. When we have our next conference, we will judge when will be the most appropriate time to move to recommit the bill. Then the Committee on Foreign Relations can begin to work on it, and Senators can go on whatever safaris they wish to go on around the world.

It is not pleasant to take the position that Senators ought to stay here and act on the foreign aid bill. I have gone through these battles before. As of now, I will not agree to a unanimous-consent agreement to limit debate and to fix a time to vote, because the bill requires a considerable amount of educational discussion for the benefit of Senators who wish to inform themselves about it. Certainly it requires discussion for the benefit of the American people. Whether some of us realize it or not, the American people are exhibiting an increasing interest in the foreign aid bill. They are entitled to know whatever facts we can supply them. Unfortunately, many of the facts cannot be supplied because they are behind an American "iron curtain" of top secrecy, although they involve public business.

I have told the majority leader that I will do my best, joining with other Senators who feel the bill needs to be discussed before the Senate is ready to vote on it, to expedite the debate consistently in what we consider to be the public interest.

**Mr. KUCHEL.** Mr. President, will the Senator yield?

**Mr. MANSFIELD.** I yield.

**Mr. KUCHEL.** First, I commiserate with the distinguished majority leader for the ideological disarray which is apparently present on the majority side of the aisle. In this case, the majority leader has no alternative. While I have no right to speak for all Senators on this side of the aisle, I wish to tell the majority leader that we over here desire to expedite the disposition of this important legislation. The comments made by the distinguished Senator from Alabama [Mr. SPARKMAN] are most appropriate and important. Nevertheless, so far as I am concerned, Senators on this side of the aisle wish to move along with the public business.

In that respect, may I inquire of the distinguished majority leader whether during the remainder of the week he contemplates having the sessions of the Senate continue into the evening and whether he contemplates having a session on Saturday?

**Mr. MANSFIELD.** At the moment, I do not contemplate a session on Saturday. So far as going into the evening is concerned, it seems to me that the Senate has been recessing at 4 o'clock, 4:30 o'clock, or 5 o'clock because of a lack of speakers and a lack of interest. Unfortunately, the usual number of Senators on the floor during the debate has been three, four, or five. This is too important a bill to have that kind of attendance.

However, the Senate will convene at noon tomorrow and at noon on Friday.

Concerning what the distinguished senior Senator from Oregon [Mr. MORSE] has said, he has been most cooperative. He is acting within his rights. He has a right to express himself as he has and as he usually does on matters of this kind.

So far as the Senator from Alabama is concerned, he also is right, because for many years the Senate and Congress have created committees to meet at certain times of the year with our European counterparts in very important international conferences, if not the most important, to discuss problems of mutual interest.

I know it is disappointing to many Senators to hear this announcement, which I felt I had to make, but only with a sense of deep regret, because I had hoped that some arrangement could be made. But that is the way things go, and we have to "call them as we see them."

**Mr. KUCHEL.** Meanwhile, if amendments are in order, then I understand, implicit in the majority leader's statement just announced to the Senate, yea-and-nay votes, or at least a disposition of amendments, will be in order while the Senate remains in session?

**Mr. MANSFIELD.** Yes; that would be the usual procedure. We should anticipate those things happening. Whether they will, remains to be seen. At least, Senators are all on notice and can act accordingly.

I thank Senators for their courtesy in listening to me.

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## NATIONAL OBJECTIVES IN SPACE

**Mrs. SMITH.** Mr. President, the Administrator of the National Aeronautics and Space Administration stated recently that:

> The $5.35 billion authorized by the Congress for 1964 constitutes the minimum appropriation which will enable NASA to maintain its momentum, to sustain our on going programs at an optimum pace, and to achieve our stated national objectives in space.

Now these stated national objectives in space were spelled out in some detail on May 25, 1961, when the President of the United States addressed the Congress on "urgent national goals."

It will be recalled that among those urgent national needs was the landing of a man on the moon and return him safely to earth before this decade is out. The words the President spoke that day only 2½ years ago concerning space seem as pertinent now as they were then.

Mr. President, I ask unanimous consent to have one paragraph from the President's address printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> Let it be clear—and this is a judgment which the Members of the Congress must finally make—let it be clear that I am asking the Congress and the country to accept a firm commitment to a new course of action—a course which will last for many years and carry very heavy costs, $531 million in the fiscal year 1962 and an estimated $7 to $9 billion additional over the next 5 years. If we are to go only halfway, or reduce our sights in the face of difficulty, in my judgment it would be better not to go at all. This is a choice which this country must make, and I am confident that under the leadership of the space committees of the Congress and the Appropriations Committees you will consider the matter carefully. It is a most important decision that we make as a nation; but all of you have lived through the last 4 years and have seen the significance of space and the adventures in space, and no one can predict with certainty what the ultimate meaning will be of the mastery of space. I believe we should go to the moon. But I think every citizen

of this country as well as the Members of Congress should consider the matter carefully in making their judgment, to which we have given attention over many weeks and months, as it is a heavy burden; and there is no sense in agreeing, or desiring, that the United States take an affirmative position in outer space unless we are prepared to do the work and bear the burdens to make it successful. If we are not, we should decide today.

Mrs. SMITH. Mr. President, the President's challenge was clear and bold. Congress accepted it and the NASA has received substantially what it has asked for up to the present time.

Mr. President, why is it this year that we find ourselves going through such an agonizing reappraisal of our space program? I, for one, cannot understand why each time Khrushchev mentions space we should reappraise our own position. If we are not, and have not, been in any race what difference does it make what Russia's moon plans are? If we are in a race why not be frank with the public and say so. During the last few days there have been many interpretations of what Mr. Khrushchev was saying at his latest press conference on space. Frankly, I could not care less what he meant. However, since self-serving connotations have been placed on his statement by those who are either for or against our space program, I believe it would be helpful to have the full text of his press statement on space printed at this point in my remarks, so that Congress may judge for itself.

Mr. President, I ask unanimous consent that the text of the press statement be printed at this point in the RECORD.

There being no objection, the press statement was ordered to be printed in the RECORD, as follows:

Journalist Leopold Vargas, of Colombia, asks: "Can you tell us whether a flight to the moon by Soviet cosmonauts is planned for the not too distant future?"

Khrushchev: "It would be very interesting to take a trip to the moon. But I cannot at present say when this will be done. We are not at present planning flights by cosmonauts to the moon. Soviet scientists are working on this problem. It is being studied as a scientific problem and the necessary research is being done. I have a report to the effect that the Americans want to land a man on the moon by 1970–80. Well, let's wish them success. We shall see how they will fly there, how they will land on the moon and, more important, how they will start off and return home. We shall take their experience into account. We do not want to compete with the sending of people to the moon without careful preparation. It is clear that no benefits would be derived from such a competition. On the contrary, it would be harmful as it might result in the destruction of people. We have a frequently quoted joke: He who cannot bear it any longer on earth may fly to the moon. But we are all right on earth, to speak seriously, much work will have to be done and good preparations made for a successful flight to the moon by man."

Mrs. SMITH. Mr. President, have the space goals which were so enthusiastically stated and accepted in May of 1961 become unobtainable? I believe they are obtainable. I have listened for over 5 years to many learned people tell our committee what we had done in space; what we were now doing; and what we hoped to do. I am now convinced after 5 years of talk and accomplishments that the National Aeronautics and Space Administration can do about what it says it can do, but not always within the time period it optimistically promises. However, this inability to meet previously announced deadlines is perhaps understandable when one considers the technological tightrope that NASA walks between the known and the unknown.

If our goals have changed since 1961 or they cannot be reached, we should be told so. If there is a lack of urgency because of the latest press release from Moscow we should be told so. If there is no continuing priority because there are new priorities, or too many priorities, we should be told so.

Mr. President, I have supported our space program unswervingly since its inception. I shall continue to support it so long as I believe it to be in the best interests of this country. However, Mr. President, it is readily apparent that if this program is to continue at its optimum speed, if the goals set for this decade are to be realized, it is past time for those who in 1961 placed this challenge before Congress to speak now with equal vigor and clarity in reaffirming the urgency in space.

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## ADDRESSES BY SENATOR GOLDWATER BEFORE MILITARY ORDER OF WORLD WARS AND BEFORE REPUBLICAN WESTERN STATES CONFERENCE

Mr. TOWER. Mr. President, the distinguished junior Senator from Arizona [Mr. GOLDWATER] recently made two speeches that I believe to be of major significance for all Americans. One was delivered in my own great State of Texas, in the historic city of San Antonio, before the Military Order of World Wars. The other was delivered in Oregon before the Republican Western States Conference.

Because of their significance, I ask unanimous consent that the Senator's remarks be printed in the RECORD, for all to read and consider.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

### TEXT OF SPEECH BY SENATOR BARRY GOLDWATER, REPUBLICAN, OF ARIZONA, BEFORE THE MILITARY ORDER OF WORLD WARS, SAN ANTONIO, TEX., FRIDAY, OCTOBER 11, 1963

As are all Americans who have been touched by war in the past, you are deeply concerned now by the problems of peace. I have been in a war, too, and I am now deeply concerned by the problems of peace.

One of the gravest elements of the problem is to even define or recognize peace in a world of long conflict and continuing crisis. The old criteria no long apply. We cannot say, as our ancestors did, that when the cannons are silent there is peace. Such silence gives only the illusion of peace. Today the weapons of war sound differently. The scratch of a pen at a treaty table may be of more significance than the roar of artillery massed hub to hub. The pounding of freighters on the high seas, engaged in economic warfare, may be of more significance than the roaring attack of a flotilla at flank speed. The silent subversion of a shaky government may be a greater victory than the fall of a walled city.

And, though the cannons are silent today, these other sounds of other warfare are clearly heard even though not fully recognized, I think, by the policies of this Government at this time.

We face today the very real possibility that the illusion of peace, the silence of the guns, will be mistaken for real peace. We have been tempted that way before. We have become complacent that way before. In the euphoria that followed the end of the Second World War we became complacent. After the tumult of the battlefield, the seeming calm led us to disband our armies, and prematurely begin beating our swords into plowshares.

Rude awakenings followed. Those who had warned that the enemy was there all along were proven correct and a long buildup of our strength began again.

Today, though the enemy has not changed, though his goals have not changed, though the peril has not changed, we face again the slow erosion of purpose, alertness, and preparedness that has so nearly proven ruinous in the past.

We are beginning again to mistake the sounds of peace for the reality of peace. We are beginning to heed the lures of comfort rather than hear the voices of national need. We are beginning to chase will-o'-the-wisp hopes while avoiding the real truths, in the real world, which we know in our hearts but try to avoid with our eyes.

In the fashion of the day, with its emphasis on sweet dreams of an eternal status quo, we might be said to be forgetting the Alamo, and forgetting also the *Maine*, the Marne, the beaches of Normandy, and Okinawa, and Inchon. We are forgetting that peace, real peace, has always been held with resolution and strength and lost by indecision and unpreparedness. Wars are waged when weakness tempts an aggressor, not when he is confronted by power and purpose.

We can keep the peace in this world only so long as we keep our power, our purposes high, dedicated, and unmistakable. We risk the peace at every turn when the power declines, when the purpose deteriorates, when the enemy can mistake what we say and what we do.

I cannot speak of these matters as simple academic exercises. They are too close to my heart and too close to the heart of my country. I cannot see what I regard as wrong things in high places and refrain from speaking. Such politeness would be a betrayal of conscience. I cannot divorce, for the sake of such politeness, the policies that I view as wrong from the men whom I view as wrong. I must ask your forbearance if I speak now without regard for clever and veiled references but in full and frank identification of what I regard as one grave area of mistaken policy and misplaced purpose.

Your hospitality was not extended to me, I know, to hear a political statement and yet, without a political bill of particulars, how can we discuss the matters of most urgent and serious concern to all Americans? I will speak then, in the only way I know, openly, of just such a matter.

Under the present administration this Nation is following the most disastrous foreign policy in its history. It has failed so badly that its only defense is that the Soviet Union is still being held 90 miles off our shore. Russian troops have been kept out of Florida. Of course, their ships can be seen from the shore but they haven't landed—yet.

But even that will change under present plans. Russian ships may have to land here to pick up the wheat that we will sell to them. We will, at least, I hope, get some cash return from that deal. We will certainly reap no new harvest of freedom by patching up the Soviet's crumbling agricultural economy. We will certainly get no political advantages—because we have demanded none. And we should demand at the very least that the Russians pay and prior to delivery, get their troops and equipment out of Cuba.

What has this foreign policy achieved over all? It has been said that it has kept the peace. I say it has endangered the peace and that only the great strength built up under previous administrations has, actually, kept the peace. Should that strength wane, as the present administration seems to be willing to see it wane, then a combination of weakness at home, and weakness abroad would invite ultimate disaster for this Nation and for the hopes of freedom everywhere in the world.

Now, what has this foreign policy actually achieved? It has split the greatest alliance in free world history, NATO, into factions and inaction. The policy stands walleyed in Berlin and crosseyed in Paris and blind in Cuba.

In Africa, policies of confusion and compromise, have plunged the Congo back 50 years in its development. They have subsidized and supported the socialist and aggressive Nasser government in Egypt. They have subsidized and supported the tyranny in Ghana. They have spread across the entire continent a smokescreen behind which economic and social chaos has been able to rampage in the name of progress.

Real progress in Africa, as a result, has been stunted and shunted aside. This is a foreign policy that responds like a high-strung puppy to any mention of colonialism but shies like a frightened colt from the real problems of development in these underdeveloped lands, from the problems of basic education, administrative responsibility, and the accumulation of native capital without which these nations will remain forever dependent upon international charity. Such nations are free in name only. And the present response to their problems has been a response in name only.

In southeast Asia, the present foreign policy lunged for neutrality in Laos and came up with a creeping Communist takeover. In Vietnam we fare no better. India, shocked for a time by the Chinese invasion, has drifted again toward a complacency encouraged by official U.S. vacillation. Pakistan, once a great ally of the West, has been frustrated and finally repelled by indecision and now seeks to deal with the dragon that it cannot slay and against which our policies offer no protection.

But there are failures closer to home, failures toward which all the great States of the gulf face as they look to the south.

A year ago it seemed that we might wipe away the dark and spreading stain of the Bay of Pigs. A year ago the nations of Latin America were electrified by a sudden surge of American leadership. In the missile crisis there was real meaning to hemispheric solidarity, real meaning to the hope that America, even if not loved, would be respected in the vast reaches that are the meaning of the Monroe Doctrine.

But time and failure have eroded the moment, blighted the brightness, and shadowed the future. Cuba ticks like a time bomb, awaiting either the heroism of others or another moment of political expediency. It festers like a cancer, spreading its growths throughout Latin America while the Yankee doctors play golf, go sailing, and prescribe nothing but diplomatic aspirins; while the administration will not even fully enforce the sanctions it has been given to shake loose the Soviet toehold in our hemisphere.

Pro-Castro assassins roam the streets of Venezuela, killing virtually at will and giving hero-sized interviews to newsmen. Brazil stands at a state of siege, reaping the dragon's teeth sown by a leftist government.

The Dominican Republic, plagued by Castro pressures and infiltrated, proved a shaky showcase of administration policy. Now it is smashed altogether by military leaders who saw communism, not true progress, building behind the facade.

The same in Honduras. And the response now is to try to make those new regimes fail just as once we tried to make the fallen ones succeed. Argentina and Peru had similar experiences earlier, when the military was forced to intercede to assure regimes that could stabilize the nations and protect them against penetration. Ecuador and Guatemala also have seen the military replace other governments which could not bring order or security to the nations. And all of this in the midst of what the administration had boasted would solve the problems of Latin America—the Alliance for Progress.

Why has that scheme failed also?

It has failed because it was shallow in concept, muddled in administration, and misguided in direction.

Bolivia stands as a monument to its ineptitude. As far back as May 14, 1961, President Kennedy made it clear that Bolivia was to be a monument instead to the best and brightest hopes of Latin America. To the leader of the Bolivian revolutionary movement which the administration obviously had picked as a model, the President wrote that "This great revolution has blazed a path for others to follow." And he pledged a long-range program to assist it, to make it the jewel in the crown of the Alliance for Progress. Bolivia has received more aid, per capita, than any other country in the hemisphere. The administration still wants more for it.

But what is this handpicked revolution really like? What hope does it hold? How will Latin America fare if the administration has its way and others follow the path of the so-called revolution in Bolivia, the one that the administration supports, subsidizes, and sanctifies?

It could hardly be called democratic. It came into power with a secret police, political prisons, a political militia, and a high tolerance for Communist influence. Its ideology is basically Marxist.

By the time it was handpicked as the answer for Latin America, the government had nationalized 70 percent of the means of production and had expropriated privately worked lands rather than properly work the land it already owned.

It had socialized the tin mines that had formed the economic base for the nation's industry. And production, under socialism, under the administration's dream for Latin America, promptly fell off by 59 percent.

When the administration discovered and began coddling them, they had also anticipated the administration's domestic economic policy, the "purchasing power" theory of economic growth. To get forced draft economic development, the Bolivian revolutionary government, the bright hope, printed more and more money. Simple isn't it? If the people have more to spend, all will prosper. Real productivity was left to run a very poor second.

The result, which seems not to have dismayed the administration at all, is that by the time it picked it, the revolutionary, Socialist regime had forced the cost of living up more than 3,000 percent.

It's easy for the present foreign policy to absorb blows such as that. It is, after all, formless to begin with. To show you just how formless, and fiction ridden, listen to the foreign aid administrator, David Bell, testifying before Congress as to the Bolivian situtation. He called it "the most difficult case we have," and admitted that our budgetary support seemed to be getting nowhere. Yet, in an official memorandum, the same David Bell listed Bolivia as a country that had achieved substantial growth with continuing external independence as a result of our aid.

What do the Bolivians say of the program? Well, it has proved very useful in a special sense. The failures of socialism now can be, and are, blamed on American aid. But still we subsidize socialism there. Still we hold on to the hope that it will be a model.

Meanwhile, the Castro subversion spreads—social order which the administration hopes to build with dollars and dependency, crumbles.

The administration has created no new good neighbors in Latin America. It has, instead, opened the hemisphere's doors to new enemies. The Alliance for Progress has brought no new unity, no true alliance, and no real progress.

Instead, under the Alliance, hopes of unity against Castro have been sacrificed to unrealized hopes of unity in social progress. And social progress has become the progress of socialism.

Domestic and foreign capital, under the Alliance, have been leaving Latin America even faster than the aid program can replace it. Is that progress? Toward what? Bankruptcy perhaps, certainly not progress.

So long as the administration regards the problems of Latin America as nothing more than an exercise in grade school sociology, the Alliance will be an illusion and the progress will be backward.

Land reform is not Latin America's first problem. The wise cultivation of lands already open is the problem. Dependency or interdependence, or whatever the current catchphrase may be, is not the problem; the means to real independence is the challenge. Tolerance of communism is not a sign of political liberalism in Latin America, it is a sign of political unreality and of eventual disaster.

Socialization of industry is not the bright promise of productivity, it is the gloomy precursor of depression and more dependency. Burgeoning bureaucracies to plan for the people is not the answer. People who are educated to plan for themselves is a vital part of the answer. Sound business management cannot grow in lands encouraged to forsake business for bureaucracy, to substitute sociological models for real markets.

Latin America, as indeed the whole world, is today a game of political touch football for the administration. Latin America's problems, as indeed the whole world's problems, are polished off as parts of the political sloganry of the administration. They are not solved, they are merely salved, by talk, talk, and more talk. They are touched—not tackled.

If domestic politics demands a new image, then polish up all the slogans of peaceful coexistence. Never mind that, at a time when communism is cracking across the globe, this means that we rush to support it with trade, with treaties, with eased pressures. Leave the problems of a retrenched Communist world for tomorrow; solve today only the political problems of the administration. Patch a crisis there; prescribe a pill somewhere else; make a concession here, there, the next place; promise, promise, promise; spend, spend, spend; elect, elect, elect. That is the equation from which the formula for our foreign policy failures has been figured.

Lord knows what baubles will be pulled from the grab bag in 1964 to divert, with some momentary flash, our eyes from the failures of 4 fruitless years of floundering foreign policy. There will be something, we can rest assured. Cuba was used once—it may be used again. But sugar candy must not buy another go-round of the same failures. All Americans, one way or another, will have to pay for the failures so far. They do not have to vote for them.

Our foreign policy, along with the strength of our domestic economy and the state of our arms, is the frontline of the struggle today. We cannot buy peace, we must earn and deserve it. We must win it—win it by foreign policies that are gaged on their service to the cause of freedom everywhere and to the confounding of the enemy's assault. We must win it—by a strength and dedication of purpose at home, by a new depth of patriotism—not by efforts to make it unfashionable. We must win and keep the peace by the proof of our way of life, by the vitality of its production, by the merit of its spirit. We must win and keep the peace by clear declaration to all the world that the cause of freedom will not be negotiated, will not be walled off by compromise and detente.

The peace we seek is the peace of open societies, not closed deals. The only peace we can have is peace in freedom, peace in justice. And in God's good cause and just time we can win that peace; the only peace worthy of the sacrifices we have made and will make; the only peace worthy of the world in which we want our children to live.

Let this be our cause—and the victory will be mankind's.

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### REMARKS OF SENATOR BARRY GOLDWATER, REPUBLICAN OF ARIZONA, BEFORE THE REPUBLICAN WESTERN CONFERENCE, EUGENE, OREG., OCTOBER 12, 1963

This Nation, in 1964, will choose more than parties and persons in its election. It will choose a way of life, and a way of living. Beyond all the quibbling, the slogans, the details of programs, and the programs of detail, the ballot boxes of 1964 will be the crossroads markers of our future.

Pick the one path, the rutted path of New Frontier futility, and factionalism will replace federalism, paternalism will replace responsibility, compromise will replace conscience, and chaos will replace order under law. The signs have been planted aplenty on the New Frontier; bureaucracy as a way of life, contrived complexity as a way to obscure issues, contrived issues as a way to avoid decisions.

Republicans have blazed another path; a path of real progress rather than sugarcoated status quo. Republican candidacies from the town hall to the statehouse, from the Congress to the Senate, to the White House itself, offer the real changes, the real choices to which all Americans can rally, to which the heart and hopes of the whole world can respond.

Four years of drift at home, 4 years of doubt and indecision abroad, mean that America needs that change, that freedom needs that change, that America and freedom both need the chance that the change will bring.

This is no stopgap election in 1964. This is not one just for record books. This is one for the history books.

We stand now at the latter end of the second century of the American experience, the American Revolution. We are as old, in our people and our heritage, in the ways of freedom as any nation on earth.

But this freedom, this America is a fragile moment in history's long span. Freedom always has been. It has not been the rule of mankind. It has been the exception. Today it remains the exception. And, today, it remains the issue.

Controls, coercion, compromise with tyranny are the marks of the New Frontier; big words and petty deeds are its adjectives and verbs; promises are its substitutes for performance, and its vision of issues is no wider than its view of electoral expediency.

But the real issue remains. Freedom. And which party will more effectively preserve and enlarge it? Can there be any doubt?

The current administration fears the people and doubts their wisdom. Can it build freedom on such a base?

The current administration confuses its friends and consoles its enemies abroad? Can it enlarge human freedom from such a failure of will and wit?

The current administration spreads fear of war while it misunderstands and mishandles the power to preserve the peace and win the victory for freedom which is the sure way to peace. Can it say to communism that your grandchildren will live under freedom, while it seeks to divide the world with tyranny?

What is the Republican alternative? Is it a mystery, a secret hidden in some particular briefcase awaiting a dramatic moment of revelation? It is not. Republicans have spelled it out. Republicans have worked it out. They are experienced in freedom. They believe in it. They have made it work. They have made it real. In 1964 they can make it live again.

Already we have inscribed our principles and policies, clearly and understandably—not obscuring them under a mass of words written like the predictions of the Oracle at Delphi, or the Oracle at Hyannis Port, so that meanings can change as moments demand.

Under the chairmanship of Congressman MEL LAIRD, in June 1962, a committee of Representatives and Senators issued a declaration of Republican principle and policy. It was accepted as a unanimous report in both Houses.

It was not drawn from expediency, it was drawn from long conviction and proven performance. It was not drawn to serve the needs of a moment but to serve the future of the Nation.

Republicans stood on that statement then, they can stand on it today. We do not change principles to curry favor or to gain political advantage. There is nowhere on the New Frontier any such enduring statement. There could not be, for the New Frontier is bereft of principles, barren of frankness, and bogged in doubletalk.

Let's listen instead to Republican straight talk. Let's listen to and work for Republican principles.

Starting at home, where do we stand? First and foremost, for a free competitive economy. We hold that American labor, business, industry, science, and agriculture get the jobs done, pay the wages, and create the rising standard of living. Government cannot do those things. It can only encourage them.

Republicans understand this. They understand business and jobs and what creates them. The current administration does not. Its lack of sympathy for a free competitive economy has been made abundantly clear.

The current administration is pessimistic. It believes that economic growth can only come through bureaucratic growth and heavyhanded bureaucratic controls. They fear the people spending their own money and argue that Government should spend more and more of it for them.

The current administration plans deficits. Republicans seek to end them. Republicans believe, as their declaration of principles states, in "a thorough overhaul of the tax system to encourage production, build jobs, and promote savings and investment." But they believe also that economic responsibility must couple that with a halt to the upward spiral of Federal spending, especially for nondefense purposes.

We have spelled out a guiding principle here and I will quote it directly: "We believe that government must prudently weigh needs against resources, put first things first, rigorously tailor means to ends, and understand the difference between words and deeds. The future will be built by those who work for it—not by those who only promise it."

The currency of this Nation, upon which the security of homes and families is based, is no plaything to Republicans. It is a prime responsibility, needing stability, not political whimsy.

At every point these Republican principles point a way far different from the New Frontier's, with its fear of the people and love of power.

What does our statement of principle say of health care and education? All Americans should heed it well. It is no feeble echo of New Frontier nonsense. It is exemplary of the basic difference in our approaches, the basic difference between handheld power and individually held responsibility.

"Republicans seek to preserve the system that has provided the highest quality of hospital and medical care available anywhere on earth. We reject attempts to run a legislative bulldozer through the structure of voluntary health insurance and private medicine. Effective tax relief for medical and hospital insurance should be given to all."

The same Republican approach is clear in the field of education. Rejecting schemes that would substitute Federal direction for local or private control of our schools, we urge a course that is closest to the people, most responsive to their needs, most responsible of their freedom.

Our declaration says that "tax relief should be given to those who bear the burden of financing education for themselves for others."

Of public assistance programs we say that they should put "a floor over the pit of poverty, never a ceiling on personal achievement. They should strive to equip individuals to become self-supporting. The qualified recipient, as well as the taxpayer, must be protected from the abuse of welfare funds."

In the area of Federal-State relations, the whole great area of the Federal system, our principles are clear and challenge clearly the effrontery of the New Frontier. We believe in the Federal system of balanced powers and the prevention of centralization of power. The New Frontier distrusts the Federal system and moves everywhere to weaken it.

It is New Frontiersmen who attack the Congress most violently, damning it for doing its job, demanding that it become a rubber-stamp for the Executive.

It is New Frontiersmen who scoff at the State houses of this Nation, denying them credit for the ability to solve their problems or denying them the opportunity.

It was a New Frontiersman, Senator JOSEPH S. CLARK of Pennsylvania, who downgraded the Congress in the most astounding fashion I have ever heard of. He said in a recent article—and I quote:

"The legislatures of America, local, State and National are presently the greatest menace to the successful operation of the democratic process."

It is Republicans who stand foremost in their dedication to a Federal system based upon 50 great States and one great Constitution.

Federal, to Republicans, means all of us—means the responsibility and the means to act when and only when the people cannot be adequately served by State or local governments. Federal, to the New Frontier, means unprecedented peacetime concentrations and uses of power to mold and force, to bend and break; not to serve but to silence and command.

Republicans believe in the individual's right and capacity to govern himself—to set his own goals—to make his way to them without the restraints of regimentation. That, too, is a Republican principle for all to hear and all to heed.

We Republicans believe that Americans consent to be governed. We do not elect to be ruled.

In foreign policy, Republican principles are no mish-mash of promises to be broken under every pressure of negotiation. They are guidelines for a world of open societies.

secure in freedom, blessed by peace with justice. Such principles can inspire men. Lesser ones can but confuse them as they now are confused.

Let me quote these principles too, for all Republicans can be proud of them, all Americans can be proud of them, and the whole world could be inspired by them.

"The world cannot permanently endure part Communist and part free. In a world dominated by communism, liberty would become a luxury which Americans could not afford. Republicans believe that this Nation which has, under God, proclaimed liberty throughout the land, must now dedicate its strength to proclaiming freedom throughout the world.

"In foreign policy, the overriding national goal must be victory over communism through the establishment of a world in which men can live in freedom, security, and national independence. There can be no real peace short of it.

"An active strategy aimed at victory does not increase the risk of nuclear war. Weakness and irresolution on the part of the United States—which could lead the Communists to underestimate the intensity of the devotion of free men to their freedom—are more likely to bring the world to hot war than are strength and firmness.

"American strategy should be tested by this standard: If it advances the cause of freedom, do it. If it injuries that cause, reject it."

What has the New Frontier to offer in that area? It has the wall in Berlin. It has the slow takeover of Laos. It has the Bay of Pigs. It has chaos in Vietnam. It has the drying shell of what was once the mightiest alliance for peace and freedom ever forged, NATO. It has new enemies and few good neighbors in Latin America. It has in short, failure and fear where, under Republicans, we had known forthrightness, hope, and confidence.

Americans must be disillusioned by the defaults at home and the disarray abroad. The whole world must be dismayed. Only our enemies can be comforted by the world picture painted in the arid and barren policies of the New Frontier, the new wasteland of American will. Munich also was such a frontier of folly and a waste of hope.

History and destiny watch us today but could discard us tomorrow should we fail to respond, not simply react, to the challenge both have placed before us.

I love this land and I believe in its future and its people. Its institutions of freedom have been worth dying for and remain worth living for.

There is a new mood in this land that clearly calls upon us to say these things and do these deeds for which Republican principles, Republican experience, Republican dedication befit us.

The history of liberty, it has been said, is a history of the limitation of government power, not the increase of it. It is such a turn in the history of liberty that must concern us at home.

The history of liberty, also, is a history of resistance to tyranny and its overthrow. It is such a turn in the history of liberty that must concern us everywhere in the world.

Those whom we will oppose in 1964 have defaulted their leadership to turn the tide against tyranny abroad. And they have rejected limited government at home. They stand naked in the indictment of basic principle no matter how well clad they may be by sequin slogans and flannel promises.

America must have a choice and freedom must have a chance. Republican principles, Republican candidacies offer the choice, give the chance, and reaffirm the right of the people of this God-blessed Nation to reclaim the powers they are loosing, to rededicate the will they are wasting, and to win the peace for which they are praying.

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## THE UNITED STATES IS BUYING BOTH BUTTER AND GUNS FOR AGGRESSOR NATIONS—WE MUST STOP IT NOW

Mr. GRUENING. Mr. President, I ask unanimous consent that the names of the junior Senator from New Jersey [Mr. WILLIAMS], the junior Senator from Connecticut [Mr. RIBICOFF], and the junior Senator from Ohio [Mr. YOUNG] be added as cosponsors of my amendment number 231 to the Foreign Assistance Authorization Act, which I am now about to discuss.

The PRESIDING OFFICER (Mr. McGOVERN in the chair). Without objection, it is so ordered.

Mr. GRUENING. Mr. President, one of the amendments to the Foreign Assistance Act—H.R. 7885—amendment 231, which I have submitted, on behalf of myself, Mr. JAVITS, Mr. MORSE, Mr. CASE of New Jersey, Mr. WILLIAMS of New Jersey, Mr. RIBICOFF, and Mr. YOUNG of Ohio, would deny assistance to any nation which the President determines "is engaging in or preparing for aggressive military efforts directed against" the United States or any nation receiving aid from the United States.

This is a perfectly simple amendment, based on a perfectly simple principle. Its adoption would strengthen the bill and will enhance the repute, prestige, and good name of the United States.

Our military assistance is given to enable a friendly foreign nation to be strong enough militarily to defend itself against aggression. Our military aid is not being given to enable any nation to become a military aggressor.

Our economic assistance is given to help an undeveloped friendly country help itself economically. When this economic assistance is diverted—directly or indirectly—by the receiving nation, so that it can arm itself in order to be the aggressor militarily against another nation, then the basic principle of our aid program is violated, for the nation thus acting is obviously not helping itself grow economically.

In both cases, the receiving nation is indicating that it is more interested in aggression than in economic growth and in the welfare of its people which U.S. aid aims to succor. There then remains not a particle of reason why the United States should continue its assistance to that nation.

The urgency of taking this action is vastly increased when the nations against which aggression is aimed are also receiving our assistance, for it requires such threatened nations to divert badly needed development funds to strengthening themselves militarily to resist the threatened or actual attack.

Thus we can say that any aided nation which embarks upon a course of military aggression—whether actual or potential—is causing a double waste of U.S. taxpayers' dollars.

Mr. President, let me lay to rest for all time, I hope, the myth that if the U.S. aid dollar cannot be traced directly to the purpose of military hardware or the paycheck of a member of the aided nation's armed forces, then our economic aid is not being used to arm the aggressor. Such a statement is utter nonsense.

One cannot look at a nation with blinders on. We must look at the total economy. If our aid money relieves one area of the economy, then the nation thus aided with our funds is able to purchase arms, rather than to devote both sums to economic development. The situation is just that simple.

Aggressor nations, such as Egypt, Algeria, Morocco, and Indonesia, do not want to choose between guns and butter. They want both guns and butter, and they want the U.S. taxpayers to foot the bill—or at least a part of it. They want to use butter money to buy guns. And, Mr. President, the amazing part of this sorry tale is that the U.S. Government is going along with this support of military aggressive buildups.

Consider, Mr. President, our actions vis-a-vis Egypt: Here is a country with a population of 25.3 million living on a land of 386,000 square miles, with a literacy rate—a literacy rate, not an illiteracy rate—of 25 percent.

Earlier this month, I made a report to the able and distinguished senior Senator from Minnesota [Mr. HUMPHREY], as chairman of the Subcommittee on Reorganization and International Organizations, of the Senate Committee on Government Operations, of my study of the U.S. foreign aid programs in 10 Middle Eastern and African countries. The report covers 472 printed pages. One of the countries studied was Egypt. I shall call to the attention of the Senate certain portions of my report; and I ask unanimous consent that the entire chapter dealing with Egypt be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, I now read certain portions of my report:

> Col. Gamal Abd el-Nasser, President of the United Arab Republic (Egypt), has been responsible, more than any other single individual, for keeping the political caldron boiling furiously in the strife-torn, arid Middle East since July 23, 1952. He has also been responsible for the other nations in this area diverting funds from sorely needed economic development to arms.
>
> He is still, 11 years later, pouring oil on whatever brush fire breaks out there, seeking his own personal and Egypt's national aggrandizement, in that order.

Mr. President, the fact remains that he is the only ruler of any of the nations in that area who avowedly and persistently seeks to export his own brand of economic and political socialism and urges the violent overthrow of neighboring governments. In this regard, he is on a par with the Communists, with whom he is professedly at loggerheads, but whose arms and economic aid he willingly accepts.

The parallel between Khrushchev's Russia, Nasser's Egypt, and Hitler's Germany is striking.

Both Egypt and Russia are police states where individual freedoms are ruthlessly suppressed. So was Nazi Germany.

Both Egypt and Russia are states in which the Central Government owns and operates the total economy. So did Nazi Germany.

And, most important, both Egypt and Russia want to export their own brands of government, being willing—and they speak openly of their willingness—to repress resistant peoples by force, if necessary. So did Nazi Germany.

It must be remembered that it was Colonel Nasser himself who, after the Suez Canal fiasco in 1956, gave the Russians their first foothold in the Middle East. It was Colonel Nasser who invited them into Egypt with their arms and their technicians.

Egypt has been most adept at playing off the Soviets against the United States. Egypt, Syria, and Yemen are absolutely dependent upon Soviet arms—so much so that Soviet transport jets were standing by to transport Egyptian troops to Yeman even before the revolt broke out there, and have continued to furnish the transportation for the Egyptian troops in Yemen and their supplies. All three countries, while blowing hot and cold with respect to local Communists, continue to welcome technicians, in sizable numbers, from the Soviet-bloc countries. And, most recently, on September 3, 1963, in the Security Council of the United Nations, the Soviet Union vetoed a resolution, sponsored by the United States and the United Kingdom, condemning the "wanton murder" of two Israel farmers by Syrians within Israel territory, 2 weeks before. The resolution was supported by the United States, the United Kingdom, France, Nationalist China, Brazil, the Philippines, Norway, and Ghana. It was the third time since 1954 that the Kremlin had vetoed a resolution opposed by the Arab nations. Yet, despite the military maneuvering of these three countries with the Soviet-bloc nations, U.S. economic assistance continues most generously to them.

When I spoke to Colonel Nasser, he stated that after the poor showing made by his soldiers against the English, France, and Israelis, his officers had demanded that he accept the Soviet offer of arms. Against this statement must be placed the fact that the three-party invasion was precipitated by his rash action, in a fit of pique, in seizing the Suez Canal—a lifeline for Britain, France, and Israel.

Today, militarily, Egypt is completely dependent on Soviet-bloc countries. Colonel Nasser has maneuvered himself into the position of being completely dependent on Communist Russia for a continued flow of arms and parts. Should that flow be cut off, Egypt is militarily unarmed. Syria and Iraq are in the same position. And those are the very countries in which the Nasserites seem strongest.

It is difficult to obtain any reliable figure as to how much military and economic aid thas been going to Nasser from the Soviet Union. The best figures are that it is roughly equivalent to $920 million, although not on as liberal terms as ours. We sell Colonel Nasser Public Law 480 food and fiber for Egyptian pounds which are used for the development of Egypt and its people. Soviet Russia sells Egypt weapons in exchange for cotton which is used for the benefit of Soviet Russia and its people.

One cannot help but wonder where our policy vis-a-vis Colonel Nasser will ultimately lead.

The fact is that since September 1962 Nasser has been carrying on a war of destruction against the people of Yemen in which 28,000 of his troops are engaged and in which he is aided by Soviet fighter planes. The fact also is that his powerful radio transmitters constantly beam messages of hate and destruction against Jordan, Saudi Arabia, and Israel. Until he succeeded in bringing about the revolutions in Syria and Iraq, his radio urged the violent overthrow of the governments of those countries. Now he is engaged in a hate campaign against the Baathists in Syria because they have not seen fit to go out of existence in favor of Nasser's own followers in Syria.

The current official suggestion is to disregard Nasser's radio hate campaign because that is the way things are done in the Middle East and that both sides are doing it. A careful study of foreign radio broadcasts in that area will show that this statement is not in accord with the facts. Nasser's radio beamed for outside consumption is the only radio preaching the violent overthrow of other governments and the assassination of their rulers.

It is indeed ironic that Nasser's proficiency in radio propaganda—and everyone admits that he is proficient—should have been achieved, or aided, through the use of AID funds. Thus, AID project 263–G–22–AA, for which over $1 million has been obligated through fiscal year 1963 is "to assist the United Arab Republic to establish and operate within 5 years a 'Telecommunications Research and Training Institute.' The U.S. Government set out in fiscal year 1961 to assist the United Arab Republic staff in operating this institute so that, in time, it will be well organized and efficiently operating."

Two points must be stressed in connection with this arms buildup by Nasser.

First. He is doing it with U.S. AID dollars just as surely as though the AID dollars were going directly to Russia for the purchase of jet fighters or directly into the pockets of the German Nazis masterminding the design and construction of these weapons. There are some with blinders who would say that this is a misstatement—that AID dollars go for Public Law 480 food and fiber, and for worthwhile development projects. To the extent that we relieve Nasser's normal budget of the cost of food, fiber, and development projects we permit Nasser to have his cake and eat it too. He can divert that much into his arms budget for an arms buildup and let the United States pick up the check for the food, fiber, and development projects.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GRUENING. I am happy to yield to the Senator from Oregon.

Mr. MORSE. I am so glad that the Senator from Alaska has made that point, because although those who do not share our criticisms of the bill will say, as the Senator from Alaska has pointed out, that we are not giving Nasser direct military aid; we are giving aid to his economy, which means that his own funds are released to that amount for other purposes. Therefore, he uses the funds that otherwise he would have to use to supply the food for his people for the very instrumentalities of war which enable him to continue to threaten to make war in the Middle East whenever he thinks he is strong enough to do it. So what the Senator is really raising is the basic fundamental question as to whether or not we are going to give support to any country, including Nasser, that takes the position that they will use their military might for nonpeaceful purposes.

The United States cannot have its cake and eat it, too. The United States cannot hope to have the confidence and respect of the people of the free nations of the world if we continue to support, aid and abet in their warlike tendencies totalitarian nations.

No one can dispute the fact that Nasser operates a totalitarian nation. No one can dispute the fact that he is a totalitarian, that he is a dictator, that he is a despot.

What we are trying to do in a series of amendments is to get the Senate to face the basic foreign policy question. Has not the time come in the history of American foreign policy for us to square our actions with our professions?

Mr. GRUENING. That is true; and the amendment is a strengthening amendment. The amendment would not merely strengthen the foreign aid program, but would enhance the repute and good name of the United States throughout the world.

Mr. MORSE. I could not agree more completely. It is an amendment that would strengthen the cause of freedom around the world, because unless we are able and willing to devote our resources to the aid of freedom in the world and stop using them to aid dictatorships and despots who threaten to breach the peace, we cannot hope to maintain the prestige that we ought to have among the free people of the world—and we are not maintaining it.

The American people had better get over the attitude that our Government can do no wrong. The fact is that our Government is doing wrong constantly in the field of foreign policy. But the American people do not know about it. The American people are not aware of the wrongs of the Government of the United States. The American people do not know the facts about American hypocrisy in the field of foreign policy. The American people have concealed from them facts that they are entitled to know about the administration of the American foreign policy. We, the elected officials of the people, cannot tell them, because our lips are sealed by so-called top secret labels.

As the Senator from Alaska knows, for he has been joining me in the endeavor, I have been battling away, along with some wonderful colleagues, to take us down another fork of the road of American foreign policy. I desire that we turn back from our present direction and go down the road that will lead to the goal of full public disclosure of the public's business, for we do not have a democracy if we do not have full public disclosure of the public's business.

But the question is asked, "Senator, does this mean that you would make available to your potential enemies information that would assist your potential enemies in weakening the fabric of the American system?"

Of course not.

I point out that such information is de minimis compared with the great bulk of information on which our Government stamps the label "top secret." I do not like to say these things, but they are true, and they need to be said. Many items marked "top secret" should not be marked "top secret." The American people are entitled to know what is being done in the field of foreign policy, because it must be their foreign policy, and not the policy of the President or of the Secretary of State. There will be no system of freedom as a government in this country if the foreign policy does not belong to the American people, with the President carrying out his constitutional obligation to administer the people's foreign policy.

As a member of the Foreign Relations Committee I say to the Senator from Alaska that if a great deal of the material marked "Top Secret" were made available to the American people, they would demand that the policy be changed. I have explained this to the present administration, and also to the previous administration, because this problem is not new with the present administration. For 8 years under the previous administration, under another party, the same policy prevailed.

Mr. GRUENING. That is correct.

Mr. MORSE. I do not believe there are many significant differences between the foreign policy of this administration and the foreign policy of the preceding administration. There should be some changes. We should have a new policy. So we have prepared the amendment.

I have been in conference today with administration officials, in connection with another amendment of which the Senator from Alaska is a cosponsor, as I am a cosponsor of his amendment. I have made clear to the administration that I have no intention of changing my position on the amendment.

I shall discuss later this afternoon the amendment which would provide that no economic or military aid shall be granted to any regime which comes into power through a military overthrow of a democratic, constitutionally elected government. The notorious cases of the moment are, of course, the Dominican Republic and Honduras. They will not be the last ones—if we do not change our policy.

Mr. GRUENING. That will inevitably happen unless we stand firm.

Mr. MORSE. If we maintain this policy, the United States will have to assume its full share of responsibility for more military overthrows in Latin America.

Mr. GRUENING. And the Alliance for Progress will be destroyed.

Mr. MORSE. I do not intend to put that blood on my hands, for there will be bloodletting in those overthrows.

Mr. GRUENING. There was bloodletting in Honduras, when some 80 people were killed, and there is violence now in the Dominican Republic, which there was not under its duly elected democratic regime.

Mr. MORSE. I do not know how long the opposition will last, but at this moment the administration looks askance at my amendment, which would provide that if there were an overthrow, and subsequent events caused the President of the United States to believe it to be in the national interest that we should grant economic and military aid to a government which had overthrown a constitutionally elected democratic government, the President would be required to send a report to both Houses of Congress setting forth the reasons for his request that economic and military aid be made available to the new government. If Congress by concurrent resolution approved the report, the President could grant the aid, but if Congress did not, he could not do so.

What is wrong with that procedure?

Why is there so much concern about it? Are those opposed to my resolution afraid of Congress? Are those opposed to my amendment afraid of the people who elect the Congress under our system of checks and balances? There is a constitutional duty of Congress to check a President if he follows a course of action which in the opinion of Congress is not in the public interest.

This amendment would not interfere with the constitutional powers of a President, but it would guarantee the exercise of the right of Congress to check on the expenditure of taxpayers' dollars; because when we talk about military and economic aid, we are talking about taxpayers' dollars. We are talking about a good many other policy questions, too, but we are talking about the people's money.

In my judgment, we have a clear duty to see to it that no President—I care not what his party affiliation may be—is given the unchecked power, after a military overthrow of a constitutionally elected government, to supply the new military government with money for economic and military aid, even though it may be acting behind a facade of civilian stooges.

I shall discuss this question many times before a final vote on the bill, because I am perfectly satisfied that the American people are with me. I am also perfectly satisfied that the leaders of democratic, constitutionally elected governments in Latin America, in an overwhelming majority of cases are also with me. I shall continue to discuss this issue until I am satisfied it is understood across the land, and then I shall call for a vote and let the majority work its will.

Mr. GRUENING. Mr. President, there may also be some who would say that if the United States did not sell Nasser the food and fiber, the Russians would be glad to do so. This does not jibe with the facts. The Russians are not giving anything to Nasser. They are bartering arms for cotton. They are loaning him money to build the Aswan Dam. And, finally, Russia's agricultural economy is not good enough to take on the added burden of feeding 22 million Egyptians. Russia has trouble doing that for Castro and herself.

Nasser's diversion of AID dollars to an arms buildup requires his neighbors to follow suit—at the expense of their own sorely needed economic development and, in the case of Jordan and formerly Israel, at the expense of the U.S. taxpayer—the New York Herald Tribune for January 2, 1963, reported Israel's defense spending up 17 percent for this year.

They do not want to do it, but they feel they must because of Nasser.

Here again there will be those with blinders who will say that we have given no military assistance to Israel and comparatively little to Jordan. Here, too, those who make such a statement will have missed the point. To the extent that Jordan or Israel have had to divert badly needed funds from their own economic development, because they felt it necessary to be prepared to defend themselves against Nasser's open threats, to that extent has the United States been forced to give both Israel and Jordan economic assistance, which in the case of Jordan has amounted to $325.3 million, and in the case of Israel to $878.9 million.

On April 30, 1963, I stated on the floor of the Senate:

> At the same time Nasser is receiving military aid from Soviet Russia, he has a great many ex-Nazis working to provide the modern weapons of destruction for his purpose to carry on the war against Jordan and Israel. In a recent book entitled "Behind the Egyptian Sphinx," which was called to our attention by our American military in Egypt, are listed a number of ex-Nazis who are wanted in Germany for their manifest crimes, who are not merely safely ensconced in the United Arab Republic but are employed to help Nasser in his sinister purpose to destroy his peaceful neighbors.
>
> What possible justification can there be for the United States to be pouring in its dollars, not only to support, but to encourage, a regime of this kind, which has drawn to itself all the elements which are antithetic to the professed purposes of the United States, in order to carry on a warfare which Nasser has never ceased to preach and for his objective to conquer and destroy.
>
> Unless the United States reverses its program promptly, and does more than merely study, review, and view with alarm, unless we act definitely, there is going to be a destructive war to the death in the Middle East in which thousands of people will be killed and in which we will inevitably be involved.

Mr. President, I am not alone in making this comparison between President Nasser, Adolf Hitler, and Joseph Stalin. Others have made it, and I am quite concerned that these repeated warnings have gone unheeded.

Mr. President, I ask unanimous consent that articles from the Reporter magazine, from the Committee to Prevent World War III, and from the New York Times, the Washington Post, and the New York Herald Tribune be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 2 through 7.)

Mr. GRUENING. Mr. President, I especially call to the attention of my colleagues the following statement from the excellent article which appeared in the Reporter magazine entitled "Our Yemen Policy: Pursuit of a Mirage," by Philip Horton in the October 24, 1963 issue of the Reporter:

> The U.S. decision also sharply reduced the leverage Washington could have exercised on Nasser through its aid program, which provides a third of Egypt's food. It eliminated the possibility of any official U.S. negotiations with the royalist government to seek a peaceful compromise between the two factions. Finally, on the international scale, recognition was widely interpreted in Middle Eastern countries, Arab and non-Arab alike, as a U.S. acknowledgement of Nasser's right to pursue his ambitions and his "philosophy of revolution" by sending a large expeditionary force into a neighboring country.

I also call to the attention of my colleagues the following portions of the articles entitled "Unmasking German Plans in Egypt" and "German-Egyptian Rocketry" published by the Committee to Prevent World War III, which in my opinion has rendered an outstanding public service in calling these matters to the attention of the public:

> The society has published a number of articles dealing with the German general staff's postwar plans. We now charge that here in Egypt as well as in Spain, the Germans shortly after the end of the war, were able to continue and to expand their work in all military spheres for the day when they could once again confront the world with an ultimatum. To some of our readers this may sound unduly alarmist and melodramatic. In that case, let them ponder the following statement: "Nazi party members, German industrialists and the German military, realizing that victory can no longer be attained, are now developing postwar commercial projects, are endeavoring to renew and cement friendships in foreign commercial circles and are planning for renewals of prewar cartel agreements * * *. German technicians, cultural experts, and undercover agents have well-laid plans to infiltrate foreign countries with the object of developing economic, cultural and political ties.
>
> German technicians and scientific research experts will be made available at low cost to industrial firms and technical schools in foreign countries. German capital and plans for the construction of ultramodern technical schools and research laboratories will be offered at extremely favorable terms since they will afford the Germans an excellent opportunity to design and perfect new weapons. This Government is now in possession of photostatic copies of several volumes of German plans on this subject * * *." This statement is excerpted from a State Department declaration dated March 30, 1945.
>
> The society solemnly declares that it is the duty of our Government together with our allies to conduct a full-scale investigation of all of the ramifications in connection with the German presence in Egypt and present its findings to the world. To equivocate or to pretend that this matter has been unduly inflated is to literally gamble with the security of the United States and our allies.

Mr. President, it will be noted that these articles point out the same dangers as I point out in my report. Just within the last few days, newspaper accounts show that President Nasser is interfering in the conflict between Morocco and Algeria and sending his troops to aid Algeria. And always there is the sinister figure of the U.S.S.R. in the background, supplying arms and technicians.

The time has come, Mr. President, when we must reexamine our entire policy of continuing to aid aggressor nations such as Algeria, Morocco, Egypt, and Indonesia.

Over the years we have given to Algeria, Morocco, and Egypt a total of $1,328,500,000, according to the following table, which I ask unanimous consent to have printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

*U.S. foreign assistance, in millions*

| Year | Egypt | Morocco | Algeria | Total |
|---|---|---|---|---|
| 1946–48 | $18.1 | -------- | (1) | $18.1 |
| 1949–52 | 1.5 | $0.3 | (1) | 1.8 |
| 1953 | 12.9 | (2) | (1) | 12.9 |
| 1954 | 4.0 | .3 | (1) | 4.3 |
| 1955 | 66.3 | .1 | (1) | 66.4 |
| 1956 | 32.9 | .3 | (2) | 33.2 |
| 1957 | .3 | 29.8 | $0.8 | 30.9 |
| 1958 | –.2 | 34.5 | .1 | 34.4 |
| 1959 | 49.2 | 48.2 | .7 | 98.1 |
| 1960 | 92.9 | 81.1 | .6 | 174.6 |
| 1961 | 106.4 | 107.5 | 2.3 | 216.2 |
| 1962 | 224.1 | 49.8 | 10.4 | 284.3 |
| 1963 | 198.7 | 75.0 | 79.6 | 353.3 |
| Total | 807.1 | 426.9 | 94.5 | 1,328.5 |

[1] No programs prior to fiscal year 1956.

[2] Less than $50,000.

Mr. GRUENING. Mr. President, our aid has enabled them to wage these aggressive wars. Since they appear to be more interested in personal aggrandizement than in the economic development of their countries and since they have diverted our economic aid to their own rearmament for aggressive purposes, I propose in my amendment that further aid to these countries be stopped—and stopped at once.

It is time the United States recognized that we and the world can no longer continue to buy butter for Egypt, Algeria, Morocco, and Indonesia, thus freeing their own meager resources to buy guns to wage war upon their neighbors.

I ask support of my amendment—No. 231—which I remind my colleagues is identical with the provision in the House-passed bill.

In conclusion, Mr. President, I would point out that President Nasser has been the most disturbing element in the Middle East in the last decade. He has been able to become this disturbing influence because we have backed him up in each instance and have come to his rescue whenever he has gotten in over his head.

The time has come to revise our policy.

It is high time that our Ambassador to Egypt, Mr. Badeau, be recalled. He is more Egypt's Ambassador to the United States than the reverse.

When I was in Cairo earlier this year and when I suggested that we no longer support through our economic assistance program Nasser's aggressive wars in Yemen and now in Egypt—aided and abetted by the U.S.S.R.—I was told that unless we continued to furnish Nasser with economic aid—in large part Public Law 480 grain—he would turn to the U.S.S.R.

The recent requests of the U.S.S.R. for grain from Canada and the United States show how clearly fallacious these arguments are.

Let the United States stand on principle.

We will aid aggressors nowhere in the world. The time to act is now before our own inept policies plunge the world into a worldwide conflagration.

EXHIBIT 1

III–J—EGYPT (UNITED ARAB REPUBLIC)

I. ECONOMIC DATA

*Basic data on Egypt*

| | |
|---|---|
| Population (1959) ________ million__ | 25.3 |
| Annual growth rate (1959) percent__ | 2.2 |
| Area ________ square miles__ | 386,000 |
| Literacy rate: | |
| 1958 ________ percent__ | 25 |
| 1959 ________ do__ | 25 |

*Egypt (United Arab Republic)*

| Year | Gross national product | | | Agricultural production index | Cost of living index (1958=100) | Government expenditures (millions of dollars) |
|---|---|---|---|---|---|---|
| | Millions of dollars | Percent of 1961 in national currency | Per capita | | | |
| 1954 | (1) | 85 | $120 | 94 | 94 | 564 |
| 1955 | (1) | 94 | 130 | 102 | 94 | 646 |
| 1956 | ( ) | 99 | 130 | 103 | 96 | 776 |
| 1957 | (1) | 100 | 130 | 107 | 100 | 790 |
| 1958 | (1) | (1) | (1) | 116 | 100 | 794 |
| 1959 | (1) | (1) | (1) | 115 | 100 | 765 |
| 1960 | (1) | (1) | (1) | 120 | 101 | 828 |
| 1961 | 3,185 | 100 | 120 | (1) | 101 | 839 |

[1] Figures not available.

II. CURRENT POLITICAL BACKGROUND

Col. Gamal Abd el-Nasser, President of the United Arab Republic (Egypt), has been responsible, more than any other single individual, for keeping the political caldron boiling furiously in the strife-torn, arid Middle East since July 23, 1952. He has also been responsible for the other nations in this area diverting funds from sorely needed economic development to arms.

He is still, 11 years later, pouring oil on whatever brush fire breaks out there, seeking his own personal and Egypt's national aggrandizement, in that order.

And he is doing so with the assistance of the United States which still continues to prop him up and, whenever he gets in over his head, to bail him out.

That is not to say that the dove of peace would have settled in the Middle East during these past 11 years if there had been no Colonel Nasser. There is in that troubled area of the world too long a history of political instability and the existence of such factors as poverty and disease to attribute all the woes of the Middle East to Colonel Nasser alone.

But the fact remains that he is the only ruler of any of the nations in that area who avowedly and persistently seeks to export his own brand of economic and political socialism and urges the violent overthrow of neighboring governments. In this regard, he is on a par with the Communists with whom he is professedly at loggerheads, but whose arms and economic aid he willingly accepts.

The parallel between Khrushchev's Russia, Nasser's Egypt, and Hitler's Germany is striking.

Both Egypt and Russia are police states where individual freedoms are ruthlessly suppressed. So was Nazi Germany.

Both Egypt and Russia are states in which the Central Government owns and operates the total economy. So did Nazi Germany.

And, most importantly, both Egypt and Russia want to export their own brands of government, being willing—and speak openly of their willingness—to repress resistant peoples by force if necessary.

So did Nazi Germany.

As one highly qualified writer has stated: [1]

"The promotion of a regime like that of Egypt therefore would seem to be dangerous. For while it is entirely possible to stabilize it through subsidies, it cannot, in the presence of the Soviet Union, be influenced in the direction of a peaceful or liberal development. American assistance has only a very indefinite assurance of Egyptian good will to go on. And even while stabilizing the authoritarian regime it indirectly serves to finance Cairo's subversive campaigns in the neighboring countries.

"Many Americans who listen to these criticisms with complete understanding nevertheless ask: 'But what else can we do but help Nasser? Can we look on passively while he slides into the Russian fangs, or is the victim of a putsch in his own country? Who will guarantee that his successor will not be even more dangerous? Should one give the Soviets the opportunity to nestle even more comfortably in the country via their economic policies?'

"It seems to us that such questions overestimate the danger of a pro-Communist overthrow in Egypt today, but fail to envisage clearly enough the possibility of a Communist revolution after 5 or 10 more years of authoritarian state socialism. Today, it seems to us, there is still a chance for a return to power of an older generation of Egyptians which grew up with liberal ideals."

This same thought was brought forcefully home to me when I visited Egypt in February 1963. It is definitely a police state, as much so as Communist Russia, which I visited 2 years ago. There, too, Nasser is "Big Brother" just as Lenin and Stalin were in Russia, and as Khrushchev seeks to be. The economy is controlled by the state just as firmly as it is in Russia.

As I stood in one of the principal squares in Cairo watching preparations for a major speech by Colonel Nasser that evening and saw the multitude of large posters bearing his picture and as later I heard his speech with its slogans and stirring platitudes, I, too, felt that all that it would take to have that Government become a Communist bloc nation would be to add a few slogans and change a few pictures—or maybe the pictures would not have to be changed.

It must be remembered that it was Colonel Nasser himself, after the Suez Canal fiasco in 1956, who gave the Russians their first foothold in the Middle East. It was Colonel Nasser who invited them into Egypt with their arms and their technicians.

In that connection, the following testimony before the House Committee on Foreign Affairs on April 30, 1963, on H.R. 5490 (Foreign Assistance Act of 1963) at page 437 is most interesting:

"Mr. Farbstein. According to the book, there were 150 U.S.S.R. personnel in Yemen in 1961, but since the revolution in September 1962 the number of U.S.S.R. personnel has risen to about 450. How many do we have there?

"Mr. Grant [Deputy Assistant Secretary for Near Eastern and South Asian Affairs, Department of State]. Is it under a hundred?

"Mr. Gaud [Assistant Administrator, Bureau for the Near East and South Asia, Agency for International Development]. It is under a hundred Americans.

"Mr. Grant. I might note on that, Mr. Farbstein, that it was the leader of the present royalist regime that invited the Russians in, several years ago. So that we have an interesting reversal of positions.

"Mr. Farbstein. Except that the facts as I stated them are correct, aren't they?

"Mr. Grant. Yes; there have been increases. One of our real concerns there has been that the Russians would greatly increase the number of technicians that they have in Yemen. They have been making notable efforts to try to get an enlarged position.

"Mr. Farbstein. * * * You say you assume they are trying to have more people admitted into Yemen, the suggestion being, therefore, that they couldn't get them in under the old regime. Now, with the new regime, they are trying to get them in, and not only are they trying, but they are succeeding."

Representative Farbstein's interrogation serves to point up a disturbing aspect of the relationship of Egypt, Syria, and Yemen's new regime to the Kremlin. (Iraq can be included in this trio, but it is not included in these comments because it was not among the 10 countries studied.) Egypt has been the most adept at playing the Soviets off against the United States. All three of these Arab States are absolutely dependent upon Soviet arms—so much so that Soviet transport jets were standing by to transport Egyptian troops to Yemen even before the revolt broke out there and have continued to furnish the transportation for the Egyptian troops in Yemen and their supplies. All three countries, while blowing hot and cold with respect to local Communists, continue to welcome technicians in sizable numbers from the Soviet bloc countries. And most recently on September 3, 1963, in the Security Council of the United Nations, the Soviet Union vetoed a resolution sponsored by the United States and the United Kingdom condemning the "wanton murder" of two Israeli farmers by Syrians within Israeli territory 2 weeks before. The resolution was supported by the United States, the United Kingdom, France, Nationalist China, Brazil, the Philippines, Norway, and Ghana. It was the third time since 1954 that the Kremlin had vetoed a resolution opposed by the Arab nations. Despite the military maneuvering of these three countries with the Soviet bloc nations, U.S. economic assistance continues and most generously. This policy is in sharp contrast to the threatened U.S. crackdown on Pakistan because Pakistan had signed an agreement with Communist China providing for the establishment of flights between Dacca and Chinese cities and had signed agreements with Communist China with respect to border demarcation and trade.

When I spoke to Colonel Nasser he stated that, after the poor showing made by his soldiers against the English, French, and Israelis, his officers had demanded that he accept the Soviet offer of arms.

Against this statement must be placed the fact that the three-party invasion was precipitated by his rash action, in a fit of pique, in seizing the Suez Canal—a lifeline for Britain, France, and Israel.

Today, militarily, Egypt is completely dependent on Soviet bloc countries. Colonel Nasser has maneuvered himself into the position of being completely dependent on Communist Russia for a continued flow of arms and parts. Should that flow be cut off, Egypt is militarily unarmed. Syria and Iraq are in the same position. And those are the very countries in which the Nasserites seem strongest.

It is difficult to obtain any reliable figure as to how much military and economic aid has been going to Nasser from the Soviet Union. The best figures are that it is roughly equivalent to $920 million, although not on as liberal terms as our. We sell Colonel Nasser Public Law 480 food and fiber for Egyptian pounds which are used for the development of Egypt and its people. Soviet Russia sells Egypt weapons in exchange for cotton which is used for the benefit of Soviet Russia and its people.

One cannot help but wonder where our policy vis-a-vis Colonel Nasser will ultimately lead.

What have been the reasons advanced for this buildup by the United States of Colonel Nasser as the big man in the Middle East?

The State Department justification for its policy of appeasement was ably set forth by Warren Unna, a staff reporter for the Washington Post in his News Analysis on January 11, 1963, before the revolt in Syria and Iraq. Mr. Unna stated:

"Moreover, to justify its gamble on Nasser, the administration points to the following 'positive' steps he has taken:

"Nasser now is trying to reestablish the United Arab Republic's links with the West, particularly in Europe, and last month provisionally joined the General Agreement on Tariffs and Trade (GATT).

"He and his country have done a complete turnabout in the Congo—from being one of the chief supporters of the late Patrice Lumumba and his leftist successor, Antoine Gizenga, to joining ranks behind the United Nations in its current efforts for Congo unity.

"Nasser has played down his country's Arab holy war with Israel, proposed to his colleagues a while back that the issue be put in the icebox and, for his pains, has been accused by Syria of 'subversion.'

"Nasser personally kept a strict silence a few months ago when it became known that the United States was going to sell Hawk missiles to Israel to help that country defend itself. In former years, this would have been the occasion for a major anti-U.S. campaign.

"Nasser proved more forthright than many of his fellow nonalined leaders at the August 1961 Belgrade conference when he condemned the Soviets' sudden resumption of nuclear testing.

"Nasser, a big booster of Cuban Premier Fidel Castro in the past, is considered to have been surprisingly moderate when the United States had its showdown with the Soviet Union over Cuban missile bases last fall.

"All of these factors are said to convince administration officials that Nasser, despite his penchant for interfering in the internal affairs of his Arab neighbors, still comes out on the plus side, in permitting room for reasonably friendly relations with the free world."

Mr. Unna's column is set forth in full as exhibit III–J–A.

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[1] "The United States and Egypt," Arnold Mottinger, Swiss Review of World Affairs, October 1962, p. 17.

"EXHIBIT III–J–A

"[From the Washington Post, Jan. 11, 1963]

### "AMERICAN AID FOR NASSER FACES REVIEW

"(By Warren Unna, staff reporter)

"United Arab Republic President Gamal Abdel Nasser's open participation in the revolt in Yemen and his hospitality to potential Saudi Arabian and Jordanian rebel leaders are beginning to raise questions over the wisdom of the U.S. friendly aid program to the United Arab Republic.

"The Israelis fear the success of the Nasser-assisted Yemeni military group in pushing out Yemen's antiquated imamate may encourage Nasser in other foreign adventures in the Middle East.

"The London Daily Telegraph this week said the United States, in making Nasser 'its instrument in the Middle East * * * is committed to the support of an expansionist revolutionary who must, by the very nature of his appeal to Arab sentiment, continually threaten the stability which the United States is hoping to preserve.'

"It was about a year ago that the Kennedy administration decided to take a hard look at Nasser as an independent whom the United States could deal with in the same arm's-length respectful way it deals with Yugoslavia's President Tito.

"The idea was that Nasser now had decided to emphasize domestic needs over Arab and Communist-bloc involvements. U.S. officials thought there could be mutual regard, no hope or thought of conversion, but conviction that since Nasser is keeping his own house in order he and the United Arab Republic would remain within at least a halloo distance of the free world.

"U.S. economic aid to the United Arab Republic was stepped up to $146 million a year, most of it in the surplus food stocks Nasser so badly needed to raise the subsistence level of his people.

"And more recently, preliminary consideration has been give to Nasser's desire for an international consortium, similar to India's and Pakistan's, that would enable the United Arab Republic to double her national income of $140 million by the end of her second 5-year plan in 1970.

"But now comes Yemen, in which the United Arab Republic has invested troops, aircraft, and political direction to turn out one neighboring Arab government it didn't like and keep another in.

"And Egyptians have given considerable publicity to the four Saudi Arabian royal princes, all brothers of ailing King Saud, who defected to Cairo and recently proclaimed the 'Democratic Republic of the Arabian Peninsula.'

"Nasser's government also makes no secret of its delight over providing asylum for the Jordanian air force chief of staff who, along with several other Jordanian pilots, recently defected to Cairo.

"And Nasser's annoyance with the regimes in his fellow Arab States of Syria and Iraq has been repeatedly proclaimed.

"Nasser also undeniably has been putting a lot of money in arms and a large army which might otherwise be devoted to economic improvement.

"But the United States still does not think it has misplaced its bets on Nasser. Administration officials are aware that his meddling in other Arab countries conflicts with U.S. policy to maintain stability and avoid Middle East disputes. But they have no objection to his doctrine of Arab socialism which is aimed at raising the economic level of the Middle East.

"And they consider Nasser the one big figure of the Middle East who neither can be ignored nor forced, through economic needs, into any further dependency on the Communist bloc.

"Nasser already gets arms from the Communists, and the Soviet Union is financing the construction of his giant Aswan Dam. But observers report that Nasser has sensed the danger to his own country's independence of too much involvement with the Communist well-wishers.

"Moreover, to justify its gamble on Nasser, the administration points to the following positive steps he has taken:

"Nasser now is trying to reestablish the United Arab Republic's links with the West, particularly in Europe, and last month provisionally joined the General Agreement on Tariffs and Trade (GATT).

"He and his country have done a complete turnabout in the Congo—from being one of the chief supporters of the late Patrice Lumumba and his leftist successor, Antoine Gizenga, to joining ranks behind the United Nations in its current efforts for Congo unity.

"Nasser has played down his country's Arab holy war with Israel, proposed to his colleagues a while back that the issue be put in the icebox and, for his pains, has been accused by Syria of subversion.

"Nasser personally kept a strict silence a few months ago when it became known that the United States was going to sell Hawk missiles to Israel to help that country defend itself. In former years, this would have been the occasion for a major anti-U.S. campaign.

"Nasser proved more forthright than many of his fellow nonalined leaders at the August 1961 Belgrade conference when he condemned the Soviets' sudden resumption of nuclear testing.

"Nasser, a big booster of Cuban Premier Fidel Castro in the past, is considered to have been surprisingly moderate when the United States had its showdown with the Soviet Union over Cuban missile bases last fall.

"All of these factors are said to convince administration officials that Nasser, despite his penchant for interfering in the internal affairs of his Arab neighbors, still comes out on the plus side in permitting room for reasonably friendly relations with the free world."

Mr. Alfred Friendly, managing editor of the Washington Post, 3 months later on March 27, 1962, under a Cairo dateline, had a slightly different analysis. He said:

"To what purpose does the United States support President Gamal Abdel Nasser's United Arab Republic? Why, already in this fiscal year, has it poured some $200 million worth of aid (mostly wheat) into a nation that is a political dictatorship, a police state, and a roaring advocate of economic socialism?

"Americans here * * * have several answers, not the least of which is the argument that no better alternative can be seen. Were Nasser toppled, he would be succeeded by one of his own clique, not so able, or by the Communists. Remnants of the old regime scarcely exist, which may be just as well, since it was a remarkably conscienceless pack of boodlers. In any event, they could never command the people's support.

"A variation of the same argument points out that cutting off American aid simply means presenting the United Arab Republic as a gift to the Soviet Union. Egypt must have huge wheat imports to survive, and will get them from Russia if it cannot obtain them from the United States. It would be in no position to bargain; Moscow could call the tune down to the last note."

Of late a new argument has been advanced in support of our Nasser buildup. That argument is that Nasser has matured since the Suez crisis and is no longer the impetuous "young officer" he was then. Thus Arnold Beichman writing for the Washington Post on July 20, 1962, from Cairo stated:

"American policy in the Middle East, and particularly since President Kennedy took office, has been to seek the disengagement of the Nasser regime from any close Soviet relationship. That policy has succeeded because of:

"Soviet ineptitude.

"U.S. firmness vis-a-vis Nasser military adventurism whether against other Arab countries or Israel.

"Tremendous internal economic problems in Egypt itself, whose solution depends on foreign aid.

"Development of a close personal understanding between President Kennedy and Nasser chiefly through a continuing exchange of letters. None of these letters has been published and their contents are not known.

"What is described hopefully is the coming of some mature, statesmanlike wisdom to the 45-year-old President Nasser."

All these arguments in support of our foreign policy toward Egypt have been advanced repeatedly by our State Department and by many columnists whose columns reflect the State Department indoctrination.

But many of these arguments do not become tenable no matter how often they are repeated.

Consider, for example, the argument of "U.S. firmness vis-a-vis Nasser military adventurism whether against other Arab countries or Israel." The fact is that Nasser has since September 1962 been carrying on a war of destruction against the people of Yemen in which 28,000 of his troops are engaged and in which he is aided by Soviet fighter planes. The fact also is that his powerful radio transmitters constantly beam messages of hate and destruction against Jordan, Saudi Arabia, and Israel. Until he succeeded in bringing about the revolutions in Syria and Iraq, his radio urged the violent overthrow of the governments of those countries. Now he is engaged in a hate campaign against the Baathists in Syria because they have not seen fit to go out of existence in favor of Nasser's own followers in Syria.

The current official suggestion is to disregard Nasser's radio hate campaign because that is the way things are done in the Middle East and that both sides are doing it. A careful study of foreign radio broadcasts in that area will show that this statement is not in accord with the facts. Nasser's radio beamed for outside consumption is the only radio preaching the violent overthrow of other governments.

It is indeed ironic that Nasser's proficiency in radio propaganda—and everyone admits that he is proficient—should have been achieved—or aided—through the use of AID funds. Thus, AID project 263–G–22–AA, for which over $1 million has been obligated through fiscal year 1963 is "to assist the United Arab Republic to establish and operate within 5 years a 'Telecommunications Research and Training Institute' * * *. The U.S. Government set out in fiscal year 1961 to assist the United Arab Republic staff in operating this institute so that, in time, it will be well organized and efficiently operating. * * *"

I was in the Middle East when the United States recognized the revoluntary Government in Yemen and can attest that our action was greeted by our friends in Lebanon, Jordan, Syria (former government), Israel, and Greece, as anything but showing "firmness vis-a-vis Nasser military adventurism."

It should be remembered that when Nasser embarked upon his costly expedition to Yemen, his prestige was at low ebb. H. B. Sharabi of Georgetown University has described the situation accurately in his article on "The Egyptian Revolution" in April 1962 issue of Current History:

"The setback to Nasser's leadership in the Arab world came suddenly and soon, long before Syria's revolt in September 1961. In itself, the Syrian-Egyptian union was only a first step, which, if not carried farther, was meaningless in terms of pan-Arab unity; in order to exist the United Arab Republic had to grow, and the natural direction of growth was in the Fertile Crescent—in Lebanon, Jordan, and Iraq. The crucial decision in these countries was made in the summer of 1958. Jordan was rocked by a series of attempts to bring down the Hashimite monarchy; Lebanon was plunged into civil war; and Iraq experienced a military coup d'etat which toppled the pro-Western regime of Muri al-Sa'id. But the outcome of these events was unfavorable to the United Arab Republic. King Hussein's position, which for a while seemed desperate, was strengthened; in Lebanon a compromise between the pro-Nasser Muslim faction and the separatist Christian groups led to the consolidation of Lebaneses independence; and in Iraq, the most important country in this configuration, the new revolutionary regime, after a short period of friendship with Nasser, broke with the United Arab Republic. The Cairo-Baghdad rivalry was resumed with new fury.

"With their hopes frustrated, the Egyptians now resorted to desperate methods to bolster Nasser's declining prestige. Tactics included diatribes on the Voice of the Arabs, open support of Shawwaf's anti-Kassim uprising in Iraq (March 1959), and ringleadership throughout the area in incidents of subversion and violence such as the dynamiting in Amman of the Prime Minister's office which cost many lives including that of the Jordanian Premier (August 1960). Meanwhile, as the drive toward Arab unity began to meet with reverses, relations between Syrians and Egyptians also started to deteriorate. The United Arab Republic was beginning to crack at the seams."

There are also those who believe that the United States is out on a limb because it has sought to save Nasser by recognizing Yemen. Thus Patrick Seale in the New Republic for January 26, 1963, wrote:

"By the turn of the year, then, most neutral observers of the fighting were agreed (a) that Sallal's Republic would not survive an Egyptian withdrawal; (b) that the Egyptians themselves were in embarrassing straits, committed to a grim war with little prospect of victory; (c) that the royalists had scored considerable successes but did not seem to have the weapons or the organization for a really decisive push. This was the situation in which the United States recognized Marshal Sallal's regime. * * * The Yemen is the latest area in which Nasser has needed and has secured U.S. help. What are the arguments behind the U.S. decision to recognize Marshal Sallal?

"One view expressed by some American officials in the Middle East is that the initiative came from keen young New Frontiersmen in Washington, determined at all costs to dissociate America from the old, shaming, "feudal" regimes of Saudi Arabia and Jordan and throw their weight on the side of progress and the forces of history. Another view is that support for Sallal was, in a roundabout way, a pro-Saudi move, intended to "scare" the Saudi princes into reforming themselves.

"A third, more convincing explanation, derived from more authoritative sources, is that the initiative for the American recognition came from U.S. Ambassador Badeau's Embassy in Cairo and that it was intended as a rescue operation for President Nasser. The calculation was as follows: American recognition would be followed by Britain's; the Saudis and Jordanians would falter in their support of the Imam; Sallal would breathe freely for awhile and, in the lull, Nasser could withdraw his troops with honor, claiming that even the "imperialists" had conceded that Sallal's Yemen Republic was firmly established. The operation was presented to the world as an American-Egyptian agreement whereby Nasser undertook to withdraw his forces in return for American recognition. (Actually, Nasser's agreement to disengage was conditional on cessation of Saudi and Jordanian aid to the royalists.)

"But something went wrong with the predictions: there has been no lull; Britain has not recognized Sallal; the Imam is determined to press home his advantage and Nasser is faced with the painful dilemma of withdrawing ignominiously or doubling his stakes by throwing in more troops. In the meantime, American diplomacy is out on a limb having secured no quid pro quo for its overt support for Sallal's precarious regime."

A careful analysis of many other explanations advancd for our policy toward Nasser will show that we are interpreting Nasser's words as indicating his intentions rather than his actions.

True, he did not rant and rave when it was announced that the United States would sell Israel the Hawk missiles. True, he is accepting economic aid which he vitally needs. True, as a supporter of Fidel Castro, he was "surprisingly moderate" at the time of the crisis over Cuban missile bases—but so was Khrushchev.

But these are words. What of the deeds?

While he was talking softly, he was constructing missiles so that he could proudly parade them in Cairo on July 23, 1963—missiles constructed through the know-how of former German Nazis. Jay Walz reported that parade from Cairo in the New York Times for July 24, 1963, as follows:

"The United Arab Republic paraded two new rockets today and announced that it has developed "the first Arab submarine, which will be tested at sea within 15 days." One of the new rockets was a Soviet-made SA-2 ground-to-air weapon recently demonstrated in the desert near Cairo. The second was the first two-stage missile developed in the United Arab Republic. * * * This missile, called Pioneer, is of ground-to-ground type. * * * A jet fighter that thunderously broke the sound barrier over the Nile was identified as the first faster-than-sound fighter built in the United Arab Republic. * * * The Palestine Army, recruited among refugees at Gaza, participated. This army is being trained to participate in the "liberation of occupied Palestine (Israel) that President Nasser has promised."

Two points must be stressed in connection with this arms buildup by Nasser:

1. He is doing it with U.S. AID dollars just as surely as though the AID dollars were going directly to Russia for the purchase of jet fighters or directly into the pockets of the German Nazis masterminding the design and construction of these weapons. There are some with blinders who would say that this is a misstatement—that AID dollars go for Public Law 480 food and fiber and for worthwhile development projects. To the extent that we relieve Nasser's normal budget of the cost of food, fiber, and development projects we permit Nasser to have his cake and eat it too. He can divert that much into his arms budget for an arms buildup and let the United States pick up the check for the food, fiber, and development projects.

There may also be some who would say that if the United States did not sell Nasser the food and fiber the Russians would be glad to do so. This does not jibe with the facts. The Russians are not giving anything to Nasser. They are bartering arms for cotton. They are loaning him money to build the Aswan Dam. And, finally, Russia's agricultural economy is not good enough to take on the added burden of feeding 22 million Egyptians. Russia has trouble doing that for Castro and herself.

2. Nasser's diversion of AID dollars to an arms buildup requires his neighbors to follow suit—at the expense of their own sorely needed economic development and, in the case of Jordan and formerly Israel, at the expense of the U.S. taxpayer. (The New York Herald Tribune for January 2, 1963, reported Israel's defense spending up 17 percent for this year.) Here again there will be those with blinders who will say that we have given no military assistance to Israel and comparatively little to Jordan. Here, too, those who make such statement will have missed the point. To the extent that Jordan or Israel have had to divert badly needed funds from their own economic development, because they felt it necessary to be prepared to defend themselves against Nasser's open threats, to that extent has the United States been forced to give both Israel and Jordan economic assistance which in the case of Jordan has amounted to $325.3 million and in the case of Israel to $878.9 million.

Many have been sharply critical of our policy toward Nasser.

Thus Vincent Sheean in the New York Standard for February 12, 1963, in an article entitled "Gamal Nasser: Tricky Riverboat Gambler of the Nile," wrote:

"The Government in Washington recognized the puppet republic of the Yemen on December 19, 1962, as Gamal's wish, just in time to save him again from a terrible disaster—this time, no doubt, the final disaster. He had supported the revolt in that dismal wasteland (if he did not, in fact, create it) in the obvious hope of striking at Saudi Arabia from there. * * * Gamal seems to know exactly how far he can travel with his American guarantee. He let Syria go without a whimper, for instance; the Americans would not have liked to see Egyptian troops in Damascus (where, in sober fact, no Egyptian troops would survive long). And yet our present Government, then new to its tasks, purred and looked the other way when he sent troops to the Yemen. His patrons in Peiping and Moscow must have laughed heartily. They do not trust him any more than we do (perhaps even less) but they work him for all they can get out of him, which is quite a lot under the present conditions."

Thus Carl Leiden writing in the National Review for July 3, 1962:

"Nonetheless, it would be inaccurate to suggest that Egypt is moving in any other direction than the extreme left and it is wishful thinking on the part of those who suggest otherwise. Still there are many who do not think in this fashion, including no doubt a goodly percentage of those who officially represent the United States in Egypt."

Thus Arnold Hottinger in the article previously referred to—

"Returning to the question of American aid, * * * one suddently realizes that virtually every argument of the proponents of this aid is of a tactical nature. Tactically, they believe Nasser may be used—for the moment at least—as a Pan-Arab nationalist Egyptian barrier against communism. They even hope to stabilize for a short time the chronically unsettled region by the predominance of "Nasserism," although the last 4 years have shown that "Nasserism" is not so easy to sell outside of Egypt.

"To this argument one may well reply that if the strategic aim is to promote liberal institutions and to preserve and strengthen existing liberal systems or beginnings, then the measures which help consolidate the authoritarian Egyptian regime or extend its influence are clearly harmful. Stability purchased at the price of freedom may be a tactical necessity in certain cases; at the same time however it is a loss in terms of the overall strategic aim."

No discussion of the current political scene in Egypt would be complete without a discussion of Nasser's use of former German Nazis to work on his missile program.

Even before going to Egypt I was intrigued by a book by Sedar and Greenberg entitled "Behind the Egyptian Sphinx," which detailed charges that former German Nazis were being extensively used as a regular part of Nasser's government to train his troops, to organize the Egyptian youth along Hitler's line, and to work on missile projects.

The book was so replete with names, dates, and places that I was surprised that even though it had been published recently it had created so little stir. For example:

"Colonel Nasser's chief military and geopolitical adviser, intimate foreign collaborator, and confidant, is none other than the fullblooded Nazi, SS Col. Otto Skorzeny, who was dispatched to Cairo in 1953 upon the advice of his father-in-law, Dr. Hjalmar Schacht, Hilter's former financial wizard, now president of a Düsseldorf bank, specializing in the promotion of German-Arab trade. * * * As a double insurance against another defeat by the Israeli Army, the Nasser regime has formed an Arab Foreign Legion to fight against the Jewisn State. Its nucleus consists of 400 former Nazis and Gestapo veterans, who were recruited by Arab League agents in Germany. The entire project came to light when in September 1959 the authorities of Hamburg arrested Herr Wilhelm Adami, one of the principal German recruiting agents. * * * (Adami) was a Gestapo Storm Trooper and served in Poland with the Dirlewanger Extermination Brigade. * * * Nasser's State Security Cadre * * * under the direction of Lieutenant Colonel Al-Nasher, whose real identity is Leopold Gleim, chief of Hilter's personal guard and Gestapo Security Chief of German-occupied Poland, who was sentenced to death for war atrocities. * * * In the fields of political and psychological warfare, vicious anti-Western and anti-Israeli propaganda is unremittingly carried on by the Nasser regime under the direction of Johann von Leers, one of the former high-ranking Nazi propagandists in the Berlin Foreign Ministry. * * * von Leers * * * has assumed the Arabized name of Man Amin von Leers."

The book contained the following specific charge:

"Only the French, with the cartesian sense of realism, thought that the presence of so many Germans in the Nile Valley was an ominous sign and could not be taken lightly nor easily be explained. Devoid of illusion, they rightly concluded that the Germans were in Egypt for the express purpose of reestablishing their power and influence in the Middle East at the expense of the United States, Britain, and France. * * * Skorzeny's ultimate aim is to create, in conjunction with Nasser, the Grand Mufti of Jerusalem, and the Arab League, a German-Egyptian dominated third-power bloc and empire stretching from Berlin to Capetown, and from Bonn to New Delhi. The time is not yet ripe, however, to unmask themselves and operate in the open."

In another book, "The Boss," by Robert St. John, published in the same year, 1960, was found a repetition of these charges:

"There were hints of other activities that disturbed many people inside and outside Egypt. Naguib had quietly appointed one of Adolf Hitler's economic experts, Dr. Wilhelm Voss, head of the Egyptian Central Planning Board and chief adviser to the War Ministry. Dr. Johann von Leers, who had been one of Goebbels' most trusted anti-Semitic rabble rousers, was named political adviser to the information department. * * * Voss and von Leers were only two. Every day additional names were whispered. Other foreigners might be trying to get out of Egypt, but the ex-Nazis were pouring in. There were hundreds of them, who saw in postrevolutionary Egypt a place they could fish in troubled waters. They changed their names so as not to embarrass their hosts. * * * Many of these men had been brought in by Farouk, but they were not unpopular with free officers like Anwar el Sadat, who had seen nothing wrong with Hitler except that he lost."

When in Cairo in the latter part of February 1963 I questioned the Ambassador and his top political advisers concerning these charges. They stated they had not read "Behind the Egyptian Sphinx" and that they were unaware of the infiltration of the Nasser government by former Nazis. Our military attachés, however, were well aware of this and called my attention to it.

On April 30, 1963, I stated on the floor of the Senate:

"I visited the Middle East last fall and this winter as a member of the Committee on Government Operations, to look into the operations of our foreign-aid program. I found that throughout the Middle East there was great apprehension about the growing power of Nasser and a resentment over the manifestly lavish aid which the United States was giving to him, which he uses to achieve his objectives, the objectives of conquest and domination of that entire area, the extermination of the free State of Israel and driving its people into the sea.

"We found these objectives voiced by officials in Turkey, in Iran, in Syria before the latest revolt, in Lebanon, in Jordan, and in Greece. Their expressions varied, but there was wonderment as to why we neglected our friends and built up our potential enemies and their enemies.

"President Nasser has made no secret whatever of his purposes and intentions. His broadcasts, both through the official radio station, radio Cairo, and through the secret radio station which he entirely controls, clearly show his intentions. Opinion and expression in Egypt and the United Arab Republic are 100 percent controlled, with no freedom on the press whatsoever. In fact, there is greater control—more nearly absolute control—than is found almost anywhere else. Not only are the newspapers forbidden to print anything that President Nasser does not want, but also they are instructed precisely what to print, what not to print, what to conceal, and how to slant and color the news. Thus the people become pawns in Nasser's ambitious programs and cannon fodder in the wars of his making and planning.

"Through the years President Nasser has preached openly the assassination of the rulers and other officials of the countries which he wishes to subvert.

"It has been alleged by some defenders of our policy in this area that Nasser is softening his tone, that he is not as rambunctious or violent in his declarations as he has been in the past. That is not the case. He continues to preach assassination. He continues to preach violence. He continues to incite to subversion in neighboring countries. He continues to preach warfare. He makes no secret whatsoever of his determination to destroy the little country of Jordan, which is one of the democratic hopes in the Middle East, and little Israel.

"I very much fear unless the U.S. policy of building up Nasser by pouring in money to enable him to carry on his military and subversive ventures is reversed, that there will be a bloody war in the Middle East, for which we shall bear a considerable responsibility, and into which we shall perhaps be inevitably drawn.

"As recently as March 19 of this year there was a broadcast of The Voice of the Arab Nation from Cairo. I could cite and quote from many other such broadcasts, but this is a clear illustration of what is going on today; not 5 years ago, not 2 years ago, and not 1 year ago although it went on then. This type of propaganda—this type of incendiary preachment of assassination of rulers and officials of friendly countries—has been going on all through this period of time.

"The Voice of Cairo on March 19 broadcast as follows: 'Free officers, soldiers, students and Arab brothers in Saudi Arabia and Jordan, how long are you going to tolerate Saud and Hussein?' Saud and Hussein are the respective monarchs of those two countries.

" 'The time has come for the army and the people to purge the Arab land of the imperialist vestiges—the lackeys who have sold their honor and dignity and who cooperate with the archenemies of the Arabs—the English, the Americans, and the Jews.'

"These are the words of the Voice of Cairo in a country which we have subsidized and are continuing to subsidize to the extent of millions of dollars, and in greater amounts now than ever previously. These words list us among, indeed call us—Americans—the 'archenemies of the Arabs.' This is but one more example, among many, of 'biting the hand that feeds you.'

"The broadcast goes on:

" 'Free Arab soldiers and officers, the people call on you to shoulder your full responsibilities in the forthcoming battle for the liberation of Palestine. You will not be able to do so as long as the traitorous renegade clique is controlling the fate of the country.'

"Those words are addressed to the people of Saudi Arabia and of Jordan.

" 'Even the Arab people in other parts of the Arab homeland will meet great difficulties in the battle for the liberation of Palestine as long as there are people like Hussein in Jordan and people like Saud and Feisal in the Arabian Peninsula.

" 'Imperialism was able to establish the State of Israel in 1948 after deceiving the Arab people with the lackey Arab rulers to whom it entrusted leadership.

" 'Freemen in Jordan and Saudi Arabia, the situation is serious. Our Arab people are irrevocably determined to wipe away the disgrace of Israel and to purge the Holy Land of the remnants of Zionism, which is hostile to the Arabs and humanity.

" 'Our Arab people call upon the free Arabs, both military and civilian, to unite their efforts to purge Jordan and the Arabian Peninsula of the traitors. All the Arab people stand at the side of the Arab liberation revolutions in any part of the Arab homeland, because the Arab liberation battles and the aims as regards the fate of the Arab nation are indivisible units.

" 'Free officers, come forward and fix the zero hour; surge like flames to the palaces in Riyadh and Amman'—the respective capitals of Saudi Arabia and of Jordan—'and destroy the hireling traitors—enemies of God and of the people.

" 'We will then march together on our dear usurped land—Jerusalem, Jaffa, and Haifa—and the crime of Israel will no longer exist.

" 'We call the army and the people in the Arabian Peninsula and Jordan to quick action and to bloody revolution. Death to the enemies of God and of the people.'

"This comes as the official voice of the ruler whom the Western World and the United States in particular have repeatedly saved from extinction. The United States saved him at the time of the Suez crisis. Since that time we have poured in hundreds of millions of dollars to help him, presumably to rehabilitate Egypt's economy, but in effect, finance his wars. He went into the Yemen some 9 months ago, sending in first 18,000 men, and then 20,000, and now, I am reliably informed, 28,000 troops by daily airlifts in Russian-supplied planes. That war is costing Nasser, at the very least, $500,000 a day. It has continued for 9 months. It has cost him more than $100 million to date. While we are pouring in money on the one hand to aid him in domestic rehabilitation he is pouring it out in warfare on the other.

"What kind of policy is that for people of the United States who are dedicated to promoting peace in the world?

"At the same time Nasser is receiving military aid from Soviet Russia, he has a great many ex-Nazis working to provide the modern weapons of destruction for his purpose to carry on the war against Jordan and

Israel. In a recent book entitled 'Behind the Egyptian Sphinx,' which was called to our attention by our American military in Egypt, are listed a number of ex-Nazis who are wanted in Germany for their manifest crimes, who are not merely safely ensconced in the United Arab Republic but are employed to help Nasser in his sinister purpose to destroy his peaceful neighbors.

"I read the name of a few:

"SS Col. Otto Skorzeny, son-in-law of Dr. Hjalmar Schacht, who is recruiting former Nazi, and is an importer—arranges for arms shipments into Egypt.

"SS General Dirlewanger, known as the 'Butcher of Warsaw' a Nasser military adviser on guerrilla warfare.

"SS Sturmführer Baumann, alias Ali ben Khader, who is with the Algerian rebel government in Cairo, and was involved in the Warsaw massacre.

"Willi Berner, alias Ben Kashir, who is with the Algerian rebel government in Cairo, and was an SA führer and guard at Mauthausen concentration camp.

"Karl Luder, alias Abdel Kader, who is with the Algerian rebel government in Cairo, and was a Hitler youth leader in Danzig.

"Dr. Erich Alten, alias Ali Bella, who is with the Algerian rebel government in Cairo, who played a major role in the assassination of Prof. Theodor Lessing at Carlsbad in 1934, and who was Gestapo "Commissar for Jews" in Galicia.

"Leopold Gleim, alias Lieutenant Colonel Al-Nasher, who is in charge of Nasser's state security cadre, modeled after Hitler's SS corps, and was a chief of Hitler's personal guard, and a Gestapo security chief in Poland.

"Joachim Daemling, who is an adviser on special activities—concentration camps in Egypt—a former chief of the Gestapo in Düsseldorf.

"Dr. Hans Eisele, who is a cochief of medical program at concentration camps; who is a former chief physician at Buchenwald.

"SS Haupstarzt Heinrich Willermann, alias Lt. Col. Naim Fahum, who is a cochief of medical program at concentration camps and the former medical director at Dachau.

"SS Führer Bernhardt Bender, alias Col. Ben Salem, who is in charge of Nasser's security police which runs the prisons, and was chief of intelligence service of Wehrmacht security division in Ukraine.

"SS Gruppenführer Moser, alias Col. Hassan Suleiman, who is in charge of youth training.

"SS Gruppenführer Buble, alias Lieutenant Colonel Amman, who is assistant to Moser.

"Johann von Leers, alias Omon Amin von Leers, who is in charge of propaganda work for Nasser, and was formerly in the Berlin Foreign Ministry.

"Louis Heiden, alias Louis al-Hadsch, former chief of Deutsche Press Agenter; works with Leers—distributes Arabic translation of "Mein Kampf."

"Daniel Perrit-Gentil, former SS führer, worked for Wehrmacht Intelligence Service in France during war—sentenced to death by France but expelled. Now is French program director of Radio Cairo.

"Georges Dieudonné, alias Georges Oltramare, former leader of Swiss Nazi Party. Works on anti-Semitic and anti-Israel propaganda with von Leers."

"And so forth. What possible justification can there be for the United States to be pouring in its dollars, not only to support, but to encourage, a regime of this kind, which has drawn to itself all the elements which are antithetic to the professed purposes of the United States, in order to carry on a warfare which Nasser has never ceased to preach and for his objective to conquer and destroy.

"Unless the United States reverses its program promptly, and does more than merely study, review, and view with alarm, unless we act definitely, there is going to be a destructive war to the death in the Middle East in which thousands of people will be killed and in which we will inevitably be involved.

"I may have more to say on this subject at a future time, but I think I should again pay tribute to and commend the fine statement of the Senator from New York and say that in my view he is absolutely correct. We have been led down a false trail in the Middle East.

"It is about time that we supported and prevented the destruction of the one free nation in that area, the one that has worked for the rehabilitation of its own and other people, the one that has manifested only peaceful intentions, that is trying merely to exist and do its work to advance civilization at home and abroad.

"If the United Arab States, under Nasser would, instead of planning to go to war, emulate Israel, work to educate their people, to sanitate their countries, irrigate their deserts, and make a contribution to peace, we would have peace in the Middle East and all its countries would progress and prosper.

"It is a notable fact that of the many nations in the Middle East which have received our foreign aid, none was more conspicuous in the effective utilization of foreign aid than was Israel. None showed more public appreciation of this aid. It is somewhat depressing to note in many countries which we have helped to lift up from dire destitution, to see how little they have shown their appreciation. That has not been the case with Israel. Not only did we see signs on highways proclaiming that the roads were built as a result of joint efforts by the United States and Israel, but Israel has, at its own expense, issued a very beautiful documentary film in color, going into detail giving an historic account of what U.S. aid has done to help the people of Israel rehabilitate themselves.

"I think it is time that we realized that this is one country that honestly is for peace and civilization, that is firm in its democratic faith, whose people enjoy all the freedoms, a little country which has no aggressive designs, that merely wants to live and let live, but which is actually also doing something for backward countries by sending its own scientists there and that we ought to affirm the policy which we should long ago have stood for; namely, that we will not countenance invasion and destruction of Israel. We will not permit our funds to be used to finance an aggressive war in the Middle East, which, unless we adopt such a policy, is bound to come."

Previously, however, concerned about the worsening situation, I addressed the following two letters to the President:

April 10, 1963.

My Dear Mr. President: I recently returned from the Middle East on an official trip for the Senate Committee on Government Operations.

What I saw there disturbed me greatly and, after talking to Mike Feldman, I thought I would pass on to you my observations even ahead of my official report, which will, in the main, deal with our AID program in the countries visited.

I visited Turkey, Iran, Syria, Lebanon, Jordan, Israel, Greece, Tunisia, Libya, and Egypt.

It is my firm conviction that U.S. foreign policy in the Middle East is set on a disaster course just as surely as it was when we thought we could appease Hitler.

I fervently hope that no future historian will be able to write a book concerning this period of U.S. activity in the Middle East entitled "While America Slept."

We propped Nasser up at the time of the Suez crisis—in fact saved him from extinction—and have been his mainstay since. Nasser's prestige in the Middle East declined with the Syria breakaway and continued to slide downward until, when his armies were bogged down in Yemen, we came to his rescue again and recognized the revolutionary government in Yemen. I have no doubt that the revolution in Yemen was Nasser-inspired and Nasser-instigated. The speed and the manner in which Egyptian troops were rushed to Yemen on Russian planes demonstrate that we are dealing with a new Egyptian military force and confirm the reports that it has been completely revamped with the aid of Russian technicians and former German Nazis.

What is hurting U.S. prestige in the other nations in the Middle East and what is hurting the administration's posture here at home with a sizable segment of our population is that Nasser is carrying on this war in Yemen for personal aggrandizement with U.S. money.

It is conservatively estimated that the Yemen adventure is costing Nasser $500,000 per day. At that rate, since the Yemen revolution on September 26, 1962, Nasser has spent over $100 million in waging his war in Yemen. Thus, in 6 months he has spent the equivalent of our economic aid to Egypt for a whole year. Of course, a portion of this is in Public Law 480 grains—but without those grains he would soon realize the futility of his present predicament and might listen to reason. On the other hand, part of our economic aid is in the form of U.S. dollars for the purchase of goods here in the United States which Nasser needs.

The implications of our early recognition of Yemen—that it was a boost for Nasser and Nasserism—were forcibly called to our attention by officials in many of the countries visited. Officials in Turkey, Jordan, Iran, Syria (former regime), and Lebanon were especially vehement. I do not believe that the precipitate manner in which we recognized Yemen (especially before such a recognition by the United Kingdom) has helped our prestige in this area or served to strengthen the Jordanian or Iranian Governments. Had I written to you earlier, I would have added the Syrian Government to this list, but events have overtaken my report.

One important point concerning the effectiveness of our Foreign Service that strikes one in this area is the fact that very few of our representatives abroad (or, for that matter, working on the Near East desks in Washington in the Department of State) have ever been to Israel. Such a situation is completely unintelligible to me. Our so-called Near East hands are thus representing the interests of the United States in this area without adequate appraisal of the facts. Is it any wonder that after all these years we are no nearer a peaceful solution of the problems of this area?

And finally, Mr. President, Israel itself should hold a special place in U.S. efforts in the Middle East. As the only true democracy in that area, as the one nation which has made determined and successful efforts to raise its economic level, as the one nation in the area that freely and publicly acknowledges that it has received and benefited from U.S. aid, we cannot afford—from the standpoint of our own security—to continue a policy which builds up a Frankenstein monster in that area that, openly, frankly, and persistently announces the order of its next victims—Jordan, Saudi Arabia, and Israel—and whose official radio voices continue to preach assassination of the officials of these countries.

The oft repeated excuses that the Nasser line on this point is "softer" than it was a year ago are not borne out by the facts. In this connection I must point out that when Hitler published widely his plans in "Mein Kampf" people likewise refused to heed.

We are doing the same thing with Nasser.

Will we again wait too long—until grown strong with our help and independent of that help, he turns and swallows up country after country, including Israel?

One thing which will, I believe, relieve the pressures in this area is for the United States promptly to guarantee the borders of Israel in the same manner in which the borders of Saudi Arabia were guaranteed. We have backed and filled so often in the past with Nasser that we must give him no chance at misunderstanding our purpose and intent. A public guarantee of the borders of Israel by the United States would do much to assuage the fears of Israel—which today, with Nasser's increased trained military force, has much more to fear than ever before—and might also serve Nasser with an excuse to desist from his threats.

I would be glad to come up to talk to you at any time convenient to you.

With all best wishes, I am,

Sincerely yours,

ERNEST GRUENING,
*U.S. Senator.*

APRIL 12, 1963.

MY DEAR MR. PRESIDENT: This is to supplement my letter to you of April 10, 1963, after my conversation with Mike Feldman, concerning U.S. policy in the Middle East.

In that letter I did not underscore strongly enough the thought that we are supporting an arms race in the Middle East just as surely as though American dollars were used directly to pay for the arms purchased.

Under Public Law 480 we are supplying a vital part of the food needs of the Egyptian people. As a consequence, Nasser is left free to exchange his cotton for Russia's missiles. Because Nasser has missiles, Israel must purchase the Hawk from us, at an expense upward of $25 million and an increase in the size of her standing army trained to use these modern, sophisticated weapons. The $25 million could be spent to a much better purpose on the economic development of Israel just as the $100 million spent so far by Egypt on Nasser's war in Yemen could have been better spent on the economic development of Egypt. Similar comparisons could be made with respect to the other countries aided by us in the Middle East such as Jordan and Iran which feel compelled to step up their own defense budgets.

I make these comments to you with a full awareness of the historical and political background of the tensions in the Middle East. But the time has surely come for the United States to take a firm stand and declare that it will no longer permit its aid dollars to be used for an arms race or for aggressive adventures beyond a nation's own borders. We cannot continue to aid—directly or indirectly—in maintaining or increasing the tensions in the Middle East. As Nasser subverts one country after another, his high-powered radios—also indirectly supported by the United States—blare across the Middle East preaching violence against Jordan, Saudi Arabia, and Israel and actual assassination of their rulers. About 3 weeks ago Nasser's radio was predicting: "But the day will come when those who sought shelter with Husayn [Hussein, King of Jordan] will lament their fate, when they watch the people dragging Husayns in the streets."

I earnestly believe that at least one way to lessen the tension in the Middle East would be through a U.S. declaration that we will guarantee the borders of Israel and Jordan just as we have made similar declarations recently with respect to Saudi Arabia's borders. We should of course not continue to subsidize Nasser's costly military adventures beyond his borders.

But it is essential that our intent to safeguard the borders of Israel, Jordan, and Saudi Arabia is made crystal clear, publicly, not only to Nasser but to the entire world.

With all best wishes, I am,

Cordially yours,

ERNEST GRUENING,
*U.S. Senator.*

I have now received the following letter from Assistant Secretary of State Fred Dutton:

DEPARTMENT OF STATE,
*Washington, July 25, 1963.*

DEAR SENATOR GRUENING: The President has asked the Department of State to comment further on matters raised in your letters regarding U.S. policy in the Near East. The Department is pleased to have this opportunity to review with you some of the elements of this policy.

The Department believes that the principal questions which you have raised concerning our policies in the Near East do not arise from any failure of our policies with respect to the free world confrontation with communism in that area. It should be remembered that free world interests in the Near East were at their greatest peril in the mid and late fifties, when we had no aid program to the United Arab Republic, and that our policies of recent years have been paralleled by a material but gradual reversal of that dangerous situation. Today Soviet presence, prestige, and influence in the Near East have diminished to the lowest point in many years. At the same time, the capacity of the United States to exert a constructive influence on a wide variety of issues important to the free world, while still limited, is far greater now than at any time in the past, and the United States is listened to with respect in every capital in the area.

The Department agrees, of course, that tension and danger are inherent in many of the specific points you list. The Department is very much aware of this situation and is determined that these tensions and dangers not be excited by a U.S. posture governed by impatience and hastiness rather than planning and perseverance.

The President's statement of May 8, in which he reiterated this Government's opposition to the use or threat of force in the Near East, relates directly to the principal recommendation of both your letters. The President emphasized not only that the United States would support appropriate measures in the United Nations and adopt other courses of action, but also that it supports the security of both Israel and her neighbors.

As the President pointed out, the balance of military power in the area has not been changed by recent developments. This does not, however, mean lack of concern with the Near East arms race and the dangers it carries for the future. The United States is unalterably opposed to the introduction of nuclear weapons of any kind into the area and considers the acquisition of sophisticated offensive weapons to be a luxury which neither side can afford. The United States does not condone the diversion of the scarce resources of the area to the arms race or to such tragic events as the Yemen strife. It has avoided contributing to the arms race and continues to work to reduce the tensions which foster it. In the case of Yemen, as you know, the United States has exerted efforts to arrange a disengagement of the United Arab Republic and Saudi Arabia.

The Department appreciates the concern expressed in your letters that U.S. assistance might make it possible for the United Arab Republic to acquire arms thus presenting an increasing threat to Israel and other countries, to engage in radio propaganda, and to become involved in the internal affairs of other Arab countries such as Yemen. It has accordingly kept the program under stringent review to assure against such possibility. Again it is worth noting what the situation was in 1957 and 1958 when there was no U.S. program of assistance to the United Arab Republic. During those years, Arab-Israel hostility was most intense, Syria and Egypt merged to form the United Arab Republic, Yemen and Egypt affiliated themselves, the pro-Western Government of Iraq was overthrown, the United Arab Republic carried out the greatest expansion of its armed forces and, as noted above, Communist influence soared.

In determining its policy toward the United Arab Republic, the United States has done so only after thorough consideration of all factors in the light of its national interests. Assistance to the United Arab Republic, as noted above, continues to be designed as carefully as possible to assure its use for internal development purposes. Over three-fourths of U.S. assistance to the United Arab Republic has been in the form of surplus agricultural commodities mainly sold for local currency, part of which is used to meet U.S. expenses and the balance of which is used for economic development purposes.

As in the case of many countries seeking to meet national security requirements, military programs of countries in the Near East inevitably absorb resources which might otherwise contribute to development. But U.S. interests, the Department believes will not be served by ignoring or rejecting legitimate requests for assistance to facilitate economic progress or, for that matter, for food itself. It would only increase the tensions without curbing priorities which are given to military preparedness. The absence of the oft-alleged correlation between U.S. economic assistance and United Arab Republic arms acquisition is well illustrated by the fact that the United Arab Republic's most intensive procurement of arms occurred while the United States suspended aid in the post-Suez period. This procurement was financed then, as now, primarily through surplus United Arab Republic cotton not disposable in Western markets at reasonable prices. On the other hand, the United Arab Republic's more than threefold increase in its economic development budget has occurred after U.S. economic assistance was resumed. The $700 million increase in the United Arab Republic's annual development accounts is some four times larger than the amount of U.S. aid.

Of course, our program of assistance to the United Arab Republic has been paralleled by development assistance to other countries in the Near East which has contributed substantially to their growth and stability. During the period fiscal years 1949–62, for example, we provided Israel and Jordan with over $400 and $190 per capita respectively, while providing $26 per capita to the United Arab Republic.

With reference to your concern that officers dealing with Near Eastern affairs either at our posts in the area or in Washington may not have visited Israel, the Department wishes to assure you that many of our Foreign Service officers in the Near East have visited Israel and are encouraged to do so. Most of the Department's Near Eastern specialists have visited Israel, some of them a number of times.

In closing, the Department would like to assure you that it is not and cannot be indifferent to the dangers of the Near Eastern situation. The Department has taken and is taking steps designed to reduce or eliminate the tensions underlying the Arab-Israel dispute and to keep to a minimum the flow of arms to the area. The Department seeks to conduct these policies and actions so that they will not of themselves precipitate an adverse chain of events which would be difficult if not impossible to contain and be welcome only to the Soviet Union.

It has been amply demonstrated in the Near East that the use of an assistance program in this area as a bludgeon to force solutions will not work where deep-seated beliefs and longstanding grievances are held. Experience also has shown that the American interest in denying the Communists a position dangerous to us in the Near East and our interest in easing the tensions of the area to permit increasing stability is best served by maintaining and multiplying ties with the countries of the Near East.

If I can be of further assistance, please do not hesitate to call on me.

Sincerely yours,

FREDERICK G. DUTTON,
*Assistant Secretary.*

III. ECONOMY

*A. Agriculture*

The majority of Egypt's population is engaged in agriculture and derive their livelihood from it. Per capita income is approximately $118 per annum. The most important single crop is cotton. It is also the largest export commodity; it accounts for 70 percent of annual exports. One-fifth of the total cropped area is used for cotton growing. Cotton, however, has unfortunately been subject to wide price fluctuations in world markets.

Other cultivated crops are corn (or maize), wheat, rice, "Berseam" (clover-fodder), sugarcane, fruit, and vegetables. The total cultivable area is roughly 10 million acres.

Perennial irrigation is necessary over most of this land. The need to bring more land under cultivation points to the importance of the Aswan Dam project. It is the cornerstone of Egypt's plans for future development. It is expected to make available 2 million acres of land for cultivation and bring about approximately a 33-percent increase in the national income. The first stage of the dam is due to be completed in 1965 and the second stage by 1970.

Besides increasing the land area under cultivation, improved methods of agriculture and cooperative organization (to provide seeds, fertilizer, equipment, and advice) are being applied to increase crop yields, especially of long staple cotton. Land reform which was started in 1952 was revised and intensified in July 1961. Individual landholdings were reduced from 200 to 100 feddans. Excess holdings were to be redistributed among landless peasants with a maximum of 5 feddans for each. A total of over 800,000 feddans (or acres approximately) will thus eventually be distributed among 250,000 rural families.

*B. Mining*

Egypt has no large mineral resources. Some oil is produced—approximately 3,350,000 tons—mostly in the Sinai Peninsula and west of the Gulf of Suez. A continuing search is underway for new oilfields in the western desert. Crude oil is imported for domestic use and refined in the oil refineries at Suez and Alexandria. The state-owned General Petroleum Co. which exploits and refines most of the oil is controlled by the newly created General Petroleum Authority. Iron deposits found in the Aswan region are mined and the ore is smelted at the new Helwan iron and steel plant. Deposits of manganese, phosphate, salt, and gold are also mined.

*C. Industry and manufacturing*

Approximately 1 million workers were employed in industry in 1961. Many new industrial concerns have been established in Egypt within the last 5 to 7 years. These produce radios, steel rails, diesel engines, motor vehicles, railway wagons, textiles, cement, fertilizer, electricity (generating plants), and electric bulbs. The Government has sought to expand the industrial sector, and especially heavy industry, in order to reduce the country's dependence on agriculture and especially cotton. Approximately 30 percent of development funds are being devoted to industrial expansion under the second 5-year plan. It is also hoped that this sector will provide employment to approximately 200,000 more workers between 1960–65.

The state has acquired ownership or control over most of the important industries, manufacturing, financial, and commercial concerns—approximately 80 percent of all business. This increased state control was effected under the laws promulgated in July 1961. A National Investment Fund was also established with E£200,000 (E£1=$2.30) initial resources. It was hoped that this would encourage small savers to invest in industry. Exchange controls and import restrictions were put into effect 1½ years ago and a state monopoly was created over all cotton exports. In part this was a reaction to the alarming decrease in trade and foreign exchange earnings from the Western countries.

The Suez Canal has become an important source of foreign exchange earnings yielding approximately $150 million per year. A loan of $56.5 million was approved by the World Bank in December 1959 to widen and deepen the canal. The United States voted to approve this loan despite the fact that, contrary to United Nations action, Egypt was still barring Israeli shipping from the use of the canal and barring ships of other nations, including the United States, carrying goods to and from Israel.

*D. Economic development plans*

A National Planning Institute was established and given responsibility to formulate and oversee development plans. The second 5-year plan was officially started in July 1960. It envisaged a total expenditure of E£1,697 million—E£392 million on irrigation and the Aswan High Dam, E£434 million for industry, E£145 million for electricity generation, and the rest on transportation, housing, education, health, and welfare. It was hoped that by the end of this 5-year plan per capita income would increase from $118 to $140, and that employment in industry alone would increase by 200,000. The rate of population growth, however, may not allow per capita income to rise significantly.

Under a decree issued in July 1961 at least 25 percent of profits of all industrial or manufacturing concerns were to be distributed among workers, and their representatives were to be included on the board of directors. A ceiling was set on individual salaries of executives. Numerous cooperatives for industrial as well as agricultural workers have been set up to benefit the working classes and to provide them with consumer goods at controlled prices.

The Soviet Union had committed $920 million in aid to Egypt up to mid-1962, one-third of it in the form of military assistance. A large share of Soviet aid has been devoted to the construction of the Aswan Dam and the rest to smaller industrial projects, including oil refineries, and technical assistance. Soviet aid is likely to continue as long as it desires to maintain a foothold in the Middle East. Czechoslovakia has also been an important source of aid, especially military aid, to Egypt. Egypt secured aid from the Communist-bloc countries under barter agreements, trading cotton for military and industrial equipment and technical assistance. As a result of this arrangement the Soviet Union and Czechoslovakia became Egypt's most important trading partners. The resulting shortage of essential Western currencies and the sad experience with reexport of Egyptian cotton to Western European markets by Czechoslovakia caused Egypt to ponder over its economic ties with the Communist bloc.

*E. U.S. economic assistance program*

According to AID figures (exhibit III–J–B) in the 11 years since 1952 we have loaned or granted Egypt $862.8 million. To this must be added the $30 million, three-fourths of 1 percent, 40-year loan made to Egypt this last February, making the total $892.8 million.[2]

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[2] Through the years Egypt has received a total of $72.3 million from:

| | Millions |
|---|---|
| International Bank for Reconstruction and Development | $56.5 |
| United Nations technical assistance program | 7.3 |
| United Nations Special Fund | 8.5 |

EXHIBIT III–J–B

*U.S. assistance to the United Arab Republic*

[In millions of dollars]

| | Fiscal year 1952 | Fiscal year 1953 | Fiscal year 1954 | Fiscal year 1955 | Fiscal year 1956 | Fiscal year 1957 | Fiscal year 1958 | Fiscal year 1959 | Fiscal year 1960 | Fiscal year 1961 | Fiscal year 1962 | Fiscal year 1963 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| I. Technical assistance: | | | | | | | | | | | | | |
| Agricultural and natural resources | -------- | 1.528 | 0.902 | 0.658 | 0.312 | 0.100 | 0.003 | -------- | 0.419 | 0.109 | 0.489 | -------- | 4.610 |
| Industry and mining | -------- | .241 | .366 | .088 | .094 | .029 | -------- | -------- | .033 | .421 | .380 | -------- | 1.652 |
| Transportation and communications | -------- | .029 | .007 | .052 | .063 | .008. | -------- | 0.291 | .217 | .181 | .444 | -------- | 1.292 |
| Health and sanitation | -------- | .153 | .472 | .235 | .216 | .035 | -------- | -------- | -------- | -------- | -------- | -------- | 1.111 |
| Education | -------- | .270 | .471 | .250 | .321 | .085 | .001 | -------- | -------- | -------- | -------- | -------- | 1.398 |
| Public administration | -------- | .008 | .023 | .286 | .054 | -------- | -------- | .021 | .002 | .018 | .185 | -------- | .604 |
| Community development and housing | -------- | 10.109 | .061 | .198 | .198 | .046 | -------- | .104 | .119 | .120 | .097 | -------- | 11.052 |
| Technical support | 0.376 | .313 | -------- | .301 | .185 | .214 | -------- | .021 | .132 | .202 | .231 | -------- | 1.975 |
| Special participant program | -------- | -------- | -------- | -------- | -------- | -------- | -------- | -------- | .548 | .394 | .201 | -------- | 1.143 |
| Total | .376 | 12.651 | 2,392 | 2.068 | 1.443 | .517 | .004 | .437 | 1.470 | 1.452 | 2.027 | 1.760 | 26.606 |
| II. Special assistance: | | | | | | | | | | | | | |
| Agricultural and natural resources | -------- | -------- | -------- | -------- | -------- | -------- | -------- | -------- | .250 | .410 | -------- | -------- | .660 |
| Transportation | -------- | -------- | -------- | 16.439 | -------- | -------- | -------- | 2.550 | .981 | .130 | -------- | -------- | 20.100 |
| Health and sanitation | -------- | -------- | -------- | 6,262 | -------- | -------- | -------- | -------- | -------- | -------- | -------- | -------- | 6.262 |
| Public administration | -------- | -------- | -------- | -------- | -------- | -------- | -------- | -------- | .250 | -------- | -------- | -------- | .250 |
| General miscellaneous | -------- | -------- | -------- | 1.408 | -------- | -------- | -------- | -------- | -------- | -------- | -------- | -------- | 1.408 |
| Commodity imports | -------- | -------- | -------- | 7.639 | -------- | -------- | -------- | 7.218 | 2.200 | -------- | -------- | -------- | 17.057 |
| Total | -------- | -------- | -------- | 31.748 | -------- | -------- | -------- | 9.768 | 3.681 | .540 | -------- | (1) | 45.737 |

See footnotes at end of table.

EXHIBIT III-J-B—Continued

*U.S. assistance to the United Arab Republic*—Continued

[In millions of dollars]

| | Fiscal year 1952 | Fiscal year 1953 | Fiscal year 1954 | Fiscal year 1955 | Fiscal year 1956 | Fiscal year 1957 | Fiscal year 1958 | Fiscal year 1959 | Fiscal year 1960 | Fiscal year 1961 | Fiscal year 1962 | Fiscal year 1963 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| III. Food for Peace (Public Law 480): | | | | | | | | | | | | | |
| Title I | ------- | ------- | ------- | ------- | 19, 600 | ------- | ------- | 48, 300 | 72. 700 | 79. 800 | 165. 800 | 104. 000 | 496. 740 |
| Title II | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | 29. 100 | ------- | 29. 100 |
| Title III | .808 | ------- | .744 | 23. 544 | 17. 514 | .455 | 2. 080 | 9. 587 | 8. 299 | 23. 550 | 27. 300 | 35. 582 | 149. 463 |
| Total | .808 | ------- | .744 | 23. 544 | 37. 114 | .455 | 2. 080 | 57. 887 | 80. 999 | 103. 350 | 222. 240 | 239. 582 | 675. 303 |
| IV. Export-Import Bank: | | | | | | | | | | | | | |
| Suez fertilizer plant | ------- | ------- | ------- | [2] 7. 500 | ------- | ------- | ------- | 5. 000 | ------- | | ------- | ------- | 12. 500 |
| Diesel locomotives | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | 12. 000 | 22. 500 | ------- | ------- | 34. 500 |
| Total | ------- | ------- | ------- | 7. 500 | ------- | ------- | ------- | 5. 000 | 12. 000 | 22. 500 | ------- | ([1]) | 47. 000 |
| V. Development loans: | | | | | | | | | | | | | |
| Edfina | ------- | ------- | ------- | ------- | ------- | ------- | ------- | .200 | ------- | ------- | ------- | ------- | .200 |
| Bagasse plant | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | 6. 700 | ------- | ------- | ------- | 6. 700 |
| Industrial bank | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | 7. 000 | ------- | ------- | ------- | 7. 000 |
| Telecommunications | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | 1. 300 | ------- | ------- | 1. 300 |
| Misrayon | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | 3. 00 | ------- | 3. 000 |
| Grain handling | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | [3] 17. 000 | ------- | 17. 000 |
| Commodity imports | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | ------- | 20. 000 | 10. 000 | 30. 000 |
| Total | ------- | ------- | ------- | ------- | ------- | ------- | ------- | .200 | 13. 700 | 1300 | 40. 000 | 10. 000 | 65. 200 |
| VI. Fulbright program | .415 | .335 | .279 | .206 | .186 | .056 | .002 | .003 | ([4]) | ------- | ------- | ------- | 1. 482 |
| VII. Exchange of persons program (Public Law 402) | ------- | ------- | ------- | ------- | .151 | .151 | .151 | .198 | .284 | .400 | .171 | ------- | 1. 506 |
| Grand total | 1. 599 | 12. 986 | 3. 415 | 65. 066 | 38. 894 | 1. 179 | 2. 237 | 73. 493 | 112. 134 | 129. 542 | 264. 438 | 151. 351 | 862, 834 |

[1] Total for fiscal year not as yet determined.

[2] Loan has been repaid.

[3] E£7,520,000 will also be granted by United States to support this activity.

[4] United Arab Republic and United States agreed that E£404,798 in U.S.-owned foreign currency would be used for the ensuing fiscal years.

Jan. 23, 1963.

Broken down, this assistance went for the following purposes:

| | *Millions* |
|---|---|
| Technical assistance | $26. 6 |
| Special assistance | 45. 7 |
| Food for peace | 675. 3 |
| Export-Import Bank | 47. 0 |
| Development loans | 95. 2 |
| Fulbright program | 1. 4 |
| Exchange of persons | 1. 6 |
| Total | 892. 8 |

The major portion of our assistance to Egypt has therefore gone for sales of food and fiber.

Our technical assistance program has been relatively small. Thus we were involved in the following projects according to an AID report:

*263-A-12AA—Groundwater investigations in the western desert*

(a) Brief description and justification of each project:

One of the most pressing problems facing the United Arab Republic is the necessity for finding means of feeding its 27 million people who are increasing at the rate of about 2.5 percent per year. The pressure on the available land supply is exemplified by the fact that 96 percent of the people live on 4 percent of the land and the arable land supply is only about one-fourth of an acre per person.

There are two main aspects to the problem of increasing agriculture production:

(1) Increasing production on existing land by more intensive cultivation, i.e., use of more fertilizer, better seeds, double cropping, etc.

(2) Increasing the supply of arable land. This can be done in two principal ways:

(a) Application of water to areas not now receiving water.

(b) Reclaiming land which has gone out of production through salinity, waterlogging, etc.

The High Dam project will attack the problem on both fronts. It will enable the Government to double or triple the cropping on some 700,000 acres which now grow a single crop. It will also enable the use of approximately 1 million acres not now receiving water. However, the dam will take up to 10 years in construction and it is estimated that the population increase in the interim will probably absorb most of the increase in production. Prospects exist for increasing production by raising yields (intensification) notwithstanding the fact that yields are relatively high. They still are below averages obtained on irrigated lands.

The Western Desert comprises an area of 250,000 square kilometers and supports a population of only 45,000. It is believed much additional land could be cultivated if adequate water can be located and there is sufficient recharge to support significant resettlement.

The water program is divided into two segments:

1. Research and Investigation through June 1964.

2. Development and Utilization (10 to 15 years).

The United States is assisting with the completion of the first stage by providing the services of six technicians including geologists, well drillers as well as a mechanic. An extensive aerial and magnetometer survey has been completed covering 86,000 square miles of the desert area. This has been under contract with the Aero Service Corp. of Philadelphia, Pa. Photomosaics have been made and the necessary mapping for the project will be done by the Egyptian Government. These maps will serve as a basis for soil classification, minerals locations, additional potential water sources, etc., which will all contribute to the possible future development of the area. The investigation itself is being carried out largely by professional personnel of the Egyptian General Desert Development Organization with technical assistance and training from American hydrologists, geologists, and other specialists.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $5, 199, 000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $2, 252, 000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | $242, 000 |
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | $2, 388, 000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | $317, 000 |
| (e) Percent U.S. contribution to total cost | 48 |

(f) Estimated completion date: Fiscal year 1964.

*263-A-11AB—Agricultural education and extension*

(a) Brief description and justification of the project:

Agriculture is the backbone of the United Arab Republic economy and affects the income of most of her people. Consequently, the Government has embarked upon a broadscale agriculture program and in this connection recognizes the importance of conveying to the farmer the latest results of field trials, applied research and demonstrations. The Ministry of Agriculture and, in particular the Agricultural Extension Department, has experienced considerable difficulty in securing trained personnel to meet its expanding requirements. The Ministries' present plans are (1) to upgrade the 67 agricultural centers already established; (2) to establish up to 58 additional centers within the next 6 years; (3) to provide inservice training for extension personnel; and (4) to train additional specialists and other extension workers.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $10, 965, 000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $2, 918, 000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | $600, 000 |
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | $7, 447, 000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | ---------- |

| | |
|---|---|
| (e) Percent U.S. contribution to total cost | 32 |

(f) Estimated completion date: Fiscal year 1969.

### *263-A-11-AC—Development of hydraulic research and experiment station*

(a) Brief description and justification of the project:

The principal long-term objective of this project is to develop a modern hydraulic experiment station capable of carrying out research essential to the coordinated and efficient development of the United Arab Republic's water resources. The project includes fundamental research in river hydraulics, open channel flow, sedimentation, transportation, design and maintenance of irrigation works, the study of river training problems by the use of models and the experimental design of hydraulic structures. The significance of solving the problems outlined above can hardly be overemphasized since the United Arab Republic is so heavily dependent upon the Nile for development.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars) | $541,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $125,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | $135,000 |
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | $273,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | $8,000 |
| (e) Percent U.S. contribution to total cost | 48 |

(f) Estimated completion date: Fiscal year 1964.

### *263-A-15AE—Grain handling facilities*

(a) Brief description and justification of the project:

This project provides a system of storage facilities at 49 locations serving all of the United Arab Republic. Included will be three new port facilities located at Alexandria, Port Said, and Safaga on the Red Sea. There will be 10 terminal silos and 36 distribution silos located throughout the country. The 54 silos, with associated facilities, will have a combined storage capacity of 837,000 metric tons. The total cost of the project is estimated to be about $66 million of which about $32 million represent foreign currency requirements.

Construction of this modern storage system is expected to save the United Arab Republic Government millions of pounds annually incurred through losses due to spoilage, insect infestation, etc.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $66,000,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | ------------ |
| U.S. owned local currency (in equivalent U.S. dollars) | $16,920,000 |
| (d) Local government contribution— | |
| (i) From country budget | [1] $49,080,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | ------------ |
| (e) Percent U.S. contribution to total cost | 25.6 |

[1] Includes the $32 million U.S. loan which represents the foreign currency requirements for this project.

(f) Estimated completion date: Fiscal year 1965.

### *263-A-12AF—Egyptian-American Service for Rural Improvement (EARIS)*

(a) Brief description and justification of project:

One of the major approaches in the drive to increase agricultural production, in addition to increasing intensive production on present lands (other than double cropping planned through the application of the high dam water), is the utilization of new lands. There are two aspects to this approach: (1) discovery of underground water which can be applied to potentially arable but presently desert land, and (2) reclamation of presently unusable lands because of salinity or waterlogging.

This project is directed to the reclamation aspect of the problem and the resettlement of landless farm families.

This project was initiated in 1953 and is the only activity which has continued since that time. However, as U.S. participation was reactivated, the project emphasis was reoriented. The present approach is directed to reorganizing the administration in such a way that by 1964 the entire activity and certain principles evolved therein can be totally integrated within the overall framework of the program to be carried out through all of the Egyptian region by the United Arab Republic Ministry of Agriculture and Agrarian Reform.

The project is under Egyptian and American codirection and the joint fund is controlled by the two codirectors.

The present goals are to—

1. Reclaim approximately 40,000 acres of land in 3 areas, the largest consisting of 32,000 acres located just south of the city of Alexandria.
2. Construct irrigation and drainage canals.
3. Leach land and prepare it for production.
4. Construct approximately 8,000 houses.
5. Resettle approximately 8,000 farm families on 5-acre plots.
6. Develop a pattern of community life and village administration consistent with local conditions and in accord with the regulations of the Agrarian Reform Cooperative.

At Abis, the largest of the three projects included in EARIS, approximately 13,300 of the 30,800 acres in the area have been reclaimed and 11,393 acres have been distributed to farmers. An additional 6,700 acres is ready for distribution. Three complete villages of nearly 4,000 houses have been constructed complete with schools, shops, mosque, hospitals, clinics, and administrative buildings

The families selected for settlement had to demonstrate they had little or no land holdings, were experienced farmers, could manage 5 acres, have relatively good health, and a previous good community record. As a result of the careful screening, the present settlers have been over 99 percent successful. Over 1,000 additional houses are presently under construction. This project is included in the present economic development program, and it is planned that this project will serve as a model for the total reclamation and development effort which envisages the resettlement of one-fourth to one-half million farmers.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $50,093,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $10,982,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | $3,286,000 |
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | $35,695,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | $130,000 |
| (e) Percent U.S. contribution to total cost | [1] 28.4 |

[1] The U.S. contribution is related to the total cost of the project. Additional U.S. contribution of local currency may be required. However, it is not contemplated that the U.S. contribution will exceed 40 percent of the total cost of the project.

(f) Estimated completion date: Fiscal year 1965.

### *263-W-19AA—Agricultural training project*

(a) Brief description and justification of the project:

The United Arab Republic is in need of qualified personnel to plan and carry out the activities included in its economics development plan which calls for a significant expansion in agricultural production. The objective of this project is to train a small number of selected officials of the Ministry of Agriculture and Ministry of Land Reform and Reclamation in methods of improved crop and livestock production, soils irrigation, farm management, and farm machinery maintenance and operation.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $56,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $42,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | ------- |
| (d) Local government contribution— | |
| (i) From country budget | $14,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | ------- |
| (e) Percent U.S. contribution to total cost | 75 |

(f) Estimated completion date: Fiscal year 1962.

### *263-31-169—Highway development project*

(a) Brief description and justification of the project:

Motor vehicle transportation is an extremely important element of Egypt's internal transportation. Approximately 16,000 motortrucks are registered and the quantity is constantly increasing. These trucks transport over 2 million ton-miles of cargo per year and no less than 75 percent of all cotton products and half of the petroleum products. Buses carry approximately 50 million passengers a year. During the period from 1956 to 1961, inclusive, the United Arab Republic Government spent about $52 million on road construction and has made good progress in improving the highway system. It is a vital element in the United Arab Republic development program.

The United States has provided assistance through a contract with Charles M. Upham Associates, Inc., in the establishment of a training center for the training of highway department personnel in the operation, care, and maintenance of highway equipment and in the techniques of efficient low-cost road construction. They also developed a general specification manual for construction standardization.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $28,052,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $2,326,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | $5,221,000 |
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | $18,213,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | $2,292,000 |

| | |
|---|---|
| (e) Percent U.S. contribution to total cost | 26.9 |

(f) Project completed fiscal year 1961.

*263-W-37AC—Civil aviation development*

(a) Brief description and justification of project:

Egypt is an important traffic-generating point in the Middle East. Cairo is on the main Southern East-West trunk route from Europe through the Middle East to the Far East and a main trunk route from Europe to Africa.

An improved airways system will greatly enhance economic development and increase revenues through greater utilization and traffic-handling capacity of its airports.

At present the Cairo International Airport handles 800 total operations per week (350 flights) but it is conservatively estimated that the traffic potential is 1,200 operations per week within 5 years. The project system when completed will enable handling of approximately 1,500 operations per week.

The project is designed to assist the United Arab Republic Government in the establishment of a modern airway system which can efficiently cope with the requirements of both domestic and international aircraft operations and in particular to the operation of jet aircraft.

U.S. assistance is being provided by a team of seven technicians from the Federal Aviation Administration (FAA) to advise and assist in the planning, engineering, and installation of airways facilities and in the local training of personnel to operate and maintain the system.

Supervisory personnel are being sent to the United States for advanced training. Equipment is being provided from Special Assistance funds to meet the needs of the system.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $11,143,200 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $1,988,300 |
| U.S.-owned local currency (in equivalent U.S. dollars) | $952,900 |
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | $9,142,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | $60,000 |
| (e) Percent U.S. contribution to total cost | 26.4 |

(f) Estimated completion date: fiscal year 1964.

*263-G-22-AA—Telecommunications Training Center*

(a) Brief description and justification of project:

Since 1955 the United Arab Republic Government's Telecommunication organization has been engaged in carrying out a planned three-phase 15-year Telecommuications program to expand facilities which is estimated to cost $170 million. Illustrative of some of the projects involved which have recently been completed under the plan are: installation of a coaxial cable network in the Delta area to connect Cairo, Alexandria, and the main cities, with a total length of about 275 miles; and establishment of automatic exchanges in Cairo, Alexandria, and 5 other cities with a total of 44,000 lines.

The U.S. Government has been requested to provide assistance to the Telecommunications Organization toward establishment and operation of a Telecommunications Training and Research Institute in Cairo. As a first step in implementing this project two RCA consultants spent 6 weeks in Cairo reviewing conditions and prepared a report outlining an organization and curriculum for the Institute calling for a team of eight technicians. It is estimated that after 5 years of U.S. assistance the Institute, consisting of a technical school, a maintenance and installation school, a traffic school, an administrative school, a research laboratory, and an advanced studies school, will function entirely under local direction and management.

Graduates from these schools will fill the need for increasing numbers of trained personnel to administer and operate the rapidly expanding telecommunications system.

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|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $4,417,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $1,953,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | ---------- |
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | $2,464,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | ---------- |
| (e) Percent U.S. contribution to total cost | 44 |

(f) Estimated completion date: Fiscal year 1968.

*263-J-29-AA—Technical advice to the 5-year plan organization*

(a) Brief description and justification of the project:

This is a new project to provide technical assistance and advice to the General Organization for Executing the Five Year Industrial Plan (GOEFYIP) of the United Arab Republic Government Ministry of Industry, on the economic and technical planning aspects of the United Arab Republic industrial development program. Comprehensive long-range industrial development programs are in the process of planning and implementation throughout the Nation. As the industrialization program progresses, increasing attention must be given to the economic and technical analyses of industrial development objectives and to the economic and technical feasibility determinations for industrial projects comprising the program in order to insure optimum productive results. While United Arab Republic technical competence levels are relatively high and many qualified engineers and technicians are available to carry out the industrial program it is imperative that GOEFYIP reinforce its own staff resources with competent outside consultants to assist in the study of these complex industrial planning problems. Technical advice and assistance will be provided under this project by a team of full-time consultants supplemented by short-term specialists to help GOEFYIP establish and develop this major staff facility and to develop and train technical staff to meet the rapidly expanding demands of their organization.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $1,107,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $784,000 |
| U.S. owned local currency (in equivalent U.S. dollars) | ---------- |
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | $323,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | ---------- |
| (e) Percent U.S. contribution to total cost | 71 |

(f) Estimated compeltion date: Fiscal year 1966.

*263-J-28-AC—Industrial technical training*

(a) Brief description and justification of the project:

Egypt's industrial development program including establishment of new industries and expanding and modernizing those already existing is seriously hampered by the shortage of trained subprofessional technical personnel. In order to assess this problem objectively and to recommend the fields in which U.S. assistance should be provided, the services of a three-man Industrial Technical Training survey team (Sept.-Dec. 1962) have been obtained. Upon completion of their survey the team will report on means of improving manpower development programs and specifically determine the nature and extent of training facilities needed to meet required manpower skills. Lack of these skills represents a critical bottleneck and prevents effective communication between graduate engineers and skilled and semiskilled workers. Following the survey team it is planned to expand this project and contract for a group of qualified technicians, whose specialities and periods of assignment are to be based on findings in the survey report. This group will organize, staff, define objectives, and establish standards of the technical training institution(s) selected to address this problem.

The basic objective of this project is to alleviate the shortage of subprofessional personnel which is a problem of prime importance in accelerating the rate of Egypt's industrial development.

| | |
|---|---|
| (b) Total estimated cost of project: U.S. dollars plus equivalent U.S. dollars | $3,485,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $1,230,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | $675,000 |
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | $1,580,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | ---------- |
| (e) Percent U.S. contribution to total cost | 54.7 |

(f) Estimated completion: Fiscal year 1967.

*263-27-250—Iron and steel industry development*

(a) Brief description and justification of the project:

An iron and steel plant of 225,000 tons annual capacity has been erected at Helwan to utilize the iron ore deposits at Aswan.

In 1960 the U.S. AID was requested to provide assistance to the industry as production was far short of rated capacity and quality was defective.

Following its usual custom, U.S. AID procured the services of two short-term, highly specialized consultants to advise as to the requirements of the situation and to ascertain what, if anything, could be done to assist. The conclusion reached by the consultants suggested improvement of marketing methods, many improvements in quality control and related items. The Government of the United Arab Republic decided that its interests was in increasing production per se and not in other activities. U.S. AID then decided that any further activities in this area would not be feasible.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $9,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $8,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | ------ |

| | |
|---|---|
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | ------ |
| (ii) From counterpart funds (in equivalent U.S. dollars) | $1,000 |
| (e) Percent U.S. contribution to total cost | 88.9 |

(f) Percent terminated: Fiscal year 1960.

*263–J66–AG—Engineering education, University of Assiout*

(a) Brief description and justification of project:

Assiout University is the youngest and most modern university in the United Arab Republic. It was opened in 1957 and graduated its first class in 1961. Organized on departmental lines, the university is more comparable to an American institution of higher learning than any other non-American sponsored university in the Arab world. The university is currently very short of staff. Many members of the faculty are drawn from other universities in Egypt and commute to Assiout for 1 or 2 days per week. Eighty-seven members of the engineering staff alone are commuters.

The University has approached the U.S. AID for assistance in the development of its department of engineering with emphasis on mechanical, electrical, and civil engineering departments. This mission has requested the services of a survey team to conduct a survey of the university and its needs for faculty and curriculum development.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $9,958,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $2,250,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | ---------- |
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | $7,708,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | ---------- |
| (e) Percent U.S. contribution to total cost | 22.6 |

(f) Estimated completion date: Fiscal year 1967.

*263–W–69–AG—Special participant program*

(a) Brief description and justification of project:

The objective of this project is to improve the technical abilities of the United Arab Republic Government officers in areas related to economic development in the United Arab Republic.

This project originated in fiscal year 1960 when AID sponsored 98 participants, USIS sponsored 40 participants and the American Friends of the Middle East sponsored 50 participants. The AID-sponsored participants were selected from a variety of fields including agriculture, industry, mining, chemistry, and nuclear engineering.

Some of the AID-sponsored participants have already completed their training and a number of the participants presently receiving training in the United States will complete their program this year. As of September 30, 41 participants were still in the United States receiving training under this program.

The Government of the United Arab Republic has assured that each returning participant will be employed by the Ministry which can best utilize his training.

This project has been closely coordinated with USIS and the American Friends of the Middle East.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $1,231,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $1,176,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | ---------- |
| (d) Local government contribution— | |
| (i) From country budget (in equivalent U.S. dollars) | $19,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | $36,000 |
| (e) Percent U.S. contribution to total cost | 95.5 percent |

(f) Estimated completion date: Fiscal year 1963.

*263–W–78–AH—Population census*

(a) Brief description and justification of project:

The United Arab Republic Department of Statistics and USAID/United Arab Republic cooperated in a population census project. Under this project, the USAID provided funds for the rental of statistical equipment and the purchase of necessary cards and paper for the machines. Prior to the negotiation of the agreement obligating funds for this project, the USAID provided the services of a short-term consultant to assist the United Arab Republic Department of Statistics in planning for the use of the machines and equipment ("A Report on the 1960 Population Census of the United Arab Republic," by Lawrence A. Marzetti) and, under the fiscal year 1959 program, the USAID provided training in the United States for six United Arab Republic statisticians in census operations and population analysis. The participants completed their training and returned to the United Arab Republic to participate in the preparation of the data collected during 1960 prior to actual machine punching and tabulation.

The first census was carried out in the Egyptian region in 1882 and the second was in 1887. Thereafter, it was carried out every 10 years up until 1957. The eighth census was to be carried out in 1957 but was delayed until 1960. One important defect in past censuses was that the information collected was seldom published before the lapse of about 5 years, a fact which defeated the purpose of such an operation. For this reason it was hoped that all necessary information concerning the 1960 census would be published 1 year after its collection. Therefore, training in the use of the most up-to-date electronic equipment and the subsequent rental of such equipment was needed for processing the information obtained in the shortest possible time.

The population census in the United Arab Republic was carried out in 1960, and the project was completed in March 1962.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $366,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $239,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | -------- |
| (d) Local government contribution: | |
| (i) From country budget (in equivalent U.S. dollars) | $122,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | $5,000 |
| (e) Percent U.S. contribution to total cost | 68.8 |

(f) Project completed fiscal year 1962.

*263–98–260—Atomic energy training*

(a) Brief description and justification of project:

The Government of the United Arab Republic, through the Egyptian Atomic Energy Commission, has established a reactor and nuclear center at Inshass Village, which is about 40 miles from Cairo, where a light water reactor has been built. A nuclear physics laboratory comprising a Van De Graff two-man unit and an isotope production plant was planned to be constructed at Inshass. This nuclear reactor project and isotope center was planned to employ around 250 to 350 technicians and other personnel. During fiscal year 1961 the United States provided training for one participant under this project.

The present light water reactor at the nuclear center at Inshass is only an experimental type for further development and it is anticipated that different kinds of reactors such as heavy water and power reactors might be developed in the future.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $32,000 |
| (c) U.S. contribution: | |
| U.S. dollars funds | $24,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | ------- |
| (d) Local government contribution: | |
| (i) From country budget (in equivalent U.S. dollars) | $6,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | $2,000 |
| (e) Percent U.S. contribution to total cost | 75 |

(f) Project terminated fiscal year 1961.

*263–R–79–AA—National economic planning*

(a) Brief description and justification of project:

Under this project high-level technical assistance in national planning and management is provided by the United States to the Institute of National Planning and other governmental departments concerned with national planning. The institute was established in 1960 as an independent public agency attached to the Presidency of the Republic. The institute among other things encourages national planning research and studies related to the formulation and execution of the national development plan; and conducts, supervises, and direct studies, and research in fields of planning, economy, statistics, technology, and social services. The program of assistance developed with the institute encompasses exploration of techniques of national planning and management from a technical, theoretical, and philosophical viewpoints.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | $2,153,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $758,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | ---------- |
| (d) Local government contribution: | |
| (i) From country budget (in equivalent U.S. dollars) | $1,314,000 |
| (ii) From counterpart funds (in equivalent U.S. dollars) | $81,000 |
| (e) Percent U.S. contribution to total cost | 35.2 |

(f) Estimated completion date: Fiscal year 1966.

*263–Z–99AA—Technical support*

(a) Brief description and justification of project:

This project supports technician costs, commodities, rents, utilities, vehicles, local travel, house furnishings not chargeable to a single project or field of activity.

| | |
|---|---|
| (b) Total cost of project: U.S. dollars plus equivalent U.S. dollars | [1] $2,482,000 |
| (c) U.S. contribution: | |
| U.S. dollar funds | $1,878,000 |
| U.S.-owned local currency (in equivalent U.S. dollars) | ---------- |
| (d) Local government contribution: | |
| (i) From country budget (in equivalent U.S. dollars) | ---------- |
| (ii) From counterpart funds (in equivalent U.S. dollars) | $404,000 |
| (e) Percent U.S. contribution to total cost | 75.7 |

[1] Cost through fiscal year 1962 (estimate) only—future years costs are not determinable due to unpredictable changes in projects and cost elements.

(f) Estimated completion date: Unknown.

LOANS

(a) Loan Agency: DLF (No. 115).

Project: Edfina Canning and Freezing Plant.

Borrower: Edfina Canning and Freezing Plant.

Borrower: Edfina Pour L'Exporation et La Fabrication des produits Agricoles (SAE).

Amount: $200,000.

Date: October 7, 1960.

Terms: 5¾ percent interest; repayable over 10-year period in Egyptian currency.

Purpose of loan: To assist the borrower in carrying out a project of expansion and diversification of their canning and freezing facilities.

(b) Loan agency: DLF (No. 116).[1]

Project: Bagasse mill.

Borrower: Al Nasr Co. for bagasse pulp industries.

Amount: $6.7 million.

Date: November 1, 1960 and November 22, 1960.[1]

Terms: 5¾ percent; repayable within 13 years in Egyptian currency.

Purpose of loan: To establish a bagasse pulpmill in conjunction with the Edfu sugar mill to process pulp from sugarcane bagasse, which is then used in the production of various kinds of paper and paper products.

Comments: Project underwritten initially by Government of the United Arab Republic. Stock to be offered for general public.

(c) Loan agency: DLF (No. 123).

Project: Industrial Bank.

Borrower: Industrial Bank, SAE, Cairo, Egypt, United Arab Republic.

Amount: $7 million.

Date: August 31, 1960.

Terms: 5 percent interest; repayable over 10-period in Egyptian currency.

Purpose of loan: To assist the borrower in carrying out a program of making intermediate and long-term loans for development projects to private industrial enterprises in the Egyptian region of the United Arab Republic falling in industrial categories acceptable to DLF.

Comment: Loan guaranteed by Government of the United Arab Republic.

(d) Loan agency: DLF (No. 142).

Project: Telecommunications scatter system.

Borrower: Telecommunications Organization, Government of the United Arab Republic.

Amount: $1.3 million.

Date: January 19, 1961.

Terms: 3½ percent interest; repayable over 15-year period in Egyptian currency.

Purpose of loan: To assist the borrower in carrying out a project for the establishment of a 24-channel telephone and telegraph tropospheric scatter system link from Damietta in the Egyptian region to Saroukhia in the Syrian region of the United Arab Republic, a line-of-eight ultrahigh frequency link from the scatter terminal at Saroukhia to Damascus and a line-of-eight ultrahigh frequency link from Damietta to Mansoura, and related facilities.

Comments: Loan to be guaranteed by Government of the United Arab Republic. Implementation of this loan has been suspended since the withdrawal of Syria from the United Arab Republic.

(e) Loan Agency: IBRO.

Project: Suez Canal Improvement.

Borrower: Suez Canal Authority.

Amount: $56.5 million.

Date: December 22, 1959.

Terms: 6 percent interest; repayable over 12-year period beginning March 15, 1962, with final payment September 15, 1974, in U.S. dollars.

Purpose of Loan: To deepen Port Said; enlarge entrance to canal; deepen and widen the canal by removing 100 million cubic meters of sand; build quays and other port-handling facilities; purchase tugs, dredges, and other equipment.

Comment: Guaranteed by Government of the United Arab Republic.

(f) Loan Agency: ICA.

Project: Railway Improvement.

Borrower: Egyptian State Railways.[2]

Amount: $7.5 million.

Date: February 7, 1955.

Terms: 4 percent interest if repaid in Egyptian pounds, 3 percent if repaid in U.S. dollars; repayable over period of 40 years—first interest payment September 30, 1958; first principal payment March 31, 1959.

Purpose of Loan: To purchase machine tools, railroad ties, locomotives, and coaches.

Comments: Originally ICA grant in the total amount of $15,583,175.04 of which $7.5 million made available on basis of a U.S.-dollar loan.

(g) Loan Agency: Ex-Im Bank.

Project: Diesel Electric Locomotives.

Borrower: Egyptian State Railways.[2]

Amount: $12 million.[3]

Date: Fiscal year 1960.

Terms: 5¾ percent interest.

Purpose of Loan: To purchase 16—1,000 horsepower units; 42—1,900 units.

Comments: Guaranteed by Government of the United Arab Republic.

(h) Loan Agency: Ex-Im Bank.

Project: Diesel Electric Locomotives.

Borrower: Egyptian State Railways.

Amount: $22.5 million.[4]

Date: September 1960.

Terms: 5½ percent interest; delayed payoff system of 5 percent first 2 years; 10 percent next 3 years; 20 percent remaining 3 years; repayable over 8-year period in U.S. dollars, commencing May 1962.

Purpose of Loan: To purchase 100 diesel locomotives from General Motors.

Comments: Guaranteed by Government of the United Arab Republic. Along with the orders from Henschel of West Germany and Hatchi of Japan, the Egyptian State Railways probably will be able to completely dieselize mainline passenger and freight traffic. The majority of these units have been received and it is expected that all deliveries will be completed by 1963.

(i) Loan Agency: Ex-Im Bank.

Project: Nitrogenous Fertilizer Plant.

Borrower: Societe Egyptienne d'Engrais et d'Industries Chimiques, SAE.

Amount: $5 million.

Date: September 1958.

Terms: 5 percent interest repayable over 5-year period in 10 equal installments; repayable in U.S. dollars.

Purpose of Loan: For expansion of ammonia plant; construction of sulfur plant and ammonia sulfate plant and procurement of necessary equipment in connection therewith.

(j) Loan agency: AID-Loan No. 18.

Project: Grain-handling facilities.

Borrower: General Organization for Storage Affairs (agency of United Arab Republic Government).

Amount: $17 million.

Date: April 26, 1962.

Terms: Currency of repayment—U.S. dollars.

Interest rate: Three-fourths of 1 percent per annum, payable semiannually, first payment due no later than 6 months after the first disbursement.

Amortization: Grace period 10 years. Loan payable in equal semiannual installments over a period of 30 years.

Purpose of loan: To finance purchase and installment of a system of grain storage and distribution facilities planned to serve all of Egypt.

Comment: To finance the local currency costs of this project the U.S. Government is making a grant of 7.52 million Egyptian pounds from funds available under Public Law 480, section 104(e).

(k) Loan Agency: AID-Loan No. 17.

Project: Misrayon cellophane plant.

Borrower: Société Misr pour La Rayonne.

Amount: $3 million.

Dates: April 26, 1962 (loan agreement), and June 27, 1962 (amendatory agreement).

Terms: Currency of repayment—U.S. dollars.

Interest rate: Three-fourths of 1 percent per annum, payable semiannually, first payment due no later than 6 months aftĕr the first disbursement.

Amortization: Grace period of 2½ years. Loan payable in equal semiannual installments over a period of 9 years.

Purpose of loan: Assist the borrower expand its production of viscose slurry and cellophane at Kafr-El-Dawar, Egypt.

Comment: The Government of the United Arab Republic is the guarantor.

(l) Loan Agency: AID-Loan No. 17.

Project: Economic Stabilization Loan.

Borrower: Government of the United Arab Republic.

Amount: $20 million.

Date: June 1, 1962.

Terms: Currency of repayment—U.S. dollars.

Interest rate: 2½ percent per annum, payable semiannually, first payment due no later than 6 months after the first disbursement.

Amortization: Grace period 2½ years. Loan payable in equal semiannual installments over a period of 7 years.

Purpose of loan: To provide the borrower with foreign exchange for the acquisition and importation into the United Arab Republic of commodities in certain categories as approved by AID.

(m) Loan Agency: AID.

Description: A portion of Egyptian pounds, generated as a result of U.S. agricultural commodity sale under title I of Public Law 480, section 104(e), are made available as "Cooley Loan" funds for (a) loans to U.S. firms or their branches, subsidiaries, or affiliates for business development and trade expansion in the United Arab Republic or (b) either U.S. firms or firms of the United Arab Republic for expanding markets for, and consumption of, U.S. agricultural products abroad.

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[1] Signed in United Arab Republic, Nov. 1; in Washington, Nov. 22.

[2] Semiautonomous government agency.

[3] An additional $3,000,000 or ⅓ of the total is financed by General Motors.

[4] An additional $5,000,000 is financed by General Motors.

Two loans as described below have been negotiated under this arrangement:

1. Borrower: Pfizer, Egypt, SAE.

Guarantor: Charles Pfizer Co., Inc., United States.

Amount: E£107,400 (equivalent to $242,372).

Date: August 17, 1962.

Terms: Currency of repayment—Egyptian pounds.

Credit fee: 5½ percent per annum on the unpaid principal payable semiannually, first payment due 6 months after disbursement to the borrower.

Amortization: Grace period of 1 year. Principal repayable in 20 installments over a period of 9½ years.

Purpose of loan: To finance the local currency cost of a new pharmaceutical manufacturing plant.

2. Borrower: National Bottling Co. of Egypt, SAE.

Guarantor: Pepsi-Cola Co., United States.

Amount: E£350,000 (equivalent to $789,854).

Date: January 7, 1961.

Terms: Currency of repayment—Egyptian pounds.

Credit fee: 5½ per annum on disbursements under credit agreement.

Amortization: Grace period of 1½ years from date of the loan agreement. Principal repayable in 10 approximately equal semiannual installments over a 4½-year period commencing June 15, 1962.

Purpose of loan: To assist the borrower in financing of local currency expenditures in the United Arab Republic in connection with the reorganization and expansion of its plant in the United Arab Republic and repayment of any outstanding debts to banks operating in the United Arab Republic.

Comment: At the time this loan was negotiated funds generated by Public Law No. 480 were handled by the Export-Import Bank of Washington but have since been placed under auspices of the Agency for International Development.

PUBLIC LAW 480.—*Local currency*

GRANTS

| Fiscal year | Amount (Egyptian pounds) | Brief description |
|---|---|---|
| 1962 | 100,000 | Funds provided for construction costs of buildings, access roads, and power connections for installation of air navigation equipment provided under special assistance. |
| 1963 | 7,520,000 | Local construction cost of grain silo project for which foreign exchange obtained under development loan (fiscal year 1962). |
|  | 228,000 | Additional funds required for construction costs of buildings, access roads, and power connections for installation of air navigation equipment provided under special assistance. |

LOANS

[All loans to date at 4 percent for 30 years]

| Fiscal year | Amount (Egyptian pounds) | Brief description |
|---|---|---|
| 1960 | 4,500,000 | Equivalent to total cost of (1) TV network in Egypt and Syria, (2) electronic equipment assembly and manufacturing plant in Egypt (equipment supplied by U.S. firm), and (3) TV receiver sets for assembly. |
|  | 15,000,000 | Production (development) budget support for investment. |
| 1961 | 15,000,000 | Production (development) budget support for investment under 5-year plan. |
| 1962 | 22,000,000 | Do. |
| 1963 | [1] 30,000,000 | Unified budget support for investment under the 5-year plan. |
|  | [1] 4,166,784 | Local costs of civil works for Cairo west power station (dollar cost provided as development loan). |
|  | [1] 4,000,000 | Local currency cost of housing construction in urban and rural areas (excludes cost of land). |

[1] Planned.

Special note should be made of project No. 263-A-15AE for the construction of grain-handling facilities. According to the project description, the 54 silos to be constructed at a cost of $66 million will have a combined capacity, with associated facilities, of 837,000 metric tons. This should be compared with Egypt's consumption of:

*Egypt's consumption of main grains and quantities received from the United States, 1959–62*

[1,000 metric tons]

| Commodity | Year | Total consumption | Quantity received from the United States |
|---|---|---|---|
| Corn | 1959 | 1,801 | 50 |
|  | 1960 | 1,612 | 62 |
|  | 1961 | 1,730 | 103 |
|  | 1962 | 1,982 | 390 |
| Wheat flour | 1959 | 450 | 244 |
|  | 1960 | 483 | 468 |
|  | 1961 | 402 | 401 |
|  | 1962 | 517 | 497 |
| Wheat | 1959 | 1,932 | 368 |
|  | 1960 | 2,185 | 408 |
|  | 1961 | 2,122 | 496 |
|  | 1962 | 2,681 | 825 |

Source: U.S. Department of Commerce, Bureau of Census—U.S. Trade Data. Consumption data—attaché reports and Egyptian food balance sheets.

The grain facilities being built with U.S. AID funds will permit Egypt to store more than 75 percent of its 1962 receipts of Public Law 480 corn and wheat from the United States.

As a result of our economic assistance, where does Egypt stand now economically?

As Arnold Hottinger has written in the article before cited:

"Definite accomplishments are present in the not very extensive agrarian reform, the beginnings of industrialization; the expansion of education and of rural welfare; the improvement of the lot of certain groups of the working classes; the abolition of privileges for the rich and for foreigners and the increase of the average Egyptian's self-consciousness. Opposed to these achievements are the crippling of private initiative; the emergence of a new class of governing officers and bureaucrats; creeping inflation; an inflated, inefficient civil service machinery; a decline of educational standards in schools and universities; the chronic misery of 20 million slum dwellers, destruction of all the beginnings of a parliamentary system of government, of freedom of opinion, and of the independence of judges; a police state system; a privileged and expensive professional army and a mentality of unrealistic self-conceit."

Carl Leiden in his previously cited article in the National Review, sums up the situation as follows:

"What Nasser has done is to gamble his place in history and the future of Egypt on the assumption that Titoist communism—call it Arab socialism—will dissolve the effects of extreme poverty, and overgenerous birthrate, and a cultural backwardness. He is a man of action * * * and so it is action only that counts. * * * It has not been an intelligent gamble. He has destroyed every source of indigenous capital * * * and has created an atmosphere in which foreign capital is well advised to stay away. He has compromised his reservoir of talent. * * * The tragedy is that there is no turning back. Millions of Egyptians have lived like animals for centuries. Once aroused, they will continue to demand those things that will prolong the contemporary political and economic chaos. Until the ravages of overpopulation are met, literally nothing can be done that will solve the basic economic problems of Egypt. Nasser's socialism left to itself is rather inexorably doomed to failure. But he has made his task much greater by ruthlessly extinguishing what drives, energies, and abilities the old Egypt had. Neither he nor his followers realize that he has already failed, as they play out the game that can lead only to disaster."

There is grave danger to the free world in this situation. Much has been made of the great hope for agriculture in the completion of the Aswan Dam. However, most experts agree that, because of the great population increase in Egypt, the completion of the Aswan Dam will enable Egypt only to remain even. It is when this realization strikes the people—and Nasser—that the world must guard against another irresponsible action such as Nasser took in 1956.

The cost of Nasser's misadventure in Yemen with its 28,000 Egyptian troops there has been estimated to cost him $500,000 per day. He has been engaged in that misadventure since September 26, 1962. It would be safe to say, therefore, that his Yemen project has cost him over $150 million. There is no accurate estimate as to what Nasser's missile adventure has cost him, although estimates place it as high as $1 billion. The United States cannot afford to continue to support Egypt to the tune of over $200 million a year while he fritters it away in an arms race and in wars of conquest.

On July 30, 1963, the distinguished senior Senator from Iowa, Mr. HICKENLOOPER, the ranking minority member on the Senate Foreign Relations Committee, on the floor of the Senate, expressed his concern about the situation in Yemen. At that time he said in part:

"Seven months have gone by. The Egyptians have not withdrawn their forces. If anything, they have stepped up their activities in the Yemen against the tribesmen, against the former government.

"Saudi Arabia and Jordan have in substantial degree done exactly what they said they would do. They have withdrawn their participation with the former government. Egypt has failed in every detail to keep its agreements and understandings, upon which recognition was based.

"I have been considerably concerned about this matter because I had some firsthand exposure to it late last fall at the time of recognition, in the countries of Egypt and Saudi Arabia."

"On July 16 I wrote a letter to the Secretary of State. I shall not read the letter in full, but I shall ask unanimous consent to have it printed in the RECORD at the conclusion of my remarks.

"Briefly, in the letter I recited the events, and I said that the Egyptians had not carried out their commitments. I said that, among other things, they had stepped up their military activities and had increased their use of napalm bombs.

"I quote one sentence from the letter:

" 'From all available reports there is strong evidence that the Egyptian forces have enlarged the area of attack and have used increasing patterns of aerial bombardment with napalm bombs and other weapons and have on occasions used gas with poisonous and lethal capability.'

"These things have been established. In other words, the situation is growing worse rather than better.

"I suggest to the Secretary of State and to the administration that, unless the situation is corrected immediately and the Egyptian troops withdrawn according to the agreement, we should seriously consider withdrawing the recognition which we granted to that Government in December.

"I go further and say that, so far as I am personally concerned, unless we do something to correct the operation, which, up to now, has been a mistaken operation, I shall consider the advisability of submitting a resolution for consideration by the Senate, which would state that it is the sense of the Senate that the United States should withdraw recognition."

Egypt's aggressive attitude continues to keep the already troubled Middle East in a constant turmoil, as witness his warlike speech on August 11, 1963, reported by Jay Walz in the New York Times as follows:

### "NASSER CHARGES ISRAEL IS THREAT—HE TELLS TROOPS HOME FROM YEMEN TO PREPARE FOR ACTION IN PALESTINE

"(By Jay Walz)

"ALEXANDRIA, UNITED ARAB REPUBLIC, August 11.—President Gamal Abdel Nasser greeted troops returning from Yemen today as a fighting force ready and able 'to defend Arab nationalist principles.'

"The United Arab Republic's President said there could be no disarmament in the Middle East until the rights of the 'Palestinian people' had been restored in Israel. The armed forces must stand as a 'national shield' against Israel, he declared.

" 'We must prepare ourselves to face Israel and the imperialists,' President Nasser said. 'So long as the situation in Israel exists, any call for disarmament in the Middle East would be a bluff.

" 'The entire Arab nation thanks you for what you have done,' the United Arab Republic President told the veterans.

*"Signed test ban treaty*

" 'We work for peace and we have signed the treaty to ban nuclear tests,' he declared, 'but we cannot reduce our army as long as we are threatened by Israeli attack.

" 'The Arab peoples feel safer because of you.'

"Two transports, carrying 3,000 soldiers and officers, were escorted into Alexandria's new marine terminal by naval units and the harbor's commercial and fishing craft, all with whistles open.

"The returning troops were not the first contingent to come back from Yemen, but they were the first to be received at Alexandria and the authorities took every measure to make it a noisy welcome.

"In his 45-minute address, President Nasser made only oblique references to the military and civil situation in Yemen. He congratulated the troops on 'bringing triumph to the revolution in Yemen' but did not disclose plans for withdrawing the armed forces still there.

"United Arab Republic forces numbering up to 28,000 men have been in Yemen for most of the last year, supporting the revolutionary government of Abdullah al-Salal. The United Nations is now trying to disengage the United Arab Republic on one side and Saudi Arabia on the other. The Saudi Arabians have been supplying arms and ammunition to tribesmen fighting to restore Imam Mohamad al-Badr to his throne.

"Last Wednesday Field Marshall Abdul Hakim Amer, deputy commander of Cairo's armed forces, reported, 'Military operations in Yemen are over.'

"President Nasser said several times that his forces had fought in Yemen for all Arabs.

" 'Our responsibility was to the entire Arab world, not just to the artificial borders of one country,' he declared. 'Our forces were created to defend the whole Arab world. When we cheer for Arab unity, we mean what we say. You have offered your blood and your lives to back up our slogans. Ours is a free nationalist army that wants to liberate Arabs.'

"President Nasser rejected any suggestion that Egypt might join the Baath Party leaders, who now control Syria and Iraq, in Arab unity.

" 'We wanted unity with the Syrian and Iraqi people,' he said, 'not with the Baath Party, which rules through blood and Fascism.' "

Nasser's charges on their face are unbelievable when the area and population of Israel and the Arab League are compared:

| | Area in square miles | Population |
|---|---|---|
| Arab League: | | |
| Algeria | 852,600 | 10,200,000 |
| Iraq | 172,000 | 6,590,000 |
| Jordan | 37,500 | 1,690,000 |
| Lebanon | 4,000 | 1,626,000 |
| Morocco | 172,104 | 11,600,000 |
| Saudi Arabia | 870,000 | 6,500,000 |
| Sudan | 967,500 | 11,928,000 |
| Syria | 72,234 | 4,657,000 |
| Tunisia | 48,313 | 3,783,000 |
| United Arab Republic (Egypt) | 386,198 | 26,065,000 |
| Yemen | 75,000 | 4,500,000 |
| Total, Arab League | 3,657,449 | 89,139,000 |
| Israel | 7,993 | 2,106,000 |

On August 7, 1963, Nasser pledged $30 million for the Inter-African Bank. If the U.S. AID funds are to be diverted by Nasser to the Inter-African Bank, then it does seem to me that the United States should make the payment directly so that the people of Africa can give credit where credit is due. I cannot understand why we should permit Nasser to make political capital in Africa with our money.

"[From the New York Times, Aug. 8, 1963]

### "CAIRO PLEDGES $30 MILLION FOR INTER-AFRICAN BANK—WILL BE BIGGEST CONTRIBUTOR TO PROJECT PLANNED BY 32 INDEPENDENT COUNTRIES

"Special to the New York Times

"CAIRO, August 7.—The United Arab Republic committed itself today to make the largest contribution to the capitalization of the projected African Development Bank.

"Ahmed Zendo, Minister of Economy, said the Government was prepared to buy $30 million in shares. He said Algeria would be the second largest backer with an investment of $24 million.

"A total capitalization of $250 million is planned.

"Mr. Zendo made the statement on his return from Khartoum, the Sudan, where 32 independent African States signed an agreement yesterday establishing the bank. Economy ministers met to discuss the economic and social development of emerging African countries.

"If the agreement is carried out, the bank will be the first product of Organization for African Unity formed at the conference of African heads of State in Addis Ababa, Ethiopia, last May.

"The bank is designed to promote development by making loans to individual countries and guaranteeing projects undertaken by regional groups of countries.

"Mr. Zendo said that the conference had unanimously accepted an Egyptian proposal to set the capitalization at $250 million instead of the projected $200 million so that countries becoming independent soon might participate. Shares valued at $10,000 each are to be made available to participants.

"The aggregate capital will be divided into two equal parts—subscribed capital and capital to be made available on request.

"Terms of the Khartoum agreement stipulate that 5 percent of each member's share should be paid before ratification documents are submitted. The remainder will be paid in five installments beginning with one of 35 percent, followed by four of 15 percent each.

"Mr. Zendo spoke of the bank's capitalization in dollar terms. It was not made clear immediately what local currencies, if any, would be acceptable.

"All independent African countries, including the United Arab Republic, are hard pressed for dollars and other convertible foreign currencies to finance their own development programs.

"Mr. Zendo said that the bank would elect a council of governors when ratification procedures are completed and that the governors would choose the site of the bank's headquarters."

## IV. FINDINGS AND RECOMMENDATIONS

### *Findings*

While professing to be genuinely devoted to the economic development of his country, President Nasser of Egypt has involved his country in a costly war in Yemen at a time when his own country faced no threat at all from events taking place in Yemen. Egypt committed approximately 28,000 troops to that war in Yemen in September 1962 at an estimated annual cost of $150 million. Our AID program for fiscal year 1962 was $224.1 million. The United States is pouring its dollars into Egypt to help its economy while Egypt is pouring it out in foreign war.

In addition, Egypt is spending untold millions in preaching, through all possible propaganda media, the violent overthrow of the Governments of Jordan and Saudi Arabia.

In addition, Egypt is spending additional untold millions on arms, including the development of missiles, for the publicly avowed purpose of waging an aggressive war against Israel, which has made no such threats but which, because of the Egyptian arms buildup, has been forced to divert much needed resources from its own economic development.

It can rightly be said that U.S. dollars are enabling Egypt to wage war in Yemen, to foment trouble in Jordan and Saudi Arabia, and to arm to attack Israel just as surely as though they were spent directly for that purpose.

In addition, U.S. AID dollars are being used to build a police state with the Government owning and operating everything through nationalization of industries and businesses. U.S. AID dollars are therefore being used to prove that such totally Socialist type of police state can work economically. (See ch. III-J.)

It is therefore recommended that the continuance of the U.S. financial aid program to Egypt be conditioned upon—

1. Egypt's prompt compliance with the terms of the United Nations settlement of the Yemen dispute; and

2. Egypt's reversal of policy so as to cease production of missiles, warplanes, submarines, and other implements of war clearly designed for aggressive purposes.

Exhibit 2

[From the Reporter magazine, Oct. 24, 1963]

### Our Yemen Policy: Pursuit of a Mirage

(By Philip Horton)

On the night of September 26, 1962, a palace coup took place in the remote city of Sana, the capital of the kingdom of Yemen. The royal Government of Iman al-Badr was ousted in favor of a junta headed by Brigadier Abdullah Sallal, former chief of the palace guard. With the immediate arrival in Yemen of Egyptian troops and Soviet-provided equipment, the implications were clear enough to most of our friends and allies in the Middle East. The Iranian view, for instance, conveyed to the State Department as early as October 9, was that President Nasser's ultimate objective was to gain control of Saudi oil in order to establish his independence of the United States and be free to collaborate with the Soviet Union.

Yet on December 19, after 2½ months of hesitation and uncertainty, Washington recognized the Nasserite republican government. Since then, what had seemingly begun as a peripheral civil war has become a war by proxy between Egypt and Saudi Arabia, which in turn has threatened the security of the Arabian Peninsula and the West's strategic lifelines to the Indian Ocean, brought Soviet combat missions into play against our major Arab ally in the area, and, finally, raised serious doubts about the good faith of our Government.

In recent months sharp and angry questions about the failure of our policy have been raised on the floor of Congress, but the answers supplied by administration officials were more notable for muddled rationalization than for clear and persuasive reasoning. One Congressman who had tried to get some light on our Yemen policy in the course of the House hearings on foreign aid said, "I have never heard so much doubletalk in all my life."

The simple fact is that doubletalk has been the order of the day in Washington ever since the State Department recognized Sallal's republican regime. Why, then, was recognition granted when it was, and over the strong opposition of almost every U.S. ally in the Middle East and Europe? Why did the State Department feel that it was in the interests of the United States to support Nasser's Pan-Arab imperialism, particularly since this aspect of Nasser's policy has always been sedulously encouraged by the Soviet Union? Why—and this is the question most often asked by critics of our Yemen policy both within and without the administration—did the administration feel that it had to make a decision to recognize instead of watching and waiting to see just which way the struggle in Yemen was going?

Among the first answers given was that, of course, it was the fault of Chester Bowles. This accusation was given wide circulation, and a number of papers carried a report blaming Bowles (who was charged with similar mistakes in other appointments) for having named John Badeau, an eminent supporter of Nasser's Pan-Arabism, as U.S. Ambassador in Cairo.

There can be no question about Ambassador Badeau's sympathetic attitude toward Nasser and Arab nationalism. As former president of the American University in Cairo and later of the Near East Foundation, he had developed a deep attachment to the cause of Egypt's betterment. "Egypt," he wrote in 1959 in his introduction to Nasser's "The Philosophy of the Revolution," "has rapidly emerged as the dominant influence in the Arab world, and its revolution has spilled over the Nile Valley to become the 'wave of the future' in adjacent lands." Within a few days after the Yemen coup and before Washington had even had a chance to sort out just what was happening, Ambassador Badeau received the foreign minister of the new revolutionary government, Mohsin al-Aini, in Cairo. Thereafter, he continued to argue vigorously for recognition of the new regime, backed up throughout by the reports of Robert W. Stookey, the U.S. chargé d'affaires in Yemen.

In Washington, apart from the general support of the National Estimates Board of CIA and the Policy Planning Council at the State Department, the Yemen policy was thought to be largely the handiwork of Robert C. Strong, then Director of the Office of Near Eastern Affairs under Assistant Secretary of State Phillips Talbot, and of Robert Komer, a New Frontiersman of CIA background who handles Middle East problems on Presidential Assistant McGeorge Bundy's staff. In recent months, however, a kind of reverse competition has set in, with everyone remotely involved struggling for a lower place on the totem pole of responsibility. As Bundy put it, with a smile, to an inquiring critic: "When the news from the Yemen is good, it's Komer's war; when it's bad, it's Talbot's." From now on, however—war, peace, or stalemate—the troubles in Yemen are the responsibility of the U.N.; as has happened before with Washington policies that have misfired, the U.N. was persuaded to pick up the pieces.

#### BREAKING WITH BRITAIN

Most critics of the Yemen policy inside or outside the administration are convinced that the most basic mistake was the underlying assumption that the republican coup represented a revolution against "the notoriously despotic" rule of the Imams and a "yearning for Arab unity" and social reform. This in turn led the policymakers to overlook or at least badly underrate the most important single fact about Yemen—its physical location.

The map tells much of the story. Situated near the southwestern corner of the Arabian Peninsula, Yemen to the north and east borders on the great desert reaches of Saudi Arabia. To the south it faces on the South Arab Federation and the Aden Protectorate, both British-controlled, as well as Aden Colony, which, next to Singapore, is now the most important outpost of British power, sheltering both the world's greatest bunkering port and the headquarters of the British Middle East Command. Yemen, in short, is a natural back door to the Arabian Peninsula, itself a prize of incalculable value, which since 1945 has produced for the West 1,000 billion barrels of oil, contributed a billion dollars of revenue to Great Britain and the United States last year alone, and provides, via the Dhahran and Aden bases, indispensable defense links by air and sea to the Indian Ocean and southeast Asia.

To define the peninsula's strategic and economic value to the West is a fortiori to describe Nasser's ambition to take it over, not to mention Moscow's desire to help him do so. What makes Yemen a logical starting point for Nasser is the fact that of all the countries of the peninsula it is the only one not under some form of British or United States protection. Since the Second World War, in fact, Anglo-American hegemony has sealed the peninsula off from the disorders that have beset the rest of the Middle East and provided the one element of relative stability in the area. One would think it would be a cardinal objective of U.S. policy to keep it that way. "You will see," said one Middle East diplomat; "by parting ways with the British over your Yemen policy and backing Nasser's adventure there, you have pried the lid off Pandora's box. The big question now is—will you ever be able to clamp it back on again?"

The British, remembering Nasser's frequent promises to drive "the forces of reaction and imperialism" out of the peninsula, stuck to their decision to withhold recognition of the Yemeni republicans, despite reportedly heavy pressure from Washington. Most of the Middle Eastern governments, fearful of any new Nasserite aggression, were also deeply troubled by the appearance in Yemen of Soviet combat personnel early last October and by evidence of close coordination between Moscow and Cairo in the stepped-up delivery of TU-16 bombers, which were immediately pressed into service in the fighting. The strongest opposition, however, came naturally enough from Saudi Arabia's Prince Faisal, who had been summoned home from New York where as Foreign Minister he headed the Saudi U.N. delegation, to take over the reins of government in Riyadh. In a series of meetings in Washington in the first weeks of October, including a private lunch with the President, Faisal agreed to initiate badly needed reforms in his own country. In return, he warned his listeners against the great dangers of Nasser's military adventures in Yemen and urged them to persuade Nasser to cease his aggressions against Saudi Arabia.

On his return to New York and on the eve of his departure, Faisal was dismayed to learn from an old American friend that the State Department had the impression from these talks that Faisal had agreed to seek a détente with Nasser in the interest of securing the safety of his country and his régime. This, he said, was impossible: "It would be like giving someone a sleeping pill when a murderer was after his life." Furthermore, he could not consider cutting off support of the Yemeni royalists, who were the legitimate government in Yemen and with whom he had treaty ties.

The policymakers stuck stubbornly to their course. Their line of argument, however, seemed at times to suggest that they were taking their cue from Nasser himself, who in the January 1955 issue of Foreign Affairs had written: "There would not be any Communist infiltration in any part of the Middle East and Africa if the United States could develop a courageous policy—and the only morally correct one—of supporting those who are anxious to get rid of foreign domination and exploitation."

These ideas had won Nasser a limited hearing in the early years of the Eisenhower administration, but it was not until the arrival of the New Frontier that he had a real chance to sell his "philosophy" to Washington. According to reliable diplomatic sources in the capital, Nasser's Ambassador to Washington, Mostafa Kamel, on one of his first visits to the White House suggested to President Kennedy that Nasser would greatly welcome a direct exchange of views, an initiative that led to an extensive personal correspondence between the two leaders. The first exchange took place in the early spring of 1961, before the President undertook, in a series of letters to the heads of all the Middle East governments, to convey the substance of the policies he intended to pursue in that part of the world. Though couched in the most general terms, the import of these letters seemed fairly clear to those on the receiving end: U.S. support for broad social reform, for movements toward Arab unity, and for the untrammeled independence of the Arab nations. As one senior Arab diplomat recently put it, perhaps with the benefit of hindsight, "The heart of Washington's Middle East policy to us seemed to be that in return for recognizing the absolute U.S. commitment to the security of Israel, Nasser was given more or less a free hand to pursue his ambitions in the Arab world."

Thereafter President Kennedy continued to take a direct personal interest in the problems of the area and, after last September, in the Yemen war in particular, which clearly threatened to expose his Middle East policy to an embarrassing test. Toward the end of November, after the Egyptians had already indicated an interest in reaching some kind of settlement in Yemen that would secure their interests, the President dispatched personal messages to the leaders involved—Prince Faisal, King Hussein of Jordan, Nasser, and Sallal. The texts of the messages were never released, but, according to the New York Times, they "proposed as a first step that Egyptian troops withdraw from the republican side in Yemen and that Saudi Arabia and Jordan halt material support of the royalist cause." The implication was that U.S. recognition of the republican régime would then be in order.

### RECOGNIZING THE PUPPET

By mid-December the State Department had two further reasons to rush through recognition of the new Yemeni government. One was to secure and increase the American presence in the country in order to counter the growing number of Soviet personnel, many of whom were already serving as crew members in the Egyptian bombing raids against Saudi and royalist bases. The other consideration, more important by far, was the mounting evidence that the war in Yemen was not going well for Nasser. A long dispatch in the London Times of December 21, for instance, written by a British M.P. who had just returned from a fortnight in Yemen, noted a "universal hatred of the Egyptians" and concluded that without Egyptian aid, "Sallal would not survive more than a few days against the forces of the Imam."

The fear in Washington was that further progress by the royalists would bring a still heavier build-up of Egyption forces in Yemen, with the possibility that if things continued to go badly, Nasser might, in a desperate effort to save face, plunge into an all-out war against Saudi Arabia and thus present the White House with a painful dilemma: To turn against Nasser or to betray our commitments to the Saudis. The solution put forward by Washington, as foreshadowed by the President's November letters, was U.S. mediation or, more accurately, a swap: U.S. recognition of Nasser's puppet régime in return not for an accomplished and verified withdrawal of Egyptian forces from Yemen, as Prince Faisal finally urged, but simply for Nasser's promise to withdraw under conditions he has been amending and reinterpreting ever since. This left the State Department with the sticky task of proving that the Sallal government qualified for recognition.

The internationally accepted criteria that had to be met before recognition could be granted to the new republican government were that it be in effective control of the country and the machinery of state; that it have the general support of the people; and that it demonstrate its willingness to honor its international obligations—most particularly to live at peace with its neighbors.

By mid-December, on the eve of recognition, there was ample reason to doubt that the republican government could meet any of these criteria. Most of the leaders of the new government had come out of the free Yemen group that Nasser has supported in Cairo in recent years. One of the first to arrive, the very day after the coup, was Abdul Rahman al-Baidani, who on becoming vice president broadcast an announcement to the tribal leaders that if Sallal could be called the Naguib of the revolution, he himself, in effect, was its Nasser. Baidani, who was born in Cairo of an Egyptian mother and an Indian father and who has at various periods held both Egyptian and Yemeni citizenship, played his role to the hilt. Apart from persuading Sallal to reinforce key Yemeni garrisons with Egyptian forces in greatly superior numbers, he also succeeded in purging from the new cabinet the three or four officers known to be nationalists, including the defense minister, Mahmoud el-Jaifi, who was sent off to Cairo as ambassador. With Baidani running short of further targets, Sallal soon found it prudent to get rid of him, and in January 1963 he relieved him of his portfolios and sent him packing back to Cairo under military escort. By late summer Baidani showed up in Aden, where he seemed to be playing a different kind of game which led the Sallal government to revoke his Yemeni citizenship on August 29 and denounce him as "an imperialist stooge * * * an impostor * * * and a dangerous spy." By late September, according to the New York Times, he was back in Cairo, this time in jail for interrogation.

As for effective control of the country, the size of the Egyptian force provided a kind of answer. By mid-November these forces in Yemen reportedly numbered at least 6,000; by mid-December, on the eve of U.S. recognition, 12,000 to 14,000; and by late spring—and despite the Egyptian promise of withdrawal that recognition was supposed to secure—reached a peak strength of 28,000 men. Their Soviet-made armament was impressive, and included medium and heavy tanks, infantry carriers, some Ilyushin-28 bombers, two squadrons of Mig-21's, and two squadrons of TU-16 medium bombers. Altogether it was the largest military operation in the Middle East since Suez and, according to testimony by Senator **Jacob Javits** before the Senate Foreign Relations Committee, was costing Nasser upward of $500,000 a day.

Its sheer weight and size, in a small and sparsely settled country, made it look more like an army of occupation than an expeditionary force, especially since in the early weeks of the fighting there were no comparable enemy forces in sight. According to the best military intelligence available, neither Jordan nor Saudi Arabia ever had more than a hundred or so officers and advisers assigned to the royalists, while the tribes under the Imam at that time were still scattered and badly organized. More significant, however, is the fact that at no time since the coup has the republican Yemeni Army numbered more than 3,500 combat soldiers.

Early in November the first open attacks on Saudi territory were launched, culminating on November 5 in a 14-hour bombardment by sea and air of the Saudi port of Muwassan on the Red Sea. From the Saudi capital of Riyadh, Prince Faisal, noting that the attacking units "were Egyptian because Yemen has neither aircraft nor a navy," broke off relations with Cairo.

Washington's response was the hasty dispatch to Riyadh of a number of F–100's described as a "good will" mission and the arrival of a U.S. destroyer in the port of Jiddah. As a reminder to Nasser of U.S. commitments to Saudi Arabia, the gesture fell short of the mark. In a letter of December 18 an oil executive, with excellent sources of information in the Middle East, summed up the situation on the eve of recognition as follows: "The Egyptians apparently have decided to accept phased withdrawal of some kind. Yemen, however, has refused to give guarantees to respect its international obligations to stop attacking Saudi Arabia—and to stop threatening the position of Aden Colony and the protectorates. Just recently Sallal has even been throwing up roadblocks to the American plan for recognition. He has just made a speech giving the Americans 'one' last chance' to extend the recognition he wants on his own terms."

In the same speech, Sallal declared: "We celebrate the birth of the greater Arab Republic which will inevitably be brought about and emerge and follow the Yemeni revolution * * *. We are celebrating the birth of the Republic which will sweep away his [Saud's] kingdom * * * and furthermore annihilate the royal Saudi family."

The speech was delivered on December 14 and broadcast over the Sana radio. Five days later the State Department announced that it had recognized the republican government, noting that Sallal had undertaken "to honor all treaties concluded by previous Yemeni governments." According to the New York Times of December 20, the Department said that "recognition had become possible because of two developments in the last 24 hours." The first was the declaration by the Sallal government that it would honor its international obligations—which as a matter of record included treaties of amity and nonaggression with the Aden Protectorate and Saudi governments. The second was Nasser's last-minute assurance that he "would withdraw the 12,000 Egyptian troops now serving the republican cause in the Yemen."

### SALLAL SHOWS HIS HAND

Through the winter months and on into the spring and summer, the State Department continued to argue that recognition of the Sallal regime had been a sound decision. In late July, in reply to an angry letter from Senator **Bourke Hickenlooper** charging failure of the recognition policy, Assistant Secretary Talbot declared: "We realized that only by recognizing the regime could we play a useful role in preventing an escalation of the Yemen conflict causing even more foreign interference and placing in serious jeopardy major U.S. economic and security interests in the Arabian Peninsula."

Almost the very opposite was true. In the months following recognition the total Egyptian forces in Yemen rose from 16,000 to an estimated 28,000, while Soviet and Soviet-bloc personnel increased from less than 100 just before the coup (under the old Imam, who died just a few days before the Sallal coup, their number had reached a peak of 500 to 600 and then declined) to something upward of 1,500 by latest estimates. The American presence, of such deep concern to the State Department as a counter to growing Soviet influence, has remained less than 100 persons.

The U.S. decision also sharply reduced the leverage Washington could have exercised on Nasser through its aid program, which provides a third of Egypt's food. It eliminated the possibility of any official U.S. negotiations with the royalist government to seek a peaceful compromise between the two factions. Finally, on the international scale, recognition was widely interpreted in Middle Eastern countries, Arab and non-Arab alike, as a U.S. acknowledgment of Nasser's right to pursue his ambitions and his "philosophy of revolution" by sending a large expeditionary force into a neighboring country.

The most embarrassing evidence of just how bad a bargain Washington had made began to appear in the days immediately following recognition. On December 20 Sallal gave an interview in Sana to a correspondent of Pravda in which, far from expressing any gratitude for U.S. recognition, he attacked Washington for supporting Saudi and Jordanian attempts to put down his revolution. "I advise the American people," he declared, "to demand an account from their leaders * * * for their reckless policy, which is followed by the rest of the Western World on every point." On December 23, by way of counterpoint, Nasser delivered a speech at Port Said declaring that his troops were engaged in a "sacred battle" in Yemen and that "Saud and Hussein will have their Sallals just as the Imam did." For good measure he went on to denounce Great Britain and promised to liberate Aden and the protectorate. Then it was Sallal's turn once more. On December 27 he boasted that he now had modern rockets which he was prepared to use against Saudi Arabia and Jordan. Addressing himself to the Arab monarchs, he went on to declare that his regime was "building an army strong enough to liberate the entire Arabian Peninsula."

These words were quickly followed by action. For 3 days, beginning December 30, Ilyushin–28 bombers carried out heavy raids into Saudi territory directed against Najran, the major transit area for Saudi arms and supplies for the Yemeni royalist forces. Sharp protests from Riyadh and Washington had no effect, and a week later, on January 7, Najran suffered another bomber attack that lasted throughout the day.

This time Prince Faisal did not wait for Washington's reaction. Deeply angered not only by Egypt's latest aggression but also by Washington's failure to take a more vigorous stand, Faisal decided to release to the world the text of President Kennedy's letter to him of October 25 assuring him of "full U.S. support for the maintenance of Saudi Arabia's integrity," together with his own reply. The first broadcast of the letter went out over the Mecca radio in the late afternoon on January 7. There was little the White House could do but follow suit. The following day the President, without referring to Faisal's move, also made the letter public. The Washington Post headlined its report, "Kennedy Reveals Support of Faisal."

Given the timing of the release, one passage of the letter in particular must have made curious reading to the Arab world. "I am fully aware," wrote the President, "that in order to accomplish your goals [of modernization and reform] you must have the requisite tranquillity—an atmosphere devoid of recriminations and instigations from within or without. I share your concern at the tensions which prevail in the area and which hamper your design to strengthen the fabric of government and society in Saudi Arabia. As I indicated to you in Washington, the United States desires to be helpful in finding means of reducing these tensions."

With its left hand, it seemed, Washington had committed itself to defending Saudi Arabia against aggression. With its right hand it had just indorsed a government and a program of conspiracy clearly directed against the stability and security of the Arabian Peninsula.

Just one day later, on January 9, in a major speech at Aswan, Nasser declared, "We had to back the Yemeni revolution from the first day and the first moment," and launched into his usual threats against the Saudi Government. But this time he also has some embarrassing and humiliating words for Washington. "Last December," he stated, "we said that we were willing to withdraw our forces from the Yemen under conditions * * *. Of course some people now forget the conditions and say the United Arab Republic had said it would withdraw when the United States extends recognition. We said we were willing to withdraw our forces by stages when the Saudis and Jordanians withdraw from the border regions which they use as bases for aggression, when outside aggression has also ended and when aid is stopped to the deposed royal family and also when outside interference from Bayhan [in the British protectorate] stops." In short, he was demanding that the Saudis evacuate their own territory. The proposition was in the best Nasser style.

### PASSING THE BUCK

The U.S. proposal for disengagement, as originally put forward in the President's letters of late November, clearly called for the U.N. to play a supporting role, if and when necessary. Although the U.N., which had recognized the republican government one day after the United States had, was not markedly eager to take over the burden, pressure from Washington prevailed. In the closing days of February, Dr. Ralph Bunche, Under Secretary for Special Political Affairs in the Secretariat, was dispatched to the Middle East on a factfinding mission.

At about the same time, Washington was mounting a parallel drive to expedite the U.N. intervention. In early March it assigned the task to Ellsworth Bunker, a former Ambassador to India who had also performed a similar service for the administration in maneuvering the Dutch New Guinea crisis into the hands of the U.N. As special envoy of the President, Bunker, after 2 or 3 weeks of secret and separate talks with Nasser, Faisal, and Sallal but not with the Yemeni royalists, obtained their agreement to a plan for phased Egyptian withdrawal tied to cessation of Saudi aid to the royalists. This set of proposals he quickly brought to U Thant at the U.N. According to Newsweek, in the course of his talks he told Faisal: "We have no policy to deal with Nasser or any other leader in the Near East as a chosen instrument of U.S. policy. We do not think Nasser is the wave of the future * * *. I may say also that the President is aware of and intends to block Nasser's adventures." From Nasser he won a pledge to refrain from making further "inflammatory speeches" and from both parties a promise to cooperate with any effort the U.N. might make to check on the progress of disengagement.

On April 8, accordingly, a draft of the agreement was initialed at the U.N. by the contracting parties. On April 29, in a report to the Security Council, U Thant formally announced the disengagement agreement, carefully underlining the role of the Bunker mission, from which "emerged the agreed terms of disengagement." At the close of his report U Thant also declared his intention to send a U.N. observer team to Yemen to keep tabs on how well the contracting parties were keeping their promises.

Neither Washington nor the U.N. was particularly pleased by their joint handiwork. One high U.N. official, unwilling to criticize his own organization, nonetheless made his point by remarking that the Bunker agreement was completely "weasel-worded" and full of holes. Indeed, the heavy pressure Washington now brought on U Thant to get his observer mission into Yemen as quickly as possible was a tacit recognition of how little confidence the State Department had in the agreement.

In the earliest days of May, President Nasser started to withdraw his forces, it is true. But the ships and planes that ferried the battle-worn troops back to Egypt invariably returned in systematic rotation to Yemen loaded with fresh replacements. He had not, it appeared, in any way changed his objective. On May 20, in a speech to honor some of the returning veterans, he declared that his troops would remain in Yemen until the hour of victory. A few days later Gen. Anwar Qadi, commander of the Egyptian expeditionary force, declared that Egypt's task in Yemen might take 5 years and would consist "first, of securing the revolution completely and, second, of working on creating a sound Yemeni national army." Both the fact and the rationale of rotation were in clear violation of the spirit, if not the letter, of the U.N. agreement; but in the opinion of administration officials who were queried by the press there was nothing to be done about it—except, of course, to protest to Cairo and appeal to the U.N. to hasten the dispatch of its observer mission. Meanwhile they continued to hope for the best. On April 29, the very day U Thant announced the disengagement agreement, James Grant, Assistant Secretary Talbot's deputy, had assured the House Foreign Affairs Committee that "we expect the Egyptian Army to start its withdrawal in a matter of a relatively few days." A month later, Secretary Rusk declared he expected the disengagement to "become fully effected * * * in the very few next days." By the end of July, Talbot seemed less certain about the matter: "We are satisfied that the Saudis have terminated their assistance * * * and are hopeful the United Arab Republic will fulfill its part of the agreement."

Of all those concerned, perhaps only Nasser was really pleased by the disengagement agreement. For one thing, it laid down no deadlines for withdrawal. This omission, coupled with the fact, as U Thant put it in a later report to the Security Council, "that fulfillment by one side is contingent on fulfillment by the other," provided a self-renewing invitation to delay and evasion. Another feature of the agreement that worked to Nasser's advantage, at least for a time, is that it was never agreed to or signed by the royalists. This omission, which reflected Washington's long-standing conviction that the royalist forces were of no account and that the real danger lay in all-out war between the United Arab Republic and Saudi Arabia, has had several important consequences. It meant that the second largest fighting force in Yemen remains free to do as it pleases. So long as Nasser wants to remain in Yemen, it provides him with an ideal excuse: the right of self-defense against attacking forces that are not bound by the disengagement agreement. In trying to deal with this sticky aspect of the problem in his reply to Senator HICKENLOOPER's angry letter, Talbot was once more forced to resort to dubious rationalization. "The United Arab Republic," he wrote, "is not prohibited by the disengagement agreement from fighting tribes who continue to operate against the Central Government. However, the agreement does prohibit punitive attacks against tribes on the basis of resistance mounted before the agreement went fully into effect." (He was referring, of course, to the forces which U.N. documents designate as "Royalists.") In a later passage, by way of clarification he added: "In other words, the United Arab Republic wants to withdraw its troops from Yemen. Its delay in doing so appears to result, therefore, not from any lack of desire. Rather it seems to flow from the continuance of tribal guerrilla warfare in the Yemen highlands and perhaps also from the multiplicity of problems facing the new government."

Neglect of the royalists also posed embarrassing problems for the U.N. Important sectors of the proposed U.N. buffer zone along the Saudi-Yemeni border, from which all military forces and equipment were to be excluded, had been under royalist control from the earliest days of the fighting. How, then, could Gen. Carl von Horn, the Swedish chief of the U.N. observer mission, send his men into these areas? He had no mandate to back him. Rather, it appeared, the contrary. In late August he resigned his U.N. post in anger and frustration, with sweeping charges of gross incompetence and moral cowardice against U.N. headquarters. At the same time, he also declared to a correspondent of the London Observer that he had been "expressly forbidden to make contact with the royalists or even to acknowledge receipt of their letters."

In the report U Thant was obliged to make to the Security Council on September 4 at the end of the mission's first 2-month tour of duty, he freely admitted the failure of the mission: "It cannot be said at this stage that encouraging progress has been made toward effective implementation of the disengagement agreement. * * * No plan for phased withdrawal of United Arab Republic troops has been received." Nevertheless he asked for and received permission to continue the observer mission for another 2 months; i.e., until November 4, with the United Arab Republic and Saudi Arabia once more agreeing to pay the costs.

### THE TRAINING MISSION GAMBIT

By the end of September, with the disengagement agreement largely discredited, other solutions came up for speculation, including the possibility of extending the U.N. role to a peacemaking mission and even the chance that the two Yemeni factions will reach a compromise.

Although Washington policymakers are keeping an eye on these alternatives, publicly they still cling to their original scheme; in some way to salvage the republican government. It is hard to imagine just how this could be achieved unless some means could be found for getting Nasser out of Yemen while keeping him in. For some months there have been passing references in the press to plans for an Egyptian training mission which, after Nasser had fulfilled his pledge to withdraw his forces, would help create a strong republican army in Yemen. Although no such training mission is provided for by the U.N. agreement, it was, said a White House official, "part of the Bunker agreement. Bunker discussed it with both Nasser and Faisal. He made it clear that the United States naturally did not expect the United Arab Republic to cease all support to the republicans after its withdrawal. It was only reasonable that Nasser would want to give them a certain amount of financial and technical assistance—and of course a training mission to help build up their army." In private discussions, State Department estimates of the size of the training mission have ranged from 2,000 to at least one mention of 5,000 men. At the maximum figure, this would mean that Egyptian forces in Yemen would outnumber the present republican army by almost half.

In what is probably the only mention of the training mission in official documents of public record, the ill-starred Talbot letter to Senator HICKENLOOPER, there is this passing reference: "In view of the sustained Communist interest and activity in Yemen, the most probable alternative to a republican régime beset by tribal anarchy and without United Arab Republic help at least in the form of a military training mission would be one with a Communist coloration heavily dependent on Soviet support."

The State Department is, in effect, proposing for Yemen a kind of U.S. "presence" by proxy. The Egyptian proxy, however, is known to be wholly dependent in turn on Soviet arms, with all that means in terms of potential leverage from Moscow, and furthermore is itself being trained by the Russians. The important question would seem to be just who is training whom and for what purpose.

To be sure, the State Department and Pentagon are also considering a U.S. training mission for Yemen. If and when approved, it would consist of three to five republican Yemeni officers who would be brought to the United States for language courses, general orientation, and some military training. The total cost of the mission would not exceed $15,000.

The State Department has repeatedly declared that the United States has three "essential concerns" in Yemen: first, to protect Egypt's neighbors, in particular Saudi Arabia, from the dangers of a spreading conflict—which is to say from Egypt's ambitions beyond Yemen; second, to prevent the Soviet bloc from developing "a predominant position" in Yemen; and third, to encourage "a relatively stable and independent" Yemen. As the record shows, the administration's policy has gone a long way toward securing the reverse of these objectives.

In a dispatch from the Yemini capital on September 12, Dana Adams Schmidt, Middle East correspondent for the New York Times, wrote: "Departure of the Egyptians from Yemen seems remote. Cairo's burden of maintaining soldiers and planes in Yemen is heavy, but it is not unbearable so long as Western and Soviet-bloc aid to the United Arab Republic continues." Thus the fundamental question arises, as it does in other sectors of U.S. foreign policy, whether in Yemen and the United Arab Republic we are competing with the Soviet Union or working with it against ourselves.

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EXHIBIT 3

[From Prevent World War III, summer 1962]

### UNMASKING GERMAN PLANS IN EGYPT

In the previous issue of Prevent World War III (No. 61) we published a study (German-Egyptian rocketry) dealing with the activities of German rocket scientists and technicians in Egypt. The subject has now become a front page story and its repercussions have been felt from Cairo and Tel-Aviv to Bonn and Washington.

Many people were surprised to learn that Egypt was harboring Germans with the scientific know-how for the development of weapons of mass destruction. However, to readers of Prevent World War III this should come as no surprise at all. Ten years ago, Prevent World War III published a detailed exposé concerning German penetration in the Middle East, entitled "Berlin-Baghdad Again." For those who may not recall this analysis or who are unfamiliar with its contents, we should like to recapitulate some of its essential points.

### BACKGROUND FACTS

The article was written a few months following the overthrow of King Farouk in Egypt. In that connection Newsweek (August 25, 1952) reported that General Naguib who was the nominal leader of the coup, was being guided by German military brass. This is what Newsweek said: "There is no evidence that the Germans initiated the coup. It is however known that the young officers who did the actual planning consulted the German advisers as to 'tactics.' The Cairo reports attribute the smoothness of the operation to German advice. Also, the young officers are reported to have chosen General Naguib as their leader on German advice. Later, Naguib publicly praised the work of the German advisory group, thus giving it an official stamp."

The leading adviser to Naguib was the German, Gen. Wilhelm Fahrmbacher. General Fahrmbacher had been corps commander in the Nazi army during World War II and had, at one time, been held by the French as a war criminal. Among his associates was Maj. Gen. Oscar Munzel who was considered a great favorite in the German officer caste. Another member of the German military who played an important role in the Egyptian army, was Gerhard Mertins. He was a veteran of the Nazi air invasion of Crete. In 1945, Mertins served as a battalion commander during the Nazi offensive in Western Europe. His assignment in Egypt was to teach specially selected Egyptian units the art of parachute jumping and attack.

The article pointed out that, while the number of German military officers was a closely guarded secret, "it is known that the Egyptians had set up an office in Germany to recruit German specialists who served under Field Marshal Gen. Erwin Rommel in the North African campaign of World War II." It was also indicated that Naguib's German military advisers possessed valid West German passports and traveled freely between Egypt and Germany.

The article noted that the German military influence in Cairo was followed by an influx of important German industrialists. Thus, Albert Degener became responsible for the operations of the German-Egyptian Chamber of Commerce in Cairo. Degener had headed a similar organization in the United States up to the outbreak of war between Nazi Germany and our country. While in the United States, Degener proved to be an active propagandist and apologist for Nazi Germany. As late as May 16, 1940, he worked assiduously to organize German war relief among German-Americans while the Nazis were attacking France and Great Britain. Walter Rohland, another influential German industrialist, helped to direct the building of a German steel plant in Egypt. As one of Germany's industrial war lords, Rohland was a key figure in the German steel industry which had profited greatly from Hitler's wars of aggression.

Besides military and economic penetration, the Germans mounted a cultural offensive. The aim was to inculcate among the Egyptians appreciation for German cultural works. German professors were brought to the University of Alexandria, and it was proposed that the German language should be made compulsory in Egyptian schools.

### MORE FACTS

Three years after we had carried this initial article, Prevent World War III published another piece on the same subject, entitled "Middle East Caldron." Additional data was supplied concerning the large numbers of German militarists and war criminals who had gained key posts in the Egyptian military setup. It was brought out that there were at least 600 German technicians working in various fields, particularly in the military. In this connection reference was made to Dr. Wilhelm Voss who had once been a prominent leader in the war economy of Hitler's Third Reich. On the recommendation of the West German Government in February 1951, Voss was appointed by the Egyptian Government as head of the central planning board. In that capacity he served as the chief advisor to the War Ministry in Egypt. The reliable German weekly Der Spiegel (October 26, 1955) reported that under Voss' command "were employed more than 50 German military and armament experts." Der Spiegel revealed that Dr. Voss maintained intimate contacts not only with Chancellor Adenauer's chief diplomatic aids Blankenhorn and Hallstein "but also with the highest officers in * * * the Bonn War Ministry."

One year later, Prevent World War III (No. 49) carried an article which examined the nature of Egyptian propaganda. It was brought out that "Prof. Johann van Leers, a former top Nazi propagandist, was * * * masterminding Egypt's propaganda campaign." Van Leers, this article observed, was head of a "corps of Nazis reputedly numbering 200 in the service of President Nasser."

In his youth, van Leers was a member of the notorious Freicorps, one of the precurors of the Nazi movement. As early as 1929, he joined the Nazi Party. He was also an official of the German foreign office. In 1936, he was accepted as a member of the German general staff with the rank of major. Van Leers' main talent lay in the field of propaganda. Thus, he served Goebbels and was the chief editor of Goebbels' journal Wille und Weg (The Will and the Way).

In the No. 50 issue of Prevent World War III we continued to examine the Nazi influence in Egyptian propaganda. We published an article showing how Hitler's "Mein Kampf" had become a best seller among Egyptian officers. Another article in this same issue revealed how former German Nazis had taken control of Nasser's punitive forces. This element was responsible for the ruthless elimination of all opposition to Nasser and for the setting up of concentration camps.

In the next issue of Prevent World War III (No. 51), we ran a full length article dealing with the role played by Nasser and his associates in working for the German general staff during World War II. This information was called from a book written by one of President Nasser's closest colleagues, Col. Anwar el Sadat. In his book, "Revolt on the Nile," Sadat recounts the story of how Nasser and a group of young Egyptian officers collaborated with the forces of the Rome-Berlin-Tokyo Axis against the Allied Powers. With regard to the services rendered to the Fascist Axis by Nasser and his friends, Colonel Sadat wrote: "We made contact with the German headquarters in Libya and we acted in complete harmony with them."

Sadat is candid enough to tell us that Nasser and his cohorts were resolved "to fight side by side with the Axis." Even after the war Sadat expressed his sympathies for the Axis. Thus, when asked in 1951 by an Egyptian magazine how he would appraise Hitler's activities 8 years after his death and what advice he would give the Fuehrer, should he appear again, Sadat replied: "Dear Hitler, I welcome you back with all my heart. You have been defeated, but in fact one should regard you as the real victor: There will be no peace in the world until Germany again takes first place. Your main mistake was in opening too many fronts, but everything has been forgiven, for you are a shining example of belief in one's fatherland and people. You are eternal, and we shall not be surprised if we see you again, or a second Hitler, back in Germany." This is the man who is one of the foremost figures in the Egyptian Government today.

### GERMAN AID

This brief review of what Prevent World War III wrote in the past, provides the background for what is now occurring in Egypt. It is not by chance that German technicians and scientists are working for the Egyptian military establishment. Actually, this cooperation is the result of official agreements between the West German Government and Egypt. Indeed, one of these agreements reached in 1960, provided that the Germans would "help the UAR in the development of its atomic research for nuclear development."

(Baltimore Sun, March 26, 1963): "Bonn has known for years that Cairo was a haven for former Nazis; it has been aware of the financial rewards available there to scientists; it could not have been blind to the manufacture in Germany of precision parts destined for Egypt * * *.

"The Cairo research allows German scientists to operate with considerably more freedom than on German soil. A Germany suddenly disenchanted with the West could recall these men to the service of the Fatherland. In Germany's present respectability, the prospect is no threat, but it is a shadow on the horizon of history, perhaps no longer than a man's hand, but disturbing all the same."

However, this is only one facet of the collaboration which has been going on for a number of years. Thus, during the last 4 years, it has been reliably reported, that West German economic aid to Egypt has been larger than either Soviet or American assistance. Since 1959, the Germans have set up 76 plants in Egypt whereas the Russians have built 53 and the United States 28. The number of German scientists and technicians runs into the thousands. It is difficult to arrive at a firm figure because many of these Germans have taken on Arabic names and have married Egyptian women. Nevertheless, it is estimated that of these thousands there are at least 300 German scientists and technicians who are specialists in nuclear armaments. Some of these Germans have boasted that part of the program of German-Egyptian collaboration is financed by the hundreds of millions of dollars given to the Nasser government by the Soviet Union and the United States. While these Germans work assiduously in Egypt, scores of Egyptian students have been sent to the West, particularly to West Germany where they are trained.

The building up of the Egyptian air force, according to the noted British correspondent Sefton Delmer, is now under the direction of "Hitler's ace designer, Prof. Willy Messerschmidt" (Sunday Telegraph, Mar. 31, 1963). Shortly after the end of the war, Messerschmidt showed up in Spain where, under the benevolent protection of Franco, he worked on new designs for fighter aircraft. Having completed his "tour of duty" in Spain, Messerschmidt moved to Cairo to take over direction of the 300 German aircraft technicians working there.

Messerschmidt told Delmer that these German experts were building a powerful jet fighter for President Nasser "in two vast factory complexes on the Nile." This aircraft, Delmer reports, "is designed as a powerful weapon of attack." Messerschmidt informed Delmer that as much as £100 million (approximately $300 million) have gone into the project so far. The funds, Delmer reports, come from the revenues which Nasser obtains from the Suez Canal. Here is another source of aid for Nasser's military buildup which comes primarily from the West.

### ALARM AND RESPONSE

It is, of course, understandable that the Government of Israel is deeply alarmed over this situation. Israel's Foreign Minister, Mrs. Golda Meir, made it clear that the West German Government could not claim that it had no responsibility for this situation. Following her speech, the Parliament of Israel unanimously adopted a resolution declaring that it was "the duty" of the German Government to put "an immediate end to this dangerous activity of its citizens * * *" The resolution also stated that "the German people cannot exempt themselves of the responsibility for the continuation of this vile work."

The initial reaction of the West German Government to these charges was evasive. Anonymous spokesmen for the West German Government declared that Bonn had no legal means to prevent German scientists from working in Egypt. Another unnamed Government source declared that legislative action to control the movement of West German citizens abroad or to limit their activities "was out of the question." The Federal Republic, according to his view "is a nation of law" and the freedom of movement of its citizens is guaranteed (New York Times, Mar. 22, 1963). Guenther von Hase, the official spokesman for the German Government, told reporters that there was no proof that the Germans in Egypt were actually working on "aggressive" weapons. Apparently, Von Hase did not check with the West German Foreign Ministry whose spokesman had admitted that "a maximum of 11 German experts are working in Egyptian rocket production" (Reuters, Mar. 22, 1963).

However, these alibis and denials failed to dissipate the mounting alarm expressed in many circles in Europe and in the United States. Consequently, on March 25, 1963, a West German Government spokesman announced that "there are a number of measures that might be taken." Chancellor Adenauer, who was vacationing in Italy, ordered that a report be sent to him concerning the investigations which the Germans would conduct on this matter. Two days later, Von Hase said that the problem was complex and that it was difficult to say when legislation could be drawn up to remedy the situation. In an exchange with one reporter at a press conference, Von Hase agreed with his interrogator who alleged that there was no work in West Germany for missile scientists and that is why they go abroad. Von Hase immediately took the cue and replied, "This just goes to prove our loyalty to international agreements."

### THE TRUTH COMES OUT

While the West German authorities thought up all sorts of excuses and pretended that they were in the dark and would investigate the real situation obtaining in Egypt, the German scientists in Cairo were not so silent. Ferdinand Brandner, a top German technician, a former Nazi storm trooper, and now a key adviser to Nasser, boasted: "We have obtained all the equipment and material for laboratories, workshops, and test stands from West Germany, Austria, Switzerland, and the United States" (London Daily Express, Apr. 8, 1963). This same Brandner charged that the attacks against the German scientists in Egypt were "intended to defame us and force the German Government to take measures against our activity" (Christian Science Monitor, Apr. 3, 1963). In this connection, another German technician complained: "We are worried about the Jewish terror * * * but why doesn't our Government in Bonn give us support? They know why we are here and what we are doing" (London Daily Express, Apr. 8, 1963).

The reports concerning the activities of the German scientists in Egypt indicate that they have been working not only on missiles capable of carrying nuclear warheads, but they are also experimenting on poison gas as well as on radiological and bacteriological weapons. The German Government has denied all of this. Inspired reports appeared in the press declaring that it would be illogical for the Germans to use Egypt as a secret development ground for new weapons since they were receiving far more sophisticated weapons directly from the United States. But this line falls flat in the face of a letter written to a correspondent by Adolph Karch, the lawyer for one of the top German scientists, Eugen Saenger. In that letter Karch made the sensational admission that "the Egyptian Government undertook to put at the full disposal of the German Federal Republic all the results of the [rocket] development works, and, as the occasion arises, they also put at German disposal the Egyptian ground installations and launching pads for such German experiments as could not be carried out in the Federal Republic."

Here is the key to the whole deal. It creates much doubt as to the official assurances issued by the West German Government that the world has no cause for concern. The so-called investigations which the West German Government promised to undertake can go on indefinitely unless world public opinion insists on prompt results. There is no question but that our Government, if it wishes, can do much in this matter. After all, the United States is not only involved through treaties with West Germany relating to the development of weapons for mass destruction, but we have also provided ample opportunities for the West German Government, its scientists and technicians, to acquire vital information in the field of rocket technology and atomic arms. Indeed, U.S. help has been decisive in the continuing buildup of West Germany's military power. We cannot wash our hands of that responsibility. Yet the response of our Government to the protests concerning the German scientists in Egypt, has been most disappointing, to say the least.

New York Post, April 2, 1963: "The specter of German science enlisted in the service of those who would destroy Israel is an intolerable sequel to the Nazi nightmare.

"But this is not only a German responsibility. This is an area that urgently calls for regional disarmament, starting if necessary with an arms freeze.

"All that is required is for the great powers who are the suppliers of the more sinister weapons littering the region to agree on a cutoff. Why not? It should be clear by now that arms purchase no lasting friendship in the Middle East for either East or West."

### EVASION

When the story first broke, the State Department said it was contemplating what steps it might take, if any, with regard to the charges that the Germans were working on bacteriological and chemical warheads in Egypt (New York Post, Mar. 26, 1963). The snowballing protests, however, had to be answered more directly and this was undertaken by Under Secretary for Political Affairs, Averell Harriman in a reply to Congressman LEONARD FARBSTEIN. In a leading editorial, the Washington Post (Apr. 13, 1963) described Mr. Harriman's letter as curious and that, instead of coming to grips with the issues involved, it retreated into lifeless platitudes.

What were the essential points in Mr. Harriman's reply? After assuring Congressman FARBSTEIN of the State Department's continued interest in the security of all Middle East states, he expressed the view that, if these German scientists were recalled, they might be replaced by Soviet bloc personnel equally qualified in such work, again forcing the UAR into greater reliance on the U.S.S.R. To this argument the Washington Post retorted: "This comes close to arguing that we should be grateful for the Soviet forces in Cuba because otherwise there might be a Chinese army in the Carribean." With a touch of sarcasm the Post editorial noted that "it is of small comfort to Israel that these may be good, non-Communist missiles developed with the help of Germans so thoroughly anti-Russian that some of them worked for Hitler."

The Post editorial made mincemeat of Mr. Harriman's arguments. Nevertheless, it is of the greatest importance to challenge Mr. Harriman's implication that the German activities in Egypt are of an episodic character. Actually, as had already been shown in this article, the German role in the Middle East in general and in Egypt specifically, has deep roots, going back to more than 10 years at least. German scientists and technicians did not appear in Cairo all of a sudden. Nor is there any intention that they will leave all of a sudden. In short, the German move in Egypt has basically nothing to do with the question of Soviet activities in that country.

### POSTWAR STRATEGY

The Germans were in Egypt years before the Russians came in 1955. As the world knows, the Soviets, since 1955, have provided Nasser's armies with vast amounts of military hardware while the United States has given hundreds of millions of dollars which enables the Egyptian economy to sustain this vast military buildup. During this entire period and before, the German scientists and technicians continued their work.

Mr. Harriman's reply also reflects how devastatingly effective Nasser's blackmail policies have been and continue to be. The idea that, if the West does not provide Nasser with weapons of mass destruction, the Soviets will, is part and parcel of the same argument which has obliged us to continue to underwrite Nasser's imperialistic moves.

One other major implication in the Harriman note which must be challenged, is the notion that the matter of German scientists in Egypt is part of the continued conflict between Israel and Cairo and that this is a local affair of no direct concern to the United States. This attitude, if we may say so, smacks of the same approach that certain statesmen in Britain took when Hitler claimed his pound of flesh from Austria and later Czechoslovakia. If this is indeed the State Department's view, then the irresponsibility of our policymakers is greater than we had first thought.

The society wishes to go on record in stating that this is not a local matter but one which directly touches on the national interests of the United States and world security. We also wish to go on record in charging that the German presence in Egypt is an intrinsic element in the postwar plans of the German general staff to rebuild Germany's war potential by evading and violating the obligations she assumed following her surrender.

The society has published a number of articles dealing with the German general staff's postwar plans. We now charge that here in Egypt as well as in Spain, the Germans, shortly after the end of the war, were able to continue and to expand their work in all military spheres for the day when they could once again confront the world with an ultimatum. To some of our readers this may sound unduly alarmist and melodramatic. In that case, let them ponder the following statement: "Nazi party members, German industrialists and the German military, realizing that victory can no longer be attained, are now developing postwar commercial projects, are endeavoring to renew and cement friendships in foreign commercial circles and are planning for renewals of prewar cartel agreements * * *. German technicians, cultural experts, and undercover agents have well-laid plans to infiltrate foreign countries with the object of developing economic, cultural and political ties. German technicians and scientific research experts will be made available at low cost to industrial firms and technical schools in foreign countries. German capital and plans for the construction of ultramodern technical schools and research laboratories will be offered at extremely favorable terms since they will afford the Germans an excellent opportunity to design and perfect new weapons. This Government is now in possession of photostatic copies of several volumes of German plans on this subject." This statement is excerpted from a State Department declaration dated March 30, 1945.

The society solemnly declares that it is the duty of our Government together with our Allies to conduct a full scale investigation of all of the ramifications in connection with the German presence in Egypt and present its findings to the world. To equivocate or to pretend that this matter has been unduly inflated is to literally gamble with the security of the United States and our Allies.

### DANGEROUS MEN

Daily Express, London, March 25, 1963: "'Today Germany, tomorrow the world' was a slogan of the Nazis. With more and more German rocket experts working for Nasser, the slogan may become: 'Today Egypt, tomorrow Germany.'

"For these German scientists who are helping Nasser to build a modern military machine could one day use their knowledge and experience to build an even better machine—for Germany.

"The Western Powers can require Nasser to give up his rocket program simply by threatening to cut off financial aid. They can prevent West Germany from ever embarking on a missile program simply by imposing their will as Germany's conquerors.

"Britain and America should act swiftly and decisively against the German rocketeers."

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EXHIBIT 4

[From Prevent World War III, No. 61]

### GERMAN-EGYPTIAN ROCKETRY

The decision of our Government to make available certain defense weapons to Israel has unleashed a torrent of abuse from Egypt. President Kennedy himself has come under attack by the Cairo Government's controlled radio and press. A cartoon in one of the leading Egyptian newspapers, Al Ahram, depicted the President in the role of the notorious gangster Al Capone. A prominent Egyptian commentator, Tawfiq Hasan, told Egyptian radio listeners that the United States held "contempt for the United Nations" and was pursuing a policy of "aggression against the Arabs" (Oct. 2, 1962). Another broadcast over Cairo Radio (Oct. 5, 1962) described the United States as "the commander of the * * * imperialist camp." Parenthetically, American taxpayers ought to bear in mind that Egypt has received over $700 million in U.S. aid and expects an additional $500 million from Uncle Sam in the next few years.

That Egypt should let loose this wild fury reveals at least two significant things: (1) The professions of Egypt's friendship for the United States which some of our policymakers are trying to convince the American people as being genuine, turns out to be a thin veneer concealing a profound contempt and animosity toward our country; (2) in view of the fact that the Hawk missile which the Israeli Government intends to purchase, is designed solely to oppose invading aircraft, why should the Egyptian Government complain unless it contemplates some dangerous adventures?

### CAIRO'S BOAST

The story of missiles in the Middle East has serious implications and deserves careful thought by all security-minded Americans. We may be able to understand what is involved if we examine the problem by retracing some of its background. On the occasion of the 10th anniversary of Nasser's seizure of power Radio Cairo (July 21, 1962) broadcast to its listeners the following: "Rise of Sun of our Arab Nation, illuminate the world and tell everyone we shall always be glorious and triumphant * * *. The United Arab Republic has successfully launched a missile." President Nasser himself was at the scene when four missiles were fired and he boasted in a speech that their missiles were in "large-scale production." Press reports indicate that all of Cairo's propaganda guns made the most of the occasion. Cairo Radio devoted 2 hours to martial music. It was, indeed, a gala event.

The missiles were given specific names as though each of them possessed super heroic qualities. For example, one of the missiles, having a range of 400 miles, was called the Conqueror. When reporters asked President Nasser to explain the military significance of this rocket, he replied that it should be regarded in terms of the range that it can reach. Pressed still more for a specific answer, Nasser blithely replied that the exact range was "a little south of Beirut." On the map the target is obvious; namely, Lebanon's southern neighbor, Israel.

It is interesting to note that military experts have declared that Egypt's rockets are of minimal value without nuclear warheads. In this connection, the London Economist (July 28, 1962) wrote the following: "President Nasser gave a nightmare glimpse into the far distance when he casually answered the Pravda correspondent's question about nuclear warheads with: 'We have not reached that yet.'"

As for the cost of this ambitious program, Cairo has been very coy. The Egyptian Government has not published any figures but in the latest budget allocations for the armed forces there is a substantial increase over the previous year's total. The increase, according to the London Times (July 23, 1962), is about 12 percent of the state budget. Thus, while President Nasser continues to promise his people all of the good things of life and even boasts that "we manufacture everything from sewing needles to rockets," the statistics show that the Egyptians will have to continue to forgo better living standards for the greater glory of Nasser's rockets. Indeed, Nasser has attached a sacredness to these rockets. The day before they were displayed he declared that "God willing, you (the Egyptian people) will be able to see these rockets." In that same declaration he boasts that "we have war factories" and he assured his listeners that "the will of the people is bound to triumph."

### BONN AND CAIRO

When Cairo's entry into the missile age became front-page news, stories began to pop up about a mysterious group of German scientists and technicians who were said to have contributed to the development of Nasser's rocket arsenal. When the Cairo government was asked to comment, it remained silent. On the other hand, the New York Times (August 5, 1962) reported that the Bonn government "denied this week that any German company or individuals officially were known to have participated in Cairo's rocket effort." The formulation of this denial, as reported by the Times, is fascinating. Please note the word "officially." This is the key to the denial for, in effect, the West German Government is telling the world that it knows all about the rocket deals with Cairo, but not officially. In the same issue of the Times a report from Vienna reveals that Dr. Eduard Lenzo, Economics Minister of Baden-Württemberg, said that a West Germany company had been established to export rocket parts to Egypt.

Let us examine the relations of Bonn to Cairo on this sensitive question a bit more closely. Apparently, these relations seem to have a comparatively long history. As far back as December 8, 1960, the official bulletin of the West German Government announced that a meeting of German officials connected with atomic energy had exchanged ideas with Egyptian authorities in West Germany on "nuclear scientific and nuclear technical questions." The communique further declared that, after both sides had explained their mutual atomic programs, "different possibilities for collaboration between the two states were discussed." The leading German representative in these negotiations further said that his government was "basically ready to help the United Arab Republic in the development of its atomic research for nuclear development." Other reliable reports revealed that the West Germans had agreed to furnish "a stream of nuclear scientists and technicians" to the United Arab Republic. These same reports said that the University of Göttingen would supply scientific personnel to aid in the implementation of the agreement. It is noteworthy that the Science Division of the Göttingen University and scientific circles in Egypt "have had close relations over the years." Hence, we can see that the Germans had made official agreements, some of them still secret, with Egypt on the development of that country's nuclear power.

### SAENGER AND "COMPANY"

The key German scientist in this operation is Dr. Eugen Saenger, a man who is comparatively young. His background is interesting. Saenger opened a rocket research institute for the Nazi Air Ministry as early as 1936. He worked on a number of developments which were designed to improve the Nazi's striking power. One of his pet projects was the development of a long-distance bomber capable of attacking New York. After the war, Saenger became director of the Stuttgart Institute for Jet Propulsion Physics.

New York Herald Tribune, November 6, 1962: "When the Arabs resume their exercises in oratorical scurrility while the refugee debate is on, it becomes all the more easy to understand the Israelis' reluctance to accept the return of refugees except as a part of a larger peace settlement. But proof to support this view is difficult to adduce, and Israel's reluctance to accept it on faith is certainly comprehensible. Furthermore, the repeated denunciations of Israel accompanied by promises of extermination, which are standard fare not only for Arab broadcasters but for Arab UN delegates, are hardly likely to produce a frame of mind among the refugees which would make them useful and peaceful Israeli citizens."

Last year Saenger was dismissed from his post in Stuttgart when his tieup with Cairo was publicly exposed. However, this did not faze him at all since he, together with a couple of his German colleagues, were paid a yearly salary of about $500,000 for services rendered to the Egyptian Government. Saenger was also given Egyptian funds to buy in West Germany all of the equipment and the materials needed for Nasser's missiles. On this point the Associated Press (July 23, 1962) reported that the German newspaper, Abendzeitung, revealed that about 250 West German rocket experts and technicians were working secretly in the United Arab Republic. It also stated that the four rockets which had been fired on the occasion of the Egyptian Government's 10th anniversary, "were bought earlier from the United States and worked on by German experts." This same German newspaper also reported that these German scientists and technicians were employed through Swiss concerns in Zürich "which act as camouflage for their activities."

Associated with Dr. Saenger in this work are the German scientists Brandner and Pilz. According to European press reports, West German officials gave them their passports, made sure that their pensions were in good standing and "treated them as honored citizens." Brandner, while ostensibly a prisoner in Russia after the war, helped to perfect Russian bomber planes capable of carrying nuclear weapons. Pilz, who had worked with Wernher von Braun, now an American citizen, on Hitler's V-1 and V-2 projects at Peenemünde, worked for the French after the war on that country's rocket projects. In short, these scientists made sure that Germany's military defeat would not interrupt the march of German science. As for Bonn's involvement, C. L. Sulzberger wrote in the New York Times that "Bonn has been aware for many months of this special German role in the Middle East arms race" (New York Times, Aug. 6, 1962). In short, all of the evidence concerning the sinister activities of these German scientists leads directly to the authorities in Bonn.

### "EXPERIMENTING" ABROAD

Since the story broke, there have been new reports concerning these scientists. We are now told that some of them have disappeared—allegedly kidnaped. While the Egyptians have pointed an accusing finger at Israel, it seems clear that these scientists are in Cairo. Apparently, these German scientists who have embarrassed their Allied partners, have quietly moved on to Egypt where they can continue their work without the glare of publicity. The revelations which we have outlined in brief, must have shocked a number of policymakers in Washington and London who have been advocating a greater exchange of nuclear know-how with Bonn. It must have been quite vexing for them to observe how the Germans were able to leap into the field of atomic weapons development through the activities of such scientists as Herr Saenger in Cairo. Bonn, of course, was quite embarrassed too and, according to press reports, German officials expressed their chagrin over what these German scientists were doing. Nevertheless, they claimed that they were helpless to rectify this situation. After all, so the official explanation goes, these scientists do not work for the Bonn government. Therefore, they are free agents. Moreover, since West Germany is a free country, how can these scientists be stopped from earning their bread and butter in Egypt?

This sounds like a plausible predicament and may convince those who are unaware of German techniques. Let us be specific. After World War I, leading members of the German General Staff managed to become key advisers to the Chinese military establishment. The head of this mission was Col. Walter Bauer, one of General von Ludendorff's chief assistants and a friend of Adolf Hitler. The Bauer mission turned out to be an embarrassment to the Weimar government. When certain Chinese leaders publicly revealed that great quantities of war material were being shipped into China in violation of the Versailles Treaty, the Weimar government was in a tough spot. It sought to absolve itself of the responsibility by pretending that this was not an official mission and had nothing to do with the government. Obviously, this denial was made to forestall any Allied probe.

Under Weimar the German military practiced their profession in other lands; i.e., Russia, Holland, Spain, Sweden, and even in South America. The aim was twofold: (1) to help the German industrial war lords to grab some of the armament business and (2) to preserve and improve Germany's military know-how in the face of the restrictions laid down by the Versailles Treaty. In both instances German objectives were accomplished in the main and it is doubtful that Hitler would have been able to confront the world with such a powerful war machine in so short a time, had it not been for the extracurricular activities practiced by the German military while German officials looked the other way.

German activities in this field since the end of World War II have a startling similarity with the past. In places far removed from each other, politically and even geographically, like Spain and Soviet Russia, German scientists have been peddling their wares. They have been welcomed in the United States, too, and they seem to be doing a good job for President Nasser. As one French newspaper remarked, the Saengers and other German scientists have become the foot soldiers of science. They work in France, in the East, in Italy, in Egypt (Carrefour, Sept. 26, 1962). Let it not be forgotten that above all they work for the fatherland.

### A REAL SOLUTION WANTED

This article would not be complete without an evaluation of our Government's wise decision to permit Israel to acquire defensive rockets. Given the accelerated arms buildup in Egypt and Nasser's expressed determination to launch war when the time becomes opportune, our Government showed farsightedness in terms of our own national interests.

When a house is about to be set on fire and threatens to spread, there is little time for making long-range plans to fireproof the house. The immediate need is firemen but one should not mistake the firemen's task for the real job that needs to be done.

The Middle East is a tinderbox of boiling hatreds. The arms race there is spurred on by Soviet machinations and by the stubborn, almost fanatical warlike policies of the Nasserites. Yet, one must plan for the future, for the delivery of arms to counter this danger is no real solution. Much more needs to be done. Certainly, the United States in its own national interest as well as in the interest of world peace and security, must actively seek ways and means of breaking the vicious circle of arms buildup. Of one thing we are certain. It cannot be brought about by appeasing the aggressive forces in the Middle East nor by merely maintaining the fragile balance of military power among the states involved. Constructive and positive action is imperative. In the search for a genuine program for world disarmament, the possibilities of initiating such a project via the Middle East deserves the closest attention and thought of U.S. policymakers.

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EXHIBIT 5

[From the New York (N.Y.) Times, Oct. 29, 1963]

### ARMAMENTS RACE BY EAST AND WEST IN AFRICA FEARED—DIPLOMATS BELIEVE RED AID TO ALGIERS MAY SPUR RABAT PLEA TO UNITED STATES AND FRANCE—CAIRO ALSO IS INVOLVED—CEASE-FIRE TALKS ARE BEGUN IN MALI—MEDIATORS CONFER WITH BEN BELLA AND HASSAN

(By Peter Grose)

RABAT, MOROCCO, October 29.—Western diplomats here are facing the prospect of an East-West arms race in north Africa. This result of the border conflict between Algeria and Morocco may go on for months after the present crisis has died down.

The West still seeks to isolate the conflict, if possible, but fears are being expressed that it has already gone too far, that the arrival in Algeria of Soviet and Egyptian war material and manpower has tipped the strategic balance.

No country is known to have supplied Morocco with emergency military aid since the border conflict started October 8.

(Cease-fire talks began in Mali, with mediators conferring separately with President Ahmed Ben Bella, of Algeria, and King Hassan II, of Morocco, the Associated Press reported.)

#### CUBAN SHIPMENTS REPORTED

Up to now analysts thought that a kind of equilibrium existed between Algeria's and Morocco's military strengths. Algeria's army was bigger, but poorly equipped; Morocco's was better trained and led.

Intelligence sources here accept reports that three ships from Cuba arrived at the Algerian port of Oran last week, bearing Soviet-made tanks, planes, and artillery. They also say 1,000 Egyptian soldiers were transported to Algeria.

The United Arab Republic has long had a military assistance program in Algeria, as has the United States in Morocco, but up to now the Egyptian personnel have been technical specialists rather than field officers.

If this buildup upsets the equilibrium—and some diplomats believe it already has—Western countries are going to find it difficult to refuse Moroccan requests for equivalent military support.

#### DIPLOMATS CONCERNED

France and the United States are the two Western countries most directly affected, since both have had close military ties with the Moroccans. Diplomats of the two countries made no attempt to conceal their concern.

Any new American military support would have to be decided by the National Security Council.

The situation of France is particularly difficult, since she also has military agreements with Algeria. An official statement in Paris yesterday confirmed France's neutrality in the Saharan border conflict.

Similarly the United States has tried to keep from choosing sides, but it is not clear how long either country can remain outside the arms buildup.

Sources believed to be reliable reported that the first of the Cuban ships, identified as the *Aracelio Iglesias* arrived in Oran on October 21.

The cargo was reported to consist of 22 Soviet T-34 light tanks, 5 armored reconnaissance vehicles, 4 crated MIG jet fighters, 25 Zil trucks, 3 field radio transmitter-receivers, 800 tons of miscellaneous parts and ammunition, and 61 pieces of artillery, including antiaircraft guns, mortars, and antitank guns.

This equipment, the sources said, was moved by road and rail on October 23 and 24 to the vicinity of Tlemcen, 30 miles from the Moroccan frontier.

Two other ships were reported to have arrived by the weekend, bringing the number of T-34 tanks to over 40, as well as increases in the other material.

Diplomats noted that even if the present talks between Algeria and Morocco, in the Mali capital of Bamako, produced a cease-fire, Algeria's military capability would still be great enough to cause concern in Rabat.

The U.S. military mission in Morocco is being phased out, under the agreement of December 22, 1959. This agreement, reached during President Dwight D. Eisenhower's visit to Casablanca, provided for complete withdrawal of U.S. forces by December 31, 1963.

#### THREE AIR BASES SHUT DOWN

Operations of three U.S. air bases of the Strategic Air Command were closed down last July, and remaining troops are to be out of Morocco by the end of the year.

A separate American training mission, however, will remain in Morocco. This consists of about 10 Air Force pilots training Moroccans to fly C-47 and C-119 transport planes supplied to the Moroccan Government by the United States.

French bases were closed in Morocco last year, though France maintains a pilot school at Marrakesh. This summer France was reported to have sent 200 military technicians to assist the Moroccan Army's supply corps.

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[From the New York (N.Y.) Times, Oct. 29, 1963]

### MOROCCO SAID TO ASK ARMS

MADRID, October 29.—Morocco is pressing Western countries for arms, a Spanish source said today.

The informant said the United States, France, and Spain were "cooperating closely" to prevent flow of military materials into North Africa that would aggravate the clash between Algeria and Morocco and create a potentially dangerous international problem.

France's full collaboration with other Western governments in efforts to contain the conflict was underlined. The important role of Spain, closest geographically to North Africa of all Western nations, also was emphasized.

Informed Spaniards voiced concern about what they called substantial military assistance to Algeria by Cuba and the United Arab Republic. This aid, they said, includes weapons and other material manufactured in the Soviet Union and Czechoslovakia.

Spanish newspapers said Algeria had received Soviet-made tanks and jet fighters in the last few days. The press declared the Algerian armed forces lacked trained personnel and expressed suspicion that the material had been accompanied by Soviet "instructors," if not by Soviet crews.

In view of foreign military assistance to Algeria, it was said here, Morocco is asking Spain and other Western nations for "every kind of arms." Morocco will want to increase her preparedness regardless of the meeting in Mali on the Algerian-Moroccan conflict, it was suggested here.

Officials said that conversations between Spain and Morocco on their territorial dispute in North Africa were continuing.

Repercussions in Europe of the North African conflict are expected to be a topic when William R. Tyler, U.S. Assistant Secretary of State for European Affairs, visits here over the weekend. He will talk with the Foreign Minister, Fernando María Castella y Maiz.

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[From the New York (N.Y.) Times, Oct. 29, 1963]

### CUBAN ARMS SENT TO ALGERIA

WASHINGTON, October 29.—The administration has evidence that two shiploads of military equipment originating in Cuba were sent to Algeria in the wake of the outbreak of the border war with Morocco.

Havana has also announced it plans to make technicians and doctors available to the "fraternal Socialist republic" of President Ahmed Ben Bella.

For international and domestic reasons the State Department has been described as reluctant to acknowledge publicly Cuba's intervention in the North African dispute.

The Department especially wants to keep any new irritants from interfering with cease-fire negotiations that began today in Mali.

There is also some concern that public recognition of Premier Fidel Castro's action may revive Republican demands for a naval blockade against Cuba.

#### ADDED STRAIN FEARED

Finally, officials fear that congressional debate on the matter could add new strains to the relations between Washington and Algiers. They believe, for example, that some legislators may ask sanctions against the Ben Bella regime because of its close ties to Cuba.

President Kennedy has said he would take stern action against any Cuban attempt to export arms to other parts of Latin America. But administration sources acknowledge that no policy had been formulated toward any extracontinental ventures by the Castro regime.

The administration asserts it has established beyond any doubt that two freighters from Cuba arrived in Algeria last weekend with substantial military equipment, including light tanks and jeeps. Most of the equipment was believed to have been received by Cuba from the Soviet Union and Czechoslovakia.

Officials said the Algerians confirmed the vessels' arrival, but declared they were loaded with sugar.

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EXHIBIT 6

[From the Washington (D.C.) Post, Oct. 29, 1963]

### MOROCCANS CLAIM NEW SAHARA GAIN ON EVE OF PARLEY

Morocco said yesterday its troops have moved into the Algerian-held Sahara to within 8 miles of the large Tindouf Oasis, where Algeria has an army garrison and the French have an air base.

Tindouf is outside the area of fighting to date and is about 270 miles southeast of Marrakech, Morocco. It is near the world's largest iron ore deposits and near Mauritania and Spanish West Africa, both of which put their troops on alert.

It was felt that Moroccan King Hassan II ordered the thrust to strengthen his hand in peace talks with Algerian President Ahmend Ben Bella in Mali today.

Ben Bella, who had planned to leave for Mali yesterday, delayed his departure to get firsthand reports on the border clash with

Morocco. Also at the meeting will be Emperor Haile Selassie of Ethiopia and President Modibo Keita of Mali. Ben Bella said he viewed the conference "very optimistically."

He said he hoped it "would succeed in showing that we were not to blame for this regrettable conflict."

Ben Bella also said his government's conflict with Algeria's Kabylia rebels had been "resolved." He did not elaborate.

In New York, M'Hammed Yazid, Ben Bella's special envoy to the United Nations, said yesterday that Morocco is creating a buildup for U.S. intervention in the border fighting. Yazid was replying to a Moroccan charge that Soviet weapons had arrived in Algeria.

Diplomatic sources in Algiers said they had found no support for the Moroccan charge. But newspapers reported the arrival of two ships bringing cargoes of sugar from Russia and Cuba.

In a radio speech yesterday King Hassan warned that the crisis is dangerous and said, "We are persuaded that direct talks are the best method of settling the litigation and liquidating the problem."

He made it clear, however, that the Moroccans intend to press their claims to a large portion of the Sahara which they say was artificially attached to Algeria by France.

He called on the Algerians to avoid seeking an ideological conflict that could "plunge peaceful North Africa into the abyss of convulsions and instability."

U.S. Ambassador John Ferguson was among those received by the King in his Marrakech winter palace. The American diplomat expressed the U.S. Government's hope that a cease-fire will be speedily imposed.

Morocco has long claimed the Tindouf area as its territory, saying it was attached to Algeria by France when both Morocco and Algeria were under French domination.

Morocco Information Minister Abdel Hadi Boutaleb said his country did not intend to seize Tindouf by arms but "through negotiations."

At the same time, Boutaleb said fighting flared up around another Sahara outpost identified as Oum-El-Achar, presumably somewhere near Tindouf.

At the Bamako, Mali, conference today, Hassan and Ben Bella will be urged to agree to an immediate cease-fire followed by a period of negotiation.

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[From the Washington (D.C.) Post, Oct. 29, 1963]

### YEMEN TROOP PULLOUT REJECTED BY NASSER

(By Patrick Seale)

BEIRUT, LEBANON, October 28.—Egyptian President Nasser has rejected as hazardous and unworkable any rapid disengagement of his forces supporting the republican regime in Yemen.

This new attitude has become clear over the past 6 weeks. It is reflected in recent speeches and stems from a reappraisal of his Yemen policy after Yemeni President Abdullah Sallal returned to Sanaa in August after receiving medical treatment in Cairo.

It is now highly probable that the U.N. observer corps whose mandate expires on Novermber 4, will have no alternative but to report the failure of its 4-month mission. Its task was to observe the implementation of a disengagement agreement reached this summer by Egypt, Saudi Arabia, and Yemen. Saudi Arabia has been supporting the Yemeni royalist faction in its bid to regain power.

(The Herald Tribune News Service reports that U.N. Secretary-General U Thant will announce Tuesday a 1-month extension of the mission's stay. Thant will point out, the service says, that Egypt and Saudi Arabia have agreed to share the costs of the extension.)

Addressing Egyptian troops on their return on October 22, Nasser revealed that half the 12,000 troops so far repatriated had been replaced by others.

"We maintain a force in Yemen capable of imposing peace," he declared. Egyptian forces there still number over 20,000 men.

There is little doubt that Nasser genuinely intended to keep his word when he signed the disengagement agreement negotiated this summer by President Kennedy's special envoy, Ellsworth Bunker.

Egypt's economy was beginning to feel the strain. Many of his advisers made no secret of their view that the war was not in Egypt's national interest.

There were powerful pressures on him to cut his losses and pull out—provided that a face-saving political formula could be found. It was in this spirit that he agreed to pay half the cost of the U.N. force.

Persistent rumors then arose that a compromise settlement might be reached in which both Sallal and the ousted Yemeni ruler, Imam Badr might agree to give way to a new president chosen by tribal consent under U.N. or Arab League auspices.

But these speculations have foundered on the simple truth that an Egyptian withdrawal—under whatever political settlement—is almost bound to be followed by the emergence of a regime hostile to Egypt.

After the Egyptian sacrifices of the past year, Nasser could not tolerate such an outcome. Indeed, he is thought to fear not a restoration of the monarchy—now highly improbable—but a possible takeover by a group of young Yemeni "intellectuals" on friendly terms with the Syrian and Iraqui Baath Party, with whom Nasser is now locked in mortal combat.

This is the background of Nasser's decision—arrived at reluctantly and in the face of grave American disapproval—to continue to maintain an army in Yemen.

In justifying his decision to remain in Yemen, Nasser is believed to have reminded his advisers of the original strategic reasons for his intervention there.

These were to make a bid to bring Saudi Arabia and its rich oilfields under his control.

The potential long-term threat to Saudi Arabia by the Baath Party—now Nasser's principal Arab rival—makes it all the more essential for him to hold on to acquired positions of strength, even if this means an indefinite commitment in Yemen.

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[From the Washington (D.C.) Post, Oct. 29, 1963]

### LEBANESE POLICE STONED BY 2,000

BEIRUT, LEBANON, October 28.—About 2,000 pro-Nasser demonstrators stoned police today in a protest against recent Syrian incursions into Lebanon.

At least 1 person was injured and 30 persons were arrested before the demonstrators were dispersed. The demonstration lasted 1 hour, occurring mainly in Beirut's Moslem quarter.

The demonstration was organized by the pro-Nasserite Arab Nationalist Movement, which is opposed to the Baathist Party regimes in Syria and Iraq.

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EXHIBIT 7

[From the New York (N.Y.) Herald Tribune, Oct. 30, 1963]

### FAILURE IN YEMEN—U.N. TO PULL OUT FORCE

(By Darius S. Jhabvala)

UNITED NATIONS.—United Nations Secretary General U Thant has admitted failure of U.N. efforts to resolve the year-old civil war in Yemen.

In a brief report expected to be submitted today, Mr. Thant will inform the Security Council that the 200-man observation mission sent to the troubled nation 4 months ago will be withdrawn November 4.

Without directly pinning the blame for the failure on any one, Mr. Thant's report clearly gives the impression that Egypt's unwillingness to withdraw its troops from Yemen was the major cause of the U.N. unit's lack of success.

Saudi Arabia, the other outside nation involved in the dispute, has removed its military forces from the area, the report states, but the Saudi Government is unwilling to continue its financial support for the U.N. mission unless Egypt agrees to a time schedule for removal of its troops.

Such an Egyptian decision is unlikely, because President Nasser feels a complete pullout would leave the way clear for deposed royalist forces to topple the republican regime of Gen. Abdullah Al-Sallal.

There were reports at the U.N. yesterday that Saudi Arabia might reconsider and provide financial assistance for the U.N. mission to continue for another month.

But in any event, Mr. Thant is openly pessimistic about the mission's future.

The Secretary General says in the report that the U.N. group's "mandate" in the situation is "so limited and restrictive as to make it virtually impossible * * * to play a really helpful and constructive role."

Mr. Thant states that in his opinion the entire Yemen crisis "is political and will require a political solution." Thus, although he suggests a symbolic continuation of the U.N. force through the establishment of a "civilian presence" in the area, he sees "little prospect" for a meaningful U.N. mission.

#### A WAR MIRED IN POLITICS

Mr. Thant's report apparently marks the end of an effort to obtain peace in Yemen that began last March, when a special American negotiator, Ellsworth Bunker, was sent to the scene by the U.S. State Department in an effort to resolve the tangled crisis.

After talking with all parties, Mr. Bunker arrived at a disengagement plan, that called for withdrawal of Egyptian troops, which were bolstering the new republican regime, and an end to Saudi Arabian aid to deposed royalists fighting to return to power.

Under the Bunker plan, a small U.N. mission was to supervise the disengagement. This force was sent to Yemen for a 2-month period in early July, and then ordered to stay for 2 more months in early September. Egypt and Arabia agreed to share the cost of the mission.

But even before the U.N. force began its work, it was evident there was little hope of success. Egyptian President Nasser appeared determined to maintain a strong force—at one time believed to be close to 30,000 men—in Yemen until the royalist threat was ended.

The royalists, backed by Saudi arms, began guerrilla warfare after Imam Mohammed al-Badr was toppled by a military coup led by President Al-Sallal on September 27, 1962. The new regime has been unable to wipe out the royalists.

Mr. Thant's report notes that "fighting appears to have died down in recent weeks," but it also observes that there has been "no withdrawal from field activities by Egyptian forces."

At the same time, the report finds "no signs of Saudi Arabian military assistance" in areas visited by the U.N. team.

The report does not spell out the total number of Egyptian troops in the area, but it does say that between July 4 and October 22, 12,000 officers and men had left Yemen, of which half had been replaced by fresh troops. According to Egyptian sources, another 5,000 troops will leave by the end of December.

The Egyptian position, as stated in the report, is that "whatever may be the present situation with regard to assistance to the royalists, the armaments and supplies previously sent or that would be available to them subsequent to Egyptian withdrawal, permit and encourage them to continue operating in Yemen."

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure to the distinguished Senator from Oregon.

Mr. MORSE. I commend the Senator from Alaska for the speech. I am only sorry that more in the Senate did not hear it, but it is for them to decide what their senatorial responsibilities are.

I am satisfied that information about the Senator's speech will seep through the country; and I am satisfied that, once the American people come to understand it, Senators who did not hear the speech will come to realize that the American people generally agree with the principle of the speech and agree that this Government, in the field of foreign policy, ought to return to the principles that it professes.

I think it is important that we take up the various amendments the Senator has proposed, including this amendment. I hope, before the debate is over, there can be at least some tentative agreement among many of us who are opposed to the bill in its present form to give some consideration to a schedule of priority in the consideration of these amendments.

It is my present recommendation to the group, when it meets—and because I shall be using the floor for a part of the remainder of the afternoon, I am telling this to the Senator from Alaska now so he can relate it to our coconferees—that probably we had better give consideration to the calling up first of the motion to recommit the bill to the committee, with instructions. I realize that there are some Senators who feel that we ought to rewrite the bill on the floor of the Senate, and prefer that course to the adoption of a motion to recommit. As a member of the Foreign Relations Committee, I would prefer that the bill be recommitted, for a great deal of consideration has been given to this bill since it was taken from the calendar, both within the Senate and outside the Senate, at the other end of Pennsylvania Avenue. It may very well be that a recommitment of the bill would give the time necessary for an adjustment of differences. Both the executive branch and the Members of the Senate know that deep differences of opinion exist with regard to the bill in its present form.

We are all seeking a common objective. We have some differences of opinion about the bill, but the interesting thing is that the proponents and the opponents have a common objective, and that is to do what they think will be best for the national interest of the Nation.

As I said in my speech on the day before yesterday, the proponents of the bill are just as dedicated, sincere, patriotic, and loyal to the best interests of our country as those of us who are opposed to the bill. However, in view of the fact that we find ourselves with such a wide chasm between us, the opportunity ought to be provided for trying to build some bridges across it. I believe they can be built. I believe they can be built better within the confines of the Foreign Relations Committee room, in executive session, with the Secretary of State and other executive officers who are spokesmen for the President conferring with us, than on the floor of the Senate.

I shall abide by the majority opinion of the group that will be conferring later this afternoon. However, my present recommendation is that we first proceed to consider, so far as our side is concerned, calling up the motion to recommit the bill to the Committee on Foreign Relations with instructions.

Mr. JAVITS. Mr. President, I am a supporter of the amendment of which the Senator from Alaska [Mr. GRUENING] is the principal sponsor. The practical effect of the amendment would be, as he so eloquently has stated, to prohibit the use of our resources in the foreign aid program so that other countries could use their own resources for aggressive purposes, and thus defeat the very purpose of our aid.

This is evidence of the fact that those of us who are in favor of the bill—and this goes back many years, to the time when this matter first came up in the other body, beginning in 1947, with the Greek-Turkish aid program—can be just as hard-headed as those who are against it. One of the hard-headed assumptions is that the right hand should know what the left hand is doing. That is exactly the situation the amendment seeks to make sure of.

It is interesting to me that events within the past few days, almost up to this morning, bear out the objective of the amendment of which the Senator from Alaska is the sponsor, with myself and others of similar views.

We call attention to the Yemen situation, which is now breaking down, with the United Nations pulling out its peace mission, and placing the blame for its failure on the United Arab Republic. It is clearly a situation in which the United States has been frustrated by the very man, President Nasser, who is propped up by our aid so that he may utilize his own resources to send large bodies of Egyptian troops into the Yemen.

There is a similar threat with regard to Algeria, the struggle between Algeria and Morocco in which President Nasser is providing military aid to Algeria. It is claimed that the amendment may get in the way of our situation with regard to India and Pakistan, and perhaps with Indonesia also. That is the difficulty which we face. If we do not adopt a basic principle, no one will know where we stand, no one will know how our aid will be used, and no one will be put to any sacrifice if the aid is misused. That is the important point involved in this debate.

I believe that events have borne out the insistence that this matter must be dealt with frontally in the way that the amendment suggests.

I ask unanimous consent to have printed in the RECORD at this point a report to the Washington Post, October 30; an editorial entitled "The Syria-Iraq Union," in the New York Times, October 30; and excerpts from a radio broadcast by Radio Rabat, Morocco, October 23, in connection with my remarks in support of the Gruening-Javits amendment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Oct. 30, 1963]

### THANT ADMITS U.N. PEACE MISSION FAILED IN YEMEN—U.A.R. BLAMED

(By Parius S. Jhabvala)

UNITED NATIONS, October 29.—Secretary General U Thant today admitted failure of U.N. efforts to resolve the year-old civil war in Yemen.

In a lucid and brief report, Thant told the Security Council that the 200-man U.N. observation mission in Yemen would be withdrawn by November 4. He added that "it is my intention to maintain a civilian U.N. presence, in the area, given, of course, the necessary agreement of the parties directly concerned."

Thant clearly conveyed the impression that the United Arab Republic was largely responsible for the failure of the mission.

On September 27, 1962, Yemeni Republican forces under the command of Abdullah Sallal overthrew Iman (King) Badr and installed Sallal as head of a republican regime. The deposed Iman and a band of royalists fled to the neighboring hills from where they are continuing guerrilla warfare.

U.A.R. President Nasser has sent 28,000 troops and a large number of Soviet-made aircraft to help fight off the rebels. King Badr, in turn, has received aid from Saudi Arabia.

Last March, former U.S. Ambassador Ellsworth Bunker obtained an agreement from the U.A.R. and Saudi Arabia to a disengagement plan, under which U.A.R. forces would leave Yemen and the Saudi Arabians would cease their aid to King Badr.

This plan went into effect July 4, under the supervision of a U.N. observation mission. It was to be completed within 2 months.

On September 4, however, Thant reported to the Security Council that "it cannot be said at this stage that encouraging progress has been made toward an effective implementation of the disengagement agreement."

He asked for and received permission to continue the mission until November 4.

Thant reported today that while the "fighting appears to have died down in recent weeks," there has been "no withdrawal from field activities of U.A.R. forces" in two key areas of Yemen.

As for stoppage of Saudi Arabian aid to the royalists, the observation mission said that "no military vehicles or material have been seen nor military equipment or stores found in cargoes checked by U.N. observers." The report added that "there were no signs of Saudi Arabian military assistance or heavy weapons in royalist areas visited by the observers."

Thant concluded "that in the period under review no military assistance of significance has been provided to the royalists from Saudi Arabia."

During conversations with representatives at the U.N. of the parties concerned, Thant stressed his "dissatisfaction with the mandate of the U.N. Yemen observation mission as now defined."

"That mandate," he said, "is so limiting and restrictive as to make it virtually impossible for the mission to play a really helpful and constructive role."

Thant concluded that "I frankly see little prospect that the disengagement agreement could be so amended to correct this deficiency."

The Secretary General is of the opinion that the Yemen problem "is primarily political and will require a political solution."

[From the New York (N.Y.) Times, Oct. 30, 1963]

### THE SYRIA-IRAQ UNION

Another ambitious attempt to unite the whole Arab nation has now been launched by the Governments of Syria and Iraq, both dominated by the socialist Baath Party. They have agreed to join in a federal Arab Democratic People's Republic, organized along socialist, democratic, and parliamentary lines as the nucleus of a wider union open to all Arab States accepting the same principles. A military union between them is already engaged in joint action against the Kurds and is to be followed, theoretically, by an economic, a cultural and finally a political union.

The new state is being formed in opposition to President Nasser, who espouses the same ideal of Arab unification but on terms which resulted in the breakup of the previous union between Syria, Iraq, and Egypt. Both movements seek to overthrow the remaining Arab monarchies of Jordan, Saudi Arabia, Libya, and Morocco as well as the sheikdoms and sultanates on the Arabian Sea. But whereas Nasser (and Ben Bella) resort to direct action, the Baathists are relying mainly on an Arab spiritual renaissance. Their weakness is that they consist primarily of only a few thousand intellectuals without any outstanding leaders or a mass following.

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[From the Rabat, Morocco, Domestic Service in Arabic, Oct. 23, 1963]

### NASSER USING BEN BELLA TO CONTROL MAGHREB

A series of related events and facts are becoming evident, giving a picture of a premeditated plot against our country, people, and regime. The facts point to one thing: That the intention of aggression and provocation against us exists secretly in Cairo, Algeria, and here in Morocco, where some people blinded by malice, placed themselves at the service of the plotters.

We still remember the dispute between Tunisia and the U.A.R., which showed and confirmed to us the insatiable desire of Cairo to open a new front for misleading opinion, for lies and a biased campaign against our Arab Maghreb after the blows and defeat suffered by Cairo policy in the Arab East. Today a golden opportunity has been given to the Cairo politicians in the Arab Maghreb by Ben Bella and his regime.

They are using Ben Bella to dig their poisonous claws in our land and people. They are sending their experts on civil and military intelligence, on waging lies and fabrications, on distortion of facts and misleading the public to control all the official organs in Algeria so that they can poison the atmosphere of our Arab Maghreb and hatch plots.

The fact is that Ben Bella needs support. He found this in Nasser, who in turn needs agents such as Ben Bella and his group to use them in trying his luck this time in the Arab Maghreb. The two allies found our country a target for their experiments: Ben Bella wants a way out from his political crisis at the expense of a dispute to distract public opinion inside his country, while Nasser wants to establish himself in this region. As is Cairo's practice, the plot is proceeding parallel with an extensive propaganda campaign and falsifications.

Nasser is ignorant of the nature of the peoples of the Arab Maghreb. The defeat which awaits Nasser's experiment will be more violent and harsher than the defeat or defeats which overtook his attempts in the Arab East. Indeed, it is strange and absurd that the information media accuse our country of denying freedom and democracy to the people and filling prisons with free people, while we, the world, and Nasser himself know that freedom is the only thing missing in the U.A.R., and that democracy is the only thing which Egypt has not known under Nasser. We know that only a few steps from Cairo the desert contains dozens of fearful detention camps and prisons full of the free men of Egypt, its intellectuals, and its conscious elite. We tell Nasser that his utterly unsuccessful experiment of plots, espionage, intelligence, and terrorism which have been carried out by Egyptian agents in Syria, Iraq, Jordan, Saudi Arabia, and Lebanon will meet with failure in our country.

Mr. GRUENING. I thank the distinguished Senator from New York for his comments. I believe our amendment is the most important amendment that can be offered to the bill. I, like the Senator from New York, would like to have a foreign aid bill. There are many provisions in it that require amendment in order to make it an effective, useful, and serviceable foreign aid bill. At the present time there are many loopholes in it and many opportunities to squander money and to misuse it which must be corrected if we are to have a foreign aid bill that we can support.

Mr. BEALL. Mr. President, at a time when we are desperately looking for ways to cut Federal spending so as to make ends meet and possibly reduce taxes, the item of expenditure called foreign aid sticks out like a sore thumb. Here is an obvious place to start saving money and show concern for our overburdened taxpayers.

A cut in taxes is long overdue, but this should be accompanied by a cut in spending. If we are in earnest about cutting down on Government spending, then we can cut foreign aid. In my opinion, we should reduce the foreign aid program by at least 20 percent this year, and reduce it each succeeding year until we are rid of this monstrous waste.

We have handed out some $100 billion on foreign aid since 1946—and much of this has been wasted. At the conclusion of these remarks, I am going to list illustrations of this waste.

I am also going to list the countries which have received the lion's share of our foreign aid money, indicating in each case what our money has bought.

One out of every 17 American tax dollars goes for foreign aid. Proponents say that it has promoted the cause of freedom around the world. Evidence disputes this. In countries receiving our aid, despots rule by terror, the economy is shattered, inflation is rampant, and Communist-fomented turbulence has put freedom on the run.

In pouring billions of dollars into certain foreign countries, are we not giving aid and comfort to the enemy?

Is there any justice in taxing the incomes of hard-working Americans to feather the nests of people who hate us—in Poland, Yugoslavia, India, and so on?

And what about our allies of Western Europe? Though now prosperous, they look to us to continue to carry most of the burden of their economy and military security. Western Europe has prospered with Marshal plan aid from us, but after 17 years and $41 billion in U.S. aid, Western Europe now meets only a fraction of its defense obligation and, except for commercial loans, its aid to less developed countries is negligible.

The original motives for foreign aid were well meaning. But things did not work out right. The United States found itself arming governments which used the arms to repress their people. The United States found itself arming, equipping, and financing policies and regimes which are contrary to our own basic convictions. The United States found itself giving economic aid which did not result in economic growth.

In delving into expenditures under the foreign aid program, a congressional committee came up with some amazing items. Here are a few, picked at random:

One thousand 23-inch TV sets were ordered for use in community education programs in underdeveloped countries overseas at a cost of $400,000 for areas with no electric power supply. Foreign aid funds were used to buy suits for undertakers in Greece. U.S. aid to Kenya was used to buy extra wives for governmental officials. A stockbreeding farm was erected in Lebanon with U.S. aid; nine stalls were built for each bull.

Four days after we had signed an emergency loan agreement to provide the Government of Indonesia with $17 million worth of goods, President Sukarno purchased three new jet airliners, costing approximately the amount we had loaned his government.

Senator STEPHEN YOUNG, Democrat of Ohio, reported that on his flight to Europe, to attend a U.N. conference on science and technology for underdeveloped nations, he had to fly tourist class as a U.S. delegate, while representatives from the underdeveloped nations, to whom we were giving foreign aid money, all flew first class. A smaller matter, but indicative.

The tax dollars of our citizens have been used to create approximately 30 millionaires in Laos, now controlled by Communists. Our tax dollars have been used to strengthen race segregation in Liberia, where now no one of the Caucasian race can hold office, and where the Liberian President used $12 million of foreign aid money to build himself a marble palace. Our tax dollars have been used to provide Ethiopian Emperor Haile Selassie with a $2 million yacht.

Fantastic is the history of our foreign aid blunders in India, Poland, Yugoslavia, Burma, Cambodia, Ceylon, Brazil, Egypt, Algeria, Indonesia.

Do we think we are buying good will with foreign aid dollars? President Nkrumah of Ghana, one of the recipients of our generous handouts, bitterly assailed the United States in a long speech before the heads of 30 African nations meeting in Addis Ababa, Ethiopia.

President Goulart, of Brazil, to whom the United States has given many hundreds of millions of dollars in foreign aid, a few weeks ago angrily demanded a personal apology from the President for some statement about Communist infiltration.

When Soviet Premier Khrushchev visited Yugoslavia, he and his host, Marshall Tito, toured a model $40 million plastics factory. It had been financed with U.S. foreign aid money. It had been designed and constructed by U.S. engineers. It was equipped with U.S. machinery. On the occasion of Khrushchev's visit, the plant was gaily decorated with Yugoslav and Russian flags. No American flag was in sight, and there was nothing to indicate the U.S. role in its establishment. Four American engineers for the plant, standing near the entrance when the two Communist leaders arrived, were not permitted an introduction and were not permitted to enter the plant with Yugoslav technicians and other employees. In reporting the grand tour of the plant, no Yugoslav newspaper even mentioned the fact that the plant was built with American money and American know-how.

During Khrushchev's visit in Yugoslavia, the solidarity of Yugoslavia and Russia repeatedly was stressed.

Yugoslavia is the Communist country to which our Government has given $3,200 million of American taxpayers' money.

For years the United States has been supporting India on a grand scale—4,000 million American tax dollars have poured into India to save her from communism. India will not side with us in the cold war, claims to be neutral, but virtually always sides with the Communists in the United Nations when she votes.

President Kennedy's Ambassador to India, Chester Bowles, recently told the people of India how they can defeat the will of the U.S. Congress without losing out on foreign aid handouts. In the foreign aid bill as passed by the House a stipulation had been inserted to prevent our aid dollars from being used by Nehru to build a proposed Government-owned steel plant in Bokaro, India. Ambassador Bowles, speaking in Calcutta, told the Indian people that they could get the Government-owned steel plant and still get the American foreign aid dollars. Bowles said that the congressional directive could be skirted by releasing U.S. aid funds for smaller Indian projects that could be financed by India's foreign exchange, which process would, in turn, release funds for construction of the Bokaro plant.

This will give one an idea of how our foreign aid program is going.

The basic concept of aid should be to help people to help themselves. Some of our aid to other countries has been extended with no thought given to the principle that individuals and nations should be self-reliant. No person and no nation should have its vital tasks of growth and defense indefinitely and preponderantly done for it. There is something debilitating about too much aid, or blind giving which does not exact responsibility in return. And this describes our foreign aid program.

Nearly half of all foreign aid money goes for so-called military assistance. Whom are we arming the recipient countries to fight? Each other? Are we now financing both sides in the war between Morocco and Algeria?

Why all this lavish handing out of money? Is it because we think we can afford it? The truth is that we are sending money to countries that are better off financially than we are. The U.S. public debt is $24 billion greater than the combined public debts of all the nations we are aiding.

Is it any wonder that misgivings over foreign aid continue to grow on Capitol Hill and throughout the country?

The Senate is now considering the foreign aid authorization bill passed by the House of Representatives.

An administration which has persisted in an extravagant course, paying no attention to the public's growing discontent with unnecessary Government spending, got its come-uppance when the House cut the foreign aid request, passed the cut-down measure, and sent it to the Senate. It was a setback for administration advocates of unlimited spending and a victory for the economy forces.

The cut on the House floor, following other cuts in committee, brought the amount in the authorization bill to $3,502 million compared with the $4,945 million originally requested by the President—a saving to the American taxpayers of $1,443 million.

The cuts reflected growing discontent with foreign aid. Anyone who does not recognize and respect the disillusionment of the American people with foreign aid is in for a rude awakening.

Former full-fledged supporters of foreign aid in the House of Representatives voted this time for the cut—reflecting the will of the people. As a Member remarked:

> The wail from home is demand that fat and fatheadedness be cut out of the foreign aid program.

The House was widely praised for its courage—in the face of pressures from the liberal spenders—in making substantial cuts. Let us hope that the Senate will demonstrate the same brand of courage and consideration for the American taxpayer.

The majority leader, the distinguished Senator from Montana [Mr. MANSFIELD] some weeks ago headed a bipartisan group of investigating Senators who examined foreign aid in Southeast Asia. This group found that the program was much too wasteful.

The group found that in Laos our outlay of millions of dollars to aid the Government in preventing a Communist takeover was a waste because the people of Laos refused to fight for their own country. The Mansfield group found many things wrong with the foreign aid program. Its report dealt in particulars, but it also pointed up the root of the trouble: we have been give-away minded, and this is what has cost us so much.

Following the Mansfield report, we had the Clay report. To help pass this year's foreign aid bill, the President appointed a "citizens committee" to assess the aid program. The 10-man committee, headed by Gen. Lucius D. Clay, presented a tough report.

Among the noteworthy observations were there: The United States is trying to do "to much for too many"; too much money is spent to get military bases in some countries, and such aid should be cut; military assistance to foreign nations "should be reduced progressively"; the burden of foreign aid "is falling unfairly upon the United States." Western Europe "can and should do more"; aid to the new countries of Africa should be sharply curtailed and limited; economic aid should be withheld from Indonesia unless it "puts it internal house in order." Those are a few of the recommendations.

What was done about these recommendations? And what was done to correct the glaring inconsistencies pointed to by the Mansfield group? Nothing. Have the sponsors of this spending program come before Congress and proved that the foreign aid house has been put in order? No. The many things wrong are ignored completely or glossed over.

The American people are in no mood to continue to pour out their money to countries all over the world through a foreign aid program which, indisputably, is badly executed, unrealistic, and enormously wasteful, and has failed to accomplish its intended objectives.

I am fed up with having the taxpayers of Maryland sweat and toil to help pay for wasteful and unrealistic foreign aid. I favor a rapid retrenchment. If 20 percent were cut from foreign aid now, it would not hurt anyone except a few bureaucrats, domestic and foreign. Next year, the program could be cut further, and so on, and soon we could be rid of a costly program which, despite its earlier promise, has failed miserably.

Mr. MORSE. Mr. President, will the Senator from Maryland yield?

Mr. BEALL. I yield to the Senator from Oregon.

Mr. MORSE. I commend the Senator from Maryland for the speech he is making in opposition to the bill. I am satisfied that the thesis he has developed is consonant with prevailing American public opinion. To me, it raises a very fundamental issue of our system of representative government; namely, Congress denying to American public opinion its wishes in regard to a matter of basic public policy such as is involved in the foreign aid bill.

It is for each Senator to decide, first, whether he believes the criticisms of the bill are sound; and second, to decide, if they are sound, whether or not the American people are entitled to have him vote for improvements to the bill.

The Senator from Maryland has made it perfectly clear that he does not take the position that there should be no aid at all.

The position of the Senator from Maryland is that this bill goes too far; and, as he has said, he thinks a cut of at least 20 percent in the bill would be reasonable.

I believe that when the Senator from Maryland goes further into the matter, as the debate develops, probably he will agree that other changes should be made in the bill, in addition to simple cuts in the amounts. Some policy changes will have to be included in the final draft of the bill.

But I am glad the Senator from Maryland has raised his voice in opposition to this bill; and I am satisfied that note of his comments will be taken throughout his State, as well as throughout the Nation.

Mr. BEALL. I thank the Senator from Oregon.

I repeat that we do not want to cut out all of the foreign aid program at this time; that might be too drastic an action. But I believe we should systematically cut the program, and we should have better supervision of the program than we are now receiving.

Mr. President, advocates of unlimited spending, willing to close their eyes to the misuse of foreign aid funds, cry "wolf" at every effort to economize. The same cry now is being raised. The cut, they say, threatens free-world security. I do not believe it. The real threat to security is possible U.S. financial chaos which could be brought about by irresponsible, red ink spending.

I hope the Senate holds firm on substantial foreign aid cuts—both to save the money, to give our taxpayers a "break," and to gain some attention to pressing demands that the Government get its financial house in order.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as part of my remarks, two exhibits: "A," a statement containing illustrations of waste of foreign aid funds and maladministration of the program; and "B," a table indicating how the cause of freedom has fared in nations to whom we have given enormous sums of money.

There being no objection, the statement and the table were ordered to be printed in the RECORD, as follows:

### EXHIBIT A

### WASTE OF FOREIGN AID FUNDS

In delving into expenditures under the foreign aid program, a congressional committee came up with some amazing items. Here are a few, picked at random:

"One thousand 23-inch TV sets were ordered for use in community education programs in underdeveloped countries overseas at a cost of $400,000 for areas with no electric power supply. * * * Foreign aid funds were used to buy suits for undertakers in Greece. * * * U.S. aid to Kenya was used to buy extra wives for Government officials. * * * A stockbreeding farm was erected in Lebanon with U.S. aid; nine stalls were built for each bull."

Four days after we had signed an emergency loan agreement to provide the Government of Indonesia with $17 million worth of goods, President Sukarno purchased three new jet airliners, costing approximately the amount we had loaned his Government.

Senator STEPHEN YOUNG of Ohio reported that on his flight to Europe, to attend a U.N. conference on science and technology for underdeveloped nations, he had to fly tourist class as a U.S. delegate, while representatives from the underdeveloped nations, to whom we were giving foreign aid money, all flew first class. A small matter, but indicative.

The tax dollars of our citizens have been used to create approximately 30 millionaires in Laos, now controlled by Communists. Our tax dollars have been used to strengthen race segregation in Liberia, where now no one of the Caucasian race can hold office, and where the Liberian President used $12 million of foreign aid money to build himself a marble palace.

Our tax dollars have been used to provide Ethiopian Emperor Haile Selassie with a $2 million yacht.

Fantastic is the history of our foreign aid blunders in India, Poland, Yugoslavia, Burma, Cambodia, Ceylon, Brazil, Egypt, Algeria, Indonesia.

Do we think we're buying good will with foreign aid dollars? President Nkrumah, of Ghana, one of the recipients of our generous handouts, bitterly assailed the United States in a long speech before the heads of 30 African nations meeting in Addis Ababa, Ethiopia.

President Goulart, of Brazil, to whom the United States has given many hundreds of millions of dollars in foreign aid, a few weeks ago angrily demanded a personal apology from the President for some statement about Communist infiltration.

When Soviet Premier Khrushchev visited Yugoslavia, he and his host, Marshal Tito, toured a model $40 million plastics factory. It had been financed with U.S. foreign aid money. It had been designed and constructed by U.S. engineers. It was equipped with U.S. machinery. On the occasion of Khrushchev's visit, the plant was gaily decorated with Yugoslav and Russian flags. No American flag was in sight, and there was nothing to indicate the United States role in its establishment. Four American engineers for the plant, standing near the entrance when the two Communist leaders arrived, were not permitted an introduction and were not permitted to enter the plant with Yugoslav technicians and other employees. In reporting the grand tour of the plant, no Yugoslav newspaper even mentioned the fact that the plant was built with American money and American know-how.

During Khrushchev's visit in Yugoslavia, the solidarity of Yugoslavia and Russia repeatedly was stressed.

Yugoslavia is the Communist country to which our Government has given $3,200 million of American taxpayers' money.

For years the United States has been supporting India on a grand scale—4,000 million American tax dollars have poured into India—"to save her from communism." India will not side with us in the cold war, claims to be neutral, but virtually always sides with the Communists in the United Nations.

President Kennedy's Ambassador to India, Chester Bowles, recently told the people of India how they can defeat the will of the U.S. Congress without losing out on foreign aid handouts. In the foreign aid bill, as passed by the House, a stipulation had been inserted to prevent our aid dollars from being used by Nehru to build a proposed Government-owned steel plant in Bokaro, India. Ambassador Bowles, speaking in Calcutta, told the Indian people that they could get the Government-owned steel plant and still get the American foreign aid dollars. Bowles said that the congressional directive could be skirted by releasing U.S. aid funds for smaller Indian projects that could be financed by India's foreign exchange, which process would, in turn, release funds for construction of the Bokaro plant.

This will give one an idea of how our foreign aid program is going.

*Exhibit B*

| Nations aided by us | U.S. aid since 1946 | Present situation: How the cause of freedom has fared |
|---|---|---|
| Argentina | $640,000,000 | Under indirect military domination; suffers from inflationary chaos. |
| Brazil | 1,900,000,000 | On the brink of communism. |
| Cuba | 52,000,000 | Once enjoyed immense sugar subsidy; has stolen $1,000,000,000 in private property of U.S. citizens; is a Red satellite of Soviet Russia. |
| Haiti | 100,000,000 | Writhes under a murderous tyranny. |
| Indonesia | 670,000,000 | Her economy wrecked; is an armed dictatorship bent on conquest. |
| India | 3,900,000,000 | Stands with Russia and against us on nearly all issues; probably faces Red Chinese attack. |
| Iran | 1,300,000,000 | Now a monarchy without a parliament. |
| Laos | 460,000,000 | Coalition government, almost certain to fall to Communists. |
| Poland | 522,000,000 | Communist, with all freedom gone. |
| South Korea | 5,400,000,000 | Ruled by its third military junta; anti-U.S. demonstrations a common occurrence. |
| South Vietnam | 2,400,000,000 | Ruled by puppet dictator; racked by Red guerrilla war. |
| Turkey | 3,800,000,000 | Politically unstable; economically weaker than before U.S. aid began. |
| Venezuela | 274,000,000 | Unstable; much destruction of American-owned property; major target of Cuban fifth column. |
| Yugoslavia | 2,400,000,000 | Communist, with all freedom gone. |

Mr. BEALL. Mr. President, in the interest of saving the time of the Senate, I shall not read to the Senate the table which is identified as exhibit B; but I do point out, for instance, that Argentina, which since 1946 has received U.S. aid in the amount of $640 million, is under indirect military domination, and suffers from inflationary chaos.

Mr. MORSE obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

## THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of the measures on the legislative calendar, beginning with Calendar No. 571, Senate bill 741, and continuing with the following measures on the calendar, in order. I also ask that there be printed at the appropriate points in the RECORD, in connection with the consideration of these calendar measures, excerpts from the reports and other explanatory items.

The PRESIDING OFFICER. Without objection, it is so ordered; and the calendar measures thus designated will now be called.

## PROHIBITION OF SCHEMES TO INFLUENCE BY BRIBERY THE OUTCOME OF SPORTING CONTESTS

The bill (S. 741) to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) chapter 11, United States Code (entitled "Bribery and Graft"), is amended by adding at the end thereof the following new section:

**"§ 224. Bribery of participants in sporting contests**

"(a) Whoever carries into effect, attempts to carry into effect, or conspires with any other person to carry into effect any scheme in commerce to influence by bribery the outcome of any sporting contest, with knowledge that the purpose of such scheme is to influence by bribery the outcome of that contest, shall be fined not more than $5,000, or imprisoned not more than 10 years, or both.

"(b) This section shall not be construed as indicating an intent on the part of Congress to occupy the field in which this section operates to the exclusion of a law of any State, territory, Commonwealth, or possession of the United States, and no law of any State, territory, Commonwealth, or possession of the United States, which would be valid in the absence of the section shall be declared invalid, and no local authorities shall be deprived of any jurisdiction over any offense over which they would have jurisdiction in the absence of this section.

"(c) As used in this section—

"(1) The term 'scheme in commerce' means any scheme effectuated in whole or in part through the use of any facility for transportation or communication in interstate or foreign commerce;

"(2) The term 'sporting contest' means any contest in any sport, between individual contestants or teams of contestants (without regard to the amateur or professional status of the contestants therein), the occurrence of which is publicly announced before its occurrence;

"(3) The term 'person' means any individual and any partnership, corporation, association, or other entity."

(b) The analysis of chapter 11, title 18, United States Code, is amended by adding at the end thereof the following new item:

"224. Bribery of participants in sporting contests."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 593), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

#### PURPOSE

The purpose of the bill is to add a new section 224 to title 18, United States Code, to make it a criminal offense to influence by bribery the outcome of sporting contests through schemes which make use of interstate or foreign commerce facilities. A penalty of imprisonment for not more than 10 years or a fine of not more than $5,000, or both, is provided for those who carry into effect or attempt or conspire to carry such schemes into effect.

#### STATEMENT

A similar bill, S. 2182 of the 87th Congress, was approved by this committee on September 7, 1962, and was passed by the Senate on September 12, 1962, but no action was taken by the House of Representatives.

The bill, S. 2182 of the 87th Congress, as introduced in the Senate, was amended by this committee. The present bill, S. 741, as introduced, is in the form in which S. 2182 was amended by the committee and approved by the Senate.

In its report on this legislation in the 87th Congress, the Department of Justice pointed out that State enforcement agencies have been handicapped either by an absence of adequate laws in this area or by jurisdictional limitations, and the Federal Government has been handicapped by lack of complete statutory authority to assert its full power. This lack of Federal authority was remedied in part by the enactment of Public Law 216, Public Law 218, and Public Law 228 of the 87th Congress, and the present bill would constitute a further step toward strengthening the supporting role of the Federal Government in the assault on organized crime through the use of its authority to regulate interstate commerce.

The Department of Justice also pointed out that the then newly enacted section 1952 of title 18 would apply to sporting events bribery effected through interstate commerce only when the bribe occurred in a State which has laws proscribing sporting events bribery. The existing law accordingly covers this situation only partially and the proposed legislation is not limited by any consideration as to whether the sporting event bribery occurs in a State having laws prohibiting such activity.

The committee believes that the proposed legislation, which it approved in the 87th Congress and which was passed by the Senate, is meritorious and recommends it favorably.

Attached and made a part of this report is a letter dated March 23, 1962, from the Department of Justice, on the bill S. 2182 of the 87th Congress. The amendments in S. 2182 suggested by the Department of Justice are incorporated in S. 741.

## BILL PASSED OVER

The bill (S. 1396) to consent to the institution of an original action in the Supreme Court for the adjudication of the claim of the State of Hawaii to certain land and property situated within that State was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

## AMENDMENT OF TRADING WITH THE ENEMY ACT

The bill (S. 1451) to amend section 41(a) of the Trading With the Enemy Act was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 41(a) of the Trading With the Enemy Act (50 U.S.C. App. 42(a)), as added thereto by section 206 of the Act of October 22, 1962 (76 Stat. 1115), is amended by—

(1) striking out in the first sentence thereof the words "report to the Congress concerning", and inserting in lieu thereof the words "render judgment upon";

(2) striking out in the second sentence thereof the words "one year after the date of the enactment of this Act", and inserting in lieu thereof the words "two years after the date of enactment of this section".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 595), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

#### PURPOSE

The committee previously, in S. 495 of the 87th Congress, approved language giving the Court of Claims jurisdiction to render final judgment on the General Dyestuff Corp. claims, and that language was added as a floor amendment to H.R. 7283 in the Senate and thus became a matter for the conference on that bill. In acting on this Senate amendment, the conferees failed to take into consideration the opinion of the U.S. Supreme Court (*Glidden Co.* v. *Zdanok,* 370 U.S. 530) relating to the general jurisdiction of the U.S. Court of Claims, and the dictum relating to advisory opinions of the Court, which appears in Mr. Justice Clark's separate concurring opinion at page 587. H.R. 7283 became Public Law 87–846. S. 1451 would amend the language of section 41(a) to conform with the above referred to decision.

#### STATEMENT

The circumstances giving rise to the need for this legislation were described as follows by the sponsor of the bill, the Honorable Everett McKinley Dirksen, when he introduced the bill in the Senate on May 6, 1963:

"Mr. President, in the last session of the 87th Congress both House and Senate passed bills dealing with some aspects of our alien property problem under the Trading With the Enemy Act. Since there were divergent views on some matters contained in these bills a final conference between House and Senate took place on the last day of the 87th Congress in 1962. As a result of the conference a garbled language on one item developed which had failed to take into account a dictum in a U.S. Supreme Court decision on June 25, 1962, in the so-called Glidden case, which related to the general jurisdiction of the Court of Claims.

Th Senate version of the bill was in compliance with the Court decision but the conference language was something of a mixture which overlooked it. One of the results of the Glidden decision was to place about 35 cases referred to the Court of Claims by action of only one branch of Congress, in a state of suspension, and some effort has already been made to draft general legislation so that all doubts concerning congressional intent in the 35 cases referred to would be resolved.

"At the moment general legislation on this subject does not seem practicable and, in addition, the case involved in the Senate bill is such that it merits separate treatment. One reason for this view is that in the case referred to it was the only one considered by both branches of the Congress and was, therefore, incorporated in a bill which was signed by the President. The garbled language does, in fact, defeat the real intent of both Houses of the Congress and that intent was to give the U.S. stockholders of the General Dyestuff Corp. a trial in the Court of Claims on the basic merit of the respective claims. The measure I am introducing, therefore, undertakes to restore the Senate language and should therefore, be approved by both the Senate and the House."

The committee believes it was the intention of the Congress to confer upon the U.S. Court of Claims the jurisdiction to render judgment upon the General Dyestuff Corp. claims and under the circumstances the committee recommends approval of the clarifying amendment offered in S. 1451.

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

"TRADING WITH THE ENEMY ACT (50 U.S.C. APP. 42(A)), AS ADDED THERETO BY SECTION 206 OF THE ACT OF OCTOBER 22, 1962 (76 STAT. 1115)

"Sec. 41. (a) Notwithstanding any statute of limitation, lapse of time, any prior decision by any court of the United States, or any compromise, release or assignment to the Alien Property Custodian, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and [report to the Congress concerning] *render judgment upon* the claims against the United States for the proceeds received by the United States from the sale of the property vested under the provisions of the Trading With the Enemy Act by vesting order numbered 33 relating to certificate numbers 104 to 121, inclusive, 125, 126, 128 to 134, inclusive, and 137 to 139, inclusive. Proceedings with respect to such claims may be instituted hereunder not later than [one year after the date of the enactment of this Act] *two years after the date of enactment of this section.*"

## STATUS OF CIRCUIT AND DISTRICT JUDGES RETIRED FROM REGULAR ACTIVE SERVICE

The bill (H.R. 2835) to clarify the status of circuit and district judges retired from regular active service was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 596), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

### PURPOSE

The purpose of this bill is to clarify the status of circuit and district judges who have retired from regular active service. Accordingly, the bill amends the appropriate sections of title 28, United States Code, relating to such judges.

### STATEMENT

House Report 95 on H.R. 2835 sets forth the facts and reasons justifying passage of this legislation. That report is set forth below.

"An identical bill, H.R. 5255, passed the House in the 87th Congress, amended, which is the form of the present bill, H.R. 2835.

"The enactment of this legislation does not entail any additional expenditure of Federal funds.

"Under existing law, a judge may retire from regular active status under section 371 (b) or 372(a), title 28, United States Code, and still continue to perform services in court when assigned for that purpose.

"Under such conditions, however, an issue has arisen regarding the powers and duties of such a judge as to (1) sitting as a member of the court of appeals in banc; (2) participating in the appointment of officers of the court; (3) promulgating rules of the court and being a member of the judicial council of the circuit.

"In the case of *United States of America* v. *American-Foreign Steamship Corp.*, 360 U.S. 685 (1960), the Supreme Court on specific issue presented—whether a circuit judge, who has retired after hearing the original appeal, is eligible under section 46(c) of title 28, United States Code, to participate in the decision of a case on rehearing in banc—concluded that he is not. The purpose of this bill, then, will be to permit such a judge to sit on a rehearing in banc of a case where he participated at the original hearing thereof. With regard to judges of the court of appeals who have resigned from active service, the bill first amends section 43(b) of title 28 to limit membership in each court of appeals to those circuit judges in regular active service.

"Subsection (b) of the bill amends section 46 of title 28, so as to deal with the problem of the membership of a judge who has retired but who remains in an active status when a court of appeals sits in banc. Under the amended provisions, such a court in banc consists of all the circuit judges in regular active service with the provision, however, that where a circuit judge who has retired from regular active service has sat as such a judge on the precise subject matter or issue upon which the court has ordered a hearing in banc, he becomes competent to sit as a member of the court in banc only if the precise subject matter or issue on which he has previously sat is before the court in banc. For example, if a motion to dismiss for want of jurisdiction has been before the panel on which the retired judge originally sat, either before or after retirement, and the court of appeals has ordered a rehearing in banc, he, then, is competent to sit as a member of the court in banc; the same would be true in respect to a hearing and a rehearing on the merits of an issue.

"It is believed that judge who has sat on an issue in an appellate hearing on which a rehearing has been ordered should be a member of the court for rehearing purposes.

"Section 2 of the bill amending section 132 of title 28 states that each district court shall consist of the district judge or judges therein who are in regular active service. In both references to the district court and the court of appeals, the amendment clarifies existing law so as to provide that a judge who was retired from active service but still continues to serve shall not be a member of the respective court when such court appoints its officers or promulgates its rules.

"Section 3 of the bill amending section 332 of title 28, United States Code, would eliminate from membership in the Judicial Council of a circuit a judge who has retired from regular active service. Here, the language is merely clarifying.

"The legislation was introduced as the result of an executive communication from the Judicial Conference of the United States."

After a consideration of the foregoing the committee concurs in the action of the House of Representatives and recommends that the bill H.R. 2835 be considered favorably.

Attached hereto and made a part of this report is the communication from the Administrative Office of the U.S. Courts.

## BILL PASSED OVER

The bill (H.R. 4145) for the relief of certain individuals was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

## JOE QUONG

The concurrent resolution (S. Con. Res. 66) withdrawing suspension of deportation in the case of Joe Quong was considered and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress, in accordance with section 246(a) of the Immigration and Nationality Act (8 U.S.C.A. 1256(a)), withdraws the suspension of deportation in the case of Joe Quong (A-5635350) which was previously granted by the Attorney General and approved by the Congress.

## GAETANO FUCCIO

The bill (S. 716) for the relief of Gaetano Fuccio was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Gaetano Fuccio, who lost United States citizenship under the provisions of section 349(a)(3) of the Immigration and Nationality Act, as amended, may be naturalized by taking prior to one year after the effective date of this Act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act the oaths prescribed by section 337 of the said Act. From and after naturalization under this Act, the said Gaetano Fuccio shall have the same citizenship status as that which existed immediately prior to its loss.

## GEORGE ALEXANDER DOUMANI

The bill (S. 1385) for the relief of George Alexander Doumani was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That George Alexander Doumani may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that no period of residence or physical presence within the United States or any State shall be required in addition to his residence and physical presence within the United States since January 16, 1958.

## ANDREINA VISELLI

The bill (S. 1446) for the relief of Andreina Viselli was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, notwithstanding the provisions of paragraph (1) of section 212(a) of the Immigration and Nationality Act, Andreina Viselli may be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act. *Provided*, That this Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act: *And provided further*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

## DR. DEMETRIOS FLESSAS AND DR. EUGENIA FLESSAS

The bill (S. 1479) for the relief of Dr. Demetrios Flessas and Dr. Eugenia Flessas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of the Immigration and Nationality Act, Doctor Demetrios Flessas and Doctor Eugenia Flessas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 10, 1953, and April 22, 1950, respectively.

## ANA MURGELJ

The bill (S. 1516) for the relief of Ana Murgelj was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in the administration of the Immigration and Nationality Act, Ana Murgelj may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the said Act and a petition may be filed by Mr. and Mrs. John Miklich, citizens of the United States, in behalf of the said Ana Murgelj pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

### WILLIAM JOHN CAMPBELL McCAUGHEY

The bill (S. 1812) for the relief of William John Campbell McCaughey was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That William John Campbell McCaughey may be naturalized upon compliance with all the requirements of title III of the Immigration and Nationality Act, except that no period of physical presence within the United States shall be required in addition to his physical presence within the United States since November 27, 1956.

### AMENDMENT OF BANKRUPTCY ACT WITH RESPECT TO FILING OF CLAIMS IN CHAPTER XI PROCEEDINGS

The bill (H.R. 1049) to amend sections 334, 367, and 369 of the Bankruptcy Act (11 U.S.C. 734, 767, 769) and to add a new section 355 so as to require claims to be filed and to limit the time within which claims may be filed in chapter XI (arrangement) proceedings to the time prescribed by section 57n of the Bankruptcy Act (11 U.S.C. 93n) was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 605), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this bill is to require creditors to file claims in order to participate in distributions under chapter XI of the Bankruptcy Act. The bill also provides that these claims must be filed within 6 months.

STATEMENT

The bill is recommended by the Judicial Conference of the United States.

A similar bill, H.R. 4856 was passed by the House of Representatives in the 87th Congress but was not acted upon by the Senate.

Chapter XI provides a method by which a business debtor may effect a composition or an extension settlement of his obligations while remaining in possession of his business. Unlike straight bankruptcy proceedings, it is not necessary under existing law for a creditor to file a claim in order to participate in a chapter XI arrangement. Where debts are not contingent, unliquidated, or disputed, creditors are paid simply on the basis of the debtor's schedule.

The situation created by making distributions solely upon the basis of a debtor's schedule is sufficiently open to abuse to require a strengthening of statutory procedures. A debtor in possession of his business who desires to remain on good terms with a supplier may inflate the amount of the supplier's claim, at the expense of other creditors. He may schedule fictitious or inflated debts to his family or associates. Beyond intended discrepancies, there is a real possibility of inaccuracies resulting from lax accounting methods which may operate to the detriment of other creditors.

The committee is of the view that sound administration and sound business practices demand that where the financial rights of individuals with conflicting interests are involved, the determination of these rights should be made on the basis not only of what the debtor declares but also by comparative examination with the claims of the creditors.

If it is required that claims be filed there must be a statutory period for filing those claims. For the purpose of uniformity, this limitation should be the same as is provided in section 57n of the Bankruptcy Act which is applicable to straight bankruptcy proceedings. This period is 6 months from the first date set for the first meeting of creditors. The amendments proposed by the bill would fix such a limitation.

Objections have been raised to this bill on the ground that its enactment will delay distributions at least until the 6-month period for the filing of claims has expired. The argument is that, prior to the expiration of the 6-month period, but after the confirmation of the plan, large claims could be filed which would disrupt the plan. In addition, it is said that third parties who have acquired interests in the debtor's property, might then find that their property rights have been impaired.

The committee believes that these objections are not completely valid nor do they take into account other important considerations. Testimony at the hearings on the bill before a subcommittee of the House Judiciary Committee indicated that very few chapter XI cases are closed within 6 months from the first date set for the first meeting of creditors. Realistically, therefore, this bill should cause little, if any, delay in closing chapter XI cases. As to those few cases which would be closed within 6 months, under existing law, the possibility of unequal distributions more than offsets the possible delay.

The argument that a confirmed plan might be disrupted by subsequently filed claims would seem to support, rather than detract, from the need for this bill. If this can occur, it is apparent that schedules alone cannot be relied upon to protect the interests of all the creditors.

A similar doubt is raised by the argument that the interests of third parties acquired before the expiration of 6 months may be jeopardized if the case cannot be closed within 6 months. It would seem that third parties have a right to an accurate statement of the financial condition of the debtor and his property. This can most easily be accomplished by requiring creditors to file claims within a reasonable period.

Attached and made a part of this report is a letter dated June 8, 1959, from the Administrative Office of the U.S. Courts, and a letter dated January 14, 1963, from the Administrative Office of the U.S. Courts.

### JOLAN BERCZELLER

The bill (H.R. 1311) for the relief of Jolan Berczeller was considered, ordered to a third reading, read the third time, and passed.

### PETER CARSON

The bill (H.R. 1345) for the relief of Peter Carson was considered, ordered to a third reading, read the third time, and passed.

### MRS. ROZSI NEUMAN

The bill (H.R. 2260) for the relief of Mrs. Rozsi Neuman was considered, ordered to a third reading, read the third time, and passed.

### MRS. BARBARA RAY VAN OLPHEN

The bill (H.R. 2445) for the relief of Mrs. Barbara Ray Van Olphen was considered, ordered to a third reading, read the third time, and passed.

### MERCEDES ROBINSON ORR

The bill (H.R. 2754) for the relief of Mercedes Robinson Orr, was considered, ordered to a third reading, read the third time, and passed.

### WOO YOU LYN

The bill (H.R. 2757) for the relief of Woo You Lyn (also known as Hom You Fong and Lyn Fong Y. Hom) was considered, ordered to a third reading, read the third time, and passed.

### KAZIMIERZ KURMAS AND ZDZISLAW KURMAS

The bill (H.R. 2968) for the relief of Kazimierz Kurmas and Zdzislaw Kurmas was considered, ordered to a third reading, read the third time, and passed.

### LEE SUEY JOM

The bill (H.R. 3384) for the relief of Lee Suey Jom (also known as Tommy Lee and Lee Shue Chung) was considered, ordered to a third reading, read the third time, and passed.

### DR. PEDRO B. MONTEMAYOR, JR.

The bill (H.R. 6097) for the relief of Dr. Pedro B. Montemayor, Jr. was considered, ordered to a third reading, read the third time, and passed.

### WAI CHAN CHENG LIU

The bill (H.R. 6260) for the relief of Wai Chan Cheng Liu was considered, ordered to a third reading, read the third time, and passed.

### ESTABLISHMENT OF INTERSTATE SCHOOL DISTRICT BY HANOVER, N.H., AND NORWICH, VT.

The joint resolution (H.J. Res. 626) granting the consent of Congress to the establishment of an interstate school district by Hanover, N.H., and Norwich, Vt., and to an agreement between Hanover School District, New Hampshire, and Norwich Town School District, Vermont, was considered, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 616), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

#### PURPOSE

The purpose of the joint resolution is to grant the consent of Congress to the establishment of an interstate school district by the adjoining communities of Hanover, N.H., and Norwich, Vt., as authorized by counterpart legislation enacted by the Legislatures of New Hampshire and Vermont. The resolution would also grant the consent of Congress to an implementing agreement between the Hanover, N.H., and the Norwich, Vt., school boards as provided by such counterpart legislation.

#### STATEMENT

The Legislatures of Vermont and New Hampshire have authorized the establishment of an interstate school district, known as the Dresden School District, as a "body corporate and politic" for the purpose of providing a unified school system on an educationally and economically sound basis for the adjoining communities of Hanover and Norwich. Both State measures contain provisions for local referendums upon adoption.

The interstate school district would combine the junior and senior high school interests of the towns of Hanover, N.H., and Norwich, Vt., which are located directly across from each other on the Connecticut River. The junior and senior high schools of the two towns would be consolidated into what is commonly referred to in that part of the country as a union district. The union district referred to in this proposed legislation has reference to a central operation of a junior high school and a senior high school for the combined students of both towns.

The separate school districts of Hanover, N.H., and Norwich, Vt., will also continue for the purpose of raising taxes for the operation of their individual elementary schools.

Powers of the new union district include the right to sue, to secure property, to have a seal, to make bylaws to exercise condemnation, to contract, and to have agents. The bistate legislation contains requirements for meetings, officers, etc. It makes provision for the appropriation and apportionment of funds for borrowing and for the taking of property.

The school boards of Hanover and Norwich have entered into an agreement which sets forth the mutual obligations of the two towns and specifies the name of the new interstate district. Under this agreement the elementary schools of Hanover and Norwich will also be administered by the same school superintendent and the curriculums of the elementary schools in each district will be standardized.

The agreement between the two school districts provides for a proper formula for apportioning the costs and appropriations of the new union district which will operate the junior and senior high schools. Reference in the joint resolution to the "Dresden School District" reflects the terminology agreed upon by the two separate school districts for the title of the new union or interstate district.

The joint resolution contains the usual reservations of the right of Congress, or any of its standing committees, to require the disclosure and the furnishing of information and data by the new school district and of the right to alter, amend, or repeal the consent granted.

The Department of Justice, in reporting to the chairman of this committee on S. 1628, a bill having a similar purpose as House Joint Resolution 626, advises that that Department has no objection to the enactment of this legislation.

The Department of Health, Education, and Welfare, in a letter addressed to the chairman of this committee with reference to a similar Senate bill, advises that that Department recommends favorable consideration of legislation which would accomplish the purpose set out by House Joint Resolution 626.

The committee is of the opinion that this resolution has a meritorious purpose and, accordingly, recommends favorable consideration of House Joint Resolution 626, without amendment.

Attached hereto and made a part hereof are appendixes A and B, setting out the laws of the State of New Hampshire and the laws of the State of Vermont, authorizing the establishment of the interstate school district. Also attached and made a part hereof are the reports submitted by the Department of Justice and the Department of Health, Education, and Welfare, to the chairman of this committee relating to a similar Senate bill.

## HAI YUNG JUNG AND JOHNNY JUNG

The Senate proceeded to consider the bill (S. 1524) for the relief of Hai Yung Jung and Johnny Jung, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

> That, notwithstanding the provisions of the second sentence in section 205(c) of the Immigration and Nationality Act, the petitions filed in behalf of Hai Yung Jung and Johnny Jung by Mr. and Mrs. Warren Hugh Cateron pursuant to the provisions of section 205(b) of that Act may be approved, subject to all the conditions in that section relating to eligible orphans.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## ARTHUR WENDELL BOLTA

The Senate proceeded to consider the bill (S. 1737) for the relief of Arthur Wendell Bolta, which had been reported from the Committee on the Judiciary, with an amendment on page 1, line 7, after the word "Act," to strike out the comma and "under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose"; so as to make the bill read:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the provision of section 212 (a)(1) of the Immigration and Nationality Act, Arthur Wendell Bolta may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such Act: *Provided,* That, unless the beneficiary is entitled to care under chapter 55 of title 10, United States Code, a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *Provided further,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of his Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## THOMAS B. BOLLERS AND EARLENE BOLLERS

The bill (S. 1129) for the relief of Thomas B. Bollers and Earlene Bollers was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the time limitation prescribed for filing claims against the United States under section 2732 of title 10, United States Code, the Secretary of the Army is authorized and directed to receive, consider, and act upon any claim filed under such section by Thomas B. Bollers and his wife, Earlene Bollers, if such claim is filed within one year after the date of enactment of this Act, the said Thomas B. and Earlene Bollers having allegedly sustained financial losses as a result of the water supply for their house having been contaminated by the disposition of waste chemicals from the Rocky Mountain Arsenal, Colorado: *Provided,* That nothing in this Act shall constitute an admission of liability on the part of the United States.

## AMENDMENT OF TITLE 28 OF UNITED STATES CODE RELATING TO VENUE GENERALLY

The bill (H.R. 2985) to amend section 1391 of title 28 of the United States Code, relating to venue generally was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 620), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

#### PURPOSE

The purpose of this proposed legislation is to amend section 1391 of title 28, United States Code, relating to venue generally, in order to permit actions on tort claims to be brought in the judicial district in which the act or omission occurred.

#### STATEMENT

H.R. 2985 is identical in terms with S. 299, which is now pending before the Judiciary Committee.

Section 1391 of title 28, United States Code, provides generally for the venue of the U.S. district courts. As presently drawn, actions on tort claims can be brought only in the districts of the residence of the defendant and the plaintiff. This bill would permit actions on tort claims to also be brought in the judicial district in which the act or omission occurred.

The addition of the proposed new subsection to section 1391 would promote a simple and orderly administration of justice by permitting tort suits to be brought in the place where the witnesses are ordinarily most conveniently available.

The Judicial Conference of the United States at its session in March 1961, when considering S. 701 of the 87th Congress, voted to approve the language contained in the presently proposed legislation. A communication from the Administrative Office of the U.S. Courts to the chairman of the Committee on the Judiciary, dated August 18, 1961, advising of this action by the Judicial Conference is attached hereto and made a part hereof.

The Department of Justice also recommends the enlargement of the present venue statute as proposed by the language of this bill. The communication from the Deputy Attorney General to the chairman of the Senate Judiciary Committee, dated April 28, 1961, recommending this action is attached hereto and made a part hereof.

Development in transportation has increased the mobility of the population of the United States to a degree undreamed of before the days of the automobile and the airplane. The interest of justice would be best served by enlarging the present provisions of the venue statute and permitting those who have a cause of action in tort to assert their claim in the judicial district where the act or omission complained of occurred. This position is consistent with sound principles of common law and the statutes of many of the States. It is therefore recommended that H.R. 2985 be favorably considered.

Also attached hereto and made a part hereof is a communication from the Administrative Office of the U.S. Courts dated March 25, 1963, to the chairman of the Committee on the Judiciary of the House of Representatives in regard to the proposed legislation.

## IMPROVEMENT OF ADMINISTRATIVE PROCEDURE OF FEDERAL AGENCIES

The Senate proceeded to consider the bill (S. 1664) to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes, which had been reported from the Committee on the Judiciary, with amendments, on page 2, after line 4 to strike out:

> (c) the diversity of Federal activities frequently precludes the establishment by statute of administrative procedure which would be generally suitable for use by all agencies.

At the beginning of line 9, to strike out "(d)" and insert "(c)"; at the beginning of line 13, to strike out "(e)" and insert "(d)"; at the beginning of line 20, to strike out "(f)" and insert "(e)"; on page 3, line 8, after the word "through", to strike out "'rulemaking' or 'adjudication' " as those terms are defined in section 2 of the Administrative Procedure Act (5 U.S.C. 1001), except that it shall not include—

"(1) any function or matter specified in section 4 (1) or (2) of the Act except to the extent that such function or matter consists of proceedings and decisionmaking required to be conducted in conformity with sections 7 and 8 of the Act or the imposition of penalties on private persons through agency action not subject to sections 7 and 8, or

"(2) any matter specified in section 5 (1), (3), (5), and (6) of the Act." and insert "rulemaking adjudication, licensing or investigation, as those terms are used in the Administrative Procedure Act (5 U.S.C. 1001–1011)."; in line 23, after the word "agency", to strike out "includes all executive departments and any other Federal agency, including a constituent agency of an executive department, which carries out an administrative program." and insert "means any authority as defined by section 2(a) of the Administrative Procedure Act (5 U.S.C. 1001 (a))."; on page 4, line 18, after the word "composed", to strike out "preponderantly of Federal officials and personnel, including" and insert "of"; on page 5, line 4, after the word "commission", to insert "or a person designated by such board or commission;"; in line 8, after the word "President", to insert a comma and "or a person designated by such head of a department or agency;"; in line 10, after the word "Council", to strike out "an appointee" and insert "one or more appointees"; in line 14, after the word "the", to strike out "Chairman" and insert "head of such board or commission"; at the beginning of line 20, to strike out "adequate" and insert "full"; on page 6, after line 5, to strike out:

> (c) Each member under paragraphs (b) (2) and (b)(3), above, may designate an alternate member to represent him, as occasion requires, in plenary sessions or other activities of the Conference. The alternate member shall have all the obligations and privileges of full membership in the Conference on such occasions.

At the beginning of line 12, to strike out "(d)" and insert "(c)"; on page 7, line 6, after the word "collect", to insert "information and statistics"; in line 7, after the word "reports", to strike out "of operating statistics"; on page 8, at the beginning of line 4, to strike out "preponderantly of Federal officials and personnel. The Council shall consist"; in line 13, after the word "meetings", to insert "and it shall call at least one plenary session each year"; on page 9, line 6, after the word "make", to strike out "preliminary"; in line 16, after the word "law", to strike out "or agency regulations;"; on page 10, line 18, after the word "desirable", to insert a semicolon and "such reports shall set forth the compliance of the agencies with the recommendations of the Conference"; and after line 24, to insert:

> (e) Each member of the Conference shall participate in his individual capacity and not as a representative of any governmental or nongovernmental organization. Members of the Conference who are not regular Federal officials or personnel shall be special Government employees for the purposes of sections 203, 205, 207, 208, and 209 of title 18, United States Code.

So as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Administrative Conference Act".

### FINDINGS AND DECLARATION OF POLICY

SEC. 2. The Congress finds and declares that—

(a) administration of regulatory and other statutes enacted by Congress in the public interest substantially affects large numbers of private individuals and many areas of business and economic activity;

(b) the protection of public and private interests requires continuing attention to the administrative procedure of Federal agencies to insure maximum efficiency and fairness in achieving statutory objectives;

(c) responsibility for assuring fair and efficient administrative procedure is inherent in the general responsibilities of officials appointed to administer Federal statutes;

(d) experience has demonstrated that cooperative effort among Federal officials, assisted by private citizens and others whose interest, competence, and objectivity enable them to make a unique contribution, can find solutions to complex problems and achieve substantial progress in improving the effectiveness of administrative procedure; and

(e) it is the purpose of this Act to provide suitable arrangements through which Federal agencies, assisted by outside experts, may cooperatively study mutual problems, exchange information, and develop recommendations for action by proper authorities to the end that private rights may be fully protected and regulatory activities and other Federal responsibilities may be carried out expeditiously in the public interest.

### DEFINITIONS

SEC. 3. As used in this Act—

(a) "Administrative program" includes any Federal function which involves protection of the public interest and the determination of rights, privileges, and obligations of private persons through rulemaking, adjudication, licensing or investigation, as those terms are used in the Administrative Procedure Act (5 U.S.C. 1001–1011).

(b) "Administrative agency" means any authority as defined by section 2(a) of the Administrative Procedure Act (5 U.S.C. 1001(a)).

(c) "Administrative procedure" means procedure used in carrying out an administrative program and shall be broadly construed to include any aspect of agency organization, procedure, or management which may affect the equitable consideration of public and private interests, the fairness of agency decisions, the speed of agency action, and the relationship of operating methods to later judicial review, but shall not be construed to include the scope of agency responsibility as established by law or matters of substantive policy committed by law to agency discretion.

### ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SEC. 4. (a) There is hereby established the Administrative Conference of the United States (hereinafter referred to as the "Conference").

(b) The Conference shall be composed of—

(1) a full-time Chairman, who shall be appointed for a five-year term by the President, by and with the advice and consent of the Senate. The Chairman shall receive compensation at the highest rate established by law for the chairman of an independent regulatory board or commission, and may continue to serve until his successor has been appointed and has qualified;

(2) the chairman of each independent regulatory board or commission or a person designated by such board or commission;

(3) the head of each executive department or other administrative agency which is designated by the President, or a person designated by such head of a department or agency;

(4) when authorized by the Council, one or more appointees from any such board, commission, department, or agency, designated by the department or agency head or, in the case of a board or commission, by the head of such board or commission with the approval of the board or commission;

(5) persons appointed by the President to membership upon the Council hereinafter established who are not otherwise members of the Conference; and

(6) other members in such number as will assure full representation of the viewpoints of private citizens and the utilization of diverse experience, who shall be appointed by the Chairman, with the approval of the Council, for terms of two years. Members appointed by the Chairman shall be members of the practicing bar, scholars in the field of administrative law or government, or others specially informed by knowledge and experience with respect to Federal administrative procedure.

(c) Members of the Conference other than the Chairman shall receive no compensation for service, but members appointed from outside the Federal Government shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b-2) for persons serving without compensation.

### DUTIES AND POWERS OF THE CONFERENCE

SEC. 5. To carry out the purposes of this Act the Conference is authorized to—

(a) study the efficiency, adequacy, and fairness of the administrative procedure used by administrative agencies in carrying out administrative programs;

(b) make recommendations to administrative agencies, collectively or individually, and to the President, the Congress, or the Judicial Conference of the United States, as it deems appropriate;

(c) arrange for interchange among administrative agencies of information potentially useful in improving administrative procedure; and

(d) collect information and statistics from administrative agencies and publish such reports as it deems useful for evaluating and improving administrative procedure.

### ORGANIZATION OF THE CONFERENCE

SEC. 6. (a) The membership of the Conference meeting in plenary session shall constitute the Assembly of the Conference. The Assembly shall have ultimate authority over all activities of the Conference. Specifically, it shall have power to (1) adopt such recommendations as it deems appropriate for improving administrative procedure: *Provided*, That any member or members who disagree with a recommendation adopted by the Assembly shall be accorded the privilege of entering dissenting opinions and alternative proposals in the record of Conference proceedings, and the opinions and proposals so entered shall accompany the Conference recommendation in any publication or distribution thereof; and (2) adopt bylaws and regulations not inconsistent with this Act for carrying out the functions of the Conference, including the creation of such committees as it deems necessary for the conduct of studies and the development of recommendations for consideration by the Assembly.

(b) The Conference shall include a Council composed of the Chairman of the Conference, who shall be the Chairman of the Council, and ten other members appointed by the President for three-year terms, except that the Council members initially appointed shall serve for one, two, or three years, as designated by the President, and each member may continue to serve until a successor is appointed. The Council shall have power to (1) determine the time and place of plenary sessions of the Conference and the agenda for such meetings and it shall call at least one plenary session each year; (2) propose bylaws and regulations, including rules of procedure and committee organization, for adoption by the Assembly; (3) make recommendations to the Conference or its committees upon any subject germane to the purposes of the Conference; (4) receive and consider reports and recommendations of committees of the Conference and transmit them to members of the Conference with the views and recommendations of the Council; (5) designate a member of the Council to preside at meetings of the Council in the absence or incapacity of the Chairman and Vice Chairman; (6) designate such additional officers of the Conference as it may deem desirable; (7) approve or revise the Chairman's budgetary proposals; and (8) exercise such other powers as may be delegated to it by the Assembly.

(c) The Chairman shall be the chief executive of the Conference. In that capacity he shall have power to (1) make inquiries into matters he deems important for Conference consideration, including matters proposed by persons inside or outside the Federal Government; (2) be the official spokesman for the Conference in relations with the several branches and agencies of the Federal Government and with interested organizations and individuals outside the Government, including responsibility for encouraging Federal agencies to effectuate the recommendations of the Conference; (3) request agency heads to provide information needed by the Conference, which information shall be supplied to the extent permitted by law; (4) recommend to the Council appropriate subjects for action by the Conference; (5) appoint, with the approval of the Council, members of committees authorized by the bylaws and regulations of the Conference; (6) prepare, for approval of the Council, estimates of the budgetary requirements of the Conference; (7) appoint employees, subject to the civil service and classification laws, define their duties and responsibilities, and direct and supervise their activities; (8) rent office space in the District of Columbia; (9) provide necessary services for the Assembly, the Council, and the committees of the Conference; (10) organize and direct studies ordered by the Assembly or the Council, utilizing from time to time, as appropriate, experts and consultants who may be employed as authorized by section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a), but at rates for individuals not to exceed $100 per diem; (11) upon request of the head of any agency, furnish assistance and advice on matters of administrative procedure; and (12) exercise such additional authority as may be delegated to him by the Council or the Assembly. The Chairman shall preside at meetings of the Council and at each plenary session of the Conference, to which he shall make a full report concerning the affairs of the Conference since the last preceding plenary session. The Chairman shall, on behalf of the Conference, transmit to the President and the Congress an annual report and such interim reports as he deems desirable; such reports shall set forth the compliance of the agencies with the recommendations of the Conference.

(d) The President may designate a member of the Council as Vice Chairman, who shall serve as Chairman in the event of a vacancy in that office or in the absence or incapacity of the Chairman.

(e) Each member of the Conference shall participate in his individual capacity and not as a representative of any governmental or nongovernmental organization. Members of the Conference who are not regular Federal officials or personnel shall be special Government employees for the purposes of sections 203, 205, 207, 208, and 209 of title 18, United States Code.

### APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to accomplish the purposes of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I thank the Senator from Oregon for his courtesy in yielding this much time; and I also thank the Senator from Vermont [Mr. AIKEN] for serving as a check.

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## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MORSE. Mr. President, I wish to lay before the Senate the documentation in a case study which illustrates why some of us oppose the foreign aid program in its present form and believe that it should be drastically overhauled.

I ask unanimous consent that the documents to which I shall refer may be printed in full in the RECORD at the conclusion of this portion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. On April 2 of this year, I received a letter dated March 28 from Mr. Edward E. Cooper, superintendent of the Crow-Applegate School District in Eugene, Oreg. Mr. Cooper put forth an idea for the establishment of contacts between public school districts in the United States and areas of similar size in Central America, with the people of the school district in this country sponsoring education in a selected area abroad. He pointed out that there are 17 departments in Honduras and 18 school districts in Lane County, Oreg. In Mr. Cooper's view it would have been possible to get the people of school districts in Lane County to accept this as a personal and somewhat competitive challenge.

On April 9, I wrote to Mr. Teodoro Moscoso, Coordinator of the Alliance for Progress, enclosing a copy of Mr. Cooper's letter and asking if he would give me his considered reaction to it, because it seemed to me a suggestion worth pursuing.

On April 20, I received an acknowledgment, signed by Mr. Craig Raupe, Director of Congressional Liaison of the Agency for International Development, in which he said:

> Your request is receiving our prompt attention and I will write you again at the earliest practicable date.

On May 10, I received a further letter from Mr. Raupe in which he said that the AID agency was sending Mr. Cooper's letter directly to its mission in Honduras for consideration by the mission and that in addition the Agency in Washington would consider the possible application of Mr. Cooper's suggestion to the education programs in other Latin American countries.

On May 15, I again wrote to Mr. Moscoso asking that I be informed of the results of his consideration of this matter as well as of the reaction of the AID mission in Honduras when that was received.

On June 15, I received a letter from Mr. Moscoso, dated the day before, confirming that I would be informed of the Honduras AID mission's evaluation. Mr. Moscoso also stated that AID's field personnel had been asked to look at the proposal not only as it might apply to Honduras, but also in terms of its possible application in other Latin American countries.

On September 12—almost exactly 3 months later—I again wrote to Mr. Moscoso concerning this proposal, and stated my view that sufficient time had elapsed for the AID mission in Honduras to have evaluated the suggestion.

On October 3, as we all know, there occurred a coup d'etat in Honduras, as a result of which our aid program in that country was properly suspended.

On October 16, I received a letter dated October 10, and signed by Mr. James H. Boren, Special Assistant to the U.S. Coordinator, Alliance for Progress, in which he said:

> We have received comments from our mission in Honduras but the mission's initial reaction plus present circumstances make this particular country participation a difficult program to develop.

Meanwhile, Mr. Boren said, he was discussing the proposal with the mission director of another Central American country and that this mission director was inquiring into the possibility of combining the school district participation with another phase of his educational program.

There we have it, Mr. President. Seven months after an imaginative private citizen in Eugene, Oreg., advanced an idea concerning the Alliance for Progress, the bureaucracy of the Alliance has been unable to make up its mind as to whether the idea is good or bad. In the meantime, the freely elected democratic Government of Honduras has fallen.

I do not suggest that the Government would have been saved if the proposal about people-to-people contacts through school districts had been put into effect. But I do suggest that the record of bureaucratic inertia and resistance to outside suggestions which is revealed in the correspondence I have just summarized is symptomatic of one of the serious defects of the Alliance for Progress.

I am not complaining because AID did not adopt an idea put forward by one of my constituents. I am complaining because AID seems incapable of considering any idea and coming to a judgment on it.

I wonder how many more countries of Latin America will be lost to democracy before the Congress and the President take the necessary drastic action to revitalize the Alliance for Progress.

EXHIBIT 1

CROW-APPLEGATE SCHOOL
DISTRICT NO. 66,
*Eugene, Oreg., March 28, 1963.*

Hon. WAYNE MORSE,
*U.S. Senate,*
*Washington, D.C.*

DEAR SIR: This is a request for information, evaluation of an idea, and assistance.

The thought has occurred to me that—

1. If, in our efforts to aid Central America, large problems could be reduced from national to personal they could be solved more efficiently.

2. A fundamental problem is a lack of education. The nature of this problem is such that it requires a basic approach to a solution. In other words it must be broad in scope and concentrated at the bottom of the educational ladder.

3. Immediate gains could be made if contact were established between public school districts in this country and similar sized areas in Central American countries. The people of a school district here would sponsor education in a selected area. This would divide a national problem into manageable parts and concentrate upon it an individualized, personal effort.

As an example, assume that the people of a school district here would provide financial assistance for the services of a teacher and most needed teaching supplies in a department of Honduras. The teacher would be a Honduran trained in Honduras.

The department of education in Honduras would be asked to select the teachers and provide school districts here with their names and other data.

There are 17 departments in Honduras and 18 school districts in Lane County. It should be possible to get the people of school districts here to accept this as a personal and somewhat competitive challenge.

If school superintendents would provide the educational leadership and local organizations the financial needs it would be possible to cause immediate improvements.

The following could be a second step in the plan.

The department of education in Honduras would be asked to establish some standard of achievement that could be accomplished in 1 year by teachers selected. This could be evidences of educational advancements by students and/or instigating the construction of facilities.

When the standard of achievement has been reached teachers would be transported to this country with Alliance for Progress, or other funds. Each teacher would spend a year in the school district that acted as sponsor for that teacher. Three purposes of this visit would be:

1. The teachers from Honduras would learn, or broaden their knowledge of teaching methods through study, example, and practice.

These visiting teachers would spend some of their time in our public elementary schools on a student-teaching basis.

2. The teachers from Honduras would spend a minimum of time, 1 or 2 hours per day, as resource persons and/or instructors, in our Spanish language programs. They would be paid for this help.

3. They would learn to prepare and use teaching aids and materials. In this connection it seems they could learn to construct simplified teaching machines with easily obtained materials and adapt them to needs in Honduras.

Perhaps the preparation and construction of simplified teaching aids and materials could become a small industry in their country.

The duration of the plan should be established in advance. This decision, as well as others, should be based upon advice from educational leaders in Honduras.

This is not a substitute for any other educational efforts. It is a grass-roots approach designed to produce a greater number of literate citizens. This it would do by dividing a national problem into a number of smaller ones that could be attacked on a somewhat individualized, competitive basis by school districts in this country with cooperation from Honduras. In fact it is a two-way assistance program.

I believe assistance could be obtained from our State and county school superintendents and from the University of Oregon. From these sources we could obtain the leadership of our best qualified people.

If some preliminary experience and proof is needed, perhaps this school district, where I am superintendent, could make a pilot effort. We could, I believe, sponsor a teacher in Honduras and provide essential supplies. Examples of programed textbooks, handmade teaching machines, and other aids could be provided and adapted to the language and needs of that country.

Will you let me know whether or not you think, with further planning, revisions and support of individuals and agencies mentioned, that this idea would merit your support?

Does it conflict with and/or is it a duplication of efforts now being made?

Is it possible that Alliance for Progress funds could be made available for such a project?

Please be frank in your appraisal.

Very truly yours,
EDWARD E. COOPER,
*Superintendent.*

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APRIL 9, 1963.

Mr. TEODORO MOSCOSO,
*Coordinator, Alliance for Progress, Agency for International Development, Washington, D.C.*

DEAR MR. MOSCOSO: I enclose a copy of a letter which I have received from Mr. Edward E. Cooper, superintendent of the Crow-Applegate School District No. 66 in Eugene, Oreg. Mr. Cooper's suggestion appeals to me very much and I would appreciate it if you could give me your considered reaction to it.

It seems to me that this is a suggestion worth pursuing in an effort to work out a program.

Sincerely yours,
WAYNE MORSE.

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DEPARTMENT OF STATE,
AGENCY FOR INTERNATIONAL
DEVELOPMENT,
*Washington, D.C., April 17, 1963.*

Hon. WAYNE MORSE,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR MORSE: I am pleased to acknowledge receipt of your letter of April 9, addressed to Mr. Moscoso, requesting our reaction to an enclosed proposal by Mr. Edward E. Cooper, of Eugene, Oreg., that school districts in this country sponsor educational projects in districts of similar size in Honduras and other Central American countries.

Please be assured that your request is receiving our prompt attention and I will write you again at the earliest practicable date.

With kindest regards, I remain,

Sincerely yours,
CRAIG RAUPE,
*Director, Congressional Liaison.*

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DEPARTMENT OF STATE,
AGENCY FOR INTERNATIONAL
DEVELOPMENT,
*Washington, D.C., May 9, 1963.*

Hon. WAYNE MORSE,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR MORSE: The letter to you dated March 28, 1963, from Supt. E. E. Cooper of Crow-Applegate District, Eugene, Oreg., has been reviewed by the education staff of the Bureau for Latin America.

Mr. Cooper's proposal is an interesting approach to assisting with the Alliance strategy for education, and we shall give it careful consideration. As a first step we are taking the liberty of sending Mr. Cooper's letter directly to our Honduras AID mission for their careful consideration of the possibility of such an arrangement in Honduras. Meanwhile we will be considering the possible application of Mr. Cooper's suggestions to the education programs in other Latin American countries.

We very much appreciate the interest in the Alliance and the constructive ideas evidenced by Mr. Cooper.

Sincerely yours,
CRAIG RAUPE,
*Director, Congressional Liaison.*

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MAY 15, 1963.

Mr. TEODORO MOSCOSO,
*Coordinator, Alliance for Progress,*
*Agency for International Development,*
*Washington, D.C.*

DEAR MR. MOSCOSO: I refer to Mr. Craig Raupe's letter to me of May 9 in connection with earlier correspondence concerning a suggestion by Mr. E. E. Cooper, of Eugene, Oreg., about education in Latin America.

As I indicated to you earlier I am very much interested in Mr. Cooper's suggestion, and I hope you will inform me of the results of your consideration of the matter. I would also like to be informed of the reaction of the AID mission in Honduras when this has been received.

Sincerely yours,

WAYNE MORSE.

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DEPARTMENT OF STATE,
AGENCY FOR INTERNATIONAL DEVELOPMENT,
*Washington, D.C., June 14, 1963.*

Hon. WAYNE MORSE,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR MORSE: With reference to your letter of May 15 regarding Mr. Cooper's proposal for an educational project and exchange between Honduras and Crow-Applegate School District of Eugene, Oreg., the proposal has been forwarded to the AID mission in Honduras. The mission's education advisers have been requested to evaluate the proposal in terms of our present education programs and methods of implementation. We have not received a response from the field as yet, but we shall advise you of the field evaluation as soon as it arrives.

In the message to our mission in Honduras, we have asked that our field personnel look not only at the proposal as it applies to Honduras, but also in terms of its possible application in other Latin American countries. We will be happy to keep your office informed in this matter. Thank you for your continued interest in the success of the Alliance for Progress.

Sincerely yours,

TEODORO MOSCOSO.

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Mr. TEODORO MOSCOSO,
*U.S. Coordinator, Alliance for Progress, Agency for International Development, Washington, D.C.*

DEAR MR. MOSCOSO: I refer to your letter of June 14 following earlier correspondence between us regarding a proposal for an educational project and exchange between Honduras and the Crow-Applegate School District of Eugene, Oreg.

It seems to me that sufficient time has elapsed for the AID mission in Honduras to have evaluated this proposal, and I would appreciate knowing the mission's conclusions, as well as your own thinking concerning the possible application of this suggestion in other Latin American countries.

Sincerely yours,

WAYNE MORSE.

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DEPARTMENT OF STATE, AGENCY FOR INTERNATIONAL DEVELOPMENT,
*Washington, D.C., October 10, 1963.*

Hon. WAYNE MORSE,
*U.S. Senate,*
*Washington, D.C.*

DEAR SENATOR MORSE: In reply to your letter of September 13 concerning the proposal of Superintendent Edward E. Cooper, we have received comments from our mission in Honduras but the mission's initial reaction plus present circumstances make this particular country participation a difficult program to develop.

I have just been appointed by Mr. Moscoso as his special assistant to encourage participation in the Alliance for Progress by State and local institutions, public and private. It is my belief that Superintendent Cooper's proposal is one which can possibly make a significant contribution with the Alliance. I have discussed the proposal with a mission director of another Central American country and he in turn is inquiring into the possibility of combining the school district participation with another phase of his educational program. It is my hope that a positive reply will be received very soon. This letter, therefore, is merely an interim report to you and you may be assured of our keen interest in Mr. Cooper's proposal.

Sincerely yours,

JAMES H. BOREN,
*Special Assistant to the U.S. Coordinator, Alliance for Progress.*

Mr. President, in the executive sessions of the Foreign Relations Committee—and I think I am privileged to point this out—there was a great deal of discussion about the inefficiency of the administration of the AID program, including the inefficiency of the administration of the Alliance for Progress program. It is a fair conclusion for me to draw that it was the consensus in the committee—at least while that discussion was in progress—that something ought to be done about it now. As I interpreted the remarks from my colleagues in the Committee on Foreign Relations, it was the general opinion that one of the great weaknesses of our foreign aid program is inefficiency of administration.

The type of complaint that I have just made is not an uncommon one in the Senate from the standpoint of the experience of other Senators in respect to the administration of the AID program.

In the Foreign Relations Committee, when this general subject matter was being discussed and Senators were expressing themselves on the basis of their experience with the AID administration, the responses of the AID administration, and the problems raised by Senators in respect to the program of aid, there seemed to me to be general agreement that bureaucracy had taken over and efficiency had flown out the window.

I formed the impression—and I believe justifiably—but apparently without any foundation whatever—that the Foreign Relations Committee was going to do something about it. I thought that the Foreign Relations Committee would write a bill that would do something about it and that the judgment of members of the Foreign Relations Committee in connection with the inefficiency of the AID program and the foreign aid program generally would be reflected in provisions of the bill that would correct the present situation.

What did we get? We got a committee report stating, in effect, "These are very serious problems. The administration had better do something about the situation between now and the end of the fiscal year 1965."

That is what I would call the "runaround" of the Morse amendment that seeks to bring to an end foreign aid as now operated as of the end of fiscal 1965 and the setting up of a new foreign aid program. The abolition of all foreign aid was not proposed. I believe a better foreign aid program could be set up. It would be a more vital program and set forth the guidelines on general policies that would be covered, based upon applications from countries that wish to be recipients of foreign aid and are willing to agree to reasonable terms and conditions for obtaining foreign aid. I thought the criticisms that I had heard about the administration of foreign aid were sufficient proof to support my amendment. If Senators thought that what they said in committee was justified—and I know they thought the statements were justified or they would not have made them—I am at a loss to understand why they did not implement their criticisms by reporting a bill that would accomplish the necessary reforms, which the criticisms demonstrate are needed.

I use that example to bear out the point that I made last Monday when I discussed the subject from the standpoint of the wide chasm of difference between the bill and the committee report.

I am delighted that my good friend the Senator from Minnesota [Mr. HUMPHREY] is present in the Chamber, because I wish to invite his attention to a suggestion I made a few minutes ago on the floor of the Senate with regard to the procedure that confronts Senators. As the Senator knows, in my speech on Monday I outlined three choices of action that I thought were open to the Senate to follow if it really wished to enact a foreign aid bill that would serve the public interest and receive widespread public support.

One choice would be to discuss this question for a while and point out the differences of opinion that exist within the Senate, and between opponents of the bill and the administration, and then recommit the bill to the Foreign Relations Committee for further consideration in executive session, under such instructions as the Senate may see fit to give the committee.

An hour or less ago, after some informal conferences with Senators, I came into the Chamber and stated that the tentative plan would be to move to recommit the bill to the Foreign Relations Committee. I said I believed that would have the advantage of giving us an opportunity to build some bridges across the chasm of differences which have developed between the opponents and proponents of the bill, and would give the administration in the executive session of the Foreign Relations Committee—through the testimony of and consultations with the Secretary of State, the Secretary of Defense, the Director of AID, and other top spokesmen for the administration on the foreign aid program—an opportunity to help the Senate hammer out some conscionable compromise. That would make it possible for the committee to report a bill more nearly in conformity with the report of the committee than the bill which the committee sent to the Senate.

I hope the leadership in the Senate will give the proposal serious consideration, although I am certain that the Senator from Arkansas, the chairman of the committee, is not toc happy with me because of my opposition to the bill.

Senators know that, as far as I am concerned—and I am sure it is also true of the Senator from Arkansas—our differences are not personal but professional. I hope the chairman of the committee will give careful consideration to this suggestion.

Let us be frank about it, Mr. President. We really wish to reach some denominator of common understanding.

We need some time now, and I believe that would be the best way to utilize the time.

As I pointed out earlier this afternoon, it would be of some assistance to Senators who are a little disappointed because continuation of debate on this subject will interfere with their plans to attend some international conferences.

The important thing is for the leadership of the Senate, the chairman of the committee, and the members of the committee who favor the bill, and the leaders among the groups opposed to the bill, to get together, if possible off the floor of the Senate, in the Foreign Relations Committee room, in executive session, to try to hammer out some compromise agreements on the bill.

I wish to say frankly to the majority leader and to the majority whip that I cannot speak for a unanimous group in opposition to the bill. There will be a meeting tomorrow morning at 9:30 at which I hope there will be a little more unanimity than there is tonight. There are Senators in the group who wish to write this out on the floor of the Senate. I prefer not to do that. We would get a better bill, under the proposal I am making to recommit to the committee.

I know there is a psychological hurdle that some may not wish to jump. Let me see if I can disabuse their minds of the negative psychology that recommital would be a reflection on the Foreign Relations Committee. Not at all, Mr. President. We do not reflect on the Foreign Relations Committee if we express enough confidence in it to send a bill back to it, and do not write it on the floor of the Senate. It would be much more a reflection on the Foreign Relations Committee if we were to spend days, amendment by amendment, rewriting the bill on the floor of the Senate.

On the contrary, a motion to recommit to the Foreign Relations would be a compliment to the Foreign Relations Committee and would express renewed and continued confidence that once the committee understands the sense and the feeling of the Senate in regard to the bill, it will be not only perfectly willing but also anxious to try to work out some satisfactory compromises.

I repeat, I believe the problems which have arisen in regard to this bill are serious from the standpoint of many angles, and are recognized as being of serious proportions. Many Senators have talked to me in the last 48 hours about this. The problems are also recognized as being serious by the executive branch of the Government. I believe the Senate should vote to recommit the bill to the Foreign Relations Committee for whatever number of days the Senate may wish to agree upon for further consideration of the bill. As far as I am concerned, I would not require a date certain. I would leave it up to the Foreign Relations Committee. If the committee wished to report in 2 days, that would be its business. If the committee wished to report in 2 weeks, that also would be its business.

I will tell Senators what I believe would happen. If the bill went back to the Foreign Relations Committee, the leadership of the Foreign Relations Committee would consult with the majority leader and the majority whip, as well as the minority leader and the minority whip. We have been around here long enough to know that they also would consult with the officials of the executive branch of the Government. I believe the President himself would be glad to consult with them.

This is the sane, sound, sensible way to handle this problem procedurally.

I am making these statements tonight, because I want them to be public statements. I want my colleagues in the Senate and also the people of the country to know that the senior Senator from Oregon is not following any obstructionist course of action, although there are those who will put that interpretation on this action. They will ask, "Because the Senator from Oregon will not consent to a unanimous-consent agreement, is he not following an obstructionist course of action?"

If this bill were not involved, I would object to a unanimous-consent agreement. As my colleagues know, unanimous-consent agreements are used too much in the Senate. The practice is becoming an abuse. I think it has changed the nature of the Senate from the deliberative, debating body it should be into a mere meeting place for casting votes based on preconceived notions that bear no relationship to the debate that has been conducted in the Senate to empty seats.

That very bad practice in the Senate must be changed. I think it is bad practice. Many students of political history believe that the Senate has developed a bad practice in conducting most of its business under unanimous consent agreements.

That was not true when I came to the Senate 19 years ago. The practice which now prevails developed to a serious degree in the past 10 years. I do not mean that there were not unanimous-consent agreements prior to that time, but they were not the common practice.

I do not see how any Senator can deny what the senior Senator from Oregon says when he says that a count of the handling of major legislation in the Senate in recent years will show that most of the major legislation has been handled under unanimous-consent agreements limiting time for debate and fixing times certain to vote.

That ought not to be the case in connection with major legislation. Certainly it ought not to be true in connection with a major bill such as the foreign aid bill.

I make this explanation because, not as an obstructionist, but as a constructionist, I am making a plea to the leadership of the Senate to get some heads together and have some consultation in the next 24 hours to see what can be done about taking the bill back to committee and having a reexamination and reconsideration of it, with all members of the committee present, and a final vote on the final bill. In my judgment, if that had been done before the bill was reported to the Senate, it would have been a different bill.

There should also be a final vote on the committee report, because most members of the committee never saw the report until they picked it up from their desks; and that includes the present speaker. Most members of the committee did not have the report available to them before it came from the committee. That is not the way to conduct committee business. Committee reports should be reports of the members of the committee, or a majority of the committee.

The committee report ought to be signed by the members of the committee. I do not think it ought to be a report which merely states that "the Chairman of the Foreign Relations Committee submitted the following report."

The bill should be sent back to committee. The committee ought to work it over, in consultation with the leadership of the Senate and representatives of the executive branch of the Government.

I do not want to say more on the subject now, but I felt that I owed it to myself, as well as to Senators who share my views, to make it perfectly clear tonight, for the benefit of the press, for the benefit of our colleagues in the Senate, and for the benefit of the public, that any interpretation of our course of action to the effect that we are seeking to hold something up for obstructionist purposes has no basis whatsoever in fact. To the contrary, we are supplicants, Mr. President. We are pleaders. We are asking for the prevention of what we think might be great harm, from many angles, if the decision were made to press for action on the bill in the Senate without further consideration of the bill behind the executive doors of the Foreign Relations Committee.

I sincerely hope that the majority leader will make certain that the President of the United States and the Secretary of State are informed of the views I have just expressed, because I am expressing those views not only in my own behalf, but in behalf of several colleagues who share my views, and to whom I said I would make the statement I have just made.

I turn now to the second choice I outlined last Monday. If the Senate decides not to recommit the bill, I suggest that the second choice is to endeavor to rewrite the bill on the floor of the Senate, amendment by amendment, after paragraph-by-paragraph debate and analysis of the bill. It cannot be done in a day. In my judgment, we should not attempt to do it in a week. I hope it can be done in a week. So far as I am concerned, I want to do it as rapidly as we can, with thoroughness.

One of the difficulties is that we cannot make available on the floor of the Senate a great deal of the confidential or top-secret information that must be considered by individual Senators who are asked to make up their minds in regard to certain provisions in the bill.

Of course, we can take them out into the cloakrooms and we can show it to them and explain it to them. However, that is a very inefficient operation from this standpoint also, but it is better than accepting the bill hook, line, and sinker. If we do that, we shall sink, and the American people will be caught again in a shocking, wasteful, and inefficient foreign aid program.

I suggested a third choice the other day. If the Senate should decide not to recommit the bill, if it should decide that it does not want to rewrite the bill—although I am confident the bill will be rewritten, at least in part, by the adoption of amendments—it can adopt the third choice, which is to accept the House bill. Of course, I shall attempt to add to it my amendment providing for a withholding of economic and military aid from any government that overthrows by force a constitutionally elected democratic government, unless the President should find that in his opinion the national interest called for such aid. If so, he would set forth his reasons in a report to Congress. If Congress by concurrent resolution approved the granting of aid, then, and then only, could he grant such aid.

I have discussed the amendment in detail at high level today; there will be further discussions of the amendment at high level. That is another reason why I believe the bill ought to go back to the Committee on Foreign Relations. There are many substantive reasons for that, but also a psychological reason. If we are to handle this matter, we should handle it through the Foreign Relations Committee, after reaching an understanding with the administration. I have no assurance of acceptance of the amendment by the administration, but there has been no rejection of it, either.

Certain suggestions have been made to me which I reject. For example, I will not accept the proposal that was made to me—the Senate may decide to accept it, but the senior Senator from Oregon will vote against it—that the President shall be allowed to grant aid unless within a certain period of time one or the other or both Houses reject the report.

Congress has a legislative checking duty, and I believe Congress should pass on the question.

One of the arguments that has been made to me in connection with the criticism of my amendment was that it might take too much time. My reply is, "How much time do you think that will take?" Whatever time is set, whether it be 30 days or 2 weeks, that time would have to elapse. My position is that my suggestion would get action from Congress in most instances within 48 hours. I cannot understand anyone in the administration laboring under the impression that if the President of the United States sends up a report which states that the national interest of our country calls for this kind of assistance and shows the need for it, he will not get action quickly.

However, as I said, if he does not, he should not get it. If he cannot convince Congress quickly that the aid ought to be granted, he should not obtain the concurrence of Congress.

I am a little at a loss to understand the argument that my amendment might cause some delay. The purpose of the check-and-balance system is to cause whatever delay is necessary to protect the public interest. I believe that if the President has a case which justifies the aid, we will fall over ourselves to take quick action, even if it should take a night session, to get approval for the President.

The objection raised in the Foreign Relations Committee that this would be interfering with the foreign policy prerogatives of the President. Not at all. It has nothing whatever to do with his power over diplomatic recognition. We have our own checks against the President if it involves that point. It is the check upon the exercise of the purse-string control by Congress.

I am perfectly willing, if there is any doubt about it, to modify my amendment in any way it needs to be modified in order to make it clear that we do not propose to determine what governments shall be recognized. No wise President would give diplomatic recognition to a government unless he felt he had the support of Congress.

I wish to make it clear that we in Congress have a duty to adopt an amendment that says to the President, "You cannot spend American taxpayer money for military or economic aid to help any regime which by military coup has overthrown a constitutionally elected democratic government, unless Congress gives you approval to do that on the basis of reasons you advance in a report which, in your opinion, justify it."

We hear a great deal that Congress has the check of the purse strings. That is all I am asking that we apply. This is the check of the purse strings.

The last point I wish to make is this: Do Senators know what I am offering? I am offering an amendment that would strengthen the hand of any President. Any President should welcome an amendment which provides the procedure that gives him the support of the American people and—this is of great importance also—support in the eyes of the people of the world with respect to extending aid to any regime that has overthrown a constitutionally elected democratic government by force.

It is important, because it would help him in proceeding at a time this procedure is exercised in his relations with the people of other democratic countries which tremble with the fear that the course of action followed by the United States may be conducive to military coups elsewhere in the world.

The Senate should heed what I am telling it as chairman of the Subcommittee on Latin American Affairs. In Latin America today some of our best democratic friends are greatly concerned about the aftermath in the Dominican Republic and Honduras vis-a-vis U.S. policy. They are saying that if we proceed in the near future to give aid and assistance to regimes that are set up as a result of these two military coups, no matter with what verbalism they dress their facade, we will, in effect, be sanctioning the overthrowing of constitutional governments by military coups.

Why should they not tremble with fear? And they are trembling with fear about that possibility, for we are receiving messages containing allegations that we are not even proceeding, as we have claimed, to withdraw our mission personnel, except on a token basis. We are still seeking the facts about that. There is no question that the allegations are being made.

So it would be salutary, it would be good commonsense, if the problems I have raised in connection with this amendment, the arguments that have been advanced against it, and the arguments that have been advanced for it could be discussed behind the doors of the Committee on Foreign Relations, in executive session, with administration spokesmen.

Mr. President, do you know what the result would be? I think we would agree on language, language that would accomplish the objectives that we have in mind when we say there must be in the bill a guaranteed procedure that will give assurance to the American people and the people of the Western Hemisphere, particularly, that the United States will not give economic or military aid to military coups or their stooge regimes. Of course, I should like to have such a provision applied worldwide; but the fact is that when I first proposed it to my leadership, I proposed it in connection with the Western Hemisphere. I would rather have it apply to the Western Hemisphere than not to have it at all.

Here again, if the bill is returned to the Foreign Relations Committee, we could work out this matter with administration leaders. I believe it would be a matter of only a few days and perhaps a few night sessions before the bill would be back on the floor of the Senate. But I would be willing to predict one thing: That when it came back to the floor of the Senate, it would come back with much more support than it now has on the floor of the Senate, for it would be a better bill.

Mr. President, that is all I shall say about the procedural matter tonight. Before I proceed to another speech, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Bayh in the chair). Without objection, it is so ordered.

## RELIEF OF SIX NAVAL OFFICERS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 575, House bill 4145.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 4145) for the relief of certain individuals.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the Record a portion of the report which will give the Senate detailed information concerning the objectives and purposes of the bill.

There being no objection, the excerpt from the report (No. 597) was ordered to be printed in the RECORD, as follows:

### STATEMENT

In its favorable report to the committee the Department of the Navy has set forth the facts in the case and its recommendations as follows:

"The bill directs the Secretary of the Treasury to pay certain specified sums of money to six naval officers in satisfaction of their claims for loss of per diem allowance for the period from October 21, 1959, through February 29, 1960. The claim of the officers in question have resulted due to an erroneous administrative modification of their orders.

"The officers named in S. 1867 were ordered to report at the Ingalls Shipbuilding Co., Pascagoula, Miss., on July 20, 1959, for temporary duty in connection with the fitting out of the U.S.S. *Sculpin* (SSN 590), a submarine which was then under construction. On October 16, 1959, orders were issued to them which modified their original orders from "for temporary duty" to "for duty." The modifying orders were effective on October 21, 1959. The modification in question resulted from a misinterpretation of the Comptroller General's decision B-138760 of June 22, 1959 (37 Comp. Gen. 853). The initial interpretation of this decision by the Department of the Navy was that temporary duty could not exceed 6 months from the date of report. The officers concerned here had been on temporary duty for about 3 months and it was estimated at that time that the date of the provisional acceptance of the U.S.S. *Sculpin* was at least 4 months in the future. Inasmuch as the total period of their duty as prospective crewmembers would be in excess of 6 months, it was mistakenly determined that their temporary duty orders must be modified to permanent duty orders, and accordingly, this was done.

"Shortly after October of 1959, a less rigid policy on temporary duty was established. Under this policy temporary duty was and is normally limited to 6 months but such limitation does not preclude extensions of such assignments which, when added to the original authorized period, may total more than 6 months. One of the provisions for this rule, however, is that such extensions are limited to those cases in which there has been a definite change or unforeseen expansion in the duty resulting from such things as slippages in construction, fitting out schedules, or unforeseen delays. Presently, when personnel are assigned to temporary duty and it is determined during the temporary duty period that such duty will be increased to more than 6 months beyond the date of the new determination, the assignment of the persons involved will be changed from temporary duty to permanent duty.

"In the case of the U.S.S. *Sculpin*, slippages occurred. It was determined on March 1, 1960, that 6 months still remained before the estimated date of provisional acceptance. The orders of the prospective crewmembers (other than the six officers named in S. 1867, who were already on permanent duty) were changed from temporary to permanent duty on that date. These prospective crewmembers had received per diem from the date of their reporting through February 29, 1960. S. 1867 would grant by legislation to the six officers in question the payment of per diem for the same period of time that their shipmates received such payment. The officers in question have exhausted their administrative remedies and the only way which they can now be afforded relief is through the passage of S. 1867. It should be noted that the Department of the Navy through the Chief of Naval Personnel attempted to correct the administrative misinterpretation involved here by issuing a second modification to the original orders of the officers in question. This modification would have detached these officers from temporary duty and placed them on permanent duty at the location in question as of March 1, 1960. The General Accounting Office, however, disallowed the claims of the officers in question for per diem between October 21, 1959, through February 29, 1960, on the grounds that 'orders dated April 30, 1959, designated duty at that place as temporary. Orders dated October 16, 1959, designated duty at that place as permanent. Orders dated October 10, 1960, attempted to cancel orders dated October 16, 1959, and to assign you to permanent duty at that place effective March 1, 1960.' The General Accounting Office went on to state that the record indicates that the orders dated October 16, 1959, designated Pascagoula, Miss., as the officers' duty station and that such orders were not incomplete or ambiguous. It was also stated that at the time such orders were issued it was definitely intended by the authority issuing the orders to place such officers on permanent duty at Pascagoula, Miss. Under these circumstances the General Accounting Office held that the orders dated October 10, 1960 (the second modification), could have no retroactive effect to cancel the orders dated October 16, 1959. Under these circumstances the General Accounting Office denied the claims of the officers in question for per diem.

"The Department of the Navy recognizes that the six officers named in S. 1867 did not receive the same treatment as their shipmates, having been denied payment of per diem for the period from October 21, 1959, through February 29, 1960, because of an administrative error which occurred through no fault of their own and which the Chief of Naval Personnel tried unsuccessfully to correct. Under these circumstances the Department of the Navy supports enactment of S. 1867.

"The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee."

The committee believes that the bill is meritorious and recommends it favorably.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 4145) was ordered to a third reading, read the third time, and passed.

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## UNITED NATIONS CHILDREN'S FUND—UNICEF

Mr. HUMPHREY. Mr. President, tomorrow, in thousands of communities across our land, in large cities and in small hamlets, our American youngsters will, again this year, celebrate Halloween by helping the world's less privileged children. Instead of begging for themselves, they will be asking for contributions, from the households they visit, of coins to be sent to UNICEF, the United Nations Children's Fund. When we remember how much good even a few pennies can do in terms of providing a cup of milk a day to malnourished or even starving bodies, or in providing a dose of a lifesaving drug before it is too late, we know that the efforts of every single "trick-or-treater" for UNICEF will bring important results.

Mr. President, I take the time of the Senate to mention this matter today because of the unprincipled and, in my opinion, vicious and unfair attack being made against UNICEF in some areas of our country. I cannot imagine any justification for an attack on any agency which helps children, regardless of where they live. If any international agency deserves support from all people, it is UNICEF. I rise today to support it, and I commend the children who in some instances will have more sense than their elders—children who will be out on Halloween night, asking for "tricks or treats," and in this case asking for aid for children, throughout the world, who are in dire need of help.

Last year, in over 12,000 communities, 3 million American children collected $2,070,968 in this special drive, while their young Canadian friends raised $315,178.

I feel sure that my colleagues will want to join me in wishing the greatest success to our young ambassadors of good will as these young people don their colorful Halloween costumes and sally forth to give practical application of their concern for children everywhere.

I should like to call the attention of my colleagues to the impressive statements of support for the work of UNICEF which the United States Committee for UNICEF has received from all four of our living Presidents. Many Senators from time to time receive inquiries from constituents about the work of the Children's Fund. I know that they will want to be able to quote the words of President John F. Kennedy, Dwight D. Eisenhower, Harry S. Truman, and Herbert Hoover. I ask unanimous consent that these statements be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. Finally, Mr. President, our American citizens, as a whole, show their support for the work of the Children's Fund by the purchase of the UNICEF greeting cards, sold every fall at the holiday season. Not normally sold through commercial channels, these season's greeting cards are promoted through the efforts of thousands of volunteers—individuals and groups. Last year, the cards were sold in over 100 countries. In the United States alone, these greeting card sales resulted in the addition of $1,367,670 to UNICEF's financial resources.

Mr. President, this is a wonderful program, and it is supported by fine and truly dedicated citizens. I hope the American people will give their answer to the critics of UNICEF by making generous contributions to the youngsters who will go from door to door, tomorrow evening, in their efforts to build up this fund, so that more lives can be saved and more children can be helped.

Mr. MORSE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. I wish to associate myself with every word the Senator from Minnesota has spoken in support of UNICEF.

Mr. HUMPHREY. I thank the Senator from Oregon.

EXHIBIT 1

PRESIDENTIAL STATEMENTS ON UNICEF

JULY 25, 1963.

Children are the world's most valuable resource and its best hope for the future. It is a real tragedy that in an era of vast technological progress and scientific achievement millions of children should still suffer from lack of medical care, proper nutrition, adequate education, and be subjected to the handicaps and uncertainties of a low-income, substandard environment.

Through the years, the efforts by the United Nations Children's Fund to meet this great challenge and alleviate such needs have met with a remarkable measure of success. Our own children and adults who have contributed to this work, mostly through the UNICEF's Halloween and greeting card programs, can be proud of the results of their generosity.

At a time when UNICEF's endeavors encompass more than 500 programs for children and mothers in 116 countries, much remains to be done. I urge all Americans to respond once again in a spirit of charity and good will to UNICEF's appeal this fall.

JOHN F. KENNEDY.

OCTOBER 9, 1963.

I have always had a special interest in the work and program of the United Nations Children's Fund, and have followed with satisfaction the humanitarian services performed by them in many countries the world over.

The people of the United States have always maintained close ties and a special concern for the plight of children, whoever they may be and whatever their origin.

I wish you continued success in your high purpose.

HARRY S. TRUMAN.

OCTOBER 19, 1962.

It is my conviction that UNICEF is ably and honestly conducted. Its director is a former associate of mine. To me it is the major beneficial service of the United Nations.

HERBERT HOOVER.

OCTOBER 23, 1959.

It is heartwarming to follow the work of UNICEF, the United Nations Children's Fund.

Please give my congratulations to the members of the U.S. Committee for UNICEF for their unceasing efforts to alleviate hunger and disease among "all world's children." In their program, which enlists the support of many generous citizens, they contribute much to the lives of millions in need.

DWIGHT D. EISENHOWER.

## CHANGES IN FUNCTIONS OF BEACH EROSION BOARD OF BOARD OF ENGINEERS FOR RIVERS AND HARBORS

Mr. HUMPHREY. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to Senate bill 1523.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1523) to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes, which was, on page 1, line 9, strike out "2" and insert "3".

Mr. HUMPHREY. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. HUMPHREY. Mr. President, I had hoped that other Senators would be present, this afternoon, to submit their amendments to the foreign aid authorization bill.

I understand that the Senator from Oregon [Mr. MORSE] has a rather lengthy speech to make on this subject. Out of respect for and in consideration of our good friends who communicate the news to the American people, and also out of respect for other Senators, including the Senator from Oregon [Mr. MORSE], who is ready to make a speech which should be heard by all Senators, I am about to move that the Senate take a recess until tomorrow.

Mr. KUCHEL. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. KUCHEL. I wonder whether the Senator from Oregon has a transcript of the comments he will make. If he does, I should be glad to have it printed in today's issue of the CONGRESSIONAL RECORD, so that I might have the luxury of reading it in the morning.

Mr. MORSE. I shall give the Senator from California a transcript of the speech, so that when I deliver it tomorrow, he will already have read it, and thus will be able to participate with me in debate on the subject matter.

Mr. KUCHEL. But, Mr. President, I am willing to agree now that the entire speech be printed in today's issue of the CONGRESSIONAL RECORD, so that all Senators may share in understanding the views of the Senator from Oregon.

Mr. MORSE. In due course the speech will appear in the CONGRESSIONAL RECORD; but I do not wish to forego the privilege of having the Senator from California help me tomorrow, by means of the wonderful contributions he will make, if he will only read the speech first.

Mr. KUCHEL. I thank the Senator from Oregon very much.

I only hope he will enable other Senators to have the benefit of the printing of his speech in today's issue of the CONGRESSIONAL RECORD, with the result that in that way the entire text of his speech will be available in the morning to all Members of the Senate. However, I understand that is not to be done.

Mr. HUMPHREY. Of course the Senator from Oregon wishes to share his views with all other Senators; but I gather that he intends to deliver his speech tomorrow.

I welcome the spirit of generosity and cooperation now being exhibited, Mr. President, as the Senator from Oregon walks across the Chamber and presents to the Senator from California a copy of his prepared address which he expects to deliver tomorrow. I suggest to the Senator from California that he start reading it now; it looks rather lengthy.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. KUCHEL. I wonder if our brother from Oregon would object if I asked unanimous consent that his comments be inserted in the RECORD.

Mr. MORSE. I would want the Senator to read it first and make whatever corrections he thought his discussion might justify.

Mr. HUMPHREY. Such wishes and consideration for the well-being of my colleagues is really heartening, but I think I will give a less heartening word right now in terms of this happy moment.

Tomorrow we intend to start to act upon some amendments. Since everyone likes to read the CONGRESSIONAL RECORD—and I know that all of my colleagues get up bright and early in the morning to read the exciting and scintillating CONGRESSIONAL RECORD, that is brought to our attention each day—may I suggest that they look at the final paragraph of the Senate proceedings of today, because that paragraph will carry the message that whenever it is possible within the debate to call up an amendment, said amendment will be called up, either by the mover of the amendment or by someone who has a similar interest in the amendment.

I know that we have to get on with the bill. Many amendments have been submitted. Many are meritorious. Many of the amendments we will wish to discuss at some length. No effort will be made to cut Senators off. But I do think we should start to work on the bill in terms of any modifications, changes or adjustments which individual Senators feel are necessary. I know that I speak for the majority leader when I say that we do want to get some action. I talked with the chairman of the Foreign Relations Committee [Mr. FULBRIGHT] earlier today. He indicated to me his hope—in fact, his desire—that we proceed with amendments tomorrow. We have had debate on the bill Monday, Tuesday, and Wednesday. There has been some good debate on the bill. I am not at all critical of those who have participated because I surely have been one of them. I wish to say to the Senator from Oregon that I do not consider his presentations to be anything but constructive, thoughtful and designed to express his point of view and an attempt to modify the bill according to his point of view and his standards.

Having made that statement, may I spread the word throughout the land, since yesterday we received information as to the schedule for the remainder of this year, as to what we intend to do about the bill. We intend to proceed with it. We intend to take up the amendments one by one, and we intend to start tomorrow.

## RECESS

Mr. HUMPHREY. Mr. President, I now move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 12 minutes p.m.) the Senate took a recess until tomorrow, Thursday, October 31, 1963, at 12 o'clock meridian.

## NOMINATIONS

**Executive nominations received by the Senate October 30 (legislative day of October 22), 1963:**

### IN THE AIR FORCE

The following-named officer to be placed on the retired list in the grade indicated, under the provisions of section 8962, title 10 of the United States Code:

*In the grade of lieutenant general*

Lt. Gen. Troup Miller, Jr., 559A (major general, Regular Air Force) U.S. Air Force.

The following-named officer to be assigned to a position of importance and responsibility designated by the President in the grade indicated, under the provisions of section 8066, title 10 of the United States Code:

*In the grade of lieutenant general*

Maj. Gen. Hewitt T. Wheless, 1609A, Regular Air Force.

### IN THE AIR FORCE

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

***To be major, USAF (Medical)***

William M. Redmond, AO3061191.

***To be captain, USAF (Chaplain)***

John J. Lehman, AO3061097.

***To be captain, USAF (Judge Advocate)***

James A. Kickham, AO1930301.

***To be captains, USAF (Medical)***

Judson T. Anderson, AO3091110.
John H. Calvert, Jr., AO3076422.
Francis R. Spinelli, Jr., AO3075359.
James E. Street, AO3091667.

***To be captains, USAF (Dental)***

Teddy D. Awtry.
Daniel C. Grochowski, AO3110959.
James D. Mankin, AO3090769.
James F. McKinney, AO3111068.
Albert G. Orman, AO3110919.
Omer K. Petty, AO3111204.
John J. Williams, AO3111294.

***To be captains, USAF (Nurse)***

Lila R. Abeles, AN3045354.
Jerry Lane, AN3044556.
Lawrence S. Newman, AN3044906.

***To be first lieutenants, USAF (Judge Advocate)***

Rodney F. Brunton, AO3117372.
James E. Crowley, AO3121076.
James W. Johnson, AO3086911.
James A. Mitchell, AO3118111.
David C. Morehouse, AO3104350.
Victor H. Negron, AO3121788.
Donald B. Strickland, AO3013017.
Cecil W. Williams, AO3104389.

***To be first lieutenants, USAF (Dental)***

Peter J. Courneen.
Lorenzo D. Davis, AO3124908.

***To be first lieutenants, USAF (Nurse)***

Mary M. Ault, AN3111814.
Mary L. Burdell, AN3089645.
Ina R. Burling, AN3092781.
Margaret C. Emmerth, AN3091282.
Mary A. Grubaugh, AN3092046.
Lois E. Hastings, AN3078110.
Catherine F. McElwee, AN3092855.
Carol A. Morton, AN3089718.
Joseph A. Piccolella, AN3123411.
Joann P. Quirrion, AN3090679.
Mary M. Thomas, AN3075275.

***To be second lieutenant, USAF (Nurse)***

Jerry G. Holtz, AN3123801.

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

*To be majors*

Winton C. Brown, AO564925.
Raymond W. Coy, AO738963.
Edward F. Fleming, AO792825.
Keith O. Hamby, AO803192.
Robert S. Holmes, AO429410.
Richard G. Korthals, AO679078.
Stanley M. Mamlock, AO712022.
Thomas H. Mathieson, AO649519.
Lawrence M. Politzer, AO720006.
Virgil L. Westling, AO729086.
William R. Wilson, Jr., AO799700.

*To be captains*

Ernest E. Bankey, Jr., AO752095.
James W. Haerer, AO3005522.
James T. Hargrove, AO2213615.
LeRoy F. LeBlanc, AO3051672.

*To be first lieutenants*

Donald G. Lawson, AO3014354.
Joel M. McKean, AO3036874.
Michael M. Miller, AO3081634.
Jarle E. Rokke, AO3072823.
Jerry W. Roylance, AO3109832.
James D. Speight, AO3073748.

*To be second lieutenants*

Distinguished Aviation Cadet Graduates

Conway B. Jones, Jr., AO3139066.
David D. Quane, AO3139071.

Distinguished Officer Candidate Graduates

Jeremy R. Kunz, AO3137771.
Clifton J. Schaefer, Jr., AO3137820.
Lucius M. Spence, Jr., AO3137825.
Richard K. Thue, AO3137829.
John W. Willis, Jr., AO3136333.

Distinguished Officer Training School Graduates

John O. Ahnert, Jr., AO3135419.
Alexander R. Aitken, AO3136175.
Barry M. Alberter, AO3136762.
Michael S. Alexander, AO3135500.
Raymond L. Allen, AO3136711.
William B. Allen, AO3135203.
Donald V. Anderson, AO3136528.
John C. Anderson, AO3135398.
Robert B. Anderson, AO3145010.
Dennis A. Andrews, AO3136920.
Melvin L. Ashby, AO3135881.
Donald D. Avary, AO3135634.
Jerry J. Avenell, AO3137034.
Garry L. Baker, AO3136336.
Phillip J. Baker, AO3137089.
Alterio A. G. Banks, AO3134396.
James A. Barker, AO3129678.
Allen E. Barr, AO3130090.
Richard E. Bates, AO3137180.
Richard A. Beardsley, AO3137813.
Brian E. Beck, AO3137482.
Paul B. Bermingham, AO3137326.
George E. Berry, AO3135780.
Michael F. Bigley, AO3136348.
Nancy R. Binder, AL3138982.
Allen L. Bird, AO3138735.
Richard B. Blumstein, AO3136400.
Walter J. Bochnik, AO3137858.
Robert L. Boring, AO3137866.
Shirley E. Boselly III, AO3137868.
Robert E. Bouquet, AO3137712.
Robert W. Bowmaster, AO3137872.
Thomas G. Boyd, AO3138707.
Delford G. Britton, AO3136640.
George Brower, AO3136664.
James R. Brown, AO3137881.
Kyle E. Brown, AO3138741.
Ivar F. Browne, AO3138742.
Alan D. Browning, AO3137885.
Robert W. Brunsman, AO3136716.
Courtney S. Bryant, AO3137962.
James A. Buckingham, AO3137970.
Robert D. Burgess, AO3136750.
Frederick A. Bush, AO3136785.
Vyrjil D. Buus, AO3137896.
Robert F. Cardell, AO3136883.
Myron B. Carpenter, Jr., AO3137499.
Rodger L. Carter, AO3136953.
William C. Caughell, AO3137907.
James B. Chalfant, AO3137910.
Peter W. Chamberlain, AO3137501.
Paul A. Clement, AO3138659.
Robert K. Cochran, Jr., AO3137098.
Gerald M. Collins, AO3137929.
Richard R. Combs, AO3137930.
Gerald R. Cooper, AO3138065.
William P. Cornell, AO3138075.
Ronald J. Covello, AO3138661.
Craig L. Crandall, AO3137107.
Ralph Crawford, AO3138662.
Gary J. Crook, AO3137944.
James E. Cufley, Jr., AO3137946.
Electa L. Curtis, AL3137697.
Robert R. Dale, AO3130104.
Philip M. Dalpiaz, AO3137956.
Gerald Daly, AO3137957.
Mark J. Daniels, AO3138105.
Thomas C. Darr, AO3138663.
Pierre G. Daunic, AO3130106.
Gerald A. Davis, AO3137963.
Ralph K. Davis, Jr., AO3137965.
Frederick G. S. Deal, AO3137971.
James F. DePaolo, AO3130117.
Maurice DePinto, AO3138977.
James H. Dew, AO3130120.
Jackson R. DeWitt, AO3130121.
William T. Dillon, AO3137522.
David D. Dolin, AO3130129.
Eujenio C. Dominguez, AO3130130.
Robert N. Donceel, AO3137987.
John T. Donovan, AO3138157.
Clarence C. Drumeller, AO3137995.
Garth E. Dudley, AO3138185.
Francis J. Dunn, AO3138665.
William Dunn, Jr., AO3137998.
Andrew J. DuPont, Jr., AO3137526.
Terrence D. Durgan, AO3138186.
Charles V. Durham, AO3138198.
Darwin G. Edwards, AO3138213.
Wilson R. Edwards, Jr., AO3137528.
Gale E. Elwer, AO3137701.
Stewart A. Erholm, AO3130153.
Donald P. Evarts, AO3137532.
John J. Farrell, AO3130160.
Frank R. Ferguson II, AO3138731.
Ned A. Fine, AO3130167.
Rexford C. Finegan, AO3137534.
Stanley P. Fishkin, AO3130168.
Robert J. Fitzsimmons, AO3130169.
Thomas M. Fousek, AO3130174.
James R. Fox, AO3130177.
Larry D. Fox, AO3138043.
Richard C. Frank, AO3130180.
William B. Fredenberger, AO3138048.
Alan C. Freeland II, AO3130183.
Lionel D. Frome, AO3138051.
Paul E. Genereux, AO3138667.
Robert L. Getty, AO3138324.
Dale B. Giulieri, AO3130197.
Arren L. Goodwin, Jr., AO3130200.
Geoffrey Gordon, AO3138348.
Charles A. Grandmaison, Jr., AO3130207.
Frank F. Graves, Jr., AO3130210.
Laurence J. Gross, AO3138086.
Michael A. Grozdanoff, AO3138087.
Gordon H. Gruenke, AO3130216.
Paul D. Gutfreund, AO3130219.
James E. Haight, Jr., AO3138094.
Milton L. Haines, AO3138095.
Alan K. Hall, AO3130226.
John W. Hammond, AO3130228.
James W. Hardy, AO3138104.
William R. Harman, AO3138713.
Gordon V. Harmon, AO3138106.
Charles E. Harris, AO3138107.
Sheridan K. Hawk, AO3138379.
Billy J. Hawthorne, AO3130243.

William T. Hefley, Jr., AO3130248.
John D. Henne, AO3137562.
John C. Henninger, AO3138386.
Norman J. Henrich, AO3130251.
Kenneth W. Hertzler, AO3130253.
Henry M. Hey, AO3130255.
Donald L. Hilliard, AO3138131.
Wilhelm F. Hoehndorf, AO3136491.
James W. Hopp, AO3138145.
Frederick W. Hoppmann, Jr., AO3138410.
Glenn A. Hoskins, AO3138412.
John D. Hottendorf, AO3138668.
Robert A. Houck, AO3138149.
Russell Houston III, AO3138422.
Harry D. Huge, AO3138159.
Robert W. Hughes, AO3138160.
Millard O. Hulse, AO3130276.
William A. Hurder, AO3138161.
Stephen L. Huss, AO3138452.
Edwin D. Hutchinson, AO3138669.
James C. Hutton, AO3130279.
William M. Hynes, AO3130281.
Terence Jenkins, AO3138175.
Laurens R. Jockers, AO3130286.
Eric L. Johansen, AO3138479.
Douglas R. Johnson, AO3138484.
Eugene M. Johnson, AO3137576.
Richard E. Jones, AO3138487.
Malcolm Jozoff, AO3138193.
Jerome W. Juravic, AO3138195.
Donald T. Kalady, AO3130295.
Gordon C. Kamka, AO3138199.
Nicholas E. Kass, AO3138511.
Dennis N. Kelley, AO3130302.
James C. Kellogg, AO3137581.
Charles C. Killin III, AO3130310.
Louise A. Kirk, AL3138698.
Gary V. Klatt, AO3138223.
James A. Knapp, AO3130321.
James W. Knapp, AO3137584.
Rosalyn R. Knapp, AL3137704.
Gerald J. Kreiger, AO3138557.
Robert J. Kuchler, AO3130334.
William H. Kuns, AO3138238.
Kelly P. Lacombe, AO3138148.
Hal A. Lacy, Jr., AO3138671.
Raymond S. Lawson, Jr., AO3130343.
Richard P. Leifer, AO3138254.
Charles W. Lewis, AO3130349.
Frank W. Licklider, AO3130350.
William J. Liipfert IV, AO3138259.
Vincent C. Llaguno, AO3130353.
Harry L. Lobdell, AO3138262.
Timothy J. Lockwood, AO3130355.
Klaus F. Loehr, AO3130357.
Charles C. Lohrmann, AO3130358.
Lawrence M. LoMonico, AO3138264.
Rudolph R. Loncke, AO3130360.
Francis J. Lopresti, AO3138266.
Kenneth E. Lyons, AO3130368.
Charles A. Magill, Jr., AO3130372.
John S. Mahall, AO3138723.
Michael Malone, Jr., AO3138686.
Thomas E. Mansperger, AO3138282.
Patrick J. Marino, AO3136280.
Robert J. Marsh, AO3137821.
Carl E. Maschmeyer, AO3144843.
Philip G. Masenheimer, AO3137126.
Benjamin A. Mason, AO3137127.
Terrence Mayer, AO3137131.
Larry J. Mayou, AO3138117.
Peter C. McAdams, AO3137134.
Frank E. McAloney, AO3137135.
Thomas E. McCandless, AO3137606.
Harry C. McClain, Jr., AO3138202.
Charles E. McConnehey, Jr., AO3137139.
Michael D. McCrea, AO3137143.
Louis M. McDermott, AO3138673.
Thomas E. McDonald, AO3137144.
John W. McDunnough, AO3138309.
Gerald J. McHugh, AO3137150.
James F. McKernan, Jr., AO3137153.
Edward J. McLeod, AO3138674.
Thomas J. McManus, Jr., AO3137155.
Richard A. McNally, AO3138319.
James F. McNamara, Jr., AO3137156.
Charles E. McNeil, AO3137158.
John D. McQuaid, Jr., AO3138748.
William E. Medford, AO3137161.
Marina E. Menzies, AL3138990.
Christian L. Meurer, AO3138752.
John T. Miller, Jr., AO3138757.
Bruce D. Mills, AO3137173.
Sammy C. Mitchell, AO3137175.
James K. Mixon, AO3137176.
Jack F. Mobley, AO3138340.
James M. Moore, AO3137621.
Robert W. Moore, AO3137181.
Michael F. Morris, AO3138978.
Richard M. Morris, AO3138764.
Stephen J. Murdoch, AO3138770.
Brian F. Neffenger, AO3138362.
Ken J. Neville, AO3138367.
Joe W. Nix, AO3137204.
William R. Oates, AO3137210.
Jon T. Overton, AO3137222.
Cecil L. Owens, AO3137223.
Lawrence C. Paddock, AO3138390.
Armand R. Paolini, AO3137228.
Allan C. Pape, AO3137229.
Claude R. Partain, AO3138795.
Bruce V. Pasquale, AO3138393.
Michael A. Patterson, AO3137233.
Michael O. Patterson, AO3138796.
Robert L. Paul, AO3138395.
George P. Pehlvanian, AO3138403.
Mickey C. Pelfrey, AO3137239.
Jim Perakis, AO3138406.
Joseph R. Phelan, AO3137247.
William H. Phillips, AO3144397.
Harold R. Phipps, Jr., AO3138408.
Thomas A. Phythian II, AO3137250.
Richard H. Pickens, AO3137251.
Billy F. Pitts, AO3138675.
Jeffrey M. Preston, AO3138427.
Arthur Ramseur, Jr., AO3138677.
Frank H. Raymond, AO3138438.
Glenn B. Reaves, AO3138678.
Donald K. Reed, AO3137271.
Jerome M. Rhode, AO3137275.
Donald G. Rhorer, AO3138836.
Merlin B. Riley, Jr., AO3138839.
Dennis L. Risdon, AO3137280.
William S. Ritter, Sr., AO3138459.
Edward F. Rizy, AO3138460.
Robert R. Robens, AO3137285.
Earl L. Robertson, AO3138462.
Danial G. Robinson, AO3138463.
Frank E. Rodeffer, AO3137289.
Alvah L. Rogers, AO3137290.
Richard A. Romer, AO3137291.
Clark J. Rounds, AO3138472.
Lockard Row, AO3138849.
Kenneth R. Runyan, AO3138679.
Josiah J. Russell IV, AO3136880.
Ronald W. Rutherford, AO3137295.
James B. Ryan, AO3138478.
Thomas F. Ryan, Jr., AO3137297.
William D. Saban, AO3137299.
Robert B. Sander-Cederlof, AO3138680.
William S. Sandilands III, AO3138857.
Frank P. Sanfilippo, AO3138486.
David K. Sanford, AO3138858.
Clifford Saunders, AO3138489.
Duane R. Saxton, AO3130241.
Donald E. Scearce, AO3137303.
Gerald J. Schopf, AO3137655.
Michael A. Schukert, AO3138681.
James A. Schwefel, AO3138499.
Jan R. Schwenk, AO3138500.
William C. Scully, AO3138503.
John H. Seltzer, AO3137318.
Wayne M. Seno, AO3138868.
Robert Q. Serrett, AO3137319.
James W. Shelnutt III, AO3138510.
Alson F. Sherwin, AO3138873.
Jon W. Shively, AO3138875.
Robert T. Shutts, AO3138515.
Randall A. Simpson, AO3137336.
Robert L. Sisson, AO3137660.
Dewey C. Smith, AO3138877.
Robert L. Smith, AO3138524.
William E. Smith, Jr., AO3138526.
Gerald F. Spiess, AO3138888.
John A. Stahl, AO3137665.
Jack C. Stanley, AO3138536.
Robert F. Starzel, AO3138683.
William F. Steckbauer, AO3138892.
Warren K. Steffen, AO3138893.
Allan D. Stephens, AO3138895.
Adrian D. Stetler, AO3137363.
Stephen A. Suto, AO3137374.
David M. Swierenga, AO3137376.
Sheldon A. Taft, AO3138733.
Joseph D. Tagliareni, AO3137382.
David O. Taylor, AO3137383.
Eugene A. Taylor, AO3137384.
James G. Taylor, AO3138556.
Jack B. Thompson, AO3137814.
Richard A. Thompson, AO3138685.
David L. Thorne, AO3138562.
Douglas R. Thornton, AO3137391.
Donald E. Tillson, AO3137392.
Thomas C. Tompkins, AO3138567.
John A. Toohey, AO3137395.
Gary M. Topjon, AO3137718.
Elee W. Tyler, AO3138577.
James E. Tyvoll, AO3137409.
Donald E. Vance, AO3137413.
Nathaniel E. Villaire, AO3137420.
Richard D. Voss, AO3138599.
Walter T. Wackeen, AO3137422.
Leon H. Walther, Jr., AO3138687.
Gail H. Walton, AO3138607.
George W. Warren, AO3137428.
Arlyn E. Webster, AO3138615.
John A. Webster, AO3137433.
William F. Weigle, AO3138616.
James E. Weland, AO3138688.
Fredrick R. Wentland, AO3138689.
Wesley L. West, AO3138618.
Robert T. White, AO3138940.
Malcolm M. Whitten, AO3137445.
Clarence P. Wickman, AO3138942.
David O. Williams, AO3137448.
Clifton T. Windham, AO3138950.
William J. Wirant, AO3137454.
Charles A. Wohl, AO3137458.
Robert E. Wright, AO3137464.
William E. Wright, AO3138960.
William A. Yalch, AO3137465.
Robert L. Zaun, AO3137470.
Robert A. Zawacki, AO3138691.
Frederick E. Zoes, AO3138652.
Donald J. Zurek, AO3138655.

Subject to medical qualification and subject to designation as distinguished military graduates, the following distinguished military students of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Robert F. Allen
Thomas L. Armitage
Floyd A. Ashdown
Jerome A. Atkins
William E. Barrineau, Jr.
James W. Bass
Jimmie L. Bratton
Harry C. Brown, Jr.
Ronald R. Brown
Robert W. Carter, Jr.
William F. Claudio, Jr.
Todd Clist
David R. Cockburn
Steven A. Crist
Reed F. Daugherity
Jerry E. Davis
Angel de la Cruz
Robert C. DeYoung
Larry W. Ditch
Willie J. East
Paul T. Engel
Delmar M. Fadden
Gerald B. Feather
James E. Fender
James C. Finley
Douglas H. Fisher
Keith H. Foulger
Dennis F. Gallagher
Michael J. Garcia
Kumen E. Gardner
Thomas F. Gladstone
Bernard S. Harland
James G. Harwood
Melvin Hayashi
James D. Henningsen
John S. Hunter III
Robert D. Jew
Joseph W. Keene, Jr.
Larry D. Kerbel
Kenneth F. Kielbania
Ralph A. Kimball, Jr.
William W. Koelm
Albert M. Koller, Jr.
James B. Limpp
Clayton B. Lyle III
Hans L. Markland
Billy G. McEuen
Charles D. McIntire
Richard H. Merrill
Charles L. Meyer
Robert J. Mitchell
Ned Nelson, Jr.
Michael G. Olivier

John L. Orr
Joseph N. Ortiz
James W. Petersen
Edwin E. Powell
William A. Rankin
John W. Roohms
Lester W. Rooker
Richard L. Ruddell
Glenn T. Satterfield
Charles L. Scherer, Jr.
James R. Skalicky
James M. Slattery
William F. Smith
William C. Standifer III
Craig L. Stetson
Leslie R. Swanson
Larry E. Telford
Toby J. Teorey
Ernest R. Theriot III
Harry H. Watanabe
Don W. Wiegard
Peter J. Wolfe

### CONFIRMATIONS

Executive nominations confirmed by the Senate October 30 (legislative day of October 22), 1963:

#### Subversive Activities Control Board

Frank Kowalski, of Connecticut, to be a member of the Subversive Activities Control Board for the term expiring August 9, 1966.

#### Foreign Claims Settlement Commission

LaVern R. Dilweg, of Wisconsin, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 1 year from October 22, 1963.

Theodore Jaffe, of Rhode Island, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 2 years from October 22, 1963.

## HOUSE OF REPRESENTATIVES

### Wednesday, October 30, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Galatians 6: 9: *As we have opportunity, let us do good to all men.*

O Thou, who art the Supreme Ruler of the universe, may we daily hear and heed Thy voice calling and commanding us to govern our lives by the spirit of love of God and love of man.

We penitently acknowledge that our personal life and our national life are controlled too much by the promptings of self-interest and that we often allow our ambition to become a sordid scramble for advantage and preeminence.

Show us how we may promote the spirit of fellowship and sympathetic understanding among all the nations and gain an intelligent appreciation of one another's capacity to contribute to a spiritual unity and a world order when humanity shall no longer live under the threat and menace of war.

Hear us in the name of the Prince of Peace. Amen.

### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

### REPRESENTATIVE MARK ANDREWS OF NORTH DAKOTA

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

October 25, 1963.

The Honorable the Speaker,
*House of Representatives.*

Sir: Please find enclosed herewith a telegram from Mr. Ben Meier, secretary of state, North Dakota, showing that according to unofficial returns that Mark Andrews was elected to complete the unexpired term of the late Hon. Hjalmar Nygaard from the First Congressional District of North Dakota.

Respectfully yours,
Ralph R. Roberts,
*Clerk, U.S. House of Representatives.*

The SPEAKER. The Clerk will read the telegram.

The Clerk read as follows:

October 24, 1963.

Clerk of the U.S. House of Representatives,
*Washington, D.C.:*

According to unofficial returns of the special election held October 22, 1963, in the First Congressional District of North Dakota for Representative in Congress, Mark Andrews, of Mapleton, N. Dak., was elected to complete the unexpired term of the late Hjalmar Nygaard.

Ben Meier,
*Secretary of State.*

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota, Mr. Mark Andrews, be permitted to take the oath of office today. His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ANDREWS of North Dakota appeared at the bar of the House and took the oath of office.

### TWO-PRICED COTTON

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the Geneva agreements limiting imports of textiles into the United States was a necessary and vital part of the President's program to maintain employment in the textile industry. Depreciation allowance and certain tax credits have been helpful and the tax reduction bill under consideration by the Senate will be further helpful; however, Mr. Speaker, the Congress has failed so far to act on the most vital need of the textile industry and its employees—the elimination of the two-priced cotton. With tremendous competition in the world markets and competition at home with other fibers, two-priced cotton must be eliminated now.

It is an outrage that the U.S. cotton textile manufacturer must pay 8½ cents more per pound for cotton grown in the United States than a cotton textile manufacturer in Japan or some other foreign country has to pay for the same American cotton. This unfair burden on the cotton manufacturer and the employee has created virtual chaos in this great essential American industry. Plants are closed; hundreds of thousands of jobs have been lost, thus increasing the burden on the Federal Government for relief and unemployment benefits.

This situation is without parallel in the history of the world. Positive action by the Congress is long overdue.

The Cooley bill, H.R. 6196, has cleared the Rules Committee and is scheduled for action on this floor the week following Veterans' Day. This bill will eliminate two-priced cotton and provide the cotton farmer with the opportunity to compete in the world market through a one-price system. I urge the House to support this bill on a nonpartisan basis. It is a bill which will help the entire Nation by preserving the cotton textile industry of the United States. It will benefit the cotton farmer of the country both south and west. This bill is not sectional or regional; it is in the national interest. It is a step toward freeing the cotton farmer from the cruel dilemma of surpluses and excessive Government regulations. It is a step toward saving the jobs of textile employees and permitting the textile industry to compete in the markets of the world, and at home. This bill is in the interest of the taxpayers throughout the country and particularly in the large cities who have helped bear the burden of price supports. This bill is in the best interest of the consumers of America who are restricted in their purchasing power by high prices and high taxes.

### DELAY IN PASSAGE OF APPROPRIATION BILLS

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, the House of Representatives has again passed a continuing resolution permitting the operation of the Government pending passage of appropriation bills. The third of this session.

The Ways and Means Committee is now considering the third resolution in this session to increase the debt ceiling.

It is the opinion of the Republican members of the Appropriations Committee that to preserve orderly and fiscally responsible Government, authorization bills and appropriation bills should be enacted by the close of fiscal calendar years, that continuing resolutions should be passed only in extreme emergencies.

Appropriation bills have been delayed by failure of action on authorizations and failure of action by the Senate on appropriation bills that have been processed by the House.

The departments and agencies of the Government are now presenting to the Bureau of the Budget their requests for fiscal year 1965, without knowledge of the appropriations for 1964. We believe this places these agencies in a difficult and almost impossible position to submit realistic or proper estimates.

It is the opinion of the minority members of the House Appropriations Committee that there should be no further delay in finally processing legislation respecting the expenditures for fiscal year 1964. There is no reason why the Congress cannot complete all authorizations and appropriations within the 30 days provided in the resolution just passed.

We shall urge the House to expedite both authorizations and appropriations in the second session of the 88th Congress so as to eliminate the necessity of continuing resolutions and in order to expedite the business of the Congress.

Republican support in budget reductions has resulted in substantial savings to the taxpayers. We believe that orderly processing of the budget requests will assure the Congress of a better opportunity to exercise its constitutional responsibility.

## WAIVERS ON LEGISLATION

**Mr. GROSS.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

**Mr. GROSS.** Mr. Speaker, if the gentleman from Ohio [Mr. Hays], is going to offer legislation to permit people to waive the law, call it whatever you want, then I may be constrained to offer an amendment to the civil rights bill, if and when it ever comes to the House floor, to provide that any State or any citizen may have a waiver to conform to the law or come under its provisions. If we are going to have waivers in legislation with respect to individuals let us have it in the civil rights bill and other laws.

## LEGISLATIVE BUSINESS ON TUESDAY, NOVEMBER 5

**Mr. BECKER.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. BECKER.** Mr. Speaker, I take this time to exercise my own prerogative and nobody else's, to ask the majority leader, in view of the fact that next Tuesday is election day in the State of New York, and probably in other States, and while we are sitting here in Congress waiting for the President to tell us what legislation we should act upon and what we should not act upon, what we will be doing next week, so that I can arrange my affairs accordingly. I talked with him the other day off the floor. Will the gentleman please inform me at this time.

I have got to try to arrange an absentee ballot, if I cannot get away.

**Mr. ALBERT.** Mr. Speaker, will the gentleman yield?

**Mr. BECKER.** I would be happy to yield to the gentleman.

**Mr. ALBERT.** Mr. Speaker, we are not ready to announce the legislative program for next week. But I will say to the gentleman that we will have only the Private Calendar on Tuesday and the Consent Calendar on Monday.

**Mr. BECKER.** I appreciate that very much. I should like to go to New York and take my part in the election without being disturbed about what may be happening down here.

## THE SO-CALLED CIVIL RIGHTS PROPOSAL

**Mr. ABBITT.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Virginia?

There was no objection.

**Mr. ABBITT.** Mr. Speaker, acting very dictatorial the majority of the Judiciary Committee of the House of Representatives has as of yesterday afternoon approved and reported out for action by the House the so-called civil rights proposal of the administration, composed of 55 typed pages and considered less than 3 hours.

It is shocking to me that a majority of a congressional committee would take such arbitrary, hasty, and ill-considered action on a matter of such great importance. It demonstrates once again that we are in the midst of hysteria—yes, political hysteria.

The legislation has not been toned down to any great extent. The whole underlying principle in the bill is the same and has been the same all along.

In my opinion, this legislation is the most iniquitous, dangerous, liberty-destroying proposal that has ever been reported to the Congress by one of its committees since Reconstruction days. It is clearly unconstitutional in many instances. It deprives citizens of America of the right to control the use of their own private property; it prevents our people from choosing their own associates; it foists upon us a police state—a Hitler gestapo. The real purpose of the legislation is to set up a superclass of citizens, free from any duties and obligations of citizenship, with special privileges and rights, to the great detriment of the overwhelming majority of the American people. It is intended to purchase the political support of minority groups. Our Constitution is being perverted and destroyed for political expediency.

This proposal, while clothed in the name of civil rights, is a power grab for the Federal Government and sets up a little dictatorship in the Justice Department with the authority to harass, browbeat, dominate, intimidate, and jail those whose actions, political and otherwise, are displeasing to the administration.

## RESIGNATION OF JOHN W. HIGGINSON AS A MEMBER OF THE CAPITOL POLICE FORCE

**Mr. AUCHINCLOSS.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

**Mr. AUCHINCLOSS.** Mr. Speaker, it is with real regret that I have just learned that John W. Higginson who has been a member of the Capitol police force for 8 years has resigned to take effect on Saturday next, November 2, and I wish to record herewith my appreciation for his example of faithful service which he has performed during these many years.

There are not many men who are more sincere in their devotion to the responsibilities of their task than "Higg" and his conscientious approach to his responsibilities has always been an inspiration to me. He is a devoted family man and has spent much time during his life in working for the benefit of the youth of America. His example of patriotism as shown by his service in the Navy during World War I is outstanding but due to his modesty and his quiet manner one fails to realize the real worth of his character.

His post of duty during the past few years has been near my office and the cheerful greeting each morning which he extends to Members and employees alike will be greatly missed. He believed in promoting happiness and good will and defending that which was honest. With that kind of record there can be no doubt that his years of retirement will be filled with contentment, happiness, and peace which certainly is the wish of his host of friends for him and his family.

## TO PROVIDE FOR THE PRINTING OF 3,000 ADDITIONAL COPIES OF CIVIL RIGHTS HEARINGS

**Mr. HAYS.** Mr. Speaker, by direction of the Committee on House Administration I call up House Concurrent Resolution 223 and ask for its immediate consideration.

The Clerk read the House concurrent resolution as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed for the use of the Committee on the Judiciary, House of Representatives, three thousand additional copies each of the publications entitled "Civil Rights Hearings, Before Subcommittee Numbered 5 of the Committee on the Judiciary, House of Representatives, Parts 1, 2, and 3", Eighty-eighth Congress, first session.

**Mr. BROWN of Ohio.** Mr. Speaker, will the gentleman yield?

**Mr. HAYS.** I yield to the gentleman from Ohio.

**Mr. BROWN of Ohio.** Will these reports, as printed, carry the new compromise civil rights bill or committee hearings that may or may not have been held on that measure?

**Mr. HAYS.** This simply covers the hearings that were held before the subcommittee. It provides for the printing of the testimony presented at those hearings. There has been a great demand for them. Members are asking the Committee on the Judiciary for copies but they are not available. This is to supply the demand.

**Mr. BROWN of Ohio.** If the gentleman will yield further, it would not have anything to do with this compromise bill?

**Mr. HAYS.** No, sir.

The **SPEAKER**. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## PERMISSION TO FILE CONFERENCE REPORT ON H.R. 6500

**Mr. VINSON.** Mr. Speaker, I ask unanimous consent that the Committee on Armed Services have until midnight tonight to file the conference report for printing under the rules of the House on H.R. 6500.

The **SPEAKER**. Is there objection to the request of the gentleman from Georgia?

There was no objection.

## CALL OF THE HOUSE

**Mr. GROSS.** Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

**Mr. ALBERT.** Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 186]

Abernethy
Baring
Bolton,
  Oliver P.
Bonner
Brock
Buckley
Burton
Celler
Davis, Tenn.
Dawson
Dent
Derwinski
Diggs
Dowdy
Feighan
Ford
Fraser
Fuqua
Grant
Green, Pa.
Harding
Harris
Harsha
Harvey, Ind.
Harvey, Mich.
Herlong
Hoffman
Horan
Jones, Ala.
Karth
Kee
Kelly
Kilburn
Lankford
Long, La.
McMillan
Macdonald
Mailliard
Martin, Calif.
Mathias
May
Miller, N.Y.
Montoya
Morrison
Morton, Md.
Nedzi
O'Brien, Ill.
Pelly
Pepper
Powell
Purcell
Randall
Reid, Ill.
Riehlman
Roberts, Ala.
Roberts, Tex.
St. Onge
Scott
Shelley
Sickles
Skubitz
Springer
Stafford
Stinson
Taft
Taylor
Thompson, La.
Thompson, N.J.
Tollefson
Utt
White

The **SPEAKER**. On this rollcall 362 members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

## COMMITTEE ON WAYS AND MEANS

**Mr. MILLS.** Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means have until midnight Monday, November 4, 1963, to file a report on H.R. 8969, along with any minority or supplemental views thereon.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

## CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT OF 1963 FOR CERTAIN EMPLOYEES

**Mr. DELANEY.** Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 543 and ask for its immediate consideration.

The Clerk read as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8427) to provide for the establishment and maintenance of a Central Intelligence Agency Retirement and Disability System for a limited number of employees, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

**Mr. DELANEY.** Mr. Speaker, I yield 30 minutes to the gentlewoman from New York [Mrs. St. George] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 543 provides for consideration of H.R. 8427, a bill to provide for the establishment and maintenance of a Central Intelligence Agency retirement and disability system for a limited number of employees, and for other purposes. The resolution provides an open rule with 2 hours of general debate.

At the present time all employees of the Central Intelligence Agency are limited to the normal civil service retirement benefits. On the other hand, more liberal retirement benefits have been in effect for many years for the Foreign Service and for certain personnel engaged in investigation and detection of crime and apprehension of criminals. Many CIA employees serve under conditions which are at the least as difficult and frequently more dangerous than the conditions which led to improved retirement benefits for the Foreign Service and certain personnel of the FBI and other agencies. CIA employees who will come under the proposed system are obligated to serve anywhere in the world according to the needs of the Agency, as is the case in the Foreign Service and the military, and unlike the normal civil service employees. It seems only right that such employees should receive benefits similar to those benefits received by Foreign Service personnel.

Mr. Speaker, I urge adoption of House Resolution 543.

**Mrs. ST. GEORGE.** Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution, as has already been stated, makes in order the consideration of H.R. 8427 to provide for the establishment and maintenance of a Central Intelligence Agency retirement and disability system for a limited number of employees, and for other purposes.

Mr. Speaker, the Committee on Rules held hearings on H.R. 8427 on October 9, 1963. The Armed Services Committee hearings and the report on H.R. 8427 stressed that only those employees engaged in the conduct and support of intelligence activities, meaning hazardous duty or service in foreign countries, will be eligible for an improved retirement and disability program. This, of course, we all agree is right and proper and, indeed, necessary.

Mr. Speaker, during the Rules Committee hearings it was brought out that the bill itself did not contain the language limiting the program to employees on such duty. However, in the course of our deliberations it was suggested that an amendment would be offered by the committee. To this, I am happy to say the Committee on Armed Services and the subcommittee agreed wholeheartedly.

Mr. Speaker, it is my understanding that this amendment will be offered on page 3, beginning at line 13 and going through line 21. This would tighten up the bill. It will write into the bill exactly what the committee intended. It will make a differential between people who are performing simply ordinary duty in CIA and those who are indeed on hazardous occupations.

Mr. Speaker, I think with this amendment there is certainly no objection to the bill and I urge the adoption of the rule.

**Mr. GROSS.** Mr. Speaker, will the gentlewoman yield?

**Mrs. ST. GEORGE.** I yield to my friend, the gentleman from Iowa [Mr. Gross].

**Mr. GROSS.** Was any explanation given to the Committee on Rules as to why this bill went to the Committee on Armed Services of the House of Representatives rather than to the Committee on Post Offices and Civil Service which handles other retirement legislation?

**Mrs. ST. GEORGE.** Well, it was my understanding, may I say to the gentleman from Iowa, that the CIA has usually been under the Defense Department. Therefore, it was considered proper that this should go to the Committee on Armed Services. I do not think there was very much questioning on that particular subject, may I say to the gentleman from Iowa.

**Mr. GROSS.** Is the CIA subject to the jurisdiction of the Secretary of Defense?

**Mrs. ST. GEORGE.** No one seems to know to whom they are subject, I may say to the gentleman. One cannot find out how many people are employed in the Agency and one cannot find out exactly what their duties are. We heard varying figures. It is a very hush-hush, secret organization.

As long as the gentleman brings the subject up, I think we might also say that Americans are not very accustomed to dealing with cloak-and-dagger organizations. This is one, perhaps, that we are not too well fitted to discuss.

**Mr. GROSS.** I am sure we all had difficulty finding out what part the CIA played in the Bay of Pigs fiasco.

**Mrs. ST. GEORGE.** I agree with the gentleman. It is very difficult to find these things out but, perhaps, that has to be so in an organization of this kind.

**Mr. RYAN of New York.** Mr. Speaker, will the gentlewoman yield?

**Mrs. ST. GEORGE.** I yield to the gentleman from New York.

**Mr. RYAN of New York.** I was interested in the remarks of the gentlewoman concerning the CIA and the cloak of secrecy surrounding it. I am reminded that there are a number of bills pending in the Congress. I am the author of one, House Joint Resolution 145, which would establish a special watchdog committee over the CIA. Certainly recent events in South Vietnam confirm the need for a Joint Committee on Foreign Information and Intelligence to oversee the CIA. I hope the Rules Committee will report out one these bills with as much expedition as this bill has been reported out.

**Mrs. ST. GEORGE.** I am a very humble member of the Rules Committee, so I can do very little in assisting the gentleman in his desires.

**Mr. RIVERS of South Carolina.** Mr. Speaker, will the gentlewoman yield?

**Mrs. ST. GEORGE.** I yield to the gentleman from South Carolina.

**Mr. RIVERS of South Carolina.** Mr. Speaker, under the National Security Act of 1947, the CIA was created and it came under the National Security Act in the Defense Department. We had jurisdiction over the National Security Act, which is the reason we bring in this bill.

**Mrs. ST. GEORGE.** I knew it was proper that the CIA should be under the Committee on Armed Services. It always has been.

**Mr. RIVERS of South Carolina.** Under the law we have jurisdiction over the National Security Act. The CIA was created under the National Security Act. It is as simple as that. Of course, it is responsible to the President of the United States.

**Mrs. ST. GEORGE.** It is an organization that is primarily engaged in the defense of our country, therefore it is proper that it should be under the gentleman's committee.

**Mr. RIVERS of South Carolina.** The gentlewoman is absolutely correct.

**Mrs. ST. GEORGE.** Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. SMITH].

**Mr. SMITH of California.** Mr. Speaker, as stated by the gentlewoman from New York, there were questions in the minds of members of the Rules Committee as to whether the language in this bill will do what the proponents want it to do. Accordingly, certain amendments were worked out. The gentlewoman from New York [Mrs. ST. GEORGE] showed them to me, and I suggested that the language be further tied together to make certain that we are referring to those employees abroad who are also engaged in hazardous work. The amendment does not do that. It will include every employee working abroad. At the time, I told the gentlewoman from New York [Mrs. ST. GEORGE] that even if this amendment were agreed to, that I personally would not support the bill.

**Mr. RIVERS of South Carolina.** Mr. Speaker, will the gentleman yield?

**Mr. SMITH of California.** I yield to the gentleman from South Carolina.

**Mr. RIVERS of South Carolina.** I assure the gentleman right now that is not the intention, that is as the gentleman stated it.

**Mr. SMITH of California.** That is the way your amendment reads.

**Mr. RIVERS of South Carolina.** I do not think so, and we do not consider it as such. In my later discussion I will cover the history of this legislation so that there will be no question about it.

**Mr. SMITH of California.** I think it would be much better if we took sections 1 and 2 and placed them in this law so that we know that, rather than making legislative history, so that the two would be tied together. I personally am not in support of this particular bill.

Mr. Speaker, I am not refusing to support this measure because I do not believe that the employees are entitled to it. My refusal is because I just do not know whether or not they are entitled to it. I know so little about the CIA and their activities, that I do not wish to pass further legislation which will further increase my lack of knowledge. It seems to me that Congress not only has the right, but that it has the responsibility to know more about the CIA.

I understand that senior members of the House and Senate committees meet from time to time with the CIA Director, and that in 1956 a President's Board of Consultants on Foreign Intelligence Activities was established. But even so, I do not know how thoroughly they check the activities of the CIA.

As supervisor of espionage, sabotage, plant protection, communism, and internal security investigations in the Los Angeles office of the FBI prior to and during a portion of World War II, I am aware that this work is sometimes hazardous. There is no doubt that if the CIA is doing its job in espionage and counterespionage, that some of the employees are engaged in hazardous work. But in many ways, it is probably no more hazardous than that of the FBI, the Secret Service, the Narcotics Bureau, or for that matter, the daily work of many policemen here in Washington, D.C.

I repeat, Mr. Speaker, I am not opposing this measure because I do not think CIA is deserving of it. It is because of the fact that I know so little about their activities. I am not criticizing the CIA or commending them, because again I do not know enough of their activities to take either position. But I do have some questions in my mind that I believe should be answered. And I believe they can be answered without interfering with their activities. How many employees are there in the CIA?—1,000, 5,000, 10,000, 15,000 or more. I am inclined to feel that there are probably more than 15,000 but have nothing to factually so state. How many employees are there in London?

England has its own intelligence and counterintelligence people. We are close allies. If CIA is engaged in counterintelligence activities in London, they certainly must be working directly with appropriate English authorities. I would like to know the answer to this. Certainly if the English authorities had any evidence of espionage in the United States, or wished any information, they could send one man to see Director Hoover of the FBI, and appropriate investigation would be commenced within the hour, throughout the United States if necessary, and the English investigator would be kept completely informed. If there are 200 employees in London, which I have heard, but cannot state as a fact, what are they doing? I think we are entitled to know something about this, Mr. Speaker.

Testimony before Rules indicated that this measure would apply to about 30 percent of the employees. I ask 30 percent of how many. I also think we are entitled to know something about what their activities were prior to the Bay of Pigs in Cuba. I have heard rumors that their information was incorrect and that the CIA was greatly responsible for this horrible event. Should Members of Congress not be entitled to know of these activities and to in some way have at least a little control over the CIA? Very frankly, Mr. Speaker, I anticipate that Khrushchev and even the Russian Embassy here in Washington know more about CIA than I do. Why is it so confidential that the Members of Congress do not know the annual cost of the CIA? It would not surprise me if it were more than a billion dollars annually.

I have great confidence in the Members of Congress. Certainly no Member would think of doing anything to harm our security. So it seems to me that we should have some select committee, or a watchdog committee, or some small group that could honestly and fairly check upon and with the CIA so that the rest of the Members would have some idea as to what is going on, whether we are doing our job so far as the CIA is concerned, and whether or not legislation such as the pending bill is warranted.

After the hearing in Rules and the newspaper accounts, I received some anonymous letters from persons stating they were employees of the CIA. Some of the comments were:

> If CIA were bent on wrecking the morale of its employees, it could not find a better instrument than this vicious piece of legislation which will result in attracting an inferior group of employees.

Another quote:

> I personally would benefit from this bill, but it is obvious just in my circle that the bill will result in a lessening of the interest and dedication of CIA employees. Already employees in their thirties are making plans to get advanced degrees by going to night school, thereby lessening the effectiveness of their daily work, in order to get a better position outside when their 50th birthday comes around. I suggest that you consult not the "chiefs" but some of the "Indians" in CIA to gain a true picture of what is involved in this proposed personnel policy.

I repeat once again, Mr. Speaker, that I have no intentions whatsoever of causing any harm to the CIA. I want to do everything I can to help. But I just cannot support legislation to further compound a mystery, and thus I am opposed to this measure.

Mrs. ST. GEORGE. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. Avery].

### CONGRESSIONAL PROGRAM AHEAD

Mr. AVERY. Mr. Speaker, I urge the adoption of the rule. It has been so well explained I cannot think of anything further I could add. However, I notice the presence on the floor of the majority leader, and would appreciate his attention. I notice the other body was advised yesterday as to how they might proceed to plan for the weeks ahead. It was helpful indeed to learn that their Thanksgiving recess has already been fixed. Their Christmas schedule has already become a matter of record. I wonder if we could be privileged to have the same information in this body.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I would be delighted to yield to the gentleman from Oklahoma.

Mr. ALBERT. First of all, this is a matter that would be cleared on both sides of the aisle, but I would like to remind the gentleman that the Veterans' Day vacation in the other body is from November 8 to November 12. That means Friday, Saturday, and Monday. I would think that we could assume that we might do that well.

Mr. AVERY. That we would have Sunday off and possibly Monday as well?

Mr. ALBERT. I would think so, not committing myself.

Mr. AVERY. Now could the gentleman proceed further?

Mr. ALBERT. Then for Thanksgiving, as I understand it, there will be a recess in the Senate on the 27, 28, and 29 of November. I will take upon my own shoulders the complete responsibility to assure the gentleman that he will have that much time off for Thanksgiving, that is, 3 days.

Mr. AVERY. Will the gentleman proceed from this point on?

Mr. ALBERT. I am not in a position to make a commitment at this time.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to our distinguished minority leader.

Mr. HALLECK. I would just like to say to the gentleman, and for all the Members of the House, I have had the greatest solicitude for the Members' convenience, and I realize, of course, the situation that confronts our colleagues, and so far as my own personal situation is concerned, I would like to know in advance what we can figure on and depend on as to the arrangements. I have spoken to the majority leader and to the distinguished Speaker of the House about the whole situation, and as far as I am concerned, I want to say to my friend, the gentleman from Kansas, I shall do all I can to try to work out some advance arrangement for the balance of the year because apparently, we are going to be here until we start on the next session.

Mr. AVERY. Then is it reasonable, Mr. Speaker, to summarize, if I may, what I have heard from the distinguished majority leader and the distinguished minority leader, that the statement in the other body that this session is going to be "back-to-back" with the next session—is this a reasonable assumption that we probably will continue in session to the Christmas holidays? Would the gentleman from Oklahoma care to respond to that?

Mr. ALBERT. I think the gentleman has the same knowledge of the legislative program as the gentleman from Oklahoma.

Mr. AVERY. The gentleman from Oklahoma pays me a great tribute and I am not sure it is deserved.

Mr. ALBERT. I am sure it is true. I am sure all the Members of the House know what legislation is still outstanding which must be acted upon, and I think the statement that the gentleman refers to as having been made in the other body could well be correct. But I want to join the distinguished minority leader in doing everything I can, and I am sure that in saying this I speak for our distinguished Speaker of the House also, in trying to determine when and how much time Members of the House can have off consistent with the legislative responsibilities of the House of Representatives.

Mr. AVERY. May I say, Mr. Speaker, I may appear to be facetious, but I did not mean to be so. This is getting to be a serious situation. We have all made commitments considerably in advance for this time of the year when we could reasonably assume that we would be in our districts, and it is embarrassing to many of us to have to break our commitments.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Iowa.

Mr. GROSS. In any event I wonder if, when this program is firmed up for the remainder of this year, if it might not be announced in the House rather than through the newspapers and over the radio.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman.

Mr. ALBERT. I think that any announcement that the majority leader will make, and I am sure I am speaking for both sides on this matter, will be made first to the House of Representatives and not first to the press or to anyone else.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman.

Mr. CEDERBERG. Would the distinguished majority leader advise us if it might not be possible rather than to have a new session start on January 3 to have it start later on in the month and to request the President to bring in the state of the Union message and the new budget message late in January because we will not be finished with the old budget anyway until we get the new one. If we can get that, maybe we can get a couple of days vacation.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman.

Mr. ALBERT. First of all, that would have to be done by a joint resolution or a concurrent resolution because the law requires that the Congress convene on January 3. I think here again it would depend on the legislative situation. Certainly, it would be a convenience to the Members individually, and to me personally, if we could do so. That is as far as I can go at this time with respect to that sort of arrangement.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman.

Mr. COLLIER. In the light of the urgency of the problems before the Congress this year, is it possible that we might run into this situation during the two national conventions in 1964?

Mr. AVERY. That question should certainly be more properly addressed to one in a position more able to respond than the gentleman now in the well. May I express my appreciation to the gentleman from Oklahoma, and I am sure I speak for all Members present, for the enlightenment we have received today.

I yield back the balance of my time.

Mrs. ST. GEORGE. Mr. Speaker, I have no further requests for time.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## ELECTION TO COMMITTEE

Mr. HALLECK. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved*, That Mark Andrews, of North Dakota, be, and he is hereby elected a member of the standing committee of the House of Representatives on Interior and Insular Affairs.

The resolution (H. Res. 561) was agreed to.

A motion to reconsider was laid on the table.

## CENTRAL INTELLIGENCE AGENCY RETIREMENT ACT OF 1963 FOR CERTAIN EMPLOYEES

Mr. RIVERS of South Carolina. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8427) to provide for the establishment and maintenance of a Central Intelligence Agency Retirement and Disability System for a limited number of employees, and for other purposes.

The motion was agreed to; accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8427 with Mr. Thomas in the Chair.

### IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from South Carolina [Mr. Rivers] will be recognized for 1 hour and the gentleman from Massachusetts [Mr. Bates] will be recognized for 1 hour.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, H.R. 8427 is a bill to give the Central Intelligence Agency a better retirement system for a limited number of its employees.

At the present time, all regular employees of the Agency are covered by the normal civil service retirement system.

Many positions in the CIA do not warrant special retirement treatment of course, but about 30 percent of the total employees work under conditions which clearly require an improved retirement and disability system.

I would like to point out that this legislation establishes no precedent since it was determined that the Agency retirement system should be patterned after that now applicable to the Foreign Service.

Careful examination indicated that the Foreign Service system had sufficient flexibility and other improvements to meet CIA's requirements. The CIA presented convincing proof that those employees to be covered serve under conditions which are at least comparable with the Foreign Service and in many cases more dangerous and at great personal sacrifice to the employees.

As a member of the CIA Subcommittee of the House Armed Services Committee, I had previously learned a great deal about the activities of the Agency and the sacrifices called for on the part of its employees. During the course of 4 days' extensive hearings on H.R. 8427 before the House Armed Services Committee, Agency witnesses were candid and fully cooperative in presenting their need for this improved retirement system. For reasons of security I am unable to present the specific situations which demonstrate the need for this new system. It is pertinent to point out, however, that, with respect to this group of employees, all are considered to be on 24-hour duty, 7 days a week, and are obligated in writing to serve anywhere in the world that Agency needs would require.

Upon my initial assignment to the CIA subcommittee, it came as a surprise to me to learn that all Agency employees received only the normal civil service retirement benefits. I had assumed there was a program to afford earlier retirement, such as that available to the Foreign Service or the benefits offered to agents of the Federal Bureau of Investigation, which enables the agent to retire voluntarily at age 50 upon completion of 20 years of service.

The CIA's need to have a young and virile group of career people manning their oversea posts needs no elaboration. I became personally convinced of the need for this type of program as a result of months of briefings presented to the CIA Subcommittee of the House Armed Services Committee. The hearings on H.R. 8427 convinced me that this legislation is the appropriate means to put into effect an improved retirement system.

Now, as to the legislation.

One of the key features is the right of the employee to apply for voluntary retirement upon reaching age 50 if he has a minimum of 20 years of service. Such retirement, however, must be with the consent of the Director, and in special cases where a man's services are still needed he will be required to serve until the Agency's requirements have been met.

Another important feature of this bill is the authority of the Agency to retire people when it is determined that this is the best course of action. In this situation, where the employee is in a grade of GS–14 and above he will, upon being retired, receive an immediate annuity regardless of age. The amount of this annuity in the case of a man with 20 years of service would be 40 percent of the highest average annual salary for any 5 consecutive years. The committee examined this provision most carefully and the bill H.R. 8427 reflects a change we made that in order to qualify for this immediate annuity the individual must have had at least 5 years of what is termed "qualifying service," which means service of a nature which would fit him to be covered by the system.

In addition, he must have had at least 10 years of total service with the Agency.

The committee did not believe that transferees from other agencies should be eligible to qualify for this type of annuity without substantial periods of both qualifying service and general service with CIA. Where the person involuntarily retired is in grade GS–13 or below he may elect, if he has at least 5 years of service with the Agency, to leave his contributions in the fund and draw a deferred annuity at age 60, or he may simply draw out his contributions. In addition he would be granted separation pay based on a month's salary for each year of service, but in no event to exceed a total of 1 year's salary. The committee believes this provision is generally in line with separation compensation available in military service and is not unreasonable where a man has joined the Agency with the expectation of a career and because of shifts in requirements is unable to be retained by the Agency. This separation compensation will permit him a period of readjustment, possibly taking necessary training to equip himself for a position in industry or in another branch of Government.

I believe this new system will be an extremely valuable tool in the management of the Agency and will materially assist in attracting and retaining the extremely high caliber men and women the Agency needs for its demanding programs. As indicated by the published hearings and the report, the Armed Services Committee has looked painstakingly at this proposal and has examined Agency witnesses most carefully. Where necessary, the committee made changes from the original proposal, which you will find in the report.

The cost is reasonable, leveling off at about $580,000 per year.

Let us turn for a moment to the recent press criticism of the Central Intelligence Agency. Obviously such criticism is not the proper basis to form a judgment on this bill—indeed it is not a proper basis on which to form a judgment of the Agency itself. The scope and ferocity of these press attacks brought a response—not from the Agency which very properly should not and does not respond to press criticism—the response was from the President. He was asked about a recent story on CIA in his press conference on October 9. I quote his answer:

> I must say I think the reports are wholly untrue. The fact of the matter is that Mr. McCone (CIA Director) sits in the National Security Council * * * we have worked very closely together in the National Security Council in the last 2 months attempting to meet the problems we faced in South Vietnam. I can find nothing, and I have looked through the record very carefully over the last 9 months, and I could go back further, to indicate that the CIA has done anything but support policy. It does not create policy; it attempts to execute it in those areas where it has competence and responsibility. I know that the transfer of Mr. John Richardson, who is a very dedicated public servant, has led to surmises, but I can just assure you flatly that the CIA has not carried out independent activities but has operated under close control of the Director of Central Intelligence, operating with the cooperation of the National Security Council and under my instructions * * * I think they have done a good job.

As a member of the CIA Subcommittee of the House Armed Services Committee, I believe I am also in a position to make a judgment on the Agency. In my opinion, I believe the Agency is doing a brilliant job under most trying circumstances.

For those who contend that the Congress fails to exercise supervision over CIA, I would like to state the facts. The Armed Services Committee has legislative jurisdiction over CIA and for many years, the gentleman from Georgia [Mr. Vinson] has appointed a subcommittee whose sole function is to review Agency activities. This subcommittee presently has as its chairman, the gentleman from Georgia, Mr. Carl Vinson, and I am proud to serve under him on this subcommittee. The other Members are: F. Edward Hébert, Melvin Price, Charles E. Bennett, George Huddleston, Jr., Leslie C. Arends, William G. Bray, Bob Wilson, and Frank C. Osmers, Jr.

As a matter of policy, the subcommittee has endeavored to meet with the Director and other Agency officials at least once a month to conduct an examination of its activities on a worldwide basis. In the course of these hearings we receive substantive intelligence briefings to keep us up to date on happenings throughout the world. It is the purpose of the subcommittee to fully inform itself on all aspects of Agency operations including its organizational structure and personnel practices. The Director of Central Intelligence has explored with the subcommittee the most sensitive of Agency operations in order that the members be fully informed.

At times I, as a member, am concerned with the sensitivity of this information and its serious nature for fear that I might inadvertently endanger someone's life or a highly successful operation.

The Director of Central Intelligence has been most candid with the subcommittee in discussing plans for future activities and we have witnessed a number of significant improvements in the

Agency since the current Director has been in office. On occasion the subcommittee has deemed it necessary to conduct thorough reviews of the Agency to assure itself that all possible steps were being taken by CIA and the intelligence community as a whole to insure that adequate intelligence is available to those who must make the policy decisions—further, to insure that policymakers have the benefit of as full information as possible including skilled evaluation of the raw information utilizing thoroughly professional analysis and research.

As to CIA conducting independent operation in pursuance of its own policy, the subcommittee has examined very closely the machinery by which the Agency is in fact responsible to the policymakers. Under the existing procedural machinery, the Agency simply cannot operate independently nor does it in fact operate as a policymaking organ of Government. The Director is directly responsible to the President and established procedures insure that the operations of the Agency are in fact coordinated with and responsive to the policies of the Government. I might add that this is true not only at the national level but it is also true at the embassy level in foreign countries where the paramount role of the Ambassador is accepted by all agencies.

However, let us return to H.R. 8427 which is the issue today.

The committee has unanimously supported this legislation, and I urge the Members of the House to judge it on its merits. I am sure most of you will view it favorably.

Before I conclude, I would like to advise the House that I propose to offer an amendment to H.R. 8427 to clarify the kind of duty that must be performed before the Director can designate the individuals who will be permitted to participate in this liberalized retirement system.

I discussed this matter with members of the Rules Committee and members of my committee, and I propose to offer an amendment to section 203 of the bill. Under this section, as it is now written, the Director may designate the officers and employees who will be entitled to the benefits of the system. The amendment I will offer would change the language to read as follows:

On page 3, lines 13 to 16, strike out the first sentence of section 203, and substitute in lieu thereof the following language:

> The Director may designate from time to time such Agency officers and employees whose duties are determined by the Director to be (i) in support of Agency activities abroad hazardous to life or health or (ii) so specialized because of security requirements as to be clearly distinguishable from normal Government employment, hereafter referred to as participants, who shall be entitled to the benefits of the system.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I am constrained to yield to my friend, the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. I have been advised that in this proposed legislation there are the usual prohibitions against drawing retirement pay in cases involving personnel who are reemployed by the Government by some other agency; is that correct?

Mr. RIVERS of South Carolina. That is right. The gentleman is right.

Now that is the bill. Let me summarize it for you again:

First. Retirement at the age of 50 with a total of 20 years of service, 5 years of which must have been with the Agency. The employee must apply for the retirement and receive the permission of the Director.

Second. The Director may involuntarily retire individuals and where they are in the grade of GS–14 and above, they will be entitled to receive an immediate annuity regardless of age provided, however, they have 5 years of qualifying service and a total of 10 years service with the Agency, and

Third. The Director may retire employees in the grades of GS–13 and below, and in such case they will receive at age of 60 a deferred annuity if otherwise eligible.

In addition, they will be entitled to receive separation compensation in the amount of 1 month's salary for each year not to exceed a total of 1 year.

That is the bill, Mr. Chairman.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman.

Mr. HOLIFIELD. I would like to compliment the gentleman from South Carolina and his subcommittee; the chairman and members of the full committee, for bringing this bill out. As I understand it, this covers a personnel area which has not been covered heretofore; it affords retirement privileges identical to those in the Foreign Service; is that correct? The grades under grade GS–14 are already covered by the normal civil service retirement regulations.

Mr. RIVERS of South Carolina. The gentleman referred to grades under GS–14?

Mr. HOLIFIELD. Yes, under grade GS–14.

Mr. RIVERS of South Carolina. Not all qualified employees—normally employees are covered by the civil service system. Let us call them agents. Agents without the qualifying service are not covered.

Mr. HOLIFIELD. In other words, agents who do not have the qualifying service under civil service are the ones who are not covered; is that correct?

Mr. RIVERS of South Carolina. That is correct.

Mr. HOLIFIELD. But under this bill they will be covered and the benefits they will draw will be similar or the same as those of people in the Foreign Service.

Mr. RIVERS of South Carolina. That is correct.

Mr. HOLIFIELD. You spoke of the right of the Director to retire agents under certain conditions. Does this give the Director any additional power to fire or hire people besides the power he has already?

Mr. RIVERS of South Carolina. No, but the Director must have this authority.

Mr. HOLIFIELD. Yes, he must have this authority. Your reference to them is to see that they get certain annuities in case they are relieved of their duties?

Mr. RIVERS of South Carolina. That is right—to give them security. You must remember these agents sign a letter before they go on duty that they will serve anywhere on earth, 7 days a week, 24 hours a day. It is a very demanding service.

Mr. HOLIFIELD. That is correct. Many of these people being covered by this bill have served in places where it was dangerous for them. They have assumed duties in espionage which have endangered their lives and, in fact, some of them have lost their lives as a result of this service; is this not true?

Mr. RIVERS of South Carolina. I am delighted that the gentleman asked that question. The gentleman has asked a question—if some of these agents are serving in dangerous places and have lost their lives and are in danger of losing their lives. I wish I could tell this committee the areas where these people are languishing in jails and where they have faced firing squads all over the world. It is a terrifying thing. If you knew what I know, you would say to me that there are a lot better ways of making a living than working for the CIA.

Mr. HOLIFIELD. I am glad the gentleman brought this point out because, as a member of the Joint Committee on Atomic Energy, we have had close relationships with the CIA. We know what the gentleman from South Carolina says is true, that there are people who have served in this organization who are in jail and some have lost their lives. Furthermore, they are also in a situation where they cannot be protected or they cannot be claimed as a member of the CIA in the event they are captured and jailed in a foreign country.

Mr. RIVERS of South Carolina. If I should tell you how many of these agents we have or if I should give you some sort of a number of the agents that we have, the Soviets could merely by a matter of arithmetic figure them out and ferret them out.

For instance, when the Director decides to separate a man he cannot go into court with his case under this bill, because if he did, any espionage person could figure out exactly who these people are, how many they are, and what they do. We cannot permit this. This espionage business is a dangerous business; it is not one that I would be in. We have never been in it before. But, has it ever occurred to you and to the other members of the committee as to the vast system of the Soviets? They have thousands upon thousands upon thousands of agents in this world. We must have this agency and we must give them this benefit.

Let me say this to the gentleman: we permit the Federal Bureau of Investigation employees to retire at an earlier age than other people. Do you know why? It is because they are under such a terrible strain all the time. They must be given this right; otherwise they will shake themselves to pieces. They have to have it, and this organization here must have this.

Mr. HOLIFIELD. I think the gentleman has done a good thing in bringing out this bill. I want to express my support for it. I believe every Member, who knows the workings of this organization, who knows the dedication of these people and has had the privilege of meeting many of these people in the course of their congressional duties, can certainly subscribe to this. I hope this bill will pass unanimously.

Mr. RIVERS of South Carolina. I thank the gentleman.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Mr. Chairman, one thing the speaker has not brought out is the wage differential that exists between persons employed in the Central Intelligence Agency as compared with those employed in other agencies of the Government. I have been informed from what I think is a good source that in the lower echelons of people who are performing clerical and just routine work they are geting salaries above what people doing similar or exactly the same work in other agencies of the Government are getting. They are getting what would be comparable to two grades higher pay for that. Do you have any comment to make on this?

Mr. RIVERS of South Carolina. I do not have a bit of comment to make on it, and I do not believe in it.

Mr. JONES of Missouri. I have this from a source that I think is reliable. I appreciate the fact that this whole Agency has to operate under an aura of great secrecy.

Mr. RIVERS of South Carolina. Why, certainly.

Mr. JONES of Missouri. And sometimes they are inclined to carry it to the ridiculous. For instance, I had an experience, and I am going to relate it in order to emphasize the point I am trying to make. At the time of the U-2 incident I was concerned about what had happened there. I think our Government suffered great damage because of statements that went out at that time which were not true. So, I made an appointment with Mr. Dulles to talk to him about this thing. He tried to explain it to me, but I did not get much information. In his old headquarters they had a picture of the new CIA building. Just out of idle curiosity more than anything else, I said, "Mr. Dulles, how many people will be employed in this new building?" He said, "Oh, we cannot tell you that. That is secret." To me that was an asinine reply to a question, because I think anyone knows that there was no secrecy with regard to the number of people to be employed in that new building out at the Central Intelligence Agency, because anybody who knows anything about trying to estimate the number of employees in a building could have gotten it very well; or for that matter one could count the employees entering and leaving by public highway.

The thing that disturbs me about this bill is the fact that it has been the practice throughout many years for these people to take advantage of their sensitive position and to use it for privileged treatment which is not justified.

I am in sympathy with the people who risk their lives and do things like that. I am not asking you what the salary of those people is, but I have reason to believe that it is a pretty good salary which takes care of some of the hazards and the risks that are involved. I think those things have to be considered here, too. I think your committee should have and should be able to tell me to what heights or depths we are going to go to determine who is included, because unless I am badly mistaken and unless I am badly mistaken in my estimate of the operation of this department in the past, they are going to start reaching down, down, and down to get people up. I have had the experience of observing people quit other departments of the Government to join the Central Intelligence Agency. They have told me, "I can go there and do exactly the same work that I have been doing," let us say, in the Department of Agriculture "and I will get a much higher salary, because I get the coverage under the CIA." Yet that person stays in this same community and does the same work with no greater responsibility, and he gets higher pay. I do not think that type of employee is entitled to any special consideration just because he is associated with an agency that has a small percentage of its people who are put in these positions of high sensitivity and who are subjected to great risk and, in many instances, have given their lives. I do not think you have given us enough information about these people at the lower levels, who constitute a great majority. I would want some assurance that those people are not going to get further preferred treatment under this bill. I would like to have the gentleman comment on that.

Mr. RIVERS of South Carolina. The gentleman has made a pretty good speech. I do not know where to start to answer his question. I allowed him to talk for 5 minutes. What question does he want me to answer?

Mr. JONES of Missouri. I asked the gentleman first if he knew of the differential in salary between the people employed doing clerical, filing, and typing work, who were getting paid more than those people in the departments?

Mr. RIVERS of South Carolina. I do not know that.

Mr. JONES of Missouri. I think the gentleman should know it. I think his committee should know it. I think the House is entitled to that information.

Mr. RIVERS of South Carolina. The bill clearly points out who would be covered.

Mr. JONES of Missouri. I respectfully point out that it does not.

Mr. RIVERS of South Carolina. I must be stupid, because I have tried to explain that to the gentleman.

Mr. JONES of Missouri. I do not think the gentleman is stupid. I think sometimes the committee is overawed by the great secrecy under which this Agency operates and some of the people have taken advantage of their position to keep secret some things that the Congress and the gentleman's committee particularly are entitled to know.

Mr. RIVERS of South Carolina. I will tell the committee what I will do. The gentleman may go back and ask the counsel of our committee to answer any of those questions; and he can answer them a thousand times better than I can.

Mr. JONES of Missouri. Does the gentleman mean that these things are so secret that we cannot put them on record?

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the gentleman from Virginia.

Mr. HARDY. Mr. Chairman, as a member of the subcommittee I may be able to shed a little bit of light on the point that the gentleman from Missouri has raised. As far as I can recall from the testimony the employees who are covered under the normal civil service regulations are paid on exactly the same basis as employees in other agencies performing the same duties. We are not talking about those employees in this bill. This bill covers only the employees who are engaged in special types of work. With respect to other kinds of employees—the average kind—let me say to the gentleman that a few years ago I employed as a staff member of my subcommittee, an attorney who was then on the legal staff of CIA. I paid him a little bit more money than he was making down there. I am sure that he had been getting at CIA exactly the same pay he would have received for similar work in any other Federal agency. I hope that will help the gentleman on the point that he was making.

Mr. RIVERS of South Carolina. May I say this to the gentleman: The people who do similar work are covered by the regulations of the civil service.

Mr. JONES of Missouri. Mr. Chairman, I do not agree with that for this reason, because I have had specific instances and have known people who have quit jobs in one department in order to go to work for the CIA. They have told me that they were doing exactly the same type of work and getting paid at a higher grade than they were in the department that they quit.

Mr. RIVERS of South Carolina. I am surprised to hear that.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I am pleased to yield to the gentleman.

Mr. MacGREGOR. Mr. Chairman, I was particularly pleased by the comments of the gentleman from South Carolina with respect to the nature of his committee's knowledge of the work of the Central Intelligence Agency. This is particularly so because from time to time over the past 3 years we have heard complaints in this body and in the other body about the need for the establishment of a watchdog committee which, in my opinion, is not indicated from my knowledge of the existing committees of the Congress. I should like to call the gentleman's attention to a response given by

President Kennedy to a question at a press conference earlier this month when he said the following:

> There is a congressional committee in the House and one in the Senate composed of members of the Appropriations Committee and the Armed Services Committee, and they meet frequently with Mr. McCone, and he also testifies before the Foreign Relations Committees of House and Senate and the general Armed Services Committees. And I think that Congress through that organization has the means of keeping a liaison with him.

I should like to ask the gentleman from South Carolina [Mr. RIVERS] whether he agrees that the committee on which the gentleman serves and other committees mentioned by the President do maintain effective liaison over the work of the Central Intelligence Agency?

Mr. RIVERS of South Carolina. We do it all the time. The gentleman from Georgia [Mr. VINSON] is chairman of that subcommittee and its members meet all the time. We get all the information they have. We get a briefing on the world situation. They are totally frank. They present some very, very brilliant information before our subcommittee. They know how to figure out intelligence. It is quite an impressive thing.

Mr. MACGREGOR. I thank the gentleman for his response.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield further?

Mr. RIVERS of South Carolina. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Will the gentleman from South Carolina answer one question for me? I want to know if the gentleman thinks that this was justified as a matter of secrecy as to the number of employees that are working in this CIA building here in Washington?

Mr. RIVERS of South Carolina. I think so.

Mr. JONES of Missouri. The gentleman thinks that should be secret?

Mr. RIVERS of South Carolina. I think so.

Mr. ASHBROOK. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred and nine Members are present, a quorum.

Mr. BATES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 8427 is a bill unanimously reported by the Armed Services Committee. Its purpose is to establish an improved retirement system for those employees of the Central Intelligence Agency who are concerned with the conduct and support of intelligence activities abroad.

The Congress has long countenanced the policy of providing early retirement for certain classes of Government employees. This policy is not one of favoritism, but one of realism. It takes account of the fact that some jobs are more hazardous and more trying than others. An appreciation of the risks assumed by special agents of the FBI and other Government employees engaged in the apprehension and detention of criminals, led to the Congress providing early retirement for them. The arduous conditions—climatic and otherwise—under which Foreign Service officers labor, dictated the enactment of similar early retirement provisions. In the case of those CIA officers and employees engaged in the conduct and support of intelligence activities abroad, both criteria—hazardous and onerous working conditions—obtain. This is obviously a young man's business and for the sake of consistency and justice, provision must be made to accord to this limited number of CIA employees the realistic treatment which presently governs the early retirement of FBI agents and Foreign Service officers. The voluntary retirement features of the bill meet this objective by providing that an employee who is at least 50 years of age and has rendered 20 years of service may, with the consent of the Agency, be retired on an immediate annuity.

Since the Civil Service Retirement Act continues to be appropriate for the great majority of CIA employees, this bill will apply only to those actively engaged in intelligence work overseas. For security reasons, the various position titles of those to be covered have not been spelled out in the bill itself, but the restricted coverage has been made explicit in the very title of the bill and in its statement of purpose.

The types of specialities needed by the Central Intelligence Agency vary, not only with the sophistication of intelligence collection techniques, but with changes in world conditions generally. The advent of the U-2 and the concomitant need for highly trained photointerpreters, is a clear example. But with the progress of science and the imaginative technological advances in this area some specialized skills used by CIA officers in the field may become obsolete. Such men often find themselves involved in the Agency's necessary programs of managed attrition. Authority was therefore granted to provide such individuals who are involuntarily retired either separation pay or immediate annuities. Immediate annuities are available only to GS-14's and above who have at least 10 years' service with the Agency, 5 of those years in a career primarily oriented toward the conduct and support of intelligence activities abroad. Those involuntarily retired who are not eligible for immediate annuities will be provided with separation pay which, like the annuity, is proportioned to length of service rendered.

Though the retirement provisions of this bill represent new coverage for some CIA employees, they are not novel to the Congress. Identical provisions obtain for Foreign Service officers. Nevertheless, each section of this bill was carefully analyzed to confirm that it was appropriate and necessary. In the course of 4 days intensive hearings the committee found that a number of changes were warranted. These changes have been made, and as a result we have before us now an excellent bill which I am proud to support—a bill which deserves your consideration. One change in particular was occasioned by security considerations. Because of the sensitivity of information pertaining to the mission of the CIA abroad, a section was added to give finality to determinations made by the Director under this act. Similar provision exists in the Atomic Energy Act and is designed to protect highly classified information from disclosure in the course of an open trial or hearing.

Other changes were made which tightened the bill and which reflected the years of experience which the Foreign Service has had in administering an identical system.

I believe that H.R. 8427 is in line with consistent congressional policy and that it represents an equitable retirement system for those involved in this arduous work. In addition, it provides to the Central Intelligence Agency a method for keeping its service young and up to date; and the enactment of this bill will demonstrate to those whose thankless task it is to be in the front lines of our intelligence-collection service that their work and their welfare are not unheeded by the Congress of the United States.

Mr. HARDY. Mr. Chairman, will the gentleman yield to me at this point?

Mr. BATES. I would be pleased to yield to the gentleman from Virginia.

Mr. HARDY. In connection with the question raised by the gentleman from Missouri a moment ago with respect to the extent to which the subcommittee went into this matter, would the gentleman agree that in hearings with the CIA the subcommittee went very deeply into this matter of the limited number of employees to be covered under this bill?

Mr. BATES. That is correct.

Mr. HARDY. And I think the point that the gentleman from Missouri raised is a very important point. But I think it is also important that the Members of the Congress know that the subcommittee did receive assurances to the effect that only persons in very special kinds of assignments would be covered.

Mr. BATES. With reference to this particular bill.

Mr. HARDY. That is correct. I thank the gentleman.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman from North Carolina.

Mr. JONAS. I wish the gentleman would tell me where I can find that in the bill.

Mr. BATES. What is that?

Mr. JONAS. The limitation of coverage to hazardous foreign service. It may be in the bill, but I cannot find it.

Mr. BATES. I may say that an amendment will be offered on this point. The members of the subcommittee after we considered this particular aspect at considerable length in the committee were satisfied in our minds as to what the CIA intended. When we went before the Rules Committee they raised the same question that the gentleman from North Carolina now poses. We wrote an amendment which we offered to the subcommittee, and we also cleared it with the Rules Committee. With the exception of the gentleman from California [Mr. SMITH] they are presently in accord with what I have previously stated.

This will be discussed when we get under the 5-minute rule.

Mr. JONAS. Can the gentleman tell me where I might find a copy of the amendment?

Mr. BATES. I will lend the gentleman my copy of the amendment.

Mr. LINDSAY. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman from New York.

Mr. LINDSAY. For how long do they have to serve overseas?

Mr. BATES. In order to obtain this annuity an individual must have 5 years in this particular group. If he has 10 years' total he could retire on the basis of 2 percent per year.

Mr. LINDSAY. Five years of oversea assignment?

Mr. BATES. He must be in that work for at least 5 years.

Mr. RIVERS of South Carolina. Mr. Chairman, I yield the balance of the time remaining to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Chairman, as a member of the Armed Services Committee and as a member of the CIA Subcommittee, I rise in support of H.R. 8427.

This bill for CIA is in fact long overdue. The bill will improve the retirement system for those employees of the Agency who are actively engaged in the conduct and support of intelligence activities abroad. It is estimated that less than 30 percent of the Agency employees will be brought in under this new system.

Today, all employees of the Agency are under the normal civil service retirement plan and the majority of the employees will remain under that system. A service which is continuously rotating its people abroad requires fundamentally a younger group of people than is normally found in a Washington headquarters.

Foreign Service early recognized the need for a retirement system designed to meet the needs of an oversea service, and beginning in 1924 the Congress recognized the validity of these special needs.

CIA is not asking for something special or unique in this bill. The possibility of improving the retirement system was studied intensively and it was determined that the system developed by the Congress for the Foreign Service over the last 30 years would meet Agency objectives. Consequently, this bill gives to a fraction of the total Agency personnel a retirement system substantively identical to the Foreign Service.

During 4 days of hearings all aspects of this bill were examined intensively by the committee. A review of these hearings and the report indicates clearly that most careful thought was given to each aspect of the bill. A number of amendments were made which strengthen and tighten the bill. The bill was unanimously reported and it is to the merits of this bill which the Members should address themselves.

My membership on the CIA Subcommittee has given me considerable insight into the personnel problems and the management aspects of the intelligence business. It may well be that the Agency has made some mistakes, but we all make mistakes. On the other hand, the Agency has been tremendously successful in providing advance information on many aspects of world events. I am convinced that our policymakers are getting good intelligence from CIA and the entire intelligence community.

I have listened with great interest to the problems of CIA operators collecting intelligence in the field. These men and women I have found to be truly dedicated to their tasks, and the Nation should be grateful for their efforts. This bill is essential to maintain the high quality of the service of which these people are a part. We must give the Agency the tools it needs to accomplish the extremely difficult mission which it is assigned.

I call upon you to vote for this bill which is recommended to you by all members of the Armed Services Committee and not to vote for irresponsible headlines appearing in portions of our press.

Mr. Chairman, in concluding my remarks I would like to say there have been from time to time in the press and among individual Members of the House and others comments with regard to the necessity or the validity of adding another CIA committee. I think this is primarily because most Members of the Congress, or at least most members of the press and the public generally do not realize there are committees of this type in the House and Senate at the present time. So I would think, if questions are in the minds of Members of Congress, it might be an appropriate thing for these Members of the Congress to treat the Committee on Armed Services and its CIA subcommittee just as they treat every other committee of the Congress and address to them the questions they have with regard to employment policies or with regard to any other policies they may have, and in this way perhaps some of this unnecessary secrecy can be removed. There is a degree of secrecy necessary in the CIA, but there is also a large area where there is no real necessity for secrecy.

I think Members of Congress are mostly interested in seeing to it that the books are properly handled and things of this type. Things of this type can be brought to the Central Intelligence Agency subcommittee and can be properly handled. I hope in the future Members of Congress when they hear about a subject dealing with the Central Intelligence Agency and have a question about it will address their question to the staff of the committee or to the committee as a whole and to the gentleman from Georgia, Chairman VINSON, chairman of the subcommittee and of the whole Committee on Armed Services. I think you will get intelligent answers then to the questions you ask. Perhaps by eliminating this frustration we may not only serve the CIA but, more importantly, may serve to strengthen our own country.

Mr. ARENDS. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, our Committee on Armed Services has had a subcommittee on the Central Intelligence Agency for many years. As a member of that subcommittee since its inception I have become somewhat familiar with the nature of the Agency's organization and its manifold activities. Our subcommittee has regularly inquired into the CIA's operations and from time to time have made specific inquiry into some specific aspect of its activities. Whenever a question would arise as to what the CIA had been doing in some particular area, our subcommittee would quietly but thoroughly look into it.

Naturally, all our subcommittee inquiries, investigations, and briefings were in executive session. Naturally, no reports have been issued as to our findings and recommendations. To do so would destroy the effectiveness of the Agency, and the importance of this Agency's work to our country's security cannot be too strongly emphasized.

This is not to say that the Agency has been without any congressional supervision. Not only has our subcommittee been scrutinizing its operations, it has likewise been scrutinized by the Appropriations Subcommittee, as well as the subcommittees of the Senate.

I am confident that every member of the subcommittees that has dealt with the CIA will agree that Director John McCone and his deputies have at all times been responsive to the questions we have raised. They have not hesitated to give us details and to take us into complete confidence. Nor have they hesitated to admit to possible error and their eagerness to improve upon their methods of obtaining information and evaluating it. Anyone familiar with the simplest type of detective work readily recognizes how readily errors occur in ferreting out the facts. The gathering of factual information on a worldwide scale, and being certain that the information is factual and not just conjectural, presents problems beyond description.

For my part, I believe that in the CIA we have one of the finest intelligence agencies in the world. I should also like to say that I do not believe anywhere will be found people more dedicated to the service of our country than Director McCone and the people who serve under him.

There is one thing more I should like to emphasize with respect to the CIA. Contrary to what we read and hear from time to time, the CIA does not pursue an independent foreign policy. The Agency does not make policy. It simply gathers the facts upon which policy may be based. It simply carries out orders dictated by those who make policy. If there is an inconsistency, or a seeming inconsistency, between policy and what the CIA may be doing, it arises not because of the CIA acting independently.

Our subcommittee has not only reviewed the operations of the CIA, but we have also looked carefully into the machinery by which the CIA activities are coordinated within and between other departments of Government.

While all this is not directly related to the bill before us, I felt at least something should be said concerning the operations of the CIA generally by those of us who have had opportunity to regularly study its activities.

As has been pointed out, the bill before us was reported unanimously by our committee. What we are proposing here is not new. We are in effect simply extending to some of the employees of the CIA the same type of retirement system as we have had for the Foreign Service.

We established a special retirement system for the FBI and for the Foreign Service in recognition of the extraordinary hazardous nature of the work and the uniqueness of the service itself. Assignments overseas are not at best the most desirable, particularly for any extended period of time. And many of these assignments are necessarily in unhealthy climates and in places where living conditions are no more than tolerable.

In addition, there are all the dangerous aspects involved in connection with intelligence operations abroad. One is frequently under great pressure and certainly not able to live a normal life. It requires a certain type of people to undertake intelligence assignments in remote places and sometimes unfriendly areas.

The purpose of this legislation, to provide for the voluntary retirement of some employees at the age of 50 with 20 years service, is not solely to help those already in the service but to encourage others to dedicate themselves to this type of work. By this legislation we seek to insure a continuing virility in one of the most important agencies of Government.

I urge the enactment of this bill.

Mr. MacGREGOR. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I am pleased to yield to the gentleman.

Mr. MacGREGOR. Mr. Chairman, it is frequently said that there needs to be a watchdog committee established by the Congress to oversee the activities of the Central Intelligence Agency. It is said, for example, that such a group is needed, consisting of House and Senate Members of long seniority and demonstrated responsibility. I should like to ask the distinguished gentleman from Illinois whether or not there is not already in existence in the Congress a committee, or committees, consisting of Members of long seniority and demonstrated responsibility to oversee the activities of the Central Intelligence Agency.

Mr. ARENDS. The answer to that is "Yes." As I said in my talk a moment ago, a subcommittee of the Armed Services Committees of the House and Senate and the subcommittee of appropriations, go into all matters concerning the CIA, and it is my opinion that these committees do as good a job as we possibly can. If our present committees were to be enlarged into a so-called watchdog committee composed of Members of the House and Senate, I think it would soon get out of hand with the real possibility that information of the most secret nature might soon become public information and no longer be a secret matter. I would prefer our present practice. I think we do a thorough job. I must say, in commendation of the CIA that when they appear before us, they are very frank, honest, and sincere and at all times ready to reply in detail to any inquiry of any kind whenever we request it.

Mr. MacGREGOR. Secondly, it is said by some of little knowledge of the existence of the Armed Services Committee and the Appropriations Subcommittee, that a watchdog committee is needed so that Members of Congress would be kept informed of the general activities of the CIA. You are informed at the present time, are you not?

Mr. ARENDS. We certainly are informed. Our chairman, the gentleman from Georgia [Mr. Vinson], whenever something comes up, frequently requests the CIA to come before us in closed session and the matter is thoroughly discussed and analyzed.

Mr. MacGREGOR. It is further alleged that such a watchdog committee is needed to oversee the policies of the CIA, the implication being that the CIA is a policymaking body. It is not, is it?

Mr. ARENDS. Such an impression is erroneous, indeed. I pinpointed that just a moment ago. The CIA is not a policymaking body. It is simply an implementing and factfinding group. Policy is made by those who are in authority to make policy.

Mr. MacGREGOR. Mr. Chairman, I thank the gentleman from Illinois for his elucidation.

Mr. RIVERS of South Carolina. Mr. Chairman, I have no further requests for time.

Mr. BATES. Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, if I may have the attention of the gentleman from Illinois [Mr. Arends], I would like to compliment the House Armed Services Committee on being able to get any and every type of information which they wanted from the Central Intelligence Agency. That has not been the experience of some other committees of Congress.

Mr. Chairman, I would have appreciated it had the gentleman went on today and told us who in the Cuban Bay of Pigs fiasco fell flat on their collective or individual faces. I would have appreciated hearing an account of why the CIA's man, Richardson, was removed from Vietnam if the CIA is not dealing in policy in that country.

Mr. Chairman, it was my understanding that Mr. Richardson was brought back from Vietnam because he was trying to establish some kind of a policy. I hope that some day, when we do not have anything else to do in the House, that members of the Armed Services Committee will tell us of some of the things that we common garden variety Members of Congress have been totally unable to learn about the operations of this Agency of Government.

Mr. Chairman, let me say that the CIA at one time came before a committee of which I am a member, the Committee on Post Office and Civil Service, asking for additional supergrades. We asked the representatives of the CIA how many supergrades they had at that time. The answer was, "We cannot tell you," although this was an executive session. I said, "Do you mean to tell the committee you cannot divulge how many employees you have in categories 16, 17, and 18?" They said, "No, we cannot tell you." I said, "We are not asking for job descriptions, we do not ask you for names, we simply ask you for the numbers of employees in the three categories." My friend, the gentleman from Michigan [Mr. Johansen] is present on the floor of the House and I am sure the gentleman will corroborate what I say if there is any doubt.

Mr. Chairman, we adjourned the meeting because we could not even find out how many supergrades they had. In a day or two—I think it was the next day—we were advised that they would drop their cloak of secrecy to tell us how many persons they had in those grades. So they gave us the information, but we had to go through two meetings in order to get just the number of bodies in those three categories, grades 16, 17, and 18.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. In the first instance, when you asked them how many they had on the payroll, they should have told you. I think it was ridiculous not to have told you.

Mr. GROSS. We are dealing in part with the same sort of thing in this bill. I will tell you why. In the report accompanying the bill you do not have a single letter, or the usual letters from a department or agency of Government in support of or in opposition to this legislation. You have nothing whatever from the Chairman of the Civil Service Commission who administers the Government retirement fund. And, let me tell Members of the House that you had better begin to be concerned about the retirement fund.

Mr. Chairman, I favor certain provisions of this bill, but I warn you that the Government retirement fund is today more than $38 billion in the red. I did not say "millions." I said billions; $38 billion in the red.

In the last fiscal year the retirement fund went $4 billion in the red. You had better begin to be concerned about how you handle retirement from here on out, because somebody, and soon, is going to have to put money into the fund in order to pay out any retirement.

Mr. Chairman, I could hardly believe it when I picked up this bill over the last weekend and read this one sentence:

> The Director may designate from time to time such Agency officers and employees, hereafter referred to as participants, who shall be entitled to the benefits of the system.

I could not believe that a retirement bill could come out of a committee as unlimited as that.

Sure, you are going to offer an amendment now to partially close the door. But with one hand you are going to close the door and with the other you are going to open it again with the amendment which you propose to offer.

I am going to offer a substitute to your amendment to keep that door closed.

I support the proposal to give proper consideration to those engaged in work hazardous to life and health, but there I want to end. I am not going to give the Director of the CIA the authority to interpret what is normal employment, to open the door again, and perhaps give an unjustified numer of people a fast retirement who may be completely undeserving.

So I will offer a substitute to the amendment and vote against the bill if the substitute fails.

Mr. BATES. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Chairman, I rise in support of H.R. 8427 to create a Central Intelligence Agency retirement and disability system for a limited number of employees. It is high time that the Central Intelligence Agency should have a career retirement system similar to the one that the foreign service presently enjoys.

There is a clear need to establish and maintain a young career intelligence service. This bill will facilitate that purpose.

Equally, Mr. Chairman, I would like to pay tribute to the men and women of the Central Intelligence Agency who frequently serve at the risk of life and limb in difficult parts of the world. Their service, which goes unpublicized for the most part, should be recognized by the Congress of the United States and their loyalty, their dedication, and their professional character should be backed up by a meaningful career service and retirement system.

Occasionally Mr. Chairman, points are raised that the CIA operates independently of the chief of missions. Just by way of clarification I would like to read from one of the Executive orders bearing on this so that there can be no lack of clarity on the fact that CIA in any embassy is subject to the Ambassador. Former President Eisenhower on November 8, 1960, issued a memorandum which I will excerpt from States:

> It is my desire that all appropriate steps be taken to assure that the chief of the U.S. diplomatic mission is effective in discharging his role as the representative of the President. The chief of the mission shall have and exercise affirmative responsibility for the coordination and supervision of all U.S. activities in the country to which he is accredited.

Further, former President Eisenhower in this memorandum said:

> It is my desire that the Chief of Mission be made fully aware of his responsibilities and authority in respect to U.S. activities.

The final point in this Executive order, that has been continued, I believe, by President Kennedy, states explicitly that the Ambassador:

> Will report promptly to the President as to any matter which he considers to need correction and with respect to which he is not empowered to effect correction.

It is I believe plain that under the Executive orders of the past administration and the present administration, the Central Intelligence Agency and its representatives are responsive to the President and to his personal representative, the Ambassador.

In a word, Mr. Chairman, there is a definite need for this legislation today. It will mean a great deal to the spirit of the Central Intelligence Agency. These men and women deserve well of the United States. It is my hope that the Congress will enact this legislation.

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### TITLE I—SHORT TITLE AND DEFINITIONS

#### PART A—SHORT TITLE

Sec. 101. This Act may be cited as the "Central Intelligence Agency Retirement Act of 1963 for Certain Employees".

#### PART B—DEFINITIONS

Sec. 111. When used in this Act, the term—

(1) "Agency" means the Central Intelligence Agency; and

(2) "Director" means the Director of Central Intelligence.

### TITLE II—THE CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

#### PART A—ESTABLISHMENT OF SYSTEM

*Rules and regulations*

Sec. 201. (a) The Director may prescribe rules and regulations for the establishment and maintenance of a Central Intelligence Agency Retirement and Disability System for a limited number of employees, referred to hereafter as the system.

(b) The Director shall administer the system in accordance with such rules and regulations and with the principles established by this Act.

(c) In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 102(d)(3) of the National Security Act of 1947, as amended (50 U.S.C. 403(d)(3)), that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, and notwithstanding the provisions of the Administrative Procedure Act (5 U.S.C. 1001 et seq.) or any other provisions of law, any determinations by the Director authorized by the provisions of this Act shall be deemed to be final and conclusive and not subject to review by any court.

*Establishment and maintenance of fund*

Sec. 202. There is hereby created a fund to be known as the Central Intelligence Agency Retirement and Disability Fund which shall be maintained by the Director. The Central Intelligence Agency Retirement and Disability Fund is referred to hereafter as the fund.

*Participants*

Sec. 203. The Director may designate from time to time such Agency officers and employees, hereafter referred to as participants, who shall be entitled to the benefits of the system. Any participant who has completed fifteen years of service with the Agency and whose career at that time is adjudged by the Director to be qualifying for the system may elect to remain a participant of such system for the duration of his employment by the Agency and such election shall not be subject to review or approval by the Director.

*Annuitants*

Sec. 204. (a) Annuitants shall be participants who are receiving annuities from the fund and all persons, including surviving wives and husbands, widows, dependent widowers, children, and beneficiaries of participants or annuitants who shall become entitled to receive annuities in accordance with the provisions of this Act.

(b) When used in this Act the term—

(1) "Widow" means the surviving wife of a participant who was married to such participant for at least two years immediately preceding his death or is the mother of issue by marriage to the participant.

(2) "Dependent widower" means the surviving husband of a participant who was married to such participant for at least two years immediately preceding her death or is the father of issue by marriage to the participant, and who is incapable of self-support by reason of mental or physical disability, and who received more than one-half of his support from such participant.

(3) "Child" means an unmarried child, under the age of eighteen years, or such unmarried child regardless of age who, because of physical or mental disability incurred before age eighteen, is incapable of self-support. In addition to the offspring of the participant and his or her spouse, the term includes (i) an adopted child, and (ii) a stepchild or recognized natural child who received more than one-half of his support from the participant.

#### PART B—COMPULSORY CONTRIBUTIONS

Sec. 211. (a) Six and one-half per centum of the basic salary received by each participant shall be contributed to the fund for the payment of annuities, cash benefits, refunds and allowances. An equal sum shall also be contributed from the respective appropriation or fund which is used for payment of his salary. The amounts deducted and withheld from basic salary together with the amounts so contributed from the appropriation or fund shall be deposited by the Agency to the credit of the fund.

(b) Each participant shall be deemed to consent and agree to such deductions from basic salary, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services during the period covered by such payment, except the right to the benefits to which he shall be entitled under this Act, notwithstanding any law, rule, or regulation affecting the individual's salary.

#### PART C—COMPUTATION OF ANNUITIES

Sec. 221. (a) The annuity of a participant shall be equal to 2 per centum of his average basic salary for the highest five consecutive years of service, for which full contributions have been made to the fund, multiplied by the number of years, not exceeding thirty-five, of service credit obtained in accordance with the provisions of sections 251 and 252. In determining the aggregate period of service upon which the annuity is to be based, the fractional part of a month, if any, shall not be counted.

(b) At the time of retirement, any married participant may elect to receive a reduced annuity and to provide for an annuity payable to his wife or her husband, commencing on the date following such participant's death and terminating upon the death of such surviving wife or husband. The annuity payable to the surviving wife or husband after such participant's death shall be 50 per centum of the amount of the participant's annuity computed as prescribed in paragraph (a) of this section, up to the full amount of such annuity specified by him as the base for the survivor benefits. The annuity of the participant making such election shall be reduced by 2½ per centum of any amount up to $2,400 he specified as the base for the survivor benefit plus 10 per centum of any amount over $2,400 so specified.

(c) (1) If an annuitant dies and is survived by a wife or husband and by a child or children, in addition to the annuity payable to the surviving wife or husband, there shall be paid to or on behalf of each child an annuity equal to the smallest of: (i) 40 per centum of the annuitant's average basic salary, as determined under paragraph (a) of this section, divided by the number of children; (ii) $600; or (iii) $1,800 divided by the number of children.

(2) If an annuitant dies and is not survived by a wife or husband but by a child or children, each surviving child shall be paid an annuity equal to the smallest of: (i) 50 per centum of the annuitant's average basic salary, as determined under paragraph (a) of this section, divided by the number of children; (ii) $720; or (iii) $2,160 divided by the number of children.

(d) If a surviving wife or husband dies or the annuity of a child is terminated, the annuities of any remaining children shall be recomputed and paid as though such wife, husband, or child had not survived the participant.

(e) The annuity payable to a child under paragraph (c) or (d) of this section shall begin on the first day of the next month after the participant dies and such annuity or any right thereto shall be terminated upon death, marriage, or attainment of the age of eighteen years, except that, if a child is incapable of self-support by reasons of mental or physical disability, the annuity shall be terminated only when such child dies, marries, or recovers from such disability.

(f) Any unmarried participant retiring under the provisions of this Act and found by the Director to be in good health may at the time of retirement elect a reduced annuity, in lieu of the annuity as hereinbefore provided, and designate in writing a person having an insurable interest (as that term is used in 5 U.S.C. 2259(h)) in the participant to receive an annuity after the participant's death. The annuity payable to the participant making such election shall be reduced by 10 per centum of an annuity computed as provided in paragraph (a) of this section, and by 5 per centum of an annuity so computed for each full five years the person designated is younger than the participant, but such total reduction shall not exceed 40 per centum. The annuity of a survivor designated under this paragraph shall be 50 per centum of the reduced annuity computed as prescribed above. The annuity payable to a beneficiary under the provisions of this paragraph shall begin on the first day of the next month after the participant dies. Upon the death of the surviving beneficiary all payments shall cease and no further annuity payments authorized under this paragraph shall be due or payable.

### PART D—BENEFITS ACCRUING TO CERTAIN PARTICIPANTS

### *Retirement for disability or incapacity—medical examination—recovery*

SEC. 231. (a) Any participant who has five years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with provisions of section 251 or 252(a)(2), and who becomes totally disabled or incapacitated for useful and efficient service by reason of disease, illness, or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the Director, be retired on an annuity computed as prescribed in section 221. If the disabled or incapacitated participant has less than twenty years of service credit toward his retirement under the system at the time he is retired, his annuity shall be computed on the assumption that he has had twenty years of service, but the additional service credit that may accrue to a participant under this provision shall in no case exceed the difference between his age at the time of retirement and the mandatory retirement age applicable to his grade in the Agency.

(b) In each case, the participant shall be given a medical examination by one or more duly qualified physicians or surgeons designated by the Director to conduct examinations, and disability shall be determined by the Director on the basis of the advice of such physicians or surgeons. Unless the disability is permanent, like examinations shall be made annually until the annuitant has reached the statutory mandatory retirement age for his grade in the Agency. If the Director determines on the basis of the advice of one or more duly qualified physicians or surgeons conducting such examinations that an annuitant has recovered to the extent that he can return to duty, the annuitant may apply for reinstatement or reappointment in the Agency within one year from the date his recovery is determined. Upon application the Director may reinstate any such recovered disability annuitant in the grade in which he was serving at time of retirement, or the Director may, taking into consideration the age, qualifications, and experience of such annuitant, and the present grade of his contemporaries in the Agency, appoint him to a grade higher than the one in which he was serving prior to retirement. Payment of the annuity shall continue until a date six months after the date of the examination showing recovery or until the date of reinstatement or reappointment in the Agency, whichever is earlier. Fees for examinations under this provision, together with reasonable traveling and other expenses incurred in order to submit to examination, shall be paid out of the fund. If the annuitant fails to submit to examination as required under this section, payment of the annuity shall be suspended until continuance of the disability is satisfactorily established.

(c) If a recovered disability annuitant whose annuity is discontinued is for any reason not reinstated or reappointed in the Agency, he shall be considered to have been separated within the meaning of paragraphs (a) and (b) of section 234 as of the date he was retired for disability and he shall, after the discontinuance of the disability annuity, be entitled to the benefits of that section or of section 241(a) except that he may elect voluntary retirement in accordance with the provisions of section 233 if he can qualify under its provisions.

(d) No participant shall be entitled to receive an annuity under this Act and compensation for injury or disability to himself under the Federal Employees' Compensation Act of September 7, 1916, as amended (5 U.S.C. 751 et seq.), covering the same period of time. This provision shall not bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time. Neither this provision nor any provision of the said Act of September 7, 1916, as amended, shall be so construed as to deny the right of any participant to receive an annuity under this Act by reason of his own services and to receive concurrently any payment under such Act of September 7, 1916, as amended, by reason of the death of any other person.

(e) Notwithstanding any provision of law to the contrary, the right of any person entitled to an annuity under this Act shall not be affected because such person has received an award of compensation in a lump sum under section 14 of the Federal Employees' Compensation Act of September 7, 1916, as amended (5 U.S.C. 764), except that where such annuity is payable on account of the same disability for which compensation under such section has been paid, so much of such compensation as has been paid for any period extended beyond the date such annuity becomes effective, as determined by the Secretary of Labor, shall be refunded to the Department of Labor, to be paid into the Federal employees' compensation fund. Before such person shall receive such annuity he shall (1) refund to the Department of Labor the amount representing such commuted payments for such extended period, or (2) authorize the deduction of such amount from the annuity payable to him under this Act, which amount shall be transmitted to such Department for reimbursement to such fund. Deductions from such annuity may be made from accrued and accruing payments, or may be prorated against and paid from accruing payments in such manner as the Secretary of Labor shall determine, whenever he finds that the financial circumstances of the annuitant are such as to warrant such deferred refunding.

### *Death in service*

SEC. 232. (a) In case a participant dies and no claim for annuity is payable under the provisions of this Act, his contributions to the fund, with interest at the rates prescribed in sections 241(a) and 281(a), shall be paid in the order of precedence shown in section 241(b).

(b) If a participant, who has at least five years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with the provisions of section 251 or 252(a)(2), dies before separation or retirement from the Agency and is survived by a widow or a dependent widower, as defined in section 204, such widow or dependent widower shall be entitled to an annuity equal to 50 per centum of the annuity computed in accordance with the provisions of paragraph (e) of this section and of section 221(a). The annuity of such widow or dependent widower shall commence on the date following death of the participant and shall terminate upon death of the widow or dependent widower, or upon the dependent widower's becoming capable of self-support.

(c) If a participant who has at least five years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with the provisions of section 251 or 252(a)(2), dies before separation or retirement from the Agency and is survived by a wife or a husband and a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of section 221(c)(1). The child's annuity shall begin and be terminated in accordance with the provisions of section 221(e). Upon the death of the surviving wife or husband or termination of the annuity of a child, the annuities of any remaining children shall be recomputed and paid as though such wife or husband or child had not survived the participant.

(d) If a participant who has at least five years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with the provisions of section 251 or 252(a)(2), dies before separation or retirement from the Agency and is not survived by a wife or husband, but by a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of section 221(c)(2). The child's annuity shall begin and terminate in accordance with the provisions of section 221(e). Upon termination of the annuity of a child, the annuities of any remaining children shall be recomputed and paid as though that child had never been entitled to the benefit.

(e) If, at the time of his or her death, the participant had less than twenty years of service credit toward retirement under the system, the annuities payable in accordance with paragraph (b) of this section shall be computed in accordance with the provisions of section 221 on the assumption he or she has had twenty years of service, but the additional service credit that may accrue to a deceased participant under this provision shall in no case exceed the difference between his or her age on the date of death and the mandatory retirement age applicable to his or her grade in the Agency. In all cases arising under paragraphs (b), (c), (d), or (e) of this section, it shall be assumed that the deceased participant was qualified for retirement on the date of his death.

### *Voluntary retirement*

SEC. 233. Any participant in the system who is at least fifty years of age and has rendered twenty years of service may on his own application and with the consent of the Director be retired from the Agency and receive benefits in accordance with the provisions of section 221 provided he has not less than five years of service with the Agency.

### *Discontinued service retirement*

SEC. 234. (a) Any participant who separates from the Agency after obtaining at least five years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with the provisions of section 251 or 252(a)(2), may, upon separation from the Agency or at any time prior to becoming eligible for an annuity, elect to have his contributions to the fund returned to him in accordance with the provisions of section 241, or (except in cases where the Director determines that separation was based in whole or in part on the ground of disloyalty to the United States) to leave his contributions in the fund and receive an annuity, computed as prescribed in section 221, commencing at the age of sixty years.

(b) If a participant who has qualified in accordance with the provisions of paragraph (a) of this section to receive a deferred annuity commencing at the age of sixty dies before reaching the age of sixty his contributions to the fund, with interest, shall be paid in accordance with the provisions of sections 241 and 281.

(c) The Director may in his discretion retire participants in grade GS–14 and above. If so retired they shall receive retirement benefits in accordance with the provisions of section 221, provided they have in each case not less than five years of qualifying and a total of ten years of service with the Agency. Any individual so retired who does not meet these service requirements shall receive the benefits provided for individuals in grade GS–13 as set out in paragraph (d) of this section.

(d) The Director may in his discretion retire participants in grade GS–13 and below, and each such participant shall receive—

(1) one-twelfth of a year's salary at his then current salary rate for each year of service and proportionately for a fraction of a year, but not exceeding a total of one year's salary at his then current salary rate, payable without interest, from the fund, in three equal installments on the 1st day of January following the participant's retirement and on the two anniversaries of this date immediately following: *Provided*, That in special cases, the Director may in his discretion accelerate or combine the installments; and

(2) a refund of the contributions made to the fund, with interest as provided in section 241(a), except that in lieu of such refund such participant, if he has at least five years of service credit toward retirement under the system, excluding military or naval service that is credited in accordance with the provisions of section 251 or 252(a)(2), may elect to receive retirement benefits on reaching the age of sixty in accordance with the provisions of section 221. In the event that a participant who was separated from grade GS–13 or GS–12 and who has elected to receive retirement benefits dies before reaching the age of sixty, his death shall be considered a death in service within the meaning of section 232. In the event that a participant who was separated from grade GS–11 or below and who has elected to receive retirement benefits dies before reaching the age of sixty, the total amount of his contributions made to the fund, with interest as provided in section 241(a), shall be paid in accordance with the provisions of section 241(b).

(e) Notwithstanding the provisions of section 3477 of the Revised Statutes, as amended (31 U.S.C. 203), or the provisions of any other law, a participant who is retired in accordance with the provisions of paragraph (d) of this section shall have the right to assign to any person or corporation the whole or any part of the benefits receivable by him pursuant to paragraph (d)(1) of this section.

### *Mandatory retirement for age*

SEC. 235. (a) Any participant in the system in grade GS–18 or above shall upon reaching the age of sixty-five be retired from the Agency and receive retirement benefits in accordance with the provisions of section 221, but whenever the Director shall determine it to be in the public interest, he may extend such a participant's service for a period not to exceed five years.

(b) Any participant in the system, other than in grade GS–18 or above, shall upon reaching the age of sixty be retired from the Agency and receive retirement benefits in accordance with the provisions of section 221, but whenever the Director shall determine it to be in the public interest, he may extend such a participant's service for a period not to exceed five years.

## PART E—DISPOSITION OF CONTRIBUTIONS AND INTEREST IN EXCESS OF BENEFITS RECEIVED

SEC. 241. (a) Whenever a participant becomes separated from the Agency without becoming eligible for an annuity or a deferred annuity in accordance with the provisions of this Act, the total amount of contributions from his salary with interest thereon at 4 per centum per annum, compounded annually as of December 31, and proportionately for the period served during the year of separation including all contributions made during or for such period, except as provided in section 281, shall be returned to him.

(b) In the event that the total contributions of a retired participant, other than voluntary contributions made in accordance with the provisions of section 281, with interest at 4 per centum per annum compounded annually as is provided in paragraph (a) of this section added thereto, exceed the total amount returned to such participant or to an annuitant claiming through him, in the form of annuities, accumulated at the same rate of interest up to the date the annuity payments cease under the terms of the annuity, the excess of the accumulated contributions over the accumulated annuity payments shall be paid in the following order of precedence, upon the establishment of a valid claim therefor, and such payment shall be a bar to recovery by any other person:

(1) To the beneficiary or beneficiaries designated by such participant in writing to the Director;

(2) If there be no such beneficiary to the surviving wife or husband of such participant;

(3) If none of the above, to the child or children of such participant and descendants of deceased children by representation;

(4) If one of the above, to the parents of such participant or the survivor of them;

(5) If none of the above, to the duly appointed executor or administrator of the estate of such participant;

(6) If none of the above, to other next of kin of such participant as may be determined by the Director in his judgment to be legally entitled thereto.

(c) No payment shall be made pursuant to paragraph (b)(6) of this section until after the expiration of thirty days from the death of the retired participant or his surviving annuitant.

## PART F—PERIOD OF SERVICE FOR ANNUITIES

### *Computation of length of service*

SEC. 251. For the purposes of this Act, the period of service of a participant shall be computed from the date he becomes a participant under the provisions of this Act, but all periods of separation from the Agency and so much of any leaves of absence without pay as may exceed six months in the aggregate in any calendar year shall be excluded, except leaves of absence while receiving benefits under the Federal Employees' Compensation Act of September 7, 1916, as amended (5 U.S.C. 751 et seq.), and leaves of absence granted participants while performing active and honorable military or naval service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States.

### *Prior service credit*

SEC. 252. (a) A participant may, subject to the provisions of this section, include in his period of service—

(1) civilian service in the executive, judicial, and legislative branches of the Federal Government and in the District of Columbia government, prior to becoming a participant; and

(2) active and honorable military or naval service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States.

(b) A participant may obtain prior civilian service credit in accordance with the provisions of paragraph (a)(1) of this section by making a special contribution to the fund equal to 5 per centum of his basic annual salary for each year of service for which credit is sought prior to November 8, 1960, and at 6½ per centum thereafter with interest compounded annually at 4 per centum per annum to the date of payment. Any such participant may, under such conditions as may be determined in each instance by the Director, pay such special contributions in installments.

(c) (1) If an officer or employee under some other Government retirement system becomes a participant in the system by direct transfer, such officer or employee's total contributions and deposits, including interest accrued thereon, except voluntary contributions, shall be transferred to the fund effective as of the date such officer or employee becomes a participant in the system. Each such officer or employee shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the other Government retirement fund on account of service rendered prior to becoming a participant in the system.

(2) No participant, whose contributions are transferred to the fund in accordance with the provisions of paragraph (c) (1) of this section, shall be required to make contributions in addition to those transferred for periods of service for which full contributions were made to the other Government retirement fund, nor shall any refund be made to any such participant on account of contributions made during any period to the other Government retirement fund at a higher rate than that fixed by section 211 of this Act for contributions to the fund.

(3) No participant, whose contributions are transferred to the fund in accordance with the provisions of paragraph (c)(1) of this section, shall receive credit for periods of service for which a refund of contributions has been made, or for which no contributions were made to the other Government retirement fund. A participant may, however, obtain credit for such prior service

by making a special contribution to the fund in accordance with the provisions of paragraph (b) of this section.

(d) No participant may obtain prior civilian service credit toward retirement under the system for any period of civilian service on the basis of which he is receiving or will in the future be entitled to receive any annuity under another retirement system covering civilian personnel of the Government.

(e) A participant may obtain prior military or naval service credit in accordance with the provisions of paragraph (a)(2) of this section by applying for it to the Director prior to retirement or separation from the Agency. However, in the case of a participant who is eligible for and receives retired pay on account of military or naval service, the period of service upon which such retired pay is based shall not be included, except that in the case of a participant who is eligible for and receives retired pay on account of a service-connected disability incurred in combat with an enemy of the United States or caused by an instrumentality of war and incurred in line of duty during a period of war (as that term is used in chapter 11 of title 38, United States Code), or is awarded under chapter 67 of title 10 of the United States Code, the period of such military or naval service shall be included. No contributions to the fund shall be required in connection with military or naval service credited to a participant in accordance with the provisions of paragraph (a)(2) of this section.

#### *Credit for service while on military leave*

SEC. 253. Contributions shall not be required covering periods of leave of absence from the Agency granted a participant while performing active military or naval service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States.

### PART G—MONEYS

#### *Estimate of appropriations needed*

SEC. 261. The Director shall prepare the estimates of the annual appropriations required to be made to the fund, and shall cause to be made actuarial valuations of the fund at intervals of five years, or oftener if deemed necessary by him.

#### *Investment of moneys in the fund*

SEC. 262. The Director may, with the approval of the Secretary of the Treasury, invest from time to time in interest-bearing securities of the United States such portions of the fund as in his judgment may not be immediately required for the payment of annuities, cash benefits, refunds, and allowances, and the income derived from such investments shall constitute a part of such fund.

#### *Attachments of moneys*

SEC. 263. None of the moneys mentioned in this Act shall be assignable either in law or equity, or be subject to execution, levy, attachment, garnishment, or other legal process, except as provided in section 234(e).

### PART H—RETIRED PARTICIPANTS RECALLED, REINSTATED, OR REAPPOINTED IN THE AGENCY, OR REEMPLOYED IN THE GOVERNMENT RECALL

SEC. 271. (a) The Director may recall any retired participant to duty in the Agency whenever he shall determine such recall is in the public interest.

(b) Any such participant recalled to duty in the Agency in accordance with the provisions of paragraph (a) of this section or reinstated or reappointed in accordance with the provisions of section 231(b) shall, while so serving, be entitled in lieu of his annuity to the full salary of the grade in which he is serving. During such service, he shall make contributions to the fund in accordance with the provisions of section 211. When he reverts to his retired status, his annuity shall be determined anew in accordance with the provisions of section 221.

#### *Reemployment*

SEC. 272. Notwithstanding any other provision of law, a participant retired under the provisions of this Act shall not, by reason of his retired status, be barred from employment in Federal Government service in any appointive position for which he is qualified. An annuitant so reemployed shall serve at the will of the appointing officer.

#### *Reemployment compensation*

SEC. 273. (a) Notwithstanding any other provision of law, any annuitant who has retired under this Act and who is reemployed in the Federal Government service in any appointive position either on a part-time or full-time basis shall be entitled to receive the salary of the position in which he is serving plus so much of his annuity payable under this Act which when combined with such salary does not exceed during any calendar year the basic salary such annuitant was entitled to receive on the date of his retirement from the Agency. Any such reemployed annuitant who receives salary during any calendar year in excess of the maximum amount which he may be entitled to receive under this paragraph shall be entitled to such salary in lieu of benefits hereunder.

(b) When any such retired annuitant is reemployed, the employer shall send a notice to the Agency of such reemployment together with all pertinent information relating thereto, and shall pay directly to such annuitant the salary of the position in which he is serving.

(c) In the event of any overpayment under this section, such overpayment shall be recovered by withholding the amount involved from the salary payable to such reemployed annuitant, or from any other moneys, including his annuity, payable in accordance with the provisions of this Act.

### PART I—VOLUNTARY CONTRIBUTIONS

SEC. 281. (a) Any participant may, at his option and under such regulations as may be prescribed by the Director, deposit additional sums in multiples of 1 per centum of his basic salary, but not in excess of 10 per centum of such salary, which amounts together with interest at 3 per centum per annum, compounded annually as of December 31, and proportionately for the period served during the year of his retirement, including all contributions made during or for such period, shall, at the date of his retirement and at his election, be—

(1) returned to him in lump sum; or

(2) used to purchase an additional life annuity; or

(3) used to purchase an additional life annuity for himself and to provide for a cash payment on his death to a beneficiary whose name shall be notified in writing to the Director by the participant; or

(4) used to purchase an additional life annuity for himself and a life annuity commencing on his death payable to a beneficiary whose name shall be notified in writing to the Director by the participant with a guaranteed return to the beneficiary or his legal representative of an amount equal to the cash payment referred to in subparagraph (3) above.

(b) The benefits provided by subparagraphs (2), (3), or (4) of paragraph (a) of this section shall be actuarially equivalent in value to the payment provided for by subparagraph (a)(1) of this section and shall be calculated upon such tables of mortality as may be from time to time prescribed for this purpose by the Director.

(c) In case a participant shall become separated from the Agency for any reason except retirement on an annuity, the amount of any additional deposits with interest at 3 per centum per annum, compounded as is provided in paragraph (a) of this section, made by him under the provisions of said paragraph (a) shall be refunded in the manner provided in section 241 for the return of contributions and interest in the case of death or separation from the Agency.

(d) Any benefits payable to a participant or to his beneficiary in respect to the additional deposits provided under this section shall be in addition to the benefits otherwise provided under this Act.

Mr. RIVERS of South Carolina (interrupting reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open at any point to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

### AMENDMENT OFFERED BY MR. RIVERS OF SOUTH CAROLINA

Mr. RIVERS of South Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RIVERS of South Carolina: On page 3, lines 13 to 16, strike out the first sentence of SEC. 203, and substitute in lieu thereof the following language: "The Director may designate from time to time such Agency officers and employees whose duties are determined by the Director to be (i) in support of Agency activities abroad hazardous to life or health or (ii) so specialized because of security requirements as to be clearly distinguishable from normal government employment, hereafter referred to as participants, who shall be entitled to the benefits of the system."

Mr. RIVERS of South Carolina. Mr. Chairman, the purpose of this amendment is to establish legislative criteria by which the Agency would determine those employees who would become participants in this system. The committee during hearings examined very carefully the question of what type of employees should be covered and which employees should remain under normal civil service retirement.

It was made clear that the purpose was to cover only career employees whose duties and responsibilities are predominantly concerned with the conduct and support of intelligence activities in foreign countries. It was also developed in the hearings, and with actual cases as examples furnished in executive sessions, that career employees whose duties are so specialized that they are placed at an unusual disadvantage when required to seek other employment would also be covered by this system.

A significant number of these actual cases were furnished the committee in the executive hearings to illustrate the types of employees who would be covered. One of the threads running through these cases was the hazard both to person and to health. Employees as well as their dependents have contracted diseases which would rarely, if ever, be found in the United States. We heard about cases where employees were wounded or killed by gunfire, and in some cases imprisoned.

In certain phases of the Agency's activities there are requirements for unusual specialties requiring long years of arduous training, for which skills there could be no utilization in normal employment pursuits.

We learned of certain situations where, through no fault of the employee, his skills and he himself, became excess to the needs of the Agency or for certain reasons he could no longer be utilized effectively by the Agency. These are the people who will be covered—not the clerk, analyst, or researcher who spends his career in Washington.

In furtherance of the objective of concisely stating these criteria and furnishing statutory guidelines to the Director in selecting participants without at the same time imposing undue rigidity, language has been developed which is satisfactory to those members with whom I have consulted and is also agreeable to other members of the Armed Services Committee with whom I have consulted.

The specific language was inserted in section 203 and provides that the Director may designate employees "whose duties are determined by the Director to be (i) in support of Agency activities abroad hazardous to life or health or (ii) so specialized because of security requirements as to be clearly distinguishable from normal Government employment." I believe this language fulfills the objective desired, and recommend it for inclusion.

Specifically on page 3 of H.R. 8427, at lines 13 to 16, strike out the first sentence of section 203 and substitute in lieu thereof the following language:

> The Director may designate from time to time such Agency officers and employees whose duties are determined by the Director to be (i) in support of Agency activities abroad hazardous to life or health or (ii) so specialized because of security requirements as to be clearly distinguishable from normal Government employment, hereafter referred to as participants, who shall be entitled to the benefits of the system.

### AMENDMENT OFFERED BY MR. GROSS

**Mr. GROSS.** Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

> Amendment offered by Mr. GROSS as a substitute for the amendment offered by Mr. RIVERS of South Carolina: On page 3, beginning on line 13, strike the first sentence and insert the following:
>
> "SEC. 203. The Director may designate from time to time such agencies, officers, and employees whose duties are determined by the Director to be in support of agency activities abroad or in this country that are hazardous to life or health."

**Mr. GROSS.** Mr. Chairman, as I said before, the amendment offered by the gentleman from South Carolina in my opinion closes the door and then reopens it. I am not willing to leave to the Director of the CIA the full determination of normal Government employment. The language also reads to this effect, "so specialized because of security requirements." I do not know of any employee in the CIA who is not considered to be employed in a security agency. Therefore, they could all come under this language "so specialized because of security requirements." Why would not every employee of the CIA be under that label, definition and interpretation? As I said before, I am perfectly willing to provide a special retirement program for those who are engaged in work that is hazardous to life or health, but I am not willing to leave it to the Director of the CIA to include anybody else in this fast retirement program. That is the import of my amendment. It does not change the remainder of section 203.

**Mr. CORBETT.** Mr. Chairman, will the gentleman yield?

**Mr. GROSS.** I yield to the gentleman.

**Mr. CORBETT.** I want to commend the gentleman for this substitute amendment that he has offered which would tighten up a very loose arrangement. In the first place, taking this kind of action without real deep consideration by the committee handling pensions is unusual.

Second, granting this discretionary power to one person in the CIA, the Director, to determine who shall get the pension protection and who shall not is a discretion that should not be in the hands of one individual. But if it has to be, this amendment of the gentleman from Iowa should be adopted because it at least puts some restrictions upon this discretionary authority. I commend the gentleman and support the substitute amendment that he has offered.

**Mr. GROSS.** I thank the gentleman. I am sure the gentleman being the ranking minority member of the House Committee on Post Office and Civil Service will also agree with me that we must watch carefully from here on out as to the number of persons and the expenditures that are made from the retirement fund because, I repeat, it is $38 billion in the red and going deeper in the red by billions of dollars every year.

**Mr. CORBETT.** And as this bill stands, you would not know how many are going to be able to draw on the pension—whether it is hundreds or thousands or what the figure might be; is that not correct?

**Mr. GROSS.** That is correct.

**Mr. CORBETT.** I think both in the interest of the fund and in the interest of fairplay for all the rest of the employees whose paychecks contribute to this retirement fund that this restriction ought to be passed.

**Mr. GROSS.** I again thank the gentleman from Pennsylvania, who is a veteran member of the Post Office and Civil Service Committee and who takes a leading part in the writing of all other retirement legislation.

**Mr. BATES.** Mr. Chairman, I rise in support of the amendment and in opposition to the substitute.

In the course of our hearings the doubts that were expressed by the gentleman from Pennsylvania and the gentleman from Iowa were also entertained by the members of the subcommittee. What they have said on this floor today is similar to the same statements which we ourselves made when we were in committee. Contrary to what the gentleman from Pennsylvania said, we did give this matter deep consideration. We went into it very thoroughly. So, when the representatives of the CIA came before us we asked them specifically what they had in mind relative to these unusual individuals to whom would accrue these retirement benefits. They spelled these things out in detail not only with reference to those engaged in hazardous work but also those engaged in fields so specialized that they were very difficult to obtain. Upon the completion of their remarks the members of our committee were unanimously satisfied with the answers to the questions and we understood fully who was to receive the entitlements of this particular bill.

**Mr. CORBETT.** Mr. Chairman, will the gentleman yield?

**Mr. BATES.** I yield to the gentleman from Pennsylvania.

**Mr. CORBETT.** I would like to ask the gentleman, if he can, to say what are the specialized fields. The gentleman's amendment says here that if they engage in any activity abroad or in this country which will prove a hazard to life or health.

**Mr. BATES.** I understand the gentleman's question. Mr. Chairman, this is not the first time on this floor I have been in this kind of a position where the answer to the question—and the gentleman from Pennsylvania should know this—would impair the national security.

**Mr. CORBETT.** That is why I asked the gentleman in those words.

**Mr. BATES.** I will be glad to give this information to the gentleman.

**Mr. CORBETT.** I said if the gentleman could answer.

**Mr. BATES.** I will be glad to give this information to the gentleman personally.

**Mr. CORBETT.** Could you imagine some case that would not be covered by this?

**Mr. BATES.** Yes indeed, and I will be glad to give the information to the gentleman.

**Mr. RIVERS of South Carolina.** I can imagine one, and I will be glad to give it to you. We need electronics experts and people with unusual skills requiring all kinds of training.

**Mr. CORBETT.** If you need them, why do you retire them early?

**Mr. RIVERS of South Carolina.** Because the skills may disappear.

**Mr. CORBETT.** They may do what?

**Mr. RIVERS of South Carolina.** The need for them may disappear. That is why.

**Mr. BATES.** Mr. Chairman, I still have the floor here.

I would like to say that we did go into this matter very fully. Both on the record and off the record we were told of the type of individuals who do this work and the nature of the work which they perform. We were satisfied as representatives of this Congress with the answers which were given to us. Although we originally had certain doubts, when it was all over that doubt was dispelled. It seems to me if this Congress is to take action today, it should resolve the doubt so that the security of our country would not be impaired.

I am satisfied in my own mind as to the need for this second provision and the wording of the language. When we went before the Committee on Rules they had the same problem in their mind. This is language which has been cleared by the Committee on Rules and it spells out what we had in mind when the matter was considered by the committee. It seems to me this is as far as we can go in considering the nature of the matter under discussion. Therefore, I ask that the substitute be defeated and the amendment of the gentleman from South Carolina be passed.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. BATES. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I wonder if some of the misgivings and concern that are being expressed here, and which I share, do not arise from the fact that the bill that the committee brings to the floor has a completely wide open door. Apparently the committee itself had a serious second thought on the matter and evidences that serious second thought by offering what purports to be a restrictive amendment.

Mr. BATES. I will say to the gentleman the thought we have is not a second thought but a primary thought. We thought about this originally. This matter which developed today is to be expected. Anyone who considers this bill would understand this would be the first thought that would come to their mind. After we went into it in great detail the committee received the assurances of the CIA as to what they had in mind. We were satisfied with these assurances.

Mr. JOHANSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I just raise the question again—and I do not want to be unfair to or critical of the committee, but if, as the gentleman has said, this was a matter of such earnest thought, it seems to me that it would have been more timely to propose this corrective feature before the bill was brought out of the committee. But beyond that, the thing that concerns me—and I think I can conceive of a situation very readily in which it is impossible for security reasons to spell out or itemize the types of employment or position or job classification that are covered—but is it possible in some way, in expressions of members of the committee to give the clear legislative intent in connection with this particular matter which will preclude the very thing which the members of the Committee on Post Office and Civil Service are so much concerned about?

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I am happy to yield to the gentleman from Virginia.

Mr. HARDY. I think the only way that that could be cleared up—and it cannot be expressed here on the floor—is this. I will say to the gentleman that the transcript of the hearings is complete, that all of these phases were discussed fully by the subcommittee over a long period of time. There are classified transcripts of the hearings that are in the committee safe, and they establish without question the intent of the CIA with respect to the application of this proposal.

Mr. JOHANSEN. I assume, therefore, that I have the commitment of the gentleman from Virginia that the subcommittee of the Committee on Armed Services will police the matter to see that that intent is not violated?

Mr. HARDY. I am assured by the chairman of the full committee that the matter will be policed.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield to the chairman of the subcommittee.

Mr. RIVERS of South Carolina. Mr. Chairman, I was going to give the gentleman the same assurance that the gentleman from Virginia [Mr. Hardy] gave. What I read was this: In certain phases of the Agency's activities there are requirements for unusual specialties requiring long years of arduous training for which in some cases there could be no utilization in normal employment pursuits.

If you need anything else, you may have it from our committee secret file.

Mr. JOHANSEN. I understand the gentleman in effect to say that there are what amount to temporary job requirements.

Mr. RIVERS of South Carolina. Positively. We cannot tell everything we know. We must ask you to believe that we have gone into these matters.

Mr. JOHANSEN. The gentleman I am sure knows that I am prepared, certainly, to believe him.

Mr. RIVERS of South Carolina. The gentleman has all the assurances that we have carefully policed this work.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield.

Mr. GROSS. The gentleman from South Carolina says that this early retirement is necessary in part to take care of specialties, and he mentioned electronics. I imagine we have several thousand specialists in electronics throughout the Government. If we are going to provide early retirement for all the specialists in electronics throughout the Government, that $38 billion that the retirement fund is in the red will be $50 billion if this is the criteria you are going to use to try to convince us that we ought to give early retirement to whomsoever the Director of the CIA may select.

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield.

Mr. RIVERS of South Carolina. Mr. Chairman, in response to the gentleman from Iowa there are many specialties. I happened to mention electronics. There are many that we cannot mention. We know what they are. But we cannot here open up the heart of the CIA to everybody.

Mr. JOHANSEN. Of course, we do not expect the gentleman to do that and we would not request it for a moment. In taking this time I believe I have received what I asked for, which was the assurance that there was a clear legislative intent in the record of the subcommittee and the assurances of the committee and the subcommittee chairmen and the distinguished chairman of the full committee, that the matter would be carefully policed.

Mr. RIVERS of South Carolina. The gentleman has it.

Mr. JOHANSEN. I appreciate that. I will say too that I trust the gentleman understands a little bit of the distrust that some of us on the legislative committee have toward the bureaucracy.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Iowa, to the amendment offered by the gentleman from South Carolina.

The question was taken; and on a division (demanded by Mr. Gross) there were—ayes, 20, noes, 67.

So the substitute amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

### AMENDMENT OFFERED BY MR. JONES OF MISSOURI

Mr. JONES of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Jones of Missouri: On page 2, line 15, strike the period and insert a semicolon followed by "such rules and regulations to become effective after approval by the chairmen and ranking minority members of the Armed Services Committees of the House and Senate."

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. JONES of Missouri. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. We accept your amendment.

Mr. JONES of Missouri. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. Jones].

The amendment was agreed to.

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Chairman, we have all listened now to a lot of interpretations concerning what Premier Khrushchev meant when he talked about the Soviet moon program on October 28. I would like to point out that most of the interpretations which have been enunciated thus far have come from those with no direct connection with, or responsibility for, the space program. I have taken the trouble to look up the exact transcript of Mr. Khrushchev's remarks and I heartily commend it to the attention of every Member of House. A careful reading of what Mr. Khrushchev actually said, to my mind, does not indicate that the Soviets are cutting down on their own space program; it does not indicate that they are not heading for a manned lunar orbit in the near future; it does not indicate that they are abandoning any part of their original plans.

Let me make one other point. The fact that we have not heard much lately concerning any deep space efforts on the part of the Soviets does not at all mean that they have not been attempting them. We can be pretty certain that they have been making a number of complex attempts which in one way or another have not succeeded. They, like ourselves, have run into a very advanced technical area where the developmental going is rough. Very possibly they are having enough scientific and engineering troubles to keep them relatively quiet.

Mr. Speaker, the precise comments of Chairman Khrushchev follow:

> Journalist Leopold Vargas, of Colombia asks: Can you tell us whether a flight to the moon by Soviet cosmonauts is planned for the not too distant future?
>
> KHRUSHCHEV. It would be very interesting to take a trip to the moon. But I cannot at present say when this will be done. We are not at present planning flights by cosmonauts to the moon. Soviet scientists are working on this problem. It is being studied as a scientific problem and the necessary research is being done. I have a report to the effect that the Americans want to land a man on the moon by 1970–80. Well, let's wish them success. We shall see how they will fly there, how they will land on the moon and, more important, how they will start off and return home. We shall take their experience into account. We do not want to compete with the sending of people to the moon without careful preparation. It is clear that no benefits would be derived from such a competition. On the contrary, it would be harmful as it might result in the destruction of people. We have a frequently quoted joke: He who cannot bear it any longer on earth may fly to the moon. But we are all right on earth, to speak seriously, much work will have to be done and good preparations made for a succesful flight to the moon by man.

Mr. Chairman, I want to reiterate what I have said on this floor many times, that in sending a man to the moon we are doing so not because we are in competition with the Russians or anyone else but because this program is designed as a part of the scientific facet of the exploration of outer space. The information we develop from this program will be used in that exploration. I for one am not ready to see the leadership in this field surrendered to the Russians.

The **CHAIRMAN**. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. THOMAS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8427) to provide for the establishment and maintenance of a Central Intelligence Agency retirement and disability system for a limited number of employees, and for other purposes, pursuant to House Resolution 543, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The **SPEAKER**. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

If not, the Chair will put them en gros.

The amendments were agreed to.

The **SPEAKER**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER**. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

## RETIREMENT OF LINDSLEY H. NOBLE

Mr. **GARY**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. **GARY**. Mr. Speaker, on the last day of this month Mr. Lindsley H. Noble will retire from his position as Deputy Assistant Postmaster General and Controller of the Post Office Department. When Mr. Noble joined the Post Office Department on September 1, 1955, as its first Deputy Controller, the Post Office Department was then in the process of modernizing an accounting system it had used virtually without change for many decades. Under his leadership and guidance, the Post Office Department has made tremendous strides in developing a modern accounting system that is equal to any in Government. He will leave his mark on the financial planning and accounting of the post office—a mark that may well be there for a long time to come. His contribution to the accounting system of the post office stems from a long and broad background of accounting experience in various agencies of Government. This background has enabled him to bring that experience to bear upon the many problems confronting the Post Office Department in realigning its accounting system.

Mr. Noble is a certified public accountant and a graduate in accounting and business law from the Walton School of Commerce in Chicago. His professional affiliations include the American Institute of Accountants, the Federal Government Accountants' Association, and the National Association of Cost Accountants. His professional experience includes work as a member of the professional accounting staff of the Office of Price Administration and with the Tennessee Valley Authority. From 1947 to 1952 Mr. Noble served as Comptroller and Assistant Comptroller of the Atomic Energy Commission. He left that position to become Comptroller of the Panama Canal Company, which position he retained until joining the Post Office Department in 1955. During World War II he was finance and accounting officer in France for the American Friends Service Committee in a wartime relief program of the Quakers, of which he is a member.

The Federal Government Accountants' Association honored Mr. Noble in 1960 by awarding him their distinguished leadership award for his outstanding Government service.

As chairman of the Treasury-Post Office Subcommittee of the House Appropriations Committee I have had an opportunity to observe Mr. Noble's exceptional ability. He was an unusually well informed witness whenever he appeared before our committee and showed a remarkable knowledge of the entire operations of the Post Office Department.

The Federal Government will lose a very capable and highly effective official of government when Mr. Noble retires. His capability, leadership, and dedication have set a lasting example of service to his Government for those who follow him in the Federal service. I wish him health and happiness in a well-deserved retirement.

## AN AMERICAN TIMETABLE FOR SPACE CONQUEST

Mr. **EDMONDSON**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. **EDMONDSON**. Mr. Speaker, American history was founded and sustained by our determination of democratic self-rule with no foreign intervention in our internal affairs.

Within the last few days, a subtle attempt has been made by Chairman Khrushchev to influence American activity in the area of the U.S. space program.

Khrushchev's recent statement that at the present time Russia is withdrawing from the manned moon flight competition has led some individuals to say that America must also cut back and slow down its plans to achieve space superiority.

This is no time to withdraw our efforts at a lunar landing. More important, this is no time to permit the Soviet Union, through its devious pronouncements, to dictate American policy. Such American reactions can only lead to a policy of defeat.

Roscoe Drummond's column in today's Washington Post strikes at the heart of this matter. The columnist points out that "the overriding reason to keep NASA dynamically at its job and in high gear is not to beat the Soviets to the moon but to achieve preeminence for the United States in the mastery of outer space."

It is American preeminence in military, technological, and social matters that has made us the leader of the free world. Preeminence in space is a must for the United States.

Mr. Drummond graphically sums up what is at stake for the United States if we let Khrushchev influence our internal policies:

> If for any reason, whether through lethargy, trickery, or indifference, we concede preeminence to the Soviet Union on the way to the other planets, we will be conceding preeminence to the Soviet Union on this planet. If we do not make it our priority objective to achieve mastery of outer space, we will not be first to the moon, we will not be first in space, and the time will come when we will not be first on earth. Then the problem of

the other unfinished business on the agenda of a better peace will really be secondary; then the unfinished business will be survival under the worst of all conditions.

I for one believe that Americans and not Russians are the best judges of whether or not it is worthwhile to continue our efforts at gaining and maintaining superiority in space. I hope no Member of Congress will be influenced by Khrushchev's newly declared position on the moon race.

## BILL TO RAISE SALARIES

**Mr. SILER.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

**Mr. SILER.** Mr. Speaker, most of us have read in today's papers about the bill which soon will emerge from the House Post Office and Civil Service Committee providing $10,000 congressional salary increases.

The bill also provides salary increases for Federal and postal workers. I dislike to vote against needed increases for some of these workers but I will certainly do so if the bill incorporates $10,000 increases for Congressmen.

The proposal for congressional salary increase amounting to $10,000 annually is unscrupulous, unnecessary, untimely, unpatriotic and downrightly detrimental to the best interest of our great country.

This bill would rob the widows, orphans and pensioners of our Nation because it would put momentum behind the deadly spiral of inflation. It would compel Congress to accede to every pay increase demand of every group in America. Congress would no longer have any discretion in such a matter. The accusing finger of each demanding group would say, "You did it for your fat selves. How can you turn down my thinly clad children?" And Congress could not. It would have no discretion whatever.

Every great civilization of history has floundered upon the rock of selfishness and personal rapacity on the part of its leaders.

How can we adorn ourselves in self indulgence and luxurious living in the face of the many everyday needs of our people living out there in every congressional district throughout the land? I hope every Congressman who votes for this bill will be haunted by the stinted faces and scantily clad figures of thousands of his constituents who subsist right now not on $22,500, not on $10,000, not on $5,000, but on less than $2,000 throughout all America.

I hope many of you will join with me in demanding a rollcall on this measure.

I hope a hundred thousand letters of immediate protest will come this way in a great deluge from Maine to Montana and from Lansing to Louisiana imploring and demanding that all Congressmen think twice or perhaps 10 times before approving this selfish bill that will be saturated with destruction for this land we love, this United States of America.

**Mr. HAYS.** Mr. Speaker, I ask unanimous consent to address the House for 1 minutes and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

**Mr. HAYS.** Mr. Speaker, I want to say to the gentleman who just preceded me, Mr. Siler, of Kentucky, that I think I am going to offer an amendment which will make it possible for him to vote for the bill. I am going to offer an amendment to set the congressional salary at a minimum of $5,000 and a maximum of $35,000. At the beginning of each Congress each Member can come in and sign a certificate saying he thinks he is worth *x* number of dollars, and that is what he will be paid. Those Members who do not think they are worth over $5,000 can be accommodated and those of us who really perform up to the maximum can also be accommodated.

## REPUBLICAN ATTEMPTS TO DESTROY INSTITUTIONS OF THE SOUTH

**Mr. FULTON of Tennessee.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Tennessee?

There was no objection.

**Mr. FULTON of Tennessee.** Mr. Speaker, it came as no surprise to me to learn, distasteful as it was, that a leading candidate for the 1964 Republican presidential nomination would like to sell the Tennessee Valley Authority to private power interests. This is Republican thinking. The people of the Tennessee Valley region do not take kindly to this type of thinking but they understand it, considering the source.

However, the Republicans are now attempting to destroy another institution of the people, a grand institution of the South which is loved across the Nation and throughout the world. Mr. Speaker, I am forced to report the Republicans are attempting to destroy or manipulate for their own partisan purpose, the Grand Ole Opry from Nashville, Tenn., my hometown.

This invidious plot came to light last night in a news report which appeared on page 1 of the Washington Star and I include the pertinent portion of this story with my remarks at this point:

### "KO the Kennedys": GOP Swinging Hard To Win Mississippi

(By Paul Hope)

Jackson, Miss., October 29.—Mississippi Republicans are mixing Goldwaterism, anti-Kennedyism, racism, and the Grand Ole Opry to give the Democrats the first hard run they've had in a gubernatorial race since reconstruction days.

If the Democrats aren't running scared they're at least walking worried toward Tuesday's election.

"KO the Kennedys" is the Republican cry.

"A two-party system in Mississippi would end our way of life," is the slogan of the Democrats who also are campaigning against the Kennedys.

#### POLITICS NOT IN SEASON

The Republicans think they can win. It would be hard to find anyone to put money on it, though.

But win or lose, the hard-working Republicans, who are really converted but unreconstructed Southern Democrats, are giving Mississippi a big boost toward a two-party system.

Fall in Mississippi isn't the time of year for politics. The Democrats usually have things settled long before now in their primaries, and the thoughts of Mississippians are on cotton, corn, Ole Miss football and whom to put up for Miss America next time. But this year things are different.

Above the noise of the delta cotton gins processing one of the State's best crops in years can be heard the campaign oratory of Republican Rubel Phillips, a handsome and articulate, 37-year-old Jackson attorney.

At night the strains of the Grand Ole Opry comes floating out from the courthouse lawns, beckoning the county folk with familiar tunes and some new words:

"Rubel, Rubel, we've been thinking
What a fine land this would be
If all the Kennedys were transported
Far beyond the Arctic Sea."

Mr. Speaker, this attempted character assassination of the Grand Old Opry through implied political affiliation is one of the most heartless acts of political skulduggery I have ever encountered.

The Grand Ole Opry is an honored family institution. It does not now, nor has it ever had, any political affiliation.

Mr. Speaker, I resent this deceitful attempt by the Republicans to associate themselves with the Grand Old Opry for petty political purpose. I resent it for the people of Nashville. I resent it for the Grand Old Opry, its artists and its stars. I resent it for the people of the South and I resent it for country music lovers, Democrat, Republican or Independent, across the Nation and throughout the world.

## OUR FOREIGN POLICY

**Mr. LIBONATI.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include a report with miscellaneous matter and tables.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

**Mr. LIBONATI.** Mr. Speaker, the American Colonies, from the very birth of the Nation as a Republic, had difficulty in formulating a foreign policy. As a matter of fact, in the true sense of the term, we actually did not establish what could be called a foreign policy until the Monroe Doctrine was enunciated to the world.

The travels of our first plenipotentiary—Benjamin Franklin—was sent to England to plead our cause. And, later, to Paris. From 1776 to 1777, he alone completed the Franco-American Alliance as a popular ambassador of goodwill; he procured arms and finances from King Louis XIV of France. This episode could be our first venture into foreign relations with another power. Later, in 1783, with John Adams and John Jay, represented the United States as the Peace Commission.

During the War of 1812, we enjoyed the help and aid of France. Our importance as a nation was recognized through the foreign policy of France honoring our mutual friendly relations.

The Civil War did not add to our stature—it seemed that all of the European nations were awaiting the capitulation of the Union. England would then return to foist upon us her colonial yoke.

The Spanish-American War brought us into the circle of nations. It was the beginning of our recognition as a National Power, and the acceptance of our importance in international relations with the leading nations of the world. Our foreign policy had sputtered out here and there. Admiral Perry, opening the ports of China and Japan to commerce—President Theodore Roosevelt, with the Big Stick, vibrant for U.S. expansion into world markets and the Panama Canal incident.

Certainly, World War I gave us some insight into the iticracies of diplomacy and the establishment of foreign policy—at Versailles—President Wilson learned the heartaches of pursuing a constant and loyal force for peace—and the League of Nations, and finding our friends across the table wielding an unfriendly pen.

Whether political shades of judgment disagree—it was President Franklin Delano Roosevelt who formulated the present U.S. foreign policy, and its effects have saved the freedom-loving nations of the world. We have acted with continued consistency and followed his basic American established principles. They were, in essence, followed by Presidents Truman, Eisenhower, and Kennedy.

To the glory of the American image—no nation recipient of our aid in restoring their dignity as a nation has forgotten it. The restoration of bankrupt governments and the rebuilding of the economies, through the ECA and the Marshall plan, foreign aid, International Loan Bank, our alliances, including the U.N.-support of Laos, Vietnam, Korea, Okinawa, Germany, Greece, Iran, Taiwan, Thailand, Philippines, and so forth, has gained the respect of all.

NATO continues in military aid. The American frontier has moved east and west from our shores to Europe and Asia, respectively. The ruling powers of yesteryear—England, France, Italy, West Germany, and the United Kingdom, are no more. Only the United States and Russia remain in that category, with China, potentially, a near-great power.

The most important future issue is disarmament. President Kennedy, Dean Rusk, Governor Harriman, Governor Stevenson, Vice President Johnson, and Gov. G. Mennen Williams, have made every effort and continue to follow through, at every opportunity of a final settlement of the obstacle, to a council table arena of peace—the unification of the two Germanys, permitting the withdrawal of our Armed Forces on the Rhine, and the disintegration of a decaying Berlin wall. But, even if the hope for a disarmament agreement became a fact, and mutual friendly relations toward the West, a reality—the methods of negotiating its intricate operation and plans of its structural organization and systems of control, would meet serious, and, seemingly, insurmountable, obstacles.

Europe, in a quarter of a century, has changed—Stalin, Mussolini, and Hitler are gone. The issues, forces, and problems have changed with the upheavals and dismembering of empires as a result of World War II. The foreign policy of the United States must remain so flexible as to meet headon, in a few hours, the requirements of the shifting ideologies of nations and their leaders. Diplomacy, alone, can light the powderkeg that would destroy the peoples of the world in a matter of hours. A cautious and wary foreign policy may be the right one, today—and a stern, pugnacious, unbending, and coldly realistic policy, tomorrow. The ambitions of nations, as of men, must be curbed or cultivated as the issue unfolds itself. The doctrine of amelioration in treating with our enemies, or friendly nations, has kept the world from total hot war. To be sure, a cold war does not warm the cockles of the heart of humankind, but, an atomic war means extermination of millions of the human race. Patience is the watchword and fortitude and courage, without fear, the status quo of our defense. Our Nation, as a leader of the nations of freedom, stands prepared for any emergency under arms, and eager for any consultation for talk before action.

An analytical treatment of the subject of the foreign policy of the United States recently appeared in the Washington World (issue of October 28) as to the adequacy or inadequacy of the policy of the United States, by Representative BRUCE ALGER, of Texas, and Representative ROBERT N. C. NIX, of Pennsylvania. Each, in his own inimitable way, has approached the subject from a different viewpoint. These two estimable gentlemen have propounded interesting and challenging issues on the subject. Both of our distinguished colleagues have opened provocative vistas of thought in their masterful presentation of their views.

I, herewith, submit the articles for the RECORD.

### DOES THE UNITED STATES SUFFER FROM AN INADEQUATE FOREIGN POLICY?

YES

(By Representative BRUCE ALGER)

(NOTE.—BRUCE ALGER, Republican, of Texas, is known as one of the truly outspoken conservatives in the House of Representatives. He is equally well known for saying "No" only after offering a suitable alternative.

(He was a World War II bomber pilot and now is a member of the powerful Ways and Means Committee, one of whose chores is to find means to help pay for America's foreign aid program. Before coming to Congress in 1954, he was active in business and in Dallas politics.)

The whole world is suffering today because of a basic infection—communism. The infection is spreading mainly because the United States has no policy in dealing with it. The total lack of a firm, understandable foreign policy is perhaps the greatest of the failures of the Kennedy administration.

In almost 3 years as President, John F. Kennedy has shown less understanding, has been guided by more misinformation, and has made more tragic failures, than any of his predecessors.

Nowhere has his failure been more costly than in foreign affairs. Because the President, either through ignorance or by design, has failed to meet the challenge of communism, Soviet imperialism has gained strength and has spread its influence more rapidly than at any time in the past. In spite of the sorry record of what happens when we try to deal with the Communists, the Kennedy administration is going to even greater lengths in "accommodating" the Soviet Union.

To understand better the probable results of further deals with the Communists, we should review how the growth and spread of the world sickness, communism, has been helped by appeasement, deals, trusting unwisely, indications of weakness, and the lack of a firm policy.

At Yalta, Teheran, and Potsdam, Roosevelt and Truman courted Joseph Stalin in the belief we could trust his allegiance after winning the war. Some of the results of the deals made at that time: a divided Germany and the encirclement of Berlin; the enslavement of free Poland, Czechoslovakia; Communist control of the Kuril Islands which set the stage for the present Communist influence in Asia; the death of free Cuba.

President Kennedy stood by while the Communists constructed the Berlin wall, even though this violated a number of agreements, including the basic right of free access.

The inability of the Kennedy administration to face up to Communist aggression in Cuba has resulted in the loss of a once-free nation, the establishment of an enemy military base within shooting distance of the United States, and a training ground and embarkation point for saboteurs and subversion throughout Latin America.

The recognition of a divided country in Vietnam gave the Communists a stronghold in North Vietnam and now American boys are fighting and dying in a war the Kennedy administration refuses to call a war.

Recognition of Communist control of North Korea resulted in war and 133,000 American casualties, humiliation and defeat for the United States, and increased prestige and strength of communism throughout Asia.

Our efforts to accommodate Soviet Russia in the setting up and operation of the United Nations made it possible for the Russians to have their own man as head of the military secretariat continuously, even during the Korean war, when Russia was openly supporting the enemy the U.N. was fighting. The Soviet Union has used the veto to sabotage the peace of the world, to block investigations of Russian aggression and to contribute to the rise of socialistic and communistic nations.

#### A POLICY OF INDECISION

Finally, through drift, lack of policy and indecision, the administration has put us in the position of accepting a test ban treaty that poses grave danger to our defense and security and Kennedy spokesmen are now doing their best to sell the American people on increased trade and even credit arrangements with the Soviet Union.

This chronology of our inability to map a foreign policy sufficient to meet the Communist challenge doesn't even take into consideration the whole ridiculous history of foreign aid through which billions of American taxpayer's money has been poured into waiting hands around the world, friend or enemy, with no strings. In many cases we have used our wealth to strengthen Communist countries, create Socialist economies, and aid neutrals who are neutral only in support of U.S. self-interest, but far from neutral when there is an opportunity to side with the Soviets.

To win the cold war and to make freedom secure in the world, it is long past time that we come to grips with the problem and effect an understandable and firm foreign policy.

### THE NATION'S NEEDS

It is imperative that the United States: (1) Recognize the world's sickness as communism. (2) Isolate the sickness, label it and refuse to deal with it. We should understand clearly that communism is based on Godless materialism and in any deals in which Godless materialism is engaged with the God-fearing, the evil will sabotage the trusting. (3) We should accept the challenge of the all-out war the Communists have declared on the free world. (4) We should stop supporting and aiding Communists, Socialists, and neutrals. We should provide foreign aid only to our friends and then on a self-help basis through loans with definite arrangements for repayment, and through our technical know-how to enable other countries to do for themselves those things they determine are in their self-interest. (5) We should withdraw recognition of Communist governments, brand them the outlaws of civilization they have proved themselves to be. We should not dignify them by negotiations and deals.

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## DOES THE UNITED STATES SUFFER FROM AN INADEQUATE FOREIGN POLICY?

### NO

(By Representative ROBERT N. C. NIX)

(NOTE.—ROBERT NIX, of Philadelphia, a member of the House Foreign Affairs Committee and its Subcommittee on Africa, is considered by his Democratic colleagues as an outstanding member of both committees.

(Schooled in New York and Pennsylvania, he graduated from the University of Pennsylvania Law School and served in several State legal capacities.

(He was elected to Congress in 1958 and has served there since.)

This question undoubtedly arises from the tendency of critics of American foreign policy to oversimplify problem situations and alternatives in our foreign relations.

The fact that these critics fail to see the whole picture leads them to conclude hastily and erroneously that we do not have a foreign policy. They contend that we are operating without regard for any focus of objectives and actions, without any substantial degree of coordination. Their error is a function of their self-limiting frame of reference—the individual problem situation.

If one attempts to comprehend and criticize our foreign aid program, or our participation in the United Nations, or our nuclear weapons program, the constructive approach would be to consider these in proper prospective rather than as isolated decisions and actions. Likewise, it is not proper nor fruitful to attempt to assess our relations with the Soviet Union, Cuba, Vietnam, Honduras, or France on a strictly bilateral or unilateral basis since they are a part of our total foreign policy.

### THERE IS A FOREIGN POLICY

The existence of a foreign policy of the United States is impossible to deny with any degree of validity or truth. This policy, first, is organized around the national interests of our country on the basis of several stated and generally agreed-upon objectives. Second, it reflects the fact that our relations with individual countries are shaped, as well as possible on our part, by those interests and objectives. Third, the basic policy is supplemented by specialized programs designed further to facilitate the attainment of objectives deemed to be in the national interest. Fourth, the policy which emerges is the product of having made the best conceivable use of contemporary international circumstances and national resources.

Our foreign policy, then, is not merely a unilateral response to a particular crisis but it is a reflection of past experiences, present conditions, and future expectations viewed in the context of political realism.

In the broad sweep of American history, our foreign policy has revolved around different interests and objectives at different times. Isolationism from Europe and New World expansion characterized the pre-1900 period. The extension of American private interests and influence outside the Western Hemisphere was a central feature of the period between 1900 and the end of World War II. Since then, the United States has been preoccupied with reshaping world politics in line with its firm commitments to defend the freedom and integrity of its own people and those of a major portion of the world.

Some critical realities exist today which are consequences of the emergence of new power elements on the world scene while former ones have declined. A new power structure, judged by different criteria than before World War II, reflects the undisputed rise of the Soviet Union and Communist China to positions of prominence in world affairs. The separate blocs of nations associated with the Western and Soviet camps and the host of uncommitted nations also are parts of the total picture to be drawn from the stark realities of contemporary international politics.

The United States has to deal with these elements, although it does not compromise its posture or subordinate its interests to them. We face, too, a new set of "rules of the game" which we have helped to determine in view of new tools and techniques of dealing with dynamic international situations and movements.

Out of all this, the United States has developed a coordinated and constructive approach to foreign relations. That approach represents the collective wisdom and determination of the Presidents of the last several administrations, the Secretaries of State, a bipartisan majority in both Houses of Congress, a host of nonpartisan advisers and critics outside the Government, and a resourceful aggregate of private organizations which concentrate on making constructive contributions to the evolution of foreign policy.

### NO APPARENT DIVISION

There is no sharp dichotomy to be drawn which permits a judgment that we do not have a foreign policy, or that it is a "no-win" rather than a "win" policy, that it is a "soft" rather than a "hard" policy. Ours is a firm policy, centered in promoting the national interest within the context of political realism as it relates to world politics. It is dynamic and flexible and, above all, it is permissive of the widest range of favorable alternatives.

A distinguished fellow Member of the House of Representatives, Representative BRUCE ALGER, of Texas, has authored an argument on the other side of this question which is published on the previous page. I urge the reader to evaluate both his statement and mine in a critical manner, regardless of the reader's predisposition to agree or disagree with one or the other of us.

I urge that this evaluation stress careful examination of the positive as against the negative elements of the two arguments. Consider, for example, whether either article views foreign policy in its totality or whether there is negative criticism of "bits and pieces" of foreign policy without any effort to relate what is criticized to a coordinate policy.

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## REPORT 4: KOREA

Mr. LIBONATI. Mr. Speaker, in this series of reports submitted, Representative Roland V. Libonati of Illinois, Chairman; Representative John M. Slack, Jr., of West Virginia; Representative George E. Shipley, of Illinois; and George A. Wrian, Appropriations Committee aid; and Col. William D. Lynch, U.S. Army, escort officer at the invitation of the Secretary of the Army Elvis J. Stahr, Jr., visited several countries of the Orient, and Alaska, to study field operations, modernization, availability, training programs, including contributions of the services to the American image, the reaction of the people to American intervention and interest, the philosophical, historical, and social background of these states, together with a study of their economy, problems, and attitudes toward the Western nations.

We are fully cognizant of the fact that lack of appropriate space in the CONGRESSIONAL RECORD and the security rules of classified material prevent a full discussion of the facts and information imparted to us through our genial and distinguished host, General Meloy and his staff in the long briefing.

We cannot praise too highly the splendid services rendered to the group by our distinguished escort officer, Col. William D. Lynch. His constant vigilance and extraordinary abilities and experience in the trials and problems of travel and his profound knowledge in military science, reorganization, and modern operations were invaluable to us.

The United Nations Command at Seoul represented by Gen. G. S. Meloy, Jr., Commander in Chief, and the U.S. Ambassador Samuel D. Berger, whom the Koreans respect and admire warmly, greeted us at Kimpo Air Base, Korea.

Our visits with Byeng Koun Bak, ROK Minister of National Defense and Prime Minister Kim Hyun Chul were interesting and informative.

We were observers during the Army tests, accompanying General Meloy, Lt. Gen. Harvey H. Pischer, and Maj. Gen. Chester A. Dahlen, Infantry Division commanding general at a point overlooking site of attack by 1st Battle Group, 31st Infantry. The briefing on the missions of the 9th Cavalry was given by Lt. Col. Stanley Y. Kennedy, commander of the 9th Cavalry.

After maneuvers—the command was very considerate in grouping the servicemen hailing from our States—I had the honor of greeting Pfc. Garret A. Tansley, of Maywood, Ill., Sp4c. Irvin Jones, of Chicago, Ill., and Pfc. Robert L. Parker, Danville, Ill., members of the 1st Battle Group, 31st Infantry, 7th Infantry Division on the field. It was like home week for me and these patriotic defenders of our Nation from my beloved State. The other members felt elated too.

Our meeting with Lt. Gen. Herbert B. Thatchen, Chief of Staff, and Ambassador Samuel D. Berger at General Meloy's office added much to the kindness of our visit.

We were briefed for hours by the officer specialists on different phases of the organization, training, and field operations of our Army, Marines, Navy, and Air Corps; yet under circumstances beyond our control and for security reasons, the classified material of the discourse and the interrogations presented by our group cannot be divulged for common consumption. But it is sufficient to say that the high caliber of the officers and the acute intelligence of the men trained in their military talents have given us, the American people, the most powerful and efficient military force in the world—the Korean officers and men are of the highest quality of any troops in the Western Pacific.

At the Yongsan Military Reservation in Seoul, we learned of the terrific military impact of the concentrated effort there of the contributions of our military leaders to the development of the military strength in Korea.

It is unfortunate that General Meloy received his retirement in July, for he is not only a distinguished soldier but truly a leader of men—loved and respected by his soldiers and beloved in the hearts of the Koreans.

One of the most thrilling experiences was the review of the 8th U.S. Army honor guard in honor of our visit. It was a great honor paid to us—standing beside General Meloy as the honor guard passed in review before us. The ceremony was a touching one that we will never forget. Our party with great humility thanked the general and his staff to be so graciously honored.

The problems of Korea have been with us for nearly two decades. Her internal political strife has warped her progress in developing economic independence. Her industries built by the United States suffer because of a complete lack of industrial leaders to direct and manage its productive operations. The military are in control and because of their lack of business proficiency, results are unsatisfactory.

The United States has extended every effort in dollars and expert advisers to give impetus to the commercial and business enterprises of the Korean economy but it still is engulfed in a stagnant dead center. Its economic and political troubles are of a historical heritage. For centuries Korea has been the victim of marauding conquerors suffering bloodshed, slavery, and privation. The Korean peninsula, extending 500 miles in length, lies open to attack and accounts for her turbulent history.

In Seoul, the capital, the political giants and military rulers dominate the life and future of the laborious thousands who seek to eke out a living. The farmers in the villages work their rice paddies from morning till dusk praying for an abundant rice crop—the difference between starvation and a meager living.

If honest political leadership would become assertive in dedicating their work to the public interest and foster needed reforms to promote the welfare of the 26 million people in an established democracy—only then would the nation prosper.

The Korean war, 1950–53, fought to seal off Communist aggression, cost the United States 54,246 American dead and 103,284 wounded. Further, millions of dollars of U.S. investment after World War II were destroyed in the conflict. The United States has invested $5.4 billion in military and economic aid—otherwise South Korea's status as a government would have failed.

The funds that were advanced by the United States to stabilize the economy have been diverted to feeding, clothing, and housing the impoverished population—thus diminishing the sums intended for investment in plants and equipment.

The strong 600,000 army also costs millions of dollars—but both our and their military leaders have to their credit perfected a military force that could be compared in strength and devastating power to the best armies in the world. The Korean soldier is a loyal patriot schooled in the art of war. We watched as observers their training—on bayonet runs, in guerrilla operations, mass formation drills in the field and dropouts while airborne—we were proud of their display of courage and efficiency. After all, these men are fighting on our side; otherwise, thousands of our soldiers, needed on other fronts, would be quartered here, and necessarily added thousands of American youths would be drafted to be trained for military duty for replacement.

The Korean troops—called ROKS—and the name is highly descriptive, have engaged in all sorts of construction work—the material furnished by the United States—barracks, mess halls, and various structures needed by the personnel.

The old type thatched (reed) roofed barracks were an insult to human beings. The reed-stacked roofs and walls were nests for all types of vermin. The wooden, rough hewn, boxed beds with straw and reed sacked bags were no comfort to hard trained soldiers in sun burnt fields all day long. During heavy rains the water would seep through, washing down on the men. Deaths and serious injuries would occur upon the collapse of the heavy-laden roof structure—which happened regularly. There is still need for new army barracks throughout the command.

The few new structures that were built were designed by the Army engineers and are a compliment to the American command that made these improvements possible.

We visited the observation posts facing the enemy (at the 38th Parallel demarcation line). The skills of manpower and millions of hours spent in tunneling hills to protect their freedoms; the many corridors and approaches to the firing, supply, quarters, kitchens, and detachment rooms throughout the positions are a revelation of man's ingenuity. It was a real stirring experience to look out of the firing slits with cannons and firing pieces in place for immediate action against the enemy. Men always on the alert.

The enemy must have known we were there—UNC Commander in Chief Gen. Guy S. Melony, Jr., who accompanied us, said that the music and propaganda emitted through their loudspeakers were always activated when visitors attended the diggings. We have only to look back to the end of World War II when open warfare broke out between Chiang Kai-shek and the Communist forces of Mao Tse-tung. The United States, through the Marshall mission, tried to promote a consolidation of all political sectors, including the Communists, and when frustrated, withdrew support from Chiang Kai-shek and placed an embargo on military aid to the Kuomintang regime, as to whether it was due to Soviet military aid to the Kuomintang or other aspects of Soviet and United States policy. In any event, the net result was that the Chinese Communist Party seized control of the mainland of China with the withdrawal of Chiang to Taiwan—Formosa.

The Chinese Communist intervention against the United Nations forces in Korea led by the United States is a bitter memory in United States-Red China relations. The U.S. policy of "leashing" the forces of Chiang Kai-shek on Taiwan was instituted when we refused Chiang's offer to send troops to Korea. At the same time we warned Mao against attacking Taiwan. This policy with variations has been followed ever since. President Kennedy stated—June 27, 1962—that the administration supports the policy of ex-President Eisenhower which had called for Communist China's agreement "to the mutual renunciation of the use of force" in the Taiwan area; in the event of aggressive action against Quemoy and Matsu the United States would take action necessary to assure the defense of Taiwan and the Pescadores as provided for in the Taiwan resolution adopted by Congress in 1955.

The prolonged Korean truce negotiations resulted in agreements about truce inspections which the Communists have consistently evaded; in agreements against military buildups which they immediately violated; in agreements to exchange military prisoners which the Communists have never carried out.

The political hubbub in Korea since World War II could be likened to a tug of war—the outs slugging the ins to succeed in gaining access to the public till to practice the corruption of those in power. Thus this lust for power does not contribute much to the realization of the establishment of the democratic principles of a democracy.

The students of Korea smashed the Sygman Rhee government and the military another, but no true leadership resulted in these changes.

Gen. Chung Hee Park headed the military regime for 2 years—with really no significant or startingly results. The dictator type of government divorces the interest of civilian politicians—especially the corrupt strain.

U.S. pressures resulted in the recently held elections. General Park was elected by a not-too-comfortable majority. His reforms promised the people, if carried out, a substantial contribution to a stable economy and the establishment of democratic principles in government.

General Park as chairman of the military junta ruled Korea for 2 years. Premier Kim Hyun Chul announced the return to civilian government this fall. General Park in his campaign for the presidency listed his accomplished public reforms as chairman.

Korea now enjoys diplomatic relations with 60 countries—an increase of 39.

The nation has passed through a religious reformation and civic reforms—closing of vice lairs, improved sanitation, rehabilitation of dwellings, and the removal of rubbish and the debris of war-torn areas; all types of construction including factories, businesses, and homes.

The educational facilities of the country expanded the contributions to the strength of the economy by increasing factory production—exports increased to double the previous exports. The farmers for the first time received aid, improving their financial status.

The balloting for the national assembly will be held in November.

### THE REVIEW OF THE KOREAN ECONOMY AS TREATED IN THE KOREAN REPORT

Although Korea suffered economic setbacks in 1962 due to raises of indirect tax rates and railroad freight charges, unsatisfactory economic circulation caused by the currency reform and the refund of illicit fortunes, and the shortage of electric power due to drought—the total value added by the manufacturing industry reached 37.2 billion hwan, an increase of 23.9 percent over 1961 current prices and over 16.1 percent over 1961 constant prices.

The factors that contributed to this increase resulted from the tightened ban on sales of specific foreign products, prohibiting the import of specific items, the lowering of rates on electric power for small- and medium-scale business, the releasing of fiscal funds and bank funds for credit to relieve a stagnant condition of small business. The other policies that stimulated basic industries were the establishment of the Investment Information Center and the enactment of the law concerning the payment of foreign loans and the special measures law concerning the introduction of foreign investments, the establishment of the Trade Promotion Corp., and the preparation of various construction plans for major basic industrial plants including an integrated steel works with a 310,000-metric-ton capacity—pig iron—a year, an oil refinery, a fertilizer plant, and thermal plants and other related industrial plants—all part of the Ulsan industrial complex.

Also the setting up of the industrial standardization 5-year plan to standardize 300 kinds of industrial products, the Government designated 40 more model small and medium enterprises in addition to the 10 already designated in 1961. The Korea Productivity Center was commissioned to conduct business management analysis and management guidance for these model enterprises.

A responsible operating system and independent account settling system were set up for Government-controlled enterprises by means of legislating the budget accounting system, thus unifying the accounting system.

The Korea Productivity Center and the Korea Business Management Research Center and several other domestic business management research institutes in a study and analysis of business management resulted in an adjustment of the financial structure and improvement in profits.

The major industrial plants constructed during 1962 under these modernized government policies were:

The Honan fertilizer plant, started May 1958 and completed December 1962, capacity 85,000 tons of urea a year, together with the Chungi fertilizer plant being constructed for completion next year, capacity 200,000 metric tons, will produce 40 percent of nitrogenous fertilizer needed for national demand. The investment of $27 million in foreign exchange and 1 million won represent the costs of construction. Its thermal power plant is capable of producing 25,000 kilowatts in excess of its needs—some 7,000 kilowatts—for power consumers in the Cholla Provinces.

Meanwhile the second kiln of the Inchon flat glass plant was started September 1960 and completed February 1962, with an annual capacity of 250,000 cases of flat glass. The plant addition cost $780,000 in foreign exchange and 30 million won in domestic funds and went into operation November 1962.

The Saenara automobile assembly plant, capable of turning out about 2,000 automobiles a year, was completed at the end of August last year, 5 months after the initiation of construction. It has the ultimate goal of meeting domestic demand for automobiles exclusively with domestically made ones.

Also, the Korea plywood plant, which will contribute to expansion of exports, was completed in December, 10 months after construction was initiated. It required $170,000 in foreign exchange and 30 million won in domestic funds and will be able to produce 3.6 million sheets of plywood a year.

An additional plant of the Sinhan bearing manufacturing plant, the only bearing producer in Korea, was completed in December with 30 million won in domestic funds, thus doubling the capacity of the company, in accordance with the increasing domestic demand for bearings.

The Taejon plant of the Taewon Paper Mill Co., aimed at substituting the importation of kraft paper used for manufacturing paper bags to hold sugar, fertilizer, cement, and other industrial products, was completed and test operated in December. It has annual capacity of producing 6,000 metric tons, and required $550,000 in ICA funds, $100,000 in government dollar holdings and 80 million won in domestic funds to build.

The Korea art papermill, constructed with $125,000 in ICA funds, went into operation from October. It has an annual capacity of 2,000 metric tons and produces high-grade printing paper for the first time in this country.

Moisture-proof tinfoil is being produced at a monthly rate of 10,000 reams by the Samjin aluminum plant which was constructed with $30,000 in ICA funds, $15,000 in foreign exchange, and 8 million won in local funds.

The Sampoong papermill, which produces newsprint, concluded a contract with Eascher Wyss Co. of West Germany for the receipt of a loan amounting to $292,000 for the expansion of its facilities to an annual capacity of 4,000 metric tons.

The progress status of the construction of major industrial plants outlined in the 5-year plan is as follows:

*Trends of changes in annual manufacturing production index*

| | Value added | 1961 | 1962 | Change, percent | Change in 1961, percent |
|---|---|---|---|---|---|
| Manufacturing index | (100) | (104.3) | (121.8) | (+16.8) | (+4.3) |
| Foods | 9.8 | 109.9 | 105.7 | −3.8 | +9.9 |
| Beverages | 4.2 | 105.1 | 99.2 | −5.6 | +5.1 |
| Tobacco | 4.1 | 108.6 | 121.2 | +11.6 | +8.6 |
| Textiles | 23.4 | 91.2 | 105.6 | +15.8 | −8.8 |
| Wood and cork | 5.7 | 93.5 | 111.5 | +19.3 | −6.5 |
| Paper and paper products | 3.1 | 122.3 | 145.4 | +18.9 | +22.3 |
| Printing and publishing | 4.8 | 80.9 | 99.7 | +23.2 | −19.1 |
| Leather and leather products | .4 | 123.0 | 126.2 | +2.6 | +23.0 |
| Rubber products | 5.8 | 94.7 | 99.9 | +5.5 | −5.3 |
| Chemicals | 5.9 | 120.2 | 142.1 | +18.2 | +20.2 |
| Petroleum and coal products | 3.0 | 137.3 | 160.9 | +17.2 | +37.3 |
| Glass, clay, and stone products | 9.0 | 99.8 | 130.6 | +30.9 | −.2 |
| Base metals | 2.9 | 85.6 | 119.2 | +39.3 | −14.4 |
| Metal products | 3.1 | 107.7 | 134.1 | +24.5 | +7.7 |
| Machinery | 2.8 | 145.9 | 199.7 | +36.9 | +45.9 |
| Electric machinery | 1.3 | 134.9 | 248.8 | +84.4 | +34.9 |
| Transportation equipment | 3.2 | 146.8 | 148.2 | +1.0 | +46.8 |
| Miscellaneous | 7.5 | 101.2 | 144.0 | +42.3 | +1.2 |

As mentioned above, the Honam fertilizer plant, scaled at an annual production capacity of 85,000 metric tons of urea, went into test operation in December.

However, although an agreement has been reached with USOM authorities as to the kinds of fertilizer to be produced by, and the scale of, the third fertilizer plant—165,000 metric tons of urea, 100,000 metric tons of ammonuium superphosphate, and 55,000 metric tons of potassium chloride—imported—no decision has been made as to the source for procurement of foreign investment.

No consent has been obtained from AID authorities for a plan proposed for doubling the capacity of the Chungju fertilizer plant to a scale of producing 85,000 metric tons of urea a year.

A construction contract was concluded with the Fluor Co. of the United States for the establishment of an oil refinery to be scaled at processing 9.3 million barrels of various kinds of petroleum products a year, simultaneously with the establishment of the Korea Oil Corp. However, a plan for the supply of various kinds of petroleum products and for additional expenses is still undecided and the construction of the oil refinery did not go into full swing within the year, although the primary and secondary ground-leveling work was finished in Ulsan Industry Centre.

Approval was obtained from DLF authorities for the construction of a soda-ash plant scaled at an annual production capacity of 28,700 metric tons, but approval is being awaited from the same authorities for an application filed for changing the site of the plant.

The promoter of a straw-pulp mill, whose construction was planned with a total anticipated scale of an annual production capacity of 15,000 metric tons, was not selected due to problems pertaining to the collection of raw materials, transportation, storage, and technology. But a loan contract scaled at $617,000 was concluded by the Samyang Paper Mill, which was selected as the promoter, with the Escher Wyss Co., of West Germany, for the construction of a semichemical pulp mill with an annual production capacity of 7,500 metric tons.

As for cement plants, whose market demand is increasing by 7 to 11 percent every year, a plan foresees the completion of the construction of three cement plants in 1964 with a total investment of 16.7 million in foreign exchange and 890 million won in domestic funds. By 1965 the national capacity of cement is expected to be boosted by 950,000 metric tons over that of the present capacity and ground-leveling work for the construction of the three cement plants was completed during 1962.

A newly integrated steel works under the principal argeement of November was not established because the Korean private promoter was not decided. The works is scaled at an annual production capacity of 310,000 metric tons of pig iron but the construction was interrupted at the ground-leveling stage.

### MANUFACTURING PRODUCTION INCREASES DESPITE MANY AFFECTING FACTORS

Due to increases in indirect tax rates for some consumer goods effective the beginning of 1962, an unprecedented increase in production occurred at the end of the previous year in order to stockpile the commodities at a cheaper price. Consequently production activities slowed down at the beginning of the year as the demand for stockpiling disappeared.

However, from March, production activities gradually recovered a sound tendency because of the activated production activities for substituting imports following measures aimed at banning the sales of specific foreign goods and the import of such items, expanded financial support including the release of small-medium industry loans, and so forth, and the gradually increasing demand of both urban and rural areas for consumer goods. Thus, in May, the index number of manufacturing production reached 129, or 4.2 percent over the level of December of 1961.

Nevertheless, in June, when an increase was previously expected in production with the demand-increasing season, the index decreased to 119.7, a decrease of 9.3 percent from that of May, because of the blocked financial circulation and a decrease in the demand for consumer goods following the Emergency Currency Measure—currency reform—enforced in the same month, and the deteriorated supply of electric power.

However, because of the normalization of currency circulation following the defreezing of frozen deposits on July 13 and an increase in export demand for some items for covering the decrease in inventory during the currency reform, the index increased on a large scale in August, reaching 130.3, slightly higher than that of May, the peak before currency reform.

The stagnation of production caused by the currency reform was recovered earlier than expected because of the continued effect of the increasing tendency before the currency reform, the continued production of some large-scale enterprises with raw materials in stock, and the immunity of special demands such as those of the government including military procurements from the effect of the currency reform, in addition to the reasons explained above.

Such production activities, which started to mark a rising course with August as a turning point, continued to increase after September in many fields, because of various favorable demand conditions, an increase in general demand due to seasonal demand for winter goods, in addition to a favorable supply condition, that is, the satisfactory supply of imported raw materials, thus indicating an index of 133.6 at the end of the year, up 7.9 percent from the end of 1961. This was record high figure. Thus, the annual average production index showed an increase of 16.8 percent from that of 1961.

To break down such production activities by various industrial fields, textile and rubber industries, which showed declining tendencies during the past several years, increased 15.8 percent and 5.5 percent respectively, and saw milling, printing, and metallic industries which were inactive in 1961, each recorded about 20-percent increases. Decreases were noted in the production of food and beverages because of the increased commodity tax rates.

In addition, a high production increase rate of 84 percent was recorded in the field of electrical machinery manufacturing, and noteworthy progress was also made in basic and import substitute industries.

With the full-swing operation of a 160,000-metric-ton-capacity rotary kiln and a 180,000-metric-ton-capacity rotary kiln additionally installed in the previous year respectively in the Mungyong Cement Plant and in the Samchok Cement Plant to meet the increased demand owing to activated construction projects, the production of cement reached 790,000 metric tons in 1962, 10 percent more than the annual capacity—720,000 metric tons—thus covering 85 percent of the total estimated national demand for cement—930,000 metric tons of ordinary portland cement, excluding special portland cement used for military supply or dam construction.

The production capacity of flat glass was doubled to 500,000 cases, but the actual production decreased by 16.3 percent from 1961 because of the storage of 134,000 cases carried over from the previous year, and a decrease in the domestic demand for flat glass. Nevertheless, the second kiln of the Korea Flat Glass Co. went into operation from late in November, with the expected exports of 15,000 cases—worth about $100,000—to the United States and with the prospects for the export of about $35,000 worth of flat glass to South Vietnam following the conclusion of a trade agreement with that country. However, in order to develop this industry as an export industry, measures should be taken for subsidies to cover high production cost and for the achievement of a more efficient management.

In contrast to a decrease in production in the previous year, the textile industry which constitutes the largest single segment of the nation's industry, showed a production increase of 15.8 percent in 1962. The operation of this industry had been kept inactive until April due to the interruption of the issuance of cotton cloth for wages to National Construction Service workers and the decreasing demand resulting from the enforcement of the austere life and the refund of illicit fortunes, but a high rate of operation was maintained from May due to the domestic procurement of all military uniform materials, an increase in export demand and increasing demand in rural areas, especially for cotton products, because of improved rural income. Therefore, the production of cotton yarn and cotton cloth increased by 18 million pounds each. In addition, nylon materials, whose domestic demand increases by 30 percent a year, was produced in a total quantity of 20 million yards, about four times the production of 1961, by means of using thin yarns and responding to local tastes. However, the production of worsted yarns decreased by 980,000 pounds.

Thus, cotton textiles including cotton materials and silk, whose export records reached $941,000 and $2,730,000 respectively in 1961, became highlighted in this report year as export items, as their exports reached $3,083,000 and $4,419,000 respectively, due to increase in exports to the United States and Italy.

Owing to the Government's policy for a better living pattern, including encouragement campaigns for the use of flour, the production of wheat flour reached 328,000 metric tons, up 56 percent compared with 1961, but flour milling facilities were operated at only about 36 percent of their maximum capacity, 920,000 metric tons.

Meanwhile, the production of artificial ice, takchu (crude rice wine) and soft drinks increased, while other foods including alcoholic products and liquor showed decreased production due mainly to the sharp raise in indirect tax rates.

The sugar refining industry, which is one of the major industries depending on aid and holds excessive facilities along with flour milling, produced 54,000 metric tons, down 6.17 percent from 1961, thereby indicating a low operating rate of 22 percent of the full capacity of the existing facilities.

During the year, only three sugar refineries operated while four others were out of operation. Therefore, the sugar refining industry is expected to face continued inactivity unless problems pertaining to its markets are solved through such methods as processing exports or increasing domestic demand.

The paper milling industry maintained a rather stable growth rate during the past several years as an import substitute industry, and produced a total of 76,000 metric tons of paper, up 16.5 percent during 1962. However, the production of ribbed kraft paper decreased.

Newsprint, which is the most important item among all paper products, was produced in a total quantity of 38,000 metric tons, up 15.2 percent compared with 1961. This was because of the positive support of the Government's press policy, although the forest protection law was a big handicap to the supply of timber, the key raw material of newsprint.

The best quality woodfree paper, which had not been produced at all in this country until 1957, was produced in a total quantity of 17,000 metric tons, up 29.8 percent, thus showing a surplus status for the first time.

As explained above already, the production of kraft paper reached 9,687 metric tons, up 91 percent, due to expanded facilities.

Production of the chemical industry increased 18.2 percent following an increase in 1961, mainly because of an increase of 12 percent in the production of carbide, which expanded because of the active operation of plants other than the large Puksam chemical plant, which did not operate in 1962.

The increase was also partly attributed to an increase of 44.4 percent in the production of industrial explosives required for national construction projects, an increase of 25.6 percent in the production of urea fertilizer because of the improved operation of urea fertilizer plants, an increase of 47 percent in the production of soap due to the improved supply of tallow, increased demand, and so forth.

An increase of 84.4 percent in the production of electrical machinery resulted from an increase of 97.4 percent in the production of transformers due to renovations carried out by the Korea Electric Co., a large-scale increase in the production of electric power distribution equipment including fluorescent lamps, the increased production of dry batteries with regard to military supply, and the increased production of radio sets influenced by the campaign to send radios to rural areas.

In other fields, despite raised prices, an increase of 8.6 percent was recorded in the production of tobacco and its products following an increase of 11.6 percent in 1961, because of the strengthened control of foreign tobacco products.

Although the Samhwa Steel Works, the nation's only pig iron producing plant, was not operated throughout this year due to financial difficulty, the overall production of metal products increased by 24.5 percent. Responsible was the increased production of electrolytic copper, steel bar, steel wire, etc.

### PRODUCTION CAPACITY INCREASES FOR UREA FERTILIZER AND FLAT GLASS

No great increase was noted in overall production capacity except in the fields of urea fertilizer and flat glass.

As for the operating rate of existing facilities, the manufacturing facilities of flat glass, sugar refining, alcohol, canneries, paint, nails, etc., were operated at a level below 30 percent as in previous years. However, the production facilities of cement, steel ingots and electric copper were operated in excess of the production capacity, and the overall operating rate of all manufacturing plants reached about 63 percent of the entire production capacity, indicating a rather great increase as compared with 1961.

As the urea fertilizer and flat glass plants, whose capacity was doubled during this report year, started operation or were fired toward the end of the year, little actual production records were achieved from those additional facilities.

However, industrial plants constructed with foreign aid showed an operation rate at about 70 percent, higher than that of old facilities. Thus, the operating rate of manufacturing industry during this report year increased by about 7 points compared with 1961:

*Production capacity and operating rates of principal manufacturing products*

| Item | Unit | 1961 | | | 1962 | | |
|---|---|---|---|---|---|---|---|
| | | (A) Production capacity, estimated | (B) Production | Operating rate B/A (percent) | (A) Production capacity, estimated | (B) Production | Operating rate B/A (percent) |
| Canned goods | 1,000 metric tons | 35.0 | 7.6 | 21.7 | 35.0 | 5.4 | 15.4 |
| Refined sugar | do | 246.0 | 64.3 | 26.1 | 246.0 | 53.6 | 21.8 |
| Wheat flour | do | 902.0 | 210.6 | 23.3 | 902.0 | 328.1 | 36.4 |
| Alcohol | 1,000 sok | 490.0 | 172.3 | 35.2 | 490.0 | 108.0 | 22.0 |
| Cotton cloth | 1,000,000 square yards | 267.0 | 133.0 | 49.8 | 267.0 | 150.6 | 56.4 |
| Cotton yarn | 1,000,000 pounds | 147.6 | 97.4 | 66.0 | 148.0 | 115.7 | 78.2 |
| Worsted yarn | do | 12.2 | 5.6 | 45.9 | 14.4 | 4.7 | 32.9 |
| Rayon cloth | 1,000,000 square yards | 65.2 | 55.2 | 84.7 | 65.2 | 60.8 | 93.3 |
| Newsprint | 1,000 metric tons | 36.0 | 32.7 | 90.8 | 38.0 | 37.6 | 98.9 |
| Wood-free paper | do | 16.4 | 13.9 | 84.8 | 19.0 | 16.9 | 88.9 |
| Rubber shoes | 1,000,000 pairs | 70.0 | 40.9 | 58.4 | 70.0 | 51.3 | 73.3 |
| Sneakers | do | 32.0 | 12.6 | 39.4 | 35.0 | 12.5 | 35.7 |
| Motor vehicle tires | 1,000 each | 300.0 | 160.2 | 53.4 | 300.0 | 179.2 | 59.7 |
| Rubber belts | 1,000,000 inch-ply | 108.8 | 26.0 | 24.6 | 110.0 | 37.7 | 34.3 |
| Oxygen | Cubic meters | 2,100.0 | 1,402.0 | 66.8 | 2,460.0 | [1] 2,250.0 | 91.5 |
| Soap | 1,000 cubic meters | 67.0 | 23.5 | 35.1 | 69.0 | 33.1 | 50.0 |
| Explosives | do | 4.8 | 2.5 | 52.1 | 4.8 | 3.6 | 75.0 |
| Paint | do | 18.0 | 3.5 | 19.4 | 18.0 | 5.0 | 27.8 |
| Urea fertilizer | 1,000 metric tons | 85.0 | 64.7 | 76.1 | 85.0 | 81.3 | 95.6 |
| Caustic soda | do | .9 | .7 | 77.8 | 2.5 | 2.3 | 92.0 |
| Cement | do | 720.0 | 522.8 | 72.6 | 720.0 | 789.7 | 109.7 |
| Flat glass | 1,000 cases | 25.0 | 309.7 | 123.9 | 500.0 | 259.2 | 51.8 |
| Fire bricks | 1,000 metric tons | 55.0 | 16.4 | 29.8 | 55.0 | 24.8 | 45.1 |
| Pig iron | do | 64.0 | 9.1 | 14.2 | 64.0 | ---------- | ---------- |
| Steel ingots | do | 69.0 | 46.7 | 67.7 | 69.0 | 72.1 | 104.5 |
| Steel bars | do | 100.0 | 34.0 | 34.0 | 100.0 | 41.9 | 41.9 |
| Electrolytic copper | do | 2.2 | 1.3 | 59.1 | 2.2 | 2.2 | 100.0 |
| Nails | do | 20.0 | 5.4 | 27.0 | 20.0 | 4.6 | 23.0 |
| Uninsulated electric wire. | do | 3.5 | .7 | 20.0 | 3.5 | 1.6 | 45.7 |
| Bicycles | 1,000 each | 200.0 | 53.1 | 26.6 | 210.0 | 86.0 | 41.0 |
| Pencils | 1,000 gross | 860.0 | 374.0 | 43.5 | 860.0 | [1] 260.0 | 30.2 |

[1] Indicates estimate.

### INDUSTRIAL FINANCE SYSTEMIZED TO BACK INVESTMENT AND PRODUCTION

In order to support investment and production activities of manufacturing industry, banking institutions (including the Reconstruction Bank) newly granted $2.3 billion won in equipment funds and $22.1 billion in operating funds during 1962. Thus, the average monthly outstanding amount of loans reached $23.3 billion won, up 26.5 percent compared with 1961.

While equipment funds increased only 7.6 percent, operating funds showed an outstanding amount of $14.4 billion won, up 41.8 percent.

Thus, the ratio between equipment funds and operating funds was 38 percent to 62 percent, the proportion of operating funds increasing by 7 points compared with 1961, when the ratio between the two was 45 percent to 55 percent.

### TRADE PROMOTION EFFORTS REWARDED WITH RECORD EXPORT

The status of exports, one of the major factors of demand for industrial products, for this report year is explained as follows:

Due to such positive export promotion measures taken by the Government as enforcement of the export subsidy system and the barter trade system, the establishment of a bonded processing center, the legislation of laws and decrees for the promotion of exports, etc. In addition to the activation of domestic production activities, major industrial products were exported in an increased quantity.

Raw silk was exported to the United States and Italy in an amount of $4,419,000, up 62 percent and 64 percent.

Plywood and cotton materials were exported to the United States in amounts of $2,780,000 and $1,496,000 respectively, up 11.3 percent and 64 percent.

Wider markets were explored in Singapore, Thailand, Britain, Japan, and Hong Kong, for the export of agar-agar, thus exporting amounts worth $1,455,000, up 22.5 percent.

Canned food was exported in an amount of $404,000, up 208 percent, due to the development of markets in the United States, while tobacco was exported in an amount of $75,000.

However, herb medicines including ginseng extract, whose exports reached $653,000 in 1961, dropped to $143,000 due to the shrinkage of oversea markets.

CONTRACTS CONCLUDED OR APPROVED FOR INTRODUCTION OF FOREIGN INVESTMENT

During 1962, contracts for the introduction of foreign investments were concluded or contracts were approved to be concluded in a total amount of $28,829,000 in 14 cases. In the field of Government loans, a contract was concluded with AID authorities for the introduction of a loan amounting to $4,250,000 for the construction of a cement plant scaled at an annual production capacity of 150,000 metric tons. As for private foreign loans, contracts were concluded in a total amount of $21 million in 11 cases. Of the amount, $12,924,000 will be used for three projects outlined in the plan, two cement plants and a semichemical pulp mill, and $8,076,000 will be spent for the construction of eight plants such as an electrical machinery plant, a textile plant, soluble phosphate fertilizer plant, newsprint mill, high-speed ice plant, and so forth.

As for the introduction of technology, 11 cases were approved for the payment of royalty, ranging between 1 to 10 percent of sales, mainly pertaining to pharmaceutical and cosmetic manufacturing.

The following is the text of the congratulatory address delivered by Chairman Chung Hee Park at the Seoul Stadium ceremony in commemoration of the 18th Liberation Day and 15th anniversary of the founding of the Republic of Korea, August 1963:

> Beloved patriots and fellow countrymen. On this day, the 18th anniversary of liberation, recalling the joy and stirring memory of national liberation with all patriotic countrymen, I dedicate my prayers to the souls of numberless patriots who shed their blood to fight Japan and achieve the freedom and independence of the fatherland, and to the fallen U.N. men and officers who assisted us.
>
> This third anniversary of Liberation since the May 16th revolution is indeed meaningful in view of our difficult realities, with the task of transferring power to civilians ahead of us. In this national celebration we should resurrect our emotions and aspirations of 18 years ago today, providing a memorable moment in which we may reaffirm our resolution to construct a glorious tomorrow.
>
> In retrospect, national liberation, which we welcomed 18 years ago with emotion and rapture, did not, unfortunately, give us, the Korean people, a new history of progress and glory. By imposing upon us another misfortune and tragedy, that of national division, liberation bequeathed us a new task, unification of South and North Korea. The democracy of Korea, which was transplanted onesidedly in an immature political climate, was distorted and misused in innumerable instances.
>
> Chronic political depressions and poverty resulted, and finally necessitated two revolutions, April 19 and May 16. Particularly, the obstinate desperation and aggressive savagery of the Communists greatly obstructed the democratic construction of the fatherland, and listless politics of this country, fraught with confusion and retardation, brought about, in the name of democracy, extensive injustice, corruption, and economic waste.
>
> However, instead of regretting or denying, from ornamental pretense or negative logic, the inevitability of the revolution which the dark past of ours necessitated, we must discover a new turning point in national reconstruction in the midst of these overwhelming ordeals.
>
> Beloved people. In the course of various reforms during the postrevolutionary 2 years I have voiced upon a number of occasions new aspirations and convictions for the democratic reconstruction of Korea and its prompt economic development. All the policies aimed at realizing this have been resolutely carried out and the results have been, I am sure, epochmaking.
>
> However, added to the numerous hindrances that have beat us, the natural disasters of the past year dealt a big blow to our economy and impeded the accomplishment of the revolutionary tasks.
>
> But I want to assert that though our revolutionary achievements have not ripened completely, they have, nevertheless, suggested a new direction in reconstructing a new Korea, in achieving independence and autonomy upon the basis of troubled history. It is an undeniable fact that a firm foundation for national reconstruction has been provided. Consequently, the various reforms of the revolutionary government for the reconstruction of Korean democracy and economic independence should be carried on by the new civilian government. I earnestly hope that the revolutionary ideals of May 16 shall be faithfully and thoroughly respected.
>
> Beloved people. Since liberation we have had the appearance of an independent nation, but have not achieved economic independence. Moreover, political corruption, tied with a purposeless aid-receiving posture, crippled the industrial structure of this country and drove the nation into a state of misery, almost despair. These inconsistencies of the Korean economy are clearly reflected in our present economic realities which are threatened with unprecedented natural disasters and ordeals notwithstanding the progress of the Five-Year Economic Development Plan. Fortunately this temporary period of trial is being gradually overcome thanks to the sincere cooperation of our ally, the United States of America, and the united efforts of the government and the people.
>
> We must work out a basic solution to the Korean economy. Our economic independence is absolutely impossible without a far-reaching economic reform like the 5-year economic plan. I emphasize again that for such a bold economic reform, a new awakening of the nation's political leaders, and the people's awareness of the economic possibilities are of utmost importance. Liberation from poverty by means of economic independence is the way to foster our strength to defeat communism and achieve unification, the perfect way to achieve national independence.
>
> Next, I want to mention our present task of rebuilding democracy. Without exaggeration, our past constitutional history may be said to have wavered between two extremes, violent oppression of freedom and disorderliness from an excess of freedom. We cannot ask for the revival of a degraded democracy, unaccompanied by self-discipline and responsibility. That which is most urgently required of us is the establishment of a democratic process which can insure stability and efficiency under a new civilian government. To insure rapid economic progress, political stability, and administrative efficiency are of utmost necessity. I call upon you, the people, once again to devote yourselves to the democratic reconstruction of the fatherland with a sound understanding of free democracy.
>
> The birth of the Third Republic will occur through a general election to be held this autumn. As I have declared many times before, the revolutionary Government will, as its final contribution to the May 16th revolution, accomplish this historical task by holding the most exemplary and fair election in our constitutional history. In exercising this sacred democratic right, useless suspicions and injustice, present in past elections, shall not be permitted.
>
> If each voter exercises his basic right wisely from an objective viewpoint with insight as to the past, present, and future, and if the Government does its best to guarantee and protect the exercising of this basic right, it is certain that the democratic government which we want surely will be born.
>
> If, today, at this important historical point, all of us, the Government, politicians, and the people, really feel our mission and perform the tasks which history demands of us, we shall not repeat the shame of national sufferings, the worrying about injustice, about dictatorship and about corruption.
>
> Today, ruminating on this joy and emotion of national liberation, I assure you, once more, that this historical task shall be accomplished successfully with firmness of faith in democracy, positive participation, objective and wise supervision, and judgment.
>
> The memory of our martyred patriots shall direct us. The new democratic civilian government will, I firmly believe, realize without fail our prayers for a national renaissance.

The United States recently announced a supplemental aid program for $15 million, some $10 million less than was submitted by the Korean Government. Seventy-five million was previously budgeted for the fiscal year by the United States.

The scandals during his recent administration—attempt to control the stockmarket, the $5 million playground Walker Hill investment for tourist trade, and corrupt profit squeeze on the Japanese contract purchase of taxicabs by Koreans—brought forth a pledge of honest investigation and that any corruption would be revealed in the courts.

The Korean military leaders are now fearful that if the United States gets tough and withholds aid the people will topple General Park's regime. But now that a civilian regime is in office, elected by the people, the United States has informed General Park of his obligation to accomplish these aims; namely, a progressive economy and respect for democratic rule and promulgate the rights of the people.

General Park is a talented leader, loves his people and understands that the United States is purely desirous that he advance the fortunes of his nation so that it can take its place of independence among nations as a people of a stable government with credit based on a progressive and steady economy.

After all, we sent our troops to safeguard the freedom of her people against Communist aggression—certainly we are pledged to maintain against internal proselytization and corruptive practices of their leaders. As long as we are there, Koreans will be kept a free people whether friend or foe decrees otherwise. The President of the United States has made our position clear—either a democratic rule or we cut aid in direct proportion that will not hurt the nation too badly militarily or in its domestic pursuits—but devise a withholding program that would bestir the populace to crashland the political regime in power. General Park knows that the United States and the other nations of the U.N. lost their sons on the bloody battle hills of the Republic of Korea—it was the cruelist war of modern times—inch by inch the lines advanced struggling for victory at the cost of thousands of lives. As long as the cold war continues, General Park realizes that the United States will hold the peninsula against all military odds—for it is the strategic stronghold for the protection of Japan and the free nations of the far western Pacific—the dependence of the Korean Republic on the United States adds to our many problems. It is the responsibility of General Park to help alleviate the terrific financial pressure on our people. He owes it to his own people to give them an honest, democratic government and raise their standard of living by stimulating the economy. Building a strong nation will stimulate the initiative of the people to greater gains in the economy and coupled with its present powerful army gain respect and acceptance in the circle of nations enjoying international trade and participation in the councils of the leading nations of the world.

The Korean conflict showed the communistic world that the nations of the U.N. were adamant in their determination to stop the encroachment of their armies upon the states that were freed in East Asia. The easygoing, kindly, carefree traits of the average American were misconstrued as being the national image of our people. History records how mistaken our enemies were in this concept. Seventeen nations furnished troops in this conflict. The United States shouldered the brunt of the fighting in engagements and strength of military units. The incidents leading to the conflict and subsequent developments are a matter of record.

The unnatural division of Korea into a northern and southern sector is a part and parcel of the Communist master plan to engulf the whole of Asia.

In Korea, World War II ended with the Soviet armies accepting the surrender of all Japanese troops north of the 38th parallel and the U.S. forces accepting their surrender south of the parallel. This temporary arrangement between the United States and Soviet military commanders was used by the Russians to create an artificial barrier and divide a country which had been unified for more than 1,300 years. The four-power pledge expressed at the Cairo Conference and in the Potsdam Declaration by the United States, the United Kingdom, the Soviet Union, and the Republic of China had assured a free and independent Korea.

Efforts by the free world adherents to the Potsdam Declaration during the years 1945–47 failed to achieve Korean unification. Agreement could not be reached even on the basic principles of procedure for discussing the integration of the two segments of the nation. The Soviet Union would not accept the principle of free elections for the establishment of a democratic, Korean government. Convinced of the futility of further direct negotiations, the United States submitted the entire Korean question to the United Nations General Assembly in September 1947. This world body of nations debated the Korean problem and in late 1947, adopted a resolution designed to provide a program for achieving a unified and independent Korea. The Soviet Union rejected the program. As a last resort, a commission established by the United Nations, unable to gain admittance to northern Korea, sponsored free elections in southern Korea in May 1948. From these elections emerged the Republic of Korea recognized today throughout the world, except by the Soviet bloc, as the only acceptable and legal government of Korea.

Any immediate hopes to unify Korea were shattered when the Soviet Union, countering the United Nations recognition of the government of the Republic of Korea, established a northern Korean puppet regime under the label "Democratic People's Republic of Korea" in September 1948. The frontier of freedom ended along the 38th parallel.

Early on June 25, 1950, the Soviet-trained, equipped and directed northern Korean military forces crossed the 38th parallel in great strength, on a wide front, and attacked the Republic of Korea. The United States had withdrawn its combat forces from Korea in June 1949, leaving only a lightly armed Republic of Korea militia to secure the southern area.

The United Nations Security Council, upon being informed of the unprovoked attack on the Republic of Korea, reacted quickly and adopted three resolutions in late June and early July 1950. The first of these resolutions called for an immediate cessation of hostilities; the second requested that the members of the United Nations furnish such assistance to the Republic of Korea as necessary to repel the armed attack and to restore international peace and security in the areas; the third prescribed that members providing military forces and other assistance make these available to a unified command to be established by the United States. Fifty-three nations responded to the United Nations request for assistance to the Republic of Korea; 16 nations furnished military forces.

The President of the United States, on July 8, 1950, acting on the Security Council's request, appointed General MacArthur as the unified commander. Thus the United Nations Command came into existence.

The United Nations Command destroyed the Korean People's Army in 1950, and in 1951 decimated the armies of the Chinese People's Volunteers which had illegally entered the Korean war. After 3 years of the most bloody fighting, the military commanders of both sides agreed to a cease-fire on July 27, 1953. The war failed, as had the joint United States-U.S.S.R. conferences, to unite a divided Korea either within the Soviet colonial orbit or as a member of the Free World community of nations.

The United Nations Command is still in Korea. A peace treaty has not been signed; an armed truce hangs uneasily over this divided country. The primary mission of the United Nations Command is to maintain the sovereignty of the Republic of Korea against Communist aggression and to ensure the continuance of the cease-fire agreement.

The purpose of this orientation is to acquaint you with the Armistice Agreement and the activities of the United Nations Command component of the Military Armistice Commission.

Limited in resources and, ultimately, objectives, the Korean war involved several million men in a bitter struggle of conflicting ideologies. At peak strength the United Nations forces in the field totalled almost three-quarters of a million men—about 400,000 South Koreans, 250,000 Americans, and 35,000 of other nations. In the 3 years of combat, U.N. forces sustained not quite half a million casualties. North Korean and Chinese Communists losses are estimated at 2 million men.

In addition to the sizable United States and Republic of Korea forces engaged, nations contributed ground troops to U.N. forces as follows: two United Kingdom brigades and one Canadian brigade—forming the 1st Commonwealth Division; Turkey—one brigade; Australia—two infantry battalions; Thailand, the Philippines, Colombia, Ethiopia, France, Greece, Belgium, the Netherlands—one infantry battalion each; New Zealand—one artillery battalion; Luxembourg—one infantry detachment; India, Denmark, Sweden, Norway, Italy—medical units. Some of these nations and others furnished naval and air contingents.

The phases of the war, the push and pull up and down the Korean peninsula, the alternating tides of fortune, are portrayed in the following pages of text by Maj. Martin Blumenson, USAR, a historian in the Office of the Chief of Military History, Department of the Army.

### OUTBREAK OF THE WAR, JUNE 25 TO JULY 13, 1950

North Korean troops crossed the 38th parallel early on June 25, in three major columns, the main one striking toward Seoul, invaded the Republic of Korea. The United Nations Security Council denounced the aggression, and 2 days later requested assistance to restore peace. President Truman ordered U.S. air and naval forces to support the ROK, then authorized use of ground troops, air bombardment of military targets in NK, and a blockade of the coast. Though gallant ROK defenders had temporarily held up the central thrust, elsewhere the ROK army was overwhelmed. Seoul fell on June 28, and ROK troops streamed southward in retreat. The U.S. 24th Division reached Korea from Japan, Task Force Smith (21st Infantry) making initial contact on July 5 with the enemy near Osan, 30 miles south of Seoul; then it fought delaying actions as the NK pushed south. The 25th Division arrived. Upon U.N. Security Council request, Truman appointed Gen. Douglas MacArthur Commander in Chief of the U.N. Command. By July 13 the North Koreans had overrun half of South Korea.

### PUSAN PERIMETER, JULY 14 TO SEPTEMBER 14, 1950

While U.S. personnel of KMAG worked to reconstitute the ROK Army (reduced to less than half its original 100,000 men), U.N. forces made a stand at the Kum River, lost Taejon on July 20, withdrew toward the Naktong. Holding the southeast corner of Korea, so desperately short of troops that

South Koreans augmented U.S. Army units in the KATUSA program, the U.N. forces fought a magnificent defensive battle. Three areas were critical: Pohang-dong, 63 miles north of Pusan on the east coast; Taegu, 55 miles northwest of Pusan on the main highway from Seoul; and Masan, 29 miles west of Pusan on the southern shore. Controlling additional forces—five ROK divisions, the 1st Cavalry Division (arrived July 18), 29th Infantry RCT (from Okinawa, July 26), 5th Infantry RCT (From Hawaii), 2d Infantry Division, and 1st Provisional Marine Brigade (from the United States), Walker shifted units to close off enemy penetrations. The British 27th Commonwealth Brigade arrived from Hong Kong and replaced the Marines, shipped to Japan for a pending operation. By mid-September, despite continuing NK pressure, EUSAK firmly held Pusan.

### SOUTH KOREA CLEARED, SEPTEMBER 15-30, 1950

While EUSAK fought the battle of the perimeter, MacArthur prepared an amphibious assault on Inchon to cut the main NK line of communications. Troops of the 1st Marine and 7th Infantry Divisions, under Lt. Gen. Edward M. Almond's X Corps, began to come ashore on September 15. Next day Walker launched a breakout attack from the perimeter. The ROK I and II Corps drove north, Lt. Gen. Frank W. Milburn's I Corps advanced northwest along the main highway to make contact with X Corps; later Lt. Gen. John B. Coulter's IX Corps advanced westward to clear the southwest corner of Korea. Outflanked at Inchon, their main communications severed, squeezed from the south, the NK forces disintegrated. On September 26, as the Inchon and Pusan forces made contact, U.N. forces recaptured Seoul. Reinforced by a battalion each of Filipino and Australian troops, with the 3d Infantry Division and a Turkish brigade soon to arrive, U.N. forces cleared South Korea of the enemy. By the end of September, ROK troops on the east coast again stood at the 38th parallel, while other units were driving toward it without difficulty.

### DRIVE TO THE NORTH, OCTOBER 1 TO NOVEMBER 25, 1950

Given authority on October 6 to pursue the defeated Reds across the 38th parallel and destroy them, U.N. forces drove north. The ROK I Corps advanced up the east coast. X Corps embarked at Inchon and Pusan for another amphibious assault. EUSAK's I Corps entered Pyongyang on October 19. The 187th Airborne RCT dropped 30 miles beyond. ROK's reached the Yalu at Chosan on October 26. X Corps landed on the east coast and pushed toward the Yalu. By the end of October the NK army had dissolved; 135,000 prisoners had been taken. But Chinese troops were striking overextended U.N. units. Though EUSAK consolidated along the Chongchon, X Corps reached the Yalu at Hyesanjin, ROK I Corps pushed into the northeast corner of Korea 60 miles from Siberia. The British 29th Commonwealth Brigade, a battalion from Thailand, and South African air units arrived in Korea. Victory seemed at hand when MacArthur announced on November 24 the final drive to the northernmost limit of the Korean peninsula. But within 24 hours the situation was to change with devastating suddenness.

### UNITED NATIONS RETREAT, NOVEMBER 25, 1950, TO JANUARY 24, 1951

The "entirely new war" opened November 25 when Chinese Communists forces struck and crushed ROK II Corps on the EUSAK right, next to the mountains separating it from X Corps. Two days later the CCF attacked X Corps around Chosin Reservoir, main EUSAK forces on the west coast, thereby threatening both with encirclement. EUSAK retired overland, covered by action at Kunu-ri, and established defenses below the 38th parallel to protect Seoul. X Corps fought a heroic 13-day battle to the east coast for seaborne evacuation along with ROK I Corps to Pusan. X Corps came under EUSAK, commanded by Lt. Gen. Matthew B. Ridgway after Walker's death on December 23. Dutch, Greek, Canadian, and French infantry battalions and New Zealand artillery augmented the U.N. Forces. Pushed back again by the Chinese in their New Year's offensive, the U.N. lost Seoul on January 4, Wonju during midmonth. When the CCF ran out of gas, Ridgway, with EUSAK's three U.S. corps on the left and the ROK Army on the right, was ready to pass over to the attack.

### UNITED NATIONS OFFENSIVE, JANUARY 25 TO APRIL 21, 1951

Ridgway's offensive, designed to damage the enemy rather than gain real estate, was a methodical, limited advance along a solid front developed from a reconnaissance in force into full-scale attack. Operations Thunderbolt, Killer, Ripper, and Rugged carried the U.N. forward. By February 10 forces on the left had taken Inchon and were within striking distance of Seoul. Forces in the center captured Wonju and were probing northward when the enemy struck in two places. The enemy reaction bent back the front and surrounded for 3 days the 23d Infantry (2d Division) and its attached French battalion at Chipyong-ni, where an outstanding action was fought. Enemy pressure relaxed along the front by February 19, and U.N. forces again advanced. A drive up the center outflanked Seoul, which came into U.N. possession again on March 15. An airborne assault on March 23 by the 187th RCT 20 miles northwest of Seoul proved the enemy in retreat. Ridgway succeeded MacArthur as CINCUNC on April 11, Lt. Gen. James A. Van Fleet becoming EUSAK commander. U.N. forces were advancing north of the 38th parallel virtually unopposed.

### CHINESE SPRING OFFENSIVE, APRIL 22 TO MAY 19, 1951

The Chinese attacked during early evening of April 22, and cracked the U.N. line in the center, near Hwachon. Rather than expend his troops in a defensive stand, Van Fleet ordered a step-by-step withdrawal to permit the full force of artillery and air to be brought against the enemy. A battalion of the British 29th Brigade, isolated and virtually overrun on April 23, fought a gallant battle. Though Van Fleet had hoped to anchor his withdrawal on Line Kansas, a series of positions across the Korean Peninsula generally just above the 38th parallel, enemy pressure pushed the U.N. south of the parallel after a week. The Canadian 25th Brigade arrived to bolster U.N. forces. The enemy rested, then launched a second offensive on the night of May 15, pushing back the U.N. right, striking on May 17 on the U.N. left. Putting out thousands of tons of artillery ammunition in what came to be called the Van Fleet load, EUSAK stabilized the front. By May 19 the enemy was at a standstill, and it was the U.N.'s turn to take up the offensive.

### UNITED NATIONS COUNTEROFFENSIVE, MAY 20 TO JUNE 23, 1951

Against generally light resistance the U.N. forces rolled forward. By the end of May the front was practically back on Line Kansas, and South Korea was again virtually cleared of enemy troops. Though the Joint Chiefs of Staff had limited EUSAK to the general vicinity of Kansas, local advances to gain more favorable ground were permissible. Van Fleet therefore ordered Kansas strengthened on June 1, while at the same time he directed attacks toward the Iron Triangle in the center and toward the Punch Bowl in the east. Though troops for the most part developed defensive lines, patrolled, and engaged in local skirmishes, violent action developed in these two areas, with the result that Van Fleet designated Wyoming in the Triangle area, along with Kansas elsewhere, as the main line of resistance. As the first year of conflict drew to a close, the fighting diminished, stalemate appeared, and political settlement began to seem preferable to military victory. When the U.S.S.R. delegate to the United Nations proposed on June 23 a cease-fire in Korea, EUSAK was well above the 38th parallel and ensconced on favorable terrain.

### LULL AND FLAREUP, JUNE 24 TO NOVEMBER 11 1951

With the Chinese indicating an interest in a truce, President Truman authorized Ridgway to negotiate with the enemy military command. Meetings began on July 10 at Kaesong with the understandiing that hostilities were to continue until the armistice was signed. Yet neither side wished all-out warfare while peace talks progressed, and the fighting decreased in intensity. The troops improved positions, consolidated ground, exchanged artillery fire, tried to capture prisoners, raided, and patrolled. A battalion each of Colombian, Belgian, and Ethiopian troops joined the U.N. forces. The two British brigades and the Canadian came together to form the British 1st Commonwealth Division. In August the truce talks broke down. Late that month the Battle of Bloody Ridge commenced. It developed eventually into the Battle of Heartbreak Ridge, which did not end until October 14. Ridgway persuaded the enemy to reopen negotiations at Panmunjom on October 10, but a misdirected U.N. air attack interrupted the meetings. Late in October negotiations finally resumed. Yet the fighting, though subdued, continued.

### STALEMATE, NOVEMBER 12, 1951, TO JULY 27, 1953

On November 12, Ridgway ordered Van Fleet to cease offensive operations. Warfare devolved into raids, local limited attacks, combat patrols, artillery fire. U.N. forces established outpost positions to screen the main defensive line, and sharp skirmishes occurred. Two National Guard infantry divisions (45th and 40th) arrived during December 1951 and January 1952, and the 1st Cavalry and 24th Infantry Divisions returned to Japan. Van Fleet retired in February 1953, and Lt. Gen. Maxwell D. Taylor became EUSAK commander. As the armistice negotiations entered their final and decisive phase in May, the enemy stepped up the action. Twice hostile forces struck, once in mid-June, again in mid-July, to erase bulges in the front. The U.N. forces recoiled, lost a few miles of ground, but inflicted great losses. The negotiators reached agreement on July 19, signed the armistice on July 27, and on that day, though the opposing forces remained in place, the warfare that had ranged up and down the Korean peninsula for 37 months ceased and perhaps came to an end.

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### HEADQUARTERS, UNITED NATIONS COMMAND, MILITARY ARMISTICE COMMISSION, APO 301—EXTRACT 70TH MEETING OF THE MILITARY ARMISTICE COMMISSION HELD AT MAC HEADQUARTER AREA, KOREA, MAY 31, 1956

The United Nations Command has made frequent formal requests in the Military Armistice Commission during these almost 3 years, most recently on February 25, 1956, that your side amend its behavior and comply with these provisions of the Korean Armistice Agreement regulating the introduction of combat materiel and equipment. Your side has failed to meet these demands and has given no indication of any intention to do so. It must therefore be concluded that your side intends to continue to default on its reporting obligations. It must be further concluded that your side intends to continue its practice of exploiting the unneutral conduct of the Czech and Polish members in vetoing embarrassing inspections, and that the Neutral Nations Supervisory Commission will continue to be unable to detect and disclose the illegal introduction by your side.

The Governments of Sweden and Switzerland have proposed repeatedly during recent months, to appropriate Czech, Polish, and Chinese Communist authorities, the withdrawal of the inspection teams to the demilitarized zone where both sides would continue to report to the Commission. This reasonable proposal has been rejected repeatedly by your side. Most recently, in its note of April 9, 1956, to the nations represented in the United Nations Command, the Chinese Communist regime took the position that this problem could not be solved until the problems of unification of Korea and withdrawal of troops are solved. Consequently, it has become necessary to invoke the remedies available to the United Nations' side to meet the situation created by the defaults to which I have referred. Your side, and also the Czech and Polish members of the Neutral Nations Supervisory Commission, have failed to carry out faithfully important provisions of the armistice agreement. Therefore, the United Nations' side, as a party to that agreement, is entitled to take steps necessary to protect itself from the consequences of such unwarranted conduct. Accordingly, you are no longer privileged to take advantage of these provisions of the armistice agreement which have been violated and frustrated by your conduct, and that of the Czech and Polish members of the Neutral Nations Supervisory Commission.

The United Nations side has exhibited the greatest caution and forbearance in this matter. We have pursued every other practicable alternative course to redress the situation. The course we must now adopt is carefully adjusted to the violations and frustrations, and to the burdens and injury involved, and is the least we must do to protect our legitimate interests under the armistice agreement by lawful, peaceful, and reasonable steps.

Because of these obstructions and violations of your side, and the conduct of the Czech and Polish members of the Neutral Nations Supervisory Commission and Neutral Nations Inspection Teams, the United Nations Command is hereby notifying your side, and the Neutral Nations Supervisory Commission and its subordinate teams at Inchon, Pusan and Kunsan, that the United Nations Command will provisionally suspend, during the time that your side continues in default, performance on its part of these provisions of the armistice agreement governing the operations in the area under the control of the United Nations Command of the Neutral Nations Supervisory Commission and Neutral Nations Inspection Teams.

You are informed that this suspension will be put into effect in about 1 week and the United Nations Command will expect withdrawal of the teams from the area to be effected at that time.

The United Nations Command is taking only such steps as are indispensable to protection of its rights under the armistice agreement. The United Nations Command continues to regard the armistice agreement as in force and limits its action to the particular suspension described above.

Finally, since for the reasons above stated, the Neutral Nations Supervisory Commission teams in the north have not been able to accomplish their purpose, we see no purpose in their remaining there.

### HEADQUARTERS, UNITED NATIONS COMMAND, MILITARY ARMISTICE COMMISSION, APO 301—EXTRACT 75TH MEETING OF THE MILITARY ARMISTICE COMMISSION HELD AT MAC HQ AREA, KOREA, JUNE 21, 1957

UNC

I have a statement to make. Almost 4 years have elapsed since the signing of the armistice agreement which ended the Korean conflict. The signatories of that document agreed to be bound and governed by a mutual application of the terms of the agreement.

With complete disregard for your obligations under subparagraph 13d of the armistice agreement, your side has continued to violate the provisions of that paragraph in the following particulars:

(1) You have introduced reinforcing combat equipment of the types referred to in subparagraph 13d in contravention of the provisions allowing only piece-for-piece replacement of equipment worn out and destroyed after the date of the armistice.

(2) You have also introduced combat equipment and weapons of entirely different types and capabilities from any you had in Korea at the time of the armistice.

(3) You have failed to report introduction of such equipment.

(4) You have introduced such equipment at ports of entry other than those specified in the armistice agreement.

The United Nations Command has again and again protested these violations by your side and has attempted in vain to have it comply with the provisions of the armistice agreement. All procedures established by the agreement for the settlement of disputes have been exhausted by the United Nations Command.

The United Nations Command intends to maintain the armistice agreement. However, the flagrant, repeated, and willful violations of that agreement by your side undermine the very provisions which were specifically designed to assure the stability of the military armistice. A cardinal purpose of these provisions was to insure the freezing of the military status quo by maintaining the relative military balance existing on July 27, 1953.

Your side, by its repeated violations of the armistice agreement, has seriously upset the relative military balance by modernizing the building up military capability in the area vastly superior to that which you had at the time the armistice agreement was signed. On the other hand, the United Nations Command, because of its scrupulous observance of the armistice agreement, has not increased its combat equipment and is still equipped with the same type of weapons it had at the time the armistice agreement was signed.

As a result of the long period of time since the armistice went into effect, the equipment and weapons of the United Nations Command have become obsolete and outmoded, and those needing replacement cannot be replaced from stocks on hand or currently in production. This situation aggravates the imbalance created by your breach of subparagraph 13*d* of the armistice agreement. The possibility that this situation would arise was not foreseen at the time the armistice agreement was negotiated and, indeed, it would not have arisen had your side proceeded to negotiate, within 3 months and in good faith a peaceful settlement as was contemplated by the armistice agreement.

In view of these facts and your gross violations of the provisions of subparagraph 13*d*, the United Nations Command considers that it is entitled to be relieved of corresponding obligations under the provisions of this paragraph until such time as the relative military balance has been restored and your side, by its actions, has demonstrated its willingness to comply.

The stability of the armistice and the maintenance of the relative military balance, which it was the primary purpose of these provisions of the armistice agreement to insure, can now only be restored and maintained by the replacement by the United Nations Command of its old weapons with new items currently available. The United Nations Command is taking appropriate steps to this end.

It should be clearly understood that:

1. The only purpose of the United Nations Command action is to restore the relative balance of military strength that the armistice was intended to preserve.

2. The United Nations Command emphasizes the fact that the replacement weapons are being deployed for defensive purposes only.

3. The United Nations Command intends as it has in the past fully to observe the cease-fire provisions of the Armistice Agreement. It intends also to observe all of the other provisions of the armistice agreement save to the extent to which it is entitled to be relieved from compliance because of your violations of subparagraph 13*d* and of those covered in its statement to the Military Armistice Commission of May 31, 1956.

(The authority for this statement: DEF 924655 and DEF 924736.)

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### ABBREVIATIONS

CINCUNC: Commander In Chief, United Nations Command.

UNC: United Nations Command.

EUSA: 8th U.S. Army.

FROKA: First Republic of Korea Army.

AA: Armistice Agreement.

AAD: Armistice Affairs Division, Headquarters UNC.

MAC: Military Armistice Commission.

UNCMAC: United Nations Command Component, Military Armistice Commission.

NNSC: Neutral Nations Supervisory Commission.

DMZ: Demilitarized Zone.

MDL: Military Demarcation Line.

JSA: Joint Security Area.

JOT: Joint Observer Team.

JDO: Joint Duty Officer.

KPA: Korean People's Army (Communist).

CPV: Chinese People's Volunteers (Communist).

KPA/CPV MAC: Korean People's Army/Chinese People's Volunteers Component, Military Armistice Commission.

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### ARMISTICE IN KOREA MARKED MORAL DEFEAT FOR THE WESTERN WORLD, GEN. MARK CLARK

(EDITOR'S NOTE: The following is an article written by Gen. Mark W. Clark, retired, who was commander in chief of the United Nations command and 8th U.S. Army at the time of the Korean armistice 10 years ago. The author is now president of the Citadel, the Military College of South Carolina, Charleston, S.C.

With the permission of North American Newspaper Alliance, Inc., which distributed this article, we are pleased to reprint it below for our readers.)

Ten years ago on July 27, 1953, at Munsan, Korea, I signed "Mark W. Clark, Commander in Chief, United Nations Command" to 18 armistice agreements negotiated at Panmunjom to terminate the war in Korea.

The Communists seemed to interpret our signing of the Korean armistice agreements as a signal for them to drive full-steam ahead, gradually taking over through subversive action additional areas of what we had considered the free world. Looking back over the era of Panmunjom, we can learn a great deal about this sinister enemy of ours that poses a challenge to our way of life which makes all other pale in comparison.

By the time I reached Korea in May of 1952 to become commander in chief, United

Nations Command, both the war and negotiations for an armistice were deadlocked completely. Moreover, it seemed to me that the aggressive spirit essential to victory had evaporated in Washington and the capitals of most allied countries contributing militarily to the Korean war.

### NO AUTHORITY TO WIN

In this, our first hot war confrontation with the Communist enemy, I was provided neither the military resources nor the authority to achieve victory. This early evidence that I would not be able to wage the total war necessary for decisive victory was the beginning of the disillusionment that precipitated my request for retirement from the Army immediately after signing the armistice agreements.

I retired to become president of the Citadel so that at this military college I could help develop the cream of America's manhood into the kind of courageous leaders, both civilian and military, that were so sorely needed 10 years ago, are needed today, and will be needed even more desperately in the years of conflict with communism that we face in the future.

My philosophy which had been ingrained in me since my youth was eloquently expressed by Gen. Douglas MacArthur when he said on April 19, 1952, "in war, there is no substitute for victory." My acquaintance with General MacArthur began when I was 14 and he was a first lieutenant in the engineers. He visited our house regularly in those days to call on my father, Charles C. Clark, then an infantry major at the Command and General Staff School at Fort Leavenworth, Kans.

Fortunately, I had an opportunity to call on the general in Tokyo while I was on an inspection trip to the Far East more than a year before I was assigned to duty in that area. His friendly and wise counsel, as he briefed me on Korea, was later of immense help to me in evaluating the situation I found there in 1952.

### PLAN FOR VICTORY

My conviction was that we should have won this war, our first test of arms with communism. After I was appointed commander in chief, Far East, I submitted a broad plan that would, in my opinion, have brought us victory with minimum losses in spite of the overwhelming superiority in manpower that the Communists enjoyed.

My plan called for full use of our hitherto restricted great air and naval power, which was technically tremendously more advanced than the practically nonexistent air and naval forces of the enemy. We could have employed these forces to attack his rear areas, the sanctuary from which he supplied his forces.

There was no doubt that victory secured by these means would have cost some American lives, but I was and still am convinced that winning would have cost far less in the long run than the losses we will have to sustain eventually in order to stem the tide of communism now lapping at our shores.

Pursuing a win policy in Korea would not, in my opinion, have enticed the Russians into the conflict or initiated world war III. Korea was not a battle area the Kremlin had selected for committing Russia's own troops, and the timing was not yet right by the clock on Red Square.

Once it was clear that we would not energetically seek complete victory, the advantages of an armistic were apparent. Even in the decelerated combat, which I called talking war, when we were discussing peace at Panmunjom and engaging in skirmishes and minor battles in a conflict nobody was endeavoring to win, there were casualties. U.S. casualties alone added up to 30,000 a year during this period.

Sustaining casualties at that rate was something we couldn't endure indefinitely. We were committed to nonmilitary victory, and at no point in my Far East tenure could I have launched successfully a major offensive with the resources available to me. Therefore, we had to reach some solution at the conference table. That is why we kept meeting with the treacherous Communist negotiators at Panmunjom in Korea.

### THREE CHOICES

We had three choices: Withdraw from Korea, win the war, or secure an armistice. Our national and United Nations policy precluded the first two alternatives; so, we were forced to seek cessation of hostilities through armistice agreements.

When the free world turned its back on victory in Korea, it strengthened our Communist enemies by giving them increased confidence in their second-team armies. At the same time, our not winning created grave doubts in the attitudes of doubts in the attitudes of weaker and smaller non-Communist nations concerning free world ability and determination to safeguard them against Communist aggression.

Putting my pen to those armistice agreements 10 years ago, as I was forced to do in order to stop the killing of Americans in a war we chose not to win, sowed the seeds of what we are now repaying in Cuba and what we reaped around the world in Communist encroachments during the past 10 years.

I issued the following statement after signing those documents in 1953, "I cannot find it in me to exult in this hour. Rather it is a time for prayer, that we may succeed in our difficult endeavor to turn this armistice to the advantage of mankind. If we extract hope from this occasion, it must be diluted with recognition that our salvation requires unrelaxing vigilance and effort."

The world outlook for freedom did not appear bright to me then. It has looked progressively worse each year since, and now it appears dark indeed.

### PROPHETIC WORDS

Syngman Rhee, then President of Korea, said to me just prior to the armistice, "The world requires great leadership. The Kremlin will think twice before it starts another war. Do not be weak. Do not turn back. Democracy must not go backward. Some day the United States will have to fight alone. Do not wait for that day." The passage of time has not altered the validity of Rhee's sentiments.

Reviewing the past decade, I see no sincere relaxation of the often-repeated threat of the Communists that they will bury us, but my hope for the coming decade is that we will have the courage to treat our Communist enemies as the international bullies they really are.

We must not be intimidated by the fact that Russia will start another world war if we fail to give in to every Communist demand. Otherwise, we may always succumb to Soviet advances because we fear that stopping them in their tracks will trigger a hydrogen holocaust.

For me, the lessons of Panmunjom are that peace will be given America only if she is strong, that communism will continue to advance until convinced that we have the courage and determination to use our military strength for achieving decisive victory if war is thrust upon us.

My prayer has changed little in these 10 years. It is still that a revivified America will courageously lead the free world to the conclusive defeat of communism. If we dedicate ourselves to this task, we can make the next 10 years a decade of decisive deliverances from the forces of tyranny for oppressed peoples throughout the world.

## MEXICAN LABOR

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an article and certain tables.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, on tomorrow we will take up H.R. 8195, which is another attempt to extend the life of Public Law 78, which was defeated earlier this year by this body.

At the appropriate time I will have more to say, but at this time I would like to call to the attention of the House certain interesting and pertinent data on the subject:

[From the Western Fruit Grower, October 1963]

### GROWER UNITY HEADS OFF A LABOR SHORTAGE

For 90 percent of the citrus growers in California's Fresno, Karn, and Tulare Counties, harvest labor supply has ceased to be a headache. They are harvesting their crops without supplementary labor, either braceros or "green card" workers.

A major reason is the unusually wide diversification of crops, especially in Tulare County, which attracts and provides work for a reasonably large farm labor force just preceding the late fall and winter harvest of Navels—an asset other citrus growing areas cannot boast. If one crop can be singled out as most advantageous in building to the peak labor force of 8,000 for the November-December orange harvest, olives, with harvest beginning in September, get top billing.

But wise management of this labor force has contributed materially too, and that has been achieved by growers of citrus, deciduous fruit, grape, and olive crops through a cooperative labor-alert organization called the Tulare County Farmers Association.

Putting together an organizatin like TCFA won't mean the end of labor difficulties for citrus growers in other areas, but the voluntary cooperation which has made it successful in a worthwhile example that can be followed widely by growers of citrus and other crops.

TCFA's most important single activity is the matching of men with jobs. Through its office in Exeter flows a constant stream of requests for workers, and referrals of workers and crews. In this process, poor workers are quickly detected, so the association's program has the general effect of upgrading the quality of farm laborers as well.

### GROWERS CONVINCED

A pilot program conducted in 1961 in Tulare County to give farm workers the ultimate working time by careful transfer from one task to another convinced growers of the need for a permanent organization to coordinate the movement of workers. By placing this responsibility in one organization and thereby assuring themselves of the workers they need at harvest time, growers are able to concentrate on cultural and production practices to insure a better crop.

Walt Fahrney, manager of the TCFA, was hired shortly after the association was established in 1960, and is now gearing for his fourth harvest season with Navels. He represents an ideal match between man and job, as a veteran of more than 20 years in farm placement work in the San Joaquin Valley. Each year he has made a trek to northern California, and to Oregon and Washington when necessary, with a supply of handbills touting the abundance of farm jobs in the three-county area of central California.

Each year he gets increasing help from word-of-mouth news which supports the claims of his printed material. He is something of a pied piper, leading a procession of laborers to more profitable work areas as late summer harvest seasons end in the northern part of the State and Northwest.

The harvest of Navels continues in some degree most of the spring, but the peak usually occurs about December 1. As this demand subsides, the deciduous fruit and grape crops offer work in pruning, then various spray applications, cultivation, thinning and finally harvest.

Housing too is a factor. The association arranges for the opening and management of several single men's camps in the area, which were set up originally to house braceros. It also keeps track of available family housing and helps workers locate it.

Holding onto the workers who harvest Navels in the winter until the Valencias ripen in May is the association's chief weapon against competition from other areas for the same workers. When the Valencias are ready for picking, farm labor prospects are good in a lot of areas.

Many citrus growers are olive growers in these three counties. Also, many are growers of deciduous fruits, and some, growers of field and row crops with high hand labor requirements. Although citrus is the primary interest of the growers who first talked about organizing the association, their early conversations revealed that almost all of them were also growers of other crops. Today, most of the association's 1,700 members consider themselves citrus growers, primarily. But the membership also includes 90 percent of the area's olive growers and a high percentage of the growers of other major deciduous crops.

### UNION RELATIONS

The association regards itself as an organization to help get the crops—all kinds—harvested. This breadth of interest enables smoother shifting from job to job and crop to crop to provide continuity of employment for labor crews.

The association found it necessary to concern itself with the union organizing activities of the Agricultural Workers Organizing Committee in 1961–62 because of their potentially profound effect upon the labor supply and relations between workers and employers. With AWOC efforts apparently almost at a standstill in the Central Valley this year, the association focused its attention on labor oriented activities, tried to open channels of communication between its members and appropriate legislators. It does not maintain continuing representation in Sacramento.

When he was first hired, part of Fahrney's prescription for good labor health was a general labor relations and public relations program. "A wedge had been driven between workers and growers," he recalls. "We explained to the worker that it was his job, while we emphasized the need for growers to pay a decent wage—to meet the worker half way."

"Growers generally were plagued by a bad reputation with news media, so we explained to the press that the association's purpose was to coordinate agricultural jobs and workers for the benefit of both workers and growers," Fahrney says. Significant gains were made during the pilot program in 1961, which became the subject of a study by agricultural economists Thor and Allee at the University of California.

In addition to its referral service for workers and its continuing program of labor relations and public relations, the association maintains a current analysis of all current labor laws and regulations which it circulates to members through a monthly bulletin or upon their request.

### FUTURE PREDICTIONS

Fahrney believes that future programs will center around recruitment of workers and the general improvement of their skills and attitudes. "Expanding acreage here and the constant attempt by other areas of the State to attract our farm labor force make it necessary to keep building our supply of workers," Fahrney says.

Fahrney sees little hope for the bracero program in any acceptable form, and points to its loss as support for his prediction of future greater recruitment activities of the association. "Workers can't be moved like checkers. If Public Law 78 ends, our area will be hurt and hurt bad by the shortage of workers in other areas of the State."

Also in the future he sees a lengthening of the harvest season for both navels and valencias, and points to experiments already conducted with compounds that will hold fruit on the trees longer. Besides reducing the sharp, high peak of labor needs in a short time, holding oranges on the trees lengthens and levels out the marketing, handling and storage as well.

The Tulare County Farmers Association is operating this year on a budget of $33,000, raised by an assessment the members have levied on themselves of $1 per acre annually for all permanent plantings of everything but field crops, for which they pay 50 cents an acre.

President for 1963 is Exeter citrus grower John Dungan. Except for Treasurer E. F. Pinkham of Exeter, who is a grower of deciduous fruits and grapes, all five members of the executive committee are citrus growers. Besides Dungan and Pinkham they are H. L. Swarts, Porterville, vice president; A. C. Pixton, Lindsay, secretary; and Jim Hurley, Lindsay, member at large.

Fahrney admits that the dynamic action required to deal with the potentially explosive labor situation doesn't always produce instant harmony among association members. "Sometimes you'd think the roof is coming off when we meet. But when the discussion ends and the vote is taken, our members stick by it."

*Farm wage rates, Oct. 1, 1963* [1]

| State and region | Per month | | Per week | | Per day | | | Per hour | | Composite rate per hour | Indexes of composite rates 1910–14=100 [2] |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | With house | With board and room | With board and room | Without board or room | With house | With board and room | Without board or room | With house | Without board or room | | |
| Maine | $212 | $155 | $40.00 | $57.00 | | | $10.50 | | $1.20 | $1.074 | 628 |
| New Hampshire | 235 | 169 | 46.00 | 63.00 | | | 10.40 | | 1.26 | 1.137 | 748 |
| Vermont | 207 | 160 | 42.00 | 57.00 | | | 9.70 | | 1.19 | 1.057 | 681 |
| Massachusetts | 255 | 170 | 49.00 | 63.00 | | | 11.00 | | 1.32 | 1.203 | 786 |
| Rhode Island | 250 | 171 | 49.00 | 63.00 | | | 11.30 | | 1.40 | 1.243 | 863 |
| Connecticut | 250 | 173 | 49.00 | 63.00 | | | 11.50 | | 1.42 | 1.255 | 857 |
| New England | 229 | 163 | 44.25 | 61.75 | | | 10.70 | | 1.27 | 1.136 | 735 |
| New York | 222 | 160 | 41.25 | 57.25 | | | 9.60 | | 1.19 | .963 | 598 |
| New Jersey | 240 | 180 | 44.50 | 62.00 | | | 10.20 | | 1.23 | 1.019 | 728 |
| Pennsylvania | 204 | 147 | 38.50 | 51.00 | | | 8.70 | | 1.11 | .889 | 703 |
| Middle Atlantic | 219 | 159 | 41.00 | 56.25 | | | 9.40 | | 1.17 | .950 | 657 |
| Ohio | 188 | 134 | | | | $6.80 | 8.70 | | 1.11 | .895 | 622 |
| Indiana | 189 | 144 | | | | 7.50 | 9.10 | | 1.15 | .932 | 673 |
| Illinois | 216 | 162 | | | | 8.00 | 10.00 | | 1.17 | .978 | 677 |
| Michigan | 231 | 161 | | | | 7.40 | 9.40 | | 1.12 | .945 | 636 |
| Wisconsin | 214 | 154 | | | | 7.50 | 9.40 | | 1.16 | .958 | 607 |
| East North Central | 208 | 151 | | | | 7.40 | 9.30 | | 1.14 | .941 | 641 |
| Minnesota | 203 | 161 | | | | 8.60 | 10.40 | | 1.18 | .935 | 592 |
| Iowa | 221 | 177 | | | | 8.80 | 10.80 | | 1.23 | .987 | 608 |
| Missouri | 177 | 128 | | | | 6.60 | 8.30 | | 1.09 | .812 | 732 |
| North Dakota | 211 | 176 | | | | 8.10 | 9.80 | | 1.12 | .918 | 513 |
| South Dakota | 203 | 159 | | | | 7.70 | 9.70 | | 1.10 | .885 | 536 |
| Nebraska | 234 | 178 | | | | 8.50 | 10.70 | | 1.20 | .978 | 659 |
| Kansas | 221 | 170 | | | | 8.30 | 10.30 | | 1.20 | .957 | 766 |
| West North Central | 205 | 159 | | | | 7.90 | 9.80 | | 1.16 | .912 | 635 |
| Delaware | 183 | | | 47.00 | | | 8.80 | | 1.04 | .947 | 869 |
| Maryland | 194 | 135 | 37.00 | 50.00 | | | 8.80 | | 1.07 | .971 | 981 |
| Virginia | | | | | $5.70 | | 6.90 | | .87 | .756 | 808 |
| West Virginia | 112 | 82 | | | 5.40 | 4.75 | 6.30 | | .84 | .714 | 556 |
| North Carolina | | | | | 5.50 | | 6.50 | | .79 | .700 | 797 |
| South Carolina | | | | | 4.05 | | 4.70 | | .57 | .507 | 685 |
| Georgia | | | | | 4.60 | | 5.20 | | .74 | .613 | 677 |
| Florida | | | | | 5.70 | | 6.40 | | .82 | .713 | 728 |
| South Atlantic | | | | | 5.30 | | 6.20 | | .78 | .680 | 756 |

See footnotes at end of table.

*Farm wage rates, Oct. 1, 1963* [1]—Continued

| State and region | Per month | | Per week | | Per day | | | Per hour | | Composite rate per hour | Indexes of composite rates 1910–14=100 [2] |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | With house | With board and room | With board and room | Without board or room | With house | With board and room | Without board or room | With house | Without board or room | | |
| Kentucky | | | | | $5.20 | | $6.90 | | $.96 | $.883 | 677 |
| Tennessee | | | | | 4.55 | | 5.50 | | .74 | .691 | 612 |
| Alabama | | | | | 4.40 | | 5.00 | | .66 | .623 | 612 |
| Mississippi | | | | | 4.45 | | 4.70 | | .59 | .568 | 555 |
| East South Central | | | | | 4.60 | | 5.30 | | .70 | .657 | 599 |
| Arkansas | | | | | 6.20 | | 6.80 | | .84 | .813 | 691 |
| Louisiana | | | | | 5.20 | | 5.80 | | .74 | .711 | 693 |
| Oklahoma | | | | | 7.70 | | 8.90 | | 1.07 | 1.041 | 736 |
| Texas | $170 | $129 | | | 6.70 | | 7.50 | | .88 | .864 | 667 |
| West South Central | | | | | 6.40 | | 7.10 | | .86 | .837 | 686 |
| Montana | 245 | 193 | | | | | 10.20 | | 1.24 | 1.061 | 524 |
| Idaho | 272 | 214 | | | | | 11.60 | | 1.31 | 1.154 | 643 |
| Wyoming | 240 | 173 | | | | | 9.50 | | 1.18 | 1.000 | 505 |
| Colorado | 242 | 170 | | | | | 10.20 | | 1.19 | 1.020 | 661 |
| New Mexico | 209 | 148 | | | | | 8.50 | | .90 | .818 | 672 |
| Arizona | 270 | 175 | | | | | 9.70 | | 1.01 | .947 | 644 |
| Utah | 255 | 215 | | | | | 10.20 | | 1.32 | 1.118 | 691 |
| Nevada | 270 | 180 | | | | | 10.10 | | 1.30 | 1.089 | 560 |
| Mountain | 251 | 184 | | | | | 10.10 | | 1.16 | 1.020 | 621 |
| Washington | 293 | 220 | | | | | | $1.32 | 1.37 | 1.340 | 653 |
| Oregon | 265 | 189 | | | | | | 1.25 | 1.32 | 1.283 | 632 |
| California | 322 | 240 | | | | | | 1.25 | 1.33 | 1.308 | 611 |
| Pacific | 314 | 233 | | | | | | 1.26 | 1.33 | 1.308 | 620 |
| United States | 204 | 159 | $38.25 | $47.75 | 5.80 | $6.80 | 7.50 | 1.07 | .99 | .898 | 681 |

[1] Average rates paid on crop and livestock reporters' farms or in their localities for arrangements specified above. U.S. averages and State composite rates include estimates for unpublished State rates of small importance.

[2] Adjusted for seasonal variation.

*Realized gross farm income, total production expenses, and expenditures for hired labor, United States and selected States*

| 1962 | | | | | | 1961 | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| State | Realized gross farm income (million dollars) | Total production expenses (million dollars) | Expenditures for hired labor | | | State | Realized gross farm income (million dollars) | Total production expenses (million dollars) | Expenditures for hired labor | | |
| | | | Million dollars [1] | As percent of— | | | | | Million dollars [1] | As percent of— | |
| | | | | Realized gross farm income (real) | Total production expenses | | | | | Realized gross farm income (real) | Total production expenses |
| United States | 40,792.0 | 28,202.0 | 3,008.0 | 7.4 | 10.7 | United States | 39,912.0 | 27,109.0 | 3,048.0 | 7.6 | 11.2 |
| Arizona | 511.1 | 373.2 | 55.1 | 10.8 | 14.8 | Arizona | 484.4 | 330.0 | 62.5 | 12.9 | 18.9 |
| Arkansas | 857.3 | 534.8 | 81.1 | 9.5 | 15.2 | Arkansas | 848.7 | 504.4 | 79.8 | 9.4 | 15.8 |
| California | 3,492.2 | 2,627.7 | 526.3 | 15.1 | 20.0 | California | 3,381.7 | 2,446.9 | 556.7 | 16.5 | 22.8 |
| Colorado | 744.9 | 616.4 | 53.8 | 7.2 | 8.7 | Colorado | 712.2 | 560.2 | 52.6 | 7.4 | 9.4 |
| Michigan | 909.0 | 610.9 | 69.0 | 7.6 | 11.3 | Michigan | 894.7 | 615.8 | 71.9 | 8.0 | 11.7 |
| New Mexico | 296.1 | 202.8 | 25.1 | 8.5 | 12.4 | New Mexico | 265.7 | 192.5 | 25.4 | 9.6 | 13.7 |
| Texas | 2,749.4 | 1,922.7 | 303.7 | 11.0 | 15.8 | Texas | 2,670.7 | 1,799.6 | 301.2 | 1.33 | 16.2 |

[1] Includes cash wages, perquisites, and social security taxes paid by employers.

Source: "Farm Income, State Estimates, 1949–62," U.S. Department of Agriculture Economic Research Service, August 1963.

*Impact of adverse effect rate*

| State | Adverse effect rate | Hourly rate most commonly paid domestic workers | | State | Adverse effect rate | Hourly rate most commonly paid domestic workers | |
|---|---|---|---|---|---|---|---|
| | | 1962 | 1961 | | | 1962 | 1961 |
| Arkansas | $0.60 | $0.50 | $0.50 | Montana | $1.00 | (2) | (2) |
| Arizona | .95 | .95 | .75 | Nebraska | 1.00 | $1.00 | $0.95 |
| California | 1.00 | 1.00 | 1.00 | New Mexico | .75 | .75 | .70 |
| Colorado | .90 | .90 | .75 | Nevada | 1.00 | 1.00 | .75 |
| Georgia | .75 | (1) | (2) | North Dakota | 1.00 | (1) | (2) |
| Illinois | 1.00 | (2) | (2) | Oregon | 1.00 | (2) | (2) |
| Indiana | 1.00 | 1.00 | .80 | South Dakota | 1.00 | (2) | (2) |
| Iowa | 1.00 | (2) | (2) | Tennessee | .65 | .55 | .50 |
| Kansas | 1.00 | 1.00 | 1.00 | Texas | .70 | .60 | .50 |
| Kentucky | .80 | (1) | .50 | Utah | 1.00 | 1.00 | .75 |
| Michigan | 1.00 | 1.00 | 1.00 | Wisconsin | 1.00 | [3] 1.15 | .85 |
| Minnesota | 1.00 | 1.00 | 1.00 | Wyoming | 1.00 | (2) | (2) |

[1] No Mexican nationals employed in 1962.

[2] Mexican nationals employed only in piece rate activities.

[3] Based on only 1 survey (pea harvest).

Source: ES–232 Domestic Agricultural Wage Reports.

*Adverse effect rates and peak employment of Mexicans, by State, 1960–62*

| State | Adverse effect rate | Peak Mexican worker employment [1] | | |
|---|---|---|---|---|
| | | 1962 | 1961 | 1960 |
| | | *Thousands* | *Thousands* | *Thousands* |
| Arizona | $0.95 | 8.4 | 10.9 | 14.3 |
| Arkansas | 60 | 6.7 | 21.2 | 31.3 |
| California | 1.00 | 71.7 | 65.4 | 73.4 |
| Colorado | .90 | 6.4 | 6.6 | 6.6 |
| Georgia | .75 | 0 | .8 | 1.3 |
| Illinois | 1.00 | .1 | .1 | .2 |
| Indiana | 1.00 | .4 | .6 | .6 |
| Iowa | 1.00 | .2 | .2 | .1 |
| Kansas | 1.00 | .1 | .1 | (2) |
| Kentucky | .80 | 0 | .1 | 2 |
| Michigan | 1.00 | 12.7 | 14.3 | 11.2 |
| Minnesota | 1.00 | (2) | .1 | .1 |
| Missouri | ---------- | 0 | 0 | .5 |
| Montana | 1.00 | 2.1 | 2.3 | 2.6 |
| Nebraska | $1.00 | 1.6 | 2.0 | 2.3 |
| Nevada | 1.00 | .1 | .1 | .1 |
| New Mexico | .75 | 2.0 | 8.0 | 11.3 |
| North Dakota | 1.00 | 0 | .1 | .1 |
| Oregon | 1.00 | .3 | .3 | .3 |
| South Dakota | 1.00 | .1 | .3 | .2 |
| Tennessee | .65 | .2 | .4 | .7 |
| Texas | .70 | 24.2 | 104.1 | 103.7 |
| Utah | 1.00 | .4 | .3 | .4 |
| Wisconsin | 1.00 | .6 | .8 | 1.0 |
| Wyoming | 1.00 | 1.3 | 1.6 | 1.2 |
| U.S. total: | | | | |
| Peak employment | ---------- | 114.2 | 208.5 | 234.1 |
| Number admitted | ---------- | 195.0 | 291.4 | 315.8 |

[1] From ES-223 In-Season Farm Labor Reports. The term "peak" refers to the highest employment at any time during the year.

[2] Less than 50 workers.

## TRIBUTE TO TOM CONNALLY

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and I also ask unanimous consent that any Member of the House may extend his remarks on the life of the late U.S. Senator Tom Connally, a former Member of this House.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, for me who knew him well and served with him as a member of the Texas delegation, the death of Tom Connally—news of which just reached me—closes a remarkable and an important page in American history. This death touches me personally, of course, as it does others here in the House and in the Senate, who knew him and worked with him and loved him for his character and his devotion to the greatest advances of mankind in our generation. But beyond the personal bereavement is the recognition his death suddenly and powerfully brings into light of the immense contribution he made in a long legislative career to the agonizing and overwhelming problems of world peace.

This, of his many endeavors, was his greatest contribution to history.

It is this which brings him into the galaxy of the immortals.

It is for this—the cause not only of immediate world peace, but of enduring world peace—that historians will remember him and that untold tens of millions of mankind will be forever grateful.

Here was an American—a Texan I am proud to say—who had none of the Old World trappings of overrefined pretentiousness and diplomatic finesse, but who was a distinguished and an educated gentleman, and who operated on a personal level of candor, decency, and integrity. It was in his time that the United States of America found itself suddenly launched into the dizzying heights of world leadership. Tom Connally on strategic assignments of the utmost importance in this area of world politics found himself a negotiator, a counsellor, and the spokesman, frequently, of a new, fresh, wholly American, point of view to which the nations of the world are turning more and more for the truth and the security of the free world.

I do not hesitate to call this impact on the war-drenched civilization of our time the "Connally break-through" for Thomas Terry Connally after a fashion which was typically American helped to bring to realization the most powerful resources man now has for the preservation of the peace and the survival of life on this planet. This is his epitaph and few men in the last three decades can be said to equal or even approach the leadership, the vitality, the persistent and ceaseless enthusiasm and skill, the genuine diplomacy and statesmanship, Tom Connally brought to the superhuman task of peace after war and lasting peace in a war-ridden world.

The character in the man that made all this possible was, of course, inborn and began in many generations of Connallys before his birth. But I hold that his Texas education was a factor—the public schools, the high school in Eddy, Tex., Baylor University, and the law department of the University of Texas. It is something to reflect upon that Tom Connally was a veteran of the Spanish-American War and after his service in the State legislature of Texas was a captain in World War I. His political career afterwards made him a familiar and highly honored figure in the politics of the Democratic Party on the national level. Here again and again, as a member or as chairman of the Texas delegation in 1936 to the Democratic National Convention, and as vice chairman in 1948, he displayed the qualities of leadership that were soon recognized on the world stage when his country put him in the highest posts of international controversy and conflict.

London and Paris, New York and Rio, Ottawa and San Francisco, came to know him as one of the world's most powerful and outstanding statesmen and diplomats. His influence was felt as the special congressional adviser to the U.S. delegation to the Inter-American Conference on Problems of War and Peace at Mexico City in 1945.

He made monumental contributions on the policy level to the organization of the United Nations and was a member and vice chairman of the United States delegation to the United Nations Conference on International Organization at San Francisco also in 1945. Tom Connally was the representative of the United States to the first session of the General Assembly of the United Nations at London. He held the same post for the second session at New York in 1946. When the Council of Foreign Ministers met at Paris and New York and at the Paris Peace Conference in 1946 Tom Connally served as adviser to the Secretary of State. When there was an international conference for hemisphere peace—the Inter-American Conference for the Maintenance of Continental Peace and Security at Rio de Janeiro in 1947 the Connally wisdom and experience, his strength and his presence, again proved assets not only for the United States but for all the nations on the two sides of the Rio Grande. Four times he was elected to the U.S. Senate, and before that six times to the House.

It is my conviction, and it is my solace for these meager words, that much will be said in honor of Tom Connally in decades and centuries to come. For me as I view his service to mankind he created on the stage of world diplomacy a new image of the United States. This image is the pride and the honor of the American genius for government and for leadership. The whole world has lost one of its greatest builders for the peace and the security of mankind.

Mr. Speaker, I ask unanimous consent that any of the Texas Members who desire to extend their remarks in my time may do so at the end of my statement.

The SPEAKER pro tempore (Mr. LIBONATI). Without objection, it is so ordered.

There was no objection.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman.

Mr. MAHON. Mr. Speaker, I wish to join the dean of the Texas delegation in paying tribute to the memory of the late Tom Connally. I share the sentiments which the gentleman from Texas [Mr. PATMAN] has expressed and I am pleased that he has recounted some of the achievements of this great American.

Senator Connally made a tremendous contribution to our State through a long period of years. He made a great contribution to the Nation. He reflected credit upon our country and upon our State. He was a statesman in the truest sense of that word. His prowess in the Senate was the admiration of all Texas. When he rose to speak, he was obviously the master of the situation. He was our friend throughout his service here and the people of Texas held him in great affection. He was always held in great affection by the Texas delegation in Congress. He always cooperated with Members of the Texas delegation in behalf of our State.

Mrs. Mahon and I held him in the highest esteem and to his wife, who survives him and to his son, Judge Ben Connally we have extended our deepest sympathies. Our lives have been enriched through our friendship with the late Senator and his family. I would say that Tom Connally has left to those who survive him a heritage of which they can be proud. He has left a heritage to the people of Texas and to the people of this Nation of which they can be proud. I am pleased to join with my friends in this tribute to one of the great Americans of our time, Tom Terry Connally.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield to me?

Mr. PATMAN. I am very glad to yield to the distinguished Speaker of the House of Representatives, the Honorable JOHN McCORMACK.

Mr. McCORMACK. The passing of our late friend, Tom Connally, has taken from our midst one of the great Americans and one of the outstanding legislators of our Nation's history. For 36 years he served in this body and in the other body with great distinction, serving during a most trying period of our Nation's history. For 11 years he occupied the very responsible position of chairman of the Senate Committee on Foreign Relations and, as I said, at a most trying period of our Nation's history.

Tom Connally not only served during a historic period, but he played a leading part in the making of history. His ability to penetrate the future and see the course of history was amazing. We all grieve at his passing and we extend to Mrs. Connally and to his son, Judge Connally, our deep sympathy in their bereavement.

Mr. PATMAN. I thank the Speaker.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the distinguished gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, one of the greatest and possibly the last of the "silver-tongued" orators of Texas has passed to his great reward. Our country and the whole world has lost a great statesman. Texas, and particularly the 11th District of Texas, has lost its most distinguished citizen, and I have personally lost a beloved friend.

Thomas Terry Connally was born near Hewitt, a short distance west of Waco, in McLennan County, Tex., on August 19, 1877. He grew to manhood on a farm near Eddy, Tex. He graduated from Baylor University in 1896 and from the law department of the University of Texas in 1898. He served as a sergeant major during the Spanish-American War, and as captain and adjutant in World War I. In 1900 he was elected to the Texas Legislature. In 1906 he became prosecuting attorney of Falls County. In 1916 he was elected to represent the 11th District of Texas in the Congress of the United States. He served in that capacity 12 years. In 1928 he was elected to the U.S. Senate where he served until his retirement in 1952.

Few men ever equalled Senator Connally as a speaker or debater. As chairman of the Senate Committee on Foreign Affairs, as the vice chairman of the U.S. delegation to organize the United Nations at San Francisco, and as representative of the United States in the General Assembly of the United Nations, Senator Connally was known throughout the civilized world. He contributed materially to the building of an organization for the collective maintenance of peace. Although he became a world figure in the finest sense, he never ceased to be concerned with and speak for the people of his own State and district.

He is survived by a son, the Honorable Ben Connally, judge of the Federal court at Houston, and by his widow, the former Mrs. Morris Sheppard, and by a sister, Mrs. Sparks McKay. To them I would extend my sympathy. We will not soon see Tom Connally's equal.

Mr. PATMAN. I thank the gentleman.

Mr. CASEY. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I am glad to yield to the distinguished gentleman from Texas [Mr. CASEY].

Mr. CASEY. Mr. Speaker, I, too, have lost a friend in the passing of that great statesman, Tom Connally. Although I was not privileged to know the distinguished Senator as long as some of my colleagues, my first contact with the distinguished statesman was when I, as a representative of the county government in Harris County, Tex., made my first initial trip to Washington seeking advice and assistance with some of the county problems. There a great man, with the burdens of responsibility as chairman of the highly busy Committee on Foreign Relations of the Senate took time out and talked to me about my problems and offered his assistance and advice to the people of my county. I soon saw that he truly epitomized the statement that great men have time for small things when they consider that they are important to the person seeking their aid.

Senator Connally was a man who was tenacious and faithful to his beliefs. He was interested in the security of his country and was jealous of this country's national image as well as its national independence. Many bills and amendments bear his name of which we, not only as citizens of Texas, but as Americans may be proud.

I am privileged to have his very distinguished son, Judge Ben Connally, as my close friend and constituent. He is making an illustrious career as judge, of which his father may well have been very proud.

The honorable and distinguished Senator Tom Connally has left his footprints on the sands of time and I tell you, Mr. Speaker, those footprints will not soon be erased.

I wish to extend to Mrs. Connally and the other members of the late Senator's family my sincerest condolences and deepest sympathy.

Mr. PATMAN. I thank the gentleman.

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me?

Mr. PATMAN. I am glad to yield to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I join the distinguished dean of the Texas delegation and his colleagues in this expression of deep regret over the death of one of the great men of this century. I had the honor of becoming acquainted with Senator Tom Connally when I first came to Congress. He was a friend of my then senior Senator, Elmer Thomas.

I have had the privilege now and then since his retirement of talking and visiting with Senator Connally. I have listened to him debate in the Senate where he had a very individualistic, a very unique form of wit which stood out and made him one of the finest debaters in the other body. He was keen and intellectual, articulate and courageous.

I had the honor of meeting his son, Judge Connally, when I was a young man at the University of Oklahoma and he was a young man in school in Texas. I had the honor of meeting him again during World War II. To him and to Mrs. Connally I extend my personal sympathy. This country has indeed lost one of its great public figures.

Mr. THOMPSON of Texas. Mr. Speaker, passing of Senator Tom Connally takes out of the world one of its most colorful and ablest public servants. It has been remarked frequently in the last day or so that he was a Senator's Senator. He looked the part and if one who had never met him had seen him in a casual crowd of men, Senator Tom is the one the observer would have picked as a true Senator type.

I came to know him first when I served with him in the 73d Congress. He was then just coming into his prime and I used to marvel at his tremendous force and effect in the Senate. He always seemed to dominate the Chamber when he was present. In later days, I used to see him from time to time on the campaign trail in his native and beloved Texas. An orator of the old school, I believe, to this day, he could project his voice over a greater audience without an amplifier than I can with the loud speaker system of the present day. He had a remarkable sense of humor and invariably delighted his audiences with his keen witticisms and pithy expressions. However, even an after dinner speech from Senator Tom, while it might contain much of humor and the lighter vein, invariably left in the minds of the listeners home profound message of wisdom.

I can picture the Senator today sitting among old friends of his, Sam Rayburn, Alben Barkley, Senator Vandenberg, and countless old cronies of both parties. He is probably spinning some tales of the good old days when together they pounded out the foundation of the structure in which we younger men shall live. Those of us who have known him will always miss him but we shall remember his words and deeds, and they shall guide us as we attempt to follow the road which he helped to lay out.

Our sympathy goes to his devoted Lucille and to his son, Judge Ben Connally. With them, we share the feeling that it was great to have known him.

Mr. YOUNG. Mr. Speaker, in the history of nations and of men, each State may point with great pride to a select few native sons who distinguish themselves by records of exceptional leadership.

I wish to join my colleagues today in pausing to pay tribute to the memory of such a native son of Texas, Senator Tom Connally, who devoted more than half a century of his life to public service. Senator Connally was a Member of this body from 1917 until 1929, and served in the Senate from March 1929 through January 3, 1953. He received innumerable honors during the span of his service and was chairman of the Senate Committee on Foreign Relations at the time of his retirement.

A colorful and competent gentleman, Senator Tom Connally was held in high regard by his contemporaries and in deep respect by his State and the Nation he so ably served.

Mr. BECKWORTH. Mr. Speaker, when I came to Congress in January 1939, it was rather apparent that Hitler and other dictators were going to give freedom-loving people a bad time. The late Senator Tom Connally was a well-known and experienced Member of the Senate at that time. Already he had done much effective work as a U.S. Representative for our State of Texas, the Nation, and the freedom-loving people of the world. It was fortunate indeed that he supplied the type of congressional leadership needed so desperately by the forces of and for freedom. He had a great part in the passage of legislation to aid our allies before our country entered World War II after Pearl Harbor, and he had an even greater part in aiding legislatively the allied cause as we undertook to arm ourselves and our allies. He was a true and genuine leader on many fronts. Because of his long experience in the House and the Senate and his awareness of the state of danger in the world, Senator Connally knew well that it was imperative that our country undertake to work within the United Nations. He effectively helped to bring this about.

Senator Connally has left an outstanding record of public service and the results of his great career are destined to endure.

Senator Connally was my personal friend. He helped me much and helped the area in Texas I represent much. To his wife and his son, Ben, and his other relatives, some of whom live in the congressional district I am honored to represent, I express my sincere sympathy in the passing of Senator Connally. We, his personal friends, shall miss Senator Tom. The people of our State and the people of the Nation shall miss him. The freedom-loving people of the world have lost a true friend and an outstanding leader in behalf of causes worthy to endure.

Mr. PURCELL. Mr. Speaker, the loss of Tom Connally is not only a great loss to his home State of Texas, it is a loss to the entire free world. For our beloved former Senator from Texas was one of the principal architects of the United Nations.

Tom Connally served his Nation well. In doing so, he served Texas equally well. His influential position as chairman of the Senate Foreign Relations Committee during the trying days of World War II was a wonderful stroke of fate. His service in that capacity, which he began in July of 1941, speaks more effectively than words ever can of his contribution to the United States. Tom Connally sponsored ratification of the United Nations Charter in the Senate. He was a member of the first U.S. delegation to the first United Nations General Assembly meeting back in 1946.

Tom Connally decided in 1952 not to seek reelection because of his health. Thus ended a 24-year Senate career. Previously he had served in the House for 12 years. This great Texan and outstanding American had dedicated his life to service of his country. His 36 years of leadership and guidance was the greatest gift he could have given.

Mr. Speaker, we miss Tom Connally. However, we can give thanks that he has gone on to a higher reward than we could ever give him.

Mr. FISHER. Mr. Speaker, the death of Tom Connally comes as a blow to all of us. He served with great distinction in both the House of Representatives and in the U.S. Senate. He devoted a full life to the service of his country. Few men in our time have done so much for so many. He will be remembered, for example, for the Connally-Smith Act, enacted during World War II to curb strikes in defense industries. In that instance he displayed courage and statesmanship. As chairman of the Foreign Relations Committee of the Senate, he was instrumental in promoting a bipartisan foreign policy, and joined in the negotiation of many important agreements of which this country became signatories.

One of the highlights of his service, for which this Nation will be forever indebted to him, was the so-called Connally reservation in 1945 in connection with our acceptance of membership in the United Nations. There it was provided that in the event of a dispute as to whether the World Court has jurisdiction over a matter, it shall be resolved by the decision of the United States and that jurisdiction of that Court "shall not apply to disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America."

Senator Connally was loved and appreciated by the people of Texas, and his contribution to the public interest was nationwide. I join my colleagues in this expression of sincere appreciation for the public service that was rendered by Senator Connally and in an expression of condolence to the widow and the family.

Mr. GONZALEZ. Mr. Speaker, a man who was a patriotic American, a stanch and true son of Texas, and a famous Senator of the United States has been lost to us. Tom Connally will never be forgotten. His humanity, his wisdom, his flair for achieving personal and oratorical color, his deep love for his State and his country will never leave our recollection. His legislative triumphs are part of the enduring structure of this Government.

He once said that there were two legislative roles of which he was particularly proud. One was as a defender of the Supreme Court against the attempt to enlarge it in 1937. The other was in the creation of the United Nations. It was his especial concern that the United States not repeat the withdrawal from world affairs which it made after the First World War. This motive led to his long and effective labors in behalf of the U.N. As chairman of the Senate Foreign Relations Committee he was the moving force in obtaining the support of the Senate to the treaty which made the United States a U.N. member. Yet Tom Connally was never anything less than realistic about American participation in international bodies.

The New York Times has said of him that:

> On the floor of the Senate and in its committee sessions, Senator Connally soon achieved national prominence as a colorful personality, a powerful speaker, and a razor-tongued debater.

In reviewing his distinguished legislative career we must not forget that he served 12 years in the House of Representatives where he began his lifelong commitment to the study and direction of the relationships of the United States with the other countries of the world as a member of the Foreign Affairs Committee.

In addition to the dedication to country which he showed in his entire 36 years on Capitol Hill, his patriotism was also demonstrated by his service in both the Spanish-American War and the First World War. He left his seat in the House to serve in World War I, and when the House voted to pay him and other veterans their congressional salaries during their service Tom Connally had his name eliminated from the appropriation. Similarly, he never applied for his World War I bonus.

Although he was a lion in debate, in private conversation he was a model of gentle charm, old-fashioned courtesy, and paternal benevolence. He was beloved by those who worked for him. He was also beloved by those who voted for him, and they were many indeed.

Texans are proud of their past and of their great men. They revere those who led them as a republic and fought for their State, Austin, Houston, Bowie and the rest. To those heroic names of the past must now be added that of Tom Connally. His State and his country mourn his passing.

Mr. THOMAS. Mr. Speaker, under leave heretofore granted to revise and extend my remarks, I want to join my colleagues in lamenting the passing of our great and distinguished Senator Tom Connally. Senator Connally was one of the giants that Texas has produced. He was a giant not only in Texas but in the Senate and throughout the Nation. His long service in the House and the Senate enabled him to leave a record of accomplishments that will endure for years and years to come. He was an authority on foreign affairs, his judgment in that field always commanded the highest respect, and it was sought not only by his colleagues but by the executive branch of our Government. I want to extend to Mrs. Connally and the other members of the family my deep sympathy and understanding in their great loss. All of Texas joins them in their sorrow.

Mr. BURLESON. Mr. Speaker, with the passing of former Senator Tom Connally also passed an era. He really had no contemporary. At the same time he exemplified the role of elder statesman, both in looks, manner, and seasoned statesmanship, he was also a man of vision and perspective. He looked into the modern future with the eyes and spirit of a young man and was usually far ahead of those considered to be his contemporaries and legislative associates. At the same time, his judgment was tempered by his long devoted service to the world, our Nation, and the people of our great State of Texas.

For as many years as many of us can remember our interest in matters politic, the name of Senator Connally was first on the list in issues both foreign and domestic. He was a household and street-corner image in many places other than the State of Texas, but especially in our State.

Many of us have lost a friend, but the world and the Nation lost an illustrious leader when he retired from the U.S. Senate.

It was common to hear, after Senator Connally was off the active scene in Washington, that if he had been in the position which he held so long, certain matters of Government would have been different. This is said in all deference to those who have since attempted to fill his role.

Many of you experience, as I do when meeting certain issues of the day, the occurrence of the name of Senator Connally, who had such a great part in formulating laws now on the books, and particularly as many of them apply to foreign policy. Most notably at the present time is the so-called Connally amendment, or Connally reservation, in the World Court. He guarded the sovereignty of our Nation in authorizing this particular legislation, and I use it as a specific example of his services, not to be forgotten.

I join my other colleagues in expressing sentiments to his memory and sympathy to Mrs. Connally.

Mr. KILGORE. Mr. Speaker, the death of former Senator Tom Connally brings personal sorrow to those of us who were inspired in our own lives by his long career of public service.

Senator Connally had retired from the Senate 2 years before I entered Congress. But he was a famous Texan and I, as a Texan who had chosen to enter politics, was early aware of his many contributions to his State and his Nation.

Tom Connally was a man versed in statesmanship, a public official who rendered vast service to his Nation in peace and war, and a gentleman of the old school in the best and highest sense of that term. This earth is the poorer for his having gone from among us, and richer for his having lived and served.

## LEAVE TO EXTEND REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks on the life and service of the late Hon. Tom Connally.

The SPEAKER pro tempore (Mr. LIBONATI). Is there objection to the request of the gentleman from Texas?

There was no objection.

## CAN PAUL H. NITZE POSSIBLY DISCHARGE THE DUTIES OF SECRETARY OF THE NAVY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Louisiana [Mr. WAGGONNER], is recognized for 15 minutes.

Mr. WAGGONNER. Mr. Speaker, I do not ordinarily ask that my periodical newsletters be printed in the CONGRESSIONAL RECORD, but in the past few days I have come across information which I sincerely believe to be vital to the security and defense of this Nation and I feel bound by the oath of office which I took when I became a Member of this body, to bring this information to my colleagues here and the Members of the other body.

The matter concerns the fitness and capability of Mr. Paul H. Nitze to discharge the duties of the Secretary of the Navy, a position for which he has been nominated by the President.

I do not, at this point, take the position that he is not fit and capable, but I bring to the attention of all the material I have unearthed and with it, I pose the question.

This information is contained in the newsletter I am sending out tomorrow and I take this means of providing an advance copy to all readers of the RECORD.

[Newsletter, October 1963, Washington, D.C., issue No. 9]

### CAN PAUL H. NITZE POSSIBLY DISCHARGE THE DUTIES OF SECRETARY OF THE NAVY?

Under what can only be described as a cloud of doubt, Secretary of the Navy Fred Korth has now resigned. Rumors in Washington are many as to why he suddenly gave up his post. Most center around his connections with a Texas bank involved in the TFX controversy and the writing of indiscreet letters on official stationery. I am not, in this newsletter concerned with Korth's resignation. I am concerned only with the qualifications of the man President Kennedy has nominated to take his place, Paul Henry Nitze.

I was aware that the Senate once before had blocked the appointment of this man to a high post in the Navy and so I researched his record. The post he was slated to have under the Eisenhower administration (but which was blocked "in the name of the Senate majority") was the exact same position he was appointed to on December 24, 1960, by President-elect Kennedy: Assistant Secretary of Defense for International Security Affairs. This time, the nomination met with no opposition. In digging into this man's past to learn his attitudes, his philosophy and the probable character of his work if the Senate now confirms him as the new Secretary of the Navy, I have come across a most astounding document. Its title is, "Christian Responsibility on a Changing Planet" and was published by the National Council of the Churches of Christ in the U.S.A. It is a report of the Council's "Fifth World Order Study Conference" held in Cleveland, Ohio on November 18–21, 1958. The Council took extreme steps to make plain in the report that the views expressed at this "conference" might not necessarily reflect those of the Council. And well they should have disclaimed any association with these "views," for they are a running theme of appeasement, coexistence, and surrender, the like of which probably cannot be found in any other document this side of the Iron Curtain.

One of the six study commissions which laid the groundwork for the conference had as its chairman, Paul H. Nitze, the same man now nominated to be Secretary of the Navy. The following excerpts are quoted word for word from that report. These extracts are neither summaries nor impressions. These, we must presume, are the views of Paul H. Nitze, since, as chairman, he was responsible for the report. The title of Mr. Nitze's report is "the Power Struggle and Security in a Nuclear-Space Age."

Writing of how the United States should launch its counterattack following a nuclear attack on us, the Nitze report says: "Since we as Christians could not ourselves press the buttons for such destruction, we must now declare our conviction that we cannot support the concept of nuclear retaliation or preventive war." (In view of this, could Mr. Nitze be trusted to push the Navy button in the event of a nuclear attack on the United States even when ordered to do so by the Commander in Chief?)

Mr. Nitze's report advocates that we should not have in our possession nuclear weapons capable of a quick response to an attack upon us and that there should be time after any such attack "for political consideration, for negotiation, for the exercise of third-party judgment, and for the force of moral opinion of mankind to be brought to bear before a decision would have to be made as to the appropriate reaction in such a crisis." (What nation or group of nations would be acceptable to Mr. Nitze? Is the question of our very existence as a nation and a people to hang on the thin thread of a third party's opinion? Does he advocate scrapping the Navy's submarine-launched Polaris missile?)

On the subject of our refusal to recognize Red China or seat her in the U.N., Mr. Nitze's report states: "To continue to treat this great power as an outcast can serve only to deepen existing tensions and to further developments in China which we must deplore. Moreover, continuation of such a policy by the United States is indefensible." In the same vein, it continues: "At the same time, our policy should move in the direction of an acceptable solution of the problems of participation by the People's Republic of China in the councils of the United Nations and the establishment of diplomatic relations with that Government by the United States." (This is in direct contrast to the long established U.S. policy of "No seat in the U.N. for Red China." How does Mr. Nitze reconcile this opposing view * * * or can he reconcile it?)

On the subject of Berlin, the Nitze report urges us to back out of our pledge to the Europeans and to the Germans of that beleaguered city in these words: "We see no means of materially reducing tensions in this part of the world while remaining faithful to our obligations to the people of West Germany and of Berlin particularly, other than in unification." (A man's word and a nation's pledge are their bond. In how low a regard does Mr. Nitze hold this pledge of honor of the United States?)

Addressing himself to the subject of our military preparedness, Mr. Nitze's report states that "We are agreed that, if military force is to be used it should be sanctioned by and under the control of the United Nations." (This, too, is in contrast to our stated national policy. Does he advocate giving to the U.N. control and command of the Navy of which he would be Secretary?)

In other parts of the Nitze report, it is advocated that Chiang Kai-shek should abandon Quemoy and the Matsu, nuclear testing should be stopped unilaterally, if necessary, regardless of what Russia does, that the draft should be discontinued and that special consideration should be given economic assistance to India regardless of the fact that their military policy does not agree with ours, a difference we should "welcome."

It should be borne in mind that Paul Nitze has been nominated by the President for the post of Secretary of the Navy because of these views, not in spite of them. His confirmation would be a giant step down the road in the appeasement, no-win and surrender policy now eating away at the security and the defenses of this Nation.

This man has stated that he believes we should not try to build our military might * * * that, if there has to be a military force, it should be under the control of the United Nations * * * this man maintains we should not have a quick nuclear strike-back power * * * that, once struck by the enemy, we should negotiate, consider and sound out world opinion before deciding how to react * * * this man has stated that he cannot push the button to retaliate. Such a man whose stated beliefs are so contrary to our national welfare is not capable of discharging the duties of the Secretary of the Navy which include responsibility for the policy, administration, and control of all matters within the Navy and the welfare and morale of all its men.

Since the House does not have a voice in approving or disapproving the Nitze appointment, I am sending a copy of this Newsletter to every Member of the Senate. I am making my views known to the President and am writing to each Senator asking that Nitze be examined on the views contained in this document. If it cannot be established beyond any possible doubt that his views have taken a 180° turn, I am urging that he not be confirmed and, further, that they recommend to the President that he be discharged from the sensitive position he now holds.

JOE D. WAGGONNER, Jr.,
*Member of Congress,*
*Fourth District, Louisiana.*

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## THE POWER STRUGGLE AND SECURITY IN A NUCLEAR-SPACE AGE

### REPORT OF SECTION II[1]

Chairman: Paul H. Nitze; cochairman: Kenneth W. Thompson; rapporteurs: Harold E. Stassen, Raymond E. Wilson, George W. Rathjens, Jr.

(This report was "received by the conference and referred to the churches for study and appropriate action" by vote of the conference.)

### I. THREATS TO SECURITY

We remind ourselves, in considering this subject that we are thinking and speaking, not only as citizens but more particularly as Christians. Ours must be a sustained effort to relate the love of God as revealed in Jesus Christ to the complex problems of our time. Two temptations must be resisted: on the one hand, the temptation to be so impressed with complexities and difficulties that we fail to say clear words on issues that require moral judgment; and on the other hand, the equally strong temptation to overleap concrete problems in the enunciation of general principles.

Christians have a loyalty which transcends the Nation. The security they seek cannot be limited to any nation or group of nations. Their obligation is to God-given life. All of it. But this, again, does not mean that Christians should be indifferent to the survival of the Nation. For the survival of a nation may be important to the defense of human personality, as the Christian faith understands it.

In the contemporary world situation, the question for Christians in the United States is not simply whether the Nation is righteous but also whether our national existence is valuable, both to the people of this country and to the life of mankind. Some aspects of life in the United States could, without loss, perish, just as some characteristics of life in nations opposing us are worthy of survival. Nor should Americans claim that this Nation, taken as a whole, is better for human life than any other nation. We can, however, say that the present and potential character of our country makes it possible for the United States to be of continued service to human welfare. Not to try to preserve the security of our Nation could be moral dereliction to mankind. Although the Christian's national loyalty is always qualified, it may, nevertheless, be a part of his loyalty to mankind. This does not exclude recognition of the possibility that mankind may be served and enriched by a wide variety of social forms and cultures.

It is implicit in what we have said that security should not be thought of primarily in national terms. The Christian obligation to mankind and the technical developments of our time now combine to make a purely national concept of security wrong from every point of view. Freedom, justice, social welfare and security are indivisible. And the nationalistic approach to these goods is both morally and practically obsolete.

What today threatens our security? The manifold aspects of the revolution of our time constitute both a profound challenge and a threat to the basic security of the United States and others of the older nations. The continuing security problems comes from the age-old problem of nations struggling for strategic advantage and competing in national armaments, in a situation lacking order and often approaching anarchy. The growth of Russian and Chinese military power controlled by and coupled with the Communist movement and ideology constitute the present focus of this struggle.

The Marxist-Leninist view of man and society, coupled with a national and personal urge to worldwide power, make the contemporary struggle profoundly serious. The Communist powers are resolved to win the worldwide struggle. They expect to win. They will acquiesce in a genuine "coexistence" only when their own continued existence clearly demands it, or when, with the passing of time, some of their basic convictions have been eroded.

That the intransigence and aggressive tactics of the Communist powers are caused, in part, by fear for their own security is not to be denied. The tragic experience of the Russian people in two world wars and the history of Western imperialism must be taken into account if we are to understand contemporary Communist attitudes. American nuclear stockpiles and widely scattered military bases, some of them near the borders of the Soviet Union, arouse apprehension. Accordingly we, on our part, must try, more earnestly than we have done, so to conduct ourselves that Communist nations will have less cause to fear our intentions. But their fear also arises out of a legitimate Western response to their aggression. The aggressive aims of the Communists are a real and formidable factor in world tensions and a responsible national policy must take this into account.

From some such appraisal of the threat to security, all considerations of the most effective methods of dealing with the threat should start. It should be added that our response to communism should always include the recognition that the whole Western World, and particularly the Christian church in prerevolutionary Russia, carries heavy responsibility for the movement's emergence, because of an inadequate emphasis on social justice and human welfare. Communism is, in part a judgment upon our sins of omission and commission. Humility and repentance are incumbent upon us. But to underrate the threat is no service to human well-being or to world peace.

### II. THE SECURITY ROLE OF THE UNITED NATIONS

Neither the United States nor any other nation can insure its security in the years ahead through the unilateral development of military or other power. It is our firm conviction that the best hope for the creation of a system of world order lies in an increase in the power of the United Nations to assume wider responsibilities. Very frequently it may appear that actions taken by that body, in the resolution of disputes, will not be, from the short term point of view, to the best interests of the United States. We hold, however, that there must be an increased recognition that U.S. interests can find their long term satisfaction only within a far wider structure of interests that includes those of the rest of mankind. The United States should show a greater willingness than has heretofore been demonstrated to resolve disputes through the organs of the United Nations including the World Court.

We are agreed that if military force is to be used it should be sanctioned by, and under the control of the United Nations.

The United Nations in deterring aggression and in resolving disputes relies upon the authority and moral force of its recommendations backed by the support of those nations committed to the principles of the charter.

Much more emphasis must be placed upon the development of economic and political stability, efforts to settle disputes as early as possible, and the amelioration of situations before they break down into armed conflict or result in situations that invite aggression.

Our basic goal would be a system of international disarmament and security to supersede continued reliance upon military pacts and alliances such as SEATO and the Baghdad pact.

### III. TOWARD THE CONTROL, REDUCTION, AND ABOLITION OF ARMAMENTS

Progress toward the goal of universal disarmament is of major importance in the achievement of world order, in reducing the threat of war, and in lessening the tensions of the power struggle. It is urgent that greater emphasis and multiplied efforts be made by the United States and other nations to reach disarmament agreements because of the rapidly increasing destructiveness of nuclear weapons and intercontinental missiles; because of the growing difficulty of bringing these weapons under adequate inspection and control; and because of the large sums now being spent on armaments compared to aid and technical assistance, in a world characterized by widespread hunger, disease and illiteracy.

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[1] For official actions of the National Council of Churches related to the topics dealt with in this section report, see app. A, sec. II and app. B.

It is not possible at a conference such as this to spell out the process of arms reduction and control in detail, but the following are suggestions for continued efforts. In its efforts toward world disarmament, the United States should:

1. Assume greater initiative toward bringing national armaments under international inspection and control in a process directed toward their consequent limitation, reduction and eventual abolition.

Toward this end, we should follow up on the progress of the United Nations negotiations and the successful Geneva scientific talks and keep pressing for an early agreement to stop nuclear weapons tests and to install a United Nations inspection system to verify the fulfillment of the agreement, along the lines recommended by the conference of scientists at Geneva. We believe the U.S. Government should continue its present suspension of tests, unilaterally if necessary, for a sufficient period of time to permit full exploration of the possibilities of arriving at a definitive international agreement.

2. Follow up this significant first step of inspection and limitation by additional steps of international control and reduction.

3. Continue to seek an international agreement setting up a U.N. agency for the peaceful exploration of outer space, and a control system to assure the use of outer space for peaceful purposes.

4. Cooperate in establishing the proposed inspection system of the International Atomic Energy Agency in the hope that this may help furnish the pattern necessary for supervising worldwide cessation of production of nuclear weapons.

5. Continue negotiations with the U.S.S.R. for a mutual aerial and ground inspection system to guard against surprise attack and thus seek to aid in creating a climate where more far-reaching disarmament negotiations may be undertaken.

6. Recognize the close relationship between political settlements and disarmament and be more willing to broaden the framework of disarmament negotiations. These discussions might include the possibility of mutual withdrawal of nuclear forces from points of closest proximity, and disengagement in areas such as the Middle East or central Europe.

7. Work to reopen, as soon as possible, disarmament discussions within the U.N. for the purpose of prohibiting production of nuclear weapons and other weapons of mass destruction, to transfer nuclear weapons stockpiles to peaceful purposes, and to begin the process of reducing arms and armed forces.

8. Press for the creation of a permanent U.N. police force for border patrol, inspection, and the various functions of a genuine international police system.

Within its governmental system, the United States should:

1. Enlarge the staffs and strengthen the programs of the executive branch for studying the problems of world disarmament and formulating workable plans for its accomplishment. The proposal of a carefully worked out, safeguarded, comprehensive disarmament plan by the United States would serve as a focus for specific negotiations and for rallying world opinion.

2. Expand and make permanent the important work of the Special Subcommittee on Disarmament of the Senate Foreign Relations Committee.

3. Undertake a coordinated program among Government agencies to work in cooperation with management and labor for making the transition in as orderly a manner as possible, to an economy less dependent on military expenditures, and to remove the fears that disarmament steps will result in a depression.

4. Offer to devote a substantial percentage of the savings from armaments to allocations for development of underdeveloped countries, using the United Nations as far as feasible.

5. Abolish the system of military conscription and allow the authority of the Selective Service System to draft men to lapse on its expiration next June. The Government should consider ways of encouraging recruitment to meet those of its manpower requirements as would result from following the interim military policy suggested in the next section of this report.

### IV. INTERIM MILITARY POLICY

Until substantial progress has been made toward disarmament, we must use all our influence to see that wisdom and imagination are used in limiting and controlling military force.

As citizens we have a natural concern for the security of our Nation. As Christians we have a wider concern for the security of mankind. We cannot therefore, view with equanimity peparations for nuclear war which might result in the genetic distortion of the human race as well as widespread destruction of civilized life. Since we as Christians could not ourselves press the buttons for such destruction, we must now declare our conviction that we cannot support the concept of nuclear retaliation or preventive war.

During the interim period prior to a strengthened system of world order, law and disarmament:

1. We urge our Government to consider all methods for contributing to world security other than reliance upon nuclear weapons.

2. If the Government continues to rely in any way upon nuclear defenses, we urge that it be only for the deterrent effect that their possession by us may have on their possible use by anyone else.

3. If any such weapons are to remain in U.S. possession, we urge that the U.S. Government shift the character of the nuclear weapons it is developing away from systems implying very rapid and inadequately considered decision in the event nuclear warfare is believed to have, or has been initiated by others. Weapons systems more nearly invulnerable to surprise attack would permit time for political consideration, for negotiation, for the exercise of third party judgment, and for the force of the moral opinion of mankind to be brought to bear before a decision would have to be made as to the appropriate reaction in such a crisis. Such a shift in weapon systems would materially reduce the danger of nuclear war arising from misunderstanding or error.

With respect to providing military aid to other nations, the United States should give due regard to the character and objectives of the recipient governments, the effects of the aid on their economic and political systems, and the effects on neighboring states.

### V. PEACEFUL COMPETITION AND INTERNATIONAL COOPERATION

The nuclear stalemate prompts both U.S.S.R. and ourselves to shift competition to nonmilitary fields. Presumably, American leaders ought to welcome peaceful competition in ideas, institutions and opposing conceptions of the good life. Yet, up to the present, national initiative has not been equal to the task. Why have American policies been unsuccesful in this sphere?

Five reasons are advanced for these failures. First, American attitudes have been too one sided in seeing the cold war in simple, military terms. The power of communism rests in part in its offering opportunities for rapid economic development to technologically underdeveloped nations. In the next decade, the results of Chinese and Indian experiments will be watched for the object lessons they carry for other new nations.

Second, we have hesitated to accept the fact of living with two major Communist nations for an indefinite period and of recognizing that hostile grimaces and provocative acts will be of no avail.

Third, we have not seized every opportunity to react creatively to more hopeful developments within the Communist world, particularly within the so-called satellite nations.

Fourth, Americans are disposed to see the present struggle as a conflict between good and evil. A simple black-and-white moralistic approach may impair the effectiveness of our policies toward satellite countries or those whose political goals are not immediately our own.

Fifth, many assume that the world is and must be divided into two ideological blocs. In fact, an important part of the world's peoples are not alined with either side. More understanding and effective policies must be evolved for cooperation with this part of mankind.

The United States should:

1. Seek continuation over a 5-year period of the International Geophysical Year.

2. Extend trade and travel with mainland China, Eastern Europe, and the Soviet Union.

3. Encourage association and fellowship of various professions and groups across the Iron Curtain; for example, exchange of farmers, students, and religious groups.

4. Explore more effective use of its surplus food for distribution in Communist countries and in underdeveloped nations.

5. Evolve more seminars and conferences for social scientists and scientists from the Soviet bloc and the West. We commend the Department of State for persisting in negotiating an agreement for expanded exchange of persons with the Soviet Union and urge the lifting of restrictions on the travel of Soviet visitors in the United States.

6. Implement programs for common attacks on basic human problems of disease, such as malaria, and threats to crops such as wheat rust, that may be carried across national boundaries.

7. Invite wider participation by the U.S.S.R. in U.N. technical assistance programs.

8. Encourage private investments in underdeveloped areas with appropriate safeguards both for the private investor and for the host nation.

9. Encourage the religious and philosophic dialog above the level of present political struggles. In particular, we urge that all opportunities be utilized, through the World Council of Churches and other channels, for meetings of churchmen from the Soviet nations and the West.

### VI. POINTS OF POLICY WITH RESPECT TO SPECIFIC AREAS

Several of the areas of the world pose particular challenges to American foreign policy at this time.

With respect to China, United States policy has not been responsive to the realities. While we cannot condone many of the things for which communism stands, it is the part of wisdom to admit that we see no reasonable alternative open to us other than to recognize that Communist China is a nation of tremendous and growing importance with whom we must live. To continue to treat this great power as an outcast can serve only to deepen existing tensions and to further developments in China which we must deplore. Moreover, continuation of such a policy by the United States is indefensible. We feel that the stiffness of our attitude has already cost us dearly in world opinion, and has made the resolution of our difficulties with China more difficult than might have been the case had there been official channels of communication from the beginning.

The section would urge a more flexible approach to the Far Eastern problem in the interest of a more adequate representation of American purposes and objectives. In the interest of greater stability in the Far East, Washington should encourage the Chinese Nationalist Government to evacuate exposed positions that may be militarily unsound and politically detrimental, and submit to the U.N. the question of securing peace and security in the area of Formosa. The people on Formosa should be protected in their right freely to determine their own future.

At minimum, the Western world should not be prevented from liberalizing trade relations with any Far Eastern country. The United States should liberalize its policies with respect to travel of Chinese nationals in the United States and of U.S. citizens within Communist China. At the same time, our policy should move in the direction of an acceptable solution of the problems of participation by the People's Republic of China in the counsels of the United Nations and the establishment of diplomatic relations with that government by the United States.

We feel that, with respect to peaceful competition with communism, one of the most crucial contests is that being waged in India. Inevitably, all of the underdeveloped nations of the world will compare progress in India with that in China; it will be tragic if the comparision is unfavorable. We, therefore, urge that special consideration be given to providing India with sufficient economic and technical assistance to insure the success of her development program. The fact that India has been unwilling to identify itself with us in our military policy should not deter us in this. Rather, we should welcome the fact that free, uncommitted nations can exist in the world today, and that they may facilitate settlement of disputes in which any of the great powers is involved.

At the heart of any settlement of European problems is the question of the two Germanys. Moreover, the continued isolation of West Berlin is clearly a source of great vulnerability to the West. We see no means of materially reducing tensions in this part of the world while remaining faithful to our obligations to the people of West Germany, and of Berlin particularly, other than in unification. We, therefore, urge that our Government continue to support the unification of Germany.

We are deeply concerned that Christians better understand the involved and explosive situation in the Middle East. With humility and penitence we confess that our own lack of understanding and sympathy, both in our reluctance to resettle in Christian countries the oppressed Jews of Europe, and in our disregard of Arab rights, has contributed to the tragedy of Palestine. We believe that Christians must join with Muslims, Jews, and others in a continuing search for just and durable peace in the area. We urge that every effort be continued to find agreement by negotiation whether under the U.N. or by direct consultation among the governments immediately concerned. Particularly we call for the implementation of the U.N. resolutions providing for the return, where possible, of the Arab refugees to their homes; and, where not possible, for adequate compensation for their loss. We believe the Christian community should stand ready to assist in the repatriation or resettlement of the Arab refugees.

We call on our Government to support the legitimate aspirations of the Arabs for unity; and of Israel to survive in peace.

We firmly record our support of the U.N. recommendation providing for the internationalization of Jerusalem and its environs.

In general, we feel that our attitudes toward the whole Middle East should be conditioned less by our fear of Soviet expansion into the area and become more responsive to the needs of the peoples of the region. We must recognize the aspirations of the people in the area for independence and economic development. The United States should generously support a widespread program for economic development of that region. We feel that the Baghdad Pact and the Eisenhower doctrine are not responsive to the major problems of the area, and that the former in particular, may have hindered the development of peaceful solutions to Middle East problems.

### VII. CALL TO THE CHURCHES

We call upon the members of the Christian churches:

To dedicate themselves to the task of working in a spirit of Christian love for the healing of the nations;

To pray for a spirit of penitence for the selfishness of our affluent society in a world of hunger and need;

To make common cause with the disadvantaged and dispossessed for the realization of their hopes and freedoms;

To transfer the conflict of ideas and ideologies from the battlefield to the realm of peaceful competition and the rule of law;

To translate into reality the old Russian proverb, "Mountains may never come together but men can";

To multiply their efforts toward beating swords into plowshares and achieving a warless world.

## CONGRESSMEN AND PRESS PRAISE WORK OF TVA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. EVINS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EVINS. Mr. Speaker, the Tennessee Valley Authority—at the height of its service to the Nation—has come under attack again with the suggestion, no doubt fostered by special-interest, private-power lobbies, that the TVA should be sold by the Federal Government.

This is a shortsighted proposal which borders on the ridiculous. The TVA, through its 30-year history, has withstood many bitter attacks and no doubt will withstand this latest challenge. This recent threat, however, serves as a reminder that there are always special interest groups ready to shackle America for their own selfish purposes and against the public interest.

The October 28 issue of the Nashville Tennessean quoted all Members of the Tennessee delegation including both Democrats and Republicans as being unanimously opposed to selling TVA as advanced by a Member of the other body.

Mr. Speaker, I ask that an editorial from the Tennessee Public Power Association News in this connection, and the article from the Nashville Tennessean be reprinted in the RECORD.

The editorial and article follow:

### HOUSE HEARINGS—TVA

When TVA officials have appeared before the House Appropriations Committee, they have not always had a friendly reception from all members of the committee. But this year, while the appropriations hearing brought out detailed questions about TVA operations and policies, there was an unusual amount of praise for the job TVA is doing.

Committee Chairman CLARENCE CANNON, Democrat, of Missouri, a stanch and longtime TVA supporter, called TVA "the greatest engineering project in the world today and undoubtedly the most successful in attaining the objectives for which it was established."

Even with this "magnificent work," Chairman CANNON declared, "strange to say, we have bitter opposition on the part of the predatory interests." He made it clear that he would include the private power companies among "the predatory interests" he was referring to.

Said Chairman CANNON: "They do not want TVA; they do not want REA's. They want a monopoly of the fertilizer business; they want a monopoly of the production and distribution of power. And so the only conditions under which they will consent to an intertie is when you let them have control. * * *" This last remark of the Chairman was directed at TVA's interchange agreement with a group of private power companies in the Southwest, under which up to 1,500,000 kilowatts will be seasonally exchanged between the two areas.

Another leading member of the House Appropriations Committee, Representative JOE EVINS of Tennessee, praised TVA "not only as a symbol of democracy in action throughout the United States but as a monument of progress to other nations of one world."

But there were words of praise heaped on TVA by members of the committee who have not always been noted for favoring TVA. For example, Representative JOHN PILLION, Republican, of New York, expressed approval of the arrangement between TVA and the city of Memphis under which TVA leases the Memphis steamplant with an option to purchase at the end of 20 years. Said Representative PILLION: "I think it is a good deal for both TVA and for Memphis."

And Representative BEN JENSEN, Republican, of Iowa, historically one of TVA's most consistent foes, commenting on TVA's fertilizer research contract with Iowa State University, said: "I am very glad to know that TVA has recognized the importance of having the Iowa State College cooperate with them in this very important matter." Later in the hearing, Representative JENSEN declared: "I know your fertilizer program has been very popular. I have said on numerous occasions I thought it was the best of TVA."

At one point in the hearing, the committee was discussing the interchange agreement between TVA and the private power companies in the Southwest. Representative EVINS then threw a tough question to TVA manager of power, G. O. Wessenauer.

With this new power exchange agreement with the power companies, Representative EVINS asked: "Are the private companies on the perimeter of TVA loving you any more now than they used to?"

Mr. Wessenauer replied: "I don't know how to answer that. We have always had mutual arrangements with them for interchange of power. I don't believe that they have changed their minds about the way they think power ought to be supplied, so to that extent I think they still have the same viewpoint but I think we have respect for each other and we work together where it is mutually advantageous."

Some of the facts brought out in the hearings include:

The power requirements of the Tennessee Valley are growing at the rate of about 1 million kilowatts a year.

Signing of the exchange power arrangement with the Southwest private power companies has enabled TVA to delay start of construction on new generating capacity.

Of an estimated $20 million increase in revenues from the sale of TVA power during the present fiscal year, more than $10 million of the increase is expected to come from sales to the municipal and cooperative distributors of TVA power.

Payments to the U.S. Treasury by TVA in fiscal year 1964 are estimated at $48.2 million, which will bring total TVA payments to the Treasury nearly up to the half-billion dollar mark.

### Goldwater Hit Again on TVA

Tennessee Congressmen continued to criticize Senator Barry Goldwater's view that the Tennessee Valley Authority should be sold yesterday.

None, including the three GOP Representatives to Congress, has agreed with the Arizona Republican that private industry should take over the valley complex.

Only Senator Herbert Walters of Morristown has not gone on record about Goldwater's statements. Efforts to reach him Saturday and yesterday at his home in Morristown and his Washington residence were unsuccessful.

Goldwater, apparent frontrunner for the 1964 Republican presidential nomination, stated his sell-TVA position in a letter to Representative Richard Fulton, Democrat, of Nashville, which was released over the weekend.

Representative Clifford Davis, Democrat, of Memphis, said the proposal to sell TVA "is absolutely ill-founded, unwise, and will never happen in this country."

Davis said that even the private power people in this country admit it (TVA) is efficient and well managed."

Representative Howard H. Baker, Republican, of Knoxville, reacted with:

"I am absolutely opposed to the sale of TVA. It is doing a fine job."

Baker said the Tennessee Valley Authority "must be looked at as a system as a whole," mentioning flood control, power, and navigation, and said flood control and navigation should never be in private hands.

"I wholeheartedly disagree," said Representative Joe L. Evins, Smithville. "He (Goldwater) doesn't even have the facts on what TVA means to the Nation."

Evins, a member of the House Appropriations Committee, called Goldwater "very short-sighted and provincial in opposing TVA."

While the Arizona Senator is doing this, Evins said, he often comes to the committee with requests for reclamation projects for his arid West.

Representative Tom Murray, Democrat, of Jackson, said of the proposal to sell TVA: "Certainly not—not at all.

"It's operating fine now. We should continue it."

Asked in what areas it is operating fine, Murray answered:

"All over."

He called it perfect.

Representative Robert A. (Fats) Everett, Democrat, of Union City, said, "It seems that Senator Goldwater should see the benefits that TVA has rendered to the valley before he capitulates to the private power lobby.

"I certainly think the people of the valley appreciate the benefits that have been afforded them from an agency that is paying its own way."

Everett said that had it not been for TVA and the Rural Electrification Administration, young men and young women would never have remained in the farm areas to make the contributions they are now making.

"Either Senator Goldwater is misinformed," Everett said, "or he cares not for the people of the valley."

Tennessee's other Congressman agreed Saturday that TVA should not be sold, most of them vigorously defending the agency.

Goldwater made his statement to Fulton after the fifth district Representative had inquired of the Senator if he was correctly quoted in a magazine article about selling the valley agency.

Goldwater's letter, reproduced in the Sunday editions of the Nashville Tennessean, agreed.

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## FOREIGN SECURITIES TAX PROPOSAL COULD WORSEN U.S. BALANCE OF PAYMENTS

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, during his appearance before the House Ways and Means Committee, on October 21, in support of the administration's proposal to tax American purchases of foreign securities, Secretary of the Treasury Dillon warned that rejection of the legislation would force the United States to adopt measures of direct control over capital movements.

While the Secretary may consider his warning a useful tactic in support of the so-called interest equalization tax proposal, it is highly damaging insofar as the broader objective of maintaining world confidence in the strength and stability of the dollar is concerned. A statement by one of the administration's highest officials to the effect that the United States—the world's banker—may have to resort to direct capital controls will surely have the effect of further impairing international confidence in the dollar. It could also seriously worsen our balance of payments by triggering a major outflow of capital from the United States in anticipation of direct controls.

The fact of the matter is that the proposed foreign securities tax is neither necessary nor desirable. The administration is seeking to throw up an artificial wall to the free flow of private capital with long-run effects that would be damaging to both our domestic economy and our foreign economic policy.

More attention should be directed to grappling with the basic cause of the outflow of U.S. funds, which is an unfavorable investment climate in this country arising from a weakness in business confidence based upon a continuing profits squeeze, chronic Federal budget deficits and slow but steady erosion of the value of the dollar. Confidence and the healthier business climate which accompanies it will not be restored until the administration imposes discipline upon itself in the conduct of its fiscal affairs.

Aside from these objections to the principle underlying the proposal there are serious questions as to whether the tax—particularly since it is riddled with exemptions and loopholes—would achieve its objective. As has been noted by Prof. Lawrence Krause of the Brookings Institution:

> You must always distinguish between improving the balance of payments and stopping a capital flow. These are not identical. You may deter some capital flow and you pay for it in lower exports or some other feedback in the balance of payments.

The program to tax American capital investments abroad thus may offset the benefits of our efforts to increase U.S. exports.

As was pointed out in a special article entitled, "Monetary Boomerang," in the October 3 New York Times:

> As a nation increases its capital exports, its exports of goods and services also will increase; and conversely, decreased capital exports will bring on decreased exports of goods and services.

The article notes that many economists have demonstrated that—

> Much of the capital exported by the United States has been used for purchases of American goods and services. This has helped provide the United States with a continuing balance of trade—a surplus of exports over imports.

A major study on the U.S. balance of payments recently published by six Brookings Institution economists said:

> Capital outflows from the United States to non-European areas, as we have noted, are especially likely to lead to offsetting receipts in other items in the balance of payments. Thus, it would not be safe to conclude that the increased outflow of private capital in recent years was responsible for the deterioration of the basic balance which began in 1958 without first examining the possible compensating effects of private outflows in other items.

Interestingly enough, the Brookings study also pointed out that the Department of Commerce program to induce businesses to make an initial effort to export their products may also induce more firms to make foreign investments. As the Brookings study says:

> There is a historical pattern whereby firms become acquainted with foreign markets through exporting, and then move into foreign licensing arrangements or direct foreign production. There is no reason to believe this pattern will change.

The Brookings report also points out that investment outflows in one year create assets which create dividends and interest receipts in later years. The study points out that, "Recent new U.S. investments abroad already seem to be contributing to higher return flows to the United States. The Brookings economists foresee that the average outflow of the last few years will not be exceeded, and in all likelihood will decline.

According to the Brookings economists, long-term capital transactions of the United States will contribute strength rather than weakness to our balance of payments. A cessation of long-term capital outflows, the study says, would improve the balance of payments in any single year, but this improvement would be more than offset by subsequent losses. As the study says:

> The U.S. balance of payments has already felt the strain of adjusting to an increased level of capital outflows, and now it is moving into a position where it will reap benefits from these outflows. Only in the very unlikely event of an accelerated growth of outflow of new funds would long-term capital transactions be a negative force.

Aside from these considerations, it should be noted that even if the tax proposal were to raise the cost of borrowing in the United States by 1 percent, as is intended, long-term interest rates in most major industrial countries would still remain above those in the United States. The cost of floating new issues is also higher abroad than in the United States, and in any event, the highly developed U.S. capital markets—as Secretary Dillon has often pointed out—will continue to be an important reason for foreign borrowing in our money markets. All of these factors cast serious doubt upon the effectiveness of the administration's proposal.

An editorial in the Wall Street Journal of October 23 commented upon some of the objections to the tax, and I include it under unanimous consent in the Record at the conclusion of these remarks.

### These Crazy Americans

A good many Europeans always have had trouble understanding those crazy Americans. And things aren't getting much easier.

To many of our foreign friends, one of the solider elements in America's balance of payments long has been the growing amount of private U.S. investments around the world. For these are not stacks of idle dollars; they are generating a rising flow of interest and dividends to the United States.

By last year this flow of income was running well ahead of the outflow of new investment funds. As the foreigners survey the scope of the investments, they surmise that the flow to the United States could become a flood in a decade or two. Naturally, therefore, with the U.S. Government increasingly concerned about its payments deficit, they assumed it would surely strive to preserve this source of strength.

But no. The administration proposes instead to slap a penalty tax on people who invest in foreign securities. If Congress refuses to go along with that idea, Treasury Secretary Dillon declares the Government will have no alternative but to adopt direct controls over private U.S. investments overseas. Otherwise, he says, we would "demonstrate to all the world" an unwillingness to take those actions needed to end our balance-of-payments deficit.

The world is watching, all right. No one abroad has any reason to doubt that either the investment tax or direct controls (are they really so different?) would indeed slow the outflow of investment dollars from the United States. Just as obviously, either measure would slow the inflow of investment income from overseas.

As one European financial editor phrased it the other day, "It's a little like trying to economize by quitting your job. After all, you do save the money you used to spend getting to work."

## TAX CREDIT FOR EDUCATION AND FOR CONTRIBUTIONS TO INSTITUTIONS OF HIGHER LEARNING

**Mr. BOW.** Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

**Mr. CURTIS.** Mr. Speaker, the real pinch in the cost of education is at the parent level because parents bear both the basic cost as parents and the supplemental cost as taxpayers. To ease this cost burden somewhat and to aid and encourage education at the postsecondary school level, I introduced a bill, H.R. 3393, earlier this year, which is similar to the measures I have introduced in prior Congresses. As I mentioned in my remarks at the time I introduced H.R. 3393, appearing on page 1849 of the Congressional Record of February 5, 1963, I chose the mechanism of a sliding scale credit against tax as a means whereby the desirable goal of aiding education would be attained without encountering the major objections to other forms of aid to education.

Today I am introducing a bill which is a refinement of my previous bill. One refinement in the legislation that I am proposing is that a person is entitled to use this credit against tax only when the student is a candidate for a degree, or is taking courses required for the attainment of educational, professional, or vocational objectives. Another refinement offered in this bill is one which allows the taxpayer to take a credit against tax as well as a deduction, if he is entitled to the deduction as a trade or business expense. I feel that with these two added provisions, plus the revision of the technical language, the objectives of my first bill can be more readily attained.

A second section of the bill that I am introducing gives a credit against tax for contributions made to nonprofit institutions of higher learning by either individuals or corporations. There is an upper limit, $100 for an individual and $10,000 for a corporation, to the amount of this credit in any 1 year. The taxpayer, under this section, is permitted to take a deduction for charitable contributions, as well as the credit provided.

I feel that by adding this section to the bill, a stimulus is provided for increasing contributions to our colleges and universities, which are characteristically in extreme financial straits and having great difficulty in expanding facilities, increasing faculty salaries, and sponsoring more research. This provision, I believe, will alleviate to a considerable extent the plight of those colleges and universities which do not have large endowment funds, or other similar means by which the costs of education are absorbed.

I am very pleased that my distinguished colleague in the other body, the junior Senator from Arizona, Barry Goldwater, is introducing today a companion bill.

At this point in the Record I would like to include the text of the bill which I introduced and an analysis of its provisions:

The text of the bill is as follows:

A Bill To Amend the Internal Revenue Code of 1954 To Allow a Tax Credit for Certain Tuition and Fees Paid by Individuals to Institutions of Higher Education and To Allow a Tax Credit for Certain Contributions Made by Individuals or Corporations to Institutions of Higher Education

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 39 at 41, and by inserting after section 38 the following new sections:

"Sec. 39. Tuition and Fees Paid to Institutions of Higher Education.

"(a). General Rule.—There shall be allowed to an individual, as a credit against the tax imposed by this chapter for the taxable year, an amount (determined under subsection (b)) of the tuition and fees paid by him during the taxable year to one or more institutions of higher education in providing an education above the twelfth grade for himself or for any other individual with respect to whom he is entitled for such year to an exemption under Section 151.

"(b) Limitations.—

"(1) Amount per individual.—The credit under subsection (a) for tuition and fees paid in providing an education above the twelfth grade for any individual during the taxable year shall be an amount equal to the sum of—

"(A) 100 percent of so much of such tuition and fees as does not exceed $100,

"(B) 30 percent of so much of such tuition and fees as exceeds $100 but does not exceed $500, and

"(C) 20 percent of so much of such tuition and fees as exceeds $500 but does not exceed $1,500.

"(2) Proration of credit where more than one taxpayer pays tuition or fees.—If tuition or fees for any individual are paid to one or more institutions of higher education by more than one taxpayer during the taxable year, the credit allowable to each such taxpayer under subsection (a) shall be the same portion of the credit determined under paragraph (1) which the amount of the tuition and fees for such individual paid by the taxpayer during the taxable year is of the total amount of tuition and fees for such individual paid by all taxpayers during the taxable year.

"(c) Definitions.—For purposes of this section—

"(1) Tuition and fees.—The term 'tuition and fees' means only—

"(A) tuition and fees required for the enrollment or attendance of a student at a level above the twelfth grade at an institution of higher education, and

"(B) fees required for courses of instruction above the twelfth grade at an institution of higher education.

Such term does not include any amount paid, directly or indirectly, for meals, lodging, or similar personal, living, or family expenses. In the event an amount paid for tuition or fees includes an amount for meals, lodging, or similar expenses which is not separately stated, the portion of such amount which is attributable to meals, lodging, or similar expenses shall be determined under regulations prescribed by the Secretary or his delegate.

"(2) Institution of higher education.—The term 'institution of higher education' means only a duly accredited educational institution—

"(A) which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on,

"(B) which regularly offers education at a level above the 12th grade, and

"(C) contributions to or for the use of which constitute charitable contributions within the meaning of section 170(c).

"(d) Special Rules.—

"(1) Adjustment for certain scholarships and veterans' benefits.—The amounts otherwise taken into account under subsection (a) as tuition and fees paid for any individual during any period shall be reduced (before the application of subsection (b)) by any amounts received by such individual during such period as—

"(A) a scholarship or fellowship grant (within meaning of section 117(a)(1)) which under section 117 is not includible in gross income, and

"(B) education and training allowance under chapter 33 of title 38 of the United States Code or educational assistance allowance under chapter 35 of such title.

"(2) Noncredit and recreational, etc., courses.—Amounts paid as tuition or fees for any individual shall be taken into account under subsection (a)—

"(A) in the case of an individual who is a candidate for a baccalaureate or higher degree, only to the extent such tuition or fees are attributable to courses of instruction for which credit is allowed toward a baccalaureate or higher degree, and

"(B) in the case of an individual who is not a candidate for a baccalaureate or higher degree, only to the extent such tuition or fees are attributable to courses of instruction necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

"(3) Application with other credits.—The credit allowed by subsection (a) to the taxpayer shall not exceed the amount of the tax imposed on the taxpayer for the taxable year by this chapter, reduced by the sum of the credits allowable under this subpart (other than under this section and section 31).

"(e) Correlation With Section 162.—

"(1) In general.—Deduction shall not be denied under section 162 (relating to trade or business expenses), for tuition and fees otherwise allowable as a deduction under such section, by reason of the fact that such tuition and fees are taken into account in determining the credit allowable under subsection (a).

"(2) Reduction of credit.—If the amount allowable (but for this paragraph) for any taxable year as a credit under subsection (a) for tuition and fees paid by the taxpayer in providing an education above the twelfth grade for himself, when added to the amount by which the tax imposed by this chapter for such taxable year is less by reason of the allowance of a deduction under section 162 for such tuition and fees, exceeds the amount of such tuition and fees, then the amount allowable as a credit under subsection (a) shall be reduced by an amount equal to such excess.

"(f) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section.

"Sec. 40. Contribution to Institutions of Higher Education.

"(a) General Rule.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount (subject to the limitations of subsection (b)) equal to the amount of contributions by the taxpayer, payment of which is made within the taxable year, to or for the use of one or more institutions of higher education.

(b) Limitations.—

"(1) Individuals, etc.—In the case of a taxpayer other than a corporation, the credit under subsection (a) for any taxable year shall not exceed $100.

"(2) Corporations.—In the case of a corporation, the credit under subsection (a) for any taxable year shall not exceed $10,000.

"(c) Contributions to Which Applicable.—Subsection (a) shall apply to a contribution to or for the use of an institution of higher education only if—

"(1) such contribution is a charitable contribution within the meaning of section 170(c), and

"(2) if such contribution is made for the use of an institution of higher education but is not paid to such institution and is not made available to it by the recipient, such contribution may be used by the recipient only for the same purposes for which such institution of higher education may expand its funds.

"(d) Institution of Higher Education Defined.—For purpose of this section, the term 'institution of higher education' has the meaning assigned to it by section 39(c)(2).

"(e) Application With Other Credits.—The credit allowed by subsection (a) to the taxpayer shall not exceed the amount of the tax imposed on the taxpayer for the taxable year by this chapter, reduced by the sum of the credits allowable under this subpart (other than under this section and section 31).

"(f) Correlation With Section 170.—"(1) In general.—Deduction shall not be denied under section 170 (relating to charitable, etc., contributions and gifts), for contributions to institutions of higher education otherwise allowable as a deduction under such section, by reason of the fact that such contributions are taken into account in determining the credit allowable under subsection (a).

"(2) Reduction of credit.—If the amount allowable (but for this paragraph) for any taxable year as a credit under subsection (a) for contributions to institutions of higher education, when added to the amount by which the tax imposed by this chapter for such taxable year is less by reason of the allowance of a deduction under section 170 for such contributions, exceeds the amount of such contributions, then the amount allowable as a credit under subsection (a) shall be reduced by an amount equal to such excess.

"(g) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section."

"(h) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 39. Tuition and fees paid to institutions of higher education.
"Sec. 40. Contributions to institutions of higher education.
"Sec. 41. Overpayments of tax."

Sec. 2. The amendments made by this act shall apply to taxable years ending after the date of the enactment of this act.

## Section-by-Section Analysis of Goldwater-Curtis Bill

### SEC. 39—TUITION AND FEES PAID TO INSTITUTIONS OF HIGHER EDUCATION

(a) Taxpayer is allowed to take as credit against his final tax the amount of tuition and fees paid by him during the taxable year to one or more college or institution of higher education for himself or for any other individual for whom he can claim an exemption.

(b)(1) Credit for tuition and fees shall be allowed on the following schedule:

(a) 100 percent of the first $100.
(b) 30 percent of the next $400.
(c) 20 percent of the next $1,000.

For example, a parent pays $1,350 in tuition and fees to a college on behalf of his son. Thus the parent would be entitled to a credit of $390 as follows:

| | |
|---|---|
| (a) 100 percent of first $100 | $100 |
| (b) 30 percent of next $400 | 120 |
| (c) 20 percent of next $850 | 170 |
| Total | 390 |

The maximum credit allowance under this provision would be $420.

(b)(2) Where more than one taxpayer pays the tuition and fees the credit allowance shall be prorated among the taxpayers. For example, a parent pays $500 and his son pays $1,000 in tuition and fees to a college. The credit allowance would be $420, of which the parent would be entitled to one-third or $140, and the son would be entitled to two-thirds or $280. (Note.—The application of this subsection would be very limited inasmuch as each taxpayer must be able to claim an exemption for the individual for whom tuition and fees are paid. In the case cited above, the parent could continue to claim his son as an exemption even though the son is himself a taxpayer provided that the parent contributes more than one-half of his son's support while the son is a student).

(c)(1) Define "tuition" and "fees" as those required for enrollment or attendance or required for courses of instruction at an institution of higher education. It excludes amounts paid for meals, lodgings and other personal, living, or family expenses. If the tuition and fees include an amount for meals, lodging, etc., not separately stated, the portion of the amount attributable to meals, lodging, etc., shall be determined by the Secretary of the Treasury.

(c)(2) Defines "institution of higher education" as one which:

1. Normally maintains a regular faculty and curriculum;

2. Normally has a regularly organized student body in attendance where the educational activities are carried on (thereby excluding correspondence schools);

3. Offers education at a level above 12th grade; and

4. Gifts made to it constitute charitable contributions within the meaning of the code.

(d)(1) If an individual receives a scholarship or fellowship grant (which are not included in gross income) or receives an education and training allowance under the Korean GI bill or War Orphans Educational Assistance Act, the amount of such grant or allowance is deducted from the amount paid for tuition and fees in determining the credit allowance. Thus, if the amount paid for tuition and fees is $1,500 and the individual receives a grant or allowance of $800, then the credit allowance is based on $700, and not $1,500.

(d)(2) In the case of an individual who is a candidate for a college degree, credit allowance will be given only for tuition and fees paid for courses for which credit is allowed for a college degree. In the case of an individual not a candidate for a degree, credit allowance will be given for tuition and fees paid for sources required for the attainment of an educational, professional, or vocational objective. For example, a Foreign Service officer, transferred to a new post, may take a limited course of instruction in the language, culture, and history of the country to which he has been assigned, or a lawyer may wish to enroll in several graduate law courses to upgrade and enlarge his legal skills. Under both examples, it is intended that credit for tuition and fees paid would be allowed. On the other hand, a certified public accountant who enrolls in a course on Shakespeare merely for his own enlightenment and entertainment would not be entitled to a credit for tuition and fees paid, since the course in Shakespeare would not be part of an educational, professional, or vocational objective.

(d)(3) Provides that the credit allowance cannot exceed the amount of tax owed by the taxpayer. If the credit allowance is $420 and the amount the taxpayer owes is $400, then the credit allowance is reduced to $400. This provision is simply a technical amendment to prevent a claim by the taxpayer that the Government owes him $20 or the amount in excess of his tax.

(e) If a taxpayer is entitled to a deduction under section 162 (relating to trade or business expenses) for tuition and fees paid, he may continue to claim the deduction and the credit allowance as well. However, the deduction and the credit together cannot exceed the amount actually paid for tuition and fees. For example, a taxpayer in the 30-percent bracket pays $150 in tuition and fees. He reduces his tax by $45 (30 percent of $150) by way of the deduction and is entitled to $115 as a credit. Since the total amount of the credit and the deduction is $160, the credit is thereby reduced to $150.

(f) Secretary of the Treasury is given authority to prescribe regulations to carry out this provision.

SEC. 40—CONTRIBUTIONS TO INSTITUTIONS OF HIGHER EDUCATION

(a) Provides a credit against his final tax for an individual for the amount of his contributions to one or more institutions of higher education during the taxable year.

(b) The credit cannot exceed $100 in the case of an individual or $10,000 in the case of a corporation.

(c) Such credit will apply only if the contribution to or for the use of an institution of higher education is deductible as a charitable contribution. Where the contribution is made not to a college or university but to an agency, foundation, or institution, such contribution may be only used by the agency for the same purposes that a college or university may use its funds.

(d) Definition of "institution of higher education" same as section 39(c)(2).

(e) Same as section 39(d)(3).

(f) Permits taxpayer to continue to take a deduction for charitable contributions as well as the credit provided by this section. In no event shall the deduction and the credit together exceed the actual amount of the contribution. Similar to the example set forth in section 39(e)(2).

(g) Secretary of the Treasury authorized to issue regulations to carry out provisions of this bill.

(h) Technical amendment—renumbering of code sections.

SEC. 2: Provisions shall apply to taxable years ending after the enactment of this act. If this bill becomes law in December 1963, a taxpayer may take advantage of the credits provided herein in filing his income tax return for the taxable year 1963.

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## A NATIONAL TRANSPORTATION MUSEUM IS NEEDED IN THE NATION'S CAPITAL

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the New York Times reminds us in a timely editorial this morning that "until the first blow fell no one was convinced that Penn Station really would be demolished or that New York would permit this monumental act of vandalism against one of the largest and finest landmarks of its age of Roman elegance." The editorial says, with keenly felt disgust:

> Any city gets what it admires, will pay for, and, ultimately, deserves. Even when we had Penn Station, we couldn't afford to keep it clean. We want and deserve tin can architecture in a tinhorn culture. And we will probably be judged not by the monuments we build but by those we have destroyed.

In an attempt to prevent the same thing from happening in the Nation's Capital to the stately and dignified Union Station building designed by Daniel H. Burnham, one of our Nation's greatest architects, I introduced a bill, H.R. 8234, to provide a transportation museum as part of the Smithsonian Institution.

A national Air Museum was authorized some years ago as part of the Smithsonian Institution. This was, I am told, encouraged and very actively supported by the air and space industry leaders until it was passed by the Congress.

It seems to me most remarkable that the Congress could, without giving much more thought to the problem than it obviously has so far, authorize a museum for one aspect of transportation and, indeed, only the most glamorous and publicized aspect of transportation, and blandly ignore the need for a complete museum to show the compelling, often heartbreaking, and always magnificant story of mankind's transportation history.

I do not think that the Congress, or this Democratic administration, can justify a $40 to $50 million museum dedicated only to the air and space age, a museum which will be built at the taxpayers' expense, and a museum which, by its very limited statement of purposes, cannot but fail to give only an exceedingly small-size picture of mankind's history of transportation.

The Congress must recognize the absolute need to provide suitable and adequate facilities for the whole history of transportation. The Smithsonian Institution is dedicated to the increase and diffusion of knowledge, and surely some attempt must be made by this administration to assure that the knowledge dispensed is reasonably complete, is not distorted, and does not amount to special treatment of one industry.

My bill would provide a transportation museum which would tell the entire story of transportation, and of mankind's exciting story in its development from the invention of the wheel to the invention of the wing and beyond.

The railroads have several times tried to give the Union Station Building in the Nation's Capital to the Government. I have reason to believe that the railroads which own Union Station are favorably disposed toward my own proposal since it is one which would assure that this great structure, which has had an important and central part in railroad transportation, would have an equally important future for the benefit of all of the people of this Nation.

Exhibits in such a national transportation museum as my bill would provide should include exhibits of the great age of railroads, important exhibits of our river and sea transportation, of the Conestoga wagon with which our own West was settled and won, and of the development of the automobile.

One can say, without any possibility of successful contradiction, that if this Nation were to rely solely on air and space travel from this moment on, and ignore its roads, its railroads, the automobile, and truck, and all other forms of transportation other than that in air and space, that our economy would grind to a halt, not slowly, but at once.

I include the New York Times editorial, and the text of my bill to provide a National Transportation Museum:

### FAREWELL TO PENN STATION

Until the first blow fell no one was convinced that Penn Station really would be demolished or that New York would permit this monumental act of vandalism against one of the largest and finest landmarks of its age of Roman elegance. Somehow someone would surely find a way to prevent it at the last minute—not-so-little Nell rescued by the hero—even while the promoters displayed the flashy renderings of the new sports arena and somewhat less than imperial commercial buildings to take its place.

It's not easy to knock down 9 acres of travertine and granite, 84 Doric columns, a vaulted concourse of extravagant, weighty grandeur, classical splendor modeled after royal Roman baths, rich detail in solid stone, architectural quality in precious materials that set the stamp of excellence on a city. But it can be done. It can be done if the motivation is great enough, and it has been demonstrated that the profit motivation in this instance was great enough.

Monumental problems almost as big as the building itself stood in the way of preservation; but it is the shame of New York, of its financial and cultural communities, its politicians, philanthropists, and planners, and of the public as well, that no serious effort was made. A rich and powerful city, noted for its resources of brains, imagination, and money, could not rise to the occasion. The final indictment is of the values of our society.

Any city gets what it admires, will pay for, and, ultimately, deserves. Even when we had Penn Station, we couldn't afford to keep it clean. We want and deserve tin can architecture in a tinhorn culture. And we will probably be judged not by the monuments we build but by those we have destroyed.

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### H.R. 8234

A bill to supplement the National Air Museum of the Smithsonian Institution with a National Transportation Museum in order to make the complete history of transportation available for the benefit of the people of the United States, and to provide space for a National Visitor and Student Center in order to assist the seven million people who visit the Nation's Capital each year

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "National Transportation Museum Act".

SEC. 2. For the purposes of this Act—

(a) The term "Board" means the Board of Regents of the Smithsonian Institution.

(b) The term "Commission" means the National Transportation Museum Commission as provided for in this Act.

(c) The term "Museum" means the National Transportation Museum established by this Act.

(d) The term "gift" includes a gift, bequest, or devise, whether outright or in trust, and any legal instrument by which the gift is affected.

SEC. 3. (a) There is hereby established in the Smithsonian Institution a bureau which shall be known as the National Transportation Museum.

(b) The Museum shall function as a public museum for the exhibition of vehicles and equipment used in all forms of transportation except for air and space transportation.

(c) Nominal charges may be levied for admission to the National Transportation Museum and the National Air Museum to assist in financing such museums, and decreasing the cost of such museums to the taxpayers.

SEC. 4. There is hereby created the National Transportation Museum Commission. The number, manner of appointment, and tenure of the members of the Commission shall be such as the Board may from time to time prescribe except for the ex officio members who shall be three Members of the House of Representatives who shall be appointed by the Speaker of the House of Representatives, and three Members of the Senate who shall be appointed by the President of the Senate. The Board may delegate to the Commission any function of the Museum or any function of the Board with respect to the Museum. The Board may make rules and regulations for the conduct of the affairs of the Commission and the operation of the Museum, and to the extent and under such limitations as the Board deems advisable, the Board may delegate to the Commission the power to make such rules and regulations.

SEC. 5. (a) The Board is authorized to accept for the Smithsonian Institution gifts of any property for the benefit of the Museum.

(b) Legal title to all property (except property of the United States) held for the use or benefit of the Museum shall be vested in the Smithsonian Institution. Subject to any limitations otherwise expressly provided by law, and in the case of any gift, subject to any applicable restrictions under the terms of such gift, the Board is authorized to sell, exchange, or otherwise dispose of any property of whatsoever nature held by it, and to invest in, reinvest in, or purchase any property of whatsoever nature for the benefit of the National Transportation Museum.

SEC. 6. For the purpose of carrying out any function authorized by section 3 of this Act, the Board may—

(1) purchase, accept, borrow, or otherwise acquire items for preservation, exhibition, or study. The Board may acquire any such item on the basis of its general historical interest or its importance in the development of transportation.

(2) preserve or restore any item acquired pursuant to paragraph (1).

(3) display, loan, store, or otherwise hold any such item.

(4) sell, exchange, donate, return, or otherwise dispose of any such item.

SEC. 7. (a) The Board may appoint and fix the compensation and duties of a director of the Museum, and his appointment and salary shall not be subject to the civil service laws or the Classification Act of 1949, as amended. The Board may employ such other officers and employees as may be necessary for the efficient administration, operation, and maintenance of the Museum.

(b) The Board may delegate to the Secretary of the Smithsonian Institution, as well as to the Commission, any of its functions pursuant to subsection (a) of this section.

SEC. 8. (a) The Administrator of General Services shall acquire the Union Station in the District of Columbia for the use of the Smithsonian Institution for the purposes of the National Transportation Museum, upon such terms and conditions, which may include leases or other means of reservation to railroad and terminal companies of rights to use a part or parts of the Union Station, as may be appropriate.

(b) The Administrator of General Services may make available for the purposes of a National Visitor and Student Center, upon such terms and conditions as may be appropriate, such space in the Union Station as may be not needed for the purposes described in subsection (a).

SEC. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

## THE SUPREME COURT AND FREEDOM OF THE PRESS

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. TUPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TUPPER. Mr. Speaker, I would like to acquaint the Members of the House with an extremely enlightening speech entitled "The Supreme Court and Freedom of the Press" delivered at the University of Maine in Portland on October 25, 1963, by Dr. Edward G. Hudon, Assistant Librarian of the Supreme Court of the United States.

Dr. Hudon, a native of Brunswick, Maine, is an outstanding legal scholar; he holds five academic degrees: B.S., LL.B., LL.M., M.S. in L.S., S.J.D.

He is the author of "Freedom of Speech and Press in America" published by Public Affairs Press, Washington, D.C., during this year.

Dr. Hudon's remarks follow:

### THE SUPREME COURT AND FREEDOM OF THE PRESS

(By Edward G. Hudon)

(Remarks delivered at the Annual Newspaper Forum held at the University of Maine in Portland, October 25, 1963.)

When I received Professor Hamilton's invitation to speak here today my immediate reaction was one of pleasure mixed with quite a bit of fear. Pleasure because it offered me an opportunity to spend a little more time in Maine than I usually do each year. As some of you know, this is my native State. I was born and brought up here. Washington may be where I earn my living, but this is home. Some day I hope to be back to stay.

I mentioned fear not because I am afraid of being run out of town, but because I recognize that it takes more than simply to write a book to become an expert on something as complex as the law of speech and press—particularly when one is called upon to speak to an audience such as this one that is made up of the working press. All that I have done is scribble a bit about this law and the freedom it protects, you live by it.

As members of the press, I am certain that you are all Mark Twain scholars and that you are familiar with Pudd'nhead Wilson's New Calendar—particularly the entry that reads as follows:

"It is by the goodness of God that in our country we have those three unspeakably precious things: freedom of speech, freedom of conscience, and the prudence never to practice either of them.

Now I am sure that Pudd'nhead Wilson meant to include freedom of the press as well and for that reason I take issue with his entry—not because of anything that I have read, but because of personal experience.

Not long after my book on "Freedom of Speech and Press in America" was published this spring, a UPI reporter wrote a review of it that appeared in a number of newspapers. The review was wonderful, but the headlines that local editors attached to it were something else. One read: "Supreme Court Gets Advice From Its Own Librarian"; another one: "Advice for the Justices." So it went. Nevertheless, I am still on the Supreme Court payroll, or at least I was when I left Washington yesterday to come here. And that, I believe, is proof of more than the fact that we have freedom of the press in this country. It also proves that the Supreme Court practices what it preaches when it insists that there be freedom of expression for the individual.

My subject is "The Supreme Court and Freedom of the Press." Perhaps we can extend that a bit and go a little further back to examine the origin of the concept of freedom of the press as we know it.

To start off, we can say that the Founding Fathers knew what they wanted to cast to one side when they wrote and talked of freedom of speech and press. They wanted no more of the law of speech and press as it had existed in both England and America before the American Revolution when the only rights that an individual had were those that the ruling authority permitted him to have. You might call it the "trickle-down" theory of liberty. The Government was all powerful. There had to be, Blackstone wrote, "a supreme, irresistible, absolute, uncontrolled authority in which * * * the rights of sovereignty reside." Whatever the motive, to critictize this authority meant punishment. During the more violent years, while the licensing statutes were in force, there were even instances when authors and printers of books considered obnoxious were hanged, quartered, exposed in the pillory, flogged, or simply fined and imprisoned.

After the licensing statutes expired in 1695, liberty of the press consisted of printing without any previous license, subject to the consequences of the law. And there were consequences if one had the audacity to criticize the Government. James Franklin, Benjamin Franklin's brother, was made aware of this when he was imprisoned in 1722 because of a satire against the Government that he printed in his newspaper. This was but one of a number of similar instances.

The reason for such a state of affairs was simple. Any criticism of ruling authority was considered to create a danger that had to be dealt with promptly. This was the law of seditious libel as it had developed over a period of several centuries. It dated all the way back to 1275—to a statute called De Scandalis Magnatum that provided for the imprisonment of anyone who should disseminate false news or tales that could create discord between the king and his people.

But if the Founding Fathers knew what they wanted to leave behind, they did not all agree on how this should be done. Indeed, during the Federal Convention of 1787, proposals for specific guarantees for the press were voted down twice. At the end of the Convention, two of the delegates, George Mason and Elbridge Gerry, refused to sign the proposed Constitution because of the absence of a bill of rights that would have safeguarded freedom of the press among other things.

Once the Constitution was presented to the States for ratification, the first great debate started. Those who favored ratifying the Constitution as it was claimed that the Constitution itself was a Bill of Rights. They claimed that under it the people surrendered nothing to the Government and therefore had no need to reserve to themselves anything in particular. A bill of rights might even be dangerous, they said—it could but contain reservations not granted in the first place and, as a consequence, it might provide a pretense to any desirous of usurping power later. In the Federalist Papers (No. 84), newspaper articles written by Hamilton, Jay, and Madison in defense of the Constitution, doubt was expressed that a definition of freedom of the press could be written that would not leave the utmost latitude for evasion.

Those who favored a bill of rights offered equally convincing arguments. There were some like Jefferson who mistrusted the majority and feared for the rights of the minority if these were left without specific protection. Monroe was afraid of the necessary and proper clause. It might, he felt, be used to infringe on the liberty of the press or any other right that was not excepted from its general power. Patrick Henry expressed his displeasure by exclaiming: "By this Constitution, some of the best barriers of human rights are thrown away." He even advocated that Virginia reject the Constitution. In the South Carolina Convention that met in 1788 to consider the Constitution, the question was asked: "The liberty of the press was the tyrant's scourge—it was the true friend and the firmest supporter of civil liberty; therefore why pass it by in silence?"

As we all know, the Constitution was ratified, but in the process quite a bit of fire and brimstone had been cast about. Three States even appended bills of rights to their ratifications. A fourth drew one up but failed to send it along. To calm the fears of some and the resentment of others, the First Congress passed 12 amendments to the Constitution, 10 of which were adopted by the States to become the Bill of Rights. The first one with which we are concerned here provided in part:

> "Congress shall make no law * * * abridging the freedom of speech, or of the press."

Certainly there is nothing ambiguous about these words. Nevertheless, the interpretation given to them has been anything but consistent. Different theories have been applied at different times. Much has depended on the temper of the times at various intervals, and even on the membership of the Court.

Within a decade after the first amendment was adopted, the Alien and Sedition Acts became law and the Alien and Sedition Act trials took place. Men were again fined and imprisoned for writing, printing, and publishing criticisms of those in authority—this time, of the President of the United States and other high officials.

There was no difference between this and what had happened under British rule. Again, freedom of the press meant no more than the absence of previous restraint. Once more, the motivating force was fear. We were having difficulties with France and the furor over the XYZ affair was still rampant. War seemed imminent and the Federalists, the party in power, did not particularly relish the insults that were hurled at them by the opposition—by Jefferson and his followers who used the Alien and Sedition Acts to capture the Presidency.

When Jefferson took office, he released all who had been imprisoned for violations of the acts and he suspended further prosecutions under them. For that reason, none of the Alien and Sedition Act cases ever reached the Supreme Court as such. But enough of the Justices presided over Alien and Sedition Act trials as circuit judges or expressed their opinions in various other ways that there is little doubt that the acts would have been upheld had the cases gone that far.

Why should freedom of the press have taken so much of a beating so soon after so many had insisted that it become a part of the Constitution? It has been said that "people long submerged, who finally win their independence, seem at times to lose their moorings." (Douglas, "The Bill of Rights Is Not Enough," Madison Lecture, New York University Law School, 1963.) Possibly, that is the explanation. But at any rate, Congress later recognized the injustice of it all and remitted the fines that had been imposed.

Perhaps it should also be mentioned that even Jefferson could "lose his moorings." Although he treated the Alien and Sedition Acts rather harshly in the Kentucky Resolutions that he drafted, he was not above getting quite riled at the press when he was on the receiving rather than the pitching end of criticism. In 1803, while he was President, he wrote to his friend, Governor McKean of Pennsylvania, complained of the licentiousness and the lying of the press, and advocated a few selected prosecutions of the more prominent offenders. Not too many—that would have looked like persecution—just a few to restore the integrity of the press.

Insofar as the Supreme Court itself is concerned, its experience with the speech and press provisions of the First Amendment dates back only about 45 years. This experience started with the World War I Espionage Act cases. Before that, the law of speech and press was largely a State matter. But during the past 45 years at least four different theories have been used.

First there was the Use-Abuse or Liberty versus License theory of the 1920's. According to this, a sharp line was drawn between speech and press that was considered right and speech and press that was considered wrong. "Reasonable tendency" and "bad intent" were the yardsticks. It was this theory that served to uphold the convictions in the foreign language newspaper and the pamphlet cases of World War I. It also served in the latter part of the 1920's in the State Syndicalism Act cases.

Fundamental to this theory was the idea that great weight and every presumption of constitutionality must be given a legislative determination that certain acts constitute such a danger to peace and security that they cannot be permitted. It was the probable effect of the written and spoken word that was important. Thus, in *Abrams* v. *United States,* a case decided in 1919 that involved 9,000 circulars, some printed in Yiddish and some in English, it was held that "men must be held to have intended, and to be accountable for the effect which their acts were likely to produce." In *Schaefer* v. *United States,* decided in 1920, the actual effect of printed matter could not be shown, but that was held immaterial—it was the tendency of the articles that counted. The defendants in the case published a German-language newspaper of limited circulation in which they republished news taken from other newspapers, sometimes with omissions, additions, and changes.

Perhaps there can be no better assessment of these and other cases that followed than Mr. Justice Frankfurter's assertion that in some instances the Court had "too readily permitted juries to infer deception from error, or intention from argumentative or critical statements." *Dennis* v. *United States,* 341 U.S. 494, 539 (1951).

Of all the speech and press cases that were decided during the 1920's, one *Gitlow* v. *New York,* stands above all the others in importance. This one changed the course of history for civil rights litigation. In it, in 1925, the Supreme Court held for the first time that first amendment rights apply to the States through the due process clause of the 14th. The issue revolved around a pamphlet again, but the statute involved was a State statute and the conviction was by a State court. As both the statute and the conviction were upheld and were said not to violate the constitutionally protected right of freedom of speech and press, the floodgates were opened for the ever-increasing stream of civil rights litigation that we know today.

Nineteen thirty marked the start of a new and different era. Charles Evans Hughes became Chief Justice of the United States. Five years earlier he had expressed concern over the growth of an intolerant spirit in this country—the demand for uniformity which he considered to be "the most ominous sign" of the time. (Hughes, "Liberty and Law," 50 A.B.A. rept. 183). Consistent with this, the Hughes court recognized that a government must be able to protect itself from any "who indulge in utterances which incite to violence and crime and threaten the overthrow of organized government by unlawful means," but, under the leadership of the Chief Justice, it also recognized that "the maintenance of the opportunity for free political discussion to the end that government may be responsive to the will of the people and that changes may be obtained by lawful means * * * is a fundamental principal of our constitutional system." *Stromberg* v. *California,* 283 U.S. 359, 369 (1931).

Within a year, in *Near* v. *Minnesota* (1931), the Hughes court discarded "use-abuse" or "liberty versus license." To replace this it revived the age-old doctrine of "previous restraint" and refashioned it into a theory that is still with us and serves whenever nothing else seems to fit.

The statute in the case, which the Court held to be an unconstitutional restraint on publication, treated as a nuisance any "malicious, scandalous and defamatory newspaper, magazine, or other periodical." Truth was a defense, but only if publication was shown to be with good motives and for justifiable ends.

Writing for the Court, the Chief Justice acknowledged that a State may enact laws to promote the health, safety, morals and general welfare of its people. But, he continued, there are limits to this sovereign power which must be determined with appropriate regard to the particular subject of its exercise. And in this particular instance, the object of the statute was not punishment in the ordinary sense, but suppression. It violated the constitutional right of the press to be free from previous legislative as well as executive restraint.

Throughout the Hughes era, freedom of speech and press depended not so much on formulas as it did "on a correct appraisal of the actual effect of conduct" about which he had written in 1928 in his book "The Supreme Court of the United States" (pp. 165, 166).

If I may go back a bit. In 1919, Mr. Justice Holmes wrote for a unanimous Court in *Schenck* v. *United States,* a World War I antidraft leaflet case:

> "The question in every case is whether the words are used in such circumstances and are of such a nature as to create a clear and present danger that will bring about the substantive evils that Congress has a right to prevent." (249 U.S. 47, 52.)

This first use of the phrase "clear and present danger" in a speech and press case was to uphold a conviction and send a man to jail under the Espionage Act of 1917. After that, the phrase reappeared time and again in the civil liberties cases of the 1920's, but only in the dissenting and concurring opinions of Justices Holmes and Brandeis where it was developed into a gospel that was to be used so much later. But after 1927, there was an interval of more than a decade during which nothing was heard of it. And when it did reappear, the circumstances were quite different.

The year was 1940 and the case was *Thornhill* v. *Alabama,* a controversy over an Alabama statute entitled "Loitering or picketing forbidden." As this statute had been construed by the State court, it prohibited even one person from walking slowly back and forth, alone and without speaking to anyone, in front of an employer's premises carrying a sign stating the facts of a labor dispute. If that were allowed to stand, the Supreme Court held, it could be used to support abridgment of freedom of speech and press concerning almost every matter of importance to society. The Court again recognized that measures can and often must be taken to preserve the peace and protect life and property. "But," it continued, "no clear and present danger of destruction of life or property, or invasion of the right of privacy, or breach of the peace can be thought to be inherent in the activities of every person who approaches the premises of an employer and publicizes the facts of a labor dispute involving the latter." (310 U.S. 88, 105.) The statute was struck down.

After the *Thornhill* case, "clear and present danger" became a formula. It served in a succession of cases that included house-to-house soliciting, the use of public parks for religious purposes, contempt of court by publication, and the right to address an audience, be it friendly or hostile. It also served for the Court to overrule itself and declare invalid a State compulsory flag-salute statute (*West Virginia Board of Education* v. *Barnette,* 319 U.S. 624 (1943), overruling *Minersville School District* v. *Gobitis,* 310 U.S. 586 (1940). "Clear and present danger" was very well suited for cases such as these. It kept quite a number of honest, sincere people out of jail whose only trouble was that they had the misfortune to run into overzealous law enforcement officers.

That lasted until the deaths of Justices Murphy and Rutledge in 1949. After these two consistent supporters of "clear and present danger" were gone, the votes were no longer there and soon the Court displayed disenchantment with the test that it had relied on so heavily for all of a decade.

In 1950, in *American Communications Association* v. *Douds* when the constitutionality of the non-Communist affidavit requirement of the Labor-Management Relations Act, 1947, was upheld, the Court suddenly became critical. It disapproved of the mechanical use of a phrase in every first amendment case without regard to the context of its application. The problems before it at midcentury were, the Court held, quite different than those that Justices Holmes and Brandeis had found convenient to consider in terms of "clear and present danger." Wrote Chief Justice Vinson for the Court:

"When the effect of a statute or ordinance upon the exercise of first amendment freedoms is relatively small and the public interest to be protected is substantial, it is obvious that a rigid test requiring a showing of imminent danger to the security of the Nation is an absurdity." (339 U.S. 382, 397.)

Then came 1951 and *Dennis* v. *United States* in which the convictions of the top Communist Party officials in this country were affirmed. The vote in the case was 6 to 2, but a majority was nowhere to be found that could agree on an opinion. The closest to this was the opinion that Chief Justice Vinson wrote for a plurality of four. Looking back again at Justices Holmes and Brandeis, he found that in their "clear and present danger" opinions they had never been confronted with anything more than comparatively isolated events that bore little relation to any substantial threat to the safety of the community. "They were not," he wrote, "confronted with any situation comparable to the instant one—the development of an apparatus designed and dedicated to the overthrow of the Government, in the context of world crisis after crisis" (341 U.S. 494, 510). Then, the Chief Justice adopted the interpretation that Judge Learned Hand had given "clear and present danger" when the case was in the Court of Appeals. Judge Hand had written:

"In each case [courts] must ask whether the gravity of the 'evil,' discounted by its improbability, justifies such invasion of free speech as is necessary to avoid the danger" (183 Fed. 2d, at 212).

Thus, probability was substituted for the immediacy that Holmes and Brandeis had insisted upon.

After the *Dennis* case, "clear and present danger" went out the window for those standbys such as picketing, Jehovah's Witness, handbill and soliciting cases. It was not even used in *Yates* v. *United States* in 1957 when the Court drew a distinction between a doctrinal justification of forcible overthrow of the Government and advocacy of action.

"Previous restraint" continued to serve, particularly in obscenity cases, but for a while "balancing of interests" public versus private carried the day. That first appeared in 1957 when a kindship was proclaimed to exist between the right of freedom of speech and press and the process of legislative inquiry.

In *Watkins* v. *United States* and *Sweezy* v. *New Hampshire* the balance was struck in favor of the individual. The critical element was said to be "the existence of, and the weight to be ascribed to, the interest of the Congress in demanding disclosures from an unwilling witness" (354 U.S. 178, 198). The Court required that committee authority be precisely defined, and the delegation of power be clearly revealed in the character of the investigating body. But starting with *Uphaus* v. *Wyman* and *Barenblatt* v. *United States* in 1959, the balance shifted away from the individual as adequate authority was permitted to be found behind authorizing resolutions. (See also *Wilkinson* v. *United States* and *Braden* v. *United States,* both decided in 1961.)

In 1961, "balancing of interests" was also used to uphold the membership clause of the Smith Act (*Scales* v. *United States*) and the registration provision of the Subversives Activities Control Act (*Communist Party of the United States* v. *Subversives Activities Control Board*).

All of these "balancing of interests" cases were 5-to-4 decisions. For that reason, it was inevitable that when Justices Whittaker and Frankfurter left the Court for reasons of health in the spring and summer of 1962, another change should take place. That a change had taken place became evident on March 25, 1963, when the Court decided *Gibson* v. *Florida Investigating Committee.* The balance had now shifted back in favor of the individual, 5 to 4.

The case was a review of a conviction for contempt of a Florida legislative committee investigating Communist infiltration in various fields within the State, one of which was race relations. The Court upheld the right of the president of the Miami N.A.A.C.P. to refuse to produce the membership list of his organization, although it was to be used only as the basis of testimony without having its contents revealed. All that the State committee wanted to know was whether 14 named persons were members.

*Edwards* v. *South Carolina,* decided February 25, 1963, was perhaps the most interesting case of this most recent term of the Supreme Court. The problem was whether 167 Negro high school and college students should have been convicted of breaches of the peace. Their offenses consisted of refusing to disperse when they assembled on the State capitol grounds, sang religious and patriotic songs, and listened to a religious talk. The State courts said "yes", the Supreme Court said "no".

The significant thing about the case is that the Court reached back to *Terminello* v. *Chicago,* a 1949 "clear and present danger" case from which it quoted the following language:

"[A] function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger. Speech is often provocative and challenging. It may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea. That is why freedom of speech * * * is * * * protected against censorship or punishment, unless shown likely to produce a clear and present danger of a serious substantive evil that rises far above public inconvenience, annoyance, or unrest." (372 U.S. 229, 237.)

Whether or not this means that the Court will go back to "clear and present danger," I don't know any more than you do. But there is one thing that is certain, the test is still very much present if there is need of it. One must also remember that the speech and press cases that the Court is confronted with today have, in many instances, an added element that those of the past did not have. Many are closely related to segregation. Thus, last term the Court upheld the right of the N.A.A.C.P. to take over and direct litigation that pertains to racial discrimination. This right was said to be a protected mode of expression and association (*N.A.A.C.P.* v. *Button,* 371 U.S. 415). There are also cases pending that involve sit-ins and various other types of demonstrations that many of you may have written about. These present new situations that may produce new theories.

Perhaps at this point you wonder why so many speech and press cases are decided 5 to 4. As far as I am concerned, there is nothing to worry about as long as the Court can split that or any other way. There would be something to worry about if it were otherwise. Our entire system of government is based on the right to dissent, and the reason for the first amendment is to make sure that it stays that way. And insofar as the Supreme Court of the United States, or, for that matter, any other supreme court is concerned, if there was only one answer to every problem there would not be any need for nine Justices—one would be enough.

It might also well to bear in mind that dissenting opinions are not a recent innovation. The very first Supreme Court opinion ever reported was a dissenting opinion. That happened way back in 1792 (*Georgia* v. *Brailsford,* 2 Dallas 402, 405). As long as it stays that way, we shall be assured of an independent judiciary, the lack of which was one of the grievances expressed in the Declaration of Independence.

## MORE MANAGED NEWS?

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BARRY. Mr. Speaker, in Thomas Orwell's book "1984" big brother is constantly watching the citizens of Britain to make sure that their behavior conforms to the norms established by the Government.

The people are conditioned by managed news and managed history to accept the views of the Government. The October 29 issue of the Washington Daily News has an article entitled "An Orwellian Outrage" by Richard Starnes. The title of this article is apt and should constitute a warning to all Americans who cherish their fundamental freedoms. I quote:

### AN ORWELLIAN OUTRAGE

(By Richard Starnes)

The sinister silence over the case of *United States* v. *Worthy* continues.

The *Worthy* case is an Orwellian outrage. It is a coarse attempt by President Kennedy's sibling Minister of Justice to control the content of American newspapers.

This is not the first such attempt (and heaven knows it is not likely to be the last), but it is the most dreadful and ruinous one of which we have any record. For the first

> time in the history of the Republic, the Government is trying to imprison a reporter for what he has written.
>
> The facts in the *Worthy* case are not disputed:
>
> William Worthy, a Negro reporter for the Baltimore Afro-American, was convicted under an iniquitous section of the McCarran Act that makes it a felony for an American citizen to reenter the United States from abroad unless he has a valid passport. This particular section of the act (which is a fitting memorial to the Senator from Nevada who spawned it) has no effect unless the United States is in a state of national emergency.
>
> President Truman proclaimed such a condition in 1950, as a consequence of the Korean war. We remain in it, although there is no longer any national emergency, solely because of the wide additional powers the section gives the Government.
>
> Mr. Worthy lost his passport (and with it his right to earn a living as a foreign correspondent) because he offended the State Department by traveling to mainland China in 1952. The State Department claims the right to decide which American citizens may go to China and which may not. My passport, for example, is endorsed for travel to China. Mr. Worthy's was not.
>
> This means some nameless bureaucrat in the State Department has decided newspaper readers may safely read my dispatches from China but must not read Mr. Worthy's.
>
> The State Department, having agreed to permit me to go to China, refused to permit me to go to North Vietnam. I am unsure what it is in North Vietnam the U.S. Government doesn't want me to see. But had I been able to obtain a visa, I would surely have gone (and would still).
>
> I do not admit the right of some simpering functionnaire to license me to work at my trade, which is precisely the issue involved in the Worthy case.
>
> Lacking a passport, Mr. Worthy went to Cuba.
>
> He was readmitted to this country on the strength of a birth certificate. Six months later (after his leftwinging dispatches on Cuba had been printed) he was indicted for the crime of returning to the land of his birth. He was convicted and sentenced to 3 months in prison. An appeal was argued last week before the U.S. Court of Appeals in New Orleans.
>
> In an amicus curiae brief filed in Mr. Worthy's behalf, the American Civil Liberties Union argued his conviction was unconstitutional because:
>
> It sought to enforce banishment, a form of punishment abandoned by civilized nations since the time of the Magna Carta; the national emergency under which the law operates is plainly phony and no longer justifiable; and the law is an unwarranted interference with the constitutional right of free travel.
>
> All these points are unassailable, to be sure.
>
> But the ominous horror of the Worthy case lies in the fact that the reporter is under prison sentence simply because he wrote news dispatches contrary to the popular orthodoxy. If his conviction stands, 1984 will be here.

Mr. Speaker, freedom of the press means equal treatment to all segments of the press. Mr. Starnes has done the cause of liberty a great service by speaking out on an important issue.

## THE OMNIBUS FEDERAL PAY BILL

Mr. BOW. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Johansen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, by clearing the omnibus Federal pay bill for final action, our bonus-for-bankruptcy colleagues on the House Post Office and Civil Service Committee have won the first round.

I am still hopeful that the American taxpayers will win the final round on the floor of the House.

I do not believe that even the U.S. Government can continue to pay increasing dividends on increasing Federal deficits.

And I do not believe that the American people are going to indefinitely tolerate Federal personnel—including Members of Congress and top officials of the executive and judicial branches—enjoying preferred status as beneficiaries of this profligacy.

The price tag on today's action is $600 million a year. If it becomes law—as it very well may unless there is a taxpayers' uprising—this increase will swell Federal pay boosts within a 15-month period to an incredible $1,650 million.

Furthermore, it will increase the total annual Federal payroll from $14,296 million for the fiscal year 1962 to some $16 billion in the next full fiscal year.

Some extremely expensive chickens are coming home to roost, precisely as I warned would happen when the so-called "pay comparability" principle was steamrollered through Congress last year.

There is no question as to who now constitute this Nation's new economic royalists.

## UNHOLY ALLIANCE BETWEEN COAL AND OIL PRODUCERS

The SPEAKER pro tempore (Mr. Libonati). Under previous order of the House the gentleman from Massachusetts [Mr. Conte] is recognized for 10 minutes.

Mr. CONTE. Mr. Speaker, I rise to speak on a situation that has deteriorated to the point that the truth is no longer apparent. I refer to the unholy alliance between coal and oil producers in this country who, consciously or not, seem to be placing an economic bind around an already gasping New England. This bind on the economy and consumers of New England has almost reached the point where the rope upon which we hang is about to be cut.

The latest tragedy is the serious shortage of coal suffered by a number of small domestic producers. Some of these producers have found it practically impossible to get delivery of stove-size coal, the most needed size of their trade. They have been told repeatedly by producers that the particular size of coal is being shipped almost exclusively to Europe to the discomfort of longtime and faithful customers.

This shortage of anthracite coal has come about almost suddenly, although, as I have suggested time and time in the past since 1959, it was due to occur. With our substantial export program of anthracite coal to Europe, and with the U.S. Government paying good prices for it, it was obvious that this situation would someday be upon us.

In short, New England is being belted from both sides. We cannot get the kind of cheap residual oil that is so necessary—last year was one of the coldest in a long time—and now it appears that we are going to have a shortage of coal. This could prove disastrous and leads to only one conclusion—New England is still getting the short end of the political stick.

Recent studies made by the Petroleum Industry Research Foundation, Inc. are most enlightening. One covers a bill to tighten existing residual fuel import restrictions recently introduced by coal State legislators and an outline covering a study of the rise in the east coast power production in relation to oil import restrictions.

There is overwhelming evidence to suggest that if the coal bills were passed by Congress, the market for residual oil—within 5 years—would be completely destroyed. There would have to be by that time a wholesale conversion by the consumer of fuel burning facilities from residual oil to coal at tremendous increases in capital investments, plus drastic increases in the cost of fuel consumption—to say nothing of possible damaging effects of air pollution and the inconvenience of handling and transportation to the consumers.

The results of one study by the Petroleum Industry Research Foundation, Inc., follows, and indicates the factual breakdown of declining residual fuel oil production east of California, including the use of crude oil as residual oil since 1957.

Import restrictions, as the study states, have been in existence since April 1959. It was at this time that I severely criticized the Eisenhower administration policies regarding these restrictions. I was joined in this fight by the then junior Senator Kennedy from Massachusetts who, since becoming Chief Executive, has had a tendency to ignore the increasingly severe problems faced by New England. I have estimated that the restrictions on residual oil have cost the New England sector about $30 million a year since 1959.

As the study concludes, the "need appears, therefore, to be for a substantial liberalization of the Government imports policy on residual fuel oil, rather than for a further tightening of quotas."

It is absolutely essential, Mr. Speaker, that this issue be taken out of the realm of politics and a full and complete investigation of the facts be instituted, without regard to the political importance of any one part of the country over another.

In this respect, the famous phrase by Oliver Wendell Holmes has merit at this point. He said:

> Truth is tough. It will not break, like a bubble, at a touch; you may kick it around all day like a football, and it will be round and full at evening.

I ask unanimous consent to insert in the body of the Record the statement of the Petroleum Industry Research Foundation, Inc.

PETROLEUM INDUSTRY
RESEARCH FOUNDATION, INC.,
*New York, N.Y., October 1, 1963.*

In a statement released today the Petroleum Industry Research Foundation, Inc. (PIRINC) took strong issue with a bill to tighten existing residual fuel oil imports restrictions, introduced last Thursday in the Senate and the House of Representatives by a group of coal State legislators.

The bill proposes that U.S. residual fuel oil imports be limited to 50 percent of the total residual fuel oil consumption east of California in the same quarter of the previous year. In introducing the bill the legislators stated that it was "a fair and reasonable formula to hold imports to a level proportionate to demand."

In PIRINC's view the proposed formula would bring about a steady and progressive reduction in the total availability of residual fuel oil supplies east of California and particularly at the U.S. east coast where virtually all residual fuel oil imports are consumed. For, as the Research Foundation points out, domestic production of residual fuel oil has been declining regularly for many years. It must therefore be continually augmented by growing levels of imports just to maintain the existing volume of supply.

Since 1957 the decline in production of residual fuel oil east of California (including the use of crude oil as residual oil) has developed as follows:

| | *Barrels per day* |
|---|---|
| 1957 | 824,000 |
| 1958 | 720,000 |
| 1959 | 690,000 |
| 1960 | 636,000 |
| 1961 | 603,000 |
| 1962 | 557,000 |

PIRINC computed the average annual decline over the 5-year period as being nearly 10 percent.

Import quotas have been in existence since April 1, 1959. In the first 12 months they amounted to 429,000 barrels per day. In the 12 months starting April 1, 1962, quotas were issued for 525,000 barrels per day. Thus, in these 3 years imports rose by 96,000 barrels per day, said PIRINC. During approximately the same 3-year period (calendar years 1959 to 1962) domestic production of residual fuel oil east of California declined by 133,000 barrels per day, so that the rise in imports has not even fully offset the decline in domestic production. This decline has continued at an accelerated rate in the first half of 1963 when domestic production east of California dropped to 545,000 barrels per day, an 8.3-percent decrease from the same period of the previous year.

It is obvious from the above figures, PIRINC declared, that any formula which ties the level of imports directly or indirectly to domestic production, as the proposed bill does, can only have one effect: to reduce the total level of available residual fuel oil in each period below that of the comparable previous period. Since it would be unrealistic to assume a reversal of the long-term decline in domestic residual fuel oil production, says PIRINC, the end result of freezing imports to demand in the manner described in the bill would be the phasing out of the entire billion dollar residual fuel oil business east of California.

It is PIRINC's view that even under existing import restrictions the gap between residual fuel oil demand and supply on the U.S. east coast must be expected to spread, unless the Government takes corrective action. For the number of burning units using this fuel is currently increasing sharply. Thus, several large oil-burning electric utility plants will have been completed by the end of the present quota year—March 31, 1964—while more are scheduled to start operating during the next quota year. Most of these new plants are not readily equipped to burn other fuels.

The sharp rise in office and apartment building construction is also bound to affect the level of residual fuel oil demand, since from Philadelphia on north most of these buildings can only be heated economically with heavy fuel oil. Finally, there is the sustained high level of activity in the industrial sector, traditionally the most important outlet for residual fuel oil.

The need appears therefore to be for a substantial liberalization of the Government's imports policy on residual fuel oil, concluded PIRINC, rather than for a further tightening of quotas. A liberalization would not hurt the coal industry, since only a small share of imported residual fuel oil competes actively with domestic coal. Furthermore, said PIRINC, coal is no longer a sick industry, requiring special governmental protection. As evidence of the health of the coal industry, the foundation cited the fact that total U.S. coal shipments rose by 5.3 percent last year and by another 4.2 percent in the first half of this year.

## JOB TRAINING TO MEET NEEDS OF AREA UNDER STUDY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DINGELL. Mr. Speaker, I would like to call the attention of my colleagues to two articles on the front page of the Petoskey (Mich.) News-Review, of September 25, 1963. One of these articles has a headline which reads, "Job Training To Meet Heads of Area Under Study Here." The other article, two columns away, reads, "Barnett Seeks Michigan Industry." The Barnett, of course, is Ross Barnett, of Mississippi.

These two articles on the same page of the same issue of the same newspaper, Mr. Speaker, together tell a story of great irony. The first article, about training, emphasizes the need of keeping the new entrants into the labor market in and near their home areas. And this is a byproduct of the MDTA and ARA training programs, according to Mr. Tom Downs, a commissioner of the Michigan Employment Security Commission, who is quoted in the article, which I would like permission to reprint here:

> Young people are held in a community because they have jobs and the employers cooperate because they need people with training. Due to the type of resorts developing here (in northern Michigan), Downs said, they are attracting people who demand a high quality of service.

In the Upper Peninsula of Michigan, unemployed iron ore miners are learning new skilled trades such as welding and other occupations in which there is currently a shortage of trained personnel.

Mr. Speaker, these job-creating programs through training under MDTA and the Area Redevelopment Administration—which also provides loans for new industries in depressed areas—are making great strides because of the national public policy decided upon by this Congress and by the President.

But side by side with such programs designed to create new jobs as a means of bettering the national economy and its general welfare, we also have the paradoxical actions of a State that seeks to subvert this goal not by creating new jobs for the Nation, but merely by pirating old jobs from one section of this country to another.

I would like to remind my colleagues that the financial assistance provisions of the Area Redevelopment Act forbid any such assistance in cases involving the relocation of jobs, that is, to "runaway shops."

Ross Barnett's seduction tour into my State of Michigan is, of course, indicative of his contempt for national economic policy. While we cannot prevent him from engaging in such practices, as a Nation, and as a congressional body, we should certainly look askance at any steps taken by any Federal agency to aid and abet those practices. And in my opinion, federally backed programs such as the Small Business Administration and the Area Redevelopment Administration should not go out of their way to cooperate with Barnett and his disciples in Mississippi.

It is bad enough that Michigan companies succumbing to his sweet talk about "friendly labor" contribute to the problem of depressed areas by leaving jobless workers behind, but what is worse is that once such companies move to Barnett's land they then tend to acclimate themselves to the "local mores" by discriminating in their employment policies.

The Petoskey newspaper, in the UPI article, states that Barnett "made no bones about his desire to lure industry out of Michigan and into his State." The article quotes this procurer as saying:

> We've gotten 497 new industries in Mississippi during my administration—and quite a few were from Michigan.

Mr. Speaker, I would also like to ask whether or not the use of bonds exempt from Federal taxation is part of this nefarious scheme to undermine the employment stability and economic levels of the Nation as a whole. I hope that the Labor and Education Committee might initiate an inquiry as to the origins of the 497 new industries lured into Mississippi, and how their running away affected the economic status of the individuals, retail merchants, and communities left behind to "solve their problems through local initiative."

Furthermore, I find that ARA has already approved five loans or grants to Mississippi projects. While these five projects did not involve runaway shops, I still would like to know how many projects are pending or in process, and to get a judgment as to whether a routine treatment of these pending projects is in the national interest. If Mr. Barnett has been so successful in obtaining nearly 500 new industries then it is obvious his State does not need ARA assistance.

[From the Petoskey News-Review, Sept. 25, 1963]

### JOB TRAINING TO MEET NEEDS OF AREA UNDER STUDY HERE

"A high school education used to be all that a young man needed to get a job—but today a skill is needed as well to provide the difference between a good start in life and just filling in on stop-gap jobs."

That was what Tom Downs, a commissioner of the Michigan Employment Security Commission said here yesterday on an inspection tour of job training and retraining possibilities in the north.

With Downs was Eugene A. Busha, personnel director of Detroit, and Harvard Smart, Petoskey, regional supervisor. He stopped at Shanty Creek near Bellaire where a training program enabled local girls and women to learn how to be waitresses or cooks and found that most of the trainees had found employment. He said more than 100 Antrim County residents were now employed full time at the lodge, more on a part-time basis.

In this area, he said many had been assisted in practical nurse training at Traverse City which had met needs of hospitals. Smart told him that consideration is being given to starting a training program for nurse aids and orderlies. This spring, another program was offered here to train cooks and bakers and 90 percent of those completing the course had been employed, Smart said.

Statewide, Downs said about 80 percent of the trainees in this program find better jobs—and after this training, it often leads to even better things depending on the initiative of the individual.

Smart reported to him that a group of Antrim County workers would be taking a 24 week course at Northern Michigan College in Marquette to learn machine tool operating. A similar group from Manistee is now taking this training and will return to Manistee to fill job vacancies, some as welders under a new method.

Most courses are 10 to 15 weeks, but some are as short as 3 weeks, some run 6 months, and there are programs for up to a year where the trainee receives pay under a program with the Manpower Redevelopment Act and the area redevelopment administration. Courses are always taught in local facilities and planned by an advisory committee consisting of school, labor, and management representatives and programs are offered only where requested to meet a need. At Alpena Junior College, a course in training auto mechanics is about to start.

Downs said a survey is made to show where there are job openings and a need for people and he predicted that in this resort area there would be a need for service type jobs, waitresses and cooks and many in the medical field because this is a medical center. With the resort season extending through winter and fall activities, he predicted that the resort needs would be increasing.

As a byproduct of these training programs, Downs said young people are held in a community because they have jobs and the employers cooperate because they need people with training. Due to the type of resorts developing here, Downs said they are attracting people who demand a high quality of service.

Unemployed iron ore miners at Marquette are learning welding. All over the State, workers are being trained or retrained for new jobs where there is a scarcity of skilled workers.

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[From the Petoskey (Mich.) News-Review, Sept. 25, 1963]

### BARNETT SEEKS MICHIGAN INDUSTRY

KALAMAZOO.—Gov. Ross Barnett, of Mississippi, made no bones about his desire to lure industry out of Michigan and into his State, where he says "labor is very friendly to industry."

At a news conference yesterday before his address at Western Michigan University. Barnett said "I'm calling on industries every day to sell them on Mississippi."

The Governor spent 4 hours on his own after arriving here in a Mississippi National Guard plane.

"I've been visiting friends," he explained. The visits were paid to Oliver Electrical Manufacturing Co. and the Sutherland Paper Co.

"We've gotten 497 new industries in Mississippi during my administration—and quite a few were from Michigan," the outspoken Barnett said.

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## SEVENTH ANNIVERSARY OF THE HUNGARIAN REVOLUTION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. KELLY] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mrs. KELLY. Mr. Speaker, the lesson of Hungary must not be forgotten.

These words of warning convey the point of the eloquent speech delivered by Mayor Robert F. Wagner, of New York City, at the commemoration of the seventh anniversary of the Hungarian Revolution. It is a warning, and a plea, that must be heeded by each and every American, especially at this time when efforts to promote peaceful coexistence may tend to dull our awareness of the threat still posed by international communism.

Who will ever forget these glorious and incredible days when the people of Hungary broke out into open revolt, fought and then fell, overwhelmed at last by the irresistible might of the Red army? I pray that no one will. For that fateful day, the spirit of the courageous Hungarian freedom fighters, their indomitable will to be free, broke through the dark clouds of Communist oppression to brighten and advance, if but for a fleeing moment, mankind's age-old struggle for freedom and justice.

As chairman of the Subcommittee on Europe of the House Committee on Foreign Affairs, I had the opportunity to visit with some of the people who escaped from Hungary after the revolution was crushed. I shall never forget the look of tragedy upon their faces. Their attempt to free their country of foreign domination failed. For the moment, there was nothing more they could do. They could only look to the future. And looking to the future, they cherished the hope that some day peace and freedom would be restored to their homeland.

This spark of hope, this faith in the future, is like a thin thread of steel which connects the disjointed milestones in mankind's journey toward freedom. It is, furthermore, a bond which links men and women of different ages, and in different lands, in this one common pursuit.

It is for us in the free world today, to strengthen this bond and to sustain the hope of the peoples suffering under Communist domination. We can do this best through concerted effort in the one realm in which there can be no peaceful coexistence between freedom and tyranny—the realm of the ideological differences between our Western civilization and communism.

The Soviets have not abandoned the contest in that field; on the contrary, they have served warning that they intend to win it. We must muster similar resolve. We must marshal the ideological resources of the West, apply constant pressure at the points of weakness of the Communist empire, and take advantage of all opportunities to speed the process of evolution which is slowly transforming the nature of that empire and, bit by bit, enlarging the areas of freedom in the captive nations.

Mayor Wagner's speech points in that direction. It embodies an expression of faith in the future, and a call to action. It is one of the important speeches of our day, and I commend it to the attention of the membership of the Congress:

### REMARKS OF MAYOR ROBERT F. WAGNER AT RALLY COMMEMORATING SEVENTH ANNIVERSARY OF HUNGARIAN REVOLUTION, HUNTER COLLEGE, NEW YORK CITY, OCTOBER 20, 1963

A gathering like this one for an occasion like this one makes me both humble and proud. I am humble for the meaning of this day. At the same time, I am proud to be able, as the mayor of this city, to greet you and join you in common dedication.

I salute this conclave of freedom—this assembly of free New Yorkers dedicated to the proposition that all men everywhere shall be free.

Tonight we celebrate the deathless heroism of one particular group of freedom fighters, some of whom are in this very hall tonight—those who loved freedom more than life and arose in those days of October 1956 against the fearsome power of Soviet tyranny.

Who will ever forget those glorious and incredible days when the people of Hungary broke out into open revolt, fought and then fell, overwhelmed at last by the irresistible might of the Red army? The forces of that rebellion were armed mainly with courage, in confronting the naked power of a war-toughened army of occupation—with its planes and strafing guns, and its tanks and automatic weapons.

Three years before—in 1953—there were similar but briefer uprisings in East Germany and in Czechoslovakia. Later in 1956 came the Poznan insurrection and then Poland's bloodless revolution. And of a similar quality, in 1943, was the heroic and tragic uprising of the doomed Jews of the Warsaw Ghetto.

These uprisings and insurrections—the Jewish, the Czech, the East German, the Polish—were, in their own way, related to one another. They were, in a certain sense, prologs and epilogs to the Hungarian revolution. In a larger framework, all can be considered related parts of the age-old pageant of mankind's struggle for freedom dating back to the earliest beginnings of recorded history.

In Hungary during those eventful days of October 1956, the world watched with a fiercely beating heart as freedom's ragged and valiant army seemed for a fleeting moment to be victorious. Then, as gloriously as they had stood, gloriously they fell.

Shall we recall the figures that eloquently tell a part of the story—the 25,000 killed, the 40,000 arrested, the 2,500 executed, and the 200,000 who fled into exile, some of them here in this auditorium tonight?

These are the cold statistics, but they do not really reflect the magnitude of that great uprising, nor the impact of that brief flood of freedom's light in the darkness of the Communist-slave world.

I believe that heroic episode will be remembered and celebrated as long as history is remembered, far down the unlit corridors of future times.

This is what they, the Hungarian heroes of that revolution, did for us and for all the generations of mankind still to come.

This was not the first uprising for freedom in the long and eventful history of Hungary. There was the revolt of 1848, led by the fearless leader Lajos Kossuth. Again, as in the revolt we are celebrating today, the rebels vainly appealed to other free nations of the world to come to the aid of the embattled freedom fighters; none came and the revolution was crushed. But the love of freedom was not extinguished. It continued to burn like a flickering candle in a gusty place, now brightly, now dimly, but never completely out, through the long night of the many tyrannical regimes that have ruled Hungary up until today.

Now I have told something of what the freedom fighters of Hungary have done for the cause of freedom. What ought we, here in America, to be doing in the same cause today?

Obviously we must not relax or relent in our opposition to Communist tyranny.

We must not let down or diminish in any way our efforts or our commitments in the struggle for freedom.

We must not abandon for a moment our determination to see that all who love freedom and who are willing to fight for it, wherever they are, shall have our support and our assistance to gain their goal. This certainly includes, this must include, the people of Hungary. It also includes those others behind the Iron Curtain who fall into the same category and have the same credentials in the world army of freedom.

But words are cheap, much cheaper than deeds; it is far easier to make a bold speech that will capture a headline here in New York than it is to free a single enslaved person from the Communist tyranny in Europe.

Today, as a result of the advances of science, we stand in the shadow of doomsday. Today scientists both here and in Russia are said to be working on a new hydrogen bomb capable of blasting a 200,000-square-mile area so that all vegetable and animal life would be erased—an area as big as all the New England States plus New York, plus Pennsylvania, plus New Jersey—an area inhabited by more than 50 million people.

What this means is that all-out war will not free the enslaved; it would simply destroy all the people at war and all in the path of war. But this fact does not mean that the struggle is to be abandoned. On the contrary, the struggle must be intensified. The struggle against communism and the struggle for the right of self-determination of the peoples behind the Iron Curtain must be pressed, pursued, and prosecuted with unceasing and relentless vigor.

The United States is spending $50 billion a year—half our budget—for military strength and security. In maintaining and continually building up the world's greatest striking and defensive military power, we are providing insurance against the Communist conquest of any more of the world by force or threat of force.

But while we are now capable of discouraging Communist hopes of any easy advances through the use of force or threat of force, we must concede their capability of discouraging our use of the same means to gain our objectives.

So, for purely practical, as well as for other reasons, we should look to other means to advance the cause of freedom.

But nevertheless, we still must win. The enslaved must be freed. Communist tyranny must be opposed and broken. The question is how. And I say to you that despite the so-called improvement in formal relations with our sworn enemy, we need not feel restrained for a moment in pressing the cause of freedom and aiding and encouraging the forces of freedom, wherever they may be, in every practical way, in front of and behind the Iron Curtain.

As mayor of this city, I do not speak for those who frame or direct the foreign policy of the United States. But as mayor, I can speak for the people of this city. And I say in their behalf—and I say in my own as a citizen—that we must never stop holding high the banner of freedom, and of holding out hope to those to whom freedom is denied by force, that their chains will soon, somehow, be struck from them.

I believe that the more ways we find of getting around and behind the Iron Curtain, and of establishing direct contacts with the people, the more ways we find to show them that while we seek for peace, we continue to strive for their freedom too—and will never stop until their cause prevails.

For this purpose we must develop a new assortment of approaches, utilizing not tired slogans but vigorous initiatives—to use every opportunity to contrast the ways of freedom with the ways of tyranny and totalitarianism, to hold up the goal of free elections, and to apply relentless pressure to the weak points of the enemy.

We must have confidence in the magnetic power of freedom. Freedom attracts freedom. The power of freedom is greater than that of slavery. With this as our firm faith, and with a deeper faith that we strive in God's cause, with His blessings, we surely will succeed in speeding the day of the deliverance of the Hungarian people from the Godless rule of Communist tyranny, and the reestablishment of a free Hungarian nation in the family of free nations.

## BILL INTRODUCED TO AMEND TITLE 18 OF THE UNITED STATES CODE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULTER. Mr. Speaker, I have introduced a bill to amend title 18 of the United States Code to prohibit false statements or reports to Federal credit unions.

This is merely a clarifying amendment to remove any doubt as to whether federally chartered credit unions are to be treated the same as any other financial institution chartered by the United States for the purposes of section 1014 of title 18.

Section 1014 presently provides a penalty of not more than $5,000 or imprisonment for not more than 2 years, or both, for anyone making a false statement or report for the purposes of influencing action on the part of a number of financial institutions such as a Federal Reserve Bank, the Federal Home Loan Bank Board, a Federal Savings & Loan Association or—since 1956—a small business investment company.

There appears to be doubt as to whether misconduct by a member of a Federal credit union in falsifying an application for a loan, forging a cosigner's signature, and so forth, is a Federal offense. Section 1001 of title 18 provides penalties for making false statements or representations, but this section is considered by some to be applicable only to agencies or departments of the Government. There has been an attempt to limit its application to corporations chartered by the Government as Government-owned corporations. This was not the intent of Congress.

Section 1006 of title 18 relates to penalties for those who attempt to defraud a credit association. By court action, it has been limited in its coverage to an officer, agent, or employee of such an association. The Justice Department brought two test actions against credit union members under section 1006 involving the forging of cosigners' names and in both instances the indictments have been dismissed.

This bill makes it quite clear that the penalties prescribed by statute shall also apply to Federal credit unions as well as other federally chartered organizations.

There is no reason why any financial institution should be excluded and I hope that this legislative loophole will be closed by the enactment of this bill during the 88th Congress.

## TO CLARIFY THE RECORD

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, in view of the fact that my name was mentioned in remarks made from the floor of this House yesterday in the context of a story which has been related in several different versions, I offer the following news stories from the Fort Worth Press dated October 24, 1963, the Washington Daily News dated October 25, 1963, and an editorial from the El Paso Herald-Post dated October 25, 1963, to clarify the record:

[From the Fort Worth (Tex.) Press, Oct. 24, 1963]

"PINKO" LABEL ON GONZALEZ

(By Seth Kantor)

WASHINGTON.—Representative ED FOREMAN, Republican, of Texas, today labeled HENRY B. GONZALEZ, Democrat, of Texas, and 19 other Democratic Congressmen across the Nation as "pinkos."

"I think they are consistent supporters of communism through their votes in the House," said the El Paso area's freshman Congressman.

He said that "I am not going to call GONZALEZ a Communist, but he is as extreme to the left as the other 19, and they are pinkos."

Representative FOREMAN pointed to a House vote which took place last February 27 as his yardstick. The vote that day was 385 to 20, in support of retaining the House Un-American Activities Committee as a standing committee of the House.

For calling another one of the 20 a "pinko" in public last Friday at San Jose, Calif., Representative FOREMAN has had to issue a formal apology.

This is what he said in the Friday speech at a Republican rally in San Jose, referring to Representative DON EDWARDS, Democrat, of California:

"If you had an outright leftist, avowed Communist (in Congress), you wouldn't be getting any different kind of votes than you're getting from DON EDWARDS."

The El Paso area Congressman had this to say today:

"If I think they're supporting the Communists I'm going to continue speaking out against them as an American. I don't want us playing into the hands of the Communists by selling wheat to Russia or by entertaining Tito. Pinkos do things like that."

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[From the El Paso (Tex.) Herald-Post, Oct. 25, 1963]

FOREMAN GOOFS

"Ill-advised" is too mild a word to describe Congressman ED FOREMAN's attack on a group of his fellow Congressmen as "pinkos."

The 20 Congressmen attacked by FOREMAN as "pinkos" were given the label because they voted against retaining the House Un-American Activities Committee. In FOREMAN's view, that made them sympathetic to communism, because the Communists would like to see the committee die.

This guilt-by-association attack does no credit to our Congressman.

A great many sincere and patriotic Americans applaud and approve the actions of the Un-American Activities Committee. A great many other equally sincere and equally patriotic Americans disapprove of the committee. It is one thing for Representative FOREMAN to disagree with the views of the latter group; it is quite another for him to imply that all Americans who hold views opposite to his own are pro-Communist.

Representative FOREMAN has expressed unhappiness with the United Nations. Russia's Mr. Khrushchev doesn't like the UN either. Does this make Mr. FOREMAN pro-Communist?

Representative FOREMAN violently opposes foreign aid. The Russians wish we would end it, too. Does this make Mr. FOREMAN pro-Communist?

Representative FOREMAN has attacked American leadership in the White House. So have the Russians. Is Mr. FOREMAN therefore a pro-Communist?

On virtually every phase of government there is room for disagreement. For every action there is reaction, and both action and reaction have their supporters.

Mr. FOREMAN is entitled to spring to the defense of the House Un-American Activities Committee. He is entitled to present the argument that he believes its abolition would please or profit the Reds. But he is in grievous error when he hangs the label of pro-Communist on all those who differ with him on this issue.

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[From the Washington Daily News, Oct. 25, 1963]

GOP CONGRESSMAN APOLOGIZES FOR SLUR: REPRESENTATIVE EDWARDS CAN HARDLY BE TICKLED PINK

Representative ED FOREMAN (Republican of Texas), who has labeled 20 Hill colleagues as "pinkos," has apologized to one of them.

During a speech at San Jose, Calif., Friday, Representative FOREMAN, referring to Representative EDWARDS (Democrat of California), said:

"If you had an outright leftist, avowed Communist (in Congress), you wouldn't be getting any different kind of votes than you're getting from DON EDWARDS."

MILLIONAIRE

Representative EDWARDS, 48, a millionaire businessman and former FBI agent, is a freshman Congressman.

Representative FOREMAN's words were reported in the San Jose Mercury & News. He told the Scripps-Howard newspapers:

"I was quoted exactly correctly."

Representative EDWARDS, furious, consulted with House Speaker JOHN MCCORMACK (Democrat of Massachusetts), Majority Leader CARL ALBERT (of Oklahoma), and Majority Whip HALE BOGGS (of Louisiana).

The result was that he went to Representative FOREMAN with an apology all typed out.

Representative FOREMAN would not sign it, but did write an apology of his own and signed it. This is what he wrote.

"Dear DON: In view of the publicity given my remarks in San Jose, Calif., last weekend, causing embarrassment to you personally, I regret that the news people reported me as describing you as a pinko. I retract the statement regarding your voting record.

"Although we strongly disagree philosophically, a description of this sort was not in the best taste or good manners. Best wishes and regards,

"(Signed), ED FOREMAN."

FEARED SUIT

Representative FOREMAN said today:

"I wrote the retraction to keep from being sued by EDWARDS. But I still say he is a pinko. I will speak out against his voting record and the voting records of others who aid the Communists with their votes."

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## ACQUISITION BY THE FEDERAL AVIATION AGENCY OF A GIANT FLEET OF EXPENSIVE AIRCRAFT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the Federal Aviation Agency has acquired a giant fleet of expensive aircraft which has exceeded the bounds of necessity and which supports the charges that have been made to the effect that the Administrator is building an empire. Certainly the tremendous increase in the FAA's annual budget and its farflung activities also support this view.

The FAA currently operates 129 aircraft, including a Boeing 720 jet for which it paid $4,295,542. The AOPA Pilot for October 1963, the official magazine of the Aircraft Owners and Pilots Association states of FAA's planes:

> The type of aircraft used, their cost, and how they are equipped is the story behind one of the country's largest airline airfleets in the country.

This year the FAA added among other planes eight new Beechcraft Queen Air 80's to its airfleet on a lease-purchase agreement which will cost FAA an average of $34,100 per month. According to the AOPA Pilot, 58 percent of the lease cost will be applied to the purchase price of each aircraft if or when FAA elects to buy them. The purchase price for each of the planes is $171,888.75. These Queen Air 80's replaced a number of Beech model 18's which the FAA owned. The FAA says they replaced the Beech model 18's because they are surplus military planes, they were weary and had passed their last mark in miles. Yet general aviation owners still use 1,884 Beech model 18's. Presumably, the FAA issued aircraft certificates of airworthiness for each and every one of these surplus and weary planes. Apparently, what is surplus and weary to the FAA is good enough for general aviation owners.

Other planes in Mr. Halaby's fleet include two Boeing C-135 jets which cost $2,673,410 each, five Convair CV-540's which cost $735,000 each, a Convair CV-880 jet which cost $3,021,079, four Lockheed L-749's, five Lockheed TV-2's, an Aero Commander 680 which was formally operated under a lease-purchase agreement, and a Lockheed Jetstar that cost $1,506,985.

Mr. Speaker, I have had the sad duty of reporting to this body over the past 2 years on the deficiencies existing in the Federal Aviation Agency. Clearly, these deficiencies are directly traceable to the curious and vapid direction provided by its Administrator, Najeeb E. Halaby. He has assumed the role of master croupier in a deadly game of Russian roulette. To the flying public the stakes are tragically high. While Mr. Halaby spends Government funds appropriated by Congress on such things as building "one of the country's largest nonairline fleets," air route traffic control centers and control towers throughout the country are underequipped and poorly equipped. While the FAA spends 10 times and more for equipment and items than do State-owned airports and private organizations for the same equipment and items, many facilities still operate without up-to-date and modern safety equipment.

Certainly we want a modern common system of air traffic control. Certainly we want to appropriate the funds necessary to support this objective. Safety in air traffic is a necessity. But the luxuries inherent in the present administration of this program need to be examined. I cannot believe that Congress or the American people want to support the purchase and acquisition of one of the largest nonairline fleets in the country as an adjunct of one of our Federal agencies.

The Administrator takes the position that in matters of aviation only he as head of the FAA has the requisite knowledge to pass on his policy or the accuracy of scientific systems or technical developments. This view if it prevailed would make of our Federal Administrators not servants of the people but oriental potentates. The people have no representation in Federal agencies because Administrators are not elected. It is up to the Members of Congress as the elected representatives of the people to look into the justifications of budget requests of the Federal agencies and to scrutinize decisions whereby the people's money is being spent.

### THE CASE AGAINST H.R. 8195

**Mr. GONZALEZ.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

**Mr. GONZALEZ.** Mr. Speaker, I have taken the floor many times in the past several months to argue against further extension of the bracero program. Since yet another extension bill will be brought up tomorrow, I think it would be well if I could summarize the reasons for my opposition to extension of the bracero law. I propose to do this today because I know that the debating time tomorow will be limited, and I do not wish to unduly burden my colleagues with a lengthy oration.

I believe that the bracero law in its present state is bad legislation, and that it authorizes a bad program—bad for the American farm workers, bad for the braceros, and bad for the farming industry itself.

Those who argue for the bracero program tell us that there is a shortage of agricultural workers, that American workers will not do so-called stoop labor, that termination of the bracero law would hurt the small farmer, that the bracero program is vital to the interests of Mexico as a means of earning dollar exchange, that termination of the program would mean a recurrence of the wetback problem, and that the bracero program does not depress domestic wages. I propose now to examine each of these arguments and show that they constitute no case at all for further extension of Public Law 78.

We are told by proponents of the bracero law that there is a shortage of domestic workers. This is not a strong argument; as a matter of fact, the distinct majority of agricultural workers in this country are domestics. Less than one percent of U.S. farmers employ braceros. Further, there is every indication that U.S. workers are available to perform farm labor when they are offered anything like decent wages. In Texas, when the adverse effect wage was set at 70 cents an hour instead of 50 cents an hour, the use of braceros dropped more than 75 percent in one year. Similarly, when the minimum wage was raised in Arkansas, the number of braceros dropped suddenly from 18,000 to 8,000. Bracero employment in New Mexico dropped 62 percent in a single year. If any evidence is needed that U.S. farm workers are available, I think that these figures show it.

The fact is that domestic workers have been literally driven out of the market by the braceros. Studies by agricultural colleges and other agencies prove that domestic workers moved out of the bracero using area after this program went into effect. Chances are excellent that these workers will return to these areas as soon as the braceros are gone.

Many of us who have opposed further extension of the bracero law have recognized that bracero-using areas are going to have to make some kind of adjustments. I and a number of my colleagues have introduced legislation which would help stabilize and bring some order into the farm labor market. But these recruitment programs have been consistently opposed by bracero-using interests. It would appear that these people do not even want to use domestic laborers, which might help explain why they are "unable" to find them.

Bracero users also argue that domestic workers are not available "because they will not do stoop labor." This is a patently false argument, inasmuch as American workers are employed by more than 99 percent of American farmers, and these workers do every conceivable type of labor, including so-called stoop labor. The facts give no shred of evidence to support the contention that American workers are soft, lazy, or indifferent. I have always been proud of American workers. The debates on Public Law 78 reflect the first time I have ever heard of when it was said that American workers are unfit and unable and unwilling to perform hard and dirty work. Clearly this is an untenable argument, for American workers perform precisely this kind of work all over the country.

Proponents of Public Law 78 say that the termination of the bracero program would hurt small family farmers; the exact opposite is the true case, I believe.

Simple economics show that the small grower who does all or most of his own work has his wages depressed by the cheap labor against which he is forced to compete. Furthermore, statistical data show beyond a doubt that the overwhelming majority of bracero users are big operators—not family farmers. Furthermore, the bracero program has flooded the farm labor market, since it provides an endless stream of docile and willing workers. The net result of this condition is that big operators have been able to increase their acreage to astronomical proportions—the market itself has been depressed by this increased production. The Farmer's Union which represents small farmers in this country, has repeatedly gone on record as being opposed to further extension of the bracero program. The facts are, Mr. Speaker, that termination of Public Law 78 will benefit—not harm—family farmers.

What about the argument that the wetback problem will recur if the bracero program ends? Again, this is a false argument. If it were true, I think we would already be having evidence of a rampant wetback problem, since the number of braceros has been cut back sharply in the last 2½ years. If this argument of the bracero users were true, we would already be forcing a new wetback problem. We do not have an uncontrollable situation. It is possible for the United States to patrol our borders, I think, despite the claims of a few people to the contrary.

The figures on the numbers of braceros versus the number of wetbacks in recent years have a bearing on the wetback argument.

The number of braceros in the past 5 years is as follows:

| | |
|---|---|
| 1956 | 445,197 |
| 1957 | 436,049 |
| 1958 | 432,853 |
| 1959 | 437,647 |
| 1960 | 315,846 |
| 1961 | 291,420 |
| 1962 | 194,978 |

If the wetback argument holds true, then there should be a sharp increase in the figures of the Immigration and Naturalization Service after 1959 with respect to the number of wetbacks apprehended and returned to Mexico. There should have been hundreds of thousands of wetbacks—for the wetback argument contends that for the number of braceros reduced, there is a corresponding rise in wetbacks. This is not true, as is obvious from these figures supplied by the Immigration and Naturalization Service:

| | |
|---|---|
| 1955 | 225,000 |
| 1956 | 60,000 |
| 1957 | 40,000 |
| 1958 | 30,000 |
| 1959 | 25,000 |
| 1960 | 23,000 |
| 1961 | 23,000 |
| 1962 | 23,000 |

(See page 72, annual report of Immigration and Naturalization Service for exact figures.)

It is revealing to see that the peak of the so-called wetback problem occurred in 1955—4 years after the initiation of Public Law 78. And, after 1959, when the number of braceros dropped more than 50 percent, there was no increase in the number of wetbacks apprehended.

The wetback problem and the bracero law are obviously not in any way related. It is significant that the wetback problem reached its peak in the early days of the bracero program, and did not abate until the Immigration and Naturalization Service was given adequate funds with which to finance the policing of our borders.

It is ridiculous to say that this country, the mightiest in the world, cannot even police its frontiers. The ending of the bracero program will not cause any increase in the number of wetbacks. The determining factor in the wetback problem is whether or not we will provide the Immigration and Naturalization Service with enough men and money to police the border—not whether the bracero law will be extended.

Some people advance the claim that the bracero program provides a kind of do-it-yourself foreign aid to Mexico. They point out the fact that the braceros carried $35 million to Mexico last year. This figure becomes less impressive when you divide it by 194,978. If you accept the $35 million estimate, this means that the average bracero last year netted something like $14 for his work and the average period of work was 2.9 months. In short, after all was said and done, the average bracero saved something on the order of a dollar a day for his efforts. It becomes readily apparent that this is no bonanza.

Further, there is the moral question involved here: Is it right to make the domestic farmworkers of America—already our most deprived and underprivileged class—bear the burden of this "foreign aid"? Furthermore, many of those who proudly proclaim that Public Law 78 is foreign aid and that it is vital to Mexico have no qualms about attacking our other aid programs, which they evidently do not consider vital to this or any other country.

A favorite argument of the bracero proponents is that food costs would soar if this program were ended, because labor prices would increase. This excuse for canceling the workings of the free enterprise system is also false, and is used mainly as a scare tactic. The fact is that labor costs constitute only a small fraction of the cost of food. It is estimated in the case of canned tomatoes that labor costs constitute something like 4 percent of the retail cost of canned tomatoes. Certainly we cannot expect labor costs to rise enough to have a drastic effect on food costs. Personally, I would rather pay a penny a head more for lettuce than to have to gag on my salad, knowing that it was probably produced by semislave labor.

Yes, I call the bracero program a program of semislave labor. I say this because a free worker has some choice about where he is going to work, and under what conditions, and who he is going to work for. A bracero has none of these choices. Like the slaves of the 18th and 19th centuries, he is picked out of a lineup, transported to a camp, and assigned a field to work in. Unlike a slave, he can quit. The privilege to quit marks the only clear delineation between a slave and a bracero.

Finally, Mr. Speaker, I oppose the bracero law on moral grounds. The bracero program is known to inflict adverse effects on domestic agricultural workers. The Department of Labor opposes extension of the law in its present form for that very reason. President Kennedy himself took note of this evil some 2 years ago. But the bracero users have ignored these calls for reform, and resisted any amendments that would protect domestic workers. Further, large growers and farm organizations that represent them have consistently opposed all kinds of legislation that would benefit domestic workers. How can we justify a program which deprives workers who average less than a thousand dollars a year in income of some opportunity to raise their wages and improve their lot? How can we justify a program which robs them of jobs and cancels the processes of a free market in labor? How can we justify extending a program that has been almost universally condemned by church leaders of all faiths?

The answer is, Mr. Speaker, that we cannot. This House has once expressed its will that the bracero law expire at the end of this year. Let us reaffirm that will.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HARDING (at the request of Mr. ALBERT), from today through November 15, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WAGGONNER, for 15 minutes, today, to revise and extend his remarks, and to include extraneous matter.

Mr. MICHEL, for 30 minutes, on Thursday, October 31.

Mr. HOEVEN, for 1 hour, on Tuesday, November 5, vacating his special order for today.

Mr. CONTE (at the request of Mr. Bow), for 10 minutes, today, to revise and extend his remarks, and include extraneous matter.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WELTNER.
Mr. ZABLOCKI.
Mr. RHODES of Pennsylvania.

(The following Members (at the request of Mr. Bow) and to include extraneous matter:)

Mr. TUPPER.
Mr. MCCLORY.
Mr. SIBAL in two instances.
Mr. FOREMAN in two instances.

(The following Members (at the request of Mr. ALBERT) and to include extraneous matter:)

Mr. TEAGUE of Texas in two instances.
Mr. STEPHENS.
Mr. BRADEMAS.
Mr. ROOSEVELT.

## JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on October 29, 1963, present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 782. Joint resolution making continuing appropriations for the fiscal year 1964, and for other purposes.

## ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 22 minutes p.m.) the House adjourned until tomorrow, Thursday, October 31, 1963 at 12 o'clock noon.

## OATH OF OFFICE

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members and Delegates of the House of Representatives, the text of which is carried in section 1757 of title XIX of the Revised Statutes of the United States and being as follows:

> "I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 88th Congress, pursuant to Public Law 412 of the 80th Congress entitled "An act to amend section 30 of the Revised Statutes of the United States" (U.S.C., title 2, sec. 25), approved February 18, 1948:

MARK ANDREWS, First District, North Dakota.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1338. A letter from the Comptroller General of the United States, transmitting a report on the need to revise procedures in administration of the mortgage insurance program for urban renewal housing of the Federal Housing Administration, Housing and Home Finance Agency; to the Committee on Government Operations.

1339. A letter from the Comptroller General of the United States, transmitting a report on unnecessary annual expenditures by the Departments of the Army and Navy for leasing commercial facilities to store Government-owned empty 55-gallon steel drums in the Los Angeles, Calif., area; to the Committee on Government Operations.

1340. A letter from the Comptroller General of the United States, transmitting a report on the use of former Government surplus parts without authorization under Department of the Army contract DA-23-204-TC-1695 with Aerodex, Inc., Miami, Fla.; to the Committee on Government Operations.

1341. A letter from the Archivist of the United States, General Services Administration, transmitting a report on records proposed for disposal under the law; to the Committee on House Administration.

1342. A letter from the Comptroller General of the United States, transmitting a report on unnecessary costs incurred because of administrative negligence and poor design in the construction of two Air Force Capehart housing projects; to the Committee on Government Operations.

1343. A letter from the Comptroller General of the United States, transmitting a report on unnecessary costs incurred by use of an inadequate interior protective coating by the Department of the Army for fuel truck tankers; to the Committee on Government Operations.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 7123. A bill approving an agreement entered into by the Navajo Tribe of Indians relating to oil and gas leases; without amendment (Rept. No. 877). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 223. Concurrent resolution to provide for the printing of 3,000 additional copies of civil rights hearings; without amendment (Rept. No. 878). Ordered to be printed.

Mr. ROGERS of Texas: Committee on Interior and Insular Affairs. Senate Joint Resolution 17. Joint resolution to designate the lake to be formed by the waters impounded by the Flaming Gorge Dam, Utah, in the States of Wyoming and Utah, as Lake O'Mahoney; with amendment (Rept. No. 879). Referred to the House Calendar.

Mr. McMILLAN: Committee on District of Columbia. S. 933. An act to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes; with amendment (Rept. No. 880). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on District of Columbia. H.R. 8920. A bill to revise the District of Columbia Alcoholic Beverage Control Act; with amendment (Rept. No. 881). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee of conference. H.R. 6500. A bill to authorize certain construction at military installations, and for other purposes (Rept. No. 882). Ordered to be printed.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 8969. A bill to provide, for the period ending June 30, 1964, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act; to the Committee on Ways and Means.

By Mr. GILL:

H.R. 8970. A bill to revise the procedures established by the Hawaii Statehood Act, Public Law 86–3, for the conveyance of certain lands to the State of Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOLIFIELD (by request):

H.R. 8971. A bill to amend Public Law 88–72 to increase the authorization for appropriation to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. HUDDLESTON:

H.R. 8972. A bill to amend the Fire and Casualty Act of the District of Columbia to provide for the financial protection of certain persons suffering injury as a result of the operation of a motor vehicle by uninsured motorists; to the Committee on the District of Columbia.

H.R. 8973. A bill to strengthen the Motor Vehicle Safety Responsibility Act of the District of Columbia; to the Committee on the District of Columbia.

By Mr. KILGORE:

H.R. 8974. A bill relating to the retired pay to which certain former members of the armed services are entitled; to the Committee on Armed Services.

By Mr. KNOX:

H.R. 8975. A bill to provide for the tariff classification of certain particleboard; to the Committee on Ways and Means.

By Mr. McINTIRE:

H.R. 8976. A bill to amend the Internal Revenue Code of 1954 to increase the amount of the personal exemption allowed a taxpayer with respect to an individual (himself, his spouse, or a dependent) who is a student in higher education and is working full or part time; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 8977. A bill to revise the procedures established by the Hawaii Statehood Act, Public Law 86–3, for the conveyance of certain lands to the State of Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORGAN:

H.R. 8978. A bill to amend further the Peace Corps Act, as amended; to the Committee on Foreign Affairs.

By Mr. MULTER:

H.R. 8979. A bill to amend title 18 of the United States Code to prohibit false statements or reports to Federal credit unions, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:

H.R. 8980. A bill to amend the communications Act of 1934 to prohibit the Federal Communications Commission from making certain rules relating to the length or frequency of broadcast advertisements; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS:

H.R. 8981. A bill to amend the Internal Revenue Code of 1954 to allow a tax credit for certain tuition and fees paid by individuals to institutions of higher education and to allow a tax credit for certain contributions made by individuals or corporations to institutions of higher education; to the Committee on Ways and Means.

By Mr. WILLIAMS:

H.R. 8982. A bill to amend the Railway Labor Act in order to make all awards of the National Railroad Adjustment Board final; to the Committee on Interstate and Foreign Commerce.

H.R. 8983. A bill to amend the Railway Labor Act in order to provide for establishment of special adjustment boards to resolve disputes otherwise referrable to the National Railroad Adjustment Board; to the Committee on Interstate and Foreign Commerce.

H.R. 8984. A bill to amend the Railway Labor Act in order to provide for the establishment of special adjustment boards upon the request either of representatives of employees or of carriers to resolve disputes otherwise referrable to the National Railroad Adjustment Board; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDSON:

H.R. 8985. A bill to provide for the sale by the Secretary of the Army of certain lands in the Fort Gibson Reservoir, in Oklahoma, subject to flowage easements and other reservations; to the Committee on Public Works.

By Mr. MORRISON:

H.R. 8986. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RAINS:

H.J. Res. 785. Joint resolution to amend section 702 of the Housing Act of 1954 to increase the amount available to the Housing and Home Finance Administrator for advances for planned public works; to the Committee on Banking and Currency.

By Mr. McFALL:

H.J. Res. 786. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H.J. Res. 787. Joint resolution providing for the erection of a memorial statue to the late Dr. Robert H. Goddard, the father of American rocketry; to the Committee on Science and Astronautics.

By Mr. ROUDEBUSH:

H.J. Res. 788. Joint resolution authorizing and directing the National Institutes of Health to undertake a fair, impartial, and controlled test of Krebiozen; and directing the Food and Drug Administration to withhold action on any new drug application before it on Krebiozen until the completion of such test; and authorizing to be appropriated to the Department of Health, Education, and Welfare the sum of $250,000; to the Committee on Interstate and Foreign Commerce.

By Mr. MATHIAS:

H.J. Res. 789. Joint resolution to adopt a specific version of the Star-Spangled Banner as the national anthem of the United States of America; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H. Con. Res. 229. Concurrent resolution providing for one General Expenditure Authorization Act for each fiscal year, and for other purposes; to the Committee on Rules.

By Mr. EVINS:

H. Con. Res. 230. Concurrent resolution authorizing the printing of 5,000 copies of the study, "Tax-Exempt Foundations and Charitable Trusts; Their Impact on Our Economy—Second Installment," for the use of the Select Committee on Small Business; to the Committee on House Administration.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHENOWETH:

H.R. 8987. A bill for the relief of Franciska Lenarsic; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 8988. A bill for the relief of Anastassia Dimiza; to the Committee on the Judiciary.

H.R. 8989. A bill for the relief of Triantafylos Economopoulos; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.R. 8990. A bill for the relief of Mane Hinic; to the Committee on the Judiciary.

By Mr. HAGAN of Georgia:

H.R. 8991. A bill for the relief of Vassilios Mamais; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 8992. A bill for the relief of Antonio Vidrio-Fierro; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 8993. A bill for the relief of Dr. Yoshio Watanabe; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

426. By Mr. HANNA: Petition for support of constitutional amendment to permit Bible reading in public schools; to the Committee on the Judiciary.

427. By Mr. HANNA: Petition for support of constitutional amendment to permit Bible reading in public schools; to the Committee on the Judiciary.

# EXTENSIONS OF REMARKS

## A Liberal Goes Off His Rocker

EXTENSION OF REMARKS

OF

### HON. ED FOREMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. FOREMAN. Mr. Speaker, I appreciate this opportunity to present, by way of my Washington Report, an exact account of the very unfortunate and embarrassing incident created by the man from San Antonio [Mr. Gonzalez] yesterday in his unwarranted and disgraceful physical attack upon me.

The report follows:

A Liberal Goes Off His Rocker (Or, an Irresponsible and Vulgar Hothead Gets Fighting Mad When His Ultraliberal Voting Record Is Exposed)

It was 12:25 p.m., Tuesday, October 29, 1963, during a quorum call on the floor of the U.S. House of Representatives. I was sitting in the second row visiting with two of my colleagues, Mr. Ben Reifel, of South Dakota, and Mr. Del Clawson, of California, when suddenly Mr. Henry Gonzalez, of San Antonio, Tex., rushed up to me and exclaimed, "I understand you called me a Communist."

I replied, "No, Henry, I did not call you a Communist. I did say, however, that I believe your ultraliberal, leftwing voting record does a disservice to the U.S. Constitution and helps to bolster the Socialist-Communist cause."

Before I could finish my statement, Gonzalez interrupted, "Well, I'm gonna beat the ------ out of you, in fact, I may just pistol-whip you the way we do down in San Antonio."

"OK," I said, "Get after it."

Gonzalez, motioning toward the door into the Speaker's lobby, said, "Step out that door and I will."

I got up, walked to the door, and as I stepped off the House floor into the lobby, Gonzalez swung [at me] with his right fist. He missed my head and hit my right shoulder. He was furious, cursing loudly and acting like a vulgar, berserk madman.

I said, "Henry, you are unduly upset. I do believe you have lost your mind. In fact, I cannot imagine a supposedly intelligent adult exhibiting this type of conduct in the Halls of Congress—I am ashamed for you."

With this, I turned and walked back onto the House floor. Gonzalez was still standing in the lobby with his fists doubled, shouting vulgar, uncomplimentary charges and insults.

Admittedly, it was difficult, indeed, for me to restrain myself and maintain dignity while subjected to this obscene and intemperate attack by Mr. Gonzalez. However, I sincerely believe that most of my west Texas friends would have expected me to maintain my composure and uphold the dignity of my office rather than resorting to the savage and indecent action exhibited by the man from San Antonio. I hope and trust that upon reflection of this unfortunate incident, Mr. Gonzalez will exhibit the intelligence not to attempt such an irresponsible tirade again.

The hundreds of telephone calls and telegrams from across the country complimenting me on the handling of this situation have been a source of encouragement and reassurance in the intelligence and concern of Americans everywhere—Democrats and Republicans alike. It was particularly reassuring to have my colleagues commend me in the House of Representatives for my restraint and actions during this incident.

Mr. Speaker, further I include a sample of the hundreds of kind telegrams I have received commending my restraint and actions during this incident:

San Antonio, Tex.,
*October 30, 1963.*

Representative Ed Foreman,
*House Office Building, Washington, D.C.:*

The citizens association deeply regret the unprincipled attack against you by Henry B. Gonzalez. We apologize in the name of the citizens of 20th District. Carry on the fight.

Respectfuly,

Robert C. Moore,
*President, the Citizens.*

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Dallas, Tex.

Congressman Ed Foreman,
*Washington, D.C.:*

Your dignity, character, dedication to the Government are above reproach. We're behind you.

Kathy and Cliff Goldsmith.

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San Diego, Calif.,
*October 30, 1963.*

Congressman Ed Foreman,
*Washington, D.C.:*

Call them as you see them with best regards to you and your family.

Bev and Ray Stonecipher.

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Midland, Tex.,
*October 29, 1963.*

Hon. Ed Foreman,
*House Office Building,*
*Washington, D.C.:*

Congratulations. West Texans are behind you 100 percent.

Jack Russell.
Ray Stewart.

Mr. Speaker, yesterday morning, after reading recent news articles, and before Mr. Gonzalez attacked me, I had written the following letter to the editor of the El Paso Herald-Post:

Congress of the United States,
*Washington, D.C., October 29, 1963.*

Mr. Robert W. Lee,
*Editor, El Paso Herald-Post,*
*El Paso, Tex.*

Dear Pete: I was somewhat surprised to see the front page headlines and story on your paper Thursday, October 24, 1963, quoting me as calling Henry Gonzalez a "pinko." But I was even more surprised to read the editorial in the following day's edition, entitled "Foreman Goofs," in which you condemned me at considerable length for this misquotation. Knowing you personally, and being particularly familiar with your fine newspaper and your outstanding background of fairness and responsibility in news stories and editorial writing, this sudden barrage of news and editorial castigation of me by you and your newspaper came as quite a shocking surprise, indeed.

Apparently, one of your enterprising Washington correspondents, in his zeal to write a colorful and controversial front page story at a time when congressional news was very dull, decided to do a bit of name calling for me. Your correspondent called me, discussed the California incident with me, and asked if I thought Henry B. Gonzalez was a "pinko." My reply was that, in my opinion, Henry Gonzalez' ultraliberal, leftwing voting record does a disservice to the U.S. Constitution and helps to bolster the Socialist-Communist cause. I believe his liberal voting record and his radical leftwing actions, consistently to the left of Adam Clayton Powell, speak for themselves. You can call him whatever name you wish. I am sure that sound, responsible Texans who review Gonzalez' records are capable of placing a suitable name on the gentleman from San Antonio without my assistance.

As a conservative, I have consistently fought to reduce the size, cost, and control of the Federal Government. I am more interested in extending freedom than I am in promoting a welfare state. Therefore, not only will I work at my very best in my Armed Services Committee and on the House Floor toward this goal, but, when my committee and the House are not in session, I will continue to travel across these United States at my time and expense to work for the election of responsible conservatives, both Democrat and Republican.

I can do my job most effectively in the second instance, I believe, by pointing out the liberal voting record of those Members of Congress who are working to replace our free enterprise system with a Socialist-welfare state. I'll try to leave the name calling to the hardworking Washington news correspondents.

Sincerely yours,

Ed Foreman,
*Member of Congress, 16th District Texas.*

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## The 120th Anniversary of B'nai B'rith

EXTENSION OF REMARKS

OF

### HON. ABNER W. SIBAL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. SIBAL. Mr. Speaker, under leave to revise and extend my remarks, I want to take this opportunity of offering tribute to B'nai B'rith, the remarkable Jewish service organization which this month observes its 120th anniversary.

On October 13, 1843, 12 Jews of German origin met in Sunsheimer's Cafe in New York to found an organization which would unite all Jews, without regard to national origin, for the purpose "of inculcating the purest principles of philanthropy, honor, and patriotism."

In the following years, B'nai B'rith has succeeded in such magnificent measure that today it is a world-renowned rallying point for all Jews.

From B'nai B'rith, volunteers responding to President Lincoln's plea, joined the ranks of the Union Army. Since then, B'nai B'rith volunteers have served with distinction in both world wars. During the Baltimore flood of 1868, the Chicago fire of 1871, and the San Francisco fire of 1906, B'nai B'rith members rushed to the aid of the victims. As a forerunner to the American Red Cross, B'nai B'rith has aided its fellow citizens in time of trouble without regard to religion.

The Anti-Defamation League was organized under auspices of B'nai B'rith to combat anti-Semitism in the United States.

It established the Hillel Foundation, which is a vital cultural force on campuses throughout America.

The Pioneer American Hospital for research on tuberculosis and chest diseases was founded by B'nai B'rith at Denver. At Hot Springs, Ark., B'nai B'rith initiated the first important hospital center devoted to relief of arthritis. Both are non-sectarian, free hospitals for the needy.

B'nai B'rith is, in fact, the first national service organization to have been founded in America. It predates not only the Red Cross but such other organizations as the Salvation Army, the Grange, the WCTU, Kiwanis, Rotary, and even the Daughters of the American Revolution.

It has grown to include nearly 500,000 members in 40 countries and has become an integral part of the American scene.

At the age of 120, B'nai B'rith has only begun its work. To its members, I offer my congratulations and very best wishes for continued growth and success.

## Texas Economy Lags

EXTENSION OF REMARKS

OF

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. TEAGUE of Texas. Mr. Speaker, I should like to make an effort to correct a multitude of misinformation which has been appearing of late in newspapers and periodicals concerning Texas' share of Federal contracts. This misinformation has been of great concern to me, when in reality the economy of the State of Texas is lagging in this field.

Through the free use of generalities a completely erroneous impression exists in some quarters that Texas has been getting more than its proper share of Defense and NASA contracts. In reality, nothing could be further from the truth. In fact, quite the contrary is true and I would like to set the RECORD straight with some specific facts and figures.

In a comparison of fiscal year 1958 to fiscal year 1962 military expenditures in California grew $2.5 billion, or 42 percent; New York, $340 million, or 11 percent; Ohio, $116 million, or 10 percent; and Texas was reduced $461 million or 30 percent. Much has been made of the award of the TFX contract to Convair in Fort Worth. It should be noted that less than one-third of the total dollars on this program will actually be spent in Texas. The balance will be spent in other States, such as New York and Connecticut, to name just two.

The Bureau of Business Research of the University of Texas in a recent economic survey showed a decline in actual employment for the State starting in 1960. Comparisons of these predictions with actuals since the survey was completed show that, even with the TFX in Fort Worth, the decline is twice as rapid as predicted. In other words, the TFX does not arrest the steady downward trend in the aerospace industry of the State. The award of additional future programs to Texas will only maintain the gradual decline predicted.

There has been much publicity on the establishment of the NASA Manned Space Flight Center in Houston, Tex. We naturally recognize the significant contributions this new Center is making and will continue to make within the scientific community of our State, but it should be pointed out that, although many contracts are let out of this center, the bulk of these contracts are let in other States with the main beneficiaries being California and New York.

In going from fiscal year 1961 to fiscal year 1963—May—California's share of the NASA budget has grown from $149 million to $448 million; New York from $44 million to $60 million, Ohio from $8 million to $20 million, and Texas from $12 million to $30 million. The $30 million spent in Texas represents only 3 percent of NASA's budget.

Texas companies will continue to bid for Defense and NASA contracts in fields where they are eminently qualified to compete. They ask only that they be given the awards when they are judged the best for the job to be done. This is all that I would ask. It would be grossly unjust, however, to have any Texas company who so qualifies lose out on any award as the result of a false impression that "Texas is getting more than its fair share."

## Keeping the Faith Against Communism

EXTENSION OF REMARKS

OF

### HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. STEPHENS. Mr. Speaker, in the daily news we hear so much about civil rights and the persecuted minorities that it behooves me to call to your attention the forgotten minority—professing Christians. All over the world the 2,000-year struggle is still being waged and people who want to be followers of Christ are being "thrown to the lions" in as wanton a fashion as in the days of the Roman martyrs.

One group I want to commend which is keeping the faith in this fight is the Baptist Brotherhood of the Augusta (Ga.) Association of Baptist Churches composed of 42 Baptist churches. This group is doing something about it.

In connection with other Baptist organizations in Georgia, the Baptist Brotherhood of Augusta is sponsoring in November a Russian-born Christian, Paul Voronaeff, to tell the story of the Communistic conspiracy to overthrow Christianity.

This is certainly the time to bring again to the American people the threat to Christian beliefs. Mr. Voronaeff's appearance will be at the Curtis Baptist Church, Augusta, on November 5, and he will witness to his personal encounters as a Russian prisoner because he is a believer in Christ. As aptly expressed by the Augusta Association chairman for this appearance, Mr. David P. Smith:

> If the churches can't fight communism then certainly no one else is going to carry their fight for them.

## On Pinkos and Patriots

EXTENSION OF REMARKS

OF

### HON. ED FOREMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. FOREMAN. Mr. Speaker, Mr. Bernard Baruch once said:

> Every man has a right to his opinion but no man has a right to be wrong in his facts.

My purpose today is to set the facts straight, to clarify and briefly discuss a seemingly very interesting and disturbing for some, to say the least, subject and recent news article by a Washington news correspondent employed by the Scripps-Howard Newspapers.

Being familiar with this newspaper group and knowing of their outstanding background of fairness and responsibility in news stories and editorial writing, I was indeed surprised to see a story written by one of their dedicated and gentlemanly Washington correspondents, Mr. Seth Kantor, last week in which I was quoted as calling 20 of my colleagues in this body as "pinkos."

Apparently, in his zeal to write a colorful and controversial front page story at a time when congressional news was very dull, this enterprising correspondent decided to do some name calling for me. Pinko seemed to be a very popular and controversial name, so he wrote a story, "FOREMAN Labels 20 Colleagues Pinkos." Earlier the Washington correspondent had called me and asked, "How, or on what votes do you classify these liberal members?"

I replied:

> I believe one representative grouping where you could pick out the most liberal Members of Congress was on the House Un-American Activities Committee vote, they seemed to be fairly well grouped together on that vote, about 20 of them as I remember.

The correspondent said:

> HENRY GONZALEZ was among those 20, would you classify him as a pinko?

I replied:

> I do not care to place a name on him or anyone else. In my opinion, HENRY GONZALEZ's ultraliberal, leftwing voting record does a disservice to the U.S. Constitution and helps to bolster the Socialist-Communist cause. I believe his voting record and his radical leftwing actions speak for themselves. You can call him whatever name you wish. I am sure that sound, responsible Texans who review Mr. GONZALEZ's record are capable of placing a suitable name on the gentleman from San Antonio without my assistance.

I did not call HENRY GONZALEZ a pinko or Communist. I only referred to his liberal voting record.

After this conversation, the correspondent then did take it upon himself to label these 20 Members of Congress as pinkos. It is unfortunate that this happened. I make no apology for what I said. I only want to clarify what was said. I am sure all 20 of these fine, dedicated and distinguished liberals actually, honestly and sincerely do love their country. I am sure they just vote for more government programs and bureaus and controls and costs because they believe that a welfare state is best for America.

These folks are just fine, dedicated, trustworthy American patriots whose voting record would lead one to believe, perhaps, unknowingly, they may endorse a socialist United States of America. Now, I say this in no way disrespectful at all, nor do I use the House Un-American Activities Committee vote as my only criteria. Most of these fine Americans vote for most, if not all, of the welfare programs that are introduced. I just do not happen to believe that way—that is all.

I believe that an all-knowing, all-providing, all-powerful Federal Government is contrary to the basic philosophy of our American way of life—and, I believe that any government big enough to give you everything you want, is big enough to take everything you have got.

My interest is to streamline government and try to make it more efficient, because I want to reduce its size, cost, and control. I am more interested in extending freedom than I am in promoting a welfare state. My aim is not to inaugurate new Federal programs, but to cancel old ones that do violence to the Constitution, or that impose on the people an unwarranted financial burden.

To say the least, I was surprised to read in the national wire service yesterday, where a veteran and distinguished gentleman Member of this great body "verbally spanked me" as the wire carried it, for statements I supposedly made about another Member. Yet, no reference whatever was made concerning the violation of the decorum of this House by the gentleman from San Antonio, who, during a fit of anger, threatened to "pistol whip" me as he does in San Antonio and struck me with his fist.

I believe an apology is due me by the gentleman from San Antonio [Mr. GONZALEZ] for his violent attack upon me in these Halls of Congress. This should be expected of any reasonable and sane adult who had exhibited such irresponsible, disgraceful, and vulgar conduct.

We need a few more Democrats, and Republicans, alike, who think, work, and speak as Al Smith did one January night in 1936.

AL SMITH TOOK A WALK

A quarter century and more has passed since Gov. Alfred E. Smith took his famous walk out of the Democratic Party—but his speech in 1936 sounds today as if it could be given tomorrow.

Governor Smith said on a January night in Washington:

> Let us give this solemn warning.
>
> There can be only one Capital, Washington or Moscow.
>
> There can be only one atmosphere of government, the clear, pure fresh air of free America, or the foul breath of communistic Russia.
>
> There can be only one flag, the Stars and Stripes, or the Red flag of the godless Union of the Soviet.
>
> There can be only one national anthem: The "Star-Spangled Banner" or the "Internationale."
>
> There can be only one victor.

The famed speech—which led many to believe Smith, the beloved, happy warrior of New York's East Side, would lead a third party in the 1936 Presidential election—was delivered before the American Liberty League. Smith asked:

> What happens to the disciples of Jefferson and Jackson and Cleveland? * * * There is only one thing we can do. We can either take on the mantle of hypocrisy or we can take a walk, and we will probably do the latter.

And take a walk Al Smith did. He went to Europe in the summer of 1936 and thus did not support F.D.R.'s candidacy. In 1940 he supported Wendell Willkie.

Smith, the 1928 Democratic Party candidate for President, had been known as an opponent to President Roosevelt, who had followed him as Governor of New York. But his lifelong party affiliation had prevented an open break. But, he told friends, the steady movement of the country toward the left was too great not to be opposed now.

He explained:

> I was born in the Democratic Party and expect to die in it, but I can call upon innumerable witnesses to testify to the fact that during my whole public life I put patriotism above partisanship.

Smith, who knew the results of prejudice firsthand from his experience in the 1928 presidential election in which his religion was a prime issue, saw several dangers in the first years of the F.D.R. tenure in the White House.

He asked:

> What are these dangers I see? The first is the arraignment of class against class.
>
> The next thing that I view as being dangerous to our national well-being is government bureaucracy instead of what we have been taught to look for, government by law.
>
> The next thing that is apparent to me is the vast building up of new bureaus of government.

Smith, a strict advocate of constitutional government, pointed out that the writers of the Constitution had seen the need for a balance of power in government:

> What we want, and what we insist on, and what we are going to have, is the absolute preservation of this balance of power which is the keystone, the arch upon which the whole theory of democratic government has got to rest.
>
> When you rattle that, you rattle the whole structure.

In concluding, Smith repeated his lifelong party advocacy and suggested a group of remedies:

> Now, suggestions, and I make these as a Democrat anxious for the success of my party, and I make them in good faith.
>
> First, I suggest to the members of my party on Capitol Hill here in Washington that they take their minds off the Tuesday that follows the first Monday in November. Just take their minds off it to the end that you may do the right thing and not the expedient thing.
>
> Next, I suggest to them that they dig up the 1932 platform from the grave that they buried it in, read it over, and study it, breath life into it, and follow it in legislative and executive action, to the end that they make good their promises to the American people when they put forth that platform and the candidate that stood upon it 100 percent. In short, make good.
>
> Next, I would suggest that they stop compromising with the fundamental principles laid down by Jackson and Jefferson and Cleveland.
>
> Fourth: Stop attempting to alter the form and structure of our Government without recourse to the people themselves as provided in their own Constitution. This country belongs to the people, and it doesn't belong to any administration.
>
> Next, I suggest that they read their oath of office to support the Constitution of the United States. And I ask them to remember that they took that oath with their hands on the Holy Bible, thereby calling upon God Almighty Himself to witness their solemn promise. It is bad enough to disappoint us.
>
> Sixth: I suggest that from this moment they resolve to make the Constitution the civil bible of the United States, and pay it the same civil respect and reverence that they would religiously pay the Holy Scriptures, and I ask them to read from the Holy Scripture the parable of the prodigal son and follow his example.

So spoke my kind and type of politician. I wish we had more men who believed like Al Smith did.

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## American Art Week

EXTENSION OF REMARKS

OF

### HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. McCLORY. Mr. Speaker, the significance of American Art Week, being celebrated between November 1 and 7, should attract the attention of all Members of the Congress as well as citizens throughout the Nation.

Founded in 1931 by the American Artists Professional League, Inc., of New York City, American Art Week is being celebrated in various States and communities throughout the United States.

In 1962 Illinois placed second in the Nation for its activity during Art Week, and Lake County, which is in the 12th Congressional District which I represent, was the leading county in the State. Art leagues and associations in various parts of the 12th District are helping to foster appreciation of art, and many persons are being encouraged to develop and display their artistic skills.

In my congressional office I have a number of representative works of art—both oils and watercolors—which are on loan from distinguished and talented artists of the 12th Congressional District and which I proudly display to all who visit my offices.

In observing Art Week, it is well for all of us to recognize not only the value and importance of art, but also how much art enriches our daily lives—and to pause a moment to enjoy it. I invite all the Members of the House to share the beauty of the art works on display in my office, room 1630. Also, I take this means of congratulating the officers and members of the Lake County and McHenry County Art Leagues—and commend to my colleagues and to the citizens of the 12th Congressional District and of the Nation the theme of this year's American Art Week—"Observe and Enjoy American Art."

## Seventh Anniversary of the Hungarian Fight for Freedom

EXTENSION OF REMARKS

OF

### HON. ABNER W. SIBAL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. SIBAL. Mr. Speaker, I take this time today to recall the events of the Hungarian revolution, which just 7 years ago this week, tore apart forever any remaining myths concerning the benevolence of Soviet control over the Iron Curtain countries, and which exposed anew the limitless treachery and total ruthlessness of Communist oppression.

This spontaneous bid by a proud people for a free government was lost through an overwhelming combination of lies and brute force. Thousands of patriots were killed. Nearly 200,000 Hungarians fled the country.

After assurances by the Russians that Soviet troops would be withdrawn from all of Hungary, which were given on October 28 to Premier Imre Nagy, Soviet forces in massive strength surrounded Budapest on November 1 and launched an attack on the city on November 4. They used 200,000 men with 2,500 tanks and armored cars.

Along with Premier Nagy, General Pal Maleter served as a focus of this nationwide rebellion. General Maleter was seized while attending a so-called negotiation meeting with the Communists and soon after murdered. The Premier, likewise betrayed, was seized and subsequently murdered as well. By the end of the first week of November, the Red curtain had dropped again over Hungary.

In the intervening years, up to the time the present administration took office, the United States maintained a strong position of condemnation against the Communist Hungarian puppet government. Earlier this year, the present administration regrettably reversed our country's policy and failed to challenge the right of the Hungarian puppet government to a seat in the United Nations. The issue never came to a vote and the puppet delegation was admitted. There are other signs that our Government is moving toward softer measures.

This would be understandable and desirable if the situation in Hungary had truly changed. But it has not. The government now in office is the very same regime which had to be rescued by Moscow from popular revolution in 1956. It is still the same regime which collaborated with the Soviets in their suppression of this revolution. It is still the same regime which has been condemned by the United Nations and which has continually ignored and flouted resolutions adopted by the United Nations, where it now sits with all the trappings of honor.

We cannot move closer to this regime, as we appear to be doing, without forfeiting, to the degree by which we move, our standing with our free world allies. Whether or not this is the intention of such moves, it is without question the effect of them.

Suppose we had lost our own Revolution; that it had been just as brutally crushed by the British and a puppet government installed. Suppose then that our principal ally and backer, France, had extended its hand toward the puppet government and agreed to deal with it in international councils. What would American reaction have been?

I submit, Mr. Speaker, this is very close to what is our present policy toward the puppet regime of Hungary and that the Hungarian people and others who are struggling to be free, must feel today as we would have felt in like circumstances.

I hope Americans everywhere will take this occasion to remember the Hungarians who fought for freedom 7 years ago and, in spite of apparent thaw between ourselves and Moscow, to remember what it is we are fighting for and honor the memories of comrades who gave their lives in the same cause.

## Anniversary of Czechoslovak Republic

EXTENSION OF REMARKS

OF

### HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. ZABLOCKI. Mr. Speaker, Monday marked the 45th anniversary of the birth of the Czechoslovak Republic. All over the world free people once again raise their voices in encouragement and sympathy to the people of that valiant nation which has been under Communist domination for more than 15 years.

Despite oppression and brutal domination at the hands of the Communist forces, the spirit of the Czechoslovak Republic and the heritage of greatness which the free leaders of that proud nation have left behind still is enshrined in the hearts of their sons and daughters, both within their homeland and abroad.

Suffering under the twin disasters of 6 years under Nazi totalitarianism, the Czechoslovak people from 1948 have endured the terrible yoke of communism.

Despite the fact that the people of Czechoslovakia have been suppressed by totalitarian powers, incorporated forcibly into the Union of Soviet Socialist Republics, deprived of their individual political, economic, and religious freedoms, the people of that country long for the day when their country will once again resume its rightful place in the family of free nations.

It is my earnest hope that the people of Czechoslovakia will draw encouragement from the warm regard which our country holds for them.

American sympathy with the plight of the Czechoslovakian people has been manifest in our press and in Congress. It is evident today as we recall the 20 years following the founding of the Republic on October 28, 1918. Those years were marked by the enlightened leadership of Presidents T. G. Masaryk and Eduard Benes. The development and progress of that nation established for it an international reputation as a model of democracy in Europe.

It behooves all who enjoy the fruits of a free society to recall the tragedy which the Czechoslovakian people have been forced to endure. In the postwar period from 1945 to 1948, the fate of that country was in the balance until that fateful day in February of 1948 when a Communist coup took over the Government and initiated the 15 years of suffering for the Czechoslovak people.

In those 15 years, the failures of the Communist regime in its attempt to impose a foreign ideology on Czechoslovakia are well known.

In attempting to control the fires of freedom, the Communist regime has tried to eliminate all the humanitarian ideals so cherished by that country's people.

The mute evidence of that failure lies in the barbed wire and mine fields separating the people from the free world.

On the 45th anniversary of the birth of the Czechoslovak Republic, I want to extend my best wishes to the people of that brave country and to all Americans of Czechoslovakian ancestry. I join in the prayer that the oppression of their native land may soon be ended.

## Medicare Hearings Announcement Applauded

EXTENSION OF REMARKS

OF

### HON. JAMES ROOSEVELT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. ROOSEVELT. Mr. Speaker, during the congressional campaign last fall, the good people of the 26th District in California repeatedly queried me on the provisions of the President's proposal for hospital insurance for senior citizens, and expressed the need for immediate legislation in this area. During those brief weeks at home and from the great volume of mail received on this subject since the beginning of this year, it is obvious that medicare is still of primary importance to my constituents, and I was, therefore, extremely pleased to hear the recent announcement of the Committee on Ways and Means that hearings are scheduled on the matter beginning November 18.

Because of its preoccupation with other measures of import, particularly the tax bill, the Committee on Ways and Means found it necessary to defer action on medicare. It is hoped the Congress will not now become so involved with other issues that this vital legislation will once more be overlooked. I applaud the committee for its announcement, and urge it to act expeditiously.

## Vice President Lyndon Johnson's Remarks at the George Marshall Memorial Dinner

EXTENSION OF REMARKS

OF

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. TEAGUE of Texas. Mr. Speaker, I had the honor and pleasure to attend the George Marshall Memorial dinner last week, and enjoyed particularly the tribute paid to this great soldier and statesman by our Vice President, the Honorable LYNDON JOHNSON.

Under leave to extend my remarks in the RECORD, I include Mr. JOHNSON's speech:

REMARKS OF VICE PRESIDENT LYNDON B. JOHNSON, GEORGE MARSHALL MEMORIAL DINNER, WASHINGTON, D.C., OCTOBER 23, 1963

On this occasion, honoring the great man we do, the temptation is very strong to eulogize and memorialize. For all of us who knew him, whether as soldier or statesman or friend, our memories carry the strongest sense of respect and awe for one of the most exceptional Americans of our history—George Catlett Marshall.

In the context of eulogy, we could review his remarkable career, dwell upon the high trusts which he held, and pay just tribute to the success of the enterprises he led and the programs he initiated in support of the cause of freedom.

But to speak of George Marshall in the past tense would be an injustice to this occasion—and to these times. Out of the historic years of the middle 20th century, other men may have written their names on the record of history with a more flamboyant hand. But as that record comes into truer perspective, the name and record of George Marshall stands forth in bolder relief as a continuing influence upon our times.

As soldier, he guided the forces of freedom to victory in the first global war. As statesman, he set in motion new forces of freedom to make that first global war also the last such conflict.

Today the harvest is ripening in the fields which were sown by this unselfish and dedicated man, and there are lessons for us to apply—lessons from both the work he pursued and the spirit of character he exemplified.

In pursuit of the victory in World War II, George Marshall offered his countrymen a living lesson of the necessity for confidence, for perseverance, for courage. He helped to teach us an indelible lesson about the necessity for allies and the equally imperative necessity for unity within a free alliance. Likewise, in his direction of our strategies, he taught much that is invaluable about keeping first things first, fixing upon our objectives and pursuing them steadfastly without distraction, division or diversion.

As statesman, George Marshall again imbued our national policies and purposes with these same concepts. While he will never be forgotten as a soldier, history will surely honor him more highly for helping his countrymen to understand that the victories of peace are to be won by those nations which pursue their objectives in a straight line of dedicated purpose—without distractions, divisions or diversion.

Two decades ago, on the very eve of our greatest national danger, George Marshall took command of an army equipped with broomsticks. No general could have had much confidence in that army's readiness. But George Marshall did have confidence in the American people—and in their political systems. On the foundation of that confidence, he persevered without despair, without deriding the system or its leaders, without doubting the people. Through the dark days of "Too Little, Too Late"—days many of us still remember so vividly from the Southwest Pacific—his unwavering confidence inspired in his countrymen the confidence indispensable for a great and successful national effort.

Only a few years later, 16 years ago now, civilian George Marshall as Secretary of State saw the nations which had been liberated at such sacrifice from one aggression lying prostrate before a new aggressor.

Europe's harvest had failed. France was free, but without food. England was safe, but without coal for heat. Italy was liberated, but a Communist coalition was within 10 percent of occupying control of the government. Greece saw guerrillas advancing across the countryside to within 20 miles of Athens. Turkey was resisting Communist claims to vital provinces.

Only 3 years after the end of the war, that great victory seemed destined to be made hollow—the sacrifices to have been in vain.

George Marshall knew how desperately men everywhere wanted peace. At that decisive moment, he instilled into our policy the simple but powerful proposition that those who want peace must be strong enough to keep peace. On that proposition, America has stood ever since—and stands tonight.

In Greece and Turkey, in Western Europe and southeastern Asia, we as a nation have held steadfastly to a straight line purpose of building strength, military, economic, and political. Because we have built it, because other freemen have joined with us in maintaining it, because together we have demonstrated our willingness to use it, we are today realizing exactly the results George Marshall foresaw.

We have negotiated and ratified the test ban treaty because we are strong, not because we are weak. We are encountering and exploring other opportunities for other negotiations and other agreements because our adversaries learned beyond all doubt 1 year ago in Cuba that we not only have the strength to meet aggression but we have the will to use that strength against any who would breach the peace in our hemisphere, or in the world.

George Marshall is gone. The great armies he commanded have been disbanded. The great plan which bore his name has long since ended. But his influence continues to shake the world in which we live tonight.

As his works live on, so the spirit of his character should also live on in our lives today. Few men of our times have made so great or so indelible an imprint of character as did George Marshall. Had he been a selfish or self-centered man, had be been a partisan, had he been less respectful of the institutions of our system or less confident of the capacity of our people, the history we recount tonight might be very different than it is.

Once, when he was asked about his politics, George Marshall replied, "My father was a Democrat, my mother was a Republican—I am an Episcopalian."

Such an answer seems inconsistent in this era when partisanship is so exalted by many as the first duty of citizenship. But a more partisan, more self-seeking man could not have accomplished for freedom and for America what George Marshall accomplished.

The lesson of this example applies to us all. Over the past quarter century, our system and our people have been challenged as never before. We have been challenged to meet new opportunities and new responsibilities by new means and methods, new policies and purposes. We have succeeded in our response because our system, our institutions and our traditions have been free of dogma and have permitted us to exercise the genius of innovation and inventions under a free and flexible system.

Today we have reached a point of new responsibility and new opportunity. We cannot know fully the forces responsible for the evidences of change within the system of communism. We realize the objective of that system for world domination has not changed—and will not change. We do not realistically expect the character of communism to be negotiated away by the representatives of communism who come to the conference table.

But we must and we shall hold steadfastly to the character and objectives of our own society. We shall not reject realistic opportunities that arise to relax tensions and promote honorable peace. We can know and believe that in a world which wants peace, the most telling pressure we can exert upon the Communist system will be a continuing pressure for peace. Peace and freedom are the points of our offensive. The free world has the offensive for peace today—and we shall keep it.

We shall keep it by maintaining both the strength of our arms and the initiative of our diplomacy—meeting new challenges as new opportunities. As citizens, let us fill our roles by exemplifying in our citizenship those qualities of George Marshall—confidence, perseverance, courage, and unselfishness.

## Remarks of Vice President Lyndon B. Johnson, George Marshall Memorial Dinner, Washington, D.C., October 23, 1963

EXTENSION OF REMARKS

OF

### HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. BRADEMAS. Mr. Speaker, under unanimous consent, I include in the RECORD an outstanding address by the distinguished Vice President of the United States, the Honorable LYNDON B. JOHNSON, at the George Marshall memorial dinner in Washington, D.C., on October 23, 1963.

At this event, which was sponsored by the Association of the U.S. Army, Vice President JOHNSON spoke inspiringly of the magnificent contribution which Gen. George Marshall made to the security of the United States and to the cause of human freedom.

The Vice President's remarks follow:

REMARKS OF VICE PRESIDENT LYNDON B. JOHNSON, AT THE GEORGE MARSHALL MEMORIAL DINNER, WASHINGTON, D.C., OCTOBER 23, 1963

On this occasion, honoring the great man we do, the temptation is very strong to eulogize and memorialize. For all of us who knew him, whether as soldier or statesman, or friend, our memories carry the strongest sense of respect and awe for one of the most exceptional Americans of our history—George Catlett Marshall.

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But to speak of George Marshall in the past tense would be an injustice to this occasion—and to these times. Out of the historic years of the middle 20th century, other men may have written their names on the record of history with a more flamboyant hand. But as that record comes into truer perspective, the name and record of George Marshall stands forth in bolder relief as a continuing influence upon our times.

As soldier, he guided the forces of freedom to victory in the first global war. As statesman, he set in motion new forces of freedom to make that first global war also the last such conflict.

Today the harvest is ripening in the fields which were sown by this unselfish and dedicated man, and there are lessons for us to apply—lessons from both the work he pursued and the spirit of character he exemplified.

### A LIVING LESSON

In pursuit of the victory in World War II, George Marshall offered his countrymen a living lesson of the necessity for confidence, for perseverance, for courage. He helped to teach us an indelible lesson about the necessity for allies and the equally imperative necessity for unity within a free alliance. Likewise, in his direction of our strategies, he taught much that is invaluable about keeping first things first, fixing upon our objectives and pursuing them steadfastly without distraction, division, or diversion.

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### THAT DECISIVE MOMENT

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### A FREE AND FLEXIBLE SYSTEM

The lesson of this example applies to us all. Over the past quarter century, our system and our people have been challenged as never before. We have been challenged to meet new opportunities and new responsibilities by new means and methods, new policies and purposes. We have succeeded in our response because our system, our institutions and our traditions have been free of dogma and have permitted us to exercise the genius of innovation and inventions under a free and flexible system.

Today we have reached a point of new responsibility, of new opportunity. We cannot know fully the forces responsible for the evidences of change within the system of communism. We realize the objective of that system for world domination has not changed—and will not change. We do not realistically expect the character of communism to be negotiated away by the representatives of communism who come to the conference table.

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We shall keep it by maintaining both the strength of our arms and the initiative of our diplomacy—meeting new challenges as new opportunities. As citizens, let us fill our roles by exemplifying in our citizenship those qualities of George Marshall—confidence, perseverance, courage, and unselfishness.

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## Rightwing Reactionaries Busy in Local Election Campaigns

EXTENSION OF REMARKS

OF

## HON. GEORGE M. RHODES

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. RHODES of Pennsylvania. Mr. Speaker, all Members of Congress are interested in the local and State election contests throughout the Nation next Tuesday. Every Member knows that any strong political trend that becomes evident will have an impact on legislation before the Congress, as well as on the important elections in 1964.

What will be most interesting to watch will be the activities of rightwing extremists who are increasing their influence and power in the Republican Party throughout the Nation.

On a national level the extremists seek to create confusion, suspicion, and distrust of representative government. They seek to picture our high courts, the Congress, and the President as enemies of the people. On a local level where these extremists have infiltrated civic organizations, luncheon clubs, schools and churches, they seek to brand Democrats as immoral, dishonest, corrupt, and disloyal.

It is not difficult to see the connection between these local contests and the controversial legislation now before the Congress.

Republican leaders tell the people that national issues are not involved in local campaigns but among themselves they talk differently. The presence of Verne Stephens in my district, sent there from Washington Republican headquarters, is further evidence of the real GOP objective.

An editorial in a recent issue of the New Era, a Reading weekly publication, quotes a former Congressman in proving this point:

### THE TOTAL PURPOSE

"We want people to become aware of our total purpose. We are not merely anti-Communist."

Those words, spoken by former Congressman John H. Rousselot, is probably one of the frankest and most honest statements ever made concerning the true goal of the Nation's extreme rightist organization, the John Birch Society.

Ex-Congressman Rousselot is the Birch Society's Western States' governor and consequently knows whereof he speaks when he says that his secret organization has a total purpose which is not confined to fighting communism.

The total purpose is finding expression in the local elections of Reading and Berks

County where rightist thinkers are now running the Republican Party.

Total purpose, as applied to the John Birch Society, includes such radical proposals as doing away with social security; repealing the Federal income tax and thereby destroying the American concept of taxation according to one's ability to pay; withdrawing from the United Nations; and opposition to virtually every kind of Federal aid program beneficial to the people.

A victory for the Republican John Birchers would place corporation lawyers and big businessmen in control of city hall and the court house.

These are the same people who are promoting adoption of right-to-work legislation in Pennsylvania—legislation which would weaken or destroy most legitimate labor unions. Right-to-work laws are a form of compulsory helplessness" for workers because all forms of union security would be wiped out and employees would be helpless prey.

So here is the big link. You have big business, John Birchers, right-to-workers, antilaborites and ultrarightwingers, all joining forces in an attempt to capture the city and county in the name of Republicanism.

Mr. Speaker, during the past few weeks many fine tributes were paid to the memory of Senator Estes Kefauver by Members of the House and Senate and by citizens from all over the Nation.

He has been recognized as one of the truly great men of our time. He was courageous, honest, able, and dedicated. As one who was closely associated with the Senator from Tennessee I remember quite well how he was frequently the target of smears from the extreme right because of his untiring efforts for social justice, and for enactment of liberal and progressive legislation.

He was the Nation's most outstanding leader in the fight against organized crime and corruption. Yet the groups which are now pouring money into local campaigns under the pretense of fighting crime and corruption, are the same financial interests which poured gigantic sums into Tennessee to defeat Senator Kefauver in his last reelection campaign.

Mr. Speaker, I wish to include with my remarks the following articles which illustrate further the well-financed and well-organized drive of the right-wing Republicans to block social reform and national progress:

[From the Typographical Journal, June 1963]

### WHAT IS THE RIGHT AND WHY IS IT WRONG?

No single definition fully encompasses the rightwing. It could be called a flock of maiden antis. But this would portray only a crowd of busybodies harmlessly nosing about in everyone's affairs. The rightwing is much more than that. It is dedicated, determined, and dangerous. It has money, manpower, and militancy.

Rightwingers basically are againsters. They set out a whole smorgasbord of spites. They fire salvos of propaganda bombarding individuals and institutions they fear and mistrust. What they are for—what positive proposals they advance—is as clear as London fog. For example, most of them would destroy the social welfare programs which cushion the hardships of old age or unemployment. Yet, they offer no alternative solution.

They package their programs in the red, white, and blue of anticommunism, but theirs is an anticommunism which weakens democracy by showering suspicion on democratic institutions and responsible leaders. They are united by a shared vision of a vast internal Communist threat. In this nightmare, they see themselves as the forces of good combating hordes of evildoers or dupes.

Let's look at the rightwing's priority list of againstisms, bearing in mind that not all extremist groups advocate the entire list, but some do, and almost all espouse most of it.

1. They are against labor unions. Along with the U.S. Chamber of Commerce and National Association of Manufacturers, they would begin by enforcing a national open shop law and would clamp unions under antitrust law restrictions.

They talk in terms of right to work and free enterprise. What they really want is to butcher collective bargaining. They yearn to turn back the clock to the days when the individual worker was at the complete mercy of his employer. They deplore a system which permits workers, through their unions, to sit at a table on a par with employers and bargain over wages and job conditions. They want it ended.

2. They are against Chief Justice Earl Warren of the U.S. Supreme Court. They want his head. They want him impeached (some want to impeach all nine Justices) because they claim absurdly "more than 33 decisions" by the Supreme Court under Warren's leadership "favored the Communist cause."

The decisions right-wingers attack actually defend the basic liberties of all Americans: freedom of speech, freedom of the press, freedom of association, freedom of equal access to public facilities, transportation, and schools.

They practice a clever form of geographical selection. In the south, the rightists exploit racism and assail the school desegregation decision. Elsewhere they beset decisions which have protected citizens from unfair court punishment or congressional harassment on political grounds.

3. They are against what they call "big Government." By this, they mean strong Central Government. They mouth the word "Washington" as if they were chewing lemons. They say Washington usurps States rights, individual rights and (this is when they howl loudest) corporate rights. What they are really against are the laws which protect the jaws of the weak against the fists of the strong.

4. They are against a truly free public school system which introduces students to new ideas and different viewpoints. They claim our schools "brainwash" our children into communism. They fear and hate academic freedom just as they fear and hate free speech, and they want to crush it—because at heart they fear and hate the free democratic process.

They want to undermine the public school system—which organized labor has done so much to build up—and convert it into an indoctrination ground for future rightists. They succeed alarmingly in some areas by censoring textbooks, capturing school boards and parent-teachers' association, and gagging teachers through intimidation.

5. They are against the United Nations. They dredge up phony arguments and manufacture phony facts to show the U.N. is Communist dominated, which it isn't. They conveniently overlook the valiant peacekeeping function the U.N. has performed in many world crises, the matchless contributions of U.N. special agencies to world health, agriculture, and education. They are blind to its unique value as a forum for all the nations of the world.

6. They are against any efforts to negotiate a just and lasting peace. They are the warwhoopers who belittle our Government's attempts to reduce world tensions. Civilian rightwingers are backstopped by a pool of retired admirals and generals who, from their armchairs, savagely second-guess political leaders.

It is the rightwingers who have tried to force the choice between Red and dead, refusing to acknowledge that Americans can endure alive and free.

#### AGAINSTERS

Mr. Speaker, Senator CLAIRE ENGLE, of California, in discussing these extremists in a San Francisco speech said:

They are sowing distrust for all American institutions—its schools, its courts, its government.

What do they stand for? They stand for nothing. They are against everything. They accuse everyone who disagrees with their brand of "Americanism" of being a Communist. They want to wreck the integrity of the Supreme Court. They want to destroy the American trade union movement. They stir resentment against our participation in the United Nations. They damn our tried and true social security system, as socialism. They want the income tax repealed. They villify the foreign-born and minority group Americans. They spread seeds of suspicion everywhere. They breed contempt for fellow humans and contempt for authority.

And they do this insidious work wearing masks of respectibility and labels of super patriotism.

#### PATRIOTISM

Mr. Speaker, the South Omaha Sun had this to say about patriotism.

Patriotism is not—as some seem to think—a matter of proclaiming one's own adoration of the flag while derogating that of one's fellow citizens. The true patriot doesn't wear his stars and stripes upon his sleeve; he doesn't say—or think—that he and he alone, or his group and his group alone, is the only reliable keeper of the sacred flame. Patriotism is of the deed, not merely the word; of attitudes, not attitudinizing; of a healthy discontent with things as they are and a resolve to do better, not the smug refusal to countenance criticism or change, not standing pat on dogma, not sitting tight on the status quo.

Patriotism, in short, is of the heart and mind, not the lungs, and so far as we can see, the hearts and minds of the American people are sound.

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## Hon. Carl Vinson Recipient of a Great American Award

## EXTENSION OF REMARKS

OF

## HON. CHARLES L. WELTNER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. WELTNER. Mr. Speaker, Mr. Hubert F. Lee, for 34 years editor of Dixie Business, has announced the 1964 recipient of that publication's A Great American Award. I am pleased to advise the Members that our colleague and the dean of this House, the gentleman from Georgia, CARL VINSON, has been selected for this honor.

Honors are nothing new to such a distinguished Georgian, whose service, spanning almost a half a century, has received justly deserved recognition throughout the world. I commend Dixie Business for its selection of Chairman VINSON, who truly deserves the title "A Great American."

## A Special Duty for Republicans

EXTENSION OF REMARKS

OF

### HON. STANLEY R. TUPPER

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 30, 1963*

Mr. TUPPER. Mr. Speaker, in the September issue of Harper's magazine an article by the distinguished gentleman from New York, JOHN V. LINDSAY, appeared entitled "A Special Duty for Republicans."

This featured report has received wide interest throughout the country, and I would like to take this means to acquaint colleagues on both sides of the aisle with this valuable article:

A SPECIAL DUTY FOR REPUBLICANS

(By JOHN V. LINDSAY)

(NOTE.—JOHN V. LINDSAY is now in his third term in Congress as a Republican Representative from New York City. In World War II, he saw action in the Mediterranean and Pacific on Navy destroyers; he got his law degree from Yale in 1948 and practiced in New York and before the U.S. Supreme Court, He is on the House Judiciary Committee and has sponsored legislation for individual rights, welfare, and education.)

As I am a member of the minority in Congress, and since the majority is large and their whips take instruction from the Executive, I am especially conscious of the minority's obligation to restrain the Government from whittling down basic individual rights and liberties. The obligation applies no matter which party is in power; no party in power has been without excesses—excess use of Government or congressional power to impinge on individual liberties. As a Republican with high respect for the philosophy of Lincoln, I see it as the special task of my party to redefine the role of the individual in our half-garrison, half-welfare leviathan state.

Contrary to the prevailing view of my party's national leadership, I believe that the real danger of increasing centralism does not lie in the comparatively modest Federal expenditures for the destitute, for education, and for health, but rather in the pervasive threat to individual liberties that stems from undue concentration of military, police, or economic power.

These liberties include the rights to speak freely, to dissent, to assemble and to petition and protest, to travel without harassment, to take up or defend unpopular causes, to receive the full benefits of due process, and to avoid the frustrations, and arbitrariness of weighty bureaucracy.

Certainly one of the functions of the minority in representative government must be to protect such liberties from erosion by the pressures of Government. Alexis de Tocqueville commented that his major doubt about our system was "the possible tyranny of the majority." In no area is this truer than the area of individual rights. But neither the Democratic nor the Republican party is now taking a strong enough stand for the protection of these rights. The Republican record has been less than distinguished on this subject. The Democratic record is rapidly getting worse.

Massive complexes of institutional power tend to roll up individuals in their path. This is true in both the private and the public arenas. The combination can be devastating—as President Eisenhower warned in his reference to the colossal power of the military-industrial complex. Although most governments pay lip service to liberal dogma they seem unable to control the emergence of antiliberal forces in their midst. The more massive the government complex, the greater the possibility that these forces will emerge. They appear under various guises: "military secrecy," "national security," "international competition," "dominant governmental interest," or just plain expediency.

In the last Congress, the House Committee on Un-American Activities, backed by the Kennedy administration and the House leadership, tried to push through by unanimous consent a bill that went under the title of "Industrial Security." A small group of us in the House barely beat this bill down by less than a majority vote, under a procedure which requires two-thirds for passage. The bill would have given the Government summary power in effect to remove from their jobs, without due process, up to 5 million Americans employed in private industry and universities on defense contracts or on related research. The rationale of the bill was that since classified information relating to defense contracts and research is spread all over the country in the giant industrial defense system and in universities, the Government must have power to screen out from access to such information any person it believes to be a security risk. The decision not to grant a due-process hearing on some undisclosed charge could be made under the terms of the proposed legislation at various subordinate levels in the Pentagon. The bill made no provision for appeals to the courts in individual cases.

IS "SECURITY" WORTH THIS PRICE?

Three of us objected to passing the bill on the Consent Calendar. It was then scheduled for floor action under "suspension of rules," a procedure which bypasses the Rules Committee and is reserved for relatively noncontroversial bills. Only 40 minutes of debate is permitted and amendments may not be offered. However, passage requires the affirmative votes of two-thirds of the Members present and voting. Six of us, all relatively new to the Congress, three Republicans and three Democrats, then went to work to muster support for an attack on the bill. We were required to overcome the Secretary of Defense, the Attorney General, the House leadership, and the entire membership of the Un-American Activities Committee under whose direction the bill was being handled on the floor. We mustered enough "No" votes to prevent two-thirds, but we still fell short of majority. The bill therefore, presumably, will be offered again under procedures which require a simple majority for passage. Meanwhile, the Government has been operating an industrial security system by Executive order of the President but under limitations imposed by the Supreme Court. The legislation now demanded by the Government would remove some of these limitations.

I received mail from several scientists and researchers telling me of lost jobs and destroyed careers because they had not been given a chance to refute charges and hence had been denied access to information needed for their work. The immediate employer, the defense plant, or the university was helpless in these situations; the Federal Government had taken charge of the employer-employee relationship.

In May of this year the House of Representatives passed, by a vote of 340 to 40, H.R. 950 (to amend the Internal Security Act of 1950) which tosses into the ashcan any semblance of due process for accused employees of the National Security Agency, an organization which handles highly secret military and cold war operations. The bill, which was backed by the Kennedy administration and the leadership on both sides of the aisle, denied hearings and all other normal procedures which protect most Government employees discharged from the Government. It means that any employee of this large agency who is charged by an anonymous informer of having "wrong" opinions, associating with "wrong" people, or doing any other vague "wrong" thing can be summarily dismissed and remain forever tainted in Government files and records without any understanding whatever of why it happened and by whom it was caused. Repeatedly it has been demonstrated that gross injustices occur when the Government operates in this fashion, and there is no commensurate improvement in Government security.

As disquieting as the bill itself, was the procedure under which its proponents originally attempted to put it through. Despite loud cries of warning and protest from the American Civil Liberties Union, two attempts were made to pass the bill on the Consent Calendar, a procedure reserved for uncontroversial "little" bills which are thought to have unanimous approval. There is no debate. Admittedly this particular bill presented a close question because of the sensitive nature of the agency, but personal rights are nonetheless diminished, and full debate was called for.

The Attorney General continues to press for legislation that will permit the FBI to tap wires without court orders in cases "presenting a threat to the security of the United States"—a phrase which can mean anything to all. Wiretapping is dirty business. Improperly used it is the worst kind of invasion of privacy. Modern electronic listening and eavesdropping devices have made the threat to individual rights posed by unchecked, unlimited use of this power all the more dangerous.

Recently there came to light a widespread practice in the Pentagon of using lie detectors on Pentagon personnel. There is a whole unit which does nothing but train people how to administer lie-detector tests. Some months ago, in connection with a leak to a news reporter of a nonclassified Pentagon memorandum, the country was treated to the spectacle of a few layers of brass in the Pentagon, including the Deputy Secretary of Defense, voluntarily submitting to lie-detector tests at the request of an outraged and embarrassed Pentagon security chief.

Last year, I and five other relatively junior Republican members of the House Judiciary Committee—joined later by a few junior Democrats—were barely able to hold the line against a bill which would have made it a crime to "obstruct" a Government investigator in the course of his work. Under the draft originally submitted by the Department of Justice, an irate housewife who merely administered a tongue lashing and brandished a broom because she objected to having her home invaded—or even an aggressive lawyer defending his client—could have been included.

Three years ago during the Eisenhower administration the House passed with only one nay vote—mine—a so-called antiobscenity bill, which would have given the Postmaster General summary powers to prevent distribution of books and periodicals thought by one official in the Post Office to be obscene. The measure was pressed by a Republican Postmaster General and sponsored by a Democratic Congresswoman, accompanied by flowered encomiums from the Democratic majority leader. It was a major and probably unconstitutional assault by Government on the personal right of free speech.

The bill placed the full burden of proving innocence on the mailer and attempted to exclude the courts from reviewing the merits of cases on appeal. Surely the works of Geoffrey Chaucer would never have survived if such a government tool had existed in the 14th century. The American Book Publishers Council and other organizations finally came to the rescue and the bill was jettisoned in the Senate. A reasonable proposal was then drafted by a number of us and enacted.

The House has passed by a vote of 338 to 40 a bill pressed by this administration which broadens the old World War I Sedition Act. The Sedition Act, which has been almost dormant for 40 years, makes it a crime for any person in the jurisdiction of the United States to make false statements designed to interfere with the Armed Forces, or to attempt to interfere with enlistment. Constitutional lawyers agree that this act is the most stringent curb on the personal right of free speech ever enacted in our country's history, including even the Smith Act.

Under the Sedition Act, some may recall, in 1918 an American woman was prosecuted, convicted, and sentenced to 10 years in prison for saying, "I am for the people and the Government is for the profiteers." Two years later, in 1920 when passions had calmed, an appellate court reversed this decision. A preacher, whose audience was a woman, two old men, and another clergyman, was convicted and sentenced to 15 years for causing insubordination and obstructing recruiting by preaching and issuing leaflets on the Christian duty of pacifism. He was pardoned a year later. Under a State act, modeled on the Federal act, a woman was prosecuted for discouraging women from knitting socks for the soldiers overseas by saying, "No soldier ever sees these socks."

The amendment to the Sedition Act, overwhelmingly passed by the House of Representatives, broadens the act to include statements made by Americans overseas. The Justice Department thinks it necessary because of our continuing military commitments abroad.

### NIBBLING AT THE BILL OF RIGHTS

The bulwark of freedom is the first amendment. Of all the personal rights and liberties stated in the Bill of Rights it is the most treasured. It restrains constituted authority from interference with the rights of individuals to speak freely, to worship freely, to assemble peaceably, and to petition against grievance. But the first amendment is a dike that must continually be shored up. If neglected, it will begin to crumble, and will finally burst. Rather than pressing for legislation which will further erode the first amendment, the Government ought to be seeking legislation to empower it to invoke the protection of the amendment on behalf of individuals.

In spite of the excellence of most parts of the administration's proposed civil rights bill in this Congress, the administration omitted asking for legislation that would enable the Government to invoke the protections of the first amendment on behalf of individuals who are in no position to do so for themselves. Negroes have been attacked in the streets for gathering together in peaceable assembly in order to petition against grievances. The first amendment specifically protects "the right of the people peaceably to assemble and to petition the Government for a redress of grievances." Coupled with the 14th amendment, the protection it affords the individual applies against all governmental units. But the Federal Government cannot invoke first amendment protections on behalf of individuals in the absence of a statute. The statute has been proposed in the past—in fact the House passed it in 1957 only to have it buried in the Senate—and four of us on the minority side of the House Judiciary Committee, besides the chairman of the committee, have introduced it again. The importance of "the right of the people peaceably to assemble" has been clouded in the public mind by instances of nonpeaceable assembly, but its importance nevertheless remains. In all the discussion about civil rights there has been scant mention of first amendment rights and obligations.

A recent development is the use of Government leverage to induce people voluntarily to give up first and fifth amendment rights. Government employees, consultants, private citizens in contractual or subcontractual relationships with the Government—a large and still-growing segment of the population—are asked to sign away bill of rights protections.

Regulatory agencies increasingly have moved in the direction of demanding voluntary waivers of rights. Recently, for example, the Federal Trade Commission mailed out mass requests to small apparel manufacturers demanding that they sign carte blanche "consent orders" binding them not to engage in the practice of sharing promotional advertising costs with retailers. Few if any of these manufacturers were under any charge of any specific wrongdoing. Admittedly, many manufacturers split the cost of advertising at the insistence of the large retailers, a practice which violates the Robinson-Patman Act. But the normal method of handling allegations of wrongdoing is on a case-to-case basis—complaint, answer, proof, and hearing. By signing this consent order, the language of which was unusually vague, the manufacturer voluntarily surrendered his rights to appeal to the courts from the terms of the order. Two liberal-minded Commissioners that this devise set a new and frightening handed down blistering dissents, charging precedent.

An argument can be made for denying public schoolteachers the right to invoke the protections of the fifth amendment as a condition of employment, or letter carriers the right to strike against grievances—but the practice nevertheless diminishes the worth of the Bill of Rights, and the practice widens. Recently even the voluntary aspect was abandoned when the Department of Justice nearly succeeded in pushing through Congress a bill concerning the transportation of gambling devices which would have permitted the Department to force individuals to waive the fifth amendment in exchange for grants of immunity against prosecution.

### WHO CAN VISIT ALBANIA?

Congress also seems oblivious to the narrowing of our basic rights. Bills against individuals are routinely scheduled for consent-calendar passage until an objection knocks them off onto a calendar that requires fuller debate. Often they are brought up under rules that do not permit amendments. A favorite day is Monday, when many Members are still away from the Capitol on weekend trips to their States and districts.

Last fall when a large group of women in New York and Washington assembled and petitioned against atom-bomb testing, they were subpenaed by the House Un-American Activities Committee. There were four or five Communists among them, and presumably the committee's purpose was to expose this for the edification of the general public as well as of the other ladies involved. But what happened to first amendment rights—the right to assemble, to speak, and to petition—in the process? Few but the ladies seemed the least bit troubled by the point.

In the last 5 years I have spent more time than I should care to account for, shuttling between the House and Senate and the State Department in order to contest legislation or regulations designed to place curbs on the right of Americans to travel. Several years ago the Supreme Court held that Congress had not authorized the State Department to deny citizens passports without fair hearings—the fifth amendment right of due process. The State Department has been trying ever since to reestablish its authority to deny passports in this arbitrary fashion. One day perhaps the Supreme Court will declare the right to travel is surrounded with first amendment protection of free speech. How can people communicate if they can't travel, whether across a street or an ocean?

It is possible that the State Department is waking up a little. Recently, when I threatened a tirade on the floor of the House, the Department reversed its earlier refusal to validate a passport to Albania for a constituent of mine. He is an author who had contracted to travel by ship through the Greek Isles in the company of British scholars and students of Greek civilization. The port of Durres, Albania, was to be a 1-day stop to see some of the finest Greek ruins of all. The predicament of the single American on board would have presented a fine picture of American foreign policy as he stood on the gangplank—his passport surrendered to the captain on U.S. Government instructions—while his British counterparts departed for the short bus trip, passports, and notebooks in hand.

The theory of the Department's position was that, since the United States does not have relations with Albania, it will not allow a citizen to travel in Albania, for his own protection. But the Department will make exceptions to its blanket area travel ban whenever, in its sole judgment, it finds the cause worthy. According to State Department practice, a citizen's interest in the distribution of an estate in Albania would come under the exception—which means that a legacy of rare books on Greek mythology would qualify, but a scholar's interest in seeing the original stuff would not.

### THE FIRST DUTY OF GOVERNMENT

The structure of modern society, based as it is on a high degree of organization, encourages the growth of central power complexes. Today virtually nothing in the Constitution except the Bill of Rights effectively limits Government power in any field. It is the final barrier. And even here, the wall has been breached, as the pressures of national security, international competition, automation, and population expansion have brought about pragmatic compromises of very fundamental rights. What were once thought to be absolute guarantees and safeguards in the Bill of Rights have become mere weights on a scale which can be tipped the other way by the counterweights of "the competing interests at stake." Contrary to the common view, the Supreme Court has not made the protection of the Bill of Rights grow to the same extent as constitutional grants of power to governmental complexes in other areas—and yet the need for maximum protection of basic rights is greater today than ever before. This point is cogently made by Yale Law Professor Charles Reich, former law clerk to Justice Hugo Black, in a recent article in the Yale Law Journal:

"In a mass society, with access to information about what is happening in Government increasingly difficult to obtain, with increasing monopolization of all the media of communication, and with heavy pressure for conformity from the large-scale organizations for which most people work, freedom of expression and political association are easily reduced to impotence. If it is true that they are indispensable to the functions of a free society, could it not be argued that the need for maintaining maximum legal protection of these rights has been greatly increased by modern developments? The Court has weighed 18th century needs for rights against 20th century demands for power."

In those cases where the Court has "weighed the competing interests" and found the individual's interest greater than the Government's, it is strange indeed that the Court should have been attacked by self-styled "conservatives" for subverting the security of the Nation. These ladies and gentlemen should, rather, take comfort in the fact that the 18th century concept of individual liberty can be reconciled with the needs of the 20th century.

Our Government was instituted to secure to individuals their inalienable rights of life, liberty, and the pursut of happiness. In a society as complex and rapidly changing as ours, it is the highest function of Government to safeguard those inalienable rights so that human beings may live in self-respect and without fear. The Bill of Rights marks off a protected area in which each individual may develop himself and express himself in his own way. But even that delimited area can be restricted in the absence of a vigilant and vocal public opinion. I fear for the guarantee of the Bill of Rights for I have never known a day or heard of a time when the forces of myopia and tyranny were not at work. There seems to be little concern about the subject today. The absence of concern—and therefore of watchfulness—is an unhealthy condition. In a society increasingly given over to massive organization structures, in which individualism is either regarded with suspicion or ignored as unimportant and unproductive, the absence of primary concern over individual rights and liberties can lead to the stagnation, and ultimately the corruption, of both government, and the free system that government is supposed to represent.

## Address by Senator Goldwater Before Pennsylvania Republicans

EXTENSION OF REMARKS

OF

### HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

*Wednesday, October 30, 1963*

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of an address delivered by the distinguished Senator from Arizona [Mr. GOLDWATER] before the Republican "Keystone Kickoff Dinner" at Hershey, Pa., on October 10, 1963.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TEXT OF A SPEECH BY SENATOR BARRY GOLDWATER, REPUBLICAN, OF ARIZONA, BEFORE THE REPUBLICAN "KEYSTONE KICKOFF DINNER" OCTOBER 10, 1963, AT THE HERSHEY SPORTS ARENA, HERSHEY, PA.

If ever there has been a symbol of Republican unity, Republican hopes, and Republican victory, this meeting is it. Good men, sound programs, Republican principles, and Republican dedication—all are represented here just as they will be, successfully and resoundingly, in 1964.

This is a Keystone meeting and it has a keystone message. The crusade for good government begins in our States, in our statehouses, in our home governments, and in our citizens' homes. Likewise, the Republican Party is based firmly on principles that form the foundation of good government, clean and responsible government, from the town to the White House.

Our eyes are not fixed hypnotically on the glitter of power. Our eyes are focused on the power of principles and on government at every level which serves the people, but does not coerce them, which represents the people, but does not regiment them.

No State better shows the challenge and forecasts the victory than Pennsylvania. In the administration of Governor Scranton and Ray Shafer, we see the challenge to each of the States; to root out the corruption that breeds in Democrat machine control, to wisely restore the responsibilities of the States and end the wasteful, warping centralization of power in Washington. Governor Scranton wisely has said that the reevaluation of State and Federal responsibilities is a top priority need in this Nation. It is a need which never will be met under Democrat control. It is a need to which Republican principles are pledged.

In Senator HUGH SCOTT you have one of the great champions of another fight against executive encroachment and excess. Unlike his senatorial colleague from this State, he does not believe that Congress is the greatest stumbling block to democracy. He does not hold that the legislative branch must become a mere rubber stamp for the whims of any President. He holds, as I do, as you do, as Republican principles do, that the legislative branch is the key to an open society, that it is the people's forum, and not the Executive's plaything.

Your State chairman, Craig Truax, stands in the same mainstream of American political necessity and need. He knows, as I know and you know, that the political challenge to Republicans is to restore government to the people, to make government at all levels once again dependent upon the people, not turn the people into dependents of the government.

The pendulum of power in this country has swung far past the point where honest men once worried about an imbalance in the Federal system which was stacked against the National or Central Government. The concern today must be about a pendulum of power that has swung toward disruption of every balance in our Federal system, that today threatens to sweep away the system itself, substituting monolithic government in the name of efficiency and progress.

But what sort of efficiency? The sort of efficiency that says the planners in Washington can spend your money more wisely than you can. What sort of progress? The progress that stumbles backward toward depression-born make-work programs rather than striding forward to real jobs based upon real industrial and business expansion.

All it really means is efficiency in electing liberal Democrats and progress in perpetuating Democrat baronies in the bureaus of Washington and the boss citadels of machine-ruled cities. It is not the country that counts in that equation. What counts are New Frontiersmen and their cronies.

Perhaps the overly tolerant will say that all politicians have played this game. There are differences today, that make the situation far more grave. First of all, the liberal Democrat alliance for power today means that no Democrat candidate for office at the national level can be nominated or elected without the support of big city political bosses and their corruption-ridden machines.

This puts the hammerlock of boss rule squarely on the necks of every American, regardless of where they live. It puts the bossism of the cities into power in the seat of power itself, Washington, D.C.

There is an international implication as well. A party and an administration so beholden to the bosses must be prepared also to play precinct politics with the hopes of the whole world.

What confidence can any American have today that when an international issue is decided at Hyannis Port it will not be decided on the basis of clan politics? Your own Senator SCOTT has seen the peril of this political game that the Kennedy administration can play with the same gusto it plays touch football. He has warned that even the Cuban situation may provide the administration with a grandstand play for the 1964 elections. And the administration's reluctance to come to grips with it now, to even enforce the rigid controls that followed the missile crisis, must make millions of Americans wonder what is uppermost in the administration's planning—the national interest or the Kennedy interest?

Even the hopes of peace cannot be separated from the administration's hopes for power. How can any American be confident that the next concession or the one after that is statesmanship or just plain politicking?

Three years ago, this Nation and the great alliances it had forged stood firm and committed against Communist aggression. American power, dedicated to a world of open societies, had blunted the thrust of world communism around the world.

But today, American power, newly rededicated—not to open societies but simply to making the world safe for diversity—is frustrated in our own hemisphere, torn by failures in southeast Asia, shamed by the wall in Berlin, and helpless as the greatest alliance for peace ever conceived, NATO, drifts aimlessly on a sea of indecision, its helm loosened by a lack of consultation, communication, and purpose.

Republicans built bipartisan foreign policy for this Nation. They believed and still believe that partisan politics should stop at the ocean's edge. But where is that bipartisanship today? It has not been scrapped by Republicans. It has been scrapped by an administration that believes in bipartisanship only after the fact.

Where is the administration principles that can build such bipartisanship, that can restore strength and purpose to free world alliances? It is lost hopelessly in administration expediency. But such principles can be built by Republicans, and on Republican principles. Those principles are not secreted away in private diplomatic correspondence, they have been published and pronounced for all to know. Republican principles in foreign policy rest upon a belief that the world cannot permanently endure part slave and part free, that establishment of a world in which men can live in freedom, security, and national independence is the essential condition for real peace.

Republican principles proclaim that an active strategy aimed at destroying the walls of communism does not increase the risk of war—but, indeed, offers the best preventive of war.

Last year, the Republican declaration of principle and policy put it this way: "By its effect on freedom, American foreign policy must be judged—and not by its effect on popularity polls or on the attitudes of neutral leaders." New Frontier Democrats, now, don't even try to match that with words, much less deeds. The vitality of American leadership in the cold war has waned to the vanishing point. The cold war seems to have ended as quietly and quickly as the 50-mile hike. Ended in the eyes of Washington, that is—hardly in the eyes of Moscow.

But how could it be otherwise? Is a party dominated by the concerns of machine politics ever likely to inspire men to great missions in great causes? Can it mobilize the hopes of the world when it must worry most about mobilizing votes?

We Republicans are concerned by the fate of the captive nations abroad. All Americans should be concerned by the capture of the Democrat Party by the political bosses here at home.

You, in Pennsylvania, have particular reason to be concerned. Many of your citizens live in political captive nations, captive to such machines as the Green machine. The great victory that you won here last year reflected the realization by your citizens of the need to smash that captivity. But one election cannot do the job. One man cannot do the job.

The mess that you inherited cannot be cleaned up completely until the cynical alliance between machine political bosses and the Kennedy machine in Washington is itself brought to an end. The Green machine is not an isolated political dictatorship, self-sustaining and self-protected. It is sustained by its connection with the national administration, with its patronage, with its political power, with its money power. It is protected by the same connections.

The best way to whip the Green machine, to return local government to the people is to return the National Government to the people. The same is true of the situations in western Pennsylvania, in Allegheny and Westmoreland Counties. Sever the links of political corruption that bind Washington to the bosses, and decent men and women everywhere will have a chance, their best chance to clean up the messes in their cities, towns, and counties.

And always remember this: the job can only be done through the Republican Party. No matter how decent the Democrat who is elected in an attempt at local reform, the power of the machines, hooked into the socket of power in Washington, will send his hopes up in a puff of smoke. Democrats who want to do something find that they can't—not through the Democrat Party. It will take Republicans to do the job, and all who are interested in seeing the job done must vote for them.

It takes, to sum it up, Republican principles to do the job—principles that start with dedication to local government and local responsibility, principles that are not shackled to narrow interests but are pledged to national interests, principles that aim toward the revitalization of local government rather than aiming at its destruction.

This is a basic theory of government that is involved. On the liberal Democrat side there is the principle of centralized power and subordinated people. On the Republican side there is the principle of limited power and responsible people.

Republicans sometimes are criticized for regional concentration when rising new strengths in any part of the country find the voters there thinking Republican and voting Republican. Republicans should not apologize for this. They should be proud of it. The truth is that wherever industry is growing, wherever people are making new homes, wherever men and women are trying to make a good future, they are thinking Republican. It is not race or region that is forming the great new shifts in American politics—race and region are the domain of the Democrats. The Republican shift is formed of people in every class, of every race, in every region who are tired of the tired old cliches of the Democrats, tired of the planned deficits, the planned dependency, the formless goals and the goading of power.

No, it is not Republicans who are grasping at regional straws. It is the New Frontier Democrats. It is they who remain frozen in the most barren regional wasteland of all—the regions of machine manipulation and boss domination.

What is the liberal Democrat wasteland like? What is its weedy and seedy reality, the reality behind all of the glowing talk of the New Frontier?

It's the Democratic city committee in Philadelphia refusing to turn over its financial records to a special grand jury investigating city hall scandals. It's falsified requisitions to cover shortages in city funds. It's zoning applications mysteriously granted. It's judges clamping legalistic lids on probes of Democrat scandals. It's attempts to force State employees to contribute percentages of their wages to the Democrat Party. It's the forced resignation of investigators assigned to probe the mess.

It has its moments of high irony as well. Listen, for instance, to Democrat Judge Joseph Gold, as quoted in a leading newspaper, criticizing a member of his own party, Joe Clark, for suggesting that some Democrats are tied in with racketeers. How did the good judge defend his party? Let me quote him: "For 6 months prior to election day, Joe Clark, by his own confession, silently accepted the support of racketeers outside of Philadelphia. After his election, he denounced these sinister elements without whose aid he might not have been reelected."

What a typical defense. And also how typical in that it pits Democrat against Democrat in the jungle that grows just a few figurative steps behind the manicured lawn of the White House.

But look deeper into the Democrat wasteland: crime in the cities, rampaging while showcase displays of this or that hoodlum are expected to divert our eyes from the festering corruption.

Look at western Pennsylvania where a handful of conscientious policemen tried to break up a gambling complex. How did the liberal Democrat officials respond? Two of the policemen were assigned to cleaning out stables. Another was sent to pound a beat. Another was sent to supervise parking at a skating rink. Again, what a typically Democrat reaction.

And still the wasteland grows and flourishes thanks to its connection with Washington. Still, the contradictions between the big talk of the big boss and the petty, corrupt reality of his little-boss supporters. In Washington, we hear a lot of talk about helping young people. But how does this inspirational leadership work in the boss-controlled cities? Bill Devlin can tell you how. Describing the situation in Philadelphia recently, he said that "public servants are setting an example to our children of corruption instead of leadership. To children, these people have created an image and destroyed their morals."

Why haven't the Kennedys sent a Peace Corps in to clean up that sort of backwardness? The answer is obvious. They can't. They have seen the conservative mood of America wash away their support across the Nation, they see the waves of discontent lapping even at their fortress cities. They must and they will draw ever closer to the political bosses, and the bosses to them. It means their political survival and, as in any jungle, that is the highest law they know.

Principles are mere slogans in such a jungle. National interests are mere trading stamp bonuses when self-interest comes first.

Given a choice between the country and the clan, has the national Democrat leadership ever chosen the country? Will they? Can they?

When it comes to choices, their choice is clear: government of the Kennedys, by the Kennedys, and for the Kennedys.

And for anyone who would make a different choice, the course is clear: return the government to the people. And the way is clear: the election of Republicans in the towns, the cities, the States, the Congress, and the White House in 1964.

Republicans were able, once, to inspire the world with the concept of open skies—a concept which must be revived before the world is forever walled off into separate accommodations for the free and for the captive.

I say Republicans have another challenge right at home. To inspire all decent men and women, regardless of their party, with a concept of open cities; American cities open to the fresh air of political freedom, open to growth and prosperity and change, open to the energies of citizens who want to save their homes and build their future, open to safe streets, sound schools, and honest accounting.

It is not open skies that mark the Democrat New Frontier around the world. It is closed deals.

It is not open cities that mark the national administration at home; it is closed wheeling and dealing.

It is the historic task of the Republican Party in the years ahead to inspire integrity at home and rebuild the leadership now being lost around the world.

We can do this because we are a truly national party, undivided by the borders of political baronies. We can do this because we are a party united in principle, not shackled to the conformity of one man's dogma.

We can do this because Republican interests are American interests, because our faith is in freedom, and our freedom is in the people—in the sacred rights of the individual.

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# HOUSE OF REPRESENTATIVES

## Thursday, October 31, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 128: 1: *Blessed is every one that feareth the Lord; that walketh in His ways.*

O Thou who wert the God of our fathers, who trusted in Thee and were not confounded or put to shame, help us to believe that the faith which supported them in their days of trial and tribulation is abundantly able to sustain us.

It inspires and fortifies us to know that Thou art with us in these troublous days to give courage and comfort and strength to conquer and cast out all those moods of doubt and despair to which we are tempted to surrender.

We humbly acknowledge that our human souls, alike in their sin, their sorrow, and their search for peace, often fail to understand that Thy ways and Thy divine will are the only foundation and basis on which to build a better world.

Grant that daily we may put forth a faithful and heroic effort in behalf of a social order which has in it more of discipline and self-denial, of partnership and cooperation, of peace and good will.

Hear us in Christ's name. Amen.

## THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 1049. An act to amend sections 334, 367, and 369 of the Bankruptcy Act (11 U.S.C. 734, 767, 769) and to add a new section 355 so as to require claims to be filed and to limit the time within which claims may be filed in chapter XI (arrangement) proceedings to the time prescribed by section 57n of the Bankruptcy Act (11 U.S.C. 93n);

H.R. 1311. An act for the relief of Jolan Berczeller;

H.R. 1345. An act for the relief of Peter Carson;

H.R. 2260. An act for the relief of Mrs. Rozsi Neuman;

H.R. 2445. An act for the relief of Mrs. Barbara Ray Van Olphen;

H.R. 2754. An act for the relief of Mercedes Robinson Orr;

H.R. 2757. An act for the relief of Woo You Lyn (also known as Hom You Fong and Lyn Fong Y. Hom);

H.R. 2835. An act to clarify the status of circuit and district judges retired from regular active service;

H.R. 2968. An act for the relief of Kazimierz Kurmas and Zdzislaw Kurmas;

H.R. 2985. An act to amend section 1391 of title 28 of the United States Code, relating to venue generally;

H.R. 3384. An act for the relief of Lee Suey Jom (also known as Tommy Lee and Lee Shue Chung);

H.R. 4145. An act for the relief of certain individuals;

H.R. 6097. An act for the relief of Dr. Pedro B. Montemayor, Jr.;

H.R. 6260. An act for the relief of Wai Chan Cheng Liu; and

H.J. Res. 626. Joint resolution granting the consent of Congress to the establishment of an interstate school district by Hanover, N.H., and Norwich, Vt., and to an agreement between Hanover School District, New Hampshire, and Norwich Town School District, Vermont.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1523. An act to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 26. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes;

S. 716. An act for the relief of Gaetano Fuccio;

S. 741. An act to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes;

S. 1385. An act for the relief of George Alexander Doumani;

S. 1446. An act for the relief of Andreina Viselli;

S. 1451. An act to amend section 41(a) of the Trading With the Enemy Act;

S. 1479. An act for the relief of Dr. Demetrios Flessas and Dr. Eugenia Flessas;

S. 1516. An act for the relief of Ana Murgelj;

S. 1524. An act for the relief of Hai Yung Jung and Johnny Jung;

S. 1664. An act to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes;

S. 1737. An act for the relief of Arthur Wendell Bolta;

S. 1812. An act for the relief of William John Campbell McCaughey; and

S. Con. Res. 66. Concurrent resolution withdrawing suspension of deportation of Joe Quong.

## THE LATE TOM CONNALLY

Mr. CANNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, if in the 1930's or 1940's anyone had inquired here at the Capitol where he might find Thomas Terry Connally he would have been referred to the city directory. But if he had asked for Tom Connally he would have had anywhere here on the Hill an immediate and emphatic response.

I had not learned of his death and I regret that I was not on the floor wnen eulogies were in order yesterday. But I cannot let the occasion pass without a word of appreciation and regard.

It was my privilege to observe his service both in the House and in the Senate.

In a brief while he was a man of national and international reputation and achievement. And he left his imprint upon the history of the world.

It was my privilege to serve as his parliamentarian during his pinchhitting respite for the temporary chairman of the National Democratic convention. On that occasion, in a very practical and direct way, he avoided an incident which might under other circumstances have proved embarrassing both to the convention and the party.

He was not only able, competent, and resourceful but he was also a man of integrity and courage. He did not hesitate to take a position which at the time might have given pause to a less determined partisan in opposition to a formidable administrative campaign to pack the U.S. Supreme Court.

When the United Nations treaty was before the Senate, disregarding protests of those in charge of the negotiations he proposed and secured a vital limitation since known as the Connally amendment, for which every American has been grateful in every world crisis since it became effective.

He was a world figure, but he never lost his love or retracted his allegiance to the Lone Star State. It was his statement—often quoted under other circumstances since that time—that he was 21 years old before he knew that "damn Yankee" was two words. But he said it jocularly and whenever the interest of the country was at stake, he was neither North nor South; he was neither East nor West. He was American.

## COMMITTEE ON BANKING AND CURRENCY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Subcommittee on Bank Supervision of the Committee on Banking and Currency may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

## CIVIL SERVICE VIOLATION

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, under the pretense of improving the merit system in Pennsylvania, there have been wholesale dismissals of State civil service employees with no regard for the service they have rendered and with no concern for the suffering that has resulted to the families of dismissed workers.

Gov. William W. Scranton has referred to these dismissed persons as "political hacks" and has replaced them without regard to their qualifications. Many of these dismissed employees were working on projects financed in whole or in part by Federal funds. For that reason, Mr. Speaker, I feel that the U.S. Civil Service Commission should investigate possible law violations at Harrisburg.

Last week the Pennsylvania Republican Club, of which Gov. William Scranton is president, sent letters to all State employees, including faculty members of State colleges and State policemen, soliciting funds for the Republican Party.

Mrs. Emma Guffey Miller, Democratic national committeewoman, who is a trustee at Slippery Rock State College, made a strong protest against such unprecedented solicitation. Mrs. Miller, who has a keen understanding of the history of Pennsylvania and its politics, stated that never before in history, under either Republican or Democratic administration, has the faculty, maintenance or service personnel of our State colleges ever been forced into a political campaign. She added that this change in policy by the Scranton adminstration represents a serious threat to our State colleges, and that unless this crass and unprecedented encroachment into the academic and political freedom of the faculty and staff is halted and reversed by Governor Scranton, present and future students will suffer the unfortunate consequences.

Governor Scranton's name appears as club president on the top of the letter pressing for contributions to the club.

Let me present, Mr. Speaker, a news article which appeared in the New Era, a weekly publication of Reading and Berks County, Pa., which gives in detail what is happening to State employees in our State:

**GOP ACCUSED OF MACING STATE WORKERS: SCRANTON HEADS APPEAL FOR "DUES," PAYROLL LIST USED**

Hundreds of State employees in the area of Berks and neighboring counties—many of them members of AFL–CIO unions—have been "invited" by Governor Scranton to pay dues into the Pennsylvania Republican Club—"voluntarily," of course.

The letters were mailed to a list of State employees—admittedly taken from the State payroll records in Harrisburg. They even went to Pennsylvania State police and to such departments as public welfare which were supposed to be free of politics.

There was no mistaking the intent of the letter.

Craig Truax, Republican State chairman signed it.

Frank C. P. McGlinn, Republican finance committee chairman, signed it.

The letter spelled out the fact that Governor Scranton is president of the statewide Pennsylvania Republican Club.

And the letterhead made it clear that Operation "64" is designated to "Keep Pennsylvania Republican."

As a further inducement for State employees to "give," the Harrisburg political machine enclosed a return envelope with postage prepaid. State employees were given the choice of paying $5 "regular" dues; $10 "associate"; $25 "sustaining"; $50 "contributing," or $100 or more, "century."

Exposure of the fund-raising effort through State employees led to "macing" charges by Democratic State Chairman Otis Morse.

The macing charge was repeated last Friday in Berks County by State Senator Paul W. Mahady who made a personal appearance as a candidate for judge of State superior court.

Morse also filed a request with Attorney General Robert Kennedy for an investigation.

"On the face of the matter," said Morse, "there is an implied threat to the continued employment of these individuals. Much deeper is the fact that the present Republican administration with its majorities in the legislature pushed through a so-called civil service bill which puts thousands of employees who had undergone competitive examinations and who were working under a merit system, on an 18-month probationary period during which they can be dismissed at the discretion of their immediate superior or presumably from a county chairman."

Morse then cited a memo from Scranton to the State police commissioner (an import from Florida) which said that "invitations" to kick in to the GOP slush fund were a "mistake" since the State police were not to be involved in partisan politics.

"The Governor's words," declared Morse, "indicate his apparent belief that civil service employees under the department of public welfare (mental hospitals), the Pennsylvania Highways Department, the Bureau of Employment Security, the Department of Health, and the Pennsylvania Liquor Control Board are legitimate targets for this thinly veiled appeal and will be expected to participate in partisan politics and in political fundraising."

Many State employees who felt they were being subtly coerced to contribute to the Republican State organization to help finance Scranton's presidential bid, cited the State Civil Service Act as banning any form of political activity by civil service classified personnel.

The letter emphasizes that "No Republican President has ever been elected without Pennsylvania's electoral vote."

"It could happen, of course, but if we win Pennsylvania our chances of changing the occupant of the White House are much stronger," the letter asserted.

"Your application for membership in the statewide Pennsylvania Club, under the presidency of Governor Scranton, is enclosed. Club dues start at $5—but we urge you to join in the category that you can afford, knowing that every dollar you send will be used to support your Republican organizations, and to begin building the campaign fund that we'll need to win in 1964.

"We all have an important stake in keeping Pennsylvania Republican. This is your opportunity to help. Put the enclosed application in the mail today with your check—and get your charter membership card in operation 64."

Nowhere in the letter is there any statement that such giving is voluntary.

It seems to me, Mr. Speaker, that a thorough investigation of these practices should be conducted by the Civil Service Commission. What is happening in our State is not only evil and wrong, but it is an insult to the intelligence of our citizens who are being told that such efforts are to promote a good merit system in Pennsylvania.

## SECRETARY OF THE AIR FORCE, EUGENE M. ZUCKERT

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, this month, the Honorable Eugene M. Zuckert achieves the distinction of having served as Secretary and Assistant Secretary of the Air Force longer than any previous incumbent in those positions. President Kennedy named him to the post of Secretary in January 1961, after a long and distinguished career in law, business, and Government service. His career highlights include: Pioneering efforts in many aspects of civilian uses of atomic energy; membership on the faculty of the Harvard Graduate School of Business Administration; Assistant Secretary of the Air Force under the first Air Force Secretary, now Senator STUART SYMINGTON of Missouri; membership on the Atomic Energy Commission; and many important advisory posts in the defense field. A native of New York City, he received his law degree from Yale University.

As an Assistant Secretary of the Air Force, from 1947 to 1952 Mr. Zuckert was one of the principal architects of the organization and the control systems of the Air Force when it became a separate service.

During this period of time, under the civilian leadership of Mr. Zuckert and the military leadership of General LeMay, the Air Force has developed the missile program into a fully operational capability. It has built up its tactical air strength, its counterinsurgency forces, and has more than doubled its airlift capabilities.

A forceful and dynamic personality, Secretary Zuckert possesses boundless energy and a great dedication to the responsibilities of his office. He is one of the really strong leaders in Government. I congratulate him upon his noteworthy achievement of longevity of service and upon the distinctive and outstanding caliber of that service.

## NATION IS MOVING FORWARD?

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, President Kennedy, in a political speech last night in Philadelphia, says the Nation is moving forward.

Yes, Mr. Speaker, things are moving but not necessarily forward.

Bobby Baker has been moved out, and Ellen Romesche has been moved back to Germany.

The Russians have been requested to move some of their espionage agents from the United Nations.

Judge Landis, onetime Kennedy adviser, and Herbert May, onetime Assistant Secretary of State, have moved to pay their long delinquent Federal taxes.

Secretary of the Navy Fred Korth, of TFX contract fame is on the move back to Fort Worth.

And last but not least, the House will move next week to again increase the debt ceiling.

Yes, Mr. Speaker, we are on the move.

## NAVY SECRETARY FRED KORTH

Mr. KYL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KYL. Mr. Speaker, this is the final day of duty for Navy Secretary Fred Korth. In leaving the office, the Secretary leaves behind a cloud of uncertainty.

His very leaving, after an unconclusive investigation, makes him suspect in the eyes of many citizens. If the Secretary is innocent of any conflict of interest, the clarification must be available. If guilty of such conflict, the fact should certainly be known. If there were errors in the TFX affair which cannot be placed on Mr. Korth's doorstep—this fact should be known.

Title 18, section 434 of the code defines conflict of interest. The statute has been interpreted by the Supreme Court, which said in the Dixon-Yates case, the statute is "more concerned with what might have happened in a given situation than with what actually happened."

Is this not a case for thorough investigation by the Department of Justice? And if it is, can we not expect such action immediately?

## PERSONAL ANNOUNCEMENT

Mr. DON H. CLAUSEN. Mr. Speaker, on Monday, October 28, I was necessarily absent from the House participating in the American Forestry Association convention along with a number of my constituents. Had I been present and voting I would have voted "yea" on House Joint Resolution 782, making continuing appropriations through November and the RECORD shows that I was paired against House Resolution 314.

## PINKOS AND NONPINKOS, PATRIOTS AND NONPATRIOTS

Mr. FOREMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

**Mr. FOREMAN.** Mr. Speaker, in the last few days there have been several interesting news articles in the various papers and wire services concerning pinkos and nonpinkos, patriots and nonpatriots. There have been some misinterpreted stories and some misunderstandings and there have been some regrettable situations happening here on the floor of the House. As a matter of clarity and information, I intend to address the House for 1 hour this afternoon to talk about some of these situations and some of you who may have been called pinko in the newspaper or who might not have been called pinko in the newspaper, if you care to be here, I will try to explain just who was covered and who was not covered in these charges. Thank you.

### OATH OF ALLEGIANCE

**Mr. BASS.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Tennessee?

There was no objection.

**Mr. BASS.** Mr. Speaker, at the beginning of every Congress each Member of the House is required to raise his right hand and swear to uphold and defend the Constitution of the United States. He also must sign a certificate to that effect. I bring that to your attention because I want to point out a situation that I very much deplore. That is, the increasing practice of some so-called patriotic publications and groups that call themselves constitutional groups, and that sort of thing, who go around and say that a certain Member of Congress voted against the Constitution. I do not know how this can be stopped. I think on the face of it, it is libelous, and I would like to see it tested in the courts. I do not intend to make this test myself because one of these constitutional flag wavers ran against me last time and got only 14 percent of the vote and hardly scared me to death. My people understand the Constitution, but there might be some people in the United States who might be fooled by this sort of hogwash. These same kind of political thinkers call former President Eisenhower, and Secretary of State Dulles Communists and traitors.

### SMEAR TACTICS

**Mr. HAYS.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

**Mr. HAYS.** Mr. Speaker, I have been reading in the press about various people being called pinkos, Communists, and what-have-you by other Members of the House. I have never stooped to calling anybody a Communist or any other vile name, but I would point out, having some knowledge of communism, that one of the Communists' chief tricks and one of their chief tactics, as well as the Nazi murderers' principal tactics, was to call somebody they disagreed with a dirty name such as a Communist or for a Communist to call someone a Nazi. I wonder if those who play this game should not be suspect as to their own political philosophies? In other words, the big lie technique.

### PETITIONS FAVORING THE BIBLE READING AMENDMENT

**Mr. CLARK.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

**Mr. CLARK.** Mr. Speaker, I am delivering to the House of Representatives petitions containing 22,000 signatures of citizens in my congressional district who favor the Bible reading amendment. I support this legislation vigorously and have signed the discharge petition to bring it to the floor of the House for a vote. I would appreciate it if these petitions may be given to the committee having jurisdiction over this legislation.

### POLITICAL AND PATRIOTIC GROUPS

**Mr. DEROUNIAN.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

**Mr. DEROUNIAN.** Mr. Speaker, I am glad that my good friend, a member of the Committee on Ways and Means, the gentleman from Tennessee [Mr. BASS] talked about the patriotic groups and how he polished off his opponent the last time. I am wondering whether he is going to feel the same way about COPE, which says that you have two ways of voting; you either vote "right" or you vote "wrong," according to what the labor bosses think. If he will disregard that kind of campaign, then we can disregard all these others too.

**Mr. BASS.** Mr. Speaker, will the gentleman yield?

**Mr. DEROUNIAN.** I yield.

**Mr. BASS.** I do not mind any organization saying to me or to any Member that he voted right or wrong. But I do deplore their saying that a Member of Congress is not upholding the Constitution. Anybody can come into my district and say that I voted right or that I voted wrong. I would not want them to go into the gentleman's district and say that the gentleman from New York did not uphold the Constitution, which he had sworn to uphold. I believe the gentleman would deplore that, too, as I believe the other 434 Members of the House would.

**Mr. DEROUNIAN.** Of course, when you are in the political game, as President Truman said, you have got to take some heat. My Democratic opponent the last time called me many worse things than merely saying that I voted against the Constitution.

**Mr. BASS.** I can take the heat, but I was referring to libelous statements that are made. I do not like to hear the patriotism of any Member of Congress questioned.

### POLITICAL NAME CALLING

**Mr. BOGGS.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

**Mr. BOGGS.** Mr. Speaker, I should hope that the use of these terms would come to an end. This name calling has gone beyond all bounds and it is hurting our country.

I have in my hand an Associated Press report of remarks made on October 26 of this year, just last week. In a TV interview by Mr. Welch, the founder of the John Birch Society, we find this—the report follows in full:

> WELCH REPEATS CHARGES ON EISENHOWER, DULLES
>
> NEW YORK, October 26.—Robert Welch, founder of the John Birch Society, has reaffirmed his belief in former President Dwight Eisenhower's "treason" and that the late John Foster Dulles was a Communist.
>
> In making the statements, he gave no supporting evidence.
>
> He was interviewed on a television program Thursday night.
>
> Moderator Clifford Evans, in prefatory remarks, said the John Birch Society is described by some as a "rightwing patriotic group devoted to stamping out the Communist conspiracy." Others, Mr. Evans continued, say it is "a witch-hunting organization engaged in irresponsible attacks on public figures."
>
> One of the panelists asked Mr. Welch, "Sir, may I ask, have you changed your mind about the charge of Communist you once leveled at former President Eisenhower?"
>
> "Well," he replied, "my only way of answering that is to tell you to read my book and judge for yourself."
>
> Later, he was asked by another panelist, "Well, can I ask if you believe this statement which you wrote in the Politician? 'For Eisenhower there is only one word to describe his purposes and action. That word is treason.'"
>
> "Yes," he replied.
>
> Mr. Welch was asked also, "Do you describe John Foster Dulles (the former Secretary of State) as a Communist in it?" (the letter).
>
> Welch: "I described John Foster Dulles as a Communist. I say he was a Communist."

Mr. Speaker, everybody knows that President Eisenhower is one of the greatest patriots who ever lived, and I think John Foster Dulles was one, as well. To call President Eisenhower a traitor and John Foster Dulles a Communist is to do the work of the Communists; this is an outrage.

## CALL OF THE HOUSE

Mr. YOUNGER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 187]

Abele
Abernethy
Adair
Ashmore
Ayres
Baring
Blatnik
Bonner
Bruce
Buckley
Burton
Byrnes, Wis.
Celler
Colmer
Daniels
Dawson
Diggs
Dingell
Dowdy
Fraser
Fuqua
Grabowski
Grant
Gray
Green, Oreg.
Hagan, Ga.
Harding
Herlong
Horan
Karth
Kelly
Kilburn
Kornegay
Long, La.
Macdonald
MacGregor
May
Miller, Calif.
Miller, N.Y.
O'Brien, Ill.
Pelly
Pepper
Pilcher
Powell
Randall
Reid, Ill.
Riehlman
Roberts, Tex.
St. Onge
Scott
Shelley
Sheppard
Shipley
Shriver
Skubitz
Stafford
Stinson
Taylor
Thompson, La.
Thompson, N.J.
Tollefson
Ullman
White
Winstead
Wydler

The SPEAKER. On this rollcall 365 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

## MILITARY CONSTRUCTION AUTHORIZATION, 1964

Mr. VINSON. Mr. Speaker, I call up the conference report on the bill (H.R. 6500) to authorize certain construction at military installations, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

Mr. VINSON (interrupting the reading of the statement). Mr. Speaker, in view of the fact that the statement and report have been published in the RECORD, I ask unanimous consent to dispense with further reading of the statement of the managers.

Mr. ARENDS. Mr. Speaker, reserving the right to object, and I shall not object, I hope the chairman will kindly explain the conference report. Although we are aware as to what is in it and we think it is a good conference report and urge its adoption, we hope the chairman will explain to the House the changes that have been made in conference.

Mr. VINSON. I intend to explain the conference report.

The conference report and statement follow:

CONFERENCE REPORT (H. REPT. No. 882)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6500) to authorize certain construction at military installations, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I

"SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

*"Inside the United States*

"Continental Army Command

"(First Army)

"Fort Devens, Massachusetts: Maintenance facilities, medical facilities, troop housing and community facilities, $1,091,000.

"Fort Dix, New Jersey: Operational facilities, maintenance facilities, medical facilities, administrative facilities, troop housing and community facilities, and utilities, $19,362,000.

"Fort Jay, New York: Utilities, $131,000.

"(Second Army)

"Fort Belvoir, Virginia: Training facilities, $1,083,000.

"Fort Eustis, Virginia: Maintenance facilities, and utilities, $297,000.

"Fort Knox, Kentucky: Operational facilities, maintenance facilities, medical facilities, administrative facilities, and utilities, $1,256,000.

"Fort George G. Meade, Maryland: Operational facilities, and utilities, $237,000.

"Fort Monroe, Virginia: Operational facilities, and utilities, $315,000.

"Fort Ritchie, Maryland: Utilities, $267,000.

"Fort Story, Virginia: Maintenance facilities, $890,000.

"(Third Army)

"Fort Benning, Georgia: Maintenance facilities, medical facilities, community facilities, and utilities, $3,665,000.

"Fort Bragg, North Carolina: Training facilities, maintenance facilities, supply facilities, medical facilities, troop housing, and utilities, $15,886,000.

"Fort Campbell, Kentucky: Operational facilities, maintenance facilities, supply facilities, medical facilities, and administrative facilites, $1,621,000.

"Fort Gordon, Georgia: Training facilities, $6,700,000.

"Fort Jackson, South Carolina: Maintenance facilities, medical facilities, administrative facilities, troop housing and community facilities, and utilities, $9,026,000.

"Fort McPherson, Georgia: Troop housing, $166,000.

"Fort Rucker, Alabama: Training facilities, maintenance facilities, hospital and medical facilities, and troop housing, $5,823,000.

"Fort Stewart, Georgia: Maintenance facilities, and utilities, $430,000.

"(Fourth Army)

"Fort Hood, Texas: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $7,018,000.

"Fort Sam Houston, Texas: Troop housing, and utilities, $216,000.

"Camp Wolters, Texas: Operational facilities, $257,000.

"(Fifth Army)

"Fort Carson, Colorado: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and utilities, $7,355,000.

"Detroit Defense Area, Michigan: Maintenance facilities, and supply facilities, $654,000.

"Fort Benjamin Harrison, Indiana: Training facilities, troop housing, and utilities, $1,822,000.

"Fort Leavenworth, Kansas: Medical facilities, administrative facilities, troop housing and community facilities, and utilities, $2,493,000.

"Fort Riley, Kansas: Troop housing and community facilities, $861,000.

"Fort Leonard Wood, Missouri: Training facilities, maintenance facilities, medical facilities, troop housing and community facilities, $8,163,000.

"(Sixth Army)

"Fort Irwin, California: Training facilities, troop housing and community facilities, $1,715,000.

"Fort Lewis, Washington: Utilities, $610,000.

"Presidio of Monterey, California: Training facilities, $979,000.

"Fort Ord, California: Operational facilities, and community facilities, $1,295,000.

"Presidio of San Francisco, California: Supply facilities, $278,000.

"(Military District of Washington, District of Columbia)

"Cameron Station, Virginia: Supply facilities, $250,000.

"Fort Myer, Virginia: Operational facilities, maintenance facilities, and troop housing, $4,000,000.

"United States Army Materiel Command

"(United States Army Materiel Command, Headquarters)

"Natick Laboratories, Massachusetts: Research, development and test facilities, $3,408,000.

"(United States Army Missile Command)

"Redstone Arsenal, Alabama: Research, development and test facilities, and utilities, $4,211,000.

"(United States Army Munitions Command)

"Army Chemical Center, Maryland: Research, development and test facilities, $410,000.

"Fort Detrick, Maryland: Utilities, $89,000.

"(United States Army Supply and Maintenance Command)

"Atlanta Army Depot, Georgia: Administrative facilities, $49,000.

"Aeronautical Maintenance Center, Texas: Maintenance facilities, $1,754,000.

"Oakland Army Terminal, California: Medical facilities, $532,000.

"Pueblo Army Depot, Colorado: Utilities, $1,204,000.

"Sharpe Army Depot, California: Maintenance facilities, and utilities, $152,000.

"Utah Army Depot, Utah: Utilities, $88,000.

"(United States Army Test and Evaluation Command)

"Aberdeen Proving Ground, Maryland: Research, development and test facilities, troop housing and community facilities, $4,065,000.

"Dugway Proving Ground, Utah: Operational facilities, research, development and test facilities, $1,017,000.

"Fort Huachuca, Arizona: Operational facilities, and utilities, $849,000.

"White Sands Missile Range, New Mexico: Research, development and test facilities, and utilities, $1,248,000.

"Yuma Test Station, Arizona: Community facilities, $373,000.

"Signal Corps

"East Coast Radio Transmitter Station, Woodbridge, Virginia: Utilities, $88,000.

"United States Military Academy

"United States Military Academy, West Point, New York: Training facilities, and utilities, $2,291,000.

"Army Security Agency

"Two Rock Ranch Station, California: Operational facilities, and utilities, $222,000.

"Vint Hills Farms, Virginia: Operational facilities, and medical facilities, $1,306,000.

"Army Component Commands

"(United States Army Air Defense Command)

"Various locations: Operational facilities, maintenance facilities, troop housing, and utilities, $22,560,000.

"(Alaska Command area)

"Fort Richardson, Alaska: Maintenance facilities, $1,711,000.

"(Pacific Command area)

"Hawaii Defense Area, Hawaii: Operational facilities, $150,000.

"Schofield Barracks, Hawaii: Maintenance facilities, and utilities, $913,000.

"Fort Shafter, Hawaii: Utilities, $74,000.

"*Outside the United States*

"Army Materiel Command

"Various locations: Research, development and test facilities, $740,000.

"Army Security Agency

"Various locations: Operational facilities, supply facilities, administrative facilities, troop housing and community facilities, and utilities, $5,798,000.

"Army Component Commands

"(Pacific Command area)

"Japan: Utilities, $461,000.

"Okinawa: Operational facilities, supply facilities, troop housing, and utilities, $2,554,000.

"(European Command area)

"France: Operational facilities, and supply facilities, $3,666,000.

"Germany: Operational facilities, maintenance facilities, supply facilities, troop housing, and utilities, $9,485,000.

"(Caribbean Command area)

"Fort Buchanan, Puerto Rico: Real estate, $111,000.

"Fort Clayton, Canal Zone: Community facilities, $442,000.

"SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $8,900,000.

"SEC. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $12,500,000: *Provided*, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1964, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

"SEC. 104. (a) Public Law 86–500, as amended, is amended under heading 'INSIDE THE UNITED STATES' in section 101, as follows:

"(1) Under the subheading 'DEFENSE ATOMIC SUPPORT AGENCY' with respect to National Naval Medical Center, Maryland, strike out '$1,891,000' and insert in place thereof '$2,852,000'.

"(b) Public Law 86–500, as amended, is amended by striking out in clause (1) of section 502, '$79,499,000' and '$146,429,000' and inserting in place thereof '$80,460,000' and '$147,390,000', respectively.

"SEC. 105. (a) Public Law 87–57 is amended under heading 'INSIDE THE UNITED STATES' in section 101, as follows:

"(1) Under the subheading 'TECHNICAL SERVICES FACILITIES (Signal Corps)', with respect to Lexington Signal Depot, Kentucky, strike out '$33,000' and insert in place thereof '$56,000'.

"(2) Under the subheading 'ARMY COMPONENT COMMANDS (Pacific Command Area)', with respect to various locations, strike out '$814,000' and insert in place thereof '$1,156,000'.

"(b) Public Law 87–57 is amended by striking out in clause (1) of section 602, '$76,918,000' and '$130,406,000' and inserting in place thereof '$77,283,000' and '$130,771,000'.

"SEC. 106. (a) Public Law 87–554 is amended in section 101 as follows:

"(1) Under the heading 'INSIDE THE UNITED STATES', and under the subheading 'CONTINENTAL ARMY COMMAND (Sixth Army)', with respect to 'Hunter-Liggett Military Reservation, California' strike out '$159,000' and insert in place thereof '$232,000'.

"(2) Under the heading 'OUTSIDE THE UNITED STATES', and under the subheading 'ARMY SECURITY AGENCY', with respect to 'Various locations', strike out '$4,684,000' and insert in place thereof '$6,494,000'.

"(b) Public Law 87–554 is amended by striking out in clause (1) of section 602, '$101,743,000', '$29,699,000' and '$148,442,000' and inserting in place thereof '$101,816,000', '$31,509,000' and '$150,325,000', respectively.

"TITLE II

"SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

"*Inside the United States*

"Bureau of Ships Facilities

"(Naval Shipyards)

"Naval Shipyard, Boston, Massachusetts: Operational facilities, and utilities, $169,000.

"Naval Shipyard, Bremerton, Washington: Maintenance facilities, $1,902,000.

"Naval Shipyard, Charleston, South Carolina: Operational facilities, maintenance facilities, supply facilities, and medical facilities, $3,171,000.

"Naval Shipyard, Mare Island, California: Utilities, $850,000.

"Naval Shipyard, New York, New York: Administrative facilities, $200,000.

"Naval Shipyard, Norfolk, Virginia: Maintenance facilities, $5,382,000.

"Naval Shipyard, Pearl Harbor, Oahu, Hawaii: Operational facilities, maintenance facilities, and research, development and test facilities, $2,921,000.

"Naval Shipyard, Philadelphia, Pennsylvania: Operational facilities, $90,000.

"Naval Shipyard, Portsmouth, New Hampshire: Maintenance facilities, $574,000.

"Naval Repair Facility, San Diego, California: Maintenance facilities, $522,000.

"Naval Shipyard, San Francisco, California: Research, development and test facilities, and utilities, $274,000.

"(Fleet Support Stations)

"Naval Facility, Cape Hatteras, North Carolina: Community facilities, $62,000.

"Naval Submarine Base, New London, Connecticut: Administrative facilities, and utilities, $823,000.

"Headquarters, Commander-in-Chief, Atlantic Fleet, Norfolk, Virginia: Troop housing, $625,000.

"Fleet Training Group, Naval Station Annex, Pearl Harbor, Oahu, Hawaii: Training facilities, $194,000.

"(Research, Development, Test and Evaluation Stations.)

"Navy Underwater Sound Laboratory, New London, Connecticut: Operational facilities, $1,770,000.

"Fleet Base Facilities

"Naval Station, Charleston, South Carolina: Troop housing, and utilities and ground improvements, $754,000.

"Naval Command Systems Support Activity, District of Columbia: Administrative facilities, $986,000.

"Naval Station, Key West, Florida: Utilities, $226,000.

"Naval Station, Long Beach, California: Operational facilities, $94,000.

"Naval Station, Norfolk, Virginia: Operational facilities, $2,355,000.

"Naval Station, San Diego, California: Operational facilities, $786,000.

"Naval Weapons Facilities

"(Naval air training stations)

"Naval Air Station, Corpus Christi, Texas: Operational and training facilities, and troop housing, $208,000.

"Naval Air Station, Glynco, Georgia: Community facilities, $310,000.

"Naval Air Station, Memphis, Tennessee: Operational facilities, $289,000.

"Naval Air Station, Pensacola, Florida: Utilities, $73,000.

"Naval Auxiliary Air Station, Whiting Field, Florida: Operational facilities, and utilities, $251,000.

"(Field support stations)

"Naval Station, Adak, Alaska: Maintenance facilities, and troop housing, $4,765,000.

"Naval Air Station, Alameda, California: Operational facilities, $477,000.

"Naval Air Station, Barbers Point, Oahu, Hawaii: Operational facilities, $94,000.

"Naval Air Station, Brunswick, Maine: Operational facilities, and maintenance facilities, $1,075,000.

"Naval Air Station, Cecil Field, Florida: Operational facilities, $150,000.

"Naval Auxiliary Air Station, Fallon, Nevada: Operational facilities, $780,000.

"Naval Air Station, Jacksonville, Florida: Operational facilities, and maintenance facilities, $884,000.

"Naval Air Station, Key West, Florida: Operational and training facilities, maintenance facilities, troop housing, utilities, and real estate, $8,031,000.

"Naval Air Station, Miramar, California: Maintenance facilities $2,400,000.

"Naval Air Station, Norfolk, Virginia: Operational facilities, and maintenance facilities, $3,242,000.

"Naval Air Station, North Island, California: Operational facilities, and maintenance facilities, $2,358,000.

"Naval Air Station, Oceana, Virginia: Operational facilities, and maintenance facilities, $657,000.

"Naval Air Station, Quonset Point, Rhode Island: Operational facilities, and utilities, $834,000.

"Naval Auxiliary Landing Field, San Clemente Island, California: Operational facilities, maintenance facilities, troop housing, and utilities, $1,092,000.

"Naval Air Station, Sanford, Florida: Operational facilities and maintenance facilities, $1,138,000.

"Naval Air Station, Whidbey Island, Washington: Operational facilities, $80,000.

### "(Marine Corps air stations)

"Marine Corps Air Station, Beaufort, South Carolina: Maintenance facilities, and community facilities, $538,000.

"Marine Corps Auxiliary Landing Field, Camp Pendleton, California: Operational and training facilities, and maintenance facilities, $740,000.

"Marine Corps Air Station, Cherry Point, North Carolina: Operational facilities, maintenance facilities, administrative facilities, and utilities, $1,400,000.

"Marine Corps Air Station, El Toro, California: Operational facilities, and maintenance facilities, $2,042,000.

"Marine Corps Air Station, Kaneohe Bay, Oahu, Hawaii: Maintenance facilities, $621,000.

"Marine Corps Air Facility, New River, North Carolina: Operational facilities, maintenance facilities, administrative facilities, and troop housing, $2,034,000.

"Marine Corps Air Facility, Santa Ana, California: Training facilities, $276,000.

"Marine Corps Air Station, Yuma, Arizona: Supply facilities, $259,000.

### "(Fleet readiness stations)

"Naval Ammunition Depot, Charleston, South Carolina: Maintenance facilities, and troop housing and community facilities, $952,000.

"Naval Propellant Plant, Indian Head, Maryland: Research, development and test facilities, supply facilities, and real estate, $694,000.

"Naval Torpedo Station, Keyport, Washington: Research, development and test facilities, and real estate, $258,000.

"Naval Weapons Station, Yorktown, Virginia: Utilities, $932,000.

### "(Research, development, test and evaluation stations)

"Naval Ordnance Test Station, China Lake, California: Research, development and test facilities, $1,268,000.

"Naval Air Development Center, Johnsville, Pennsylvania: Research, development and test facilities, $780,000.

"Pacific Missile Range, Point Mugu, California: Operational facilities, and research, development and test facilities; at Point Arguello, research, development and test facilities, and troop housing; and, on San Nicolas Island, research, development and test facilities, $3,869,000.

"Naval Ordnance Laboratory, White Oak, Maryland: Research, development and test facilities, $6,173,000.

"Naval Ordnance Missile Test Facility, White Sands, New Mexico: Research, development and test facilities, $490,000.

### "Supply Facilities

"Fleet Material Support Office, Mechanicsburg, Pennsylvania: Administrative facilities, $352,000.

### "Marine Corps Facilities

"Marine Corps Base, Camp Lejeune, North Carolina: Training facilities, maintenance facilities, and utilities, $1,892,000.

"Marine Corps Schools, Quantico, Virginia: Training facilities, $735,000.

"Marine Corps Base, Twenty-nine Palms, California: Community facilities, and utilities, $179,000.

### "Service School Facilities

"Naval Academy, Annapolis, Maryland: Training facilities, and troop housing, $12,819,000.

"Naval Training Center, Bainbridge, Maryland: Utilities, $70,000.

"Naval Schools, Mine Warfare, Charleston, South Carolina: Training facilities, $819,000.

"Naval Amphibious Base, Coronado, California: Utilities, $163,000.

"Fleet Anti-Air Warfare Training Center, Dam Neck, Virginia: Medical facilities, and troop housing, $1,812,000.

"Naval Training Center, Great Lakes, Illinois: Training facilities, and utilities, $3,235,000.

"Naval War College, Newport, Rhode Island: Training facilities, $65,000.

"Fleet Anti-Submarine Warfare School, San Diego, California: Utilities, $175,000.

"Naval Training Center, San Diego, California: Troop housing, $79,000.

### "Medical Facilities

"Naval Hospital, Long Beach, California: Troop housing, $336,000.

### "Communication Facilities

### "(Communication stations)

"Naval Radio Station, Cutler, Maine: Community facilities, $240,000.

"Naval Radio Station, Sugar Grove, West Virginia: Operational facilities, maintenance facilities, troop housing, and utilities, $3,480,000.

### "(Security group stations)

"Naval Security Station, District of Columbia: Troop housing, $231,000.

"Naval Security Group Activity, Skaags Island, California: Utilities, $341,000.

"Naval Security Group Activity, Winter Harbor, Maine: Troop housing and utilities, $282,000.

### "Office of Naval Research Facilities

"Naval Research Laboratory, District of Columbia: Research, development and test facilities, administrative facilities, and utilities, $6,730,000.

### "Yards and Docks Facilities

"Navy Public Works Center, Newport, Rhode Island: Utilities, $965,000.

"Navy Public Works Center, Norfolk, Virginia: Utilities, $1,658,000.

"Navy Public Works Center, Pearl Harbor, Oahu, Hawaii: Utilities, $171,000.

"Naval Construction Battalion Center, Port Hueneme, California: Operational facilities, and utilities, $1,490,000.

### *"Outside the United States*

### "Bureau of Ships Facilities

"Naval Station, Subic Bay, Republic of Philippines; Community facilities, $255,000.

### "Naval Weapons Facilities

"Naval Station, Argentia, Newfoundland, Canada: Operational facilities, and community facilities, $1,365,000.

"Marine Corps Air Facility, Futema, Okinawa: Training facilities, $202,000.

"Marine Corps Air Station, Iwakuni, Japan: Operational and training facilities, $287,000.

"Naval Station, Midway Islands: Community facilities, and ground improvements, $581,000.

"Naval Air Facility, Naples, Italy: Operational facilities, $310,000.

"Naval Station, Sangley Point, Republic of Philippines: Operational facilities, $57,000.

### "Marine Corps Facilities

"Camp Smedley B. Butler, Okinawa: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, and troop housing and community facilities, $6,135,000.

### "Communication Facilities

"Naval Radio Station, Barrigada, Guam, Mariana Islands: Operational facilities, $414,000.

"Naval Communication Station, Londonderry, Northern Ireland: Operational facilities, $517,000.

"Naval Radio Station, Summit, Canal Zone: Utilities, $65,000.

"Naval Radio Station, Totsuka, Japan: Operational facilities, and utilities, $1,116,000.

"Sec. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $63,095,000.

"Sec. 203. The Secretary of the Navy may establish or develop naval installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $12,500,000: *Provided,* That the Secretary of the Navy or his designee shall notify the Committees on Armed Services of the Senate and the House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1964, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

"Sec. 204. (a) Public Law 87–57, as amended, is amended in section 201 under the heading 'INSIDE THE UNITED STATES' and subheading 'COMMUNICATION FACILITIES', with respect to the Naval Radio Station, Cheltenham, Maryland, by striking out '$151,000', and inserting in place thereof, '$238,000'.

"(b) Public Law 87–57, as amended, is amended by striking out in clause (2) of section 602, the amounts '$81,558,000' and '$140,663,000', and inserting respectively in place thereof '$81,645,000' and '$140,750,000'.

### "TITLE III

"Sec. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects:

### *"Inside the United States*

### "Air Defense Command

"Ent Air Force Base, Colorado Springs, Colorado: Operational facilities, and medical facilities, $677,000.

"Grand Forks Air Force Base, Grand Forks, North Dakota: Operational facilities and utilities, $1,439,000.

"Hamilton Air Force Base, San Rafael, California: Operational facilities, and troop housing, $675,000.

"Kincheloe Air Force Base, Sault Sainte Marie, Michigan: Operational facilities, maintenance facilities, and troop housing and community facilities, $808,000.

"Kingsley Field, Klamath Falls, Oregon: Operational facilities, maintenance facilities, and medical facilities, $213,000.

"McChord Air Force Base, Tacoma, Washington: Operational facilities, maintenance facilities, medical facilities, and community facilities, $1,436,000.

"NORAD Headquarters, Colorado Springs, Colorado: Operational facilities, $7,000,000.

"Otis Air Force Base, Falmouth, Massachusetts: Utilities, $91,000.

"Paine Field, Everett, Washington: Maintenance facilities, $131,000.

"Portland International Airport, Portland, Oregon: Operational facilities, maintenance facilities, troop housing and community facilities, and utilities, $1,659,000.

"Stewart Air Force Base, Newburgh, New York: Operational facilities, maintenance facilities, and utilities, $212,000.

"Suffolk County Air Force Base, Westhampton Beach, New York: Maintenance facilities, and community facilities, $907,000.

"Truax Field, Madison, Wisconsin: Maintenance facilities, and community facilities, $447,000.

"Tyndall Air Force Base, Panama City, Florida: Operational facilities, and maintenance facilities, $681,000.

### "Air Force Logistics Command

"Hill Air Force Base, Ogden, Utah: Operational facilities, maintenance facilities, supply facilities, administrative facilities, and troop housing, $2,717,000.

"Kelly Air Force Base, San Antonio, Texas: Maintenance facilities, medical facilities, administrative facilities, and troop housing, $4,345,000.

"McClellan Air Force Base, Sacramento, California: Operational facilities, maintenance facilities, supply facilities, administrative facilities, and utilities, $2,132,000.

"Norton Air Force Base, San Bernardino, California: Maintenance facilities, and utilities, $983,000.

"Olmsted Air Force Base, Middletown, Pennsylvania: Operational facilities, and maintenance facilities, $1,247,000.

"Robins Air Force Base, Macon, Georgia: Maintenance facilities, administrative facilities, and utilities, $1,240,000.

"Tinker Air Force Base, Oklahoma City, Oklahoma: Operational facilities, maintenance facilities, supply facilities, and utilities, $1,025,000.

"Wright-Patterson Air Force Base, Dayton, Ohio: Maintenance facilities, research, development and test facilities, administrative facilities, and utilities, $3,993,000.

### "Air Force Systems Command

"Arnold Engineering Development Center, Tullahoma, Tennessee: Research, development and test facilities, supply facilities, and utilities, $4,060,000.

"Brooks Air Force Base, San Antonio, Texas: Training facilities, research, development and test facilities, and troop housing and community facilities, $1,155,000.

"Edwards Air Force Base, Muroc, California: Research, development and test facilities, $9,660,000.

"Eglin Air Force Base, Valparaiso, Florida: Operational facilities, maintenance facilities, research, development and test facilites, supply facilities, hospital facilities, and troop housing, $5,110,000.

"Holloman Air Force Base, Alamogordo, New Mexico: Maintenance facilities, research, development and test facilities, $196,000.

"Kirtland Air Force Base, Albuquerque, New Mexico: Research, development and test facilities, and troop housing and community facilities, $1,035,000.

"Laurence G. Hanscom Field, Bedford, Massachusetts: Troop housing and community facilities, $602,000.

"Patrick Air Force Base, Cocoa, Florida: Operational facilities, maintenance facilities, and troop housing, $1,119,000.

"Sacramento Peak Upper Air Research Site, Alamogordo, New Mexico: Research, development and test facilities, $2,889,000.

"Various Locations, Atlantic Missile Range: Operational facilities, maintenance facilities, research, development and test facilities, troop housing, and utilities, $7,856,000.

### "Air Training Command

"Amarillo Air Force Base, Amarillo, Texas: Training facilities, and hospital facilities, $3,985,000.

"Chanute Air Force Base, Rantoul, Illinois: Training facilities, troop housing, and utilities, $2,573,000.

"Craig Air Force Base, Selma, Alabama: Operational facilities, $829,000.

"Keesler Air Force Base, Biloxi, Mississippi: Training facilities, hospital facilities, and utilities, $3,319,000.

"Lackland Air Force Base, San Antonio, Texas: Medical facilities, and troop housing, $1,394,000.

"Laredo Air Force Base, Laredo, Texas: Operational facilities, $275,000.

"Laughlin Air Force Base, Del Rio, Texas: Operational facilities, maintenance facilities, and utilities, $909,000.

"Lowry Air Force Base, Denver, Colorado: Troop housing, $974,000.

"Randolph Air Force Base, San Antonio, Texas: Operational facilities, administrative facilities, and real estate, $3,044,000.

"Reese Air Force Base, Lubbock, Texas: Operational facilities, utilities, and real estate, $504,000.

"Sheppard Air Force Base, Wichita Falls, Texas: Training facilities, supply facilities, and troop housing, $1,723,000.

"Stead Air Force Base, Reno, Nevada: Operational and training facilities, $236,000.

"Vance Air Force Base, Enid, Oklahoma: Operational facilities, $709,000.

### "Air University

"Gunter Air Force Base, Montgomery, Alabama: Administrative facilities, and troop housing and community facilities, $765,000.

"Maxwell Air Force Base, Montgomery, Alabama: Maintenance facilities, administrative facilities, and troop housing and community facilities, $852,000.

### "Alaskan Air Command

"Eielson Air Force Base, Fairbanks, Alaska: Maintenance facilities, administrative facilities, troop housing, and utilities, $1,853,000.

"Elmendorf Air Force Base, Anchorage, Alaska: Operational facilities, maintenance facilities, administrative facilities, community facilities, and utilities, $2,689,000.

"Galena Airport, Galena, Alaska: Medical facilities, $145,000.

"King Salmon Airport, Naknek, Alaska: Operational facilities, and supply facilities, $160,000.

"Various locations: Operational facilities, maintenance facilities, supply facilities, troop housing and community facilities, and utilities, $9,718,000.

### "Headquarters Command

"Andrews Air Force Base, Camp Springs, Maryland: Operational facilities, maintenance facilities, medical facilities, troop housing, and utilities, $1,996,000.

"Bolling Air Force Base, Washington, District of Columbia: Administrative facilities, troop housing, community facilities, and utilities, $4,000,000.

### "Military Air Transport Service

"Charleston Air Force Base, Charleston, South Carolina: Maintenance facilities, supply facilities, medical facilities, and community facilities, $1,284,000.

"Dover Air Force Base, Dover, Delaware: Operational facilities, $520,000.

"Hunter Air Force Base, Savannah, Georgia: Maintenance facilities, $766,000.

"McGuire Air Force Base, Wrightstown, New Jersey: Operational and training facilities, $487,000.

"Orlando Air Force Base, Orlando, Florida: Training facilities, $191,000.

"Scott Air Force Base, Belleville, Illinois: Operational facilities, $145,000.

"Travis Air Force Base, Fairfield, California: Operational and training facilities, maintenance facilities, hospital facilities, and utilities, $2,716,000.

### "Pacific Air Force

"Hickam Air Force Base, Honolulu, Hawaii: Operational facilities, supply facilities, medical facilities, and utilities, $1,373,000.

### "Strategic Air Command

"Altus Air Force Base, Altus, Oklahoma: Operational facilities, and administrative facilities, $392,000.

"Beale Air Force Base, Marysville, California: Operational facilities, $470,000.

"Bergstrom Air Force Base, Austin, Texas: Operational facilities, and troop housing, $463,000.

"Biggs Air Force Base, El Paso, Texas: Operational facilities, $174,000.

"Blytheville Air Force Base, Blytheville, Arkansas: Operational facilities, maintenance facilities, administrative facilities, and troop housing, $549,000.

"Bunker Hill Air Force Base, Peru, Indiana: Operational facilities, $168,000.

"Carswell Air Force Base, Fort Worth, Texas: Operational facilities, and community facilities, $841,000.

"Castle Air Force Base, Merced, California: Operational facilities, and community facilities, $163,000.

"Clinton-Sherman Air Force Base, Clinton, Oklahoma: Maintenance facilities, community facilities, and utilities, $329,000.

"Columbus Air Force Base, Columbus, Mississippi: Operational facilities, $70,000.

"Davis-Monthan Air Force Base, Tucson, Arizona: Operational facilities, and community facilities, $709,000.

"Dyess Air Force Base, Abilene, Texas: Troop housing, $653,000.

"Ellsworth Air Force Base, Rapid City, South Dakota: Operational facilities, $51,000.

"Francis E. Warren Air Force Base, Cheyenne, Wyoming: Operational and training facilities, maintenance facilities, supply facilities, and troop housing, $1,391,000.

"Glasgow Air Force Base, Glasgow, Montana: Operational facilities, administrative facilities, and community facilities, $633,000.

"Homestead Air Force Base, Homestead, Florida: Maintenance facilities, and community facilities, $853,000.

"Larson Air Force Base, Moses Lake, Washington: Operational facilities, and troop housing and community facilities, $722,000.

"Little Rock Air Force Base, Little Rock, Arkansas: Training facilities, maintenance facilities, supply facilities, administrative facilities, and community facilities, $1,646,000.

"Lockbourne Air Force Base, Columbus, Ohio: Operational facilities, and utilities, $297,000.

"Malmstrom Air Force Base, Great Falls, Montana: Medical facilities, and community facilities, $609,000.

"March Air Force Base, Riverside, California: Maintenance facilities, and medical facilities, $186,000.

"Minot Air Force Base, Minot, North Dakota: Operational facilities, medical facilities, and community facilities, $1,408,000.

"Mountain Home Air Force Base, Mountain Home, Idaho: Operational facilities, $135,000.

"Offutt Air Force Base, Omaha, Nebraska: Maintenance facilities, and administrative facilities, $663,000.

"Pease Air Force Base, Portsmouth, New Hampshire: Operational facilities, maintenance facilities, supply facilities, and utilities, $410,000.

"Plattsburgh Air Force Base, Plattsburgh, New York: Maintenance facilities, and supply facilities, $89,000.

"Schilling Air Force Base, Salina, Kansas: Operational facilities, $94,000.

"Turner Air Force Base, Albany, Georgia: Operational facilities, troop housing and community facilities, and utilities, $653,000.

"Vandenberg Air Force Base, Lompoc, California: Operational facilities, hospital facilities, administrative facilities, and troop housing, $6,666,000.

"Westover Air Force Base, Chicopee Falls, Massachusetts: Operational facilities and administrative facilities, $1,332,000.

"Whiteman Air Force Base, Knob Noster, Missouri: Operational facilities, $80,000.

"Wurtsmith Air Force Base, Oscoda, Michigan: Supply facilities, and troop housing and community facilities, $547,000.

"Tactical Air Command

"England Air Force Base, Alexandria, Louisiana: Operational facilities, maintenance facilities, administrative facilities, and troop housing and community facilities, $886,000.

"George Air Force Base, Victorville, California: Operational and training facilities, maintenance facilities, and troop housing and community facilities, $4,226,000.

"Langley Air Force Base, Hampton, Virginia: Administrative facilities, troop housing, and utilities, $2,067,000.

"Luke Air Force Base, Phoenix, Arizona: Operational facilities, $130,000.

"MacDill Air Force Base, Tampa, Florida: Maintenance facilities, $99,000.

"Myrtle Beach Air Force Base, Myrtle Beach, South Carolina: Operational facilities, $123,000.

"Nellis Air Force Base, Las Vegas, Nevada: Administrative facilities, and troop housing, $797,000.

"Pope Air Force Base, Fort Bragg, North Carolina: Operational facilities, maintenance facilities, and real estate, $3,783,000.

"Sewart Air Force Base, Smyrna, Tennessee: Operational facilities, maintenance facilities, and troop housing, $1,786,000.

"Seymour Johnson Air Force Base, Goldsboro, North Carolina: Administrative facilities, and troop housing, $650,000.

"Shaw Air Force Base, Sumter, South Carolina: Operational facilities, maintenance facilities, and administrative facilities, $1,087,000.

"Aircraft Control and Warning System

"Various locations: Operational facilities, maintenance facilities, troop housing and community facilities, and utilities, $1,731,000.

*"Outside the United States*

"Air Defense Command

"Various locations: Operational facilities, troop housing and community facilities, and utilities, $1,132,000.

"Caribbean Air Command

"Albrook Air Force Base, Canal Zone: Medical facilities, and troop housing, $291,000.

"Howard Air Force Base, Canal Zone: Operational facilities, and supply facilities, $347,000.

"Military Air Transport Service

"Wake Island: Supply facilities, $34,000.

"Various locations: Operational facilities, and utilities, $1,198,000.

"Pacific Air Force

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, medical facilities, troop housing and community facilities, and utilities, $24,557,000.

"Strategic Air Command

"Ramey Air Force Base, Puerto Rico: Supply facilities, $93,000.

"Various locations: Operational facilities, maintenance facilities, community facilities, and utilities, $1,407,000.

"United States Air Forces in Europe

"Various locations: Operational and training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housing and community facilities, and utilities, $23,884,000.

"United States Air Force Security Service

"Various locations: Operational facilities, medical facilities, troop housing and community facilities, and utilities, $11,610,000.

"SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $252,629,000.

"SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (a) unforeseen security considerations, (b) new weapons developments, (c) new and unforeseen research and development requirements, or (d) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization Act would be inconsistent with the interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $12,500,000: *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1964, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

"SEC. 304. (a) Public Law 83–534, as amended, is amended in section 301 under the heading 'CONTINENTAL UNITED STATES' and subheading 'AIR DEFENSE COMMANDS', with respect to Stewart Air Force Base, Newburgh, New York, by striking out '$2,659,000' and inserting in place thereof '$2,797,000'.

"(b) Public Law 83–534, as amended, is amended by striking out in clause (3) of section 502 the amounts of '$409,937,000' and '$419,766,000' and inserting in place thereof '$410,075,000' and '$419,904,000', respectively.

"SEC. 305. (a) Public Law 87–554, is amended in section 301 under the heading 'INSIDE THE UNITED STATES' and subheading 'STRATEGIC AIR COMMAND', with respect to McCoy Air Force Base, Orlando, Florida, by striking out '$380,000' and inserting in place thereof '$408,000'.

"(b) Public Law 87–554 is amended by striking out in clause (3) of section 602 the amounts of '$131,651,000' and '$743,379,000' and inserting in place thereof '$131,679,000' and '$743,407,000', respectively.

"TITLE IV

"SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for defense agencies for the following projects:

"Defense Atomic Support Agency

"Armed Forces Radiobiology Research Institute, National Naval Medical Center, Bethesda, Maryland: Research, development and test facilities, $1,200,000.

"Sandia Base, Albuquerque, New Mexico: Community facilities, and utilities, $389,000.

"Various locations: Utilities, $272,000.

"Defense Communications Agency

"Navy Service Center, Arlington County, Virginia: Administrative facilities, $342,000.

"Scott Air Force Base, Belleville, Illinois: Administrative facilities, $718,000.

"Various locations: Operational facilities, $200,000.

"Defense Intelligence Agency

"Arlington Hall, Arlington County, Virginia: Administrative facilities, $61,000.

"Naval Station, Anacostia Annex, District of Columbia: Training facilities, $164,000.

"Defense Supply Agency

"Defense Electronics Supply Center, Dayton, Ohio: Administrative facilities, and utilities, $623,000.

"Defense Clothing and Textile Supply Center, Philadelphia, Pennsylvania: Maintenance facilities, and utilities, $125,000.

"Defense General Supply Center, Richmond, Virginia: Administrative facilities, and utilities, $309,000.

"SEC. 402. The Secretary of Defense may establish or develop classified installations and facilities by acquiring, constructing, converting, rehabilitating, or installing, permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $20,000,000.

"TITLE V

*"Military family housing*

"SEC. 501. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and trailer court facilities, in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Administrator, Housing and Home Finance Agency, as to the availability of adequate private housing at such locations. If the Secretary and the Administrator are unable to reach agreement with respect to the availability of adequate private housing at any location, the Secretary shall immediately notify the Committees on Armed Services of the House of Representatives and the Senate, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

"(a) Family housing units for—

"(1) the Department of the Army, 1,847 units, $36,052,000.

"Fort Greely, Alaska, 62 units.

"Petroleum Distribution Pipeline, Alaska, 19 units.

"Fort Richardson, Alaska, 100 units.

"Pine Bluff Arsenal, Arkansas, 33 units.

"Fort Irwin, California, 65 units.

"Fort Ord, California, 200 units.

"Fort Carson, Colorado, 280 units.

"Fort Stewart, Georgia, 132 units.

"Savanna Army Depot, Illinois, 32 units.

"Aberdeen Proving Ground, Maryland, 100 units.

"Fort Detrick, Maryland, 40 units.

"Vint Hill Farms Station, Virginia, 30 units.

"Fort Myer, Virginia, 120 units.

"Army Security Agency, location 04, 60 units.

"Army Security Agency, location 23, 84 units.

"Fort Buckner, Okinawa, 490 units.

"(2) the Department of the Navy 4,248 units, $75,242,000.

"Naval Station, Kodiak, Alaska, 250 units.

"Marine Corps Air Station, Yuma, Arizona, 100 units.

"Naval Air Station, Alameda, California, 300 units.

"Marine Corps Cold Weather Training Center, Bridgeport, California, 40 units.

"Naval Air Facility, El Centro, California, 100 units.

"Naval Station, Long Beach, California, 400 units.

"Naval Shipyard, Mare Island, California, 300 units.

"Marine Corps Base, Camp Pendleton, California, 100 units.

"Naval Shipyard, San Francisco, California, 124 units.

"Marine Corps Air Station, Kaneohe Bay, Hawaii, 100 units.

"Naval Station, Pearl Harbor, Hawaii, 400 units.

"Naval Radio Station, Cutler, Maine, 12 units.

"Naval Air Station, New York, New York, 8 units.

"Naval Supply Depot, Mechanicsburg, Pennsylvania, 75 units.

"Naval Air Station, Quonset Point, Rhode Island, 200 units.

"Naval Station, Charleston, South Carolina, 592 units.

"Naval Hospital, Beaufort, South Carolina, 1 unit.

"Naval Station, Norfolk, Virginia, 280 units.

"Naval Shipyard, Bremerton, Washington, 300 units.

"Naval Radio Station, Sugar Grove, West Virginia, 20 units.

"Naval Radio Station, Sabana Seca, Puerto Rico, 100 units.

"Naval Radio Station, Londonderry, Northern Ireland, 30 units.

"Naval Security Group Activity, Edzell, Scotland, 90 units.

"Naval Radio Station, Thurso, Scotland, 26 units.

"Classified location, 300 units.

(3) the Department of the Air Force, 4,045 units, $72,675,000.

"Elmendorf Air Force Base, Alaska, 290 units.

"George Air Force Base, California, 150 units.

"Vandenberg Air Force Base, California, 150 units.

"Ent Air Force Base, Colorado, 200 units.

"Lowry Air Force Base, Colorado, 100 units.

"Robins Air Force Base, Georgia, 100 units.

"Bellows Air Force Station, Hawaii, 20 units.

"Hickam-Wheeler Air Force Bases, Hawaii, 150 units.

"Andrews Air Force Base, Maryland, 150 units.

"L. G. Hanscom Air Force Base, Massachusetts, 200 units.

"K. I. Sawyer Air Force Base, Michigan, 100 units.

"Malmstrom Air Force Base, Montana, 200 units.

"Grand Forks Air Force Base, North Dakota, 300 units.

"Minot Air Force Base, North Dakota, 300 units.

"Altus Air Force Base, Oklahoma, 100 units.

"Arnold Engineering Development Center, Tennessee, 40 units.

"Langley Air Force Base, Virginia, 100 units.

"F. E. Warren Air Force Base, Wyoming, 200 units.

"Various locations, 245 relocatable units.

"Goose Air Base, Canada, 200 units.

"Kadena Air Base, Okinawa, 200 units.

"Naha Air Base, Okinawa, 200 units.

"Clark Air Base, Philippine Islands, 250 units.

"Site QC, 200 units.

(b) Trailer Court Facilities for:

"(1) The Department of the Army, 383 spaces, $657,000.

"(2) The Department of the Navy, 172 spaces, $279,000.

"(3) The Department of the Air Force, 984 spaces, $1,607,000.

"Sec. 502. Authorizations for the construction of family housing provided in this Act shall be subject to the following limitations on cost, which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures:

"(a) The cost per unit of family housing constructed in the United States (other than Alaska) the Canal Zone, and Puerto Rico shall not exceed—

"$22,000 for generals or equivalent;

"$19,800 for colonels or equivalent;

"$17,600 for majors and/or lieutenant colonels or equivalent;

$15,400 for all other commissioned or warrant officer personnel or equivalent;

"$13,200 for enlisted personnel;

"(b) When family housing units are constructed in areas other than those listed in subsection (a), the average cost of all such units, in any project of 50 units or more, shall not exceed $32,000, and in no event shall the cost of any unit exceed $40,000.

"(c) The cost limitations provided in subsections (a) and (b) shall be applied to the five-foot line.

"(d) No project in excess of 50 units in the areas listed in subsection (a) shall be constructed at an average unit cost exceeding $17,500, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

"(e) No family housing unit in the areas listed in subsection (a) shall be constructed at a total cost exceeding $26,000, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

"Sec. 503. Sections 4774(b), 7574(b), and 9774(b) of Title 10, United States Code, are each amended to read as follows: '(b) the maximum limitations prescribed by subsection (a) are increased 10 percent for quarters of the commanding officer of any station, air base, or other installation, based on the grade authorized for that position.'

"Sec. 504. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions, or extensions not otherwise authorized by law, to existing public quarters at a cost not to exceed—

"(a) For the Department of the Army, $2,231,000;

"(b) For the Department of the Navy, $1,177,000;

"(c) For the Department of the Air Force, $2,363,000.

"Sec. 505. Section 515 of Public Law 84–161 (69 Stat. 324, 352), as amended, is amended to read as follows:

" 'Sec. 515. During fiscal years 1964 through and including 1965, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military installations in the United States and Puerto Rico for assignment as public quarters to military personnel and their dependents, if any, without rental charge, upon a determination by the Secretary of Defense, or his designee, that there is a lack of adequate housing facilities at or near such military installations. Such housing facilities shall be leased on a family or individual unit basis and not more than five thousand of such units may be so leased at any one time. Expenditures for the rental of such housing facilities may not exceed an average of $160 a month for any such unit, including the cost of utilities and maintenance and operation.'

"Sec. 506. Section 407(g) of Public Law 85–241 (71 Stat. 531, 556), as amended (42 U.S.C. 1594j(g)), is amended by changing the period to a semicolon and adding the following: *And provided further*, That the Secretary of Defense, or his designee, may exempt from this requirement any housing at any particular installation as to which he determines that (1) the housing is safe, decent, and sanitary, so as to be suitable for occupancy; (2) the housing cannot be made adequate as public quarters with a reasonable expenditure of funds; (3) the rentals charged to, or the allowances forfeited by the occupants are not less than the costs of maintaining and operating the housing; and (4) there is a continuing need which cannot appropriately be met by privately owned housing in the area.'

"Sec. 507. For the purpose of providing military family housing in foreign countries, the Secretary of Defense is authorized to enter into agreements guaranteeing the builders of such housing a rental return equivalent to a specified portion of the annual rental income which the builders would receive from the tenants if the housing were fully occupied: *Provided*, That the aggregate amount guaranteed under such agreements entered into during the fiscal years 1964 and 1965 shall not exceed such amount as may be applicable to five thousand units: *Provided further*, That no such agreement shall guarantee the payment of more than 97 per centum of the anticipated rentals, nor shall any guarantee extend for a period of more than ten years, nor shall the average guaranteed rental on any project exceed $150 per unit per month including the cost of maintenance and operation.

"Sec. 508. Section 2681(b) of title 10, United States Code, is amended to read as follows:

" '(b) The Department of Defense shall pay the Commodity Credit Corporation an amount not to exceed $6,000,000 a year until the amount due for foreign currencies used for housing constructed or acquired under this section has been liquidated.'

"Sec. 509. There is authorized to be appropriated for use by the Secretary of Defense or his designee for military family housing as authorized by law for the following purposes:

"(a) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, rental guarantee payments, construction and acquisition of trailer court facilities, and planning, an amount not to exceed $211,912,000 of which not to exceed $9,400,000 is authorized to be appropriated for initial acquisition during fiscal year 1964 of 2,023 housing units, pursuant to title IV of the Housing Amendments of 1955, as amended (42 U.S.C. 1594 et seq.) and improvements to such units; and

"(b) for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payments to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $473,400,000.

"Sec. 510. Section 406(a) of Public Law 85–241, as amended, is amended by inserting a comma after the word 'activities' and adding the following: 'and no certificates with respect to any family housing units shall be issued by the Secretary of Defense or his designee or by any of the military departments in connection with section 810 of the National Housing Act, as amended,'.

### "TITLE VI

### "General Provisions

"Sec. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529) and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

"Sec. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed—

"(1) for title I: Inside the United States, $154,976,000; outside the United States, $23,257,000; section 102, $8,900,000; section 103, $12,500,000; or a total of $199,633,000.

"(2) for title II: Inside the United States, $115,563,000; outside the United States, $11,304,000; section 202, $63,095,000; section 203, $12,500,000; or a total of $202,462,000.

"(3) for title III: Inside the United States, $158,685,000; outside the United States, $64,553,000; section 302, $252,629,000; section 303, $12,500,000; or a total of $488,367,000.

"(4) for title IV: A total of $24,403,000.

"(5) for title V: Military family housing, a total of $685,312,000.

"Sec. 603. Any of the amounts named in titles I, II, III, and IV of this Act may, in the discretion of the Secretary concerned, be increased by 5 per centum for projects inside the United States (other than Alaska) and by 10 per centum for projects outside the United States or in Alaska, if he determines in the case of any particular project that such increase (1) is required for the sole purpose of meeting unusual variations in cost arising in connection with that project, and (2) could not have been reasonably anticipated at the time such project was submitted to the Congress. However, the total costs of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

"Sec. 604. Whenever—

"(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

"(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

"Sec. 605. Contracts for construction made by the United States for performance within the United States and its possessions, under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Bureau of Yards and Docks, Department of the Navy, unless the Secretary of Defense determines that because such jurisdiction and supervision is wholly impracticable such contracts should be executed under the jurisdiction and supervision of another department or Government agency, and shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. The Secretaries of the military departments shall report semiannually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

"Sec. 606. (a) As of October 1, 1964, all authorizations for military public works (other than family housing) to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in Acts approved before July 28, 1962, and not superseded or otherwise modified by a later authorization are repealed except—

"(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

"(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before October 1, 1964, and authorizations for appropriations therefor;

"(3) notwithstanding the provisions of section 606 of the Act of July 27, 1962 (76 Stat. 223, 241), the authorization for utilities and ground improvements in the amount of $125,000 for Naval Training Center, Great Lakes, Illinois, that is contained in title II, section 201, under the heading 'INSIDE THE UNITED STATES' and subheading 'SERVICE SCHOOL FACILITIES' of the Act of June 8, 1960 (74 Stat. 172).

"(b) Effective fifteen months from the date of enactment of this Act, all authorizations for construction of family housing which are contained in this Act or any Act approved prior to July 28, 1962, are repealed except the authorization for family housing projects as to which appropriated funds have been obligated for construction contracts or land acquisitions in whole or in part before such date.

Sec. 607. None of the authority contained in titles I, II, and III of this Act shall be deemed to authorize any building construction project inside the United States (other than Alaska) at a unit cost in excess of—

"(1) $32 per square foot for cold-storage warehousing;

"(2) $8 per square foot for regular warehousing;

"(3) $1,850 per man for permanent barracks;

"(4) $8,500 per man for bachelor officers quarters; unless the Secretary of Defense determines that, because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable.

"Sec. 608. The last sentence of section 2674(a) of title 10, United States Code, is amended by changing the figure '$5,000' to '$10,000'.

"Sec. 609. (a) Chapter 159 of title 10, United States Code, is amended—

"(1) by adding the following new section at the end thereof:

" '§ 2682. Facilities for defense agencies

" 'The construction, maintenance, rehabilitation, repair, alteration, addition, expansion, or extension of a real property facility for an activity or agency of the Department of Defense (other than a military department) financed from appropriations for military functions of the Department of Defense will be accomplished by or through a military department designated by the Secretary of Defense. A real property facility under the jurisdiction of the Department of Defense which is used by an activity or agency of the Department of Defense (other than a military department) shall be under the jurisdiction of a military department designated by the Secretary of Defense.'; and

"(2) by adding the following new item at the end of the analysis:

" '2682. Facilities for defense agencies.'

"(b) Section 610 of the Act of July 27, 1962 (76 Stat. 223, 242), is repealed.

"Sec. 610. Section 412(b) of Public Law 86-149, as amended, is amended to read as follows:

" '(b) No funds may be appropriated after December 31, 1960, to or for the use of any armed force of the United States for the procurement of aircraft, missiles, or naval vessels, or after December 31, 1962, to or for the use of any armed force of the United States for the research, development, test, or evaluation of aircraft, missiles, or naval vessels, or after December 31, 1963, to or for the use of any armed force of the United States for any research, development, test, or evaluation, unless the appropriation of such funds has been authorized by legislation enacted after such dates.'

"Sec. 611. Titles I, II, III, IV, V, and VI of this Act may be cited as the 'Military Construction Authorization Act, 1964.'

### "TITLE VII

### *"Reserve Forces facilities*

"Sec. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

"(1) for Department of the Army:

"(a) Army National Guard of the United States, $7,500,000.

"(b) Army Reserve, $4,700,000.

"(2) for Department of the Navy: Naval and Marine Corps Reserves, $5,700,000.

"(3) for Department of the Air Force:

"(a) Air National Guard of the United States, $15,970,380.

"(b) Air Force Reserve, $4,600,000.

"Sec. 702. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended, and sections 4774(d) and 9774(d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended, and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

"Sec. 703. As of July 1, 1964, all authorizations for specific facilities for Reserve Forces to be accomplished by the Secretary of Defense, and all authorizations for appropriations therefor, that are contained in the Reserve Forces Facilities Act of 1961, and not superseded or otherwise modified by a later authorization, are repealed, except the authorizations for facilities for the Reserve Forces as to which appropriated funds have been obligated in whole or in part before July 1, 1964, and authorizations for appropriations therefor.

"Sec. 704. (a) Public Law 87-57, as amended, is amended under the heading 'Army National Guard of the United States (non-Armory)' in clause (1) of section 701 with respect to Point Pleasant, West Virginia, by striking out '$340,000' and inserting in place thereof '$424,000'.

"(b) Public Law 87-57, as amended, is amended by striking out in clause 1(a) of section 704 '$22,778,750', and inserting in place thereof '$22,862,750'.

"Sec. 705. (a) Public Law 86-149, as amended, is amended under the heading 'ARMY RESERVE' in clause (1) of section 501 with respect to Morristown, New Jersey, by striking out '$317,000' and inserting in place thereof '$377,000'.

"(b) Public Law 86-149, as amended, is amended by striking out in clause (1)(a) of section 504 '$21,530,000' and inserting in place thereof '$21,590,000'.

"Sec. 706. The Secretary of Defense, or his designee, may construct, expand, rehabilitate, convert, or equip existing facilities of the New York Naval Militia at Rochester, New York, and Troy, New York, without regard to the provisions of section 2233(b) of title 10, United States Code.

"SEC. 707. This title may be cited as the 'Reserve Forces Facilities Authorization Act, 1964'."

And the Senate agree to the same.

CARL VINSON,
MENDEL RIVERS,
PHILIP J. PHILBIN,
EDWARD HÉBERT,
LESLIE C. ARENDS,
WALTER NORBLAD,
WILLIAM H. BATES,
*Managers on the Part of the House.*
RICHARD B. RUSSELL,
JOHN STENNIS,
STUART SYMINGTON,
LEVERETT SALTONSTALL,
MARGARET CHASE SMITH,
*Managers on the Part of the Senate.*

### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6500) to authorize certain construction at military installations, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

### LEGISLATION IN CONFERENCE

On June 5, 1963, the House of Representatives passed H.R. 6500, which was the fiscal year 1964 military construction authorization for the Department of Defense, and the Reserve components. On October 22, 1963, the Senate considered the legislation and amended it by striking all language after the enacting clause, and wrote a new bill.

### MAJOR ITEMS IN CONTROVERSY

H.R. 6500 as passed by the House provided authorization to the military departments and the Department of Defense for construction of facilities for fiscal year 1964 in the amount of $1,636,828,000. The bill as passed by the Senate provided new authorizations in the amount of $1,685,861,380. The Senate bill, therefore, provided an increase of $49,033,380 over the House-approved figure.

The bulk of the differences in the House and Senate bills occurred as a consequence of the Senate action which authorized the construction of 12,220 units of family housing as opposed to the 10,000 units approved by the House. The increased housing proposed by the Senate amounted to $37,581,000.

### *Military family housing*

The Department of Defense had requested congressional approval of fiscal year 1964 military family housing program amounting to 12,100 unts. The department pointed out that there presently exists a shortage of approximately 62,000 units of military family housing and, therefore, it was proposed that this shortage should be eliminated by the initiation of a construction program over a 5-year period with annual increments of approximately 12,000 new units of military family housing each year.

The House concurred in the requirement for 62,000 new units of military family housing but proposed that this be accomplished over a 6-year program rather than a 5-year program recommended by the departments. However, the Senate was of the opinion that the departments should be provided with sufficient construction authority to accomplish this program in 5 years and, therefore, authorized the construction of 12,220 units of military family housing for fiscal year 1964.

House conferees pointed out that the Department of Defense and the military departments have demonstrated an inability to expeditiously execute previously granted housing authorizations. Therefore, it was the opinion of the conferees, the Senate conferees concurring, that the authorization for military family housing for fiscal year 1964 should be kept at the level previously established by the House.

The conferees, therefore, agreed to authorize a total of 10,140 new units of military family housing for inclusion in the fiscal year 1964 military construction authorization program. This figure is identical with the authorization provided by the House with the addition of 120 units of housing required by military personnel assigned to the base at Fort Myers, Va., and 20 units of family housing required by the restoration of a Navy project at Sugar Grove, W. Va.

The conferees recognized the urgent requirement for additional family housing at many other military installations including Fort Leonard Wood, Mo., and Griffiss Air Force Base, N.Y. However, it was agreed to defer these projects until the fiscal year 1965 program in accordance with priorities previously established by the Department of Defense.

In connection with the desire of the Congress that the military departments make every effort to expeditiously execute the housing authorizations provided them, there was included in both the House and Senate bills a provision which would repeal all housing authorizations which remain unused after a period of fifteen months.

As a consequence of the foregoing action, the housing authorization provided the military departments was reduced by $35,131,000 which accounts for the major dollar difference in the House and Senate bills.

### *Leasing of family housing*

The military departments have been provided authority to lease family housing within the United States upon a determination by the Secretary of Defense or his designee that there is a lack of adequate housing facilities at or near a particular military installation. This leasing authority was initially provided by Section 515 of Public Law 161 of the 84th Congress. The authority contained in this act was limited to the leasing of individual family housing units near "tactical installations." Subsequently, by an amendment contained in Public Law 87–554, the word "tactical" was deleted from the original act and therefore, permitted the departments to lease family housing at or near military installations without the qualification that they be "tactical military installations."

In approving the amendment to the original leasing authority, both the House and Senate were under the impression that the leasing authority was to be used only where it was to the benefit of the Government to lease rather than build, having in mind those areas where tenure was not certain or where military strength at the installation was subject to temporary change. However, the military departments have apparently ignored this criteria and have proposed the initiation of leasing of hundreds of family housing units located in major metropolitan areas.

Both the House and Senate were also concerned with the fact that although the basic authorization for the leasing of family housing units established a maximum cost of $150 per month, the departments interpreted this language as applying only to the basic rental for the unit involved and, therefore, entered into separate contracts covering the cost of maintenance and operation of these units. As a consequence, the departments have advised the Congress that the rentals of these units have averaged approximately $168 per month.

It has, therefore, become apparent that the leasing program has gone well beyond the original intent of the Congress, and should be curtailed. The conferees, therefore, provided new language in section 505 of the bill which limited this leasing authority to:

(a) The leasing of individual units of family housing as opposed to block leasing;

(b) A maximum expenditure of an average of $160 per month for any such unit including the cost of utilities and maintenance and operation;

(c) A maximum of 5,000 units which can be leased by the departments at any one time, as opposed to the 7,500 presently in the law; and

(d) The extension of this authority only until the end of fiscal year 1965.

### *Section 810—Housing*

Section 810 of the National Housing Act of 1961 authorized special financing under FHA-insured mortgages of off-post private rental housing for military and essential civilian personnel. Under existing law, no Department of Defense certification as to need is required. However, the department nonetheless issues certificates of eligibility which identifies individuals qualified for such housing and also provides the Administrator of the Federal Housing Administration data and supporting requirements for additional off-post housing for military and civilian personnel.

Unlike other FHA-insured mortgages, the Administrator in insuring mortgages under section 810 of the Housing Act, is not required to make a determination of economic soundness. It is understood that as of October 30 of this year there were under construction or in the application stage, approximately 2,800 units of housing proposed for financing under section 810. In addition, there were approximately 1,600 units which were in the so-called preapplication stage.

While no certification is required on the part of the Defense Department as to the need for 810 housing, the activities of the department are tantamount, in the opinion of both the House and Senate conferees, to certification.

The Senate, therefore, included in its bill a provision which would require the Department of Defense to obtain line item authorization in the annual Military Construction Authorization Act before endorsing any future requirements for this type of housing. The House conferees concurred in this Senate action and, therefore, accepted section 510 of the Senate bill without change.

Thus, with the exception of those projects which were in the preapplication stage prior to enactment of this act, the Department of Defense shall not participate in the planning and development of any project sponsored under the provisions of section 810 of the National Housing Act without obtaining specific line item authorization in the annual Military Construction Authorization Act.

### *Pulse nuclear reactor facility, Aberdeen, Md.*

The Department of the Army had requested authorization to construct a pulse nuclear reactor facility at the Aberdeen Proving Ground in the amount of $2,174,000. A similar private facility was proposed for construction by New York State authorities who are of the opinion that their proposed facility could satisfactorily handle the requirements of the Defense Establishment, thus eliminating the necessity for the construction of the Government facility.

The House in acting on this portion of the bill, agreed to defer action to afford representatives of the Department of the Army and representatives of the New York State authorities an opportunity to make a study to determine whether the private facility would, in fact, provide for the needs of the

Army. The House, therefore, deferred action to the Senate in this matter. The Senate received detailed testimony from representatives of both the Department of Defense and the New York State authorities on this project.

Testimony from Army witnesses indicated that they have an estimated requirement for 5,500 hours operating time per year, and it is estimated that private industry has a requirement for an additional 1,500 to 4,500 hours, and yet a reactor can operate safely only 2,600 hours per year without creating a condition of dangerous radioactivity.

In view of this testimony, the Senate was of the opinion that the requirements for a facility of this type were so great that there would be no problem of competing capacity in the two proposed facilities. Therefore, the Senate granted the request of the Department of the Army for authorization to construct this facility in the amount of $2,174,000. The House conferees agreed to the Senate action.

### *Fort Myer, Va.*

The Senate restored $4 million of the $9.1 million denied by the House for a dispensary and barracks complex at Fort Myer. The Senate concurred in the House action in not approving the proposed dispensary. However, the Senate was of the opinion that requirements for the housing of bachelor military personnel in the Washington area justified approval of the remainder of the project. The House conferees receded from their position and accepted the Senate amendment.

### *Redstone Arsenal, Ala.*

The Senate restored $3,390,000 denied by the House for the "guidance control and aeroballistics laboratory" at the Redstone Arsenal. Secretary of Defense McNamara made a special appeal to the Senate for restoration of this item, pointing out that continued progress in the field of missiles is dependent upon the upgrading of our research and development facilities. The House conferees, therefore, receded from their position and accepted the Senate amendment.

### *Naval Shipyard, Bremerton, Wash.*

The Senate restored $1,060,000 for a 50-ton crane at the carrier repair site, Bremerton, Wash. The Senate conferees pointed out that an annual savings of $364,000 will result from use of this crane in connection with a new modern drydock constructed at Bremerton. The House conferees, therefore, receded and accepted the Senate amendment.

### *Naval radio station, Sugar Grove, W. Va.*

The Senate restored $3,480,000 requested by the Navy to permit the transfer of Navy radio receiving facilities from Cheltenham, Md., to Sugar Grove, W. Va. The Senate conferees pointed out that due to continually rising high noise levels at the existing installation, the receiving facilities at Cheltenham must be moved to another location. Since the Sugar Grove site is ideally suited for this purpose, advantage can be taken of the existing investment of the Navy at this present location. The House receded from its position and accepted the Senate amendment.

### *Classified naval installations*

The Senate authorized four construction projects for naval installations at Puerto Rico in the amount of $8,437,000. These items had previously been deleted by the House. The House conferees insisted that these projects could be properly deferred until the fiscal year 1965 program. The Senate conferees receded from their position and accepted the House deletion.

The Senate deleted two projects for Rota, Spain, and a communication facility at another location in the total amount of $10,351,000. These items had previously been approved by the House. The Senate conferees pointed out that these projects could safely be deferred until the fiscal year 1965 program. The House conferees receded from their position and accepted the Senate deletions.

As a consequence of the foregoing changes, the authorization to the Secretary of the Navy for the development of classified naval installations was reduced from $71,532,000 to a new figure of $63,095,000.

### *Randolph Air Force Base, San Antonio, Tex.*

The Senate authorized $3,044,000 for construction and related improvements at this location. The House had previously authorized only $1,475,000. The major difference in the House and Senate action was the refusal of the House to provide $2,087,000 required for alterations to the headquarters building at Randolph to house all Air Force personnel management facilities at that location.

The Senate conferees were of the opinion that the increased management efficiency and economies that would result from the centralization of personnel management facilities at Randolph would more than justify the construction cost involved in this relocation. The House conferees, therefore, receded from their position and accepted the Senate amendment.

### *Laredo Air Force Base, Laredo, Tex.*

The House had provided authorization in the amount of $3,134,000 to be accomplished at an air training command facility to be selected by the Department of Defense. The House Committee on Armed Services in testimony provided it by witnesses of the Department of the Air Force was of the opinion that this construction would be effected at Laredo Air Force Base. This opinion was subsequently confirmed by correspondence received from the Department. Subsequently, the Senate in acting on this authorization request, deleted the item in its entirety.

The House conferees pointed out that a serious deficit in the number of pilots in the Air Force will exist throughout the foreseeable future unless the production of new pilots is increased. The House conferees also pointed out that Laredo Air Force Base is ideally suited for this purpose. However, construction is required to insure appropriate training facilities for the pilot training which should occur at this base.

The Senate conferees were of the opinion that this entire project could be deferred another year. After considerable discussion, the conferees agreed to provide the first increment of construction authorization for Laredo Air Force Base amounting to $275,000. This authorization would permit the elimination of a lighting deficiency on the runway approach to the base.

The remaining line items for Laredo Air Force Base which were deferred should be resubmitted by the Department for reconsideration by the House in connection with the Department's fiscal year 1965 construction authorization request. Thus, this item will be given new consideration in the next 90 days.

### *Bolling Air Force Base, Washington, D.C.*

As in the case of Fort Myer, Va., the Senate believed that some provision must be made to provide adequate quarters for bachelor military personnel in the Washington area and, therefore, restored $4 million of the amount requested for troop housing at Bolling Air Force Base. The original request made by the Department and deleted by the House amounted to $6.9 million. The House receded from its position and accepted the Senate amendment.

### SUMMARY OF THE BILL

### *Differences in dollar authorization*

As the bill passed the House, the total authorities granted amounted to $1,636,828,000.

The corresponding authority granted in the Senate version of the bill totaled $1,685,861,380, or $49,033,380 more than the House version.

The total agreed to by the conferees is $5,425,000 more than the House version and $43,608,000 less than the Senate version.

*Total authorization, fiscal year 1964, as approved by House-Senate conferees*

| | |
|---|---|
| New authorization: | |
| Title I (Army) | $199,633,000 |
| Title II (Navy) | 202,462,000 |
| Title III (Air Force) | 488,367,000 |
| Title IV (Defense agencies) | 24,403,000 |
| Title V (housing) | 685,312,000 |
| Subtotal | 1,600,177,000 |
| Deficiency authorization: | |
| Title I (Army) | 3,209,000 |
| Title II (Navy) | 87,000 |
| Title III (Air Force) | 166,000 |
| Total | 3,462,000 |
| Title VII (Reserve components): | |
| Army National Guard | 7,500,000 |
| Army Reserve | 4,700,000 |
| Naval and Marine Corps Reserve | 5,700,000 |
| Air National Guard | 15,970,380 |
| Air Force Reserve | 4,600,000 |
| Total | 38,470,380 |
| Deficiency authorizations: | |
| Army National Guard | 84,000 |
| Army Reserve | 60,000 |
| Total | 144,000 |
| Grand total of all authorizations | 1,642,253,380 |

CARL VINSON,
L. MENDEL RIVERS,
PHILIP J. PHILBIN,
LESLIE C. ARENDS,
F. EDWARD HÉBERT,
WALTER NORBLAD,
WILLIAM H. BATES,
*Managers on the Part of the House.*

**Mr. VINSON.** Mr. Speaker, I will be delighted to yield at any time to answer any questions from any Member of the House.

Mr. Speaker, I am happy to report to the House that the Senate-House conferees on the proposed Military Construction Authorization Act for fiscal year 1964 have met and resolved the differences in the House and Senate versions of H.R. 6500.

### LEGISLATION IN CONFERENCE

On June 5, 1963, the House of Representatives passed H.R. 6500, which was the fiscal year 1964 military construction authorization for the Department of Defense, and the Reserve components. On October 22, 1963, the Senate considered the legislation and amended it by striking all language after the enacting clause, and wrote a new bill.

### DIFFERENCES IN DOLLAR AUTHORIZATION

As the bill passed the House, the total authorities granted amounted to $1,636,828,000.

The corresponding authority granted in the Senate version of the bill totaled $1,685,861,380, or $49,033,380 more than the House version.

The total agreed to by the conferees is $5,425,000 more than the House version, and $43,608,000 less than the Senate version.

The grand total of all authorizations agreed to by the conferees was $1,642,253,380.

The authorization approved by the conferees is substantially less than that requested by the Department of Defense. The departmental request amounted to $1,900,610,000. The action of the conferees, therefore, resulted in a reduction in this departmental request of $258,356,620.

In effecting the reductions included in the $258 million, both the House and Senate were required to review in detail approximately 1,400 individual projects involving more than 400 different military installations.

As a consequence of a very intensive review by the House Committee on Armed Services, hundreds of reductions were made to the departmental request. It is gratifying to note that the Senate bill reflected practically complete concurrence with the House action since there existed only 59 differences in the House and Senate action on H.R. 6500.

### MAJOR ITEMS IN CONTROVERSY

The bulk of the differences in the House and Senate bills occurred as a consequence of the Senate action which authorized the construction of 12,220 units of family housing as opposed to the 10,000 units approved by the House. The increased housing proposed by the Senate amounted to $37,581,000.

### MILITARY FAMILY HOUSING

The Department of Defense had requested congressional approval of fiscal year 1964 military family housing program amounting to 12,100 units. The Department pointed out that there presently exists a shortage of approximately 62,000 units of military family housing and, therefore, it was proposed that this shortage should be eliminated by the initiation of a construction program over a 5-year period with annual increments of approximately 12,000 new units of military family housing each year.

The House concurred in the requirement for 62,000 new units of military family housing but proposed that this be accomplished over a 6-year program rather than a 5-year program recommended by the Departments. However, the Senate was of the opinion that the Departments should be provided with sufficient construction authority to accomplish this program in 5 years and, therefore, authorized the construction of 12,220 units of military family housing for fiscal year 1964.

House conferees pointed out that the Department of Defense and the military departments have demonstrated an inability to expeditiously execute previously granted housing authorizations. Therefore, it was the opinion of the conferees, the Senate conferees concurring, that the authorization for military family housing for fiscal year 1964 should be kept at the level previously established by the House.

The conferees, therefore, agreed to authorize a total of 10,140 new units of military family housing for inclusion in the fiscal year 1964 military construction authorization program. This figure is identical with the authorization provided by the House with the addition of 120 units of housing required by military personnel assigned to the base at Fort Myer, Va., and 20 units of family housing required by the restoration of a Navy project at Sugar Grove, W. Va.

The conferees recognized the urgent requirement for additional family housing at many other military installations including Fort Leonard Wood, Mo., and Griffiss Air Force Base, N.Y. However, it was agreed to defer these projects until the fiscal year 1965 program in accordance with priorities previously established by the Department of Defense.

In connection with the desire of the Congress that the military departments make every effort to expeditiously execute the housing authorizations provided them, there was included in both the House and Senate bills a provision which would repeal all housing authorizations which remain unused after a period of 15 months.

As a consequence of the foregoing action, the housing authorization provided the military departments was reduced by $35,131,000 which accounts for the major dollar difference in the House and Senate bills.

### PULSE NUCLEAR REACTOR FACILITY, ABERDEEN, MD.

The Department of the Army had requested authorization to construct a pulse nuclear reactor facility at the Aberdeen Proving Ground in the amount of $2,174,000. A similar private facility was proposed for construction by New York State authorities who are of the opinion that their proposed facility could satisfactorily handle the requirements of the Defense Establishment, thus eliminating the necessity for the construction of the Government facility.

The House in acting on this portion of the bill, agreed to defer action to afford representatives of the Department of the Army and representatives of the New York State authorities an opportunity to make a study to determine whether the private facility would, in fact, provide for the needs of the Army. The House, therefore, deferred action to the Senate in this matter. The Senate received detailed testimony from representatives of both the Department of Defense and the New York State authorities on this project.

Testimony from Army witnesses indicated that they have an estimated requirement for 5,500 hours operating time per year, and it is estimated that private industry has a requirement for an additional 1,500 to 4,500 hours, and yet a reactor can operate safely only 2,600 hours per year without creating a condition of dangerous radioactivity.

In view of this testimony, the Senate was of the opinion that the requirements for a facility of this type were so great that there would be no problem of competing capacity in the two proposed facilities. Therefore, the Senate granted the request of the Department of the Army for authorization to construct this facility in the amount of $2,174,000. The House conferees agreed to the Senate action.

### NAVAL RADIO STATION, SUGAR GROVE, W. VA.

Another item of possible interest to Members of the House occurred in connection with the proposed establishment of radio receiving facilities at Sugar Grove, W. Va.

As Members of the House will recall, the Navy had requested $3,480,000 for this purpose. This request was denied by the House since it was of the opinion that the project could properly be deferred for another year. The Senate, however, approved this request and authorized $3,480,000 of construction authority for this purpose.

The Senate conferees pointed out that the relocation of the receiving facilities from Cheltenham, Md., would inevitably be required because of the continually rising high-noise levels at that installation. Therefore, the Senate conferees saw no particular advantage in delaying initiation of this relocation particularly in view of the desirability of utilizing the Sugar Grove site.

In deference to the position of the Senate, the House conferees receded from their position and concurred in the authorization.

### SUMMARY OF THE BILL

In summary, the military construction authorization provided each of the services for new projects are as follows:

| *Active forces* | |
|---|---|
| Army | $199,633,000 |
| Navy | 202,462,000 |
| Air Force | 488,367,000 |
| Defense agencies | 24,403,000 |
| Housing | 685,312,000 |
| Total | 1,600,177,000 |

Details concerning the authorization for all the titles in the bill are contained in the conference report which has been printed in the CONGRESSIONAL RECORD.

**Mr. GROSS.** Mr. Speaker, will the gentleman yield?

**Mr. VINSON.** I am delighted to yield to my friend from Iowa.

**Mr. GROSS.** Mr. Speaker, I thank the gentleman for yielding. The House will shortly be confronted with a bill to provide an increase of about 40 percent in expenditure for the Disarmament Agency. If we are going to build up a super-duper Disarmament Agency, I wonder when we will begin to cut back on military spending. If we are going to disarm, when are we going to cut back on military spending?

**Mr. VINSON.** I do not know when any disarmament program is coming in. I am not disturbed about that at this time, because I am hoping that the country will continue to maintain a strong and an adequate national defense. Thereby we will be on a more stable road of peace than if we had some kind of disarmament agreement.

**Mr. GROSS.** Mr. Speaker, I thoroughly agree with the gentleman that the defenses of the country must be kept effective. But I cannot understand this contradiction. I simply cannot understand why we should increase the spending for disarmament by something like 40 percent and continue to spend the same amount of money, or even more, for the Military Establishment.

**Mr. VINSON.** I know of no large expenditure being made for disarmament.

Here in the defense budget we have over $52 billion for preparedness and for the defense of the country. I ask my distinguished friend how much and what committee is bringing in legislation for the disarmament program?

Mr. GROSS. The Foreign Affairs Committee, of course.

Mr. VINSON. Oh, well, the Foreign Affairs Committee may have had some hearings on it but not much progress has been made to my knowledge.

Mr. GROSS. I might add that it is one of the best giveaway committees of the Congress.

Mr. VINSON. I make no comment in respect to that.

Mr. FARBSTEIN. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from New York.

Mr. FARBSTEIN. Will the gentleman tell the Members of the House what this 40-percent increase in disarmament actually amounts to in dollars and cents as compared to the amount of money being spent for defense?

Mr. GROSS. If the gentleman from Georgia will yield further, I do not think that argument is valid at all and I have said so in the committee.

Mr. FARBSTEIN. You may not think it is valid but you are spending only an additional amount of $2 million and are not spending billions of dollars for disarmament. I do not think that is a basis for quarreling. I think the country can afford to spend $2 or $3 million for disarmament despite the cost of defense.

Mr. VINSON. I think the Committee on Armed Services will be in the picture when the subject matter of disarmament comes along. Now, I have seen some disarmament programs which have been brought into existence in the years in which I have served here. I have seen our country, in the interests of disarmament, elect to scrap ships and later on I saw us get into World War II because we had disarmed and had not provided adequately for our defense.

I hope the Committee on Armed Services will be alert, and I know they will, and see that this country remains adequately prepared. So, I am not disturbed in the slightest degree about any major inroads being made by advocates of disarmament that is going to affect the security of this country.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. VINSON. I yield to the gentleman from Iowa.

Mr. GROSS. I think the gentleman will agree with me that it does not make any difference whether we are spending $15 million a year on a disarmament agency and $50 billion a year on the Defense Department. I do not think the relative expenditure is a valid argument. If there is waste in either place it ought to be cut out.

Mr. VINSON. That is right. Why, of course, it should.

Mr. GROSS. This is my argument.

Mr. FARBSTEIN. If the gentleman will yield further, I will go along with the gentleman from Iowa on that. But I do not think we ought to equate a paltry $2 or $3 million for disarmament when we talk about spending $50 billion a year for defense.

Mr. VINSON. Mr. Speaker, if there are no further questions from any Members of the House, I shall ask my distinguished colleague, the gentleman from Illinois [Mr. ARENDS], if he cares to use any time.

Mr. ARENDS. I will say to the gentleman from Georgia [Mr. VINSON] I do not care to use any time. Because of the gentleman's explanation of the bill I trust the House is satisfied with the action taken by the conferees and I heartily endorse the report.

Mr. VINSON. Mr. Speaker, before yielding the floor I want to thank the members of the Committee on Armed Services and the conferees for the outstanding work they have accomplished in connection with providing the military construction authority for fiscal year 1964.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. BOGGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 356, nays 1, not voting 76, as follows:

[Roll No. 188]

YEAS—356

Abbitt
Addabbo
Albert
Alger
Anderson
Andrews, Ala.
Arends
Ashley
Aspinall
Auchincloss
Avery
Baker
Baldwin
Barrett
Barry
Bass
Bates
Battin
Becker
Beckworth
Beermann
Belcher
Bell
Bennett, Fla.
Bennett, Mich.
Berry
Betts
Blatnik
Boggs
Boland
Bolling
Bolton, Frances P.
Bolton, Oliver P.
Bow
Brademas
Bray
Brock
Bromwell
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Burke
Burkhalter
Burleson
Byrne, Pa.
Cahill
Cameron
Carey
Casey
Cederberg
Chamberlain
Chelf
Chenoweth
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Conte
Cooley
Corbett
Corman
Cramer
Cunningham
Curtin
Dague
Davis, Ga.
Davis, Tenn.
Delaney
Dent
Denton
Derounian
Derwinski
Devine
Dingell
Dole
Dorn
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Evins
Farbstein
Fascell
Feighan
Findley
Finnegan
Fino
Fisher
Flood
Flynt
Fogarty
Ford
Foreman
Forrester
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Gary
Gathings
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Goodling
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gurney
Hagen, Calif.
Haley
Hall
Halleck
Halpern
Hanna
Hansen
Hardy
Harris
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Hoeven
Holifield
Holland
Horton
Hosmer
Huddleston
Hull
Hutchinson
Ichord
Jarman
Jennings
Jensen
Joelson
Johansen
Johnson, Calif.
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Kee
Keith
Keogh
Kilgore
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Knox
Kunkel
Kyl
Laird
Landrum
Langen
Lankford
Latta
Leggett
Lennon
Lesinski
Libonati
Lindsay
Lipscomb
Lloyd
Long, Md.
McClory
McCulloch
McDade
McDowell
McFall
McIntire
McLoskey
McMillan
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meader
Michel
Milliken
Mills
Minish
Minshall
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
Norblad
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Passman
Patman
Patten
Perkins
Philbin
Pike
Pillion
Pirnie
Poage
Poff
Pool
Powell
Price
Pucinski
Purcell
Quie
Quillen
Rains
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rich
Rivers, Alaska
Rivers, S.C.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, Pa.
Rooney, N.Y.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Rumsfeld
Ryan, Mich.
Ryan, N.Y.
St. George
St Germain
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Secrest
Selden
Senner
Short
Sickles
Sikes
Siler
Sisk
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Snyder
Springer
Staebler
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taft
Talcott
Teague, Calif.
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Thornberry
Toll
Trimble
Tuck
Tupper
Tuten
Udall
Utt
Van Deerlin
Vanik
Van Pelt
Vinson
Waggonner
Wallhauser
Watson
Weaver
Weltner
Westland
Whalley
Wharton
Whitener
Whitten
Wickersham
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wilson, Ind.
Wright
Wyman
Young
Younger

NAYS—1

Curtis

NOT VOTING—76

Abele
Abernethy
Adair
Andrews, N. Dak.
Ashbrook
Ashmore
Ayres
Baring
Bonner
Broyhill, Va.
Bruce
Buckley
Burton
Byrnes, Wis.
Cannon
Celler
Colmer
Daddario
Daniels
Dawson
Diggs
Donohue
Dowdy
Everett
Fallon
Fraser
Frelinghuysen
Fuqua
Garmatz
Grabowski
Grant
Gray
Hagan, Ga.
Harding
Herlong
Hoffman
Horan
Karth
Kelly
Kilburn
Kornegay
Long, La.
Macdonald
MacGregor
Madden
May
Miller, Calif.
Miller, N.Y.
O'Brien, Ill.
Pelly
Pepper
Pilcher
Randall
Reid, Ill.
Riehlman
Roberts, Ala.
Roberts, Tex.
St. Onge
Scott
Shelley
Sheppard
Shipley
Shriver
Sibal
Skubitz
Stafford
Stinson
Taylor
Thompson, La.
Tollefson
Ullman
Watts
White
Winstead
Wydler
Zablocki

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Buckley with Mr. Adair.

Mr. St. Onge with Mrs. Reid of Illinois.

Mrs. Kelly with Mrs. May.

Mr. Randall with Mr. Ayres.

Mr. Grabowski with Mr. Byrnes of Wisconsin.
Mr. Donohue with Mr. Stafford.
Mr. Daniels with Mr. Frelinghuysen.
Mr. Harding with Mr. Kilburn.
Mr. Ashmore with Mr. Ashbrook.
Mr. Abernethy with Mr. Sibal.
Mr. White with Mr. Broyhill of Virginia.
Mr. Scott with Mr. Miller of New York.
Mr. Baring with Mr. Abele.
Mr. Karth with Mr. Hoffman.
Mr. Shelley with Mr. Horan.
Mr. Long of Louisiana with Mr. Burton.
Mr. Sheppard with Mr. Bruce.
Mr. Daddario with Mr. Andrews of North Dakota.
Mr. Garmatz with Mr. MacGregor.
Mr. Gray with Mr. Tollefson.
Mr. Shipley with Mr. Shriver.
Mr. Thompson of Louisiana with Mr. Pelly.
Mr. Kornegay with Mr. Stinson.
Mr. Roberts of Texas with Mr. Riehlman.
Mr. Roberts of Alabama with Mr. Zablocki.
Mr. Celler with Mr. Miller of California.
Mr. O'Brien of Illinois with Mr. Diggs.
Mr. Fallon with Mr. Dawson.
Mr. Madden with Mr. Watts.
Mr. Macdonald with Mr. Ullman.
Mr. Bonner with Mr. Dowdy.
Mr. Fuqua with Mr. Grant.
Mr. Hagan of Georgia with Mr. Herlong.
Mr. Everett with Mr. Pepper.
Mr. Pilcher with Mr. Fraser.
Mr. Winstead with Mr. Taylor.
Mr. Colmer with Mr. Skubitz.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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## ONE-YEAR EXTENSION OF MEXICAN FARM LABOR PROGRAM

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 544 and ask for its immediate consideration.

The Clerk read as follows:

*Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8195) to amend section 510 of title V of the Agricultural Act of 1949, as amended. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 8195, the Committee on Agriculture shall be discharged from the further consideration of the bill S. 1703, and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 8195 as passed.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], and pending that I yield myself 5 minutes.

Mr. Speaker, House Resolution 544 makes in order the consideration of H.R. 8195 to amend section 510 of title V of the Agricultural Act of 1949, as amended. It provides for 2 hours of general debate and an open rule.

Mr. Speaker, this bill is a very simple, 3-line bill which simply says that section 510 of the Agricultural Act of 1949, as amended, is amended by striking "December 31, 1963," and inserting "December 31, 1964."

Mr. Speaker, this is the second time this year that we have gone to the well on this subject. We marched up the hill last May with a 2-year extension or a proposed 2-year extension of the Mexican farm labor program. That bill was defeated.

The Committee on Agriculture, after consideration, has brought back to the floor for consideration today a simple 1-year extension of the act.

Mr. Speaker, during the 12-year history of Public Law 78 it has gone through a somewhat tempestuous career. It has been condemned very vigorously as actually allowing indentured slave labor and it has been lauded on the other hand as being an outstanding act which provides for the orderly harvesting of our crops in this country, plus being of great benefit to our neighbor to the south, the Republic of Mexico.

Mr. Speaker, it is my opinion that it is neither as lily white as it has sometimes been pictured, nor is it as black as some of the opponents would lead you to believe.

This bill was originally enacted into law by the Congress to meet a very grave need at that time, a need for farm labor which simply did not exist and was not available. It, over the years, in my opinion has done a very good job. I think it has met the objectives sought to be obtained by the enactment of the law. The agricultural industry has made great progress in the past 12 years and today we find a great many crops which are being not only grown but are being harvested with machinery and with other equipment, by automation so to speak, in which very little, if any, hand labor is used.

However, Mr. Speaker, there are still certain areas in which all of our mechanical genius and scientific know-how have not been able to meet the need and there are still certain types of crops that must be harvested by hand. Because of this need for stoop labor, labor of the very hardest kind and the most unpleasant type of work, it is still necessary in order to meet the demands of the American housewife.

Mr. Speaker, let me say in defense of this program that any arbitrary stopping or cutting off of this program in my opinion is going to affect not only the quantity of the vegetables, the fruits, and other commodities which the housewife will find on the shelves throughout the United States, it is going to affect the quality and it is certainly, in my opinion—I would like to say to my friends from the metropolitan areas—going to affect the cost to the American consumer.

I think these are fundamental things with which we are all concerned.

In analyzing the ups and downs of this particular program over the years, frankly I think most of us have come to the conclusion that the time has come when it is esssential that the agricultural industry and the Congress must come up with an alternative program. It may be that we have done a poor public relations job. It may be for a number of causes, such as a few abuses here and there, but I think those abuses have been played up out of all proportion to their importance. Because of these things there is no question but what the program is under heavy attack. But, as I said before, it is not nearly so black as has been pictured. But many of us are coming to the conclusion that the time has come to serve notice on the American farmer that he and we combined must come up with an alternative program, a way to meet the needs of producing and harvesting the required food and fiber for the American people. And so I come to the floor today to ask you to support this rule and support the bill, H.R. 8195, for a 1-year extension, which will give us at least 1 year to phase out this program.

I had hoped to be able to support a 3-year program, but the committee found it impossible to come up with a 3-year phaseout. We are faced with a 1-year extension which for all practical purposes will be a phaseout program. So I ask you to support this legislation to give us at least that 1 year. Otherwise an arbitrary cutting off as of the first of the year is going to lead to hardship, not only for the farmer but in many instances for labor, particularly that labor involved in processing, in the canning industry, and so forth. If the vegetables do not flow to these processing plants labor does not have work and the housewife will not have a commodity at a reasonable price to purchase off the shelves of the markets of this country.

So I am here asking for this 1-year extension, and this will be the last time I shall enter the well to ask for an extension of this particular act. We have come to the end of the line. It was indicated during the time of our last debate by both the gentleman from California [Mr. SMITH], and myself, that we would ask you to support that 2-year program for the last time. At that time someone indicated to me that 2 years ago I made the same request, but let me say at that time I qualified those remarks on the basis that certain abuses be stopped and that the Labor Department do a better job of administering the program. Many of us have worked with the Labor Department and we feel there has been improvement. But may I say to my friends and colleagues in this House, this is the end of the program. If we can get this 1-year extension there will be 12 months in which to adjust the problem in order to try to come up with an alternative program that would do the job.

On that basis I ask for support of the rule and on final passage the adoption of the bill H.R. 8195.

Mr. SMITH of California. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, House Resolution 544 will provide for 2 hours general debate on an open rule for the consideration of H.R. 8195, which is a 1-year extension of the Mexican farm labor program. This is more commonly referred to as the bracero program. The rule also provides that upon passage of H.R. 8195 the language may be substituted into S. 1703.

Section 510 of title V of the Agricultural Act of 1949 permits the temporary entry of Mexican nationals into the United States for employment as agricultural workers under the supervision and control of the Secretary of Labor and pursuant to formal agreements between the Government of the United States and the Republic of Mexico. It has been in effect since July 12, 1951, and has been extended on several occasions, usually for periods of 2 years. The law is due to expire on December 31, 1963.

This matter, as all Members know, was previously considered in H.R. 5497 on May 29, 1963. That bill would have extended the program for 2 years. It failed by a vote of 158–174.

The other body subsequently passed S. 1703 which, in addition to extending the program, contains certain additional restrictions. As I understand it, this was not acceptable to a majority of the House Agriculture Committee so they approved this measure, namely, H.R. 8195, which will extend the act for 1 year until December 31, 1964.

Members of your Rules Committee have certain reservations relative to bringing a subject to the House floor for a second time during any one year. However, the majority of the members of the Rules Committee did feel that due to the arguments in favor of continuing this program for 1 more year, it was believed desirable to bring this measure to the floor for your consideration. I feel certain that every Member is well aware of this program, and in all probability is ready to vote forthwith. Possibly no votes will be changed one way or another by the debate, but I would like to mention a few reasons why I feel that we should extend this program for 1 more year.

First let me state that I do not have any agricultural facilities in my district. It is entirely urban. So from that standpoint there is no personal interest in the program. But I can see that stopping this program on December 31, 1963, would very likely cause some serious damage to those engaged in certain agricultural operations in various areas in the United States as well as to the consumer.

In the Los Angeles Times of Friday, October 25, 1963, it is reported that the Imperial Valley lettuce growers in California claim that if the bracero program ends on December 31, 1963, they may well lose most of their $12 million planting costs. This amount in lettuce has already been planted, and it is to be harvested between December 1963 and March 1964. If the bracero labor is not available, the growers report that American fieldworkers cannot be obtained to harvest the lettuce and that their entire investment of $12 million could well be lost. This, in turn, could bring about a shortage in the lettuce crop and a higher price to the consumer for that which is available. This could cause a loss in taxes to the State of California and the U.S. Government, both of which seem to be operating at a deficit each year, which would indicate that this loss in revenue would be detrimental. This is only one example, and I am certain that proponents of the bill will offer further concrete examples during the general debate.

As I mentioned, Mr. Speaker, no braceros are used in my 20th Congressional District. But, in studying the arguments both for and against this measure, I do have a deep sympathy for the growers for this additional 1-year period.

In a somewhat analogous situation, I find that for the first time in 15 years in the legislative field I am in difficulty in my district in connection with a flood control project. For all practical purposes, I am at the mercy of the distinguished gentleman from Tennessee [Mr. DAVIS] and a Member of the other body, and the members of the Public Works Committee to resolve the problem. I mentioned this last week when we considered H.R. 8667, a project as part of the Los Angeles-San Gabriel flood control basin as heretofore authorized up to July 31, 1963, for the purpose of constructing certain drainage down certain residential streets in Glendale and Burbank, Calif. The contract was let early this year, and the authorization has now expired, with the result that the work has practically stopped, and thousands of people will be unable for many more months to get their automobiles into their homes, to receive deliveries, and to live a normal life.

Balboa Elementary School is on this street. It is attended by several hundred children from kindergarten through the sixth grade. Those who live in homes across the street from the school find that they have to line up each morning and walk across a temporary bridge in order to attend school. I mention this to indicate that in emergency situations such as this, a Member can find himself in a position where he needs the assistance of other Members to help him out. I feel that it is possible for any Member to find himself in a difficult position at some time whereby he will need the assistance of others to help him out in an emergency situation. Those Members whose districts use braceros are now in this difficult position.

It can, of course, be stated that this program is due to expire on December 31, 1963; that the growers were aware of it and should have made their plans accordingly. But, it has not worked out this way because it has always been continued in the past, and they did not have any reason to believe that it would not be continued until May 29, 1963, when the previous measure was defeated. Although I am not an expert on farming or agriculture, it is my understanding that agriculture programs are planned well in advance for a year or more. That is why the lettuce growers find themselves in the position they are in so far as harvesting their crops during the early months of 1964 are concerned. If this program is extended for 1 more year, then they will be given a fair advance notice and they can make their future agricultural operations in accordance therewith.

My sympathy in support of the program for this 1-year continuance has further been recently brought to my attention from a personal standpoint. My father passed away in January of this year, and among the family assets are certain farms. One farm in Illinois which, incidentally, does not use any braceros, is under lease until the end of February 1965. This is on a 3-year lease. Two months ago the tenant wrote to me and requested that I extend this lease for another 3 years. I told him that due to probate, it would not be possible for me to extend it for 3 years until the probate was completed. He insisted that he be advised as to whether or not he could have it for 1 additional year after February 28, 1965, stating that he is now planning his 1965 crop year. I did not know that it was necessary for him to make plans that far in advance, but after his explanation, I assured him the lease would be extended for at least 1 more year until February 1966 and that prior to October 1, 1964, I would notify him as to whether or not the lease would be extended past February 1966 so that he could make his plans accordingly. He was very pleased with my decision.

So, Mr. Speaker, I would plead with those Members who are opposed to this program that they give serious consideration to accepting and supporting this 1-year extension. I realize that to do so would cause them to vote differently than they did on May 29, 1963. It seems to me this can be justified from the standpoint that growers must make their plans well in advance and that to abruptly halt this program on December 31, 1963, with such short notice is unfair.

The gentleman from California [Mr. SISK] has made the statement to the effect that this is the last extension he will support. He is well aware of the California situation and is a member of the Rules Committee, and I am satisfied that without his support this program cannot again be continued. So, I believe, Mr. Speaker, that this 1-year extension will undoubtedly bring this program to a close, and I would urge the Members who are opposed to the program to try and see if their fair conscience will permit them to support this one further extension.

I have requests for time, Mr. Speaker, and accordingly reserve the balance of my time.

**Mr. SISK.** Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. COHELAN].

**Mr. COHELAN.** Mr. Speaker and Members of the House, over 5 months ago, after five previous extensions, the House voted to terminate the importation of Mexican farm laborers under Public Law 78, a measure which had originally been enacted, as we all know, in 1951 to meet a temporary wartime emergency. This bill, therefore, should not even be before us today, and on final passage I urge all of you to join in reaffirming the wisdom of our earlier decision.

Proponents of this program, of course, will argue that this is a different bill; that all they are asking for this time is for a 1-year extension. At this point I would like to remind Members in arguing this matter in earlier years that I personally introduced a phasing-out amendment which involved a 1- to 3-year phaseout, and at that time it was very flatly rejected. I suspect there are Members of the House here today who, although they will be very happy to accept a 1-year extension, still in their hearts want a permanent program.

On the five previous extensions, Mr. Speaker, every one of them argued that this was the last time. They document their intentions to continue this temporary program indefinitely. Spokesmen before the House Committee on Rules earlier this month already made the comment that if this bill is passed, they will be back next year requesting still further continuations.

Mr. Speaker, the facts which caused the House to terminate the program 5 months ago still exist. A bill calling for another 1-year rather than a 2-year extension certainly does not alter these facts. They are as valid today as they were at that time. In fact, in many ways the situation is even worse today and even greater justification exists for termination because more farm jobs, nearly 300,000 of them, were lost this year as a result of automation, and more family-type farms were forced to shut down through inability to compete with subsidized agricultural giants.

In brief, Public Law 78 has fed on poverty conditions in Mexico, while it has increased unemployment and destitution among farmworkers. I want to urge Members to read the minority report, because it fully documents most of the things which I am going to say and have already said.

May I also call your attention to the fact that in the RECORD of yesterday, October 30, 1963, on pages 20641 through 20644, I put into the RECORD an article which points out some of the efforts that have been made by some farsighted growers in my own great State of California to meet the problem of farm labor recruitment. In addition to that, I have inserted data which shows what farm labor rates are in the entire United States.

I challenge you to look at that series and tell me that these wage rates by State and by region are an adequate wage offering for an industry as large as agriculture in this country.

In addition to that, we have inserted the gross farm income figures. We have the percent of expense as a portion of gross farm income to show that the labor component in terms of total cost is a very small portion of it indeed and could in fact be raised.

Mr. Speaker, the mass importation of braceros, nearly 250,000 in 1962, is one of the major reasons why American farmworkers are the poorest labor group in the United States today, a group which in 1962 had an unemployment rate of 7.3 percent and an additional underemployment rate of 9.5 percent; a group which in 1962 was able to work on the average only 134 days for the pittance income of $913.

Mr. Speaker and Members of the House, at the appropriate time I am sure the gentleman from New York [Mr. ROSENTHAL] will call this to the attention of the House. In a letter directed to the Department of Labor, he inquired about the position of the administration on this bill. I want here to remind Members that the administration is not supporting this extension in its present form. I shall quote from the letter, and I am sure it will be dealt with later on by our colleague, the gentleman from New York [Mr. ROSENTHAL]. I quote from the letter:

> The administration has continued to maintain the position I indicated before the House Subcommittee on Equipment, Supplies, and Manpower of the Committee on Agriculture on March 27. We support a 1-year extension provided the act is amended to require employers seeking to obtain Mexican workers to demonstrate that they have offered to domestic workers workman's compensation or occupation insurance coverage, housing, and transportation expenses equivalent to that furnished to Mexican workers.

I want to say to the Members of the House, many of whom in good faith have contacted me and asked me to help them on this problem, in every year that I have been in the House and have argued this question, I have made every effort to try to be reasonable on this question and to try to help out. And in every instance I have indicated that if on their side there were these appropriate amendments offered, I certainly would modify my position on this bill in terms of total termination but only if there were some effort made to show to me that we were making some reasonable effort to recognize the condition of domestic labor in the United States. It is quite evident by the record that on every occasion these overtures have been rejected.

Mr. Speaker, I think the most important testimony that has been given on this bill was given recently before the Senate committee by the Under Secretary of Labor. I want to quote what he said:

> The President also directed the Secretary of Labor to use the full scope of his authority under the law to institute policies which would safeguard domestic workers against adverse effect resulting from the use of Mexican workers.
>
> The availability of a large supply of alien workers has created an anomalous situation in our agricultural labor market seriously interfering with the free interplay of supply and demand. The certification which permits the admission of any alien workers into the United States for temporary employment must essentially be conditioned upon a shortage of available domestic labor. It is axiomatic that in such a normal labor shortage situation the bidding for available domestic labor would produce more competitive job offers. In these circumstances we could generally expect better terms and conditions of employment than would prevail in labor surplus areas.
>
> With an inexhaustible supply of alien workers at our very borders we find, conversely, that the terms and conditions of employment offered domestic workers not only remain static but in many cases are less favorable than those offered domestic workers in areas where no alien workers are employed. We find, further, the incredible situation where alien workers are offered better terms and conditions of employment than are afforded our own agricultural workers competing for the same jobs. The simple fact is that under the present system an employer can refuse to offer to domestic workers the same terms and conditions that he is required to offer alien workers. If the domestic worker refuses to accept the job at less favorable terms, the employer is permitted to bring in Mexican workers who are then afforded the very terms and conditions which were denied to our own workers.
>
> This situation exists basically because of the limited authority vested in the Department of Labor under Public Law 78. The legislative history of that law makes it abundantly clear that the Congress did not intend to permit the Secretary of Labor to require, as a condition of obtaining Mexican workers, that all of the same terms and conditions afforded Mexican workers be offered first to domestic workers. It is for this reason that we would oppose any further extension of Public Law 78 without amendments which would bring the required job offers made to Mexicans and to domestic workers more closely together.

Mr. Speaker, the very form of the importation makes a mockery of the adverse effect prohibition of Public Law 78. Growers offer work at a set wage, a wage which in one bracero-using area was as low as 60 cents an hour and until the adverse effect rate was adopted by the House and the Bureau of Employment Security began to enforce these rates, in one State of our Union the rate was as low as 35 cents and in this year the adverse effect forced up the rate to 60 cents an hour. I am very happy to say that as a result of this, this very same State that I am alluding to, a very active proponent of this bill, the rate has now actually gone up to 82 cents an hour which, of course, is still way below the average of any kind of living wage in this country. Such a wage is certainly not adequate to attract a sufficient number of domestic workers. They do not raise wages as would be the case in any other industry. What then, do they do? They merely ask the Federal Government to recruit Mexican farmworkers, and with the poverty existing in northern Mexico this is more than possible and we concede that they fight for the jobs. It is obvious that such a condition makes it impossible for the free enterprise system to operate to allow wages to be set by the law of supply and demand. It is furthermore obvious that no matter what reforms are put into effect—and the committee has rejected even the most modest amendments adopted by the Senate—the very existence of this law with its inexhaustible supply of cheap, docile labor is bound to have an adverse effect on wages and job opportunities for U.S. farmworkers.

We should be very clear as well, Mr. Speaker, that this program does not benefit American farmers as a whole. Rather, it is a subsidy for only 1 percent, and in the great majority of cases they are large, corporation-type farms, already heavily subsidized.

According to the most recent agricultural census, 88.4 percent of this Nation's farms use no or very little hired labor. These are hardly the people benefiting from the importation of 250,000 Mexican nationals.

But others would grieve to see Public Law 78 pass from the scene. The catering firms who provide board for Mexican nationals at $1.75 per person—the maximum allowed by the Government—would be very disappointed if the bracero program should be terminated. Why should they not be? For every $1.75 they receive they spend approximately 80 cents, and that is not a bad profit.

And what about the bracero himself? How is he treated? What about his freedom of association, for example? If braceros attempt to band themselves together, they are shipped back to Mexico. Freedom to move, perhaps? If braceros leave their assigned place, they are immediately sent home. Freedom to petition for redress of grievances? If braceros complain, they are blacklisted as troublemakers and returned. Freedom to have a family? Braceros are denied the right to family life so long as they remain in this country. And, 25 percent never return to their families in Mexico. Is it any wonder that this program has been denounced by a wide range of religious and civic groups?

Braceros, in brief, have no freedoms. They must work for whomever they are told, doing whatever they are told, for as long as they are told, under whatever conditions they are told. This is not a program of which we can be proud. It is a program which should be ended once and for all.

The charge is made, Mr. Speaker, that growers need Public Law 78; that American farmworkers will not do stoop labor. This simply is not true. It is an insult to American initiative and perseverance. Domestics harvest tomatoes in Pennsylvania; they chop cotton in Alabama; they harvest sugarbeets in Minnesota; and they pick lettuce in North Carolina—all work which braceros are hired to do elsewhere. And let me remind our colleagues again that coal mining is stoop labor and no one is suggesting that we import foreign labor for this task.

American farmworkers are available. Former Labor Secretary Arthur Goldberg reported that if rural unemployment and underemployment were calculated together it would total the equivalent of 1,400,000 fully employed persons, but wages must be raised to a minimumly decent level, and recruiting programs, not unlike Public Law 78 itself, must be inaugurated. Legislation to accomplish both of these goals is now before the Congress, and both economically and morally, I submit, this is where we should be placing our emphasis and attention.

As a matter of fact, intelligent planning and recruiting plus the provision of decent wages and working conditions have resulted in an adequate supply of domestic farmworkers. This has been demonstrated by the Tulare County Farmers Association, an organization of citrus growers in California's Fresno, Kern, and Tulare Counties. According to an article in the October 1963 issue of Western Fruit Grower, which appears on pages 20642–20643 of yesterday's Record, 90 percent of these growers now harvest their crops without the use of braceros or "green carders," relying exclusively on domestic workers for their supplementary needs.

And let us not forget that Public Law 78 is an added burden to the American taxpayer. While growers pay $15 per worker into a revolving fund for program operating costs, Labor Under Secretary John Henning stated on July 30 that the cost is now $18 per bracero. In addition, the American taxpayer subsidizes the 1 percent of our growers using Public Law 78 in still another way. Compliance or enforcement activities cost us $1,261,667 in fiscal year 1963 alone. For the last 5 years the figure has totaled nearly $5 million.

Mr. Speaker, this program has grievously injured American farmworkers and the great majority of American farmers. It is poor economics and outrageous social policy. It is an injustice which has been tolerated far too long, and I urge that when the final vote is taken it be given its just demise.

Mr. SMITH of California. Mr. Speaker, I yield 6 minutes to the gentleman from Illinois [Mr. Derwinski].

Mr. DERWINSKI. Mr. Speaker, let me clear up some of the confusion that has been caused by statements delivered against Public Law 78, commonly known as the bracero program.

Having served the last 3 years as a delegate to the United States-Mexican Interparliamentary Conference, I can state that the Mexican legislative and executive branch officials are interested in the effective administration and perpetuation of this program and do not feel that their nationals involved are being exploited, abused, underpaid, or in any fashion victimized. Furthermore, the effectively controlled use of braceros has eliminated the wetback problem and has been the main reason for keeping illegal entrants from Mexico to a bare minimum.

Representing as I do an urban area, I have been faced for many years with the tremendously complex economic and social problems caused by illegal entry into the country of Mexican nationals. When Mexican nationals enter the country illegally, they are subject to exploitation, bribery, and abuse due to their illegal status, and we can statistically trace a direct reduction in illegal entrants to effective administration of the bracero program.

One other point of confusion should be clarified. That is the relationship of the bracero program to domestic farm labor. The social problems inherent in family migration of domestic farm labor are not involved in the bracero program since in it we have only individual males without the resulting personal and social complications of family migration.

I believe this bracero program to be one of the most misunderstood issues facing the Congress. Anyone truly interested in the welfare of farm labor should support H.R. 8195 which provides for proper administration through necessary and effective inspection procedures, and, as I have indicated, serves a very effective role in eliminating the problems caused by illegal entrants from Mexico.

In directing my remarks to the subject matter, it is not my intention to disregard the economic and administrative practicality of the bracero program to small farms in the Far West. Neither is it my intention to disregard the effective role of braceros in gathering the crops at peak harvest when they are vitally needed for the effective harvesting and distribution of certain farm products.

This program under the joint supervision and control of two friendly governments and with firm controls called for in the law, has more advantages than disadvantages and deserves congressional approval.

Mr. Speaker, since this issue has been debated for some years, and this year we have a repeat performance, I do not feel it is necessary to go into the details of the pros and cons of this bracero program. I believe the gentleman from California [Mr. Sisk] pointed out quite fairly that, to use his words, "this program is not lily white nor is it as black as it has been painted by its opponents."

Mr. Speaker, I find in looking at it very carefully that there are certain immediate charges that people can make against the program. They are justifiable but I feel, however, there are very practical aspects to the program. In my opinion the practical, good aspects of the program outweigh the detrimental portions.

Mr. Speaker, my purpose this afternoon is to ask the Members of the House to support the rule and to ask the Members of the House to support a 1-year extension.

Mr. Speaker, speaking as a representative of an urban area, I would like to discuss one complication which could well arise if we have a sudden termination of this program. First of all, we realize that despite all statistics or claims that can be made to the contrary, there just is not enough American domestic labor ready and willing to do the job of harvesting at the time the need is really there. As a result, if we terminate this bracero program on the 31st of December, we will create a tremendously artificial demand for labor. It will be filled, in part, by wetbacks who will pour across the border just as they did years and years ago before the bracero program was developed and implemented. Therefore, if you have a choice between the evils of the bracero program and the various complications caused by wetbacks, I would suggest that for the next year at least we should continue this bracero program.

Mr. Speaker, in one of my communities in the district which I have the honor to represent we have a rather sizable Mexican-American population. When I took office succeeding my predecessor, I found that the present volume of files in his office dealt with matters of the illegal entrants from Mexico who had entered the United States. Some had married American citizens and started to raise families. Others participated in smuggling in their families and friends. All were oppressed by the grave complications of their illegal status.

Mr. Speaker, all of these complications cause social, personal, legal problems for people greater than the objections which Members have to the bracero program.

Mr. Speaker, since we do not have any immigration quota to apply to Mexico, or for that matter any other Latin American country, the moment we terminate this program we will have an influx of Mexican nationals who will enter this country as permanent residents. Unless they are gainfully employed throughout the entire year—assuming when they come in they will be unskilled and will be working in the farm areas—they will, as soon as the harvest season is over, face unemployment. Their families will become problems in social welfare cases and their families will become charity cases.

Mr. Speaker, all of these complications will immediately develop if we have a sudden cutoff of this bracero program. I might point out, in comparison, that as an opponent of the foreign aid program, I well recognize the fact that we cannot cut it off immediately.

Earlier this year, Mr. Speaker, when we had before us the foreign aid bill, and for a moment it looked as if the vote would move against the entire program, I shocked the gentleman from Iowa [Mr. Gross] by pointing out to him if my vote meant the difference between termination of the foreign aid program this year and its extension for a year or two I would have to vote for the foreign aid bill. Obviously, in connection with any program, whether it be foreign aid or this bracero program, the intelligent way to terminate it is to phase it out, not abruptly cut it off. Actually, under this 1-year extension you are giving the people who use the braceros firm notice that this is the end of the program as it now exists. They know they cannot count on the program any further. You do give them a year to phase it out.

This is practical legislation, it is legislation that the House and the other body should follow. But I would like to reemphasize the point I made earlier. Immediate complications involved in the sudden termination of this program will in many areas exceed the abuses to which objection is taken. The Members from California, Arizona, New Mexico, Texas, and other States who are the bracero labor States should consider the social implications, the families that will be brought here as permanent citizens, the Mexicans who will come across as residents rather than as temporary farm laborers. An intelligent, 1-year termination of the program is the answer.

That is why I urge all of you, especially those who have philosophical and political objection to this program, to take into consideration the real issue before you; that is, whether you are going to cut off the program at the end of this year and create chaos, not only in the areas where the labor is used, but also in the resulting social problems I pointed out, or whether you are going to give the operators of this program 1 year to intelligently phase it out. In my opinion the defeat of the bill earlier this year is sufficient warning that the House in particular and the Congress as a whole will not extend this program again. I believe the 1-year extension now before us is logical, practical, and absolutely necessary.

Mr. SISK. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. Roosevelt].

Mr. ROOSEVELT. Mr. Speaker, I rise at this time in order to inform my colleagues I will offer an amendment to this bill which reads as follows:

> Sec. 510. No worker will be made available under this title for employment after December 31, 1963, except that during the calendar year 1964, workers may be made available under this title for employment on farms where such workers were employed during the preceding year, but only if and to the extent that the Secretary determines that every reasonable effort has been made to obtain suitable domestic labor and that such labor is unavailable for such employment.

I will request 5 extra minutes to explain this more fully. I believe we need to end the bracero program but I think it is possible to do so without injuring the people who might be injured unless you leave in some kind of a reasonable escape hatch. But I will go into that more in detail at the proper time.

Mr. SISK. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. Hanna].

Mr. HANNA. Mr. Speaker, I think that what we want to distinguish here is the difference between a decision to terminate the program under Public Law 78 and the way in which we are going to accomplish it. I would remind the gentleman from California [Mr. Cohelan] that this is the first time in the House when we have had the decision of terminating the program before us, so we are not revisiting the bracero program in the sense in which he referred to it.

It is said that the farmers have been warned all these many years that one day this program was going to come to an end. Where did they get that warning? From the representatives who have been in favor of this program? The people who have been planting, cultivating, and harvesting the strawberries and other produce in my district, are farmers such as Bill Asawa and Henry Kenagae, not the representative from the Farm Bureau. The first time they knew the program was in trouble was when the House voted to terminated it. Now they have asked me what we are going to do to phase out our operations. I think this is the sense in which we are going to make this decision on this bill.

It may further be argued by some that the Congressional Record contained sufficient warning. However, how realistic a warning is the Record? How many of you gentlemen read the Congressional Record before you came to Congress? The farmers in my district do not read the Congressional Record as a regular habit.

Gentlemen, what we here ask is for graciousness from the victors. To those who have prevailed in the argument to terminate Public Law 78 we give all honor and glory. We sue only for reasonable treatment for the vanquished. Understanding that this is in full accord with the tradition of America. After all, even after World War II we gave the Germans the benefits of the Marshall plan.

Mr. Speaker, I therefore ask support for the rule and support for the bill.

Mr. SISK. Mr. Speaker, I yield 6 minutes to the gentleman from California [Mr. Leggett].

Mr. LEGGETT. Mr. Speaker, I support the rule. I think it reasonable and fair that the House work its will on a 1-year extension of the Mexican national labor program.

This House has been variously referred to as a fairly conservative body, many times I believe a little too conservative. What is there conservative about cutting off a 70,000-man labor supply to the largest State in the Union on 60 days' notice? Those working hard for the defeat of this law are the best internationalists of the Congress. The Mexican Ambassador by a formal letter sent to the Senate and to the Department of Labor has asked that he have some time to readjust the 150,000 braceros that are taking part in the international work program this year.

I think you gentlemen who purport to be concerned with the Alliance for Progress in connection with our Latin neighbors should scrutinize your own consciences to see whether or not you are providing adequate notice not only to the people in California, Texas, and Arkansas, but also to our neighbors to the south.

I favor a reasonable termination of this program, but before you shut off a man's labor supply it seems to me you have to give him some reasonable assurance as to where he is going to get an alternative source.

Maybe in my home State of California we have kind of painted ourselves into a corner. We now have the most liberal unemployment insurance program in the Nation. There is no waiting period for the average industrially unemployed in qualifying for $55 a week unemployment insurance benefits. In addition, you can make $12 a week outside earnings. In addition, these benefits are tax free, so you have to add 17 percent. Then multiply the weekly wage by 4⅓ to get the monthly wage. In California this brings in $330 a month, for 26 to 39 weeks. Husbands and wives can jointly qualify for these benefits.

I have separated these programs, and I have separated them because I believe job insurance is job insurance. If you are an unemployed bricklayer you do not have to go out and pick tomatoes prior to the time you qualify for unemployment benefits. I support this principle, but also this is the reason why the industrially unemployed in California are not available to get out and pick this fruit.

Measures have received extremely serious support this year to extend benefits to $70 a week, which we have extended in the disability insurance program in the State of California, which program we have extended to the agriculturally disabled, which carries a hospital benefit of from $12 to $20 a day. The provision to extend unemployment insurance in my State would also provide, in addition to the $70 a week, for $5 for each dependent of the unemployed up to four and would extend outside earnings to $20 per week. Under this provision it is readily calculable that a husband and wife can make substantial wages on unemployment insurance in the State of California. Within the next few years they may qualify for these kinds of benefits. Many of us on the Democratic and on the Republican side in California support these liberal unemployment insurance programs.

The liberals are in the position now where they cannot have their cake and eat it too. If we have a concept of job insurance, you cannot get agricultural workers from the industrially unemployed.

At the present time, once a man is substantially industrially unemployed or employed, he never again returns to the farm. I talked to the organized labor in my home in north central valley district all this week and consistently I get the same answer, they have unemployed, "but, Bob, you cannot expect us to send our unemployed out to the farms right in our county where they can commute and where they can live at home to perform this kind of labor prior to the time that they qualify for these kinds of benefits."

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. LEGGETT. I yield for a question.

Mr. COHELAN. I have listened to the gentleman with great interest. It seems to me, the gentleman is making a good argument to raise wages in the agricultural sector, and I heartily endorse that. I just want to know this—I know in the committee which the distinguished gentleman from California is a member, there were amendments introduced to provide transportation and workmen's compensation and some of these benefits that we are now providing in California.

I ask the gentleman—did he vote for this amendment—incidentally, which amendments were recommended by the administration—and maybe we can get together on it and I could support the bill.

Mr. LEGGETT. Now your question is somewhat compounded, but I would like to try to give the gentleman an answer. I did not vote for these amendments but not for the reason you think. I want to give agricultural workers in my State the highest and best wages in the country, and if they can equal industrial wages, we certainly want that. Now I am sure my colleague from urban Alameda County is cognizant of the fact that we do have regulations which are existing law in the United States which have been promulgated pursuant to the Federal Register. These regulations provide with respect to housing——

The SPEAKER. The time of the gentleman has expired.

Mr. SMITH of California. May I inquire of the gentleman whether he needs additional time?

Mr. LEGGETT. Could I have 2 additional minutes?

Mr. SMITH of California. I yield 2 additional minutes to the gentleman.

Mr. LEGGETT. It reads:

> It is the policy of the Department of Labor to require that new housing built by users of foreign workers provide facilities for domestic family groups, or be capable of conversion to such use.

There is a long paragraph there that I do not have the time to read, but it is cited in the RECORD at page 15198 of this year's journal.

If you read the next page, you will read the elaborate provision respecting transportation. We have an elaborate administrative regulation describing exactly the thing that the department is asking for a legislative confirmance. They do not need legislative confirmance.

I would like to call to the attention of the body, if there is anybody left in this House who is uncommitted on this issue. I ask him to refer to the RECORD of the day before yesterday at page 20434 where I included there an analysis of wages which the Department of Labor reported, that they are paying braceros this year and last year under the bracero program.

In California the average wage is $1.26. Forty percent of the wages in my State are paid to tomato pickers at an average wage of $1.35. We are paying for picking watermelons $1.70 an hour on an average to braceros.

For loading tomatoes, it is $2.35.

In other States which have been alluded to on page 20435 we have statistics by commodity and by State and by groupings for every State in the country indicating that in Arkansas where there has been some talk of 40- or 50-cent wages and a 70-cent adverse effect rate, the average wage paid by that fine State of Arkansas is 82 cents an hour during the first half of this year in the bracero program.

The SPEAKER pro tempore. The time of the gentleman has expired.

### CIVIL RIGHTS

Mr. SMITH of California. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, I ask unanimous consent to speak out of the regular order and to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, the basic objective of civil rights legislation should be to exercise all legitimate Federal power to carry out our constitutionally established national policy of nondiscrimination, which Congress has failed to effectuate. It should be enacted in the 88th Congress.

The bill should include voting, interstate travel, Federal assistance programs, Federal employment and contracts and, for enforcement of public policy in these fields, should employ tried and established sanctions.

The bill should not initiate the dissolution of our federal system nor, in proceedings against citizens by the Federal Government, strip them of protections against tyrannical behavior guaranteed them by the Bill of Rights.

These objectives can be attained.

Mr. Speaker, after the House Judiciary Committee had taken final action on civil rights legislation I was interviewed by Mr. Paul A. Miltich, the Washington reporter for the Booth newspapers, as to my position on civil rights legislation. As a result of that interview Mr. Miltich wrote a story which spells out in somewhat greater detail the position I have just announced. I include the text of that article as it appeared in the October 29, 1963, issue of the Ann Arbor (Mich.) News at this point in my remarks:

### MEADER UNVEILS OWN CIVIL RIGHTS PACKAGE

(By Paul A. Miltich)

WASHINGTON.—Representative GEORGE MEADER, Republican, of Ann Arbor, who finds it impossible to support either the administration civil rights bill or a tough subcommittee bill going far beyond it, today unveiled his own civil rights package.

MEADER said he has kept himself flexible to date in the hope the House Judiciary Committee could agree on what he regards as a sensible, meaningful bill, but now feels compelled to draft his own measure.

The Meader bill will contain a limited public accommodations section and a voting rights provision aimed at prompting action at the State level to eliminate loss of the vote through racial discrimination.

It will be minus any section conferring authority on the Attorney General to start suits on behalf of citizens complaining of school segregation or any other form of racial discrimination.

It would write the President's Committee on Equal Employment Opportunity into law instead of having its existence depend on an Executive order by the President. This Committee seeks to eliminate racial discrimination in employment among Government contractors.

The Meader bill would not include a Fair Employment Practices Commission (FEPC), extending the equal employment opportunity idea to business and industry generally.

MEADER's public accommodations proposal would ban racial discrimination by operators of certain establishments who are located on or near interstate or primary highways and who cater to interstate travelers.

Punishment for violations would be a $1,000 fine, or 1 year in jail, or both.

The proposal would specifically include hotels, motels, inns, restaurants, eating establishments, and gasoline stations falling into the interstate category.

MEADER's voting rights provision would establish a bipartisan commission (four Members each from the House and Senate) which would make recommendations to Congress to reduce the congressional representation of those States depriving citizens of the right to vote for racial reasons.

MEADER said he has made his public accommodations section strictly interstate because "in my judgment, that's as far as the Federal Government's authority extends in this area."

"If you go as far as the Kennedy administration and the liberals want to go, it's tantamount to a constitutional amendment vesting all State powers in the Federal Government and would destroy the Federal-State system," MEADER declared.

Of his voting rights proposal, MEADER noted that action to reduce representation in Congress of States practicing discrimination is called for in the 14th amendment to the Constitution but has never been used.

His plan would provide for "implementation" and would be "an incentive to certain States to get busy and wipe out discrimination in voting," MEADER said.

Rejecting the administration's plan to appoint temporary voting referees to go into the States and handle voter registration, MEADER said "this bristles with all kinds of problems and uncertainties."

> MEADER voted against the 1960 civil rights bill because of his objections to the voting referees proposal.
>
> MEADER's opposition to conferring special civil rights powers on the Attorney General should surprise no one.
>
> He has consistently fought what he calls government by injunction.
>
> "You can't give power to anyone, like the Attorney General, without taking it away from somebody else. I'm not willing to take power away from the people and give it to an all-powerful centralized government. It strips the citizen of the protection against his Government which is guaranteed him by the Bill of Rights."
>
> MEADER's bill would make the Civil Rights Commission permanent.
>
> He is debating whether to include a community relations service, set up to try to negotiate solutions to community race problems.

Mr. SMITH of California. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. LATTA].

Mr. LATTA. Mr. Speaker, I ask unanimous consent to proceed out of order and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, when the President announced to the Nation and to the Congress that he was abandoning the declared policy of Congress opposing the sale of subsidized agricultural products to Communist nations—other than Poland and Yugoslavia—we were led to believe that these sales would be made for cash, with payment in gold or dollars, thereby aiding our balance-of-payments problem. Let me read what the President told the Congress in a letter to the Speaker dated October 10, 1963, and I quote:

> The sale of 4 million metric tons of wheat for an estimated $250 million and additional sums from the use of American shipping will benefit our balance of payments and gold reserves by that amount. Assuming they do not pay in gold directly, the Soviets are expected to sell gold for dollars in the London market, thus increasing support of the dollar and decreasing the pressure on our gold supply.

I have in my hand UPI release 73 of this date which reads as follows:

> The U.S. Export-Import Bank will move soon to crack a credit roadblock holding up sales of $6.4 million worth of surplus corn to Communist Hungary, informed sources said today.
>
> The sources predicted that the Bank, a Government agency, would announce its willingness to guarantee commercial banks against loss on all credit to Hungary in the corn deals. An Export-Import Bank spokesman said official comment on the subject might be made soon.
>
> Similar guarantees were expected to be available to smooth financing of other potential sales of farm surpluses to the Soviet Union and other Communist bloc countries.

I think it is well for the Congress and for the Nation to know that we are not going to be selling subsidized agricultural commodities for gold and dollars on the barrelhead as indicated by the President, but we are going to be selling for credit and that the taxpayers of the Nation, through the Export-Import Bank, will be guaranteeing the loans to be made by banks financing the deals for the Communist countries.

Mr. SISK. Mr. Speaker, I yield 7 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, I am pleased to note that apparently there will be no serious difficulty in adopting the rule on this bill. I sincerely hope that the 1-year extension which is provided for in this bill will be approved by the House of Representatives.

Mr. Speaker, it has been pointed out by the gentleman from California [Mr. COHELAN] and others that the annual wage of farmworkers is not very high, and this is true. The annual wage of farmworkers is not very high. If the Congress wished to consider legislation on the subject of fixing wages and hours and living conditions for farmworkers, that could be done. Such action would not be in the public interest and I would oppose it. However, this is not the subject before us in the pending bill.

The only issue before us today is whether or not we will continue to permit the Department of Labor to admit into this country a number of Mexican workers from the Republic of Mexico. They come alone to do seasonal work. They do not bring their families with them. They then return home after this seasonal work has been done. That should be the only question which is before us today.

It is rather remarkable to recount that during the last 10 years there has been a dramatic improvement in living standards of farmworkers, especially migrant farmworkers. And, in my opinion, much of the credit for the dramatic improvement in living standards has been brought about as a result of the bracero legislation.

Braceros are used in the State of Michigan. Compare the farm labor wage in Michigan and in Ohio. The farm labor wage in Michigan, where braceros are used, is higher than it is in Ohio where they are not used. Why has the living standard of workers and the wages of workers been increased as the result of the bracero program? Here is the reason why. Under the regulations, the farmer has had to provide better housing conditions, much better than he had theretofore provided for anybody; but he has been required to do this. He has been required to provide the average wage which is often the maximum wage in the area. So wages have gone up. Living standards and housing conditions have improved. And the farmer has therefore made a big step toward providing better living conditions for the worker. The bracero program is in part responsible for this.

The farmer would not care for this bracero program if he could avoid it, if he could get the labor otherwise. He has to provide better housing than he would have to provide for domestic workers. He has to go through a lot of red tape, and the farmer despises red tape. The farmer is not subsidized by the bracero program. He is penalized because of all of these rules with which he must comply. In order to get one bracero to work for 6 weeks he has to pay a total of about $50. This is in addition to the wages he pays the worker. This would include transportation and other items. The $50 applies in the area I represent. The fee varies in other areas. And if the farmer uses the bracero beyond 6 weeks he has to pay an additional amount.

The bracero program has helped Mexico, and has improved international relations, of course. It has raised the standards of domestic labor. It has raised the wages of labor and has not adversely affected people who work on farms. The program could have brought havoc to domestic workers. It could possibly have meant ruination to domestic workers. But the reason it has not and could not under the circumstances is that the farmer prefers the domestic worker, in the first place, and in the second place this program is being monitored and administered by the Department of Labor.

The program has not gotten out of hand because no bracero can come into any State of the Union and take any job unless the Department of Labor certifies that domestic labor is not available and that imported labor is required in order to meet the emergency.

So, Mr. Speaker, the Department of Labor, being friendly to labor, has monitored this program in such a way that it has been helpful to the domestic laborers of the country. In fact the regulations have been too restrictive on users, and there has been undue hardship on some users in certain instances.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to my friend, the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Does the distinguished gentleman from Texas and my good friend, the gentleman from Texas [Mr. MAHON] feel if we were to provide the same provisions which are required for the bracero worker under Public Law 78; that is to say, transportation, housing and all of the other guarantees as well as workmen's compensation and so forth, that we might very well be able to get—and with the money and effort expended by the growers in this area—if we did that very same thing for domestic workers, does not the gentleman feel we might be able to recruit domestic farm labor?

Mr. MAHON. The domestic farmworker is given the preference, if he is available, because the farmer, among other reasons, in my district, has to pay about a $50 fee to get the bracero.

The issue of Federal control of domestic workers is not the issue in this bill.

This program which has contributed to the welfare of the domestic worker is being phased downward, and it should be phased downward wherever reasonably possible because we are all for the domestic worker. We believe in preference for him.

Mr. Speaker, in my State in 1961 we used 117,000 braceros. Last year we had 30,000. This year, up to October 20, we have used 4,900. So, we are doing our best. The Department of Labor is policing this program in such a way that it is helping the consumer because he gets more and a better-assured supply, and it is helping labor.

Mr. Speaker, the passage of this measure is in the best interest of the country and I earnestly hope that we will provide for this 1-year extension.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8195) to amend section 510 of title V of the Agricultural Act of 1949, as amended.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8195, with Mr. Natcher in the chair.

### IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. COOLEY. Mr. Chairman, the bill which we are about to consider was referred by me, as chairman of the House Committee on Agriculture, to our Equipment, Supplies, and Manpower Subcommittee, headed by the gentleman from Arkansas, Congressman E. C. Gathings. The author of the bill is our distinguished colleague, the gentleman from Texas, Judge Graham Purcell. All persons desiring to be heard were given an opportunity to be heard and the bill was favorably reported by our committee. Certainly all of you know that our colleague, the gentleman from Arkansas, Congressman Gathings, has been intensely interested for many years in the program authorized by the pending bill. This bill provides for an extension of the program for only 1 year. While we have no braceros in the congressional district which I have the honor to represent, and have never had braceros in our district, I have supported legislation authorizing and providing for the program because I believe that it is in the interest and welfare of the people of our Nation.

I congratulate and commend the gentleman from Arkansas, Congressman Gathings, upon his efforts and upon the splendid manner in which he has handled the pending bill. I also congratulate and commend the gentleman from Texas, Judge Graham Purcell, for his interest and for the very fair and forthright manner in which he presented all the pertinent facts and circumstances involved in the problems confronting farmers in many of the States of the Nation. I agree with the author of the bill and with the chairman of the subcommittee that the bill before us is important and vital and must be approved and enacted. During the debate I am certain that proponents and opponents will discuss the programs of the past which have been, from time to time, authorized, and I am certain that you will understand the need for the legislation which I now urge you to approve.

Mr. Chairman, I now yield 5 minutes to the author of the bill, the gentleman from Texas, Judge Purcell.

Mr. PURCELL. Mr. Chairman, references have been made today to the fact that discussions of this bill in past sessions have played more on the emotions than on the good judgment of the Members of this body. This is a bill in which emotions can be brought into play. I believe this is the time that we should accept the responsibility of being businesslike in the approach to the problems that face us, and this provides us an opportunity to be businesslike. I do not imply by that statement that those who oppose the bill are not also businesslike.

Mr. Chairman, as has been stated, the farmers in our country who use Mexican nationals as laborers on their farms have many responsibilities and several penalties that they pay. One of these penalties is a $15 deposit that is required of each farmer for each worker that he is requesting before that worker is recruited to come into the working force on that farm. This $15 provides for the cost of a great part of this program. After the total number of workers has been agreed upon by the American Government and the Government of Mexico, then Mexico recruits these workers from all over that country. An allocation is given to each of the States according to the workers available who are experienced in agriculture and according to the employment level of that particular State. They then are allowed to come to certain centers.

There are three centers in Mexico, as I understand it. The Mexican citizen is on his own to get to these particular centers. These centers are located in the northern part of Mexico. They are at Guaymas on the western side of Mexico, at Chihuahua, more or less in the center, and at Monterrey toward the eastern side of Mexico.

When the workers come to one of these three centers they are then provided certain facilities, and the $15 I referred to earlier goes to pay for them. He is given a physical examination, he is oriented on the work he is going to do. Transportation then is provided for him from the center up to a corresponding center on the southern edge of our country. From that place the farmer in our country who has agreed to take these workers has a further obligation of providing transportation from that point in the United States to his own farm. All of this is policed, as referred to by the gentleman from Texas [Mr. Mahon], by our Labor Department.

These provisions have properly been placed in this law. This provides, in my judgment, a method whereby we can be further assured that not one domestic worker, not one American citizen, is going to be deprived of work because of this labor program. Each area, each individual, must have certified that there is not a domestic worker to do this particular kind of labor and to take the particular job in question before he is allowed to get these workers.

The $15 provides for not only the expense of transporting the Mexicans from down in Mexico up into the southern edge of our country, it provides for the salary of the people whom we have hired to help run this program.

Mr. Chairman, very briefly, I hope I have thrown some light on the expense and the method that is used by our people.

Let us look at this proposal from the American consumer's point of view. What will be the result if the bracero program is now terminated? I am convinced that the result will be higher prices for the consumer for the principal crops in which braceros are involved; namely, fruits and vegetables. Why is this? It is partly because the harvest will, in my opinion, be well below this year's average if this law is not allowed to extend into next year. We have adequate evidence before us of the lack of adequate available domestic labor. If there was plenty of labor, the farmers could not under the law be certified to use bracero labor. To refuse these farmers the right to supplement their labor force would cause many of them to plant less than the normal crop. I am sure some of the smaller fruit and vegetable growers will not plant these crops at all. They would feel that it would be better not to plant a crop than to spend all the money necessary to raise their crop and then let it ruin in the field because there was not sufficient labor to harvest it. I think there is no doubt that this would raise the price substantially and the consumer would be the one to suffer from these price increases, not in one State but all across our country.

I sincerely hope that my colleagues will look at this matter objectively and view the proposal as a business arrangement between two governments and between people of at least one of those governments, because of all those who benefit the consumer is the greatest benefactor. That and that alone is exactly what is before us today. I hope that my colleagues will vote in favor of this bill.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. PURCELL. I yield to the gentleman from Iowa.

Mr. KYL. May I ask the gentleman from Texas if he is in favor of a 1-year extension of this program or the further extension of the program beyond that 1 year?

Mr. PURCELL. I am speaking for this bill, which provides for a 1-year extension. I certainly want to be businesslike and flexible in my thinking. I know we need a 1-year extension. As far as I am concerned, we will look at the matter a year from now. If a determination should be made on the extension of it at that time, I would certainly want to listen to the arguments they make.

Mr. KYL. I thank the gentleman.

Mr. HOEVEN. Mr. Chairman, the bill before the House today came from the Committee on Agriculture with strong bipartisan support. It was reported out of committee by a vote of 28 to 5. It has been very thoroughly and exhaustively considered, and in the opinion of the overwhelming majority of the Committee on Agriculture, it represents the best possible legislation at this time.

I consider this to be a phasing-out piece of legislation. It is a controversial proposal, of course, but the extension is only for 1 year which seems to me to be eminently fair. It would be absolutely unfair to terminate this program within the next 60 days whereas we can reconsider this legislation a year hence and do then what is best under the circumstances. I hope the program can be terminated at that time.

I think I can speak objectively on this legislation because last year, in the year 1962, my State of Iowa used only 174 Mexican farmworkers. I, therefore, am speaking to you today as a representative of a State which, for all practical purposes, has very little need for these seasonal and temporary workers.

So I just view this from the standpoint of the Nation's welfare in being fair to those farmers who have to harvest their crops when they mature and find that they simply cannot get domestic labor to get the job done.

I have been out in California where a lot of this stoop labor is needed. I have seen the braceros pull carrots down on their hands and knees, and I am not as yet convinced that you can get the American laboring men to do this type of work. If I was convinced that domestic labor was available I would not be supporting this bill. I think it is highly important that we view this entire situation in a realistic way.

There are many farmers in a number of States who are absolutely dependent on this seasonal labor to harvest their fruit, vegetables, and other crops.

I, for one, do not want to be held responsible when a crop of vegetables or fruit have reached maturity and must be picked within a limit of only a few days. It is most unfair to have producers suffer a complete loss, which has happened on several occasions.

The abrupt termination of this program 60 days from now would work a very severe hardship on the enterprises of many thousands of families, and would be detrimental to our agricultural economy.

In addition, farmers throughout the entire Nation would undoubtedly face a very serious shortage of domestic labor if the bracero program were to end so abruptly.

The higher wage rates and more favorable climatic conditions of the Far West would undoubtedly attract large numbers of domestic workers from the Midwest and South, thus leaving these areas with a real shortage of labor willing and able to work at difficult and tedious farm chores.

No one that I know who is supporting this legislation wants to harm U.S. farmworkers whatsoever.

The Secretary of Labor is charged with the responsibility under the present statute to take administrative action for the protection of all American citizens who compete with braceros in the labor market.

Please remember that there is not a single bracero who can be brought into this country unless the Secretary of Labor certifies that there is a need to do so. So the American laboring man is amply protected and the responsibility is on the Secretary of Labor.

Under the law, Mexican nationals cannot be employed unless the Secretary of Labor finds that U.S. farmworkers are not available.

The bracero program has since its inception in 1951 been a very real solution to the so-called wetback problem which our Nation previously faced for many years.

When Mexican citizens come into our country illegally everyone suffers. The workers are not protected by law and are often exploited. U.S. employers become involved in illegal activities. Mexicans resent their treatment and carry that ill will back across the border to Mexico.

That, Mr. Chairman, is why the Ambassador of the Republic of Mexico on June 21, 1963, wrote to the State Department expressing concern over the possible termination of the bracero program.

The Mexican Ambassador's letter is reprinted at page 6 of House Report No. 722 and I would draw to your attention the following statement in the letter:

> The absence of an agreement would not end the problem, but would rather give rise to a de facto situation: the illegal introduction of Mexican workers into the United States.

In other words, wetbacks.

If I am not mistaken, the number of wetbacks coming into this country has decreased each year since this program has been in effect.

In summary, Mr. Chairman, this bill which has the overwhelming support of the Committee on Agriculture will prevent a great deal of hardship to many people both in our country and in Mexico. It is very badly needed in many parts of our Nation. The Secretary of Labor has the legal authority and the responsibility under the present law to protect U.S. farmworkers. The bill is limited in that the law is only being extended for 1 year. The entire matter can again be reviewed next year. The benefits derived from the passage of the bill outweigh the objections, and hence I recommend that the bill be passed.

Mr. COOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Chairman, I had not anticipated necessarily speaking at this time, but maybe it is just as well, because what should be said can be said in 2 minutes or less. There are some of us who have spoken here repeatedly on this floor pointing out time after time on a factual and statistical basis a complete rebuttal and refutation of every single bugaboo scare argument that has been heard this afternoon. Whether this is a 1-year extension, a 2-year extension, a 3-year extension, is wholly and totally immaterial. The fact that in my State alone there are no standards whatsoever; the fact that we have native-born American Texans, white Caucasians, if you please, according to legal definitions, sir, who work shoulder to shoulder with the foreign imported worker who is guaranteed by law a minimum is enough to shock us into the realization that we have abdicated our trust to our own native migratory worker.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I will not yield now. I have just 2 minutes. If I am given additional time later, I will be glad to yield to you.

I would like to say there has been no increase in consumer prices since a year ago or better when the Department announced that the minimum according to international agreement would be raised from 50 cents to 70 cents and the use of the bracero in Texas dropped 70 percent.

Let us look at this. This is the argument we have heard in Texas for 10 years, that if you did not get this labor, consumer prices would rise and crops would perish and rot in the fields. There has been a drop of 76 percent in the use of braceros in Texas alone in less than a year's time, when the minimum was increased from 50 to 70 cents.

The CHAIRMAN. The time of the gentleman from Texas [Mr. GONZALEZ] has expired.

Mr. COOLEY. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. GONZALEZ. I yield to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I would like to raise two points which were suggested by the gentleman's statement. I am sure he will agree that the American or the Caucasian, as the gentleman referred to him, working side by side with the imported laborer, did receive exactly the same wage, and there is no discrimination as between the two.

I think he will also agree with reference to a further point which he raised, that perhaps this 76-percent decline in the use of braceros is largely due to the introduction of the cotton harvesting machine and the consequent drop in the use of hand labor in the harvesting of cotton and also the recent heavy freeze in the State of Texas.

Mr. GONZALEZ. The gentleman from California is in complete and total error. I do not agree with him. I wholly and categorically and pointedly disagree. The use of mechanization is not the real reason for the dramatic drop of 76 percent in the use of the bracero. If you will look you will see that there are in the cotton fields where mechanization has been used extensively a lowering of this labor; but I am saying where you had a 13-percent unemployment rate in the domestic migratory section of Texas it is not wise to extend this law. It will be sinful to pass this bill.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in support of this bill, H.R. 8195. In recent years about 1,300 Mexican braceros have been used during harvest season in a portion of my congressional district in California. The major crops involved are lettuce, which is the No. 1 crop in my district from the standpoint of value, asparagus, and tomatoes. Asparagus is a type of crop that is planted and then is harvested for several years in a row before it is replanted. So the farmer who plants this kind of crop, as well as strawberries that are abundant in certain other districts in our State, a crop that has a several-year cycle, plants the crop on the basis of his estimate of the availability of labor at the time that he plants it. And therefore if he is not able to harvest a second-year or a third-year crop from these plantings, after he has made the huge initial investment that is required to plant asparagus or strawberries, any chance of coming out even is completely impossible for him. That is why it seems to me it is important to extend this program for an additional year.

Most of the major arguments made against this bill actually are factually inaccurate. There have been arguments made that this program takes jobs away from American citizens. But actually Congress wrote into the law years back that if any American citizen desires to make application to do the type of work involved, he must be given priority and the Secretary of Labor cannot even give a certificate to allow a Mexican bracero to come in under those circumstances. The argument that has been made that this program depresses wage rates is also not valid. Congress took this into consideration years ago and wrote into the law that before any bracero can be hired a certificate must be given by the Secretary of Labor that the bracero must be paid at least the prevailing wage in that area for the type of farmwork involved.

The argument has also been made that this program exploits the Mexican bracero, but this is not the case. On the contrary, this is a completely voluntary program on his part. He does not have to come. He has to volunteer for it. And they are so anxious to come that in some cases there have been braceros who have come to the recruiting stations and waited for as much as 2 months in the hope that they may be called, because if they are called, they are going to earn, per day, five times or more the earnings that they would find it possible to make in their particular areas of Mexico.

Mr. GATHINGS. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Arkansas.

Mr. GATHINGS. The gentleman mentioned that these Mexicans are not exploited. Now, what would be the effect if there is no extension of Public Law 78? Would they not flock across the border in large numbers and, in that event, not only would they be exploited but our own domestic labor would be exploited as well?

Mr. BALDWIN. I think that is true. That was the situation that existed prior to the passage of the law that put this program into effect.

Mr. Chairman, one of the aspects of this program that I think should be given consideration is the fact that the type of farming involved here, which is primarily row crop vegetables and fruits, the basic crops involved are primarily nonsubsidized crops. These farmers are still willing to bear the entire risk.

Mr. Chairman, when they send their lettuce to market, if they miss the right day on that market, the price can drop by as much as 50 percent and their whole investment can be wiped out. However, they are willing to take that risk. There are still farmers in this country who are willing to ship their product into a market where they do not have any subsidized price in that market. Besides that, they pay for the labor which they hire.

Mr. Chairman, we have other types of crops in this country today that are subsidized extensively. Our taxpayers are paying over $1 billion a year in farm subsidies. Is it not better to give the farmer who is willing to risk the law of supply and demand in the marketplace, is it not better to give him an opportunity to harvest his crops so he can still function in the marketplace?

If this program is terminated suddenly, the California Farmer, which is the largest agricultural magazine published in that State, has estimated that the number of acres planted to tomatoes in our State would probably be cut by two-thirds next year.

Mr. HAYS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred and seven Members are present, a quorum.

Mr. COOLEY. Mr. Chairman, I yield 4 minutes to the gentleman from Hawaii [Mr. MATSUNAGA].

Mr. MATSUNAGA. Mr. Chairman, what we are doing here today is what convinces many a Member of Congress that we have been in session much too long. What are we doing here today? We are debating over the same bill that we debated at length and defeated only 5 months ago in this very same session. The only difference is that while the earlier bill, H.R. 5497, provided for a 2-year extension of Public Law 78, the bill now before us, H.R. 8195, calls for a 1-year extension. Let us hope that after the bill is defeated today, its proponents will not come up with a new bill calling for a 6-month extension.

If we approve this bill today, we may be setting a precedent by which the task of this body will be made increasingly onerous. Proponents of measures defeated early in this session and future sessions will be encouraged to reintroduce the same measures in the same session and manage somehow to win favorable committee action to bring those bills back on the floor of the House. Then, where would we be? We would be debating and voting over the same issues over and over and getting nowhere. The people whom we serve would then have real cause to think lowly of the Members of Congress. For this reason, if not for any other, H.R. 8195 should be voted down.

But there is a bigger reason why the measure now under consideration ought to be defeated. It is the same reason that led many of us to vote against the same measure only 5 months ago. It was a sound reason then; it is a sound reason today. It is bigger than the question of economics, of keeping the price of fruits and vegetables down. It is the question of morals. And I ask you now as I asked you 5 months ago: Is it morally right for us as the greatest nation on earth, enjoying the highest standard of living in modern civilization, to perpetuate a Federal law which not only permits but also assists the hiring of Mexican nationals at substandard wages by American citizen-employers?

Certainly, we do not expect any of our own citizens to work for less than a living wage. Yet we are being asked today to approve a bill which would continue in effect for another year a law which permits the hiring of Mexican workers for jobs in the United States for as little as 60 cents an hour, which is less than one-half the minimum wage determined by Congress.

Is it not significant that representatives of all three major religious faiths have testified against the continuation of Public Law 78? Clergymen of the Protestant, Catholic, and Jewish religions have joined in complaining vigorously about the Mexican farm labor importation program. Is it not noteworthy too that our churches have been the strongest critics of Public Law 78? In resolutions, in public statements, and in testimonies, they have gone to the extent of calling Public Law 78 immoral.

Labor unions, civic organizations, family farmer groups, consumer organizations, veterans organizations and others have opposed the extension of Public Law 78 because of the harm that it continues to inflict upon our own domestic farmworkers and family farmers. It appears that the only ones in favor of the continued importation of braceros are those who constitute the small percentage, less than 1 percent, of all farmer-employers who use them to their own economic advantage.

Lest I be misunderstood, let me say here quickly that I am not an advocate of putting these few growers out of business. I do believe that we ought not to assist them in perpetuating an immoral situation.

Let us once again prove that ours is a nation guided by morals. Let us defeat H.R. 8195.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Chairman, I rise in support of H.R. 8195, a bill extending the Mexican National Labor Act for 1 year.

Comment has been made as to why we are again considering this legislation. In May this House by a small margin defeated a bill extending this act for 2 years.

We now have this bill before us extending the act for 1 year. This bill is being considered today because the extension of this act is absolutely essential to the agricultural economy of certain States and areas, including the district which I represent in Colorado.

I have no quarrel with those who are against this legislation and who oppose this extension for different reasons. I have received letters and wires from citizens of my district who are opposed to this legislation, largely because they do not understand this program. I have tried as best I could to explain the necessity for continuing this program, and what it means to the farmers and processors of southern Colorado.

I would not be here today, Mr. Chairman, urging the extension of this law for 1 year unless I was convinced that this program is absolutely essential to the agricultural economy of my district, as I will confirm by reading certain wires I have received from farmers and canners in my district.

In the hearings held by the House Committee on Agriculture earlier this year Mr. Bernard Teets, executive director of the Colorado State Employment Service, appeared as a witness before the committee and stated without equivocation that Mexican nationals were necessary in Colorado to harvest our crops. Mr. Teets has held his position for 25 years. I know of no one better qualified to speak for the State of Colorado than Mr. Teets. I challenge those who come to the floor today and endeavor to speak with authority on a situation about which they have no personal knowledge.

I hold in my hand a number of wires which I have received from farmers, canners, processors, and beet growers in my district in Colorado. I have the responsibility and the obligation to represent this group here today. I will not take the time to read all of them but I will read one or two, and place the others in the RECORD.

Here is a wire from Mr. Cover Mendenhall, of Rocky Ford, who is secretary of the Southern Colorado Beet Growers Association. He says:

> Urgently request passage of H.R. 8195. Passage essential to entire agricultural economy of Arkansas Valley of Colorado. Production of vegetable crops and sugarbeets in this area cannot continue without adequate labor supply. Local labor and migratory labor totally inadequate to maintain present economy.

I submit that this wire should be conclusive as to why it is essential to extend this law.

I have two sugarbeet factories in my district. The production of sugarbeets is most important to the economy of our area.

Here is a wire from George Benscheidt, of the Western Canning Co., of La Junta, Colo. This company is engaged in canning tomatoes. The wire reads as follows:

> Imperative that extension of Public Law 78 be passed. The predominate crops that we process are pickles and tomatoes which require hand labor to harvest. We employ over 400 in plant operation during the season and this would be drastically cut if insufficient number of fieldworkers are available. It would mean less cans, glass, cartons, sugar, spicing, etc., which would in turn cut down labor forces in these related industries. Letters in the past have explained our position on this in more detail so I will not reiterate. Please work for extension of Public Law 78 as I feel it is vital to the economy of southeastern Colorado.

Mr. Chairman, I will read one more wire which is from Mr. V. E. Hollar, Hollar & Co., Rocky Ford, which I think is of special significance. Mr. Hollar wires:

> We are wholesale growers of melon seeds. We ship large quantities of seed to Mexico, Canada, Europe, and the Middle East. This has some value to the U.S. balance of trade. We grow 3,000 acres and require 100 braceros for stoop labor to harvest. We operate in Kansas, Colorado, and California. We have never been able to keep a crew of men other than braceros to do this work. We are rapidly expanding our export of seeds. We must have braceros to continue.

I am including the other wires in my remarks. All of them urge the extension of Public Law 78 as being essential to their operations. The wires follow:

LA JUNTA, COLO,
*October 28, 1963.*

Hon. J. EDGAR CHENOWETH,
*Washington. D.C.:*

Understand that Public Law 78 will be voted on in near future. The need for ample fieldworkers for future farming of vegetables crop is vitally necessary. Domestic workers in area have been used in past and are lacking in number. Necessitating braceros to work onions, tomatoes, cucumbers and beets.

JOE DUNN.
ROCKY FORD, COLO.

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LA JUNTA, COLO.,
*October 28, 1963.*

Hon. J. EDGAR CHENOWETH,
*Washington, D.C.:*

Understand that Public Law 78 will be voted on in the near future. The appeal for ample fieldworkers for the future farming of vegetables crops is vitally necessary. Domestic workers in use in past are lacking in number. Necessitating braceros to work onions, beets and produce crops.

ROLAND LUSK.

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LA JUNTA, COLO.,
*October 29, 1963.*

Hon. J. EDGAR CHENOWETH,
*Washington, D.C.:*

It is imperative that extension of Public Law 78 be passed for the future farming of this area. Domestic labor has been insufficient in number of past years necessitating bracero labor for harvesting produce crops.

VERN CAMPBELL.
NEWDALE, COLO.

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LA JUNTA, COLO.,
*October 29, 1963.*

Hon. J. EDGAR CHENOWETH,
*Washington, D.C.:*

Have been informed that extension of Public Law 78 to be voted on in near future. The need for sufficient agricultural workers in this area is imperative for future farming of vegetable crops. All domestic workers used for several years and still insufficient in numbers and braceros brought in to work beets, tomatoes, cucumbers, and onions.

JAMES HANAGAN.
LAMAR, COLO.

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LA JUNTA, COLO.,
*October 29, 1963.*

Hon. J. EDGAR CHENOWETH,
*Washington, D.C.:*

The passing of extension Public Law 78 is necessary for the future of farming in the Arkansas Valley. All domestic labor is used and insufficient in number. Need for bracero labor is essential for ample harvesting of crops.

BOB BIELER.
NEWDALE, COLO.

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ROCKY FORD, COLO.,
*October 29, 1963.*

J. EDGAR CHENOWETH,
*Washington, D.C.:*

DEAR MR. CHENOWETH: The use of Mexican national labor is of extreme importance. The labor situation becomes acute about September 1. Without the help of Mexican nationals many crops would go unharvested.

BURRELL SEEDS, INC.,
W. E. BURRELL,
*Secretary and Treasurer.*

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ROCKY FORD, COLO.,
*October 29, 1963.*

Hon. J. EDGAR CHENOWETH,
*Washington, D.C.:*

We are wholesale and retail vine seed producers and our growers employ approximately 400 braceros during their growing and harvest season. Without bracero laborers Colorado farmers would be unable to grow crops that require stoop labor as it has been tried and there is definitely not enough local help to even start fulfilling requirements.

WOODSIDE SEED GROWERS CO.,
W. F. WOODSIDE.

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ROCKY FORD, COLO.,
*October 29, 1963.*

Hon. EDGAR CHENOWETH,
*House of Representatives,*
*Washington, D.C.:*

Extensions of the bracero program vitally necessary in the continued operation of our business we urge operation of a 1-year extension.

ARK VALLEY SEED,
BOB APPLEMAN.

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LA JUNTA, COLO.,
*October 29, 1963.*

Hon. J. EDGAR CHENOWETH,
*Washington, D.C.:*

In reference to extension of Public Law 78 that will be voted on October 31, 1963, the necessity for bracero labor in this area is imperative. All domestic labor is used and has been insufficient in number past years.

BYRON HANAGAN.
SWINK, COLO.

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ROCKY FORD, COLO.,
*October 31, 1963.*

J. EDGAR CHENOWETH,
*Member of Congress,*
*Washington, D.C.:*

Will be forced to discontinue all vegetable growing and convert to grain crops if Mexican nationals are disallowed.

HOLLAR & CO.,
RICHARD GRAY.
CROWLEY, COLO.

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LAMAR, COLO.,
*October 31, 1963.*

Representative J. EDGAR CHENOWETH,
*House of Representatives,*
*Washington, D.C.:*

Recommend passage of bill H.R. 8195.

LAMAR CHAMBER OF COMMERCE,
*Agricultural Committee.*

Mr. Chairman, I urge the passage of this bill without amendment.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. LEGGETT].

Mr. LEGGETT. Mr. Chairman, my fine colleague from Hawaii has talked about this tremendous immoral imported labor program we have in California and some of the other States. I would like to ask him, without getting an answer, how many people you would have in Honolulu today if you had not imported your labor there to harvest your pineapples and sugar years ago. You have that situation. We are trying to get 30,000 Mexicans to come into the United States under Public Law 414 every year. Maybe we will eventually have enough people in the United States to handle our own crops, but at the present time we do not.

A point has been made that something is askew because we are arguing the same issue twice during the same session. I merely ask the gentleman from Honolulu if that is so and if this was civil rights that was defeated during the first part of this session, I am sure he would be right up here with the rest of us trying to get the matter heard again. This is an important issue.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman for a question.

Mr. ROSENTHAL. It is now about 90 years that California has had foreign imported labor. When do you think the time will come when you really do not need to import any labor? You had the Chinese and the Japanese, you had the Mexicans and maybe you will have surplus Russians next—I do not know. But when do you think you will reach the point that you will not need imported labor?

Mr. LEGGETT. That is an excellent question. I see the gentleman from New York [Mr. ROSENTHAL] has been reading some of my material.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. LEGGETT. If the gentleman cares to answer the question, I yield to the gentleman.

Mr. MOSS. I will say to the gentleman, when I think there is a reasonable prospect of being able to recruit not at levels below the minimum imposed by Federal law, but at levels above the minimum imposed by Federal law—when that day arrives, and we all hope it is soon, we will not request extension of this law or any other law designed to give us a supplemental labor supply.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. LEGGETT. Before I yield for any further question, I would like to provide my answer to the gentleman's question. You ask, When will you get enough labor to solve this question? I would like to point out in the September 30 insertion of mine in the CONGRESSIONAL RECORD, we show in California in September, we were utilizing 54,000 bracero laborers as opposed to 72,000 in September of last year. I think this shows we are trying to make a concerted cooperative effort in our State to try to abide by the will of the President and the will of the Congress to curtail this labor source.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield for a question?

Mr. LEGGETT. Let me get into the body of what I want to say first, please.

I would like to say I have heard my colleague, the gentleman from California [Mr. ROOSEVELT] talk about an amendment to limit the use of bracero labor to existing users, and I understand it is agreeable with Mr. ROOSEVELT that this amendment be limited to people who have used bracero labor in the past. With that understanding, I am going to offer an amendment to his amendment and I am going to support that amendment. Perhaps, we will not be unanimous with respect to it, but at least that is my feeling and at least that is what I am going to do.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman.

Mr. HAYS. Would you mind telling us what your amendment is or are you going to limit this club that uses this slave labor to the ones who are using it now?

Mr. LEGGETT. I do not think this debate should take on the facade again of bad guys versus good guys. For my part, I have always supported liberal efforts for collective bargaining and minimum wage and guaranteed annual wage. For those who think they are more liberal than I am, I will ask you how many of you have voted for an agriculture bill in your State providing $70 a week disability insurance for agricultural workers. We have done it in my State. We have that bill which is existing law in the State of California today.

Mr. HAYS. Does that apply to Mexicans, too?

Mr. LEGGETT. It applies to anybody who comes in. We have workmen's compensation, we provide transportation. We also provide housing. That is part of the Federal regulations.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. LEGGETT. I yield to my good friend, the gentleman from Hawaii.

Mr. MATSUNAGA. Since the question was addressed to me earlier, Mr. Chairman: "Where would Hawaii be if labor had not been imported?" I would like to answer that question by saying that we do not now import and have never imported braceros to do our farm labor and we are not paying slave-labor wages of 60 cents an hour. We are paying in the State of Hawaii $2 an hour to fieldworkers and have the highest agricultural economy today in the entire United States. Our agricultural workers are permanent residents who have become naturalized citizens or are eligible to become citizens.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOLEY. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. LEGGETT. I would merely point out to my colleague from Honolulu this. He talked about 60 cents an hour. If you read pages 20434 and 20435 of the CONGRESSIONAL RECORD, the insertion I placed in it in the last 10 days, which is the report provided to my office by the Department of Labor on the wages which were paid in the bracero program this year and last year, you will find that there is no wage listed in that categorization provided by the Department less than 82 cents an hour. If you can provide me with figures on that 60 cents an hour, I would like to see them, but they are just not available.

There is just one further thing I want to bring out. I would like to read portions of two letters which were sent to my office which I think are extremely significant. The first letter, of course, comes from a grower in my district who is a small family grower, who anticipated some of the arguments here today and stated this:

DAVIS, CALIF.,
*October 28, 1963.*

Hon. ROBERT L. LEGGETT,
*House of Representatives,*
*Washington, D.C.*

DEAR MR. LEGGETT: In the light of an interview you recently gave my son David, and his sister, Mrs. Nordstrom, and your interest in David's 2 years of work with Friends Society in Mexico in two small villages, plus your request of a letter from him in relation to bracero program Public Law 78, I feel encouraged to add my own thoughts for your consideration.

Permit me to give a brief sketch of my personal farming history. One hundred and sixty acres just over Yolo County line in Solano County was inherited from my great-grandmother. My wife and I struggled for years to purchase 80 acres more. Now with rented land we farm 400 acres.

To insure good yields we spend more in weed control, fertilizer, etc., than most, but though we harvest good crops our annual net taxable income is less than the average urban worker.

This year I am 57. Have never done anything but farm. At first with my father with livestock. Very hard years. And it has been tough going to put a son and daughter through college with another son partly through. Had we continued the old way of farming with livestock it could not have been done in this area.

This bit of family history seems necessary to acquaint you with facts of my experience from living it on this strictly family farm, family managed.

About 20 years ago we started learning diversification, raising a number of row and field crops instead of livestock. Our specialty today is high-risk tomatoes, followed by expensive but somewhat lower risk sugarbeets, then for rotation the lower income crops of grain sorghum and barley.

Our experience shows tomatoes, with careful planning, pay a little better than other crops, but due to the risk factors of pests, water shortage, real harvest threats in weather, uncertainty of and high costs of labor, I have never felt safe to raise large acreages of tomatoes. Keeping acres under 100 purposely.

In these 20 years with tomatoes in wartime and peace, I have depended on many classes of help for harvesting before the braceros were available. Some of these experiences were unsatisfactory and almost disastrous and included high school students on weekends with teachers for supervisors, the first "Okies" to California, an all colored crew, California Indians recruited through their so-called chief, and Filipinos, and the men our department of employment insists we have to put to work, qualified or not, the "winos."

Finally we qualified for use of braceros and have grown to place them at top for work performance and dependability. But not from any wage advantage, let me stress this please. This program is costly to us and we have so many curbs and rules and interpretations connected with use of braceros that it is really difficult to use them for fear of making a misstep in some direction. And while braceros have a contract with us growers to protect them, no grower has a contract hold on braceros. So they can and do go home when the mood strikes them, when the cream has been skimmed off, or the weather doesn't suit, or picking gets difficult. Yet they are the best, most dependable help we have ever had.

> The program is often termed "slave labor." People who complain and use that label are ill advised, uninformed, unwilling to accept truth of farmer problems. Yet these same people can swallow the hook, line, and sinker of groups, apparently better organized and more vocal than farm groups, who are trying to defeat the program and insist they carry a strong political weapon of votes.
>
> We farmers recognize this powerful force, and are aware of the implications. So we greatly admire and deeply thank you and other Congressmen who are aware and trying to do this job of saving large parts of our farm economy by preserving our ability to harvest. Regardless of party differences we salute those of you who have this integrity to stand up and be heard and cast your ballot "for."
>
> It is said by this opposition this is "slave labor." This really hurts. For we follow a scale of pay for tomato harvest which receives careful study each year. Under it the price is determined at the end of each day's work when pickers cards are totaled; how many boxes, how many claims picked, how many hours worked in the day for each man. This then determines the rate for this day using the approved scale. Under it all men make $1 per hour or more. Our men who act as loaders and pick a few boxes between loads make $20 to $22 per day.
>
> Most days were 8-hour days and fairly agile men made from $1.35 to $1.75 per hour. Two or three of my men this year were slow but careful workers and did not make $1 per hour. These men on payday received "make up" pay to bring their wage up to the $1 figure.
>
> Our payroll reports are on file in our association office subject to inspection of compliance officer at any time.
>
> And the camp manager must furnish his grocery bills to prove he purchased the quantity and quality of approved food required for the number of men fed.
>
> If the Mexican workers are not permitted to enter here in the future many growers including myself must make a personal decision. Shall I grow the same acres any longer? Positively not. Will I try to squeeze by with possibly a quarter of my usual? I think not. Sure the price of tomatoes will rise but only as far as economics of the processors permit considering freight cost to compete with Eastern States. No, I think I would have to be a "has-been tomato grower".
>
> Then the money we spend for labor will not be forthcoming so what makes these so-called experts think that the same money will pour into pockets of unemployed people here? The unemployed people here I know from past experience are not about to come to the farms to pick tomatoes. And I must not place myself in the vulnerable position of having to depend on them. I would have to be finished as a tomato grower. As a beetgrower I need workers qualified and willing to work. Without Mexicans my beet production will go downhill fast.
>
> Our ground requires much handwork. A small percentage of the high school boys tried this year stuck it out. With "winos" we are helpless. It must be remembered we have to stay solvent. Maybe not make any money but we have to pay for equipment and stay on credit with our banks. This opposing legislation will cure no problems but will create many more as I divert these acres to other crops in surplus now.
>
> Thank you, Mr. Leggett, if you could read this far.
>
> Yours truly,
>
> Willis E. Hansen.

Mr. Chairman, I do not think it is immoral or anything we have to be ashamed of in any way, shape, or form. It means we have two different kinds of agricultural workers and industrial workers in the United States.

I have one further point I would like to make and would like to call this to the attention of my colleague from Ohio, who I know is quite an internationalist. It comes from a young friend of mine who I did not really know was a friend of mine. He was with the Quaker Friends Service Society. All of you have had literature from the Quaker Friends Service Society, and I am not part of that group, but they are extremely liberal. I received a commendation from them last week on another matter. They have a doctrinaire position against this bill, but this letter is from a boy who worked for the Quaker Society in Mexico for 2 years, I think, and he states:

> I have personally seen the good influence of the bracero program in Mexico. I have seen many checks from the United States cashed in small Mexican banks. I have spoken to the women cashing these checks. Invariably the money has been sent home by sons or husbands working in the United States as braceros.
>
> One of my best young Mexican friends spent about 2 months as a bracero this year. He returned home with $600 over and above all expenses. To some people, this may seem like a small amount. They do not know that a Mexican doing comparable work in Mexico receives about 80 cents a day. A large family is often supported on this daily 80 cents. This is seasonal work. Some of this 80 cents must be saved to tide the family over when work is not available. Think of the influence $500 can have on such a family—and, for only 2 months' work.
>
> During my travels through Mexico, often through small, isolated rural villages, I have consistently seen young men who have been braceros, and who stand out from other villagers. They often have new houses, new furniture, radios, better clothes. Some of these products have been purchased in the United States.
>
> There is a much greater influence than the money the braceros return with. It is more subtle, but more lasting. Many of these young men will be leaders in their villages. They are also farmers. They have received an education during their stay in the United States. They have seen firsthand the accomplishments of our farmers. They have learned new practices, many of which they can apply to their own farming operations. They can gain a new perspective; a hope. How does one break away from the traditional way of farming? Son follows father, generation after generation. Little improvement is made, while soils deplete and people get hungrier. The small changes these leaders make can break this circle. Others will follow the example. Hope and confidence can dispel the belief that all farming is a matter of fate. Man can have control over his crops.
>
> David Hanson.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOEVEN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. Hutchinson].

Mr. HUTCHINSON. Mr. Chairman, I think that most of us agree that this is probably a phaseout program, at least the people who have contacted me from our State of Michigan I believe are beginning to understand that it is a phaseout program.

Up in Michigan we use Mexican labor now only in the pickle industry, in harvesting cucumbers. The people in that industry and the farmers who raise cucumbers have asked me to support this measure because they are at least a year away from any kind of a mechanical harvesting device which is practical. As a matter of fact, they know from experience that they cannot get domestic manpower, either migrant or local, to harvest pickles. It is stoop labor and they cannot induce the people to go out and do that kind of work. They are in the process of developing a machine and in the process of developing a variety of cucumber which will be uniform in its growth so that you can have a uniform size of the plant, and so on.

So, with that in mind, I urge you to support this 1-year extension. I think that the people up in that part of the country realize that very decisively after the way the measure was defeated in May, they cannot depend upon this importation of labor as any kind of a permanent proposition. But to be cut off without any extension at all will be definitely unfair to them.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. Latta].

Mr. LATTA. Mr. Chairman, I think it is well for us to take a look at the report of the committee to ascertain how many workers we are talking about. You would think the number would amount to a couple of million. Actually only 194,978 Mexican braceros were imported in 1962. That is a very small number considering the working force in the United States.

In 1962, only 6 States out of the 50 used more than 10,000 bracero workers; Arizona, Arkansas, California, Colorado, Michigan, and Texas used more than 10,000 workers. Only 21 States out of the 50 contracted for braceros in any number. I think it is well for us to keep this in mind.

We have heard arguments that this program has a tremendous impact on the working force of this country. I think it is well to turn to page 6 of the report and specifically to the letter from the Ambassador of Mexico and to his statement that reads:

> Therefore, the absence of an agreement would not end the problem but rather would give rise to a de facto situation: the illegal introduction of Mexican workers into the United States, which would be extremely prejudicial to the illegal workers and, as experience has shown, would also unfavorably affect American workers, which is precisely what the legislators of the United States are trying to prevent.

Some people may wonder why we are concerned in Ohio about this bill since we do not contract for any bracero laborers. We raise tomatoes and sugarbeets in Ohio. The harvesting of these two crops require stoop labor.

You cannot get domestic labor to do this type work. You can go to the unemployment office and register for so many workers and just pray that you get them. They are not available.

So, how do we get them? Our farmers contract for Texas Mexicans—American citizens, if you please, and bring them into our area to do this stoop labor.

So, Mr. Chairman, we have to import them, but not across the border. However, we realize that there are only a given number of these workers available. Should this bracero program be defeated, our source of this type labor would be exhausted. Our crops would not be harvested for want of this necessary labor.

Mr. Chairman, I think it is important that we view this objectively and look at the overall picture, particularly in these States like Ohio that are not contracting for braceros and have not contracted for them in the past.

Mr. Chairman, this is a problem which affects every State employing stoop labor. It is just not the problem of these 21 States contracting for bracero labor.

A great number of people have been turned against this program by reason of the showing of a TV film a couple of years ago which showed migrant workers and their families in great distress.

Mr. Chairman, the people pictured in this TV film were not bracero. They were unregulated migrants. Braceros are only adult males. Their families cannot accompany them. These braceros are given proper housing, transportation, and so forth. So, these people who have been writing you and who have been writing me are usually writing about problems not involved in the bracero program. In fact, in most cases, they are totally unfamiliar with the bracero program.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, I believe that the bracero program ought to come to a halt. But I think that the farmers in many parts of the country are dependent on them, and it ought to be done in an orderly way. These extensions of the program are not a very good way of doing it.

Mr. Chairman, I surely would have preferred if a bill could have been brought out here onto the floor of the House for an orderly time of removing and terminating the bracero program. But as we have it before us today, this is merely a 1-year extension. I plan to vote for this 1-year extension and that is the end of my support for this program.

Mr. Chairman, I hope that the people will realize that the statement of the gentleman from California [Mr. SISK] earlier when the debate was opened up on this bill, that this is the end, that they ought to get their house in order and make arrangements to secure adequate domestic labor, will be taken to heart. If this bill passes, and I hope it will, this is the assurance that they should have, that many of us feel that this program ought to come to a halt. I accept the statement of the gentleman from California when he says this is the end of this program.

I understand in talking to people who have these crops produced in their areas that use bracero labor, some of these crops, such as lettuce, come into harvest prior to the school year closing in June, so they are unable to hire high school students and find adequate labor.

As I say, also, the Secretary of Labor ought to make certain that there is no domestic labor available before the braceros are permitted on the farms.

That is why I hope that the amendment which I understand the gentleman from California [Mr. ROOSEVELT] is going to offer will prevail. I think this buttons it right down to a 1-year program and provides the assurances that need to be made.

This adds to the assurances in the law that domestic workers will have the opportunity to work. Thus braceros could not be hired unless the Secretary of Labor certifies that no other domestic help is available.

It should also be stipulated that if braceros are already hired and then domestic help becomes available, that the braceros should then stand by and not be put to work unless a further shortage of domestic workers occurs.

I feel that this is what we should do in order to protect American migratory labor.

I might point out some growers who need to secure domestic workers from Texas and places like that who are displaced by bracero labor will be affected, but it seems to me that is an adjustment that needs to go on in this country so that the people who are available can find a job with adequate pay and adequate benefits given to American workers. I think after this year Public Law 78 should come to a halt. I will support this bill at this time, though not in the future.

We need a phasing out of bracero labor, which was only developed in the first place as a war emergency measure. There have been many extensions. Some weeks ago we had a 2-year extension offered and the House turned it down—I voted against it. Now we have this 1-year extension. Before every extension, we have been told it is only to allow the growers time to adjust to hiring domestic labor. They have never done it, but just come back and ask for another extension.

I support this 1-year extension, but if it is not the last one proposed, I can tell you right now I will not support the next one.

Mr. PURCELL. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, I represent a congressional district which I think has the longest boundary between the United States and Mexico of perhaps any other Member of this House. I have many growers in my district who have used bracero labor over the years the program has been in operation. I have great sympathy and great concern about the treatment of the American migrant labor families in this country, and I think the time has come when we have to do something about their welfare too.

Last May 29 a bill came to this floor of which I was the author to extend this program for 2 years. I said on behalf of that bill at that time that I felt somewhat like the old wornout story of the witness in court who was asked how he felt when he saw his mother-in-law drive his brandnew, uninsured Cadillac off the cliff. He replied, "I had mixed emotions."

That is the way I felt then about the 2-year extension, and I must confess I have mixed emotions about this legislation today. But I am supporting this bill, I am supporting the extension, and I am urging my friends in the House to support the extension because a defeat of this bill in an effort to do justice to the migrant workers of America would do a great injustice to the farmers, the decent, honorable, hard-working farmers of this country who have built up their farms relying in part on this program. These people simply have no way of getting the labor they need to get their crops out and take them to market.

I do not think you accomplish anything for the migrant workers of America, and I say this sincerely to my friends, by taking a whack at the farmers of America in voting down and defeating this bill. I think an extension is the rational way to do it at this late time in the year, particularly. It would be extremely unfair, it would be an extreme burden on those who are counting on this act. Some crops are being planted now, some will be planted in the next 60 to 90 days in my area; the crops will be harvested next year. These people are dependent on this kind of labor.

The fact of the matter is we have not been able to get domestic labor. It just is not there. Under this bill the farmer does not sit in his air-conditioned home and phone up to say "Send me 2 gross of Mexican farmworkers." He has to prove that American workers are not available, he has to prove he will pay wages that will not depress the standard of wages in that particular community. This program is administered by the Department of Labor. The migrant workers of America have no better friends than the present Secretary of Labor and his predecessor, both of whom were concerned about this matter. They have always been sympathetic to the farmers. The farmers have even complained about the restrictive way the Labor Department has administered this program. So I think we can, with logic and fairness and justice to all concerned, extend this program for another year.

I say in all frankness, whether you are going to see me down here in this well during coming years arguing for this program, is something I want to leave in abeyance, but I do think it would be unfair not to extend it this 1 year.

You who oppose this bill think you are going to right a great wrong by defeating it today. You are not going to put shoes on the children of the migrant workers, you are not going to raise the standard of living of the migrant workers, you are not going to improve their working conditions, if you defeat this bill. But, if you cut off the supply of labor by a meatax termination, you will not give the farmers time to line up a program to get American workers or machines to do these jobs. What you will do is put out of work a lot of people in the transportation and processing industries who now have jobs that depend on the harvesting of these crops.

**Mr. HOEVEN.** Mr. Chairman, I yield 5 minutes to the gentleman from Arizona [Mr. Rhodes].

**Mr. RHODES of Arizona.** Mr. Chairman, lest anybody think this an Arizona week, let me assure you there will be Members from other States who will speak. It is a pleasure to follow my colleague from Arizona and to expand on the story he has so ably told the House.

In Arizona we use about 16,000 braceros a year. We are down somewhat from the number which we formerly used because we do not use braceros to pick cotton anymore. In fact, about 90 percent of the picking of cotton is now mechanized. Mainly we use them to grow vegetables.

These people do what we call stoop labor in the fields. It is not easy to get that type of labor. There has to be a shortage demonstrated before Mexican laborers can be brought in. It is easy to demonstrate it because the shortage is bona fide and chronic.

However, this I suppose could best be called a horse-and-rabbit bill, because a lot of people here are trying to compare horses and rabbits when they speak of the legislation. We have had people on both sides of the aisle talk about the evils that beset migratory labor, the things that happen to people that are in migratory labor. I deplore the status of certain people who are migratory laborers in certain areas of the country as much as anybody does, but when I recall the state of migratory labor in Arizona prior to the adoption of the bracero legislation I wonder if a lot of people should not give credit to this legislation instead of castigating it. In other words, the migratory worker in practically all the areas which use braceros is better off today. He makes more money, he has better living conditions, his family is living better. Why is this? Because, in order to get the bracero the grower must offer certain conditions, not only wages but working and living conditions, to the domestic worker. If he did not, he could not get the bracero. This has been a program which has been good for the domestic worker as it has been good for the bracero.

We have heard it said on the floor of the House that if you go to a Mexican village and see a television aerial you can be pretty sure a former bracero lives there. This has brought prosperity to the Mexican worker.

I am not going to tell you that I think this will be adopted another year. I hope it will be adopted this year, but I imagine, knowing the temper of the House as I do, that this will probably be the last year for this bill, and that this program will die for awhile. But somebody is going to grow vegetables. The people in the districts of many of you sitting here who are fighting this legislation want the lettuce, the carrots, and the other vegetables that are grown in California, Arizona, and many of the other States which use bracero labor.

What is going to happen? Well, two things are going to happen. In the first place, naturally, the grower who wants to stay in business is going to offer a higher wage for domestics. I think this will be the first effect. Even then, the grower probably still will not be able to get the domestics, so a lot of them will go out of business. But if the grower does keep more and more for workers and if he is able to get domestic workers to come to work to do the stoop labor, then the price of his product will go up and some of you gentlemen who are doing your best to defeat this bill will find the consumers who live in your district will be paying a lot more for their produce in the near future than they are paying right now. But the law of supply and demand will step in, gentlemen, and before long the people who are living in your districts here in the East will not pay the price they have to pay for western produce. What will happen? Will they be without this produce? No, they will not be without it because it will be grown and sold at a price your people will pay—where? It will be grown in western Mexico. Many of the same people who are working in the United States now as braceros making $1 an hour or more, will then be harvesting the same type of produce in western Mexico. How much will they be getting? They will not be getting a dollar an hour. They will be getting 80 cents a day, the going wage for agricultural labor in Mexico. So who will lose? The bracero will lose and your consumers in your own districts will lose in the end.

Another loser will be the United States. Much of the income derived by American growers from the sale of produce will be transferred to Mexico. Lands now profitably tilled—supporting small towns, small businesses and people, both American and Mexican, providing superior quality produce to the cities of the East—will be hollow and deserted. This is because the law of supply and demand is inexorable.

**Mr. COOLEY.** Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. Rogers].

**Mr. ROGERS of Texas.** Mr. Chairman, I rise in support of the pending legislation because I represent a district that depends a great deal upon this source of labor.

I cannot urge too strongly that in the interests of the agricultural economy of sizable areas of this country the Mexican farm labor program must be extended.

Many of our colleagues will, during debate, discuss the general situation regarding this program. Most arguments on both sides are familiar ones—the facts and figures are available for all to see.

But I would like to stress one matter that is usually overlooked when the bracero program is discussed, and relate it only to the situation in my district, the 28-county area of the Panhandle of Texas.

Without braceros to assist in the harvest of cotton and vegetable crops, panhandle farmers would be faced with two alternatives: They could employ the illegal immigrants, known by the unpleasantly derogatory term "wetbacks," who are sure to flood into Texas by the thousands; or, they could simply leave the crops to rot in the fields.

There are no other alternatives for many of these farmers, for whom the cost of purchasing mechanical harvesting equipment would be prohibitive.

The fact is this: There is simply no domestic labor supply available to take up the slack.

I realize that this is a statement that many of our colleagues from more populous areas find difficult to understand.

Our area of the West is vast and sparsely populated. My 28-county district—with a population of approximately 400,000 persons—covers an area five-sixths the size of the entire State of Indiana. The largest city in my district, Amarillo, has a population of about 160,000 persons. No other city in the district has a population of more than 30,000. Hundreds of miles separate the Panhandle of Texas from any large population center that might be expected to supply a reserve of seasonal labor.

I ask that my colleagues from areas of concentrated large populations consider the difficulties that thus confront farmers in the Texas Panhandle who need help—and lots of it—at harvesttime.

Everyone would much prefer to employ U.S. citizens at harvesttime and any other time. But they are just not available. Employing seasonal workers under the Mexican farm labor program is not inexpensive; as you know, there are large costs piled atop the wages paid to the workers.

I emphasize to you that the Mexican farm labor program must be extended if the needed supply of seasonal labor is to be available to this large area of our country.

**Mr. HOEVEN.** Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. Kyl].

**Mr. KYL.** Mr. Chairman, one of the delights of air travel is the fact that the plane lifts us from the sidewalk, from the restricted view and the cluttered details, to a vantage point from which we can get a broader vista and see the true relationship of larger things. Similarly, when I see all of the details and conflicting views on this bracero program, I find myself continuously turning to a broader view.

I like to think of this as a matter of principle. I will readily admit it is predicated on pride; not on a personal pride but I think a pride in being an American. The overview which compels me is this: In this great Nation with its power, with its wealth, with its ingenuity, with its ambition, I find it impossible to believe that we have to import anybody to do any job. If such importation is indeed needed, it has to be for one of two reasons: Either because we lack the talent to do a particular job or because like Gibbons' Rome we have grown decadent, fat, flabby, lazy; and I hate to think that this latter is a matter of fact.

Oh, yes, I know it has been said many times that it is absolutely impossible to find domestic laborers to do this job. Now, if this so-called stoop labor is an occupation which is unfit for human beings, there is no more humanity or no more justification for using foreign human beings than American human beings. If, on the other hand, this is healthful work, decent work, work which is good for human beings, then we should not have to turn to some foreign nation to get this labor.

We have heard today that even the unemployed American does not want to do this job. One gentleman from the great golden State said "perhaps we have painted ourselves into a corner." And indeed they have. He describes a system of unemployment compensation in which a family can get as much as $1,000 a month for not working. I do not propose to rescue those people who have prepared a silly program which enables an individual to retire on unemployment benefits rather than to seek honest labor to win the bread for his table. This they have done. Neither the bracero program nor any other such program can ever be used as a justification to an extension of bad sense such as we find here.

Then we come to this other fact: We are phasing out this program. I would submit to you that in actual fact we have made more progress in phasing out prayer in the last 3 or 4 years than we have in phasing out the bracero program. Twice I went along myself with this bill because it was said, and I was assured, that we are phasing out this program. This is the last year. Today we have people on both sides of the aisle saying, "Now, do not count on that. Next year we will take another look." Another individual says, "We plant strawberries, or asparaus, or something, and have a 3-year crop." Next year, of course, we will be told the farmer is in the second year of this production and we need another year in which to phase out this program. If this program is wrong, extending the abuse to the next year cannot salve anyone's conscience. This temporary extension is a tired song and it has been played far too often here on the floor. Indeed, in these marble halls I think the word "temporary" has replaced Methuselah as the symbol of longevity, whether it be temporary taxes or temporary work programs or temporary anything else.

I do not enjoy opposing individuals with whom I usually vote, people who are my good friends and associates. I think in my heart this is a bad bill, and I think it should be defeated.

I yield back the balance of my time.

Mr. COOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. Matthews].

Mr. MATTHEWS. Mr. Chairman, I rise in support of this legislation. I would like to make a few comments, as chairman of our Family Farm Subcommittee of the House Committee on Agriculture. As has been emphasized by previous speakers, to do away with this program would have a particularly adverse effect on the family farm. In September of 1962 there were 8,332,000 total farm laborers. Of this number there were 228,000 domestic migrant workers and 106,000 Mexican nationals.

A family farm, Mr. Chairman, if you want to take a rule-of-thumb definition, is considered a farm that is big enough for a farmer and his family to make a living on and yet is not so big that the farmer and his family cannot provide over 50 percent of the labor at all times, except at harvest time. When harvest time comes labor is essential.

The family-size farm has handicaps because of the availability of labor. Where are you going to get labor immediately so your perishable crop will not be destroyed? The family farmer is handicapped because of unemployment insurance programs. And I suppose nearly all of us in the Chamber have voted for unemployment insurance programs. But can you imagine the difficulty of getting a man to stoop to pick strawberries for $20 or $30 a day when he and his wife, according to the gentleman from California [Mr. Leggett], may be eligible to draw $1,000 a month in unemployment insurance?

It is a terrible matter, Mr. Chairman, that confronts the family farmer of America if, when he has available labor, properly certified by the Secretary of Labor, willing to work and the farmer is willing to pay him, to refuse him the privilege of obtaining that necessary labor.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I am delighted to yield to my very dear friend from Ohio, Mr. Hays.

Mr. HAYS. Mr. Chairman, I just wonder if there was any bracero labor involved in these boiled peanuts that the gentleman peddles around here once in awhile.

Mr. MATTHEWS. I will say to my dear friend that I am glad to report that there is no bracero labor involved in that.

Mr. HAYS. These two bills are not related in any way?

Mr. MATTHEWS. Absolutely not. And I want to thank my dear friend for his support of that legislation that we passed in the early part of the session. Mr. Chairman, I hope H.R. 3915 is passed because it is helpful to the family farms of America.

Mr. COOLEY. Mr. Chairman, I yield such time as he may require to the gentleman from Arkansas [Mr. Gathings].

Mr. GATHINGS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GATHINGS. Mr. Chairman, Public Law 78, the Mexican labor law, is most beneficial to the small farmer and operator who is not in a position to pay the high cost for machinery in the cultivation and the harvest of his crops. A larger operator may be in a position to purchase costly implements, obviating the necessity of hand labor being used to do the work. Great numbers of small farmers operate solely by and through the work of themselves and their immediate families. They do, however, require assistance from some source at peak periods of the year during the time that they are weeding their crops or actually engaged in the harvest.

A letter came to me recently from Mr. Robert Ball of the Monette Growers Association, which reads as follows:

Mr. Took Gathings:

Sir: I am writing you in regards to the Mexican labor program. We of the Monette Growers Association are a group of small farmers. We do not have the money to experiment with chemicals, also machinery is expensive and the small farmer cannot compete with the larger farmer in this respect.

Mexico is our next door neighbor and communism is scattered over the world. Our relations have been good with Mexico and we want to keep it that way. As you know the labor program is a great help in keeping our relations on a friendly basis. We are interested in keeping the program alive.

Yours truly,
Monette Growers Association,
Robert Ball.

Mr. Ball not only wrote in behalf of the small farmer for the need of supplemental labor for certain periods of the year, but he emphasized the importance of the extension of Public Law 78 in behalf of amiable relations with our neighbor to the south, the Republic of Mexico. The Monette Growers Association feels that it is most essential that a program that has meant so much to the small farmer, the consumer, and the Nation itself, should not be abruptly terminated as it also has aided almost 200,000—which was the number that worked in the United States last year—bracero workers and their families and the communities from which they come.

Mr. HOEVEN. Mr. Chairman, I yield 6 minutes to the gentleman from Michigan [Mr. Ford].

Mr. FORD. Mr. Chairman, at times the impression is created that this legislation is almost exclusively for the benefit of States such as California, Texas, Arkansas, Arizona, and the like. However, let me assure the Members of the Committee that this is not an accurate interpretation of the benefits that will accrue from the enactment of this legislation.

Mr. Chairman, the State of Michigan to a substantial degree is a very highly industrial State but it does use in large numbers braceros and has done so for a number of years. The reason is very simple. The kind of crops that we grow in a number of areas in Michigan, such as cucumbers, are the kind that need labor that will do these difficult jobs. The crops are, for example, cucumbers, sugarbeets, and certain varieties of fruit.

I do not know how many who object to this legislation have ever seen a cucumber crop being harvested and have seen the hard labor and the difficult labor that is required to see that this important crop is picked for the consumer. But let me give you an example of how in Michigan we are trying to get away from the program. For example, in August of this year in a seven-county area, which includes the two counties that I represent, there were 10,300 domestic farm laborers on the job and there were 2,300 braceros. By October 15 of this year in the same seven-county area, the number of braceros had dropped to a total of 70; whereas, there were 4,700 U.S. or domestic farm laborers working in the harvesting of the crops. In other words, even at the height of the season the braceros constitute only a relatively small percent of the total farm employees used in these crops in this part of the country.

Now, Mr. Chairman, even though we are seeking to get more and more domestics and less and less braceros on the short-haul as well as the long-haul basis, I think over the years you will find, and very shortly, that through mechanization we in Michigan will need only a very limited number of braceros.

It was my experience a year ago to see how mechanization is taking over in blueberry through the shaker method. They tell me that in the picking of cucumbers within a year to a year and a half they will have a mechanized method of picking this crop, which today is exclusively picked by stoop labor. So, through automation and mechanization we are going to solve the stoop labor problem. However, if we do not permit this program to continue for another year, we are not going to have this crop and undoubtedly others available for the consumers.

Now, Mr. Chairman, some people say, "Well, we can get domestic labor." Let me assure the members of the committee that even in 1958 when in our area we had a 14- to 15-percent unemployment you could not get domestic labor to go out and work in the cucumber fields. It was impossible. This year and last year, and we hope next year, we are going to have a good year in the automotive industry. Today, unemployment is about 4 to 5 percent or less in our area of Michigan. It is just impossible under those economic circumstances to get the necessary domestic labor to harvest these crops. The net result is if we do not have this legislation for at least another year, you will not harvest these crops. Furthermore, we will have a very adverse impact on employment in the industry that produces the cucumbers.

Mr. Chairman, how significant is this? How significant? Well, in Holland, Mich., in the congressional district which I have the honor to represent, we have the largest pickle factory in the world. They produce more pickles at this plant than at any other plant in the world. If we cannot grow and harvest cucumbers—and harvesting includes the obtaining of labor in the field—this relatively new plant which has been doubled or tripled in capacity in the last few years will not employ workers in this community, a city of 18,000.

The investment by the owners will be wiped out, the jobs of the people who work in the plant, anywhere from 500 to 1,000, will not exist.

When you bear in mind the overall picture from the point of view of the consumer, the point of view of the people who are working in the processing plants, the point of view of the farmers or producers and the domestic workers themselves, this legislation ought to be enacted.

Mr. COOLEY. Mr. Chairman, I yield 4 minutes to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I rise in opposition to the legislation. In the 23 years I have been a Member of this Congress I have never been lobbied by so many high-handed, brazen lobbyists as I have in the past 3 or 4 weeks in behalf of the extension of Public Law 78, which some people call just this little old cotton-pickin' bill we are considering here this afternoon.

I am receiving letters from organizations like the Apple Growers' Association. What is there about stoop labor that is of interest to the apple growers? I have received communications from nurserymen. What is there about stoop labor that is of interest to nurserymen? These and other organizations have brought more pressure on Members of Congress in the last 3 or 4 weeks than I have witnessed in the last 23 years.

What I said last May about the bill, that this is a slave labor bill, in my opinion, still holds true. It is a slave labor bill. When I hear people in Illinois getting up today saying they are going to support this bill, as I sat down here, I was thinking Abraham Lincoln would turn over in his grave today if he could hear people from Illinois getting up saying they are supporting this sort of slave labor legislation. Many of us thought that Lincoln freed the slaves about 100 years ago, but if we want to continue this kind of operation and continue this kind of slave labor in this country, as we have since 1951, we will be looking for another Abraham Lincoln after 1968.

There has not been one person that I know of in the House this afternoon who has said this is going to be only a 1-year extension that really believes that. I do not think any of us ought to be kidded into believing that this is just going to be a 1-year extension. Many in the past have said this is going to be discontinued a year from now, 2 years from now, or 3 years from now. We have been hearing this since the conflict in Korea.

The reason Public Law 78 was enacted was because we were at war in Korea in 1951. The same arguments were made then: "This is only a temporary measure. Give us 2 or 3 years until we can work ourselves out of it." But in 2 or 3 years they went up to nearly 500,000 Mexicans that they brought into this country in 1 year. Sure, it is down to 195,000 or 196,000 now, but this does not mean that they are going out of existence.

How in the world anybody with a good conscience today can vote for this bill, after they voted for the last farm bill, one of the worst pieces of legislation ever considered by this House, I cannot understand.

Mr. Chairman, we are considering again today a bill which the House defeated this last May 29. I spoke against the bill then, as I always have, and once more I want to state my complete opposition to it. The RECORD for May 29 contains the basic points of my opposition to the Mexican program, as a slave labor piece of legislation. I want to reemphasize that the lapse of 5 months has not changed the character of the law or my position on it. Our unemployment rate in the United States still continues at a high level, 5.6 percent of the labor force in September.

It is still a matter of concern that a program spawned under Korean war conditions should be filling jobs with foreign workers when workers here in the United States must do without. This law in every way benefits the larger, well-run corporate farms. We are encouraging the 2 percent of all farms in the United States who use Mexican workers in several ways: We make the labor available; we remove the need for income tax and social security deductions, thus lightening their workload; we make the workers available when and where employers want them, removing the seasonal worries faced by smaller farms who do not use them. The advantages of such a law are obvious to the 2 percent of the farmers we are speaking of. In effect, it relieves this group from the pressures of a free labor market system. Is it any wonder that wages of domestic workers have tended to remain low where the Mexicans are used?

We have consistently left farm labor out of the protection of our labor laws; we should at least leave them the protection of the law of supply and demand.

About a month ago, this body passed a tax measure, H.R. 8363, in which we declared that we recognize the importance of taking all reasonable means to restrain Government spending. The President's television speech promised that "no wasteful, inefficient, or unnecessary Government activity will be tolerated." We will never get a better chance to put this promise into effect. The activity represented by this Mexican program is wasteful, and inefficient, and unnecessary, all three—and immoral in the bargain. Accordingly, it should no longer be tolerated.

I pointed out last May, and it is even truer in light of the tax cut, that we simply cannot justify paying subsidies to support crops already overproduced to the point of unstable prices, and then counteract these support measures by paying to bring in foreign labor to encourage production of the same crops. Let me cite the cotton support program and the sugarbeet support program. The U.S. Government paid out $275.5 million in 1961 to farmers in six States where Mexican workers were used to produce cotton. When the figures for the 1962 crop are finally totaled, the amount in the same six States promises to be even higher.

Under the Sugar Act, producers in States where braceros were used in sugarbeet production received $27.1 million in 1961 to maintain the income from their crop.

These payments were being made while cotton was the crop in which most Mexican workers were used, and sugarbeets the fifth largest user of bracero labor. There were as many as 25,900 braceros used in cotton harvesting in 1962 and 13,600 in sugarbeet cultivation.

It might be added as a footnote to the cost to U.S. taxpayers that the subsidization of the sugar industry, in the form of both direct money payments and a supply of cheap foreign labor, has been rewarded by wildly climbing sugar prices during this year, despite the protests that sugar is not in short supply. So the taxpayer is being asked to pay in three ways for higher priced sugar.

Mr. Chairman, I think that for once we should not only say we want to help the family farmer and the farm worker, but should act on our belief in these people by defeating this program. We will remove the artificial limits on wage and job opportunities for farm workers; we will make the position of the family farmer more competitive with the corporate giant who has recently become his neighbor. In short, we can help return to a free market system for agricultural labor that all should welcome.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. BROTZMAN].

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. BROTZMAN. I yield to the gentleman from Wisconsin.

Mr. LAIRD. The gentleman from Rhode Island [Mr. FOGARTY] and I serve on the Appropriations Subcommittee handling the appropriations for the Department of Labor. We have gone over this program on a yearly basis. The last time this program was up I did not support the 2-year extension.

In the hearings we have had before our committee one would have to agree that the Department of Labor has done an outstanding job in the area of enforcing the provisions of this program as set forth by Congress. I think the gentleman from Rhode Island would have to agree that the enforcement by the Department of Labor has been good. I am today going to support this 1-year extension with the understanding that the program be terminated. I have assured my colleagues that if they support this 1-year extension that this program will terminate after 1 year. I hope the Members of the House will take my assurance that funds will be provided the Department of Labor to see that all aspects of this program are properly enforced by the Department of Labor for 1 year and that the program can be satisfactorily terminated by giving this kind of notice to all parties concerned.

Mr. BROTZMAN. Mr. Chairman, I rise in support of this legislation because it satisfies a critical domestic need, it is a valuable foreign relations link with the Republic of Mexico and can be accomplished without a tremendous expenditure of taxpayers' money. It is clearly in this Nation's interest. I say this for the following reasons:

First. Need: The testimony is undisputed that growers in many areas of this Nation need an augmented labor force at peak periods to cultivate and harvest their crops. These growers live in 21 States of the Nation, but that does not make this a local problem as many argue. The producers of lettuce, carrots, sugarbeets, tomatoes, and other fruits and vegetables feed all the people in this country, not just those who live in the 21 States where they are grown. Eating is national in scope. Consumer prices are national in scope.

The need is greatest among our small farmers. The small farmer has been the victim of the mass exodus of labor from farms to the cities. These small farmers in my district are people who are tilling the soil because they like to, because they like to see crops grow, and want to raise their children in the healthy outdoors; but, they do not have the capital necessary to buy the expensive laborsaving devices that modern technology affords.

Second. Domestic workers: We are all aware of the unemployment situation, so it might seem logical to have domestic labor do these jobs. The growers who are forced by circumstances to use bracero labor would much prefer to use domestic labor. Unfortunately, the record shows that domestic labor will not perform these jobs voluntarily; under the Constitution of the United States, you cannot force them to do this labor against their will because it is clearly involuntary servitude. The report on this bill cites an example in Michigan:

> Any relationship between the use of braceros and displacement of American workers classified as hard-core unemployed can be judged by the experience in Michigan. The Michigan Employment Security Commission, in attempting to place urban unemployed into seasonal agriculture jobs found fewer than 1 out of 20 stayed on the job long enough to have a successful work completion record.

A similar situation exists in the other 21 States including Colorado as my colleague JUDSON CHENOWETH stated. In my State, a Colorado-based sugar company estimated that approximately 13,000 fieldworkers would be needed. The company conducted an expensive and extensive search for domestic labor, through their own offices and in cooperation with the Colorado Employment Service. They were able to recruit less than one-third of the needed labor supply. After having exhausted the domestic labor supply they recruited some 9,000 bracero workers and the sugar beets were harvested on time.

Since 1951 the law has been clear in the protection of the domestic worker. No Mexican labor can be used unless the Secretary of Labor certifies that domestic workers are not available; that employment of Mexican workers will not adversely affect wages and working conditions of domestic agricultural workers; and that efforts have been made to attract domestic workers at comparable wages. In short, the conditions of the law are clear—if the law is not being administered fairly or equitably then the Congress should settle that score with the Secretary of Labor.

Third. Moral arguments: I have heard the term "slave labor" used in connection with the program. Many confuse this measure with the domestic migratory worker problem and envision men, women, and children being herded across the country in cattle trucks. This is like the man in motion in a football game, designed to take your eye off the ball. First of all, only the men come to this country under a treaty with the Republic of Mexico to work under controlled and regulated conditions. No women or children accompany them. If this is slavery, then there are many thousands of Mexicans waiting at the borders of our country, anxious to throw themselves into the chains of slavery. These individuals want to come here to work and they are going to come, whether it is under this carefully controlled relationship between two friendly governments, or they will come clandestinely under the cover of darkness as wetbacks. If they come as wetbacks they live in constant dread of arrest because they are here illegally; and they are subject to every kind of unfair exploitation known to man. Because of this law, the number of wetbacks in this country has dramatically dropped from 1,075,168 in the fiscal year 1954 to only 30,272 in fiscal year 1962, resulting in a large tax savings to the public on money spent to find, apprehend, and prosecute these wetbacks. The moral equities are all in favor of the legislation.

Fourth. Foreign relations: Good relations between the United States and Mexico has never been more important to the preservation of a free Western Hemisphere and a free world. This is particularly so in view of the constant stream of Communist subversion being sprayed throughout this hemisphere from Cuba.

I submit this is a foreign aid program that is working because there is a quid pro quo between the people of this country and the people of Mexico. It benefits Mexican workers and communities to which they return. It has helped make possible a continuing balance of trade in our favor. It helps American farmers harvest their crops. In short, this program is based on reason and is not a senseless giveaway of American dollars. It is all summed up in one sentence by a communication from the Mexican Embassy contained in the report, which states:

> This has been a firm foundation for good relations between the peoples of the two countries.

So in conclusion, Mr. Chairman, this bill helps solve a domestic problem where a genuine need exists; it is a valuable foreign relations link with Mexico; it is in the Nation's interest, and merits your support.

Mr. COOLEY. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Chairman, and Members of the Committee, the gentleman from Rhode Island [Mr. FOGARTY] brought up a very signal and telling point when he suggested that there was probably more lobbying done on this bill than on any other bill in the 20 years since he has been in the Congress. Well, I am from the city of New York and I never expected any real pressure on this particular bill, but as the Washington Post reported this morning, more people have been involved in more doorways and in more hallways than at any other time since I have been in the Congress, which is 2 years.

Let me read to you the one single, almost threatening letter I received this morning. It is from the Times Square Dress Manufacturing Association of New

York, N.Y., dated October 30. It is addressed to me. It is as follows:

NEW YORK, N.Y.,
*October 30, 1963.*

Hon. BENJAMIN S. ROSENTHAL,
*House of Representatives,*
*Congress of the United States,*
*Washington, D.C.*

DEAR CONGRESSMAN ROSENTHAL: We write to you with reference to your opposition to the extension of the Mexican farm labor program. Many of us are residents of your district, and we want to tell you that we are in disagreement with you on this issue, and that we are unanimously in favor of the bracero program and its extension.

Our interest in this legislation may not be readily apparent, but I shall explain.

We are an association of ladies' high-style dress manufacturers, each of us having over 500 sewing machine operators in our employ. We are businessmen—first, last, and always, and are sympathetic to the cause of our California fellow businessmen.

We want you to switch your vote and support the extension. Of course, the only difference between this bill and the one defeated on May 29 is the length of the extension. I am sure you can handle this fancy footwork. Don't upset the apple cart—or should we say the cotton cart?

Getting down to specifics, we want you to not only support the bill, but to offer an amendment, which we are enclosing. In essence, the amendment provides that when the 200,000 braceros come into the United States for farmwork, their 200,000 wives or girl friends are transported to New York City to work as sewing machine operators for member-employers of our association.

This proposal may initially shock you, but let me explain:

1. There is a terrible shortage of sewing machine operators who will work at a dollar an hour. We are now forced to pay $2.25 an hour. If we can get these braceros, we can replace the $2.25-an-hour workers with the dollar-an-hour workers. In this way we can overcome the competition from Philadelphia and Chicago. Naturally, the $2.25 workers will lose their jobs, but that is their problem. I am sure that they can get welfare assistance and in that way all the taxpayers will be supporting them, not just the members of our association.

2. Our work is seasonal in the high style dress industry. After we copy Dior's Paris designs we have only 6 to 8 weeks to reap the harvest, and to get our dresses into the stores. Styles change so rapidly that last year I was stuck with 1,500 dresses that were too high above the knee. Can you imagine getting caught like that? Under the Rosenthal amendment, with a large number of these braceros available, we would have an abundance of seasonal labor.

3. As far as housing is concerned, we have made tentative arrangements to put the 200,000 ladies in dormitory housing on unoccupied Ellis Island which is in the middle of New York Harbor. In their off hours they will be within view of the Statue of Liberty. This should provide them with considerable appreciation of the American heritage.

To prevent any unfortunate incidents concerning the fact that we will have 200,000 unmanned females on the island, we have purchased two surplus PT boats, which will make continuous inspection tours around the island.

Incidentally, you may have some trouble with the Mexican Government and/or church groups, with your amendment. As far as the Mexican Government is concerned, just say it is good for their economy, and a pain-free method of foreign aid. Forget about the fact that it will be the American workers who lose their jobs who will have to pay for this foreign aid. Our association has taken a stand against foreign aid, but as an integral part of this program we think it is excellent.

As for the church groups complaining that the children who remain home in Mexico are left there without a father or mother, be prepared to accept a substitute which may provide for funds to send psychiatrists to the children. I am advised that we can round up enough psychiatrists to show the children the many advantages of their staying at home without their parents.

If the churchmen push the question of the problem of the natural yearnings of the female island residents, remind them of the PT boats and, if necessary, accept a substitute whereby we will be responsible for the construction of a Cyclone fence around the island. Don't agree to anything beyond the fence, because if the program becomes too costly it loses the financial advantages that we envision.

Good luck.

We remain,

Yours for a free economy,

TIMES SQUARE DRESS MANUFACTURERS ASSOCIATION.
JOE DOAKES, *President.*

Mr. HOEVEN. Mr. Chairman, I yield 1 minute to the gentleman from South Dakota [Mr. REIFEL].

Mr. REIFEL. Mr. Chairman, I rise in support of H.R. 8195 to extend the Mexican farm labor program for an additional year.

The extreme importance of this program to our Nation's farmers, particularly the small farmer, was brought home forcefully to me recently when a major sugar processing company was forced to abandon its plans for construction in 1965 of a multimillion-dollar sugar factory to serve parts of South Dakota, Nebraska, and Iowa.

One of the key reasons given for that decision to delay factory construction was the absence of a stable bracero program to provide the workers needed for thinning, topping, and weeding of sugar beets.

Thus it is that a vote for extension of this program is a vote for expansion of the domestic sugar industry to meet the growing sugar needs of this country and to make us less dependent on unstable foreign governments and world crop conditions for our supply.

In my State, the availability of migratory farm labor is keenly affected by the number of braceros which are brought into California and the Southwest. That supply of workers enables the domestic migratory workers from that area to come up to our part of the country to work on the sugarbeet crop.

Because of the seasonal nature of these farm labor needs, which often occur simultaneously in various sections of the country, there simply are not enough laborers, willing to do this type of work, to meet the needs of farm employers in all areas.

A vote for this program is one for new sugar factories and new jobs not only for the people employed in those factories and related industries but also for the domestic farm laborer, whose opportunities for seasonal-type work of this nature are increased.

At the same time it is a vote for lower sugar prices for the housewives and consumers by helping us to develop our own stable and adequate sugar supply.

It is a vote for the small farmer who is seeking to meet his economic problems by shifting from historic cropping patterns which produce surpluses into new specialty crops such as vegetables and sugarbeets. To make the investments required for this type of production, he must be assured of an adequate and stable labor force to do the arduous stoop labor that too few domestic laborers are willing to do.

Because of the intensified nature of this type of nonsurplus crop production, it usually must be accompanied by irrigation. Most of these small farmers are unable to mechanize like the big corporate farmer and, therefore, must go on relying on the services performed by migratory laborers.

A vote for extension of this program is a vote against the illegal entry into this country of wetbacks and their exploitation. It is these wetbacks who are the true victims of deplorable labor conditions. At the same time, domestic workers are unable to compete satisfactorily with wetbacks who do not have the protections built into Public Law 78.

It is a vote against imposing a minimum wage for domestic farm laborers employed by the struggling small farmer who already is beset by numerous imponderable, seasonal, and economic factors which make such a proposition totally impractical.

In short, our consideration of this bill today and in the past has dwelt too much upon the needs of the domestic farm laborer and too little upon the needs of the American farmer. For without the farmer, particularly the small farmer, there would be no work at all for the migratory laborer, foreign or domestic.

The committee has reported out a bill which embodies the only course open to us for this year and that is a simple 1-year extension of the act. I hope the House will go along with the committee's recommendations.

Mr. HOEVEN. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Chairman, I rise in support of the legislation. I think all points have been thoroughly discussed and there is very little that could be added. I would like to point out that those of us who live on the farm know how difficult it is to get farm help. I am fully convinced in certain areas where these crops are harvested and large numbers of persons are necessary, this program is needed. I think it was well pointed out by the gentleman from California [Mr. MOSS], this is not an argument as to whether it be 60 cents, $1, or $2, but the point is, Is help available? It is not. If help were available, I think we would be perfectly willing to terminate this program.

Mr. Chairman, I wish to add my support to this program at this time.

Mr. HOEVEN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. TALCOTT].

Mr. TALCOTT. Mr. Chairman, I wish I could tell you honestly that Public Law 78 is perfect. I cannot. I do not. But I can say quite accurately that it is the best law yet devised to deal with one of the most difficult socioeconomic problems in the United States.

Many arguments can be made in support of the bracero program. Every person involved benefits. The program has worked effectively; it has improved, while diminishing in scope, each year.

I believe I have some credentials which entitle me to speak briefly. I represent every group who purports to be involved—church people of every faith who work with the migrants and the braceros; union leaders and members of every craft; farmers, businessmen in allied industries, domestics, braceros, and consumers. I was a county supervisor for many years and worked with school administrators, city and county officials, law enforcement and housing officers. I have worked intimately with the domestic migrant family. My district includes the famous "Salad Bowl of the World." On less than 1 percent of the agricultural land in California, we raise one-fourth of the head lettuce produced in the United States, one-fourth of the strawberries, 95 percent of the artichokes, one-fifth of the celery, one-fifth of the broccoli; the largest beet sugar manufacturing plant in the world is in my district. For years farm workers have migrated to the Salinas Valley. Since 1870 supplemental labor has been important during peak harvest seasons.

I wish every Member of Congress could live for a short time in a rural farm community, upon which each of you depends daily for your sustenance. If you lived there, or could visit there even shortly, you would approve the bracero program.

I know it is easy to say "I will not vote for the importation of a single foreign laborer so long as there is one unemployed man on my street." I would not either. But do not submit to this argument. It does not comport with the facts. There are no unemployed people—men or women—who want to work in farm areas when a bracero is there. If domestics want work, there are no braceros; the farmers do not want them; the law does not permit them; the law prohibits them.

The unemployed in New York City and Boston will not migrate to the farms of California. Presently stoop labor and the braceros earn an average of $1.40 an hour, and can earn more. We pay the highest wages; no area has better working or living conditions or a longer working season. Persons with these limited skills cannot earn as much in any other industry. If there was, in fact, any domestic labor available, they would come to my district.

I do not say domestics will not do the stoop farmwork. We have some 1,500 local farmworkers which enjoy year-round employment—at stoop labor. Some 1,500 migrant workers are working in the area now—at stoop labor. But this is not enough. At peak harvesttime there are 12,000 braceros in my district—4 times the number of domestics. This may seem like a large number, but our production is enormous. Early this month we shipped from the Salinas Valley our 1 millionth railroad carload of lettuce. This would fill a train over 7,500 miles long—almost three times across the country. This did not include lettuce shipped by truck. About 40 percent of our lettuce is now shipped by truck. This is only lettuce, not other vegetable products. I am certain it is difficult, sitting here, to imagine the enormity of this production. Production like this requires a lot of manpower, mostly during a few months of the peak harvest season. It is mostly all hand, stoop labor.

We cannot postpone or change the harvesttime. Many of our crops ripen within hours. They are all perishable within days, and 80 percent is shipped to the east coast.

Our harvest season comes at a time when most other employment is also at a peak—the summer; when the tourist season is at its height; when motels and restaurants are operating at near capacity; when the recreation, fishing, forestry, and vacation industries are most active; when the building, manufacturing, and construction businesses are at a peak; when transportation by train, bus, and truck is greatest.

Stoop labor skills are among the lowest. If a working man can get a higher skilled job in another industry or in some other phase of farming, he will not do the stoop labor. The enormous demands for farm labor at the very time when competitive employment is highest explains, in part, why it is impossible for us to obtain a reliable supply of stoop labor during our peak harvest season. If you think about our problem, if you put yourself in our place, you will understand.

I want to mention two aspects of this problem which are seldom considered. Other speakers will discuss other reasons for extending the bracero program which are even more compelling. Housing and schooling are problems of the migrant and the rural community. These do not affect the farmer or the allied industries or the consumer directly. But if the 12,000 braceros in my area are eliminated, we will need 12,000 more family homes almost immediately; this would double our present housing; and they would be occupied only 3 or 4 months of each year. How could we, or any community in the world, double our housing in less than 6 months? Even if we had the materials and the financing, we could not get 1,000 units ready for next spring. Is there any builder or financier in America—including the Federal Government—who would build 12,000 family units which would be occupied only 3 to 4 months of the year? We all know there is not—but you are forcing my district, and other districts, to do exactly this—or go out of business. If you lived in my district, or were ever in the housebuilding business, you would understand our housing predicament.

Consider briefly the school situation. If the 12,000 braceros are eliminated, 12,000 families must migrate to our area for 2 to 3 months of the school year. This would mean at least 20,000 additional schoolchildren. This would more than double our school enrollment for less than one-fourth of the school year. Is there a city in all of America, including New York, Chicago, or Boston, that can accommodate 20,000 new students next year, provide the new schoolrooms, the new teachers and facilities, for 3 months, and then let the extra rooms and facilities stand vacant for the balance of the school year? Is there any school system in any congressional district that can double its school enrollment 6 months from today?

Even if we could suddenly solve the physical and financial problems, there is a more serious difficulty. When the migrants come to a community, they completely disrupt the whole school system. The kids have different backgrounds, levels of accomplishment, textbooks, teachers, and systems. Any teacher will tell you that four or five new students in a class is disruptive. Imagine how disruptive it would be for a school to be doubled next April—2 months before graduation. The pathetic migrant children get little or no education. The local children suffer irreparably.

Then, when our harvests are over, the migrant family moves on to disrupt another school system for a couple of months; and then on to another. Can you imagine how terrible this is for teachers, the local students, the migrant students? We simply cheat them of their education—their most valuable asset.

This, of course, is no fault of the innocent children. This nomadic, migrant, farm labor system is simply un-American. We should not glamorize it, we should not enlarge it, we should not perpetuate it.

We are not asking for Federal aid—we only ask you to understand our problem.

Someday we will work this out. We have solved other problems. But to ask us to solve a work force problem which suddenly multiplies 6 to 10 times for only a few months of the year is asking more than has ever been asked of any community in the history of our country.

Imagine what Detroit, for instance, would do if the work force there was only quadrupled for a period of 3 or 4 months of the year. No one here can even imagine the chaos, but you will force twice as difficult a situation on my little community next April if Public Law 78 is not extended.

We have imported supplemental labor since 1870. We have used every device ever suggested for reducing this importation and we have made much headway. We supply the whole United States with much of their salad vegetables and strawberries. We provide more than 400,000 jobs throughout the United States each year. A sudden termination of Public Law 78 would cause unbelievable chaos in rural America and would adversely affect every person in America.

We are asking nothing from anyone other than the opportunity to import willing labor during the peak harvest season when no local labor is available.

All I ask is that you try to understand our predicament. If you understand, I believe you can vote "yes" on this bill.

Mr. HOEVEN. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Chairman, several months ago when this legislation was up I opposed it. I continued to oppose the legislation. I feel there has been ample time for this program to be terminated. I feel it should be terminated as of the end of this year.

Mr. Chairman, I wish to offer a brief comment on the vote I intend to cast on final passage of H.R. 8195, a bill to extend for 1 year the Mexican farm labor importation program or Public Law 78.

All of us will recall the House already has worked its will on this legislation. On May 29, 1963, a rollcall vote clearly indicated that a majority of the House favored discontinuing this program. I joined my colleagues who opposed the measure on that occasion and shall do so today.

I have studied this entire matter very closely. I have made a critical examination of the bill now before us in comparison with the bill defeated earlier this year. Frankly, the only distinction I can find between H.R. 8195 and H.R. 5497 is that the instant bill would extend Public Law 78 for 1 year, while the earlier bill would have extended it for 2 years. In view of my objections to the substance of the program, which I stated publicly when the earlier bill was being debated, this difference in term makes no material difference.

Mr. Chairman, I find extension of the bracero importation program deficient on two grounds: economics and morals. Together, these two factors argue favorably for the expiration of Public Law 78 at the end of this year.

Without question, the most serious domestic danger we face is unemployment. Today, more than 4 million American men and women are suffering the indignity of being jobless. Therefore, with 5.6 percent of our labor force currently unemployed, I find it inconceivable that the Government should not only encourage but also subsidize an actual depressant to our own labor market.

The figures I have cited are for the total labor force in the Nation; the rural unemployment situation is even worse. Sharply increasing mechanization in agriculture constantly reduces farm employment. In this decade alone, 1 million family and hired farm labor jobs will disappear.

Beyond the labor force impact, the bracero program is economically prejudicial to the more than 99 percent of American growers who must market their produce in competition with that grown on the huge, corporate-type farms which use Mexican labor. The family farm—the root system of American agriculture—is being hurt by Public Law 78.

Mr. Chairman, I believe a careful reading of all the facts pertinent to the Mexican farm labor program leads to one inescapable conclusion: that Public Law 78 in the early 1950's served the very useful purpose of meeting an acute farm labor shortage resulting from the Korean war, but that the situation is now reversed and the measure should be allowed to expire.

Mr. COOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, I want to say to my friend from Rhode Island that this is not by any stretch of the imagination or torture of language a slave-labor bill. I want to compliment the gentleman from New York for the very light statement he read here as an example of some insidious form of lobbying. I read in the paper this morning that this is a bill that was supposed to have been lobbied at great length. Apparently my vote is not desired. I have not been lobbied at great length either for or against the legislation. I do not regard the legitimate communications from the people I represent as lobbying in any sense of the word. And I wanted to say to the gentleman from Rhode Island who dwelt here on the use of this labor in cotton that cotton is one of the smallest users of the migrant worker in California; that the great majority of the workers are engaged in the harvesting or working on crops of tomatoes, lemons, oranges, asparagus, lettuce, and other truck crops. They are the crops that are not supported. They are the specialty crops and they are paying in the great majority of instances wage levels in excess of the national minimums prescribed for industrial employment.

I yield to no man in this Chamber in my concern for the welfare of the American worker. I challenge any Member of this body to demonstrate a voting record during my 11 years of service that is superior to mine in concern for their welfare. I am not speaking now as the Representative of a large agricultural district. Most of my agriculture was taken away in reapportionment effective January 3 of this year. But I would not be honest with myself if I came here and told you that now, released of the burden of representing agriculture in any large volume, that my conscience would accord with failing to continue support of this program when I have seen abundant evidence of the inability of my people to recruit domestic labor to do this work which is so essential.

The failure to continue this program at this point will create a serious economic impact upon the people I represent here. It would not benefit in any measure the undersupply of domestic workers.

Mr. HOEVEN. Mr. Chairman, I yield 2 minutes to the gentleman from North Dakota [Mr. Short].

Mr. SHORT. Mr. Chairman and Members of the Committee, I happen to be one of the apparently numerous Members of this House who was not extensively lobbied on this bill, even though I happen to be a member of the Committee on Agriculture, the committee which passed this bill out to the floor of the House for consideration.

Mr. Chairman, I have had a few letters on both sides of this question, but no one has called on me. I have no personal interest in this bill. We do not use one single bracero in North Dakota although the Red River Valley of North Dakota and Minnesota is one of the largest sugarbeet-producing areas in the United States.

Mr. Chairman, this is perhaps a point to consider as we consider this bill. Why do we no longer use braceros in the Red River Valley? We do not use them because the area is almost completely mechanized in the beetfields and in the potato fields. We raise potatoes in the Red River Valley of North Dakota that are planted, harvested, stored, and marketed without ever being touched by human hands. This is the thing that is coming, this is the thing that is going to eliminate the need for the bracero program, and eventually most or all of the hand farm labor used in the United States.

I think we might then ask ourselves what is going to become of some of the people who need jobs in some areas of possible unemployment in the United States. The gentleman from Arizona [Mr. Rhodes] pointed up one thing which I think is surely going to happen, beyond any question of a doubt. That is the exportation of the production of some of these specialty crops that are grown in some of the States and areas where most of this bracero labor is used. The capacity to produce the specialty crops where most hand labor is now used is great in Mexico and other Central American countries. If we make it impossible to produce these crops in the United States we will find the market supplied by imports and we are importing too many agricultural products now, including beef.

Mr. Chairman, I support this legislation and urge its adoption.

Mr. HOEVEN. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. Don H. Clausen].

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of this legislation and I want to join my colleagues who support this legislation.

Mr. Chairman, I do not think there is anything I could add to what has already been said. However, I would like to answer the remark made earlier about our bringing Chinese, Japanese, and Mexicans into California.

Mr. Chairman, in the congressional district which I have the honor to represent I have some of the finest people, Japanese, mind you, who got their start as a result of coming into our area as agricultural workers. This also took place with reference to the Danes, the Germans, the Swiss, the Italians, the Portuguese and many other nationalities who are among the most successful farmers of our State.

Also, I might say from the international point of view—I have worked in Mexico with a program where we use aircraft to fly people into remote areas to show these people how to better serve and improve their agricultural needs. I can think of no better way to promote a private peace corps that has the opportunity of providing the self-help educational potential of this program—in addition to serving a pressing domestic problem.

Mr. COOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. Olson].

Mr. OLSON of Minnesota. Mr. Chairman, the Committee today is debating a measure the substance of which is identical to that which this House rejected last May. The arguments pro and con in respect to the extension of Public Law 78 remain basically unchanged. The zeal with which the proponents of this legislation are urging extension is, of course, clearly recognized. However, I do not believe that zeal alone is sufficient basis to come before this Congress and ask that we overturn our earlier decision of last spring. I should like to point out that not one new piece of evidence has been presented by the proponents of this legislation for consideration by this Congress. On the other hand, the arguments, on which the plea for defeat of this legislation is based, are as valid today as they were at the time of its earlier defeat.

I checked with the Department of Labor just yesterday to receive the most current figures relating to our unemployment problem. Those unemployed classified as unskilled presently number 457,000. In addition, we have underemployment plaguing our rural areas in the number of 313,000. If we should at this time pass legislation which would permit the continuation of the importation of nearly 200,000 unskilled agricultural workers, our Congress would be on record as choosing to disregard one of the major domestic problems of our time. Of course the argument, Mr. Chairman, presented in reply to these statistics is that these unskilled and underemployed do not all live in areas where strawberries, tomatoes, and other crops employing braceros are raised. To this I can only say, neither do the braceros live in these areas, they must be not only imported but also transported.

I respectfully submit that we are faced with the same situation today that we were confronted with on our earlier deliberations on this subject. Because of the absence of any new evidence to the contrary, I would suggest to the Members of this Congress that it is consistent with the objectives of our previous debate and decision to reject the extension of this legislation again this afternoon.

Mr. COOLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon [Mr. Duncan].

Mr. DUNCAN. Mr. Chairman, when this bill was before us earlier this year I supported it because of what I deemed to be the best interests of my district. I pointed out then that Oregon's migratory labor legislation is among the best in the Nation. I pointed out that only a few braceros are still used in Oregon but that many hundreds of jobs—American jobs—in my district are dependent on getting the fruit harvested. I pointed out that growers in my district hire every American who comes down the pike, that they carry out an intensive recruitment program, and that wages are high, if not by an industrial standard, certainly by an agricultural standard.

For these same reasons I intend to support this bill again this time. I submit that the question has never been: Do we have unemployed Americans? The question is can we get the labor in the right place at the right time. In my district the answer has been "No."

Nor does the question turn on the fact that only 1 percent of the farmers use braceros. The farmers who need the labor most are the growers of fruit, nuts, and vegetables. This group comprises 2½ percent of the American farmers, and many of the 1½ percent who do not use braceros have access to workers from Jamaica, the Bahamas, and Canada under the general immigration law. Further, some 0.7 percent of the farms produce some 80 percent of our vegetables and some 65 percent of our fruit and nuts. These are the ones who need the labor at the right time at the right place.

I do not pretend that there are not problems, and serious problems, with this program. I want these jobs to go to Americans and I want the working conditions and wages improved so that those who labor for wages to produce these crops get a fair return under decent conditions.

And I know that the days of this program are numbered. I know that the growers will not have this program to lean on much longer. They will have to find an alternative supply of labor either by themselves—as I would prefer—or by themselves with the help of Government. The Williams bills are opposed by the growers. They then have the obligation of offering an alternative.

One such has been advanced by Mr. Howard Fujii of Oregon. He urges development of a farmer owned and controlled organization to recruit and place workers, to develop personnel records and training programs and to place special emphasis on employee relations so as to develop decent wages, tenure, continuity of employment, workman's compensation and other fringe benefits.

He acknowledges that farmers have dragged their feet on any such self-help program—that they have been content to get by and have been unwilling to invest their own money.

I say to them that the program is dying—that the farmers must either do the job themselves or the Government will come to the Williams bills or something like them. I hope—as Mr. Fujii does—that they will do the job themselves. I urge you to give them a year in which to do so.

Mr. COOLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Arkansas [Mr. Gathings].

Mr. GATHINGS. Mr. Chairman, my State of Arkansas has used quite a number of braceros in the past. I have some figures here I would like to read into the Record.

In 1961 Arkansas used 26,849 bracero laborers; in 1962 only 8,859 were used. In 1963, up to October 20, only 5,806 braceros worked in the State.

I call attention also to the fact that mechanical harvesting is increasing rapidly in the three principal cotton-growing States that had been using bracero labor.

In the State of Arkansas in 1958 only 22 percent of our cotton was harvested mechanically. In 1961 that had jumped up to 51 percent. In 1962, 68 percent of our cotton was harvested by machine.

In the State of New Mexico 39 percent was harvested mechanically in 1958, 73 percent in 1961, and 91 percent in 1962. That is the reason why in the State of New Mexico and the State of Arkansas they have not used or needed as many braceros.

But let us look at Texas. In 1958, 35 percent of their cotton was harvested mechanically, in 1961, 64 percent, and in 1962, 78 percent was harvested by machine.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman from New York.

Mr. ROSENTHAL. I want to compliment my colleague from Arkansas on showing statistically how there has been a drastic reduction in the number of braceros used, but why, when the gentleman testified before the Committee on Rules, did he say he wanted to make this a permanent program?

Mr. GATHINGS. I will be glad to answer the gentleman. It was because I had introduced legislation in the past to make this legislation permanent. I had introduced such bills on two different occasions. That is the reason for my statement. This is a great program and should provide labor in the crops and in the areas where it is needed. It may be phased out, but in any event the legislation is badly needed at this time since there are no machines available that can harvest tomatoes, cucumbers, strawberries, green beans, celery, and various other food crops including all types of citrus. Stoop labor is required to do the work.

Public Law 78, the bracero program, builds good will with our friend and neighbor to the south of us. These workers flock to the border for the privilege and opportunity of coming here where they can earn many times the wage rate paid in their own country. They enjoy the work on America's farms and want to return from year to year.

Emil Zubryn wrote an article from Mexico City on the date of June 1, which appeared in the daily Congressional Record of July 18, 1963, on page A4514, and stated in part as follows:

> Mexico, however, will have some adverse effects if the bracero program is definitely ended. Officials estimate that around $35 million was earned by braceros last year, with an average of around this in the past 3 years.
>
> It could also create employment problems. There is already talk of creating regional labor banks to siphon off excess Mexican farm labor into needed areas, or into industry.
>
> As for the bracero himself, he was stunned by the news and by the loss of an opportunity to work in the United States from 6 weeks to 3 or 4 months.
>
> Many take the attitude that "nobody gives us work here and in rural areas the best lands are for influential well financed farmers or for the favored few who have political backing."
>
> The problem is aggravated further by the fact that in Mexico firms are hesitant to hire anyone over 35 years of age. Many braceros are in the 40-to-50 age group.
>
> Some political leaders view the entire situation with alarm, feel that it could lead to trouble in agricultural communities.
>
> In general, the hope is that American authorities will reconsider and that the bracero agreement will be extended for at least 2 additional years.

Another article by Emil Zubyrn, which was written in Mexico City on June 8 and reproduced in the daily Congressional Record of July 15, 1963, on page A4394, concluded, as follows:

> Secretary Tello added that "agreements for the contracting of rural migrant labor has always been a satisfactory arrangement for both nations."

> "I want to make one point very clear," he said, "and that is this: should the ban prove official, both Mexico and the United States will have to join forces in a coordinated effort to avoid illegal movement of braceros north of the border. And I believe that the principal responsibility should lie with the United States."

There is no doubt that if Public Law 78 is not extended wetbacks will flow across the border in such numbers that immigration officials could not control the movement. The farmers in the Valley area of Texas, along the border in New Mexico, Arizona, and lower California would obtain labor that would be denied farmers who operate in the sugarbeet areas of Colorado or the pickle sections of Michigan, as well as the strawberry harvest in Arkansas. Also the citrus and vegetable growers of middle California would not be privileged to obtain these wetbacks to aid in agricultural harvesting.

David Weber, writing in the Dallas Morning News of June 13, the article appearing in the daily Congressional Record on June 26, 1963, on page A4066, winds up his article as follows:

> "I was up in Texas for 3 months last year," said Indalecio Morquecho, "and made $450. When I got home I invested part of the money here and there and this is what kept us going mostly." Morquecho, 33, has four children. Between bracero trips, he finds occasional work as a relief driver on a city bus. The pay is $1.40 a day. "This doesn't quite cover the rent, but it is something. It has kept me busy until the hiring started again." * * *
>
> For this reason, every day is a heartbreaking repetition of unopened doors and unsigned contract papers for literally thousands of experienced braceros who patiently gather in the shady plaza before the old Cuidadela hiring center in Mexico City. They show up every morning and press in as close as they can to the peeling gray doors which open from time to time to admit a trickle of applicants. Blue-helmeted police grenadiers armed with clubs and tear-gas guns keep pushing them back, but as soon as the guard relaxes they push forward again hopefully. All day they wait, until at last they see the officials come out and get in their cars and drive home. The hopeful braceros drift off then, but the next morning they are back again.
>
> "What else can we do?" asked Salvador Perez Carmona, a weathered man who has spent the last 5 summers in either Texas or California. "It's too late for most of us to learn a new trade. Farming is our work, but there's no work for us now. Not even up there, on the other side."

It has been urged by opponents of the extension of Public Law 78 that if our local labor were paid more money for agricultural work, that adequate labor would be available, obviating the necessity of bringing in supplementary labor from Mexico. A most revealing letter and attachments were received by the gentleman from Texas, Representative Joe Kilgore, written by the Wallace Fruit & Vegetable Co., on June 2, 1963, and reproduced in full in the second set of hearings on the extension of Mexican farm labor on August 21, starting on page 25 and running through page 27. The substance of the information was to the effect that Mr. Wallace was putting forth every possible effort to harvest 500 acres of cantaloups. He visited the office of Bob Sanchez, an attorney who represented the Spanish-speaking people in that area. Mr. Sanchez worked up a contract calling for a fair wage of 75 cents per hour, with an additional guarantee of 25 cents an hour for every hour worked "provided the worker would stay until the cantaloup harvest was completed." Under this arrangement the wage rate was much higher than the going wage rate in the area, and it was felt that the domestic worker would take advantage of it. An all-out advertising campaign was started with 200 spots in Spanish over the radio, and 10,000 posters in Spanish distributed, telling the story of the great need for workers and the wage rate that was offered. The project turned out to be a failure, and was most disappointing to both the Wallace Fruit & Vegetable Co., as well as Mr. Sanchez. Mr. Wallace's letter to the gentleman from Texas, Representative Kilgore, concluded as follows:

> It was hard for us to believe that the labor would not work and respond to this opportunity. But they did not, and would not.
>
> It is now evident and conclusive, based on actual facts, that we cannot grow or harvest these cantaloups without bracero labor.

A press release of the Council of California Growers from Stockton, Calif., was placed in the daily Congressional Record by the Honorable Charles S. Gubser on August 6, 1963, and appeared on page A5011, revealing the impact upon the economy of the area where such a large portion of tomatoes for canning is grown. The article states that the tomato industry meant $88 million in crops to the farmers, $5.5 million to the seed industry, $4 million to tractor fuel and machinery repair services, $3.5 million in fertilizers, $70 million in metal cans, $11 million for glass containers, $12 million for boxes and cartons, $6 million for printed labels, $1.8 million for handling, $32 million for shipping, and $45 million for the salaries of the 50,000 cannery workers.

The program is for supplemental labor for only a short period of time where peak labor is required for thinning, weeding, and harvesting. It has worked well and has resulted in providing the housewife with an adequate food supply at reasonable prices. If there is no bracero labor, the farmers who now are growing the fresh fruits and vegetables will do one of three things. They will reduce their plantings; they will plant about the same acreage and the foods will deteriorate since there will be an inadequate supply of labor to harvest them; or they would move their operations outside of the country.

The bill should be passed to extend the law as the legislation is badly needed.

Mr. COOLEY. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. Hagen].

Mr. HAGEN of California. Mr. Chairman, the gentleman from New York City did an excellent job of injecting a little humor into this argument. I want to tell the story about the man who was bringing a visitor to his house, and when he got there he found his wife up a tree and a wildcat at the bottom. He wanted the stranger to help her, but he said, "That is the kind of fight I don't want to get into." This is the position of those of us who seek to fairly represent the interests of both labor and farmer-employers.

If the gentleman from New York thinks he has been lobbied presently, he may be really lobbied greatly if this program is allowed to expire at the end of this year. If the price of lettuce and tomatoes goes up three times he might be hearing from irate housewives in New York City, and no one is a better lobbyist than an irate housewife.

Mr. ROSENTHAL. Mr. Chairman, will the gentleman yield?

Mr. HAGEN of California. I yield to the gentleman from New York.

Mr. ROSENTHAL. The fact of the matter is that farm labor represents 4 percent of the cost of goods to the housewife, and if we gave a 100-percent increase in wages it would be only a 1-cent increase in the price of a 2-pound can of tomatoes. In my opinion, that is a fictitious argument.

Mr. HAGEN of California. I am sure that a major part of the costs of these bracero-harvested products are added by the wholesalers in New York City, and the people who actually engage in retail sales. This is a bill not for the benefit of a few farmers, it is for the consuming public and the many people who work outside of agriculture in handling these goods. We do not support this program in California because we are illiberal, we support this program because we feel that at the moment it is a matter of necessity and it is only on that basis that we support it in the interest of our farmers, consumers, and industries based on use of farm-produced raw materials. All we are asking is a 1-year extension to the Secretary of Labor of authority to conduct the kind and scope of program he thinks the circumstances require. We are giving him a license to conduct a program. Mr. Wirtz, the Secretary of Labor, is not antilabor. He is not going to conduct the kind of program which would be used to depress the wages of American workers or that would be used to displace American workers from their jobs. All we ask of you, and we ask it sincerely and not from an antilabor position, is that you give the Secretary of Labor authority to conduct a fair and equitable kind of program, which we hope won't be necessary after the year 1964. I might conclude by saying that the Secretary of Labor has endorsed a 1-year extension of the bracero program.

Mr. Chairman, I yield back the balance of my time.

Mr. DENT. Mr. Chairman, there are many reasons, some old, some new, to continue my opposition to this legislation. The most compelling reason is spelled out in simple language, "We need jobs, jobs in every field of endeavor."

This Nation has a chronic unemployment problem. Try as we will we cannot keep the rug over the sad record of our employment and economic ills of the last decade.

However my most compelling reason is one that treats foreign labor exactly as I treat the threat from the goods produced by foreign labor and sold in our domestic market.

Although many proponents of free trade do not see the situation in this light, that, in my opinion, does not alter the facts.

I am pleased to note for the record that the following letters opposed to the legislation have been addressed to me by leaders in the labor movement who have not yet come to the realization that there is no difference between the two imports, labor or labor's products, in job competition.

Someday, when the sun finally breaks through the black clouds of propaganda, political expediency, misguided intentions, and plain economic ignorance, all America will awaken to the dangers in our trade policies and practices.

The record should contain the statements as I received them from the men charged with the responsibility of keeping the path of labor cleared of the obstacles of greed, prejudice, and poverty.

Mr. Chairman, I attach correspondence on this issue and my response to same:

INDUSTRIAL UNION DEPARTMENT,
*Washington, D.C., October 18, 1963.*

DEAR CONGRESSMAN: I am writing to you on behalf of the Industrial Union Department, AFL-CIO, to ask you to vote against H.R. 8195 which would extend the Mexican contract labor program for another year to December 30, 1964.

We are grateful to you for your vote against a 2-year extension of this program last May 29. We are convinced that your vote was in the public interest.

The only difference in H.R. 5497 which was voted down in May and the pending measure is that the latter extends the program for a shorter period of time, but this difference is made largely meaningless by the expressed intention of its primary supporters to demand a further extension next year. This plan was stated clearly by Representative GATHINGS during the hearings before the Rules Committee last week.

We are unequivocally opposed to the extension of this program for any period of time and we urge you to vote against any extension.

To the extent that there is an apparent need for American contract foreign labor in agriculture, it is the result of the availability of this un-American crutch for the last 12 years and the resulting effects on farming and farm labor. We have urged and will continue to urge the enactment of legislation for an improved domestic recruitment program as set forth, for example, in H.R. 4518, but the same political and economic groups which have fought for a subsidized labor force for commercial agriculture have strongly opposed rationalization of the domestic program.

The pending bill, H.R. 8195, does not even contain the weak amendment attached by the Senate in an effort to reduce adverse effects on our domestic farm workers, an omission which supports our earlier statement that "no decent domestic recruitment program can be enacted until this contract labor tranquilizer has been withdrawn from its beneficiaries."

Thanks again for your earlier vote.

Sincerely,

WALTER P. REUTHER,
*President.*

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OCTOBER 25, 1963.

WALTER P. REUTHER,
*Industrial Union Department,*
*Washington, D.C.*

DEAR WALTER: Thank you kindly for your note on H.R. 8195.

I am still standing pat on imports, products, or people. I see no difference in any instance if it hurts my people.

With the kindest of personal regards, I am,

Sincerely yours,

JOHN H. DENT,
*Member of Congress.*

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HARRISBURG, PA.,
*October 29, 1963.*

Hon. JOHN H. DENT,
*House Office Building,*
*Washington, D.C.:*

We respectfully urge you oppose H.R. 8195 which is designed to extend Public Law 78 providing for Mexican farm labor importation program. With unemployment situation what it is in this country efforts should be made to put these people to work rather than continue this method of importing workers. An adequate supply of American workers is available and if wages must go up to attract these workers that should happen and this should not greatly affect prices since less than 12 percent of total farm production costs and less than 5 percent of total consumer prices are labor costs. Especially is this essential since I undertand less than 1 percent of U.S. farms now use Mexican farm labor and these farms should no longer be afforded this privilege of using imported labor to depress wages and severely limit job opportunities for this country's unemployed.

HARRY BOYER,
*President,*
*Pennsylvania AFL-CIO.*

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OCTOBER 30, 1963.

Mr. HARRY BOYER,
*AFL-CIO,*
*Harrisburg, Pa.*

DEAR HARRY: Thank you for your telegram on H.R. 8195. As I am sure you know, I am against importation of foreign labor just as much as I am importation of foreign goods. They both put our people out of business.

With the kindest of personal regards, I am,

Sincerely yours,

JOHN H. DENT,
*Member of Congress.*

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AFL-CIO,
*Washington, D.C., October 17, 1963.*

Hon. JOHN H. DENT,
*House Office Building,*
*Washington, D.C.*

DEAR JOHN: H.R. 8195, a bill to extend for 1 year the Mexican farm labor import program under Public Law 78, is expected to come up soon for floor action in the House of Representatives. The Public Law 78 program takes jobs away from American workers and lowers wage standards and working conditions for American workers.

On May 29 of this year the House of Representatives rejected a proposal to continue for 2 years the temporary, wartime Public Law 78 program enacted in 1951. The AFL-CIO opposed the 2-year extension and we now oppose the 1-year extension for the same reasons. Sharply rising mechanization of agriculture is increasing unemployment among American farm workers. To import low-wage Mexican farm workers—195,000 in 1962—when millions of American workers are jobless is simply unconscionable.

The fact that H.R. 8195 provides only a 1-year extension does not mean that the supporters of Public Law 78 will be satisfied with that. During the Rules Committee hearings on H.R. 8195, Congressman E. C. GATHINGS, chairman of the House Agriculture Subcommittee handling Public Law 78 bills and chief House proponent of this legislation, was asked whether he would bring up another Mexican farm labor extension bill next year if this one passed. He answered flatly that he hoped so.

H.R. 8195 would provide the sixth extension for Public Law 78. If there ever was a valid reason for the importation of farm workers, it certainly does not exist today. Less than 1 percent of American growers use imported workers. They are cushioned against a rise in wages because they are allowed to get cheap, docile bracero labor from Mexico.

There is also no validity to the argument that consumer prices will rise if Public Law 78 is ended. The fact is that farm labor costs account for less than one-twentieth of the consumer prices of farm goods.

The AFL-CIO continues to oppose any extension of the Public Law 78 program, which injures American workers. Therefore, we urge you to vote against H.R. 8195.

Sincerely yours,

ANDREW J. BIEMILLER,
*Director,*
*Department of Legislation.*

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OCTOBER 22, 1963.

Mr. ANDREW J. BIEMILLER,
*Washington, D.C.*

DEAR ANDY: Happy to continue to support Labor's position on Mexican labor. You remember me—I'm still fighting imports of foreign labor or products made by foreign labor.

With the kindest of personal regards, I am,

Sincerely yours,

JOHN H. DENT,
*Member of Congress.*

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AMALGAMATED MEAT CUTTERS AND
BUTCHER WORKMEN OF NORTH
AMERICA,
*Chicago, Ill., October 18, 1963.*

Hon. JOHN H. DENT,
*Member of Congress*
*U.S. House of Representatives,*
*Washington, D.C.*

DEAR MR. DENT: A bill which would keep wages low and cause increased unemployment among the most poverty-stricken workers of our Nation—a bill which has been rejected by the House previously this year—is unfortunately coming up again for debate and a vote. The measure concerns a continuation of the Mexican farm labor importation program. It is H.R. 8195.

With this program, also known as Public Law 78, growers need not raise wages if the low rates they offer fail to attract sufficient U.S. workers. They simply tell the Government that they cannot get workers and Mexican workers are imported. Public Law 78 thereby makes a mockery of our competitive free enterprise system. It depends upon the huge supply of extremely poverty-stricken workers in Mexico to create increased poverty in the United States.

While agriculture is becoming more and more mechanized, while U.S. farmworkers suffer increasing unemployment, hundreds of thousands of Mexican farmworkers are imported into the United States to take badly needed jobs each year. The growers complain about the competition of Mexican strawberries and want them kept out, but they want Mexican workers to take jobs away from U.S. workers.

Less than 1 percent of U.S. farms use the bracero program, but they are generally the large, corporate-type farms, so that literally hundreds of thousands of jobs are involved. The Federal Government subsidizes these growers by paying $1,262,000 this year alone for the enforcement of Public Law 78. What is more the $15 fee which the growers pay to get the Mexican workers is now inadequate to cover the Labor Department's costs of transporting and feeding the workers in transit. Finally, some of the crops which the Mexican workers till are subsidized.

We strongly urge you to vote against H.R. 8195. The Mexican farm labor importation law, which was enacted in 1951 as a "temporary wartime program" should be ended once and for all.

Very truly yours,

PATRICK E. GORMAN,,
*Secretary-Treasurer.*

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OCTOBER 22, 1963.

DEAR PATRICK: Of course I'll vote against the Mexican import bill. Remember me

Harry? I am against all cheap imports whether they be cheap labor or cheap goods. They both take American jobs.

I see no difference between importing a Mexican worker or importing what he produces. In either case we lose jobs and wage levels. I am against both.

With every kind regard, I am,
Your friend,
JOHN H. DENT,
*Member of Congress.*

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NATIONAL CONSUMERS LEAGUE,
*Washington, D.C., May 23, 1963.*
Hon. JOHN H. DENT,
*House of Representatives,*
*Washington, D.C.*

DEAR MR. DENT: The National Consumers League urges you to vote against H.R. 5497, a bill to extend Public Law 78, providing for the importation of Mexican agricultural workers. These foreign workers constitute a huge supply of cheap labor used principally by the large corporate farms. As a result, the small family farm is at a great disadvantage, and American farmworkers have been deprived of jobs and have had their earnings depressed.

The detrimental effects of this labor importation on our domestic farmworkers have been increasingly apparent. In the face of continually increasing unemployment and underemployment of our domestic farmworkers, it is imperative that the bracero program, which is used by only 5 percent of American farm operators, be permitted to die at the end of 1963.

Further reduction of available jobs for our domestic farmworkers continues as use of automation in farming increases. The existence of the bracero program, by practically doubling the number of workers available for the existing jobs, constitutes an economic compulsion on the most deprived segment in the American working force, to accept wages and working conditions that are guaranteed to keep them at the bottom.

The plight of the small family farmer and of our domestic migratory farmworkers requires from all sectors of our population a willingness to cooperate in plans and actions that will improve their situation. As consumers, we are willing to cooperate, even if it should mean a slight increase in the cost of farm products.

The National Consumers League has long been concerned with the conditions under which consumer goods are produced, and believes consumers have a real responsibility to work toward ending the exploitation of migratory farmworkers. The league, therefore, strongly urges you to vote against H.R. 5497.

Sincerely yours,
SARAH H. NEWMAN,
*General Secretary.*

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JUNE 4, 1963.
Mrs. SARAH H. NEWMAN,
*National Consumers League,*
*Washington, D.C.*

DEAR MRS. NEWMAN: Of course you know how I feel about cheap imports whether they be products or persons.

I see no difference in importing a Mexican to take an American farmhand's job or to demoralize the farm wage structure than I do in importing products from cheap foreign labor that kill off our production jobs and cause our wage structure to be under heavy pressure from foreign competition. In either event, the U.S. worker loses his job. I will, of course, vote against the Mexican farm labor bill.

Thank you for your interest in this legislation.

With every kind regard, I am,
Sincerely yours,
JOHN H. DENT,
*Member of Congress.*

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NORTHERN WESTMORELAND
COUNTY, PA., UNITED LABOR
COUNCIL, AFL–CIO,
*New Kensington, Pa., May 20, 1963.*
Hon. JOHN H. DENT,
*Congressman, State of Pennsylvania, House of Representatives Office Building, Washington, D.C.*

DEAR CONGRESSMAN DENT: The delegates of the Northern Westmoreland County, Pa., United Labor Council, which represents all the AFL–CIO locals in our valley, discussed the importing of fuel oil and a lot of other material from foreign countries which is causing a lot of unemployment.

Our council wholeheartedly supports you and all your colleagues in urging President Kennedy to hold the line on imports of fuel oil and the controls must be retained and they must be strengthened to protect the jobs of our people in this country.

Very truly yours,
WILLIAM SNYDER,
*Recording Secretary.*

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MAY 22, 1963.
WILLIAM SNYDER,
*Recording Secretary, Northern Westmoreland County, Pa., AFL United Labor Council, CIO.*

DEAR BILL: I appreciate your note on the fuel oil imports and Mexican labor. Of course you know my stand and can assure the members that I will continue fighting against cheap imports of oil, Mexicans, glass and any other import that takes American jobs from our own people.

I have long contended that there's no difference in importing a foreign worker to take over American workers' jobs than there is in importing the products of foreign workers that displace U.S. production. In either event, the U.S. worker loses his job.

The biggest lie sold to the American people is the so-called free trade bill.

The records show that we are the suckers in the world market.

With every kind regard, I am,
Sincerely yours,
JOHN H. DENT,
*Member of Congress.*

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NORTHERN WESTMORELAND COUNTY,
PA., UNITED LABOR COUNCIL, AFL–
CIO,
*New Kensington, Pa., May 20, 1963.*
Hon. JOHN H. DENT,
*Congressman, State of Pennsylvania,*
*House of Representatives Office Building,*
*Washington, D.C.*

DEAR CONGRESSMAN DENT: The Northern Westmoreland County, Pa., United Labor Council, which represents all the AFL–CIO locals in the Allegheny Valley, held a meeting on May 17, 1963, and discussed the extension of the Mexican farm labor importation program.

The delegates of our council oppose the extension of this program and urge you to stop this program and vote against H.R. 5497. We cannot see importing thousands of Mexican farmworkers when we have so many people in the United States who are unemployed.

Very truly yours,
WILLIAM SNYDER,
*Recording Secretary.*

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NATIONAL FARMERS UNION,
*Washington, D.C., June 10, 1963.*

DEAR CONGRESSMAN: I wish to thank you for your recent vote opposing extension of the Mexican labor importation program. Our organization supports you in this stand and urges you to also oppose a 1-year extension of the program.

Instead, I feel this is the time, already too long delayed, for raising our own domestic farmworkers and family farmers out of poverty, at the same time giving many of our unemployed youth job opportunities.

To this end I strongly urge you to give all-out support to quick passage of the domestic farm labor recruitment bill, H.R. 4518, now in the House Education and Labor Committee. A companion bill, S. 527 will be the subject of hearings starting June 10 before the Senate Subcommittee on Migratory Labor, headed by Senator HARRISON WILLIAMS of New Jersey.

We wish to make clear our position.

First, we in Farmers Union have always felt that low income (sometimes subsidized) agricultural workers are unfair competition to family farmers and their wives and older children.

Second, we feel that farmers who are required to pay fair wages and maintain good working and living conditions should have their income from farming protected sufficiently so that they can well afford to pay good wages and maintain adequate working and living conditions.

Kindest personal regards.
Sincerely,
JAMES G. PATTON,
*President.*

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EMERGENCY COMMITTEE
TO AID FARM WORKERS, INC.,
*Los Angeles, Calif., August 21, 1963.*

DEAR CONGRESSMAN: Enclosed for your information are reproduced news clippings which report the views of the Mexican-American community in the Southwest on Public Law 78, the bracero program.

It should be recalled that the great majority of farmworkers in the Southwest are Mexican Americans. It is these people who harvest the crops and do the stoop labor for the agricultural industry and it is these citizens who have been hardest hit by the importation of a large captive labor force from Mexico.

Senate bill 1703 (Mexican farm labor extension) will be before the House of Representatives in the near future. You will recall that the House has already rejected a proposed renewal of Public Law 78 last May 29. A program which takes advantage of poverty in Mexico to grant special privileges to a small number of growers in a few of the States of the United States is not in the best interest of either nation.

Along with these citizens who harvest the food for our tables we strongly urge you to oppose Public Law 78 and Senate bill 1703.

Sincerely,
JOHN G. SIMMONS.

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(The Mexican-American community in the Southwest opposes Public Law 78—under which Mexican nationals are imported for farmwork. Reproduced here are stories of their protest to Vice President JOHNSON during his visit to the Los Angeles Mexican-American community.)

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[From the Los Angeles (Calif) Times, Aug. 5, 1963]

### LATINS HERE TO PROTEST BRACERO LAW—ACTION DUE DURING VICE PRESIDENT JOHNSON'S VISIT

(By Ruben Salazar)

A committee of Mexican-American community leaders announced Sunday it will take the occasion of Vice President LYNDON JOHNSON's visit here to go on record against Public Law 78, which allows the importation of braceros.

JOHNSON, as Chairman of the President's Committee on Equal Employment Opportunity, will speak at a luncheon and conference Friday at the Statler Hilton.

The Mexican-American Education Conference Committee, composed of leaders of most of the Los Angeles area Spanish-speaking organizations, will host the affair.

#### OPPOSE EXTENSION

In a strongly worded resolution passed by 49 of the 50 members of the committee, the

Mexican-American leaders urge the Vice President to use his influence in defeating a proposed extension of the bracero law, which is due to expire December 31.

"Public Law 78 takes advantage of hunger and hardship in Mexico to provide for recruitment of a captive, docile, and exploitable foreign farm labor force," the resolution reads.

Twenty top Mexican-American leaders, who hope to meet with the Vice President in private to discuss Public Law 78 and other controversial issues, pushed for the resolution.

A spokesman told the Times the resolution was passed "in the hope that planned picketing of the hotel where JOHNSON will be speaking will be called off."

### URGE DIGNIFIED ACTION

"The committee is in sympathy with the persons who want to picket (mostly labor-backed organizations) but we hope to discuss it with the Vice President in a dignified manner," the spokesman said.

The resolution claims the bracero program "creates a large surplus labor pool which displaces and adversely affects American farmworkers."

Braceros, the committee claims, "depress laborers' wages, aggravate severe unemployment and underemployment, and help create wretched living conditions."

### LABOR SHORTAGE DENIED

Denying the contention that there are no American farmhands available to replace the braceros, the resolution says: "Most of the California farmworkers are Mexican-American. These workers can furnish all the labor needs of the California growers."

Carlos Borja, Jr., president of the Council for Mexican-American Affairs and State deputy attorney general, will be master of ceremonies at the luncheon. Mrs. Georgiana Hardy, president of the Los Angeles Board of Education, and Dr. Francisco Bravo, police commissioner, will speak at the conference.

Among the organizations forming the committee for the luncheon and conference are the Equal Opportunity Foundation, League of United Latin American Citizens, Council for Mexican-American Affairs, Community Service Organization, GI Forum, Mexican-American Political Associations, the Los Angeles Mexican Chamber of Commerce, the Welfare Planning Council, the County Commission on Human Relations, and the Mexican-American Lawyers Association.

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[From the Los Angeles (Calif.) Times, Aug. 10, 1963]

JOHNSON was reluctant about discussing the controversial proposed extension of the bracero program.

Anthony P. Rios, vice president of the Los Angeles Community Service Organization, told JOHNSON that "all the 143,562 different braceros in California in 1962 were employed by only 7,694 growers—8 percent of the 99.000 farmers in California."

"Most of this 8 percent used only a few of the total number of braceros, while the largest growers used the great majority of braceros.

"There is not a shred of evidence," Rios said, "that these large operators cannot afford to pay the cost of hiring American workers. And there is incontrovertible evidence that California's underemployed and unemployed seasonal farmworkers are available to fill the jobs of braceros."

The Vice President said extension of the bracero law is up to Congress and noted that Senator CLAIR ENGLE, Democrat of California, Representatives EDWARD ROYBAL, Democrat, of Los Angeles, GEORGE BROWN, Democrat, of Monterey Park, and CHET HOLIFIELD, Democrat, of Montebello, were in the room.

JOHNSON said he and his committee would "come in force" to hear the problems of the Mexican-American community in November.

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[From the Los Angeles (Calif.) Times, Aug. 11, 1963]

### OPPOSE BRACEROS

The 20 leaders, members of the Mexican-American Educational Conference Committee, were hosts at a luncheon and met with the Vice President. They called for ending the bracero program as the first step in bettering Mexican-American chances.

A resolution from the committee, presented to the Vice President, said Mexican-Americans "throughout the southwest of the United States, consider (the bracero program) to be the most harmful and repressive Government-sponsored program that has ever been imposed on the Mexican-American community."

The committee claimed braceros are displacing American agricultural workers (mostly Mexican-Americans) and that "regimented importation of farm workers, is, from a moral standpoint, inhuman and cruel" and that "economic benefits to both countries would be a legitimate consideration only if it were right to treat labor as a mere commodity."

Mr. ROYBAL. Mr. Chairman, I wish to join my colleagues in expressing the strongest opposition to H.R. 8195, the proposed 1-year extension of Public Law 78.

On May 29, 1963, I voted with the majority in the House to defeat the 2-year extension proposed at that time because, among other things, I find it impossible to understand the reason for importing foreign labor to offer unfair competition to our own domestic farmworkers at a time when over 5 million fellow Americans are without jobs.

Nothing has changed since last May, except that in the 5 intervening months, increased mechanization has thrown more U.S. farmworkers out of jobs and these men and women are now available for other farm work.

So, if anything, the situation is growing worse, not better, and there is all the more reason to defeat this measure.

Public Law 78, a "temporary, wartime program" first enacted in 1951, has already been extended five times, and proponents make no secret of the fact that they intend to bring another extension bill before the House next year if this one passes.

It strikes me as somewhat of a paradox that the bracero program is supported by the large commercial farming interests in this country—the supposed repository of the rugged, individualistic, free enterprise system in America—while the bracero program, itself, represents the very antithesis of that system. For under it, if workers are not available at the grower's wage, then he simply asks the Federal Government to set up a human subsidy program to assure cheap imported labor for his peak seasons of demand.

This is bad economics and worse social policy.

Nationally, our unemployment rate stands at nearly 5.5 percent, while unemployment among farm workers exceeds 7 percent, with an additional 9.5 percent classified as underemployed.

I am convinced that the bracero program has effectively undermined domestic wages and working conditions, and greatly reduced employment opportunities for hundreds of thousands of American farmworkers.

As it is, our domestic farmworker is the lowest paid worker in the country, averaging $1,054 in 1961—the latest year for which statistics are available—and able to find work for an average of only 156 days during the entire year.

In addition, the deplorable living conditions, inadequate housing, notoriously poor health facilities, and often nonexistent educational opportunities of those American citizens who migrate to work on the farms of our country, constitute a national scandal and a serious indictment of this affluent society of ours.

It is certainly ironic that, whereas the United States has had a variety of tariffs on industrial and agricultural products throughout its history—to protect our industry and our farmers—in the case of American workers, our human products, so to speak, we not only do not have anything like a tariff to protect them, but, on the contrary, we set up a huge federally subsidized program to import hundreds of thousands of foreign competitors every year, driving wages down below subsistence levels, and taking even those underpaid jobs away from the domestic employee.

I believe this situation is indeed a sad commentary on our American sense of values when we rate the protection of prices on our industrial and agricultural products above protection for our own fellow citizens in their jobs and in their livelihood.

In effect, the bracero program has been a multimillion-dollar imported labor subsidy going to less than 1 percent of America's growers of food and fiber—generally operating large profitable, corporation-type farms—at the expense of our lowest paid and most underprivileged citizens.

In California, where nearly two-thirds of the braceros work, only 7 percent of the State's largest fruit and truck crop operators utilize their services. The rest—generally the smaller, family-type farms—employ domestic fieldworkers or harvest their crops mechanically.

Those in favor of continuing the bracero program sometimes claim that American workers would not do stoop labor, and therefore that imported laborers are necessary.

This is plain nonsense. American workers perform exhausting tasks in the coal mines and steel mills and foundries and oilfields of our land, because they are paid a living wage, and will do so also in the fields of our country if the same decent and fair wage structure were provided.

I am confident that if Public Law 78 is terminated and a systematic program of recruitment, transportation, and work contracts—at least similar to what has been offered Mexican nationals for the past 12 years—is provided for domestic migrant workers, American growers will have no difficulty in hiring more than enough reliable fieldhands at harvesttime.

And when U.S. farmworkers are assured decent wages and working conditions, and such long-overdue protections as unemployment and workmen's compensation, as well as more adequate housing facilities, then America's "harvest of shame" will be a thing of the past, and a longstanding blot on our national conscience will have been removed.

In this connection, I would like to mention a series of five articles appearing in the Los Angeles Times from October 20 to October 24, 1963. This series was written by Times Reporter Ruben Salazar after completing a 1,000-mile trip through California's San Joaquin Valley to study agricultural labor problems.

As Mr. Salazar points out, California agriculture has depended on cheap imported foreign labor for over 90 years.

First it was the Chinese, then the Japanese, then the European—Italians, Spaniards, Portuguese, Russians, German-Russians, and Armenians—then the so-called Okies and Arkies of the depression years, and now it is the Mexican national.

In my opinion, California agriculture, and agriculture in other parts of the country as well, have lived long past the day when they should be leaning on the crutch of a foreign labor subsidy at the expense of their fellow Americans.

It is my earnest hope that the House of Representatives today will reaffirm its May 29 vote to end Public Law 78, and so relegate the Mexican national farm labor program to the category of past history, where possibly future generations will view it with kinder eyes than the hundreds of thousands of American domestic farmworkers who have been displaced by its unfair provisions.

Mr. RYAN of New York. Mr. Chairman, I am opposed to H.R. 8195. I have opposed the renewal of Public Law 78 and any further extension of the bracero program in the 87th Congress and in this Congress. On May 29 of this year the House voted against a 2-year extension. The reasons for rejecting this program are just as valid now as they were then.

The spectacle of the U.S. Government using funds raised by private parties to import contract labor to work on American farms, undercutting American wage standards and depriving American workers of employment, is one we should no longer tolerate. It has the effect of degrading everyone concerned with it, the Mexican bracero, the grower and the American worker.

If this program were not concealed, hid away in the rural areas of California, Texas, Arizona, and New Mexico, the American people would have ended it long ago. I ask you, Mr. Chairman, what would happen if, for example, our textile mills and apparel factories should raise money and ask the Federal Government to use it to set up work camps to house foreign workers on the outskirts of the textile counties of North Carolina or the garment manufacturing areas of Pennsylvania? If Federal Government representatives were sent to Jamaica and to Canada to secure workers to come into the United States to work for $1 an hour in our textile mills and Government factories? If whenever there was a temporary shortage of labor, foreign labor were shipped in by the busloads, while nearly 5 million American workers were out of work?

We would never even consider such a program in the Congress. So how can we, with any better grace, vote to extend Public Law 78 for another year? This program was set up during the Korean war. That was 10 years ago. Unemployment then was 3 percent of the labor force. There may have been some need for such a program. At least there was a war emergency.

Today unemployment is nearly 6 percent. There is no war emergency. Yet the program continues. Why? Because under the Public Law 78 program the growers of a few of our States, a few thousand of the millions of American farmers profit by it. A sweatshop-in-the-fields is operating under sponsorship of the Federal Government.

The true character of this program has been revealed during the hearings concerning the renewal of the law. The growers complain about the wages required to be offered domestic or Mexican workers under the Secretary of Labor's very weak program to establish some kind of wage standards. What are these wages they object to paying?

They are unwilling to pay $1 an hour for a man or woman to endure the blazing sun of California, stooped over, cutting melons, with a 50-pound sack weighing down his or her shoulders. They object to paying 95 cents to pick grapefruit in Arizona. They think 70 cents an hour too much to pay for chopping cotton in the Texas delta. Yet their neighbors in the State of Arizona groan under the burden of paying 60 cents an hour for cotton chopping.

This is the reality behind the face of this program. The sweatshop from our cities has found refuge on our farms. Let us treat all the farmers alike. If there is a genuine need for foreign labor to work on our farms, there is provision made for its importation in the general immigration laws. What justification can there be for a special program which benefits to any substantial degree only farmers in States close to the Mexican border? Of the 227,000 Mexicans contracted and recontracted in 1962 more than 182,000 of them, over 80 percent, worked in California, Texas, Arizona, or New Mexico. Why this special treatment for a few farmers?

As long as we provide them with cheap hand labor from Mexico, they will use hand labor. Cut off the supply of cheap labor, and they will hire Americans at American wages to operate machines. In the long run, ending the Public Law 78 program will mean more jobs for American workers, higher profits for the farmers, and lower prices for consumers of fruits and vegetables.

I urge all Members to vote Public Law 78 out of existence by defeating H.R. 8195.

Mr. RIEHLMAN. Mr. Chairman, when the House considered the extension of Public Law 78 on May 29, 1963, the majority felt there were no valid reasons to approve the measure.

There were a great number of jobless American farmworkers then and there are now. They need the work which this bill would give to Mexican nationals. In addition, it is not a happy situation to exploit poverty-stricken people brought into this country to work for cheap wages.

It is my understanding that extension of this law would benefit only 1 percent of U.S. farms and those are huge corporate-type operations.

Earlier there may have been good reasons to enact this kind of legislation, but no justification now exists to extend this legislation for the sixth time.

There is no substantial difference between this bill and the one the House earlier rejected. I could not support the first bill and I will not support this one.

Mr. SCHWENGEL. Mr. Chairman, in the past I have had little sympathy for the extension of Public Law 78 and have not supported its extension. My position was dictated by the fact that there was until now no real assurance or plan for the termination of the program. This year because of a critical situation in different parts of the United States and because the prospects for increased cost of food was in prospect I decided to do a detailed and thorough study of this question. With the help of the Library of Congress I have become rather thoroughly informed on the subject. My conclusion is that this type of legislation should be eliminated by encouraging those who use this help plan now to make other arrangements to meet the labor problem. In order to do this without causing undue hardship for either the producers or the consumers. I will vote for a 1-year extension of this legislation. I have the assurance from the Republican ranking member of the Agriculture Committee, the gentleman from Iowa [Mr. HOEVEN], that this is an extension to phase out this program. This assurance also comes from responsible Members of the majority. In addition, assurance comes from producers and from people who represent districts where this kind of help is used.

Let me assure the House and all people who have given assurances in regard to the plans to phase out this program that if this bill is brought back for extension next year, I plan now to vote against it.

In order to make for a better understanding of the subject I should like now to address myself to the history and review of the Mexican farm labor program—with review of the pros and cons of the question.

### I. HISTORY AND REVIEW WITH PRO AND CON ARGUMENTS OF THE BILLS BEFORE THE HOUSE ON MEXICAN LABOR

As of March 15, 1963, two bills, H.R. 1836 and H.R. 2009, have been introduced in the House of Representatives to extend for an additional 2 years the authorization for the temporary employment in American agriculture of Mexican workers. This legislation, original Public Law 78 of the 82d Congress, was enacted in 1951. It added title V to the Agricultural Act of 1949. The law has been extended several times. This time we hope and believe it is before us the last time. The last extension, in 1961, was for 2 years, expiring December 31,

1963. Certain amendments were made to the act in 1961. These and the changed administrative handling of the wage standards under the act by the Secretary of Labor have contributed to the current controversy over further extension and amendment of the act.

Under the House rules the bills were referred to the Committee on Agriculture. Hearings were held March 27 through 29. H.R. 1836, introduced by the gentleman from California, Congressman TEAGUE, would extend the present law for 2 years to December 31, 1965. The gentleman from California [Mr. TEAGUE] is ranking Republican member of the Subcommittee on Equipment, Supplies, and Manpower, which held the hearings. The other bill, H.R. 2009, has been introduced by Congressman GATHINGS, chairman of the subcommittee. In addition to extending the law for an additional 2 years, his bill would amend the standards for permitting the employment of Mexican workers and determining when such employment had an adverse effect on domestic farm employment.

This background dissertation considers, first, the general status of farm labor in the United States and then outlines the legislative and economic background of programs for importing foreign labor to work on American farms. The history of the debate over the renewal of Public Law 78 in the 87th Congress is next reviewed and the pro and con arguments given. Then the history of the administration of the Mexican labor program by the Department of Labor since the 1961 amendments is briefly outlined. The final section sketches the current issues over the law's renewal to the extent that they have been developed to date.

### II. FARM LABOR IN THE UNITED STATES

American agriculture is today producing more with less labor. This is due to sharply rising productivity of the farmer. Production measured as total farm output increased from 1959 through 1962 from 103 to 108—1957-59 equals 100. Productivity measured in farm output per man-hour rose over the same period from 105 to 124, on the same base, according to estimates of the U.S. Department of Agriculture. Using the figures of the U.S. Bureau of Labor Statistics, which are slightly different in concept, to obtain comparative figures for nonagricultural industries, 1961 output per man-hour was 118.4 in agriculture compared with 106.0 in nonagricultural industries—1957-59 equals 100. Between 1960 and 1961 productivity rose 8.3 percent in agriculture and 1.7 percent in nonagricultural industries.

It is significant to note that this trend toward increasing farm productivity is no new development. From 1950 to 1960 output per man-hour on farms rose by two-thirds. The rate of increase, however, has speeded up sharply in recent years. See table 1. This is reflected in the sharp decline in the number of farmworkers since 1950. Between 1950 and 1960 the number of workers in farm occupations, both family and hired workers, fell 41 percent, the largest decrease ever recorded in a decade. In the last few years a pronounced further drop in hired farm labor has developed. This is most noticeable in workers hired for seasonal farmwork, and especially among foreign seasonal labor, imported for the most part from Mexico. See table 2. This trend reflects increased use of farm machinery:

TABLE 1.—*Percent changes in employment in farm occupations in the United States, 1910–60*

| Occupational group | 1910–60 | 1910–20 | 1920–30 | 1930–40 | 1940–50 | 1950–60 |
|---|---|---|---|---|---|---|
| Farmworkers, total | −63 | −1 | −9 | −13 | −23 | −41 |
| Farmers and farm managers | −57 | +5 | −6 | −11 | −18 | −42 |
| Farm laborers and farm foremen | −69 | −8 | −13 | −15 | −29 | −40 |

Source: U.S. Bureau of the Census, "Occupational Trends in the United States, 1900 to 1950," and 1960 Census of Population, General Social and Economic Characteristics, PC (1)-1C.

TABLE 2.—*Labor force statistics on farm and nonfarm labor*

| Item | Annual average | | | |
|---|---|---|---|---|
| | 1962 | 1961 | 1960 | 1959 |
| Employment (thousands of workers): | | | | |
| Total [1] [2] | 67,846 | 66,796 | 66,681 | 65,581 |
| Agriculture, total | 5,190 | 5,463 | 5,723 | 5,836 |
| Wage and salary | 1,666 | 1,733 | 1,866 | 1,689 |
| Self-employed | 2,619 | 2,744 | 2,802 | 3,027 |
| Unpaid family | 905 | 985 | 1,054 | 1,121 |
| Nonagricultural industries | 62,657 | 61,333 | 60,958 | 59,745 |
| Farm employment, total [3] | 6,751 | 6,990 | 7,118 | 7,384 |
| Hired | 1,817 | 1,886 | 1,869 | 1,925 |
| Family | 4,934 | 5,104 | 5,249 | 5,499 |
| Seasonal hired farmworkers, total [4] | 718 | 769 | 788 | 831 |
| Domestic | 647 | 663 | 665 | 685 |
| Foreign | 71 | 106 | 123 | 146 |
| Unemployment rate [1] [2] (percent): | | | | |
| Agricultural wage and salary workers | 7.3 | 9.3 | 8.0 | 8.7 |
| All workers | 5.6 | 6.7 | 5.6 | 5.5 |
| Part-time employment for economic reasons [5] as percent of total employment in category: [1] | | | | |
| Agriculture | 9.5 | 6.0 | 5.2 | (6) |
| Nonagricultural industries | 4.8 | 4.6 | 4.5 | 4.0 |
| Hours [7] average per week: [8] | | | | |
| All agricultural workers | 45.4 | 44.8 | 45.5 | 45.2 |
| Wage and salary workers | 40.5 | 40.6 | 41.1 | 39.5 |
| Self-employed workers | 51.4 | 50.4 | 51.7 | 51.7 |
| Unpaid family workers | 37.9 | 37.3 | 37.4 | 36.6 |
| Nonagricultural workers | 40.1 | 40.1 | 40.0 | 40.0 |
| Farm output per man-hour [9] | 124 | 120 | 115 | 105 |
| Wage rates (dollars): | | | | |
| Farmworkers: [3] | | | | |
| Composite hourly rate | 0.856 | 0.834 | 0.818 | 0.798 |
| Hourly rate without room or board | 1.01 | .99 | 97 | .95 |
| Factory production workers' gross average hourly earnings [1] | 2.39 | 2.32 | 2.26 | 2.22 |

[1] Monthly Report on the Labor Force, U.S. Department of Labor.

[2] Figures for 1962 not strictly comparable with earlier years because of revisions on basis of 1960 Decennial Census; 1959 and 1960 figures do not include Alaska and Hawaii.

[3] "Farm Labor," U.S. Department of Agriculture.

[4] In-Season Farm Labor Reports received by the Bureau of Employment Security for major agricultural areas.

[5] Could find only part-time work or temporarily on part time due to slack work.

[6] Information not available

[7] "Employment and Earnings," U.S. Department of Labor.

[8] Excluding persons with a job but not at work

[9] Farm output index (1957–59=100), U.S. Department of Agriculture.

Source: U.S. Bureau of Employment Security "Farm Labor Market Developments," January 1963 p. 19.

The trend toward mechanization of agricultural labor is reflected not only in the decline in the amount of labor needed but also in the shift in farm wages. Farm wage rates are substantially higher now than even as recently as 1959, yet the aggregate farm wage bill has remained almost unchanged. This reflects the improved composition of the farm labor force caused by the substitution of small numbers of skilled workers for large numbers of the unskilled.

Unemployment and underemployment are substantially higher among agricultural employees than elsewhere. Farm work is intermittent. Annual earnings among agricultural workers are thus very low, despite the increase in wage rates and the trend toward higher paying, more skilled work. A study by the Department of Agriculture in 1959 showed that of workers working 25 days or more, 1,365,000 workers worked 25 to 149 days and had average annual earnings of $597; 348,000 worked 150 to 249 days with average annual earnings of $1,274; while the 452,000 who worked 250 days or longer averaged $2,186.

Employment of hired labor on farms is concentrated on a few very large farms. The 1954 Census of Agriculture showed 54 percent of the farms spent nothing for hired farm labor; 41 percent paid less than $2,000 in wages and only

5 percent $2,000 or more. The 242,000 farms which spent $2,000 or more in wages paid 70 percent of all farm wages.

### III. THE USE OF IMPORTED FARM LABOR IN AMERICAN AGRICULTURE

Although foreign workers have been used on American farms for many years, the present program for their importation by international agreement dates from 1942, to meet labor shortages due to the war.

An agreement for such importation was made with Mexico in that year and for the importation of Bahamian and British West Indian farmworkers in 1943. The West Indian agreements have been superseded by procedures by which Bahamian and British West Indian Government representatives select workers for employment in the United States and negotiate employment contracts directly with American employer representatives. A few Japanese and Filipinos have also been imported for farmwork.

In 1951, the Congress approved Public Law 78—82d Congress—which added title V to the Agricultural Act of 1949. The major features of this legislation are as follows:

First. Authorizes the negotiation of an agreement with the Republic of Mexico establishing procedures for the admission of Mexican nationals into the United States for temporary employment.

Second. Authorizes the Department of Labor to (a) undertake a recruitment and placement function with respect to such workers, (b) assist workers and farmers to enter into contracts for agricultural employment, and (c) guarantee the payment of wages and transportation by farmer employers.

Third. Requires employers who wish to employ Mexican workers to (a) indemnify the U.S. Government for its guarantee of their contracts, (b) pay into a revolving fund a fee for each worker to support the program financially.

Fourth. Restricts the use of Mexican workers to areas where the Secretary of Labor certifies that (a) domestic workers, able, willing, and qualified are not available; (b) the employment of Mexican workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed; and (c) reasonable efforts have been made to attract domestic workers at wages and hours comparable to those offered Mexican workers.

Fifth. Eliminates bond requirement of general immigration statutes for such workers.

Sixth. Provides that no such workers would be provided any employer who employed illegal aliens, either with knowledge or with reasonable grounds to believe they were here illegally.

Seventh. Exempts such workers from social security and income tax provisions.

This statute has been implemented by an agreement with Mexico which sets forth in substantial detail the procedures, terms, and conditions of the contract of employment, and other matters.

Public Law 78 was scheduled to expire December 31, 1953. It has subsequently been extended on various occasions to December 31, 1955, June 30, 1959, June 30, 1961, and December 31, 1961.

The program is self-supporting, except for compliance activities and certain executive functions. Until 1947 the entire cost of importation of Mexican farmworkers was borne by the U.S. Government. Today the user of such labor pays almost the entire cost of the program.

The funds for payment of the expenses incurred in recruiting Mexican workers under Public Law 78 are met from the farm labor supply revolving fund. This fund reimburses the Department of Labor for expenses for transportation, food, and medical care from the time the Mexicans are accepted at migratory stations to the time they are contracted by employers and after their return to the reception center by employers upon the completion of the work contract. The fund also reimburses the Department for all other expenses incurred in the operation of this program, with the exception of compliance activities.

The fund is maintained by fees paid by employers for contracting Mexican workers. The maximum fee is $15 per worker. In addition to this fee, the farmer must pay the cost of transporting the worker from the border to the place of employment and back again.

Under Public Law 78, approximately 200,000 Mexicans were brought in annually between 1951 and 1953. From that time the number increased until it reached approximately 445,000 in 1956. In 1960, the number brought in was 315,846.

Public Law 78 requires that, before Mexican farmworkers can be imported, the Secretary of Labor must determine and certify that:

> (1) Sufficient domestic workers who are able, willing, and qualified are not available at the time and place needed to perform the work for which such workers are to be employed; (2) the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed; and (3) reasonable efforts have been made to attract domestic workers for such employment at wages, standard hours of work, and working conditions comparable to those offered to foreign workers.

To prohibit any employment of foreign workers which adversely affects domestic wages and working conditions, of course, has consequences with respect to the wages and working conditions under which foreign workers themselves may be employed. The migrant labor agreement with Mexico provides, for example, that:

> The employer shall pay the Mexican worker not less than the prevailing wage rate paid to domestic workers for similar work at the time the work is performed and in the manner paid within the area of employment, or at the rate specified in the individual work contract which shall be the rate determined by the Secretary of Labor as being necessary to permit him to certify * * * [that the employment of Mexican workers would not adversely affect the wages, working conditions, and employment opportunities of domestic agricultural workers in the United States], whichever is higher. The determination of the prevailing wage rate will also be made by the Secretary of Labor.

The standard contracts for the employment of British West Indians, Bahamians, and Japanese also provide that the prevailing wage rate must be paid.

In many respects, however, the assurances concerning the wages and working conditions made to foreign workers employed under standard agreements—which are designed at least in part to avoid adverse effect on domestic workers—have in practical effect given foreign workers much greater protection than our domestic workers receive. For example, the Mexican, British West Indian, and Bahamian contracts all provide that work will be available for three-quarters of full time. The latter two contracts also guarantee the worker that he will be able to earn a stipulated minimum in each biweekly period. As another illustration, the employer of Mexican workers under Public Law 78 must provide housing that meets minimum standards prescribed jointly by the United States and Mexico. The British West Indian contract similarly requires the employer to supply, without cost to the worker, such housing "as may be required or approved by the British West Indian Government's agent."

Despite present restrictions on the use of foreign farmworkers, and despite their relatively favorable working conditions, there is considerable evidence that domestic farmworkers are not fully protected against the economic effects of the importation of foreign farmworkers.

In 1959, a panel of consultants appointed by Secretary of Labor Mitchell reported on the Mexican farm labor program. They found indications that the preference of many employers for Mexican labor had forced domestic workers to seek other job opportunities; that, by using foreign workers, farmers had compressed the already short workseason and deprived American farmworkers of additional days' employment; and that the availability of foreign workers had prevented normal competition for workers in an open market and consequent rises in wage levels.

Among the consultants' recommendations were the following: First, that the use of Mexicans should be clearly confined to necessary crops in temporary labor shortage situations and to unskilled nonmachine jobs; second, that active competition among employers for available domestic workers should be insured; third, that the criteria of adverse effect should be made specific and should include (a) failure of wages and earnings in activities and areas using Mexicans to advance with wage increases generally; (b) the relationship between Mexican employment trends and wage trends in areas using Mexican workers; (c) difference in wage and earning levels of workers on farms using Mexican labor compared with nonusers. Finally, the consultants recommended that the Secretary be authorized to establish wages for Mexicans at the rates necessary to avoid adverse effect on domestic wage rates.

It has already been noted that about 54 percent of American farms employ no hired farm labor. Of the farms which do hire labor, 44 percent hire domestic farmworkers only. Less than 2 percent of the farms make use of imported foreign labor. Of the 50,000 farms using Mexican labor, approximately 70 percent are in two States, Texas and California. In these two States and in New Mexico and Arizona about 12 percent of the farmers hired Mexican nationals in 1960. Table 4-A—not printed in the RECORD—shows the distribution by States of such labor for 1960, the last year before Public Law 78 was renewed, table 4-B—not printed in the RECORD—the same date for 1961, and table 4-C—not printed in the RECORD—for 1962.

In evaluating the importance of foreign farmworkers to farm production in the United States it should be noted that they make up only a small fraction of the seasonal labor employed on farms. As table 2 shows, in 1959 a total of 831,000 seasonal farmworkers were employed, 146,000 of whom were foreign nationals. This was less than 18 percent of the total. In 1962 they numbered 71,000 out of 718,000, or 10 percent of the total as in table 2.

Nevertheless, in certain areas and for certain crops imported farm workers are extremely important. In 1960, at peak season, foreign workers were over three-quarters of the seasonal workers on lettuce, nearly half of the workers on cucumbers, one-third or more of the workers on tomatoes, citrus fruits, and sugarbeets, and about one-quarter of the workers on cotton. Although the current figures are not generally as substantial, the contribution in certain areas remains very large.

### IV. THE RENEWAL OF PUBLIC LAW 78 IN THE 87TH CONGRESS

Early in the 87th Congress, Congressman GATHINGS introduced H.R. 2010, which provided for the extension of Public Law 78 for a period of 4 years to December 31, 1965. Opponents of the bill, such as the American Federation of Labor and the Congress of Industrial Organizations, called for major revisions of the bill and plans for its final termination; otherwise they opposed any extension.

### THE PRINCIPAL ARGUMENTS FOR EXTENSION OF LAW WITHOUT AMENDMENTS OF SECRETARY OF LABOR

First. The Mexican farm labor program has supplied farmers with workers that were not available from the labor force of the United States. Experience has shown that most American labor is unwilling to accept seasonal agricultural employment.

Second. It has virtually eliminated wetbacks, illegal aliens who once swarmed across our southern border. It should properly be referred to as an anti-wetback bill. The number of illegal Mexican entrants apprehended in the United States has fallen from 1,075,168 in 1954 to 30,196 in 1959.

Third. Mexican workers have benefited and likewise the communities to which they return, by receiving employment they would not otherwise obtain at wages substantial above what they could earn in Mexico.

Fourth. This employment has substantially aided the economy of our neighbor, Mexico. Wages sent back to Mexico are the second most important source of dollar exchange, next to the tourist trade. These wages make it possible for Mexico to buy more from the United States than we buy from them. In 1960 our exports to Mexico were $807 million; our imports were $443 million—a balance of $364 million in our favor. Mexico is one of our most important customers.

Fifth. The number of hired farm workers has declined as a result of technological developments, not because of the competition of Mexican labor. The kinds of work in which Mexicans are engaged are the weeding of vegetables or the harvesting of fruits and vegetables. This is "stoop labor," a kind of work which few U.S. citizens are willing to do.

Sixth. Mexicans are vital to the production and harvesting of such crops as lettuce, carrots, sugarbeets, tomatoes, cotton, peaches, berries, among other fruits and vegetables. The commercial producer of such products must hire workers temporarily for weeding and harvest operations, to whom he cannot offer employment during the remainder of the year.

Seventh. If the program for the import of Mexican farm labor were terminated the impact would fall most heavily on the small commercial producer. Large farmers are already more mechanized, and in the event of a critical labor shortage could mechanize to an even greater extent, than small farmers. Small farmers usually lack the capital to buy the expensive machinery and even if they have the capital, lack the volume of work to amortize their costs of investment.

Eighth. The use of Mexican workers has not kept American farm wages from rising. In 1950 the index of farm wages published by the U.S. Department of Agriculture was 432—1909-14 equals 100. In 1960 the index was 629, an increase over 1950 of 46 percent.

### ARGUMENTS AGAINST EXTENSION OF LAW WITHOUT AMENDMENTS OF SECRETARY OF LABOR

First. Public Law 78 was enacted in 1951, at a time of labor shortage during the Korean conflict. It was temporary legislation, which has been extended several times by the Congress. It should not be extended again unless amendments based on experience gained in administering the law are incorporated.

Second. In the years since 1951 the farm labor force has declined, in number, as technological change in agriculture has continued at a rapid pace. Unemployment and underemployment have increased as rural problems. At the same time that the need for job opportunities for American farmworkers has been increasing, the use of imported Mexican labor has also been increasing. American workers have been displaced by foreign workers.

Third. Mexican workers perform seasonal farm labor in competition with American migratory labor. Migratory laborers are among the most neglected and underprivileged groups in the American economy. Their wages are low, they suffer much unemployment, and they are generally denied the protection of unemployment compensation laws, minimum wage laws, and workmen's compensation laws. Because they move from area to area, following the crops, they and their families are denied educational, health and other forms of social services facilities which normally accrue only to permanent residents of a community. In fact, Mexican workers received under their contracts better working conditions than American workers receive.

Fourth. About 70 percent of the Mexican nationals employed in the United States are employed on the farms of two States, California and Texas. Only five other States employ as many as 3,000 Mexicans at peak seasonal employment. The program exists to benefit a small minority of farmers.

Fifth. Wages in work performed by Mexican nationals are so low that there is no way of determining whether there is need for the program or not. Wages as low as 35 cents an hour were paid in some areas. No State had a going rate higher than $1 an hour. Unless wages more in line with American standards are offered it is not likely that American workers will be attracted to such jobs. Public Law 78 removes any incentive for employers to offer wages which might attract American labor.

Sixth. The amendments proposed by the Department of Labor would require that American workers receive wages and working conditions at least comparable to those offered Mexican nationals. They would introduce a measure of competition into the employment situation by requiring a minimum number of American workers be employed. This would assist the Secretary of Labor in determining whether a genuine need exists for certifying that Mexican workers are required.

Seventh. If the program is to be continued, some guidelines to measure the extent to which the employment of Mexican nationals is having an adverse effect on American farm labor are essential. Past experience has shown that, without such guidelines, the standards of employment and the number of Americans employed have continued to fall, while the number of Mexican workers has increased.

Eighth. In particular it is essential that minimum wage standards by which to measure adverse effects be established. Without such standards the automatic adverse effect of the pressures of virtually inexhaustible supply of labor in Mexico on the farm labor market in the United States will continue to keep the wages offered farmworkers at a very low level.

It is important to note that the cutback in the use of Mexican workers was the predominant element in the decline in the use of foreign workers. Between 1959 and 1962, average employment of Mexicans declined 56 percent while employment of workers of other nationalities increased 11 percent. During this period the continued mechanization of the cotton harvest has reduced manpower shortages and cut down the need for bracero labor. In turn, the increased cost of Mexican labor as a result of the wage rates established by administrative decision has stimulated a further shift from hand harvesting to the use of machines.

However, the recent wage decisions are only the last of such a series of such cost-increasing decisions. The 90-to-10 formula which was in use from 1959 through 1961 required growers to pay piece rates which would enable 90 percent of the Mexicans engaged in a particular activity in an area to earn at least 50 cents an hour. The rise in piece rates which resulted from this formula was an important factor in initiating the decline in the use of Mexican labor, which fell on the average 17 percent between 1959 and 1960 and 15 percent between 1960 and 1961.

Since the adverse effect wage determinations were issued in the spring of 1962 the wages of Mexican workers have been sharply increased. Under the program Mexicans cannot be employed at piece rates which would not enable them to earn the specified hourly rates and, furthermore, piece rate workers must be guaranteed average hourly earnings per payroll period no less than the adverse effect rate.

At the same time as the use of Mexican workers has declined, an uptrend in the number of workers of other nationalities, notably those from the British West Indies, Japan and the Philippines has taken place. These workers come in under another law, Public Law 414.

The numbers of such foreign workers, however, remains very small. Perhaps the most significant aspect of this trend is the use of Japanese and Filipino workers on the west coast. Here such workers are especially useful as they can be more effectively utilized in areas where the year-round use of foreign workers on a succession of crops is desired. They are admitted for a period of 3 years, in contrast with the 6-month limitation on the admission of Mexican workers.

Since 1960 there has been relatively little change in the employment of domestic workers. For the country as a whole, their employment in 1962 averaged 647,000, about the same as in 1961, while average foreign-worker employment was 71,000, one-third lower. Peak employment of domestic workers was actually higher in 1962 than in 1960 or 1961, while peak employment of foreign workers fell nearly 50 percent between 1960 and 1962. Increases in wages of domestic farm workers in areas where foreign workers were used were much more common in 1962 than in several years.

Mr. FISHER. Mr. Chairman, I rise in support of the pending bill. I do not know of any legislation that has been before this body in recent years that has been so misunderstood. It must be kept in mind that under Public Law 78, no Mexican farmworker can be contracted to work in this country unless and until it is determined by the Secretary of Labor that there is a shortage of domestic workers in the area and, second, unless the imported worker is paid at least the prevailing wages in the area where he is employed. These two provisions should completely destroy the phony claim that has been raised concerning low wages for braceros and taking jobs away from domestic workers who are able and willing to work.

It happens that I represent a district in Texas which borders on the Rio Grande River for a distance of about 100 miles. Most of the people in my district are engaged in livestock and ranching, with some diversified farming. Former Secretary of Labor Mitchell, several years ago, arbitrarily took it on himself to promote a policy which resulted in the elimination of ranchworkers from the bracero program. That same policy has been followed by the present administration. For that reason, my district has been deprived of the benefits of this law for several years, with but a few exceptions. Therefore, whether this bill is approved or disapproved makes very little difference so far as the effect will be on my district.

There are two reasons why I am voting for this bill today. First, because of my sympathy for those areas that are able to contract Mexican workers to take care of extremely urgent situations, such as occurs during harvest seasons involving vegetables, fruit and, in a few instances, cotton. There is a second reason, which I think is a valid one, why we should be very cautious in opposing this legislation at this time. In the old days, prior to 10 years ago, before so many restrictions were imposed upon the admission of Mexican farmworkers to meet the shortage problems, the annual inflow of permanent immigrants from Mexico was less than one-third of what it is today. Last year we admitted 55,291 for permanent residence; in 1953 the figure was 18,454. A study of the inflow during this period indicates that the rate of applications for permanent visas has had a direct relationship to the Labor Department's policies on restricting these people from coming in on a temporary, contractual basis. A total of 400,263 have been admitted for permanent residence from Mexico during this 10-year period.

I am informed that there are now about 35,000 such applications pending at the consulate in Monterrey. This is several times more than were pending 10 years ago. I assume a similar ratio exists in other consulates, particularly in northern Mexico.

Most of these Latin Americans become good citizens, but at this time when we are told that there are too many unemployed people in this country, and the Congress is being asked to spend billions of dollars to alleviate that problem, it hardly makes sense to me for us to promote a policy here today which would add to the labor force and increase unemployment. In other words, a vote against this bill here today is very definitely a vote in favor of an increase in the inflow of Mexican farmworkers—not on a temporary contractual basis, but to become permanent residents, and it would encourage the entry of wetbacks.

In my own district there has been a chronic labor shortage to meet the needs of farms and ranchers for years. Every employment office in my area will confirm that fact. It is most unfortunate that because of an unrealistic and arbitrary attitude on the part of the Labor Department, the people in my district have been deprived of this source of labor to meet their minimum needs. But we are resigned to our fate and whether this bill is passed or not will make very little difference in that respect. But it would, in my judgment, be very foolhardy for this House today to refuse to approve this extension. To do this would be to deprive people who are dependent upon this source of labor as a means to help meet their needs during harvest seasons, and would, at the same time, contribute directly to an increase in the admission of larger numbers of Mexican nationals to become permanent residents. If a bracero is deprived of the privilege of coming in by himself, without his family, under contract on a temporary basis, to do farmwork, he knows that he can go to the American consulate and, if in good health and otherwise admissible, obtain an immigration visa and come in on a permanent basis and bring his entire family with him. The question is: Which do you want—workers brought in alone on a temporary basis by themselves, or workers admitted on a permanent basis, along with their families?

The CHAIRMAN. All time having expired, the Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 510 of the Agricultural Act of 1949, as amended, is amended by striking "December 31, 1963", and inserting "December 31, 1964".

### AMENDMENT OFFERED BY MR. ROOSEVELT

Mr. ROOSEVELT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROOSEVELT: Strike out all after the enacting clause and insert in lieu thereof the following: "That section 510 of the Agricultural Act of 1949 is amended to read as follows:

" 'SEC. 510. No worker will be made available under this title for employent after December 31, 1963, except that during the calendar year 1964, workers may be made available under this title for employment on farms where such workers were employed during the preceding year, but only if and to the extent that the Secretary determines that every reasonable effort has been made to obtain suitable domestic labor and that such labor is unavailable for such employment.' "

Mr. ROOSEVELT. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Chairman, I offer this amendment in the hope we can recognize that there seem to be three groups who have discussed this bill this afternoon. One group is a group that makes it very clear they think the law itself is necessary and should go on more or less in perpetuity.

The second group is the group who says, No, we do not think the law is sound or right, but it needs to be phased out because there are going to be people who are hurt unless a reasonable time for adjustment is allowed."

Of course, the third group consists of people who say they have had enough time and enough notice and, therefore, the law should be completely stopped now.

Mr. Chairman, I belong in the middle group, the group who believes that the law needs to be phased out because people will be hurt unless a reasonable time is allowed to make the necessary adjustment. I am satisfied from my reading of the testimony brought out before the committee and from reading the report of the committee, and from listening to the discussion on the floor of the House here today, that it is possible to phase out this law, Public Law 78. I am satisfied by the experience in the State of Washington and in other areas that domestic labor can be made available.

There are number of reasons why our domestic labor is available and one of the reasons is the mechanical advances in this field.

But the fact remains there are a number of growers, particularly small growers who have, for a number of years, felt that we were not serious in closing out this program and who, therefore, have not been prepared and who today, if you cut this program off on December 31, would not be able to harvest their crops next year. I think we need to convince them that we are serious, and that is what my amendment does. I think, at the same time, we have to provide a reasonable escape clause so that when the Secretary is convinced by proper evidence that they are phasing out, but that they need the additional year, they will have that additional year in which to operate on bracero labor.

I think also it is important to remember that the Secretary of Labor himself has said he needs a little more time to work out the details so that the Department of Labor can help the recruiting programs such as have been mentioned in this debate to make sure that nobody gets hurt.

My friends, I think you will agree that in general I can be classified as a liberal. Some of my friends are little unhappy, on the liberal side, that I will not go all out for cutting it off December 31. I happen to think that a liberal is one who supports a principle but that he does not trample on somebody's rights just to support that principle. I think I can be for the principle and go forward with the principle and still be fair to some people who otherwise would get hurt. That is what my amendment basically tries to do.

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman.

Mr. SISK. Mr. Chairman, I wish to express my deep appreciation to my colleague, the gentleman from California, for yielding. I also wish to compliment him on what I feel to be a very excellent and a fine statement of his position on this question, and his recognition of the problems that we could be confronted with by an abrupt ending of this program.

I would like to ask the gentleman one question which has to do with an interpretation of the term "reasonable" as used in his amendment.

I would like to phrase the question in this way: Does the gentleman construe the term "reasonable" in his amendment to have the same meaning as the term "reasonable" in the existing law and the requirements imposed thereunder by the Secretary of Labor?

Mr. ROOSEVELT. I will say to the gentleman I think, because it has been operated in the past with the term "reasonable," that the term "reasonable" is understood by the Secretary of Labor and that is why I used exactly the same word, and I think the Secretary should and would follow the same standards.

Mr. SISK. I thank the gentleman for yielding, and I support his amendment.

Mr. GILL. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I am glad to yield to my friend, the gentleman from Hawaii.

Mr. GILL. I thank the gentleman for yielding. I would like to put several further questions to him in line with the questions put by the gentleman from California [Mr. SISK].

It has been alleged your amendment here restates existing law. It is certainly not your intention to do that, is it?

Mr. ROOSEVELT. No. My amendmend does not restate existing law, because it says:

> No worker will be made available under this title for employment after December 31, 1963, except that during the calendar year 1964.

And there it stops after the provisions follow through for that calendar year.

Mr. GILL. Mr. Chairman, will the gentleman yield further?

Mr. ROOSEVELT. Yes. I am glad to yield.

Mr. GILL. May we explore it in more detail?

Mr. ROOSEVELT. Yes. By all means.

Mr. GILL. Do you mean, then, by your proviso to say that the showing must be by the farmer himself in a given area and not just a showing for the area?

Mr. ROOSEVELT. That is correct.

Mr. GILL. He has to show personal hardship himself?

Mr. ROOSEVELT. Each individual case will have to stand on its own merits.

Mr. GILL. Therefore, do you mean that the Secretary of Labor must make a specific determination for that farmer and not blanket him in because he is in a certain labor area?

Mr. ROOSEVELT. That is true. But I do not want to say I am unrealistic enough not to expect the Secretary of Labor will do it all himself. He will set up machinery to do it. He will not go himself to see every individual farmer.

Mr. GILL. No. But the determination has to be made on an individual basis and not on a blanket basis. Is that correct?

Mr. ROOSEVELT. That is correct.

Mr. GILL. And because that one farmer in that area gets the use of braceros under your amendment does not mean that his neighbor gets the use of braceros under your amendment. Is that right?

Mr. ROOSEVELT. The gentleman is correct.

Mr. GILL. I would like to ask one further question if I may.

Mr. ROOSEVELT. Certainly.

Mr. GILL. Does "every reasonable effort," which is the language mentioned by the gentleman from California [Mr. SISK], include such things as offering comparable working conditions to the working conditions given to the braceros? I mean such things as equivalent to workmen's compensation and transportation from other parts of the country and recruiting outside the State or labor area. Are these things included in the "reasonable effort" that must be made by the individual farmer before he will qualify under your proviso?

Mr. ROOSEVELT. No; I think, as I mentioned to the gentleman from California [Mr. SISK], the guidelines will be the same as presently exist for the Secretary of Labor. There is presently—I do not know the technical term, and perhaps my friend, the chairman of the committee, would provide the word for me—a point at which domestic labor cannot be paid less than that figure or below that figure. So there is a sort of minimum wage set, and he must have at least offered that minimum wage and certainly it is one of the conditions that must be lived up to which are set out in the law today.

Mr. GILL. In other words, you are making no change in the existing law?

Mr. ROOSEVELT. Not for the year 1964, I say to my good friend, but one of the reasons I limited it to that was that the Secretary of Labor would administer it and we are at the same time giving him an admonition that he must go out and put together the machinery to do this, some of which I think my friend, the gentleman from California [Mr. COHELAN], has already offered in the form of legislation. He must put it into practice and come down here and work for it, and he must work the machinery so that available domestic labor can be organized and can be recruited on a basis which will make it available.

Mr. GILL. Will the gentleman yield for a final question?

Mr. ROOSEVELT. I will be glad to yield.

Mr. GILL. It is your intention that the efforts of the Secretary of Labor in recruiting for these farmers who show the need will be directed to the end that there will be no further use of this labor after next year?

Mr. ROOSEVELT. The gentleman is quite correct. The limitation or the exception applies only through the calendar year 1964.

Mr. GILL. If this bill comes back from conference after your amendment is adopted, with your provision for ending the labor program next year deleted from it, what then?

Mr. ROOSEVELT. If it comes back—and I presume the gentleman from Hawaii means if it comes back from conference, because I understand the Senate has already passed the bill—in the form you mention, I would then certainly fight the conference report and try to instruct the conferees, because I believe in the position of the House and I believe that the conferees who will represent the committee will fight for the position of the House. I have full confidence in them.

**Mr. GILL.** I thank the gentleman.

**Mr. ROGERS of Colorado.** Mr. Chairman, will the gentleman yield?

**Mr. ROOSEVELT.** I am happy to yield to my friend from Colorado.

**Mr. ROGERS of Colorado.** As I understand it, the other body under the sponsorship of the two Senators from my State passed an extension to this law. If your amendment is adopted, does this bill then go to conference on the bill that was passed by the Senate, or do you know?

**Mr. ROOSEVELT.** I am told, and I will check with the chairman of the committee, that if we pass this bill as amended by my amendment, then the bill would go to conference.

**Mr. ROGERS of Colorado.** But if the gentleman's amendment is not adopted, then do we go to conference on the Senate bill?

**Mr. ROOSEVELT.** Let me yield to the chairman of the committee to answer that question.

**Mr. COOLEY.** When final action is taken on this bill I intend to make a motion to strike out all after the enacting clause of S. 1703 and insert in lieu thereof the provisions of this bill.

**Mr. ROGERS of Colorado.** I thank the gentleman.

**Mr. POAGE.** Mr. Chairman, will the gentleman yield?

**Mr. ROOSEVELT.** I yield to the gentleman from Texas.

**Mr. POAGE.** The gentleman will understand there has been reference made to the abrupt decline in the use of braceros in the State of Texas last year. I think that was largely due to the fact of the tremendous freeze in the Rio Grande Valley with no fruit crop and very little vegetable crop to harvest. Would the gentleman be willing to accept an amendment to his amendment that would make this applicable to the farm that had used bracero labor in the past rather than simply the previous year?

**The CHAIRMAN.** The time of the gentleman from California [Mr. Roosevelt] has expired.

**Mr. POAGE.** Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. Roosevelt] may proceed for 1 additional minute.

**The CHAIRMAN.** Is there objection to the request of the gentleman from Texas?

There was no objection.

**Mr. ROOSEVELT.** Mr. Chairman, if I understand the gentleman's question, what he inquires is whether I would be willing to accept an amendment which would say that it was not applicable just to somebody who used braceros this year, 1963.

**Mr. POAGE.** But had used them any time in the past.

**Mr. ROOSEVELT.** I think the answer to that is "yes," because there are certain situations where in all good faith—and I happen to know at least one—a grower has gone out and tried to eliminate the use of braceros and has been successful in so doing and then, if this amendment becomes law, as I hope it will, he may find himself in such competition that for the period during this adjustment he might not be able to get the necessary labor.

**Mr. POAGE.** Would the gentleman say that we could change the words "the preceding year" to "a preceding year"?

**Mr. ROOSEVELT.** Yes.

**Mr. JOELSON.** Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, the point has been made here today that it is an act of mercy on your part to extend this program so that we can take care of the poor Mexican workers. Very frankly this would have a much more convincing effect on me if the people who were putting forth this point of view were not the very same people who were so vociferously last year opposing a child labor law for domestic migrant workers.

The point is made that there is an insufficiency of supply of labor. Then I think we ought to do something about that insufficiency of supply. And I submit that the best way would be to pass a migratory labor law, to include farmworkers under a minimum wage law so that farm labor would not be the burdensome, grinding thing that it is today. Rather than perpetuating a program that I think is a cruel program, if we want to make American workers available for farmwork we ought to consider amending the minimum wage law to get the farmworker under it. If that day ever comes those people who are the most loudly proclaiming the advantages of the bracero program will be most vigorously opposing this amendment.

**Mr. FOGARTY.** Mr. Chairman, will the gentleman yield?

**Mr. JOELSON.** I yield to the gentleman from Rhode Island.

**Mr. FOGARTY.** Mr. Chairman, I agree with the gentleman 100 percent. But there is one good thing that I see in this bill. There is a civil rights provision in this bill.

As I understand it, the people who are supporting this bill are in the position of supporting civil rights, because in order to get an agreement with Mexico we had to agree that these Mexicans can go anywhere and no discrimination shall be shown to them, for instance, in a beauty shop or many other public places of accommodation.

I would assume if the supporters of this bill are going to support it right down the line, that they will support a fair civil rights bill along with it.

So, why should we not do for our own what we are doing for these Mexican nationals?

**Mr. JOELSON.** I agree with the gentleman from Rhode Island and I hope these newly found advocates of civil rights will be vocal 2 or 3 weeks hence when the main bout occurs on that legislation.

**Mr. SISK.** Mr. Chairman, will the gentleman yield?

**Mr. JOELSON.** I am happy to yield to the gentleman from California.

**Mr. SISK.** I appreciate the comments of my good friend, the gentleman from New Jersey [Mr. Joelson]. I want to say, though, that as one person who is supporting the 1-year extension, and I have said specifically that it is a phase-out program, and the gentleman may not remember it, but I was in the well of the House 2 years ago in support of a national minimum wage for farmworkers and I will continue to suport it. I would like to join with the gentleman in introducing legislation to accomplish that. For some time I have supported the situation with reference to child labor. I think the gentleman will agree with me.

I simply want to note that there are some of us who feel that there is some real justice in extending this program at least 1 year in order to phase it out. Yet at the same time I think we could find support to correct things that I agree ought to be done in the field of farm labor.

**Mr. JOELSON.** I would like to say to the gentleman from California [Mr. Sisk] that his credentials in this field are gilt edged. I certainly would like to acknowledge that he is one person who actually practices what he preaches and does want to have a minimum wage for farm labor.

**Mr. JONES of Missouri.** Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on the pending amendment offered by the gentleman from California [Mr. Roosevelt], and in response to the inquiry by the gentleman from Texas [Mr. Poage] as to an amendment to the amendment, I would like to make a unanimous-consent request. I have conferred with the author of the amendment.

Mr. Chairman, I ask unanimous consent that in the amendment where it says, "where such workers were employed during the preceding year," that the word "the" be changed to "a".

**The CHAIRMAN.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

### AMENDMENT OFFERED BY MR. BASS

**Mr. BASS.** Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. Bass to the amendment offered by Mr. Roosevelt: Add a new section: "*Provided*, That no workers under this act may be used to produce crops that are in surplus supply."

**Mr. COOLEY.** Mr. Chairman, I make the point of order that the amendment offered by the gentleman from Tennessee is not germane.

**The CHAIRMAN.** Does the gentleman desire to be heard upon his point of order?

**Mr. COOLEY.** Mr. Chairman, I do not.

**The CHAIRMAN.** Does the gentleman from Tennessee [Mr. Bass] desire to be heard?

**Mr. BASS.** Mr. Chairman, the amendment, on the face of it, is germane to the bill. I do not care to be heard. I would ask the Chair to rule.

**The CHAIRMAN.** The Chair is ready to rule. The Chair rules that the amendment offered by the gentleman from Tennessee is germane.

Mr. BASS. Mr. Chairman, the amendment is very plain. It simply states that these braceros, workers that are imported into this country, may not be used to produce crops that are now in the warehouses, crops on which we are now paying storage prices. That is how simple it is.

Mr. Chairman, I cannot for the life of me see the justice and the equity in importing labor into the United States to produce crops on which we are now paying storage and also crops for which my own farmers in Tennessee, family farmers, would like to have additional acreage. I am speaking specifically of cotton. There are many families in the congressional district which I have the honor to represent in Tennessee who are now restricted to producing 10 acres of cotton on their family farms who would just love to have 40 acres of cotton to produce on their farm.

Mr. POAGE. Mr. Chairman, I rise in opposition to the amendment.

Mr. HANNA. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. POAGE. Yes.

Mr. HANNA. May I ask the Chairman, what would happen to Mr. ROOSEVELT's amendment if the last amendment that has been proposed were to be adopted?

The CHAIRMAN. The Chair wishes to inform the gentleman that if the amendment offered by the gentleman from Tennessee is adopted, it would become a part of the amendment offered by the distinguished gentleman from California [Mr. ROOSEVELT].

Mr. HANNA. I thank the gentleman.

Mr. POAGE. Mr. Chairman, I believe I should call attention to the fact that this is a substitute for the Roosevelt amendment.

Mr. COOLEY. Mr. Chairman, I understood it was offered as a substitute for the Roosevelt amendment and not as an amendment to the Roosevelt amendment.

Mr. POAGE. It would take the place of the Roosevelt amendment. Whether it is a substitute for the Roosevelt amendment or an amendment thereto it will if it is adopted have the effect of killing the bill.

Mr. BASS. It is a simple amendment to a substitute. If my amendment is adopted and the substitute is adopted, the bill will contain the Roosevelt amendment and my amendment.

The CHAIRMAN. The amendment offered by the gentleman from Tennessee [Mr. BASS] provides that a new section will be added. It would be added to the Roosevelt amendment.

Mr. POAGE. Mr. Chairman, we have presented to us something, whether he calls it a substitute or an amendment, which is offered for the purpose, with the intention and with the absolute effect, if carried, of destroying the bill, and I think the author recognizes that and admits it.

Mr. Chairman, the gentleman from California [Mr. ROOSEVELT] has offered an amendment to a rather controversial bill which seems to many of us, at least, to hold the hope and the strong probability of settling the differences that exist between most Members of the House. There will be, of course, a fringe on this side and a fringe on the other side that does not want to settle anything. But the gentleman from California [Mr. ROOSEVELT] has given us the means of coming together and achieving the basic results which are wanted by most Members of the House.

Most everybody recognizes that the amendment the gentleman from California [Mr. ROOSEVELT] has presented is an amendment which holds the seed of complete compromise in solving this problem. Whether this comes as an amendment or as a substitute for the Roosevelt amendment, it would have the effect of completely destroying all harmony, of completely destroying the bill, because it relates to all crops which are surplus in the United States and in a warehouse, and warehoused. I do not know of any crop in the United States that is not warehoused.

It relates to all commodities in warehouses in the United States. If that does not cover everything in the United States I do not know what does. It covers everything from melons all up and down. It simply says that in effect you cannot have a bill. You get the name but you get no substance. That is exactly what is proposed.

This amendment is offered for the purpose of killing the bill. It would kill the bill, and it would wipe out the fine opportunity the gentleman from California has given us to get the various groups together. I do not believe the House at this stage of the game wants to wipe out the possibility of arriving at a program which will achieve the basic objectives of those who want a bill and at the same time protect the principles of those who believe that there should be a termination date in the bill. The Roosevelt amendment gives us that means. The Bass amendment gives us no opportunity to do anything; in fact, it wipes out everything in the bill. It is perfectly clear, and what I want to do is make it perfectly clear, that adoption of the Bass substitute completely and entirely wipes out the bill. Of course, all those who want to wipe out the entire bill will vote for the amendment to wipe it out, but all those who want to continue the bill for 1 year, which is what the gentleman from California [Mr. ROOSEVELT] wants, will then, of course, vote against the substitute.

Mr. LEGGETT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would merely like to state this: I want to compliment the vice chairman of our committee for his remarks and explanation with respect to the Bass amendment. Under section 32 of the Agricultural Act the Secretary of Agriculture is empowered to buy up practically any commodity, including peanut butter, apricots, apples, and so forth, for the school lunch program, which are in surplus supply. This is the definition of the amendment offered by the gentleman from Tennessee [Mr. BASS]. It would cover all the fruits and vegetables which we need to harvest in California through this supplemental labor supply. I think the gentleman has something in mind by his amendment but he certainly has not expressed it. The amendment is in poor form and should be defeated.

Mr. BASS. Mr. Chairman, will the gentleman yield?

Mr. LEGGETT. I yield to the gentleman from Tennessee.

Mr. BASS. If the gentleman has any doubt about what I have in mind, and the amendment is poorly drawn, if he understands the language which is used in every farm bill we have had up in this Congress, the word "surplus" means, referring to agricultural commodities, those commodities that are held in warehouses and on which we are now paying support prices. It means a surplus supply on which we are now paying storage. To make legislative history, the author of the amendment now explains that his amendment applies only to those commodities that are now either under loan or are owned by the Commodity Credit Corporation that are in surplus supply.

Mr. LEGGETT. Is that a question?

Mr. BASS. No, it is not a question. I am just explaining it.

Mr. LEGGETT. I think there is a way of stating what the gentleman wants to state, but I do not think he has clarified it. I do not think he can clarify it by giving legislative history here. You have to take the amendment at its plain meaning. When you do that, you wipe out about 100 crops in California.

Mr. BASS. The gentleman just does not understand agricultural language, if that is what he thinks.

Mr. LEGGETT. I have had only 9 months at this.

Mr. BASS. I am trying to help the gentleman and explain the way agricultural language is used in these bills, and the word "surplus" is used just exactly as I have told the gentleman.

### PREFERENTIAL MOTION OFFERED BY MR. HAYS

Mr. HAYS. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. HAYS moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. HAYS. Mr. Chairman, I hope that motion passes—and it disposes of this real fast. But if it does not and the bill still remains before us—I cannot keep the Republicans from listening, but I want to talk to the Democrats—I want the Democrats all to get behind this bill and pass it. We really ought to because the Farm Bureau is for it and they really help us Democrats out and we ought to help them out in a case like this. And then, two of the chief sponsors of the bill are the gentleman from Arkansas [Mr. GATHINGS] and the gentleman from Texas [Mr. ROGERS]; they are for it and everybody knows that they go right down the line with the Democratic administration whether it be President Roosevelt, Truman, or Kennedy, and we ought to help them out.

Finally, Mr. Chairman, this might look bad, as the gentleman from Iowa [Mr. GROSS] said, in print back home. If anybody here or anybody back home thinks I am not kidding—let me disabuse him of that impression because I am.

**Mr. SISK.** Mr. Chairman, I rise in opposition to the preferential motion.

**Mr. GROSS.** Mr. Chairman, will the gentleman yield?

**Mr. SISK.** I yield to the gentleman.

**Mr. GROSS.** I was a little surprised that the gentleman from Ohio would offer a motion to strike the enacting clause, which would kill the bill, but at the same time urge his colleagues on the Democrat side to pass the bill.

**Mr. HAYS.** Will the gentleman yield?

**Mr. SISK.** I yield to the gentleman for a moment.

**Mr. HAYS.** I did say I hope the enacting clause is stricken, but failing that—well, you get the point.

**Mr. SISK.** Mr. Chairman, I think we have reached the time of day when, perhaps, we ought to start voting on some of the proposals now before us. I have great admiration for my very dear friend, the gentleman from Ohio. I would say that he and I probably vote about 95 percent of the time together. So actually he has a very fine voting record; that is, according to my opinion.

**Mr. HAYS.** Mr. Chairman, will the gentleman yield?

**Mr. SISK.** I yield to the gentleman.

**Mr. HAYS.** Our voting records are not pinko or anything like that; are they?

**Mr. SISK.** Not that I know; the last time I checked them, I did not interpret them that way.

Mr. Chairman, let me say that for a person who has been supporting this program, and I have through the years, as I am supporting this 1-year extension today, I have never been dictated to by the American Farm Bureau. The fact of the business is that the Farm Bureau does not give me a very high rating. I am glad to support the Farm Bureau when they are right. I find myself in a position of opposing them a great deal of the time, however, because they are wrong on most issues. On this one, I join with them in seeking a 1-year extension.

With reference to how some of my colleagues have voted on various issues, I have not agreed with all of my Democratic colleagues any more than I have agreed with all of my Republican colleagues on various issues that have faced this House. But I would like to plead with my colleagues that we get back to the issue under discussion here today—a plea that I think has been made very clear. What we seek to do is to extend this program for 1 year and give the American farmers an opportunity to phase out this program and for us, in cooperation with the farmers, to come up with some answer to a problem which certainly all Americans, consumers, and housewives throughout the country should be vitally concerned with. So I would plead that the amendment which the gentleman from California [Mr. ROOSEVELT] has offered with a minor suggested change, which has been made, be adopted and that we proceed to send this bill to conference where I am sure the committee will be able to work out an equitable program which will permit a reasonable solution and bring an end to this particular program by the end of next year.

The **CHAIRMAN.** The question is on the preferential motion offered by the gentleman from Ohio [Mr. HAYS].

The question was taken; and on a division (demanded by Mr. HAYS) there were—ayes 50, noes 119.

So the preferential motion was rejected.

**Mr. QUIE.** Mr. Chairman, I rise in support of the Roosevelt amendment.

Mr. Chairman, I would like to ask the gentleman from California [Mr. ROOSEVELT] a question, if he would answer it, on his amendment.

When you state in the amendment that the farmer, in order to be able to hire braceros, must have hired such workers in previous years, do you mean the identical workers who were there previously, or are you, in talking about "such workers," talking about braceros in general and the whole broad program?

**Mr. ROOSEVELT.** Let me make very clear here I am talking about braceros and not the individual workers.

**Mr. QUIE.** All right. Now, if the unanimous consent request of the gentleman from Missouri [Mr. JONES] were accepted, as long as a farmer had braceros in some previous year, he could hire them in this coming year even though his crop froze out last year and he didn't hire braceros last year. Is that correct? He could still hire braceros in the coming year?

**Mr. ROOSEVELT.** If they satisfy the Secretary that it is the only way they could continue their operation.

**Mr. QUIE.** But there would be no possibility for a farmer to buy additional farms and hire braceros on those additional farms if they had no braceros working on them in previous years?

**Mr. ROOSEVELT.** The gentleman is correct. I am glad he is making that legislative history.

**Mr. QUIE.** I thank the gentleman for that.

I rise in support of the Roosevelt amendment. I think this makes very clear what many of us have been led to understand, which is that it is only in the case when domestic workers are unable to be secured from any place that a bracero can come in and work on a farm. As I understand it, if there are domestic workers available, the braceros must stand by before they can ever find a job. I plan on voting for this 1-year extension of Public Law 78; but I think it is very important that this amendment be included in the bill when we extend the law so that those of us who are very lukewarm about this program and want to phase it out this coming year will know it will come to an end, because farmers must make plans to find the workers themselves then.

I thank the gentleman for offering such an amendment. This is the last time I will vote for an extension of Public Law 78 and this amendment is a worthwhile addition.

**Mr. COOLEY.** Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to make an observation about the pending amendment. I think it is unfortunate that the gentleman did not present the amendment to the subcommittee and the full committee when this matter was being considered. I am inclined to go along with the amendment, but frankly I question the constitutionality of the amendment. I think Federal law should fall evenly and uniformly upon all citizens. If this amendment is to be adopted, as has been pointed out, it would make it impossible for any citizen of the United States to buy a farm and employ braceros on that farm, because this amendment would preclude that and make it unlawful. In this situation you would put the Secretary of Labor in the position of administering a Federal program for the benefit of a selected number of citizens who have in the past used braceros. If they have used them in the past, they can use them in the future. If they have not used them in the past, they cannot use them in the future.

**Mr. HAYS.** Mr. Chairman, will the gentleman yield?

**Mr. COOLEY.** I yield to the gentleman from Ohio.

**Mr. HAYS.** Is the gentleman speaking against the Bass amendment or the Roosevelt amendment or both?

**Mr. COOLEY.** Both of them. I am against both of them.

**Mr. HAYS.** Mr. Chairman, will the gentleman yield for another question?

**Mr. COOLEY.** I yield.

**Mr. HAYS.** If the Roosevelt amendment does not pass then it will be possible for somebody to import Mexican labor to grow cotton, which is in surplus, and on which the Government is paying a subsidy and selling to foreign consumers for less than it pays for it—it will be possible for them to import Mexican labor to do that. That would be theoretically possible, if the Roosevelt amendment did not pass, is that so?

**Mr. COOLEY.** Theoretically possible, yes.

**Mr. HAYS.** Well, it could happen, could it not?

**Mr. COOLEY.** Certainly it could happen. But I remind the gentleman that cotton is produced under acreage allotments and the acreage is controlled. I agree with the gentleman from Texas [Mr. POAGE] with reference to the Bass amendment, and with the gentleman from California that it would be devastating to the whole program. I think the Roosevelt amendment, while it would not be devastating to the program, there is a serious question in my mind as to whether or not it is constitutional.

**Mr. ROOSEVELT.** Mr. Chairman, will the gentleman yield?

**Mr. COOLEY.** I yield.

**Mr. ROOSEVELT.** I want to say to the gentleman that I have discussed this with various legal authorities and they tell me that it is constitutional; that there is good precedent for it in such actions as the mine safety bill and others of that kind. From what I have been told, it would not be unconstitutional.

**Mr. COOLEY.** Mr. Chairman, I want to conclude my remarks by expressing the hope that we will defeat the Bass amendment. I also hope that the Roosevelt amendment will be defeated. We need only to pass the bill as reported by our committee which, as you know, provides for an extension of the program which has operated successfully and well in the past. If the program is discontinued we will go back to the old days of "wetbacks." Mexicans desiring to work on American farms will rush across the border and will be exploited as they were exploited before the program was provided. At this season of the year a Mexican worker would not have to be a good swimmer. He could actually wade across the Rio Grande. When we do away with this program we will be forced to spend millions of dollars apprehending Mexicans who have illegally entered our country and we will have to return them to Mexico. Officials of our Government and officials of the Republic of Mexico regard this program as of great importance. I, therefore, urge the defeat of all amendments to our bill. When final action is taken I will call up the Senate bill and move to strike out everything after the enacting clause and insert the provisions of the bill now under consideration.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I am afraid that a good deal of the discussion on this highly emotional issue has not been on the central point. The real central point involved here is what kind of agriculture are we going to have in the future? Are we going to have family-type farming or factory-type farming? I think the factory-type farm is both inefficient and socially undesirable. It was Karl Marx who a little over a hundred years ago said that the family-type farm would soon disappear. Fifty or 60 years later, the Communists took over in Russia and they have tried the factory-type farm. It has not worked. It has been inefficient in addition to being socially undesirable.

The old plantation could not survive the abolition of slavery in this country, and many of the people who use the braceros are admitting today that they cannot survive the abolition of the bracero program. I think it is an undesirable program and that we should stop it; but, at the same time I think it is just not fair to say that it ought to be stopped in 60 days. These producers have put in their crops or proceeded with plans based upon the actions of this Congress for at least 10 years. They have gone forward on the assumption that this program would be continued for another year.

The real question we have involved here is whether or not we are going to have an efficient agriculture. To have an efficient agriculture, agricultural producers must have a flexible labor supply. In the family-type farm, at a peak demand for labor, the family can produce 8 or 10 man-days of labor per day.

The farmer will work two shifts himself and twice as hard as a hired man will. The rest of the family on a short-term basis will provide several additional man-days of labor. Although the average workweek on a family farm may be 60 hours per week, the whole family is available when seasonal demands increase. On the other hand, the factory-type farm would be unable to keep these people on the payroll the whole year in order to have them at the peak season or to pay a sufficient annual salary to have them available and if they did it would be most inefficient. One cannot expect them to come out of the bushes just when they are needed. The factory-type farm is an inefficient type of operation and should not survive. When this program stops, many of these large producers and processors can obtain their produce through leases with family-type farmers, breaking down factory-type operations into a number of more efficient family-type units or mechanize.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. HAYS. I think the only sensible argument that has been made here today is the one that the gentleman has made, that these people ought to have some notification of the discontinuation of the program. I have heard it said that if the program is not continued they would come in illegally, so that we ought to legalize it. In other words, if we have bank robbers, to keep them from operating illegally, we ought to legalize them. That argument does not hold water. The gentleman's argument does hold water.

My question to him is, Can he or anybody on the Committee on Agriculture give us any assurance that if this 1-year extension does pass these same people will not be back here next year with a bill, to extend it for another year, and then another year and then another year, and so on ad infinitum?

Mr. SMITH of Iowa. Of course, I cannot give that assurance. I had a substitute that I was going to offer providing for a 2-year phaseout program. I think that is reasonable. I do not think it can be done in 1 year. But I think it should be and must be done over a 2-year period.

Mr. HAYS. It is not going to be done as long as they can get an extension.

Mr. SMITH of Iowa. Unless we put it right in the bill, and that is what the Roosevelt amendment does.

It puts it right in the bill at the time we are passing the extension. So, there is full notification to everybody.

Mr. Chairman, another thing I want to say is that wage levels are really not what is involved here. If bracero labor worked for free, it would not reduce the price of lettuce or most perishables of that nature. But if we have a shortage of lettuce next year at harvesttime, the price will go up. Reductions in price are seldom obtained from reduced cost because it is supply that determines price, and prices will surely go up if a shortage of harvesters causes a shortage of vegetables on the market next year.

Mr. Chairman, I am going to vote against this bill unless the Roosevelt amendment is adopted, because I think the only way we can get this thing stopped and our sights reoriented is to vote against it unless there is a formula right in the bill to this effect.

Mr. Chairman, I urge the Members of the Committee to support the amendment and correct this situation.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Texas.

Mr. MAHON. Would the gentleman vote against the Bass amendment which chops the program off for a considerable number of those who have used it in the past?

Mr. SMITH of Iowa. I do not think the question involved has anything to do with what kind of crop it is for next year, because, after all, the producers who put in cotton put it in under the same assurance, under Federal legislation, as any other farmer puts in any other crop.

Mr. MAHON. If the gentleman will yield further, the Bass amendment, if it is adopted, will chop off the program for certain producers. In my opinion it would destroy the program.

Mr. SMITH of Iowa. I am not for the program. But I do not think it is fair to discriminate between cotton farmers and other farmers next year.

Mr. OLSON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Minnesota.

Mr. OLSON of Minnesota. Were these employers who are users of braceros given notice 5 months ago?

Mr. SMITH of Iowa. No, I don't think they have been given notice. The only effective notice is that notice which is given by the action of Congress in the laws which it passes. We have never enacted a law which said we would not extend this program.

Mr. OLSON of Minnesota. What was it?

Mr. SMITH of Iowa. We had a vote in the House of Representatives but the Senate did not pass that bill. If you say that constitutes notice, you can say that the Senate gave them notice it would be extended when they passed an extension. They have always been given notice or indications that they will have it for another year because we extend it by simple extensions. But we never did pass a bill with a definite formula for termination such as the one which has been proposed in the Roosevelt amendment. I urge the adoption of the Roosevelt amendment.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that all debate close on the pending amendment and all amendments thereto in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. ROSENTHAL. Mr. Chairman, I object.

Mr. COOLEY. Mr. Chairman, I move that all debate on this amendment and all the amendments thereto close in 15 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. HAYS] for 1½ minutes.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, I yield my time of 1½ minutes to the gentleman from North Carolina, the chairman of the Committee on Agriculture.

**Mr. HAYS.** Mr. Chairman, I think the crux of the matter here has been exhibited when nobody on the Agriculture Committee, neither the chairman nor the ranking member, would get up and say if this bill passes with or without the Roosevelt amendment for a year's extension that they will not be for another year's extension. Else, they will be back again and again. The very fact that they did not get up and say that they will not be back is sufficient notice that they will be back.

Mr. Chairman, we killed this bill once before in the House of Representatives. But they are adroit, they are hardworking and persistent, and here they are. In May we killed it. Mr. Chairman, it is a little like the "September Song." If we had finished our business before September, we would never have come back on this bill. It is too bad that we did not.

Mr. Chairman, I think we ought to be guided by the fact that they are going to be back next year. They admit it by refusing to say they will not.

**Mr. LEGGETT.** Mr. Chairman, will the gentleman yield?

**Mr. HAYS.** I yield to the gentleman.

**Mr. LEGGETT.** Is the gentleman from Ohio cognizant of the fact that there was participation in this program to the extent of 450,000 3 years ago and that it was down to 195,000 last year?

**Mr. HAYS.** I am aware of that, and I heard the gentleman get extension after extension and argue for this bill. The longer I listened to him the more I became convinced that if his conscience is as twisted as his logic he is in bad shape.

**The CHAIRMAN.** The Chair recognizes the gentleman from Ohio [Mr. Feighan].

**Mr. FEIGHAN.** Mr. Chairman, the Government-sponsored program to import foreign agricultural workers runs contrary to our national needs and interests.

If there were a labor shortage in the United States those programs could be justified. But there is no labor shortage in the United States. On the contrary, unemployment in the United States remains a serious and unresolved problem.

The total unemployed in the United States at the end of September 1963 was 3,516,000. Significantly, the total unemployed at the end of September 1962 was 3,512,000, reflecting an insignificant drop of 4,000 unemployed workers during the course of 1 year.

Looking at these unemployment trends in the United States, it is fair to ask who can justify the importation of not less than 200,000 foreign agricultural workers from Mexico into the United States each year?

The argument has been advanced that these imported workers fill jobs the unemployed citizens of our country will not take. I challenge that argument.

Hearings before our Subcommittee on Immigration and Nationality on this subject revealed that the U.S. Employment Service is required to certify the unavailability of domestic workers before these imported workers may be used.

The procedure involved in determining the unavailability of domestic workers is very questionable. In the main it consists of a canvass of USES offices locally, and on a State and regional basis, to determine whether any domestic agricultural workers are seeking employment. An operation of this type can become very routine, particularly where action is required to persuade such domestic workers to move from one labor market area to a new one. I underscore the phrase persuade because there are no inducements offered, such as those provided for imported foreign workers. It is important to note in this connection that imported foreign workers are at least protected by a contract which guarantees a minimum hourly wage of $1, shelter and maintenance, free transportation to and from their place of employment and exemption from paying either State or Federal taxes on their earnings in the United States. Such inducements are not offered to our domestic farm workers, and worse, they are frequently working side by side with imported workers while receiving 60 to 75 cents per hour for their labors.

The bracero program is heavily subsidized by the U.S. Government. Over the past 5½ years subsidy programs for imported Mexican workers have cost the American taxpayers approximately $30 million.

This is subsidized discrimination aginst our domestic agricultural workers.

It is little wonder that President Kennedy, when signing the 1961 extension of Public Law 78, took note of the adverse effect of imported farmworkers on our domestic agricultural work force. The adverse-effect rates of pay established as a consequence of the President's concern have not solved the basic issue involved. The basic issue remains the same as it was in 1961—how can we justify the importation of foreign labor when our country is faced with the problem of acute and chronic unemployment?

It is time concerted attention was given by the Government to linking up the needs of unemployed youth in our cities and metropolitan centers with the labor requirements of our agricultural economy. Alarm has been expressed about the growing rate of delinquency and crime in our urban centers. Much of this trend is traced to unemployment of our youth and little hope of finding work for unskilled youth and school dropouts. There is no escaping the fact that youth with idle hands and minds are tempted into unhealthy behavior patterns and habits. Agricultural work is a healthy enterprise and it could be made attractive for our unemployed youth. With a little imagination, a real spirit of adventure, a pioneer spirit of moving toward New Frontiers could be built into this proposed program. It should be a part of our national youth fitness program because it is a natural for the development of strong, healthy citizens.

I hope the administration will give this opportunity the support it merits.

To extend the Mexican farm labor program for another year is to delay for another year in facing up to the basic issue. Our country cannot afford such a delay. We must face that issue now. The unemployed in our country can meet the needs of our agricultural economy and it is up to the Department of Labor to take such steps as are necessary to effectuate such a program.

I urge a vote against extension of the Mexican farm labor program.

**The CHAIRMAN.** The Chair recognizes the gentleman from California [Mr. Martin].

**Mr. MARTIN of California.** Mr. Chairman, with all due respect to my colleague the gentleman from California [Mr. Roosevelt], his amendment is playing with fire. We are talking about individuals here. There has been no evidence adduced before this committee to know which individuals you are talking about.

It appears to me that you have ignored the one main issue—that is, if you believe this program should be extended, it is manifestly unfair not to extend it to all citizens alike. We do not know who this will be applied to, and I say all citizens should have access to this program should the committee see fit to extend it.

I respectfully request of my colleagues that we get down to the business of deciding whether we ought to extend the program or not. I respectfully request all of you to seriously consider voting against the Roosevelt amendment and the amendment offered by the gentleman from Tennessee [Mr. Bass].

**The CHAIRMAN.** The Chair recognizes the gentleman from Texas [Mr. Mahon].

**Mr. MAHON.** Mr. Chairman, the issue before the House is whether or not we shall extend the bracero law for 1 year. The bracero law is administered by the Department of Labor. An effort has been made here to compromise by the gentleman from California [Mr. Roosevelt] and others. The gentleman from Tennessee [Mr. Bass] has offered an amendment which would discriminate against certain crops which he says might be in surplus supply. This would discriminate against people in certain areas, and it would rob the Department of Labor of flexibility in administering the program. It would be a rank injustice to many farmers and producers in certain areas, certainly in my area. I hope that the Members of the House, regardless of how they vote on final passage of the bill will vote down the Bass amendment, and we will then have a clearcut decision on whether or not we will extend this program for 1 year.

**The CHAIRMAN.** The Chair recognizes the gentleman from Illinois [Mr. O'Hara].

**Mr. O'HARA of Illinois.** Mr. Chairman, morality cannot be weighed on the scale of expediency. In May we voted this bill down on the ground of sound economy and sound morals. Nothing has happened. It is the same evil bill, and we are asked to pass it on the argument that while stealing is wrong the repentant should be given another year to become accustomed to the ways of rectitude. It is well that this is the eve of Halloween. If the bill should pass, this day will be imprinted in my memory as the Halloween of the stolen pumpkin.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, when the Members get through hearing the California liberals here today, they will know we are not a monolithic group.

I am opposed to the amendment and I am opposed to the bill. I have difficulty swallowing it whether you say to the farmer, "You can have this program only 1 more year," or you say to him, "You cannot have it any more except for 1 more year."

I do not believe there was any indication in the committee that this is a 1-year extension. This is a 1-year breather so that they can come back and get it again next year, hopefully for 2 years, but if not that, then 1 more year. I hope the bill will be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, I would like to make one or two observations.

I want the House to know that I am very much troubled by the amendment that is pending, because in my own heart there is nothing I would prefer more than to be able to support it. It seems to me that if we could really put together a program, as I have proposed with others in previous years, which would really end the program, I can assure you that I would support it. However, I want to call to your attention some of the difficulties that are involved in the amendment.

In the first place, the administration has pointed out that the bill in its present form they do not accept. The gentleman from California [Mr. ROOSEVELT] pointed out in colloquy with the gentleman from Hawaii [Mr. GILL], that any terms or conditions that are provided for the braceros would not apply under the terms of this phaseout to domestic workers. I think we still have the basic imbalance continuing. It seems to me that if that were the only thing we still might be able to rationalize it. But then there is the question of what happens when the bill goes to conference. I suggest that Mr. ROOSEVELT's amendment will probably be dropped in conference.

I have supported phaseout amendments in the past and would support this one if I really thought it would become law. I regret to say I do not think this will happen.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. ROSENTHAL].

### AMENDMENT OFFERED BY MR. ROSENTHAL

Mr. ROSENTHAL. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

> Amendment offered by Mr. ROSENTHAL as a substitute for the amendment offered by Mr. ROOSEVELT: Strike out all after the enacting clause and insert in lieu thereof the following: "That clause (3) of section 503 of the Agricultural Act of 1949, as amended, is amended by striking out 'comparable to those offered to foreign workers' and inserting in lieu thereof ', including workmen's compensation or occupation insurance coverage, housing, transportation, and work period guarantee comparable to that provided foreign workers'.
>
> "SEC. 2. Section 510 of such Act is amended by striking out 'December 31, 1963' and inserting in lieu thereof 'December 31, 1964'."

Mr. ABBITT. Mr. Chairman, I ask unanimous consent that the first section of the amendment be reread.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk again read the first section of the amendment.

Mr. ABBITT. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state the point of order.

Mr. ABBITT. Mr. Chairman, I make a point of order against the amendment for two reasons.

Mr. Chairman, first, I make the point of order that the amendment to section 503 of Public Law 78 is not germane to H.R. 8195, on the basis that the amendment being offered to section 503 deals not with a proposition providing for Mexican farm labor, but rather with a proposition providing for domestic migratory labor, and is within the purview of the precedents set forth in sections 2953, 2954, and 2955 of volume 8, Cannon's Precedents.

Section 2953 states:

> To a proposition providing for a class, a proposition providing for another related class is not germane. To a bill for the relief of dependents of men in the Regular Army an amendment proposing to extend the benefits of the act to dependents of men in the National Guard and the Reserve Corps was held not to be germane (Dec. 3, 1919).

Section 2954 states:

> To a provision authorizing distribution through the Red Cross an amendment providing for distribution through the Salvation Army was held not germane (Mar. 3, 1932).

Section 2955 states:

> To a bill providing for the erection of a statue of General von Steuben an amendment substituting a proposition for the erection of a statue of George Washington was held not to be germane (Feb. 10, 1910).

These precedents all point to a similar situation before the Committee today. Regular Army dependents, the Red Cross, General von Steuben, and Mexican laborers are all generally related to National Guard dependents, the Salvation Army, George Washington, and domestic farmworkers respectively, but none is germane to the other in legislation.

Public Law 78 is a law set up to deal with the importation of Mexicans into this country to work in the production of crops in the field, and it covers the contracting conditions and the working conditions that these workers are to be employed under as an agreement between the Government of the United States and the Government of Mexico.

Section 503 of the act deals with the conditions under which the Mexican laborer will be allowed to work. This requires that the imported labor not be allowed to work until the conditions of this section are met.

The proposed amendment should be considered in a separate bill covering working conditions of American workers, and should be considered by the Education and Labor Committee. The House will, in effect, if this amendment is held germane, be enacting legislation as an amendment to Public Law 78 that will have widespread effect on the domestic labor force.

Mr. Chairman, I therefore raise the point of order that the amendment, as offered to section 503, is a proposition providing for a related class and is not germane.

Mr. Chairman, I also make the point of order that the amendment to section 503 of the act is not germane to the bill, H.R. 8195.

The bill simply extends a program which deals with a class of farmworkers, in this case Mexican nationals. The amendment deals with an entirely different class of workers—U.S. citizens who are migratory farm laborers. The amendment is not in order and would change the entire concept of this program.

As precedent for this point of order I cite the CONGRESSIONAL RECORD of July 17, 1963, at pages 12777 and 12778 where I made a point of order against an amendment by the gentleman from Illinois [Mr. FINDLEY] to H.R. 101, a bill to extend for 2 years the definition of boiled peanuts.

At that time I stated as follows:

> Mr. ABBITT. Mr. Chairman, I make the point of order that the amendment is not germane to the bill.
>
> The CHAIRMAN. The gentleman will state his point of order.
>
> Mr. ABBITT. Mr. Chairman, the bill simply deals with a class of peanuts. I make the point of order that the amendment is not germane. The bill simply deals with a class of peanuts. The amendment deals with an entirely difference class, and is not in order, as it would change the entire concept of the legislation as well as wipe out the peanut program. For that reason, the amendment is not germane to this bill that is before the House.

In response to my point of order the Chairman [Mr. FLYNT] ruled as follows:

> The CHAIRMAN (Mr. FLYNT). The Chair is prepared to rule.
>
> The gentleman from Illinois has offered an amendment to the pending bill. As a general rule, one individual proposition may not be amended by any other individual proposition, even though the two may belong to the same class.
>
> The Chair quotes from volume 8, section 2948, the following:
>
> "To a bill amendatory of one section of an existing law an amendment proposing further modification of the law was held not to be germane.
>
> "On December 20, 1919, the Committee of the Whole House on the State of the Union was considering the bill (H.R. 11224) to amend section 1 of the act approved October 16, 1918, providing for deportation of alien anarchists.
>
> "Mr. Benjamin F. Welty, of Ohio, offered an amendment proposing to add to the existing law a new section to be known as section 4.
>
> "Mr. Albert Johnson, of Washington, made the point of order that the amendment while germane to the existing law was not germane to the pending bill."

Accordingly, the Chair sustains the point of order made by the gentleman from Virginia [Mr. ABBITT].

Mr. Chairman, the same procedural situation is at hand again. The proposed amendment is of an entirely different class.

Mr. FINDLEY. Mr. Chairman.

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. FINDLEY. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The gentleman is recognized.

Mr. FINDLEY. Mr. Chairman, I would like to cite for the consideration of the Chair the ruling of the Chair on July 17, 1963, as reported on page 12778 of the CONGRESSIONAL RECORD.

The bill before the committee on July 17, continued for 2 years a separate act which exempted boiled peanuts from marketing quotas.

The bill before us today would continue for 1 year a separate act establishing the Mexican farm labor program.

The amendment I offered to the peanut bill broadened the definition of peanuts. It was held not germane on this ground: To a bill amendatory of one section of an existing law an amendment proposing further modification of the law is not germane.

The amendment before the committee at this time, like my amendment on the peanut bill, proposes further modification of a different section or paragraph of the law.

The bill before us amends section 510. The amendment offered would amend section 503.

The peanut bill amended an act which had only one section, consisting of two paragraphs. The bill amended the second paragraph.

My amendment, which was ruled not germane, applied to the first paragraph.

Therefore, if the ruling of the Chair on July 17 was valid, then there can be no doubt that the amendment now before the Chair is not germane.

If the Chair rules that the pending amendment is germane, then I can see no other conclusion than that the Chair was in error in ruling that my amendment to the peanut bill was not germane.

The CHAIRMAN (Mr. NATCHER). The Chair is ready to rule.

Under the rule of germaneness, an act continuing and reenacting an existing law is subject to amendment modifying the provisions of the law carried in the act.

The Chair rules that the amendment is germane, and the point of order is overruled.

Mr. FINDLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. FINDLEY. Does it then follow, Mr. Chairman, that the basis for the ruling of the Chairman on my amendment to the peanut bill on July 17 was in error?

The CHAIRMAN. The Chair would inform the gentleman from Illinois that that ruling could not apply in this particular instance because it turned on a different question.

The gentleman from New York [Mr. ROSENTHAL] is recognized.

Mr. ROSENTHAL. Mr. Chairman, the amendment that I have offered substitutes the Senate bill for the House bill. It adds on certain conditions the Senate added on by virtue of amendment in that body as follows: to give to American farmworkers the same exact conditions and benefits that we give Mexican farmworkers.

I would like to take the time of the committee to read a letter dated October 30, 1963, from the Secretary of Labor to me. It reads as follows:

> The administration has continued to maintain the position I indicated before the House Subcommittee on Equipment, Supplies, and Manpower of the Committee on Agriculture on March 27. We support a 1-year extension, provided the act is amended to require employers seeking to obtain Mexican workers to demonstrate that they have offered to domestic workers workmen's compensation or occupational insurance coverage, housing, and transportation expenses equivalent to that furnished Mexican workers.

We are opposed to an extension without these amendments.

That is my position, Mr. Chairman. If these amendments are adopted and we are willing to give American farmworkers the same privileges we give Mexican farmworkers, then I am agreeable and will urge an extension of this program for 1 year.

Mr. FOGARTY. Mr. Chairman, I rise in support of the Bass amendment. I cannot understand how anybody on the Republican side, who voted to cut out the farm bill that was passed this year, can vote for this kind of legislation. Already in 1962 the Government has purchased over $350 million worth of cotton. We have paid over $100 million for storage, and here we are today asking to bring in cheap foreign labor to produce the same results as we did in 1962 and 1963. This same kind of cheap labor is being used in the sugarbeet industry, and as a result of that we have the high cost of sugar in our country which can be attributed to this program that you are asking us to pass today. If we pass this program for another year, we are going to extend the old farm bill. We are going to pass on to the taxpayers of this country a bill of $1 billion that we are paying under the farm bill today in taxpayers' money. I thought this was supposed to be an economy-minded Congress, but with this kind of a cheap labor bill you are going to saddle the taxpayers with a debt they will never pay off. By voting for this bill you are voting to keep our migrant workers in bondage, and keep their wages, health, and housing standards frozen. This is slavery in every sense of the word.

We should be ashamed of ourselves for even considering this type of legislation so late in this session. God help the migrant workers of our country.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I shall not prolong the debate, but I want to move that these amendments be defeated. I think it is in the interest of the program to defeat all of these amendments and take this bill as presented by the House committee. The pending amendment offered by the gentleman from New York was thoroughly considered in the committee and was defeated by a vote of 28 to 4.

Mr. LEGGETT. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from California.

Mr. LEGGETT. I believe we thoroughly showed before the subcommittee that the amendments that have been acted on by the Senate had not been thoroughly considered by the Department of Labor and their function had been accomplished actually by existing regulations which have been published at the time of the Senate debate. They cannot tell us whether these amendments would require that we pay compensation in the form of housing allowance and transportation allowance to commuters and a whole host of other people that the farmers naturally work with. They are vague, and I am sure the author does not agree with the Department of Labor. There has been no adequate explanation of the amendment, and I ask that that particular amendment be defeated.

Mr. COOLEY. Mr. Chairman, I want to say further if you adopt this amendment, what you are doing actually is embarking on an entirely new program for 1964 which deals entirely with domestic workers. We have a program dealing with foreign workers, and now the gentleman from New York wants us to embark on another program dealing with these foreign workers. I ask for the defeat of this amendment.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Tennessee [Mr. BASS].

The question was taken; and on a division (demanded by Mr. BASS) there were—ayes 83, noes 139.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the substitute offered by the gentleman from New York [Mr. ROSENTHAL] to the amendment offered by the gentleman from California [Mr. ROOSEVELT].

The question was taken; and on a division (demanded by Mr. ROSENTHAL) there were—ayes 79, noes 131.

So the substitute was rejected.

The CHAIRMAN. Now the question recurs on the amendment offered by the gentleman from California [Mr. ROOSEVELT].

The question was taken; and on a division (demanded by Mr. ROOSEVELT) there were—ayes 89, noes 109.

So the amendment was rejected.

### AMENDMENT OFFERED BY MR. BASS

Mr. BASS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BASS: On page 1, line 5, after "1964" strike out the quotation mark and the period and insert a colon and add the following: "*Provided*, That no worker under this act may be used in crops that have acreage controls and are in surplus supply."

**Mr. COOLEY.** Mr. Chairman, I make the point of order that the amendment is not germane. It is identical to the amendment which was offered earlier and which was just defeated.

The **CHAIRMAN.** Does the gentleman from Tennessee desire to be heard?

**Mr. BASS.** Mr. Chairman, I would like to say to the chairman of the Committee on Agriculture, the gentleman from North Carolina [Mr. Cooley], that it is an amendment which is offered to the main bill. The other amendment was offered to the substitute. Now it is offered to the main bill.

The **CHAIRMAN.** The Chair would like to inform the gentleman from North Carolina that this is an amendment now offered to the bill.

**Mr. COOLEY.** That is right, Mr. Chairman, but the other one was an amendment to an amendment to the bill. So what is the difference?

The **CHAIRMAN.** Under the rules of the House the gentleman from Tennessee may now offer his amendment.

**Mr. COOLEY.** Mr. Chairman, will the gentleman from Tennessee yield for a unanimous-consent request?

**Mr. BASS.** I yield to the gentleman from North Carolina.

**Mr. COOLEY.** Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 5 minutes.

The **CHAIRMAN.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

**Mr. BASS.** Now, Mr. Chairman, this amendment is very similar to the one I offered previously. It is a little bit different because this time, since there was some discussion about the question of what a surplus commodity was, this time I included the term "acreage allotments" so there could be no question about this amendment at all.

In other words, if we have acreage allotments and if the commodity is in surplus, these workers cannot be used.

Mr. Chairman, I want to point out to my friends on the Republican side of the aisle that I observed when they voted on my amendment a while ago they did not stick to this old economy line that they have followed. However, I could be wrong. My eyes are good and I did not observe a single Republican voting for this economy amendment.

Mr. Chairman, what is proposed to be done through this amendment is to stop importing foreign labor to produce crops and put them in the warehouses on which to pay storage prices. Also, it stops importing labor to produce crops on which we are paying 8 cents a pound subsidy for the benefit of the foreign importers. In other words, a man can buy cotton in the U.S. market, if he lives in Japan, at 8 cents a pound cheaper than a textile manufacturer can buy it in the United States.

If you oppose this amendment you are voting to pay a subsidy for a crop that is being raised and harvested by farmers who are being imported from a foreign nation. This is nothing but simple wastefulness. It is throwing money down the drain.

If you have any serious intention of trying to save money you will stop importing labor to produce crops that my farmers in Tennessee cannot get acres to produce them, that are being put into warehouses and the Government paying $1 billion a year storage.

**Mr. HALLECK.** Mr. Chairman, will the gentleman yield?

**Mr. BASS.** I yield to the gentleman from Indiana.

**Mr. HALLECK.** Of course, I must say I am a little surprised at the gentleman undertaking to lecture this side of the aisle.

**Mr. BASS.** I want you to join me.

**Mr. HALLECK.** Let me point out that the 8.5-cent subsidy could be corrected by a stroke of the pen of the Secretary of Agriculture if the Kennedy administration would see fit to do it.

**Mr. BASS.** I disagree with the gentleman. It could be corrected by a bill that is now before the Rules Committee. If the five Republican members on the committe would vote for it we could get the bill on the floor next week.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Tennessee [Mr. Bass].

The question was taken; and on a division (demanded by Mr. Bass, there were—ayes 95, noes 134.

So the amendment was rejected.

**Mr. COOLEY.** Mr. Chairman, I ask unanimous consent that all debate on the pending bill and all amendments thereto close in 5 minutes.

The **CHAIRMAN.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The **CHAIRMAN.** The Chair recognizes the gentleman from Mississippi [Mr. Whitten].

**Mr. WHITTEN.** Mr. Chairman, one of the sad things I see developing in the Congress, since we have been in session so long this year, is the wedge which is being driven between those who might be termed consumers and those engaged in agriculture. It has been my privilege for 12 to 15 years that I have been a Member of this House to preside over the subcommittee handling the overall agricultural appropriation bill. Mr. Chairman, where else in the world will we find 8 percent of the people who can and do provide food for the other 92 percent so they, in turn, can produce television sets, radios, automobiles, air conditioning, and everything else, as we do in the United States?

Mr. Chairman, we have laws for industry, labor and agriculture. This law affects all. We must continue this law enabling some farmers to harvest their crops for another year. It does not affect my district any more than it does yours, for we do not use any braceros in my area or my State. But involved here is the question of whether the 92 percent want to upset the ability of that 8 percent, and thereby themselves, to produce the food and fiber for a nation that pays for it a smaller percentage of its income than any nation ever did before. Involved is not the matter of price-supported commodities or nonsupported commodities, for again, perishables have the best price support of all. May I say to those from the fruit belt, or the vegetable people, do not be "holier than thou," for you have the best price support ever conceived. You have a program where section 32 funds—30 percent of import duties—are used to buy up your surpluses, and you then get your price at the marketplace. Believe me, the storable commodity group would like to trade places with you. Really, the basic commodities, where some can be stored for 50 years, must be treated differently from perishables. Where there is an oversupply, one year will not be in the way of the next year's crop. Involved here is how are we going to harvest some crops, some years, for all of us.

In my State, a few years ago after World War II, we brought into that area some Slavic people from central Europe. I asked one man how it was working out. He said, "It has been bad. It is setting a bad example for the home people." He said, "These folks will work."

We have millions of Americans who just would not do this kind of work, whatever the pay.

You know that with many of these crops, perishable crops particularly, you have to gather the crop when it is ripe. If you do not it is gone, and if it is gone and you create just a little shortage, prices go up tremendously. If your Government had not had a frozen citrus program, the price of oranges would have gone out of sight when we had the freeze last year. A little surplus or a little shortage can double or reduce prices to consumers by 100 percent. For instance, if you have seven units of a commodity and eight men are trying to get that seven, they will run the price sky high. The records prove that. On the other hand, if you have eight units which must be sold and only seven buyers, the eighth man who must sell will break the price for all.

There are a whole lot of complexities in this farm program we have. It is absolutely essential that we maintain a balance in income between industry, agriculture, and labor. I recognize that the Government pays out lots of money trying to keep things in balance in agriculture, by buying up surpluses for perishables when the market is depressed and releasing shortages when necessary so as to shore up prices, and by loans on storables—basics. I also recognize that when you have minimum wages and the bargaining rights of the labor unions, they, too, increase their take of the consumer's—taxpayer's—dollars. The difference is that their increased take is passed on to the consumer through the retail price paid by all of us.

So we are all, or at least most of us are, trying to keep a proper balance. The farmer's share shows more than that of labor and industry where labor costs and markup are passed on as an unidentifiable part of the retail price.

Here is the point. When a man has a crop and it is ripe, and he cannot get labor to harvest it, it is lost—both for him and the consumer. He may go out of business, along with others, then where are the consumers—who are not farmers and who live in our cities—going to be? I believe, by all means, you should extend this law for 1 year. At least you give to the Secretary of Labor time to try to bring forward some plan where surplus labor in one area of the United States may be available to gather the crops in these labor shortage areas where they have their crops and no labor there to harvest them.

So I say again, involved in this is not a case of importing labor as such; involved is a means to protect the food supply in the perishable field where shortages will make many of these commodities unavailable to your city consumers and to prevent the tremendous competition resulting in greatly increased prices for the rich, who can buy regardless of price. Believe me, if you do not extend this law 1 year, you easily could have a shortage and skyrocketing prices. Most Americans will not do this kind of work no matter what the pay. As a lawyer, I am convinced this is not something you are doing for the producers as such; it is an action necessary to maintain reasonable prices for food and clothing for your consumers.

I trust and hope you will help us keep it, so 8 percent can give our remaining 92 percent the finest, cheapest, and most plentiful food any nation ever enjoyed.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8195) to amend section 510 of title V of the Agricultural Act of 1949, as amended, pursuant to House Resolution 544, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. KYL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. KYL. The gentleman is opposed to the bill, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. KYL moves to recommit the bill, H.R. 8195, to the Committee on Agriculture.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. ROSENTHAL. Mr. Speaker, on this vote I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 173, nays 160; answered "present" 6, not voting 94, as follows:

[Roll No. 189]

YEAS—173

Abbitt
Albert
Alger
Anderson
Andrews, Ala.
Andrews, N. Dak.
Arends
Aspinall
Avery
Baldwin
Barry
Battin
Beermann
Belcher
Bell
Berry
Betts
Bolton, Frances P.
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burleson
Casey
Cederberg
Chamberlain
Chelf
Chenoweth
Clausen, Don H.
Clawson, Del
Collier
Colmer
Cooley
Corbett
Cramer
Curtis
Dague
Davis, Ga.
Davis, Tenn.
Derwinski
Dole
Dorn
Downing
Duncan
Ellsworth
Everett
Fascell
Findley
Fisher
Flynt
Ford
Foreman
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Gary
Gathings
Goodell
Goodling
Griffin
Gross
Gubser
Gurney
Hagen, Calif.
Haley
Hall
Halleck
Hanna
Hardy
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hemphill
Henderson
Hoeven
Hosmer
Hutchinson
Jarman
Jensen
Johansen
Johnson, Calif.
Jonas
Jones, Ala.
Jones, Mo.
Keith
Kilgore
King, N.Y.
Knox
Laird
Landrum
Langen
Latta
Leggett
Lipscomb
Lloyd
Long, Md.
McCulloch
McDade
McFall
McIntire
McLoskey
McMillan
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Mass.
Matthews
Meader
Minshall
Morris
Morton
Moss
Nelsen
Norblad
Passman
Patman
Pillion
Poage
Poff
Pool
Purcell
Quie
Reifel
Rhodes, Ariz.
Rivers, S.C.
Rogers, Fla.
Rogers, Tex.
Rumsfeld
Schadeberg
Schneebeli
Schwengel
Selden
Sheppard
Short
Sisk
Smith, Calif.
Smith, Va.
Springer
Staebler
Steed
Stephens
Stubblefield
Taft
Talcott
Teague, Calif.
Teague, Tex.
Thompson, Tex.
Thomson, Wis.
Trimble
Tuck
Udall
Utt
Van Deerlin
Van Pelt
Vinson
Waggonner
Weaver
Whalley
Wharton
Whitener
Whitten
Wickersham
Widnall
Williams
Willis
Wilson, Bob
Younger

NAYS—160

Addabbo
Ashley
Barrett
Bass
Bates
Beckworth
Bennett, Fla.
Bennett, Mich.
Blatnik
Boggs
Boland
Bolton, Oliver P.
Brademas
Bray
Brooks
Burke
Burkhalter
Byrne, Pa.
Cahill
Cannon
Carey
Clancy
Clark
Cleveland
Cohelan
Conte
Corman
Cunningham
Curtin
Daddario
Delaney
Dent
Denton
Devine
Diggs
Dingell
Dulski
Dwyer
Edwards
Evins
Farbstein
Feighan
Finnegan
Fino
Flood
Fogarty
Fraser
Fulton, Tenn.
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Grover
Halpern
Hansen
Hawkins
Hays
Healey
Hechler
Holifield
Holland
Horton
Huddleston
Hull
Ichord
Jennings
Joelson
Johnson, Wis.
Karsten
Kastenmeier
Kee
King, Calif.
Kirwan
Kunkel
Kyl
Lankford
Libonati
Lindsay
McClory
McDowell
Madden
Mathias
Matsunaga
Michel
Milliken
Minish
Monagan
Montoya
Moore
Moorhead
Morgan
Morrison
Morse
Mosher
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien, N.Y.
O'Hara, Ill.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Patten
Perkins
Philbin
Pike
Powell
Price
Pucinski
Quillen
Reid, N.Y.
Reuss
Rich
Rivers, Alaska
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Ryan, N.Y.
St. George
St Germain
Saylor
Schweiker
Secrest
Senner
Sibal
Sickles
Slack
Smith, Iowa
Staggers
Stratton
Sullivan
Thomas
Toll
Tupper
Tuten
Vanik
Wallhauser
Weltner
Wilson, Charles H.
Wilson, Ind.
Young
Zablocki

ANSWERED "PRESENT"—6

Becker
Bow
Brown, Calif.
Derounian
O'Hara, Mich.
Wright

NOT VOTING—94

Abele
Abernethy
Adair
Ashbrook
Ashmore
Auchincloss
Ayres
Baker
Baring
Bolling
Bonner
Bruce
Buckley
Burton
Byrnes, Wis.
Cameron
Celler
Daniels
Dawson
Donohue
Dowdy
Edmondson
Elliott
Fallon
Forrester
Fuqua
Gallagher
Garmatz
Grabowski
Grant
Griffiths
Hagan, Ga.
Harding
Harris
Hébert
Herlong
Hoffman
Horan
Karth
Kelly
Keogh
Kilburn
Kluczynski
Kornegay
Lennon
Lesinski
Long, La.
Macdonald
MacGregor
Martin, Nebr.
May
Miller, Calif.
Miller, N.Y.
Mills
Multer
Murray
O'Brien, Ill.
Pelly
Pepper
Pilcher
Pirnie
Rains
Randall
Reid, Ill.
Rhodes, Pa.
Riehlman
Roberts, Ala.
Roberts, Tex.
Ryan, Mich.
St. Onge
Schenck
Scott
Shelley
Shipley
Shriver
Sikes
Siler
Skubitz
Snyder
Stafford
Stinson
Taylor
Thompson, La.
Thompson, N.J.
Thornberry
Tollefson
Ullman
Watson
Watts
Westland
White
Winstead
Wydler
Wyman

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mrs. May for, with Mr. Bow against.

Mr. Hoffman for, with Mr. Becker against.

Mr. Kilburn for, with Mr. Hébert against.

Mr. Burton for, with Mr. Brown of California against.

Mr. Byrnes of Wisconsin for, with Mr. Derounian against.

Mr. O'Hara of Michigan for, with Mr. Thompson of New Jersey against.

Mr. Watts for, with Mr. Keogh against.

Mr. Harding for, with Mr. Shelley against.

Mr. Ashmore for, with Mr. St. Onge against.

Mr. Winstead for, with Mr. Multer against.

Mr. Abernethy for, with Mr. Donohue against.

Mr. Sikes for, with Mrs. Kelly against.

Mr. Auchincloss for, with Mr. Garmatz against.

Mr. Taylor for, with Mr. Rains against.

Mr. Dowdy for, with Mrs. Griffiths against.

Mr. Edmondson for, with Mr. Shipley against.

Mr. Fuqua for, with Mr. Elliott against.

Mr. Scott for, with Mr. Fallon against.

Mr. Roberts of Texas for, with Mr. Daniels against.

Mr. Wright for, with Mr. Bolling against.

Mr. Adair for, with Mr. Pelly against.

Mr. Shriver for, with Mr. Riehlman against.

Mr. MacGregor for, with Mr. Wydler against.

Mr. Skubitz for, with Mr. Pirnie against.

Mr. Westland for, with Mr. Baker against.

Mrs. Reid of Illinois for, with Mr. Siler against.

Mr. Wyman for, with Mr. Snyder against.
Mr. Horan for, with Mr. Stafford against.
Mr. Martin of Nebraska for, with Mr. Miller of New York against.
Mr. Schenck for, with Mr. Celler against.
Mr. Ayres for, with Mr. Grabowski against.
Mr. Ullman for, with Mr. Thompson of Louisiana against.
Mr. Pilcher for, with Mr. Ryan of Michigan against.
Mr. Herlong for, with Mr. Gallagher against.
Mr. Harris for, with Mr. Buckley against.
Mr. Long of Louisiana for, with Mr. Karth against.
Mr. Thornberry for, with Mr. Macdonald against.
Mr. Forrester for, with Mr. Randall against.
Mr. Murray for, with Mr. Watson against.
Mr. Bonner for, with Mr. Kluczynski against.

Until further notice:

Mr. Cameron with Mr. Bruce.
Mr. Lesinski with Mr. Abele.
Mr. Bolling with Mr. Tollefson.
Mr. White with Mr. Stinson.
Mr. Dawson with Mr. O'Brien of Illinois.
Mr. Pepper with Mr. Grant.
Mr. Roberts of Alabama with Mr. Kornegay.
Mr. Mills with Mr. Lennon.

Mr. BROWN of California. Mr. Speaker, I have a live pair with the gentleman from Utah [Mr. BURTON]. Had he been present he would have voted "yea." I voted "nay." I therefore withdraw my vote and vote "present."

Mr. O'HARA of Michigan. Mr. Speaker, I have a live pair with the gentleman from New Jersey [Mr. THOMPSON]. Had he been present he would have voted "nay." I voted "yea." I withdraw my vote and ask to be recorded as "present."

Mr. WRIGHT. Mr. Speaker, I have a live pair with the gentleman from Missouri [Mr. BOLLING]. Had he been present he would have voted "nay." I voted "yea." Therefore I withdraw my vote and ask to be recorded as "present."

Mr. DEROUNIAN. Mr. Speaker, I have a live pair with the gentleman from Wisconsin [Mr. BYRNES]. Had he been present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. BOW. Mr. Speaker, I have a live pair with the gentlewoman from Washington [Mrs. MAY]. I am recorded as voting "nay." If she were present she would have voted "yea." I withdraw my vote and vote "present."

Mr. BECKER. Mr. Speaker, on this vote I am recorded as voting "nay." I have a live pair with the gentleman from Illinois [Mr. HOFFMAN]. If he were present he would have voted "yea." I withdraw my vote of "nay" and request to be recorded as "present."

The result of the vote was announced as above recorded.

The SPEAKER. Pursuant to the provisions of House Resolution 544, the Committee on Agriculture is discharged from further consideration of the bill S. 1703 to amend title V of the Agricultural Act of 1949, as amended, and for other purposes.

The Clerk will report the title of the bill.

The Clerk read the title of the bill.

Mr. COOLEY. Mr. Speaker, I move to strike out all after the enacting clause of the bill, S. 1703, and insert in lieu thereof the provision of the bill, H.R. 8195, just passed.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: Strike out all after the enacting clause of S. 1703 and insert the provision contained in H.R. 8195 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 8195) was laid on the table.

## GENERAL LEAVE TO EXTEND REMARKS

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks on the bill, H.R. 8195, just passed.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

## ORDERLY TRANSFER OF EXECUTIVE POWER

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4638) to promote the orderly transfer of the executive power in connection with the expiration of the term of office of a President and the inauguration of a new President, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida? The Chair hears none, and appoints the following conferees: Messrs. DAWSON, HOLIFIELD, FASCELL, ANDERSON, and HORTON.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6500) entitled "An act to authorize certain construction at military installations, and for other purposes."

The message also announced that the Secretary of the Senate requests the House of Representatives to return to the Senate the bill (H.R. 2985) entitled "An act to amend section 1391 of title 28 of the United States Code, relating to venue generally" together with all accompanying papers.

## UNITED STATES STEEL PUTS PROFITS AHEAD OF PEOPLE

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, yesterday's New York Times carried two stories—one of high corporate indifference, the other of high corporate profits. The statement of Roger Blough, chairman of the board of United States Steel Corp., that the corporation should not use its influence to improve racial conditions in strife-torn Birmingham is the epitome of corporate irresponsibility and callousness.

United States Steel willingly accepts all the benefits of our laws and Constitution which guarantee the rights of corporations and of private property, but refuses to accept its obligation to support the same laws and Constitution which also declare all men equal.

Apparently United States Steel sees its only responsibility is to make profits. Public welfare is not its concern. This callous attitude is a giant step backward by a giant corporation.

It is ironic that, in the same conference, Roger Blough reported a sharp increase in third quarter sales and earnings. Who is responsible for these profits? Roger Blough in his plush New York office did not bring this about by himself. Behind the profits are some 15,000 steelworkers in Birmingham, many of whom are Negroes, who mine the ore, melt the steel, cut it, shape it, and by their hard labor create the product with which the profits are made. These steelworkers and their families live in a town of terror—a town with segregated schools and bigoted police where our citizens are denied their constitutional rights. United States Steel says to these workers, "Give us your labor but do not expect us to be concerned with your lives or the lives of your children."

United States Steel also says to American society, "We will benefit from the advantages of American society and its economic system and its laws but do not expect us to share any responsibility for improving human relations in that society."

Even a schoolboy knows that citizenship has obligations as well as privileges. If all citizens, whether private or corporate, insisted on privileges while refusing obligations, our free democratic society would disintegrate.

Mr. Speaker, power without responsibility is tyranny. United States Steel's policy of inaction is in reality a policy of action. Birmingham and other southern cities are permitted to abuse American citizens and deny to them the right to live decently because the so-called respectable and responsible people and organizations remain silent. In the case of United States Steel this unconscionable silence in Birmingham is shocking. As a giant of industry, it has a moral obligation to speak out. In Birmingham, where it is the largest employer, this corporation could use its tremendous influence to bring about substantial and constructive change.

I urge all Members and all citizens to raise their voice in protest against this callous irresponsibility and indifference. It is time for United States Steel to put people ahead of profits.

## REACTION TO SOVIET ANNOUNCEMENT

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, several days ago the Russian Premier announced the Soviet Union is dropping its plans to send a man to the moon. The immediate and continuing reaction in the United States to this announcement is both remarkable and disturbing.

Those who have questioned the value of a lunar landing goal now move forward to say we can reduce our space sights. They base this solely on the words of Mr. Khrushchev. Interestingly enough some of those who place credence in the Soviet leader's words on this occasion are the same who question the value of his words on other occasions.

The reaction to this announcement also is disturbing from another point of view. In many governmental announcements or pronouncements you sometimes discover that what is not said can be as important as what has been said. The critics of our space program apparently are not aware of this.

Let us look at Mr. Khrushchev's words. He said the Soviet Union at this present time believes it is impractical to send a manned flight to the moon. Consider those words at the present time.

Also consider what he did not say. Khrushchev did not say the Russians were abandoning plans to seek a rendezvous in space. He did not say they considered plans to build a space platform as impractical. He did not say they have dropped plans for an instrumentation landing on the moon. He did not say they were reducing their space exploration activities. He did not say they were not planning a manned orbital flight around the moon.

All of these projects are an integral part of any effort to produce a successful lunar landing. The mere landing itself is really just a measure of the progress toward the mastery of this element of outer space which surrounds us.

I suggest that these people who, because of the Russian announcement, suggest that the United States should now cut back on its space efforts are reacting exactly the way Khrushchev hopes our country to react.

It is no secret we have been trailing the Russians in several sectors of the space program. They were first to orbit a satellite. The first to send a man into orbit. The first to send two men into orbit at the same time and approach a rendezvous in space. The first to land an object on the moon, to photograph the hidden, back portion of the moon.

We also can boast of space accomplishments the Russians have yet to match. Now with an apparent slowdown in Red space activities we have a chance to forge ahead of them in practically all sectors of space exploration capability.

Is this then the time to relax our efforts?

The British Empire held the position of world leader for hundreds of years because it was able to attain and to maintain its position of dominance in the world's oceans and seas.

It was our ability to control the immediate airspace above us that played such a dominant role in the victory of the free world in World War II.

For our own safety and security we cannot afford to be the runner-up in the efforts to achieve the competence necessary to master outer space. Within the past 5 years we have leaped from the world of science fiction into the world of scientific fact.

Because of the apparent difficulties in the Communist economy we now have the opportunity to reach out into the world beyond our own globe whirling in space and to get there first. It will not be our policy upon attaining this accomplishment to deny the movements of other nations into this new sphere of activity. But who can deny the possibility that another nation achieving this dominance before us would use its knowledge and strength to maintain a monopoly of strength and thus dominate the entire world.

We must achieve this capability first and in doing so we will be grasping the leadership in the fields of science, space technology, and in the exploration of the universe.

This is not the time to relax our efforts. We have the resources and the knowledge to attain this goal. We must not lose our desire to attain it just because our chief opponent maintains it is impractical at this present time.

## FEDERAL SALARY LEGISLATION

Mr. UDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, before introducing Federal salary legislation earlier this month I was told that such an act would be political suicide, that the Congress simply could not increase top executive, judicial, and congressional salaries without bringing down the wrath of the Nation against those supporting such a proposal. I am happy to say that these dire predictions have thus far failed to materialize and that, in fact, every day brings new evidences of support from reasonable citizens, organizations, and newspapers across the country.

One of the most persistent and probing critics of the Congress through the years has been the columnist Drew Pearson, whose revelations and charges have ruined many a breakfast in this town. What is Mr. Pearson's opinion of salary increases for Congressmen? Here is what he said recently:

> While Congressmen shake in their boots when considering salary increases for themselves, many observers, including this writer, feel that a pay boost is overdue.

Detailing the salary and expenses of our colleague from Massachusetts [Mr. CONTE], Drew Pearson said:

> This busy Congressman nets less in actual take-home pay than many $11,000-a-year Government employees, though he is on the job almost around the clock.

Mr. Speaker, I have just had handed to me editorials in support of Federal pay legislation, including congressional salaries, published in the Chicago Daily News and the Chicago American. I include them at this point in the RECORD.

[From the Chicago Daily News, Oct. 3, 1963]

### JUSTICE AND FEDERAL PAY

For about 1 percent of its annual outlay for moonshot rocketry, the U.S. Government can bring its whole top executive pay program into balance with private and local government levels throughout the country.

Clarence Randall, chairman of the Advisory Panel on Federal Salary Systems, sets the total cost at $20 million. Simple justice requires that Congress give his report the kind of serious and sympathetic heed it gave the military service pay bill.

An ironic aspect of that bill, providing well-deserved increases, is that it boosts the pay of all four-star generals and admirals above that of their bosses, the service Secretaries. The Cabinet officers are frozen at the $25,000 ceiling. The new pay rate of the Chief of Naval Operations, for example, is $32,607.

In general, the $25,000 ceiling prevails throughout the Government departments and agencies, with subordinate-level recompense scaling down from there.

In contrast, the Randall report cites these figures:

Twenty-eight positions in the city government of Los Angeles are paid salaries above those of Cabinet officers.

Five hundred and eleven principal administrative officers of colleges and universities receive $20,000 or more; 157 of these are paid more than $25,000.

The annual salaries of the presidents of the 12 Federal Reserve banks range from $32,500 to $70,000. But the Chairman of the Federal Reserve's Board of Governors, with policy jurisdiction over the whole system, receives only $20,500.

The contrast is even sharper, of course, with salaries at the top executive levels of private industry, where the Government must go to recruit its own executive talent.

Randall proposes that top salaries in the Government departments be raised to $50,000 for Cabinet Secretaries, scaling down to $30,000 for heads and board members of the smaller agencies and deputy heads of larger agencies.

By these means it would accomplish two goals: Establish a sound progression from top career salaries to successively higher executive pay levels, and set executive salary levels commensurate with responsibilities.

We believe such a pay scale would produce benefits far exceeding the added costs. It would tend to keep able younger men in Government who would otherwise be attracted by greater prospective rewards into private life. And it would reduce to a more bearable level the sacrifices of able executives leaving private business.

The committee also recommends that Congressmen's salaries be boosted to $30,000 with added provision for several trips home per year. With Congress demanding virtually the full time of its Members, this is a sensible proposal.

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[From the Chicago American, Oct. 26, 1963]

### Raise for Federal Judges

A bill to increase salaries in a wide range of Federal posts, from district judges to Congressmen, Cabinet officers, and Supreme Court Justices, appears close to passage in the House. The sponsor is Representative Morris K. Udall, Democrat of Arizona, who has risked a severe backlash from the voters by introducing such a bill—particularly in a session when Congress, if it were paid on a piecework basis, would go home broke.

Udall's arguments in favor of the judicial raises, though, are not easy to dismiss. His bill would increase the salary of the Chief Justice of the Supreme Court from $35,000 to $50,000; the salaries of Associate Justices from $35,000 to $50,000; and those of Federal district court judges from $25,000 to $40,000. Other Federal judges would be granted comparable increases.

Like the other proposed raises, these are based on the findings of a commission on Federal salaries headed by Clarence Randall, though Udall's version is a great deal more modest. (The Randall commission, for instance, proposed $60,000 for Supreme Court judges.)

The two proposed sets of pay raises are based on a principle of "comparability"—that is, Federal pay scales should at least approach those offered by private industry, so that the Federal Government will have a comparable chance at attracting and keeping able men.

In the case of Federal judges, the discrepancy is plain. They now hear cases involving vast sums, argued by attorneys who by and large make far more money than the judges do. Their decisions affect the public as a whole, and the country has an obvious interest in attracting the best brains and talent available to the Federal bench. We think a pay raise for the Federal judiciary is justified on practical grounds, as well as on grounds of simple fairness.

## TRANS WORLD AIRLINES

Mr. HULL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include an article.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HULL. Mr. Speaker, Trans World Airlines has long been a pioneer in blazing new trails of progress in the air transportation field and recently demonstrated its leadership again by giving its support to the American development of a supersonic transport.

TWA has committed $600,000 to the Federal Aviation Agency as initial payment on its order for six American-built supersonic aircraft and was the first domestic airline to thus express its confidence in American industry to develop an outstanding supersonic plane.

Time magazine recently called attention to TWA's farsighted action and under leave to extend I include the Time article:

### Squabble To Be First

Four phone calls were made from Washington last week to the presidents of the Nation's four leading airlines. On the line was Najeeb Halaby, who heads the Federal Aviation Agency and is the President's principal aviation adviser. Halaby was about to appear before a Senate hearing to argue the administration's case for a $60 million appropriation to get a U.S. supersonic jetliner program moving—and he needed some help. What about placing some orders, asked Halaby, even though the final design of the U.S. plane has not been decided on. U.S. airlines, though hitherto eager to order the Anglo-French Concorde supersonic because it promised to be first, made a show of confidence in the eventual success of the U.S. program by ordering 29 planes.

Each of the airlines that Halaby called seemed to get the idea that it would be the first to order a made-in-the-United States supersonic, and the result was an unseemly squabble. Trans World Airlines President Charles Tillinghast, was the first to announce that he had placed an order. But American Airlines President C. R. Smith, contended that he had telegraphed an order 4 days earlier, and Pan American's Juan Trippe, argued that he, too, had ordered planes before TWA. TWA, at least, was first to send along a check, as a $600,000 downpayment on six planes. Only later did Pan Am send a check and American offered to. The only one of the four airline executives who refused to join the scramble was United's Pat Patterson, who dismissed the whole thing as a lot of expensive publicity.

Despite the confusion, the airlines' response greatly strengthened Halaby's position before Oklahoma Democrat Mike Monroney's Aviation Subcommittee, and brightened hopes that the Senate would quickly pass the $60 million appropriation recently approved by the House. After passage, the technical task of getting the U.S. supersonic program off the ground will fall to Halaby's hardnosed deputy, Gordon Bain, 54, a former vice president of Slick and Northwest Airlines. Under Bain, the FAA will select an airframe company and enginemaker to build a supersonic transport, then oversee the project until the planes are certified as airworthy and delivered to the airlines.

The belated U.S. drive for a supersonic is complicated by some questions about the economics of the plane. At the Senate hearings, Civil Aeronautics Board Chairman Alan S. Boyd, warned that supersonics may prove so costly to operate that they will force U.S. airlines back onto Government subsidy. But the hurry-up argument for building a supersonic jetliner comes from the belief that unless it develops its own, the United States will slowly and inevitably lose its aviation-design leadership to Europe.

## NO. 24—NEW YORK: THE GAMBLERS PARADISE

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, for the past 2 months I have brought to the attention of this House the gambling operations in 23 States throughout the country.

Today, I would like to bring to the attention of this House, more particularly the congressional delegation from my own State of New York, the vast gambling activities in the Empire State. This is the last of a series of 24 States that allow parimutuel betting.

There is, beyond a doubt, more illicit gambling going on in New York State than in any other State in the Nation. New York is No. 1 in industrial progress, No. 1 in population, No. 1 as a financial center, and No. 1 in gambling operations. New York is the No. 1 gamblers paradise.

In 1962, the parimutuel turnover came to over $1,127 million from which the State of New York received more than $110 million in revenue.

New York has only begun to realize the vast profits that could accrue from a recognition of the fact that gambling is here to stay, however, and because New York will take no more than a hesitant half step, the crime syndicates continue to wallow in tremendous gambling profits. It should be obvious to everyone that New York fiddles while the crime syndicates feast.

New York's share of the national off-track betting estimates given to the McClellan committee hits the staggering level of over $4¼ billion annually—a sum equivalent to that spent yearly in our foreign aid program.

According to the State investigation commission which is currently engaged in an investigation of widespread gambling and corruption of Westchester County, off-track betting constitutes only 42 percent of the illegal gambling in New York.

On the basis of its estimates the total illegal gambling in New York can approach $10 billion a year—a tax-free monopoly for the gangsters and underworld crime syndicates. The State of New York certainly pays a mighty high price for official hypocrisy.

Of course, the crime syndicates do not keep the entire gambling turnover. Their profit is a mere 10 percent of the gross—about $1 billion a year lines the filthy pockets of the underworld. This is the chief source of revenue to the crime syndicates.

Unfortunately, Mr. Speaker, these American dollars subsidize the foulest forms of organized crime—thanks to the ostrichlike attitude of the mock moralists who castigate rather than regulate and control gambling. Those who keep gambling illegal keep it under cover and in underworld hands—they are the unknowing and unpublicized allies of crime and corruption.

The current State investigation is doing a good job in substantiating and documenting what has always been obvious—that immense sums are spent by the crime rings for their protection as well as for the perpetuation of their lucrative status quo.

New York, more than any other State, needs official recognition of the need for public control and regulation of gambling, because gambling—and the criminal ramifications of gambling revenues—achieves greater proportions in New York than elsewhere. The social and financial benefits of a State or National lottery would be of tremendous magnitude in New York.

### LEGISLATIVE PROGRAM FOR WEEK OF NOVEMBER 4

Mr. ALGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, may I ask the majority leader if he can advise the House of the program for the balance of the week and for next week?

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Responding to the gentleman's inquiry, we have completed the legislative program for this week.

Further responding to the gentleman's question with respect to the program for next week, Monday is Consent Calendar Day. Tuesday is Private Calendar Day under the rules of the House; however, there are certain general elections around the country on Tuesday. After consulting with the minority leader, I have arranged to ask, and I do ask unanimous consent, Mr. Speaker, that the Private Calendar may be called on Monday next instead of on Tuesday next, in order that the House may adjourn over from Monday until Wednesday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. I also would like to advise the House that Monday, November 11, is Veterans' Day, or Armistice Day, and it is also District Day. The District Committee has two bills ready to report on that day, which is Monday week. In view of that fact, I ask unanimous consent that business in order on District Day, Monday, November 11, may be in order on Wednesday, November 6.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. Now, Mr. Speaker, further answering the gentleman. Of course, we will meet on Monday and the Consent and Private Calendars will be called.

There will be no business on Tuesday.

On Wednesday, there will be two District bills:

H.R. 8920, to revise the District of Columbia Alcoholic Beverage Control Act; and

S. 933, to amend the District of Columbia Practical Nurses' Licensing Act.

Also, on Wednesday, the bill, S. 777, to amend the Arms Control and Disarmament Act under an open rule, providing for 2 hours of debate.

For Thursday and the balance of the week, there will be H.R. 8969, to provide for the period ending June 30, 1964, temporary increases in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

This announcement, of course, is made subject to the usual reservation that conference reports may be brought up at any time and that any further program may be announced later.

Mr. Speaker, I have been advised there is a possibility that one or more conference reports on the education bills may be called up next week, if agreement is reached.

Mr. ALGER. I thank the gentleman.

### DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

### ADJOURNMENT OVER TO MONDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

### ADJOURNMENT ON MONDAY NEXT TO WEDNESDAY

Mr. ALBERT. Mr. Speaker, in view of the program announced and agreed upon, I ask unanimous consent that when the House adjourns on Monday next, it adjourn to meet on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

### TENTH ANNIVERSARY OF RESURRECTION HOSPITAL IN CHICAGO, ILL.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, 10 years ago, tomorrow, November 1, the Sisters of the Resurrection opened the doors to their beautiful 252-bed hospital in the heart of my congressional district.

This was a historic day, not only for the people of Chicago but all of the people in the Midwest, because in these last 10 years, Resurrection Hospital has brought medical care to more than 100,000 patients.

Resurrection Hospital is one of the most modern and best organized hospitals in the country. It stands today as a shining symbol to the proposition that we Americans can provide the best medical care in the world for ourselves only when our medical profession and our hospital's administrators are given a complete free hand to manage their own affairs without interference from any outside source, including the Government.

Resurrection Hospital in the last 10 years has given the entire Northwest Side of Chicago a new dimension in service and dedication.

It is my hope that by its 20th anniversary, Resurrection Hospital will have more than tripled its present facilities for human kindness and care for the sick.

Today Resurrection Hospital stands as a living monument to the progress of American medicine.

The moving spirit behind this great progress accomplished in the face of monumental difficulties, is Sister Gregory, the hospital's administrator, and the other nuns who so heroically assist her in her task.

Mr. Speaker, there is not a person in Chicago's Northwest Side, who, regardless of religious beliefs, does not look upon Sister Gregory with inspiration for it has been her guiding spirit which has made the Resurrection Hospital one of the most impressive medical institutions in the world.

But a hospital's personality is reflected by its staff and Resurrection Hospital is fortunate to have as its chief of medical staff Dr. Anthony J. Nicosia, who today ranks as one of Chicago's most learned physicians. The dedicated assistance which Dr. Nicosia receives from Dr. Richard A. Buckingham, vice president of staff, Dr. George W. Drymalski, secretary of staff, Dr. John McCarthy, treasurer, and all of the staff physicians at Resurrection has helped develop a medical team in this hospital which, in my judgment, is unequaled anywhere in the world.

The fine corps of nurses, the nuns who work with Sister Gregory, and the housekeeping staff, all working together in a common cause for humanity, compose a team in Resurrection Hospital which has brought an entirely new concept to medical care. One need only talk to any one of the 100,000 patients who have been treated at Resurrection to immediately fully grasp the reverence with which these patients describe the merciful care which they received from the staff at Resurrection.

It would be my hope that Congress would substantially increase the Hill-Burton Act so that we could give these private, not-for-profit hospitals, such as Resurrection, the help they need to expand their facilities. We frequently hear about utilization studies which tend to throw some cloud over the administration of our private hospitals by inferring that perhaps they are not being utilized to their fullest benefits or that patients are being hospitalized too long.

A casual examination of Resurrection's 10-year history demonstrates that the excellent management of this hospital by both the administrative staff and the professional staff has created a turnover of patients that could not be subject to any criticism.

The splendid record which Resurrection Hospital has established in these last 10 years is the best answer to those who are quick to criticize our American hospitals.

Mr. Speaker, I am proud to be able to join today in paying tribute to this outstanding institution. Resurrection Hospital demonstrates what free and dedicated doctors, working together with the other professional and nonprofessional staffs, can do in molding together a citadel of humanity for our Nation's people in need of medical care.

Mr. Speaker, perhaps the greatest tribute that can be payed to the mercy of these Sisters of the Resurrection is the degree to which they have used their hospital to provide care for the aged and needy. Despite the ever-mounting cost of operating our Nation's hospitals, no one has ever been turned away at Resurrection who was in dire need of hospital care. To those who think greater controls offer a panacea for the medical needs of this country, I suggest that they look at the outstanding record of Resurrection Hospital to see a magnificent example of how medical help can be provided by an institution which is completely free to use its own professional resources for the cause of humanity.

Mr. Speaker, to Sister Gregory and to Dr. Nicosia, as well, as to every single person, including those magnificent, kind hearted, and unselfish volunteers—men and women and young people who freely give their time to help operate the hospital—to all of these wonderful ambassadors of mercy, I extend my own best wishes today on the 10th anniversary of Resurrection Hospital.

## PERSONAL ANNOUNCEMENT

Mr. DADDARIO. Mr. Speaker, on rollcall No. 188 today, I was unavoidably detained. If I had been present, I would have voted "yea."

## LIABILITY OF REA BORROWERS FOR INCOME TAX

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. MICHEL] is recognized for 30 minutes.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am glad to yield to the gentleman.

Mr. GUBSER. Mr. Speaker, at 2:11 p.m. this afternoon the United Press International wire carried the following story. I quote it in part:

> Chairman ADAM CLAYTON POWELL, Democrat, of New York, announced the appointment, effective October 1, of Dr. Ernesto Galarza as chief labor counsel of the House Education and Labor Committee. Galarza has been the center of House controversy over an investigation by POWELL's committee into a bus crash * * *.

I stop quoting at that point.

Mr. Speaker, I have been telling the House for over a week how Mr. Galarza, a man who has confessed judgment as a defendant in a libel suit, has been working for the Education and Labor Committee as an investigator. Now his appointment has been legitimatized in a rather ex post facto sort of way by this announcement from the chairman of the committee.

So it is now official that Ernesto Galarza is on the payroll and that the taxpayers have been paying him since October 1.

What was Ernesto Galarza doing this afternoon to earn his reported $19,000 per year? I have been here on the floor of the House listening to the debate on the bill to extend Public Law 78. Nevertheless I could, if the House rules permitted it, tell you where Ernesto was this afternoon. The rules do not prohibit me from saying that he was not observing nor working on any matter over which the Education and Labor Committee had jurisdiction.

So our new $19,000-per-year consultant, who is paid by the taxpayer, has been guilty of playing "hookey" in his first month on the job.

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter, including newspaper articles and testimony taken before the Subcommittee on Appropriations.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, with considerable uneasiness among many Members of this House we have passed the tax revision bill. Many of my colleagues, I am sure, doubt the wisdom of cutting taxes without cast-iron assurance that Federal expenditures also will be cut. The drafters of the legislation, of course, also recognized this incongruity or they would not have included various provisions to close loopholes in the tax laws so that the tax cut, to some extent, would be balanced by revenue from sources that have escaped taxation, or their full share of taxation, in the past.

I mention these aspects of the bill because they have bearing on what I want to discuss here today; namely, a great big gaping loophole which has not been closed off. This is a loophole in the tax laws that is costing the Nation millions of dollars a year. It is a loophole that for some reason which escapes me, we appear to be afraid to discuss and afraid to do anything about. I refer to the rural electric cooperatives.

In his 1961 tax message President Kennedy called the Congress' attention to the tax treatment of cooperatives in general, and he noted that "substantial income" from these cooperatives is not being taxed. He recommended that the laws be clarified so that all earnings are taxable to either the cooperatives or their patrons.

But then, without any explanation, he stated that the exemption of rural electric cooperatives should be continued. And, as we all know, when the Revenue Act of 1962 was enacted, rural electric cooperatives were excluded from the provisions adopted to apply to cooperatives.

Now, Mr. Speaker, I know that anytime the subject of taxing rural electric cooperatives is brought up, it is like trying to bring up prohibition at a liquor dealers' convention. Not only that, but those who defend the tax-free status of co-ops resort to all the usual economic mumbo-jumbo about nonprofit operations, and about patronage refunds not being income. And if a co-op happens to have some profits stashed away—well, that is not profit, it is earned surplus, or it is reserves, or required operating capital—never profits.

And there is another odd inconsistency about these arguments against taxing rural electric cooperatives. They say it will bring hardship to the farmer. In other words, they will use the farmer's name in this instance, but when it comes to justifying big Federal loans, then the farmer is forgotten and they argue that the co-ops have to take on industry, commerce, and other nonfarm loads in order to keep their rates down.

Mr. Speaker, there is only one standard we can go by in deciding the tax status of rural electric cooperatives—do they make a profit on their operations or are they truly non-profit? If they do make a profit, then by every standard of fairness and equity, they should be taxed just as everyone else in this country is taxed when he makes a profit. I propose today to present some facts which indicate to me that there are good reasons for believing that co-ops make substantial profits.

I have evidence that indicates to me that co-ops are making a profit on their operations, and furthermore, that they are using money derived from their privileged position of being able to get 2-percent Federal money to invest in securities which pay a much higher interest rate. I contend this is immoral, illegal, and the co-ops are perpetrating a fraud on the people of the United States.

During the hearings this year I asked the Administrator to provide for us the amount of the surplus funds of the rural electric cooperatives. He provided the committee with some figures which added up to the sum of $589 million. However, I am reasonably convinced that this figure does not even begin to reflect the true situation and that if the Nation is ever able to get at what is really the net surplus worth of the rural electric cooperatives, there will be an outcry all over the land. I contend that cooperatives have sufficiently fattened off the 2-percent Federal cow so that they could resort to non-Federal financing for their future operations without the slightest hardship to any co-op member.

I might say that this is a problem which has concerned us on the Appropriations Committee for some years and we have been endeavoring during the appropriations hearings to find out from the REA just what is the financial condition of the rural electric cooperatives. Every year they come in and ask us for increasingly large amounts of money through the Rural Electrification Administration. Every year we continue to hear complaints that the co-ops are in reality in sound financial health and perfectly capable of financing their expansion needs outside of the Federal Government's subsidized loans.

Every year we continue to hear the same stories that the co-ops are borrowing money from Uncle Sam at this subsidized rate of 2 percent and reinvesting it in other bonds—even Government bonds, mind you—which pay considerably more than 2 percent interest. Just a few weeks ago in the other body the gentleman from Ohio, Senator Frank Lausche, discussed an advertisement of a Wall Street financial house soliciting the investments of the co-ops in stocks and bonds. We hear these stories and when we try to pin down the REA on just what is the financial condition of the co-ops we get a lot of statistical doubletalk.

Mr. Speaker, on August 2, 1963, the Senator made a speech on the Senate floor and included an ad placed by Ammott, Baker and Co. of New York in the May issue of Rural Electrification, inviting REA co-ops to invest in stocks and bonds. According to the August 16, 1963, issue of the Rural Electric Minuteman, Jerry Anderson, assistant to the general manager of NRECA, informed the Senator in a letter to him on August 8, that his comments "greatly embarrassed" NRECA, the various rural electric systems, and the advertiser. Well, Mr. Speaker, I should think it would.

The handling of the REA borrowers' general funds has been a subject of constant review and is a matter that has been of great concern to the House Agriculture Subcommittee on Appropriations.

During the hearings this year, Norman Clapp, REA Administrator, emphasized the desirable aspects of loan repayments by the co-ops in advance of due dates, and the subcommittee felt this was most commendable. After all, if the co-op keeps enough funds on hand to meet emergencies, it is obviously proper and necessary to encourage them to pay off their debt to the Government and become self-sustaining. In addition, Clyde Ellis, NRECA general manager, even thinks this is a good idea, for he has been crowing about the fact that co-ops are reducing their general funds by paying capital credits which will give the members the ownership and control they were promised when they joined the co-ops. I also recall Richard Dell, Deputy REA Administrator, testifying to this effect last year.

However, Mr. Anderson goes on to say in his letter to Senator Lausche that each rural electric co-op decides the amount to be set aside for each purpose. He writes, "We believe, however, that commonsense and prudent business management would dictate that the money should be invested until such time as it is needed, and that the primary consideration in investing the funds should be the security, liquidity, and return of the investment." Mr. Speaker, it is obvious that REA and NRECA leaders are saying one thing, but are doing another and it is understandable that they would be embarrassed by Senator Lausche's comments.

Mr. Speaker, I mentioned the testimony of Mr. Dell which was taken on July 9, 1962, and appears in part 4 of the Department of Agriculture appropriation hearings for 1963. I wish to include at this point a portion of that testimony beginning at the bottom of page 2039 of those hearings continuing to the top of page 2042:

### GENERAL FUNDS OF REA BORROWERS—EFFECT ON NEW LOANS

Mr. Michel. Now if I may turn to the earlier memorandum which you have inserted in the record with respect to the internal operations of the co-ops, particularly with respect to distribution of their surplus or reinvestment——

Mr. Dell. General funds.

Mr. Michel. General funds. How would the REA look upon a co-op that owes REA $1,855,721, borrowed at 2 percent, which now has an earned surplus of $1,571,000, none of which has been distributed as required by Federal and State laws and the bylaws of the cooperative; a cooperative whose net worth is now $2,435,143; still borrowing from you at 2 percent; with over $400,000 in cash in the banks of the locality, not drawing interest; investments in excess of $750,000 all drawing interest in excess of 2 percent? What kind of machinery do you have in the REA to dig out a situation like this? If a situation does exist, as I stated, it obviously has not come within the purview of that memorandum. That memorandum could not be any good and still permit this kind of operation to come to my attention and not yours.

Mr. Dell. Are you saying to me we have made them a loan with that kind of situation existing since the general funds bulletin came out? I do not know what system you are talking about, of course, but I do not believe that we have.

Mr. Michel. Let me put it this way: How would you treat an application on file under these hypothetical circumstances?

Mr. Dell. Under the conditions you have stated, we would not make them another loan until we got the situation cleaned up.

### ELECTRIC RETAIL RATES OF COOPERATIVES

Mr. Michel. Are there many instances where a co-op has no set policy as to the amount the farmers are to be charged?

Mr. Dell. Again, I am not sure that I understand your question, but if I do, all of these systems we have financed have published rate schedules. They may be adjusted upward or downward from time to time, but it is always a published schedule.

Mr. Michel. Depending upon the volume that a farmer takes, and not with monthly minimum charges?

Mr. Dell. They are not changed from month to month. There may be a rate adjustment, say, this year in one of these systems all down the line—commercial, residential, industrial schedules. All of their schedules may be adjusted or certain ones of them may be. It may be another 2 or 3 years or longer before there would be another rate adjustment. They are published schedules, and they are not subject to fluctuations from month to month or anything of that kind.

### DIRECTORS AND OFFICERS OF REA COOPERATIVES

Mr. Michel. Are there provisions that would preclude one from doing a sizable business with the co-op while serving on the board of directors of that cooperative?

Mr. Dell. Some of them do.

Mr. Michel. Has there been any general policy by REA on that?

Mr. Dell. As far as REA is concerned, our policy has been that directors and officers of a co-op should not be doing business with the co-op. I believe that is correct, is it not, Mr. Koebel?

Mr. Koebel. I believe that is right. There may also be State laws bearing on the subject.

Mr. Dell. Let me add one thing which has been called to my attention here. If they come to us for advice on making up their bylaws, we have a standard provision which prevents that.

Mr. Michel. If a situation existed where a member of the board or the president of the co-op is doing better than, say, $60,000 a year business with the co-op; with that cooperative operating under your set of bylaws, is there any machinery that you have at all to bring any kind of pressure to bear upon this co-op to change this hypothetical situation?

Mr. Dell. I do not know that we would go in. I do not know whether we could or not. It may be Mr. Koebel or Mr. Gorrin should answer this question from the legal standpoint. Administratively, I do not know that we would do it. When charges are made—I suspect I know now the system you are talking about—if it is the one I think you are talking about, we have had an investigation down there. We sent our own Department of Agriculture investigators in there. We have gone into it thoroughly. We have not been able to find anything criminally wrong.

Mr. Michel. I am not suggesting that there is, but I am suggesting that administratively there should be some tightening within the REA to prevent a situation such as this from developing.

Mr. Dell. I am not sure you and I are talking about the same situation.

Mr. Michel. It may not be. There is really no need to cite a specific case here. Evidently these figures start falling in line as far as you folks are concerned.

Mr. Koebel. I think I could make this comment, Mr. Michel: We did have the situation of a cooperative where apparently a member of the board of directors was an officer of a company doing business with the cooperative. We could not find that there had been any collusion or chicanery. Apparently even the officer was at some time unaware of this business. It apparently was a routinized operation and the company of which he was an officer was a large supplier in the area. So it was a logical organization with which to do business.

However, after consultation with the board of directors, we were given assurances that the cooperative would see that this connection was dissolved. We would certainly have authority under the loan contract to bring such irregularities to the attention of the board, or perhaps what type of practice they have, good or bad, for the board's correction. Normally, we get good cooperation from the boards.

Mr. Dell. If this is the same case, we had our people meet with the board.

Mr. Koebel. Yes. This was all done in complete agreement.

### MAINTENANCE OF REA ELECTRIC SYSTEMS

Mr. Michel. When an REA co-op has some maintenance work to be performed, it is not unique at all for them to farm out that maintenance work to a contractor, is it?

Mr. Koebel. Sometimes it is done.

Mr. Michel. Is it a generally accepted practice?

Mr. Dell. No. I would say it is not a generally accepted practice to farm it out to contractors. Usually the cooperative has its own maintenance crew.

Mr. Michel. Is there a case where an REA co-op ever farmed out this kind of work, without a contract, at cost-plus, and the "plus" was something like 40 percent?

Mr. Dell. If I may interrupt you there, that statement has been made on several occasions. We did not find the plus to be 40 percent.

Mr. Michel. What did you find it to be?

Mr. Dell. Considerably less than that. In the one I am talking about—and I am sure now it is the same one—that system has had, costwise, one of the best operating conditions of any system in that area, and has been commended in a letter from its power supplier on its good operating condition. I am willing to go into that system to any extent that you want to. It is the cooperative at

Jefferson City, Tenn., that I am talking about, and I think it is the same one you are talking about.

Mr. MICHEL. Thank you for that information, Mr. Dell. I guess that is about all, Mr. Chairman.

So we see in the above colloquy, Mr. Speaker, that even though I developed a hypothetical situation, it recalled to Mr. Dell's mind the operating conditions of the Appalachian co-op of Jefferson City, Tenn. In fact, it was indicated that this co-op had been investigated and commended for its operation. He also emphasized that if the hypothetical situation that I described, which evidently was quite real to Mr. Dell, had actually existed, they would not make another loan until the situation was cleaned up.

Now let us turn for a moment to this year's hearings. I asked Mr. Clapp if he had any personal knowledge of the Internal Revenue Service having moved against any REA co-op for failure to comply with section 501(c)(12) of the Internal Revenue Code. He replied:

I am not aware of any investigation by the Internal Revenue Service involving any of our co-ops at this time, although there may be some going on. Working with the Internal Revenue Service we are trying to arrive at some guidelines which our borrowers can use to insure their compliance with the Internal Revenue Service requirements.

So we see that Mr. Clapp says that he is working with IRS and is not aware of any investigation.

At this point, Mr. Speaker, I would like to quote from a letter I received from the Director, IRS Technical Planning, Maurice Lewis, dated March 13, 1963:

In his 1961 tax message, President Kennedy recommended the continuation of the exemption for REA cooperatives. However, he called Congress' attention to the tax treatment of cooperatives, stating that, contrary to the intention of Congress, substantial income from certain cooperative enterprises reflecting business operations was not being taxed either to the cooperative organization itself or its members, and recommended legislation to correct the situation. To remedy this situation, section 17 of the Revenue Act of 1962 was enacted. This section imposes upon either the cooperatives or their members a single tax on the income of the cooperative. The legislation provides, however, that this tax does not apply to REA cooperatives.

Evidently, Mr. Speaker, the President is concerned about some co-op operations, but feels that REA, like Caesar's wife, "must be above suspicion."

However, our very able subcommittee chairman, the gentleman from Mississippi [JAMIE WHITTEN], feels there is some cause for suspicion. During the course of this year's hearings on Agriculture appropriations, there was some discussion about co-op managers in Iowa obtaining 4-percent loans to finance the purchase of their own homes. I include the colloquy that followed:

Mr. WHITTEN. May I interrupt here. I am like Mr. MICHEL. Let us not endanger a good program by having Federal funds used far beyond the intent of the act. We have the Farmers Home Administration, which makes rural housing loans. We have set up new programs to finance homes for the elderly. The Farmers Home Administration is actively engaged in these things, and to have the REA associations do the same thing is not intended.

Mr. CLAPP. I understand, Mr. Chairman. My first statement to Mr. MICHEL was that we do not approve of a co-op lending money to the manager to build a home.

Mr. WHITTEN. You disapprove, but what are you doing about it?

Mr. CLAPP. We are investigating this particular case.

Mr. WHITTEN. When you investigate it, what are you going to do

Mr. CLAPP. As soon as we find out what the facts are, we will cross that bridge.

On this same subject of other business activities of electric borrowers, shortly after the above colloquy, Mr. Clapp made this statement: "They may not get a dollar back on those loans, but we expect them to pay us."

The gentleman from Mississippi [Mr. WHITTEN] continued his searching probe and further questioned Mr. Clapp on incidental business activities. The colloquy follows:

Mr. WHITTEN. You testified a while ago of one instance where an REA cooperative with its own funds built a house for the manager. If that cooperative, under your present loan agreement, wherein you reserve the right to foreclose or take over under certain conditions, had on hand sufficient money and was current in its repayment to you, they could go into the housebuilding business and you could do nothing about it.

Mr. CLAPP. If this were within its corporate powers under the laws of the State.

Mr. WHITTEN. Under the laws of the State?

Mr. CLAPP. That is right.

Mr. WHITTEN. Is it right that under the basic act, which most of the States adopted, written by the REA Administration, is so broad that it is pretty difficult to say what they cannot do? Am I right about that?

Mr. CLAPP. Generally speaking, our leverage on such a situation would depend on whether or not we would determine that this was a threat to the security of the Government loan. We would have that authority if they got so far out of line that they were threatening the security. Then we would have grounds to go in.

Now let us look and see what Mr. Clapp has told our distinguished subcommittee chairman. First, he says that he does not approve of a co-op lending money to the manager to build a home. Then Mr. Clapp says if State laws permit it, he would have to approve it. Then he adds that if the loan were a threat to the security of the Government he would disapprove it. But earlier we see that he said: "They may not get a dollar back on those loans, but we expect them to pay us."

Tell me, Mr. Speaker, how can the security of the Government be protected if the REA Administrator does not care whether the co-ops get $1 back on their loans? If the co-op underwrites the risk, who underwrites REA if the co-op cannot pay? We can all answer that one—the taxpayer.

Just because Mr. Clapp expects them to pay, can that be used as an argument that the security of the Government and the taxpayer is being protected? I would like to see any lawyer get very far with that argument before a judge or a jury.

The purpose of requiring the Administrator to certify that the security is adequate and that the loan will be repaid is to impose upon him the duty of making certain that the entire project is feasible and that there will be sufficient revenues to protect the loan of the United States. Obviously the philosophy of we "expect" them to pay regardless of whether there are sufficient facts upon which to base a determination of feasibility is carried through on all of Mr. Clapp's decisions and particularly in the Colorado-Ute loan. The recital of facts of this loan in the forthcoming audit report of the Comptroller General on REA which will be released this fall, I am sure will point this out vividly.

However, Mr. Speaker, the important point I want to emphasize here is that all along we see that the Administrator's figures do not begin to give the true picture of the financial status of most co-ops.

He justifies these figures by saying they represent normal reserves, and he tells us that the REA will investigate and correct the situation for all those co-ops which have reserves that represent more than 20 percent of their capital assets. He tells us that 15 percent in reserves is the normal and a permissible figure and that the excess should be used to speed up the repayment of loans.

This all sounds good, but it does not reveal what the situation really is. We do not know what is going on with most co-ops today. We can only begin to suspect that there is a scandalous situation being covered up when we have the opportunity to part the curtain and get a look at some specifics.

Mr. Speaker, in addition to the REA audit of the Comptroller General, another bombshell is about to explode on this situation. At this point, I wish to include a statement Mr. Clapp made during the hearings in answer to a question put to him by the gentleman from New York [Mr. ADDABBO]:

On the basis of our study, we came to the conclusion that, generally speaking, reserve funds or general funds equivalent to 15 percent of the value of the plant in service was not only warranted but desirable for the proper operation of a rural system, for prudent management, and to protect it against emergencies.

Mr. Speaker, I have in my files an audit report of the Appalachian Electric Cooperative of Jefferson City, Tenn., prepared by Peat, Marwick, Mitchell & Co., certified public accountants.

Before I discuss the startling figures revealed in this audit report, I should mention that this co-op is being investigated by the Internal Revenue Service and, according to a letter dated October 28, 1963, from Assistant Commissioner Bacon, "the issues include the question of whether the company's operations are in fact cooperative and presents the possibility of accumulation of excessive income reserves yielding investment income in excess of statutory limitations." I commend the IRS on this action.

The audit report gives the financial status of Appalachian as of 1960. It should be understood that this organization was at that time, and still is, a borrower from REA. In 1960, it had borrowed a total of over $3 million, of which about $2.7 million had been advanced.

It should be noted, too, that in 1961 another $3 million was advanced. So, notwithstanding the facts disclosed by this audit, REA continued to make 2-percent loan funds available to the organization.

This audit discloses many facts which should prove of interest to the taxpayers of this country.

The balance sheet shows that the total member and patron equities in 1960 were $2.3 million, of which $1.5 million was accumulated earned surplus. Not a single cent of this surplus had been distributed to the members. I was under the impression that distribution of the excess over expenses was a prime requisite of a nonprofit organization and a requirement for obtaining income tax exemption.

The audit report shows further that this organization earned $185,000 over and above operating expenses in 1960. As this excess was not distributed to members as required, it, too, must be listed as "profit" and be subject to taxation.

REA insists that 15 percent of the plant value is a reasonable standard for determining the amount of reserves to be held by the cooperatives. According to the audit report, the net value of the plant of the Appalachian Electric Cooperative was about $3.2 million. Fifteen percent of this sum is $475,000.

Now let us look at the investments and current assets of this cooperative. This organization had:

| | |
|---|---|
| U.S. bonds and notes | $328, 214. 68 |
| School bonds paying from 3 to 3¾ percent interest | 25, 000. 00 |
| Hospital bonds paying 3¼ to 3¾ percent interest | 25, 000. 00 |
| Farmers Home Administration insured loans 3½ percent interest | 46, 668. 07 |
| Savings accounts | 22, 126. 07 |
| Certificates of deposit | 50, 000. 00 |
| Note of Tennessee Rural Electric Cooperative Association | 10, 000. 00 |
| Total | 557, 008. 82 |

In addition, this organization had $431,154.31 in cash in banks and on hand. There were additional current assets of $84,795.20.

But that is not all. Although not shown on the balance sheet, the audit report on page 8 states:

> Advance payment in the amount of $289,941.88 may, at the request of the cooperative, be used in meeting these requirements.

The requirements referred to are the REA notes. So, safely tucked away in a special deposit account, is this $290,000 which may be used by the cooperative, but only at its discretion, to pay the REA loan. This sum must be added to the assets.

The sum total of all these assets is approximately $1,400,000—this compares with the $475,000 reserves as recommended by REA. Obviously, this organization had nearly $1 million which should have been returned to its members. Does this kind of operation justify income tax exemption? The answer must be that it does not, and the organization should be subject to the same taxes as all business operated for profit.

What is the situation today? Mr. Clarence Bales, attorney and solicitor of Jefferson City, wrote me on October 15, 1963, and stated the co-op "has a total accumulated overcharge of $1,979,244 which it called earned surplus."

Mr. Bales also added:

> There are 260,000 Tennessee families, members of its 26 electric co-ops to whom refund is due. Half of these are poor people—relief clients, widows, retired couples, factory workers, small tenant farmers, all of whom need their overcharge badly.

Mr. Speaker, referring again to the audit report figures, there are two items in the list of assets which require special attention. The first one concerns the $46,668 worth of Farmers Home Administration insured notes drawing 3½ percent interest. No more ingenious method of milking Uncle Sam can be found than in this instance of borrowing money at 2 percent from the Federal Government and investing the excess reserves of the organization at 3½ percent, with the Federal Government insuring the loan. The co-op wins at both ends of the line, with the United States paying or guaranteeing payment of all of the bills.

The second item involves the loan of $10,000 at 3 percent interest for 20 years. This loan was made to the statewide organization of cooperatives for the construction of a building in Nashville, the capital of the State of Tennessee and the place where the legislature of that State holds its sessions. So we see that the co-op is also in the moneylending business.

These two instances are clear violations of principles of nonprofit operation.

What is even more disgusting, Mr. Speaker, are the antics of this co-op when they began to feel the heat of the IRS investigation. After learning of the imminent action by the Commissioner of Internal Revenue, they hurriedly announced to their members that they were going to cut their rates. The full page ad announcing this fact appeared in the August 8, 1963, issue of the Jefferson Standard. It is such an obvious coverup that I trust it will only serve to "rub salt in the wounds" of the co-op members when the IRS decision is handed down. The desperation of the Appalachian officers was further revealed in the same issue of the newspaper. They released for publication a letter from the TVA Chairman congratulating them on their rate reduction. I imagine that Mr. Wagner feels somewhat foolish knowing that the co-op action is 5 years too late.

The advertisement and letter follow:

**ELECTRIC RATES CUT—NEW LOWER RATES ARE IN EFFECT—CUSTOMER SAVINGS AMOUNT TO $103,600 FIRST YEAR**

It is with immense pride that your cooperative board announces that new, lower electric rates are now in effect here: a reduction which will save users an estimated $103,600 during the next year.

This rate is one of the Nation's lowest. Under the rate just abolished, your average residential cost was 1.03 cents per kilowatt-hour. Now it will drop even lower: The national average residential cost per kilowatt-hour is 2.43 cents.

In addition to reducing everyone's rate, your co-op board has adopted a new TVA rate which will mean extra special savings for all our commercial accounts. TVA has just made the rate available to its 157 power distributors. Under this rate, all our commercial consumers who have a power demand of 50 kilwatts and below will not pay demand charges with meters read after August 1.

This general rate reduction will affect all consumers: homes, stores, schools, farms, factories, churches. Everyone will save. Just how much an individual customer will save depends on how much electricity he uses each month. Here is an estimate of the amount and percentage of savings by classes of consumers.

| Class of consumers | Amount saved | Percent |
|---|---|---|
| Residential | $68, 000 | 7. 2 |
| Commercial | 21, 800 | 11. 9 |
| Industrial | 12, 500 | 3. 3 |
| Street lighting | 1, 300 | 6. 5 |
| Total | 103, 600 | [1] 6. 8 |

[1] Average.

It really pleases us to announce this electric rate reduction now when the general cost of living is so high. Electricity is a tool which can be used to help us build a stronger area. Keeping the cost low is one of our responsibilities to you, the member-owners of the Appalachian Electric Cooperative.

Since our beginning in 1940, a remarkable story of progress with electricity has been evident throughout our area. And now with these new lower rates, we will experience an even greater growth.

We operate the cooperative for one reason—to give you the best electric service at the lowest cost possible consistent with sound business practices. We are not in business to make a profit. Every cent you pay the co-op for electricity is used by the co-op. After meeting regular obligations and paying our taxes, the money left is used to expand and improve the system, to provide better service and reduce your costs for power.

All profits are returned to you in the form of lower rates and better service.

We hope you will take full advantage of the lower electric rates in your home, business, plant, and wherever electricity can serve and save.

Residential new rates: First 75 kilowatt hours at 2.5 cents each; next 100 kilowatt hours at 1.5 cents each; next 225 kilowatt hours at 1.0 cent each; next 750 kilowatt hours at 0.4 cent each; additional kilowatt hours at 0.75 cent each.

New security light rates: 7,000 lumen, $2.80 per month; 20,000 lumen, $3.80 per month.

*The savings in your home*

| Monthly kilowatt-hour use | Old rate you paid | New rate you pay | Your savings | |
|---|---|---|---|---|
| | | | Amount | Percent |
| 100 | $2. 50 | $2. 25 | $0. 25 | 10. 0 |
| 250 | 5. 00 | 4. 13 | . 87 | 17. 4 |
| 300 | 5. 50 | 4. 63 | . 87 | 15. 8 |
| 400 | 6. 50 | 5. 63 | . 87 | 13. 4 |
| 500 | 6. 90 | 6. 03 | . 87 | 12. 6 |
| 700 | 7. 70 | 6. 83 | . 87 | 11. 3 |
| 900 | 8. 50 | 7. 63 | . 87 | 10. 2 |
| 1,000 | 8. 90 | 8. 03 | . 87 | 9. 8 |

*Your electric compared to U.S. average*

| Kilowatt-hours used per month | U.S. average [1] | Your rate | You save | Percent lower |
|---|---|---|---|---|
| 100 | $4. 06 | $2. 25 | $1. 81 | 45 |
| 250 | 7. 48 | 4. 13 | 3. 35 | 45 |
| 500 | 10. 66 | 6. 03 | 4. 63 | 43 |

[1] Federal Power Commission data.

### FIGURE YOUR OWN SAVINGS IN YOUR BUSINESS

"Business goes up where electric rates go down."

Electricity has become the very lifeblood of modern business and industry. We are extremely fortunate here to have a plentiful supply of electricity available to us. We realize, as you do, what an industry means to a community in terms of people, homes, cars, schools, churches, and for our general economic welfare. That's why we're always out for new industry and plant expansions. We offer every business and industry special engineering planning services, free on request. If you have an electrical problem, call on us.

| Monthly kilowatt-hour use | Old rate you paid | New rate you pay | Your savings | |
|---|---|---|---|---|
| | | | Amount | Percent |
| 1,000 | $16.50 | $14.25 | $2.25 | 13.6 |
| 2,000 | 26.00 | 23.25 | 2.75 | 10.6 |
| 4,000 | 52.00 | 42.00 | 10.00 | 19.2 |
| 6,000 | 68.00 | 63.00 | 5.00 | 7.4 |
| 10,000 | 130.00 | 105.00 | 25.00 | 19.2 |
| 15,000 | 170.00 | 152.00 | 18.00 | 10.6 |
| 20,000 | 200.00 | 177.00 | 23.00 | 11.5 |
| 25,000 | 230.00 | 202.00 | 28.00 | 12.2 |

Everyone benefits from low-cost electricity. It can be used abundantly for better living and better working, and it gives more time for recreation. Historically, Appalachian EC has always been working toward lower electric rates. And now, this new reduction provides you one of the lowest electric rates in the Nation. How can electric rates get so low? One of the reasons is your continued high usage. For example, last year the average home in our service area used 9,900 kilowatt-hours, twice the national average. Very impressive. And your usage continues to rise. Another reason is our economical distribution of electricity to you. And another, the abundant wholesale supply of power from TVA. Low-cost electricity will continue to benefit our people and improve our community. Progress with electricity really means something in our co-op service area.

APPALACHIAN ELECTRIC COOPERATIVE.

[From the Jefferson City (Tenn.) Standard, Aug. 8, 1963]

### TVA CHAIRMAN CONGRATULATES ELECTRIC CO-OP ON RATE REDUCTION

Aubrey J. Wagner, TVA Chairman, has written the following letter to the board of trustees, Manager Roy Hendrix, and employees of Appalachian Electric Cooperative congratulating them on the recent reduction in power rates in the local area. Since Chairman Wagner's letter was written an additional reduction of rates has been announced making the total savings to consumers $103,600 instead of the $99,200 figure quoted.

The letter follows:

AUGUST 1963.

Mr. J. W. ELLIS,
*President, Appalachian Electric Cooperative, Jefferson City, Tenn.*

DEAR MR. ELLIS: We are pleased to learn of the decision of the Appalachian Electric Cooperative to adopt residential rate R, general lighting and power rate G, and outdoor lighting rate OL to replace rates B-1, BG, and OLB, effective August 1, 1963. The adoption of the lower rates will provide the electric consumers with annual savings of about $99,200 during the first year and will be of general benefit to the business and living standards of the area served by the cooperative.

TVA's Board of Directors extends heartiest congratulations to you, your board of trustees and the manager and employees of the cooperative on the successful operation which has made these lower rates and consumer savings possible.

Very truly yours,
AUBREY J. WAGNER,
*Chairman.*

Mr. Speaker, there can be no doubt that the situation with respect to this cooperative is shocking. It is shocking because it has been going on for years and it is shocking because it has been so strenuously covered up. While this is just one case, I want to refer my colleagues to the fact that the REA Administrator testified before the appropriations committee this year that there were 185 REA borrowers who had reserves in excess of 20 percent of plant value. I assume the IRS is investigating each and every one of these 185 borrowers. This would be an investigation that might uncover a mother lode of unpaid taxes due the Federal Government.

There is one other aspect to this case that should be explored because this, too, raises some disturbing thoughts. What has been the role of the Rural Electrification Administration in this matter?

During the appropriation hearings in 1962, and without my ever mentioning the Appalachian case by name, I tried to pin down the Deputy Administrator, Mr. Richard Dell, as to what the Administration would do in some hypothetical cases that would be comparable to Appalachian. Mr. Dell eventually indicated that he knew I was talking about Appalachian because he mentioned the co-op by name.

The outcome of this exchange was that Mr. Dell conceded that if a situation such as I described existed—and bear in mind that I was describing the Appalachian situation—then REA would not make another loan to the co-op until it had put its house in order. Yet, I pointed out earlier in my remarks, REA proceeded to lend money to this co-op even after the facts of its profitmaking were disclosed in the audit report of 1960.

It clearly shows the extent to which REA has become a law unto itself, of how it has departed from its original mission, and how it is using its subsidized privileges to build a bureaucratic empire. Today there are in Congress 17 bills designed to correct various defects in the Rural Electrification Act with more to come. I am sure it is apparent the time has come for immediate action on legislation to promote a genuine farm electrification program—short of a huge Federal electric empire.

Mr. Speaker, I hope that if this Appalachian case does nothing else, it will help to dispel the many erroneous impressions that the co-ops are always above suspicion, that they can do no wrong, that because they bear the label cooperative they are in fact nonprofit.

In conclusion, I want to alert my colleagues once again to the fact that the Comptroller General is preparing a report on the controversial loan made by the REA to the Colorado-Ute Cooperative and I will most certainly bring the facts of that report to the attention of this House.

## SAVANNAH RIVER PLANT OF THE ATOMIC ENERGY COMMISSION

The SPEAKER. Under previous order of the House, the gentleman from South Carolina [Mr. WATSON] is recognized for 20 minutes.

Mr. WATSON. Mr. Speaker, recently it was my privilege to visit the Savannah River plant of the Atomic Energy Commission at Aiken, S.C., and I state without reservation that I have never been more impressed with the personnel and operation of any Government installation than I was on this occasion.

As I toured this facility, I was particularly impressed with the dedication and ability of the management and employees. Their conscientious efforts and their thorough knowledge of their duties could not escape the notice of even the most casual observer. Of further interest should be the most notable contribution the Savannah River plant is making to civilian purposes as well as the obvious military contribution it has made over the years.

The Atomic Energy Commission's Savannah River plant in South Carolina was originally designed and built to permit flexibility with respect to nuclear reactor products, with initial emphasis on the production for military purposes of either plutonium or tritium as circumstances required. It is this original flexibility which makes the Savannah River plant the attractive complex that it is today for a variety of peacetime nonmilitary programs. Changes relating to the production of new materials can be accomplished rapidly and smoothly.

The complex is composed of five nuclear reactors, two chemical separations facilities, a heavy water extraction plant, a heavy water components test reactor, several smaller test reactors, the Savannah River Laboratory, which has much potential for research in nuclear energy and space matters in addition to current support given operations, and the many necessary supporting facilities—electric generating plants, water pumping systems, railroads, and so on. Costs of the base construction approximated $1,300 million. Since 1953, when operations began, more than $2,200 million has been spent there by the Federal Government. This includes salaries, wages, equipment, supplies, and necessary renovations and additions to buildings.

The plant site covers 200,831 acres—around 315 square miles—a land area about equal to that of the city—five boroughs—of New York.

The Savannah River plant has made and continues to make significant contributions to the defense posture of the Nation and to the strength of the free world through the production of special nuclear materials. Of equal importance is its potential to produce nonweapon nuclear materials and to engage in various types of constructive research projects, with resulting wide benefits to all Americans.

Some of this potential already is being realized. A few days ago, the Commission announced a significant new program utilizing the plant's facilities for the production of curium 244, a radioactive element that could be useful in supplying energy to power instruments and for other purposes on spaceships. In addition, the plant has produced and continues to produce plutonium 238 as a source of energy to supply the power for generation of electricity to send signals from certain types of satellites.

Simultaneously, the National Aeronautics and Space Administration is exploring the use of the facilities at the Savannah River Laboratory of the Savannah River plant for research projects in the space program. NASA officials have visited the plant and it is hoped some positive steps will soon be forthcoming. A working arrangement for mutually beneficial research projects also is being worked out between the Savannah River Laboratory and colleges and universities in the South Atlantic area, including South Carolina and Georgia and adjacent States. The program will include postgraduate work on the plant site, exchanges of personnel between the plant and the respective institutions of higher learning, seminars, and, of course, specific research projects in which college and university personnel will participate.

The plant has irradiated the element cobalt 60 for use by doctors, medical institutions, and researchers for the treatment of cancer. While most of the program in this particular field is now being accomplished by private industry, the Savannah River plant continues to irradiate large-scale amounts of cobalt 60 for specialized research work being carried out by such groups as the Bureau of Mines, the Army Quartermaster Corps, and the Brookhaven National Laboratory. Savannah River reactors produce cobalt 60 of high specific activity at lower costs.

The plant has sold or leased more than $30 million worth of heavy water to foreign nations for use in power reactor projects to generate electricity. Heavy water, which occurs in nature at the ratio of 1 ounce to every 52 gallons of normal water, is separated from the raw water of the Savannah River in a special extraction facility at the Savannah River plant.

The Savannah River plant also supplies uranium fuel elements to universities and colleges throughout the country for use in subcritical reactors devoted to the training of nuclear physicists and engineers, and operates a co-op program under which students from various colleges and universities in the Southeast obtain on-the-job training in the field of nuclear energy.

One of the most promising possibilities at the Savannah River plant centers around the existence of pine plantations of nearly 80 million trees planted since 1952 on more than 70,000 acres under a program to utilize land which otherwise would be idle, help maintain the water table and control dust and erosion. The Commission has a contract with the Forest Service of the U.S. Department of Agriculture for this work. Current plantings run nearly 1 million seedlings a year to recover losses and build up stands. Sale of timber and pulpwood from these plantations will reimburse the Federal Government far beyond the costs involved. Research projects being carried forward elsewhere by universities and private groups utilizing nuclear radiation to improve the properties of wood and wood products suggest that the pine plantations at the Savannah River plant offer the possibility of a national forest radiation laboratory for the improvement of wood and wood products and for research into other forestry problems. Some of this research potential includes: First, improvement of the water absorbing capacity of soils through an accelerated decomposition of materials; second, the tracing by radiation of the travel of pollen from pine trees—this fact is basic to the establishing of seed orchards of superior trees; third, insect and disease control; fourth, fertilization studies; fifth, the effect of high level radiation on such a chemical as naval stores rosin; sixth, exploration of the effect of high level radiation on lignin, one of the most perplexing problems in the forest products industries; seventh, the possible alteration of the genetic picture to get better trees by radiation of seedlings; eighth, the possible treatment of sawmill waste by radiation for conversion to usable products; and, ninth, extent to which the survival of seedlings can be improved by radiation treatment before planting.

The peacetime endeavors I have mentioned appear to me to only set a pattern of what can be accomplished by the Savannah River plant in fields other than the production of fissionable materials for the national defense.

In passing, I would like to mention that the tritium the plant produces as part of the Nation's thermonuclear weapons program also can and is being used in medical research to study certain body functions. So what is potentially destructive also has its constructive side. Furthermore, the plutonium that is produced at the plant, and which can be stored indefinitely, has a sound future for use as fuel in power reactors to generate electricity, thereby supplementing the conventional fossil fuels in the years ahead. Plutonium, in addition to its weapons capability, is therefore a national asset.

It is of great importance to the American taxpayer that every avenue be explored to utilize every potential of the plant and to see that its stability is maintained, both in the operational phase and in the research work that can be accomplished at the Savannah River Laboratory.

### IMPACT ON THE SURROUNDING COMMUNITIES, AND BEYOND

The impact of the Savannah River plant on many phases of life in South Carolina and Georgia, and extending even beyond, has been truly tremendous.

The construction, beginning in 1951, and the subsequent operations of the Savannah River plant, brought many changes and problems to the western South Carolina area and the eastern Georgia area. In contrast to nuclear sites built in World War II—Hanford, Wash., Oak Ridge, Tenn., and Los Alamos, N. Mex.—no Government town was built on the Savannah River plant site, which borders the Savannah River for a distance of 27 miles. Communities in South Carolina and across the Savannah River in Georgia—the latter including the metropolitan city of Augusta, the central trading point for the general area—had to absorb the impact. Private enterprise and private money was the backbone of the funding necessary to build new homes and businesses to answer the demands.

Consequently, this has resulted in private investment by Savannah River plant employees of around $65 million in housing in South Carolina and Georgia. The private debt is heavy in residential mortgages. In addition, the private debt is heavy in automobile, appliance, and other consumer financing.

The plant has an impact far beyond its immediate vicinity and nearby communities. For example, areas in eastern Kentucky and western Virginia, plus a few in West Virginia and Tennessee are affected, since the coal supplied from those areas for operations of the Savannah River plant account for expenditures of more than $3 million annually. The eastern Kentucky and western Virginia areas are already defined as "depressed areas of high and persistent unemployment."

Municipal and county governments in the vicinity of the Savannah River plant have had to expand services to provide for persons working at the plant, now numbering 7,400, including 5,676 in operations, 718 in construction, 213 in the Savannah River operations office of the Atomic Energy Commission, 670 in the Savannah River Laboratory, and some 123 others in the forestry program, in an ecological research program, and in cafeteria operations. Since 1951, local governments have provided millions of dollars in matching funds to Government grants and loans. Bond issues and loans have been imposed on the communities to meet the problems.

Local purchases made by the plant in supplies, services, and equipment amount to around $7,500,000 annually.

The plant's annual operating budget approximates $100 million with $60 million of this in payroll.

In addition, the Savannah River plant generates thousands of other jobs through support by plant employees of service establishments in the communities near the plant area. Savannah River plant-generated establishments in the communities are estimated to have payrolls of $16 million annually. Currently, community construction—private and public—schools, hospitals, churches, and commercial—runs around $23 million.

The State of South Carolina receives around $800,000 annually in income taxes from Savannah River plant employees, and around $775,000 in sales taxes. There are also Federal income taxes and property taxes in the communities and counties near the plant area.

It is estimated Georgia receives $200,000 in sales tax annually from Savannah River plant employees. In addition, Augusta, the major trading center for the central Savannah River area, benefits, it is estimated, by about $9 million annually in retail sales to Savannah River plant employees.

In sum, the Savannah River plant is a vitally important and integral part of the American industrial and research scene.

Prudent assessment must be made regarding its stability and the continued funding of a going concern which has a part in the national good.

### POTENTIAL FOR NEW-TYPE PROGRAMS

Thought must be given to new projects in peaceful atomic developments and in space that would further constructively utilize the Savannah River plant. Every avenue leading to continued stability and maximum utilization of this facility must be explored. The potential for various types of new projects and programs are great—those types of projects which will lead to benefits for the entire country. These ideas come to mind:

The location on the site of some type of prototype nuclear powerplant, the expanded use of the reactors for production of materials for the space program and for other purposes, use of the site for Government projects which would require land areas that would otherwise have to be purchased, and the development of additional research programs that can properly and constructively utilize the talents of the hundreds of high-level technical and scientific personnel available.

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## PINKOS AND NONPINKOS, PATRIOTS AND NONPATRIOTS

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. FOREMAN] is recognized for 60 minutes.

Mr. FOREMAN. Mr. Speaker, Mr. Bernard Baruch once said:

> Every man has a right to his opinion but no man has a right to be wrong in his facts.

My purpose today is to set the facts straight to clarify and briefly discuss a seemingly very interesting and disturbing subject for some colleagues at least of a recent news article by a Washington news correspondent employed by the Scripps-Howard newspapers. Being familiar with this newspaper group and knowing of their outstanding background of fairness and responsibility in news stories and editorial writing, I was surprised to see the story written by their dedicated Washington correspondent, Mr. Seth Kantor, last week, because I was quoted as calling 20 of my colleagues in this body "pinkos." Apparently in his zeal to write a colorful and controversial front page story, at a time when congressional news was very meager, this enterprising correspondent decided to do some name calling for me.

"Pinkos" seems to be a very popular and controversial name, so he wrote a story, "FOREMAN Labels 20 Colleagues Pinkos." The fact of the matter is, to set the record straight, I have only referred to one Member of this body as a "pinko." On Friday, October 18, 1963——

Mr. ROONEY of New York. Mr. Speaker, I demand the gentleman's words be taken down.

The SPEAKER. The gentleman will suspend. The demand has been made that the gentleman's words be taken down.

Mr. ALGER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair cannot entertain that at this time.

Mr. ROONEY of New York. Mr. Speaker, in view of the fact that it is my understanding of the rules that no Member of the House may be labeled a "pinko" by anyone who would put himself above everybody else in the House, regardless which side of the aisle he is on, this becomes so interesting that I withdraw my demand to have the words taken down at this point so that I may hear what further the gentleman from Texas [Mr. FOREMAN] has to say that is of interest.

The SPEAKER. The gentleman from New York withdraws his demand that the words be taken down.

The Chair recognizes the gentleman from Texas.

Mr. FOREMAN. The fact of the matter is, as I was saying, to set the record straight, I have only referred to one Member of this body as a "pinko." On Friday, October 18, 1963, during a speech in San Jose, Calif., I referred to the gentleman from California, Mr. DON EDWARDS, as DON "PINKO" EDWARDS.

Mr. ROONEY of New York. Mr. Speaker, I again demand that the gentleman's words be taken down.

The SPEAKER. The Clerk will report the words objected to.

The Clerk read as follows:

> Mr. FOREMAN. I have only referred to one Member of this body as a "pinko." On Friday, October 18, 1963, during a speech in San Jose, Calif., I referred to the gentleman from California, Mr. DON EDWARDS, as DON "PINKO" EDWARDS.

The SPEAKER. In the opinion of the Chair, to characterize any Member of the House as a "pinko" is in violation of the rules.

Does any gentleman desire to be recognized?

Mr. ALGER. Mr. Speaker, I ask to be recognized.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Speaker, I have a copy of the statement the gentleman from Texas [Mr. FOREMAN] was attempting to deliver. If I understand this copy which he has not been permitted to continue with, the gentleman from Texas was just about to add something which would make the gentleman's objection to what he has had to say really out of order, if he knew what next followed.

The SPEAKER. Does the gentleman ask unanimous consent to proceed for 1 minute?

Mr. ALGER. I do, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ROONEY of New York. Mr. Speaker, I object.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I desire to propound a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HALLECK. Mr. Speaker, I understand that the ruling of the Chair was that the use of the word "pinko" involves a violation of the rules of the House.

The SPEAKER. That is correct.

Mr. HALLECK. Under those circumstances may not the gentleman from Texas be permitted to continue with the balance of his statement?

The SPEAKER. Only by permission of the House.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. FOREMAN] be permitted to continue with the balance of his statement.

The SPEAKER. In order?

Mr. HALLECK. Yes, sir.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. ROONEY of New York. Mr. Speaker, I object.

Mr. ALGER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ALGER. I do not know the accuracy of Jefferson's Manual in this respect, but it says—and I am reading from the manual:

> Disorderly words are not to be noticed till the Member has finished his speech.

The SPEAKER. The Chair will state that in accordance with the custom and under the rules the demand may be made to take down the words during a speech.

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## A TRIBUTE TO THE HONORABLE JOHN E. FOGARTY

Mr. BROWN of California. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, it is indeed gratifying when one is allowed the privilege and honor of joining in public accolade to pay tribute to one who is not only a valued colleague in this august body, but also one who I proudly call friend in the truest sense of that word. All of us here are well aware of the many honors and awards received previously by the Honorable JOHN E. FOGARTY.

On Monday, October 28, Georgetown University awarded JOHN—and I call him "JOHN" proudly and with sincere and deep affection—his 12th honorary degree. Some of you may not yet know him personally and so might well ask, "What manner of man is this?" The people of Rhode Island and particularly those in the Second Congressional District, where he has served arduously and efficiently for 23 years, have shown repeatedly, election after election, that they know what manner of man is this. Elected to Congress at the early age of 27, he has performed his duties for the benefit of the people of his State and Nation in an outstanding and distinctive manner.

Our colleague has an international reputation in the field of public health. As chairman of the Appropriations Subcommittee for the Departments of Health, Education, and Welfare, and Labor, his efforts to improve the lot of all our citizens have been unceasing. The reason for his success in the promotion of public health programs is his firm belief that every American is entitled to the best possible medical care that human knowledge can provide.

Congressman Fogarty is not only a many of ideals, but also a man of action. Federal funds totaling $750,000 were first appropriated for research in mental retardation at his insistence in 1955. He has continued his active interest in this field over the years, as evidenced by the fact that funds earmarked for mental retardation have been increased to over $40 million in the 1964 allocations.

Other accomplishments of Congressman Fogarty include his cosponsorship of the health for peace bill; the enactment of authorizing legislation and the appropriation of funds for construction of the National Institute of Dental Research; his sponsorship of legislation providing grants for the construction of medical, dental, and public health schools; the enactment of his bill for the expansion of teaching and research for mentally retarded children; his recent sponsorship of the Older Americans Act of 1963; and legislation to create a National Institute of the Arts and Humanities; and his longtime interest in and support of the National Institutes of Health.

This most recent honor, when added to the list of awards, honorary degrees, and accolades, already so lengthy that it would be time consuming and practically endless to point them all out to you, reflects the unceasing gratitude of peoples in every walk of life for his efforts in behalf of all. Those of us who are fortunate in being numbered among his friends, as well as colleagues, are well cognizant of the fact that John has always been the protector of the young, the aged, and the infirm. It would be difficult to find any humanitarian cause which has not received his wholehearted support, as well as the full benefit of his concerted efforts to assure passage of legislation in its connection. His concern for people and their problems has made him one of the most highly respected and best loved public figures in the history of our State.

I, for one, shall ever be grateful for the kind providence which gave me the benefit of his sage counsel when I arrived in Washington to serve my first term in this House. His willingness to assist all of us in any way possible, giving unstintingly of his time and knowledge, is perhaps the least known publicly, but might well be his most outstanding attribute.

So, Mr. Speaker, I close with the thought that this latest tribute to our esteemed colleague is surely not the last, because men of his caliber, having the rare mark of greatness, cannot escape the recognition of our higher institutions of learning. Congratulations, John, from all of us.

## A STATUE IN OUR NATION'S CAPITAL IN HONOR OF TARAS SHEVCHENKO

Mr. BROWN of California. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Dulski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DULSKI. Mr. Speaker, the 86th Congress passed the Shevchenko resolution providing for the erection of a statue in our Nation's Capital in honor of Taras Shevchenko, the poet laureate of the Ukraine and Europe's freedom fighter. This is Public Law 86-749 and in accordance with its provisions, the statue will be erected on the Shevchenko site at P and 23d Streets NW., and the historic unveiling is scheduled to take place on May 30, 1964.

The 88th Congress has a wonderful opportunity to follow up on the constructive action taken by the 86th Congress in reflecting its support for the issuance of a champion of liberty stamp in honor of this East European figure of freedom and independence. It will be another opportunity for us to concretely show to the 45 million captive Ukrainian nation and to all the captive non-Russian nations in Eastern Europe that the United States shall never lose sight of their captive status and the undying aspirations for freedom and national independence. Today, as never before, Khrushchev needs this kind of reminder, and no more representative body of the people can do this than we of the 88th Congress.

I am most encouraged by the popular support expressed in behalf of my resolution (H.J. Res. 174), providing for the issurance of a champion of liberty stamp in honor of Taras Shevchenko upon the occasion of the 150th anniversary of his death. The occasion is 1964—significantly also the year of the unveiling of his statue in Washington.

Under leave to extend my remarks, I wish to include the following communications in the Record which indicate support for House Joint Resolution 174:

Buffalo, N.Y.

Hon. Thaddeus J. Dulski,
*House of Representatives,*
*Washington, D.C.*

Dear Mr. Dulski: I am expressing my view for the issuance of a special U.S. postage stamp in honor of Taras Shevchenko, the great fighter for liberty.

Thank you for introducing your special resolution.

Very respectfully yours,
Aloysius W. Herko.

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St. Paul, Minn.,
*September 16, 1963.*

Hon. Congressman Thaddeus J. Dulski,
*House of Representatives,*
*Washington, D.C.*

Dear Congressman Dulski: Your resolution (H.J. Res. 174) calling for the issuance of a Shevchenko Champion of Liberty stamp shows a high understanding of the principles of the fight of the oppressed captive nationalities for freedom and of the just aspirations of the Ukrainians for independence.

I am deeply grateful to you and I am expressing my unqualified support for your bold resolution and I think that I am expressing the opinion of many freedom loving people, which shows not in words but in a deed that you realize the importance for the United States of supporting the hopes and the fight of the oppressed captive nations for freedom.

Sincerely yours,
M. H. Haydak.

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Youngstown, Ohio.

Dear Congressman: On the occasion of the 150th birthday anniversary of Taras Shevchenko in 1964, a special resolution—House Joint Resolution 174—calling for the issuance of a Shevchenko Champion of Liberty postage stamp was introduced by you.

My family and I are giving full support to this proposed resolution and we would like to see this stamp issued by the U.S. Government. We would also like you to write to the President to authorize the issuance of this U.S. postage stamp.

Sincerely yours,
Roman Horbachewsky.
Helen Horbachewsky.
Taras Horbachewsky.
Yarema Horbachewsky.

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Hon. T. Dulski.

Dear Mr. Dulski: I am solidly behind your resolution calling for the printing of a special postage stamp to honor Ukraine's great freedom fighter and poet laureate, Taras Shevchenko.

Sincerely,
John A. Tomink.
Corfu, N.Y.

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Warminster, Pa.,
*October 22, 1963.*

Congressman Dulski,
*U.S. House of Representatives.*
*House Office Building,*
*Washington, D.C.*

Dear Congressman Dulski: I am a student of William Tennent High School studying geography.

I have heard of your House Joint Resolution 174. I would like you to know that you have my complete support in calling for the issuance of a Shevchenko champion of liberty postage stamp.

Respectfully,
Donna-Marie Woods.

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Philadelphia, Pa.,
*October 26, 1963.*

Hon. Thaddeus J. Dulski,
*New House Office Building,*
*Washington, D.C.*

Dear Sir: We Americans of Ukrainian descent wish to thank you for introducing House Joint Resolution 174 on the issuance of a Shevchenko champion of liberty postage stamp in 1964.

We support your resolution wholeheartedly and hope that it will be passed in the U.S. Congress in the near future.

Cordially yours,
(Signed by 12 persons.)

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Dear Sir: I am in favor of House Joint Resolution 174 for Shevchenko champion of liberty stamp for 1964.

Sincerely,
Helen S. Procink, M.S.

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Ukrainian Congress Committee
of America,
Branch Binghamton, N.Y.,
*Binghamton, N.Y., October 10, 1963.*

Hon. Thaddeus J. Dulski,
*Member of U.S. Congress,*
*New House Office Building,*
*Washington, D.C.*

Dear Congressman Dulski: We wholeheartedly support your resolution (H.J. 174) calling for the issuance of a special Taras

Shevchenko champion of liberty postage stamp by the U.S. Government in honor of the greatest Ukrainian poet and freedom fighter on the 150th anniversary of his birth.

Our organization appreciates your foresight and wisdom in proposing issuance of such a stamp, and thanks you very much for your initiative.

By recognizing the great significance of Taras Shevchenko as champion of liberty the United States would contribute very much toward the cause of freedom of all nations oppressed by Communist slavery and tyranny.

On May 30, 1964, the statue of Shevchenko will be unveiled in Washington, D.C., with the occasion of 150th anniversary of the poet's birth.

We sincerely hope that the present administration will similarly honor his historic contributions to the national and human freedom in Eastern Europe by arranging for Taras Shevchenko champion of liberty stamp issue at that time.

Respectfully yours,
Walter Fedankiw,
*Chairman.*
William Ivanonko,
*Secretary.*

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Los Angeles, Calif.,
*October 12, 1963.*

Hon. Thaddeus J. Dulski,
*House of Representatives,*
*Washington, D.C.*

Dear Mr. Dulski: I am wholeheartedly supporting your House Joint Resolution 174 calling for issuance of a Shevchenko champion of liberty postage stamp in 1964.

Sincerely yours,
E. M. Tyshovnytsky.

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New York, N.Y.
*October 15, 1963.*

Hon. Thaddeus J. Dulski,
*Member of Congress.*

Sir: I solemnly support your House Joint Resolution 174, calling for the issuance of a Shevchenko champion of liberty postage stamp in 1964.

Sincerely yours,
Ivan Lozowy.

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Shevchenko Scientific Society, Inc.,
*New York, N.Y., October 8, 1963.*

Hon. Thaddeus J. Dulski,
*Member, U.S. Congress,*
*New House Office Building,*
*Washington, D.C.*

Dear Congressman Dulski: The First Ukrainian Academy of Liberal Arts and Sciences, the Shevchenko Scientific Society, Inc., which has as its patron the bard of Ukraine, Taras Shevchenko, presents to you on behalf of all American scholars of Ukrainian descent our cordial thanks for the House Joint Resolution 174 calling for the issuance of a stamp in honor of Taras Shevchenko in the series of the Champion of Liberty postage stamps issued periodically by the U.S. Government.

We ask you to appeal to all Members of Congress to speed up the voting on your House joint resolution in order that this enthusiast of George Washington may be honored in such a way on his 150th birthday anniversary in 1964.

Should the Postmaster General need any scholarly advice in the matter of selection on a proper picture, our specialists are at his service.

Respectfully yours,
Roman Smal-Stocki, Ph. D.,
*President,*
*Marquette University.*
Joseph Andrushkiw, Ph. D.,
*Vice president,*
*Seton Hall University.*
Basil Steciuk, Ph. D.,
*Secretary,*
*Seton Hall University.*

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Ohio State University,
*Columbus, Ohio.*

Hon. Thaddeus J. Dulski,
*Member of Congress,*
*House Office Building,*
*Washington, D.C.*

Dear Sir: It was to my great pleasure to learn of House Joint Resolution 174 which you introduced in January. I support your effort. Although I am not Ukrainian, I have joined the Ukrainian Student Club here because of my interest in Ukraine.

I am writing to you to inquire as to the present situation of House Joint Resolution 174 and the prospects of its favorable treatment. I am planning to call attention to your resolution in the club here. I hope we may support it in some way.

I thank you for your kind assistance.

Sincerely yours,
Allen Binckley.

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Warminster, Pa.,
*October 21, 1963.*

Congressman Thaddeus Dulski,
*House Office Building,*
*U.S. House of Representatives,*
*Washington, D.C.*

Dear Sir: I am wholeheartedly in favor of the Dulski resolution calling for the assurance of a "Shevchenko Champion of Liberty" postage stamp. I strongly urge your support of this measure, and sincerely hope you will extend your fullest cooperation to assure its passage.

Yours very truly,
Martin A. Reed.

## WORDS NOT IN ORDER UNDER THE RULES OF THE HOUSE

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, of course, the Speaker for whom we all have the highest regard has ruled that the use of the words contained in the remarks of the gentleman from Texas [Mr. Foreman] are not in order under the rules of the House.

Certainly, it is not for me to quarrel with that decision. But on my responsibility here I just want to say that whatever words may have been used, in my opinion, do not justify the resort to force and violence here on the floor of the House or adjacent to the floor of the House. If that sort of conduct is to be condoned, then I am not going to condone it as far as I am concerned.

Mr. ALGER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ALGER. Mr. Speaker, in view of the ruling of the Chair, if the words which were objected to were stricken from the material that the gentleman from Texas [Mr. Foreman] was presenting in its entirety—these words being stricken—could the balance of the remarks be inserted in the Record at this point?

The SPEAKER. That would be up to the House.

Mr. ALGER. So that the House might know what the gentleman was trying to say, but deleting the objectionable words, as the Chair has ruled.

The SPEAKER. That would be up to the House. Let the Chair answer the parliamentary inquiry. That would be up to the House, if the House permitted the gentleman from Texas to proceed in order.

Mr. HALLECK. Mr. Speaker, will the gentleman yield to me?

Mr. ALGER. I yield to the gentleman from Indiana.

Mr. HALLECK. That has already been objected to by the gentleman from New York [Mr. Rooney]. I take it he meant his objection which, of course, effectively cuts off the opportunity of the gentleman from Texas [Mr. Foreman] to continue with the balance of his statement.

Mr. ALGER. My parliamentary inquiry, Mr. Speaker, is this: Mr. Speaker, I ask unanimous consent that after deleting the objectionable words that the gentleman be permitted to proceed or at least insert his remarks at this point in the Record.

The SPEAKER. The gentleman has put two propositions, one to proceed or to extend his remarks in the Record. Which unanimous consent request does the gentleman want the Chair to put first?

Mr. ALGER. Mr. Speaker, first, that the gentleman be permitted to proceed in order.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ROONEY of New York. Mr. Speaker, reserving the right to object, in view of the fact that I have had very little to eat today and it is now away past dinnertime, and since what I have heard so far of the remarks have prompted me to demand twice that the words of the gentleman be taken down, I object.

The SPEAKER. The objection is heard.

## RULES OF THE HOUSE

Mr. ALGER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, fully cognizant of the rules of this House and knowing that on the floor of this House we all protect each other under those rules when one of our Members, any Member on either side of the aisle, is threatened with a pistol whipping and nobody speaks up, that is not the rule as I understand it here.

Mr. ROONEY of New York. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from New York.

Mr. ROONEY of New York. Mr. Speaker, I want the gentleman from Texas [Mr. Alger] to understand that I know nothing about this so-called pistol-whipping threat, I know nothing about any altercation. All I know is that no Member of this House, regardless of which side he sits on, is entitled to go down into the well and make a speech such as was started here this afternoon.

Mr. ALGER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ROONEY of New York. Mr. Speaker, I object.

Mr. ALGER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ROONEY of New York. Mr. Speaker, I object.

## STATEMENT

Mr. CORMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CORMAN. Mr. Speaker, I would like to make an inquiry of the minority leader because I respect his sense of justice. I think the record may be confused. The only gentleman's name who has been mentioned so far was that of my colleague from California [Mr. Edwards].

Will the gentleman indicate he did not imply that my colleague from California [Mr. Edwards] was guilty of using force against another Member?

Mr. HALLECK. Not as I understand it.

## ALASKA

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. Libonati] is recognized for 60 minutes.

Mr. LIBONATI. Mr. Speaker, at the invitation of the Secretary of the Army, Elvis J. Stahr, Jr., Representative Roland V. Libonati, Democrat, of Illinois, as chairman, member of the House Committee on the Judiciary; Representative John M. Slack, Jr., Democrat, of West Virginia; Representative George E. Shipley, Democrat, of Illinois, and Mr. George A. Urian, professional staff member of the House Committee on Appropriations, accompanied by Lt. Col. William D. Lynch, Department of the Army representative, visited several countries of the Orient, and Alaska, to study field operations, modernization, availability, training programs, including contributions of the services to the American image, the reaction of the people to American intervention and interest, the philosophical, historical, and social background of these states, together with a study of their economy, problems, and attitudes toward the Western nations.

Upon our arrival at the airport at Anchorage, Alaska, we were warmly received by Lieutenant General Mundy, USAF; Maj. Gen. Ned D. Moore, USA; Maj. Gen. Wendell W. Bowman, USAF; and Rear Adm. Fred E. Bakistis, USN.

During our stay in Alaska, Gen. Ned D. Moore did everything possible to insure the success of our assignment responsibilities and looked to our comfort. Everyone of the group admired and respected this great American. His fine record of service to his Nation reflects the highest sense of patriotic effort. As a leader of men he stands alone. There need be no fear—Alaska is in strong military hands. May we pay this worthy tribute to a great general—by recording his record here for posterity.

### COMMANDING GENERAL U.S. ARMY, ALASKA, NED D. MOORE, MAJOR GENERAL, U.S.A.

Maj. Gen. Ned Dalton Moore was born December 23, 1906 in Guthrie Center, Iowa. In 1924, he was graduated from Tulsa High School, Tulsa, Okla., and was commissioned a second lieutenant in infantry upon graduation from the U.S. Military Academy in 1930.

Prior to World War II he served with various infantry units and attended the infantry school at Fort Benning, Ga., reaching the rank of captain on June 12, 1940.

Early in World War II, General Moore was assigned to the 101st Airborne Division and remained with the division throughout its training in the United States and its service in Europe. From August 1942 until February 1945 he served as G–1 of the division, assuming the additional duty of Acting Chief of Staff in December 1944 during the historic stand of this division at Bastogne. In February 1945 he was named chief of staff of the division and remained in this position until inactivation of the division in December 1945 when he returned to the United States. While serving with the 101st Airborne Division in the European theater, he participated in the Normandy, Rhineland, Ardennes, and Central Europe Campaigns.

Between World War II and the Korean war, General Moore was assigned to the U.S. Military Academy as public information officer and attended the Armed Forces Staff College at Norfolk, Va. Returning to oversea service in 1948, he was assigned to Japan and commanded the 188th Parachute Infantry Regiment and later the 17th Infantry Regiment. In September 1949 he was assigned as deputy and executive officer of the G–3 section, Headquarters 8th Army.

After the outbreak of the Korean war, he was assigned to command the 19th Infantry Regiment of the 24th Infantry Division, then fighting in Korea, a command he held until evacuated to Japan in February 1951. While he commanded the 19th Infantry, that unit participated in four Korean campaigns and some of the most bitter fighting of the war. During this period, he was awarded, among other decorations, the Distinguished Service Cross.

He returned to the United States after a period of hospitalization and attended the National War College from August 1951 to August 1952 when he was assigned to the Army General Staff as Chief of the Military Personnel Management Division in the Office of the Assistant Chief of Staff, G–1.

In September 1953, General Moore arrived in Korea for his second tour and served as Chief of Staff, Headquarters IX Corps—Group—until May 1954 when he was assigned as Chief of the Army Section, Military Assistance Advisory Group, Japan.

He remained in Japan until May 1956 when he was assigned to the Office of the Deputy Chief for Supply and Logistics, Department of the Army. In October 1958, General Moore was assigned as director of the Office of Personnel Policy in the Office of the Assistant Secretary of Defense for Manpower, Personnel, and Reserve. As a result of an interagency reorganization in February 1961, General Moore was further assigned as director, Reserve Affairs and Readiness Plans, in the Office of the Assistant Secretary of Defense, Manpower.

General Moore assumed command of the U.S. Army, Alaska forces, on June 11, 1962.

### THE UNIFIED ALASKAN COMMAND

The officers and men of the Alaskan Command—Alcom, one of the seven unified military commands in the U.S. Defense Establishment, guard the polar gateway to the heartland of the United States. Sometimes called the "last frontier," the Alaskan theater is just a few miles from Soviet Russia.

Lt. Gen. George W. Mundy, USAF, commander in chief, Alaska—CINCAL, directs ALCOM forces from his headquarters at Elmendorf Air Force Base near Anchorage, Alaska. ALCOM is the catalyst that melds Army, Air Force, and Marine Corps fighting men in Alaska into a unified and smoothly functioning modern defense team.

Forces assigned to General Mundy's command include those of the U.S. Army, Alaska and the Alaskan Air Command. The Alaskan Sea Frontier is the Navy component of ALCOM. The Navy command occupies a unique position in that the commander, Alaskan Sea Frontier receives his operating forces from commander in chief, Pacific Fleet for Navy operational matters. Close coordination exists between CINCPAC and CINCAL on matters pertaining to sea defense in Alaskan waters.

Air defense forces of the Army and Air Force are assigned to CINCAL. Because air defense of North America is integrated into a single command, operational control is exercised by the commander in chief, North American Air Defense Command. General Mundy, at the direction of the Joint Chiefs of Staff, commands the Alaskan NORAD Region. In this capacity he is responsible to the commander in chief, North American Air Defense Command, and directs all air defense activity in Alaska.

The Alaskan Command, first of the joint commands, was activated on January 1, 1947, by the Joint Chiefs of Staff. It was organized as a joint command to improve coordination and control of military operations. The Department of the Air Force was designated executive agent for the Alaskan Command, and communications to and from Department of Defense were directed through Headquarters, USAF. The Air Force was charged with this responsibility because Alaska, at the time, was considered primarily an "air theater."

The "executive agent" concept prevailed until December 1, 1958, when the

Defense Department Reorganization Act realined DOD and redefined its functions and those of its major components. It provided for operational direction, authority, and control by the Secretary of Defense through his operating agency, the Joint Chiefs of Staff. Unified and specified commands were established. Commanders of the newly established commands acquired operational control over assigned forces, and they became responsible to JCS rather than one of the military departments.

ALCOM's history is replete with names of well-known military leaders. The first commander was Lt. Gen. Howard A. Craig, January–October 1947; followed by Lt. Gen. Nathan F. Twining, November 1947–July 1950; Lt. Gen. William E. Kepner, August 1950–March 1953; Lt. Gen. Joseph H. Atkinson, April 1953–September 1956; Lt. Gen. Frank A. Armstrong, Jr., October 1956–July 1961. General Mundy assumed command on August 1, 1961.

The ALCOM missions enunciated by JCS include: Defense of Alaska—except for air defense, a responsibility of CINCNORAD, and defense of Alaskan waters, a responsibility of CINCPAC—and support of other Department of Defense unified and specified commands operating in or through Alaska.

The ALCOM mission is accomplished by assignment of tasks to the Army, Navy and Air Force component commanders.

The CINCAL, assisted by his joint staff of Army, Navy, Air Force and Marine Corps officers and men, directs and coordinates the ALCOM effort. His staff and triservice forces jointly contribute to the defense effort. This unified effort results in a mission oriented combat team. Moreover, ALCOM's unified command organization makes all theater forces highly responsive to the JCS. A look at ALCOM forces and its diversified activities reveals the scope of unified command action in Alaska.

Forces available in Alaska consist of some 40,000 soldiers, sailors, airmen, marine and civil service employees. They operate in the weather and terrain of the far north—much of which is uninhabited—an area one-fifth the size of the United States. The distance from eastern to western Alaska is comparable to the distance from Savannah, Ga., to San Diego, Calif. Alaska is geographically remote from the continental United States, but it is a key outpost of the northern defense structure.

ALCOM personnel man this outpost from Point Barrow and Lisburne in the north to Kotzebue, Wales, and Nome opposite Siberia and Soviet troops in the west. Forces are located on Kodiak and in the Aleutian Islands to the southwest.

The composition and missions of the Army, Navy, and Air Force organizations in Alaska bring ALCOM into better focus.

### U.S. ARMY, ALASKA

The headquarters of the Alaskan Command's ground arm, U.S. Army, Alaska—USARAL—is located at Fort Richardson in the Anchorage complex. Other major U.S. Army, Alaska, units are stationed at Fort Wainwright—formerly Ladd AFB—Fort Greely, and Eielson AFB.

USARAL is charged with ground defense of the Alaskan Command. Two battle groups, reinforced with armor, are strategically located to protect the Anchorage and Fairbanks complexes. The officers and men of these units are among the best trained cold weather combat troops in the U.S. Army.

ALSEAFRON tasks are many and varied. Training personnel in cold weather operations is one major activity in which units from other Navy commands are sent to Alaska on temporary duty. Seabee battalions and aerial patrol squadrons and many other Navy units have benefited from this training.

The vastness of Alaska is exceeded only by that of the ocean areas contiguous to land mass. The additional security clamp provided by ALSEAFRON is essential to effective surveillance of the Polar Gateway.

Icebreakers similar to the U.S.S. *Staten Island* penetrate the Arctic ice each year to assist in resupply shipping in Alaskan waters.

### ALASKAN AIR COMMAND

The Alaskan Air Command—AAC—is the air component of the Alaskan Command. Headquarters, AAC is located at Elmendorf AFB. The officers and men of AAC are justifiably proud of their slogan "top cover" for America.

AAC's aircraft control and warning mission is accomplished by two bands of AAC radar sites. The outboard band consists of the Alaskan segment of the DEW line extension along the Arctic Ocean, connecting with early warning sites ranging down the Chukchi and Bering coasts which, in turn, link with the DEW line extension in the Aleutian Islands chain. Situated inland, the second band is formed by the radars of ground controlled intercept sites. The collected data is fed into four master direction centers where it is evaluated and sent through the region combat operations center directly to NORAD. This responsibility, as indicated previously, is discharged by CINCAL in his capacity as Commander, Alaska NORAD region.

The aircraft control and warning squadrons and the Aleutian DEW line stations are manned by AAC. These are referred to as "remote sites." The Alaskan segment of the northern DEW line is operated under civilian contract. In less time than it takes to read this sentence, the detection of hostile aircraft by any of ACW or DEW line stations can be flashed to Headquarters, ALCOM, NORAD Headquarters in Colorado Springs or SAC Headquarters in Omaha. Manned day and night by dedicated personnel, this electronic perimeter defense provides protection for this northern entrance to North America.

Early warning is only one of the major missions of AAC. Alaskan skies are patrolled by AAC's Elmendorf based all-weather F-102 Delta Dagger fighter interceptors. The use of forward bases increases the effectiveness of these aircraft immeasurably by permitting a better alert mobility and maximum protection for the greatest number of sensitive target complexes.

All-weather F-102 "Delta Dagger" interceptors of AAC gives the Alaskan Command theaterwide air defense.

Remote sites, operational around the clock, form an electronic defense perimeter against undetected access to North America.

Distant Early Warning—DEW—line and Aircraft Control and Warning—ACW—sites dot the coast and interior of Alaska and the Aleutian Islands.

The famous Eskimo Scouts of the Alaska National Guard work closely with Army units and represent a potential augmentation of ground forces in Alaska which can be available almost immediately.

USARAL contributes to the air defense posture and provides two Nike-Hercules battalions for the air defense of Alaska. The fire power of these missile battalions is integrated with the striking force of the Alaskan Air Command's F-102 interceptor jets and located to defend against air attack in the Anchorage and Fairbanks complexes.

USARAL offers several unique training opportunities also. Its Nike batteries in the Anchorage and Fairbanks areas, for instance, are the only Nike units in the U.S. Army that are able to accomplish on-site live firing. This, of course, is due to the low density of population adjacent to the battery positions.

Also, the Army in Alaska is able to take advantage of environmental training conditions—unhampered by many of the property rights restrictions so often incurred in the continental United States.

The USARAL organization is tailored to provide a responsive, economical, and efficient accomplishment of tasks. In addition to the above activity, the U.S. Army Cold Weather and Mountain School at Fort Greely is the focal point for the development and testing of cold weather doctrine for the entire U.S. Army.

Ground forces of USARAL hold regular winter training exercises designed to make them some of the best trained cold weather combat troops in the U.S. Army.

Ground-to-air Nike-Hercules battalions located in the Anchorage and Fairbanks areas give USARAL a potent air defense capability.

Alaska's rugged terrain offers U.S. Army forces the best training possible under ideal environmental conditions.

### ALASKAN SEA FRONTIER

The Alaskan Sea Frontier—ALSEAFRON—with its headquarters at Kodiak Island is ALCOM's sea arm. The ALSEAFRON mission involves protection of sea communications, reconnaissance of Alaskan waters, submarine and antisubmarine operations, mining, and harbor defense, and control and protection of shipping. As indicated earlier, these responsibilities are discharged under direction of CINCPAC but also meet CINCAL's requirements.

The vast geographical expanse of Alaska is ALCOM's zone of responsibility—a zone enclosed by the North Pacific Ocean, the Bering Sea, the Arctic Ocean, and Canada. The northern reaches of the Pacific Ocean and the Bering Sea are the major areas of ALSEAFRON's interest, but the Navy is concerned also with the Arctic Ocean. Navy surface craft and patrol aircraft materially assist ALCOM in surveillance of international waters.

Alaskan Sea Frontier Neptune patrol bombers based at Kodiak Island provide the Alaskan Command with aerial surveillance of international waters.

### SUPPORTS SAC

Alaska also provides launching platforms and support for Strategic Air Command bombers and tankers at Elmendorf and Eielson Air Force Bases. SAC bombers and tankers are on rotational alert at these bases around the clock.

Existing ALCOM forces deny freedom of action in Alaska to a potential aggressor. In addition to these forces, augmentation can be provided as determined by JCS.

In addition, the CINCAL may assume, under certain conditions, temporary operational control over certain other available Department of Defense forces in Alaska in an emergency. This control does not apply to forces scheduled for, or actually engaged in the execution, under war plans approved by the Joint Chiefs of Staff, of specified operational missions which would be interfered with by the use of these forces.

ALCOM, in addition to its coordinating operational role, is the balance wheel in a host of services which, by dictates of economy, efficiency, or complexity, lend themselves to centralized organization and direction.

### COMMUNICATIONS

Communications is perhaps the most interesting example of the Alaskan Command providing central direction to an activity beyond the scope, interest, and capability of a single service.

The CINCAL is responsible for adequate communications to support the operational mission of his and the component commands. Moreover, though not commonly known outside of Alaska, because there is no private enterprise long-distance telephone or telegraph toll service company in the theater, the civil populace has access to and uses military circuits.

In 1900, the Secretary of War was directed to provide communications between Washington, D.C., and the military in Alaska. He was authorized also to provide civil communications in the Alaskan Territory. These means of communications are the only ones available to civilians in many remote areas today.

Located adjacent to ACW sites White Alice stations enhance communications within Alaska and between Alaska and the remainder of the world.

Radio circuits were used almost exclusively until 1942–43 when an open wire pole line was built along the Alaska-Canada Highway. With the advent of the early warning radar defense system, high frequency radio communications were not sufficiently reliable. A system was adopted which tied the aircraft control and warning network into the long lines wire system at communications centers in Anchorage and Fairbanks.

In the arctic and subarctic regions there are numerous communications problems. Severe weather conditions take a heavy toll on any land line or buried cable system. On the other hand, the proximity of the earth's magnetic pole has serious effects on radio operations.

To obtain reliable communications a different approach had to be used. Western Electric Co. designed and installed a system for ALCOM known as White Alice. This was the first large scale application of a new communications technique.

White Alice is a radio relay communications system using an over-the-horizon radio transmission called forward propagation tropospheric scatter. This dramatic new form of ultra-high-frequency radio leaps up to 200 miles at a single stride by bouncing part of its radio beam off the troposphere. It can carry many voice and telegraph transmissions simultaneously and has voice quality equal to any regular telephone system.

White Alice stations are located adjacent to most of the remote radar sites to form a close-knit communications system in Alaska. The system also serves the civilian population as well as military and other governmental agencies.

The ballistic missile early warning system—BMEWS—complex at Clear, Alaska, plays a vital role in the strategic defense of the United States.

This elaborate and expensive system is under the control of the Department of Defense. On October 1, 1961, the Defense Area Communications Control Center, Alaska, of the Defense Communications Agency, assumed operational direction of the defense communication system within Alaska and between Alaska and the remainder of the world.

The construction of a ballistic missile early warning system—BMEWS—station in Alaska is an indicaiton of Alaska's importance in the strategic defense of North America. But this BMEWS station at Clear, Alaska, complicates communications requirements. Communications support for this site require other major augmentation and improvements in the system. Communications construction has provided simultaneous transmission of data from Clear over two independent paths to Colorado Springs, Colo.

The missile detection alarms system—MIDAS—the first station constructed at Donnelly Flats, Alaska, necessitated further refinement of the system.

A system out the Aleutian chain to Shemya has been installed and is in operation.

An automatic dial system has been integrated into the overall system providing for the first time an automatic dial capability anywhere in Alaska.

### RESUPPLY

Logistical support is another function of the Alaskan Command which becomes a most complex operation, influenced greatly by: First, vast distances; second, limited surface transportation; third, difficult terrain, and fourth, extreme variations in weather.

Each military department is responsible for logistic support of its own forces in Alaska unless otherwise provided for by assignment or interservice support agreements. The CINCAL has directive authority in logistic matters to: First, insure effectiveness and economy of operations; and second, prevent or eliminate duplication of facilities and overlapping of functions among the components. For example, USARAL supports not only its own requirements but several of those of the Alaskan Air Command, other DOD commands stationed in Alaska, the Army National Guard and Alaskan Reserve units. In other instances, Army and Navy requirements are supported by AAC.

The distribution of petroleum in the Alaskan theater is another example of ALCOM coordination and planning to satisfy component requirements. The theater's 626-mile military pipeline is a key feature of petroleum distribution in Alaska. Aviation gasoline, Mogas, diesel, and jet fuel are received in bulk terminal facilities in the deep water port of Haines, Alaska, from ocean tankers. From this point, petroleum products are transported by an 8-inch multiproduct pipeline through the coastal mountain range, plateaus, and valleys of the Yukon and British Columbia territories and Alaska to the distribution terminal at Fairbanks. Petroleum products are delivered from the Fairbanks terminal to military units by air, road, railroad, river barges, and pipelines. The initial cost of the project was $38,249,796. The products in the line at any time during operations are valued in excess of $1,500,000.

In addition to the pipeline complex, ocean tankers arrive at Anchorage during the ice-free period from early May to mid-November. Sufficient bulk storage facilities are available to meet normal military consumption demands during the winter season when the port is icebound.

The port of Whittier, with dock and storage facilities, is available year round to meet any unusualy high petroleum demands. Navy and Air Force petroleum requirements on the Aleutian chain are supplied by MSTS tanker and commercial carriers. This complex petroleum distribution system in Alaska is successful because of cooperation by all services and the joint coordination directed by the Alaskan Command Headquarters.

Transportation is a vital link in the successful accomplishment of the logistic mission. The coordination of surface transportation of Army and Air Force supplies moving to and within Alaska is an Army responsibility. Air transportation movements of similar supplies is an Air Force responsibility.

This mutually supporting logistical arrangement to satisfy the requirements of all users in the theater is dependent on centralized ALCOM direction and mutual compliance by the components. These programs are formalized in interservice support agreements.

The U.S. Army petroleum terminal at Haines, Alaska, receives petroleum products and transports them by an 8-inch, 626-mile, military multiproduct pipeline to the distribution terminal at Fairbanks, Alaska.

Commercially operated barges perform the giant task of carrying out the annual resupply operation called Mona Lisa.

Each spring, massive 13-month stocks of nonperishable supplies are delivered to remote sites.

Only five major military installations, Elmendorf and Eielson Air Force Bases, Forts Richardson and Wainwright, and the BMEWS site at Clear, Alaska, enjoy rail service. Only 2 of 24 ACW stations are accessible by road. Of the remaining 22 sites, 2 are accessible by air only, and the rest are resupplied by water routes during the short Arctic summer months. The limited means by which supplies can be delivered has resulted in an annual resupply operation by water called Mona Lisa—a joint Army, Navy, Air Force operation.

Mona Lisa begins each spring as the ice pack recedes from the Arctic coast. Large barges, originating at west coast ports, are towed through the Bering Straits and up the mighty Yukon with massive 13-month stocks of nonperishable supplies for delivery to the remote sites. As each annual resupply operation phases out, logistic planners are determining supply requirements for next year's Mona Lisa.

Mona Lisa, however, is unable to satisfy all of ALCOM's resupply requirements because of the continuing demand for perishable food stuffs, spare parts, high value items, and mail. C-123-type aircraft of the Alaskan Air Command meet the need of the remote sites with weekly aerial delivery of tons of supplies.

Ships of the Military Sea Transportation Service transport military personnel, dependents, and cargo to Alaska during the summer months. Navy and Air Force petroleum requirements on the Aleutian chain are satisfied by MSTS tankers as well as commercial carriers.

Probably nowhere in the world is there a continuing resupply operation faced with such demanding conditions, as most of the remote sites are in rugged mountain terrain and completely dependent on this delivery system. Primitive "bush" landing strips scraped from the sides of mountains often provide the only landing and departure facilities for the resupply aircraft.

In any event, this complex logistic chain cannot be permitted to break. Planning must be accurate. Implementation by air, sea, or land must be accomplished on schedule, or the results would be adverse, critical, and costly.

Other command activities requiring ALCOM's control, direction, and supervision are legion. Civil affairs, for instance, encompasses day-to-day relations between ALCOM and the State and local governments. Normally associated with commands on foreign soil, civil affairs is a major function in Alaska. This is due to the initial problems of statehood and the impact of a military population—including dependents—which exceeds one-fourth the total population.

The Alaskan Command is vitally concerned in areas of mutual interest to civilian and military communities. Civil defense, disaster relief, rescue operations, and wildlife and natural resource conservation are but a few that require considerable ALCOM consideration and expenditure of money.

There is another unique problem in Alaska—river ice. With the spring thaw, ice piles up and dams the streams causing floods which imperil civilian communities. When this occurs, civil defense authorities call on ALCOM for aid if relief is beyond State capabilities. Navy and Air Force aircraft, armed with 500-pound bombs and Army demolition teams blast key points in the ice jams to overcome the danger to communities concerned.

Tons of perishable foodstuffs, spare parts, high value items and mail are delivered weekly to ACW sites by C-123 "Provider" aircraft of AAC.

Civil affairs is but one example of how ALCOM's unified command structure pays dividends beyond the scope of operations. Others include: Supervision of the Army and Air Force exchange and motion picture services; the Armed Forces radio service; the U.S. Armed Forces Institute; public information; protocol planning for distinguished foreign and U.S. visitors, and USO professional entertainment programing. Coordination of these activities at the Headquarters, ALCOM, level insures equitable benefits to personnel of all components and their dependents.

The Alaskan Command Headquarters directs and coordinates the efforts of its Army, Navy, and Air Force components in operations and general administration. The result of this central direction is a unified military effort in the Alaskan theater. Emphasis on teamwork and unified action in the Alaskan Command has not resulted in roles of lesser importance for the components, but it has resulted in a centrally planned and executed defense program.

The opinion held by some observers that the Alaskan theater is vital to U.S. strategic plans is not new. Gen. "Billy" Mitchell, for instance, told the House Military Affairs Committee in 1935, "Alaska is the most important strategic place in the world." On another occasion, Gen. Carl A. Spaatz, USAF, said, "Whoever controls the Arctic airlanes, controls the world today."

Today, many observers believe Alaska's vast uninhabited areas, natural mountain-hardened sites, and strategic geographical location make it an ideal launching platform for aircraft and missiles. Moreover, they say, money spent on strategic defense construction in Alaska is money spent in the United States, and the fledgling 49th State could use a Federal program to assist its economic and industrial development.

This is the story of the Alaskan Command—its past, present, and future. Regardless of what the future holds for the Alaskan theater, the Unified Alaskan Command is prepared to accept all challenges with a triservice demonstration of integrated teamplay.

National objectives and policies involving the far north can be translated into military action immediately if the situation demands because of the direct link between the Joint Chiefs of Staff and ALCOM. This immediacy of response by theater forces, fused into a single team by the unified command, spells successful defense planning.

### HISTORY OF MILITARY IN ALASKA BEGAN IN 1867

The history of the U.S. military in Alaska began October 18, 1867, at Sitka, when the U.S. flag was raised over Alaska for the first time and control of the area passed from Russia to the United States.

The flag-raising ceremony at Sitka was symbolic, for it was the first unified action taken in Alaska by our Armed Forces. An Army infantry company and an Army artillery battery, under the command of Brig. Gen. Jeff C. Davis, U.S.A., saluted while a Navy midshipman ran up the colors.

General Davis assumed command of the territory and it remained an Army responsibility for the next 10 years. During the decade, a garrison of 500 officers and men was assigned to Alaska. Headquarters was maintained at Sitka and posts were established at Wrangell, Tongass, Kenai, and Kodiak.

Unrest among the Nez Perce Indian Tribes in Idaho during 1877 brought about the transfer of our troops from Alaska to that locale. For the next 2 years Alaska was controlled by the Treasury Department. During that time, natives and lawless adventurers proved more than Treasury officials could cope with and, in the spring of 1879, Navy vessels were diverted to Alaska to restore order. Upon their arrival, Navy officers formed a quasi-military government and directed Alaskan affairs until 1884, when congressional action organized a civil government.

The gold rush of 1897 and a surge of lawlessness in interior Alaska brought the Army back. In addition to preserving law and order, the troops constructed roads. With the advent of the Alaska Communication System in 1900, communication from the Territory back to the United States was established by the Army and its technicians.

Military forces in Alaska were never large until the beginning of World War II. Even the First World War bypassed Alaska. As late as 1939, the one active military establishment was manned by 11 officers and 286 enlisted men.

However, when World War II began, our military strategists authorized a buildup in Alaska to meet the threat presented by the Axis. The Army Air Corps recommended that airfields be established at Fairbanks and Anchorage. The sites were selected on the basis of a 1934 study by Lt. Col. Henry H. Arnold who had led an Alaskan mapping and survey mission.

The Army activated Fort Richardson and other posts, but when the Japanese attacked Pearl Harbor, there were only token ground forces and 32 military aircraft in the territory. The Navy was somewhat better off because three of its main bases, Kodiak, Sitka, and Dutch Harbor, were already established.

The Japanese first hit Dutch Harbor when aircraft from two carriers bombed the Navy installation on June 3, 1942. The enemy followed up by occupying Kiska and Attu in the Aleutian Islands.

Retaliation by U.S. Forces took place 8 days later when B-24s bombed enemy troops on Kiska.

On May 11, 1943, Army troops operating under Navy cover, landed on Attu and regained control of the island after 19 days of bitter fighting. On August 15, 1943, our troops moved onto the beaches of Kiska unopposed, for the Japanese had abandoned the island 2 months earlier.

From that date on, Alaska was a quiet sector of World War II. The 11th Air Force carried on bomber missions against the Kurile Islands, but many Army, Navy and Army Air Force personnel and their equipment were diverted to other theaters where they were more urgently needed.

Since shortly after World War II, the Joint Chiefs of Staff have maintained operational control of military operations in Alaska; first, through a joint command and now through the Unified Alaskan Command.

Military power, centralized near the coast lines in World War II has been pulled back to complexes in the Anchorage and Fairbanks areas. The concept which makes "airpower the key to Alaska's defense" is responsible for this shift in locations.

What the future history will be is uncertain. But military planners, beginning with Gens. Billy Mitchell and Henry A. "Hap" Arnold, have been impressed with Alaska's strategic location and the vital role it must one day play in our national defense program. Predictable facts do not detract from the importance of the area in this age of space.

### THE 49TH STATE—THE ALASKA HIGHWAY

There are approximately 4,000 miles of roads in Alaska, 2,000 of which are maintained the year round; 2,595 miles are secondary roads. The famed Alaska Highway is open all year and extends 1,423 miles from Dawson Creek, Canada, to Delta Junction, Alaska. Only 202 miles of it is in Alaska. Distance from Seattle, Wash., to Fairbanks, Alaska, is approximately 2,350 road miles.

Geography lesson: Alaska's 586,400 square miles makes it twice as big as Texas and one-fifth the size of the entire Continental United States. The population of the 49th State, 226,167—1960 census—is about one-third that of the District of Columbia which is crowded into 10 square miles.

Original inhabitants: About 15 percent—34,000—of Alaska's residents are Aleuts, Eskimos, or Indians.

Blue chip: We paid Russia $7.2 million for the 49th State. Since then—1867—value of gold mined in the purchase lands is valued at about $1 billion, a 14,300-percent return on the original investment.

Mother lode: About 75 percent of Alaska has been subjected to surveying parties; 31 of the 33 minerals considered strategic to our national economic growth have been found in Alaska.

Solid black gold: Coal is as valuable as gold to modern Alaska. Each year millions of dollars worth of coal is mined. Sand and gravel excavation is also worth millions of dollars annually.

Principal industry: $90 million annually makes catching and processing fish Alaska's principal industry. Species exported are salmon, halibut, herring, cod, shrimp, clams, and crab.

Fur trapping: Mink, marten, beaver, fox, fur seal, muskrat, otter, and lynx trapped in Alaska are valued at approximately $4 million annually.

Down on the farm: Estimates of cultivatable land range from 1 to 5 percent of the total 365 million acres. Approximately 2 percent of 867,000 acres are in farms. In the south-48, 21 percent of the land produces crops.

They could blow their tops: Thirty-four active volcanoes make up an interesting segment of Alaska's geography. Other items include treeless tundra, glaciers, mountains, swamps, rivers, and islands to the tune of 63 percent of total area. The remaining area is possible farmland and forest. Commercial timberland of Alaska's vast forests totals 44 million acres.

### KENAI OILFIELD

Since the first commercial oil well was brought in on the Kenai Peninsula more than 40 producing wells have been drilled on the peninsula and drilling is expected to continue for some time to come. Each year millions of dollars worth of petroleum is being produced. Also, in the Kenai field are numerous producing natural gas wells, three of which serve the Greater Anchorage area.

These long winter nights: About 20 to 25 percent of Alaska lies above the Arctic Circle. Winters and winter nights are long and cold. Summers are brief but there is enough light to play baseball at night.

Imported diet: Most of the food Alaskans eat, approximately 80 percent, has to be imported from the south-48 or elsewhere.

Best customer: Since 1947, the Alaskan Command and its personnel have been one of the biggest customers for goods and services originating within Alaska. In a normal year, approximately 50 percent of the State's agricultural products are consumed by the military; the exchange system buys 3½ millions from State wholesalers; more than 452,000 tons of coal dug from Alaskan mines are bought and burned by ALCOM components, and a substantial but undetermined percentage of merchandise sold in retail shops is purchased by ALCOM personnel.

Sportsman's paradise: The long daylight hours of Alaska's summertime provide every imaginable type of rugged outdoor sport. Fishing for game fish in streams and mountain lakes, or deep sea fishing for the sporty salmon or the rugged halibut; hunting big game, black bear, the giant grizzly, moose, caribou, mountain sheep and goat, deer and wolf; or fall hunting for duck, goose, grouse, and spruce hen, provides endless variety and enjoyment.

Weather observers say Philadelphia's average temperature is similar to that of southeast Alaska. New England and western Alaska are comparable, and the Yukon Valley is compared to Montana and the Dakotas as far as climate is concerned.

Mr. Speaker, the State of Alaska is our national frontier geographically situated within a few miles distant from Russia.

In an offensive war the region is vast and mountainous—with numerous shelter pockets for our military forces, planes and war materiel and supply. And also an expansive pad for the launching of devastating missiles. Its coves and harbors a base for our Navy for both submarines and ships. The blessed land called Seward's Folly upon its purchase in 1867 from Russia for $7.2 million has been developed militarily as the most important key position in our extensive plans as a deterrent to enemy attack upon the United States proper. Under modern warfare development in the use of electronics—being of a proximate distance from Russia its manned scientific facilities serve as the eyes and ears of America in sounding the alarm of enemy operation through the intricate communication complex that rings the Northern Hemisphere. The danger warnings would save millions of lives and set off a counter missile offensive on enemy targets in a matter of seconds. Another important role assigned to the Alaskan forces would be to delay the advance of the enemy ground forces through harassment type of tactics for which they have been well trained for such an emergency.

The military positions are located in terrain that are well nigh impregnable and ideal for guerrilla operations. These could serve as landing areas for the mass movement of the airborne troops jackknifing the enemy from the front and rear in a pincher vise. Alaska stands as a monument to freedom in its military value to the purposes of defense and offense.

### BRIEFING NOTES OF CDA USARAL PRESENTATION

This is an outline of the USARAL concept of northern operations, significant deficiencies in performance of equipment under northern conditions, and action which is being taken to correct these deficiencies and improve future northern operations capabilities.

### CHARACTERISTICS OF NORTHERN OPERATIONS

U.S. Army, Alaska, is responsible for development of current and future doctrine for northern operations. Northern operations include all military operations conducted under the influence of northern environmental conditions—winter cold, the mud of spring and fall, and the muskeg and marsh of summertime.

### COLD

These conditions are not limited to the Arctic and subarctic. This chart illustrates the 50° isotherm. This is the line north of which the mean temperature for the warmest 4-month period of the year is under 50° F.; it includes the Arctic and subarctic. This is the region most people think of when they talk about cold-weather operations.

But temperatures ranging from 20° to 50° below 0 may be encountered anywhere in Eurasia from Hungary eastward. This region of seasonal cold weather includes most of European Russia and its western approaches. In the German campaign in Russia during the winter of 1940–41, a temperature of 63°

below zero was recorded northwest of Moscow. A low temperature of −34° has been recorded on the shore of the Caspian Sea and a −25° has been recorded near the Black Sea.

Severe cold weather is a basic problem of military operations, not the private concern of USARAL.

### MUD

Mud is a universal problem. A German general reported after the war:

"One of the startling reasons why Germany lost the war with Russia is that they based their mobility across Russia on wheels instead of full tracks. Nearly all transport operating in Russia consisted of wheeled vehicles which could not move on the mud roads. The wheeled transport was bogged down when the tanks could move on. Panzer forces with tracked transport might have overrun Russia before autumn, despite the bad roads."

The greater part of the supply transport in the U.S. Army today consists of wheeled trucks, and overall U.S. ground combat operations are nearly as vulnerable to mud as were those of the Germans and Russians in World War II.

### MUSKEG

Muskeg and marsh exist in nearly all continental northern areas during the summer.

This photograph shows a self-propelled howitzer ploughing through a muskeg region near Fort Wainwright. It has broken through the surface and is traveling on a hard subsurface layer.

The marshes of Eastern Europe and the swamplands of southeast Asia present mobility and other combat operations problems similar to those created by Alaska's muskeg regions.

### GENERAL CONCEPT OF NORTHERN OPERATIONS

The scale of force in northern operations may range from field armies down to guerrilla operations.

Large force operations under northern conditions in the wintertime differ little in essentials from operations in other environments, except that equipment performance is less dependable, low temperature operating techniques are required, and cold weather introduces friction into all operations.

At the other end of the scale, guerrilla operations have an important place in northern areas. In World War II, the large forest and swamp regions of European Russia were natural sanctuaries for partisan cells and provided ideal conditions for their purpose.

Guerrilla operations in northern areas place the greatest emphasis on individual combat effectiveness and take full advantage of the combat capabilities of the soldier who is well trained in northern operations.

### THE INDEPENDENT TASK FORCE

Between the field army and the guerrilla band, the scale of force employed depends upon local conditions. In Alaska, for example, relatively small forces have the mission of controlling a large undeveloped region.

The independent, self-sustaining, combined-arms task force is the USARAL solution to this tactical problem. In order to operate freely over the large regions for which it is responsible, the task force with its essential vehicles and light artillery must be transportable by Army rotary wing or short takeoff and landing aircraft. On the ground, the force must be able to operate freely and flexibly across country with a minimum of Engineer construction support. To exploit the force's full combat potential, a higher ratio of Army air is required than in conventional operations. To maintain its mobility, the force must be able to cut free from its line of communications for relatively long periods; accordingly, it must include organic mobile supply and maintenance support elements. The line of communications for operations of extended duration must not be tied to fixed routes; LOC elements must have air and cross-country mobility equal to that of the supported task force.

### DEFICIENCIES IN ENVIRONMENTAL PERFORMANCE OF CURRENT EQUIPMENT

Howitzers became bogged down in muskeg. It is the principal problem peculiar to northern summer operations—the limitation of vehicle mobility in marsh and muskeg.

Northern winter operations present many equipment problems.

U.S. ground forces can operate in extreme cold, but cold weather operations are difficult. During the last 2 weeks of December 1961, sustained extreme low temperatures occurred in the Fort Wainwright-Fort Greely-Tanacross area. For much of this period, the temperature remained below −60° Fahrenheit.

### FOOT MOBILITY

A combat force does not realize its mobility potential when infantry companies during an advance sit in a bivouac waiting for vehicles to move them forward. Mobility improvement begins with training men to move on foot and training commanders to exploit the foot movement capability. Equipment development for better foot mobility requires improvement of boots, skis and snowshoes, lightening the individual soldier's equipment load, and improving support equipment and techniques.

A very light infantry support vehicle is needed to extend foot mobility of infantry elements by transporting crew-served weapons, ammunition and impedimenta. The vehicle must be small enough to be transported by the same light helicopter which moves the infantry squad. The XM571, which is under development by Canada, is designed to transport the personnel of the squad as well as its equipment but it appears to be too large and heavy for our purpose.

The new Thiokol ½-ton carrier is simple, austere and sturdy, and extremely mobile in swamp and over snow as well as on road, but it does not satisfy our requirements. It weighs about 2,800 pounds empty and is therefore not transportable with a load by H21 helicopter. At USARAL request, this vehicle was evaluated by the Transportation Board. This carrier may form the basis for a satisfactory all around infantry support vehicle. It is understood that the manufacturer is building a similar but smaller and lighter carrier.

Some other new commercial vehicles in this general weight class are being examined and we hope that shortly a light carrier will be available for use of all the agencies who are still patching World War II Weasels together to meet essential operating needs.

An unofficial low of minus 72° was recorded at Fort Wainwright and at Fort Greely an official minus 68° was registered; at that point the thermograph froze and the absolute minimum was not determined.

As a matter of interest, at the end of the cold spell, the temperature rose 111° in 48 hours.

During the extreme cold period, field wire broke when it was handled. Nails could not be driven into lumber. POL hoses cracked when they were picked up. Steel bolts snapped off under normal wrench tension. Tires broke up while running on the road. On the first morning after the temperature dropped into the extreme cold range, 68 out of 71 trucks at Tanacross could not be started.

The 1961 Alaskan winter and other cold weather operational experience have revealed a number of major deficiencies in low temperature performance of Army equipment.

a. Behavior of propellants for artillery and tank weapons at low temperature is not consistent. Performance of PD fuzes is impaired by cold and standard VT fuzes do not function dependably at low temperatures.

b. Rubber and plastic components, from tires to oil seals, break down at low temperature. Ordnance has initiated definitive action to provide tires which will perform satisfactorily in cold weather. Effective action by other development agencies in the rubber and plastics field is necessary.

c. Piston engines are inherently unsuited for extreme cold weather operations. Development and early adoption of gas turbine or other engines relatively unaffected by ambient temperatures is necessary.

d. Standard cold weather lubricants satisfy operating requirements when used as prescribed, but their use requires care and under field conditions presents administrative and operational difficulties. These difficulties are pronounced when temperatures vary over ranges of a hundred degrees or so in 24 hours.

e. Signal equipment is particularly vulnerable to low temperatures, including temperature within the basic performance range of above minus 25°.

f. The military uniform provides environmental protection in extreme cold when worn as prescribed, but when so worn impairs performance of military activities. Vision is impaired by the parka hood. The uniform is too bulky for many maintenance operations. The lack of a glove which permits accomplishment of normal duties, including operation of weapons and maintenance, at extreme low temperatures, is particularly serious.

### RESEARCH AND DEVELOPMENT

Army research, development, and testing agencies are working aggressively to overcome many of the current deficiencies in northern operations capabilities.

A considerable part of the Army's cold weather research, development, and test capability is now located in Alaska. During the summer and fall of 1961, Research and Development engineering test teams were transferred from Fort Churchill, Canada, to Fort Wainwright. The Transportation Board has also established a service test activity at Fort Wainwright. The Arctic Test Board and the chemical test team have conducted service tests for several years at Fort Greely.

On the 1st of August, the various technical service activities were assigned to the Arctic Test Board, making one consolidated test agency under the Test and Evaluation Command of the Army Materiel Command.

In addition to test activities, a number of Army research agencies are conducting field investigations in the vicinity of Fort Wainwright. Army development efforts are supported by other northern operations research activities in Alaska, including the Navy's Arctic Research Laboratory at Barrow, the Arctic Aeromedical Laboratory of the Air Force at Fort Wainwright, and research activities of the University of Alaska and other Federal and State agencies. The interchange of information among these various agencies is beneficial to all concerned.

Research and test agencies directly assist USARAL in many ways. For example, the transportation test activity has evaluated several vehicles in which USARAL is interested. The Cold Regions Research and Engineering Laboratory is investigating permafrost excavation techniques in response to USARAL recommendations. The Waterways Experiment Station has initiated planning for a muskeg engineering experiment to be conducted during 1963 in the Fort Wainwright vicinity in order to provide information required by USARAL for improvement of soft ground movement techniques.

### DEVELOPMENT REQUIREMENTS

In addition to establishing requirements for correction of deficiencies in current equipment, USARAL has stated requirements for development of new materiel and operating capabilities. The first problem is mobility.

### ARMY AIR MOBILITY

Army air mobility is the second element of organizational mobility in the north. Improvement of Army air capabilities is a continuing project of the highest priority in USARAL.

Absolute altimeters and terrain avoidance radar, deicing equipment, effective preheaters and cabin heaters, and improved lubricants are necessary to overcome the northern operations performance limitations of Army aircraft. For dependable cold weather performance, piston engines must be replaced by gas turbines. This fact was demonstrated during last winter's period of extreme low temperatures when much of the effort of a helicopter company had to be applied for 2½ hours to each H21 in turn to make it flyable at 60° below zero; it is doubtful that the full company could have been put into the air in an entire day. Aircraft, as all other equipment, should be designed for effective cold-weather performance from the beginning of the development cycle and engineer tested in cold weather in the early stages of the testing program.

For operations in undeveloped areas, our aviation units need an organic capability to scrape out hasty landing strips—a bulldozer which units can transport with their own aircraft. Department of the Army has questioned the feasibility of using a small machine for this purpose. To demonstrate that the idea is practical, a small industrial tractor several weeks ago cleared brush from an area 200 by 1,600 feet and graded and packed in a 25- by 1,000-foot landing strip. The entire job took 8 hours. With these results it is hoped to convince the Department of the Army that the concept is sound.

Helicopters alone, however, do not provide a complete solution to the organizational mobility requirement for northern operations. Helicopters are a vital adjunct to northern combat operations, and intelligent exploitation of Army air capabilities often may be the key to tactical success; but the foundation for Army operations is a ground capability.

### CROSS-COUNTRY VEHICLES

Two years ago, USARAL acquired approximately fifty M8A2 cargo tractors, which have been useful in winter operations. However, the M8 is not a muskeg or an oversnow vehicle and a different kind of transporter is needed for general northern use.

The Nodwell transporter is the nearest thing we have found to a satisfactory cross-country support vehicle. The Nodwell is a 5½-ton capacity transporter designed originally for oil exploration in the Canadian wilderness. It weighs 11,000 pounds, carries 11,000 pounds, and has a good towing capability. Its snow and swamp mobility equals or exceeds that of the M29 Weasel. The Nodwell design concept appears to offer advantages in strategic mobility. For 5 tons of airlift weight, you get 5 tons of cross-country lift capability at the objective. This is considerably better than the vehicle weight to payload ratio of standard wheeled trucks and much better than that of standard cargo tractors like the M8.

A new vehicle is a military modification of the industrial Nodwell. An amphibious version is now being designed against military specifications and should be available for evaluation this winter. It appears that an amphibious Nodwell might come close to being an ideal military support vehicle for worldwide use.

For bulk movements, larger carriers of this general type are being examined. In Exercise Great Bear, the 12-ton Nodwell transporter was very effective.

We have recommended that the 12-ton transporter be built so that several powered trailers can be assembled into one rig and operated from a single control car. This will produce a tracked overland train which will make major savings of personnel in long-haul support operations. We understand that a contract for construction of the first tracked train prototype may be signed shortly. The Navy is considering employment of four of these units in Antarctica.

Vehicles with a higher order of cross-country mobility will reduce the requirement for road construction in undeveloped areas. However, engineer support is needed for bridge construction and other obstacle-crossing tasks. Engineer equipment supporting cross-country operations must have the same cross-country mobility as the force it supports. As a move in this direction, USARAL has requested and should shortly receive three 5-ton dump trucks built on the Nodwell chassis.

Construction equipment itself needs redesign to low ground pressure configuration. Standard construction tractors regularly become bogged down in warm springs during USARAL winter maneuvers. A D-8 bulldozer sank to the cab during Exercise Great Bear. A family of wide-track construction tractors should be made available for general issue.

Another USARAL approach to a relatively lightweight recovery vehicle is illustrated in this photograph. An M-8 cargo tractor was equipped with the boom assembly from a standard 5-ton wrecker. This rig is powerful enough to handle an M-59 armored personnel carrier.

### INLAND WATERWAYS MOBILITY

Northern rivers, like those of other undeveloped areas, can be used effectively for tactical and logistic movement for field operations. USARAL uses Tanana River boats powered with outboard motors. The Transportation Board is now evaluating hydrojet propulsion systems for possible use in northern rivers. The hydrojet system uses a high-pressure water jet instead of a screw propeller and is especially suitable for shallow water operations. We hope to see by next spring a prototype boat for undeveloped area operations which will consist of an aluminum hull built on the Tanana River pattern with a hydrojet powerplant.

In an approach to more effective use of rivers for logistic support, USARAL will experiment next summer with operation of LARC-5's in inland waterways. The amphibious LARC should be able to travel rapidly along the axis of wandering streams, moving with equal ease in water and over sandbars and mud flats.

Improvements in inland waterway capabilities in northern areas are directly related to inland waterway operations in jungle area and other undeveloped regions.

### WEAPONS MOBILITY

For ground fire support of mobile forces, we need light artillery which can be transported by helicopter. USARAL is now using pack 75-millimeter howitzers for fire support of air-mobile infantry units. The new lightweight 105-millimeter howitzers will provide a bigger punch in a helicopter-portable weapon.

In summertime, tanks, self-propelled artillery, and armored carriers are able to plough through thawed muskeg as long as they can reach permafrost beneath the mud; but these vehicles bog down when the muskeg is too deep for them to get a footing on the frozen layer. Development of low ground pressure combat vehicles is a pressing need.

Armed Army aircraft can provide a partial solution to the northern operations requirement for mobile firepower. We need the capability, which armed helicopters and fixed-wing aircraft could afford, for fire support of air-mobile forces and for suppressive fire to cover movement of helicopter-borne forces.

### OTHER TYPICAL REQUIREMENTS

Combat operations in northern areas must be able to rely on dependable and responsive logistic support. Fuel supply is a major problem. USARAL utilizes flexible storage tanks and rolling liquid transporters for field supply of POL. To complete this system, a flexible pipeline, suitable for cold weather operations, is needed. The present field pipeline is not satisfactory at temperatures below −10° F.

Shelter is a general problem. We have asked the Corps of Engineers to investigate the possibility of using excavations in permafrost for the storage of fuel and dry stores, for command posts and troop quartering areas, and for other purposes. The Cold Regions Research and Engineering Laboratory has included a project for investigation of this idea in its current year Alaskan research program.

Better tentage is required. Current tents are heavy, hard to erect on frozen ground and in high winds and difficult to heat. We are evaluating a commercial tent with an external frame, the design concept of which appears promising.

Portable, expandable, rigid-wall shelter is needed for field activities which require more or less fixed installation of equipment or which require special environmental protection. This is a simple, fold-out van which was evaluated in Exercise Great Bear. This photograph illustrates the method by which the van is expanded from a traveling width of 8 feet to a working width of 23 feet.

The requirement for better shelter applies particularly to field medical operations. Our hospital goes into the field with ward tents in which we can't get the temperature at bed level above 30° when the outside temperature is 30 below zero. A van-mounted hospital like the one in this drawing may be desirable for northern operations.

There are many other requirements for improvement of field medical facilities and equipment. The Army Medical Service has concentrated much of its effort on basic research and, as a result, much of our equipment is far from satisfactory. The USARAL field hospital operating room, for example, is equipped with a scrub sink made out of 55-gallon drums.

We have a number of individual equipment problems. For example, an insulated canteen is urgently needed. A cold weather canteen has been developed but production was deferred at first for lack of funds and manufacturing difficulties have now delayed the first test production run. It appears that, during the coming winter, soldiers in northern areas will still have no way to carry water with them and keep it wet.

Creation of fully effective northern operations capabilities depends upon satisfaction of the requirements we have discussed and many others of which these are typical.

### SUMMARY

Northern winter operations require good, low-temperature performance from equipment and men. The same capabilities are no less important in the winter cold of the North Temperate zone.

Northern summer operations require the capability to move freely over thawed muskeg and marsh. The same capability is necessary for military operations over such classic barriers as the Pripet Marshes.

The environmental conditions characteristic of the north occur in much of the rest of the world. The equipment designs and operating techniques developed to insure effective combat operations in the cold, mud, and swamp of the north represent a significant improvement of Army combat capabilities in all environments.

At the recent American Legion national convention, Gov. William A. Egan of Alaska was critical of the services—stating that the withdrawal of heavy armament and materiel important to the defense of the State of Alaska by the High Chief was endangering the people of his State. Further, that the inadequacy of missiles, etc., was an abandonment of the area as a deterrent force. It is difficult to accept such a statement as a factual observation on the part of anyone less informed, but the spoken words of the Governor should not go unheeded. This administration must assume the responsibility of a strict investigation into this matter and then immediate action should be taken to supplement the present ground, air, and sea power for the protection of the citizens of Alaska—if the Governor's claim is substantiated. We shall await the outcome.

The U.S. Army Arctic Test Board in its operations certainly reflects terrific air, land, and sea power for the defense of Alaska and as a deterrent to an out-and-out assault upon the United States proper.

### U.S. ARMY ARCTIC TEST BOARD

### 1. HISTORY

a. Pages of history are filled with classic examples of major military catastrophies which were the direct result of failure to adequately prepare to fight under extreme climatic conditions. The nation which is not so prepared to fight is inviting disaster. Experiences gained during World War II demonstrated that the U.S. Army was not adequately prepared to fight under even mildly adverse conditions. As a result of the experiences gained during World War II, the War Department organized a group of task forces to test U.S. Army equipment under arctic and near-arctic conditions. Task Force Frigid and Task Force Williwaw tested U.S. Army equipment during 1946 and 1947. While these task forces gained a wealth of information, there were limitations and disadvantages which made such operations both expensive and impractical. Time required to establish units on test sites, lack of a period of acclimatization for both personnel and equipment, lack of continuity and lack of experience in extended or year-round testing were a few of the major disadvantages in the utilization of task forces.

b. As a result of experience gained during Task Force Frigid, it was recommended that a permanent test organization be established, with test groups representing each of the permanent boards located in the Zone of the Interior. The test site recommended was located approximately 5 miles south of Eielson Air Force Base, approximately 26 miles southeast of Fairbanks. The location recommended was excellent, since the climatic conditions and an excellent railhead required were available; however, no facilities existed for immediate occupancy.

c. In 1949 the Department of the Army ordered the organization of the Arctic Test Branch at Big Delta Air Force Base (now known as Fort Greely), Alaska, 76 miles southeast of the location recommended by Task Force Frigid. A cadre for the organization was activated at Fort Knox, Kentucky, in March of 1949 by the transfer of personnel from each of the Army Field Forces Boards located in the Zone of the Interior. The organization was moved to the Big Delta Air Force Base in July of 1949 and test operations were initiated shortly thereafter. In January of 1957, the Arctic Test Branch was designated the U.S. Army Arctic Test Board.

### 2. LOCATION

Fort Greely, Alaska, home of the U.S. Army Arctic Test Board is located at the junction of the Alcan and Richardson Highways, approximately 104 miles southeast of Fairbanks and 335 miles north of Anchorage, Alaska. In addition to being the home of the U.S. Army Arctic Test Board, other organizations located at Fort Greely include the U.S. Army Garrison, Fort Greely, the Cold Weather and Mountain School, and the U.S. Army Chemical Corps Test Team. Fort Greely is approximately 6 miles south of Delta Junction. Though hard pressed to keep place with Fort Greely's rapid growth, the Delta Junction Community today boasts a branch of the Alaska National Bank, two variety stores, a law office, automobile and electrical repair shops and other modern shopping conveniences. Housing, however, is at a premium. Most of the housing located in Delta Junction is substandard, with but a few modern homes. There are limited hotel accommodations and restaurants available for travelers.

### 3. MISSION

The mission of the U.S. Army Arctic Test Board is to "conduct service tests and recommend type classification of new equipment; furnish guidance to developing agencies during development; participate in troop tests; observe and review performance of standard items; prepare and review military characteristics when required; and assist schools in preparation of training literature and selection of training aids."

### 4. FIELDS OF RESPONSIBILITY

The field of responsibility embraces all types of field army equipment for the purpose of conducting required Arctic and subarctic tests, studies, and investigations. The U.S. Army Arctic Test Board functions as the Arctic Test Agency for U.S. Continental Army Command. In considering the mission of the U.S. Army Arctic Test Board, there may be a tendency on the part of a great many people to talk and think of the Arctic in terms of remote regions of the far north and the polar ice packs. The U.S. Army Arctic Test Board stresses the concept of testing under severe climatic conditions found in all northland regions, including the northern part of the United States, rather than emphasizing test operations only under climatic extremes encountered in the polar regions. Cold weather testing starts at freezeup approximately mid-October and continues throughout the winter months and into breakup, approximately mid-April. Varying temperatures ranging from 0 to 50° to 60° below zero, are useful in gathering test data on the lower thermal operating limits of equipment; equally important, however, are durability and reliability data developed from daily testing over the extended winter months with varying amounts of snow cover and summer tests over muskeg and other arctic terrain.

### 5. ORGANIZATION AND FUNCTION

(a) The U.S. Army Test Board is a class I agency of Headquarters, U.S. Continental Army Command. In order to carry out the assigned mission, the Board is organized in two functional staffs, corresponding to its testing and administrative functions.

(b) Under the Board President, the Deputy for Test coordinates all test activities of the Board. To assist the Deputy for Test he has an Operations Division, which includes the Operations Officer, Project Review Officer, and Photographic Officer, and four Test Divisions.

First. The Operations Division operates a Reproduction Branch and a Photographic Branch. The Operations Division reviews and routes all research and development information which is sent to the Board, supervises preparation of plans of test and reports of test which are generated within the Board, and coordinates the activities of the test divisions. The Reproduction Branch provides test personnel with all required stenographic and reproduction support. The Photographic Branch provides ground and aerial photographic support in black and white and color, both in still and motion pictures. The Photographic Branch processes and prints black and white and color still photographs, produces transparencies and slides, does studio photography and copy work, edits and titles motion picture film and provides audio-visual projection service. Graphic Arts Section provides drafting, chartmaking, artwork and other graphic arts support to include Ozalid reproduction. The annual workload consists of producing approximately 13,000 black and white and 500 color negatives; 86,000 black and white and 100 colorprints; 650 slides; exposing 18,000 feet of motion picture film; preparing 1,800 drawings, charts or sketches; 2,000 Ozalid reproductions; and the operation and maintenance of 165 pieces of photographic equipment.

Second. The function of the four Test Divisions within the Board parallel in general the function of the six U.S.-CONARC Test Boards located in the lower 48 States. Test Division 1 is primarily interested in artillery and ground-to-ground communications equipment. Test Division 2 is primarily interested in armor equipment to include combat vehicles, general-purpose vehicles, special-purpose vehicles, and heavy engineer equipment. Test Division 3 is primarily concerned with infantry and airborne equipment; in addition this division also tests medical, chemical, and quartermaster items. Test Division 4 conducts tests on aircraft, both fixed- and rotary-wing, aircraft communications equipment, and other related aviation items.

(c) The Deputy for Administration is responsible to the President for the supervision and functions of the Supply Division, Maintenance and Transportation Division, Headquarters and Headquarters Company, and the Personnel Branch. He supervises the Board construction program and coordinates administrative matters with Fort Greely and other U.S. Army, Alaska, agencies.

(d) The U.S. Army Arctic Test Board has an authorized strength of 31 officers, 4 warrant officers, 323 enlisted men, and 10 civilians to accomplish the assigned mission.

### 6. ROAD AND RAIL FACILITIES

The Arctic and subarctic in most areas of the world are characterized by an almost complete lack of road network and rail facilities. Alaska is no exception. The principal road network in Alaska is limited to the Richardson Highway between Fairbanks, Glennallen and Valdez; the Glennallen Highway between Glennallen and Anchorage, and the Alcan Highway between Delta Junction and Canada and the smaller 48 States. Other highways of some military importance are the Steese Highway between Fairbanks and Circle and the road from Tok Junction to Glennallen. Rail lines within Alaska are limited to the line connecting Seward, Whittier, Anchorage, Fairbanks, and Eielson AFB. Supplies and equipment for the U.S. Arctic Test Board shipped by water transportation arrive at Seward, Valdez, or Anchorage. From these terminals the supplies and equipment are transported by truck to Fort Greely or shipped by rail to Fairbanks or Eielson AFB, hence transported by truck to this Board. The nearest rail terminal for this Board is located at Eielson AFB, a distance of 76 miles. Air terminals include the military and civilian installations in the Fairbanks and Anchorage areas. Big Delta Airport, located at Fort Greely, is operated by the Federal Aviation Agency and is capable of handling heavy cargo aircraft such as the C-124.

### 7. TERRAIN AND CLIMATIC CONDITIONS

(a) Fort Greely is located 175 miles south of the Arctic Circle. The terrain is ideally suited for testing due to the variety found in the local area. Duplicated in the area, are representative types of typical Arctic and subarctic geographic features. In the Fort Greely area rolling terrain, tundra, marshy bogs, dense subarctic forests, treeless barrens, mountains, glaciers, rivers, lakes, potholes and swamp areas may be found. Snow cover varies from practically none in the windswept barrens to 8 or 10 feet in heavily forested areas. Winds with velocities up to 80 miles an hour occur.

Basic: Thermal stress-acceptable performance within a range of air temperature from −25° F. without benefit of solar radiation to 115° F. with the impact of solar radiation.

Extreme cold weather: The basic equipment may be modified to meet these conditions or special equipment or kits may be developed.

Thermal stress: The air temperature range for functioning of equipment is extended to −65° F. without benefit of solar radiation.

(b) Climatic conditions in the Fort Greely area vary. Seasonal light and heavy rain or snow storms are common. Temperatures below −40° F. occur several times and minimum lows of below −50° F. are usually encountered each winter with an occasional period below −60° F. Summer temperatures range from as high as 80° to 90° F. for brief periods during June, July, and part of August.

(c) Plans of test, prepared by the U.S. Army Arctic Test Board, generally specify the seasonal climates under which the test is to be conducted. The requirements vary greatly, but one element which all have in common is temperature. In practice it is the temperature which determines so-called testing weather. For that reason, a study of temperature gives a good clue as to the availability of testing weather at Fort Greely. It is dangerous to generalize about weather conditions, particularly where temperature is concerned, because of the extraordinary variability. The only certain thing is that each year will be different from the preceding year.

(d) Contrary to popular belief the cold center or "cold pole" of the arctic does not lie in the Arctic Sea near the North Pole. In fact there are two cold centers, both are some distance inland and both strangely enough lying below the Arctic Circle. One center is located in Siberia. This area reports its coldest day as −90° F. The cold center on the North American side is located within the triangle of Fairbanks, Alaska; Good Hope, Yukon Territory; and Snag, Yukon Territory. The Arctic Test Board is located within this triangle. Low temperatures in this area go to about −50° F. normally with an extreme of −70° F. having been reported at Good Hope and a low of −80° F. at Snag.

(e) Normally the temperature will drop below zero for the first time during the month of October, and will occasionally reach -40° F. during November; however, such conditions are short lived, lasting only a few hours. By December the sun's influence becomes negligible, and

-30° to -60° F. temperatures can be expected of 2 to 5 days duration one or more times during the month. January and February have the coldest mean average temperature, January having a lower mean temperature, but February usually bringing more days with intense cold. The month of March is characterized by temperature extremes with short periods of -40° F. temperatures and below alternating with similar periods near +32° F. This is a result of increased solar radiation which produces warm days followed by extremely cold nights. Thereafter, except for occasional short periods of subzero temperatures, the temperature climbs above zero to stay. Thus extreme temperatures of -30° to -50° F. can be expected less than 10 percent of the time during a period of 4½ months. Unfortunately during the coldest part of the test season, daylight is at a premium. On the shortest day of the year the sun appears above the mountains shortly after 1100 hours, executes a flat arc across the sky, and disappears again by 1300 hours. Twilight precedes and follows the sun for approximately an hour and a half. As the days lengthen during the latter part of January and February, the sun's heat makes itself felt, raising the temperature by as much as 30 degrees during the morning hours and limiting the utility of cold periods for tests that depend on low temperatures. By March 21, the sun is again above the horizon 12 hours per day and a heat accumulation has begun.

(f) Cold spells, which usually last from 36 to 48 hours but may extend for as much as 2 weeks are normally brought to an end by high wind. Since the location of the testing areas is near a high mountain range, in a long narrow valley at the mouth of a pass, and in a region of strong pressure differences, and natural air circulation, Fort Greely records the windiest climate in the interior of Alaska. Cloudiness is another element which prevents the formation of low temperatures. Clouds act as a blanket, keeping the earth's heat from escaping and trapping incoming radiation. The thinnest cloud layer can hold the temperature 10 degrees above what it would have been under clear conditions. During the winter months an intense temperature inversion exists such that temperatures aloft between 1,000 feet and 20,000 feet are frequently warmer than surface temperatures.

(g) An interesting but aggravating weather phenomenon associated directly with low temperature is ice fog. When temperature reach -30° F. in inhabited areas, ice fog formation is a certainty. Ice fog consists of microscopic ice crystals which form on smoke particles and is mostly the result of combustion of gasoline and oil. It is observed locally only about 5 percent of the time, but it represents a severe handicap since it occurs during the best testing weather, often restricting visibility to less than one-sixth of a mile. During extreme cold it collects in engine air intakes and results in engine suffocation.

### 8. REAL ESTATE

(a) The U.S. Army Arctic Test Board has a direct or indirect interest in approximately 680,000 acres or 1,062 square miles of real estate. This real estate is divided into a firing area and a nonfiring area.

(b) Firing area: The area presently utilized by this Board as a firing area consists of approximately 575,000 acres. This area includes an impact area, which at the present time is sufficient to meet the Board's requirements for testing of current projects. In addition to the impact area, the firing area contains an artillery range, tank range, mortar range, known distance and combat range, pistol range, and special purpose ranges. Since some projects assigned to this Board are highly classified, the firing area also includes the necessary maximum security areas. Firing points and ranges are so located that weapons of all types can be fired from separate firing points into separate impact areas simultaneously.

(c) Nonfiring area: This Board presently utilizes an area of approximately 52,000 acres as a nonfiring test area. This area contains a drop zone of approximately 500 cleared acres, which is utilized to conduct airborne tests to include jumping of personnel, aerial delivery and recovery of weapons, vehicles, and other equipment. Free drops of certain supplies from various aircraft are also conducted. In addition to the drop zone, the nonfiring area contains a vehicle terrain capability course, which consists of approximately 20 miles of secondary roads, waterways facilities, to include lakes with a minimum water depth of 20 feet, rivers, muskeg areas, hilly, flat, wooded, and cleared terrain. The area is also utilized for testing of aircraft, both fixed- and rotary-wing, and to test aircraft flotation devices on water, snow, and muskeg. Additional items of equipment, such as sleeping bags, cold weather uniforms, tents, skis, snowshoes, and items utilized by the individual soldier are also tested in the nonfiring area.

(d) Support facilities: In addition to the firing and nonfiring areas, the Board has support facilities on the post proper. These facilities include the Board headquarters, photographic and illustration branch, maintenance facilities, to include wheeled and tracked vehicle shops. Maintenance up to and including 4th echelon on various types of test and standard vehicles is performed in support of the Board mission. Also on the post proper are the necessary supply installations, aircraft hangars, and maintenance facilities.

(e) Permanent buildings: The Board occupies nine permanent buildings on the main post, totaling 123,586 square feet. The current value of these facilities is approximately $5 million.

(f) Temporary buildings: The Board occupies 18 temporary buildings in the cantonment area, totaling 60,686 square feet. These structures are used in conjunction with activities of Divisions 3 and 4. A major portion of this space is devoted to the hangar at the Big Delta Airport, a portion of which is shared with post activities. The hangar is a wooden structure built in 1943 to support ferrying lend-lease aircraft to the U.S.S.R.

(g) Ranges: Facilities have been developed and built by the Board to serve a variety of purposes, due to differences encountered in the annual testing program. Primary usage and facilities at each location is shown below:

First. Sawmill range is operated by Division 3 and is utilized for testing grenades, mines, short-range direct-fire weapons, and miscellaneous items. It contains a maximum security area totaling 3.9 acres. The cleared area for test operation contains 17 acres. Installed facilities include:

(a) A fenced security area.

(b) Two semipermanent buildings totaling 1,380 square feet.

(c) An all-weather two-way access road 1.3 miles in length.

(d) A powerline from the central post generating plant.

(e) A single-lane graveled road 0.8 mile in length, connecting the 600-yard storage area at the known distance range to the sawmill complex.

(f) Two house trailers used for data collection, security guard, and warmup purposes.

(g) Sandbag bunkers for protection of personnel.

Second. Known distance range is operated by Test Division 3 and contains 10 firing points at appropriate 100-yard and 100-meter distances. Installed facilities include:

(a) A reinforced concrete storage and warmup building totaling 800 square feet, located in rear of the target butts.

(b) A temporary structure built over the conventional pit facilities to prevent snow from drifting into the pit.

(c) Underground communication network from all firing points to the pits with provision for a post communication tie-in.

(d) Post electricity to the pit complex.

(e) A wooden frame range office building totaling 760 square feet.

(f) Two Jamesway storage buildings totaling 2,304 square feet located at the 600-yard line storage area—1.9 acres in extent.

(g) One quonset hut totaling 970 square feet utilized for warmup and messing purposes.

(h) Total clearing in the area amounts to 15.2 acres.

Third. Davy Crockett range is operated by Test Division 3 and was constructed for testing of the named weapon. Adjacent to this range, but included within the Davy Crockett acreage, is an area suitable for combat firing of small arms weapons and miscellaneous usages. Installed facilities include:

(a) An elevated firing ramp at the firing point, suitable for track or wheeled vehicles.

(b) A blast wall for protection of personnel.

(c) A trailer house for data collection and warmup purposes.

(d) Central post power to the warmup facility, with floodlight adaptability.

(e) One Jamesway hut housing a power generator totaling 256 square feet.

(f) Total cleared acreage is 103 acres.

Fourth. Recoilless range is operated by Test Division 3 and is used to test all types of longer range direct-fire weapons except tanks. Included in this are infantry rocket launchers, recoilless rifles, and antitank guided missiles. Central post power is available. Firing platforms and target berms are located to permit firing at all ranges between 100 and 2,000 meters. A wanigan is available for data collection and warmup.

Fifth. Beales range is operated by Test Division 1 and was constructed for the testing of both self-propelled and towed artillery weapons. Installed facilities include:

(a) Eight prefab, semipermanent, metal buildings totaling 7,680 square feet, for offices, signal maintenance, and storage.

(b) Two prefab (Cass) buildings for classroom and maintenance, totaling 1,628 square feet.

(c) Two Jamesway buildings for maintenance of artillery weapons, totaling 2,510 square feet.

(d) One wooden frame building for wire maintenance and storage, totaling 825 square feet.

(e) Two wooden frame generator buildings, totaling 1,225 square feet.

(f) Two house trailers for guard personnel, totaling 500 square feet.

(g) Two wooden frame latrines, totaling 300 square feet.

(h) One concrete block wellhouse (25 square feet).

(i) One wooden frame meteorological balloon inflation building with 450 square feet.

(j) Ten sandbagged bunkers for ammunition storage and personnel protection, totaling 661 square feet.

(k) Miscellaneous cabins and trailers to provide warmup areas at ten (10) separate observation posts, totaling approximately 929 square feet. One observation tower 22 feet high containing a shelter on top, totaling 100 square feet.

(l) Post power line to Beales Range complex with power line extension to the firing line.

(m) The building complex at Beales Range contains 7.15 acres.

(n) The cleared acreage of the Beales Range firing line totals 185 acres.

(o) A 2.7 mile all-weather road network of gravel fill.

Sixth. Bolio Lake Test Site is a centralized facility devoted primarily to nonfiring test activities. Items tested include individual clothing and equipment, rations, tentage, and cold-soaking of vehicles and aircraft. Installed facilities include:

(a) Four semipermanent metal buildings, totaling 3,840 square feet.

(b) One concrete block wellhouse, 25 square feet.

(c) Several temporary structures to provide storage space, power generation and latrine facilities, totaling 1,344 square feet.

(d) An all-weather two-way gravel road 1.7 miles long.

(e) A building complex of 4.6 acres.

(f) Driving trails for cross-country vehicle testing.

(g) A ski slope used to support testing activities.

Seventh. Center OP is used primarily for mortar firing; however, short-range antiaircraft weapons (Redeye), portable flamethrowers, and nonfiring items are also tested here. Included are two surveyed observation posts for use in observation of mortar and artillery firing. This facility includes a mortar firing point. The area is divided into two parts which are used primarily by Test Divisions 1 and 3. The Test Division 3 portion contains 13.9 acres; the Test Division 1 portion contains approximately 6 acres. Installed facilities are in Test Division 3 area and include:

(a) A large underground bunker.

(b) A semipermanent metal building, totaling 960 square feet.

(c) Two large Jamesway type shelters, totaling 1,760 square feet.

(d) Two houses trailers, totaling 500 square feet.

(e) Wooden frame buildings for power generation and latrines.

(f) An access road from Meadows Road to the mortar firing point, 1.4 miles in length.

Eighth. Tank Range is operated by Test Division 2 and is used primarily for test firing of tanks and as a center for cross-country vehicle testing and vehicle cold-soaking. Installed facilities include:

(a) Three semipermanent metal buildings, totaling 3,020 square feet.

(b) A concrete block and frame observation tower, totaling 480 square feet.

(c) A 10,000-gallon steel and concrete fuel storage tank.

(d) A fenced concrete ammunition security enclosure, totaling 3,600 square feet.

(e) Six concrete firing pads for tracked vehicles.

(f) Under-surface electrical circuit to illuminate seven target areas varying in distance from 500 yards to 2,000 meters.

(g) One wooden frame latrine, totaling 112 square feet.

(h) Total cleared acreage of 101 acres.

Ninth. Drop Zone is operated by Test Division 3 in support of airborne test activities. The Drop Zone is located approximately one mile east of the Big Delta Airport. The Drop Zone contains 516 acres of cleared land which is being expanded to provide 50 percent additional area.

(h) Air Space: This Board has exclusive and continuous use of air space over the impact area (R–2202) from 0 to 60,000 feet. In order to adequately test weapons, missile systems and ammunition, the test must be conducted during the lowest temperatures and worst climatic conditions. It is necessary to fire through fog, clouds, snowfall, and rain. Testing is conducted 24 hours a day when the necessary temperatures and weather conditions prevail. The land area and air space presently utilized by this Board are sufficient to support the current test season. However, an analysis of the Research and Development Program indicates that as longer range weapons and missiles become available for testing, range facilities, impact areas, and air space will have to be increased to a great extent.

### 9. STATUS OF TESTING PROGRAM

(a) This Board has completed and forwarded Reports of Tests on over 800 projects since 1949. Reports of Test are dispatched to the Commanding General, United States Continental Army Command, in the number specified in the test directive.

(b) The length of time required to complete arctic tests varies widely. Forecast of dates of completion of tests is under continuous study in order to prevent rescheduling. Generally, tests, progress, and completion dates are dependent on timely arrival of equipment, testing weather, reliability of material while under testing and timely arrival of technical representatives at the Board to effect modifications, or familiarize personnel on complex items of equipment.

### 10. WEATHER SERVICE FACILITIES

(a) When the U.S. Army Arctic Test Board was organized, the importance of weather to its operation was immediately recognized. The requirement for weather assistance was placed upon the U.S. Air Force and a Weather Detachment consisting of one officer and six airmen was attached to this Board. In September of 1960, the U.S. Signal Corps took over the responsibility of providing weather service and a Signal Weather Detachment was attached to Headquarters, Fort Greely. The mission of the Weather Detachment is to furnish short and long term weather forecasts for the U.S. Army Arctic Test Board, Headquarters, Fort Greely, the Cold Weather and Mountain School, and other Army units deployed in the area. The Weather Detachment also furnishes ballistic data as required for firing artillery and missiles. In addition to the meteorological instruments located at each firing range and other test sites, the Weather Detachment's forecasting section is located in the aircraft hangar at the airfield. Radiosonde stations are located on the main road between the airstrip and the New Post and the artillery firing pad at Division 1.

### THE PROBLEM OF THE INDIVIDUAL LOAD IN THE ARCTIC

Equipment carried: one rucksack, with suspenders; one rucksack, overwhite; one cap, field, cotton; one mittens, insert, wool; one gloves, anticontact; one bag, sleeping, arctic with cover; one pad, inflating; one sunglasses; one canteen and cup with cover; one mess kit; one tool, entrenching; one ration C; one mountain brush; one chapstick; one case, match, waterproof; one pouch, first aid, with packet; one cap, field pile; one kit, toilet articles; two socks, cushion sole; three handkerchiefs; one bayonet, with scabbard; one foot powder; one belt, cartridge; one compass; one rifle, M1; one gas mask; two bandoleers, .30-caliber ammo; one thong, rawhide; one fire starter; one flashlight; one sunburn cream; one spoon; one knife, pocket; one bag, waterproof; one poncho; one muffler.

Equipment worn: one underwear, winter; one suspenders; one shirt, wool, OG; one jacket, field, with liner and hood, with fur ruff; one parka, with liner; one trousers, field with liner; one helmet, steel with liner; one socks, wool, cushion sole; one mittens, arctic, with insert, wool; one tags, identification with necklace; one parka, overwhite; one trousers, overwhite; one mittens, overwhite; one boots, rubber insulated, white; one snowshoes; one underwear, summer.

Total of 97 pieces of equipment: worn, 49 pounds 15.5 ounces; carried, 73 pounds, 5.5 ounces.

Total weight of man and equipment: 307 pounds, 5 ounces.

## THE TRAGIC GULF BETWEEN THE UNITED STATES AND THE DOMINICAN REPUBLIC

Mr. ALGER. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CRAMER. Mr. Speaker, today, I see that Great Britain has recognized the triumvirate Government of the Dominican Republic, following the lead of Spain, Portugal, Nationalist China, and Honduras.

Still the United States refuses even to communicate, officially or unofficially, with the triumvirate and continues to pay heed, apparently, to the discredited administration of Juan Bosch who has been proved incapable as a president, too soft on the Communist menace, and unwilling to carry out reforms promised the people.

After the overthrow of Trujillo, the dictator, the United States quickly recognized the consejo made up of many of the foremost leaders of the Dominican Republic. These dedicated men set up the constitutional elections and the needed reforms which Juan Bosch refused to carry out.

The United States refuses now to recognize the fact that many of the same dedicated people are officials in and supporters of the triumvirate that has been set up by the junta to help the Dominican Republic. As a matter of fact, the United States has gotten itself into the stupid and untenable position of not being even willing to talk to any representatives, officially or unofficially, of this triumvirate.

I repeat, many of the leaders are those who were involved in the overthrow of Trujillo, or in the consejo which followed Trujillo's dictatorship, or were prominent in Bosch's government but became disenchanted with his incapabilities, lack of leadership, and his refusal to clamp down on the Communists.

For instance, Manuel Tavares, a member of the present triumvirate, was Finance Minister under Bosch. Roman Tapia was in Bosch's cabinet and remains on the triumvirate. Emilio de los Santos, president of the electoral system of the consejos, has joined the triumvirate as President. Vinas Roman was Secretary of the Armed Forces under Bosch and remains in that position. Delisario Peguerio was chief of police under Bosch and remains in that position. Donald Reid was in the consejo and is now Foreign Minister. Ambassador Bonilla, prominent in Bosch's government, is presently Ambassador to the OAS, was in the consejo, and is one of the principal architects of the Dominican Republic's constitutional government.

The American people are entitled to know the true facts about the Dominican Republic and the clumsy, incompetent manner in which our State Department has handled the problem since the coup that overthrew Bosch.

I am for constitutional government and against dictatorships. It appears that those who are engaged in the triumvirate are determined to return to constitutional government as soon as possible, have avoided continuing a police state setup by turning over government to civilians that have the confidence of the people, and are as dedicated as was the Consejo to the goals of maximum freedom.

Of particular note, they have proclaimed their hatred for and willingness to oppose atheistic communism.

The United States has created an impossible and highly explosive situation that could be ignited any time by continuing to favor Bosch and his followers and by not even talking to the representatives of the triumvirate. This is most ironic and tragic when it is realized that most of the leaders of this triumvirate are the same dedicated Dominicans that upset Trujillo and joined in the consejo in an effort to win stability with constitutional freedoms and economic security; that they are largely the same people the United States so glowingly complimented for their work in the consejo; that they are apparently desirous of making assurances of a return to full freedoms for their people as soon as practical—but that they cannot even get to talk to any representative of the U.S. Government.

It raises a serious question about the soundness of the decision being made by the State Department. It gives further credence to the oft repeated charge that the ultra left leaders in Latin America are really running our foreign policy as it relates to the Caribbean and are the ones insisting on a return of Bosch, a fellow liberal leftist, to power.

It is time we made our own decisions and opened up avenues of at least communication with the people who we know are dedicated to freedom for the Dominicans because they fought for those freedoms against Trujillo. We recognized them as members of the consejo, we dealt with many of them as officials in the Bosch administration, we praised them for their efforts in behalf of the Dominican Republic. Now we will not even speak to them.

The following articles and documents substantiate the fact that we are courting internal strife in the Dominican Republic with our present policies. It is time for a careful look at what is really going on in that country. If, as all evidence indicates, assurances will be given that the triumvirate is determined to return to constitutional government at the earliest possible date then the United States should at least open up the avenues of communication.

After all, if the New Frontier while claiming to oppose communism can welcome Tito to the White House, knowing that he is a Communist dictator, the State Department should be able without losing face to figure out some way to open up communications with the triumvirate that is strong anti-Communist in the Dominican Republic.

[From the New York Herald Tribune, Oct. 23, 1963]

### Tragic Gulf Between United States and the Dominican Junta

(By William Haddad)

SANTO DOMINGO.—Both the United States and the Dominican Republic are headed for disaster in the Caribbean because of what diplomats usually label "a lack of communication."

From long and detailed discussions with both the civilian leaders and their military backers here, it appears the Dominicans are prepared to initiate the conditions needed to bring about recognition and resumption of assistance.

But between their desire and U.S. need lies a tough negotiating session and—right now—there are no channels for negotiation. The situation is further complicated by a growing suspicion and a hardening of attitudes.

The United States wants a rapid return to the constitutional government which ended last month when President Juan Bosch was deposed by a combination of civilian and military leaders after only 7 months in office. Sharp congressional reaction to the coup d'etat has only stiffened this position.

The civilian junta has promised a "return to constitutionality" but set a timetable not acceptable to the United States.

But, in a 2-hour meeting with the three-man junta, the Herald Tribune was told:

"One of the greatest virtues in a man or a state is the ability to recognize a mistake and the ability to change. We are not inflexible. As far as we are concerned, we wish elections and constitutionality to come through tomorrow so we can go home. We want some realistic workable formula so that this can come about in a practical and not a theoretical way."

When pressed for a time schedule, the junta came close to what is known to be an acceptable formula to the United States.

On another key issue—broadening the government to include members from the deposed political parties—there was some disagreement within the junta. This reporter waited while the three men, who work closely and easily together, candidly discussed the pros and cons of their answer to the Herald Tribune. In the end, Dr. Manuel Tavares, a Yale-educated industrialist, spoke for the junta:

"It is possible that we would allow the good elements of these parties to participate in the government while preparing for the elections."

This, too, is a vital factor involved in U.S. recognition.

How then, when the two positions seem so close together in private, can they be so radically apart in public?

A clear example of the problem comes in an analysis of a meeting last week between American Chargé d' Affaires Spencer King and Dr. Tavares. Since the United States has removed its Ambassador, Mr. King is the senior American official.

The meeting was arranged when a friend of Dr. Tavares' brother learned from some one in the Embassy that Mr. King wanted to see him, a necessary subterfuge since, officially, the United States and the Dominicans aren't talking.

At the meeting, Mr. King said he understood that a certain American (whose name is being withheld by the Herald Tribune) had been assuring the junta that the United States would recognize their government and this may have led the junta into a false view of the U.S. position. This American, Mr. King said, doesn't represent the United States.

To make sure that the junta understood the U.S. position, Mr. King said, he was seeking the junta's attitude toward a proposal that a return to constitutional government could be achieved by the junta stepping down in favor of Dr. Juan Casasnovas Garrido, president of the senate.

This, he indicated, would result in recognition and assistance.

Under the Dominican Constitution, when the President and Vice President are absent from the country, the president of the senate takes over.

"If the United States had proposed the return of Bosch," Dr. Tavares said, "I'd have been less surprised. The Casasnovas proposal was the product of people who don't understand why the coup d'etat took place and what is happening here now. To advance such a totally unacceptable proposal in this formal way certainly won't help speed a return to constitutional government."

One of the principal motivating forces for the military's participation in the coup was their fear—right or wrong—that Communists were getting into positions of power. Some of those Communists were believed by the military to be working with Mr. Casasnovas.

Dr. Tavares took Mr. King's proposal to the other two members of the junta, and the three of them decided to wait until "our foreign relations man," Donald Reid, returned 5 hours later from the United States. All three got into an automobile later that evening and went to the airport to see Mr. Reid.

When they returned to the city, Dr. Tavares received a call from a newspaper publisher about an Associated Press story on the U.S. demands. This infuriated the junta who, though angry, had decided to consider the proposal and return a quiet diplomatic answer. With the publication of the story, they were forced into a public position of denouncing American intervention in the internal affairs of the Dominican Republic.

By now it was after midnight, and the junta returned to the palace, only to find no staff present. Sitting at typewriters, they drafted the reply to the United States and called in Mr. King to read it to him.

Disaster was narrowly averted when the junta withdrew a demand for the removal of the Embassy's political officer, an act which would all but end any chance of U.S. recognition. It also would end U.S. influence to return the Dominicans to a democratic government.

There it was, a mysterious American who does not work for the State Department, but with enough credentials to have the junta believe that the Embassy's position was a political facade, a proposal which was the worst possible suggestion in the eyes of the junta, a newspaper leak—all adding up to near disaster.

The junta, in its conversations with the Herald Tribune, emphasized that they and not the military, were running the country. The United States is convinced that, on major decisions, the military has the final say.

"I'm no one's stooge," Dr. Tavares said. "Our friends pushed us into this role. We didn't want it. When the military took over, they called in the six opposition parties and told them to pick a government.

"The parties told the military they wanted us, and we were given the power. The political parties submitted names for the Cabinet posts, but we selected those we wanted. Before we went out and got our Foreign Minister we rejected six suggestions of the parties."

Dr. Tavares said Mr. Bosch, himself, was the main cause of the coup d'etat.

"No one liked constitutional government to end, but that's a fait accompli. Bosch can now go back to writing his books, they should all be bestsellers. But he was not equipped to run the government. Nothing moved, he kept everything to himself. I have just reviewed a $150 million loan agreement (that's our annual budget) and it is the most preposterous contract I ever saw.

"Bosch was too tolerant of the Communists. He allowed them into influential positions, and he wouldn't close down their training schools. He, one by one, alienated the businessmen, the farmers, the church, and the military. In 3 more months, the country would be beyond salvation.

"To run this country, you either have us or the military. There is also pressure from the left. They may try to take power. The military will never allow this, and you'll have civil war.

"This is the first time that a military takeover was turned back so quickly to civilian control. Within 36 house they left power. This is an experiment. It is better than the alternatives. We want your help, but if we don't get it, we'll go it alone."

The Herald Tribune put the same series of questions to the generals who led the coup d'etat. All denied they are running the government, but made it very clear that if the experiment didn't work, and the junta resigned, they would assume power.

"We will back up the civilian leadership in all their decisions, the chief of staff, Gen. Victor Elby Vinas Roman, said. "If they want elections within a few months, we will support them. If they want to broaden the government, that is their decision. We are out of politics."

And if the junta resigns?

"We will have no alternative but to take over the government ouselves. We don't want to do this."

Those participating in the coup d'etat said that Gen. Vinas Roman was the last general to come along, urging, until it was no longer possible to urge, other solutions.

Even more outspoken was Air Force Gen. Miguel Atila Luna, who looks like the movie version of a general. His force is generally regarded as the most important in the country.

"Why should these men be stooges?" he asked. "They don't need it."

Asked about the Communist threat, he answered:

"I'm not one of those who said Bosch was a Communist. I just felt he didn't understand the dangers of allowing the Communists to get control of key positions.

"For instance, in one position there was a man who could bring arms into the country. There were the Communist schools. And he was organizing a militia.

"Cuba is too vivid for us here. We don't want a Venezuela where the Communists engage in indiscriminate bombing. We must stop it in time. We had only a few months; of that I am convinced."

When you took over, how many Communists were arrested?

"About 500. But when we turned the government over to the junta, they let them out of jail. Now you tell me who's running this country. We pick them up, and the junta lets them go."

The civilian leadership of the coup is convinced the military is not interested in running the government, but will if necessary. They also feel that the Dominican Republic is paying the price of past U.S. mistakes, that the inflexible attitudes are dictated by considerations outside their country.

To date, U.S. policy, instead of dividing the civilian and military leadership, has united them. They were never closer than in the aftermath of the Casanovas suggestion, which, some Americans feel, was twisted to serve nationalistic ends.

The pressures which were supposed to come from the businessmen to the junta, as a result of the cutoff have not materialized. Even those few who stuck with President Bosch to the last told the Herald Tribune that they were prepared to go it alone.

Informed observers believe that elections will bring about a civilian government which can rule provided it understands the fears of the military.

"It is not necessary to believe what the military believe," the Herald Tribune was told, "but to understand their fears. It will be many years before any President is popular enough to build up a counterforce to the military."

Any new President will also have to be an outspoken anti-Communist and severely restrict Communist activity. In the aftermath of the coup d'etat, the current wave of rampant suspicion may subside.

Even U.S. sources are convinced that President Bosch has lost the confidence and support of the people who put him into office, but they were surprised when reporters told them that the Peace Corps volunteers had witnessed celebrations in the countryside as a result of the coup d'etat.

In the next 10 days the junta will be looking for solutions which will allow the United States to fulfill its commitments to democratic governments and demonstrate its distaste for military takeovers, and at the same time meet the realities of their situation. The junta has already received offers of help from the Common Market and expect others to come from elsewhere in Europe.

While the going will be admittedly more difficult, they will undoubtedly go it alone until the elections which are inevitable.

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[From the Washington (D.C.) Post, Oct. 31, 1963]

### BRITAIN BREAKS WITH UNITED STATES IN RECOGNIZING JUNTA

SANTO DOMINGO, DOMINICAN REPUBLIC, October 30.—Britain today extended diplomatic recognition to the new Dominican Republic civil junta. It was the fifth free world nation to do so.

The action came after widespread reports the United States had sought vainly to get the British to endorse Washington's boycott of the junta. The three-man regime came into being after the armed forces deposed and ousted President Juan Bosch in a bloodless coup last September 25.

Western world nations previously recognizing the legality of the junta include Spain, Portugal, Nationalist China, and Honduras. The British recognition is expected to spark similar actions by European nations.

The development came as leaders of Bosch's Dominican Revolutionary Party (PRD) indicated for the first time their willingness to accept his overthrow and collaborate with the junta.

A group of party leaders, including a former Bosch cabinet member, Education Secretary Buenaventura Sanchez Felix, said they had decided to "smooth over differences (with the junta) and adopt a patriotic, serious, and realistic policy."

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[From the Tampa (Fla.) Times, Oct. 14, 1963]

### DOMINICANS UNCOVER RED MENACE

(By Robert S. Allen and Paul Scott)

WASHINGTON.—Despite those carefully planted State Department news stories to the contrary, the military junta that ousted President Juan Bosch did uncover a real Communist menace within the Dominican Republic.

J. T. Bonilla-Atiles, the Dominican Republic's new ambassador to the OAS, has turned over shocking evidence of this Communist infiltration to both the Organization of American States and the Senate Armed Services Preparedness Subcommittee, which is probing Communist infiltration in the Caribbean.

His alarming report includes the names of a dozen Communists or fellow travelers and their key roles in the Bosch cabinet or other government agencies including:

Dr. Miguel Angel Dominguez Guerra, minister of interior; Dr. Diego Bordas, minister of industry; Luis del Rosairo Ceballos, minister of public works; Migual Angel Valazques Mainardi, secretary of senate, Julio Martinez, director of government TV-radio station, Santo Domingo, and Ramon Alberto Ferreras Manuel, official of government TV-radio network.

Of these high-level officials in the Bosch government, the activities of Dr. Guerra were the most blatantly pro-Castro. The Bonilla-Atiles report reveals that Bosch's minister of interior greeted Communist agitators from Cuba with open arms, stating:

"Dr. Miguel Angel Dominguez Guerra, minister of the interior and police, is a member of the Partido Socialista Popular (Communist Party) and also brother-in-law of the well-known Communist, Dr. Tulio Hostilio Arvelo Delegado, whom he hid in his residence when the latter was facing deportation by the Consejo de Estador (former government before Bosch) because of his Communist activities.

"Most of the weapons and firearms in the hands of the Communists today in the Dominican Republic were smuggled in by Dr. Guerra during the time he was in the cabinet."

The reference to Dr. Diego Bordas, the minister of industry, who is now in exile in Puerto Rico with Bosch, is just as sensational.

According to the Bonilla-Atiles report, "Dr. Bordas is one of the most active economic backers of the MPD (Marxist-Leninist Party)." He toured the United States and Europe with Bosch following the latter's election last year.

The report charges that "Dr. Bordas, at the time of the military takeover, was planning a revolution of his own, in close association with the Communists and leaders of the MPD. Before he was arrested and deported, Dr. Bordas started to place his Communist friends in key positions in government enterprises, including a major cement plant."

Julio Martinez, ousted director of the government's TV-radio station in Santo Domingo, was one of the founders of the Cuban Communist newspaper Revolucion. Together with Ramon Manuel, he directed the radio-TV attacks against all of Bosch's opponents, including blasts at the United States.

One of Bosch's most mysterious advisers, according to the report, was Sacha Volman. He is described as the "two-beak eagle" because of reports that he worked for the CIA and the Russians. Another mystery man was Sanchez Fernandez, former president of Union Civica Nacional. Expelled because of his Communist activities, Sanchez Fernandez is now in Russia.

A second report detailing how the Bosch government paid for trips of Dominican Republic students and government officials to Cuba is being prepared for submission to the OAS and the Senate committee by the military junta.

The military leaders, headed by Armed Forces Minister Elby Vinas Roman, are ready to turn over all this information to the State Department when requested to do so. At the present time, because the new government is not recognized by the United States, no formal submission of the information can be made to the United States.

Since ousting Bosch, the military have outlawed the Communist Party and organizations supporting Cuban Premier Fidel Castro, arresting more than 100 officials and deporting them.

## OPERATION LIFT UP—BOYS' CLUBS OF AMERICA

Mr. ALGER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LINDSAY. Mr. Speaker, as you know, we in Congress have been significantly aware of the many problems related to our youth and more particularly the many problems confronting the youngster who is in the "age of decision"; that is, the age, or period of his life, when the decisions he makes, and the guidance he receives, shall contribute noticeably to the course and paths he shall follow in his future adulthood. Legislation has been introduced regarding several areas related to youth in order to help alleviate some of the problems confronting the youth of our Nation during these critical years of his life. Many programs are currently being conducted on a Federal and State level to help with the resolution of these problems and to help guide them into constructive occupations and professions.

Today, I would like to call to the attention of my colleagues an outstanding program being carried on through the Boys' Clubs of America in order to help hundreds of thousands of boys throughout America find their proper place in today's complex society.

Operation Lift Up is an action program sponsored by Boys' Clubs of America in an attempt to:

First. Motivate boys to stay in school.

Second. Help the school dropout.

Third. Broaden cultural horizons.

An especially prepared booklet entitled "Operation Lift Up" has been prepared by the Program Services Department of the Boys' Clubs of America which very effectively presents the facts about school dropouts—who they are—how many, and so forth. The booklet continues on and devotes itself to "Guidelines for Action," "Here Is What You Can Do," "Some Examples of What Is Being Done," together with a list of selected resources.

This booklet, as outstanding as it is, is but one part of a comprehensive kit which is being distributed to the more than 600 boys' clubs throughout the United States serving hundreds of thousands of boys in order to help with one of our most serious national problems—school dropouts.

Operation Lift Up, according to John M. Gleason, national director of Boys' Clubs of America, "is a major national effort to teach boys' club members the value of education and to motivate them to continue school and training. Its purpose is to conserve the resources of our youth and to help combat the school dropout problem."

Emphasis has been called to the attention of the local boys' club that each of them has a stake in this concern and every boys' club is strongly urged to take action.

The Operation Lift Up kit includes the following:

First. Operation Lift Up booklet—the plan of action.

Second. Boys' club resources—materials developed by Boys' Clubs of America to help clubs implement this action program.

Third. Supplementary material—consisting of other selected resources materials to further aid local boys' clubs in their program.

Operation Lift Up is a continuing program of Boys' Clubs of America. Plans of the national organization include sending, periodically, current material on scholarships, personal enrichment programs, new youth legislation and other pertinent information to its local constituents.

One additional outstanding phase of the Operation Lift Up program is the booklet entitled "Career Clubs," again a product of the program services of Boys' Clubs of America. It is an effective and practical booklet encouraging the local units to develop career clubs. This booklet tells how to organize and conduct career clubs. Furthermore, it is rich in ideas for meetings and projects, including specific aids which have been developed for the various major areas of need in vocational counseling.

The material is nontechnical and is aimed at volunteer workers as well as regular staff members who work with groups. It is geared to serve as an aid in opening new horizons for youngsters, helping them to appraise their own interests and abilities and finding the career that is right for them.

Mr. Speaker, I should like to call to the attention of my colleagues and all Americans, this program and the outstanding contribution the Boys' Clubs of America is making, and will no doubt further make in its program, Operation Lift Up, to the youngsters of our Nation particularly with regard to their school activities and search for a proper place in our society. Boys' Clubs of America, which is chartered by Congress, is again worthy of our commendation.

## PHYSICIANS' COMMITTEE FOR THE AGED THROUGH SOCIAL SECURITY

Mr. ALGER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, a group of physicians, under the name of Physicians Committee for Health Care for the Aged Through Social Security, has sent Members of Congress a pamphlet in support of H.R. 3920 and S. 880. This pamphlet, which seeks to influence Members of Congress and the public on this legislation, contains many misleading and inaccurate statements as well as assumptions unsupported by evidence.

The very title of the pamphlet is deceptive: "Why Physicians Support Hospital Insurance for the Aged Through

Social Security." Members of Congress are sufficiently well informed to realize that only a few physicians support this legislation. But the title of the pamphlet could well deceive many people not so well informed into believing that the medical profession favors the proposal. It seems reasonable to assume that these words were carefully chosen in an attempt to conceal the fact that out of more than 271,000 physicians in the country only 40 have expressed a willingness to be identified with this committee or to become signatories to a pamphlet of this kind.

The opening statement that "physicians have long been concerned because the elderly of our Nation live in fear of the catastrophic costs of hospitalization" is a blatant appeal to emotionalism and is totally out of context.

Physicians, more than anyone else except the aged themselves, know, or should know, that the prospect of being hospitalized is of less concern to the majority of older Americans than many other aspects of living during retirement years. This is not to say that they have no concern about the possible economic consequences of illness. Indeed they do, as evidenced by the fact that some 60 percent of the population over 65 now has health insurance protection. Nearly 10 million aged have health insurance, a half million have incomes of $10,000 a year or more, more than 2 million receive medical care under the old-age assistance program, and more than 120,000 a month avail themselves of the benefits of the Kerr-Mills law. These facts alone reveal the absurdity of the portrait of the aged as a monolithic 17½ million-member group of citizens perpetually haunted by the fear of the cost of hospitalization—not hospitalization itself, but its cost.

The American Medical Association and State and county medical societies as well as myself and others in public life for several years have sought evidence of individuals in this country being denied medical care because they cannot pay for it. The AMA has twice asked Members of Congress for any information of cases of this kind so that the needed medical care can be provided and Members of Congress, including myself, have in turn asked our constituencies for such information. Hundreds of county societies have advertised in newspapers soliciting such information and pledging help to anyone who needs it. Only a few cases have been brought to the attention of the profession or the Congress and in most instances these cases turned out not to be examples which King-Anderson type legislation would help.

A subsequent statement in this pamphlet builds upon the first overstatement; namely, that "physicians know that because of this fear—of hospital costs—many older people who need hospital care do not get it at all or get it too late."

If these 40 physicians, most of whom are associated with hospitals, clinics, or health care plans, can say unequivocally that they know that many older people are not receiving needed hospital care solely because of financial fears, they must have concrete evidence of it, including circumstances and names. And if they have, it is incredible that they do not provide these people with the hospitalization they need or call the cases to the attention of others who will.

Members of this committee, in a number of instances such as these, have made unqualified statements without benefit of supporting evidence, or have utilized the device of selective statistics to reinforce their arguments.

Health insurance and prepayment plans are indicated in the pamphlet as inadequate or too costly for the elderly. The physicians who attached their names to this pamphlet, however, offer no standard for measuring adequacy and, if they have one, do not apply it against policies the aged are buying. The fact that some 10 million of the aged have purchased health insurance would seem to demolish the argument that it is too costly.

The Kerr-Mills Act is dismissed as having clearly failed to meet the needs of any but a very few of the very neediest aged. Other erroneous or misleading statements made about Kerr-Mills include:

1. Less than 7 out of every 1,000 aged people in the Nation (in the spring of 1963) were receiving any assistance under MAA.
2. Kerr-Mills funds are used in large part to subsidize existing State relief programs.
3. Benefits are generally meager, spotty, and often uncertain. In many instances, limited State tax resources and high cost of good care have resulted in the use of facilities that endanger health and safety.
4. Administrative costs have run as high as 124 percent of the benefits in one State (Kentucky).
5. The relief that is available is given only after resources are used up and incomes are permanently reduced.
6. Relatives with modest incomes may even be taken to court and forced to give aid.

Whoever wrote this pamphlet evidently avoided an examination of the Kerr-Mills record. This record, which is available from the Department of Health, Education, and Welfare, is not one of largely subsidizing State relief programs or helping only very few of the very neediest aged.

Only about 30 percent of MAA recipients have been transfers from other programs, mainly old-age assistance. Nevertheless, OAA medical care payments have steadily increased since the Kerr-Mills Act became effective, and in addition to MAA benefits as of May 1963, were running at the rate of nearly $350 million a year. The statistic that only 7 out of 1,000 aged were receiving MAA assistance is deceiving. The fact is that by the spring of 1963, about 7 in 1,000 were being helped every month.

It would seem obvious that most of the very neediest aged were still receiving medical care through OAA now as in the past and that the bulk of MAA expenditures—nearly $29 million in May 1963—are being paid for assistance to aged who are not on OAA rolls.

Furthermore, since a majority of the aged live in States which have implemented Kerr-Mills, a figure of 7 of 1,000 may well be a measure of the need for such an assistance program for the aged rather than an indication of failure as this pamphlet suggests.

States with Kerr-Mills programs may be interested in the charge that they are administering them in some instances in a manner actually endangering the health and safety of the aged. This charge, like other charges in the pamphlet, is not documented.

So far as Kentucky is concerned, elementary principles of fair play should dictate that this State's experience with Kerr-Mills administrative costs should be examined on the basis of current facts. Administrative costs in Kentucky now are reported to be running under 5 percent.

The statement is simply not true that Kerr-Mills assistance is available "only after resources are used up and incomes are permanently reduced." All the State laws are designed to conserve the recipient's minimum resources and no State requires permanent reduction of income. Resource and income limits are measures of eligibility, intended to assure that tax funds will not be dissipated on those able to finance their own health care. The aged who are eligible suffer no loss of income from the operation of the Kerr-Mills program. On the contrary, their incomes are preserved, not reduced. A number of States, as they have gained experience with Kerr-Mills programs, have increased the resource and income limits and thus brought benefits to greater numbers of the aged.

The charge that relatives with "modest incomes" may be taken to court is patently a scare technique. Fewer than half the States with Kerr-Mills programs functioning in January this year had relative responsibility laws. None of these laws is designed to force those with "modest incomes" to contribute to support of relatives. Their own incomes and financial obligations are taken into consideration in determining their ability to assist. It is interesting that the pamphlets says relatives "may" be taken into court, not that they are. Consequently, it must be concluded that the sentence is intended to frighten the uninformed.

The pamphlet describes the hospitalization program proposed in H.R. 3920 and S. 880 as insurance, with benefits to be paid as "a matter of earned right." Everyone familiar with the Social Security law knows that current taxes pay current benefits and that an individual's payroll taxes are not set aside for his future benefit. The Internal Revenue Service considers social security benefits as gifts from one group of taxpayers to another and are therefore not taxable. The "earned right" contention implies a contract between recipient and the Government. There are, of course, obvious flaws in such reasoning. More than 17 million aged who would be entitled to benefits of this legislation immediately, for example, could not claim an earned right, since they would have paid nothing under the program. Furthermore, these 17 million would comprise the majority of eligibles for many years to come. More important to this argument, however, is the implication that Congress would be foreclosed from amending the law, once enacted, to reduce benefits. This, of course, is nonsense. Moreover, the solvency of the Social Security System rests, not on actuarial insurance principles, but on the power of Congress to levy taxes and the further power of Congress to reduce benefits as an alternative to increasing taxes if the program runs into serious financial trouble.

The writer of the pamphlet has in other respects been careless with facts, stating that the proposed legislation would "permit voluntary organizations, such as Blue Cross, to perform certain administrative functions," would "utilize State agencies in planning, in determination of eligibility of providers of services and in consultation to the providers" and would guarantee free choice of physician and hospital.

Private organizations could not on their own initiative step in and perform administrative functions. They could enter the picture only if invited by providers of services and then only by agreement with the Secretary of Health, Education, and Welfare on his terms. State agencies could become involved in all the functions mentioned only on the Secretary's request.

Free choice could not be guaranteed to all the aged eligible for benefits, despite the language of the legislation. Services would be available only in those institutions participating in the program under agreement with HEW. Free choice, as used in this pamphlet and in the legislation, could be guaranteed to the recipient only if every hospital and every nursing home and every home nursing agency was forced to participate.

One final observation should be made. The Physicians Committee for Health Care for the Aged Through Social Security has by submitting this pamphlet to Members of Congress become directly engaged as an organization in lobbying. Has it complied with the law and registered as a lobbyist? I find no record of this.

I shall have more to say about this physicians committee when I complete my investigation of its memberships' extensive participation in Federal research grant programs and in other programs utilizing Federal funds.

## OTTO OTEPKA

**Mr. ALGER.** Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Kyl] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

**Mr. KYL.** Mr. Speaker, I do not know Otto Otepka. I have never met Otto Otepka, nor his lawyers. I do know that for many years one Otto Otepka, GS–15, served his Government as supervisory personnel security specialist in the office of Deputy Assistant Secretary for Security, Department of State, rising to the post of Deputy Director of the Office of Security, a post from which he has since been demoted without fault on his part. Mr. Otepka had "excellent" efficiency ratings and special commendations for his work in that assignment. On September 23, 1963, he was charged with conduct unbecoming an officer of the State Department. His alleged offense was that he talked. But he did not talk to just anyone. He talked to an authorized agent of the U.S. Senate Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws. Of greater significance was the fact that the information he gave to said committee was contrary to testimony given that body by other, but higher ranking State Department officials. It should also be mentioned that Mr. Otepka had testified many times before that Senate committee under oath with the knowledge and permission of the Department and on occasion he found that some of his statements were not consistent with other statements made by others who were also under oath. The Senate investigators and Mr. Otepka probably were interested in somehow arriving at the truth.

There are at least two aspects of this proposition which merit attention of the House as well as the Senate. First, there is the obvious fact that congressional investigations cannot achieve any worthwhile purpose whatsoever if every officer of the State Department can invoke executive privilege to prevent testimony. Nor can the committees of Congress ever hope to arrive at the truth in their investigations if every employee who deals with specific subjects must live in fear that his assistance to such committees will cause his dismissal.

Suppose Mr. Smith supervises Mr. Jones and Mr. Smith testifies before a congressional committee under oath. Mr. Jones knows that his superior's testimony was not true. Does Mr. Jones go to Mr. Smith and ask, "May I give the committee evidence that you did not tell the facts as they actually existed?"

A second subject of import is embodied in the apparent dual standard of justice enforced too frequently by administrative officials.

The Congress passed legislation to help guarantee security of the United States. The Congress felt, for example, that there are instances in which it might be difficult to prove in open court that a certain person might be of danger to the United States. The law was designed to give certain discretionary powers to deny passports when there was good reason to suspect the subversive nature of an applicant. It was the interest of the Nation that Congress sought to protect.

However, this law has been turned 180° by the State Department. The law is now simply used to protect the interest of the applicant. Department policy dictates that passports should not be denied unless the facts showing subversive acts or connections can be proved in open court. A person denied the passport has the right to see all the evidence on which a decision has been made.

However, in the case of Otto Otepka, State Department employee and unquestioned loyal citizen of the United States, such access to the records is not accorded. His counsel has been refused the right to view all the evidence. Remember, he has not been charged with disloyalty to the country. The charge against him is "conduct unbecoming an officer of the State Department."

This charge becomes more interesting in view of the revelation that one Herbert K. May, Deputy Assistant Secretary of State for Inter-American Affairs recently was allowed to submit his resignation, which was accepted by the administration with the usual profound regrets, in spite of the fact that Mr. May forgot to file income tax returns from 1953 to 1961. Was Mr. May's negligence "action unbecoming an officer of the State Department"?

Now it would seem that any standard of conduct for any department of Government should begin with honesty and that the benefit of doubt should be given to a man who has been commended on several occasions for a display of the fundamental wholesome characteristics. I am tempted to wonder whether Mr. Otepka's crime lies in his being dishonest or honest. Remember, I know Mr. Otepka only from the State Department's previous commendations.

It will be most difficult for Mr. Otepka or the Senate subcommittee to get any early answers to some questions which should be answered. Now that the case is pending, no one can say anything to anybody without violating an administrative order.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Hagan of Georgia (at the request of Mr. Vinson), for today, on account of official business.

Mr. Kornegay (at the request of Mr. Albert), for today, on account of official business.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Watson, for 20 minutes, today.

Mr. Foreman, for 1 hour, today.

Mr. Libonati (at the request of Mr. Brown of California), for 60 minutes, today, to revise and extend his remarks, and to include extraneous matter.

## EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Dent.

Mr. Hechler and to include extraneous matter.

(The following Members (at the request of Mr. Brown of California) and to include extraneous matter:)

Mr. Carey.

Mr. Libonati in three instances.

Mr. Friedel.

**(The following Members (at the request of Mr. Alger) and to include extraneous matter:)**

**Mr. Snyder.**

**Mr. McLoskey.**

**Mr. Schadeberg.**

**Mr. McDade.**

## SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 26. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Dixie project, Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 716. An act for the relief of Gaetano Fuccio; to the Committee on the Judiciary.

S. 741. An act to amend title 18, United States Code, to prohibit schemes in interstate or foreign commerce to influence by bribery the outcome of sporting contests, and for other purposes; to the Committee on the Judiciary.

S. 1385. An act for the relief of George Alexander Doumani; to the Committee on the Judiciary.

S. 1446. An act for the relief of Andreina Viselli; to the Committee on the Judiciary.

S. 1451. An act to amend section 41(a) of the Trading With the Enemy Act; to the Committee on Interstate and Foreign Commerce.

S. 1479. An act for the relief of Dr. Demetrios Flessas and Dr. Eugenia Flessas; to the Committee on the Judiciary.

S. 1516. An act for the relief of Ana Murgelj; to the Committee on the Judiciary.

S. 1524. An act for the relief of Hai Yung Jung and Johnny Jung; to the Committee on the Judiciary.

S. 1664. An act to provide for continuous improvement of the administrative procedure of Federal agencies by creating an Administrative Conference of the United States, and for other purposes; to the Committee on the Judiciary.

S. 1737. An act for the relief of Arthur Wendell Bolta; to the Committee on the Judiciary.

S. 1812. An act for the relief of William John Campbell McCaughey; to the Committee on the Judiciary.

S. Con. Res. 66. Concurrent resolution withdrawing suspension of deportation of Joe Quong; to the Committee on the Judiciary.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1523. An act to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes.

## ADJOURNMENT

Mr. BROWN of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 4 minutes p.m.), under its previous order, the House adjourned until Monday, November 4, 1963, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1344. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes for the quarter ending September 30, 1963, pursuant to the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1345. A letter from the Assistant Secretary of the Interior, relative to an application for a $1,051,000 supplemental loan to the Jackson Valley Irrigation District, Amador County, Calif., pursuant to 70 Stat. 1044, as amended June 5, 1957, 71 Stat. 48; to the Committee on Interior and Insular Affairs.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Florida:

H.R. 8994. A bill to amend section 132 of the Legislative Reorganization Act of 1946 to provide for certain periods of adjournment of Congress; to the Committee on Rules.

By Mr. BONNER:

H.R. 8995. A bill to aid in the administration of the Pribilof Islands, in Alaska, by the Secretary of the Interior and to provide for the self-sufficiency of the inhabitants thereof, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BURKHALTER:

H.R. 8996. A bill to authorize the Secretary of the Interior to reconstruct, rehabilitate, improve, operate, and maintain the Palmdale project, California; to the Committee on Interior and Insular Affairs.

By Mr. CAREY:

H.R. 8997. A bill to provide for the construction of a 350-bed addition to the Fort Hamilton veterans hospital in New York; to the Committee on Veterans' Affairs.

By Mr. FRASER:

H.R. 8998. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

By Mr. KILGORE:

H.R. 8999. A bill to provide for the settlement of claims of certain inhabitants of the United States living in the area inundated by the sudden floods of the Rio Grande as a result of the construction of the Falcon Dam, and for other purposes; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 9000. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines; to the Committee on Education and Labor.

By Mr. MOSS:

H.R. 9001. A bill to amend section 453 of the Internal Revenue Code of 1954 with respect to the time for electing the installment method of returning certain income; to the Committee on Ways and Means.

By Mr. ROUSH:

H.R. 9002. A bill to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SECREST:

H.R. 9003. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 9004. A bill to transfer control of Pershing Hall to the Administrator of Veterans' Affairs in order that such building may be preserved as a memorial to General of the Armies of the United States John J. Pershing while being utilized in the best interests of the United States; to the Committee on Veterans' Affairs.

By Mr. VAN DEERLIN:

H.R. 9005. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GURNEY:

H.R. 9006. A bill to provide for the tariff classification of certain particleboard; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 9007. A bill to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the issuance of regulations to aid in preventing, controlling, and abating pollution of interstate waters, and for other purposes; to the Committee on Public Works.

By Mr. PUCINSKI:

H.R. 9008. A bill to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education, and to authorize for teachers in private nonprofit schools certain benefits under the provisions of titles V and VI of such act provided for teachers in public schools; to the Committee on Education and Labor.

By Mr. MORGAN:

H.R. 9009. A bill to amend further the Peace Corps Act, as amended; to the Committee on Foreign Affairs.

By Mr. CAREY:

H.R. 9010. A bill to amend the National Defense Education Act of 1958 in order to extend the provisions of title II relating to cancellation of loans under such title to teachers in private nonprofit elementary and secondary schools and in institutions of higher education, and to authorize for teachers in private nonprofit schools certain benefits under the provisions of title V and VI of such act provided for teachers in public schools; to the Committee on Education and Labor.

By Mr. WAGGONNER:

H.R. 9011. A bill to amend the National Housing Act to authorize the Federal Housing Commissioner to make expenditures to correct substantial defects in one- to four-family dwellings covered by mortgages insured thereunder, or to compensate homeowners for such defects; to the Committee on Banking and Currency.

By Mr. CLARK:

H.J. Res. 790. Joint resolution proposing an amendment to the Constitution of the United States permitting nonsectarian prayer in public schools; to the Committee on the Judiciary.

By Mr. GURNEY:

H.J. Res. 791. Joint resolution to provide for a study of needed Federal-aid highway programs for 10 years following the termination of the present interstate and defense highway program by requiring the Secretary of Commerce to make a comprehensive investigation and study of highway traffic and needs based upon 20-year projections, and the changes determined necessary in the Federal-aid highway systems as a result thereof, and to report the results of such study and his recommendations for a 10-year highway program commencing June 30, 1972, to Congress; to the Committee on Public Works.

By Mr. EVINS:

H. Con. Res. 231. Concurrent resolution authorizing the printing of 5,000 copies of the study, "Tax-Exempt Foundations and Charitable Trusts: Their Impact on Our Economy", for the use of the Select Committee on Small Business; to the Committee on House Administration.

By Mr. ROONEY of New York:

H. Con. Res. 232. Concurrent resolution expressing the sense of Congress with respect to the persecution by the Soviet Union of persons because of their religion; to the Committee on Foreign Affairs.

By Mr. PILLION:

H. Res. 562. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. POWELL:

H. Res. 563. Resolution to grant additional travel authority to the Committee on Education and Labor; to the Committee on Rules.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 9012. A bill for the relief of Giuseppe Maggiore; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 9013. A bill for the relief of Dr. Dora V. Silva Arminan; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.R. 9014. A bill providing for duty-free entry of one mass spectrometer; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 9015. A bill for the relief of Emanuale Balestrieri; to the Committee on the Judiciary.

By Mr. O'BRIEN of New York:

H.R. 9016. A bill for the relief of Antonio Fogliano; to the Committee on the Judiciary.

By Mr. O'NEILL:

H.R. 9017. A bill for the relief of Michaelangelo Guarino; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 9018. A bill for the relief of Yvonne May Hall; to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

428. By Mr. CLARK: Petition of D. J. Gibson and 22,000 other citizens of Beaver, Bulter, and Lawrence Counties, Pa., protesting the action taken by the Supreme Court in banning Bible reading and prayer in the public schools; to the Committee on the Judiciary.

429. By the SPEAKER: Petition of Francis C. Shane, executive secretary, United Steelworkers of America, Committee on Civil Rights, Pittsburgh, Pa., petitioning consideration of their resolution with reference to requesting passage of H.R. 7152, the President's civil rights legislation; to the Committee on the Judiciary.

430. Also, petition of Dana McLean Greeley, president, Unitarian Universalist Association, Boston, Mass., relative to endorsing H.R. 7152 and S. 1731, relating to President Kennedy's civil rights legislation; to the Committee on the Judiciary.

431. Also, petition of Maximilian Moss, Brooklyn Jewish Community Council, Brooklyn, N.Y., relative to fully supporting the President's proposed civil rights legislation and urging its adoption; to the Committee on the Judiciary.

432. Also, petition of Steven Douglas Hughes, Salem, Oreg., requesting that the Committee on Interior and Insular Affairs cause to be created an incorporated territory known as "the Territory of Guam", and that there be created the Office of Delegate of the Territory of Guam; to the Committee on Interior and Insular Affairs.

433. Also, petition of Steven Douglas Hughes, Salem, Oreg, relative to requesting that the Reverend Imam of the Islamic Center of Washington, D.C., be invited for the purpose of giving prayers at the opening of the meetings of the House of Representatives, and that clergymen of the other faiths also be invited to appear likewise; to the Committee on Rules.

# SENATE

### THURSDAY, OCTOBER 31, 1963

*(Legislative day of Tuesday, October 22, 1963)*

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Father, Thou God of our salvation: In all the confusion and perplexity of these days of change and unrest, help us to keep inviolate in our souls a little shrine of quietness, a chapel of peace within, an altar of contrition, a sanctuary of sure and swift retreat, away from the strife of tongues, where the world's angry voices are dimmed.

And so here at this noontide pavilion of devotion, on which the founders' faith chiseled deeply, "In God we trust," we humbly bow with the deathless assurance, that turns even tragedy into triumph—"The Eternal God is our refuge, and underneath are the everlasting arms." Amen.

## THE JOURNAL

On the request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, October 30, 1963, was dispensed with.

## MESSAGE FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 8427) to provide for the establishment and maintenance of a Central Intelligence Agency retirement and disability system for a limited number of employees, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 223) to provide for the printing of 3,000 additional copies of civil rights hearings, in which it requested the concurrence of the Senate.

## HOUSE BILL REFERRED

The bill (H.R. 8427) to provide for the establishment and maintenance of a Central Intelligence Agency retirement and disability system for a limited number of employees, and for other purposes, was read twice by its title and referred to the Committee on Armed Services.

## HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 223) to provide for the printing of 3,000 additional copies of civil rights hearings, was referred to the Committee on Rules and Administration, as follows:

*Resolved by the House of Representatives (the Senate concurring)*, That there be printed for the use of the Committee on the Judiciary, House of Representatives, three thousand additional copies each of the publications entitled "Civil Rights Hearings, Before Subcommittee Numbered 5 of the Committee on the Judiciary, House of Representatives, Parts 1, 2, and 3", Eighty-eighth Congress, first session.

## TRANSACTION OF ROUTINE BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, it was ordered that there be a morning hour, with statements limited to 3 minutes.

## EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

## EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. HILL, from Committee on Labor and Public Welfare:

Dr. William Neill Hubbard, Jr., of Michigan, to be a member of the Board of Regents, National Library of Medicine, Public Health Service;

Dr. Robert S. Morison, of New York, to be a member of the National Science Board, National Science Foundation;

John H. Holt, and sundry other candidates for personnel action in the Regular Corps of the Public Health Service; and

Charles D. Larson, and sundry other candidates for personnel action in the Regular Corps of the Public Health Service.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

## MISSISSIPPI RIVER COMMISSION

The legislative clerk read the nomination of Brig. Gen. Walter P. Leber, U.S. Army, to be a member of the Mississippi River Commission, under the provisions of section 2 of an act of Congress approved June 28, 1879 (21 Stat. 37, 33 U.S.C. 642).

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

## CALIFORNIA DEBRIS COMMISSION

The legislative clerk proceeded to read sundry nominations in the California Debris Commission.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

## LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

## PETITION

The PRESIDENT pro tempore laid before the Senate a petition signed by Ernest Angell, and sundry other citizens, praying for the repeal of the Internal Security Act of 1950, the Smith Act, and the Communist Control Act, and to suspend future enforcement of the Internal Security Act of 1950, which was referred to the Committee on the Judiciary.

## BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SYMINGTON:

S. 2272. A bill to insure the availability of certain critical materials during a war or national emergency by providing for a reserve of such materials, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. SYMINGTON when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 2273. A bill relating to the status under the Internal Revenue Code of 1954 of the Local 738, I.B.T.-National Tea Co. employees' retirement fund; to the Committee on Finance.

By Mr. McGOVERN (for himself, Mr. BAYH, Mr. CLARK, Mr. GRUENING, Mr. LONG of Missouri, Mr. MORSE, Mr. NELSON, Mr. RANDOLPH, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of Ohio):

S. 2274. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. McGOVERN when he introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE (for himself and Mr. FONG):

S. 2275. A bill to revise the procedures established by the Hawaii Statehood Act, Public Law 86–3, for the conveyance of certain lands to the State of Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. INOUYE when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 2276. A bill to amend paragraph 1101(b) of the Tariff Act of 1930 to provide for the duty-free importation of certain wools for use in the manufacturing of polishing felts; to the Committee on Finance.

(See the remarks of Mr. RIBICOFF when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 2277. A bill for the relief of Nicola Moric; to the Committee on the Judiciary.

## RESOLUTION

### PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED: "MEDICAL ASSISTANCE FOR THE AGED—THE KERR-MILLS PROGRAM, 1960–63"

Mr. MANSFIELD (for Mr. McNAMARA) submitted a resolution (S. Res. 220) authorizing the printing of additional copies of committee print entitled "Medical Assistance for the Aged—The Kerr-Mills Program, 1960–63," for use by the Committee on Aging, which was agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

## MATERIALS RESERVE AND STOCKPILE ACT OF 1963

Mr. SYMINGTON. Mr. President, I introduce, for appropriate reference, a bill relating to the stockpiling of strategic and critical materials.

This bill represents the tentative recommendations of five of the six members of the Subcommittee on the National Stockpile and Naval Petroleum Reserves, of the Senate Committee on Armed Services.

I also point out that members reserve the right to support changes, provided such changes seem desirable after hearings on the proposed legislation are held.

The subcommittee, on which I have the privilege to serve as chairman, has recently conducted a series of hearings on the stockpiling of strategic and critical materials. Without laboring the reasons, let me say that it would appear clear that some supplies of materials now held in our stockpiles are in excess of what the Nation requires.

It also is clear that existing law prohibits disposal of most of this excess until after a formidable executive and legislative gantlet has been run.

Another factor which must be faced is the existence of several different stockpiles under several different authorities of law. The result is that much of the law on this subject has become obsolete, archaic, and executed.

The proposed legislation I am now introducing represents an attempt to bring the stockpiling law up to date, to simplify some of the overlapping provisions, and to fix clearly the responsibility for stockpiling decisions.

In this connection, it would appear that there is no completely painless way to dispose of some of the surplus. I believe persons affected by sales from the stockpile should have full opportunity to state their views, but if any progress is to be made, it would seem unavoidable that we must end the procedure of requiring the almost unanimous consent of everyone concerned before any disposal can be accomplished.

After consulting with the chairman of the Committee on Armed Services I anticipate that the bill will be referred to the Subcommittee on the National Stockpile and Naval Petroleum Reserves; and that the subcommittee will conduct hearings on it.

It may be these hearings will suggest better solutions than those proposed in this bill. If that is true, I am confident the subcommittee will be receptive to any reasonable suggestions.

Mr. President, I ask unanimous consent that the proposed legislation be printed in the body of the RECORD; and also a comparison of existing law with this proposed new legislation.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed at this point in the RECORD together with the comparison referred to by the Senator from Missouri.

The bill (S. 2272) to insure the availability of certain critical materials during a war or national emergency by providing for a reserve of such materials, and for other purposes, introduced by Mr. SYMINGTON, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Materials Reserve and Stockpile Act of 1963."

SEC. 2. (a) The President of the United States is hereby authorized to determine from time to time, as provided in this Act, the types and kinds of materials that are strategic and critical to the national security and defense of the United States. As used in this Act the term "strategic and critical material" means any natural or synthetic raw material (as distinguished from any manufactured or fabricated form of such material except diamond dies and jewel bearings) (1) which would be required to meet the industrial and military needs of the country during the following national emergencies:

(A) Any period during which the United States is engaged in armed hostilities with a foreign nation;

(B) Any period following a nuclear attack on the United States when such materials are required for the industrial and economic recovery of the United States; and

(2) which would not be readily available in sufficient quantities from domestic or other sources during such periods.

(b) The President is also authorized to determine from time to time the form, subject to the limitations prescribed in section 2(a) hereof, and the quality and quantity of each strategic and critical material which shall be acquired and held in an inventory for use in times of national emergency. Such inventory shall be known as the National Stockpile. No determination made by the President under this section shall become effective until the expiration of thirty days after such determination has been communicated, in writing, to the Armed Services Committees of the Senate and the House of Representatives.

(c) The Secretary of State, the Secretary of Defense, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Administrator of General Services shall advise the President with respect to which materials are strategic and critical and with respect to the form, quality, and quantity in which such materials should be acquired and held in the national stockpile.

(d) The quantity of any strategic and critical material which the President determines is to be acquired for the national stockpile shall be known as the "stockpile objective" for such material.

(e) In determining the stockpile objective for any strategic and critical material, the President shall take into consideration such factors as he deems appropriate, but shall specifically consider what the military requirements of the Nation will be during a national emergency (including the industrial requirements for national defense purposes), and shall consider and make appropriate allowance for any quantities of such material which can reasonably be expected to be available to this Nation from domestic and other sources during a national emergency. Any such allowance shall be based upon known facts and the best intelligence information available to the President for estimating the requirements for, and the probable availability of such material during, a national emergency. The President shall, within six months after the date of enactment of this Act, issue an order or regulation setting forth the criteria to be considered in determining the stockpile objectives for any strategic and critical material. The order or regulation issued by the President pursuant to the requirement of this subsection and any amendment to such order or regulation shall not become effective until the expiration of 60 days after such order, regulation, or amendment has been submitted to the Committees on Armed Services of the Senate and the House of Representatives. The Secretary of Defense shall determine, on the basis of recommendations of the Joint Chiefs of Staff, the probable nature and duration of any national emergency for which strategic and critical materials held in the national stockpile may be required.

SEC. 3. (a) The President shall direct the Administrator of General Services, without regard to section 302(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252(c)) or section 3709 of the Revised Statutes (41 U.S.C. 5), to—

(1) make purchases of any strategic and critical material required to meet the stockpile objective prescribed under this Act for such material, which purchases shall be made (A) insofar as practicable from supplies and materials in excess of current industrial demand, and (B) in accordance with title III of the Act of March 3, 1933 (47 Stat. 1520; 41 U.S.C. 10a et seq.); but no contract for the acquisition of any strategic and critical material shall be entered into under this Act if the quantity of such material to be acquired by the Government under such contract would result in the acquisition by the Government of a quantity of such material in excess of the stockpile objective for such material. Such determination shall be made on the basis of the quantity of such material currently in the national stockpile, plus any quantity of such material to be supplied under any contract previously entered into;

(2) provide for the storage, security and maintenance of strategic and critical materials in the national stockpile;

(3) provide for the refining or processing of any strategic and critical material in the national stockpile when, under a stockpile objective redetermination made pursuant to section 2 hereof, such material is no longer required in its present form to meet stockpile objectives;

(4) provide for the refining or processing of strategic and critical materials either before or after their acquisition for the national stockpile; and

(5) provide for the rotation of any strategic and critical material in the national stockpile by replacing such material with new or fresh material, substantially the same in kind and value as the material being replaced, when such action is necessary to prevent deterioration or to accomplish a change in the storage locations of such materials. Any materials to be replaced hereunder shall be disposed of at their fair market value, and any funds received on account of the rotation of such materials shall be available for carrying out the purposes of this paragraph.

(b) The Administrator of General Services is further authorized, with respect to materials which are determined to be no longer required to meet current stockpile objectives, to (1) exchange such materials at their fair market value for strategic and critical materials required to meet current stockpile objectives, or (2) dispose of such materials at their fair market value and apply the net proceeds of such disposal toward the cost of acquiring strategic and critical materials required to meet the current stockpile objectives.

(c) The provisions of the Renegotiation Act of 1951, as amended, shall apply in the case of all contracts and subcontracts entered into under authority of this Act for the acquisition, storage, security, maintenance, refining, processing, replacement, or rotation of strategic and critical materials, and the provisions of section 106 of such Act, relating to exemptions, shall not be effective with respect to such contracts and subcontracts.

(d) No strategic or critical material acquired for the national stockpile shall be refined, processed, or replaced pursuant to the provisions of subsection (a) of this section until the expiration of a period of sixty days after publication in the Federal Register and submission by the Administrator of General Services to the Committees on Armed Services of the Senate and the House of Representatives, of a written report setting forth the general plan for such refining, processing, or replacing. The President shall submit to the Congress annually a written report of actions taken by him under this section which report shall include a statement of foreign and domestic purchases and such other information pertinent to the administration of this section as will assist the Congress in evaluating such administration and in determining the need for amending such section.

SEC. 4. (a) In time of war and during any national emergency declared by him after the date of enactment of this Act, the President is authorized to classify information relating to the following, if he has first made a specific finding with respect to the information being classified that such action is necessary for the protection and security of the nation:

(1) materials which have been determined to be strategic and critical materials within the meaning of this Act;

(2) the form, quantity, and quality of such materials in the national stockpile; and

(3) the stockpile objectives for materials designated as strategic and critical materials;

(b) Except as provided in subsection (a) of this section, any information referred to in clause (1)–(3) of such subsection shall be held and considered to be public information and shall not be withheld from the people of the United States.

SEC. 5. Except as otherwise provided in this Act, materials in the national stockpile may be released for use, sale, or other disposition only (1) on order of the President at any time when in his judgment such release is required for purposes of the common defense, or (2) on order of any agency designated by the President, in time of war or during a national emergency declared by the President after the date of enactment of this Act, or (3) on order of the President when the discontinuance or interruption of a foreign source or sources of supply of a material will cause a dislocation of the United States economy which the President determines to be a threat to the industrial and economic security of the United States: *Provided*, That the President also determines that the release of such material from the national stockpile will not constitute an immediate risk to the United States ability to defend itself in a national emergency.

SEC. 6. (a) Whenever any department or agency of the Government holds any material which is currently designated a strategic and critical material within the meaning of this Act, and the head of such department or agency determines such material to be excess to the needs of that department or agency, such material shall be transferred to the national stockpile in accordance with such regulations as the Administrator of General Services shall prescribe. A material may be transferred to the national stockpile under this subsection only to the extent that the stockpile objective for the material is not exceeded. The foregoing provisions of this subsection shall not apply with respect to (1) any quantity of a strategic and critical material that is necessary to make up a deficiency of the supply thereof for meeting the current requirements of industry as determined by the Administrator of General Services, (2) any quantity of a strategic and critical material which constitutes contractor inventory if the department or agency concerned shall not have taken possession of such inventory, and (3) any quantity of a strategic and critical material which the Administrator of General Services determines is held in lots so small as to make the transfer thereof economically impractical.

(b) Except for any expenses incident to the physical transfer of any materials transferred pursuant to subsection (a) of this section, no charge shall be made against, and no reimbursement shall be made from, any funds made available for carrying out the provisions of this Act.

SEC. 7. (a) There is hereby established an inventory to be known as the materials reserve inventory which shall be composed of (1) materials in the custody of the Administrator of General Services which were heretofore or which are hereafter acquired pursuant to the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061–2166), and (2) materials which are in, or but for this section would have been placed in, the supplemental stockpile established by section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(b)). Any notes payable to the Secretary of the Treasury representing the acquisition costs of any materials transferred to and made a part of the materials reserve inventory pursuant to clause (1) above shall, together with any obligations for unpaid interest thereon, be canceled, and the aggregate amount of borrowing which may be outstanding at any one time under section 304 (b) of the Defense Production Act of 1950 shall be reduced in an amount equal to the amount of any notes so canceled. Any materials transferred to the materials reserve inventory under clauses (1) and (2) above shall be transferred without charge against or reimbursement from funds made available for carrying out this Act.

(b) The Administrator of General Services, under the direction and guidance of the President, is hereby authorized with respect to the materials reserve inventory to—

(1) transfer to such inventory without charge or reimbursement any materials in the national stockpile which exceeds the stockpile objective determined or redetermined pursuant to section 2 of this Act;

(2) transfer to the national stockpile without charge or reimbursement any materials in the materials reserve inventory which are required to meet the stockpile objectives for such materials;

(3) exchange any materials in such inventory for materials in the national stockpile for the purpose of improving or maintaining the quality of or changing the location of materials in the national stockpile;

(4) commingle materials in the national stockpile with equivalent materials in the materials reserve inventory;

(5) apply materials in such inventory at their fair market value toward payment of any costs incident to the refining, processing, or replacement of materials in the national stockpile;

(6) apply materials in such inventory at their fair market value toward (a) the payment of handling, transportation, and other costs incident to the rotation of materials in the national stockpile, and (b) the payment of the difference, if any, between the price received for the materials being replaced and the price of the replacement materials;

(7) provide for the storage, security, and maintenance of materials in such inventory;

(8) provide for the rotation of any materials in such inventory by replacing such materials with new or fresh materials, substantially the same in kind and value as the materials being replaced, when necessary to prevent deterioration or to accomplish a change in the storage location of materials, and utilize materials in such inventory as payment in kind at their fair market value, as determined by the Administrator, for the payment of handling, transportation, and other costs incident to such replacement and for payment of the difference, if any, between the fair market value of the materials being used for payment in kind and the price of the replacement materials;

(9) transfer of any materials in such inventory to any department or agency of the Government for use by that department or agency;

(10) require, whenever practicable, that departments and agencies of the Government use materials from the materials reserve inventory in lieu of procuring such material from private sources;

(11) abandon, destroy, or donate to public bodies, materials in such inventory which have no commercial value or which do not have sufficient commercial value to justify the cost of further care and handling or making them suitable for transfer or sale; and

(12) sell materials in such inventory which are no longer required to carry out the purposes of this Act.

(c) Any sale of materials made pursuant to subsection (b)(12) of this section shall be made with due regard for protecting (1) the United States against avoidable loss, (2) producers, processors, and consumers against avoidable disruption of their usual markets, and (3) the foreign relations of the United States. In disposing of any material under this Act, the Administrator of General Services shall follow procedures which will, insofar as practicable, prevent the material being disposed of from being acquired, directly or indirectly, by Communist-controlled nations, if such material would not otherwise be available to such nations from other sources and the acquisition of such material by such nations would be detrimental to the national security of the United States. Any such sale shall be subject to the provisions of section 203(e), except paragraph (b), of the Federal Property and Administrative Services Act of 1949, as amended; provided, that the Administrator of General Services may restrict disposals by publicly advertised competitive bids, or by negotiation of any quantity of materials to a particular class of potential purchasers or any segment thereof, including but not limited to domestic users, small business, Department of Defense priority-rated orders, and domestic consumers, if he determines that such action is necessary to accomplish the purposes of section 7(c) (1), (2), or (3), hereof, or otherwise is necessary in the public interest in time of war and during any national emergency, or will promote the public health, safety, or national security, or is necessary to relieve a critical shortage in the domestic industry, or is in the best interest of the national economy.

(d) No sale pursuant to subsection (b) (12) of this section shall be made until the expiration of 60 calendar days after publication in the Federal Register and transmission of a notice of the plan of proposed disposition to the Committees on Armed Services of the Senate and House of Representatives. The notice required to be submitted to the Committees on Armed Services of the Senate and House of Representatives shall include detailed explanation of the manner in which the disposal plan meets the criteria set out in subsection (7)(c) of this Act. Such 60-day period shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three days.

SEC. 8. (a) The Secretary of the Interior is hereby authorized to make scientific, technologic, and economic investigations concerning the extent and mode of occurrence, the development, mining, preparation, treatment, and utilization of ores and other mineral substances found in the United States or its Territories or insular possessions, which materials are determined pursuant to section 2 hereof to be strategic and critical and the quantities or grades of which are inadequate from known domestic sources in order to determine and develop domestic sources of supply to devise new methods for the treatment and utilization of lower grade reserves, and to develop substitutes for such essential ores and mineral products, on public lands and on privately owned lands, with the consent of the owner, to explore and demonstrate the extent and quality of deposits of such minerals, including core drilling, trenching, test-pitting, shaft sinking, drifting, crosscutting, sampling and metallurgical investigations and tests as may be necessary to determine the extent and quality of such deposits, the most suitable methods of mining and beneficiating them, and the cost at which the minerals or metals may be produced.

(b) The Secretary of Agriculture is hereby authorized to make scientific, technologic, and economic investigations of the feasibility of developing domestic sources of supplies of any agricultural material or for using agricultural commodities for the manufacture of any material determined pursuant to section 2 hereof to be strategic and critical or substitutes therefor.

SEC. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEC. 10. Except as otherwise provided herein, any funds hereafter received on account of sales or other dispositions of materials under the provisions of this Act shall be placed into the Treasury as miscellaneous receipts.

SEC. 11. (a) The Strategic and Critical Materials Stock Piling Act, as amended (53 State, 811; 50 U.S.C. 98a–h), is hereby repealed. All materials held in the national stockpile under authority of such Act on the date of enactment of this Act shall, on such date, become a part of the national stockpile authorized under this Act.

(b) Any contract which was entered into under authority of the Strategic and Critical Materials Stock Piling Act, as amended, and which has not been fully executed on the date of enactment of this Act, shall be carried out by the Administrator of General Services in the same manner and to the same extent as if such Act had not been repealed, but any materials acquired pursuant to such contract shall become a part of the national stockpile.

(c) Any disposal plan authorized pursuant to the provisions of the Strategic and Critical Materials Stock Piling Act, as amended, and which has not been fully executed on the date of enactment of this Act, shall be carried out by the Administrator of General Services under authority of this Act, without regard to provisions of subsection (a) hereof.

The comparison presented by Mr. SYMINGTON is as follows:

*A comparison of some significant provisions of present law with proposed legislation on the national stockpile of strategic and critical materials*

1. RESPONSIBILITY FOR DESIGNATING WHICH MATERIALS ARE STRATEGIC AND CRITICAL

| Present law (Public Law 520, 79th Cong.) | Proposed legislation | Comment |
|---|---|---|
| Sec. 2(a) places responsibility for designating which materials are strategic and critical and the quality and quantity of materials to be stockpiled in the Munitions Board (authority now vested in OEP as successor to Munitions Board in this area). | Sec. 2 (a), (b), (d) gives the President responsibility for designating which materials are strategic and critical and the form, quality and quantity of materials to be stockpiled. Designates such inventory as national stockpile and defines "stockpile objective." | Proposed legislation centralizes authority. |

*A comparison of some significant provisions of present law with proposed legislation on the national stockpile of strategic and critical materials*—Continued

| Present law (Public Law 520, 79th Cong.) | Proposed legislation | Comment |
|---|---|---|
| **2. Definition of Strategic and Critical Materials** | | |
| Policy statement of Public Law 520 says one of the purposes of the law is to provide for the acquisition and retention of stocks of certain strategic and critical materials in which the United States is deficient or has insufficiently developed its supply so as to decrease and prevent wherever possible a dangerous and costly dependence of the United States upon foreign nations for supplies of these materials in times of national emergency. | Sec. 2(a) says: "As used in this Act the term 'strategic and critical' means any natural or synthetic raw material (as distinguished from any manufactured or fabricated form of such material, except diamond dies and jewel bearings)—<br>"(1) which would be required to meet the industrial and military needs of the country during the following national emergencies:<br>"(A) any period during which the United States is engaged in armed hostilities with a foreign nation;<br>"(B) any period following a nuclear attack on the United States when such materials are required for the industrial and economic recovery of the United States; and<br>"(2) which would not be readily available in sufficient quantities from domestic or other sources during such periods." | Present law does not define "strategic and critical materials" or specify the kinds of national emergencies for which the Government should stockpile. The proposed legislation explicitly defines "strategic and critical materials" and specifies the kinds of national emergencies for which materials can be stockpiled. The proposed legislation does not provide for stockpiling of end-use items such as copper tubing, steel beams, aluminum sheeting, etc. Should the Government decide stockpiling of end-use items is needed, new legislation would be required. |
| **3. Stockpile Objectives** | | |
| | Sec. 2 (d) and (e) defines "stockpile objectives." Requires that, 6 months after enactment, the President shall publish regulations setting forth criteria to be considered in determining stockpile objectives. Such regulations shall not become effective until the expiration of 60 days after submission to the Committees on the Armed Services of each House of the Congress. This section also provides that the Secretary of Defense, based upon recommendations of the Joint Chiefs of Staff, shall determine the probable nature and duration of any emergency for which strategic and critical materials may be required. | Public Law 520 has no provisions for publication of criteria and congressional opportunity for review. Nor does Public Law 520 provide for determination of probable nature and duration of national emergency by the Secretary of Defense based upon recommendations of the Joint Chiefs. |
| **4. Refining and Processing of Materials in National Stockpile** | | |
| Sec. 3(c) provides for refining or processing of materials acquired or transferred under the act when such action is deemed necessary. | Sec. 3(a)(3) and 7(a)(5) provides for refining or processing of material in the national stockpile under a stockpile objective redetermination, when such material is no longer required in its present form to meet objectives. Also provides that excess materials can be used to pay costs. | Proposed legislation limits the conditions under which refining or processing of a material can be accomplished and provides that excess materials may be used to pay costs thereby providing an opportunity to save dollars and reduce surplus. |
| **5. Provision for Public and Congressional Advisement** | | |
| A periodic report to the Congress on activities under the act is required under sec. 4 of Public Law 520. | Sec. 3(d) establishes a 60-day waiting period before activation of any plans for refining, processing, or replacing of materials pursuant to the provisions of sec. 3(a) and requires the publication of a general plan in the Federal Register as well as a transmittal of the general plan to the Committees on Armed Services of both Houses of Congress. In addition, this section requires an annual report by the President to the Congress on all activities under sec. 3. | The provision of the proposed legislation will give Congress and the public an opportunity to advise the President with respect to proposed refining, processing, or replacement transactions. |
| **6. Rotation of Materials in the Stockpile** | | |
| Sec. 3(d) provides for rotation of materials in the national stockpile where necessary to prevent deterioration. | Sec. 3(a)(5) and 7(b) (6) and (8) provide for the rotation of materials in the national stockpile and the materials reserve inventory to prevent deterioration or to accomplish a change in storage location. Further provide that funds received on account of rotation are available for rotation purposes and that excess materials may be used as payment in kind at their fair market value for other costs incident to rotation. | The additional authority in the proposed legislation will accomplish savings in storage and transportation costs not possible under Public Law 520; also provides opportunities to use excess materials, thereby saving dollars and reducing size of surplus. |
| **7. Exchanges and Disposal To Acquire Materials for National Stockpile** | | |
| | Sec. 3(b) authorizes the acquisition of materials required to meet national stockpile objectives through (1) exchange of excess materials at their fair market value, or (2) the disposal of excess materials at fair market value and application of the proceeds for such acquisition. | This provision of the proposed legislation permits prompt acquisition of urgently needed materials without the expenditure of dollars. |
| **8. Renegotiations of Contracts** | | |
| Public Law 520 makes no provision for renegotiation of stockpile contracts. Therefore, for lack of an exemption under Public Law 520, stockpile contracts are subject to the following provision of the Renegotiation Act of March 23, 1951 (title 50, United States Code, 1958 edition, sec. 1216), which states in part:<br>"The provisions of this section shall not apply to * * *.<br>(3) any contract or subcontract, for the product of a mine, oil or gas well, or other mineral or natural deposit, or timber, which has not been processed, refined, or treated beyond the first form or state suitable for industrial use. * * *" | Sec. 3(c) provides that all contracts entered into under the authority of the act shall be subject to the Renegotiation Act of 1951 "and the provisions of section 106 of such Act, relating to exemptions, shall not be effective with respect to such contracts and subcontracts." | This provision of the proposed legislation removes existing statutory exemptions attached to certain stockpile transactions and will prevent excessive profits on stockpile contracts, made under the authority of this act, in the future. |

*A comparison of some significant provisions of present law with proposed legislation on the national stockpile of strategic and critical materials*—Continued

<table>
<tr><th colspan="3">9. MATERIALS RESERVE INVENTORY</th></tr>
<tr><th>Present law (Public Law 520, 79th Cong.)</th><th>Proposed legislation</th><th>Comment</th></tr>
<tr><td></td><td>Sec. 7(a) provides for the establishment of a materials reserve inventory, to be composed of all materials heretofore or hereafter acquired pursuant to the Defense Production Act, as amended, and the Agricultural Trade Development and Assistance Act of 1954, without reimbursement and under sec. 7(b)(1) any materials in the national stockpile which exceed the stockpile objective.</td><td>The proposed legislation would consolidate the various inventories into two inventories, consisting of the national stockpile, into which would be put the quantities of materials required to meet national stockpile objectives established pursuant to the proposed bill; and the materials reserve inventory, into which would be put all materials in excess of such established objectives.</td></tr>
<tr><th colspan="3">10. TRANSFER AND EXCHANGE OF MATERIALS BETWEEN STOCKPILES</th></tr>
<tr><td>There is no mechanism to transfer any material from the national stockpile to either the supplemental stockpile or the Defense Production Act inventory even though material held in the national stockpile may be excess to its objective. Likewise, there is no established mechanism for transferring material from the supplemental stockpile to the national stockpile even though the national stockpile may not have enough of that material to meet the established objective. However, when there is not enough of a material in the national stockpile to meet its objective and there is some of that material in the supplemental stockpile, the material in the supplemental stockpile can be counted toward the objective. The Defense Production Act of 1950, as amended, provides for the transfer of excess materials in the Defense Production Act inventory to the national stockpile but if transferred the borrowing authority is reduced by an amount equal to the acquisition cost of the material. (No material has even been transferred from the Defense Production Act inventory to the national stockpile on a nonreimbursable basis.)</td><td>Under sec. 7(b) the Administrator of General Services Administration is authorized to—<br>(1) Transfer to the materials reserve inventory without charge or reimbursement any materials in the national stockpile which exceeds the stockpile objective determined or redetermined pursuant to sec. 2 of this Act;<br>(2) Transfer to the national stockpile without charge or reimbursement any materials in the materials reserve inventory which are required to meet the stockpile objectives for such materials.<br>(3) Exchange any materials in such inventory for materials in the national stockpile for the purpose of improving or maintaining the quality of or changing the location of materials in the national stockpile;<br>(4) Commingle materials in the national stockpile with equivalent materials in the materials reserve inventory.</td><td>This section of the proposed legislation provides for the transfer of materials between stockpile and excess inventory, provides a vehicle for the economical attainment of national stockpile objectives and provides for the efficient management of both the stockpile and the excess inventory.</td></tr>
<tr><th colspan="3">11. USE OF MATERIALS IN MATERIAL RESERVE INVENTORY TO PAY CERTAIN COSTS</th></tr>
<tr><td>No provisions in the present law comparable to those in proposed legislation.</td><td>Sec. 7(b) authorizes Administrator of GSA to use materials from the materials reserve inventory, at their fair market value, to pay costs incident to—<br>(1) Refining, processing, or replacement of materials in the national stockpile.<br>(2) Rotation of materials in both national stockpile and materials reserve inventory.</td><td>Permits accomplishment of some stockpile objectives and some maintenance functions without expenditure of dollars. Plans for refining, processing, or replacement must be reported to the House and Senate Committees on Armed Services 60 days before the action is taken. Rotation is a normal maintenance function.<br>This will simplify the administration of the stockpiles and update enabling legislation to reflect present-day conditions. with particular emphasis on efficiency in maintenance and benefication.</td></tr>
<tr><th colspan="3">12. TRANSFER OF MATERIALS TO OTHER DEPARTMENTS AND AGENCIES</th></tr>
<tr><td>No similar provision.</td><td>Sec. 7(b) authorizes the Administrator of General Services to require, wherever practicable, that departments and agencies of the Government use materials from the materials reserve inventory in lieu of procuring such material from private sources, and to transfer any materials in such inventory to any department or agency of the Government for use by that department.</td><td>Provides an opportunity to reduce the cost of Government.</td></tr>
<tr><th colspan="3">13. DISPOSALS FROM MATERIALS RESERVE INVENTORY</th></tr>
<tr><td>Public Law 520 provides for disposal of materials held pursuant to the act which become excess by reason of a revised determination under sec. 2. It requires publication of notice of intention to dispose in the Federal Register, and transmittal of such notice to the Armed Services Committees of both Houses of Congress. It further provides that no disposal is to be undertaken until the expiration of a 6-month waiting period after publication of notice and transmittal to the Congress, and then only after express approval of the proposed disposition by the Congress, except that disposals by reason of obsolescence do not require such approval by Congress. It also provides that disposal shall be made with due regard to the protection of the United States against avoidable loss and the protection of processors, producers and consumers against avoidable disruption of their usual markets.</td><td>The Administrator of GSA is authorized to—<br>"(12) sell materials in such inventory which are no longer required to carry out the purposes of this Act."<br>Sec. 7(c) carries forward the provision of Public Law 520 requiring protection of the Unites States against avoidable loss and protection of specified markets against avoidable disruption with respect to sales made under sec. 7(b)(12) of the new act. In addition, this section requires that due regard be given in disposals under sec. 7(b)(12) to the foreign relations of the United States and prevention of such material being acquired by Communist-controlled nations insofar as practicable if such material would not otherwise be available to such nations and the acquisition of such material would be detrimental to the national security of the United States.<br>Under sec. 7(c) the Administrator is authorized to restrict disposals to particular classes of potential purchasers or any segment thereof if he determines such action is necessary to accomplish the purposes of sec. 7 or is otherwise in the public interest, but he must obtain the maximum possible competition.<br>Sec. 7(d) provides for sales under the authority of sec. 7(b)(12) to be made upon expiration of a 60-day waiting period after publication of notice of the plan of proposed disposition and submission of such notice to the Committees on Armed Services of both Houses of Congress. Sec. 7(d) further provides that the notice to Congress shall include a detailed explanation of the manner in which the disposal plan meets the criteria set out in sec. 7(c).</td><td>The proposed legislation imposes the requirement that detailed explanation be given of the manner in which disposals under sec. 7(b)(12) meet the criteria of (1) avoiding loss (2) avoiding disruption of usual markets and foreign relations and (3) preventing materials being acquired by Communist-controlled countries under given circumstances.<br>The proposed legislation retains congressional control but provides the executive branch flexibility so as to permit quick action in taking advantage of market conditions favorable to surplus disposal.</td></tr>
<tr><th colspan="3">14. CLASSIFICATION OF STOCKPILE RECORDS AND DATA</th></tr>
<tr><td></td><td>Sec. 4 restricts the authority of the President as to information he may classify, either in normal times, in time of war, or during any national emergency.</td><td>This new provision is designed to make available to the American people the maximum amount of information on the stockpiles of strategic and critical materials, consistent with national security.</td></tr>
</table>

*A comparison of some significant provisions of present law with proposed legislation on the national stockpile of strategic and critical materials*—Continued

15. RELEASE OF STOCKPILED MATERIALS

| Present law (Public Law 520, 79th Cong.) | Proposed legislation | Comment |
|---|---|---|
| Sec. 5 of Public Law 520 provides for the disposition (except for rotation and disposals) of national stockpile material on order of President when, in his judgment, release is required for purposes of the common defense, or on order of any agency designated by the President in time of war or during a national emergency. | Sec. 5. Except as otherwise provided, materials in the national stockpile could be released for use, sale, or other disposition only (1) on order of the President at any time when, in his judgment, such release is required for purposes of the common defense, or (2) on order of any agency designated by the President, in time of war or during a national emergency declared by the President. or (3) on order of the President when the discontinuance or interruption of a foreign source or sources of supply of a material will cause a dislocation of the United States economy which the President determines to be a threat to the industrial and economic security of the United States: *Provided*, That the President also determines that the release of such material from the national stockpile will not constitute an immediate risk to the United States ability to defend itself in a national emergency. | Proposed legislation provides authority similar to present law, except that release by agencies designated by the President would be restricted to declared emergencies. In addition, the proposed legislation would authorize Presidential release when there is a disruption of foreign source of supply that is determined to be a threat to the industrial and economic security of the United States. |

## NATIONAL ECONOMIC CONVERSION COMMISSION

Mr. McGOVERN. Mr. President, I introduce, for appropriate reference, for myself and Senators BAYH, CLARK, GRUENING, LONG of Missouri, MORSE, NELSON, RANDOLPH, WILLIAMS of New Jersey, and YOUNG of Ohio, a bill to establish a National Economic Conversion Commission to develop plans for economic adjustments to changes or reductions in our defense expenditures.

This legislation recognizes that the Nation has found it necessary during the cold war years since World War II to make a heavy economic commitment for defense.

The act declares that our security requires a capacity to adjust our defense establishment to changing military and international conditions. Such a capacity includes preparation for the conversion of any part of our military plant to civilian purposes.

This legislation offers one means by which the people of the United States can safely embrace reasonable opportunities for converting the instruments of war to the tools of peace. It should add to the flexibility, the efficiency, and the strength of our entire security system.

The bill seeks to accomplish these purposes as follows:

### PROVISIONS OF THE BILL

A National Economic Conversion Commission would be established in the Executive Office of the President. The Commission, headed by the Secretary of Commerce, would include the Secretaries of Defense, Agriculture, Labor, and Interior, the Chairmen of the Atomic Energy Commission and the Council of Economic Advisers, and the Directors of the Arms Control and Disarmament Agency and the National Aeronautics and Space Administration.

The Commission would have responsibility for drafting a blueprint of appropriate actions by departments and agencies of the Federal Government to facilitate conversion. This should include preparation of schedules of possible private and public investment patterns resulting from various degrees of economic conversion and the employment and income effects that may be expected therefrom. This analysis would be submitted to the President and to Congress within 1 year after the enactment of the act.

The Commission would convene, within the next 12 months, a National Conference on Industrial Conversion and Growth to focus nationwide attention on these problems and to encourage appropriate study and programing for economic conversion in all relevant parts of the Nation's economy.

The Commission would counsel with the Governors of the States to encourage appropriate and timely preparation in support of conversion capability.

In addition to the National Economic Conversion Commission, the bill provides that defense plants under contract to the Department of Defense, the Atomic Energy Commission, or the Space Agency shall have in their managements an operating conversion committee. Such committees would be required in all plants engaged in defense work for 1 year or more and whose personnel are 25 percent or more so engaged.

Each industry committee would be charged with planning for the conversion of the facility from military to civilian work, as required in the event of contract changes owing to terminations, cutbacks, or stretchouts.

Many firms will find it possible to make appropriate plans for coping with conversion problems on their own, but others will be unable to plan with their own competence and will need the counsel and assistance of Government.

### UNCERTAINTIES OF THE DEFENSE ECONOMY

As the Members of the Senate know, I have previously expressed the conviction that we have reached a point when we can make careful reductions in arms expenditures without in any way endangering the security of the Nation. Regardless of whether this view prevails, we can anticipate a leveling off of numerous defense projects, and significant shifts in the character of defense spending. Plans to make economic adjustment to such changes should be prepared by both Government and private industry. The bill which I introduce today establishes the machinery to inaugurate such planning.

Uncertainties, many of which depend upon factors beyond our control, provide the backdrop for the proposed legislation. The proposal is designed to ease the conversion or modification of our arms industries and installations to civilian purposes. If we are to avoid painful economic dislocations and loss of job opportunities resulting from reductions or changes in our defense system, we must develop procedures now for anticipating and meeting these problems.

The New York Times of July 12, 1963, reported that Defense Secretary McNamara foresees a leveling off of defense spending. As a result of cost-efficiency achievements, Mr. McNamara has indicated that annual savings of $4 billion may be reached by 1964. This does not necessarily mean a reduction in combat forces or overall military spending, but it does point up the changing character of defense operations.

An earlier report, in the Times for June 30, indicated that administration officials are giving serious consideration to a substantial cut in the weapons acquisition program of the Atomic Energy Commission.

The Congress has recently reduced by more than a billion dollars the requested Defense Department appropriations for fiscal 1964.

The changing demands of our security in the 1960's necessarily involve a constantly shifting and changing Defense Establishment. For example, during the past 2 years, we have been allocating increased billions of dollars to our conventional warfare and mobile force capability. Simultaneously, we have been phasing out B-47 strategic bombers and modifying our missile system. Secretary McNamara has recently blocked construction of nuclear aircraft carriers.

These and other anticipated changes in defense allocations point up the uncertainty of any existing weapons system or military installation.

### THE CHANGING COLD WAR SCENE

Even more fundamental changes may occur in our military forces and defense-related industries if the pattern of the cold war should shift substantially. There are new indications that Russia may be changing the direction of her cold war tactics. Mr. Khrushchev's disavowal of the moon race, his sharp differences with the Chinese Communists, his expenditure of large sums for food, ought to be viewed with healty skepticism, but they are indications, nonetheless, of a possible change in Soviet tactics.

It is possible that our rivalry with the Soviets may move more and more into an economic, cultural, and ideological conflict in which military weapons would serve an increasingly secondary role. If the President's hope for the test ban as "a first step" to peace is fulfilled by additional steps to peace, then surely we can anticipate a change in military spending by the great powers. Any significant success in the long effort to reach agreement on disarmament would, of course, sharply affect the level of defense spending.

In August 1963 the monthly survey of the Morgan Guaranty Trust Co. reported that even though it might be premature to hope for a thaw in the cold war, the time has come to prepare for a reduction and shifts in defense spending. It commented:

> Well before the Moscow [test ban] accord, a number of developments were suggesting the possibility of a break in the pattern of steadily increasing outlays for national security. Even clearer have been the signs that the composition of defense expenditure is likely to shift. Either event—reduction or restructuring—would impose economic adjustments on individuals, companies, and communities. The prospect, therefore, ought to be receiving consideration in the private sector of the economy, where adjustment would chiefly fall. Thus far, it appears to have been rather broadly neglected.

### U.S. ECONOMY CAN THRIVE DURING CONVERSION

Marxist critics of the United States have long contended that however burdensome, heavy arms spending is a necessary evil designed to prevent the collapse of U.S. capitalism. According to this view, were it not for booming defense industries and military forces to stimulate the economy and absorb our manpower, chronic depression would grip the Nation. Many Americans, including industrialists, labor leaders, and public officials tend to accept this assumption.

I believe this to be a false view of the American economy. It is my conviction that with proper planning by both private and public officials on community, State and Federal levels, our economy can expand and prosper while undergoing substantial shifts or reductions in our Defense Establishment.

I agree with the distinguished assistant leader of the majority, the Senator from Minnesota [Mr. HUMPHREY], who said in an address to the Senate more than a year ago:

> If we discuss the economic impact of disarmament on our economy, we shall reach the conclusion that not only is it possible to make such a conversion without serious dislocation, but it is possible to have a vastly improved economy, one in which economic expansion moves rapidly, and in which the production of goods and services increases for the common good.

In that spirit, I suggest the following propositions:

First. The United States clearly demonstrated at the end of World War II that we could move quickly and successfully from a wartime to a peacetime economy at a time when a much larger share of our total resources were devoted to armaments than is now the case.

Second. Our present level of military spending—far from strengthening the economy—is actually distorting and restricting the economy, weakening the competitive position of our civilian industries in both domestic and international trade, and seriously aggravating our balance-of-payments problem.

Third. While our overall economy can absorb shifts in production patterns with comparative ease, certain industries, communities and manpower groups would be seriously affected by sudden shifts or cutbacks in the military system. These special problems can be minimized with sufficient advance planning.

During World War II, U.S. defense expenditures claimed over 40 percent of our gross national product in contrast to 10 percent today. Within a year of the war's end in 1945 we had reduced defense spending by 80 percent. This reduction represented three times the present percentage of our national production devoted to defense expenditures. In the same 12-month postwar period, over 9 million servicemen were released from the Armed Forces—more than triple our present total military personnel. Yet, despite this rapid demobilization and reduction of defense spending, the economy boomed and unemployment remained below 4 percent.

The satisfactory transfer to a civilian economy after 1945 was made possible partly because of the pent-up demand for civilian goods and partly by our material assistance to European recovery. It was also greatly assisted by intelligent industry planning and government action, including tax reduction, veterans benefits, concessions to industry, and a policy of monetary ease. All of these tested devices could be readily employed again should major arms reduction become feasible.

### ARMS SPENDING DISTORTS ECONOMY

Both the encouraging post-World War II experience and analysis of our present economic problems point to the conclusion that a planned transfer to civilian production can be a boon rather than a drag on our economy. Arms spending is not the unmixed economic blessing that some citizens believe it to be.

As William C. Foster, Director of the Arms Control and Disarmament Agency, has said:

> Defense spending of the type we now have has no intrinsic merit in terms of its ability to create production and income as compared to other forms of demand.

A costly nuclear warhead resting in the arsenal has little or no impact on the economy, whereas a similar investment in updated machine tools or classrooms or scholarships pays compound dividends.

Furthermore, arms spending is narrowly concentrated in a few giant corporations rather than being evenly spread across the Nation.

Most disturbing of all, we are presently starving a number of crucial sectors of American society to keep the military animal well fed.

In recent years we have been allocating approximately three-fourths of our precious scientific and engineering talent to military research and development. This, plus the concentration of capital in arms production, has lead to a painful decline in the modernization of our civilian industries. The United States, once the envy of the world in machine tool production has today slipped to fourth or fifth rank among the world's machine tool producing nations. Few Americans realize that the gleaming new civilian plants of West Germany, Japan, and Italy—the hapless Axis powers of 18 years ago—have left the United States with the distinction of operating the most outdated metalworking machinery of any major industrial country.

Many of our once top-rated civilian industries are losing their competitive edge both at home and abroad with serious consequences to our balance of payments and our economic growth. The balance-of-payments problems is further aggravated by the cost of maintaining large numbers of American troops in Germany and by our military aid operations in Vietnam, Korea, and Formosa.

Even more difficult to measure is the loss to society from the diversion of much of our best brainpower—especially potential teachers—to military research and development. The shortage of talented, dynamic teachers and professors takes a heavy toll in American classrooms.

Every American should ponder the words of former President Eisenhower:

> The Military Establishment, not productive of itself, necessarily must feed on the energy, productivity, and brainpower of the country, and if it takes too much, our total strength declines.

### SPECIAL AREAS OF STRESS DURING ARMS REDUCTION

Having contended that the arms budget is a restricted and sometimes damaging method of bolstering the economy, I nevertheless believe that it is so intertwined with the economic life of some of our communities, industries and vocations that a military shift without advance planning would set off an understandable panic.

A significant factor in America's defense spending is its highly uneven distribution geographically and industrially. Areas such as southern California, Boston, Seattle, Wichita, and a number of our States including Hawaii, Alaska, Georgia, New Mexico, and Utah are heavily dependent on defense industries and installations.

In the aircraft industry over 93 percent of the employees are engaged in manufacturing warplanes; in the shipbuilding industry, 60 percent of the employees are involved in defense production, and in radio and communications equipment production the percentage is 38 percent. These areas and industries along with the technical personnel in related defense production will be hardest hit by arms reduction or shifts in production patterns.

### REASONS FOR CONVERSION PLANNING

There are various reasons why we must take steps to free ourselves from the fear of economic dislocation stemming from changes in our defense forces.

First, our military security requires that our defense planners be permitted a considerable degree of flexibility in weapons production and modification. As matters now stand, necessary changes or reductions in weapons systems or defense installations are often vigorously resisted by the affected communities and their political spokesmen. Such political and economic pressures which freeze unneeded plants or installations into the Defense Establishment weaken our overall strength.

The Morgan Guaranty Survey observes, in connection with the inertia or resistance to change in defense expenditure patterns:

> With about one-tenth of gross national product devoted to military purposes year after year, there has developed a reluctance, both public and private, toward cutting back so sizable a sector of economic activity. Thus, the very fact that makes it important to prepare for the possibility of a reduction in defense outlays—that is, the economy's heavy involvement in defense—could also make it more difficult to achieve reduction.

But, Mr. President, in the absence of alternative plans, who can blame a community, or a labor leader, or a Congressman, for vigorous opposition to the loss of a valuable payroll or dividend?

A second reason for planning conversion is that we have an obligation to protect our citizens in the Armed Forces and defense industries against an economic calamity. We need to replace uncertainty and anxiety with the assurance that conversion to civilian production can actually be a hopeful opportunity for the American people.

The Senator from Pennsylvania [Mr. Clark] discussing the work of his Subcommittee on Employment and Manpower has said:

> Certainly, it is a matter of direct congressional and national concern to inquire whether practical alternatives exist for the employment of defense industries and their work forces outside the defense program for the fulfillment of other community and individual needs.
>
> We cannot possibly leave great defense industries and millions of their workers in so vulnerable a position that they constitute an independent obstacle to the achievement of a stable peace * * *.

### OUR CIVILIAN NEEDS CAN ABSORB ARMS CUT

There is a wide range of American domestic needs which can easily absorb large public and private investment for new employment and economic growth. The Nation's needs for resources development projects, particularly involving water, and for construction of schools, hospitals, mental health facilities, urban transit systems, outdoor recreation facilities, and rural development would more than absorb any likely reductions in defense spending.

There are many untapped opportunities in the civilian sector to which our defense industries might convert their capacity. For example, the airframe industry has competence for producing lightweight, high-strength structures useful for prefabricated housing.

In the medical field there are dramatic uses for electronic devices to which part of our defense capacity could be diverted. Also, traffic signals in our cities could be controlled by computers to improve the control and flow of traffic.

Countless other examples could be cited and there are scores of ideas yet to be formulated for converting war production to civilian uses.

Scores of small communities have developed at the side of defense installations. We will have to make an imaginative effort to conserve the human and the capital resources of these satellite towns. For example, many bases include extensive facilities that could be converted into vocational schools and junior college use. The instructional staffs of some training bases are readily convertible into the teaching staffs of technical institutes. Indeed, such use of military training sites and personnel would help us to overcome at the junior college level the national shortage of technicians. This, in turn, can prove to be a major contribution to the technological renewal of many of our industries.

We should anticipate the possibility that a type and degree of specialization highly specific to military functions has developed in various occupations. Some electronics and missile engineers may thus discover that as specialists in aspects of missile guidance, there is no nearby civilian technology for which they are suited. For such men, there will be problems for retraining. This can be an opportunity for them and for our country. We all know that we must upgrade the function of educating our youth. Many of our defense industry experts could be attracted to the teaching profession with proper financial and professional incentives.

What is needed is a coordinated effort between private industry and government to smooth the transition. The bill which I have proposed will help to meet that need.

Its combination of required industry conversion planning and State and Federal supporting activity will help generate the confidence and direction needed for conversion capability.

With such a design, we will begin to relieve the concern which many feel, lest conversion from war production be the occasion of unreasonable hardship for Americans. In turn, the development of competence for conversion will make possible more realistic appraisals of defense spending, for then decisions on the termination of contracts or the closing of installations to meet legitimate efficiency and security requirements need not be blunted by concern for economic dislocation. This is bound to improve both the short- and long-term design and administration of our security policies. It will also add new force to disarmament discussions by removing fear of the economic consequences.

These proposed steps can help give our people a solid basis for confidence in their own and our Nation's future. With other related efforts, they can demonstrate that the best path to American prosperity and economic growth lies not in a constantly expanding arms race but in carefully gaged steps toward peace.

### GROWING INTEREST IN ECONOMIC CONVERSION

Mr. President, I want to clarify my purpose in introducing legislation at this time.

This is not a newly recognized issue, arising out of the apparent thaw in East-West relationships. The problem was recognized in the report on the Economic and Social Consequences of Disarmament made by the U.S. Arms Control and Disarmament Agency in March of 1962.

It was recognized by our very able colleague the Senator from Michigan [Mr. Hart], in 1962, when he proposed a Senate Select Committee on the Economic Impact of National Defense, which was to study procurement policies and take into consideration the effect that termination or modification of procurement contracts would have on the economy.

It was recognized by the New York Times financial and business editors some weeks ago when they made a survey of conversion planning by our 25 major corporations which handle 50.8 percent of all defense work. They reported on August 16, 1963, that very little planning for conversion has been done by industry and that "many defense contractors simply refuse to consider a sizeable cutback in arms production as any kind of a possibility in the foreseeable future."

It was recognized by the Senate Foreign Relations Subcommittee on Disarmament in the study so ably reported to us by the Senator from Minnesota [Mr. Humphrey] on October 5 last year, to which I have referred. The Minnesota Senator has established himself nationally and internationally as a leader in the field of disarmament and especially its related economic impact.

We have been approaching the problem of conversion with increasing frequency and interest. We have some rather broad ideas about how it may be undertaken.

It seems to the cosponsors of the proposed National Economic Conversion Act, which I have introduced, that it is time to launch more specific planning for possible reductions or changes in our military programs. We urgently need a blueprint, in the language of the bill, "of the appropriate policies and programs to be carried out by the departments and agencies of the Federal Government * * * which study shall include possible schedules of public and private investment patterns resulting from various degrees of economic conversion."

Also, it is time to stimulate and assist private industry and State and local communities in undertaking the planning job, as provided in the bill.

Mr. President, I ask unanimous consent to have printed in the Record the text of the bill, the Morgan Guaranty Survey article on conversion problems, and the New York Times article of August 16, entitled "Defense Industry Lacks Plans for Civilian Production," and other editorials and articles in support of the proposal.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill, editorials and articles will be printed in the Record.

The bill (S. 2274) to establish a National Economic Conversion Commission, and for other purposes, introduced by Mr. McGovern (for himself and other Senators), was received, read twice by its title, referred to the Committee on

Commerce, and ordered to be printed in the Record, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "National Economic Conversion Act".

### DECLARATION OF PURPOSE

Sec. 2. The Congress finds and declares that in the last decade the cold war has required the United States to make a heavy military and economic commitment for defense; that it is the policy of the United States to maintain a fully adequate national defense and to regulate expenditures for such defense in accordance with changing requirements of American security; that economic ability to adjust to changing security needs is in the interest of the general welfare of the United States; that preparation for a consequent transition to a civilian economy is necessary; and that such an economic conversion presents a great challenge and opportunity to the American people.

It is the purpose of this Act to provide the means by which the United States can prepare for the challenge and opportunity of such an economic conversion.

### ESTABLISHMENT OF THE COMMISSION

Sec. 3. (a) There is hereby established, in the Executive Office of the President, the National Economic Conversion Commission (hereafter referred to as the "Commission"), which shall be composed of—

(1) The Secretary of Defense;

(2) The Secretary of Agriculture;

(3) The Secretary of Commerce, who shall be chairman of the Commission;

(4) The Secretary of Labor;

(5) The Secretary of Interior;

(6) The Chairman of the Atomic Energy Commission;

(7) The Director of the United States Arms Control and Disarmament Agency;

(8) The Chairman of the Council of Economic Advisers; and

(9) The Administrator of the National Aeronautics and Space Administration.

(b) The Secretary of Commerce shall preside over meetings of the Commission; except that in his unavoidable absence he may designate a member of the Commission to preside in his place.

(c) The Commission shall have a staff to be headed by an executive secretary who shall be appointed by the President, and who shall receive compensation at the rate of $ —— a year.

### DUTIES OF THE COMMISSION

Sec. 4. It shall be the duty of the Commission to—

(1) institute a study, a report of which shall be submitted to the President and to the Congress within one year after the enactment of this Act, of the appropriate policies and programs to be carried out by the departments and agencies of the Federal Government for economic conversion capability, which study shall include possible schedules of public and private investment patterns resulting from various degrees of economic conversion, and the anticipated effects upon income and employment of such patterns;

(2) convene a National Conference on Industrial Conversion and Growth, within one year after the enactment of this Act, to consider the problems arising from a conversion to a civilian economy, and to encourage appropriate planning and programing by all sectors of the economy to facilitate the Nation's economic conversion capability;

(3) consult with the Governors of the States to encourage appropriate studies and conferences at the State, local, and regional level, in support of a coordinated effort to improve the Nation's economic conversion capability;

(4) promulgate regulations for the appropriate departments and agencies of the Federal Government, which shall specify the character and duties of the Industrial Conversion Committees established pursuant to section 5 of this Act;

(5) make such recommendations to the President and to the Congress as will further the purposes of this Act.

### INDUSTRIAL CONVERSION COMMITTEES

Sec. 5. (a) Under such regulations as the Commission shall prescribe, each defense contract or grant hereafter entered into by the Department of Defense or any military department thereof, or by the Atomic Energy Commission, shall contain provisions effective to require the contractor to set up an Industrial Conversion Committee which shall be charged with planning for conversion to civilian work arising from possible curtailment or termination of such contract or grant.

(b) As used in this section, the term "defense contract or grant" means any contract or grant—

(1) Which involves—

(A) the research, development, production, maintenance, or storage of any weapons systems, arms, armament, ammunition, implements of war, missiles, machinery, tools, clothing, food, fuel, or any articles or supplies, or parts or ingredients of any articles or supplies; or

(B) the construction, reconstruction, repair, or installation of a building, plant, structure, or facility; which the Secretary of Defense or his designee, or the Chairman of the Atomic Energy Commission or his designee, certifies to be necessary to the national defense;

(2) which requires that the number of employees engaged in work under such defense contract or grant, together with employees engaged in work under any other such contract or grant, exceeds twenty-five per centum of the total number of employees of the contractor awarded such contract or grant; and

(3) which requires at least one year to complete.

### POWERS OF THE COMMISSION

Sec. 6. (a) The Commission shall have the power to appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949, as amended. The Commission may also procure, without regard to the civil-service laws and the classification laws, temporary and intermittent services to the same extent as authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates not to exceed $50 per diem for individuals.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment or instrumentality, information, suggestions, estimates, and statistics for the purpose of this Act, and each such department, bureau, agency, board, commission, office, independent establishment or instrumentality, is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission upon request made by the Chairman.

Sec. 7. Such sums as may be necessary to carry out the provisions of this Act are hereby authorized to be appropriated.

The articles and editorials presented by Mr. McGovern are as follows:

[From the New York Times, Aug. 16, 1963]

### Defense Industry Lacks Plans for Civilian Production—Many Big Concerns Regard Arms Ban as Unforseeable

What is the Nation's defense industry, the largest single sector of the economy, doing to cope with the impact of possible arms control or disarmament?

Very little.

Many defense contractors simply refuse to consider a sizable cutback in arms production as any kind of possibility in the foreseeable future.

Some, who have given thought to the problem, say a sharp reduction in defense spending would deal them a severe if not a crippling blow, but they have no idea at present of how to plan for such a development.

A few companies are confident they would be able to make a smooth transition to civilian business.

### SPECULATION ON CUTBACK

Fewer still report that they have actually done some long-range planning in this area.

That is the gist of a survey made by the New York Times of the 25 biggest prime defense contractors. Together, the contractors account for 50.8 percent of all defense work.

Although President Kennedy specifically ruled out a cutback in defense spending as a result of the agreement on a partial ban on nuclear testing, that agreement has produced rising speculation about the possibility of an East-West détente. Few observers believe that any kind of real disarmament is imminent, but many argue that the time has come for American industry at least to make preparations for a possible slackening in the arms race.

Within the Government and Congress the problem of economic adjustment to arms control is slowly emerging as a matter of serious concern. The defense industry itself, however, apparently has yet to make a serious effort to smooth what could be a painful transition.

It is now generally agreed that—in the long run—the economy of the United States could be successfully adapted to any kind of arms control, including general and complete disarmament. That was the conclusion of a report prepared for the Arms Control and Disarmament Agency by a panel headed by Prof. Emile Benoit of Columbia University.

The key words in any discussion of disarmament and the economy are in the long run. When it comes to the short run, confident assertions about the resiliency of the U.S. economy often give way to cries of sheer panic.

The reasons for such consternation are not hard to locate. They can, in effect, be pinpointed geographically in those regions that have become centers of defense activity.

It has been estimated that one out of every three jobs in southern California is directly tied to defense expenditures. In the San Diego area for example, 82 percent of all manufacturing jobs were in the missile and aircraft industries when a check was made there in 1959.

The leading defense contractors farm out much of their work to one another and to smaller concerns. In effect, then, they sit atop a huge pyramid, the dimensions of which have never been definitively measured. In order to convey an impression of the size of this pyramid, one official in the Defense Department pointed out that subcontracts for the B–70 had been scattered through every State.

In 1960 it was estimated that 30.2 percent of all manufacturing jobs in Kansas were in defense; in the State of Washington, the figure was 28.6 percent. At the same time in Virginia, the Department of Defense payroll accounted for 10.2 percent of all personal income.

According to one estimate, more than 2,500,000 civilians were directly employed in the defense industries in 1960. It is a fair assumption that if all military contracts were suddenly terminated, the rate of unemployment, in July 5.6 percent of the labor force, would more than double overnight.

Such statistics can be embroidered and extended almost endlessly. But it is obvious that disarmament cannot occur overnight. Instead, it has become a cliché to say that careful advance planning by the Government, by industry and by labor would help to avert the nightmare the statistics seem to portend.

Recently the calls for such planning have become more widespread and insistent.

On August 2, Senator George McGovern, Democrat, of South Dakota, called for a reshaping of perspectives on both defense planning and spending. He noted that the $53,600 million requested for the Department of Defense in the current fiscal year represented well over half of the entire Federal budget. The United States, he asserted, already possesses an enormous "over-kill" capacity.

### CUT IS PROPOSED

Senator McGovern proposed a slash of $5 billion in the budgets of the Armed Forces and the Atomic Energy Commission. Acknowledging that such a cut could produce "painful economic dislocation," he outlined a plan to prepare the economy for conversion from military to civilian production. The plan had two main facets:

All Government contractors with 25 percent or more of their personnel engaged in defense work shall as a condition of contract be required to establish an "operating conversion committee" to prepare for a possible loss of their military orders.

The President shall establish an "economic conversion committee" under the Secretary of Commerce to outline the role of Government agencies in facilitating a switchover to a civilian economy.

Interviewed by telephone last week, the Senator said he was planning to embody these proposals in a bill to be introduced when the defense budget comes up for final debate in Congress.

Even as Senator McGovern made his speech, a number of tentative starts in the same direction had already been made in Washington. If it is too early to speak of a developing consensus on the way to approach the problem of industrial conversion, it is not too early to speak of a developing sense that a consensus is needed.

### STUDY GROUP IS SMALL

The fledgling Arms Control and Disarmament Agency has already established a so-called economic bureau to study the problems of conversion and provoke serious thought on them. But this bureau, as it now stands, has a staff of just nine men, only four of whom are specialists. It would like to do a study on the likely regional impacts of disarmament, but it has neither the manpower nor the money needed for the job.

For the last 4 months, the head of this bureau has been Archibald S. Alexander, who, during the Truman administration, was an Undersecretary of the Army.

Important as it may seem, industrial conversion is, according to Mr. Alexander, but one aspect of an even larger problem of how to speed the economic growth rate, end high unemployment and put the Nation's full industrial capacity to work.

"All of these things," he remarked, "are part of the same ball of wax."

That view was echoed over at the Pentagon by Adam Yarmolinsky, a special assistant to Secretary of Defense Robert S. McNamara. "This is a problem we're quite familiar with," Mr. Yarmolinsky declared. "Whenever there's a major shift in defense procurement, there is in effect a little bit of disarmament."

Washington officials also point out that defense contractors are not really growth industries, that the work they do is almost incredibly specialized and that, as a result it is best restricted to the huge corporations that have developed the special capabilities required.

### PRODUCTION IS LIMITED

More and more, these corporations—especially those in the aerospace field—do not do anything like mass production work. Rather they are, according to one corporation planner, "custom engineering consultants." As their work grows more specialized, it requires fewer blue-collar workers and more highly trained technicians. One result is that the growing defense budgets do not necessarily create more jobs. Moreover, the contracts tend to become fewer but larger in dollar volume.

Sudden shifts in military procurement patterns can turn a boomtown into a depressed area. The Pentagon is already attempting to persuade communities and corporations that have lost big contracts to get out of the defense field—now, not when and if an arms control treaty is signed.

To facilitate the process of adjustment, the Defense Department has established an office to assist the communities and corporations that have lost out. The work this office does every day is a smaller scale version of what would have to be done in the event of full-scale arms control.

Its head, Robert F. Steadman, is a confirmed believer in the proposition that the communities can save themselves by establishing new industries. He points out that a company, its stockholders and its management personnel, can often make the adjustment by closing a factory in one State and opening a new one in another. Obviously, such a corporate move does nothing to ease a community's adjustment.

But communities do adjust. Wichita, Kans., lost 18,000 jobs in the airframe industry in recent years. Nevertheless, Wichita's rate of unemployment is, according to Mr. Steadman, significantly below the national level. The answer was new industry and diversification.

While the areas that have lost out have been forced to adjust, those that have been most succesful in winning contracts are beginning to worry. The California Assembly this year appropriated money for a study by its Ways and Means Committee on the impact of defense spending in southern California. The committee's mandate specifically mentioned the possibility of a cutback in the event of arms control.

### FEDERAL PLAN URGED

If previous studies along this line are any indication, one result is likely to be a plea for action from Washington. That, at least, is what happened when the southern California associates of the Committee for Economic Development, a group sponsored by business leaders, made such a study in 1961. It urged the Federal Government to prepare "a flexible and comprehensive program to be activated when important reductions in national security expenditures become possible."

What is emerging is a kind of chicken-and-egg argument: Who plans first, Government or industry? In fact, the argument is really three-cornered, for the labor unions believe that both Government and industry have so far failed to meet their responsibilities.

The United Auto Workers proposed 2 years ago that defense contracts carry grants for conversion studies by the contractors.

### A GOVERNMENT INDUSTRY

"It is," said Nat Weinberg, the union's director of special projects, "an urgent problem from an immediate as well as a long-range point of view. This industry has gotten used to operating on a pipeline to Fort Knox. They talk about private enterprise, but it's really a Government industry operating for private profit."

To get the three viewpoints together, a small study group was established in June under the aegis of the Defense Industries Advisory Council. The non-Government members of the group come from the major industrial associations and the American Federation of Labor and Congress of Industrial Organizations.

A parallel group, one that involved some of the same people, was called together on the last Sunday in June by the staff of a Senate Labor Subcommittee. The subcommittee, headed by Senator Joseph Clark, Democrat, of Pennsylvania, is making a wide-ranging study of the whole area of manpower and unemployment.

### HEARINGS ARE SET

It expects to conduct hearings in November on the defense industries and the question of industrial conversion. These hearings, members of the subcommittee believe, will form a necessary and fitting code to its study.

Last fall, Senator Hubert Humphrey, Democrat, of Minnesota, reported to the Senate on a study made by his Senate Foreign Relations Subcommittee on Disarmament. Looking ahead to the prospect of arms control, the Senator declared: "We need to start planning now in conjunction with the 2 dozens or so key defense companies which account for the major share of defense procurement, research, and development."

That was last fall. But do these "key defense companies" think they "need to start now"?

*The 25 largest defense contractors*

| Company | Fiscal 1962 (millions) | Percent of total |
|---|---|---|
| 1. Lockheed Aircraft Corp | $1,419.5 | 5.6 |
| 2. General Dynamics Corp | 1,196.6 | 4.7 |
| 3. Boeing Co | 1,132.8 | 4.4 |
| 4. North American Aviation | 1,032.5 | 4.0 |
| 5. General Electric Co | 975.9 | 3.8 |
| 6. Martin Marietta Corp | 802.7 | 3.1 |
| 7. United Aircraft Corp | 662.7 | 2.6 |
| 8. American Telephone | 467.7 | 1.8 |
| 9. Sperry-Rand Corp | 465.6 | 1.8 |
| 10. General Motors Corp | 449.0 | 1.8 |
| 11. Raytheon Co | 406.6 | 1.6 |
| 12. General Tire & Rubber Co | 366.1 | 1.4 |
| 13. Douglas Aircraft Co | 365.6 | 1.4 |
| 14. Radio Corp. of America | 339.6 | 1.3 |
| 15. Republic Aviation | 332.8 | 1.3 |
| 16. Avco Corp | 323.3 | 1.3 |
| 17. McDonnell Aircraft | 310.9 | 1.2 |
| 18. Grumman Aircraft | 303.6 | 1.2 |
| 19. Bendix Corp | 285.9 | 1.1 |
| 20. Ford Motor Co | 269.1 | 1.1 |
| 21. Westinghouse Electric | 246.0 | 1.0 |
| 22. International Telephone | 243.6 | 1.0 |
| 23. Hughes Aircraft Co | 234.2 | .9 |
| 24. American Machine & Foundry | 187.3 | .7 |
| 25. Newport News Shipbuilding | 185.0 | .7 |
| Total | 12,994.6 | 50.9 |

In general, the 25 top prime defense contractors feel no sense of urgency about arms control and its corollary of at least partial conversion to civilian production. Asked if they were doing any planning in this area, many of the companies reacted with surprise and even shock, as if they were ice cream vendors being asked what they would do if children were abolished.

Several of the companies refused even to accept the possibility of arms control as a current working hypothesis. After ruminating the question for 2 days, the General Dynamics Corp., the Nation's second largest defense contractor, replied, "We do not expect any abrupt change. We will have nothing to say on this subject for at least the next 6 months."

Two other companies would not discuss the problem. One was the International Telephone & Telegraph Co., which stated in response to a query, "We do not want to be connected with this in any way."

### A DEFINITE PLAN

The other was the Newport News Shipbuilding & Dry Dock Co., the No. 25 contractor, which did say it had a definite plan of action. It added: "With 19,000 employees, however, the company has the largest payroll in Virginia and probably in the entire South, and does not wish to make any comment regarding its plans because of the possible effect it might have on the economy of the Virginia community in which it operates."

The subject of arms control was obviously a delicate matter for some companies. The Grumman Aircraft Engineering Corp. said it had prepared a statement on its plans. Three days later, a company spokesman said the statement could not be released because Grumman's president, E. Clinton Towl, was out of town, beyond the reach of a telephone. The spokesman explained that no one but Mr. Towl could speak for Grumman on arms control.

There is another group of companies among the major contractors that concedes that arms control is a distinct possibility but that assumes an almost Olympian detachment from the problem. This group is composed chiefly of corporate giants such as the General Motors Corp., American Telephone & Telegraph, the Ford Motor Co., and the Radio Corp. of America, whose defense contracts are a relatively minor segment of their total business, although still involving very large sums of money.

### READY FOR CONVERSION

"General Motors does what is needed in any situation," said a spokesman for the world's largest industrial enterprise and 10th largest American defense contractor. "We are always ready to convert to whatever the Government thinks is necessary."

Among the companies surveyed, the largest group consists of those which have seriously considered planning for conversion to nonmilitary production, but which have rejected the whole idea because they believe it is not practicable, would be premature, or is unnecessary for the needs of their company.

Robert Shirar, acting director of planning for the Lockheed Aircraft Corp., asserted that his company "has done quite a lot of thinking about arms control," but has not "pursued the subject to the extreme of conversion studies."

Mr. Shirar said that Lockheed, the No. 1 defense contractor, with orders totaling $1,419,500,000 in fiscal 1962, was constantly thinking about the danger of having all its eggs in one basket. "But we just haven't believed strongly enough that arms reduction is a coming thing."

In the first half of this year, 91 percent of Lockheed's business was with the Government and 85 percent of that Government business was military. Commercial work accounted for only 3 percent of the company's revenue.

### WIDESPREAD VIEW

A rather widely held point of view was expressed by George Trimble, vice president, advanced planning, of the Martin Division of the Martin-Marietta Corp.

"We've looked at conversion [to commercial production] but we don't know how to do it. We really are a large research organization rather than a production company. We have to have some sort of complex project to attack."

Several of the prime contractors, including the Boeing Co., have not specifically planned for industrial conversion but as a matter of general policy have sought diversification into nonmilitary fields.

Boeing, which had 95 percent of its business in military work a few years ago, now has a $770 million backlog of orders for its commercial aircraft, compared with $374 million for military aircraft and $338 million for missiles and space programs.

### HUGHES AIRCRAFT'S POLICY

Stahl W. Edmunds, director of marketing research for the Hughes Aircraft Co., explained that his company "maintains a continuous evaluation of shifts in Government and civilian demand as part of an effort to aline its research and development programs with the national interest."

On the other hand, Mundy I. Peale, president of the Republic Aviation Corp., declared in a speech earlier this year that his company was against illogical "diversifying for diversification's sake." The company would diversify, he said, "only when such a move can pay its way either now or in the foreseeable future."

The economy of Long Island experiences periodic upheavals whenever Republic wins, loses, or completes a major contract. Recently, Grumman has had a similar impact on the area's economic health.

Finally, there are five major contractors that stated that they already have planned—to some degree—for conversion to civilian production in the event of reduced Government spending on arms. These are the Bendix Corp., the Douglas Aircraft Corp., the Aerojet Division of the General Tire & Rubber Co., the American Machine & Foundry Co., and the Raytheon Co.

### BENDIX HAS PLANS

Bendix has had a group planning for conversion for the last 3 years, according to A. P. Fontane, executive vice president. The company, which now devotes 70 percent of its production to military products, is engaged in an acquisition program to increase its stake in nonmilitary programs, Mr. Fontane said.

The arms control problem is placed in a somewhat different context by Douglas, which sees it as only one of the many long-range problems it faces. One of these is the fear that defense work will move out of southern California, where the corporation is located.

A. J. Quackenbush, director of corporate planning and control, explained that Douglas' current 10-year plan anticipates that defense spending will remain near present levels.

However, he said, Douglas also has prepared two alternate contingency plans. One is based on the assumption that cold war tensions will increase and that arms spending will rise. The other postulates that a detente will produce an arms control accord with concomitant reduced spending by the Department of Defense.

A major contract, such as Douglas' contract on the late and sometimes lamented Skybolt, ties up a company's resources. Until the Pentagon blows the whistle on the contract, the company must work on, even after it anticipates the loss. Only when the loss does occur can the company act on its contingency and diversification plans.

For that reason, the plans are kept under constant review. But, for the same reason and no matter how good the plans, the pain of the loss is in direct proportion to its size. Thus Douglas was thrown off balance by the loss of the Skybolt, even though it was not caught off its guard.

The plan for lower defense spending calls for diversification into the consumer market, but does not specify particular products.

### ASSUMPTIONS ON SPENDING

Virtually all of the contractors that acknowledged that arms control lay within the realm of the possible also made two assumptions about Government spending if it did happen. One was that arms control would not signal an end to Government spending on a massive scale, but rather a shift from strategic to tactical weapons systems. The other was that any reduction in defense spending would be matched by spending on massive civilian projects.

These two assumptions provide the foundation for the advanced planning of some contractors.

Thomas Philips, executive vice president of Raytheon, declared that "our general feeling is that even in an arms control situation, arms will still be ordered. The first curtailment will be in strategic nuclear weapons. Because our work is chiefly in tactical systems such as the Sparrow and Hawk [defensive] missiles, we would be able to make the conversion successfully in any shift of emphasis from strategic weapons."

### DETECTION SYSTEM CONTRACTS

Raytheon, the Sperry Gyroscope Division of Sperry Rand, and several other companies noted that they already had received contracts for research and development on inspection systems to police an arms control agreement. One official said that Government spending on these systems alone could result in an increase in defense orders for his company.

One economist has estimated that inspection systems would necessitate an annual Government expenditure of around $12 billion. However, Defense Department officials scoff at so large an estimate. They said that any system developed would not strive for perfect control, but would aim at preventing cheating at an optimal cost.

Although Government expenditure in other areas is tacitly accepted by the contractors as the escape hatch in an arms control system, many of them complain that they cannot program this spending in their advanced planning because they have no idea of just what the Government will do.

"The big problem," said Mr. Quackenbush of Douglas, "is to find out what areas the Government would shift their spending to. Some attempt to specify policies which would go along with disarmament would be extremely helpful to industry. Otherwise the transition would be very difficult."

### BETTER DIRECTION AWAITED

A spokesman for North American Aviation, Inc., put it even more bluntly: "We're not going off to start a lot of studies with the remote hope that maybe one of them will hit the mark. We're waiting for a little better direction."

Government officials, however, believe that it is up to the companies to plot their own adjustments. According to Arthur Barber, the Deputy Assistant Secretary of Defense for Arms Control, "Some of them are going to have no alternatives. There are already more contractors than are needed.

"We would like to see them get into commercial production with a minimum of sweat. It is a management challenge."

Just what would be the impact of disarmament on the major defense companies? Here, again, there is a broad range of opinion. At one end of the spectrum are the Rock of Gibraltar organizations such as Ford, which commented that "arms control would be no special problem with us. We would just put our workers on something else."

### HIS ONLY CUSTOMER

At the other end was the official of the company with close to 90 percent of its business in defense work who commented with grim humor that "if the Government stops buying weapons we will go out of business just like anybody who loses his only customer."

Generally, however, the contractors feel that although the transition would be a difficult one, it could be made.

A spokesman for the United Aircraft Corporation declared that potentially great markets existed for its commercial aircraft and engines, and if the transition were gradual, these markets could be developed without the company's losing strength.

The Avco Corporation commented that although much of its work was in defense, no one project accounted for more than 5 percent of its volume and therefore the company would not be subject to violent shifts. Other companies with diversified product mixes, such as American Machine and Foundry, also expressed confidence in their ability to weather changes wrought by arms control or disarmament.

Most of the respondents said that they were always seeking commercial applications for their military research if for no other reason than to make greater profits. Defense contracts produce very low returns on investment.

Yet even with this incentive, many companies, particularly the aerospace companies, have been unable to make any real headway into the commercial market.

The contractors often defer conversion efforts because they do not know where to turn. "We have no idea of how to market a commercial product," a planning official of a major aerospace company declared.

His counterpart in another company ruefully recounted the efforts it had made to diversify by taking on commercial or public works projects. These efforts got nowhere. "We really don't have products," he concluded. "We have a scientific capacity. It's like asking how do you convert chemistry."

Seymour Melman, a professor of industrial engineering and management at Columbia University and a crusader for conversion planning, declared that this scientific capacity developed by defense contractors amounted to "a trained incapacity for operating in the commercial market."

Professor Melman scoffed at the idea that defense contractors would be able to compete for public works contracts without extensive and arduous retraining and reorganization.

"They would have to deal with many customers," he said. "They simply don't know how. Not every State and city has a department of defense to tell them what to do."

But Mr. Barber of the Defense Department said he was sure the adjustment could be made. "Our brainpower has been working in outer space, but it can be brought back," he declared. "Really good brainpower can adjust."

### A REASSURING NOTE

His colleague at the Pentagon, Mr. Yarmolinsky, also sounded a reassuring note. He said fears about what arms control might do to the economy reminded him of the story of the man on a sinking ship who refused to get into a lifeboat because he was afraid of starving on a desert island.

"We are much more worried," he said, "about the problem of getting an effective arms control agreement."

The notion that the American economy depends on armaments has been generally disowned. Mr. Yarmolinsky, for instance, dismissed it as "a simplistic economic analysis." But virtually no one predicts that the sophisticated defense industries of today will be able to make the transition to civilian production as easily as their ancestors did after World War II. The reason given on all sides is the lack of planning.

A recent economic study put the problem succinctly:

"Swords," it noted wryly, "do not serve readily as plowshares."

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### Federal Help Termed a Must in Swords-to Plowshares Shift

Government help will be needed if industry is to convert successfully to a lower level of defense production, the Morgan Guaranty Trust Co. of New York said in its monthly survey published today.

The bank added, however:

"The governmental role in adjustment to any gradual phasing down of defense expenditures ought to be one of lubricating the friction points rather than stoking the engine."

The bank suggested emergency aids similar to those designed for rehabilitation of depressed areas or for the relief of individuals and companies hurt by tariff cuts. More important than rescue measures, it said, were such things as allowances to defense manufacturers for research to spur their conversion to nonmilitary production.

Morgan Guaranty said this was especially needed because low profit margins made it difficult for many defense producers to divert their own resources to this kind of profit insurance.

The bank said encouragement of such research was attractive for two reasons, to give "the kind of lift and excitement that will be needed to perk up demand" and to reorient research toward nonmilitary wants.

"If stockpiling of scientists is in fact being practiced widely as some critics have charged, it may be one of the major wastes in the defense and space efforts," it added.

Morgan Guaranty said today's defense industry differed from that which came out of past wars. Then, it said, the work of war was done by a civilian industry hastily converted to military production.

"A large part of the present apparatus, by contrast, came into existence for the sole purpose of producing defense goods or services; it has no prior history of civilian output. The problem ahead of it is not reconversion, but conversion, a much more difficult adjustment."

But, the bank added, even the Soviet Government has asserted that such a problem would pose no difficulty to the United States. It concluded:

"What a pity it would be if faint-faithed capitalists were to pick up a tired old line that the Communists appear to have dropped."

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[From the Morgan Guaranty Survey, August 1963]

### If Cuts Come in Defense Spending

Besides stirring cautious hope of a thaw in the cold war, the agreement to limit nuclear weapons testing has prompted fresh surmise about the economic effects that would ensue if a reduction were to occur in the U.S. defense spending. The first of the two reactions may be premature, but the second is almost certainly overdue. Well before the Moscow accord, a number of developments were suggesting the possibility of a break in the pattern of steadily increasing outlays for national security. Even clearer have been signs that the composition of defense expenditure is likely to shift. Either event—reduction or restructuring—would impose economic adjustments on individuals, companies, and communities. The prospect, therefore, ought to be receiving consideration in the private sector of the economy, where adjustment would chiefly fall. Thus far, it appears to have been rather broadly neglected.

The developments that suggest the possibility of a change include: Certain implications that flow from the basic strategy of U.S. defense; the high level that the nation's supply of nuclear weapons already has reached; signs (including the partial ban on tests) of a new basis for international negotiation; and intimations of a changing mood in Congress.

The picture, admittedly, could be changed overnight by any of a host of conceivable happenings, many of which are outside this country's control. There is still no ground for assuming a change in the Communist aim of world domination. Subject to such qualification, however, it seems more reasonable now than at any previous time in the cold war to begin looking for a turn in the long road of higher and higher military costs.

Directions already taken in the composition of the defense budget are signaling virtually assured shifts in the makeup of future outlays. They also hint at a possible lowering of costs—at least in relation to total economic output and perhaps even in absolute amount. This despite the fact that the administration is asking for authority to commit in fiscal 1964 the highest amount devoted to national security in any peacetime year—a total of $56.7 billion for all defense purposes, including military aid, civil defense, and parts of the space and atomic energy programs.

### EASING UP ON SRF

Within the total, there is a significant decline in the funds requested for "strategic retaliatory forces," the category that includes development and procurement of such high-cost items as Titan, Minuteman, and Polaris missiles, nuclear submarines, and long-range bombers. These are components of the U.S. retaliatory capacity, intended to deter any potential attacker by letting him know he would be destroyed by the counterpunch.

At $7.3 billion, the SRF request for fiscal 1964 is $1.2 billion less than the estimated appropriation for the same category in fiscal 1963, and $1.8 billion less than was actually committed for fiscal 1962. The tapering off suggests that the building of a massive nuclear strikeback force—a program which, in its present phase, began about 1958—has reached a level where further buildup can safely proceed at a more modest pace. This would mean that the cost peak of SRF has been passed. If it has, the effect on expenditures could be considerable. The buying of strategic weapons and delivery vehicles for stock, as distinguished from research and development outlays, is currently running in the vicinity of $4 billion per year. Research and development costs for strategic retaliatory forces have already started downhill, being programed at about $1 billion for fiscal 1964, compared with $1.6 billion the year before.

Defense Secretary McNamara told Congress last winter that development costs for long-range missiles, which were very high during the period of breakthrough into the present technology, are likely to diminish after fiscal 1964 and that development expenses for new generations of missiles are expected to be lower than those for the present systems. He also expressed the belief that the United States is in a position where we can now afford to move more carefully in the initiation of new major weapon system developments.

### THE OVERKILL ARGUMENT

Related to discussion of the adequacy of nuclear deterrence is the controversial concept of overkill—a term used to denote nuclear capacity more than sufficient to wipe out a given enemy in a single strike. A number of analysts hold that the United States and the Soviet Union have reached a mutual status of overkill, many times over. The grim mathematics of their computations involves rather broad assumptions as to the accuracy and effectiveness of weapons that have never been used, and many experts dispute the overkill thesis or discount its significance. Secretary McNamara disavows the concept as customarily presented. But he did tell Congress in discussing the current budget proposal:

"Given the force we have today, I believe that that force can survive a Soviet attack with sufficient power to destroy the Soviet Union. I mean that in any normal sense of the word 'destroy.' It can be destroyed as a civilized nation of the 20th century, by destroying its industrial capacity, by destroying a high percentage of the population, and by destroying its military power."

An appraisal of the Soviet striking force prepared by the Institute for Strategic Studies—an unofficial analytical group based in England and supported by the Ford Foundation—indicates far more than enough capacity to knock out all U.S. cities of more than 100,000 population.

Without conceding validity to the overkill theory, it is possible to conceive of a saturation of deterrence for all practical purposes. A nation feeling it had reached that point might well decide that further stockpiling of present types of strategic nuclear weapons and delivery vehicles would not yield enough military advantage to be worth the cost. Such a conclusion may account in part for the sudden Soviet willingness to accept the longstanding U.S. initiative toward a limitation on nuclear testing.

In the United States, the Atomic Energy Commission has confirmed within recent weeks that it plans a substantial reduction in the output of fissionable materials for use in weapons. And Secretary McNamara said earlier this year: "In adding to a defense budget as large as the one we now have, we begin to encounter the law of diminishing returns, where each additional increment of resources applied produces a smaller increment of overall defense capability." Outlining the Defense Department's plans for weapons acquisition through 1968, he told a congressional committee: "Further increases in the large forces already programed would provide only marginal increases in capabilities in relation to their additional cost."

### ON THE OTHER HAND

Mutual deterrence on the nuclear level does not insure a reduction in defense spending. Any number of developments could thwart such a trend. Serious new eruptions of international trouble would almost certainly involve heavier outlays. A return of inflation in the U.S. economy would increase the dollar cost of defense. In addition, there are a number of possible policy decisions that could soak up any savings that might be effected by curtailing or even stopping the purchase of strategic hardware of existing types.

For example, such savings could be negated by greatly increased expenditures for the development and procurement of an antimissile system. Dr. Harold Brown, Director of Defense Research and Engineering in the Department of Defense, has said: "The contest probably most significant in current research and development efforts with potential to alter the strategic equation is the contest between our antiballistic missile capability and the penetration aid capacity of the enemy." If a significant breakthrough in antimissilery should occur, it would almost certainly touch off a massive and expensive procurement program.

It might also mean greatly increased outlays for fallout shelters if the nature of the antimissile device were such that many of the knockouts of enemy weapons would be likely to occur over U.S. soil at altitudes where large doses of radioactivity would be dumped on the ground. Yet another possibility involving heavy spending is that vast civil-defense programs might be adopted in lieu of an antimissile system.

For the present, the modest reductions that have been made or scheduled in the cost of the strategic retaliatory forces have been more than offset by increases in the amounts allotted to general purpose forces, the men and machines of conventional war. Greater emphasis on equipping and maintaining this kind of force could continue for a while to offset savings that may be realized in development and procurement of strategic weapons. Short of actual engagement, however, it is unlikely that the buildup of ordinary combat units will be on such a scale as would continue indefinitely to involve annual cost increases.

### A CRIMP FROM CHINA

Eventual attainment of some degree of nuclear capability by Communist China could put a crimp in prospects for reducing total U.S. defense costs. The then-achieved or soon-to-be-reached level of U.S. deterrent power might be judged adequate to cover both China and Russia, so that presently programed manufacture of strategic weapons would not need to be increased on that specific account. The psychological impact of even a crude nuclear explosion by Red China, however, could lead to increases in U.S. military aid to non-Communist countries in the Far East for morale purposes.

It is commonly—if debatably—assumed now that the Chinese Communists will not receive help from Russia in their efforts to become a nuclear power. Without such help, the development of an actual nuclear potential—including delivery systems—seems a long way off for Red China. A showoff test detonation, however, might be managed in the relatively near future. Whether it is or not, the consistently belligerent posture of Peiping creates an additional major focus to which the U.S. defense effort must be addressed—and this affects defense costs.

No major direct effect on U.S. military spending can be expected from the agreement reached by this country, Great Britain, and the Soviet Union to limit nuclear testing. For the longer run, the contract drawn at Moscow—and the somewhat easier international atmosphere that helped prepare the way for it—could strengthen the chance of reaching agreements later on to limit production of certain kinds of weapon systems. If ratification of the Moscow compact comes without serious difficulty, the impetus to try for some kind of start toward arms limitation could be considerable.

Meanwhile, hope for future relief from the economic drain of defense spending must be shaded by the prospect of rising Federal outlays for space programs. Only a part of the total space expenditure comes within the defense budget (for fiscal 1964, $1.7 billion of a space total of $7.4 billion), but in their effect on the economy the two are very much alike. Present estimates of the cost of meeting the "commitment" to land a man on the moon by the end of this decade range all the way from $20 to $40 billion.

### A CHANGE IN CONGRESS

The initial frenzy of the space race has calmed somewhat, however, as the military significance of the effort has been put in perspective and even its assumed scientific value has been deflated by an increasing chorus of professional doubt. In Congress, a new skepticism about crash programs in space is evident. The House Committee on Science and Astronautics has cut $470 million from the $5.7 billion requested by President Kennedy for the National Aeronautics and Space Administration for fiscal 1964. This is the first time since the space age began that a congressional unit has asserted itself with a sizable reduction in the spending authorization requested for space.

Other recent expressions of the congressional mood lend support to the view that the established trend of rising defense expenditures may possibly be halted and even reversed. The House, authorizing funds for the major items in the 1964 defense budget, cut nearly $2 billion from the $49 billion requested by the Administration. Some Members of Congress wanted to cut as much as $3 billion.

Representative MAHON, chairman of the Subcommittee on Department of Defense Appropriations of the House Committee on Appropriations, took note last winter of a growing economy-mindedness among some of his colleagues. He said they were asking him: "Where can we cut this defense budget? We have got to make a reduction in defense spending and at the same time not impair our military strength."

But, he also noted, there is a counterforce to this sentiment, both in Congress and in the Nation at large. "These urges to reduce the defense budget," he predicted, "will be matched equally, if not excelled, by more determined urging to increase the defense budget." In the same context, Secretary McNamara stated: "My problem has been to prevent appropriations exceeding those which we have recommended. There have been tremendous pressures, for example, to appropriate funds for programs that I do not believe add to our national security."

The substantial sentiment favoring bigger defense spending reflects in part a sincerely held conviction that a nation, once embarked on a course of preparedness, should keep going as far and as fast as its resources will possibly allow. It also reflects, however, the existence of a built-in obstacle to reductions in defense outlays; namely, the extent to which the U.S. economy has become a defense economy. With about one-tenth of gross national product devoted to military purposes year after year, there has developed an element of reluctance, both public and private, toward cutting back so sizable a sector of economic activity. Thus the very fact that makes it important to prepare for the possibility of a reduction in defense outlays—that is, the economy's heavy involvement in defense—could also make it more difficult to achieve reduction.

This paradox was hinted at in the troubled comment with which President Eisenhower departed the White House in 1961. The man who had held both the highest military and the highest civilian office in the United States remarked that there was no precedent in American history for the existing "conjunction of an immense military establishment and a large arms industry." He cautioned: "We recognize the imperative need for this development. Yet we must not fail to comprehend its grave implications."

President Eisenhower's expressed concern was principally over the potential for the disastrous rise of misplaced power, a danger against which he urged constant vigilance on the part of all citizens. Less dramatic, but no less real, is the new potential for economic distortion and disturbance that has been created by the growth of military preparedness into a vast and continuing public enterprise. Decisions made in the Pentagon—and often based, quite properly, on considerations totally unrelated to the marketplace—can have deep effect on the future of companies and of whole communities. A subtle change in strategic approach, a shift of emphasis from one kind of missile to another, a phasing out of procurement of a given item because a better one is coming along—any of these can confront the affected firms and individuals with sudden and substantial readjustment.

### MISSING THE POINT

Shakeups of these kinds have occurred often enough to make industry aware that there are uncertainties in producing for defense. There appears to be considerably less focus of attention on the uncertainty from another source: the possibility that spending for defense may begin one of these years to decline significantly instead of continuing its pattern of perennial increase. A Senate subcommittee recently queried a sampling of defense contractors on what they are doing to get ready for possible cuts in Federal arms outlays. Only about one in six reported it has conducted any kind of study as to how it would respond to the loss of business presumably involved in a defense cutback.

With the intention of stimulating more active consideration of readjustment problems, the Defense Department recently formed a subgroup within the Defense Advisory Council to examine "the economic aspect of possible arms control arrangements." Members include Department officials, representatives of defense industry associations, and a labor-union official.

Notwithstanding the prods from Washington, it is difficult for many defense producers to feel a sense of urgency about preparing for a possible slowdown in the pace of military business.

Their reaction merely mirrors that of a whole society conditioned to the steady escalation of defense needs. Cold war by its nature carries the implication of going on indefinitely. Arms cutbacks, to most people, still mean only the massive, idealistic kind of disarmament that is a remote dream in today's world of tension.

Accordingly, the real challenge of working out of the armaments bind is largely ignored. A few theoreticians tinker with models of an economy in which defense expenditures have been cut by half or more, but very little serious consideration is given to the problems of living with a gradual, modest stepdown of the total.

These are the problems of small economic units—areas, companies, individuals—rather than of the economy as a whole. Arguing about how to divide a $20 billion defense budget saving among debt retirement, tax reduction, and increased public works is an interesting exercise for an academic seminar. Hopefully it will some day have practical application. The realistic, near-at-hand questions raised by the new outlook for defense spending, however, are more likely to be found in the communities where defense-based companies are clustered or military installations form the economic core.

Concentration in certain industries and certain regions is an inevitable characteristic of defense activity. A government report reflecting the situation in 1960 showed that 94 percent of all employment in the aircraft and parts industry was attributable to defense contracts, 61 percent in shipbuilding and repairing, 38 percent in electric components and accessories. In ordnance and directly related fields, of course, all jobs were dependent on defense.

In seven States and the District of Columbia, 10 percent or more of personal income was from the payrolls of defense agencies (both military and civilian personnel) or defense-related industries. The ratios ranged from 29 percent in Alaska to 10 percent in California, with Hawaii, Virginia, Washington, Maryland, District of Columbia, and New Mexico coming between. Some local communities, of course, showed considerably higher ratios.

### GETTING READY

How can areas vulnerable to defense cutbacks prepare to offset possible future shrinkage in military contracts? Those that already have some diversification will be in better shape to make the adjustment than all-out defense towns. The latter probably still have time to try to attract a leavening of civilian enterprises and encourage steps toward conversion by present companies, but the effort ought not be delayed much longer.

People, as well as companies, will have to convert. A generation of specialized professionals exists whose training has been mainly defense directed and whose whole work experience has been in that field. Even for those with a predefense background, reentry into a vastly changed civilian technology will present problems of adjustment. Defense workers at all levels of skill and specialization, if their jobs dry up, face a probable need to retrain, possibly to relocate. Adjustment is primarily a matter of individual initiative, which the prudent presumably are already exercising by laying preparatory plans. But many will need help.

Depending on the severity of the circumstances, financial aid probably will be required from Federal or State governments, perhaps both. Since the problem is essentially a product of national policies dictated by the needs of security, Government must be expected to assist in the solution.

The assistance should be temporary and should aim at helping individuals, companies, and communities integrate as soon as possible into the ongoing private economy. If dependence on defense spending is merely replaced by long-range dependence on some other Government program, the overall economy will lose the opportunity for increased thrust that could come from transfer of a portion of activity out of the public sector into the private. The governmental role in adjustment to any gradual phasing down of defense expenditures ought to be one of lubricating the friction points rather than stoking the engine.

Such a role might include emergency aids similar to those designed for rehabilitation of depressed areas or for relief of individuals and companies adversely affected by tariff reductions—relocation allowances, payment during retraining, improved placement services, credit assistance. Even before rescue measures are necessary, however, there are more imaginative steps the Government could be taking that should lessen the need for palliatives later on.

If, for instance, a modest allowance were granted to defense contractors for research aimed at conversion to nonmilitary activity, many companies could greatly improve their chance of making the transition successfully—and of taking their employees with them.

Without some provision of this type, many defense companies—especially the smaller ones and those entirely or almost entirely engaged in military work—cannot afford to divert resources to "disarmament insurance." Profit margins are generally low in the fiercely competitive defense industry, with its one buyer and multitude of sellers, Secretary McNamara has said:

"The average profit as a percent of sales on defense work, for example, is something on the order of 3 percent-plus. This is far too low a rate in relation to the investment required to draw to this defense business the most efficient resources in terms of human abilities and equipment."

Encouragement of research looking to conversion is an especially attractive idea for two reasons: first, the development of new products is a prime source of the kind of lift and excitement that will be needed to perk up demand in one sector of the economy if demand is being withdrawn from another; second, research geared to the civilian economy has suffered heavily in recent years from the preemptive requirements of defense and space. Scientists have been recruited away from both commercial and academic activity—in far greater numbers, it is often alleged, than can be efficiently employed. If "stockpiling" of scientists is in fact being practiced as widely as some critics have charged, it may be one of the major wastes in the defense and space efforts. An important part of getting ready for a possible curtailment of defense activity is the reorientation toward nonmilitary wants and needs of a part of the Nation's great new research capability.

### WITH A DIFFERENCE

It is only partly relevant to the present situation to recall the ease with which the U.S. economy, after major wars, has adjusted to cuts in military spending many times more massive than anything that can be reasonably contemplated in this decade. One important distinction is that those adjustments came after shooting wars. Shortages of civilian goods, pent-up demand, and the liquid aftermath of inflationary war financing smoothed the transition. None of those factors exists now; in fact, there is the converse circumstance of an uncomfortably high level of unemployment.

Today's defense industry, moreover, is different in nature from that which came out of past wars. In those cases the work of war was done by a civilian industry hastily converted to military production. A large part of the present apparatus, by contrast, came into existence for the sole purpose of producing defense goods or services; it has no prior history of civilian output. The problem ahead of it is not reconversion but conversion, a much more difficult adjustment. It means breaking into an unfamiliar kind of market, meeting a new kind of competition, grasping drastically different managerial concepts. The complexity of the challenge accents the desirability of starting to plan early.

Despite the important differences in setting, the successful adjustments after World Wars I and II and Korea do have a bearing on the prospects for accommodating a decline in cold war arms budgets. They prove that military spending is replaceable without shrinkage of the total economy, and therefore that it has no unique magic as a stimulant to or sustainer of economic growth. The problems of effecting the replacement may be harder in the current context, requiring earlier and greater deliberate efforts on the part of all groups concerned, but the basic lesson of the past is still valid.

That lesson should be answer enough for any who might be inclined to resist cuts in defense spending on the ground that the economy can't afford it. For a long time it was a standard Communist deprecation of capitalist economies to allege that they needed the fuel of armaments activity to keep going. That theme has changed. The Russian Government, replying in 1961 to questions of a United Nations group studying disarmament, asserted—not surprisingly—that changing over from military to nonmilitary production would present no economic problems for socialist countries. Then, in a remarkable revision of party dogma, it added: "Nor are there any insurmountable economic obstacles to disarmament for the capitalist countries, including the United States."

What a pity it would be if faint-faithed capitalists were to pick up a tired old line that the Communists appear to have dropped.

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[From the Washington Post, Sept. 19, 1963]

### FORWARD PLANNING

Senator **George McGovern**, of South Dakota, is to be commended for taking the initiative in proposing that plans be made now for cushioning the economic impacts of large-scale reductions in defense expenditures.

Federal outlays for defense are currently running at an annual rate of nearly $55 billion, and it would be both naive and irresponsible to assume that the economy will automatically adjust to cutbacks in expenditures which could ultimately amount to nearly 10 percent of the current gross national product. Rapid reductions that are not accompanied by offsetting tax cuts would surely depress the level of economic activity.

Senator **McGovern's** bill, which will be introduced after the confirmation of the test ban treaty, contains two important provisions. It would establish a National Economic Conversion Commission in the Commerce Department, charged with investigating the various economic impacts of disarmament. At the same time it would seek the cooperation of the business community by requiring that firms establish forward planning staffs at Government expense whenever they receive contracts which absorb more than 25 percent of their labor force.

Forward planning by Government and industry offers the best hope of avoiding the economic dislocations that would inevitably follow a detente between the Communist and non-Communist blocs. We hope that Senator **McGovern's** bill will be widely supported when it reaches the floor of the Senate.

[From the Washington Post, Oct. 28, 1963]

### THE PROBLEM OF TAPERING DEFENSE OUTLAYS

(By Harvey H. Segal)

Roswell L. Gilpatric, the Deputy Secretary of Defense recently raised some disquieting questions about the neglected relationship between defense spending and the health of the economy.

Since 1957 national defense expenditures have increased by more than 25 percent, from $44 billion to the current level of over $55 billion. As a result of this rapid expansion, which was sparked by the advent of the intercontinental ballistics missile, the ratio of defense expenditures to the GNP was maintained at 10 percent over the 5-year period ending in 1962.

And while there were negative impacts in the shape of balance-of-payments pressures and rapid shifts in the location of manufacturing activities, this latest bulge in defense outlays made an important net contribution to economic stability and growth.

But the success of Operation Big Lift, the progress of the Polaris missile programs and recent suggestions that stocks of fissionable materials are more than ample all point to leveling off in defense outlays. In surveying the prospects for the future, Gilpatric concluded that: "It is unlikely that sharp increases of the sort programed in the early years of this Administration will be needed in the years immediately ahead. In terms of the GNP percentage, there should be some decline in the application of U.S. resources devoted to purely military preparedness."

Whether one assumes that defense expenditures will remain constant at their present high level or decline absolutely, there is little doubt that the boost which they gave to overall economic activity will be dissipated in the near future. More resources in either case will become available for use in the private and local government sectors of the economy.

But the question of how these resources are to be realized is one which has yet to be squarely faced by any agency of the vast Federal establishment.

Some work on the impact problems of reconverting industries which are closely tied to the defense effort has been carried on by the inadequately financed Arms Control and Disarmament Agency, and there are projects which the Department of Defense has farmed out to private research agencies. None of these studies, however, can fill the needs of a well-planned program for the effective transfer of a portion of the vast defense-industry potential to the civilian sectors of the economy.

Last June Representative WILLIAM FITTS RYAN, of New York, asked Charles J. Hitch, the Assistant Secretary of Defense, what steps had been taken toward blueprinting the conversion of firms from military to civilian production. Hitch replied that "the major responsibility in a free economy such as ours must fall on the individual companies affected * * *. What Government can do is study the problem * * * develop the data necessary for private planning, and make these data available to private industry." Gilpatric's remarks echoed similar sentiments.

Thus far such information has not been made available, and a spokesman for any important defense industry organization complains further that Defense Department officials, anxious to maintain their sources of supply intact, are discouraging firms from seeking orders for civilian products. Charges of this sort are difficult to evaluate, but the fact that they are being made suggests that the problem of shifting resources from the military to the civilian sector is one that can best be handled outside of the Department of Defense.

The problem of effectively transferring resources from the military to the civilian sectors of the economy is not one that can be solved by making information available or hoping that reductions in defense outlays will be matched by tax cuts. What is involved here is the transfers of new and powerful technological developments which are not very well suited to small-scale projects.

For example, the electronics industry with very little effort could design superior automobile traffic control systems in which the information on density and flows at various points would be fed into a computer that would automatically adjust the timing of semaphore lights. But that involves large outlays by municipalities. Much the same can be said for the systems analysis approach to problems solving which can be fruitfully applied in the area of mass transportation.

The difficulty is not that intelligent persons in Government agencies have failed to consider these problems; rather the failure to draft serious plans for their solution. Senator GEORGE McGOVERN, of South Dakota, is about to introduce a bill which would establish a National Economic Conversion Commission. This agency, lodged in the Department of Commerce, would seek to encourage planning by business firms whose Government contracts absorb more than 25 percent of their labor force.

The virtue of a Conversion Commission is that it would assign to a single agency the responsibility for forward planning. Until that—and much more is accomplished—the problem of tapering off defense expenditures is one which will continue to menace economic stability.

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[From the Wall Street Journal, Sept. 17, 1963]

### TEST BAN TANGENT—CASE FOR TREATY STIRS TALK TO REDUCE DEFENSE OUTLAYS

(By Jerry Landauer)

WASHINGTON.—The Kennedy administration's strong sales pitch for the nuclear test ban treaty is having an unintended effect in Congress: It is fueling the belief, still feeble but gaining, that defense spending can soon be reduced with safety.

To overwhelm Senate resistance to the treaty, administration spokesmen proclaim America's manifestly superior military strength and they vow to increase it in the years ahead. Even after absorbing a surprise first blow, they assert, the United States unquestionably can annihilate an aggressor.

All this has been said before, though perhaps not so categorically. What is new is the Defense Department's specific comparisons of United States and Soviet might. The idea is to convince the public and Congress that the United States is so far ahead in nuclear weaponry that it can prudently relinquish the legal right to test nuclear devices in the atmosphere, in space and underwater. As this conviction grows, receptivity to reducing defense outlays grows with it.

#### THEORY OF OVERKILL

To Members of Congress who want to save defense dollars or divert them to domestic welfare programs, Defense Secretary McNamara's assurance of growing U.S. superiority in arms dovetails with the newly current theory of overkill—the proposition that the United States, if provoked, already has the firepower to destroy Russia many times over.

Chairman RUSSELL, Democrat, of Georgia, of the Senate Armed Services Committee, thinks believers in overkill are gaining adherents in Congress and in the country. When the $49 billion Defense Department budget reaches the Senate floor late this week or early next, Mr. RUSSELL expects a flanking operation intended to slash perhaps $6 billion from defense appropriations.

Spending cuts of the magnitude mentioned by Mr. RUSSELL are inconceivable so long as he and other Members of Congress' own defense establishment, senior members of the Armed Services and Appropriations Committees, continue backing the Pentagon. It's noteworthy, nevertheless, that for the first time Congress is seriously questioning in a coherent way the assumptions underlying defense spending.

This year, for the first time also, Congress has stopped pressing on an unwilling Defense Department more money for such programs as the RS-70 supersonic bomber.

#### INITIAL IMPACT

Though the test ban treaty may well fortify the budget cutters in the long run, the immediate impact surely will expand rather than shrink defense spending. To overcome uncertainties about the blast resistance of U.S. missile sites (that might be resolved in part by atmospheric testing), sites may be more widely dispersed and more may be dug. Stepped-up underground testing (the Atomic Energy Commission budget assumed fewer tests this year) and more elaborate preparations to detect and diagnose Soviet tests in prohibited environments certainly will add to costs, too.

Other factors, too, help assure upward pressure on arms outlays. The military pay bill alone will require $300 million more next year. The new TFX fighter-bomber will be costly. So will additional missiles already planned. And the Pentagon has been pumping much of its increased spending into conventional forces, a buildup not challenged by the overkill ardents. Nevertheless, the current congressional mood makes it clear that assuming no real change in the international situation, Mr. McNamara in the future will find it increasingly difficult to ward off attacks by budget cutters.

For the time being, the Defense Secretary is treading a careful path. Warning against euphoria, Mr. McNamara argues that it's much too early to think about reversing the upward spiral of defense spending, though he agrees that a leveling-off point lies ahead.

Sheer numbers of city-busting atomic and hydrogen bombs are not strictly relevant, of course, to the nuclear test ban treaty. As military spokesmen are quick to note, it is more relevant to consider nuclear knowledge, the yield-to-weight ratio of warheads, and the data gleaned from earlier testing about the effect of nuclear blasts on missile sites, on defensive communications, on incoming warheads.

But laymen in Congress know little about these esoteric matters. Far more impressive to them is the number and variety of weapons in stock. According to Mr. McNamara, the U.S. stockpile includes tens of thousands of nuclear weapons. There are more than 500 ready-to-fire Titan, Atlas, Minuteman, and Polaris missiles, he says, and in 3 years the missile inventory will grow to more than 1,700. By contrast, the Soviet arsenal contains a mere fraction of the U.S. total.

Among those most impressed by this comparison is freshman Senator McGOVERN, Democrat, of South Dakota, who launched the budget debate last month in a speech that has become among the most widely read documents in official Washington.

Senator McGOVERN suggested that the U.S. nuclear inventory exceeds any conceivable need. He thinks it's senseless to keep adding to the inventory because (1) as Mr. McNamara himself contends, the United States already has sufficient striking power to annihilate Russia even after absorbing a sneak first strike; and (2) because piling up more nuclear firepower won't contribute substantially to security.

Needlessly high military spending, Mr. McGOVERN argues, distorts the economy, squanders research talent and money, and endangers American leadership by robbing industry of its ability to compete successfully in world trade. He has drafted an amendment to shear some $4 billion from the pending Defense Department budget.

Probably a dozen Senators, chiefly liberal Democrats, will vote with him if he decides that the Chamber's temper is ripe for a rollcall. Mr. McGOVERN knows he can't win. He's more interested in generating a lively debate about military expenditures and probably in readying a more determined budget-combing campaign next year.

The Senate tradition against voting in opposition to the Appropriations Committee's recommendations works against the budget cutters. Deputy Democratic Leader HUMPHREY, of Minnesota, and Chairman FULBRIGHT, Democrat, of Arkansas, of the Foreign Relations Committee are inclined to agree that Senator McGOVERN is right. But these two influential leaders are practically bound to support committee decisions.

Overkill and its implications are being debated within administration councils, too. A joint report by the Defense Department and the Atomic Energy Commission projecting long-range requirements for nuclear warheads is due to reach the President's desk shortly. AEC Chairman Seaborg won't predict the report's recommendations but he does point to a "growing realization" that perhaps too much fissionable material for warheads has been acquired.

In part, the restiveness in Congress can be traced to the zealous lobbying for the overkill thesis by Seymour Melman, professor of industrial engineering at Columbia University. He and six other academicians are being financed in part by a New York businessman, who wishes to remain anonymous. Mr. Melman has received respectful hearings in some 40 congressional offices.

Working from data compiled by the Institute for Strategic Studies in London, Mr. Melman says the United States has sufficient nuclear power packed in 3,400 delivery vehicles to destroy 500 times all 370 industrial centers and cities containing more than 100,000 people in Russia and China.

If just 10 percent of the American bomber fleet got through, and if only 25 percent of the Polaris and Minuteman missiles hit target, he calculates the United States still could devastate an enemy with 440 delivery vehicles packing 2,310 million tons of TNT. This is more than 200 times enough to destroy Communist society, and it doesn't take into account the destructive power of fighter-aircraft, short-range missiles, torpedoes, mines and tactical nuclear warheads.

In Mr. Melman's view the progressive hardening of Soviet missile sites and the emplacement of missiles aboard submarines relegates Mr. McNamara's counterforce strategy to the scrap heap.

Counterforce means responding to a Soviet first strike with a counterblow against Soviet military targets to blunt a second attacking salvo. But Mr. McNamara himself acknowledges that a U.S. counterstrike can't destroy any very large portion of fully hardened Soviet sites, Mr. Melman notes. And because the Soviets are inferior to the United States in offensive capability, they would in logic fire most of their missiles in a first strike; to invoke counterforce would mean striking at empty holes in the ground.

### THE DEPARTMENT'S REBUTTAL

At bottom, the Defense Department's rejoinder to the theory of surplus destruction rests on the assumption that the United States can launch its missiles faster than the Soviets can. Contrary to Mr. Melman's exercise in logic, Pentagon strategists assert, Moscow can't get off its full striking power in a single salvo.

Defense strategists think a second fundamental fallacy of the overkill theory is its assumption that most of the weapons being added to the inventory represent additions of firepower. In fact, they say, most of the acquisitions merely replace poorly protected, vulnerable weapons, i.e., Minutemans for B-47's.

If nothing else, the overkill debate, accentuated by the administration's test ban rationale, is crystallizing the hitherto vague belief on Capitol Hill that Congress often in the past has merely rubberstamped the Defense budget. This seems less likely in the future.

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[From the Wall Street Journal, Aug. 9, 1963]

## Scientific Shortage—Space, Military Work Cutting Into Research for Civilian Economy—Industry Blames Government Contractors for Bidding Up Wages, Pirating Personnel—Will Mashed Potatoes Suffer?

(By Robert L. Bartley)

"How did we ever get suckered into sinking so much of our national prestige on getting a man to the moon?"

A quote, no doubt, from an economy-minded Senator or a military man anxious to divert funds to other projects? No such thing. The gripe comes from Donald Collier, research vice president of Borg-Warner Corp. And like many other executives, Mr. Collier worries that the moon race creates "a real danger of stagnating the economy."

Top research men in industry reason this way: Frantic bidding, by space and military contractors, for scientists and engineers is creating a big shortage for industry. This scarcity, along with the skyrocketing salaries it is provoking, is bringing almost to a halt the hitherto rapid growth of company-supported research. This development hampers efforts to develop new products and processes for the civilian economy.

And it's not just the moon race they question. In general, they wonder about the wisdom of the Nation's continually increasing concentration of research effort on Government-sponsored projects.

### PERSONNEL LIMITS EXPANSION

Samuel Lebner, vice president of Du Pont Co. puts it this way: "Government research programs serve as a brake on research in the private sector." Even if corporations had unlimited money to spend, they could not find the personnel to expand research indefinitely, Mr. Lebner says.

Some Congressmen also are expressing concern with increasing Government-financed research and development. Representative HOWARD W. SMITH, chairman of the House Rules Committee, disclosed last month that his panel was considering an investigation encompassing all Federal agencies which finance research and development in an attempt to clarify their overall activity and its effects.

Company spending on private research and development at last count in 1961 came to $4.5 billion, a scant 1 percent above the previous year, according to the National Science Foundation. This increase far from offset a rise in research salary costs in excess of 5 percent and fell far short of the earlier 10-percent-a-year average gain in spending, the Foundation reports. Many major companies declare that after allowing for cost increases their non-Government research continues to show little growth.

Meanwhile, Government-supported research under contract with private industry had expanded to $6.4 billion by 1961, nearly four times what it was in 1954. Space research by industry and the Government itself will run over $4 billion in the current fiscal year, dwarfing the $204 million outlay of the fiscal year ended June 30, 1959.

### RISE IN GOVERNMENT-PAID RESEARCH

The space program alone could gobble up nearly all of the 30,000 new professional workers expected to enter research this year if Commerce Department calculations are correct. Personnel working on Government research contracts rose 317 percent to 190,000 between 1954 and 1961, while industry increased its private research payrolls only 30 percent to 130,000.

While the need for technical manpower is expanding the growth in supply is slowing. The demand for new engineers alone now runs close to 60,000 a year but only about 33,700 will be graduated this year, down from as many as 38,134 in 1959. While accurate figures are not available, the situation appears to be nearly as acute in the physical sciences such as chemistry and physics.

Not surprisingly, many companies report they are falling far short of their goals in their recruiting drives.

Xerox Corp., which is trying to expand its research and development in line with booming sales of its office copiers, fell short of its 1962 goal by about one-third and so far this year is lagging about the same amount. Du Pont says it probably will get only 75 to 80 percent of the 1,100 new technical graduates it is seeking this year. Adds the research manager of a major oil producer: "Like most companies we haven't met our goals. The growth rate in our department has been up and down with the availability of technical personnel and right now it's down."

### HOLDING STAFF IS COSTLY

Many companies also are faced with the problem of holding present staffs against recruiting for Government projects. "A major space contractor put a lab right next to one of ours in Los Angeles and hired away 20 percent of our staff at a 15-percent premium," complains Borg-Warner's Mr. Collier.

Space research often can attract top personnel because of the "exotic nature of the problem," asserts Roland Lex, director of development for Leeds & Northrup Co., Philadelphia instrument and controls producer. Adds Justin Neuhoff, manager of engineering for General Electric Corp.'s switchgear division, "All of these people in school want to go into the missile business."

There's solid evidence that the shortage of scientific talent is slowing private research. Minneapolis Honeywell Regulator Co. says unfilled openings for technical specialists have forced delay of its study of the nature of flame, which it considers vital to its basic heat control business. According to Mr. Lebner of Du Pont, in recent months 3 of the company's 12 industrial departments have said "they can't push as rapidly as they're being urged because they don't have the people." Joseph C. Wilson, president of Xerox, says lack of personnel last year meant "we didn't get to start some projects we wanted to."

Not all companies attribute slower growth in research and development directly to unfilled jobs. Many say big expansions can't be justified at this time by the profit possibilities from research. Part of this concern over profit potential reflects rising research costs, stemming primarily from the bidding up of salaries.

The National Science Foundation reports the median salary for scientists in research and development was $10,000 last year, up $1,000 just since 1960. The Engineering Manpower Commission says starting salaries for engineers in research and development rose 34 percent between 1956 and 1962, to a median of over $6,800.

### GOVERNMENT CONTRACTORS BLAMED

Corporate executives are quick to blame Government contractors for big salary boosts. They say Government contractors can justify higher salaries because their projects frequently are of a rush nature and because research cost increases often are covered in the Government contract rather than deducted from profits.

With growth in private research and development lagging, officials in both Government and industry are worried about the possible effects on the general economy. The Commerce Department estimates that one-third of the Nation's past economic gains can be attributed to technological improvements. It adds, however, that space and military research merely diverts talent from the type of effort which creates the new products and improved productivity that fosters growth.

President Kennedy himself has mentioned this diversion as a "price" the Nation pays for the space program. But space officials contend that in the long run, their program will benefit the economy through development of civilian products which normally would not evolve without space research.

#### FRUITFUL FOR CONSUMERS

Some industrialists agree. The space program will create products "we wouldn't have had for years if we'd gone along taking the lumps out of mashed potatoes and making better root beer," declares James M. Gavin, a retired general who is president of Arthur D. Little, Inc., Boston research consultant. In any event, General Gavin adds, space exploration is needed to satisfy man's curiosity and to compete with Russia, and the important thing is to "force-feed" space research back into the consumer economy.

Robert Solo, who studied the problem for the National Planning Association, reports in the Harvard Business Review, however, that "spinoff" benefits are about as likely to make up for lost civilian research as consumer-oriented efforts would be to spin off moon rockets. William Meckling, an economist for Franklin Institute's Center for Naval Analysis, writes in the Bulletin of the Atomic Scientists that "it seems unlikely" that spinoff benefits will "repay the investment or even a very large part of it."

While some research executives view the space program as the chief culprit, others complain about other Government agencies as well. Some contend that projects in the Defense Department, the biggest spender for research and development, are even less likely to help the consumer economy.

Some drug manufacturers criticize the concentration of research funds with the National Institutes of Health, which has requested $930 million in research funds for next fiscal year, compared with only $71 million in fiscal 1954. While NIH research is directed at civilian needs, executives say its dominance may lead to neglect of useful ideas which would be developed by more diversified research support. Comments Harry M. Weaver, research vice president of Schering Corp.: "I think it's dangerous to get the direction of research into too few hands even if they are well intentioned."

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[From the Washington Post, Sept. 29, 1963]

### Call for Defense Budget Cut Snagged in Senate

(By Chalmers M. Roberts)

A little drama in the Senate the other day paid off for its originators but to read the script literally would be very misleading.

The day that the Senate, after 67½ hours of debate spread over 12 days, finally ratified the nuclear test ban treaty, it took 5 hours to approve a $43.3 billion defense budget for the current fiscal year.

It was not the difference of time spent on debate, however, but the timing of the two votes which was important. The Pentagon money bill was called up almost immediately following the test ban vote.

#### IMPOSSIBLE POSITION

The effect was to put the would-be defense budget cutters in an impossible position: they had to argue for what their opponents called unilateral disarmament just after approving a treaty backed by solemn pledges all around not to succumb to "euphoria" by letting down the American military guard.

The result was a crushing 74-to-2 rollcall vote against a token cut proposed by Senator George McGovern, the South Dakota Democrat who has been complaining of the Pentagon's nuclear overkill capacity. If the announced positions of absentees is added, plus a guess or two, the vote would have been even more lopsided, perhaps 95 to 5.

But the maneuver by which the two measures were put in such effective Senate floor juxtaposition only conceals a fear by some powerful Senate defense backers that on another day, and in another circumstance, as many as 30 Senators quite probably would vote for some token cut in defense spending.

#### IRONY OF SITUATION

The real irony, however, of the Senate maneuver to prevent any show of support for that budget cut is that the military budget is at long last about to begin leveling off. And to double the irony, this is happening for reasons which have nothing at all to do with the test-ban treaty itself and little to do with the current temperatures in East-West relations.

Indeed, there are some qualms in important administration quarters that such a leveling off, which should begin to show in the fiscal year 1965 budget (to be sent to Congress next January), will bring cries that the administration is succumbing to the very "euphoria" against which it warned so loudly during the test ban hearings. And that could occur in a presidential election year with the prospective Kennedy opponent an Air Force Reserve major general, Senator Barry Goldwater.

#### GAITHER REPORT RECALLED

Here, one should go back a few years to the winter of 1957–58. In that December the Washington Post disclosed that the as yet still unpublished Gaither report called for a defense boost of about $8 billion by 1960 or 1961. The total then was around $39 billion.

Then in January the Rockefeller Bros. Fund panel on military security publicly advocated successive additions of about $3 billion a year to the Pentagon budget for "the next several fiscal years."

Both of these reports came at a time of mounting talk about an American defense lag, in part what soon was to be called the "missile gap."

In retrospect, though the gap turned out to be unreal, the defense budget rose just about the way the Rockefeller panel suggested. The panel, incidentally, included a number of distinguished Americans who subsequently served the Kennedy administration, including Deputy Defense Secretary Roswell Gilpatric.

This massive spending increase has bolstered the services' manpower and conventional firepower for so-called conventional wars and it has produced or soon will produce a most massive array of nuclear missiles.

#### MANPOWER BOLSTERED

During the test ban hearings Defense Secretary Robert S. McNamara testified that the United States has tens of thousands of nuclear warheads and that by 1970 the current more than 500 missiles will grow to over 1,700.

This is about as far, in numbers, as the Pentagon is likely to go in missile building. Of course it will take money, lots of it, to maintain and keep modern such weapons but no further massive spending for new hardened sites or more new major missiles is now in sight beyond paying for what is in the works.

Manpower, too, is likely to decline because one major Pentagon goal, increased airlift, is now beginning to be achieved. The forthcoming airlift of an entire divison from the United States to West Germany is the first of several exercises around the world to test this new ability to move men fast.

#### COULD MEAN A CUT

If it proves out, then manpower overseas can be safely reduced. This does not mean, of course, that the boys are all coming home from either Germany or Korea but some cuts will be possible. And the gold drain will thereby be cut.

Another factor in the prospective budget leveling off is the McNamara study of the future of the Navy's carrier task forces. The outcome of this study is not yet evident but hints suggest that McNamara expects to save money here on the grounds that the carrier's role has so altered that fewer are needed now than in the past.

Related to the Pentagon budget but not part of it are Atomic Energy Commission expenditures. Here there is a strong likelihood that something around $1 billion will be cut out of weapons costs in the next 3 to 5 years. Fissionable materials are simply being produced in excess of any conceivable use in the years ahead. Furthermore, projections of possible peacetime uses, such as for electric power production, come nowhere near taking up the decline in military needs.

In another related field, space, the civilian National Aeronautics and Space Administration already is facing budget cuts in Congress. This was so even before President Kennedy proposed a joint Soviet-American man-to-the-moon project.

A major NASA budget cut quite possibly would bring closer NASA-Pentagon cooperation. Indeed, there are signs of this already, now that the Air Force has been given a go-ahead to start studying a military space station.

All of these Pentagon moves to level off defense spending are, of course, related to the general pressure on the administration to hold down the total Federal budget, especially when pressing for a massive tax cut. They are related, too, to efforts to halt the gold drain.

But they are not, in themselves, related to the cries by those such as Senator McGovern about "overkill" nor to any who may be suffering sufficiently from euphoria to believe the test-ban treaty is reason enough in itself to cut back on defense.

The way things are going now, defense spending will level off. But it is only a coincidence in timing as far as the attacks on such spending.

Yet in time the leveling-off process quite probably will bring new cries for even further cuts and less "overkill" capacity.

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[From the Washington Post, Sept. 11, 1963]

### Pentagon Weighs Cut in A-Arms Procurement

(By Howard Simons)

The Defense Department is making "detailed studies" of its nuclear stockpile to see whether a cutback in production is or soon will be warranted.

The move has no direct relationship to the nuclear test ban treaty now before the Senate. But word of the Defense Department study came in response to a question put by Senator Stuart Symington, Democrat, of Missouri, during treaty hearings last month before the Foreign Relations Committee. A reply to Symington by Defense Secretary Robert S. McNamara was inserted in the recently published transcript of the hearings.

Symington's question was prompted by Senator George McGovern, Democrat, of South Dakota, who said in a speech on August 2 that the Pentagon has built up and continues to build a vast overkill capacity in nuclear weapons.

#### STATEMENT DENIED

McNamara denied this in his reply, arguing that the Nation does not have an excessive nuclear stockpile if one considers that the United States must be ready for various kinds of limited and tactical wars as well as all-out nuclear war.

But McNamara went so far as to say that fiscal 1965 budget work now underway at the Defense Department includes detailed studies to determine whether any cutback in weapons procurement is justified, and if so, how much.

Moreover, McNamara said if these studies indicate that reductions in warhead procurement are advisable this finding "will be reflected in the fiscal 1965 budget now in preparation." This budget will be sent to Congress in January 1964.

### BACKGROUND OF DECISION

The Defense Department's new, hard look at its future nuclear weapons requirements was not prompted by McGovern's concern. The White House, the Bureau of the Budget, the Defense Department and the Atomic Energy Commission have all been aware for several years that one day the Nation's capacity to produce nuclear weapons would exceed its needs.

Indeed, this was the reason that the AEC, in September 1961, took the initiative and cut back its production of uranium 235, the stuff of atomic warheads. The seed for this action was planted during the Eisenhower administration.

It has not been disclosed just how much of a cutback in $U^{235}$ production was ordered. But the AEC has announced that effective June 30, 1964, it will require 1,030 megawatts less power for its diffusion plants at Oak Ridge, Tenn., Portsmouth, Ohio, and Paducah, Ky. This represents 17 percent of the power that has been required by these plants up to now.

### FURTHER STUDIES BY AEC

The fact that nuclear weapons supply is apparently exceeding demand is also the reason why the AEC is now conducting a study to determine whether it should make further cutbacks, not only in $U^{235}$ production, but in that of plutonium, too.

Moreover, informed sources said, the AEC has a second study underway to determine how it should readjust its nuclear weapons production to satisfy a reduced Pentagon shopping list.

Until very recently, the AEC, which pays for nuclear weapons out of its budget, would ask the Defense Department how many warheads its would need for a given year. The Defense Department would answer, "How many can you make?" The AEC would set the number. The Defense Department would say, in effect, "We can use them all."

Informed sources suggest that this kind of procurement now is changing, partly as a result of McNamara's new approach to strategy and future defense requirements and partly because of concern expressed by the congressional Joint Committee on Atomic Energy about this "tincup" approach.

### CUTBACK CALLED INEVITABLE

Though the question of reducing future nuclear weapons production has not been resolved, many administration officials say privately that a cutback is inevitable. What seems to be holding up an immediate decision to reduce production is the potential effect of such a move on the economy and fears in some quarters that the national security would be impaired.

Concerning security, a cutback in future weapons production will in no way reduce the Nation's already substantial nuclear stockpile. And nuclear weapons material, like an old soldier, never dies. It can be used anew after its removal from a weapons carrier such as an obsolete missile.

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[From the Bulletin of the Atomic Scientists, June 1963]

## The Economics of Permanent Peace

(By Otto Nathan)

It is premature to discuss the possible consequences of disarmament upon the American economy in more than general terms. As long as we do not know how and when disarmament might actually take place, and what might happen in the American and other economies between now and then, it is futile to speculate about industrial dislocation and readjustment. All that is possible now is to gain some general appreciation of what eliminating armaments might mean to the American economy.

At present, the United States spends about 10 percent of its total national product for defense purposes: The Federal budget for the fiscal year starting July 1, 1963, provides military expenditures of over $5 billion and the total national product of the United States may amount to about $590 billion in the same period. These figures, as well as the details of the military budget, are often used to indicate the magnitude and ramifications of the economic consequences of disarmament, but alone they are quite inadequate for that purpose. Even in the case of complete disarmament, considerable funds would have to be appropriated for military pensions and retirement allowances, an international inspection system, and possibly, an international police force. Also, the defense budget of the United States now provides appropriations of well over $7 billion for industrial research, the results of which are made available to private industry. Since a large part of such research would have to be continued after disarmament, an amount similar to the present appropriation would have to be spent for research, out of either public or private funds.

The possible amounts of postdisarmament expenditure by the United States were estimated in January 1962 by the Arms Control and Disarmament Agency. They estimated that if disarmament began when U.S. defense expenditures reached about $56.1 billion, and were practically completed after 12 years, we would still have to spend over $17 billion a year for defense-related purposes (including only a small part of the research previously financed by the Government). After 12 years, the U.S. Government expenditure for the liquidation of the Military Establishment would still amount to about 30 percent of the peak defense outlay.

For another reason, too, the present military budget is an inadequate basis for speculation. Disarmament must be preceded by complicated agreements on each stage and new international agencies for the protection of universal peace. Hence, years might elapse before the disarmament process could start, even if complete disarmament should be decided upon in the near future. The size and composition of American military expenditures might change in the interim; so might the percentage of the national product devoted to military purposes. Since the economic impact of defense spending might then be quite different from what it is now, eliminating armament expenditures could affect the economy in ways not now predictable. It is certain, however, that in any event, adverse effects would be widespread and multifarious, whatever countervailing—private or public—measures might be taken.

It would be a serious mistake to view the economic effects of disarmament as merely quantitative problems. It has sometimes been suggested that the consequences could not be overly severe because defense spending amounted to only about 10 percent of the total national product, because substitute expenditure would be considerable, and because the process of demilitarization would be distributed over a period of years. But this view ignores the unevenness of the repercussions to be expected. Such industries as aircraft, steel, and sectors of the machinery industry would in all probability be hard hit. Effects on other industries would be less drastic, although every segment of the American economy would suffer, directly or indirectly, from the elimination of the production of a host of products.

Repercussions in various geographical regions would also be uneven. Some would be relatively little affected, while others—such as Long Island and southern California, where the bulk of the aircraft industry is located—would be severely hit. The duration of the emergency created by dismantling would also be quite uneven, depending on how feasible it were for given industries to adjust to new purposes.

Even if the U.S. Government were to spend an amount equal to the total of the previous defense appropriations for other purposes, serious adverse effects on the economy would be unavoidable. Some of the human and material resources utilized for military ends could never be used again; others would require a period of retraining or resettling, retooling or rebuilding. Because of the reappropriation of funds by the Government, some industries might have to increase their capacity without being able to utilize installations and manpower idled by disarmament in other industries. The increase in production due to Government spending would therefore augment production and employment in the construction and machinery industries, but not in the industries directly affected by demilitarization.

Let us assume that the nations of the world arrange a detailed schedule for universal and complete disarmament, to start on a given day. (This discussion deals only with the problems arising from complete disarmament. The economic effects of partial measures of disarmament—such as discontinuance of testing or reduction of manpower—defy general analysis; each measure would have to be examined on its own merits.) The agreement would necessarily provide that all parts of the defense apparatus of all participating countries be frozen as of the first day of disarmament; research and development of new weapons be terminated; and repairs and replacement of obsolete equipment be permitted only in those parts of the establishment scheduled for elimination in later stages of disarmament.

Should total spending by the United States decline by $10 billion in the initial year, Government contracts to various industries, purchases of material, and salaries would decrease by that amount, but this would not mean that the Government would have a surplus of $10 billion at its disposal, even if tax rates remained unchanged. For simultaneous with the dismissal of defense personnel and the decline in military orders and purchases, the Government's receipts from taxation—primarily income and corporation taxes—would be seriously curtailed. Soon afterward, there would be secondary effects of the curtailment of Government expenditures; industries losing defense contracts would not purchase or reorder material, and persons discharged by the Government or private industry would be forced to curtail their purchases until they were able to find new employment. Additional declines in production and employment would hence be inevitable, and cumulative repercussions from the $10 billion reduction of defense spending would be felt in many parts of the economy for a considerable period. For all these reasons, Government tax receipts would materially decline and the available surplus would be considerably smaller than $10 billion. Since disarmament would be worldwide, disarmament overseas would also affect economic conditions in America, and military dismantling in the United States would be felt in the economies of other countries in many different ways. Any estimate of such complex repercussions is, of course, impossible.

Developments similar to those in the initial period would occur in every succeeding year until disarmament was completed. The effects of these developments on the American economy can be fully appreciated only if the basic characteristics of the economic system of the United States are taken into account. The American economy is a free enterprise system, which means that, with relatively few exceptions, any enterprise—small, large, or monopolistic—has freedom to act at its own discretion, but which also means that any enterprise is left to its own counsel and resources when it is affected by unfavorable developments. The American economy, operating without centralized regulation even of key industries, inevitably suffers from a large measure of instability and insecurity at all times.

National and international disarmament would inevitably further increase the inherent instability of the American economy. Unless a reconversion scheme were set up under government auspices, either for the economy as a whole or for specific industries (a most difficult venture in a free enterprise economy), any entrepreneur who lost defense orders would have to seek reutilization of his productive facilities completely on his own. He would decide on industrial readjustments whenever they promised to become profitable. He would not know—nor would it probably affect his decisions if he did—whether reconversion or changes in production schedules would create overcapacity or oversupply in the industry as a whole, resulting in greater instability in the economy. In many instances, individuals would decide to shift to other industries, businesses, occupations, or locations; it is very probable that some of these shifts would create new imbalances and disharmonies in the economy.

These remarks should suffice to make clear that the readjustment process necessitated by dismantling the huge military establishment could not fail to create serious maladjustments in the American economy if carried through within the economy's conventional free enterprise framework. Although a planned economy could probably master these adjustment problems more efficiently, the changes created by disarmament would present, even in a fully planned economy, a major problem; men and women would be idled, and much time and patience would be required to equitably reorganize the economy.

The extent of long-term unemployment and unused productive and distributive facilities would depend on how willing and able employees would be to utilize their facilities for substitute production. Any prediction about such rearrangements is obviously not possible; if the economy were in a depression, for example, it would be even more difficult for business to adjust their facilities to nondefense production or distribution and for individuals to find substitute employment than it might be in a period of prosperity. Considering both the characteristics of the American economy and competitive conditions in international markets, readjustment would probably be spotty and would require a great deal of time to become more general.

The economic impact of disarmament could be attenuated by measures which the Federal Government might take. Within the basic structure of the American economic system, the Government could give some centralized guidance to the economic readjustment processes to help minimize the shortcomings, economic maladjustments, and disharmonies which are bound to arise in the course of reconversion. A part of the former defense appropriations could provide funds to retrain persons previously employed in defense work, to offer systematic education to those who had not enjoyed such education before, or to make loans and grants available for the conversion or resettlement of specific enterprises. However, the amount that could thus be expended by the Government would absorb only a relatively modest portion of the former military budget.

### REAPPROPRIATING MILITARY FUNDS

There would exist three alternatives for the reappropriation of the remaining funds, each of which would affect the economy in a different way. First, the Government might use the funds to retire public debts. The bonds presented to the Government for refund would come primarily from banks, insurance companies, and similar institutions, and probably only to a small extent from corporations and private investors. The effect such repayment would have upon production and employment would depend on how much of the funds would then be used for productive bank loans for capital investment or for purchases of consumer goods. There is reason to fear that a part—and possibly a large part—of those funds would lie inactive for a period of time, so that any budgetary surplus used for debt repayment would not significantly counteract the decline in production and employment resulting from disarmament. The repayment of public obligations would probably be the most unsuitable policy to adopt. But given the widespread (and mistaken) belief—not to say obsession—in the United States regarding the ill effects of the public debt, the claim would surely be made by the public and many Congressmen that disarmament provides the long-desired opportunity for curtailing Federal indebtedness.

The Government might adopt a second alternative: curtail taxes. If the entire amount saved through the dismantling of military installations were used to reduce income taxes of the low income groups and excise taxes, a considerable proportion of such funds would be used for the purchase of consumer goods. This would stimulate production and employment in the consumer goods industries, but it would be of very modest help to the industries most affected by disarmament. Tax reduction would, however, hardly be limited to the lower income groups and would most likely be extended to all income groups and to corporate enterprises. Would taxpayers in higher income groups increase their personal expenditures, enlarge their bank deposits, or invest in securities? Would corporate taxpayers invest the additional financial resources in modernizing or enlarging their productive facilities? This would differ in different industries and different enterprises and would be influenced by general economic conditions. It is reasonable to assume that a portion of the funds no longer used for tax payments would remain idle. Total production and employment would most likely be less stimulated than if tax reductions were limited chiefly to the lower income groups.

### PUBLIC WORKS PROJECT

The third alternative would be to use the surplus for enlarged public expenditures. This is the only policy which would actually insure an increase in production and employment counteracting the decline created by military dismantling. Diverse outlets for increased spending are available. In fact, there are many crying needs all over America which should have been satisfied long since: new and improved educational facilities; health services and hospitals; slum clearance programs; urban renewal projects; city transportation systems; homes for the aged, blind, and infirm; housing, particularly for low income groups; public welfare institutions; social services of all kinds. A great advantage of such projects is that plans and blueprints could be prepared well in advance, as soon as a definite date for beginning disarmament is decided upon and it is known where and when declines in military expenditure would take place.

Blueprints for projects of an appropriate magnitude and a specific nature could be tailored to the needs of specific areas, contracts could even be let before disarmament actually begins, and work could start almost simultaneously with the decline in production of military goods and the dismissal of personnel. There is yet another great advantage of expenditures for public works, particularly if prepared in advance: production and employment would be stimulated almost immediately and entrepreneurs would be able to adjust their production schedules or facilities appropriately. Compare this to possible developments from the curtailment of the public debt or of taxes, where investing funds would be left to the discretion of individuals and reconversion plans could be based merely on speculation over possible new demands somewhere in the economy.

Although substitute Government spending for social and welfare needs would be by far the most effective of the three possible alternatives, it would not be able to absorb the entire capacity idled by disarmament—even if the total amount of spending in the economy were maintained at the predisarmament level. Some of the facilities previously used for defense orders could probably not be used for other goods. Part of the discharged labor force and military personnel would have to pass through a lengthy process of retraining and readjustment; others—especially those with highly specialized skills, elderly people, and many professional soldiers—might never be able to find substitute employment. The Government would have to help such victims of disarmament by liberalizing unemployment insurance and providing for an extended period of benefit payments, in addition to other types of assistance.

Congress might also apply a part of the funds previously appropriated for defense to increased economic aid to oversea countries. Since disarmament either presupposes a complete change in the international political atmosphere or would help accomplish such a change, there might no longer be objections to either Government or private loans to the Soviet Union, China, or countries associated with them. Such loans would also create additional production and employment and would replace former military expenditures.

### OVERCOMING DOUBTS

While the Federal Government obviously possesses the technical ability to mitigate the complex economic effects of disarmament, the Government might not consider it politically wise to do so, since large-scale public spending would probably result in temporary budgetary deficits. Such doubts are caused by the experience of the last decade: although unemployment has increased steadily since 1951, neither the Eisenhower nor the Kennedy administration proposed remedial measures of sufficient magnitude, nor has Congress taken any initiative itself. One reason for Eisenhower's and Kennedy's failure to act forcefully against unemployment was their desire, shared by the Congress, to limit Federal expenditures for social and welfare purposes as much as possible. Another reason was their apprehension that budgetary deficits might lead to inflationary developments and to a greater deficit in America's balance of payments and in the loss of gold.

This is not the place to discuss these apprehensions, except to say that, under the existing circumstances, neither the danger of inflation nor of increased balance-of-payments difficulties seem to be sufficient reasons to abstain from fighting unemployment through increased public expenditures. These apprehensions would be even less justified in a period of disarmament, since substitute Federal expenditures would not lead to large increases in the public debt so long as the present system of Federal taxes were maintained. Moreover, the appropriations to be requested of Congress for the purposes suggested would be considerably smaller than the defense expenditures which are to be eliminated might suggest since, as already discussed, disarmament would automatically require certain substantial new Government expenditures. Because of the truly revolutionary change which would be brought about by the abolition of war and the establishment of international security, it is even possible that a wave of optimism would surge through the country, stimulating entrepreneurial initiative and increasing private capital investments which would provide a further substitute for part of the defunct defense orders.

Even if a large part of the defense budget were offset by public and private expenditures, the major change in the use of available human and material resources that disarmament would entail poses many difficult problems for the American economy. Its complicated repercussions would be comparable to the very unsettling consequences of important technological developments—the railroads, electricity, the automobile, or more recently, the diverse effects of automation. But in contrast to these cases of major technological change, we could protect ourselves from many of the unsettling economic effects of disarmament. The transition from armament to disarmament could be directed by the Government, rather than left to the whims of private enterprises; substitute public expenditures could be carefully prepared in every detail since each phase would be known well in advance. Similarly, private enterprises could make preparations for readjusting their productive facilities, insofar as feasible.

The duration of hardship would depend largely on the political wisdom, courage, and sense of responsibility of the executive and legislative branches of the Federal Government. But even if the Federal Government does all that can reasonably be expected, it could not possibly prevent difficulties and emergencies which are bound to arise and which may, in certain instances, persist for some time. It is unfortunate that hardship and suffering will be unavoidable in the great world conversion from recurrent wars to permanent peace. But those who would suffer hardship would do so truly in the service of mankind, and would deserve all the help and assistance that could possibly be provided for them.

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[From the U.S. News & World Report, Aug. 12, 1963]

## If Peace Does Come, What Happens to Business?

This question once again is being raised: If peace does come, what happens to business? Will the bottom drop out if defense spending is cut?

There is a lull in the cold war. Before the U.S. Senate is a treaty calling for an end to testing of nuclear weapons in the air or under water. A nonaggression agreement is being proposed by Russia's Khrushchev.

### DANGER SPOTS

Talk of peace is catching on. Before shouting, however, it is important to bear some other things in mind.

Cuba, just off Florida, remains a Russian base, occupied by Russian troops.

Truce in Korea is a very uneasy one.

The guerrilla war in South Vietnam, where Americans in uniform are being killed, is still being sustained by Chinese Communists. The Red Chinese, in an ugly mood, are capable of starting a big war in Asia at any time.

Berlin, in Europe, is only on the back burner. Crisis there can be heated up in a twinkling.

Russia at this point, too, holds an edge in military power of many kinds—including nuclear weapons of supersize. Nobody is proposing seriously that all these weapons be destroyed.

In other words, it is hardly a world in which to go about unarmed, or even with a smaller arsenal of weapons.

But just suppose peace did come and disarmament was agreed upon. What then? Would a depression follow?

This whole question has been the object of Government studies. It has been explored by economists for private industry and other groups.

All studies appear to be in agreement on these points:

1. Disarmament that might occur would be partial and spaced over a period of years, not sudden and drastic. Defense costs now total about $55 billion a year, or about 10 percent of overall spending in the country, public and private. It has been suggested that those costs might be cut by $25 billion, at a rate of about $5 billion a year. Such a cut would be less than 5 percent of total spending when completed in 5 years, and barely 1 percent a year while occurring.

2. A tax cut of comparable size would accompany an arms cut. If defense spending were cut at a rate of $5 billion a year for 5 years, the expectation is that taxes would be reduced by at least that amount, and probably more. This would be aimed at cushioning the shock. It is expected, too, that spending in fields other than defense would be expanded—for roads, schools, slum clearance, mass transit, other programs.

3. Business, in total, need not be upset for any prolonged period. It is true that States in which defense contracts are centered would face a severe adjustment. Some industries dependent upon defense business would be hurt. The additional purchasing power resulting from a reduction in taxes, however, would help many lines of civilian business.

The country could expect to go through a period of uncertainty, in which the stock market might experience an upset. Thus, the effects would be spotty, and few think a general depression would necessarily follow unless the arms cutback should happen to coincide with the working of other forces of a deflationary type.

### AFTER WORLD WAR II

Two adjustments from heavy spending on arms have occurred during the past 18 years—and in each case with only a minor shock.

Arms spending reached a high of 81.3 billion in the Government's accounting year that began July 1, 1944. Over 3 years, that spending was cut to 11.8 billion, a reduction of 69.5 billion.

Business at the time took this reduction in its stride. The reason was that war had created a vast pent-up demand for everything from household gadgets to new cars and new houses. Business was moving up strongly by mid-1946.

### AFTER KOREA

Arms spending during the Korean war rose to 50.4 billion at the peak. Within a year after the war ended in 1953, arms outlays were reduced to 40.7 billion, a cut of $9.7 billion. Again the shock was minor—eased, to a great extent, by a cut in business and individual income taxes. By 1955, the country was again moving into a boom, with record demand for new cars, high and rising demand for new homes, and record spending by business.

### THE NEXT TIME

There would be differences, however, if today's cold war should end. Pent-up demands of consumers have been met. Individuals are heavily in debt already for purchases of cars and other items. Competition from foreign producers is fierce in world markets. The American dollar, after years of carrying the bulk of the free world's defense and aid burdens, now is in some trouble.

Yet out of all the studies comes the conclusion that the United States could take peace without too serious an upset.

The main reason for this optimism is that peace would not just break out overnight.

No nation would be expected to destroy its weapons and disband its armies as the United States did after two World Wars. The theory of those who have made studies is that, so long as Russia and China remain closed societies, the free world could never be sure that the Communist nations were not cheating.

The upshot: Disarmament, if it comes at all, is expected to be limited and gradual, spaced over a number of years.

One official study made by experts in Government, industry, and universities provides an illustration of how this works.

The study, released in January 1962, by the U.S. Arms Control and Disarmament Agency, assumed a continuing buildup in arms until 1965, followed by a gradual scaling down over a period of 12 years.

Cuts in arms spending were seen being offset, in part, by increased spending by the Atomic Energy Commission for civilian purposes and by a growing space-exploration program of the National Aeronautics and Space Administration. Also expected: increased spending for policing of any disarmament agreement.

Allowing for these offsets, the study estimated a net reduction in U.S. security and associated outlays of about $22 billion in the first 6 years after a disarmament agreement.

The study's conclusion: "Disarmament * * * should create small danger of provoking immediate depression in our economy."

That confidence now is widely shared by economists in and out of Government.

### DEPRESSIONPROOF?

Neil Jacoby, dean of the Business School at the University of California at Los Angeles, told U.S. News & World Report:

"Peace would not trigger a drastic slump in business. Disarmament would have to come in stages, allowing the economy time to make adjustments. I think the United States is truly depressionproof."

### WHAT PEACE WOULD MEAN TO SOME BIG INDUSTRIES

*Percentage of total output sold to the military*

| | *Percent* |
|---|---|
| Chemicals | 5 |
| Petroleum | 10 |
| Iron and steel | 10 |
| Fabricated metals | 8 |
| Electrical machinery | 21 |
| Radio, communications equipment | 38 |
| Aircraft and parts | 94 |
| Ships and boats | 61 |
| Railroad and trucking | 5 |
| Construction | 2 |

NOTE: Figures cover the year 1958—latest available.

Source: U.S. Arms Control and Disarmament Agency.

From Allan Sproul, former president of the Federal Reserve Bank of New York:

"I can't see the cold war ending so suddenly as to face us with a sharp cessation of military expenditures. If the cessation is gradual—if and when it comes—we still have the solar system, the inside of the atom, and the amelioration of man's condition on earth to take up the slack."

Other leading economists also are reassuring. These authorities recognize, however, that some difficult adjustments, affecting many businesses, individuals, and areas of the country, would be necessary.

### MIXED RESULTS

The charts on these pages show you the industries and parts of the country that would be most vulnerable to an arms cutback.

California would be hit hard. That State handles nearly one-fourth of all the Nation's prime military contracts. It ranks as the biggest "war producer"—in missiles, planes, ships, electronic gear, other items.

New York, Ohio, New Jersey, Massachusetts, and Texas, all deep in the defense business, would feel the impact.

A slash in defense payrolls, military and civilian, would be felt widely. In Alaska, for example, defense payrolls account for more than one-quarter of total personal income in the State. In Hawaii, more than 18 percent of personal income is drawn from Defense Department paychecks.

Washington, D.C., home of the Defense Department's Pentagon, would be hurt. There, defense payrolls account for more than $1 out of every $10 of personal income. The same is true of nearby areas of Virginia.

Some communities would feel a severe wrench. San Diego, Calif., where aircraft and missile production accounts for more than 80 percent of factory employment in the city, is a prime example. Another is Wichita, Kans., where defense manufacturing of missiles and planes provides jobs for 72 percent of all factory workers. In Seattle, Wash., more than half of all factory workers are employed in making missiles and aircraft.

These are extreme samples. Most areas of the country would be affected much more moderately, and some places would feel little direct impact from a cutback in defense.

The Midwest, in general, would not suffer the worst of the blow. That area has faced up to sharp cutbacks in defense spending.

Five of the Great Lakes States—Illinois, Indiana, Michigan, Ohio, and Wisconsin—now get only about 12 percent of the prime military contracts, compared with 32 percent during World War II and 27 percent during the Korean war.

The expectation is that, in this and other areas similarly situated, a defense cutback could be phased out over a period of years without any great dislocations in the economy.

### TAKING UP THE SLACK

But what of the States and communities that today are heavily dependent on defense contracts and payrolls? Would disarmament mean economic collapse in these places?

The experts who have explored the question think not—assuming careful planning for an orderly transition. These experts emphasize two points:

First, that defense spending, even if reduced under a disarmament program, will remain substantial for as long as anybody can now foresee.

Second, that any cutback will be phased out over a period of years, allowing time for adjustment to a new era.

Nobody expects California or New York or any other major State in defense production to lose out completely in military business. These States would simply have to adjust to a smaller volume of military production. Troops in large numbers would still be stationed in Alaska, Hawaii, and many other places.

The official idea is for the Government, during the transition period, to move in with many means to head off business trouble.

Tax cutting is one. A tax holiday has been proposed by some. Easier tax rules to help business switch into new fields are under study. Money, under these plans, would be made cheap and easy to borrow—again aimed at helping business over the hump.

Public works of many kinds are proposed. There are plans to rebuild the cities, clean up and develop the Nation's rivers and harbors, build roads and dams, build schools, construct systems of mass transit in urban areas.

Such plans also include vast civilian uses of the atom—to make electricity, dig tunnels, possibly provide a cheap source of power for desalting ocean water for irrigation.

### WHERE A CUT IN MILITARY PAYROLLS WOULD HIT HARDEST

*Defense payrolls, military and civilian, as a percentage of total personal income*

| | Percent |
|---|---|
| Alaska | 26.5 |
| Hawaii | 18.2 |
| District of Columbia | 10.8 |
| Virginia | 10.2 |
| New Mexico | 9.0 |
| South Carolina | 7.6 |
| New Hampshire | 7.4 |
| Georgia | 6.8 |
| Utah | 6.7 |
| Nevada | 6.5 |
| Alabama | 6.1 |
| Oklahoma | 5.9 |

(NOTE.—All figures are for Dec. 31, 1960, latest available.)

Source: U.S. Arms Control and Disarmament Agency.

All these measures and others, to be financed in whole or in part by the Federal Government, are counted on to ease the difficult years of adjustment. Contracts, so far as possible, would be channeled into areas that are hurt by disarmament.

### A CIVILIAN ECONOMY

At the same time, the idea is to stimulate development of new civilian products to catch the public fancy.

The thinking is that the public appetite for better living, new conveniences is insatiable—assuming people have the money to buy.

Peace planners talk of switching research away from military purposes and into peacetime purposes, aimed at developing new civilian markets.

In short, it means an effort to direct public and private investment into building a new civilian economy.

Workers by the thousands, so the thinking goes, would have to be retrained in new skills. The Government has plans for that.

Industry would have to be given the urge and the means to reach out into new fields. Tax incentives, easy money, possibly even direct loans from the Government are among the ideas that are being advanced here.

Nobody expects all this to come off like a rehearsed performance. The transition to peace undoubtedly would be painful for many, at least in the early stages. Still, nearly all authorities on the subject believe a general depression can be prevented.

### PSYCHOLOGICAL IMPACT

How severe the initial shock might be is related to the condition of the economy at the time the news of peace develops.

If business is in a downward cycle at that time, peace news could produce a psychological reaction affecting the whole economy. If business is strong at the time, peace news probably will be easier for the economy to take.

Warns Mr. Sproul: "We do not know exactly what makes human beings act and react as they do." He notes that investors did not panic after the sharp break in the stock market on May 28, 1962, but adds, "Another May 28 might bring a different response."

This first reaction to peace news is one of the real imponderables.

### EVERYBODY HAS A STAKE

Whatever the initial impact, the effects of disarmament would reach every American.

Tax relief, almost surely, would be voted right away.

U.S. forces, many of them, would come home from abroad. The Armed Forces, a little at a time, would be cut.

The draft soon would end. Young people would be able to plan their lives again.

All this would occur gradually, not all at once. Sudden, upsetting changes probably would be avoided.

The country could hope that, in time, Government spending might be cut, permitting a reduction in the public debt. The plan, in the beginning, is to hold spending high through pump-priming programs.

Foreign aid probably would be cut.

The dollar problem would be eased—assuming a reduction in aid and military spending abroad.

Space programs, at the outset, probably would be pushed by the White House as one way to take up the slack left by a cut in military outlays. In time, however, a public reaction might set in against huge spending to run a race with the Russians in space. Peace would destroy some of the incentive to outdo the Russians in space.

Planners expect the public to be impatient, once disarmament starts, to get the transition pump priming over with and settle down to normal conditions again.

The expectation is that high-level spending, for peace if not for war, will go on for a good many years yet.

### THE OUTLOOK

Any real peace, permitting substantial disarmament, still looks a long way off. Yet planning for peace is a continuing project.

If it comes, the experts agree, the country should be able to take what it brings in stride, without a collapse of the economy.

*Key areas where jobs depend on arms contracts—Percent of defense manufacturing in all factory jobs*

| | |
|---|---|
| Kansas | 30.2 |
| Washington | 28.6 |
| New Mexico | 23.8 |
| California | 23.3 |
| Connecticut | 21.1 |
| Arizona | 20.6 |
| Utah | 20.4 |
| Colorado | 17.8 |
| Florida | 14.1 |
| Maryland | 12.2 |
| Missouri | 10.3 |
| Texas | 10.0 |

(NOTE.—Figures are for April 1960, latest available.)

*The top 10 States in arms orders—Military prime-contract awards in the year ended March 31*

| | Billion |
|---|---|
| California | $5.8 |
| New York | 2.5 |
| Ohio | 1.3 |
| New Jersey | 1.2 |
| Massachusetts | 1.1 |
| Texas | 1.1 |
| Washington | 1.1 |
| Connecticut | 1.1 |
| Pennsylvania | .9 |
| Missouri | .7 |

(In all, these 10 States were granted nearly $17 billion worth of prime contracts—two-thirds of total awards in the United States.)

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[From Commentary, May 1963]

## DISARMAMENT AND THE ECONOMY

(By Ben B. Seligman)

"We must release the human imagination in order to open up a new exploration of the alternatives now possible for the human community; we must set forth general and detailed plans, ideas, visions; in brief, programs * * * and make these * * * political issues."—C. WRIGHT MILLS.

Let us suppose that we are on the brink of disarmament. Let us suppose that minimum deterrence, preemptive strike, counterforce, retaliatory capacity, invulnerability, arms control, escalation, and all the other recondite notions of the cold war have been relegated by our political leaders to the dusty archives of history. Let us suppose that Polaris, Minuteman, and Davy Crockett are about to be turned into plowshares or preserved as curious museum pieces. Then what?

Some say that the result would be nothing short of economic catastrophe. From 1950 to 1959, $230 billion was spent on weaponry. In 1960, $46 billion of Federal money went into defense, atomic energy, and space, and the budget for fiscal 1964 will provide $54 billion for the same purposes. It is estimated that by 1965 well over 3 million people will be working in defense related industries, and another 4 million will be working directly for the Government, either in blue denims or uniforms. The argument that our prosperity—such as it is—can be traced to the stimulus of the cold war, and that the continued viability of our economy depends on preparation for war, thus appears to have a good deal of weight behind it. After all, did it not take a huge war effort to rescue us from the great depression? As John P. Lewis, the new member of the Council of Economic Advisers, once said: "Short of World War II, no adequate cure ever emerged or was contrived to haul the economy out of the doldrums of the 1930's."

Imagine, therefore, the enormity of the economic problem we would face if disarmament were suddenly to emerge as an imminent possibility. At the moment, 6 percent of the work force is unemployed, and at our skimpy rate of growth, the economy cannot even absorb normal increases in the labor force. How, then, would it be able to provide jobs for the perhaps 4 million persons who would be released from defense industries and the armed services in the event of disarmament? Many economists even think that the situation would be worse than it appears on the surface. For example, Leo and Betty Fishman, a husband-and-wife team at West Virginia University, suggest that the Government, paralyzed by snaillike legislative procedures, would be unable to formulate a quick response and might (as some business troglodytes advocate) use the savings from defense to pay the Federal debt. The consequences of this would be dire indeed. Debt repayments would increase the lazy cash of financial institutions and rentiers, and by a well-known Keynesian device called the reverse multiplier, income and employment would tumble head down. Now, suggest the Fishmans, add to the 4 million already jobless (despite a high-pressure defense effort), another 4 million released from armament work, plus still another 4 million discharged because the multiplier is running backward, plus a million newcomers to the labor force, and we are confronted by a total of 13 million persons facing the same conditions that existed in the thirties.

There are, to be sure, other economists who argue that this grim picture is overstated and who rather cheerfully believe that no administration would ever become so rigid as to be incapable of reacting to impending doom. No one, however, doubts that the economic problems attendant upon disarmament would be critically serious, and considering that disarmament is one of the stated goals of our foreign policy, it would be reasonable to suppose the top Government bureaus and private research organizations in Washington are at this very moment busily engaged in studying these problems. But the sad fact of the matter is that apart from a few private individuals and a single small bureau—the Arms Control and Disarmament Agency—no one has done more than look at the economics of disarmament before turning away either in bemusement or horror.

The Rand Corp., that den of powerful minds wrapped in their own assumptions, is casually uninterested. The Council of Economic Advisers assures us that it knows what must be done (merely turn a few Keynesian tap valves) and that it anticipates no real difficulty in educating Congress on the issues at stake. The Peace Research Institute, headed by former Ambassador James Wadsworth, concedes that planning for disarmament is important, but it just hasn't gotten around to it yet. The Institute for Defense Analysis—another Rand-type group—regards the whole question as premature. The Joint Economic Committee staff is aware that grave problems may stem from defense cutbacks, but what can they do when committee members have other cats to skin? In all of Washington, only ACDA, with its relatively low budget and undermanned research bureau, has issued any sort of report on the consequences of disarmament—and this was prepared by an outsider, Emil Benoit of Columbia University.[1] Add a few more articles and studies by Benoit, Seymour Melman (also of Columbia), Kenneth Boulding of Michigan, the "country reports" submitted by other member nations to the U.N. expert panel on the economics of disarmament, and a London Economist survey, and the list of literature on the subject is virtually complete.

Benoit, Boulding, and Melman have done heroic work in trying to arouse public interest in what could happen in the event of disarmament. The first two writers have been nursemaid and godfather to the research program on economic adjustments to disarmament (READ) which recently issued a perceptive and useful symposium on the transition to a complete peace,[2] and Melman, of course, has been a kind of St. John shouting in the canyons. But there has scarcely been so much as an echo in response. A few private citizens in Connecticut have tried to study the issues: Women Strike for Peace has some local committees at work; the Friends have published one or two brochures; and here and there a major defense contractor has wondered how to penetrate an ordinary consumer market. In the main, however, the important people simply do not care.

The history of what happened to Senator Hubert Humphrey's report on the effects of disarmament illustrates the sort of attitude that evidently prevails in high places. As far back as 1961, Humphrey had argued in his Special Subcommittee on Disarmament that a study of adjustment problems was essential. The "enormous unfulfilled demand for commodities and labor shortage as well" after World War II and Korea contrasted sharply, said he, with the substantially satisfied demand and * * * unemployment today. Consequently, he canvassed some 400 manufacturers to determine the plans they might have on their desks for conversion to nonmilitary production. The replies were quite interesting: a fair number of respondents deep in defense work called for an orderly reduction over a reasonable period of time, with extensive Government planning to deal with the economic problems of disarmament. (Of course, it was not clear from the replies whether these companies were prepared to accept directives from a central planning body or merely wanted to shift the cost burden to Government.) Interestingly enough, Humphrey's study also revealed an extraordinary concentration of defense contracts, with four firms reporting over $1 billion in defense business and eight firms reporting from $500 million to a billion.

Yet the report was suppressed. The official story in Washington is that some of the subcommittee members feared it might be used by Soviet propagandists, although Secretary of Defense McNamara saw nothing awry in it. Senator Symington was disturbed by the chance that the survey might be quoted out of context to back up the Marxian theory that war production was the reason for the success of capitalism. Subsequently, both he and Senator Aiken insisted on placing a confidential stamp on the document, limiting its publication to 150 copies and burying it so effectively that it is now almost impossible to turn up a copy. Humphrey argued in vain that public understanding of the issues was at stake, that most of the data had been shared with the U.N. experts in any case, and that a number of copies already were circulating among sundry Federal departments and on the Hill. Finally, on October 5 of last year, irritated beyond words at his colleagues' behavior, Humphrey exploded in the Senate, giving away the major conclusions of the report.

There are, then, several schools of thought on the economics of disarmament. First, we have the uninterested, which includes most of the agencies that ought to be interested. Then there is the self-interest school, which includes certain industrialists who prefer Pentagon projects but are not unwilling to enjoy a slice of arms control and disarmament funds. Senator Humphrey, on the other hand, is a leading spokesman for the "we can do it but let's not be stupid about it" group—small, fortunately articulate, and probably making the most sense; here we may include the Melmans, Benoits, and Bouldings. The extreme worriers are typified by the Fishmans. And finally we have the "let's be rational" school, exemplified by William Royce of the Stanford Research Institute, who argues tautologically that the industries now engaged in making missiles or electronic components will have little difficulty under disarmament if they find something else to do, and who further intimates that since the Russians can't be trusted to keep an agreement, all planning for disarmament must be predicated on a slow process of transition with phased reductions stretched perhaps over a decade.

The assumption of a phased reduction in arms, while attractive mainly for reasons of Hochpolitik, is on other grounds open to serious question. The London Economist, in its well-documented survey,[3] makes a cogent argument for a changeover period lasting no more than 2 years. The quicker the changeover, says the Economist, the less likelihood of error would there be. Also, rapid disarmament would have a more salutary psychological impact, for the exhilaration of an unarmed peace might generate its own momentum. But most important, what Thomas Schelling calls the reciprocal fear of a surprise attack would necessitate a crash program on both sides to prevent the old escalation from starting up again. All this means that planning must be done now, careful planning, both macroeconomic and microeconomic in character.

Apart from everything else, forethought would ease the anxiety voiced by many who still remember the chaos of 1918 and who know that we were only saved from a similar chaos in 1945 by an extraordinary pent-up consumer demand and a population explosion of rare dimensions. The anticipated deflationary impact of reduced Federal budgets was obliterated after World War II in an orgy of spending, the likes of which had seldom been witnessed before in human history. Today, however, there is no storage bin of unsatisfied demand; consumer debt, at $61.4 billion, is almost six times what it was in 1947; unemployment is running at the rate of 6 percent of the civilian labor force; and one-sixth of those working are on part-time hours. And to make matters worse, today's defense industries, utilizing exotic material and esoteric production systems, are virtually inconvertible coin. When disarmament comes they may simply have to be junked. This is the key problem: today's defense industries do not manifest the sort of relationship to the rest of the economy that was characteristic of earlier defense and war efforts.

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[1] In addition, the ACDA has published the American reply to a U.N. inquiry on the effects of disarmament, a rather detailed memorandum which was included in the U.N. disarmament experts' report of February 1962.

[2] Emil Benoit and Kenneth F. Boulding, editors, "Disarmament and the Economy," published this month by Harper & Row.

[3] Economist Intelligence Unit, "The Economic Effects of Disarmament," 208 pp., $5. Available from the University of Toronto Press.

It appears, therefore, that nuclear disarmament involves a new and strange structural situation: conversion will not be a matter of searching for fresh consumer markets. The old task of discovering new work for facilities temporarily diverted is no longer the core of disarmament adjustments, for time and technology have made the present defense industries less and less transferable to alternative uses. There is one consolation which could ease the reconversion process: our putative affluence might be sufficient to carry the burden, so accustomed have we become to sudden obsolescence. But the people, several millions of them—where would they go? How much human obsolescence can our society bear before it cracks under the strain?

But our story is moving ahead too quickly. The economics of disarmament is divided into three parts: conversion; stabilization; and expansion. The problem of human obsolescence belongs to part three—where growth in the industries comprising the civilian economy would presumably take care of it. First, however, we have to worry about conversion, which means rearranging the commodity mix to satisfy a new kind of public and governmental demand, and next we have to concern ourselves with stabilization, i.e., the prevention of unemployment and deflation. Then, and only then, do we start worrying about expansion and growth.

One way of making a comprehensive study of how resources might be shifted about in the event of disarmament is to construct an input-output table, a device that determines how much of the output of all other industries is needed by every single industry to produce a unit of its own. Such a table can yield a complex statistical matrix showing how men and resources may be moved about in response to a given level of final demand. What would a matrix of this kind reveal about disarmament? The answer, as it happens, has already been given by Wassily Leontief, the originator of input-output analysis, and Marvin Hoffenberg, in the April 1961 issue of Scientific American. Leontief and Hoffenberg argue that the 2,000 workers and 6,000 servicemen who would be released for each $100 million reduction in arms spending could not be totally absorbed by the private business sector. For one thing, reconversion would create its own bottlenecks: If a heavy roadbuilding program were undertaken, for example, cement shortages might delay the effort, while industries once committed to defense (such as electronics) would wither on the vine for lack of sales. In other words, a proper reallocation of resources is a longrun affair, and in the absence of planning, economic deficiencies would plague the body politic. Yet the matrix also revealed that a 20-percent reduction in military outlays during the first stages of disarmament could increase employment, provided the savings were applied to pressing civilian needs.

However, observations such as these are based on large calculations that can be completely upset by the actions of individual business firms. A few years ago, Seymour Melman asked a number of companies how they were preparing for disarmament. One concern replied that the abolition of defense work would be catastrophic—it obviously had never dreamed that its subsidized sales might one day peter out. An engineering research firm with 25 percent of its contracts in defense was candid enough to say that it would simply fire 25 percent of its employees. An electronics manufacturer with half his production geared to the military refused even to weigh this question. And so it went. William Royce, the SRI disarmament expert, has in effect complained that industry can plan only if it knows the direction in which the Federal Government intends to move—if, that is, it knows something about the proposed curtailment of weapons systems and the programs for space exploration, and knows whether Washington will grant patent protection to new industries stemming from defense work. In short, will the Great Underwriter—as David T. Bazelon calls the Federal Government—guarantee civilian markets as it has guaranteed military markets? Will there perhaps, even be lucrative contracts for disarmament itself?

This last possibility is not far fetched. The capital outlay of a test ban inspection system has been estimated by Melman at approximately $1.7 billion. An international radar network for disarmament inspection with machines installed on land and ships would cost initially about $10 billion, while annual operating expenditures have been calculated at $600 million. Aerial reconnaissance would require another $420 million. All told, these expenditures might reach well over $12 billion, with $1.5 billion needed each year for maintenance and operation. There is not much here as compared with the arms race, but it is something on which to fall back.

And, indeed, the scent of these dollars has already begun to waft toward the defense companies. Recently Business Week reported that Bendix, Raytheon, and General Telephone & Telegraph were very much interested in the "potentiality of arms-control hardware contracts." Bendix even went so far in late 1962 as to a stage a conference on the subject, and the odd mixture of tough thinkers from Rand, Pentagon officials, academicians, electronics manufacturers, and the first secretary of the Soviet Embassy, led one observer to describe the session as resembling a meeting of temperance ladies held in a bar.

No doubt contracts for disarmament hardware would ease the burden of adjustment, for to judge by one analysis, existing defense industries would have a devil of a time penetrating ordinary civilian markets. James McDonagh and Steven Zimmerman, two young engineers, discovered that in the airframe industry only once in the years between 1950 and 1955 did a major company sell as much as 30 percent of its product to civilian customers. That, as McDonagh and Zimmerman put it, the sales and marketing experience of the industry should in some respects be quite limited, is not surprising, for defense firms (most of whose industrial capacity stems from Government subvention anyway) know how to politic and bargain with one big customer only. And this is not quite the same thing as knowing how to carve out a slice of domestic sales.

Where could the airframe industry—to take it as a representative example—go for nondefense business after disarmament? Commercial aircraft? That would bring in a mere $168 million a year, hardly enough to pay expenses. Prefabricated homes? With a potential of 1½ million units annually, the industry might secure $850 million a year. If there were bridges to build or if rapid transit were revived (a genuine need today), perhaps another $400 million or so a year could be recaptured. Yet even with all of this, only 58 percent of the airframe industry's present sales capacity would have been replaced. Thus, assuming a constant relationship between sales and employment, over 200,000 employees would have to be dismissed.

While after World War II many aircraft manufacturers shifted half-heartedly to canoes and powerboats and stainless steel caskets and subcontracted for musical instrument manufacturers,[4] today firms like General Dynamics, skilled only in high-cost high-specification operations, would have great difficulty in adapting successfully to big-volume, low-cost, low-quality production. There is little opportunity to apply modern techniques of military production—techniques that require parts to be assembled in dust-free, vibrationless plants with devices constantly tested, temperature and humidity carefully controlled, and precision machinery of the kind achieved only by computer calculations—to normal factory methods. For such concerns today, abolition of the cold war means bitter obsolescence—unless a vast space program, or something like it, were to come to the rescue.

Of course, from a purely economic standpoint, the disappearance of these industries would not be a great calamity. There technology is so special and esoteric that the income they create in other sectors of the economy—the Keynesian multiplier—is considerably less than the amount that stems from the old-line industries. Leontief has estimated that about $42 billion of direct military purchases in 1958 generated another $44 billion of indirect demand—a multiplier of 2. But meanwhile, the arms mix undergoes rapid change, and with virtually every alternation in defense strategy (from surface weapons to missiles, from airframes to electronics, from simple logistics to complex subsystems), the capital share in military spending goes down; it has indeed moved from about 75 percent in 1951 to 47 percent today. In consequence, the defense industry multiplier is probably a good deal less than 2 by now.

A further result of the stress on these exotic industries has been the loss of oversea hard-goods markets—machine tools, for example. Moreover, the distorted geographical distribution of defense contracts has influenced the pattern of industrial location in ways that could, in the absence of advance planning, easily result in chaos when cutbacks occur. Many towns in the South rely almost exclusively on military installations—what would happen to Cape Canaveral if disarmament came? In Los Angeles almost 200,000 workers draw paychecks from 3 aircraft companies. In Wichita, 72 percent of the work force is employed in making planes and missiles. In the States of Kansas, Washington, California, Connecticut, and Arizona, anywhere from 20 to 30 percent of manufacturing employment is in ordnance, electronics, aircraft, missiles, and ships—the leading industries in the military-space complex. Disarmament without planning would unquestionably leave many localities in these areas as destitute as a ghost town in a western movie.

The National Aeronautics and Space Administration has been admonished several times by Congress to spread its share of the business, but most of it still flows to the west coast. Of the $2.7 billion NASA spent in fiscal 1963, California received 30 percent, while 28 percent went to three Southern States, and only 1 percent to all of New England. The Pentagon explains—and with some justice—that its contracts must be placed where prior investment had been made in research and where the higher skills for the new weaponry can be found. Thus, the increasing need for technical competence and scientific components intensifies the insulation of the defense sector from the rest of the economy. This, perhaps more than any other single factor, has impeded genuine growth.

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[4] Some companies were helped by relying on such gimmicks as loss carrybacks to offset past taxes, which enabled them to latch on to more profitable firms—once again the Government became an underwriter.

In a recent Harvard Business Review article,[5] Robert Solo of the National Planning Association demonstrated that since 1920 research and development expenditures have increased at a phenomenal rate, rising 400 percent in relation to national income, while output per man-hour in the economy as a whole has steadily hovered around the old norm of a 2- to 4-percent gain per annum. Hence, he argued, not only has there been no perceptible relationship between R. & D. and economic growth, but the latter may have been inhibited by just the sort of research demanded by the military. Missiles and shooting for the moon may heighten our sense of international prestige, but they add little to the ordinary goods and services needed by an expanding population. Even worse, defense and space research is a parasite on the rest of the economy, for it feeds upon some of the best talents of society. The old-fashioned scientist who might have invented a gadget that could increase output per capita is now an engineer on a team project constructing a component for the trigger of a space vehicle.

Military technology, in short, has moved further and further away from industrial research to the point where the possibility of communication between them has all but disappeared. How, asks Solo, can such skills as preparing a research proposal or designing space instruments or planning "component development" be transferred to production for civilian markets? Of course, there have been some cases of successful transfer, as with PERT—a computer system—and Telstar. But these are exceptional. There are few, if any, civilian counterparts for nuclear warheads, supersonic planes, and the rare materials that go into spaceships. The very habits of the scientists and engineers involved are wrong for civilian production. They are concerned only with performance—"tell the front office to worry about cost"—and they are accustomed to producing prototypes of machines while eschewing standardized methods. The inescapable conclusion is that spillover from defense to civilian life is almost nonexistent.

We pay a rather handsome price for this strange non-Keynesian situation. The military budget in fiscal 1963 was $51 billion; for fiscal 1964 it has been set at $54 billion. The research and development share, though only 8 percent of the total, is essential to the whole complex. The development of weapons systems takes three-fourths of military research and development funds, while research in engineering, physics, biology, and the like absorb the balance. Not surprisingly, the scientific community has become utterly dependent on Government largesse; in 1961, over 75 percent of electronics scientists and engineers were working on projects paid for by the Federal Government.

What can happen when suddenly cutbacks are made without proper planning was brought home vividly when the Skybolt missile was eliminated from our arsenal not long ago. Douglas Aircraft, the prime contractor for this weapon, dismissed about 4,000 workers, and another 5,000 jobs being supplied by subcontractors were placed in jeopardy. Yet all Douglas could think of to do was protest the Defense Department's decision, arguing that Skybolt should be kept on because it would save billions in taxes by extending the life of the B-32 bomber and Britain's Vulcan II.[6]

Few of the companies working on missiles and communications meet contract cancellations with anything more than public hand wringing and telegrams to their Senators. Sometimes they get a congressional investigation started. Meanwhile, the workers are sent packing to the unemployment insurance offices. In 1957, for example, the Navajo missile was abruptly removed from the Pentagon's weapons arsenal and 2 days later some 10,000 persons had to scrounge for other jobs as some $680 million went down the drain. Similarly with Regulus II, a submarine missile; the boron high-energy fuel for supersonic jets; the P6M Seamaster jet seaplane; and the atomic-powered airplane, shelved after a decade's work. The psychological and economic shock to the communities involved has finally set the Pentagon to thinking about the "potential economic impact of procurement efficiencies," and unofficial hints are now going out to localities unduly dependent on Federal contracts.

The burden of planning the changeover, then, goes by default as well as necessity to the Federal Government. Nevertheless, there are business diehards who still insist on laissez faire. Richard Raymond, a General Electric spokesman, urges reliance on the free market with "bold risk decisions to take advantage of conversion opportunities as they arise," without grasping the rather elementary notion that government may have to create such opportunities. The Magazine of Wall Street proposes a National Reconversion Committee comprised of leading business and retired executives to arrest the onslaught of Government zealots. About the millions of Americans who live in abject poverty, and who can only be helped by massive outlays of moneys for public needs, such ideologues have nothing to say. Yet the two documents mentioned above that were prepared under the aegis of the Arms Control and Disarmament Agency, by revealing the usual backlog of starved public services, indicate what might be substituted for arms. Housing could absorb $33 billion over a period of years; mass transit might account for $9 billion over the next decade; and resource development $8 billion a year. At least $10 billion a year could be used to improve the educational system. Additional expenditures for health services, better social security schemes, retraining and relocation, area redevelopment, and adequate foreign aid would take care of the rest (and without rushing into space); in fact, the total could easily pass what is now spent by the Pentagon, NASA, and the AEC.

But how does one venture upon these programs? What are the specifics? At what points in the economy do we mark off the starting lines? Difficult as it seems, the problem is not intractable, for there are institutions and organizations in our society which could be utilized to initiate the new peace. Public corporations such as TVA, local housing authorities, State road commissions, and urban renewal agencies—all could be put to work the moment a disarmament agreement were signed. Despite the acknowledged deficiencies of some of these bodies, their accomplishments might be surprising enough to make us ashamed of the neglect they have had to bear while we have been wrangling our way to the edge of extinction.

All this, to be sure, could only take place in what economists call a proper fiscal environment, which means an environment created by tax cuts and budget deficits. But these would have to be of sizable proportions—much larger than the piddling sums of the present tax and budget program—to correct the combined effects of defense cutbacks and a stumbling economy. The tax cut alone ought at the very least to be $10 billion in the first year of disarmament; with the dual multiplier-accelerator evaluated at 3.7, this would probably yield $37 billion in gross national product, enough to initiate the readjustment process with ease.[7] However, since in a lagging private sector accumulated idle capacity tends to impose restraints on any exuberance stemming from fiscal maneuvers, the tax cut might have to be substantially larger than $10 billion to do an adequate job.

Disarmament, then, need not result in economic catastrophe: the necessary economic knowledge is at hand for dealing with the problems that would arise. What remains to be created is a sense of urgency in high places over the need to prepare now, and an awareness throughout our society that with proper planning and forethought, disarmament would be an economic contingency to be welcomed, not a disaster to be feared.

Mr. PELL subsequently said: Mr. President, I commend Senator McGOVERN on his constructive, imaginative, and bold proposal for a National Economic Conversion Commission. This kind of thinking is needed in giving our planning and thinking a longer term outlook than is presently the case. My belief is that by the end of this century we will either have worked out some satisfactory form of general armaments control or we will have engaged in nuclear war. I pray that the former alternative, that is, some adequate form of armaments control, will be our world's choice. And if it is, we will benefit greatly by the thinking engendered by Mr. McGOVERN's bill.

The Senator has, I believe, demonstrated remarkable clarity of thought and courage in introducing this measure, and I commend him heartily for it. His proposal is an imaginative and constructive plan to give this Nation's economy a vested interest in peace.

I also believe that very serious thought must be given to the welfare of workers at defense installations. In fact, I believe when jobs are lost to workers through no fault of their own, but as a result of a shift in national policy, be it a shift in trade policy or of defense policy, then some sort of planning and protection must be provided those who are affected in local areas through no fault of their own. In this respect, I think the purposes of this bill should include the looking after of the welfare of workers at defense establishments which goes further than does this bill as I read it.

## CONVEYANCE OF CERTAIN LANDS TO STATE OF HAWAII

Mr. INOUYE. Mr. President, on behalf of myself, and my colleague, the senior Senator from Hawaii [Mr. FONG], I introduce, for appropriate reference, a bill to revise the procedures established by the Hawaii Statehood Act, Public Law 86-3, for the conveyance of certain lands to the State of Hawaii, and for other purposes.

This bill has been submitted and recommended by the Director of the Bureau of the Budget. I ask unanimous consent that the letter to the President of the Senate accompanying the bill be printed in the Record at this point in my remarks.

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[5] November–December 1962.

[6] The idea of trying short-range commercial jets did occur to Douglas as well, but typically it was a year behind the British Aircraft Corp. which already had been selling them to American airlines.

[7] The multiplier indicates how much new gross national product will stem from a given amount of investment; the accelerator measures the response of investment to additional consumer spending. These processes are, of course, interrelated; the Joint Economic Committee recently estimated the multiplier at 2.5 and the accelerator at 1.2.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2275) to revise the procedures established by the Hawaii Statehood Act, Public Law 86–3, for the conveyance of certain lands to the State of Hawaii, and for other purposes, introduced by Mr. Inouye (for himself and Mr. Fong), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. Inouye is as follows:

October 28, 1963.

Hon. Lyndon B. Johnson,
*President of the Senate,*
*Washington, D.C.*

Dear Mr. President: There is forwarded herewith a draft of legislation to revise the procedures established by the Hawaii Statehood Act, Public Law 86–3, for the conveyence of certain lands to the State of Hawaii, and for other purposes. The proposal would provide an equitable means for eventually returning to the State of Hawaii certain surplus Federal lands which it would otherwise be unable to receive because of the provisions of the Hawaii Statehood Act (Public Law 86–3; 73 Stat. 4).

We believe that Hawaii has a unique claim on the lands and property involved since they were originally given to the United States by the Republic or the Territory of Hawaii. That claim and the special status of those lands and property have been recognized by the United States for many years. In essence, the proposal would provide for the continuation of a 60-year practice of returning those lands and property when they were no longer needed by the United States.

### CEDED LANDS

Section 1 of the draft mainly concerns three types of land and property controlled by the Federal Government in the State of Hawaii: (1) The public lands and public property ceded to the United States by the Republic of Hawaii under the joint resolution of annexation of July 7, 1898 (30 Stat. 750); (2) lands and properties acquired in exchange for such ceded lands and properties; and (3) lands of the Territory of Hawaii and its subdivisions. Those lands and properties were all at one time the public property of the people of Hawaii or were exchanged for such lands and properties.

The bulk of the lands involved, which were ceded at the time of annexation, have always been treated differently than the other public lands of the United States. History clearly indicates that those lands were regarded as having been held in a special trust status by the United States for the benefit of the Hawaiian people. The resolution of annexation barred the extension of Federal public land laws to Hawaii and provided that the revenues from the ceded land, except for those used by the United States, were to be used solely for the benefit of the inhabitants of Hawaii.

Subsequently, the Congress provided, in section 91 of the Hawaiian Organic Act of April 30, 1900 (31 Stat. 141, 159), that the ceded lands were to remain in the "possession, use, and control of the government of the Territory of Hawaii, and shall be maintained, managed, and cared for by it, at its own expense, until otherwise provided for by the Congress, or taken for the uses and purposes of the United States by direction of the President or of the Governor of Hawaii." Provision was made in the same section for the return to Hawaii of ceded lands taken, for United States use and for actual transfer of title to the Territory in certain cases. The special trust status of those lands was further made clear in that there was no provision for their sale by the United States and in that any revenues secured by the United States from the rental of those lands taken for Federal use had to be returned to the Territory. On the other hand, sale of ceded lands by the Territory was authorized.

During the almost 60 years that Hawaii remained a Territory of the United States, the President and the Governor frequently set ceded lands aside for the use of the United States. Lands were taken for military bases, the national park, lighthouses and a variety of other purposes by Executive orders and proclamations. Provision was also made, in section 73(q) of the Organic Act for the Governor to set aside for U.S. use other lands belonging to the Territory of Hawaii.

The Hawaii Statehood Act (Public Law 86–3; 73 Stat. 4) again recognized Hawaii's special claim to the ceded land and, in section 5(b), provided for the granting to Hawaii of the United States title to all such lands and lands acquired in exchange for ceded lands except insofar as they were set aside for U.S. use on the date Hawaii became a State. Section 5(e) of the Statehood Act provides for a review of those lands which were set aside, as well as any lands of the Territory and its subdivisions which were set aside, during the 5 years ending on August 21, 1964. Section 5(e) authorizes the President to determine whether the set-aside lands are no longer needed by the United States and to convey to the State those which are not needed.

However, after the conclusion of the current 5-year review, it appears that Hawaii will no longer be entitled to the return of the lands it originally gave to the United States. Thus, absent new legislation, the State of Hawaii wil be denied those lands to which the Territory was entitled during its 60 years of existence, and there will be a significant departure from the heretofore accepted concept of the special trust status of those lands.

Section 1 of the draft legislation is intended to correct this inequity and, in effect, to provide a procedure whereby the ceded and other lands and properties which are set aside may continue to be returned to the State of Hawaii whenever they become surplus to Federal needs. We believe such action is fully justified in keeping with the manner in which the lands and properties were acquired and the history of the special trust status in which they have been held.

Section 1 of the draft would authorize the Administrator of General Services to determine when the lands and properties involved are surplus, thus terminating at the close of the 5-year period specified in the Hawaii Statehood Act, the special Presidential review and providing for the processing of the lands involved in much the same manner as other Federal lands are processed for disposal. The Administrator would be able to transfer such lands among other Federal agencies when they become excess to the needs of the controlling agencies and otherwise treat them in the same manner as other Federal lands until he determines them to be surplus.

While the lands would generally be returned to the State without monetary consideration, section 1 of the draft does authorize the Administrator to make such conveyances subject to any terms and conditions he may prescribe. It is anticipated that that authority would be used primarily to preserve utility easements and to protect Federal interests in other properties which it retains. Provision is also made for safeguarding the U.S. interest in buildings, structures and other improvements made on the lands after they were set aside. In the event that the surplus lands contain such improvements which have an estimable fair market value, under section 1 of the draft, the Administrator must require the State to pay such fair market value before the lands and improvements are conveyed. In the event the State does not agree to the payment, the Administrator may remove the improvements and dispose of them under other applicable laws or, if they cannot be removed without substantial damage, he may dispose of both the improvements and the lands involved under other applicable laws. In the latter case, in keeping with Hawaii's claim to the land, the Administrator would be required to pay over to the State that portion of any proceeds equal to the value of the land involved.

There would be one exception from the lands otherwise subject to conveyance to Hawaii under the terms of the draft legislation. No ceded or other lands administered pursuant to the act of August 25, 1916, providing for national parks, could be conveyed under the proposal. That exception would be in keeping with the special status accorded national park lands by the Congress in excluding them from the current 5-year review of Federal lands in Hawaii and in keeping with the Congress' long-established practice of disposing of park lands by special congressional action.

At present, about 410,000 acres under Federal control in Hawaii consist of set-aside ceded and territorial lands. About 230,000 acres of that total are located in the national parks and most of the remainder in various military installations. As noted above, these lands—except for the national park lands—could only be returned to the State in the event they become surplus.

### SAND ISLAND

Section 1 of the draft bill would also authorize the Administrator of General Services to convey to the State of Hawaii without reimbursement any Federal lands on Sand Island and the reef lands connected therewith in the vicinity of Honolulu Harbor which he determines to be surplus. Any conveyances of those lands would be subject to the same procedures applicable to surplus ceded lands.

The State's claim to the land on Sand Island, including the reef lands connected therewith, is based on the contention that the United States acquired title to all of the area through the joint resolution of July 7, 1898, providing for the annexation of the Republic of Hawaii. That resolution, among other things, ceded and transferred to the United States all the public lands, buildings, ports and other property belonging to the government of Hawaii. Honolulu Harbor and the adjacent reef lands in which Sand Island is located were generally considered to have been part of that cession.

As noted above, we believe there is full justification for the return to Hawaii of surplus ceded lands.

Sand Island consists of about 550 acres of fast land, the large bulk of which was created by natural and artificial accretion since the annexation of Hawaii. About 125 of those acres have never been claimed by the United States and are now controlled by the Hawaiian Aeronautics Commission pursuant to an executive order of the governor. Another 202 acres were transferred to the then Territory of Hawaii by the President in Executive Order No. 10833 of August 20, 1959. That conveyance was authorized by the act of August 25, 1958 (72 Stat. 850), which provided that the transfer be without monetary consideration and that the proceeds from the use or disposal of the land be used for the support of the University of Hawaii.

The United States continues to control the remainder of Sand Island and certain adjacent submerged lands. About 261 acres, of which about one-third are submerged, are controlled by the Department of the Army and constitute the Sand Island Military Reservation. The remaining 27 acres under Federal control constitute the Sand Island Coast Guard Base. The Coast Guard has a continuing requirement for its base and an additional requirement for about 19 acres of land currently controlled by the Department of the Army. The remaining 242 acres of the Army reservation are excess to Army needs, and no other Federal need has developed for this area to date.

An Attorney General's opinion of July 18, 1940 (30 Op. Atty. Gen. 460), relative to Sand Island states that it appears probable that Executive Order No. 3358 of November 24, 1920, setting aside lands on Sand Island and Quarantine Island for military purposes, "was issued under the theory that the lands set aside by it were a part of the public lands which belong to the Hawaiian government and which passed to the United States under the joint resolution of annexation * * *." While no authority for action was cited in the 1920 Executive order, the Attorney General stated that it is probable that section 91 of the Hawaiian Organic Act was the basis for action.

If it were certain that Sand Island does consist of ceded land set aside for Federal use, it would be possible now to convey to the State that portion of the land which is no longer needed by the United States. That conveyance could be effected under section 5(e) of the Hawaii Statehood Act which authorizes the return to the State without reimbursement, until August 21, 1964, of ceded lands under Federal control which are determined to be no longer needed by the United States.

Two factors, however, have cast doubt on the possibility of conveying any land on Sand Island to Hawaii under the authority of section 5(e) of the Statehood Act. First, two private corporations claimed title to the Sand Island area at the time of annexation as successors to the interests therein of the William Sumner estate. The private claims to the area were never recognized by the United States or the Territory of Hawaii but were settled in a compromise agreement in 1902 wherein the corporations quitclaimed their interests in the area to the United States in return for receipt of a land patent from the Territorial Governor confirming their title to the remainder of the Sumner estate. The United States was named grantee in the quitclaim deed because an Assistant U.S. Attorney General had taken the position that in an exchange of ceded land with private parties in Hawaii, for other than street or road widening or other local purposes, the conveyance should run to the United States rather than the Territory of Hawaii though equitable title to ceded land was in the Territory. Second, by means of dredging and filling as well as natural accretions, the fast land in the area has increased from less than 10 acres at the time of annexation to the present size of about 550 acres.

The private claim to the area casts some doubt on the fact that the Sand Island was acquired as part of the cession from the Republic of Hawaii. Further, section 5(i) of the Statehood Act, which applies the Submerged Lands Act of 1953 (67 Stat. 29) to the State of Hawaii, casts doubt on the authority to convey filled lands to Hawaii under section 5(e) of the Statehood Act. Because of those factors, the Department of Justice has concluded that the remaining filled land on Sand Island is not susceptible to conveyance to Hawaii as ceded land under section 5(e) of the Statehood Act. This same doubt resulted in the 1958 act to clarify the authority to convey another part of Sand Island.

We believe that the doubt as to Sand Island's status should be resolved in favor of the State of Hawaii.

PUBLIC TRUST

Section 2 of the draft legislation provides that any conveyances to the State of Hawaii under section 1 shall be considered part of, and subject to the terms and conditions of the public trust established by section 5(f) of the Hawaii Statehood Act. That trust, which already applies to all the ceded lands returned to Hawaii under provisions of the Statehood Act, requires that the lands involved and the proceeds therefrom shall be held by the State for the support of public schools, betterment of the conditions of native Hawaiians, making of public improvements, and other limited public purposes.

The Bureau of the Budget urges early and favorable consideration of the proposed legislation.

Sincerely,

KERMIT GORDON,
*Director.*

## DUTY-FREE IMPORTATION OF CERTAIN WOOLS

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, a bill to amend paragraph 1101(b) of the Tariff Act of 1930 to provide for the duty-free importation of certain wools for use in the manufacturing of polishing felts. I ask unanimous consent that the text of the bill be inserted in the RECORD following my remarks.

Mr. President, domestic producers of pressed felt for polishing plate and mirror glass are under heavy pressure from imports of such finished felt products from foreign sources. This is especially true since the U.S. duty on animal hair felts and manufactures, which include polishing felts, was reduced 20 percent in the multiple-country tariff negotiations held at Geneva in 1962. The following comparison of imports of such felts and manufactures shows a rapid increase:

*U.S. general imports of animal hair felts and manufactures*

| | 8 months, January–August 1962 | 8 months, January–August 1963 | Change |
|---|---|---|---|
| | *Pounds* | *Pounds* | *Percent* |
| Belgium | 1,175 | 82,790 | +6,946 |
| France | 1,607 | 90,550 | +5,535 |
| West Germany | 10,198 | 8,561 | −16 |
| Other | 505 | ------ | ------ |
| Total | 13,485 | 181,901 | +1,249 |

Source: U.S. Department of Commerce, Bureau of the Census, T. Q. 2501.

No comparable reduction has been made in the duty on wools imported by domestic manufacturers of similar products, placing them in an obviously precarious competitive position. The elimination of the duty of 14 cents per pound—clean basis—on the wools to produce these polishing felts in the United States would reduce the cost of manufacturing felts and make the domestic product more competitive.

Enactment of this legislation will enable the domestic felt industry to become reasonably competitive with imports of polishing felt from abroad and will substantially help to maintain employment in this relatively small but important segment of our economy.

This bill would not effect domestic wool growers. According to the Department of Commerce:

> The type of wools to which the bill would extend duty-free entry is not produced in commercially significant quantities in this country. Elimination of the duty on the imports of such wools would probably result in a lower raw-material cost for domestic felt manufacturers with subsequent improvement in their competitive position.

Nor would this bill be adverse to our national interests and objectives under the Trade Expansion Act. National policy favors the use of trade-agreement authority rather than direct congressional action for reducing individual import duties, since the former provides an opportunity to seek a compensatory concession. In this case, however, the imports of wool covered by the bill are not separately classified, and at this time it is not possible to determine the value of the trade concession or the likelihood that reciprocal benefits could be obtained. I strongly recommend the enactment of this bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2276) to amend paragraph 1101(b) of the Tariff Act of 1930 to provide for the duty-free importation of certain wools for use in the manufacturing of polishing felts, introduced by Mr. RIBICOFF, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) paragraph 1101(b) of the Tariff Act of 1930 (19 U.S.C., sec. 1101, par. 1101(b)) is amended by inserting after the first sentence thereof the following new sentence: "Karakul wools, and other wools of whatever blood or origin not finer than 40s may be entered or withdrawn from warehouse without the payment of duty by a manufacturer, processor, or dealer upon the filing of a bond to insure that any wool entered or withdrawn thereunder shall be used only in the manufacture of pressed felt for polishing plate and mirror glass: *Provided,* That a tolerance of not more than 10 per centum of such wools other than Karakul not finer than 44s may be allowed in each bale or package of wools imported as not fined than 40s.

(b) The amendment made by subsection (a) shall apply with respect to the Karakul and other wools provided for in that subsection which are entered, or withdrawn from warehouse, on or after November 2, 1962, for the use specified in that subsection.

## PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "MEDICAL ASSISTANCE FOR THE AGED—THE KERR-MILLS PROGRAM, 1960–63"

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Michigan [Mr. MCNAMARA], I submit a resolution, and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The resolution will be stated for the information of the Senate.

The resolution (S. Res. 220) was read, as follows:

*Resolved*, That there be printed for the use of the Senate Special Committee on Aging Six Thousand Five Hundred and Sixty (6,560) additional copies of Committee Print entitled: "Medical Assistance for the Aged—The Kerr-Mills Program, 1960–1963."

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

### REDUCTION OF INDIVIDUAL AND CORPORATE INCOME TAXES—AMENDMENTS (AMENDMENTS NOS. 272, 273, 274, 275, 276, 277, AND 278)

Mr. HARTKE submitted seven amendments, intended to be proposed by him, to the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

### FOREIGN ASSISTANCE ACT OF 1963—AMENDMENT (AMENDMENT NO. 279)

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. MANSFIELD (for himself, Mr. Dirksen, Mr. Fulbright, Mr. Hickenlooper, Mr. Sparkman, and Mr. Aiken) proposed an amendment (No. 280) to House bill 7885, supra, which was ordered to be printed.

Mr. MORSE submitted amendments (No. 282), intended to be proposed by him, to House bill 7885, supra, which was ordered to lie on the table and to be printed.

### CONVEYANCE OF CERTAIN LANDS TO THE CITY OF ROSEBURG, OREG.—AMENDMENTS (AMENDMENT NO. 281)

Mr. MORSE (for himself and Mrs. Neuberger) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 1203) to authorize the Administrator of General Services to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg., which were referred to the Committee on Government Operations and ordered to be printed.

### CLEAN AIR ACT OF 1963—ADDITIONAL COSPONSORS OF BILL

Mr. MORSE. Mr. President, I ask unanimous consent that at the next printing of Senate bill 432, to accelerate, extend and strengthen the Federal air pollution control program, the name of the Senator from Alaska [Mr. Gruening] and the Senator from Oregon [Mrs. Neuberger] be added as cosponsors.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### AMENDMENT OF ADMINISTRATIVE PROCEDURE ACT—ADDITIONAL COSPONSOR OF BILL

Mr. DIRKSEN. Mr. President, at its next printing, I ask unanimous consent that the name of the Senator from Hawaii [Mr. Fong] be added as a cosponsor of the bill (S. 1666) to amend section 3 of the Administrative Procedure Act, chapter 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information, and for other purposes, introduced by the Senator from Missouri [Mr. Long] on June 4, 1963.

The PRESIDENT pro tempore. Without objection, it is so ordered.

### ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mrs. NEUBERGER:

Article entitled "Who's Afraid of the Truth?" written by Senator Paul H. Douglas, published in the Carpenter of October 1963.

Article entitled "The Gruening Report," published in the Near East Report.

### THE DROUGHT AND PUTNEY, VT.

Mr. MANSFIELD. Mr. President, according to a front-page story appearing in the October 28 issue of the Boston Globe, the drought is nothing new to the townspeople of Putney, Vt., for the article indicated that this little Vermont town has known one for 210 years. The story relates that many of Putney's 1,150 residents ordinarily travel 4 miles to get drinking water from a roadside spring—regardless of the weather.

After listening to the distinguished senior Senator from Vermont [Mr. Aiken] extoll the virtues of his hometown—which is almost as world renowned as the Montana School of Mines—and in order to forestall any eruption on the Senate floor, I submit, for printing in the Record, an editorial on this subject, from the Brattleboro, Vt., Daily Reformer of October 29. I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

#### The Folksy Reporter

A fellow from down Boston way showed up in Putney last week. Said he was a reporter from that there Boston Globe. Which he was, all right. Seems that somebody on that paper of his'n said why don't you go up to Vermont and get us a good folksy story on the drought up there.

So up to Putney comes this city reporter and starts asking questions. We don't know whom he asked, because he got some mighty queer answers. There they were Monday morning with a story right on the front pages calculated to wring enough tears from the Globe's loyal readers to supply all the water the women of Putney would need for their Monday washday, and then some. Just look how the fellow started his report about the quaint folks in our center of learning up the river.

"Putney, Vt.—The drought isn't anything new to the townspeople here. Putney has known one for 210 years. The town hasn't had a water system since it was granted its charter in 1753, and folks will tell you that their Yankee neighbors, suffering from water shortages, can learn a lesson from Putney."

Then this city boy, to whom a well curb over a sparkling spring appears to be synonymous with the bed-warming pans of colonial days, goes on to tell how the unfortunate folks in Putney have been scrounging for water for over two centuries. "How is it that in this nuclear age Putney has no water system?" he says he asked some of the residents of this quaint little town. "Never did anything about it," said one resident. "You get used to it," said another. (Notice that laconic Coolidge touch the Boston reporter gets into the speech of Putney folks.)

And as a final touch in his story he reports good Chief Carl Snyder, of the Putney Fire Department, as saying in connection with the present drought and fire danger: "Had a woods fire last Tuesday. Didn't get back until Friday night." This doubtless refers to the fire reported in the Reformer on the Carroll Loomis property, which was a mean one and required attention over a period of several days—but the chief must have been surprised to read what he is reported to have said about not getting "back until Friday night."

Well, that Boston reporter made a "folks" story out of the drought in Vermont—at Putney's expense. Seems that those fellows might learn that a reporter's job is to stick to facts, to avoid distortion, and not to try to construct a fancy story at the expense of a whole community, or of any individuals in it.

Rather than having a drought 210 years old—the truth is that Putney has for 210 years been such a fountainhead of ideas that they overflowed into New York State where Putney's John Humphrey Noyes established the Oneida Colony, into the Halls of Congress where Putney's George Aiken has created a kind of Republican statesmanship that should be emulated by more leaders in his party, and into all corners of the Nation and the world where the Putney School, the Graduate School, Windham College, and the Experiment in International Living have made their contributions—aided and abetted by the citizens of Putney town.

There may be a shortage of water right now in Putney, as there is in hundreds of New England towns and cities. But in Putney there never is a shortage of the flow of creative thinking and ideas, more per capita than in almost any other American community.

A good reporter, stranger in town though he might be, and assigned to digging up a drought story, would have stumbled onto that other reservoir that Putney has—even though it doesn't, and like many Massachusetts towns, have a central water supply. But we hope he had a refreshing drink of spring water while he was in town.

J.S.H.

Mr. AIKEN. Mr. President, I deeply appreciate the attention the majority leader has given the town of Putney, Vt., and his comparison of this town with the Montana School of Mines, which we all agree is perhaps the finest school of mines in the world, and has very illustrious alumni which includes the distinguished senior Senator from Montana.

But as regards the article which appeared a week ago in the Boston Globe—to the effect that the people of the town of Putney had been going 4 miles for drinking water for the past 210 years—I feel that I should say a few words.

It appears that this Boston newspaper reporter, having strayed west of Lexington—whether for the first time or not, I am unable to say, apparently kept wandering onward until he came to the town of Putney, Vt., which happens to be my hometown; and, apparently to justify his errant ways, he had to write a story. He noted that there was no central water system for the town of Putney—which, among other things, is considered by many to be the outstanding intellectual center of the country. Apparently he did not know that the hundreds of little boxes scattered among the hills and along the roads there conceal pure springs or artesian wells. The water in my own home comes from a spring 2 feet deep, but it is concealed in such a way that a Boston newspaper reporter possibly would not be able to identify it. I do not know what he thought the boxes were.

It is true that, along with the rest of eastern United States, the town of Putney, Vt., has had something of a drought—although not as bad as in some other areas. Nevertheless, it is possible that a few of the people there who depend upon spring water have had to call on other sources, temporarily. However, I do not think many of them have.

In the article, the reporter referred to seeing people get water at a roadside spring. I doubt that those were local people; probably they were people making their annual trip from eastern Massachusetts to Vermont, to obtain a few bottles of the purest water to be found anywhere, and at the same time to sharpen their intellects by associating with some of the many institutions in my hometown which are referred to in the editorial the Senator from Montana has asked to have printed in the Record.

I hope everyone will read the editorial from the Brattleboro Reformer, and will gain a real insight into what the town of Putney, Vt., is, and will make it a sort of criterion for other towns to aim at.

## ADDRESS BY SENATOR GOLDWATER BEFORE MASSACHUSETTS REPUBLICAN FINANCE COMMITTEE

Mr. SALTONSTALL. Mr. President, on October 16 my colleague, the Senator from Arizona [Mr. Goldwater], honored us by coming to Boston to help us with the problems of the Republican Party in Massachusetts. I had the privilege of presenting him to an enthusiastic group. It was a fine meeting and it was made successful by his presence and that of Mrs. Goldwater, who accompanied him. He gave us an inspiring speech that pointed out clearly the problems that will come before us in the next 12 months and the opportunities that we have to make clear to the people of Massachusetts and the United States the issues we face in determining how our Government will be run. I ask unanimous consent to have printed in the body of the Record his excellent speech.

There being no objection, the address was ordered to be printed in the Record, as follows:

### Remarks by Senator Barry Goldwater, Republican, of Arizona, Before the Massachusetts Republican Finance Committee, October 16, 1963

It's good to be in Boston and to speak before one audience that cannot be blamed for contributing to the mess in Washington. Fortunately, your great State and your great city have a chance now to do something about the name you've been getting. I look forward to the day when Massachusetts again is respected for its contributions to freedom rather than its contributions to the Kennedys.

The strong Republican organization that you are building and the strength that you are sustaining gives that opportunity in 1964.

A recent article in a liberal magazine referred to Massachusetts as a Kennedy crown colony. Even the liberals have to recognize that what we have now in Washington is a would-be king and a want-to-be dynasty, not a President and a party.

Well, Boston has done it before. It can do it again. It can help prove that, in this Nation, we consent to be governed, we do not elect to be ruled.

Republican victories in 1964 are the answer. Republican victories in the State houses, and local governments, in the Senate and in the House, and in the White House itself.

Seldom before in our history has so much depended upon a single election year.

The choices we must make are not between minor variations on major themes. Our choices are between basic directions for this Nation, for its people, for freedom around the world.

Republican candidates and Republican principles do not offer just another way of doing the same thing. They offer real choices, real chances for fulfilling the American dream—rather than just inflating the New Frontier's pipedreams.

Boston, as in most of our great cities, has problems that must be solved. Democrats say "let Jack do it—or Bobbie or Teddy." All that such solutions cost are votes—but all they buy for Boston will be stopgap answers on the way to total dependency upon Washington.

Republicans know that the Central Government and local goverments must work together on many of these problems. But Republicans know that the solutions must finally be forged of the energies, skills, and talents of the people most closely involved.

Responsibility that is forever delegated up can only succeed in tearing your local responsibilities down. But on the New Frontier local responsibility and local opportunity are sacrificed every day to the thirst for central authority and centralized power.

Who else but a New Frontiersman would have tried to ram a Cabinet Department of Urban Affairs down the throats of our States—despite the rejection of the idea by the representatives of those States?

Who else but a New Frontiersman would prefer government handouts to private jobs as a way of solving our unemployment problems? And who else but a New Frontiersman would fail to read the lesson of failure that such steps are writing today? Our unemployment is growing in tandem with the enlargement of Washington's unreal schemes.

This is no New Frontier when it comes to the problem of unemployment. It is the old, rutted road of the depression days; the frontier of fear and pessimism, of doles rather than doing, of promises rather than productivity, of election expediency rather than economic reality.

And where else but in the Republican Party can we find the clear alternative? Nowhere—for even those members of the Democrat Party who try to resist the spendthrift gyrations of the New Frontier cannot alone adequately bring fiscal sanity to an administration that locks its conservative members in a madhouse of massive spending programs.

Those Democrats who still believe in fiscal integrity would be as well served and supported by Republican victory as would be all in this Nation who believe in a sound dollar, real jobs, honest savings, and the family security based upon them.

Republicans understand the business of America—and they understand American business. The New Frontier does not understand either—and it mistrusts both. The only business toward which they have shown any sympathy is the business of building bureaucracy.

Republicans understand the jobs of America—and the Americans who have those jobs and those who want them. Republicans stand for jobs based upon needed production, not jobs jury-rigged by Federal programs. In other words, permanent jobs, not artificial and temporary jobs.

The Democrat notion of all this is rather like saying that all you need to dig a well is to be thirsty.

Look at their arguments based solely upon ever-increasing consumption. Republicans know that what makes the wheels turn in a free economy is the accumulation and availability of the savings, the capital, to build and to buy the machines and the businesses that produce goods, produce services, produce jobs, and produce the profits to keep the economy moving along. Only on such a base can increased consumer demand have any real meaning. Only on such a base can the earnings of our citizens properly be disposed between consuming what is wanted and building what is needed.

The New Frontier does not trust the people of this Nation to make their own economic decisions any more than it wants to let them make any other decisions. New Frontier planners trust only themselves to spend your money, control your investments, plan your future.

Republicans want to put dollars back in your pockets, for your planning, just as they want to put Government back under your control for your service.

This is a basic choice that we must make at home. Shall we travel the frontier of fear and mistrust? Or shall we trust the people and reject fear of the future?

We have choices just as basic around the world, in our foreign policy. During the 1960 election campaign, President Kennedy stood here in Boston and accused his opponent of believing that, and I quote: "Peace can be achieved through conferences and commissions, through meetings and good-will tours, through special missions and propaganda gimmicks."

President Kennedy said then that "words and gestures, talks and visits, will not bring peace in the future." He said that, if elected, he would, and I quote again: "begin work immediately on a program to achieve peace through strength."

You can take any Kennedy speech of that period and weigh it against performance—and you will come up with an almost absolute zero. The New Frontier is strewn with the debris of promises broken, words retracted, meanings forgotten, and missions forsaken.

But that speech in Boston remains something special—the biggest, most baldfaced deception of all. Kennedy promised strength and he delivered compromise. He promised an end to useless conferences and he delivered a marathon of talk, talk, and more talk.

He referred then to a ruthless enemy bent upon world conquest—and now he delivers the image of a smiling Khrushchev bent upon nothing more sinister than a visit to Disneyland.

He spoke then of building a retaliatory force invulnerable to attack and then, in his pitchmanship for the test ban, he delivered the decision that an antimissile defense was beyond us.

He spoke then of leading the alliance of free nations but what has he delivered to that alliance? Confusion, chaos, indecision, and the sort of leadership that trusts nuclear weapons more in the hands of our enemies than in the hands of our friends.

He spoke then of strengthening the hopes of those who live under Communist tyranny—but he has delivered the shattering of those hopes through pitiful proposals that simply would divide the world with tyranny and trust to some future century the freedom of the captive nations.

This administration deals freely with the enemy and in so doing it deals tragically with the hopes of freedom.

Where opportunities for freedom appear, this administration prefers compromise to action, prefers inaction to conscience, prefers popularity polls to national security.

For years, we have spent our substance freely to keep nations from the grip of communism. In so doing, we have seriously upset our balance of international payments.

Does this administration come forth with a constructive solution? No. The best they can do today is to suggest that we right the balance by trading with the very enemy we have spent our billions to rebuff.

Does this administration have the wit or the will to demand that freedom's price be paid when freedom negotiates with tyranny? No. It never has and it never will so long as its basic assumptions about the cold war remain unchanged—so long as it abandons positions of strength in favor of positions of political advantage—so long as it abandons recognition of the enemy for what he is in favor of illusions of what it hopes he'll be.

Take a look at the New Frontier's major triumph, the present wheat deal. I readily acknowledge that it will benefit some Americans—particularly the Kennedys and their political strategy. But what will it do for America? What will it do for freedom?

The Soviets usually export about 150 million bushels of wheat—every bushel a weapon in their campaign of political subversion. In the face of the failure of Socialist agriculture, she has now purchased a nearly equivalent amount from Canada, with 19 million more bushels from West Germany and France.

Agricultural experts estimate that these purchases may well have made up her domestic deficit.

It is very possible that the wheat purchased from America will be used almost exclusively to enable the Soviet Union to continue to export wheat; not to feed her own people, but to feed the fires of political subversion around the world.

What do we get from the deal, beyond the dollars to help solve the Kennedy balance-of-payments problem? We get the assurance that if we didn't sell the wheat, others would. Who? Canada's ports are jammed to capacity by their rush to deal with Russia.

No other nation on earth could supply what we are supplying.

We get the assurance that the wheat will be used only in the Soviet. But what of the supplies it will free to be sent abroad? We get the assurance that the Russian people will know where the wheat came from. How? By broadcasts to people who do not listen? By stenciling every grain?

We not only did not demand concessions from the Russians, we did not even take such simple steps as selling the grain only in the form of milled flour which, at least, would have been sent in American sacks.

Do we see, in such actions, any real hope of bringing down the wall in Berlin—of cutting out the cancer in Cuba? No. Instead, we see the bleak prospect of a Soviet bolstered by American largess, consolidating its strengths and still able to strike out against freedom whenever and wherever profitable.

Let's assume that the Russian troops someday will leave Cuba, perhaps in the heat of an American election campaign. Under our present policies, what will that really mean? Under our present policies I think that we can confidently predict that a removal of Russian troops would serve only to destroy any hopes we have of ousting Castro.

This administration already has cut such a pattern. The Soviet is permitted to move ahead many steps, as it did in the missile crisis. Then, when it backs off by a step or two, we relax and claim a victory. What has really happened, of course, is that the Soviet position remains, overall, a step or two ahead. Move ahead two and go back one. It is an old game they are playing, and the New Frontier is playing right along with it.

Where once Castro was intolerable in Cuba, now it is Russian troops that are intolerable. When the troops leave, Castro will be left—and our resolve to oust him will have been lost in administration campaign oratory.

If the Berlin wall is breached or broken, under the present policies, we can confidently predict that it will be because of some retreat on our part not because of the strength which could have, at the outset, prevented it from being built at all.

Look around the world and the same pattern is evident. Laos once was a nonnegotiable key to free world strength in southeast Asia. Then it became a neutralized nothingness. Soon it will be a Communist satellite. At every step, the Communists are permitted to move ahead so far that even if they back up, in return for an American deal, they will back up only to their previously prepared positions.

Tito once was intolerable also. But we bribed him away from the Soviet—we thought. Now he has returned to the Communist fold and we are left, not only holding the bag, but holding on to the illusion that our strategy somehow was effective.

During the Cuba missile crisis we were said to be eyeball to eyeball with the Communists. They were said to have blinked. I think they may have merely winked—for, from that time on, administration foreign policy has winked as well, or merely nodded.

Now is the time of communism's greatest crisis. Great cracks have appeared across the entire slave empire of the Communist tyrants.

Do we seek to widen those cracks? Do we seek to let freedom hammer its message through those cracks? Do we seek actively to erode the Communist strength which is the great peril to the world's peace today?

We do not. We risk the peace and the victory of freedom. We bolster the enemy and agitate our friends. We play precinct politics with the fears and the hopes of the world. But no, we do not do those things. This present administration does those things.

This administration's misguided and mistaken course in foreign policy is not the best hope of the world—it is the best hope, instead, of those who would lull the world and eventually conquer the world.

This administration speaks of peace while it misunderstands and undermines the strength which alone can keep the peace. This administration speaks of peace while it abandons the cause of freedom which, unless won, will lose the peace.

This administration speaks of a world of diversity. They mean a world half slave and half free.

Let Republicans speak of real peace—the peace of justice, the peace of open societies, diverse in their forms but not diverse in their commitment to self-determination, to freedom.

The tools, the skills, the wills to realize mankind's oldest dream, the dream of freedom, are in our hands and in our heritage.

This is not the time to hang back, to seek comfort ahead of a clear conscience.

This is the time to proclaim liberty throughout the land and throughout the world.

Republicans can do this.

In 1964 they will do it—and with their victory will come the dedication, the responsibility, the unity to win the world for freedom and the future for peace.

## PROPOSED SALARY INCREASE

Mr. LAUSCHE. Mr. President, today, October 31, a newspaper story related that a committee of the House of Representatives voted approval of an increase in the debt limitation to $315 billion.

On the same day a newspaper story points out that a House committee approved a bill providing for Federal salary increases which would entail a cost of $600 million.

On the one hand, the debt limitation is proposed to be lifted; on the other hand, the cost of Government would be increased.

The wage increase bill would cover judges, Cabinet officers, Members of Congress, and others. As I said, the increase would be approximately $600 million.

In 1946, after World War II, the salary of a Member of Congress was $12,500 a year. In 1955 that salary was increased to $22,500 a year. Now, in 1963, obviously it is contemplated to raise the salary to $32,500. The increase will be 160 percent.

That situation does not generally prevail. If it were not for the fact that we are the masters of our own pay, we would not receive $32,500.

For the benefit of the voters of my State, I wish to say that each year that I am in the Senate I earn a reserve of 2½ percent of my salary as retirement pay. That percentage is applicable to every Member of Congress. In the 6 years I have been in Congress I have earned 15 percent of the $22,500, or practically a $300-a-month pension if I were to retire now.

If I should retire at the end of 6 years from now, I would receive about $700-a-month pension.

Yet it is proposed to increase salaries at a time when our debt is becoming heavier and our supply of gold is diminishing. The pent-up forces are at the breaking point.

In 1215, at Runnymede, taxes caused the citizenry to demand of King John the Magna Carta. Charles I lost his head because of a rebellious attitude concerning the exactions that he was making upon the citizenry.

The PRESIDING OFFICER (Mr. Proxmire in the chair). The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. England lost its colonies because of the improper taxation of the people. If I know anything about the psychology of the people of my State I can say that they are in rebellion. Heads will roll, just as the head of Charles I rolled because of the excessive burdens that he was imposing upon the taxpayers.

If we vote ourselves the proposed liberal increase in salary, how will we, in the ensuing years, be able to turn down any demandant? We shall not be able to do so.

I do not know whether the House bill also provides a pay raise for all of the employees on Capitol Hill. If it does not, the next step will be a demand in that field, and we shall not be able to turn it down.

I have before me a tabulation of the method by which the salaries of judges, Cabinet officers, and Members of Congress were increased. I shall not ask to have it printed in the Record today, but I contemplate discussing the subject again early next week.

If there are present today in the gallery any newspapermen from Ohio, I ask that they do me a favor and call upon the voters to write to their Representatives and Senators giving their view about the proposed pay raise contemplated to be adopted by Congress. Ask them to tell whether they feel that the proposed increase, which would result in approximately a 160-percent increase since 1946, is justified.

I fear that the people are not adequately acquainted with what is happening. I repeat what the Senator from Oregon [Mr. Morse] said yesterday in relation to the foreign aid bill. Education is needed. Hence this discussion must continue. If the voters become acquainted with what the Congress contemplates doing, they will stop us. If they do not stop us, they will retire us into oblivion at the election in November of 1964.

I yield the floor.

## ECONOMIC PROGRESS IN WYOMING

Mr. McGEE. Mr. President, I am proud to be a part of a long-range movement to spur the economic development of the State of Wyoming. Our concern has been that the vast potential for growth and development in Wyoming and the West will not have been developed into full production by the time the increased demands of the space age are imposed upon our production facilities.

However, there is increasing evidence that real progress is being made. The latest indication of this progress is the recent announcement of the Colorado Fuel & Iron Corp. that it will construct a multimillion-dollar plant to upgrade iron ore concentrate at Sunrise, Wyo.

Mr. President, I congratulate Colorado Fuel & Iron Corp. on its decision to expand this plant. It will mean increased payrolls in our State and is a further indication that modern processing techniques provide the key to the best utilization of the tremendous potential of our mineral resources.

Mr. President, an excellent article on this new plant was published in the Laramie Boomerang on October 27. I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### C.F. & I. WILL START WORK SOON ON SUNRISE MINE

New York.—Colorado Fuel & Iron Corp. has announced construction will begin shortly at its iron ore mine in Sunrise, Wyo., on a multimillion-dollar plant to upgrade iron ore concentrate from below 50 to more than 55 percent iron content.

The announcement said the plant is scheduled for completion within a year.

Upgrading the ore will provide a more uniform and physically improved concentrate for the blast furnaces at C.F. & I.'s Pueblo, Colo., plant, the company said. It will allow the use at the Sunrise mine of some low grade ores which up to now were uneconomical to process.

The plant will have a capacity of 600,000 net tons of concentrate a year. It will occupy 10,400 square feet and will stand 78 feet high. It will use gravity methods to remove as much of the worthless material as possible from the ore.

Two methods will be used on the ore beneficiation process. In one, a heavy media separation for coarse sizes, crushed ore will be introduced into a heavy liquid, a mixture of water and finely ground ferrosilicon. Its specific gravity is more than that of the waste material, which will float to surface to be carried away; the valuable material will sink and be removed for further processing.

Two jigs, using water only, will separate the waste material in fine sizes, one-fourth inch in diameter down to 28 mesh, about the size of a window screen opening.

## THE MOON AND SPACE PROGRAM

Mr. SPARKMAN. Mr. President, some have suggested that we cut back on our moon and space program because of Khrushchev's announcement that Russia is not going to engage in a race to the moon. For this Nation to change the great scientific program it has undertaken on the strength of the Russian Khrushchev's statement would be sheer folly.

Americans have surpassed other nations in many areas. Our standard of living is the highest in the world. Our economy is the strongest. Our natural resources have been developed beyond those of any other nation. Our people have available the finest hospital and medical facilities of any in the world. This is but a part of the great American story. And, Mr. President, none of this has come about just to outstrip or to win a race with another nation.

Our country leads because of the nature of the American people, a nature which drives us to explore the unknown. And so it is with our space program. No one can really know what value this program holds for mankind in this or another generation. As Administrator Webb said:

> The facilities we are building and the technology we are acquiring are tangible assets that will extend benefits to our children and grandchildren. We are clearly demonstrating to the world the ability and determination of our democratic society to organize whatever large-scale scientific and industrial effort is required to meet critical national and international needs in time of peace as well as war.
>
> Our swift progress has now brought us to the point where our space power can be employed in peacemaking as well as peacekeeping.
>
> The penalties and opportunities in space are too great, too decisive for us to begin to take even a first step toward a dance to a Russian tune.

Mr. President, in my judgment, this is precisely what we would be doing if we were to cut back our space program in any respect because of Khrushchev's statement.

We, of course, do not know whether Khrushchev really means what he says or not. After all, his statement from his point of view is quite timely. It comes right at the time when we are considering appropriations for our space effort, not only for exploration of the moon but also for our whole space effort.

Khrushchev might be making it in the hope that it will have a psychological effect upon the American people and cause them to want to draw back on our space exploration.

We cannot afford any such thing as this.

We must carry on and maintain our schedule and see this great undertaking through. To slacken by reason of any statement that Khrushchev makes is unthinkable.

It was only after years of hard negotiation, with careful study and informed scientific advice, that we agreed to a limited nuclear test ban treaty; and in adopting the treaty we did not rely upon Russia's good faith. It was so arranged that if we should decide at any time that she is cheating we can get out immediately. Furthermore, the President has pledged that we will keep our laboratories ready and fully staffed and that we will carry on our underground testing in order to protect our nuclear weapons.

America is winning in her great dramatic struggle for the conquest of space and to open its secrets for the benefit of all mankind.

If we were to quit, to depart to any degree from our carefully worked out plan, then we should indeed be dancing to Russia's tune.

This, let Mr. Khrushchev know, America will never do.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

Mr. MORSE. Mr. President, I shall yield in a moment to the Senator from Wyoming [Mr. Simpson], but while the majority and minority leaders are in the Chamber I should like to have their attention for a moment. I well understand the predicament in which they find themselves in receiving many inquiries from Senators as to what the program will be.

I do not know whether I can be helpful, but at least I can state what my thoughts are.

First. I shall not agree to any unanimous-consent request to limit debate on the bill or any part of it, or to fix any time to vote. That does not mean that in the course of the debate, if it should develop that we feel everything has been said that needs to be said on an amendment, we will not then, for the convenience of Senators, agree to fix a time certain to vote on a particular amendment. But we will make no commitments as to that, either.

The Senate will save a great deal of time by following a nonunanimous-consent procedure. Be that as it may, that is our view. It is within our rights, and we intend to exercise them. We hope we do not give too much offense, but if we do, we shall have to bear with that, too.

Second. Before the day is out, we trust the Senate will pass on the question as to whether the bill should go back to the Foreign Relations Committee for consideration, for not more than a week, without any instructions. This is a delicate matter, in the opinion of some. In my opinion, it is not at all. I believe it is the course of wisdom, for the reasons I expressed at some length last night. There should be some discussion behind the executive doors of the committee with the leadership of the Senate, with members of the committee, and with representatives of the executive branch, to see if some agreement cannot be reached, in view of the debate that has already occurred, for some revisions of the bill.

I should like to have that suggestion not come from any of us, but from the proponents of the bill. They have a great opportunity—in the interest of trying to arrive at the most harmonious adjustment possible because of the differences which have developed over the bill—to take it back for not more than a week and give some consideration to it. If the committee decides to report the same bill, that is its privilege. I do not favor suggesting that the bill go back to the Foreign Relations Committee with any instructions other than to set a maximum time limit of not more than a week to report a bill back.

We are hoping—and I am sure the majority leader will not object to my saying this—that the chairman of the committee and the leadership of the Senate will at least give consideration to this suggestion and decide whether they would like to make such a proposal.

If the proposal is not made, we shall make it in the form of a motion. If the motion is defeated, we propose to bring up our amendments one by one in the Senate, debate them only for a reasonable time, and then vote. That being the case, I assume that the Senate will be voting a great deal next week.

Mr. President, is the morning hour concluded?

The PRESIDING OFFICER (Mr. McGOVERN in the chair). No; the Senate is still in the morning hour.

Mr. MORSE. I am sorry. I thought I had been recognized for the speech I am prepared to make.

Mr. MANSFIELD. Mr. President, I was about to try to accommodate other Members of the Senate, but I will speak on my own time in the morning hour.

First, the Senate is indebted to the distinguished senior Senator from Oregon for his frankness. Senators all know where they stand and should anticipate the possibility of votes from today on. We have been put on notice as a body, and we should be prepared to assume our responsibilities, as the Senator from Oregon is assuming his.

The question which the distinguished Senator from Oregon has raised about the possibility of recommitting the bill has been brought to the attention of the leadership and the chairman of the Foreign Relations Committee [Mr. FULBRIGHT]. I am sure consideration will be given to the proposal. I would anticipate the very strong possibility that the proposal to recommit, if made, will be made by the Senator from Oregon. Other amendments will be offered today. The Senator from New York [Mr. JAVITS] has indicated he has an amendment he would like to call up as soon as he obtains the floor, although I understand the Senator from Oregon [Mr. MORSE] is, with the "connivance" of the leadership, to be recognized at the conclusion of the morning hour. The Senator made his statement on the assumption, I am quite sure, that the morning hour had been concluded.

That is all I have to say. Senators are aware of what has been said this afternoon, and should accordingly prepare for a long, hard winter.

Mr. DIRKSEN. Mr. President, apropos of what the distinguished Senator from Oregon has said, in my present frame of mind, I am inclined to oppose a motion to recommit the bill to the committee. The committee started hearings on the bill on the 11th of June. Veterans Day will mark 5 months that that bill has been in the hands of the committee. I think that is long enough. If it has any defects, I think they should be taken up and cured on the floor of the Senate.

The second reason is that time is running out. One need look only at the status of the appropriation bills on the calendar, those in conference, and those that have not gone to conference, to see that time becomes an important factor from now on, because, as the majority leader indicated, there will be a brief Thanksgiving recess, and the Christmas holiday is expected to start on the 20th of December. With that kind of workload, it becomes necessary for Congress to push along. I do not think anything would be gained by sending the bill back to the committee for another week.

Mr. JAVITS. Mr. President, I shall be calling up in due time what I consider to be an extremely important amendment to the foreign aid bill, which I submitted last night bcause I felt it was much better to have it in printed form when I talked about it. It may have an effect on Members of the Senate with regard to a motion to recommit, which I shall oppose, as will the distinguished minority leader, and also toward the reorientation of the foreign aid program.

I refer to my amendment No. 270, the purpose of which would be to establish an Advisory Committee on Private Enterprise in Foreign Aid, which would consider and report on whether great phases of the foreign aid program can be effected through private enterprise. That includes technical assistance. The recommendations of the Clay committee call for this kind of approach.

I am convinced that the reorientation of the program has not taken place, and that we have not adequately considered the utilization of facilities of the private enterprise system.

This amendment, if approved, would be a major pledge that the program is to be reoriented toward the free enterprise system, which is the only way to place the program on the basis on which the American people want it to be placed—that is, out of government and into the private economy. I think it can be done. I shall debate my proposal when the time comes to offer the amendment.

I have great respect and affection for the Senator from Oregon. I hope that sometime today it will be possible for me to deal with the two amendments which I do not put in the same class as the one I have been referring to, but which deal also with the private enterprise system. These deal with efforts to propel our country faster in the direction of arrangements under existing programs to utilize private enterprise and providing opportunities for private investment in the newly developing countries.

I hope the Senator will permit me to call up the amendments in accordance with whatever time arrangement can be agreed to.

## "A NEW HAMPSHIRE YANKEE"—BIOGRAPHY OF NATHANIEL LEVERONE

Mr. DIRKSEN. Mr. President, recently there was published a book entitled "A New Hampshire Yankee," which is a biography of a very distinguished New Hampshire man named Nathaniel Leverone, who moved from that State to Illinois, where he not only became prosperous but made great, lasting contributions to the community well-being of the Midwest area. It was my pleasure to write a foreword for this book, and I modestly submit it for inclusion in the CONGRESSIONAL RECORD.

There being no objection, the foreword was ordered to be printed in the RECORD, as follows:

### NATHANIEL LEVERONE: PIONEER IN AUTOMATIC MERCHANDISING

(Foreword by Senator EVERETT McKINLEY DIRKSEN)

When a New Hampshire Yankee with a Dartmouth education is transplanted to the Middle West anything can happen. The fission and fusion of Yankee shrewdness and Midwest expansiveness can well produce a human nuclear product with a radiation quotient so great that it can affect an entire generation. Such is the case with Nathaniel Leverone, one of six children, who spent his early life in Keene, N.H., and after exposure to the classics at Dartmouth came to Chicago to conquer larger fields.

It took a little time for this brilliant Yankee to find himself. His first real business venture was the manufacture of automotive parts, long before the days of compact foreign cars and the sleek, shiny, powerful vehicles which today drop from the assembly lines like fruit from a well-laden tree.

At that time, Chicago was booming and so was Chicago real estate. Nat Leverone, knowing that growing with a city was like swimming downstream, organized his own company to concentrate those Yankee talents on Chicago expansion, with rare success. With a built-in flair for winning friends and influencing people, he not only concerned himself with civic and educational affairs but used an unsurpassed wit, a rare fluency, and an expansive sense of humor to address meetings and groups all over the Nation and develop a national reputation as an after-dinner speaker on many subjects and a presiding officer as well.

But it was in the late twenties that his vision and astuteness truly asserted itself. He could see, where so many others could not, that the bloom was off the realty boom and that other fields of endeavor should be explored.

If anyone believes that automation is some new industrial concept, let him consider Nat Leverone, who more than 35 years ago saw the great possibilities of automation in the vending field. In those early days, vending was regarded by some as a mere novelty, a field of enterprise without dignity or standing where a penny delivered a handful of stale peanuts, a ball of gum with your fortune enclosed, or your incorrect weight. Here then was a field to excite the imagination of a Dartmouth Yankee. He saw automatic vending of merchandise with quality and high standards, and unexcelled service as one of the waves of the future. His imagination conjured up vending machines located in schools and factories, in shops and railway stations, in airports and building lobbies all over the Nation where the correct change could produce a pack of cigarettes or a hamburger, a cup of coffee with or without sugar or cream, a cigar or candy bar, and in fact any commodity that was vendible in a machine.

Thus was the Automatic Canteen Co. of America, brainchild of Nathaniel Leverone, born. What was equally remarkable was that it was born just before the crash of 1929 and had to struggle through that period when values were in a tailspin, fainthearted financiers were jumping out of 20th story windows and a state of material and mental depression hovered over the land like some eerie ghost. From the very beginning, and notwithstanding the conditions which prevailed, Nat Laverone's careful planning gave Canteen a good start and it rapidly expanded to all areas of the Nation. The day came after long and steady growth when Canteen passed the $200 million mark some time ago and it stands out as an impressive monument to the vision, the honesty, the daring, the shrewdness, and the ability of a New Hampshire Yankee.

But interestingly enough, as Canteen grew, so did the many charitable, civic, and philanthropic activities of Nat Leverone. He journeyed everywhere to speak without benefit of fees or honorariums to bring a message of good will. He found time in his busy days for the Goodwill Industries and the United Cerebral Palsy organizations. He found time to organize the National Automatic Merchandising Association as the trade association for the vending industry. When the cry went out during World War II for a scrap iron and salvage drive that the steel mills might continue the production of steel for the war effort, he set a pattern for scrap drives which was widely followed throughout the country and, as a result of this effort, both the Governor of Illinois and the mayor of Chicago asked him to serve in an advisory, nonsalaried capacity.

The new fieldhouse at Dartmouth College which bears his name is but one testimony to the many causes which he has espoused.

One field of activity, however, merits very special mention. Nathaniel Laverone is not merely a Christian by profession of faith. He is a working Christian who has truly taken to heart the admonition of the Apostle Paul to the people of Corinth centuries ago when he said that, of that trinity of virtues—namely, faith, hope, and charity—that the greatest of these was charity.

Few men in the field of Christian leadership have been so active, so generous with time and money and so inspiring by his zeal as Nathaniel Leverone.

Here then is a transplanted Yankee from New Hampshire who has prospered and shared his prosperity; who had faith in his own powers but never forgot the Higher Power from whence our strength and faith comes; who served his country unselfishly whenever the call came; who was dedicated to that climate of freedom and opportunity which made success possible; and who is the living exemplification of what men can accomplish in the moral climate of a free land.

## LOSS IN TAXES FROM FEDERAL GOVERNMENT'S ACQUISITION OF LANDS

Mr. DIRKSEN. Mr. President, many requests are made for the Federal Government to acquire lands in various localities to be used for recreational or reforestation projects. Many areas that make such requests have had no previous experience with Government ownership. They fail to see the possible consequences. Others have had experience, and many resist further Government acquisition.

One of these areas is in southern Illinois, and especially in Hardin and Pope County.

The Hardin County Independent, a weekly newspaper, on October 3, 1963, carried in the managing editor's column an account of their experience with Government-acquired land. The message is clear and deserves greater circulation. I ask unanimous consent that the article appear at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### ON THE STREET CORNER

Hardin County is to receive this year from the Forest Service $1,301. The county received $1,501.20 in the year 1951. The average of the receipts for the 13 years 1951–63 inclusive is $1,364. Based on ownership of more than 17,000 acres this is an income of about 7 cents per acre per year.

Based on the average assessed valuation of so-called marginal land and the present tax rate, the county would have received in taxes the amount of $165,750, over this 13-year period.

This is the cost to the county of Government ownership.

## VFW PROTESTS OFFICIAL WELCOME FOR TITO

Mrs. SMITH. Mr. President, at a time when our Nation is engaged in a life and death struggle for survival against Communist aggression, millions of thoughtful American citizens are embarrassed and resentful of the warm official welcome accorded Marshal Tito, the Red dictator of Communist Yugoslavia.

In this connection, it was encouraging, but certainly not surprising, to know that one of our Nation's most thoughtful and patriotic organizations, the Veterans of Foreign Wars, expressed its feelings in a very clear-cut manner. I am sure that the view of the VFW's National Commander, Mr. Joseph J. Lombardo of Brooklyn, N.Y., accurately reflected the feelings of a vast number of our citizens. The VFW, comprising 1,300,000 oversea combat veterans, has been in the forefront of our struggle against communism, and very appropriately Commander Lombardo protested the welcome being accorded dictator Tito.

Commander Lombardo's observations are so pertinent and thoughtful that they merit close attention of the Members of this Senate. Accordingly, under leave to extend my remarks, I enclose the press statement issued by Mr. Joseph J. Lombardo, commander in chief of the Veterans of Foreign Wars, on October 18, 1963, protesting the official visit of Marshal Tito to the United States, and the welcome accorded him by our Government officials.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

### VFW PROTESTS WELCOME FOR TITO

The national commander of the Veterans of Foreign Wars, Joseph J. Lombardo, Brooklyn, N.Y., today protested the U.S. Government's official welcome to Marshal Tito of the Yugoslav Communist regime.

Commenting on the Tito welcome to Washington, Commander Lombardo said, "At a time when the United States, together with our hard-pressed allies, are engaged in a struggle for survival against world communism, such a warm welcome to a Red dictator is highly inappropriate. It was only a few years ago," Commander Lombardo added, "that Tito's antiaircraft guns shot down American airmen. The VFW has not forgotten that needless killing, and we do not think our Nation has either."

"Because Tito had a Communist 'family quarrel' with the Kremlin," the VFW commander added, "his Red regime got billions of U.S. dollars in military and economic aid. However, after receiving such bountiful assistance from the United States, Tito proved he was still a Communist by patching up his differences with Khrushchev. He is once again a welcome visitor to the Kremlin. With the American taxpayers pouring out billions of dollars in national defense to protect our Nation and assist our friends around the world to beat back cruel and ruthless Red aggression, the VFW considers it wrong to heap such public honor on a Communist dictator."

Commenting further, Commander Lombardo said, "When we realize that Tito is accorded official hospitality and a warm welcome to our Nation's Capital while, at the same time, there are persistent reports that the United States is withholding aid in order to put the 'economic squeeze' on the anti-Communist government of South Vietnam which is waging a brave and bloody battle against Red aggression, it makes one suspect that as a Nation we are getting our sense of values badly mixed up."

Concluding, Commander Lombardo said: "The VFW, consisting of 1,300,000 combat oversea veterans, is deeply concerned that the welcome accorded Tito may be indicative of even more widespread wishful thinking that the recent atomic test ban agreement means that the Communists have stopped being Communists and have renounced their determination to destroy freedom and bury us in the process. Anyone who believes this is shutting his eyes to the reality of Communist terror in South Vietnam, to the Red subversion in Venezuela, and the Kremlin conquest of Cuba for the purpose of using it as a base for Red expansion against all the Americas."

## THE COAL PROBLEM OF NEW ENGLAND

Mrs. SMITH. Mr. President, I ask unanimous consent to include in the RECORD at this point a letter and a statement provided by the Under Secretary of Commerce for Transportation in response to my questions during the hearings of the Appropriations Subcommittee for Commerce with respect to the coal problem for New England.

There being no objection, the letter and statement were ordered to be printed in the Record, as follows:

Under Secretary of Commerce
for Transportation,
*Washington, D.C., October 30, 1963.*
Hon. Margaret Chase Smith,
*U.S. Senate,*
*Washington, D.C.*

Dear Senator Smith: During the course of the hearings of the Senate Subcommittee on Appropriations on October 24, you raised on behalf of yourself and Senator Saltonstall six questions with respect to the New England railroad situation. In accordance with your request, answers to these questions are being furnished for the record. In addition, attached is a copy for your own use. For your convenience, I have also set forth the questions in the order in which they were raised.

You also raised the question of the availability of transportation for anthracite coal originating in Pennsylvania and destined to Maine anthracite dealers. In accordance with your suggestion, a copy of a statement is attached on this subject entitled, "Transportation of Coal From Pennsylvania to New England" which is being placed in the record of the hearings.

In order to help insure that New England will receive adequate supplies of anthracite coal for use during the coming winter, representatives of the Department of Commerce have talked with a number of key people in the area of railroad transportation.

Mr. A. F. Swinburne, car service division, Association of American Railroads, Washington, stated that he was ready to cooperate to help alleviate shortages of railroad cars in specific cases. Insuring adequate distribution of rail cars is the prime duty of the car service division.

Consultation with Mr. T. H. Ramsey, vice president, Reading Railroad, Philadelphia, one of the chief railroads concerned, disclosed a very cooperative attitude. He pointed out that export markets have increased this year and will possibly increase next year for anthracite coal, but that he did not wish this to interfere with New England receiving the anthracite it needs. He likewise promised that he would cooperate in instances called to his attention where adequate service by the Reading was not being rendered.

In addition, talks were held with Mr. Charles W. Taylor, Director, Bureau of Safety and Service, Interstate Commerce Commission. Mr. Taylor stated that he had urged the anthracite coal roads to give preference to the needs of New England. Mr. Taylor stated that he would act on specific instances of poor service called to his attention.

In view of the constructive attitude of these people concerned with insuring the movement of railroad cars, I suggest that when a particular shipper or a particular locality is not receiving anthracite coal within a reasonable time after orders are placed that you call such cases to our attention. Prompt contact will then be made with interested railroad and government people concerned and necessary action will be secured.

Sincerely,
Clarence D. Martin, Jr.

Attachments.

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Transportation of Coal From Pennsylvania
to New England

Coal dealers in certain New England areas have experienced some delays in the receipt of orders for domestic-use anthracite coal. The Department of Commerce and the Interstate Commerce Commission are both aware of this situation. The Department is also in close touch with industry groups which are taking the necessary steps to meet regional needs.

Since the situation underlying this concern is somewhat complex, a background statement follows.

Domestic production and sales of anthracite coal have been declining over the past decade. Prices during this period experienced seasonal declines during the nonheating months, and this led coal distributors to replenish their stocks whenever possible at seasonally depressed prices.

The unusually severe winter experienced worldwide in 1962–63 provided an opportunity for the anthracite industry to reverse its decline by increasing exports, primarily to Western Europe.

The Department of the Interior has assured us that increased production this year will more than cover this increase in exports. In fact, based on year-to-date production and export figures and estimates, the increase in production should be about double the increase in exports.

However, this increased export activity, while advantageous to the balance of payments and the coal-producing industry, had certain effects which were of a less positive character. Some coal distributors did not heed coal producers' warnings last spring, and delayed placing their orders in hopes of a drop in price which did not come. Other dealers correctly foresaw this situation, and increased their normal orders so that they would have a hedge against both a price rise and any later shortage that might develop. Still others did not meet the producers' commercial criteria for good credit risks, and so were not encouraged by the producers to continue their dealings with them.

Thus by late summer, when other seasonal demands for hopper cars were still heavy, dealers in certain areas had unfilled orders of some standing. A complicating factor is the evidence of preferred treatment given to truck trade by the producers. This was brought to the attention of all interested parties, and an industry-policed servicing system has been instituted to apportion service equitably between modes.

The Association of American Railroads has for some time dealt with local and seasonal demands for freight cars by an apportionment process, and continues to do so. They report that there is a local undersupply of cars on the Reading Railroad, the major line in the area. However, those cars which were available were being apportioned to the mines depending on their prior performance, and coal shipments were being made from the breakers. The Interstate Commerce Commission has alerted its agents in the anthracite district to watch this matter closely and will handle any hopper car deficiency directly with the carrier involved.

A meeting of producers and Eastern regional dealers was held last week at which the Department was represented. The Anthracite Institute and the Eastern States Retail Fuel Conference agreed to receive and validate complaints from dealers, and to allocate supplies to areas and dealers according to need.

The present attention which coal distribution is receiving from the Department of Commerce and other public and private agencies with responsibilities bearing on anthracite distribution appears to assure adequate supplies of coal to meet all local needs of the forthcoming heating season. The Department is prepared to take such other action as might prove necessary in event of an emergency, but does not plan to intervene unless it should prove necessary. The Department will of course continue to give close attention to the effects of the present allocation sysem.

## ADDRESS BY HON. WILLIAM C. DOHERTY AT LETTER CARRIERS CENTENNIAL DINNER

Mr. BURDICK. Mr. President, Hon. William C. Doherty, Ambassador to Jamaica, returned to the United States to deliver an excellent address on the occasion of the letter carriers centennial dinner on October 26 at the Sheraton-Park Hotel. Ambassador Doherty spent many years representing the interests of the letter carriers and I think it was appropriate that he should return from his official duties to deliver the centennial address. He spoke to the group as "an old postal professional who literally grew gray in the service."

I think the advice he passed on to his fellow postal letter carriers is worthy of your attention.

Mr. President, I ask unanimous consent that Mr. Doherty's remarks be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Hon. William C. Doherty, U.S. Ambassador to Jamaica, Letter Carriers' Centennial Dinner, Sheraton-Park Hotel, Washington, D.C., October 26, 1963

Mr. Chairman, distinguished guests, and friends, it should be apparent to everyone who knows me at all, that this is one of the proudest and happiest moments in my life.

It is an especially proud moment to be able to share with so many distinguished friends the centennial of city delivery service.

And, of course, I am extremely gratified that this affair should serve as the source from which the scholarship fund, which has been given my name, will grow into being.

When we think of the modest beginning of our city delivery service just 100 years ago—and then gaze upon this vast and glittering assembly, one is almost stunned by the progress achieved during the past century.

There has been a running argument over the years, ever since this country was founded, as to whether the Post Office is a business or a service. However, there is no doubt whatsoever that the whole concept of city delivery was based on the presumption of service—a vital and necessary service to the American people.

The credit of conceiving the idea of city delivery must go to a man who was both a postal clerk and a postal supervisor in my native State of Ohio. His name was Joseph William Briggs, and he was both the assistant postmaster and a window clerk in the Cleveland Post Office.

The Civil War was in full progress and the wives and mothers and sweethearts of the boys in uniform were naturally hungry for word of their loved ones. But, in those days, a citizen had to make his way to the local post office to find out if there were any mail for him.

There was a kind of primitive delivery service in those days, but it was irregular and unofficial. A patron could arrange to have a messenger pick up his mail and bring it to him—for a fee. The system was untrustworthy, expensive and slow, and few people used it.

So—one bitter cold day in Cleveland, in the year 1862, Mr. Briggs looked out at the long line of women waiting in the snow to inquire for their mail, and he had a compassionate thought. Why could not the U.S. Post Office devise a system of delivering letters to the homes of these people?

With Briggs, to think was to act. He devised a system and set up a route for himself. He then walked the route and delivered mail to the houses. He became America's first letter carrier.

Briggs then wrote to Postmaster General Montgomery Blair and described his experience. Montgomery Blair—a truly great Postmaster General—brought Briggs to Washington and put him in charge of developing the system on a nationwide basis. Congress was finally convinced of the soundness of the idea and passed the enabling legislation. Abraham Lincoln signed the bill into law on March 3, 1863, and on the following July 1, the first letter carriers in history started walking the streets of 49 of our largest cities—delivering mail to our citizens.

There are several aspects of this series of events that are worthy of special notice.

In the first place—just imagine the courage and the imagination and the boldness of the Lincoln administration—embarking on an experiment of such scope and magnitude in the midst of a great Civil War.

Just think of it. City delivery service was inaugurated on the very same day that the tragic slaughter was beginning at Gettysburg.

During my 21 years as president of the National Association of Letter Carriers, I saw administrations many times refuse to consider even the most inconsequential improvements in the postal service—or in the pay and working conditions of postal employees—because of some minor (and often largely imaginary) national crisis. But, here was a case of an administration—at the climax of the greatest crisis this Nation has ever faced—embarking on a bold civilian program of unparalleled magnitude.

And, the second moral to be drawn from these events is this: If the Government offers its citizens a worthwhile service, and makes that service attractive, available, and reasonably priced—it will soon pay for itself.

When the idea of free city delivery was first proposed, the conservatives and diehards in Washington predicted national bankruptcy, ruin, and devastation. However, this new program made the postal service so attractive that people found it almost irresistible. In its first year of being, city delivery cost approximately $300,000. But—postal revenues in that year—which had been steadily declining during the war years—leaped up by more than $3 million. More people started using the mails and they started using them more extensively.

As an old postal professional who literally grew gray in the service, I offer these two observations, Mr. Postmaster General, as something to be remembered in the years that lie ahead of you.

Enlightened boldness has seldom been tried in the postal system—but, when it has been tried it has always reaped great rewards.

And—intelligent regard for improving the service will accomplish more in the way of productivity and efficiency than will all the programs of arid economy ever conceived by the mind of man.

Although the city delivery service was inaugurated on a wave of generous impulses, it is regrettable that I must report that these impulses died down rather suddenly as the new system lost its novelty. During the 1870's and 1880's Postmasters General began to show a marked reluctance toward paying letter carriers a living wage. The original salary was set at $800 a year maximum, and it stayed at that level for 25 years.

This led to the organization on August 29, 1889, of the National Association of Letter Carriers, in Milwaukee, Wis.,

The organization of the NALC had to be carried out with the greatest secrecy, for fear of reprisals from management. As a matter of fact, the organizing convention was held under the cover of the annual encampment of the Grand Army of the Republic in Milwaukee that year—and many of those original organizers—including William H. Woods, of Detroit, the first national President—were wearing the blue of the Union Army at Gettysburg on the day city delivery was begun.

It may interest you to know that this original convention passed three principal resolutions regarding pay and working conditions.

The first called for an annual wage of $1,200 a year. This goal was finally reached in 1907—18 years later.

The second called for a guaranteed wage of $200 a year for all substitute letter carriers. The first guarantee of any kind for substitutes was achieved in 1945—56 years later. And there still is no guaranteed minimum annual wage.

The third resolution called for voluntary retirement—with pension—after 20 years of service. Seventy-four years have passed—and we are still trying to get voluntary retirement after 30 years.

So, you must admit, those early organizers of the NALC were not bashful. They were well in advance of their time—in many ways.

Of course, in those early and formative days, even a Neanderthal man would have been in advance of the social thinking of postal management.

Looking back from these days of happy accord with management—the conditions which have confronted letter carriers and other postal employees over the years seem primitive to the point of savagery.

As I look over this impressive assembly, I cannot help but reflect how impossible it would have been to hold such a gathering as this—until, relatively, quite recently.

In the early days, it took courage to belong to a postal union. Management and the Inspection Service of that time looked upon the National Association of Letter Carriers with apprehension, antipathy, and bitter resentment.

Known members were assigned to the worst routes in their community. Leaders of the movement were fired out of hand for subversive behavior.

In 1903 President Theodore Roosevelt issued the notorious "gag rule" which made it unlawful for a Federal employee, or any group of Federal employees, to write or speak to a Member of Congress on any matter regarding pay or conditions of work.

The penalty for disobedience was instant dismissal.

Although this rule was plainly unconstitutional—since it inhibited the right of petition—it remained in effect for 10 years—until passage of the Lloyd-LaFollette Act in 1912.

It is no coincidence that social gains within the postal employee force were held to a minimum during those 10 years. Postal employees could only complain to postal management which was the cause of the complaints in the first place.

I mention these things because—knowing the prestige and the respect that the NALC and the other postal unions enjoy today—it is easy to take all this progress for granted—as if it had been presented to us on a silver platter.

Nothing could be further from the truth. Every forward step we have taken was fought for, worked for and earned.

It has been a long journey from those furtive beginnings in Milwaukee in 1889 to the celebration of an occasion like this—and it has been uphill every foot of the way.

And, certainly, it would have been unthinkable in the past for so many people—from Government, from management and from labor—to join hands together in a common effort to create college scholarships for the specially talented sons and daughters of letter carriers.

I am delighted and proud that the letter carriers of the Nation voted to put my name on this noble project.

Over the years, letter carriers, and the families from which most of them spring, simply have not had the economic means of sending their youngsters to college.

Even the State universities have been beyond their means—because, in many instances, the financial affairs of the family were so straitened, the youngsters had to become breadwinners as soon as possible.

I can speak with some authority on this subject because, when I was a boy in Cincinnati, Ohio, almost half a century ago, I was forced to leave school in order to go to work, to add my bit to the family income.

My successor as president of the National Association of Letter Carriers and my dear friend, the brilliant and learned Jerome J. Keating, is a glowing exception. He worked his way through the University of Minnesota as a substitute letter carrier—and he even went on to take extensive postgraduate work. But, as Jerry Keating would be the first to admit, the burden was an almost intolerable one, far more than any youngster should be asked to bear.

And I will say here and now that there are precious few people with the determination and the mental and physical stamina of a Jerome J. Keating. I know you will agree that Jerry Keating is one of the exceptional people of our generation. I want to pay special tribute to him tonight as a great friend, a great organization president, and a great labor statesman.

During the more than 30 years that I served as an officer of the NALC I saw so many youngsters of great ability come into our organization—young men who could easily have become doctors, lawyers, business administrators, governmental leaders, scientists, or scholars if they had been given the educational opportunities—and I often wondered how the Nation could afford to continue to squander so many obvious and useful talents among its young citizens.

Mind you, I do not say this in derogation of the letter carrier career. Not at all. The career of a letter carrier is a noble one and it is followed by noble people—people who perform a vital service selflessly and for low pay.

We were and are proud to have these outstanding young men in our ranks and, I am happy to say, they are proud to be counted among our numbers.

But the National Association of Letter Carriers, its members and its officers, are determined that at least some of the children of these outstanding people shall have the educational opportunities that their parents were unable to enjoy.

I am gratified, more than I can say, at finding that so many of the friends of the letter carriers are sharing that determination with us.

As our society has become more specialized, and as it has become more and more endangered by its own inventiveness and ingenuity, we have become more and more aware of the universal need for people thinking, as a basis for our civilization. To survive in this perilous world we must develop generations, not only of scholars and scientists and specialists, but also of human beings with trained minds accustomed to hard and serious thinking. The exact measure of the progress of our civilization has always been the degree in which the common mind has prevailed over brute force. In the world of tomorrow and the day after tomorrow, this measure will be even more exact than it has been in the past. The minimum standards for survival will be higher; the standards for world leadership incomparably more severe.

This scholarship fund which you are making possible tonight will be a small but definite step toward meeting the challenge of the future.

So, thank you, from the bottom of my heart, for what you have done—what you are doing—and what you are planning to do.

I know letter carriers as well as any man on earth has been privileged to know them. I know from long experience that any effort or money that is spent on their behalf is invariably repaid a thousandfold—in satisfaction, in loyalty, in friendship, in gratitude. I know that—for the rest of your natural lives—you will be proud of what you have contributed to this great and noble cause.

Thank you and God bless you.

## FREE ENTERPRISE SYSTEM

Mr. SIMPSON. Mr. President, I have received several telegrams recently illustrating the fear of many people that the Federal Government is embarked on a dangerous program of competition with private enterprise. These telegrams have been signed by some 60 Wyoming citizens.

They voice their trepidation very graphically as they refer to the findings of the Hoover Commission.

The messages all express the sentiment that:

> Encroachment by the Federal Government into our free enterprise system, whether it be in the generation and transmission of electric power, lending and banking, insurance, medicine, or any other facility * * * perils the economic foundation of our Nation.

The signers without exception pledged their support to any possible action toward stemming the tide of Government competition with private enterprise.

These telegrams are succinct and compelling. I ask unanimous consent, Mr. President, that the text, which is common to all the wires, be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

Hon. MILWARD L. SIMPSON,
*U.S. Senator,*
*Senate Office Building,*
*Washington, D.C.*

We, the undersigned, as loyal Americans, are becoming concerned at the open competition by the Federal Government in areas of our free enterprise system. We are aware of the vast number of activities carried on by Government and presented in the Hoover Commission report, which could be handled by private business. We are concerned also at the growth in Government spending on projects which are not always based on sound economics, and tend to benefit the few, instead of the many. Such projects only tend to increase an already unbalanced national budget. We believe that encroachment by the Federal Government into our free enterprise system, whether it be in the generation and transmission of electric power, lending and banking, insurance, medicine, or any other facility that was born out of an emergency condition yet remains after the emergency has passed—perils the economic foundations of our Nation. We pledge you our support, and urge you to take any action possible to stem the tide of Government competition with its citizens.

## POLICY DECLARATION OF REPUBLICAN WESTERN CONFERENCE

Mr. GOLDWATER. Mr. President, the Republican Western Regional Conference at its meeting in Eugene, Oreg., on October 13, 1963, adopted a policy declaration and resolutions. This declaration not only reflects the western Republican attitudes but in addition sets forth a declaration of policy to which I invite the attention of all Americans. I therefore ask unanimous consent that this policy declaration be printed in the RECORD.

There being no objection, the declaration was ordered to be printed in the RECORD, as follows:

### REPUBLICAN WESTERN CONFERENCE POLICY DECLARATION AND RESOLUTIONS ADOPTED AT EUGENE, OREG., OCTOBER 13, 1963

The West was developed by men and women of daring courage and initiative, who devoted their lives and resources to finding and winning from our lands metals, minerals, fuels, timber, agricultural and livestock products in abundance. We reassert our implacable opposition to the philosophy of a socialistic state marked by bureaucratic ineptitude, fiat money, burdensome taxation, excessive concentration of executive power, intimidation of the business community and the control and suppression of news by the Executive. We are convinced that the welfare of the people of this Nation will best be served by adherence to the American principles on which our constitutional form of government is based.

#### HUMAN RIGHTS

Whereas the present Democrat administration has bungled the natural progress of equal opportunity and freedom of choice for all, regardless of race, religion or national origin, causing strife, violence and bloodshed within our country; and

Whereas the policies of this Democrat administration selfishly consider political aspects first in their approach to further progress in the matter of human rights, while claiming to be great "champions" of individual freedom; and

Whereas for 100 years, the Republican Party has played the dominant role in support of individual freedom and rights of the American people, beginning with Lincoln's Emancipation Proclamation in 1861 and continuing to the civil rights legislation adopted by the Eisenhower administration; and including the first Civil Rights Acts from 1866 to 1871, all passed by Republican Congresses and signed by Republican Presidents; the 13th amendment, outlawing slavery; the 14th amendment, protecting rights of citizens of the several States; and the 15th amendment, assuring every citizen's right to vote: Now, therefore, be it

*Resolved*, That the Republican Western Conference deplores the exploitation of individual human dignity for political purposes; heartily endorses the Republican record of accomplishments in all areas of human liberty; and urges continued emphasis on freedom of choice and equal opportunity for all Americans.

#### EDUCATION

The responsibility for providing equal educational opportunities for our children was rightfully assumed by our States. In some instances, however, certain States have failed to meet this responsibility, giving rise to the constant pressure on the U.S. Congress to provide Federal aid to education within the States.

As the education of our children constitutes our most valuable resource, we urge all States to fully meet this responsibility or face the inevitable continued pressure for Federal aid, with Federal controls, over our State educational systems.

#### TAXES AND FISCAL POLICY

Whereas the Federal budget has soared from $3 billion in 1930 to $99 billion in 1964; and

Whereas the present budget, even at such an astronomical figure, will not cover the proposed expenditures of Government, but will add billions to the national debt which now stands as $307 billion, greater than the debts of all the other governments in the world added together; and

Whereas confidence in the soundness or the dollar is shaken, creating the basis for a run on the gold reserve of the United States, the net short-term foreign claims today being five times greater than the amount of free gold available to satisfy such claims: Now, therefore, be it

*Resolved*, That the policies of deficit spending of the Democrat administration are dangerous to the solvency of the United States and the health of our monetary system; and be it further

*Resolved*, That Congress should pass a tax reduction, and simultaneously with such reduction Congress—which has the sole power of appropriating money—should limit its expenditures to anticipated income and thus provide for a balanced Federal budget.

#### NATURAL RESOURCE DEVELOPMENT AND CONSERVATION

Whereas the Republican Conference of the 13 Western States is keenly aware of the West's rich endowment of natural resources and their importance to the future economic growth of our respective States, and is also fully cognizant of the fact that to realize their full value and benefits will require knowledgeable comprehensive policies with incentives to assure the broadest conservation, development, and utilization of these assets at minimum expense to the Nation's taxpayers; and

Whereas we are gravely concerned over the Federal Government's efforts to intrude unnecessarily, both competitively and through burdensome administrative regulations, practices and policies to displace the traditionally tried and proved reliance on individual or local initiative and enterprise, thereby weakening the Nation's economic base by displacing private tax-producing facilities by a wasteful and needless expenditure of Federal funds; and

Whereas such practices invariably create inequitable favoritism through income tax exemptions, below-cost interest subsidies or preferential treatment to the detriment of local self-reliance and initiative; and

Whereas this progressive trend toward more and more Federal domination and control and the magnitude of its importance to our States is placed in perspective by the knowledge that the Federal Government owns 48 percent of the total land acreage in our 11 Western States, excluding Alaska and Hawaii, ranging from 28 percent of the total acreage in the State of Washington to 86 percent of Nevada, and the fact that Alaska has 98.8 percent of its land in Federal ownership. In addition, we also recognize that these percentages do not include Indian land held in trust and that there are millions of acres of private land the Government indirectly controls through such programs as these under the direction of the Department of Agriculture, which govern production and prices and thus the use of the land; and

Whereas our western conference firmly believes that the Federal Government must be kept in the role of servant, not master, in the tradition that economic and cultural progress flourishes best when built on the principles of constitutional government and the Bill of Rights under which our country was conceived and developed, and that our natural resources such as land, water, energy, mineral, forests, fish, wildlife and recreation assets can, through sound management policies that encourage local intiative and responsibility with balanced but limited government, serve as a foundation of opportunity for a freedom-loving people and a bountiful future: Therefore be it

*Resolved*, That this convention of western Republicans stands for and will strive to institute the following broad principles as public policy.

1. Water: Planning for water resources and related developments, including flood control and water pollution, must be conducted on a realistic economic basis with representatives of all local, State, regional and Federal interested parties of a river basin participating as full partners, to assure that the most beneficial and efficient utilization of all such resources be developed at the lowest possible cost to the Federal Treasury, and in accordance with State laws, customs and interstate compacts. Direct benefit costs should be shared by the beneficiaries. The indirect benefit costs should be in part shared by the Federal Government and the State or States within whose borders the project is located, to minimize the financial burden on the National Treasury.

2. Federal lands: New concepts of national ownership must be developed which bring together the best aspects of private ownership with Government administration and regulation for multiple use and the creation of useful wealth. Where the predominant values of such lands can be established, the Government should make the land available for private ownership and beneficial use, such as the extraction industries, timber, recreation, etc., unless it is clearly established by all parties and agencies that such is not in the public interest, but in so determining, make provisions that fully recognize the severe financial burdens that Government ownership and continued acquisition of land place on local communities through the removal of such property from productive use and the local and State tax rolls.

3. Public lands, water, and power administration: Congress should legislate the basic administrative policies and principles relating to water, power, public land, and livestock management, development and utilization, and maintain close scrutiny of all agencies responsible for the administration of such programs to assure the Nation that the intent of Congress is realized. In adopting such statutory codes, Congress should make adequate provisions for judicial review of these regulations to assure equitable and impartial protection of all persons' rights, including the rights and jurisdiction of the States. This principle is essential to prevent the continued and unwarranted intervention and growth of bureaucratic government which works to the detriment of local and State economies that are dependent upon the beneficial utilization of public lands and natural resources.

4. Mineral resources: Mineral exploration and research should be encouraged by all levels of government to attract the venture capital that is necessary to maintain a strong, efficient mining and minerals industry in a free competitive economy. The discovery, development, and productive capacity necessary to provide domestic needs and our national defense effort requires a strong, skilled, and experienced domestic industry. To assure this continued development will require the establishment of a realistic minerals program that recognizes the financial risks involved and provides for an adequate return on invested capital. It must encourage discovery, research, and the utilization of modern equipment and techniques. Such a program will require legislative review and revision of both local and national policies and regulations which work to the detriment of our mineral resources development.

5. Electric power: The policy of the Government should be to encourage and rely on private industry to develop the Nation's electric power supply wherever possible. Where electric power is generated in conjunction with Federal multipurpose water development projects, such energy should be sold at fair wholesale rates which will recapture the full cost of the capital investment allocated to power with interest, and in addition make payments in lieu of State and local income and property taxes on a basis comparable to those paid by private industry. The Federal Government should not assume utility responsibility nor enter the nuclear or thermal power field by building steam plants. Neither should it build dams primarily for power generation as such activities undermine and weaken our economic system and place a greater and needless burden on the Nation's taxpayers.

6. Timber: One of our great industries so vital to the western region of the United States has been brought to the brink of disaster by the do-nothing policies of the Kennedy administration. We pledge ourselves to provide the opportunity for American lumber operators to bring about recovery and revival of this industry by providing a proper climate for the free enterprise system. By giving American industry an even break with foreign competition, we know that mills throughout the West will reopen and return men and women to their jobs; and further be it

*Resolved*, That this resolution be referred to the 1964 national platform committee of the Republican Party in the belief that these policies and principles will work to the Nation's social betterment in providing broader employment and consumer benefits from the West's natural resources industries.

### ALASKA

We recognize Alaska requires incentives for development and, because of the present lack of private industry and private capital, it will need Federal cooperation to develop its full potential.

We deplore:

(1) The recent threat to curtail appropriations for natural resource development made at the Western States Democratic Conference against the West if its people continue to elect Republicans to Congress.

(2) The dangerous influence on the Democrat administration resulting from the appointment to high executive office of many members of the Americans for Democratic Action which espouses such doctrines as the submission of the free enterprise system to centralized government planning and direction, the elimination of the representative character of our self-government, the recognition of Red China, the withdrawal of the United States from southeast Asia, the internationalization of Berlin, and the creation of one-world government.

(3) The manner in which the Kennedy administration has mishandled our foreign affairs and specifically in the countries of Cuba and South Vietnam.

(4) The Kennedy administration's policy in Latin America, as evidenced by the fall of governments in El Salvador, Argentina, Peru, Guatemala, Ecuador, Dominican Republic, and Honduras since the present administration took office.

(5) The dishonest effort on the part of the Democrat administration to place responsibility on the Republican minority in Congress for the delay in congressional action, in view of its Democrat majority of 2 to 1 in the Senate, and 3 to 2 in the House of Representatives, and its control of the executive branch of Government.

(6) The intrusion into our traditional fishing areas by Russian and Japanese fishing fleets and urge the retention of the abstention principle prohibiting such fleets from fishing east of the 175th meridian. We advocate congressional action to declare that we claim the Continental Shelf area or the 12-mile minimum limit, whichever is greater, as an exclusive area for our American fishermen.

Members resolutions committee: Mitchell Melich, chairman, Republican National Committeeman for Utah; Walter Hickel, Republican National Committeeman for Alaska; Mrs. Patricia Reilly Hitt, Republican National Committeewoman for California; Lowell C. Paget, Republican National Committeeman for Oregon; John S. Wold, chairman of Republican State Central Committee for Wyoming; Robert D. Timm, Republican National Committeeman for Washington; Keith S. Brown, chairman of Republican State Central Committee for Arizona; Mrs. Henry Swan II, Republican National Committeewoman for Colorado; James E. Murphy, Republican National Committeeman for Montana; and Mrs. George Kellerman, Republican National Committeewoman for Hawaii.

## TAX CREDIT FOR CERTAIN TUITION AND FEES

Mr. GOLDWATER. Mr. President, I introduced a bill, S. 2269, providing tax credits for educational expenses and gifts and contributions to nonprofit institutions of higher education.

I am pleased to announce that my distinguished colleague in the other body, Representative Tom Curtis, Republican, of Missouri, offered a companion bill, H.R. 8981, in the House yesterday. Representative Curtis, a high-ranking member of the House Ways and Means Committee, has long been concerned with the problems of parents meeting the expenses of providing higher education for their children as well as alleviating the plight of colleges and universities which do not have large endowment funds.

## MASSIVE SUPPORT FOR SAVING THE INDIANA DUNES

Mr. DOUGLAS. Mr. President, in a recent editorial the St. Louis Post-Dispatch has labeled as "wise and essential to action" the general agreement which exists among the principal parties in the Senate on the establishment of a national park in the Indiana dunes. S. 2249, the administration bill to create an 11,700-acre Indiana dunes national lakeshore introduced by Senator Jackson on October 21, is now sponsored by 25 Senators or one-quarter of the Senate, including the distinguished Senators from Indiana, Mr. Hartke and Mr. Bayh, and eight members of the Senate Interior Committee including Senators Gruening and Moss, who have spent time in the dunes and who have been early and stalwart supporters of the proposal to save the dunes. The Post-Dispatch editorial says this massive support for the compromise bill indicates that this unique recreational and nature-study site, located within only a few miles of 6½ million people, at last seems on the way to preservation.

I think Senate passage of S. 2249 can be readily attained, and I hope hearings can be held in the very near future.

I ask unanimous consent that this editorial of October 28 from the St. Louis Post-Dispatch be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the St. Louis Post-Dispatch, Oct. 28, 1963]

### READY ON THE DUNES?

One of the most unusual recreational and nature study sites left in the United States at last seems on the way to preservation.

This is the Indiana Dunes Area on Lake Michigan. Long a subject for political contest between conservationists and economic developers, the dunes now have won massive support through a compromise.

Senator **Douglas** of Illinois makes this clear in adding his wholehearted sponsorship to a bill to make the dunes a national park. Senator **Douglas** had fought bitterly against the encroachment in the dunes of steel and other industries. Some Indiana leaders, however, insisted on industrial development. For years nothing was done, and economic pressures advanced against what was once a 25-mile shoreline.

The Budget Bureau this year offered a compromise proposal. It suggested preserving 11,700 acres, including the State park area, as a national park. The figure was even more than that proposed in the Douglas bill. But the Bureau also would permit building a Federal harbor near the middle of the park, under conditions requiring certain private steel and coal developments at the harbor.

Senator **Douglas** doubts that the conditions can be met; he has no doubt that action is required now to save the remaining dunes. Consequently he and 14 Senators who cosponsored his bill have joined in backing the compromise bill introduced by Senator **Jackson**, chairman of the Interior Committee, on behalf of himself, **Douglas**, and the two Indiana Senators, **Hartke** and **Bayh**.

We think the agreement of these men is wise, and essential to action. Two points commend the preservation of the dunes. One is their uniqueness, not only as scenery but as wildlife and plant laboratories. The other is their relation to 6½ million people within a 50-mile radius. The Rockefeller Commission stressed that the Nation's chief recreational need is open space near the cities. The dunes stand for a kind of utility that is more rare, and more essential, than economic exploitation.

## DISUNITY AMENDMENTS

Mr. DOUGLAS. Mr. President, Attorney Arthur J. Freund, of St. Louis, has added to his already extensive exposition of the dangers presented by the three disunity amendments. The Washington University of St. Louis magazine carries an instructive article by Mr. Freund on these three amendments in its fall 1963 issue, which I have previously described as "time bombs" under the American constitutional system.

Mr. Freund has performed a signal service to the country by his leadership in altering the public, members of the bar and political leaders in these amendment proposals, and I ask unanimous consent that Mr. Freund's article from the Washington University magazine be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### A Clear and Present Danger

There are three proposals before the American people which would destroy the essential form of our Government as we have known it since the adoption of our Constitution. These are three proposed amendments to the Federal Constitution which, with almost no public notice, have received the approval of many State legislatures. During the crucial period of consideration by State legislatures from December 1962, to mid-spring 1963, the proposals were largely unheeded in the news columns of our press—both the daily newspapers and the weekly news magazines—and were wholly without notice or debate in the halls of Congress or in any public forum. The proposals constitute the most serious attack upon our system of constitutional government in our history and their danger presently persists.

Sponsor of the proposed amendments is the Council of State Governments. At its meeting in Chicago in December 1962, the council approved resolutions for passage by State legislatures to have Congress call a convention to receive these three proposed amendments to the U.S. Constitution:

1. A resolution to amend article V of the Constitution (the amending article) so as to allow the proposal of amendments to the Constitution upon resolutions by two-thirds of the State legislatures, to be thereafter ratified by three-fourths of the States without action by Congress or by a national convention.

2. An amendment to eliminate Federal judicial authority over the apportionment of State legislatures and to eliminate any substantive Federal guarantees affecting this subject;

3. An amendment to establish a "Court of the Union," composed of the chief justices of each of the States with the authority to reverse decisions of the Supreme Court of the United States in matters relating to the rights reserved to the States under the Constitution.

In view of the far-reaching effects of these proposals and the profound changes they would create in our form of government, they have received alarming State legislative acceptance throughout the country.

Twelve States have approved the first proposal: Arkansas, Florida, Idaho, Illinois, Kansas, Missouri, New Hampshire, Oklahoma, South Carolina, South Dakota, Texas, and Wyoming. One house has given approval in Maryland, Mississippi, New Jersey (later rescinded), Oregon, and Wisconsin.

Fourteen States have approved the second: Arkansas, Idaho, Kansas, Missouri, Montana, Nebraska (later vetoed by the Governor), Nevada, Oklahoma, South Carolina, South Dakota, Texas, Utah, Washington, and Wyoming.

One house has given approval in Colorado, Illinois, Mississippi, New Jersey (later rescinded), New Mexico, and Oregon. Four States have given approval to the third proposal: Alabama, Arkansas, Florida, and Wyoming. In four other States one house has voted approval, namely, Mississippi, New Mexico, North Carolina, and Wisconsin.

Twenty-two States will have regular legislative sessions in 1964, and it is possible that special sessions will be called in other States.

The proposals have been characterized by Prof. Charles L. Black, Jr., of Yale Law School, as "radical in the extreme." He points out that they aim not at the preservation but at the subversion of that balance in Federal-State relations which has enabled us to escape the evils of despotism and totalitarianism. In the words of Professor Black:

"They [the proposals] negate one of the best authenticated master principles or our American political being, the principle that we are a unified nation. * * * They constitute collectively, one more attempt, so late in the day, at converting the United States into a confederation."

The absence of general public debate has been as shocking as it has been surprising. The lack of public knowledge on what forces are behind these proposals, the extent and character of the organization which produced them for the Council of State Governments, the nature and sources of the financial and political sponsorship which have given them such great strength before so many of our State legislatures are unknown.

Under article V of our Constitution, an amendment is for all practical purposes proposed by a two-thirds vote on a resolution or both Houses of Congress, therefore to be submitted to the States for ratification. If ratified by three-fourths of the States, the amendment becomes effective. Under the first proposal of the Council of State Governments, the present method of proposing amendments to the Constitution by congressional action would be retained, but an alternative power of amendment would be vested in the State legislatures to the exclusion of Congress. It is proposed that two-thirds of the State legislatures by identical resolutions could present any amendment to the Constitution and that when this initial step had been taken, the proposed constitutional amendment would be submitted back to the State legislatures for ratification. If three-fourths of the State legislatures thereafter ratified, the Constitution would be amended.

Under this system, 34 of the State legislatures could propose and 38 dispose, so that the legislatures of only 4 additional States would be required to act favorably once the proposal had received the sponsorship of two-thirds of the State legislatures.

The danger of this proposal is obvious, as the consideration that State legislatures give to their actions is never one on a national level. The entire sum of discussions by 50 State legislatures does not arise to the point of nationwide knowledge or deliberation. There could be no more striking example of the validity of this view than what has occurred with the proposals here discussed, where not only has there been a lack of general public understanding on this subject but an equally shocking ignorance of citizens even in States where their own legislatures have proposed and adopted one or more of the measures.

This proposal opens the flood gates to those who would eliminate desegregation in the public schools and other public facilities; to those who would pack the Supreme Court or provide different methods for selection of Federal judges; to those who would abolish the Federal graduated income tax, or social security taxes, or aid to programs relating to health and welfare; to those who would grant Federal aid to religious education or deny such aid to any education whatever; to those who would prohibit U.S. participation in the United Nations. The possibilities for special groups to work quietly and beneath the surface for any fundamental change are without limitation, even including a change that would require the Office of President to be occupied by a triumvirate or a committee. As bizarre as these doleful speculations may appear, it is implicit that should the bow of this first proposal be placed within the effective hands of the State legislatures, the first shafts from a taut string will be aimed at the Supreme Court, the commerce clause of the Constitution, the due process and equal protection clauses of the 14th amendment, and the blessings of liberty protected and entrenched in the Bill of Rights.

If this proposal were to become a part of our Constitution, changes could be effected by a small minority of our citizens, for the smallest 38 States include less than 40 percent of our national population. Within those States, 40 percent of the population elect a majority of the most representative branch of the legislatures; therefore, only 16 percent of our national population would be able to effect a change in the type of our constitutional structure and the content of our civil liberties.

The second proposal would eradicate the doctrine of *Baker* v. *Carr* (369 U.S. 186), the now famous legislative apportionment case decided by the Supreme Court in 1962. This proposal would amend the Constitution to provide that no provision therein shall restrict or limit any State in its legislature, and would further provide that the Federal judicial power shall not extend to any subject matter relating to apportionment of representation in any State legislature.

For the most part malapportionment of State legislatures is the rule. In *Baker* v.

*Carr* the Court held that the Federal district courts have jurisdiction of suits by qualified voters to redress alleged deprivation of their Federal constitutional rights arising from malapportionment of seats in the State legislature, on the ground that such voters are thereby denied equal protection of the laws guaranteed by the 14th amendment. It held in effect that voters' rights in this respect should be of equal weight on the principle of one voter, one vote.

The proposed amendment is designed boldly as legal sanction for States to use legislative apportionment as a means for any type of rank discrimination to determine the composition of State legislatures. It would permit a State legislature to favor or discriminate against specific geographical areas of the State, rural or urban depending upon the legislative mood at any given time, for whatever motive it may have. Not only would the Federal courts be deprived of any judicial voice in such circumstances but the voice of the State courts would be equally silenced in such matters on Federal constitutional grounds. The adoption of this proposal would not only solidify the extreme abuses now prevailing; it would make it unlikely that such abuses would be corrected, and it would be a powerful impetus to initiate even more glaring discriminations.

Curiously, the proposal does not touch upon the malapportionment of congressional districts, although the determination of the districts of the Members of the lower House of Congress is controlled by the State legislature of each State.

This proposal, if adopted, would constitute the first diminution in our American history of any Federal constitutional guarantee of liberty, justice, or equality. It would remove from any Federal control, and from State control based upon Federal constitutional principles, that abuse of power in State government which is most likely to be self-perpetuating, since its correction, absent judicial control, must come from the members of State legislatures who profit by its continuance. It is a sorry contemplation that any legislator, in his greed to maintain an imbalance of legislative power, would wish to solidify that system not only for his own generation but for all generations to follow. For if this second proposal has any purpose at all, it is to retain and maintain inequality in the right of equal suffrage.

The third proposal, to establish a so-called Court of the Union, is a direct attempt to relegate the Supreme Court of the United States to a position far less than supreme. The proposal provides that any judgment of the Supreme Court of the United States "relating to the rights reserved to the States or to the people" by the Constitution may be reviewed by a Court of the Union, composed of the chief justices of the highest courts of the 50 States. Such a review would be possible any time within 2 years after the rendering of a Supreme Court judgment, upon demand of the legislatures of five States, no two of which share a common boundary. The issue before the Court of the Union would be whether the power exercised by the Supreme Court was one granted to the United States under the Constitution. The problems presented in the school desegregation cases, the school prayer cases, and the right to vote cases are only a few of the types of cases which would make of the Supreme Court a mere whistle stop on the way to the final terminus of the Court of the Union.

A majority of that Court, or 26 judges representing their States, would have the authority to reverse a Supreme Court decision of general constitutional import, and the decision of the 26 judges would be final and could not later be overruled by any court including the Court of the Union itself. While the jurisdiction of the Court of the Union appears to be limited, in effect it would attach to almost any Supreme Court decision interpreting a provision of the Constitution. The Supreme Court of the United States would be forever deprived of its essential vitality. The Court of the Union itself would determine what types of cases were within its jurisdiction and there would be no national tribunal to weigh that authority.

The ultimate judicial power of the United States would thereby be transferred from the Court whose members are responsible to the Nation at large to a tribunal whose members would be responsible only to, and partisans for, their own individual States. The chief justices of the States now come to their position by a variety of methods; many are elected by popular vote. Many serve for terms of less than 2 years; many have no life tenure that would permit them to be immune from political pressures of a transient majority in their States; many are unaccustomed to viewing national problems in their total national aspects; and many are hostile by local tradition to the individual members of the Supreme Court.

It is a matter of astonishment that these three proposals, characterized by Prof. Paul A. Freund as constituting "the greatest threat to the existence of our Republic as we know it in our entire history," could have made their way through so many of our State legislatures without public comment and without general notice. Though these measures were introduced in so many of the State legislatures early in January of their 1963 sessions, not even the bar of our country was generally aware of their existence. To be sure, there were forceful and perceptive editorial discussions in the St. Louis Post-Dispatch, in Irving Dilliard's Chicago American column, and in a few other daily newspapers, but not a single comprehensive news article on the subject appeared in the daily press until mid-April of 1963. In the meantime, 20 or more of the States (including Missouri and Illinois) had approved one or more of the proposals in one or both of the branches of their legislatures.

On April 14, the first comprehensive news article on the subject, the beginning of a series written by Anthony Lewis, appeared in the New York Times. On May 6, the Louisville Courier-Journal published an extensive article by Robert L. Riggs on the proposals and their alarming progress. This article was widely reprinted in the daily press throughout the country and appeared in the St. Louis Post-Dispatch on May 8. To the knowledge of this writer, these are the only news articles on the subject of such great national significance which have yet appeared in our general press. By early April, the bar association of St. Louis was the only professional body which had taken notice of the proposals and condemned them.

The pall of silence and public and professional apathy was broken in an address by Chief Justice Earl Warren at Duke University on April 27. Up to that time, no national officer in the executive branch of our National Government or any Member of Congress in either the Senate or the House of Representatives had expressed any view on the proposals. In his address, the Chief Justice did not argue the merits or demerits of any of the proposals, but he did point out that, if adopted, they would make profound changes in the judiciary, the relationship between the Federal and State Governments, and even the stability of the U.S. Constitution. He called attention to the adoption of the proposals by so many of the States "with little or no debate and with practically no recognition by the bar of America." He then said:

"If proposals of this magnitude had been made in the early days of the Republic, the voices of the lawyers of that time would have been heard from one end of our land to the other. The great debate would be resounding in every legislative hall and in every place where scholars and statesmen gather. Surely the problems of America today are as great as they were in those days. Surely the Constitution should be as precious to us now as it was then. If lawyers are not to be the watchmen for the Constitution, on whom are we to rely?"

The Chief Justice repeated the substance of these remarks in an address before the American Law Institute in Washington on May 22. The institute is composed of many leading lawyers, ranking judges of both Federal and State courts, and members of the legal teaching profession, and it was a matter of surprise that within the audience there were many who had never previously heard of the proposals, even when they had received approval in their own States.

However, the wall of silence and apathy had been pierced. President John F. Kennedy expressed his disapproval of the proposals, officials in the Department of Justice were quick to follow, and many Members of Congress gave them extended attention and severe condemnation. Several Governors also expressed personal and official disapproval and no Federal or State official of major consequence has openly expressed his support of them.

Recently, many legal scholars have written and spoken adversely of the proposals, and several bar associations have taken action against them, including the American and Missouri Bar Associations.

We must look upon these proposals for what they are: a clear reaction against recent decisions of the Supreme Court, reflecting a spirit of dissidence and localism which has not appeared since the struggles between the States before the Civil War and the antagonisms of State against State under the Articles of Confederation.

This is not the occasion to defend the Supreme Court from its detractors, but we should be constantly aware that there are many among us who, for selfish ends, would destroy the functions of the Court and the constitutional guarantees it enforces.

The three proposals to amend our Constitution strike at the most vital essentials of our liberty and our freedoms. Let us preserve our blessings of liberty and defeat each of these proposals aimed to destroy them.

## BUSINESSMAN URGES TRUTH IN LENDING BILL

**Mr. DOUGLAS.** Mr. President, the November issue of Harper's magazine contains a most interesting article entitled "How Businessmen Can Fight 'Big Government'—And Win," by Mr. David G. Wood, who until now, at least, has been a public relations man for the steel industry. Mr. Wood suggests that it is about time that businessmen stop complaining about the Government and take some practical direct steps on their own initiative to cure some of the shortcomings in our society and economic system. One of the major abuses Mr. Wood discusses in our present system is credit gouging. A major part of his article entitled "Why Hide the Cost of Credit?" is devoted to discussing hidden credit costs and the need for the truth-in-lending bill. Mr. Wood asks the businessman:

> What honest reason could there possibly be for not informing buyers exactly, in a percentage figure and in dollars and cents, what buying on time is going to cost them?

Mr. Wood continues by lamenting that—

Maybe passage of another law is undesirable—but retailers themselves have shown no inclination to police the situation. Their attitude appears to be, as usual, to get whatever the traffic will bear, which is a remarkable amount if the facts can be disguised well enough.

Mr. Wood urges that honest and ethical businessmen undertake a self-policing effort to disown those guilty of outrageous and hidden credit charges, and he concludes that if they cannot solve the situation themselves—and I might add they have not at least during the past several years—"honest businessmen should support rather than oppose Senator DOUGLAS' bill."

I am glad to see one representative of the business community speak out so boldly for the truth-in-lending bill and state publicly what so many other ethical businessmen have told me privately—that remedial legislation is needed to correct the present widespread abuses in hiding the costs of credit.

I have never been able to understand why honest and ethical businessmen so often go to such pains to protect the unethical elements in their industry. The truth-in-lending bill will only help the ethical, efficient, and low-cost lender. I hope Mr. Wood's plea for more positive businesses leadership, particularly the leadership which would help enact the truth-in-lending bill, will not go unnoticed.

Mr. President, I ask unanimous consent that Mr. Wood's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### How Businessmen Can Fight Big Government—and Win

(By David G. Wood)

(A steel man suggests that it's time for them to stop bellyaching about creeping socialism and to take some practical, direct steps to fix the weak spots in our society—before Washington has to do it.)

I am weary of hearing fellow businessmen attack big government. I'm even more bored with platitudes about defending the free enterprise system. And the charge that nobody understands the role of profits is just as tiresome.

The latter was the theme of yet another speech I sat through at a major college campus last June. It was the annual awards banquet of the school of business administration. The speaker was the director of corporate and public affairs, whatever that means, of a major home-appliance manufacturer in the Midwest. He was out to convince his listeners that profits are the cornerstone of our society. Why senior students and faculty members in business administration, and businessmen from the surrounding communities, should need convincing is a point that escaped me. I guess he was really trying to tell the graduating students to go forth and save our system. The "how" was totally missing, an all too common aspect of these polished, inspirational free enterprise speeches.

I happen to believe so strongly in our free enterprise system and in the importance of profits to that system that I'm convinced they don't need defending. To do so is to state the obvious. That's why the speeches and the advertisements and the commercials and the house-organ articles are so boring.

Our economic system is, after all, a human institution. And no human institution I know of has ever achieved perfection. Improvement should be a goal of all businessmen truly intent on preserving the free enterprise system. But we never seem to talk about improvement when we make speeches. This would involve "how?" It would force us to consider methods and programs and objectives. It would be controversial, and businessmen try never to be controversial. Hence, we are boring.

The director of corporate and public affairs, in his speech at the banquet, cited a typical statistic from Opinion Research, Inc. Sixty-two percent, or something like that, of all Americans think profits are too high. Does this mean profits are too high? Emphatically no, said our speaker, profits are dwindling every year. I work for the steel industry and I wholeheartedly endorse that part of his talk. Does it mean that the American people are being misled by educators and journalists into the belief that profits are too high? Despite the fact he was speaking before a considerable number of educators, our speaker implied that this was the case. He managed by a "we know you're with us" gesture to exclude the business administration professors from the leftist teachers who some businessmen are convinced dominate our campuses today.

At any rate, we were told, we businessmen must somehow overcome the power of the press and the schools and tell the people the truth—that profits are not too high. They are too low. I don't believe the director of corporate and public affairs actually expects us to succeed. Who would invest their money in our corporations if the people did become convinced that profits are too low?

### MARXISM, HIGH SCHOOL STYLE

But let's use a little common horsesense. It is ridiculous that any businessman should become concerned for our free enterprise system just because most Americans think profits are too high. Nearly all Americans are consumers first and investors second, if at all. There would be something wrong with human nature if we didn't believe that anyone trying to sell us something is making too much money.

Businessmen also get excited around graduation time every spring because public-opinion surveyors measure the attitudes of high school kids and decide that they don't know much about economics, and what they do know is all wrong. How many times have you heard in a speech or read in some company magazine that high school students somewhere have Communist tendencies? A majority had approved of "from each according to his ability, to each according to his needs." Shocking? Well, the speaker or house-organ editor obviously intends it to be, but I somehow never get very disturbed.

When you stop to think of it, that's a rather practical philosophy for a high school student. After all, his earning ability is very small and—from what parents of teenagers tell me—his needs are very great. If he's smart he's been trying to sell his father on the equity of this doctrine for years. Just before the son of our ex-next-door neighbors in Seattle was graduated from Shoreline High School there, we got a letter from his mother. She reported that he and his senior prom date were "planning a big time with dinner at Canlis if you please." She added, significantly, "We haven't even been there." Seattleites regard Canlis as their more elegant and expensive restaurant, catering chiefly to the expense-account crowd and, apparently, to high school boys wishing to impress their girls. Here is a high school senior willing to spend his father's money in a restaurant his father has always regarded as too expensive to take his mother to. Why should he question a neat idea like "from each according to his ability, to each according to his needs"?

One might argue it is the job of the schools to teach our children that this is a Marxist doctrine and therefore bad. I would answer that we can't teach them to think for themselves by hanging labels on ideas. It's better to let them figure out for themselves that this idea simply won't work in a free society. If a majority of them haven't figured it out by the time they are high school seniors, it is perhaps because teenagers are what they are—a confusing mixture of selfishness and idealism. I think I like them that way.

Permit me to proceed, then, on the assumption that businessmen are wasting their time and energies, to say nothing of their money, on defending profits and the free enterprise system. This is really not such an original idea. On the same subject more than a dozen years ago, Fortune magazine asked "Is Anybody Listening?" and concluded that no one was. Fortune went a step further by suggesting that businessmen were making people wonder what was wrong with the system that it constantly required so much defending.

Improvement, as I have already suggested, is the best defense. Instead of talking so much, businessmen ought to do more. If they did enough, they could quit worrying about big Government. For the past 30 years most of the improvements—if you choose to call them that—in our free enterprise system have been made by the Federal Government. During most of that period Government has drawn its leadership from areas other than the business community. Our governmental leaders have been pragmatists. If a problem existed in our society, they wanted to find a way to solve it without regard for labels or doctrines.

What I'm urging upon my fellow businessmen is to outgovern government. Let's identify problems and bring about solutions before Government is forced to act. Every citizen of a free society possesses this privilege and responsibility. The leaders of a community are especially obligated to act. And businessmen are leaders—or should be. Lincoln was right. Government should do only what citizens cannot do for themselves.

One reason Government has been doing so much is that businessmen have been doing so little. Perhaps we forgot how, during the tremendous scare of the great depression. But that has been over for a long time, and the Roosevelt reforms have not so changed our society that we are incapable of effective action.

What action? That question ought to be answered with a review of all the problems facing our country today and a discussion of what businessmen can do about them. That obviously is impossible here because: (a) I lack the space and (b) I lack the knowledge. I'll just have to satisfy myself that any suggestions made here will be more than the director of corporate and public affairs gave us in his speech.

### WHO OUGHT TO PROVIDE JOBS?

One obvious criterion of a successful economic system is its ability to provide enough jobs. Ours is not doing as well as it should. Let's look at my young ex-next-door neighbor once again, the one whose tastes already run to Seattle's most expensive restaurant. As a high school graduate this year he is joining a growing army of young men who are finding it increasingly hard to get work. California's youth-employment supervisor, Robert Hill, called jobless young people "social dynamite." He said in this decade 26 million youths will seek jobs, twice as many as in the 1950's.

Businessmen are going to have to assume more responsibility in getting these young people started on useful careers, especially with on-the-job training. We are demanding too high a skill from beginning workers. The kids complain that no one will hire them because they have no experience and then ask, with undeniable logic: How are we supposed to get experience?

Mr. Hill suggested that some companies might do better to hire fewer engineers, who are in short supply anyway and sometimes become bored with jobs that don't really require their full professional skills. Engineers' aids, who could be trained on the job, might make more sense.

The Peace Corps is a marvelous idea, perhaps the best of the Kennedy administration so far, but the young people we send overseas must have skills if they are to be of any service. We businessmen ought to promote and favor any programs which will enhance human skills, even Government programs. Our businesses will benefit eventually, just as they benefit from public education. Providing all the employment and on-the-job training we possibly can, consistent with efficient operating practices, should be the No. 1 goal of our private economy. Then if we still are unable to absorb the 26 million young people in this decade that Mr. Hill talks about, we must stop opposing Federal and State programs. Serving in a Government-sponsored civilian service corps, foreign or domestic, is infinitely preferable to joblessness. Business opposition to a domestic Peace Corps is the type of irresponsible negativism that causes our fellow citizens to dislike us, ignore us, or both.

Employment opportunities are not the only kind denied many Americans. Negroes lack so many opportunities that theirs has been a second-class citizenship in a society based on equal citizenship for all. This is wrong, and at long last two branches of the Federal Government—the judicial and executive—are taking meaningful action to assure equal rights for everyone.

There appear to be a considerable number of business executives willing to condemn such use of Federal power. Many others (or perhaps they are the same ones) join and finance anti-Communist crusades. Using comparable energy and most likely less money, these same businessmen—through the power they possess in the American economy—could render Government action unnecessary and deliver worldwide communism a staggering blow. Equal status for the American Negro would undermine Communist strategy and propaganda everywhere. This one improvement in our own society could well be enough to turn the tide overwhelmingly in our favor throughout the world. I often wonder why the anti-Communist crusaders don't change into pro-Negro crusaders. They would achieve their goal far sooner than with their present methods.

I would expect the truly responsible leaders of business and industry, however, to work toward equality for Negroes simply because it is right. I wish there were more evidence that they are so working. Undoubtedly, more is being done than the public generally realizes. Because the problems involved are potentially explosive, and because they are not concerned with winning votes, businessmen generally shun publicity in endeavors of this kind. All but one of the white business leaders of Birmingham who served on the biracial committee seeking a solution to the city's conflict, before the bombings this fall, refused even to be identified. They feared economic reprisals, a universal concern of businessmen. "What will my customers think?" is a question usually considered carefully prior to political or social activity. It's a shame Mr. Welch didn't ponder it more seriously before he founded the John Birch Society. If he had run true to business form, he might have decided to refrain for fear of offending all the country's Communist candy consumers.

### INVITATIONS TO GOVERNMENT MEDDLING

Even if we were free to publicize our bosses' actions to our hearts' content, it would be most difficult for industrial publicists like myself to convince anyone that everything possible is being done. The results just aren't there. I would welcome, for example, a steel industry report on what it has done to prepare Birmingham for its inevitable compliance with court rulings granting its Negro citizens equal status. After years of enlightened industrial influence, we might logically expect Birmingham to be more advanced in its social attitudes than it apparently is. It simply has to be more enlightened than the surrounding rural areas of Alabama. Yet its recent tragic history (not to mention its international press notices) raises serious doubts.

United States Steel is Birmingham's largest employer and therefore a powerful economic force there. It is faint praise to point out that under United States Steel's quiet leadership and influence Birmingham is a better city than it would otherwise be. A question that repeatedly has been asked, usually by indignant liberals, is, "Why hasn't John F. Kennedy done more about Birmingham?" Conservatives who truly believe what they preach ought to respond with, "Why hasn't Roger Blough done more about Birmingham."

Industrial leaders may have an excuse in the Deep South, where long-established customs, to say nothing of statutes, have precluded any dramatic moves by them toward equality for all. But neither law nor custom exists to discourage action in such enlightened cities as San Francisco.

Sunday, May 26, 1963, was proclaimed Human Rights Day by Mayor Christopher of San Francisco. Some 12,000 citizens paraded up Market Street and held a rally at the civic center to protest racial oppression and demand universal equality. The newspapers described it as San Francisco's ringing answer to Birmingham. Significantly enough for the point I have been trying to make, the march was organized by the San Francisco Church-Labor Conference. Advance stories promoting the observance of Human Rights Day quoted ministers and labor leaders. Business leaders remain silent. Sponsorship did not include the chamber of commerce, or any other business organization.

The parade itself was a responsible, dignified demonstration. The chief of police called it "a heartwarming spectacle." In the words of the San Francisco Chronicle, "They were of all races, but the major races were white and Negro, about 50–50. They were of all faiths—rabbis, Protestant ministers of the Council of Churches, Maryknoll nuns, Christian Brothers, a Jesuit priest. They were of all classes, but predominantly labor."

Are we businessmen too stuffy and self-satisfied to associate ourselves with a gesture of this kind? If we fail to be counted as for anything as basic as equal citizenship for fellow Americans, how can we expect anyone to become excited about Government's intrusion in business affairs? The freedom to raise steel prices would seem of small consequence compared with the freedom to vote, to work, to live (or even dine) anywhere the price is right, to assemble peaceably, or to enroll in the State university.

Instead of seizing the initiative—which is after all one prerequisite of leadership—businessmen permit the Government to lead the way. I work in a major San Francisco office building where the tenant on one floor is a Federal agency. The only Negro white-collar workers in the building—stenographers, clerks, and supervisors—are employed on that floor. The few non-Government Negroes in the building are janitors, cafeteria busboys, and messengers. If Government agencies can find qualified Negro workers, so can we. And we can easily get them because we pay more. But we are not doing so, and we are thereby inviting Government interference into the conduct of our business in a situation where it is right and we are wrong. This is the worst possible position in which to be to carry on a fight against Government regulation, the welfare state, or creeping socialism. Scarce phrases help but little if our policies are wrong to begin with.

### WHY HIDE THE COST OF CREDIT?

Also as a matter of right, credit buyers are entitled to fair and honest treatment. Public reports as well as personal experience lead me to the conclusion that they are not getting it. For several years, Senator Paul Douglas of Illinois has been trying, in vain, to obtain passage of a truth-in-lending bill. A similar bill at the State level died in committee at Sacramento recently. According to Reporter Jack Miller of the San Francisco News Call Bulletin, "the cost-of-credit measure, opposed by a powerful alliance of business interests, was shunted to the oblivion of the assembly rules committee."

What honest reason could there possibly be for not informing buyers exactly, in a percentage figure and in dollars and cents, what buying on time is going to cost them? Maybe the passage of another law is undesirable—but retailers themselves have shown no inclination to police the situation. Their attitude appears to be, as usual, to get whatever the traffic will bear, which is a remarkable amount if the facts can be disguised well enough.

To purchase a few dresses for our daughters at Christmastime, 1961, my wife opened an account at a Seattle store of a well-known national chain. The unitemized statement we received about the first of Feburary was larger than my wife could remember having charged. Investigation showed that $6.09 had been added to purchases totaling $31.64 on an account, mind you, to be paid within 90 days. I wrote a stinging letter to the credit manager in Seattle, which was answered within a week by the credit controller at the firm's executive offices in New York. In it I said the additional charge amounted to 77 percent annual interest, although I'll admit I was a little unsure of my ability to compute it accurately. But the credit controller didn't question that at all. He objected only to my use of the word "interest." He called it a "service charge to partially compensate us for the expense of having a credit office in the store." He would have us believe that his firm is losing money on its credit operation. A "service charge" of 77 percent is merely partial compensation. He added that he disliked having a dissatisfied customer so would settle for our payment minus the $6.09 service charge. In the future, he trusted, we would not want to use his credit facilities. What an understatement.

Legitimate businesses, more interested in selling products than credit, ought to oppose this kind of retailing with all the vigor they can muster. Newspapers and radio stations ought to refuse the sleazy advertising that sustains it. The better business bureau—which, incidentally, received a copy of my letter and made no response at all—ought to disown firms guilty of outrageous and hidden credit charges. If they cannot solve the situation themselves, honest businessmen should support rather than oppose Senator Douglas' bill. Neither the Senator nor anyone else can prevent gullible persons from squandering money, but they can be given all the facts on which to base their decisions. The cost of credit is a fact that should be made crystal clear.

By and large, Government has stayed out of those areas where private citizens, businessmen mostly, have done the job. Cultural activities of all kinds are generously supported by the business community. Federal aid for the arts has been suggested occasionally, but not taken too seriously. Most people probably regard it as unnecessary if not unwise. Higher education—especially the private colleges and universities—has received massive financial support from industry. I suppose educators will never regard it as sufficient, but the corporation (or its executives) is rare that doesn't maintain a generous program of support for higher education. United funds—conceived, promoted, and conducted by businessmen throughout the country—have provided the money to keep much welfare and social work in private hands. No tax money is used and contributions remain voluntary, more or less. It seems unlikely that Government financing of election campaigns will ever be adopted in this country. Businessmen and others, notably labor unions, have been willing enough to contribute the money for this activity so essential to a democracy. Medical insurance for employees has become a widespread fringe benefit provided by corporations. The only serious talk of Government-sponsored medical care is for retired persons. Which brings up medicare, an extension of social security to include a most obvious need of old age. When industry furthers a lie of the American Medical Association by calling medicare socialism, it offers no solution. Let's find a better one than medicare if we can.

Undoubtedly many business leaders will object to what I have said. Full employment, job training, fair employment practices, equal rights for all our citizens, consumer protection, medical care for retired men and women. I can hear the response of businessmen I know: None of these things is our concern. Our job is to make a respectable profit for our shareholders."

To them I say, "Then stop raving about big government." If private citizens with power and influence refuse to concern themselves with improving our society beyond offering new and better products, they have only themselves to blame if their power atrophies. Negativism is not leadership. And that is what the business community all too often exerts.

Until we businessmen demonstrate some positive leadership in the solution of social and economic problems, I'm afraid the country is better off in the hands of the politicians and their allies, the labor leaders and the intellectuals.

## PERIODIC CONGRESSIONAL REVIEW OF FEDERAL GRANTS-IN-AID

**Mr. MUSKIE.** Mr. President, on September 4 I had the privilege to introduce S. 2114, a bill to provide for periodic congressional review of future Federal grants-in-aid to States and to local units of government. Twenty-seven other Senators initially cosponsored this legislation. During the subsequent 7-day period that the bill lay on the table, both the senior and junior Senators from Wisconsin joined this distinguished list. And recently the name of the junior Senator from Indiana was added by a unanimous-consent agreement, bringing the total number who have endorsed S. 2114 to 31.

In my remarks accompanying its introduction, Mr. President, I cited some of the basic reasons for my support of this legislation. It is appropriate at this time, however, to present a more detailed explanation of my strong commitment to this measure.

The need for periodic congressional review of Federal grant programs has been pointed out by: First, the so-called Kestnbaum Commission in its June 1955 report entitled "Commission on Intergovernmental Relations, a Report to the President for Transmittal to the Congress"; second, the House Committee on Government Operations in its "30th Report: Federal-State-Local-Relations, Federal Grants-in-Aid"—House Report No. 2533, 85th Congress, 2d session, 1958—and, third, by the Advisory Commission on Intergovernmental Relations June 1961 report entitled "Periodic Congressional Reassessment of Federal Grants-in-Aid to State and Local Governments." The August 30, 1963, Congressional Quarterly—Fact Sheet on grants-in-aid, which the distinguished minority leader inserted in the CONGRESSIONAL RECORD on September 3, and a draft report of the Advisory Commission on Intergovernmental Relations on "The Role of Equalization in Federal Grants-in-Aid" provide much-needed updated information on the operation of these programs and, in effect, additional arguments in favor of S. 2114.

What, then, are the basic reasons for seeking the enactment of this measure? On September 21 of this year the President of the United States declared in an address to the Fifth Annual Conference of State Legislative Leaders in Boston, Mass.:

> The indestructible union of indestructible States, created by the Constitution, has been envied and imitated by many other nations. It is the best system yet devised. We have to make it work. It should have constant attention.

Mr. President, all of us can agree with this wise counsel. Further, since the Federal grant-in-aid has become the most important single manifestation of today's elaborate intergovernmental relations system, all of us should be cognizant of the need for more constant attention on the part of the Congress to this indispensable feature of contemporary federalism. For those who are unaware of the scope of these programs or who deny the need for this special congressional scrutiny, ponder a few of the statistics relating to these Federal grant programs.

In the first place, we have seen a significant increase in the number of these programs in recent years. According to the Advisory Commission's latest figures, some 59 grant programs are now in effect. This number could be expanded or contracted, depending on the extent to which particular categories are separated. Most authorities would agree that this is a modest estimate, however. Of these 59 programs, 9 were enacted prior to 1930, 12 between 1930 and 1939, 2 during the 1940–45 war years, and 36 from 1946 to 1962. Included among the many programs enacted since the end of World War II are such important grants as those for urban renewal, education aid to federally impacted areas, national defense education, airports, hospital and medical facilities, sewerage facilities, and public works acceleration. Eight new programs alone were enacted by the 87th Congress, and the present Congress is considering still others.

In discussing the increasing number of Federal grant programs, a frequent impression is that, once initiated, a project never ends. This is not wholly true. The record indicates that from 1938 until the present, some 14 grant-in-aid programs have been terminated. Such action, however, is the exception, not the rule.

This expanded use of the grant-in-aid as a technique of implementing the cooperative Federal ideal is further reflected in the growth in dollar amounts expended for these programs. Beginning in the 1930's, Federal grants totaled about $200 million a year. Depression programs and social security legislation, including Federal work relief operations, raised the figure to the $2 billion level, but this declined to less than a billion during World War II. Total Federal payments to State and local governments, which are somewhat larger than grant-in-aid payments alone, rose from $2.7 billion in 1954 to almost four times that figure—$10.4 billion—10 years later.

Although the number and variety of Federal aid programs have increased significantly in the past decade and a half, it must be remembered that more than 60 percent of total expenditures in 1964 for assistance to State and local governments will be for highway construction and public assistance grants. As all of us know, during the past 10 years highway construction grants have increased more than sixfold and public assistance grants have doubled.

Another way to gage the expansion in Federal aid programs in recent years is to examine what percentage of total State and local revenues is provided by Federal grants. In 1902, for example, Federal aid programs constituted seven-tenths of 1 percent of the total general revenue of State and local governments. The proportion increased to 3 percent by 1932, and to 6.9 percent in 1946. By 1954 the Federal share stood at 10.2 percent and a decade later, at 13.6 percent.

When these growth rate figures are viewed from other vantage points, they appear less spectacular. When Federal aid to State and local governments is examined in terms of its proportion to the total Federal administrative budget, for example, the jump between 1947 and the estimated figure for 1964 is 4.3 to 6.7 percent. Similarly, in terms of the Federal budget expenditures for civil functions, the grants-in-aid share of this figure stood at 29.8 percent in 1947 and an estimated 30.7 percent in 1964. The grant programs' percentage of the Federal administrative budget's civil functions—which excludes defense, space, veterans, and interest cost—has averaged more than 25 percent most of the years since 1947 and never fell below 20 percent, nor rose above 36 percent. Furthermore, during the 15-year period from 1948 through 1963, when Federal aid expenditures rose $7.7 billion, State and local expenditures increased more than $45 billion.

In considering this growth in Federal aid, it is always important to remember that at least two of the large programs—Interstate Highway System and Unemployment Compensation and Employment Service Administration—are in many respects national rather than State programs which are financed from earmarked Federal taxes levied for these specific purposes. Moreover, in examining the many reasons for this increase, we must recognize that the postwar growth in national production, population, urbanization, and standard of living has had a tremendous impact on the American people's needs for governmental services. The limitations experienced by the States in financing these needs out of their own revenue sources must also be weighed in any objective assessment of this development.

No matter what statistical norms we use, no one can deny that there has been an increase in the number, scope, appropriations, and overall significance of Federal grant-in-aid programs in the past decade and a half. The grant has become the most dynamic symbol of that sometimes overworked but still meaningful term, "cooperative federalism." Yet, the grant-in-aid is subject to severe criticism in many quarters. Some see it as the great subverter of our traditional Federal system. With this viewpoint I disagree. At the same time, it is essential—in light of the figures that I have presented and the recent admonition of the President of the United States—that Congress give "constant attention" to those facets of our intergovernmental relations that come within our constitutional mandate.

In my opinion, one of the most meaningful ways of providing this much-needed "constant attention" is to enact this periodic review legislation.

Under S. 2114, any new grant program hereafter enacted by the Congress would automatically expire at the end of 5 years unless an earlier date was specifically provided, or unless application of the act had been specifically waived in recognition of the intent to provide continuing Federal assistance in a given program. This measure provides that the appropriate legislative committees shall, at the end of 4 years, address themselves to these basic questions:

First, the extent to which the purposes for which the grants-in-aid are authorized have been met;

Second, the extent to which the States or political subdivisions thereof are able to carry on such programs without financial assistance from the Federal Government; and

Third, whether or not any changes in the purpose or direction of the original program should be made.

Existing grants would not be covered by the proposed legislation, but all of us hope that such programs would be assessed periodically by Congress and the executive agencies in terms of the same criteria set forth in the bill. I am convinced that this legislation will facilitate the modification, redirection, or termination of grants whose purpose has been changed due to circumstances occurring subsequent to its enactment. Few would presume to claim that Congress now possesses a systematic procedure by which to determine whether a grant program is achieving its objectives, or whether it should be redirected in emphasis, or whether it should be terminated or extended. Witness the fact that many grants still possess outdated features and only 14 such programs have been terminated.

This proposed legislation would achieve other beneficial results. Through periodic review, it should be possible to spur the development of standard criteria by which Congress and its committees can determine what problems can or cannot be solved by the use of grants-in-aid. By having a statutory requirement that the congressional committees review grant programs within their jurisdiction at least every 5 years. Committees will also be prompted to reexamine the many, inflexible financial and other provisions which recently have created so many problems in grant programs at the State and local level.

The failure to reassess fully these grant programs at appropriate periods may result in an unnecessary burden and cost to the Government and to the American taxpayer. Periodic review, however, could enable Congress to make a better allocation of public funds and to meet changing patterns of need—both at the State and local levels. Unnecessary expenditures obviously occur if programs continue after there is no longer a clearly recognizable need for them.

Enactment of this proposed legislation, in my opinion, would actually strengthen the programs subject to its provisions in that they should achieve better public understanding and support than many of the existing ones. The record clearly demonstrates that programs with a built-in periodic review provision have rarely suffered as a consequence. In the same vein, while periodic review may allow critics to get another chance to defeat the legislation, it could also force Federal, State, and local officials to marshal more effectively their forces in defense of a particular grant program. This could have two salutary effects. First, the realization that a comprehensive review will be made every 5 years could lead to a renewed awareness of the importance of good administrative practices. In addition, many programs which are taken for granted will impress themselves more on the minds of local officials who, for lack of information, tend to underestimate the significance of Federal grant programs operating in their community.

Periodic review under S. 2114 would affect grant programs enacted after January 1, 1965, and then only those extending over a period of 4 or more years. Congressional committees would not have the burden of examining existing grants-in-aid. They would have sufficient time to properly conduct hearings on the operation of each future program. As a practical consideration, many interest groups, for obvious reasons, would oppose having all existing grants-in-aid subject to this kind of review. Such opposition could endanger the fate of this bill.

In restricting the scope of this legislation to future programs, the bill will facilitate an objective reevaluation of grant programs before the "forces of the status quo" become so strong as to make difficult, if not impossible, any redirection or termination of a given program. A grant intended solely for incentive purposes unfortunately carries with it the hazard that many interests may resist termination once the Federal objectives have been achieved. This measure successfully circumvents this problem.

In assessing this bill, it must be remembered that the integrity of the whole grant-in-aid concept depends upon the application of some policy of constant review. Failure to reassess regularly the need for these programs could cause the eventual breakdown and collapse of this approach to solving problems that require joint action. Use of the grant-in-aid has permitted our Federal system to remain a vital and flexible system of governing, while insuring that needed services are performed for its citizens. If the grant-in-aid remains the subject of intense public criticism, then the Federal Government may be forced to intervene directly. This can only undermine our present cooperative arrangements.

In the final analysis, this legislation is designed to make Congress more mindful of its clear responsibility of doing a thorough job of reappraising these programs. If Congress accepts this duty, we will provide that "constant attention" that the President sanctioned so strongly in his Boston speech. If we succeed, both the Congress and our Federal system of government will be strengthened.

## ECONOMIC GROWTH A MATTER OF CAREFUL GOVERNMENT ATTENTION

Mr. HUMPHREY. Mr. President, a matter of increasing debate and concern among us is the growth issue as it applies to our economy. Our economy does seem to be moving again. The gross national product is reaching a new high. We are in a period of the longest sustained growth without recession in recent years. Our problem seems to be that it must grow even faster, if we are to handle the unemployed we have presently, if we provide for the new millions coming on the labor market, and if we are to afford essential domestic services to our people as well as keep up our defense-security system.

Soon we shall be taking up a tax bill which is designed primarily to meet this problem. I am going to have much to say myself on the allocation of our defense contracts. I am particularly interested in the disposition of research and development funds, both in industry and in our higher educational institutions. I wish to examine how we can take steps to see that what we are doing to stimulate the knowledge explosion really does spill over to our vast private sector and help it grow to meet our needs.

The main point is that there is a Federal responsibility.

Here I wish to call attention to some points made in an excellent article by Barbara Ward, the British economist, in the New York Times magazine for October 27, 1963:

First. This economic growth problem is a new one in Western politics. It is thorny, but it represents options society never had before. For millennia societies were trapped in a subsistence economy in which the outer limits were fixed by available land and water. Having reached those limits, the population was driven back by declining output, fragmentation of holdings, starvation, banditry, and war. Today technology gives us both the hope and the means of escaping those alternatives.

Second. Even though it is a response to war situations which has done it, it has been demonstrated that Government action is important in sustaining a high level of demand for goods and thus stimulates growth. Russia chides the West for this, but Miss Ward points out that whatever achievement the Soviets have to show in economic growth springs from the fact that they treat their economy as a war economy. They have a vast program voraciously ordering capital goods for further expansion.

Third. The West must achieve growth in the context of peace not war. Further, Government activity in the West must be such that it avoids inflation on one hand, and the creation of the "overmighty" state on the other. Not being worried about an "overmighty" state, because they do not value individual freedom, the Soviets can suppress inflation by suppressing free initiative. It perpetuates them however in a true war economy.

Fourth. Several countries in the West have been developing some wholly new techniques of economic planning and forecasting. They are using some of the new techniques of technology to make available to society, without oppressive regulation, a sense of scope and direction which can transform the private businessman's sense of opportunity. It is precisely growth in this sector upon which free societies depend.

Fifth. To avail ourselves of some of these means however, requires shedding some rigid orthodoxies of the past about how Government can act upon the economy. Here Miss Ward makes a most important observation:

> It is a sobering thought that 34 years ago—when budgets were small and generally balanced, when unions were unorganized and taxes low, when business did its own forecasting and the market reigned supreme—in short at a time of very considerable laissez-faire, there occurred an almost total collapse of demand in Western markets which in turn introduced the worst depression in the history of capitalism.

Sixth. The buoyant growth of the last decade which has put communism on the defensive, cannot be relied upon itself to continue unaided. If new policies—peaceful policies—to aid growth are rejected, the old collapse of demand, the old disarray of the West, the old resurgence to extremism may return.

Many of our new problems wear an unfamiliar face. They cannot be ignored because of that. We dare not ignore the examination of new policies to meet them. We must move creatively into a new situation. I ask unanimous consent to have Miss Ward's article included in these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### THE WEST DEBATES THE GREAT GROWTH ISSUE

(By Barbara Ward)

Western interest in growth tends, like the Western economy, to fluctuate. Last year when growth in Europe seemed to be slowing down and growth in America and Britain refused to speed up, voices were raised warning the West that generation stagnation and decline might lie ahead.

This year, apart from some concern about the level of industrial investment, Europe seems to have recovered its confidence. Britain is consciously set on expansion. The American economy seems to be "moving" again. So the anxieties have lessened. Yet concern will return at the least sign of flagging confidence. In any case, too, the disparity in rates of growth between various groups of countries is so great that the subject is interesting in itself, quite apart from its more apocalyptic implications.

In simplest terms, the debate about growth concerns this question: On what scale should a society add, each year, to its existing stock of goods and services? Is the average expansion of 2.5 percent of national income registered in Britain and America for the past 8 years enough? Or should economies aim at the 5- to 6-percent rate of growth of Western Europe? Or the 7 to 8 percent claimed by the Communists? Or the fabulous 10 percent actually achieved by the Japanese?

The question of more rapid growth is a new one in world politics. For millennia it never arose. All human societies were trapped in the subsistence economy in which the outer limits were fixed by available land and water. Once population reached those limits, declining output, fragmentation of holdings, starvation, banditry, and war drove the population back to a level the land could support. It was from this universal trap of the subsistence economy that Western science and technology rescued mankind.

Today the essence of the effort for growth made by the developing nations is to follow the Western World and Russia out of the subsistence age of static agriculture and marginal industry into the infinitely wider opportunities of modern technology in all its forms. Those developing nations are still short of everything—savings, skills, markets. They are on the bottom rungs of the ladder of modernization, where problems of supply dominate every aspect of the economy. Their need to grow is absolute, for growth alone conquers shortages.

But if the need for developing economies to grow as rapidly as they can is obvious, what of the fully modernized states? So rich already, do they need to become still richer, and to become so faster? An average citizen of India subsisting on $60 a year can barely fail to want more. But an average American family income is over $5,000 a year. What, in such a context, is the argument for more rapid expansion?

The first point to be made is that rich nations are, after all, not uniformly rich; both Italy and the United States have their Deep Souths. Secondly, rich countries do not entirely escape the dilemmas of a growing population and rising unemployment, as more adolescents arrive in the labor market and automation steadily cuts the demand for unskilled and semiskilled labor. If, as in America, many of these youths are colored, really explosive dangers begin to build up.

Another point: If the poorer countries are to grow, they must sell, at a reasonably high price, to the richer nations, and the prices they get for their primary produce—cocoa, coffee, tin, tea—depend on prosperity in the developed West. If the West settled down to, say, a steady 5-percent rate of expansion, primary prices could find a rather higher level than the still generally depressed prices of today. And higher prices would do more to underpin sustained development than any Western aid or investment.

At the same time, an expanding West depends on a steady increase in markets. For Western markets gradually reach saturation. In a real sense, the growth of the developing nations is an important precondition of sustained economic buoyancy in the West.

Perhaps the best route toward a solution to the whole growth problem is to look at the developed economies during their most recent period of rapid expansion and ask whether they had anything in common at that point. One can take Japan and Western Europe in almost any year since 1955 and examine Britain and America before 1954. What their economies shared in their years of rapid growth was, above all, one thing—a high level of demand, sustained when necessary by the actions of government.

The jump in arms spending for the Korean war, coupled with the final phase of postwar restocking, gave America its last experience of demand high enough to employ, even overemploy, all its resources. A similar, though lesser, boost gave Britain's Conservative Government 2 or 3 years of "Tory prosperity."

In the countries of high growth rates, one can observe a combination of high private and public demand similar to that of the United States during the Korean war. The private demand comes from the surge toward consumer durables, the public demand from the readiness of governments to pump, whenever necessary, more demand into the economy, either by direct public spending or indirectly by tax reliefs—both routes leading, temporarily, to an unbalanced budget.

Proof that governments in developed countries can increase the rate of growth by creating a greater urgency of demand is to be found quite simply in the West's experience of the war economy. In 4 short years—between 1940 and 1944—the United States doubled the size of its industrial base. So large was the expansion that civilian standards could increase in spite of the overwhelming concentration on arms, and the postwar economy started at a new high level of capital equipment.

Nor is the proof only to be found in Western experience. In one sense, any achievement the Soviets have to show in rapid growth springs from the fact that they virtually treat their economy as a war economy, with a vast governmental program voraciously ordering the capital goods for further expansion.

In fact, the evidence for the belief that governments, at least in large and developed lands, can stimulate growth by stimulating demand is so generally accepted that not wild-eyed radicals but sober working parties attached to the Atlantic Community's Organization for Economic Cooperation and Development have stated dogmatically their belief that sustained demand is the key to growth and governments can put their hands on the key.

At this point, some people may begin to wonder what all the fuss is about. We need growth. Demand stimulates it. Governments can stimulate demand. Then why not cut the debate and get on with the stimulus?

The matter is not, however, so straightforward and painless. In fact, there are two major hurdles to be overcome—at least in the West. The first is the risk of inflation; the second is the risk of creating an "overmighty" state.

Neither risk can be shrugged off. In economies operating at a high level of activity the historical tendency is, at least in the short run, for all resources to become scarce and for their prices to rise. If industrialists are all bidding for labor and materials, the cost of both goes up. At some point, they begin their squeeze on profits and hence on the capital accumulated through profits. At some further point, falling profits lead to lower investment and a general reduction in activity. Such was the pattern of the old-fashioned boom and bust.

But the busts at least lowered prices. If, in the future, it is to be all boom and no bust, may not steadily rising prices finally lead to deepening inflation, undermine all confidence in the currency and thus lead in the end to a worse crash by a rather longer route?

Nor should one forget the international repercussions. If trading and exporting nations allow their costs to go uncontrollably up, other nations' goods will be more competitive. Imports will increase, exports will decline and the economy, like a horse too sharply reined in, will be pulled back on its heels by vanishing reserves and a balance-of-payments crisis. One reason for Britain's semithrottled condition in recent years has been the speed with which domestic expansion has led first to inflation and then to a flight from sterling.

Yet the answer cannot be to clamp down on all wage increases, since rising wages are the chief means of keeping demand in step with the fabulous productivity of the new technologies—our new machines in fact threaten to turn us all into sorcerer's apprentices watching helplessly while our markets are flooded with rising output.

The second fear—of increasing and excessive government regulation—has fewer facts to support it. No developed community has slipped into total regimentation by small, cumulative steps. Communism has triumphed only in relatively underdeveloped societies and usually by force in a coup d'etat. Facism imposed its control on developed nations in a state of crisis brought on, in Germany at least, not by too much government intervention but by the massive and prolonged unemployment resulting from too little.

Yet one can still admit in theory that steady state stimulus to demand could bring about so intricate an involvement of government in every aspect of business that the free economy, as we know it, would be no more. Soviet planning, which is usually what people have in mind as a horrific norm, does entail just such interventions. Its example suggests that a wholly state-directed economy without alternative sources of employment and decisionmaking would be a very uncertain base for political freedom.

In fact, no Western advocate of more rapid growth seeks such complete intervention. But the fears exist. Before, therefore, one can determine the prospects for growth in the relatively unregulated economies of the West, these two formidable objections have to be met.

To begin with inflation, probably the decisive element in the postwar variety has been the pressure of wages, revised upward almost every year, on industrial costs and hence on prices. Where, as in Germany until 1960, labor bargainers felt the restraints imposed by memories of catastrophic inflation in the past and by the current arrival of thousands of refugee workers from East Germany, there was little pressure for large wage increases. Expansion without inflation—of the order of 6 and 7 percent a year—could go ahead. But in recent years, German labor costs have gone up by about 40 percent and cries of alarm echo from Bonn and from business. In France, too, the threat of inflation has become very real, and the Government has recently moved to meet it.

What is needed is not a general check on all wages but a rate of wage increase which on the average—some expanding industries paying more, some contracting industries paying less—does not exceed the community's annual capacity to produce more goods. The level might be 3 percent in some years, higher in others. Fully employed economies need, in fact, some agreed norm to which the wage bill could be related.

Britain's new National Incomes Commission is designed to set such a standard. The wage level is regularly discussed by the French Planning Commission. Sweden and Holland have even achieved a measure of national agreement by way of discussions between employers and unions. Thus the theory of a steady and reasonable increase in wages contained within certain agreed annual limits is already known. Occasionally it is acted on. But no one can pretend that it is widely understood or that labor unions are quick to accept the reasoning behind it.

Nor is their acceptance made easier by the general divorce of workers from any direct share in profits or by the fantastic rewards—in stock options and so forth—which some businesses shower on senior executives. Restraint cannot, in a democratic society, be preached to one section of the community alone.

To turn now to the political risk of regimentation, here a more positive answer can be given. In the last decade, several countries have developed wholly new techniques of economic planning and forecasting and their calculations, based uopn the computer and upon input-output analysis, promise to make available to society, without oppressive regulation, a sense of scope and direction which could wholly transform the businessman's sense of opportunity—and it is, after all, on this that in large measure growth in free economies depends.

The French, gently prodded by Jean Monnet, have led the way. Their Planning Commission examines with business leaders and trade unionists the implications for the economy of, say, a 4- or a 5-percent rate of growth—the demand it postulates for power, for steel, for transport, for machine tools. With this picture of buoyant demand before their eyes, businessmen go away and take the decisions on investment consonant with such a rate of growth—and their decisions are a key factor in insuring that the rate occurs.

The Japanese use a comparable technique in plotting budgetary policy. For some years the Government made an annual estimate of the amount of growth the Japanese economy was likely to achieve in the next 12 months. Then another estimate was made on what additional tax revenues would be earned by the extra production. A sum equivalent to those potential revenues was then remitted in tax reliefs and became available for spending in the economy. The stimulus thus given proved one of the chief ways in which the next surge of growth was secured.

Belgium has acted to create a planning mechanism, Spain and Italy are considering it, Britain and Canada are setting up National Economic Development Councils as a first step. For years, private firms have, of course, used detailed analysis and forecasting for their own market surveys. The new technique is largely an adaptation of the procedures to national markets. It does not imply detailed regulation. It does give an impetus and momentum to private choice and public plans.

We may thus conclude that free society in the West is beginning to evolve new answers to the new problems created by the pressing need to secure higher rates of growth. As in every period of creative change, many minds do not accept either the new needs or the new policies designed to meet them. In the United States—but very much less in Europe—a rigid orthodoxy still prevails on most matters concerning governments and their interventions in the economy. Many of the techniques now used in Western Europe or Japan to keep demand high and buoyant—flexible budgeting (which may include deficit financing in slack years), forecasting and indicative planning agencies, attempts to construct an acceptable strategy for wages—all these are denounced as dangerous departures from the accepted way of doing things.

Arguments to counter such dogmatism cannot be marshaled easily, for emotion as well as reason is involved. Yet it is a sobering thought that 34 years ago—when budgets were small and generally balanced, when unions were unorganized and taxes low, when business did its own forecasting and the market reigned supreme—in short, at a time of every considerable laissez faire, there occurred an almost total collapse of demand in Western markets which in turn introduced the worst depression in the history of capitalism.

Today, there are enough uncertainties in the West—slower investment in Europe, unemployment in America, low income among the primary producers—to suggest that the buoyant growth of the last decade, which has put communism more or less on the defensive all around the world, cannot be relied on simply to maintain itself unaided. If all new policies for growth are rejected, may not the old policies lead back to the old result—the collapse of demand, the disarray of the West, the resurgence of extremism?

This is the general context within which policies for growth must be considered. In such a perspective, it is not easy, rationally, to dismiss problems simply because they wear an unfamiliar face, or to refuse policies which, being designed to meet new problems, are themselves still new.

## THE NEED FOR A TAX CUT

Mr. HUMPHREY. Mr. President, as the 1st session of the 88th Congress draws closer to conclusion, it becomes increasingly important that all of us recognize the urgency and import of the two paramount issues which confront it—a tax cut and civil rights legislation.

I have spoken repeatedly on both of these issues. I shall discuss them again. Recognizing their complementary nature, we cannot treat one without dealing indirectly with the other. However, today I wish primarily to call attention to the tax cut. Public debate on this issue frequently suffers from a lack of information and understanding that creates imaginary and needless conflicts. I wish to insert in the RECORD, at the end of my remarks, an excellent and informative article by Budget Director Kermit Gordon which appeared recently in the Federal Accountant. This article clearly demonstrates that the present debate is not between wild spending and economy; it is not between proponents of a balanced budget and its opponents. Too often we engage in an exercise in semantics instead of a comparison of facts. The choice before us is the method of approaching a common goal. It is how we can best establish a rational and responsible fiscal policy which will stimulate a full-employment, expanding economy.

We can learn much by a survey of the fast growing economies of Japan and Western Europe which have sustained their rapid growth through a high level of combined private and public demand. This demand can be created in several ways. One way is to rely principally on direct Government spending; another is indirectly through tax relief. Chairman WILBUR MILLS, who so eloquently guided the tax bill through the House, made this same observation when he stated the Government could follow either of two roads to the achievement of a prosperous economy—greatly increased Government expenditures, or a tax reduction which would free funds for private investment and consumption.

The roads to economic growth have not always been so clearly marked. Nor have danger signals warned so clearly against restrictive monetary and fiscal policies in a sluggish economy. Mr. Gordon's illuminating article traces the evolution of Federal budgetary thinking, through a deeper understanding of its mechanics, toward a more rational policy. He illustrates the extent of this shift by citing the passage of an increased income tax in the midst of the depression, an action which would inevitably further reduce the level of economic activity. Congress made this decision, which appears irrational to us today, because of its unshakeable faith in the absolute value of a balanced budget. The result, as Mr. Gordon points out, was almost certain to aggravate and deepen the depression.

It is not necessary to renounce the hope for a balanced budget. But neither is it necessary to turn this objective into a shibboleth which stifles any constructive search for new solutions when old ones prove inadequate. An economy operating consistently below its capacity is clearly not going to produce the tax revenues needed to balance the budget.

Another specter raised by the tax cut is that of inflation. Mr. Gordon discusses in this article the conditions which presently guard against inflation. When demand overtakes and outdistances supply, inflation becomes a danger. Our problem, however, is the inverse—an inadequacy of demand. Should a tax reduction so stimulate demand as to create an inflationary tendency, monetary policy could quickly shift to counter it.

I am pleased to call Mr. Gordon's article to the attention of my colleagues. I believe it makes good economic sense and will help substitute facts for entrenched myths in the coming debate on taxes. I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### FEDERAL BUDGETARY POLICY IN ECONOMIC PERSPECTIVE

(By Kermit Gordon)

(NOTE.—Kermit Gordon, an economist by profession, took office last December as Director of the Budget after having been for 2 years a member of the Council of Economic Advisers. Mr. Gordon's first Government service was in the Office of Price Administration from 1941 to 1943. During World War II he was in the U.S. Army assigned to the Office of Strategic Services and was with the Department of State from 1945 to 1946, a consultant to the Department of State, 1946 to 1953, a consultant to the White House Office in connection with the preparation in 1950 of the Report of Foreign Economic Policies and an economic consultant to the Office of Price Stabilization in 1951. He joined the Department of Economics at Williams College in 1946 and he has been professor of economics since 1955, David A. Wells professor of political economy since 1961. Among his other varied activities are 10 years as associate to the administrator, Merrill Foundation for Advancement of Financial Knowledge, 1947 to 1957, and 2 years as director of Ford Foundation's program in economic development and administration. This past June Mr. Gordon was installed as an honorary member of the Federal Government Accountants Association.)

(Federal budgetary policy both influences and is influenced by economic activity, an aspect of Federal planning that only recently has come to be generally understood. As economics traditionally has emphasized cost-benefit analysis, another aspect of budgetary policy important in economic perspective is the efficiency with which Government activities are conducted. Budget Director Gordon explores these two facets of Federal budgetary policy in the following article which provides special insight into economic factors guiding the 1965 budget determinations currently in process.)

What I have to say here must begin with a truism: that the body of decisions which constitute the yearly Federal budget must be related responsibly both to the specific needs of the Nation in domestic and foreign affairs and to our overall potential for economic accomplishment. It is not easy to keep a firm grasp on all of the special factors which condition the fiscal operations of a Federal Government such as ours, but the magnitudes involved have long since convinced the American people that their economic well-being is vitally affected. Each year there passes through the hands of the Federal Government a sum of money equal to about one-fifth of our gross national product. Each year, as a consumer, the Federal Government utilizes some 11 to 12 percent of all useful goods and services the economy produces. The growth and prosperity of the national economy are bound to depend to an important degree on the use of these resources and on the way they are made available for national objectives.

#### ECONOMIC ROLE OF BUDGETARY POLICY

Our agreement on these matters does, I believe, go beyond a mere recognition of their importance. In the heat of public debate about spending, taxes, deficits, and debt, we sometimes lose sight of the fact that we have achieved in the United States a rather broad consensus of support for the view that Federal budgetary policy should be designed to help compensate for inadequacies or excesses in private demand—and we clearly agree that Federal policy should not exaggerate them. There is now common acceptance of the idea that if total private and public demand for goods and services presses too hard on total supply, inflation will result; that if demand falls considerably short of potential supply, plants will be idle and workers unemployed; and that it makes sense to try to adjust the relationship between Government spending and taxes to help avoid both of these evils.

Those who doubt the existence of such a consensus should consider whether there would be much support today—given the same conditions—for the kind of policy followed in 1932 when the economy lay prostrate under the onslaught of the great depression. Real gross national product in 1932 was 28 percent below the 1929 level and nearly one worker in every four was employed. Because of the collapse in production and incomes, Federal revenues fell 50 percent from 1929 to 1932, and largely for this reason, the 1929 budget surplus turned into a 1932 deficit.

In considering what Congress ought to do in the circumstances, the chairman of the Ways and Means Committee said on the floor of the House: "Now, my friends, I want you and the country to gird yourselves with stamina, with backbone, and with courage to meet this emergency. All must make tremendous sacrifices. The budget must be balanced. To do it, additional taxes must be levied."

So Congress proceeded—in 1932—to raise income taxes. This action was in accordance with the prevailing doctrine of the period, which held that the only sound rule of fiscal policy was to attempt to balance the budget each year. Indeed, the conviction of Congress that it was doing the right thing was reinforced when it received a communication bearing the signatures of 62 faculty members of a great university urging an immediate increase in taxes. But the result, almost certainly, was to aggravate and deepen the depression.

The fact that few people today would urge the same policy under the same circumstances is evidence that there is far less disagreement on the issues of fiscal policy than the temperature of the debate might suggest. Despite the many major differences of emphasis and attitude that exist, it is now generally recognized that Federal budgetary decisions should be made in the light of the needs of the economy.

#### PRESENT STATE OF THE NATIONAL ECONOMY

The standard measure of national economic activity is the Nation's gross national product, which is the money value, at current prices, of the Nation's total output of final goods and services. Over the years economists and others interested in business activity have singled out various cyclically sensitive statistical indicators thought to provide insight into prospective changes in gross national product. Since the beginning of the current year, these indicators have been quite encouraging, on the whole, giving substantial promise that the more optimistic forecasts of gross national product for 1963 will be realized. Equally reassuring signs of a quickening economic pace are to be found in the expanding trends measured from January 1961, which show a 30-month record of uneven, but sustained, economic expansion from a recession trough.

Measured from their early 1958 levels, however, these same economic indicators disclose a far more revealing and more sobering picture. They depict an economy that has been operating considerably below its potential for some 6 years—an economy that even now, after more than 2 years of expansion, is producing at a rate $30 to $35 billion a year below its comfortable capacity. The average operating rate in manufacturing is perhaps 10 percent below the preferred rate and more than 5½ percent of the labor force remains unemployed.

Whether viewed in terms of total output, employment or investment, the evidence of slowdown since 1957 is clear. In the postwar decade 1947–57, total output rose at the brisk rate of about 4 percent a year; since 1957, progress has slowed to 3 percent a year. In the postwar decade, unemployment averaged 4.3 percent of the labor force; since 1957, it has averaged 6 percent and has not in any month fallen below 5 percent. From 1947 to 1957, private fixed investment averaged 11 percent of gross national product; since 1957, it has fallen to an average of 9 percent.

A persistent gap has opened up between achievement and potential, and in many subtle ways the Nation has been paying a high price for its lagging performance. Its growth rate compares unfavorably with that of most other industrialized countries. The overhang of idle capacity has dampened domestic investment incentives and has encouraged the flow of American capital abroad, with consequent strain on the balance of payments. High unemployment rates among youth have bred discontent and frustration. Chronically depressed areas have been denied the rejuvenating effects of a strong demand for labor, which would tend both to attract new industry to areas of labor surplus and to draw idle labor into more prosperous regions.

Agriculture and industry are both affected adversely by lagging performance. Because of the absence of good alternative employment opportunities, many agricultural workers continue to earn low incomes and the underlying farm problem persists. In an effort to save their jobs, industrial workers seek to institute restrictive work rules and to shorten the work week; and some industries, in a similar effort to insulate themselves from the general economic climate, seek to price their goods so as to earn normal profits on subnormal volume.

### SUBSTANTIAL TAX REVISION ESSENTIAL

The immediate cause of this unsatisfactory economic performance these past 6 years is, in my opinion, inadequate total demand. We have simply not been able to sustain a rate of growth in demand sufficient to absorb our unemployed and put our idle capacity back to work. The effort to diagnose this condition has led to a search for remedies, and this search has led directly to the Federal tax system. We are weighed down by the burden of an income tax system which, though modified somewhat, is still essentially that which was adopted to restrain excessive demand in wartime. Its power to extract income from the bank accounts of individuals and corporations is so great that the Federal budget would have shown a string of handsome surpluses rather than deficits in the years since 1957 if the economy had been operating close to full employment. The truth is that tax rates set so high as to absorb an excessive proportion of a full-employment gross national product will actually block the road to the achievement of full employment and yield disappointingly low revenues. In the six budget documents submitted from January 1957 through 1962, taken together, a surplus of $8½ billion was forecast; yet the actual budget result was a cumulative deficit of $33 billion. In each of the past 6 years revenue estimates were based on an expected resumption or continuation of brisk economic expansion—and in each year the dampening forces of the tax system were exerted in a way that kept the estimate from being realized.

This, very briefly, is why we believe that the needs of the economy require a substantial further revision of the Federal income tax system in 1963. I stress the need for further revision because the tax changes instituted last year—the liberalization of depreciation rules and the enactment of the 7-percent investment tax credit—had the effect of reducing business tax liabilities by about $2½ billion a year and represented a start toward the adoption of a growth-inducing tax system. Although these tax changes were at first regarded skeptically by the business community, this skepticism has melted in the presence of hard evidence that business investment this year is responding to the stimulus of these reforms.

The President's tax program which is now before the Congress has the following principal elements:

1. Taxes are to be reduced by about $10½ billion, in three stages, during 1963, 1964, and 1965.

2. The $10½ billion net cut is made up of $13½ billion of gross tax reduction offset by $3 billion of revenue-producing reforms. In turn, the $13½ billion gross reduction consists of roughly $11 billion in personal and $2½ billion in corporate taxes.

3. The top bracket rate of the individual income tax is to be reduced from 91 to 65 percent and the lowest bracket rate from 20 to 14 percent.

The tax program has two major objectives: first, to provide a sizable increase in effective demand by sharply reducing the proportion of income taken in taxes, and second, to provide a tax structure, which, through sharp cuts in top bracket rates and reduction in corporate taxes, will encourage increased risk taking and a higher tempo of business investment. It is thus a program which will narrow the gap between performance and productive potential, while concurrently stimulating a more rapid growth in that potential. The President's tax proposals constitute the most important economic policy issue before the Congress this year, and fortunately the prospects are hopeful for the enactment of constructive and invigorating tax legislation.

### ARGUMENTS FOR CUTTING TAXES NOW

Many people ask whether this is the right time to cut taxes. Rather than cut taxes now when there already is a large budget deficit, should not tax reduction be deferred until there is a surplus in the budget? This is an important question, and it deserves a straight answer. The answer, in my opinion, however, has two parts:

First, I believe we are more likely to reach a balanced budget in the next few years if we cut taxes now than if we do nothing. If we fail to act, we risk a continuation of the experience of the last 6 years—undercapacity operations and excessive unemployment. An economy operating at under capacity is unlikely to generate the tax revenues needed to balance the budget. It is instructive to note that we have had budget surpluses six times since the war and in every case save one the surplus has occurred in a setting of full employment. This experience lends support to the view that it takes full employment to generate the revenues needed to balance the budget. If we cut taxes now, we will have a somewhat larger immediate deficit, but a better prospect for reducing and eliminating the deficit in the years ahead through the increase in tax revenues returned by an expanding economy.

Second, if we were by some chance to achieve a balanced budget without a tax cut, we would probably find that a tax cut in such circumstances would be badly timed. Since balanced budgets and full employment tend to go together, to cut taxes in a setting of full employment and high utilization of capacity is to court the danger of excessive demand and inflation unless a slump is in prospect.

Another main objection raised against tax reduction at this time stems from the fear that the immediate deficit associated with tax reduction will cause inflation. This is a legitimate concern; the American people fear inflation, and properly so. Moreover, there are times when a Government deficit will cause inflation: When demand is pressing against the limits of supply, a reduction in taxes or an increase in Government expenditures will tend to raise prices. But there is no alchemy by which deficits are automatically transmuted into price increases; it is the state of the economy which determines whether deficits will cause inflation. For example, although deficits have occurred in 5 of the last 6 years, the price level in this country has been more stable than in any other advanced industrial country with the exception of Canada. The reason, of course, is that at no time in this period has there been pressure of excess demand on prices.

While the President's tax program is designed to stimulate private demand, we do not believe that it will overstimulate demand and cause it in turn to overtax capacity. Even if excess demand pressure should develop—an event we think most unlikely—the tools of monetary policy can be brought quickly into play to dampen the pressure.

Hence, whether one appeals to economic logic or to recent economic history, there is little basis for the fear that the President's tax program is inflationary. The opposite danger is much greater—that failure to enact the tax program will leave us beset with the same economic ills which have troubled us for the last 6 years and will increase our vulnerability to recession. While the President's tax program certainly will not in itself solve all of the Nation's economic problems, its enactment will help to create a climate of economic vitality and expansion in which many other problems—ranging from agriculture to automation—will be easier to solve.

### DRIVE FOR ECONOMY IN GOVERNMENT

The President's program for tax reduction and reform—designed as it is to spur expansion of the national economy and early achievement of full employment—has major implications for future budgetary policy. The President has pledged that, as the tax cut becomes fully effective and the economy climbs toward full employment, a substantial part of the increased revenues generated by economic expansion will be applied to the reduction of the deficit. This declaration commits the administration to a policy of sustained expenditure restraint. Work on the 1965 budget, which is already well underway, is moving along lines consistent with this policy.

This does not mean a freeze on new programs—a moratorium on prudent planning by the Federal Government to respond to the changing needs of a growing country. It does mean—and it means emphatically—that vigorous efforts will be made to find economies in existing Government programs, in order that the net impact of new activities on the Federal budget will be held to a minimum. Better management and cost reduction can make a major contribution toward resolving the conflict between expanding public needs and the need to limit total expenditures.

Any doubts as to the great potential of management improvement for restraining expenditures should be resolved by the spectacular accomplishments—realized and prospective—of the Defense Department's procurement and logistics cost reduction program. Savings are estimated at $2.7 billion for fiscal year 1964 and $3.5 billion for fiscal year 1965. These are not vague estimates of future economies; the program is fully in effect today, and it is reshaping procurement and management practices in the Department of Defense. In 1963, its first full year of operation, the program produced more than $1 billion of identifiable savings.

It is most significant that these savings have not in any way been achieved at a sacrifice of national security. On the contrary, notable advances were made in our military strength during 1963. Under this outstanding program, economies are being achieved by buying only what is needed, buying that at the lowest sound price, and reducing operating costs through integration and standardization. Defense needs are thus being met more effectively and at lower cost—which is economy in the true meaning of the term.

The magnitude of the Defense economy prorgam can be grasped more readily if it is compared with the future costs of the legislative proposals submitted by the President during the current session of Congress. For example:

"Closer calculations of procurement needs and fuller use of excess inventory in place of new procurement will save more during fiscal years 1964 and 1965 than the cost in these years of the proposed military pay increases.

"The shift from noncompetitive to competitive procurement, and the shift from cost-plus-fixed-fee to fixed or incentive price contracts will save more in these same 2 years than the total cost of the President's omnibus education program—including aid to school construction and teachers' salaries, college facilities, library and graduate school grants, student loans and fellowships, and adult and vocational education.

"The elimination of gold plating in procurement specifications—performance characteristics unneeded for the planned mission—will save more in 1964 and 1965 than the cost of the President's youth employment opportunities program.

"Improved equipment maintenance through better management will save as much in these 2 years as the entire cost of the President's mass transit program.

"The closing or reduction of unnecessary installations in the Defense Department will save more than the total cost in 1964 and 1965 of the President's program for hospital construction and aid to medical education."

To put the comparison in its most striking form, Secretary McNamara's cost reduction program wil realize savings, in 1964 and 1965, which will exceed the total cost of the legislative program the President has proposed to Congress throughout its current session. This persistent drive for better management extends far beyond the limits of the Department of Defense and is not an issue between the parties. Many management gains were accomplished by the last administration and this administration has sought to maintain and accelerate the momentum.

### TAXPAYER INTEREST IN EFFICIENCY

I want particularly to emphasize the importance this administration attaches to the goal of raising managerial efficiency in the Federal Government. Although ours has been described as an affluent society, 55 percent of the American families today have an annual income before taxes of under $6,000. The share of the $6,000 which they pay in taxes represents a very important part of their income dedicated to Federal activities. This does not seem to be an affluence that can tolerate, let alone justify, loose and slack practice in the administration of Federal programs.

Not too surprisingly, the average citizen is much more concerned with efficiency in Government than he is with efficiency in business. In dealing with private business, the citizen can often protect himself against excessive prices and unsatisfactory products by buying elsewhere or by simply not buying. He enjoys no such option with respect to the services of the Government. The sale of Government services by their very nature necessarily must be a compulsory transaction—a transaction in which the citizen is denied the option of not buying the product. This is not, of course, a criticism of Government services, the nature of which usually requires that they be provided through governmental machinery. But this helps to explain the greater concern that the average citizen has for efficiency in Government than he has for efficiency in private business. On our part, those of us in Government have a very grave responsibility to give unremitting attention to the need for improving management practice and for providing Government service at the lowest possible cost.

### NEW INCENTIVES FOR BETTER MANAGEMENT

Unfortunately the Government operates under certain handicaps, relative to private business, with respect to the kinds of incentives that produce good management performance. For one thing, there is no threat of competitive extinction—that if you do not do well, somebody will drive you out of business. Further, some of the most valued tools of private enterprise are lacking in Government, most notably the profit and loss statement.

More reassuring is the fact that the Government is gradually evolving effective counterparts for some of the built-in stimuli to improved performance which seem to characterize business operation in the competitive market. There is an increasing emphasis on costs at all management levels—on cost determinations and on cost-based budgeting. At the same time better productivity measures are being developed, under Bureau of the Budget coordination, to provide a more reliable basis for measuring work productivity throughout the Federal Government. Another very encouraging development is the progress being made in cost-benefit analysis, relating the costs of particular public services to money measures of the benefits derived. All of these developments are contributing to a more rational order of managerial decisions.

A very fortunate, although at times embarrassing and even trying, aspect of managerial stimulus in the Federal Government is the fact that the Government, by its very nature, must operate in a goldfish bowl. The General Accounting Office, in particular, makes a most valuable contribution to the goldfish-bowl aspect of Government through its auditing program and its periodic reports on performance. The activities of the General Accounting Office tend to synthesize within the Government something like the same stimuli which are at work in private business. However painful the process may be, the end result is to further the cause of management improvement and this cannot help but be beneficial to all concerned.

In retrospect, the most striking discovery I have made in viewing the Federal Government from my particular vantage point in the Bureau of the Budget is the heavy emphasis, continuing stress and vigorous support which are being given and which have been given for many years to the cause of management improvement. The reassuring extent of these endeavors is little known to the citizens of the United States. This is because better management and cost reduction are not controversial objectives and it is the controversial which tends to capture public attention. Since these important endeavors deserve to be much more widely recognized, the Bureau of the Budget undertook last April to summarize some of the Government's many commendable accomplishments in a special brochure entitled "Cost Reduction Through Better Management in the Federal Government."[1]

The efficiency of Government has a special importance in a Federal democracy such as ours. Whether the citizen believes that public servants are alert and effective in conserving the national resources entrusted to their care very properly determines his confidence in government as a way of getting things done. This confidence, in turn, is bound to affect in some degree his faith in the vitality and durability of democratic institutions themselves. To press for efficiency, good management, and cost reduction is, therefore, a very fundamental obligation of the public service, which the people should know we fully accept and mean to fulfill, whatever the fiscal policies of the time.

## INDIANA DUNES NATIONAL LAKESHORE

**Mr. HARTKE.** Mr. President, I have been very pleased with the response of the public to the introduction of S. 2249, the bill to establish the Indiana Dunes National Lakeshore, of which I am a cosponsor.

As evidence of this support, I would like to bring to the attention of the Senate a letter addressed to President Kennedy from Mr. Thomas E. Dustin, public relations director of the Save the Dunes Council, Inc. Mr. Dustin enclosed in his letter a petition signed by more than 100 Indiana scientists and educators endorsing the establishment of a national park in the dunes region.

This endorsement is, I think, truly significant and I ask unanimous consent that Mr. Dustin's letter and a copy of the petition be printed in the RECORD.

There being no objection, the letter and petition were ordered to be printed in the RECORD, as follows:

SAVE THE DUNES COUNCIL,
*Chesterton, Ind., October 24, 1963.*

Hon. JOHN F. KENNEDY,
*Office of the President,*
*Washington, D.C.*

DEAR MR. PRESIDENT: Enclosed herewith is a petition endorsed by more than 100 of Indiana's most respected scientists and educators who have declared their support for the administration proposal to establish the Indiana Dunes National Lakeshore.

Those who endorsed this petition do not purport to speak for the many educational institutions where they hold important posts. It is noteworthy, however, that their professional competence qualifies them to serve as educators at many of the major institutions in the State, including Indiana University, Purdue University, Ball State Teachers College, the University of Notre Dame, DePauw University, Taylor University, Wabash College, Earlham College, and others.

Such an expression of opinion from so eminent a group must surely indicate that the remaining areas of the Indiana dunes region should be preserved, that all administration effort should be dedicated toward earliest establishment of the lakeshore, and that the minimum measure suitable for accomplishing this objective is the bill introduced by Mr. JACKSON, October 21, S. 2249.

In closing, Mr. President, I believe it may also be of interest to you to know that Dr. James Dewey Watson, 1962 Nobel Prize winner in medicine from Indiana, will honor the Save the Dunes Council's 12th annual meeting, October 26, as principal speaker. Dr. Watson serves on our advisory board.

Very truly yours,
THOMAS E. DUSTIN,
*Public Relations Director.*

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OCTOBER 18, 1963.

*To the Honorable John F. Kennedy, the Honorable Governor of Indiana, and the Honorable Congressmen From Indiana:*

With the release of the U.S. Bureau of the Budget recommendation for an Indiana Dunes National Lakeshore, consisting at this time of 11,700 acres, Indiana, the Midwest, and the United States are faced with an unprecedented opportunity to establish this project at an early date.

As the recent official statement of the 2,400-member Ecological Society of America puts it, "The Indiana Dunes region is of unique interest to science because there the principles of plant and animal succession and habitat evolution were discovered by early American biologists. This fundamental knowledge, comparable to species evolution in theoretical import, has been profitably applied in all countries in practical fields such as forestry, range management, conservation of soil and water, and wildlife management. Fourteen midwestern universities and colleges utilize the superb educational values of the Indiana Dunes by class field trips or research studies. Scientists from throughout the world visit this area of classic biological and geological significance."

The undersigned scientists and educators of Indiana believe that immediate steps should be taken to implement the national lakeshore outlined by the Budget Bureau and delineated by the National Park Service. Many areas included are highly important to science and education; other portions will provide recreational opportunities which are vital in the balanced growth of this area of the country.

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[1] This 62-page report brings to light important new developments in management improvement in the Federal Government and cites examples. It is available for 25 cents from the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402. Among the topics covered are: automatic data processing; highlights of managing manpower; incentive awards; property and supply management; financial management; new approaches for managing complex programs; and statistics reporting and use.

In the strongest possible terms, we urge the adoption of measures which will bring this great project to fruition, and we call upon elected and appointed leaders everywhere to join in this effort now, before any further losses to this irreplaceable natural assets are sustained.

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## RECLAMATION ADDRESS BY SENATOR FRANK MOSS

Mr. McGOVERN. Mr. President, the distinguished chairman of the Irrigation and Reclamation Subcommittee of the Senate Interior and Insular Affairs Committee, Senator FRANK E. MOSS, made an excellent presentation of our need for multiple-use planning and development of water resources at the recent convention of the National Reclamation Association at Sun Valley, Idaho.

The Senator from Utah called attention to the growing use of reclamation project water for municipal and industrial purposes, and also for the products of irrigation farms, where much of the Nation's beef and mutton, fruits, vegetables, and specialty crops originate.

There is need for greater public understanding that the reclamation projects we are undertaking do not add significantly to agricultural commodities in surplus, but produce chiefly items for which we have growing need. For example, the Department of Agriculture recently estimated that we need to expand our beef cattle herds from approximately 75 million head to 100 million head by 1970. Much of this needed expansion can be supported by reclamation. Nationally, 50 percent of irrigation production is hay and forage for livestock. In the Great Plains area, that proportion ranges up to 90 percent.

Mr. President, I ask unanimous consent to include in the RECORD Senator Moss' address to the National Reclamation Association on October 24, 1963.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

### TRENDS IN RECLAMATION LEGISLATION

(Remarks of Senator FRANK E. MOSS, of Utah, chairman of the Subcommittee on Irrigation and Reclamation of the U.S. Senate Committee on Interior and Insular Affairs, at the annual meeting of the National Reclamation Association in Sun Valley, Idaho, October 24, 1963)

The pleasure of getting back home and visiting with old friends about the development of our western country is greatly enhanced this year by the fact that we have had nearly 10 months of continuous congressional session. The change of scenery, and being with western neighbors even briefly, is a very welcome occasion.

This is the 32d annual convention of the National Reclamation Association, which came into being in my hometown of Salt Lake City, has continued to grow in stature and influence in the intervening years and, in my judgment, is on the threshold of a new era of opportunity for public service.

In March of this year, it was my privilege to preside for the first time at the annual conference of the Senate Interior and Insular Affairs Committee and your board of directors. As usual, it was a very pleasant and informative session on the problems of reclamation in the field, and in Washington.

The occasion was particularly auspicious because of the presence of the freshman member of our committee, Senator CARL HAYDEN, of Arizona. In introducing our distinguished junior committee member, Senator HENRY JACKSON, now the chairman of the full committee, said:

"Certainly the most prominent person to join the committee in many years is our revered Senator from Arizona, Senator CARL HAYDEN, an ardent champion of reclamation for many, many years. As a matter of fact, he should be sitting up here. I might add that while I am now in my 23d year in Congress, this gentleman came to Congress before I was born."

The title for my remarks today is "Trends in Reclamation Legislation." In contemplating it, I have been unable to avoid the thought that you ought to have our freshman Member as your speaker on this subject. CARL HAYDEN came to Congress on February 19, 1912—more than 51 years ago—and is the most competent of all of us to speak about trends. He has watched them for more than a half century. He helped get the famed Salt River project in Arizona underway. He has watched a tremendous shift in the use of project water from agriculture to municipal and industrial purposes. Within his term of service in Congress he has seen the Salt River area move from an agrarian economy to a heavily industrial economy.

The Bureau of Reclamation tells me that in the past 10 years more than 300 industries have located in and are now served by the Salt River project. These include Motorola, the computer production facilities of General Electric, a Reynolds Aluminum Co. plant, Goodyear, United States Steel, Sperry-Rand, and many other nationally known firms which would not have located in Arizona except for the availability of water from the project accompanying their plantsite purchases.

Senator HAYDEN has long sponsored the proposed central Arizona reclamation project in his own State. As late as 1957, all but a very minor portion of the water to be controlled by that project was intended for supplemental water for irrigation purposes. The report on Senator HAYDEN'S current central Arizona bill, which was made to our committee very recently, shows that 300,000 acre-feet of the project water will go directly to municipal and industrial uses and by the time the payout period is completed a major amount wil be used for "M and I."

Senator HAYDEN himself observed during the progress of the hearing that ultimately very little of the water from this project will be used for agricultural purpoess, although all of it was so intended when the project was originally conceived.

At a hearing earlier this year our very able Commissioner of Reclamation, Floyd Dominy, presented a chart and statement graphically pointing up the trend of construction expenditures by the Bureau from 1902, reflecting the change in emphasis and purpose.

In the period from 1902 through 1910 a total of $58.7 million was spent and 97.3 percent of it was for irrigation facilities; 1 percent was for power, and 1.7 percent for unidentified purposes.

In 1963, based on estimated expenditures of $266 million, only 29.8 percent was for irrigation purposes. Nearly half, 47.2 percent was for power, another 10.2 percent was for municipal and industrial water, 8.6 percent was for flood control, and the remaining 4.2 percent was for recreation, fish and wildlife, salinity alleviation, and minor uses.

Commissioner Dominy's chart had divided the 61 years which were covered into nine periods. In every period the trend was toward a decrease in the proportion of irrigation and a consistent increase in other classifications.

Senator GEORGE McGOVERN, of South Dakota, recently directed the attention of the Senate to the fact that there has been a tenfold increase since 1956—only 7 years ago—in the population served with municipal and industrial water supplied from Bureau of Reclamation projects.

In 1956 there were 1,070,000 persons using 165,000 acre-feet of water from Federal reclamation projects for municipal and industrial uses. Last year it was 10,120,000 persons who used 1,455,000 acre-feet of water. The growth in municipal and industrial users is now running in excess of 12 percent a year.

This trend in use of water from established irrigation projects is paralleled by a trend in the nature of legislation for new projects. Measures before the Irrigation and Reclamation Subcommittee include increasingly large allocations of water for municipal and industrial supplies and, in more than one instance, the projects are entirely for the purpose of municipal water supply.

One of the bills we have passed through the Senate this year, S. 614, by Senators ANDERSON and MECHEM, authorizes the Secretary of the Interior to provide water from the San Juan-Chama to establish and maintain a permanent pool for recreation purposes at the Cochita Reservoir in New Mexico. Another was to assure and promote conservation of wildlife on the Pacific Flyway in the Tule Lake, upper and lower Klamath, and Clear Lake wildlife refuges.

Two measures deal exclusively with jurisdiction over power developments and marketing of power.

Just as we are evolving a multiple-use policy for management of our public lands, so also are water projects, even in the arid West, becoming increasingly multiple-use projects, or parts of a multiple-purpose program with municipal and industrial water supply, power, dilution of effluents and salinity, recreation, and fish and wildlife becoming increasingly large and insistent claimants for recognition. In some places, as always, flood control and navigation are factors.

The calendar of the Interior Committee and the irrigation and reclamation subcommittee, and the work we have done this year, reflect the rapidly increasing pressure and necessity for consideration of all needs for water.

As of the first of this month, 60 bills and resolutions had been referred to the irrigation and reclamation subcommittee for consideration and action.

Eighteen hearings have been held. Sixteen bills have been favorably reported to the floor and eight have been passed by the Senate.

Only one of the bills that have reached the floor fall in the category of project authorizations—the Dixie project in Utah which has been sought by the people of Washington County for more than 40 years. This is not unusual in the first year of a Congress. The comments and views of interested executive agencies and of the White House must be obtained. Many of the proposals require a great deal of study and preparatory work. This is generally the year when housekeeping bills are passed and groundwork is laid for authorizations in the second session of the Congress.

In the housekeeping category, we have done considerable tidying up. The committee has favorably reported—and the Senate has passed—a bill that will extend the provisions of the Small Projects Act by increasing the nearly exhausted authorization from $100 to $200 million. It also modifies some of the requirements of the original legislation to simplify the procedures by which smaller, non-Federal irrigation districts can take advantage of Federal loans to build new projects or rehabilitate and better existing ones.

We have also processed a bill to make costs of certain investigations of the Bureau of Reclamation nonreimbursable.

The Bureau of Reclamation is the only Federal Agency in the water resources development field required by law to charge the cost of preauthorization studies to the reimbursable costs of the project. The costs of all such investigations by the Corps of Engineers are nonreimbursable. Similarly, Department of Agriculture plans for watershed improvement, and expenses incurred in arranging financial assistance to carry out those plans, are treated as a part of the Federal participation in the project. During hearings on the Bureau of Reclamation bill, the point was made that the Bureau of Reclamation programs require the highest degree of reimbursement and yet, reclamation is the one program in which investigation costs are not regarded as a Federal contribution.

Hearings have been held on the Garrison diversion unit of the Missouri Basin project, and on central Arizona. These could lead to authorizations.

The committee has worked especially diligently on two broad, basic, pieces of water legislation in which reclamation has an important stake, and on which our great and good friend, Bill Welch, testified for your organization. These are the water resources research bill and the river basin planning bill.

Both of these bills, sponsored by Senator CLINTON P. ANDERSON and others of us who served on the Senate Select Committee on National Water Resources, when assessed together, with the history and report of that committee, speak rather eloquently of the trend in water legislation, including reclamation.

The select committee found that the United States is confronted with absolute water shortages, beginning in the southwestern river basins where stringency is already felt, spreading into the Upper Missouri Basin by 1980 and on into the western Great Lakes area, the upper Arkansas-Red River Valleys and the western gulf area, by the year 2000. It found that the great industrial area of the Nation lying between Sioux Falls, S. Dak., and St. Louis, Mo., on the west, and Boston and Washington, D.C., on the east, would have serious water problems stemming in a considerable degree from distribution, variability of supply, and pollution.

The select committee made five major recommendations: (1) River basin planning; (2) intensified research including work on more efficient use of available water, and augmentation of supplies through weather modification and desalinization; (3) increased State participation in water resource planning and programs; (4) maintenance of a continuous assessment of regional water supplies and demand, and; (5) a Federal program aimed at encouraging greater efficiency in water development and use.

S. 2 and S. 1111 are pieces—beginnings—of this unified, overall approach to meeting the Nation's water needs. I believe it will be to the everlasting credit of the National Reclamation Association, which has always had a primary interest in irrigation, that it has had the vision and the statesmanship to see the necessity of meeting all water needs and to support the implementation of a broad national water program for all purposes as vigorously as it supports particular irrigation projects.

S. 2. The water resources research bill has passed the Senate and has a high priority on the calendar of the House Interior and Insular Affairs Committee. The bill provides for the establishment of water resources research centers at land-grant colleges and State universities, or equivalent institutions selected by the States, where both basic and applied research, important to the areas served by the various universities, can be conducted. These State research programs would be welded into a national water research effort by a water research agency in the Department of the Interior.

Those of us who joined in the introduction of this measure regard it as of the greatest importance, for only in finding scientific solutions to a whole range of varying regional water problems can the Nation's needs be met.

Despite the impression in many minds resulting from temporary surpluses of a few agricultural commodities, irrigation is not faced with a decline. Because of the competing demands for water in the Western States, it is faced with the necessity of increasing efficiency of use of available supplies and augmenting supplies, of squeezing more production out of every acre-foot of water, and of squeezing more acre-feet of usable water out of the atmosphere or presently unused, or unusable polluted, saline and brackish water resources. But the Select Committee on Water Resources, the Department of Agriculture, and other students of future food problems agree that expansion of irrigation from 17 to 24 million acres will be needed between now and A.D. 2000.

The major products of irrigation farming—fruits, vegetables, specialty crops, and feed and forage to supplement and backstop our grazing lands—are in steadily growing demand.

Senator GEORGE MCGOVERN, of South Dakota, made an effective presentation of this fact in a recent Senate speech pointing out our country's need each year for 14 million acres of new pasture, or its equivalent, to meet the growing demand for meat.

The Department of Agriculture estimates that our beef herd must be increased one-third, from approximately 75 million head at the present time, to nearly 100 million head in 1970, to meet the requirements of an annual increase of 3 million consumers and the growing appetites of all consumers for steak, prime ribs, and hamburgers.

Since World War II, we have been able to meet expanding meat requirements by putting beef cattle on millions of acres of pastures released from horses and mules, and by feeding out an increasing proportion of cattle going to market. Two-thirds of beef going to market is now fed, and that can only be increased 5 to 6 percent, since it is uneconomic to feed canners and cutters—cows, bulls, and scrubs. Experts estimate that not more than 70 percent of beef animals can profitably be fed. This means that we must grow more feeders, maintain larger breeding herds, and expand cattle operations at the grazing end of the business. Some pasture can be provided through land-use adjustment from surplus crops to grass. But the potentialities of land-use adjustment are limited. There will be a real need for restoring, developing, and improving western range lands and providing, through irrigation, the hay and feed necessary to carry herds through winters and dry spells.

Life magazine, foe of Federal public works projects on land but friend of spending $2.3 billion on oceanography in the next 10 years, thinks we might supply some of our admitted future need for more high protein foods from fish farms along the Continental Shelf. But millions of Americans will join Senator MCGOVERN in his statement, "While I eat fish, I prefer beefsteak," and insist on red meat when they go to the grocery store, just as they will call for the fruits, vegetables, and specialty crops produced largely on irrigated lands. There is, if anything, an accelerating need for irrigation as population burgeons. The rise of other water requirements does not mean that irrigation is being or will be displaced. It means only that we must learn to conserve, schedule, use, and reuse water with utmost efficiency, find ways to increase supplies, and accommodate irrigation operations to other uses, most of them large users but relatively minor consumers of water.

Through the research that will be done under the S. 2 program at State colleges and universities and other centers of competence in the water field, plus great Federal programs on saline water conversion, weather modifications, and other major national aspects of water requirements, there is every confidence that we will increase our efficiency in managing water and expand supplies. But it cannot be done without research nor without a second step provided in S. 1111—comprehensive planning of each major river basin.

The river basin planning bill has been the subject of hearings and one executive mark-up session in the irrigation and reclamation subcommittee. The members present considered 18 amendments and agreed unanimously on disposition of every one of them. There is now planned a further executive meeting of the subcommittee on the bill next Tuesday, October 29. Some of us, at least, hope it will reach the floor and be passed by the Senate this year so the House can have a full session to study and act on it.

For the first time in more than 55 years, there appears to be osme justification for believing that Congress will finally enact a bill moving toward coordination of Federal water resources development agencies and comprehensive river basin planning.

There have been attempts since 1908, when Teddy Roosevelt's Inland Waterways Commission recommended it, to bring about comprehensive planning of our river basins and related land resources. They have repeatedly been defeated by conflicting interests in water, bureaucratic fears or ambitions, ill-conceived proposals, lethargy, or lack of understanding of the importance of our water problems.

S. 1111 is certainly not the last word in coordination of our approaches to water problems, nor in planning machinery, but it provides the opportunity for dedicated public servants to bring about coordination, it provides machinery for States and the Federal Government to sit down as equal and autonomous branches of government and plan river basins together, and it provides $5 million annually for 10 years to assist the States in taking a real part in water resources planning, and to do some planning of their own. Experience in operation will undoubtedly lead to amendment and improvement of the act.

When the bill first came to Congress, providing for river basin planning commissions to which both Federal and State representatives would be appointed by the President, it brought forth the usual extensive and intensive opposition to Federal domination.

Hours, days, weeks, and months of patient negotiation and cooperation between representatives of the former chairman of the Interior Committee, the Interstate Conference on Water Problems, the Council of State Governments, the executive branch of the Government, and with the representatives of your association and others concerned in water resources development, have brought into being a bill which establishes a new pattern of joint State-Federal agency in which neither surrenders any of its prerogatives or autonomy, but both undertake through reliance on the physical facts of the problems confronted, on engineering knowledge and skill, and on the determination of the participants, to solve problems critical to the growth and well-being of our democracy.

I am a coauthor of S. 1275, which attempts to clarify State and Federal water rights. I do not have to tell this group that it is a highly controversial field which has resisted solution in Congress with even greater stubbornness than coordinated water resources planning. We are pressing for hearings on S. 1275, and I am hopeful that we may soon be able to move on that important aspect of water problems.

But in order to get the planning job moving faster, and in the comprehensive way which has become absolutely necessary, S. 1111 has been carefully drafted so it will not disturb the status quo in regard to water rights, but permit planning to proceed while rights are settled separately.

Senator KUCHEL and other sponsors of S. 1275 have agreed to this approach. The truth is that we have been able to bring about a great deal of water development in the past with the rights problem unsettled. We must continue to do so pending settlement of the rights issue.

S. 1111 provides for the President to appoint Federal representatives to river basin planning commissions. It provides for States to appoint their own representatives. The Federal Government and the States have equal status within the commissions, which will be established only if the Federal Government and half of the States ask for a commission. Their establishment is not mandatory. The bill simply authorizes them.

There is abundant assurance in the bill that there will be no interference with established agencies, interstate compacts, or interstate compact commissions, nor to the use of other conventional mechanisms for planning if the participating governmental units prefer.

The major criticism of the bill that we now hear comes from a few impatient people who feel that it does not go far enough. As short as the steps forward may be, the measure will provide for a step toward voluntary coordination of Federal agencies and programs through establishment of a Federal water resources council; it will provide for a step toward bona fide State and Federal cooperation; and it will provide funds to stimulate intrastate water resources planning and assure meaningful State participation in interstate water resources planning.

The National Reclamation Association is to be commended for its contribution to the preparation of this bill, and for its support of the measure. The association's stand on both water research and water planning reflect an appreciation of the breadth of water problems, of the necessity of planning water programs for uses other than its own immediate major concern, and eloquently demonstrate the desirability of this organization continuing its leading role in working out national water resource programs.

About a century and a half ago, two of the great economists of their time, Malthus and Ricardo, warned that the human race was headed into a world of increasing poverty and want.

Malthus wrote:

"When acre has been added to acre till all the fertile land is occupied, the yearly increase in food must depend on the melioration of the land already in possession. This is a fund, which from the nature of all soils, instead of increasing, must be gradually diminishing."

Ricardo taught that mankind would have to rely on less and less rich lands, ores, and natural resources; that labor input to produce a unit of needed goods would gradually rise; and that poverty and misery would increase apace.

The two gentlemen won for economics the title of the "dismal science."

Reclamation has made the Malthusians revise their timetables considerably by adding water to land. Science has reversed the trend which Ricardo foresaw of increased input per unit of production.

Two modern economists, Harold Barnett and Chandler Morse, of resources for the future, have taken a new look at the work and prospects for the human race. They have found that we are today producing goods of all varieties with the single exception of timber, at lower real cost—lower labor input—than ever in world history.

The two present-day economists write:

"The classical economists saw the process of growth as subject to limitations, and we agree. But they saw the limitations as residing in nature, and we see them as residing in man."

The world's great problems today, according to Barnett and Morse, are a lack of capital to modernize in the underdeveloped countries, and adjustment of human beings and human institutions in developed countries to the new processes, the new patterns, and the new products which have opened a vast new world of resources to us. We tend to cling to old institutions and old patterns, to resist progress.

There are about $5 billion of reclamation projects in the Federal planning pipeline. Anyone who investigates population growth, the nature of increasing food requirements, and the need for land use adjustment, soon learns that all of these projects which are economically feasible will be needed, and that more and more will be required in years ahead.

Anyone who studies population, present limitations on water supply, and the necessity for new approaches to development and management of water resources, soon realizes that we must adjust our institutions to take full advantage of all the new techniques of efficient management, use and reuse, and of scientific discoveries of every sort which are available to us.

The trend in reclamation legislation is to adjust reclamation programs to total water needs and programs. The trend in water legislation is to adjust institutions and programs to comprehensive, coordinated plans which take advantage of modern techniques and speed scientific progress in the field.

It is a matter of great pride to me, for I count myself a reclamationist, that this fraternity of men and their national reclamation association are still among the pioneers, the leaders with vision, in this all-important resources field, sponsoring and supporting the adjustment or our institutions as is necessary.

This association has a proud record. I think not only in terms of your legislative efforts, but in terms of water conferences, the national water symposium, and other educational efforts with which you have been identified.

NRA's place in history is that of a perpetual pioneer. It has created, guided, and given impetus to the sound and necessary trends in the whole water resources field necessary to keep this Nation strong and growing.

Those of us in Congress who attempt to translate these trends into sound and workable legislative enactments are indebted to you, and grateful to you for both the leadership and the unfailing and effective support you give us.

I cannot close without telling you how thankful we are that Bill Welsh is up and around, and that his recent painful physical experience was no more serious than it was. Bill Welsh's name has been synonymous with resource development, and especially western resources development, all the years of my life. It is completely impossible for me to think of this sturdy frontiersman ailing. He's one of the greatest woodchoppers we've got, and we can't spare him.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MORSE obtained the floor.

Mr. MORSE. Mr. President, without losing my right to the floor, I ask unanimous consent that I may yield to the Senator from Wyoming [Mr. SIMPSON].

The PRESIDING OFFICER. Without objection, it is so ordered.

## TFX AND KORTH'S RESIGNATION

Mr. SIMPSON. Mr. President, I thank the distinguished Senator from Oregon for yielding me a few moments of his valued time.

Mr. President, I am compelled to take the floor to remind my colleagues that this is the last day in office of Navy Secretary Fred Korth.

The Secretary's resignation becomes effective today, and I think it appropriate to comment upon his departure from high public office.

There has been considerable speculation within the last week concerning the abruptness of the resignation. News dispatches seem to have been generally accurate in detail, but have they struck the main issues of the Korth case? I might comment in that regard that it is erroneous to think Korth was felled by a runaway aircraft carrier.

Let us examine, in summary, the actions of Mr. Korth while he served in the Cabinet as Secretary of the Navy.

First of all, Mr. Korth testified to his integrity during his appearance before the Senate Permanent Subcommittee on Investigations, when it was holding hearings on the TFX award.

His statement in the printed record, volume 7, page 1881 of July 28, 1963, says:

> Senator MUNDT, I repeat that I believe that I am a man of integrity. If you find or this committee finds that I am not, certainly you should so recommend to the President, and I will promptly hand in my resignation.

In view of Mr. Korth's modesty, and his invitation to do so, Mr. President, let us examine his integrity to determine whether an abrupt resignation from the Cabinet is sufficient action to clear the record. I doubt that it is sufficient. I believe the extent of Mr. Korth's improprieties far exceed the "indiscretions" that the newspapers have been discussing. The issue goes farther than a question that can be terminated simply by a resignation.

Mr. Korth was a defendant in a fraud action in State and Federal courts in Texas in 1961, shortly before becoming Secretary of the Navy. The suit was settled without going to trial by a judgment against the principals in the insurance company involved. Mr. Korth, one of those principals, was listed in the suit February 16, 1961. It is proper to ask how he was introduced to the persons involved in the case.

Frank Pace, president of General Dynamics Corp., made the introduction that eventually brought Mr. Korth a quarter of a million dollars in stock—stock for which he was required to make no investment whatsoever.

Disturbing as the insurance story may be in its implications, it does not reach the heart of the Fred Korth case. In fact, it apparently failed even to reach the hearing that confirmed Korth's nomination.

What else must be said about the affairs of the recently resigned Secretary? We must strongly condemn, Mr. President, his use of his official stationery to promote his Texas banking interests. Did we not in the case of Harold Talbott see a Secretary of the Air Force compelled to leave his Cabinet post because he used his official stationery to promote his private business interests?

Mr. Korth has plaintively declared that his letters constituted "less than a dozen" instances in which he violated his trust as a top Government official. I submit, Mr. President, that his plea of relative innocence, his only action to clear the record, is not sufficient. "Less than a dozen" is a truly remarkable little phrase. Indeed this administration is something of a factory for the production of remarkable little phrases.

I recall, parenthetically, Mr. Korth's former overlord, Secretary of Defense McNamara, saying that:

> The guerrilla war (in Vietnam) can be substantially won in 2¼ years unless the political situation in Saigon prevents it.

The term "substantially won" might also be classed as a remarkable little phrase.

In any even, "one or more" would have been a little more appropriate to the Korth action. One or more instances would have been enough to violate the administration's own guides to proper and ethical conduct for Federal officials and employees.

We have seen that Mr. Korth did use his official stationery on these occasions to promote the welfare of the Continental National Bank of Fort Worth and his own interests as a man who intended to return to service with that bank once he had disentangled himself from the New Frontier.

The letters he has written and the letters he has received combine with evidence in the hands of the Senate Permanent Investigating Subcommittee to leave no doubt whatsoever that his intention has been to return to his post as president of the Continental National Bank of Fort Worth.

I call attention also to the numerous press dispatches telling of Mr. Korth's courtesy and courtly manners aboard the Navy yacht *Sequoia* as he dutifully bettered himself in the business circles to which he hoped to return by feting important customers of the Fort Worth bank—at the taxpayers' expense.

However, Mr. President, we must get to the heart of the matter of Fred Korth's actions. Let us examine his conflicts of interest, which evidently have not been considered worthy of investigation by the Department of Justice in spite of repeated suggestions from the Congress that such an investigation be initiated.

We must remember that, by his own testimony, Mr. Korth is a man of integrity. By his own testimony, Mr. Korth was one of the men who made the decision to award the TFX contract to the General Dynamics Corp. of Fort Worth, Tex., which by no coincidence happens to be Mr. Korth's hometown and the city where the Continental National Bank does its principal business. It is the city where General Dynamics is one of the bank's valued clients.

Mr. President, I call these facts to attention:

First. The General Dynamics Corp. placed deposits of amounts ranging from $100,000 to $500,000 in interest-free accounts in the Continental National Bank. The bank, of which Mr. Korth was formerly president and to which he intends to return, did in effect have the use of large sums of General Dynamics' money at no interest for long periods of time.

Second. Mr. Korth owned $160,000 worth of stock in the Continental National Bank.

Third. General Dynamics maintained a payroll account ranging from $25,000 to $40,000 in the Continental National Bank.

Fourth. Fred Korth, as president of the Continental National Bank, approved a $400,000 loan agreement to General Dynamics as part of a large loan that was managed by the Chase Manhattan Bank of New York.

It has been stated by the Justice Department that the amount was only "two-tenths of 1 percent of the total available under the agreement." Further, the Justice Department makes the fascinating comment that the "amount involved was less than one-half of 1 percent of the Continental Bank's deposits."

Mr. President, we are not concerned with minute fractions of percentages or insignificant comparisons as the Justice Department apparently wishes us to believe.

I suggest that if a masked man had entered the Continental National Bank, drawn a gun and absconded with no more than $1 of the bank's money—an amount one four-hundred-thousandths of the minuscule percentages the Justice Department has quoted—that man by his action would merit attention by the Justice Department.

I submit further that the percentages of a total as related to an insignificant principal have no bearing on a matter of justice and injustice, propriety or impropriety. We are dealing with title 18, section 434 of the laws of the United States, not disjointed comparisons. Section 434 provides:

> Whoever, being an officer, agent or member of, or directly or indirectly interested in the pecuniary profits or contracts of any corporation, joint-stock company, or association, or of any firm or partnership, or other business entity, is employed or acts as an officer or agent of the United States for the transaction of business with such business entity, shall be fined not more than $2,000 or imprisoned not more than 2 years, or both.

I repeat that we are not dealing with minute fractional percentages or comparisons, Mr. President. We are dealing directly with conflicts of interest by the Secretary of the Navy. We are dealing with a man who, by his own declaration, is the past and future President of Continental National Bank.

Senators will recall that I took the floor July 29 to compare Mr. Korth's action to the Dixon-Yates case. I suggested at that time the Secretary had violated the conflict-of-interest statute by entering into "temptation fraught relationships." I recall again the words of the Supreme Court in the Dixon-Yates case that "The statute"—meaning the conflict-of-interest statute—"is more concerned with what might have happened in a given situation than with what actually happened."

In the case of Fred Korth, Mr. President, we have both qualifying situations—what actually happened and what might have happened.

Continental National Bank's loan to General Dynamics was outstanding in January of 1962 when Fred Korth became Secretary of the Navy, and it was not paid out until April of 1963—months after Mr. Korth had played a major and decisive role in the TFX decisionmaking.

Why did General Dynamics need the loan? It had undergone the largest corporate loss of any business concern in American history.

Why does General Dynamics now seem to have a glowing future? Is it because Mr. Korth participated in the decision that gave General Dynamics a Government contract that promises to total more than $10 billion—the largest contract in our history?

Is there any doubt whatsoever, Mr. President, that Fred Korth was derelict in his duty in not disqualifying himself because of conflict of interest from participation of any kind in the TFX decision? Can there be any question that Mr. Korth's conduct was improper, injudicious, and suspect?

A resignation, hurried though it may have been and given a smokescreen provided by an aircraft carrier—the largest such smokescreen in American naval history—is not sufficient, Mr. President. A thorough investigation by the Department of Justice is not only necessary but long overdue. I importune my colleagues to make similar requests so that the Department of Justice can proceed with such an investigation fully cognizant that it has the backing of the U.S. Senate.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield to the distinguished Senator from Iowa.

Mr. HICKENLOOPER. I congratulate the Senator from Wyoming on a vigorous, clear-cut, and concise pointing up of some of the rather remarkable situations that exist, including the Korth case. It is rather strange that the voices which we heard raised in this Chamber and in other places 3 or 4 years ago on matters of practically no consequence, but exaggerated into great smokescreens, seem not to have been raised for some reason or other in connection with the Korth case, in connection with TFX, and in connection with some other matters.

They have been strangely silent, at least on the other side of the aisle. I congratulate the Senator from Wyoming for calling this situation to our attention. I compliment him on the vigor with which he points out that the defense of integrity in conflicts of interest must be attended to by us. I am glad I had the opportunity to hear this very pointed discussion, which is a followup of others which the Senator has had, and which he has said in his remarks he will pursue at a later date in connection with other subjects. I shall look forward to the results of his investigations.

Mr. SIMPSON. I thank the Senator from Iowa.

Mr. JAVITS. Mr. President, with the permission of the Senator from Oregon, will the Senator from Wyoming yield?

Mr. SIMPSON. I yield.

Mr. JAVITS. I serve on the Permanent Investigations Subcommittee. Fred Korth was a witness before the subcommittee. The questions which the Senator from Wyoming has raised were, to some extent, ventilated. I know the Senator, who has made these charges, to be a man of the utmost fairness, so I am sure he understands that there are always two sides to every story. I am enough of a lawyer to understand that. The Senator is a most distinguished and able colleague.

That having been said, the public should keep its mind open, having heard the charge, to hear the answer. This is only fair, especially since some of these matters have been considered by the Permanent Subcommittee on Investigations of the Committee on Government Operations.

I say to the Senator from Wyoming, out of respect for him, that I shall study with the greatest care the new analysis which the Senator has presented about the circumstances of the resignation. If I believe in all good conscience that it is the right thing to do, I will ask the chairman of the committee, the distinguished Senator from Arkansas [Mr. McCLELLAN], to recall Mr. Korth. Even though he is not now Secretary of the Navy, he is still subject to being recalled before any Senate committee. But as I say that—and I believe it is my duty to say it—I am sure that the Senator from Wyoming will agree with me, much as he is convinced that he is right, that we are dealing with a man's reputation, and there is complete immunity on the floor of the Senate. An important charge has been made, so the public should keep its mind open as to what might be the answer—which we are not aware of—to a very important charge.

I assure the Senator from Wyoming that I shall take his charge seriously and consider it carefully, in view of all the testimony that has been given on the subject already. If, in my honest judgment, I think Mr. Korth ought to be recalled, I will ask the chairman to recall him. The Senator from Wyoming himself could make that request of the Senator from Arkansas without my doing so; but I am stating unilaterally my own point of view.

Mr. SIMPSON. I thank the Senator from New York. I have nothing but admiration for his ability in matters of this kind. I know what a great prosecutor he was. I know he would recognize the truth from conviction. I am grateful for the observation he has made.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield.

Mr. CURTIS. So far as I am concerned as a member of the Committee on Government Operations, I feel that Mr. Korth should return to give further testimony. I also point out that the objective of this investigation is public in nature. It is to ascertain what happened. It is to find out how our procurement system operates. It is to ascertain the facts as to any impropriety or the lack thereof. Its purpose is not to smear individuals or to put them on a pedestal with praise. We shall have to see what the facts are and follow the facts.

To my mind, there are many things about the TFX investigation which remain to be answered. Secretary Zuckert stated in his testimony that high officials in the Department of Defense, at the Secretary's level, had never read the so-called fourth evaluation report when they made their decision. When those officials made their first appearance before the committee, we were led to believe that it was upon the basis of the fourth evaluation report that the decision was made. I think all the Secretaries must be asked whether they would agree with Secretary Zuckert's position.

The mere fact that the bank of which Mr. Korth is an official, and to which I presume he is returning, had business transactions with the company that was successful in getting the contract is a subject which, by its very nature, must be thoroughly inquired into.

The record will also bear out that not only was the TFX contract involved, but other contracts, as well, as to which the award did not go to the lowest bidder, in cases in which the services—both civilian and military experts—had recommended the lower bidder from the standpoint of the quality of product or weapon or machine that was preferred.

I commend the Senator from Wyoming for keeping this issue before the Senate, because many questions remain to be resolved. The Senate should know what the policy of the Department of Defense is—whether it is good or bad—in the operation of the various branches of the armed services, upon which not only we, but the whole free world, as well, depend.

Mr. SIMPSON. I thank the Senator from Nebraska for his comments. I assure him, as I do the Senator from New York [Mr. JAVITS], that it is not easy to go into these matters, to bring the information out, and do the research necessary to make such a statement as I have made. It is not easy, especially when a person's personal life and integrity are involved. But by the same token, this body must look with a jaundiced eye upon any transactions such as have been portrayed.

I digress to say that it has just been revealed on the teletype that Senator McCLELLAN has indicated that Mr. Korth will be recalled.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield.

Mr. MORSE. I wish to accommodate the Senator, but I find myself in a difficult situation. I wish to yield to the senior Senator from Colorado, who desires to move to reconsider a bill. I find myself in an embarrassing situation. It is necessary for me to attend a conference on the education bill at 2 o'clock. I have a 1-hour speech to deliver. I do not want the junior Senator from Colorado [Mr. DOMINICK] to think that I am the least bit impolite, but I shall have to decline to yield longer to continue this discussion.

I have always been opposed to conflicts of interest, no matter whether the individual involved was a Republican or a Democrat. I was a leader in the opposition to Secretary of the Air Force Talbot some years ago, because I thought he was guilty of a conflict of interest. I think Mr. Korth is, also. As to the question raised by the Senator from Wyoming [Mr. SIMPSON] concerning conflict of interest, I agree.

I am glad he made the statement he made about the situation in Vietnam. I shall have more to say about that later in the course of the debate on the foreign aid bill.

If Senators will not be offended, I wonder if they would permit me to yield to the senior Senator from Colorado [Mr. ALLOTT], who desires to make a motion. The motion has been cleared with the leadership. I am glad to oblige him.

Mr. SIMPSON. I am most grateful to the Senator from Oregon for yielding to me. I deeply appreciate his courtesy.

## THOMAS B. BOLLERS AND EARLENE BOLLERS

Mr. ALLOTT. Mr. President, I express appreciation to the distinguished Senator from Oregon for permitting the Senate to take care of this technical matter.

I ask unanimous consent that the Senate reconsider the votes by which the bill (S. 1129) was ordered to be engrossed for a third reading, was read the third time, and passed yesterday.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1129) for the relief of Thomas B. Bollers and Earlene Bollers.

The PRESIDING OFFICER. Without objection, the request of the Senator from Colorado is agreed to.

Mr. ALLOTT. Mr. President, I move that the bill be amended, on line 4, by changing the section number from "2732" to "2733".

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Colorado.

The motion was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1129) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding the time limitation prescribed for filing claims against the United States under section 2733 of title 10, United States Code, the Secretary of the Army is authorized and directed to receive, consider, and act upon any claim filed under such section by Thomas B. Bollers and his wife, Earlene Bollers, if such claim is filed within one year after the date of enactment of this Act, the said Thomas B. and Earlene Bollers having allegedly sustained financial losses as a result of the water supply for their house having been contaminated by the disposition of waste chemicals from the Rocky Mountain Arsenal, Colorado: *Provided,* That nothing in this Act shall constitute an admission of liability on the part of the United States.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MORSE. Mr. President, several days ago I called upon the Secretary of State to make available to me the facts in answer to allegations that were being made, both in this country and by some of our friends abroad, that the withdrawal of U.S. mission personnel in both the Dominican Republic and Honduras was a token withdrawal and not a substantial withdrawal.

This morning I was delivered, by hand, a letter of October 30, 1963, from the Secretary of State. In the letter he sets forth information which he has made available to me and, through me, to the Senate. I ask unanimous consent that the letter of the Secretary of State be printed at this point in the RECORD, together with the reply I sent to him this morning.

Mr. GRUENING. Mr. President, will the Senator from Oregon yield for a question?

Mr. MORSE. I yield.

Mr. GRUENING. Will the Senator from Oregon be kind enough to give us a brief summary of the letter from the Secretary of State, so that we shall not have to wait until today's CONGRESSIONAL RECORD is available to us tomorrow, in order to have the benefit of the letter?

Mr. MORSE. Certainly. The letter is only three pages in length, and I shall read it at this time:

THE SECRETARY OF STATE,
*Washington, October 30, 1963.*

The Honorable WAYNE MORSE,
*U.S. Senate.*

DEAR WAYNE: I very much appreciate having the thoughts set down in your letter of October 23, 1963, regarding the recent coups in the Dominican Republic and Honduras. I share your concern with respect to these developments and by my statement of October 4 intended to convey the view that the military overthrow of any freely elected government guaranteeing fundamental human rights to its citizens is indefensible. This was also the intention of Assistant Secretary Martin in his article for the New York Herald Tribune of October 6, 1963, who made clear, I thought, that the United States does not and cannot condone military coups.

With regard to the withdrawal of U.S. military and economic assistance personnel from the Dominican Republic and Honduras, also covered in my October 4 statement, I can assure you that this is not a pro forma gesture being carried out on a token basis. Both military and AID personnel, with their families, are being withdrawn from both countries as quickly as packing, transportation, and reassignment can be arranged.

We have been advised by the Department of Defense that of the 23 officers and 29 enlisted men in the Dominican Republic, 10 officers (the MAAG Chief, the Chief of the Army, the Navy, the Air Force Sections and two additional officers from each service) and 3 enlisted men (a total of 13) were scheduled to have departed by tomorrow. Similarly, the Department of Defense advises that of the 9 officers and 13 enlisted men in Honduras, the Chiefs of the Army and Air Force Missions and an Army officer have already departed. By November 15 only skeleton staffs will remain for the protection, maintenance, and accounting of U.S. property, pursuant to responsibilities under the Foreign Assistance Act.

Of the AID complement of 27 at post in the Dominican Republic, reassignment orders have been issued for 22, and of these, 13 have already departed with their families and personal effects. Eight more will leave by next Wednesday, November 6. With respect to Honduras, 22 of the total complement of 35 AID personnel have departed. By November 15 only four will be left in Honduras and only five in the Dominican Republic.

With respect to the substantive policy questions presented by a military usurpation of power, I believe that we must utilize every instrumentality compatible with the objective of obtaining, as soon as possible, a reaffirmation of the public will through elections and a guarantee of basic rights and liberties. However, every action we take and every instrumentality we utilize to that end must be carefully chosen on the basis of an assessment of their prospects for achieving the results we seek. In making this choice we must have maximum flexibility, including the opportunity to engage in the very delicate consultations that may be required to realize our goals.

I believe, of course, that all countries in this hemisphere have a common interest in this problem and that they should share responsibility for developing a joint approach toward its solution. We are carefully consulting with all Organization of American States members to that end. As you may know, there is a move on foot to call a foreign ministers meeting in order to consider military coups. In addition, the problem of isolating dictatorial regimes is a subject on the agenda of the 11th Inter-American Conference now scheduled to be held at Quito next March. We are supporting all reasonable efforts that might lead to an effective multilateral approach to this issue which concerns every country in the hemisphere.

After offering the above outline of our policy toward military coups in Latin America and how we are seeking to implement it, I should like to take this opportunity to say that Mr. Martin continues to hold my complete confidence. He is an exceptionally fine public servant and is doing an outstanding job in what, I know you will agree, is a difficult area of our foreign relations.

With warm regards,
Sincerely,

DEAN RUSK.

I replied to that letter by thanking the Secretary of State for the information, and by saying that I did not seek to raise any question about the qualifications of Mr. Martin, but had questions only about his judgment.

Mr. President, I ask unanimous consent to have my reply printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OCTOBER 31, 1963.

The Honorable DEAN RUSK,
*Secretary of State,*
*Department of State,*
*Washington, D.C.*

DEAR MR. SECRETARY: I have just received your letter of October 30, 1963, which was delivered to me by hand this morning.

I deeply appreciate receiving the information contained in it. After reading it, I called Mr. Fred Dutton, Assistant Secretary of State for Congressional Affairs, and asked him if it would be within the proprieties for me to make available to the Senate the information contained in the letter. I told him that in view of the fact that I had been concerned about whether or not the withdrawal of American mission personnel in the Dominican Republic and Honduras was only a token withdrawal, it was only fair to you to put the facts contained in your letter into the CONGRESSIONAL RECORD. He assured me that it would be very proper for me to do so.

I wish to assure you that my criticisms of Assistant Secretary Martin do not reflect upon his qualifications but only upon what I consider to be his mistake in judgment in writing the New York Herald Tribune article of October 6, 1963. I think the wording of the article has justified the critical interpretation of it that has been made by many of us in the Senate and by many of the friends of the United States throughout Latin America.

With best wishes, always.
Sincerely,

WAYNE MORSE.

Mr. GRUENING. Mr. President, will the Senator from Oregon yield for another question?

Mr. MORSE. I yield.

Mr. GRUENING. I wonder if the Senator from Oregon noted an interesting item in a special dispatch printed this morning in the New York Times, as follows:

LEADERS BAR POLICY SHIFT

SANTO DOMINGO, DOMINICAN REPUBLIC, October 29.—The provisional Government of the Dominican Republic, operating under growing pressures of extreme rightwing civilian and military factions, has decided not to make political concessions as a price for recognition by the United States.

The article also states that they will not do even what they promised to do—namely, hold an election—and that they say they do not need our aid and will get along without it. I think that is a very important fact.

Mr. MORSE. They should be invited to try that course.

Mr. GRUENING. By all means.

Has the Senator from Oregon also noted that the Government of Britain has recognized the junta?

**Mr. MORSE.** Yes; and I would expect that from the Conservative Government of Britain.

**Mr. GRUENING.** Is not that rather a retaliation for our refusal to recognize the overthrow of the Government of Yemen? I wonder whether there is some connection between those two actions.

**Mr. MORSE.** There might be; who knows what the cause-and-effect relationship might be in connection with anything Great Britain does? But that would be quite in line with Britain's historic support of juntas.

**Mr. GRUENING.** I thank the Senator from Oregon.

**Mr. MORSE.** Mr. President, as I have already stated, at 2 o'clock I shall have to attend a meeting of the conference committee. At that time, other Senators will speak here, after I yield the floor.

Therefore, I prefer not to yield in the course of my speech, inasmuch as it is for the purpose of providing the RECORD with information, and also for the purpose of providing the American people with further information in regard to why the pending bill either should, in the public interest, be drastically modified or should be defeated here on the floor of the Senate.

Mr. President, I wish to address myself to some of the arguments being advanced in support of the pending bill. It is evident that a heavy burden of proof lies with its supporters.

It is a heavy burden of proof to sustain. If it were possible to point to an upsurge in the successes of the aid program, or if it were possible to point to trouble spots necessitating a huge outlay of American money, justification for a higher level of aid might be self-evident. But the self-evident, prima facie case lies against adding $700 million to the House version of the bill, not in support of such an addition.

So we are hearing a series of arguments which shift the basis for foreign aid. It is now being said that foreign aid is good for the American economy. The difficulty in making out a case that it is good for American foreign policy is tending to force its advocates into a new line of argument. So we are told that 80 percent of our aid dollars are spent in the United States, and that they provide jobs, according to one estimate, numbered at around 700,000.

This is advocacy of a makework program. But its products do not go into the enlargement of the American economy or the comfort of the American people. They go to others.

And when this argument is made, it must be remembered that about one-third of the funds under discussion are for military hardware. If we are starting now with the continuation of a munitions program because of the jobs it provides to Americans, then one can only imagine what outcries will go up whenever it becomes possible to reduce our defense budget.

In my opinion, the argument that foreign aid is good because it keeps American factories operating is the most insidious argument being made today in support of the program. I call it an argument of bribery.

A close relative of the "foreign aid is good for the U.S. economy" argument is the point now being heard frequently that because we send goods instead of money out of the country, the program has no bearing on our balance-of-payments problem.

But the fact remains that we send these goods overseas without their being paid for by people overseas. Some defenders of the program are loosely referring to goods sent abroad under foreign aid as "exports." But they are not exports, and I think there is a considerable element of misrepresentation in calling them that. They are goods paid for by the American people, for which we get no payment and do not expect any for periods up to 40 years.

When we do not ask for or receive payment for our goods, dollar reserves from trade, investment, tourism, and American military spending are built up that otherwise might be used to buy some goods from us.

No one will ever buy what is being given away. Hence, dollars can be used for other purposes, including the purchase of our own gold. Our civilian commercial activities alone are not responsible for our balance-of-payments plight. It is the additional outlay for our worldwide Military Establishment and the furnishing of goods on a "pay later, if ever" basis called foreign aid that is putting us in the hole.

The fact also remains that when we send goods abroad instead of dollars, we are still sending resources abroad. We are building schools, factories, harbors, and industrial plants abroad that need to be built in the United States. Many of them are now in competition with us. We need schools, factories, harbors, and industrial plants built anew here in the United States.

Shortly I shall leave the floor of the Senate to go into a conference to deal with proposed legislation that bears upon the great educational crisis in the United States. Mr. President, we need schools. We had better take a long, hard look at the giveaway program involved in the foreign aid program in our country. We ought to prevent some of that expenditure for benefits abroad and start paying attention to the needs of America's boys and girls in the schools of our country, for their brainpower happens to be our greatest defense weapon.

I cannot accept the argument that the expenditures that we anticipate in connection with the foreign aid program do not have any bearing upon our balance-of-payments problem. They have a direct bearing. The time has come to call a halt in this wasteful program, which tends to weaken the greatest defense weapon that we have namely, the potential brainpower of our country. We are being told that because of the expenditures we are making for foreign policy reasons, we cannot have an adequate school bill such as we ought to have. In my judgment it is a program also that is weakening the economy of our country. When the economy of our country is weakened, our country's freedom is jeopardized.

We know that much of our industrial plan is out of date, compared with our competitors in Europe and Japan that we financed to put back on their feet. As foreign aid progresses into programs for the underdeveloped nations, we will be constructing and sending abroad a continuous supply of capital goods badly needed here at home.

The "make work" argument falls to the ground when one keeps in mind that the goods being produced are very often capital goods that would have great value to the American people if kept at home, and which have great competitive value for the countries receiving them.

### THE COMMUNIST TAKEOVER SCARE

Over the years, an increasing emphasis has been placed upon the sending of a large proportion of our aid to countries around the fringe of the Communist bloc. But as the years go by, I am increasingly skeptical of the conception that it is our aid that is keeping them from falling behind the Iron Curtain. I am skeptical because I think the first and foremost deterrent to Communist aggression against one of these neighbors is the military power of the United States itself, not the military equipment we send to others. It is first and foremost the nuclear arsenal of the United States that holds back both the Soviet Union and Communist China from aggressive adventures.

Second, we largely duplicate the help we give others to defend themselves by sending American military forces to the parts of the world that we consider so vital to our interests that we cannot entrust them to others. Despite all the claims made about how much the Marshall plan has restored Europe, how much better she is able to defend herself, how many goods she is able to buy from us, and in general what a success foreign aid has been in Europe—in spite of all that, the United States still has some 400,000 troops stationed in Europe.

Yesterday on the floor of the Senate I referred to certain discussions which I had with members of the Armed Services Committee whose judgment in connection with the military policies of our country is not questioned here in the Senate. We know the great record that those men have made. Do Senators know what they told me? They said, "Do not buy the argument that we must keep those boys over there in such numbers. In round numbers, there are six divisions of American boys in Germany. We do not need two divisions. Germany knows that two divisions are not needed. Germany knows that she will be protected by the nuclear power of the United States."

Yet the Secretary of State went to Germany and, on behalf of the United States, gave assurances that we would not bring those divisions home. He had no right to do so. He had no authority to do so.

The time has come for the American people to make it clear to this administration that the people have the right to check how many boys will be kept in Europe. Before the debate is over, Senators will have an opportunity to vote on whether or not they wish to keep six divisions in Germany. I shall do my best to give them that opportunity, because I am sure they will be eager to vote in a yea-and-nay vote on the issue. Then I shall do my best to see to it that the yea-and-nay vote is known in the precincts of America from coast to coast, because the waste of money through the maintenance of American troops in Europe who are not needed there must stop.

As the members of the Armed Services Committee who consulted with me on this subject said:

> There is another myth, WAYNE, that needs to be burst in the debate. A great propaganda job has been done by the proponents of West Germany in the United States. Most people think that West Germany has lived up to her commitments. But West Germany has never, up to this day, lived up to her commitments in regard to supplying the troops she is supposed to supply. She has done better than some other countries, but not well enough. They are more cooperative than France, Great Britain, and Canada.

I have been heard to say before, but it needs to be driven home time and time again, that the United States has more American boys in uniform in Europe than France, Great Britain, and Canada combined. It should stop.

Before the debate on the bill is over, Senators will have an opportunity to stand up and be counted in regard to how much more American taxpayer money they wish to vote to give support to a NATO structure that ought to be thoroughly overhauled before we vote another dollar to NATO.

The time has come to stop pouring into a bottomless pit the resources of the American taxpayers and calling it foreign aid.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Does the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. YOUNG of North Dakota. I commend the Senator from Oregon for his courage in standing up and fighting for what he believes to be right. The time is long overdue when we should withdraw some of our troops from Europe. We are living in a modern day with more modern warfare requirements. The countries of Europe can better afford to maintain their troops over there than we can to maintain our own. As the Senator has well pointed out, we have more troops in Western Europe than have most of the countries of Western Europe. We have kept all of our commitments, and they have not. Moreover, they have reached the point where they no longer even appreciate our help.

Mr. MORSE. Not only that, but we are constantly confronted with an audacious anti-American program and attitude on the part of our so-called NATO allies.

In the language of today, Mr. President, "I have had it."

I advise the administration that it will soon wake up to the fact that the American people "have had it," too.

I have been pleading, as a member of the administration, for a procedure in the course of this debate to reconcile some of the major differences which have developed over the bill.

I hear, over the Senate "grapevine," that the present attitude within the Senate is not to send the bill back to the committee for some executive conferences in respect to it.

I say to the leaders of the Senate, "Be perfectly sure you have checked downtown, to determine whether there would be objections downtown to sending the bill back to committee for consultations behind the executive doors of the committee."

I speak for myself, and for no one else, but in my opinion in recent days the administration has learned that it is in serious trouble with American public opinion on foreign aid. It had better right itself with American public opinion on foreign aid. If it is to do so, it will not look askance at the major proposals some of us are making as to the rewriting of the bill.

The bill should be rewritten in an executive session of the committee, not in the Senate. But it will be rewritten in the Senate if the administration and the leadership of the Senate do not wish to have it rewritten in the committee room.

In respect to the so-called Communist takeover scare, which is always blown up out of proportion every time a foreign aid bill is before the Senate, I have become increasingly skeptical about the conception that it is our aid which is keeping countries from falling behind the Iron Curtain. We are maintaining 400,000 troops on the fringes of communism in Europe. We do not need to maintain that many there.

Perhaps, as the advocates of this bill are saying, it is cheaper to put one Turk or South Korean in the field than one American. But the thing which is wrong with that argument is that we put them both in the field. The South Korean Army of 600,000 costs us an average of around $330 million a year; but would anyone suggest that it defends South Korea? We have 50,000 troops there of our own to defend South Korea. The large army of Chinese that we maintain on Taiwan at a cost in economic and military aid of around $160 million a year does not defend the island from invasion by Red China. What does? The U.S. 7th Fleet does.

Mr. President, we provide one of the greatest full employment programs imaginable for Formosa. We are providing full employment for more generals at high pay in the Chiang Kai-shek military forces than there are in all the American defense system. There are more generals in Chiang Kai-shek's army—with salaries paid largely by the American taxpayers—than there are in the entire Military Establishment of the United States.

Some people thought I was a bit unkind the other day when I stated that the American taxpayers are being "rooked." Some thought that was an ugly word. I repeat it. They are being "rooked." I add today, they are being fleeced by a foreign aid program that the administration has a clear duty to revise.

I was criticized the other day because in my speech last Monday I said to the American people, "Watch that rollcall. I do not care whether those who vote are Republicans or Democrats; if they are not willing to vote to stop this waste beat them the next time you walk into the American citadel of freedom, the voting booth. They must be retired from the Congress of the United States."

If my administration does not like that language, that is too bad. I have never put partisanship above what I consider to be truth and principle during my 19 years in the Senate, and I do not intend to start doing so for the Kennedy administration.

Let this administration keep it in mind that the groundwork is being laid in the debate for a historic campaign in 1964. This administration will have to take its final position on the bill to the American voters in 1964. In my judgment, if it does not change its position, it will not be able to justify its position in that campaign.

Democrats running for election in that campaign will come to understand the truth of the statement I have made. The Republicans should not take false satisfaction from it, because the voters will be looking at the Republican voting records, too. On this program the American people will be nonpartisan, because they know that the program involves basic security issues for this Republic.

When security issues for this Republic are raised, the American people are not concerned with partisan considerations.

I have tried for 5 years to change the trend of American foreign aid. For 5 years I have offered amendments in the committee and in debates. Until last year I took the legislative strategic position that perhaps the best policy was to do the best I could, to obtain as many improvements as I could, and then to vote for the bill. Last year I did not do so. I said, "I am completely fed up now. If we cannot get a bill sufficiently reformed to meet the major objections I think ought to be met, I shall vote against the bill."

Colleagues of mine on the Republican side of the aisle, as well as colleagues on the Democratic side of the aisle, pleaded with me not to follow that course of action, because I was running for reelection. They did not believe it was politically wise for me to do so. They said it might cost me some votes. Some had difficulty in believing that I meant it when I said it was not important that I remain in the Senate but it was important that while I serve I vote in accordance with what I believe is right.

So I did not support the authorization conference report or the appropriation bill last year, and I took the issue to the people in my State in my campaign. Although I was charged with being some kind of neoisolationist, the people did not agree, as evidenced by the fact that I increased the percentage of my victory over that in 1956.

There is an old-fashioned notion that is almost obsolete in Washington these days; namely, that the constitutional fathers meant it when they established a system of representative government, that this is a system of representative government, and that the elected officials have the responsibility of representing the will of the people.

I believe that a Senator cannot represent the will of the people and vote for the bill. But, one may say, there are many facts concerning this matter that the people do not know about. That is true and we in Congress and the executive branch of Government must assume a major responsibility for that, because we do not tell them.

I see the Senator from Alaska [Mr. GRUENING] nodding his head.

The reason why we do not tell them is that we cannot tell them. The reason why we cannot tell them is that so much of the information is marked "top secret." Most of it should not be. At least 85 percent of it should not be.

The American people are being denied their rights. It is not new under this administration. A similar situation existed for 8 years under a Republican administration. But it is growing year by year, and the American people are being led down the road of government by secrecy faster than they know.

Section after section of the bill involves information that we cannot tell to the American people on the floor of the Senate in public debate. That violates the precious American right under our system of government that in a democracy there can be no substitute for full public disclosure to the people.

It is about time for the veil of secrecy to be lifted. I said "veil." It is one of the most dangerous Iron Curtains existing in the world. It is the same kind of Iron Curtain that Russia maintains against full disclosure to the Russian people. I hope, in the not too distant future, that we shall be able to obtain some legislative implementation in the Congress of the United States that will give the American people the protection to which they are entitled—legislation that will tear down the Iron Curtain, and once again open the minds of the American people to the facts, so that they can analyze them and judge for themselves what American foreign policy should be—without having to take what is handed to them by the grace of some administration.

The Frankenstein's monster that we created in South Vietnam and maintain at a cost of $1 million a day in a country of 14.5 million people is not protecting Vietnam from the Vietcong.

We still must send at least 12,000 Americans to do it. Since I dictated this speech, I have learned that the figure should be higher than set down in the speech. It may be as high as 15,000.

The Senator from Wyoming had some pertinent comments on this matter earlier today.

I was against going into South Vietnam. I am against staying in there, for many reasons—not only for the reason that we are supporting one of the most vicious tyrants in the world, but also because the best chance of establishing a non-Communist regime in South Vietnam is to cease supporting a dictatorial tyranny in South Vietnam, and let many of the anti-Communist leaders of South Vietnam now in exile—driven into exile by Diem—come back to South Vietnam and establish a free government there. They will take care of the Communist threat.

I would be willing, under such circumstances, to give economic aid and some military aid to them, but I would not be willing to send American boys to South Vietnam to die.

I wonder what this administration thinks will be the situation in this country if the casualty lists in South Vietnam reach 500, with no support from New Zealand, Australia, Canada, Great Britain, France, and the rest of our alleged allies, or from the SEATO countries. I would once again raise a warning flag to this administration. If the casualty lists reach anywhere near 500, get ready for a public repudiation, for, in my judgment, the American people are not ready or willing to have American boys killed in South Vietnam in the name of an anti-Communist drive, when the fact is that we are supporting tyranny in South Vietnam.

In case these forces in Asian trouble spots are not enough, we also keep around 100,000 men in nearby Japan, Okinawa, and the Philippines for use where they may be needed. In each of these countries, and elsewhere on the Communist perimeter, if real aggression develops, it will be the might of Uncle Sam that will defend them. The aid we send to maintain their bloated military establishments is largely wasted.

A third reason why I think we delude ourselves when we attribute to foreign aid the power to keep the Communist menace at bay is the fallacy of believing that any one of these peripheral countries will put American interests ahead of their own. Because they take our money does not mean they have our interests at heart. They have their own interests at heart, and only sometimes are they the same as ours.

Because the Nhu-Diem regime in Vietnam takes our money does not mean it will advance or protect American interests. Like Chiang Kai-shek, like Syngman Rhee in Korea and his successors, the Nhu-Diem government is mainly interested in consolidating its own power. A Communist threat is a good reason for them to get American aid, especially military aid. But they will use it against anyone who threatens their power. So the ill will they create among their own people rubs off on Uncle Sam as well. This is one of the evils of our military aid program almost everywhere in the world, and it still does not enable the recipient to turn back a real Communist threat.

### TAIWAN

I have already alluded in greater detail to the situation we created in Taiwan that is going to fly back in our faces one of these days. Chiang Kai-shek has ruled Taiwan under martial law ever since he arrived there. The people of the island were, in most respects, better off before he came than for many years after he arrived. It has taken an American subsidy in the magnitude of between $4 and $5 billion to bring the level of the Taiwanese people back to what it was before Chiang was ensconced there.

Taiwan is usually pointed out as a shining example of what can be done with foreign aid. But when, Mr. President, you start with a highly literate population, and a people already experienced in light industry, and then pour in American dollars at the rate of $11.60 per person per year for 16 years, you are bound to get results. That is the per capita rate only for economic aid. Considering the whole $4.3 billion we have sent to Taiwan, we have spent money there at the annual rate of $24.80 per person for 16 years.

Yet when Chiang Kai-shek, who is now a very elderly man, departs from the scene, I think the American people are going to find they have created another South Vietnam on Taiwan. The people of Taiwan live under what is to them a foreign ruler, a foreign ruler imposed and maintained with American money. Someday we may reap a bitter harvest from that investment, and all the money we have sent will only be in addition to the real protection of the island against Communist aggression—the U.S. 7th Fleet and the other nearby American military forces.

### PAKISTAN AND INDIA

A somewhat similar situation exists in Pakistan. Pakistan has received military aid alone from us in what has been called a saturation program. Military aid in years past to Pakistan is still classified, for some reason that has never been explained to me. But its economic aid has totaled around $2 billion.

All this aid was sent to Pakistan on the assumption that she was anti-Communist. As a member of SEATO and CENTO she received aid under both alliances. But when Pakistan found a chance to advance her national interests against India, we found she was anti-Russian Communist but not anti-Chinese Communist. Pakistan has opened the Asian door to Red China, and her ministers brag of her friendship with the Communist regime.

I am perfectly willing that Pakistan should, if she chooses, base her foreign policy upon fear of and animosity toward India. That is her sovereign right. But I cannot see a single basis left for any military aid to Pakistan; nor can I see any basis for much of the economic aid we are continuing to send on the assumption we now know to be false—that Pakistan is a bulwark against communism. She is a bulwark against India, but I question that that is worth to the United States the level of aid we are extending to Pakistan. One of the amendments I have introduced would reduce the projected aid to both Pakistan and India to 75 percent of the economic aid planned for them, and to 50 percent of the military aid planned for them. I do not know of any other way to protect the interests of the United States in that part of the world.

In my opinion, the United States will make a serious mistake in southeast Asia if we continue building India up against Pakistan and vice versa. Under the country-by-country presentation figures for fiscal 1964, it can be seen that we contemplate extending to India a new and large military aid program. Once we do that we are committing to the defense of India whatever American forces it may take to protect her. I have no idea where such a policy will lead, and I do not believe our policymakers in AID, the State Department, and the Defense Department know, either.

They only know that whenever anyone anywhere in the world says the magic words: "anti-Communist," the coffers open and the money pours out. Once the flow has started, the recipient does not even have to go on being anti-Communist—the money will keep coming, anyway.

### INDONESIA

When the bill was presented to Congress, it appeared that we were embarking on the same venture on behalf of Indonesia. That country was added to the list for both military aid and for the supporting assistance which is an economic grant to support military forces. Questions of how the military forces of Indonesia might be used would no more occur to our aid administrators than they occurred to them in the case of Pakistan and India.

Thanks to the embarrassing revelations in the House Appropriations Subcommittee that Indonesia was buying expensive jet airliners at the same time she was pleading poverty to our aid administrators, and thanks to Indonesia's aggressive policies toward Malaysia, there is some reason to hope that economic and military aid to Indonesia will be sharply reduced by the administration.

But experience is a good teacher; and it has been my experience after 15 to 16 years of watching the foreign aid program that once the authorization and appropriation bills are adopted, the administrators of it consider the "heat" to be off. We can then expect aid to Indonesia to resume, unless we do something about it in this bill.

### TURKEY

Still another, and if possible, worse, example of useless aid to nations on the periphery of the Communist bloc has been our aid program to Turkey. I talked about Turkey in the Senate earlier this year, and invited the Agency for International Development to submit a comment upon the criticisms I made. It did so in a memorandum which I now ask unanimous consent to have printed in the CONGRESSIONAL RECORD.

(See exhibit 1.)

Mr. MORSE. The statements attributed to me are, of course, those allegations about the waste of foreign aid reported to me and to all Members of the Senate by Prof. Alex Dragnich of Vanderbilt University, who spent some time in Turkey as a visiting professor of political science.

In a moment I will take up some of the specific problems in Turkey. But I start by pointing out that U.S. aid to Turkey is one of the longest and biggest of all our foreign aid programs. It began in 1947; it was supposed to be a 15-month program. In the 16 years since it began, we have poured over $4 billion into Turkey. She is getting vastly more aid now than in 1947—over $300 million a year and over half of it in outright grants. That is giveaway money. Next year, Turkey will continue to receive development grants and supporting assistance, plus grant military aid and development loan aid.

The question is, What progress has been made and what good has been done? The damning evidence against the U.S. aid program in Turkey was published this spring in a report on Turkey by the Organization for Economic Cooperation and Development. It begins:

> During much of the 1950's Turkey suffered heavily from inflation and from economic policies which ill served the country's basic economic problems. Despite a very rapid increase in population, the real gross national product increased more slowly in Turkey than in the rest of Europe; the standard of living showed virtually no improvement between 1953 and 1961. And such limited growth as did take place was only achieved by extending the area under cultivation beyond economic limits and by piling up foreign debts which today constitute a heavy burden. Too much of the investment carried out during this period was misdirected; and the policies concerning pricing, production, credit, foreign trade, and the exchange rate gravely distorted the cost and price system.

Although the OECD is too polite to say so, they are talking about the United States as much as about Turkey. The economic policies which ill served Turkey's needs were made possible, aided, and abetted by American aid; the investment that was misdirected was largely financed by American aid. It was a miserable and shameful waste of American money, and those responsible for it are the administrators of the program and the Congress, which failed to exercise the necessary supervision and controls over it.

There is not even a good explanation of what American foreign policy interest was advanced by such waste. Turkey is in no danger of Communist subversion. There is probably not another people in the world who are more immune to Russian and Communist doctrines than are the people of Turkey. In all the years of this U.S. aid program, there has never been the slightest basis for fear of a Communist takeover in Turkey, whether any American aid was sent or not.

In 1947, there appeared to be a threat of external Soviet aggression. That was the basis of the Truman doctrine in Turkey. But by 1950, the North Atlantic Treaty Organization was in effect, and throughout the 1950's Turkey was protected from Russian military aggression by the United States. Then, as now, any movement against Turkey by Russia will be met with American military forces.

We even have the military forces in Turkey. We station many thousands of American troops in Turkey. By sending aid to the Turkish armed forces, we do not replace Americans in the field. We finance much of the Turkish Army and we also finance a large American force in Turkey.

Turkey itself is not so much an ally of the United States as it is on our payroll. Both the United States and Turkey would be better served if she were taken off the payroll.

As is customary, aid officials who cannot deny the accuracy of the OECD report, and who have attempted to answer the charges leveled against our Turkish aid program, merely insist that even if all this is true, we must keep on sending the same amount of aid in order to correct all the problems created from 16 years of misguided aid. Only now, we are told, the OECD report is available as a guide, and Turkey has shown signs of seeking to carry out some of its major recommendations. But we are solemnly assured that the economic plans for Turkey can only be achieved if the United States continues to pour in the money.

I frankly am no longer interested in that kind of rationale for American foreign aid. There simply is not the evidence to support the need for it. There is no threat of internal communism and no threat of external aggression. There is little evidence that any other member of the NATO alliance considers Turkey important enough—with the exception of Germany—to contribute in any substantial degree to her economy. Even after the OECD survey, it is expected that at least 65 percent of all aid received by Turkey from other countries will have to come from the United States. And that is a new low.

After reading the AID memorandum, outlining all the progress it claims for Turkey, one can only ask why it is necessary, then, to continue American aid at the same high levels and with the same high proportion of grants as made this mess in the first place. But we know there will always be a reason offered why aid must flow.

To consider some of the specific items I covered earlier and to which the AID memo is directed, however, I note that AID does not deny that our AID administrators in Turkey have admitted that of all the projects there, only 10 percent are the result of initiative coming from the Turks. When the AID Director in Turkey spoke on our program there to the group of Fulbright scholars, of which Professor Dragnich was a member, he indicated that only 10 percent of our aid projects were initiated by the Turks. Professor Dragnich and others have also told me of the large chart hanging in the office of the American aid mission, which outlines U.S. aid objectives for Turkey extending into 1972.

Think of it—1972. We already have plans for Turkey requiring U.S. money that extend a decade into the future. Let us call a halt. Let us stop it now. At least, as one of my amendments will provide, let us cut back the amount. Let us ask our NATO allies: "Why do you not contribute something to Turkey?" Of one thing I am convinced: We cannot justify to the American taxpayers our continuance of such assistance.

What AID calls "specific Turkish requests" are undoubtedly reviewed; but the point Professor Dragnich brought back from his stay in Turkey was that the initiative for most projects comes from the Americans.

Moreover, evidence of our force-feeding of Turkey is indicated by a report from the General Accounting Office on the audit of the Development Loan Fund for fiscal 1959. Its report states:

> During fiscal year 1959, DLF also made advance commitments to the Philippines and

> Turkey in the respective amounts of $50 and $37.5 million. These commitments, which were approved by the Board of Directors, set aside loan funds subject to the submission of loan applications by the borrowing countries and their approval by DLF at June 30, 1959, balances of $17.25 million for the Philippines and of $6.2 million for Turkey remained outstanding for which loan proposals had not been approved. These balances were considered earmarked and were not available for loans to other prospective borrowers.

That was the practice; the money was kept in the bank for Turkey until a loan application could be prepared. The GAO report notes that the Department of State had already instructed our diplomatic missions against establishing annual country aid levels or making commitments of DLF funds in advance of approval of specific projects or programs because where aid cannot be provided without violating this principle of DLF operations, recourse can be had to other instruments of American aid.

This problem of advance earmarking of loan funds for specific countries was abandoned the following year, when Congress tightened the law. But this practice strongly suggests that loan applications in Turkey were prepared to use up money already earmarked. Moreover, the projecting of American aid objectives for Turkey up to a decade in advance—and they now extend into 1972—suggests that these are American projects and the American initiatives that our Turkish aid director had in mind when he told Professor Dragnich's group that 90 percent of the projects there came from American initiative.

As for the inefficiency of State-owned enterprises, the evidence on that is so abundant that AID does not attempt to refute it. It may come as some surprise to Members of Congress who are loud in opposing U.S. financing of government industries in countries like India to find that we have been financing government industries in Turkey for 16 years. AID agrees that "many of these enterprises are inefficient." Experts in Turkish affairs tell me that they doubt whether any of these enterprises showed a profit last year.

A somewhat older document on this subject was prepared by a U.S. expert on investment laws, Norman Littell, in 1961. Mr. Littell was engaged to draft possible amendments to the Turkish foreign investment encouragement law in the hope of rendering more attractive the investment incentives in Turkey to encourage private enterprise and capital from abroad.

I have known Mr. Norman Littell for many years. I knew him when he was an Assistant Attorney General in the Department of Justice. I have consulted with him many times concerning some of our foreign economic problems. I knew of his expertness based upon experience with Turkish problems. So I asked for consultations with Mr. Littell. In those consultations, I was thoroughly briefed concerning the situation in Turkey.

The next portion of my speech will set forth some of the conclusions I reached after this great expert and keen lawyer gave me the benefit of his knowledge, based upon his experiences in Turkey.

Mr. President, when I began my speech, I said it would be necessary for me to leave the Senate to go to a conference session with the House on the education bill. As the RECORD will show, I yielded to some of my colleagues so that they could dispose of certain matters before I began.

I shall yield the floor at this time, but I should like to yield it with the understanding that later today I may resume my speech at this point and that the entire speech will be printed in the CONGRESSIONAL RECORD in continuity, rather than be broken up by intervening pages. I ask unanimous consent that that privilege may be granted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Alaska.

Mr. GRUENING. I have listened with close attention to the analysis made by the distinguished senior Senator from Oregon of some of our foreign aid ventures. I find myself in complete agreement with his statements concerning those ventures with which I have personal familiarity.

I was in Turkey last fall as a member of a subcommittee authorized by the Committee on Government Operations. Although there were excellent reasons for support of the Turks, I found there, nevertheless, a long history of waste and misuse of funds. I recommended that some of the ideas the Senator from Oregon has expressed be carried out.

On Tuesday of this week I pointed out, in the course of a speech in the Senate, how the foreign aid program could be made more effective by eliminating the inclusion of certain countries which obviously are disqualified from receiving our aid funds, because they come in one or more of several categories. Among them are countries which are waging aggressive war and are using the funds we provide—which we provide for the purpose of uplifting their peoples—to purchase armaments with which to make war on their neighbors.

Other countries clearly are not taking adequate steps to avoid wasting the moneys we provide.

Other countries have clearly become stable, and no longer need our aid although clearly deserving of it hitherto. They include Greece, Lebanon, and Israel, all clearly very deserving. But they have been made self-supporting and therefore our aid has properly been withdrawn.

Does not the Senator from Oregon think that Taiwan falls in that category? We have invested approximately $3 billion in Taiwan; and our funds have been used there for almost every type of project, including military, social, economic, and financial projects. Does not the Senator from Oregon believe the time has come when we should stop such extravagant spending of our funds, and should let Taiwan, on the basis of the economy which American dollars have rebuilt, proceed on its own for a while?

Mr. MORSE. I completely agree with the Senator from Alaska; and during the debate I shall offer an amendment to that effect, so as materially to cut back our aid to Taiwan.

Mr. GRUENING. I also think the remarks of the Senator about Pakistan and India are most appropriate. We went to the aid of Pakistan because we considered her a country most deserving of receiving our aid because Pakistan was inclined toward the freedom of the West and anti-Communist. But now we find Pakistan developing close relationships with the Red Chinese; and I think it is time to revise our aid accordingly.

Mr. MORSE. I agree with the Senator from Alaska.

Subsequently, Mr. MORSE resumed and concluded his speech, as follows:

Mr. MORSE. Mr. President, in the preface to his recommendations, Mr. Littell pointed out that the history of Turkish confiscation of foreign enterprises and the long period during which these enterprises have been run by the state has been the chief trouble with the Turkish economy.

He says in part:

> The Kemal Ataturk revolution broke the grip of foreign concessions and monopolies in Turkey through what might be called one of the most legitimate historic uses of the power of nationalization which recent history affords. Compensation was paid for what was taken, but this is relatively unimportant compared to the fact that Kemal Ataturk recognized before his death that the trend had to be reversed, that government could not run industry, and that private enterprise, initiative, and capital were essential to an effective and efficient operation. He sought to reverse the program of nationalization by inviting private enterprise to take over national industries. Research in Turkish sources is in progress as to this policy, but at this time only the Sumerbank Act of 1933 (Public Law No. 2262) is available, inviting private capital to take over state-operated industries. Negotiations with private interests took place but fell apart over the question of valuation.
>
> Even if the 1933 Sumerbank Act is still in effect as far as the invitation to private capital is concerned, it is a futile invitation, for the machinery is now obsolete throughout most of the plants. Some of it, even now working three shifts, at the Sumerbank Bakirkoy plant has been there since 1934 and is not only obsolete but badly worn. It cannot possibly produce what modernized efficient machinery can and does produce in greater quantity and finer quality, at the privately owned Bozkurt operation at Zeytinburnu.
>
> Having failed to carry out what Kemal Ataturk perceived to be the solution (namely, private management and operations) following his death in 1938, the state enterprises continued and became even more deeply imbedded in the economic and political concepts of the people in Turkey. They bear the inevitable marks of politically run organizations in which it is difficult to determine whether they are run for a profit or run for social security purposes to keep people employed. For example, only during the regime of authority since the revolution of May 27, 1960, has it been possible to discharge 500 superfluous employees at one big plant to find employment elsewhere. Prior to the revolution, on the other hand, at least three managers who had attempted ordinary executive changes were removed on request

> of the labor organizations. However, the plant operations flowed on regardless of inefficiency, high costs, and operating losses, all subsidized by appropriation. The price of similar manufactured products offered by competitive industries in the international market was much lower. Hence, little or no exports.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WALTERS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I read further from the recommendations by Mr. Littell:

> Many thousands of employees have come to feel that they have vested interests in jobs in these industries. One reason for this undoubtedly is that the concept of state industry historically goes very far back. The three oldest textile industries in the management of Sumerbank are from 112 to 120 years old. Deeply ingrained habits of thought are a natural human result. Nevertheless, the writer is reliably informed without any hesitation by people who are in the position to know, that the average Turkish citizen realizes full well that the private operation is far more efficient than the public, but this does not bring him to the position of wanting to take the leap from public to private ownership. Nothing has been done to educate him on the dynamics of private enterprise, competition in a free market, and the expansive volatility of modern capitalism with all the benefits it can bring to the employees in a depressed and underdeveloped area * * *.
>
> How deep are the concepts of statism, and how well perpetuated to this day, are perhaps exemplified in the Constitution born in the revolutionary period approved by the Constitutional Assembly on May 27, 1961, to be submitted to referendum in July 1961. With all of its fine features in endeavoring to secure equality of treatment before the law for the Turkish people, it goes much further than constitutions usually do. In its economic articles it projects a complete social security system with state responsibility for public health and welfare (art. 48), employment (art. 40), education (art. 49), housing (art. 48), pensions (art. 47), even scholarships for children of poor families (art. 49). The Constitution then candidly admits in article 53 that none of these things will be provided if the state cannot afford to pay for them. It can only be hoped that politicians will point out this limitation when speaking to the people of the high objectives of the above articles, if embittering disillusionment is to be avoided.

I digress from reading Mr. Littell's comments, to state that earlier today I pointed out the huge sums of money of the American taxpayers that we have poured into Turkey, in connection with our military aid and our economic aid there. A good many of the social services provided there have been provided by means of the dollars of American taxpayers. That is one of the bases of the protests I have been making about the foreign aid bill. When I think of the problems which confront us in our own country, in connection with social security, to mention only one, with its average payment to thousands and thousands of Americans of approximately $85 a month; and when I spend, as I did this afternoon, 2½ hours in a conference on the aid-to-education bill, in an attempt to work out the differences between the Senate and the other body, so that we can come somewhere near meeting the educational crisis which exists in our own country, I wonder how we can justify this kind of aid to Turkey.

Mr. President, charity does begin at home; and we have some home problems to which we had better devote our attention.

I do not mean that I want our country to cease being humanitarian; but the wisdom of such expenditures for foreign aid becomes a matter of degree; and we have gone too far, because we are now giving such foreign aid at the expense of our own people, including those in underdeveloped areas in the United States.

Furthermore, when I also take into account the fact—which I pointed out earlier today—that, for the most part, the United States is paying the Turkish aid bill, and is not receiving help from our so-called NATO allies, I ask: "Is not Turkey important to them, too?" Certainly Turkey is important to all of us; but I think I could make quite a case for the fact that Turkey is really more important to the nations situated closer to her.

So we are greatly indebted to Mr. Littell for his calling our attention to these facts about Turkey; and, Mr. President, as legislative jurors, it is our duty to evaluate this evidence and apply it to the proposed legislation now before us.

Mr. President, I read further from the statement by Mr. Littell:

> No matter how desirable social security measures may be, they constitute the ripe fruit of a successful industrial order and can be picked only from a mature industrial tree. Turkey has not even grown the tree. There is not the remotest possibility of paying these benefits for a very long time to come. The United States has them but only after 150 years of industrialization and after perfecting the high level of production to which it has attained in which about 6 percent of the world's population with about 7 percent of its area annually produce 50 percent or more of the world's wealth.

Mr. President, that is our record. What a glorious record it is. But it is one which I do not want put in reverse. We have made that record because we have built up a strong system of economic freedom; but we cannot preserve that freedom if we proceed to undercut its underpinnings. We shall not be able to preserve that system, Mr. President, if we do not do something about the areas of the United States in which people are at least equally as entitled, I should think all of us would agree, to assistance from their government, in their time of need, as are the people of Turkey or Taiwan or France or any other of the 107 countries which are receiving some form of our aid—or, if we wish to use the figures which sometimes are given by others, the 94 countries which are being aided by us, or whatever the correct number may be. At any rate, certainly there is no question about the fact that we are aiding more than 90 countries; and I think the evidence which was submitted before our committee—namely, that some of our assistance goes to approximately 107 countries—will stand up under any analysis.

But if it is only 90, it is too many. During the course of the debate one of the amendments that I intend to offer proposes to cut it back to 50, and then give aid to the 50 countries only on the basis of renewed applications meeting the guidelines that are set out in the amendment pertaining to AID.

The AID memorandum on Turkey notes that some improvements have been made, and that studies by Turkish, American, and OECD experts have led to the consideration of additional legislation to correct shortcomings.

Corrective measures are being considered. Does AID recommend that pending their adoption we sharply curtail our huge aid program, much of which is nothing but a subsidy for these uneconomic enterprises? Of course not. The supporting assistance, which is a budget subsidy to the Turkish Government will continue as usual, as will development grants, military aid grants, and development loans.

With respect to inflated costs and political inspiration of projects, this too is a charge that can always be refuted by pointing to the review of aid requests submitted by Turkey. But the allegations from Americans in Turkey, and from Turkish students of American teachers in Turkey continue.

The allegation of Turkish taxation of American defense facilities in Turkey came originally from American Embassy officials in Turkey. It is encouraging to note that AID finds no evidence of its truth. As for customs duties on goods brought in under American aid projects, if the money to finance the project comes from U.S. sources, I fail to see that it makes much difference whether the cost is assumed by the private Turkish company. It borrowed the money for the project from the United States, and the customs duties add to the cost of the project to the advantage of the United States.

Fortunately, my friend the Senator from Alaska [Mr. GRUENING] has already introduced an amendment prohibiting payment of customs duties on goods from the United States brought into any country through aid financing. I shall support his amendment. Whether or not the condition it seeks to correct exists in Turkey may be a matter of semantics. But the Gruening amendment will clear up all doubt.

Finally, the dissatisfaction over the higher visa charges made by Turkey also emanate from the American Embassy itself. People who go to Turkey for more than 3 months point out that a multiple entry visa—costing $9.60—is a must if they wish to visit anywhere outside the country. For Turkish visitors there is no charge unless they request an extension, for which $10 is charged. AID believes the charges balance out, though Americans who travel in Turkey and report on the comments from the American Embassy do not agree.

However, if AID officials have any doubts of what Americans in Turkey think of our aid program there, I invite them to read the correspondence I have received about it. It has come from military and civilian personnel in Turkey with the aid programs, and it has come from students and visiting professors there.

I should like to digress from manuscript long enough to say that it is too bad that it is so risky for personnel of AID abroad, so risky for personnel of the military abroad, and that it is so risky for staff personnel of various missions abroad to make available to the agencies, missions, and services with which they are connected their criticism of the program. But we should be thankful that our educational process in this country has been successful at least to the degree that American boys and girls have been brought up with a pretty good understanding that under our system of checks and balances, to which I have alluded so many times in the debate, a person has the right and duty to place before their elected officials for their consideration the wrongs which they claim should be redressed. I have a body of such information.

There would be some blank spaces down at AID, in the Pentagon and in the State Department if they knew what their own staff members who have been in those areas where the waste, inefficiency, and corruption exist have told elected officials of Government in regard to what is really going on. We know why they do not tell their superiors. The policy-making witnesses of the administration, the State Department, and the other departmeints, come up and give us the usual palaver. Of course, they welcome suggestions from within their organizations. But the fact is that people within their organizations tell them they do not dare make them. That is why they frequently bring them to us.

One said as follows:

> I daresay that this writing might not be fully approved from a military standpoint. But I feel I must stand up and be counted for what I feel. Twenty years of military service leaves me with an unmovable conviction that I still have a right and duty as a citizen as well as a loyalty to my people and Nation. I sincerely pray that what I have said may be of some insignificant assistance to you, even if in moral support only. I thank you and congratulate you and your colleagues in this effort, for your boldness and courage in trying to stem the tide of reckless spending policies.

That letter, which is voluminous, went on to relate what this military man had observed in regard to the shocking military waste in Turkey, pointing out that it was the American taxpayers' dollars that were being wasted.

It was all right for the majority leader and other Senators, as we heard a few moments ago, to say that a program as sweeping, broad, and comprehensive as this, is bound to have some waste. Of course it is. But that is not what we are complaining about. What we are complaining about is not that there is the ordinary waste to be expected in the administration of any program. What we are complaining about is the unconscionable and inexcusable waste, the unconscionable and inexcusable inefficiency, that has come to characterize our foreign aid program.

It is interesting that we have a committee report from the Senate Foreign Relations Committee that most of us on the committee never saw until we picked it up from our desks. It is an unsigned report as far as the members of the committee are concerned, and refers to a bill which was not reported by the committee by a rollcall vote. The language of the committee report is advice to the administration that the administration should take necessary steps before the end of the fiscal year 1965 to bring about much needed reforms in the foreign aid program.

It is the old story, where one participant is given the language in a court case but the decision is given to the other fellow. The report gives me the language, but rejects my amendment. But, the language supports my amendment. All that I have done is to offer an amendment to implement the language, to end all foreign aid as it now functions at the end of fiscal year 1965. I do not say we are not to continue foreign aid, as will be seen when full debate begins on the amendment in a few days. The amendment proposes that we announce we will continue foreign aid, but on the basis of applications received from applicants who, when they make application, would commit themselves to certain conditions, restrictions, and policies that would be followed by them to get the aid.

What is wrong with that? The language of the committee report indicates it is fairly good. I wish the committee had accepted the amendment, because that would have settled it.

This will not hurt the strength of the administration. Just imagine how strong the administration would be in this field of foreign aid if it could announce to the world, "Congress has changed the present policies of foreign aid by ending it and announcing that we will start, at the end of fiscal year 1965, with new rules and new policies—and here they are. You must comply with those rules and policies and then you will get some aid."

Of course, my amendment would limit aid to 50 countries. That is somewhat high. I am not so sure we should be aiding 50. The committee gives us language about the desirability of not giving aid to people in countries which can support themselves, but does not tell us which countries those are. The authority is all discretionary. There is no way of enforcing that language. My amendment would settle it, by putting a ceiling on it.

Every attempt is being made in some quarters to create the impression that I am an obstructionist opponent of all foreign aid. To the contrary, I am seeking to offer constructive suggestions for the development of a sound foreign aid program, and I am perfectly willing to take my proposal to the country. I shall watch with interest whether the administration takes its proposal to the country, if this bill is going to be its proposal. The country is not going to "buy" it. The public is fed up with paying for it.

I have another letter from which I wish to read an excerpt, of the many letters I could cite. This writer says:

> I certainly agree, from my small field of observation, that we are forcing aid on the Turks that they are not equipped to handle by ability, education, resources, or intellect. Maintenance of equipment is one small fault—they have no concept of how to maintain it.
>
> I agree wholeheartedly that Turkey finds it more advantageous to take advantage of the United States than it does to cooperate. I don't know anything about defense facilities being taxed, or gasoline and utilities being taxed. All I can say is this:
>
> Gasoline tax: We buy gasoline on the local market and pay the same price that local citizens pay. Therefore, the price must include tax.
>
> Exit tax: Every time we leave the country by air, even on official business, we pay what is called an airport tax of 10 TL, or $1.10.
>
> Beyaname: This is an official listing of all our household goods. We must produce everything listed when we depart the country. Nothing listed on that Beyaname can be discarded. Assume, for example, one brings in an electric toaster and it becomes uneconomically repairable. That useless toaster must be taken out with the owner. Let's say a bicycle is brought in and is stolen (there is considerable thievery here). The individual who brought this item in must pay tax on the stolen bicycle before he is cleared to leave the country. (This will happen to me.)
>
> Gold outflow: Turkish lira is pegged at an artificial rate of TL9 to $1. The free rate varies from 11 or 11.5 to 13 to 1. This means that every dollar's worth of lira that I purchase causes 22 cents of U.S. money to flow out. Multiply that 22 cents per dollar by the number of Turkish lira purchased monthly by Americans and I think it will add up to a fairly considerable amount.
>
> Travel expenses: If a U.S. officer, or enlisted man, travels outside Turkey, he draws $11 to $14 per day. If a Turkish officer travels he receives $20 per day, and that is U.S. money for which I paid taxes. I don't know the purpose of our aid to Turkey or where the money is supposed to go, but I can almost say this, categorically, if for roads—it isn't. Nor does it appear to be going for railroad improvement or for tourist facilities to bring money into the country.
>
> Which raises an interesting question—What is Turkey doing about an income tax, and more importantly, what are they doing about collecting it from everyone in Turkey who is supposed to pay? And what are they doing about filling up all the tax loopholes that I am told are here? There is money in this country, Senator, as evidenced by all of the new construction, but how much is getting into the hands of the country is questionable.
>
> I hope, sir, I've given one small idea of my feelings. I've lived at this APO since 1960. I've traveled some within this country. I've seen it and its people and talked to them. The rich seem to be getting richer and the poor poorer, without too much being done to help themselves. I call it "the order of the outstretched palm."

Here is an excerpt from another:

> Your recent comments on foreign aid and Turkey were greeted by the American service personnel stationed here in Turkey with great enthusiasm. I can once again have some faith in our American Government, because I know that at least one official is trying to improve our country and not his own financial status. Since being assigned here I have not seen any of the great improvements that our foreign aid could have

> made, but some sights that are very common are: (1) AID personnel riding around in chauffeur-driven automobiles, (2) local officials riding in Cadillacs, (3) Turkish Army personnel in their American vehicles (Jeeps, staff cars, and trucks) that were no doubt gifts of our Government, (4) last, but I feel the most ridiculous of all is Ataturk's tomb. This mass architectural monster must have cost in the millions and no doubt our foreign aid paid all of it. American service personnel assigned here are "fleeced" out of every cent they make. We pay at least double for what we buy, and you could rent an apartment in Washington for what you pay for a "hole in the wall" here. On top of these mounting substandard conditions, the housing allowance has been reduced for military personnel here from $1.44 to 70 cents per day.
>
> If I were assigned to AID so a staff car would pick me up every morning and take me to work, I would no doubt extend here for as long as possible. But unfortunately I am just an American serviceman, who until recently had decided on a career in the service of my country.
>
> After seeing what our Government is doing in a country that obviously does not deserve our help, I have decided that the best thing for me to do is get out of service and live on welfare.

And another:

> Having been stationed in Turkey for the past 15 months, I can fully appreciate the statements that you have made in your address to the Senate. I haven't been in the service very long, but I know I will not be in any longer than I have to after serving my tour here * * *. I would like to say that the part of your speech about the Turkish aid that was printed in our military paper was widely accepted as the truest statements made about our mission in Turkey ever made.

Another wrote:

> It is encouraging to know there are still Congressmen unafraid to express their views concerning the ingratitude of our NATO allies * * *. One example of this is evident in the fact that almost all the Americans in Turkey who exchange dollars for lira are compelled to do so at the unrealistic rate of 9 lira to $1 and, consequently, suffer a considerable loss.

To quote another letter:

> Any man here will only be happy to say that the professor has given accurate information, and the so-called AID should be thoroughly investigated.

Even allowing for the usual "gripes" of Americans sent abroad by their Government in either a civilian or military capacity, Americans in Turkey are disturbed by the waste of our money that is going on there.

These countries about which I have talked today account for a very large proportion of our aid program. These are not the small outlays to dozens of nations, about which the Foreign Relations Committee was critical but did nothing. These are the nations around the Communist perimeter for which much of the whole rationale for foreign aid depends.

I believe our aid to all of them can be reduced without jeopardizing any American security interest. Among the amendments I introduced Tuesday were measures to reduce by 25 percent the programed aid for fiscal 1964 for Turkey, Portugal, Spain, Greece, Taiwan, South Korea, South Vietnam, Indonesia, Israel, the United Arab Republic, Iran, Jordan, and Saudi Arabia. Another amendment will cut military aid to India and Pakistan to 50 percent of the projected level, and economic aid to India and Pakistan to 75 percent of the projected level.

It is no longer possible to avoid discussing foreign aid in terms of specific countries. However disagreeable it may be, it has become necessary for Congress to talk about specific failures in specific countries, and to make specific reductions.

Thus, when I discuss tomorrow the so-called compromise agreement offered by the leaders of the Senate on both sides of the aisle, I shall point out, in discussing many of its defects and shortcomings, this one: That it does not come to grips with the specifics of the foreign aid program. It is an amendment that is obviously designed to draw fire. It is an amendment that is obviously designed to make people think they can smother the fire.

As the Senator from Tennessee [Mr. Gore] pointed out a few moments ago, the matter is too serious for cavalier handling, as he referred to it, on the floor of the Senate. I think he is unanswerably right when he says the proposal of the leadership itself supports my amendment, that we send this matter back to the committee so, as the Senator from Tennessee said, and as the Senator from Missouri [Mr. Symington] joined him in saying, all members of the committee that has the chief responsibility for foreign aid legislation can sit down behind the executive doors of that committee and consider this proposed compromise. It can receive the proof that can be offered, if any, that the figures selected and the allocations suggested are justifiable. They can decide among themselves whether or not the views in connection with the subject matter do not justify some major policy changes. Then they can bring the bill back to the floor of the Senate in whatever form they decide to bring it back.

I think that is a wise course to follow. I hope the Senate will see fit to follow that course tomorrow, when I make the motion. It is a dignified motion that seeks to strengthen the hand of the Foreign Relations Committee, not weaken it.

The Senate itself is entitled to, and should want, the advice of its Foreign Relations Committee, after due deliberation among the members of the committee, and in consultation with the leaders of the administration, as to the form the adjustment in the bill should take.

I plead that the Senate give consideration to that kind of a parliamentary and legislative approach to this problem. We will save time, for this amendment is not going to stop the consideration of other amendments. This amendment is not going to stop amendments to it, if it is decided to rewrite the bill on the floor of the Senate, using this amendment as the first proposal for the rewrite.

I do not think it is necessary to spend the time that kind of parliamentary hassle is going to take, when good judgment and reason call for us to sit down together and reason together in the Foreign Relations Committee, on the basis of the question, What, if anything, should we now recommend to the Senate ought to be adopted?

It is important that we have a meeting of the Foreign Relations Committee, so we can have a forum to which representatives of the State Department particularly can come and counsel with us as to what our course of action ought to be in the best interests of passing the soundest possible bill on foreign aid.

I yield the floor.

### Exhibit 1

### Comments on Senator Morse's Statements Relating to U.S. Assistance to Turkey

The following is provided in response to Senator Morse's statement on Turkey in the Senate on July 16, 1963 (Congressional Record, pp. 12676–12677). The comments are directed to the four basic issues raised.

Senator Morse's statement: "First, the question deserves to be asked of whether Turkey will be able to absorb the amount of aid we are extending. It is said that our AID administrators in Turkey admit that of all AID projects there, only 10 percent are the result of initiative coming from the Turks."

AID comment: All U.S. economic assistance to Turkey is provided in response to specific Turkish requests. It is based on careful estimates of Turkish foreign exchange requirements and Turkey's specific needs for projects and essential imports to maintain economic stability and to achieve reasonable growth objectives. The level and type of assistance requested by the Turkish Government to meet its external needs are under continual review in the OECD consortium, established to assist in the financing of Turkey's 5-year plan. The Consortium Secretariat has appointed a team of experts for this purpose who report on their findings and these judgments on the Turkish requests for assistance are combined with the independent analyses made by the United States. Requests from the Turkish Government for foreign economic assistance to carry out economic development activities have consistently exceeded financing available so that response to these requests has been on the basis of highest priority needs.

In connection with technical assistance, the Government of Turkey annually screens proposed projects, suggested by technical committees of its ministries, and submits a consolidated technical cooperation program to the United States, and to other countries and international institutions (e.g., U.N., UNICEF, OECD, CENTO). For those projects chosen from this program by the United States, a separate agreement is signed for each project by the Government of Turkey and the Director of the USAID Mission. Thus, the Government of Turkey not only requests the projects initially, but also agrees with each of them individually before the project is funded by the United States.

Senator Morse's statement: "A second problem in Turkey, and it is certainly related to the first, is the apparent serious disadvantage of private industry in that country. It is my understanding that most industrial endeavors there are state-owned and operated. Many of their operations are very uneconomic with costs of production far out of line and with topheavy administrative bureaucracies."

AID comment: Turkey has a mixed economy. Early efforts to increase production rapidly included development of state economic enterprises which currently control about 40 percent of Turkey's nonagricultural output. Many of these enterprises are inefficient and Turkey in its recent planning efforts has recognized that the role of the private sector must be increased and strengthened and state enterprises must become more efficient if Turkey is to achieve its production targets. Provision for favorable legislation and financial assistance for private industry is included in Turkey's 5-year economic development plan adopted in December 1962.

The U.S. aid program has sought to help Turkey increase industrial production by assistance both in expanding the private sector and improving the operation of the state enterprises. AID projects such as Support of Industrial and Trade Association, Export Promotion Center, Assistance to Small Industry, and Industrial District Development have as a primary objective the strengthening of Turkish private industry efforts. In addition, U.S. private industry encouraged by AID and the Turkish Government has invested and is considering investment in various fields including vehicle assembly, paper manufacture, hotels, and petro-chemical production. The AID program provides capital through local currency and dollar development loans and training programs help to improve Turkish management. As a consequence, traditional attitudes favoring public domination of economic opportunities are gradually shifting toward encouragement of investment of private Turkish and foreign capital.

While the strengthening of private industry has been a major objective, the United States also assists Turkey in improving the operation of essential state-controlled enterprises. There are serious shortcomings in the efficiency of a number of these enterprises but the causes must be viewed in the context of the Government policy which has made the state enterprises serve a number of different Government aims. These have included the provision of essential consumer and investment commodities at subsidized prices and employment of excess labor. Given this background, recent improvement in state enterprise operations has been considerable. As a result of measures taken by the Turkish Government, the state enterprises have ceased to be a primary source of inflationary pressure and the attendant waste in the use of resources. There is still much room for improvement, however, and the U.S. representations for adoption of further reforms along with a study conducted cooperatively by Turkey, United States, and OECD experts have led to the consideration of additional legislation to correct shortcomings.

U.S. assistance through local Public Law 480 currencies gives no advantage to public enterprise over private. U.S. loan agreements with the Government of Turkey under Public Law 480, title I, expressly provide that both private enterprises and state enterprises of a profitmaking nature be accorded credits at the prevailing market interest rates. While loans of local currency Public Law 480 proceeds to the Turkish Government may be at less than market rates, no advantage to the state enterprises is allowed on the reloaning of these funds which are reloaned at approximately 7 to 10 percent. Sixty-three percent of local currency proceeds under 1961–62 Public Law 480 agreement has been made available to the GOT at 4-percent interest and similar loans under the 1963–65 multiyear agreement will be made at three-fourth of 1 percent. Under the most recent Public Law 480 loan agreement half of the credit is made available for relending to the private sector as a first priority in an effort to favor private enterprises. U.S. businessmen receive Cooley loans under section 104(e) of the Agricultural Commodity Agreement at prevailing market rates similar to those of Turkish state or private enterprises, that is, from 7 to 10 percent.

Senator Morse's statement: "A third allegation about aid in Turkey is that it suffers from inflated costs and political inspiration for many of the projects."

AID comment: Criticism in Turkey of uneconomic use of resources was an important factor leading to the overthrow of the Menderes regime by the revolution of May 1960. One of the first acts of the revolutionary government was to review public investments and to cancel all those that failed to meet strict requirements. A state planning organization was created to design a long-range program and to encourage investment only in those enterprises which met priority needs. These efforts were continued by the present Government and in December 1962 a 5-year economic development plan was completed. The plan has received the strong support of the Government which has now staked its future on the success of its economic development efforts.

The United States encouraged the formulation of this plan and provides technical assistance to the Turkish Government in its review of projects which would be most effective in achieving the economic goals sought. The United States makes project financing to Turkey only for projects requested by the Turks which have been included in their 5-year development plan and once these projects have been presented by the Turkish Government or by private corporations for financing, they are carefully reviewed in compliance with the Foreign Assistance Act to determine whether the projects are based on reasonable cost estimates and are technically and economically feasible.

Senator Morse's statement: "Fourth, it would appear that despite our heavy financial and military aid to Turkey and participation in two alliances with her, Turkey finds it more advantageous to take advantage of the United States than to cooperate with us. For example, I understand that despite a NATO agreement to the contrary, our defense facilities in Turkey are taxed. The estimate is offered that we have paid about $800,000 in taxes on gasoline and utilities used by American NATO forces in Turkey."

AID comment: There is no evidence that the U.S. Government has paid Turkey $800,000 in taxes on gasoline and utilities used by U.S. forces in Turkey. NATO agreements and bilateral U.S. agreements with Turkey provide relief from taxes, duties, and fees for the U.S. defense facilities in Turkey and there is no evidence of Turkish violation of the agreements. In certain instances, however, the U.S. Government has reimbursed commercial suppliers for taxes paid on aviation petroleum purchased at remote installations for use by the U.S. military aircraft. The petroleum subject to this tax is a small percentage of the total consumed by the U.S. military in Turkey.

Members of the U.S. forces in Turkey are subject to individual tax on petroleum if purchased from commercial sources and official travel is not involved. Also, tax is paid on utilities if they do not live on facilities which are required for common defense. Although relief from this individual tax is considered possible under existing agreements, the benefit to be derived is considered to be too small to warrant the cumbersome and costly administrative machinery that would be required to provide this exemption.

In addition to the NATO agreements, the bilateral tax relief agreement of 1954 specifically provides relief from taxes, duties, and fees for all expenditures by and on behalf of the United States in Turkey for goods, facilities, and services for the common defense effort, including expenditures for any foreign aid program of the United States. Thus, the U.S. taxpayer does not pay import duties on the economic assistance offered. Development loans cover only the dollar costs of the projects being financed; imports under U.S. supporting assistance are financed to cover no more than the CIF values of commodities and we know of no cases where customs payments were required on development grant projects, or where customs payments made in error have not been refunded.

The U.S. taxpayers are not providing loans to pay Turkish customs on U.S. aid provided to the steel plant on the Black Sea. The Foster Wheeler World Services Corp., cited by Senator Morse, is a contractor hired by Eregli, the private Turkish steel company. Under the terms of that contract, Eregli makes payments to the Foster Wheeler World Services Corp. in both U.S. dollars and turkish lira. Import duties which are levied on construction equipment and tools imported by Foster Wheeler World Services are clearly specified in the contract as Turkish lira costs and are an obligation of Eregli, the Turkish company. Therefore, any import duties which are paid by the U.S. contractor are reimbursed by the Turkish company from non-U.S. funds. Regarding the allegation that Turkey charges more for nonimmigrant visas than does the United States, the following should be noted. The GOT requires no visa for nonimmigrants from NATO countries staying less than 90 days. For visits longer than 90 days the fee is $1.92 for single entry and $9.60 for multiple entry. The United States issues visas to Turkish visitors initially without fee, but charges a fee of $10 for any extensions requested. The two systems are considered roughly comparable; in practice the average visa charge to Turkish visitors to the United States is probably higher than average charges paid by the U.S. visitors to Turkey.

Mr. JAVITS. Mr. President, I call up my amendments numbered 239.

The PRESIDING OFFICER (Mr. Inouye in the chair). The amendments of the Senator from New York will be stated.

The Legislative Clerk. On page 30, after line 25, it is proposed to insert the following:

(1) inserting between the fourth and fifth paragraphs the following additional paragraph:

"It is the sense of the Congress that the institution of full investment guaranty programs under title III of chapter 2 of this part with all recipient countries would be regarded as a significant measure of self-help by such countries improving the climate for private investment both domestic and foreign."

On page 31, lines 1, 4, 6, and 9, strike out "(1)", "(2)", "(3)", and "(4)" and insert "(2)", "(3)", "(4)", and "(5)", respectively.

The PRESIDING OFFICER. Does the Senator from New York wish to have his amendments considered en bloc?

Mr. JAVITS. Yes, Mr. President; I ask that they be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. GRUENING. I wonder whether the Senator from New York plans to request that the vote on his amendments be taken today.

Mr. JAVITS. Yes. I discussed this situation with the Senator from Oregon, who said he would have no objection, insofar as he could see, to having the Senate vote on these amendments today, provided they are voted on by a yea-and-nay vote. Inasmuch as he and I must attend the same conference this afternoon, I thought perhaps I could have the yeas and nays ordered on the question of agreeing to my amendments, after I had discussed them; and perhaps then the Senator from Alaska could proceed to make his remarks.

However, I am entirely agreeable to having my amendments voted on by a voice vote, rather than a yea-and-nay vote. I have mentioned a yea-and-nay vote only because of the request of the Senator from Oregon.

Mr. PROXMIRE. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. PROXMIRE. I have several amendments which I wish to submit. My remarks on them will be brief, and I should like to have them disposed of quickly. Therefore, if the Senator from New York requests the taking of a yea-and-nay vote on the question of agreeing to his amendments, but if they are not voted on today, I hope he will recognize that the result will be to prevent the Senate from voting today on other amendments.

Mr. JAVITS. Mr. President, the Senator puts me in an embarrassing position, because I certainly want the Senate to proceed promptly in acting on the pending bill. However, we must bear in mind that the Senator from Oregon and the Senator from Alaska can delay our action on any amendment, merely by speaking. The Senator from Oregon informed me that he must attend a conference this afternoon, and that he wishes a yea-and-nay vote to be taken on my amendments. So it seems to me that a yea-and-nay vote will be a small concession as the price of having the amendments acted on today. As a result, we are now in a position in which we cannot choose the means, and thus we might have to agree to a procedure which otherwise we might not choose to have followed.

Mr. PROXMIRE. I understand, and I wish to cooperate. However, I do not think the Senator from Oregon would object to the taking of yea-and-nay votes on my amendments. So I shall request that yea-and-nay votes be taken on the question of agreeing to them. My remarks on each amendment will be brief not in excess of 10 or 15 minutes; and I believe the Senator from Oregon will be willing to accept my amendments.

Mr. JAVITS. I believe the Senator from Oregon will also be willing to accept my amendments. He and I must attend the same conference this afternoon; it is scheduled for 2 o'clock. As soon as I have submitted my amendments, the Senator from Alaska can obtain the floor; and perhaps then an understanding can be reached an about the time for voting on the amendments. I thoroughly agree with the Senator's views as to that.

Mr. LAUSCHE. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. LAUSCHE. I suggest that the chairman of the committee go into meditation to determine whether he can accept the amendments.

Mr. JAVITS. Mr. President, these amendments seek to deal with a very serious problem which we face in connection with the effort—one which I think will undergo considerable scrutiny during the debate on the bill—to introduce the private economic system of the United States into the foreign aid program far more effectively than it has been introduced thus far.

The major auspices under which private enterprise can operate with the aid of the foreign aid program is the investment guarantee program, which, after a slow start, has developed very appreciable momentum. The existing authorization total for specific risk guarantees is $1,300 million. Applications in process total $3 billion; and a new ceiling of $2.5 billion is proposed. There is no question that the new ceiling should be authorized.

This authorization does not constitute an expenditure of tax funds, yet is a major incentive for private investment which inevitably is accompanied by a massive amount of technical assistance. Not only is this valuable from the point of view of bringing American know-how into these countries, which we are so anxious to help, but it is also valuable in terms of training local managers, technicians, and workers, because in most countries the overwhelming majority of the employees of American concerns there—concerns either with Americans in partnership or with American loans—are local. In addition, a very important development is occurring in American business: More and more, the managerial personnel, right up to the top level, are becoming local. In country after country the top men handling businesses with American investments or even American enterprises are local men. This development is all to the good; and great efforts are being made by the leading business companies to obtain not only the operating personnel, but also the top-level managerial personnel, from the local people. These companies go to great pains to do that, and they do so to very good effect.

This process is becoming so successful that there are instances in which local personnel in a company which is American financed have become so valuable that they have been brought to the United States, as members of the board or other top managerial personnel of the parent company, as it were, because of the skill and the ability they have shown.

So private investment—a good deal of which has sought the protection of the specific risk guarantees program, which, as we know, insures against inconvertibility and expropriation as a result of war or civil commotion or insurrection—has been found a very useful tool for the purpose of inducing more private enterprise in this country to engage in operations in the countries we are aiding, especially in the newly developing countries which we are seeking to aid.

However, the process is limited by the number of countries which will join in such investment guarantees. Under existing law the United States must negotiate formal investment guaranty agreements with most countries before individual guarantee contracts may be issued by AID. Two years ago Congress granted the President authority which enables him to conclude simpler forms of agreement with those countries which protect the interests of the United States through suitable local laws, in conformity with international law and if they have a good record regarding the treatment of foreign investments. Even with such authority progress has been limited, though lately we have had much better luck than we had before.

I call to the attention of the Senators pages 13 and 14 of the report of the Senate Foreign Relations Committee, particularly the top of page 14, at which point the committee explains its attitude with respect to the subject. The United States now has investment guarantee agreements with 57 developing countries, 19 of which have been concluded in the last 2 years.

Mr. President, I ask unanimous consent that a list of those countries be printed at this point in my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

### COUNTRIES WHERE SPECIFIC RISK INVESTMENT GUARANTEES ARE AVAILABLE

Convertibility: Afghanistan, Argentina, Bolivia, Chile, China (Republic of), Colombia, Congo (Brazzaville), Congo (Léopoldville), Costa Rica, Cyprus, Dominican Republic, Ecuador, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, India, Iran, Israel, Ivory Coast, Jamaica, Jordan, Korea, Liberia, Malagasy (Republic of), Malaya (Federation of), Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Senegal, Sierra Leone, Spain, Sudan, Thailand, Togo, Trinidad-Tobago, Tunisia, Turkey, United Arab Republic (Egypt), Uruguay,[1] Venezuela, Vietnam, and Yugoslavia.

Expropriation: Afghanistan, Argentina, Bolivia, China (Republic of), Colombia, Congo (Brazzaville), Congo (Léopoldville), Costa Rica, Cyprus, Dominican Republic, Ecuador, El Salvador, Ethiopia, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, India, Iran, Israel, Ivory Coast, Jamaica, Jordan, Korea, Liberia, Malagasy (Republic of), Malaya (Federation of), Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Paraguay, Philippines, Portugal, Senegal, Sierra Leone, Spain, Sudan, Thailand, Togo, Trinidad-Tobago, Tunisia, Turkey, United Arab Republic (Egypt), Uruguay,[1] Venezuela, Vietnam, and Yugoslavia.

War Risk: Afghanistan, Argentina,[1] China (Republic of), Colombia,[1] Congo (Brazzaville),[2] Congo (Léopoldville),[2] Cyprus,[2] Dominican Republic,[2] Ecuador, Gabon,[2] Greece,[2] Guinea,[2] Israel,[2] Ivory Coast,[2] Jamaica,[2] Jordan,[2] Korea, Liberia, Malagasy (Republic of),[2] Morocco, Nepal,[2] Nicaragua, Niger,[2] Panama, Senegal,[2] Sierra Leone, Sudan, Thailand, Togo,[2] Trinidad-Tobago,[2] Tunisia,[2] United Arab Republic (Egypt),[2] Venezuela,[2] and Vietnam.[2]

Although the Mutual Security Act of 1959 excluded economically developed countries for purposes of the investment guarantee program, guaranties are still available for the underdeveloped overseas dependencies of the following countries: Denmark, France, Netherlands, Norway, and United Kingdom.

The following countries also have signed the agreement to participate in the investment guarantee program but due to the Mutual Security Act of 1959 guarantees may no longer be issued for investments there: Austria, Belgium, Finland, Federal Republic of Germany, Ireland, Italy, Japan, and Luxembourg.

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[1] Although applications will be accepted for Uruguay, guarantees cannot be processed until agreement is ratified by country's legislative body.

[2] Including also guarantees against loss due to revolution and insurrection. (Also extended risks.)

Cuba signed the agreement in 1957 for convertibility and expropriation but due to conditions existing in that country the program is inoperative there.

October 28, 1963.

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### INVESTMENT GUARANTEE PROGRAM

List of less developed areas which are dependencies of metropoles participating in the AID investment guaranty program:

Denmark (convertibility/expropriation): Greenland.

France (convertibility/expropriation): French Somaliland, Reunion, Comoro French Settlements in India, New Caledonia, Tuamotu Archipelago, including Society Islands, Austral Islands, Marquesas Archipelago, St. Pierre and Miquelon, Martinique, Guadeloupe, and French Guiana and Inini.

Netherlands (convertibility/expropriation): Surinam (Dutch Guiana), Netherlands Antilles.

Norway (convertibility/expropriation): Spitsbergen.

Portugal (convertibility/expropriation): Angola (Portuguese West Africa), Mozambique (Portuguese East Africa), Cape Verde Islands and Portuguese Guinea, Sao Tome and Principe, Timor, and Macao.

Spain (convertibility/expropriation): Ifni, Spanish Sahara, Fernando Poo, Río Muni.

United Kingdom (convertibility only): Channel Islands; Isle of Man; Gibraltar; Malta; Gambia; Kenya, Zanzibar, and Pemba (not after December 1963. Due for independence); Federation of Rhodesia and Nyasaland; St. Helena and dependencies; Mauritius and dependencies; Seychelles; Aden and protectorate; Hong Kong; Brunei; Fiji Islands; Falkland Islands and dependencies; Western Pacific High Commission Territory (excluding Tonga and New Hebrides); Bahamas; Bermuda; Antigua (including Barbuda and Redonda); Barbados; Dominica; Grenada (including Southern Grenadine Islands); Montserrat; St. Christopher-Nevis-Anguilla (including Sombrero); St. Lucia; St. Vincent (including Northern Grenadine Islands); British Virgin Islands; Turks and Caicos Islands; Cayman Islands; British Guiana; and British Honduras.

**Mr. JAVITS.** The United States has no agreements with approximately 26 countries. I ask unanimous consent to have that list printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

### COUNTRIES WHERE INVESTMENT GUARANTEES ARE NOT AVAILABLE

Latin America: Brazil, Mexico.

South Asia and Near East: Syria, Lebanon, Saudi Arabia, Yemen, Iraq, and Ceylon.

Africa: Libya, Algeria, Cameron, Central African Republic, Chad, Dahomey, Mali, Mauretania, Upper Volta, Somali, Tanganyika, Uganda, Rwanda, and Burundi.

Far East: Burma, Cambodia, Laos, and Indonesia.

Source: Agency for International Development.

**Mr. JAVITS.** The list includes Brazil, Mexico in Latin America, most of the Near East countries, a rather impressive list of about 14 African countries, and Burma, Cambodia, Laos, and Indonesia in the Far East.

The Senator from Indiana [Mr. HARTKE] and I had submitted to the Foreign Relations Committee proposals which would have prevented aid from going into a country which would not conclude an investment guarantee agreement with us on the very logical theory, I believe, that if they prevented us from getting our private enterprise in, the United States would be called upon for the maximum aid without regard to the diminution which could result if there were private enterprise investment. Therefore aid should be denied to that country under such circumstances.

The committee took a rather dim view of that kind of condition precedent and stated—

> The committee gave serious consideration to several proposals which were before it to make assistance contingent upon the conclusion of an investment guarantee agreement with the country receiving assistance. The committee rejected these proposals because it felt that they would probably not accomplish their purpose of increasing the number of investment guarantee agreements, and because it was favorably impressed with the progress which has been made in negotiating new agreements.

So in view of the rejection of those amendments, the amendments now proposed are really a "sense" resolution, of which there are a number in the bill, and they have a very material effect on the policy of the State Department and AID. The amendments are based upon the position paper on the subject submitted to me by the State Department in commenting upon the amendments.

The Department of State, for all practical purposes, said—

> We could welcome a statement of policy which would say that, as we insist on self-help by countries which will get aid, and as we insist on a good climate for private investment, the institution of investment-guarantee programs with all recipient countries would be regarded as a significant measure of self-help by such countries, improving the climate for private investment, both domestic and foreign.

Therefore, the amendments before the Senate were drafted in almost the exact words chosen and referred to by the State Department in connection with the subject.

Mr. President, I ask unanimous consent that the letter of comment of the State Department dated May 4, 1963, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
*Washington, May 4, 1963.*

Hon. JACOB K. JAVITS,
*U.S. Senate.*

DEAR SENATOR JAVITS: Thank you for your letter of April 4 to David Bell and the Secretary which asked the views of AID and the Department on a contemplated amendment of the Foreign Assistance Act showing strong congressional intent in support of the conclusion of intergovernmental agreements instituting the investment guaranty program. Your letters suggested that the amendment might further urge the conclusion of other agreements and treaties necessary to the effective carrying out of the foreign aid program.

As you know, the Department and AID have been seeking to broaden the number of countries in which full guaranty programs will be available. The portion of the President's foreign aid message which your letter mentioned is a part of that effort.

Two years ago, Congress recognized that rigid statutory requirements regarding guaranty agreements impeded progress in broadening the program in Latin America. It, therefore, amended the law to permit us to modify the substance of the agreements and further to institute guaranty programs without a formal agreement embodying "suitable arrangements" to protect the interests of the United States in those cases where we could reasonably find either that such an agreement would soon be reached or that these interests were suitably protected by local laws and international law. Those amendments have proved useful. They have enabled us to revise the agreements so as to overcome many of the legal and constitutional objections that have been an impediment in the past. As a consequence, we have been able to arrange investment guarantees with Colombia and Venezuela.

The problems we face in concluding guaranty arrangements are, as you well know, largely political and emotional. The present legislation is, I think, adequately designed to help us develop a climate of confidence in which private investors will be encouraged to play their essential role. This confidence could, however, be impaired if the legislation were amended in too rigid a manner. It would not serve our national purposes if the U.S. Government were compelled to abandon efforts to assist the development of free economic institutions in an underdeveloped country in every case where a relatively small number of Communists or extreme nationalists, forming an effective minority within a foreign legislature, are able to block conclusion of a particular agreement.

We cannot, therefore, recommend legislation in a rigid form. But we would welcome an expression by Congress that the institution of full guaranty programs would be regarded as a measure of self-help improving the climate for private investment, both domestic and foreign, and thus important to the success of the Alliance of Progress.

We should be happy to discuss this question with you at greater length. If you would like to go into it on a country-by-country basis, I know that Seymour Peyser, who has the primary responsibility for obtaining these agreements, would be very glad to talk with you.

With best regards.

Sincerely,

GEORGE W. BALL,
*Acting Secretary.*

**Mr. LAUSCHE.** Mr. President, will the Senator yield for a question?

**Mr. JAVITS.** I yield.

**Mr. LAUSCHE.** What is the Senator's reason for asking that his proposed language of policy be included in the bill? What purpose would it serve, and how could it be used subsequently?

**Mr. JAVITS.** It would serve two purposes. One purpose would be to give AID a specific direction as to what we regard as important in the way of self-help; that is, a sound private investment climate and a capability for accommodating guarantees in the countries which we aid.

The second purpose—and this is perhaps its most important purpose—is that AID and our State Department negotiating people can then point out, in connection with seeking to negotiate agreements with other countries which have not yet entered into them—and I have submitted the list—the insistence by the Congress that that be done, and that it is not really being done in a mandatory way but only as a matter of international courtesy.

The Senate Foreign Relations Committee feels that it should be done. In its declaration Congress states that it feels it should be done. Therefore, the intent would be expressed in polite language, with no desire to offend any of our friends in the world, that the principle is very deep within us—so deep that we are writing the language into the bill, which we do not generally do in the case of questions of policy. Therefore it is felt—and I agree—that the provision will be an important assistance in bringing about the consummation of agreements with the countries with whom we have not yet agreed.

Another point is important, too. Many people will say that we are giving aid to developing countries. We are going to give them aid. Why should we be embarrassed and backward about seeking that condition?

It is a question of degree. Suppose in the national interest of our country we feel that we should aid, let us say, Brazil, Mexico, or any other country which is on the list of countries with which we do not have agreements, and suppose that country should insist upon a Communist-type of government. We would not give them any aid. Qualitatively, we would have no part of it.

On the other hand, if that country should drag its feet about making an agreement relating to investment guarantees, there is a natural reluctance to say that that alone should represent the basis on which we would break off relationships in respect to aid—except when the Congress expresses itself in a forceful way, which I propose that we do. Then it seems to me that we accommodate the international amenities and at the same time make clear that we insist upon that provision and that we consider it very essential as a qualification for aid.

Mr. LAUSCHE. Do I correctly understand that it would be justifiable to interpret that program as being one contemplating an encouragement to nations to help themselves?

Mr. JAVITS. Exactly.

Mr. LAUSCHE. If that is how we would look at it, those nations that would be helped by the program ought to cooperate in carrying into effect the spirit and the letter of what we are doing.

Mr. JAVITS. The Senator is exactly correct. That is precisely the intention and precisely how I hope the program will work.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. I believe the Senator's amended version of the proposal is acceptable to me. I think the Senator is quite correct. We desire and urge the Department to negotiate as many of those agreements as it is possible to do so. They have done a very good job in persuading countries to enter into such agreements. With reference to the statement that it would not be effective in reaching a desired result, I point out that it is really a matter of approach. We could be so offensive in our demands, as is stated in other areas, that our efforts would become counterproductive. I believe that the proposal is a far better approach, so far as I am concerned, and I am sure the Senate would not object to the inclusion of the proposed language as a policy statement.

Mr. JAVITS. I am very grateful to the Senator. As I explained to the Senator from Wisconsin [Mr. PROXMIRE], were it not for the problems with the Senator from Oregon [Mr. MORSE], the amendments would normally be accepted by the Senator in charge of the bill.

Mr. President, I should like to develop, if I may, one or two other points with the chairman of the committee.

There are two other guarantee programs aside from the specific risk guarantees which I have described. One is the extended risk guarantee program; the other is a special housing guarantee program for Latin America which are a part of the law, but which seem to us to be lacking very materially, and to have taken a very long time to get off the ground.

The extended risk guarantee is a specialized guarantee for the purpose of enabling the President to insure (a) 75 percent of any private investment in a country which is being aided, when the President feels that this will be desirable in our national interest and (b) 100 percent of any loan investment for housing projects. In pursuance of the program, there is an authorization of $180 million. Outstanding are $8.2 million in guarantees. Applications in process total $9.5 million.

It is clear that an effort is being made to apply the extended risk guarantees to housing as well. This is a desirable way to manifest our aid to a particular country.

One of the problems encountered has been the rather small staff available to work on the guarantee contracts. Hence in respect of the extended risk guarantees and the Latin American housing guarantees a very small amount has been used. For the latter program $60 million was authorized, $1.3 million is actually outstanding, and $20 million is pending. The difficulty has been in assigning the necessary personnel for the purpose. In the case of the specific risk guarantee program there is still an 18-month backlog. This particular phase of the program now totaling $900 million is administered by 16 people. A U.S. investor, wishing to invest in a developing country and get a guarantee, would have to wait some 18 months before he could normally expect action on his request. It has been only recently that nine additional individuals have been authorized to work directly in this program, supported by three attorneys.

The 2-year-old extended risk guartee program is still in the process of formulating policy. I understand, however, that a policy directive is to be issued in 3 to 6 weeks. The Latin American housing program, which is also 2 years old, until recently was manned by three individuals. Now they have nine full-time individuals.

I believe it would be desirable for the chairman of the committee to express his opinion as to the desirability of providing the necessary staff in AID, so that the investment-guaranty program may be effectively implemented all the way down the line. I am sorry to report to the Senate, in respect of the major guarantees—the specific risk guarantees for which we are asked to authorize $2.5 billion in the bill—there is an 18-month backlog. This information is from the Agency itself. Many proposals, subjected to that kind of timelag for approval, may well be withdrawn or become academic. Business is not normally in position to wait all that time for a particular guarantee to come through, to facilitate an investment.

So I ask the chairman to comment upon that situation, which is troublesome for those who are anxious to use the program, when it is certainly very much in the American interest that it be used.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. It is the information of the leadership that very little, if any, of this money has been used. I did not understand it was entirely a question of manpower available to process it. The administration has very substantial manpower available for the processing of these applications. I do not believe there is any necessity for a special direction in this legislation to authorize the use of administrative funds for such a purpose.

Personally I would be in favor of the Senator's suggestion, if that were the real bottleneck; but I was definitely given the impression that nothing was done about the extended risk guarantees because the administration had not used existing authority. We increased the housing authority to the figure requested. I do not believe it is a matter of limitation of funds, but it is merely a bureaucratic problem of placing the personnel in this area to do the work. I understand that some experts have been borrowed from our own Housing Administration to help them in this field, which is fairly well specialized.

We took testimony to the fact that they are beginning to move better than they were. It was very slow, I agree with the Senator.

In the beginning of this program there were many complaints, and we had considerable testimony on the subject. The Senator from Florida took a great interest in this subject. There was testimony about the delays in getting these programs under way.

All I can say is that the committee complained about it. We urged the AID authorities to move more rapidly in this program. They promised to do so. I do not believe a limitation of the authorization is bothering them.

Mr. JAVITS. I do not believe so, either. I appreciate the administrative difficulties, and that there was a shortage of personnel on the housing program guarantees. What disturbs me most is the 18-month lag in the major guarantee program; that is, the specific risk guarantee program. As a person who represented business interests when I was active in the practice of law, it seems to me that if there were any delays they would kill most proposals for which guarantees were being sought. From the point of view of encouraging rather than discouraging the guarantee mechanism, and therefore private investment, it seemed to me it was well worth putting some pressure on and moving it more actively than it seems to be moving.

Mr. FULBRIGHT. I believe the Senator is correct in what he has just said. I hope that will be the effect. I join him in urging that that be done.

I can only say in their defense—to some extent it is a defense—that they have been severely criticized from all angles, and they have become, perhaps, overly cautious in the initiation of the program. They have not had much experience. This guarantee program is a relatively new one, and was extended to some areas about which the committee was dubious, because it could be abused. I believe it required a long time to get underway. I am hopeful that, with a little more experience, it will move much more rapidly.

Mr. JAVITS. I am grateful to the Senator.

I have had another amendment printed, relating to the possibility of research by AID into the means of enabling the investment public in the United States to participate more fully in the economic development of the less developed countries.

I believe an amendment is not really the best way to get at that kind of administrative question of policy, so I have no intention of pressing that amendment. However, I should like to ask the chairman of the committee for his opinion as to what he considers to be a reasonable order of priority.

What I have in mind specifically is a bill which has been introduced by me in the 87th Congress, together with other Senators, called the "peace by investment corporation" bill. Whatever may be its defects or its merits, it calls for a corporation to be organized, facilitated by the U.S. Government, to be privately financed, with the idea of giving the American citizen—the rank-and-file investor—an opportunity for a stake in the foreign aid program. At present, we are encouraging only private investment on the major scale of a business corporation. I know that the Senator is as disheartened as I am—and we are doing our best to do something about it—that only 5 percent of American business concerns are engaged in oversea export and import or in oversea private investment.

It seems to us highly inconceivable that we are not able to do better in our great Nation, in view of the enterprise and opportunity which exist abroad. We should at least consider whether—through some investment company mechanism on a very big scale, with some Government help, a private investor can be brought into the picture and an effort can be made to take a big part of the load from the backs of the taxpayers by a major private enterprise effort financed by small investments.

So I ask the chairman of the committee to be good enough to give me his opinion, which might help in directing the attention of AID to the possibility that it needs some staff checking.

Mr. FULBRIGHT. Anticipating the Senator's question—we have talked about it before—I have discussed this question with the executive branch, and I have been assured by the executive branch that a well worked out proposal for such research would not be ineligible for consideration. The executive branch informs me that it would give every consideration to the proposal. The AID agency pointed out that it might be possible to agree upon a proposal looking into the further involvement of the United States investor in the economic development of the less developed countries, which might also be eligible for financing from nonresearch funds, depending upon the nature of the proposal.

I agree with the Senator about the desirability of private enterprise being involved in this effort. I need not tell him that one of the problems has been the relative political instability of a number of countries in which certain funds have either been invested or tentatively invested, or in certain Latin American countries, where we have run into the question of equitable arrangements. This has put a damper on investments. The Senator knows the story in that connection. But the AID people in the executive department are sympathetic with this kind of program. They told me they would welcome it.

Mr. JAVITS. I thank the Senator. I will submit a specific and detailed proposal to the State Department within the next few days.

In conclusion, let me say that I am very well aware of the concern of American business with respect to oversea private investment when we face a situation such as took place in Cuba and when we face other instances of unjust appropriation without compensation. At present there is grave concern about a number of oil contracts, for example, in Argentina. Whatever may be the justice, pro or con, involved there, so far as we know, those contracts were honestly negotiated and developed important resources in Argentina. The only demerit which can be placed upon their doorstep is that they were very successful. The American interests discovered great quantities of oil in Argentina. Happenings of this kind are discouraging to American investors. This situation, as has been mentioned by the chairman of the Foreign Relations Committee, should be stated on the floor of the Senate.

At the same time, there is involved a twofold purpose. One of the purposes is that of aiding normal opportunities. There have been great, legitimate enterprises, and profits have been built upon foreign businesses. A number of companies in the United States today, for example, are deriving more of their net income from business overseas than they are from business in the United States. This is very worthy, and it is something that this country as a world leader should do.

So far as risks are concerned, actuarial risks can be ascertained by American business. When money is lost in certain countries, gains that outweigh such losses must be taken into consideration. So it is a question of whether the losses sustained in Cuba or elsewhere are outweighed by profits or desirable activities engaged in in other parts of the world. On the whole, I believe the balance is in favor of private investment and export-import business. It remains an important source of business enterprise and profit.

But it is our failing; and what American business complains about most is that our Government, unlike the British Government, which is given always as a striking example, does not "go to bat" for its investors or its business people even when they are right. The theory in the State Department is that American business is wrong, that it has something it should not have, that it has done something unseemly, something which is not lawful. If there is one thing that discourages business, it is that attitude on the part of our Government.

We lawyers have a saying that it is not what the facts are, it is what the judge thinks they are, that counts.

The fact that the State Department may protest from today until doomsday does not have much help for American business. It must have a stronger counsel or advocate when a country expropriates business property or imposes other restrictions.

The Government has the right to assume that people of character, businesses with millions of investors in the United States and hundreds of thousands of employees are still entitled to the primary assumption that they are doing business in an honest way, until it is proved to be improper or dishonest or wrong.

We are touching this afternoon upon what may be the most important point in the bill. I hope the State Department will give this advice to all its echelons, even extending it to those who are just out of college and who have never had to make a payroll. They should take pride in American enterprise, which has been a great, dynamic force in the United States. They should feel that they can give to private enterprise, as we do to all others in the United States who are trying to do a job and who are patriotic—and it is patriotic and highly desirable to make useful investments all over the world—the assumption that it is living up to its responsibilities. The Department should assume, as it does with respect to all others, that they are doing business on a proper basis, that they have not made an improper contract or have not overreached in making a contract, and that, on the record, they are right until proved wrong. If they are wrong, the situation may be corrected, but if they are right, stand up and give them support, which may do more for morale than authority in a law or some restrictions which may be placed on the giving of aid, or the Hickenlooper amendment, or some other restriction.

So I hope very much that this lesson, in this remarkable area in which to discuss it, may sink in to our authorities. We are proud, we Americans, that every citizen has the right to be considered honest until proven guilty. And the overwhelming number of businessmen are honest. There are 17 million stockholders in this country, and there are 87 million insurance holders and bank depositors. They are investors. There are over 75 million individuals in our labor force. That is American business today.

I hope very much that the State Department will pay serious attention to the concept which has been uttered here today in this respect.

Mr. President, before I yield the floor, and in deference to the request of the Senator from Oregon [Mr. Morse], I hope there will be enough Senators present to grant the yeas and nays on this amendment. The chairman of the committee is willing to take the amendment, but the Senator from Oregon has asked for a rollcall. So I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. President, I yield the floor.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill—H.R. 6500—to authorize certain construction at military installations, and for other purposes.

## ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill—S. 1523—to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes, and it was signed by the President pro tempore.

## CONSTRUCTION AT CERTAIN MILITARY INSTALLATIONS—CONFERENCE REPORT

Mr. RUSSELL. Mr. President, I desire to call up a privileged matter.

I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill—H.R. 6500—to authorize certain construction at military installations, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. RUSSELL. Mr. President, I have a very brief statement to make with respect to the report, which was unanimous, and was signed by all the conferees representing both Houses.

There were 59 points of difference between the Senate and the House versions of the bill. The House conferees accepted the Senate's position on 51 of these. The remaining eight, four of which related merely to language adjustments, were resolved after some discussion.

The new total of the authority agreed to in conference is $1,642,253,380, which is $43,608,000 below the bill as passed by the Senate, and $5,425,380 above the amount approved in the House-passed bill.

I may say that a large part of that increase is accounted for by estimates that were submitted to the Senate after the bill had passed the House.

The reduction in the amount granted by the Senate bill consisted primarily of two elements. The first relates to title V, the housing portion of the bill. I have previously called to the attention of the Senate the proposed program of the Defense Department to provide about 62,000 new units of military family housing over the next 5 years. The Senate approved 12,220 units as the fiscal year 1964 increment of this program. This was in contrast to 10,000 units approved by the House of Representatives, which would have stretched the program out over a 6-year period, rather than the 5-year period envisioned by the Department of Defense.

However, in consideration of the fact that in past years the Defense Department has frequently been unable to execute entirely the programs approved due to changes and delays, the House position prevailed and 10,140 units of housing were approved. Dollarwise, this amounted to a reduction of $35,131,000 in the amount of the authority approved by the Senate.

The other reduction of substance was made in the classified section of the Navy portion of the bill and amounted to $8,437,000. For 2 years now, the Congress has disapproved the proposed realinement of certain military installations in Puerto Rico, resulting in the denial of authority for various construction projects relating thereto. It has been difficult to determine just what projects submitted for approval are operational requirements and which are those relating to the realinement plan. It was concluded that projects in the amount referred to could be safely deferred until the fiscal year 1965 program.

Finally, I would like to advert briefly to one adjustment made in title VII of the bill which relates to the reserve components. The bill as it passed the House of Representatives contained a provision which would have permitted the renovation and repair of two State-owned facilities in the State of New York which are under lease to the Government for the use of the Naval Reserve. This provision was deleted by the Senate, primarily because complete details and figures were not available at the time the bill was under consideration. This provision was restored in conference as it was believed to be in the best interests of the Government to do so.

Mr. President, I believe the results achieved are sound and that the construction needs of the military have been adequately provided for in fiscal year 1964.

I therefore move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

## AMENDMENT OF TITLE 28 OF THE UNITED STATES CODE, RELATING TO VENUE GENERALLY—REQUEST TO HOUSE OF REPRESENTATIVES FOR RETURN OF PAPERS

Mr. RUSSELL. Mr. President, page 20601 of the Record of yesterday shows that the Senate passed H.R. 2985, to amend section 1391 of title 28 of the United States Code, relating to venue generally in the U.S. district courts. It would extend the jurisdiction of these courts in tort cases. I can conceive of two or three instances where the enactment of the bill might have a rather unfortunate result. I assume it was drafted with a view to simplifying trial procedure in tort cases, such as in the case of a motorist from Maine and one from Utah, for example, who might collide in Florida. The bill passed by the Senate would settle the jurisdiction where the witnesses were readily available.

However, it might have more far-reaching implications than that. I therefore ask unanimous consent that the bill may be reconsidered and returned to the calendar so that I may have an opportunity to examine it.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. RUSSELL subsequently said: Mr. President, I understand that the bill to which I referred, H.R. 2985, has been messaged to the House. I ask unanimous consent that the House be requested to return the bill to the Senate and that it be reconsidered.

On request of Mr. Russell, and by unanimous consent, it was—

*Ordered*, That the House of Representatives be requested to return to the Senate the bill—H.R. 2985—to amend section 1391 of title 28 of the United States Code, relating to venue generally, which passed the Senate October 30, 1963.

## SERVICE OF HAROLD W. PERKINS

Mr. COTTON. Mr. President, I wish to take a moment of the Senate's time, because I want to have the Record show—as I believe it will be of interest to the Senate, especially Senators on the Republican side of the aisle—that a young man, Harold W. Perkins, who is the chief assistant in the Republican cloakroom, and who came to the Senate as chief messenger in the Republican cloakroom 5 years ago, on July 8, 1958, is terminating his service here today.

He is a young man in whom we, of New Hampshire, take great pride. He is the son of parents who are distinguished citizens of our State. He came here as some of us in the Senate came here, notably the distinguished Senator from Nevada [Mr. Bible] and myself, as attachés of the Senate, and attended law school in Washington.

Mr. Perkins graduated from New England College, came here as an assistant in the Republican cloakroom, and graduated from the Law School of the American University in Washington. He was admitted to the New Hampshire Bar in August.

Mr. Perkins is terminating his service here and returning to New Hampshire to practice law in the office of, and in association with, his father, Francis Perkins, in Concord, N.H.

Although the position is not a matter of individual patronage, Mr. Perkins was recommended and brought here by my late, beloved senior colleague, Senator Styles Bridges.

I am sure that the Members of the Senate on the Republican side, with whom Mr. Perkins has been in contact and whom he has served, know him as a courteous, quiet, efficient, and considerate young man of great ability.

Our good wishes go with him as he returns to our State to take up the practice of law.

## AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. GRUENING obtained the floor.

**Mr. GRUENING.** Mr. President, I yield to my colleague from Alaska.

### FOOD FOR PEACE

**Mr. BARTLETT.** I thank my colleague for yielding to me, especially because I know the subject which I intend to discuss is of great interest to him.

Mr. President, section 403(b) of the Foreign Assistance Act amends Public Law 480—the Agricultural Trade Development and Assistance Act of 1954—to permit surplus fish products to be sold under title 1 and title 4 of the food-for-peace program.

The need for this amendment has been clearly indicated when underdeveloped countries in need of high quality food protein have attempted to purchase fish products under the food-for-peace program. As a specific example, India last fall attempted to purchase canned fish in an effort to meet what is regarded as the most serious nutrition problem in India, namely, a protein deficiency. At the present time fish products may not be utilized under the food-for-peace program.

I believe the food-for-peace program must be capable of meeting the full range of nutritional needs. At the Food and Agriculture Organization Conference, held in Washington on "Fish and Nutrition" in 1961, the chairman of the conference stated:

> The dietary nutrient most lacking in deficient diets all over the world is a good quality protein.

Fish is recognized as one of the world's finest sources of protein.

The amendment is drafted to permit surplus fish products to be sold under either title 1—sales for foreign currency—or under title 4—dollar sales with long-term loans. The amendment does not authorize surplus fish products to be donated or given away under title 2—for famine or disaster relief—or under title 3—for donations to needy persons. Only sales of surplus fish products, not gifts, are permitted under the amendment.

However, before any fish product is permitted to be sold under the program the Secretary of the Interior must determine that the fish product is in surplus. The term "surplus" is defined in the amendment in the same manner as surplus agricultural products are defined, namely, that supply in excess of first, domestic requirements; second, adequate carryover; and, third, anticipated exports for dollars.

The Department of the Interior has stated that there are some 30 major species of fish caught in the United States. Many of these show a wide variation in production from year to year. Each year several species of fish are found in surplus. It is true that compared to agricultural surpluses these are not large. It is also true that these surpluses have not been generated by any system of support prices.

The Department of Interior has provided information that indicates there has been a surplus in the production of several species of fish in the past few years. In 1962 and 1963, canned sardine production in Maine has been recorded at 2.1 and 1.5 million cases respectively. Annual carryover was 1.6 million cases in 1962 and 1.4 million cases this year. Most of this heavy carryover could be considered as surplus under the amendment. At the current market value this surplus could be made available for sale under title 1 or 4 for approximately $10 million.

**Mr. MUSKIE.** Mr. President, will the Senator from Alaska yield?

**Mr. BARTLETT.** I do not have the floor, but I shall be most happy to yield to the Senator from Maine, if my colleague from Alaska [Mr. GRUENING] will permit me to do so, with the understanding that he will not lose the floor at the conclusion of my remarks.

**Mr. MUSKIE.** Mr. President, I compliment the distinguished Senator from Alaska for the speech he is making on a section of the Foreign Assistance Act which is of importance to my State. He is clearly establishing numerous reasons why fisheries products should be included under the food-for-peace program.

Fish products are nutritious. They are an inexpensive source of protein. They would serve a real need in many countries throughout the world which require a cheap source of nourishment. In addition, they can be easily transported, distributed, and stored for indefinite periods prior to using.

I wish to reemphasize that this amendment would cover only export sales of surplus fisheries products. There would be no giveaways to foreign countries.

Surplus situations frequently occur in the fishing industry because of the differences in the yearly catch. We in Maine are acutely aware of this problem. Our sardine industry has been plagued by surpluses over the past 2 years; 1.6 million cases were carried over from the 1962 season; 1.4 million cases in 1963. The Senator from Alaska [Mr. BARTLETT] has already referred to this. This carryover could be considered surplus and declared eligible for participation in the food-for-peace program under the terms of the proposed amendment.

This continuing surplus in the Maine sardine industry has had a depressing effect on the entire area. At least four Maine sardine plants have been closed during the past year and a half. Removal of the surplus through sales to foreign countries would solve at least one part of the industry's problem.

It seems only just that the American fishing industry, which has been so adversely affected by foreign fish imports, should be given this slight assistance to place them in a competitive position in foreign markets. Several countries in need of high quality food protein have expressed an interest in purchasing American fish products under the food-for-peace program. Under present law, our hands are tied. The amendment under discussion is needed to assist a deserving American industry which has been too often neglected.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a telegram I have received from Mr. David H. Hart, chairman of the Atlantic States Marine Fisheries Commission, on this subject.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

> CAPE MAY, N.J.,
> *October 31, 1963.*
>
> Senator EDMUND S. MUSKIE,
> *Washington, D.C.:*
>
> The Atlantic States Marine Fisheries Commission, of which your State is a member, respectfully request your support for Senator FULBRIGHT's amendment to H.R. 7885, the foreign aid assistance authorization bill. If fishery products are included in the food-for-peace program it would be a great help in aiding our domestic fishing industry.
>
> DAVID H. HART,
> *Chairman of the Commission.*

**Mr. MUSKIE.** Mr. President, I should like to bring to the attention of the distinguished Senator from Alaska [Mr. BARTLETT] a letter I have received from Mr. Carl Wight, sales manager of the Seaboard Packing Co., of Bath, Maine, in which he says:

> If we were included in the food-for-peace program, we feel that this could be of great assistance to our industry as well as other participating industries. As you are aware, our industry suffers from lack of finance, and in the rush of the packing season many canners, because of their inadequate financing, are forced to dump sardines on the market at very low—even distressed—prices. If the food-for-peace program were set up to include sardines, Government procurement of sardines during this rush period would greatly strengthen our entire industry. Such a program would no doubt give us a key as to where we might look abroad to expand our present marketing of sardines.

**Mr. BARTLETT.** Mr. President, I am grateful to the Senator from Maine for the contribution he has made to the discussion. The Senate has already passed considerable fisheries legislation this year. In respect to all of it, the junior Senator from Maine, mindful of the interests of fishermen, has been in the forefront. His assistance has been valuable and appreciated, not only on the Maine coast, but in all the coastal States which have such a great interest in the fisheries.

**Mr. MUSKIE.** The name of the distinguished senior Senator from Alaska [Mr. BARTLETT] is well recognized as being in the forefront of the fisheries industry, which has fallen upon hard times in recent years. The amendment to which he is addressing himself might well be considered a part of the reciprocal trade program. It would be of assistance to domestic industry and, at the same time, would provide a high protein food at low cost to countries overseas.

Mr. BARTLETT. As I shall point out later in the remarks I propose to make, it would be helpful in great measure in relieving our balance-of-payments sitution, which is of special importance these days, as we all know so well.

In recent years, we have also developed a substantial surplus in pink salmon. In so stating, I am transferring myself from the Atlantic to the Pacific coast. During the past 2 years, production has been about 2 million cases annually. A carryover has built up over the past 2 years, amounting to approximately 1.5 million cases. That is a great deal of pink salmon, or any kind of salmon, or any kind of fish. This surplus could be made available for sale under the amendment and would involve approximately $35 million in export sales.

It would not be a giveaway, as the Senator from Maine [Mr. MUSKIE] has already properly pointed out, but a commercial enterprise, which has so many beneficial effects, including, of course, the placing of a needed, valuable, concentrated protein in countries where such a diet is so greatly needed.

Another recent example involves Pacific mackerel. During the past 3 years production has ranged between 1.2 and 1.5 million cases. From the information available, a carryover of approximately 600,000 cases is expected this year. This surplus could be made available for export sale at approximately $3 million.

This information makes it quite clear that from time to time we do have a surplus production of some species of fish but that the surpluses are not large in comparison with agricultural surpluses.

I should like to emphasize that it is not the intention, purpose, or desire of those who are interested in the fisheries and in favor of the amendment to create unnecessary surpluses of fish of whatever kind, although the surpluses may come within the terms and meaning of the amendment. We are talking about surpluses which normally occur and which have occurred many times in the past. It should also be clear that the surpluses of fishery products will be disposed of by export sales only with no encouragement for the accumulation of surplus or the disposition of surpluses by grant or gift. The amendment only gives encouragement to exports of surplus fish products; it offers no guaranteed markets and will not encourage any surplus for surplus sake.

Under the amendment, surplus fishery products could be sold under title 1 or title 4 of Public Law 480. Sales under title 1 will first be considered. This involves sales for foreign currency. Today, an American exporter of fish products can sell abroad only when the prospective foreign purchaser has American dollars to pay for the product. Underdeveloped nations in desperate need for protein have no dollars to spend on American fishery imports. Under this amendment these friendly nations would be permitted to buy American fish products and pay for them in their own local currency. The local currency will be accepted as payment by the United States to meet our defense obligations, economic and military aid and other commitments in the recipient country. The American supplier will receive a dollar equivalent from his local bank, through the Commodity Credit Corporation. These foreign currencies reduce our requirements for purchasing additional foreign currencies with dollars, and thereby assist in leveling our balance-of-payments deficit. In 1961, Congress authorized $4.5 billion for title 1 for use from January 1, 1962, until December 31, 1964. This authorization was made for the purpose of programing the disposition of surplus agricultural commodities anticipated during that 3-year period. For this reason—because the program had already been arranged, agreed upon, and accepted—the amendment suspends the effective date for sales under title 1 until the beginning of the calendar year 1965. Congress will thereby have an opportunity to include in subsequent authorizations and appropriations during 1964 a sum adequate to cover the disposition of both surplus agricultural commodities and surplus fish products under title 1 after January 1, 1965.

The second provision of the amendment authorizes surplus fish products to be sold under title 4. The purpose of title 4 is to encourage U.S. dollar exports of surplus products, to develop foreign markets for these products, and to assist in the development of the economies and health standards of friendly nations. Under this title the United States may engage in long-term supply and credit sales agreements with foreign traders and with Governments of friendly nations. As of June 30 of this year, title 4 agreements, signed with 16 countries were valued at $195 million. The maximum period over which payments may be made is 20 years. The interest rate fixed in the sales agreements with private traders is the cost of the funds through the U.S. Treasury for comparable maturities. As of September 1963 this interest rate for foreign trades amounted to 3⅝ to 4 percent, depending upon the length of the payment period of the loan.

As of September 1963 the following agricultural commodities were considered in surplus, and therefore available for sale under title 4: Wheat, rice, eggs, chickens, turkeys, butter, cheese, milk, beef, pork, variety meats, lamb, onions, potatoes, dates, canned peaches, peas, and beans. Sales under title 4 can be made only to those friendly nations in which such sales would not displace U.S. cash dollar sales or commercial sales of other friendly countries. This has meant that most sales have been authorized for Central and South America, the Middle East, Asia, and Africa. No sales are permitted to Communist countries.

The extension of long-term dollar credits to friendly nations which need adequate protein supplements for their diet will prove a great benefit both for our food-for-peace program and for developing new markets abroad. A foreign purchaser at the present time must pay in cash for American fish products. This has been a hindrance to the development of our export markets. Under the amendment, long-term loans could be made available to importers in friendly countries interested in buying American fish products for dollars. This program, which has no budget authorization ceiling, permits the Commodity Credit Corporation to hold secured notes from foreign countries and foreign private traders, and permits cash payment in dollars to American exporters. Sales of surplus fish under title 4 would be immediately possible under the amendment.

I believe this is a constructive amendment. Two-thirds of the world population does not receive an adequate daily diet. Increased protein in diet is the most widespread and most urgent need. Fish is the least expensive and most efficiently stored source of food protein. It follows, in a rather obvious and compelling fashion, that our food for peace program needs fish.

We have surpluses of fish which could be sold and exported to these underdeveloped countries in need of food protein. The encouragement of exports is, to me, an obviously intelligent and correct way to dispose of the surpluses of fish products, as well as agricultural products.

In conclusion, I should like to state that this program, both in its general aspects and specifically, I believe, has the hearty endorsement of the director of the food-for-peace program, Mr. Richard W. Reuter, who is aware of the very great advantages which would flow to the program for which he is responsible if fish, which has very great protein value, could be sold under the provisions of the amendment, to friendly nations.

Mr. DOUGLAS and Mr. SALTONSTALL addressed the Chair.

Mr. GRUENING. Mr. President, I shall be very happy to yield to the Senator from Illinois, and then to the Senator from Massachusetts.

First, I point out that it is most significant and heartening that in support of the fisheries amendment are a Senator from our farthest west State, Alaska, a Senator from the farthest east State, Maine, and also a Senator from what has properly been called "The First Province of the Middle Kingdom, Illinois," situated in the Great Lakes area.

So at this time I am happy to yield, first, to the Senator from Illinois [Mr. DOUGLAS], provided I may do so with the understanding that I shall not thereby lose the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I commend the two Senators from Alaska and other Senators for this amendment, which I think is highly constructive.

Mr. BARTLETT. Mr. President, I am almost afraid to come to grips with the Senator from Illinois in connection with this matter, because I understand he almost turned the senior Senator from Minnesota away from oysters, following their discussion of this general subject.

Mr. DOUGLAS. Is it not true that what is popularly known as fish flour or fish protein concentrate, a part of which I now am putting into a saucer held by the Senator from Alaska, is an extremely efficient form of high-protein concentrate available at low cost to the public?

Mr. BARTLETT. I am bound to agree with the Senator. The objections made to the use of that product carry no weight with me. I am very fond of the small sardines which I understand have been fully processed.

Mr. DOUGLAS. This high-protein fish concentrate can be sprinkled on rice or potatoes, put into soup, made into bread, and spread on vegetables. It can be used in various forms. It is 85 percent protein, is it not?

Mr. BARTLETT. I had a big lunch a short while ago, but I am almost tempted.

Mr. DOUGLAS. I think it should be spread on other foods and not eaten by itself.

Mr. SALTONSTALL. Mr. President, will the Senator from Illinois permit other Senators to enjoy the fruits of his research?

Mr. DOUGLAS. Yes. I have in my hand a high protein concentrate popularly known as fish flour.

Mr. SALTONSTALL. I enjoyed some of it yesterday in the Senator's office.

Mr. DOUGLAS. It was good, too, was it not?

Mr. SALTONSTALL. Certainly.

Mr. DOUGLAS. I have suggested that this product would be particularly appropriate for export to tropical countries where, because of lack of refrigeration, milk and fish will not keep.

Mr. BARTLETT. Very seriously—and it is a serious subject, of course—I am bound to agree with the Senator from Illinois.

Mr. DOUGLAS. This product can be produced in quantity for about 14 cents a pound. Is that not true?

Mr. BARTLETT. That is my understanding.

Mr. DOUGLAS. It is 85 percent pure protein.

Mr. BARTLETT. Of course, I would not limit its distribution to tropical countries.

Mr. DOUGLAS. I understand. I shall come to that point in a moment. It is perfect for export. The product to which I refer would be included under the provisions of the amendment sponsored by the Senator from Alaska and others. Is that not true?

Mr. BARTLETT. Most assuredly.

Mr. DOUGLAS. The distribution of the product would open a market for American fish.

Mr. BARTLETT. It would serve a great purpose for the people who receive it.

Mr. DOUGLAS. The National Academy of Science has pronounced the product perfectly safe and perfectly wholesome. Is it not true that its effects are totally good?

Mr. BARTLETT. Its appearance is altogether appetizing.

Mr. DOUGLAS. The Senator has made a very interesting point. As the Senator from Alaska knows, the Food and Drug Administration, under the direction of Mr. George P. Larrick, has refused to permit this product to be sold for human consumption, because, according to him it arouses unesthetic thoughts.

Mr. BARTLETT. He allows me to eat those sardines.

Mr. DOUGLAS. Sardines are all right.

Mr. BARTLETT. I might add, for the benefit of the Senator from Maine, that they are good, too.

Mr. DOUGLAS. The fish flour, however, is excluded because it is taken from the whole fish.

Mr. BARTLETT. The judgment of the Commissioner is in error and ought to be reversed forthwith.

Mr. DOUGLAS. He has excluded, even though it passes through approximately eight alcohol washes, eight water washes, and in addition is thoroughly baked and is ground into a fine, brown powder, and is completely sterile. Yet Mr. Larrick has said that the product arouses unesthetic thoughts.

I should like to ask the distinguished Senator from Massachusetts [Mr. SALTONSTALL], who, I believe, lives near the Boston Fine Arts Museum, and therefore is an expert on esthetics, whether that product arouses unesthetic thoughts in his mind.

Mr. SALTONSTALL. No. It stimulates a very good appetite; but I do not know much about the esthetic qualities.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. GRUENING. The Senator from Alaska has enjoyed the colloquy, particularly the contribution of the Senator from Massachusetts, because his opinion on that subject, as on many other subjects, is well grounded.

Mr. DOUGLAS. The Senator from Massachusetts lives near the famous Gardner Museum built by Bernard Berenson, and near the Boston Fine Arts Museum. Therefore, I think he is an authority on esthetics. If he pronounces the product which I hold in my hand esthetic, I would take his judgment in preference to that of Mr. George P. Larrick.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. Comparisons are difficult, but I am confident that what the Senator from Illinois has said is entirely correct.

Mr. DOUGLAS. Is not the Senator aware that Mr. Larrick has barred the sale within the United States of high-protein fish concentrate in the form in which it appears in the container which I now hold in my hand?

Mr. BARTLETT. I am aware of that, but until a moment ago, while the Senator was discussing the subject with the Senator from Massachusetts, I was not aware of another fact, which is, that the ash content of the product is just under 14 percent, and the moisture content is only 1.9 percent. All the rest of the product is protein; and of fat there is only a trace.

The product might be the greatest reducing food in the history of the world for some of us who have more to eat than do people in the underdeveloped countries.

Mr. DOUGLAS. It could really put bone and cartilage into the bodies of people who are at present deficient.

Mr. BARTLETT. And good strong muscle.

Mr. DOUGLAS. At the same time that Mr. Larrick has prohibited the sale of this product inside the United States, he permits the sale of other interesting products. I have in my hand a product of dried fish produced by the Quing Ling Moon establishment in Hong Kong. Does the Senator think that the product is very esthetic?

Mr. BARTLETT. It looks a bit on the suspicious side to me.

Mr. DOUGLAS. The Senator will notice two creatures which are bugs.

Mr. BARTLETT. They are plainly visible.

Mr. DOUGLAS. Let the RECORD show that they are plainly visible.

Mr. GORE. Are they young roaches?

Mr. DOUGLAS. I have had this product for approximately a year. They were there when I bought it. They are still there; so they are at least middle-aged roaches. [Laughter.]

The Senator from Alaska has mentioned the fact that Mr. Larrick permits the sale of sardines. Sardines have a gastrointestinal tract, and in many cases the sardines are eaten with the gastrointestinal tract intact. Is that not true?

Mr. BARTLETT. I believe customarily that is true.

Mr. DOUGLAS. Is it not true that clams and oysters also are eaten in that manner?

Mr. BARTLETT. I have a stouter stomach than has the Senator from Minnesota. I admit that without any qualms.

Mr. DOUGLAS. There are some other things which the Food and Drug Administration permits to be sold. Will the Senator read what is stated with reference to the particular product which I exhibit to him?

Mr. BARTLETT. I shall be happy to read the words. I notice some very fancy wrapping. The text is "Chocolate-covered menagerie—ants, silverfish, caterpillars, gold baby bees, grasshoppers—"

Mr. DOUGLAS. They are covered with chocolate and salt, but they have gastrointestinal tracts, too. Does that product arouse esthetic thoughts in the Senator so that he would be able to eat that product?

Mr. BARTLETT. I might be able to, but I do not propose to do so.

Mr. DOUGLAS. I have had to conceal such products from myself, because they arouse such unesthetic thoughts.

Mr. BARTLETT. I notice that the Senator handed them to me very hastily.

Mr. DOUGLAS. Will the Senator from Alaska read what is stated on the label of the product which I now hand to him?

Mr. BARTLETT. Yes. The Senator has handed me another delicacy. I am trying to find where it was produced. It is a product of Japan. Cottonseed oil and salt have been added. Although produced in Japan, the product bears the name "Dutch Garden fried silkworms."

Mr. DOUGLAS. Fried silkworms?

Mr. BARTLETT. No less.

Mr. DOUGLAS. Does it seem esthetic to the Senator to eat fried silkworms?

Mr. BARTLETT. On the contrary.

Mr. DOUGLAS. That poduct is permitted, by Mr. George P. Larrick, head of the Food and Drug Administration, to be sold in this country.

Mr. BARTLETT. This is another Dutch Garden product. This can, according to the label, holds fried ants within it, with something else added.

I am now examining a sort of tubular container which has been handed to me by the Senator from Illinois. This is a product of France, and it is denominated as containing 24 snails, "very big." The snails have champagne to go with them; and salt has been added.

Mr. DOUGLAS. Does that seem esthetic to the Senator?

Mr. BARTLETT. At the moment the snails look more like shells that might be picked up at the seashore. I do not customarily eat them.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. KEATING. I was temporarily delayed in reaching the Chamber. I am interested in this demonstration. I wonder if these products are what the Senator from Illinois will use for "trick or treat" tonight, this being Hallowe'en.

Mr. DOUGLAS. I had not thought of that.

Mr. GORE. The Senator has not seen the roaches.

Mr. DOUGLAS. If the Senator will call on me tonight, after 7 o'clock, I shall be delighted to give him some fish flour. If he demands them, I also have some fried ants.

Here is some tongue spread. That should be excellent for political orators.

Mr. KEATING. This is very interesting, and I am sure it is helpful.

Mr. GORE. What about the middle-sized roaches?

Mr. DOUGLAS. Middle-sized roaches are unfamiliar to members of the Republican Party, I am sure.

Mr. KEATING. We are looking for big roaches somewhere else. I have eaten some of the grasshoppers and some of the ants, and they are pretty good. But not the chocolate-covered ants. I do not believe chocolate is good for the blood. The others are pretty good.

Mr. DOUGLAS. Will the Senator try some fish flour?

Mr. KEATING. I shall be around tonight.

Mr. DOUGLAS. I do not wish to prolong this colloquy, but I also, have some imported sardines.

Mr. BARTLETT. I eat them all the time. They are delightful.

Mr. DOUGLAS. Here are some chocolate-covered ants. Somewhere in my office I also have some rattlesnake meat—which I do not like.

Mr. BARTLETT. That is one of the least desirable dishes.

Mr. DOUGLAS. Here are some chocolate-covered baby bees. Here is the tongue spread. Here are some more fried grasshoppers. We have had the fried ants and the fried grasshoppers.

Mr. BARTLETT. The Senator has a whole bagful there.

Mr. DOUGLAS. Oh, yes; and more at home. Here is a charming object. Would that not make one's heart leap in anticipation of a glorious meal?

Mr. BARTLETT. No. I do not know what it is. I wish the Senator would enlighten me.

Mr. DOUGLAS. This is dried squid. This is permitted by Mr. Larrick.

The purpose of displaying all of these products is to show how foolish the Food and Drug Administration can be. It prohibits the sale of a fine product which is 85 percent protein, and is cheap. However, the Food and Drug Administration feels this does not excite the esthetic sensibilities or taste.

Mr. BARTLETT. It is appealing to the eye.

Mr. DOUGLAS. Yet the Food and Drug Administration permits the sale of all these other products, which 99 44/100 percent of the American people, except possibly the Senator from New York, would regard as extremely unesthetic and unattractive.

I should invite Mr. Larrick, who thinks that these products are fine, to have lunch with me. I tried to get him to take some fish flour, but he refused.

Mr. BARTLETT. Did the Senator offer him any ants?

Mr. DOUGLAS. I believe I will have to invite him to have some chocolate-covered ants, some fried grasshoppers, fried ants, snails, and squid—and especially the roaches in their dried form.

I wish the Senator from Alaska well. I hope we can open up a market for high-protein fish concentrate both at home and abroad.

Mr. BARTLETT. In all seriousness, I thank the Senator for his help, because I know how much this program means to him. I know how important it is. The senior Senator from Massachusetts [Mr. SALTONSTALL] has been helpful concerning this amendment and concerning all the other fishery legislation that has been considered, so much of which has been passed by the Senate this year, as has been his colleague from the Commonwealth of Massachusetts [Mr. KENNEDY].

Mr. SALTONSTALL. Mr. President, I will appreciate it if the Senator will yield to me at this time because I must attend an independent offices committee meeting downstairs.

Mr. GRUENING. I am glad to yield.

Mr. SALTONSTALL. I enjoyed a second breakfast in the office of the Senator from Illinois the other morning, when he had enough hunger and enough estheticism to eat a great deal after his first breakfast.

Mr. President, the Senator from Alaska has made very competent remarks concerning this amendment to the foreign aid bill.

Many amendments have been made to Public Law 480 since its inception. What this committee amendment does is merely to include surplus fisheries products, as designated by the Secretary of the Interior, under the food for peace program.

At the present time we in New England seldom have surpluses. The price our fishermen receive for their catch does not encourage surpluses. Occasionally we do have an oversupply of one species. This bill would not encourage overharvesting merely to build up surpluses, but would make these products available to friendly nations which are endeavoring to develop sources of much-needed protein.

Several countries have attempted to meet that need through the importation of U.S. fisheries products. I hope that the Senate will adopt this amendment in order to answer that need, and in order to establish oversea markets for our fish products. This is not another giveaway program. We are merely facilitating the purchase of these goods by making them available for purchase by friendly nations with their own currency.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. GRUENING. I should like to finish my discussion of this subject, if I may, first.

I congratulate my colleague [Mr. BARTLETT], the Senator from Maine, and the Senator from Illinois [Mr. DOUGLAS], for their part in this discussion. I ask one pertinent question of the Senator from Illinois: Does Mr. Larrick's prohibition against the use of fish protein concentrate by the people of the United States prohibit its use in a foreign aid program?

Mr. DOUGLAS. No; it does not. It is permitted to be sold abroad, but there is a prohibition on its being sold at home. We have here a double standard. The difficulty will be, if it is sold abroad, that the Communists will say we are unloading on the people of other countries articles we do not permit Americans to consume.

Mr. GRUENING. There is an excellent refutation for that. It is that fact that we are far more generous with folks abroad than we are with folks at home.

Mr. DOUGLAS. I believe that is true.

Mr. GRUENING. We do many things in our foreign aid program which might also be desirable for us, but which we Americans cannot have. I believe the fact that we can provide this admirable nutritious inexpensive product, fish protein concentrate, to folks abroad should be a stimulus for a move to abolish this double standard and to give Americans at least equal treatment with people in foreign countries. I hope the Senator from Illinois will support that move.

Mr. DOUGLAS. I certainly will. As I say, my invitation goes out to Mr. Larrick to have some of these products which he likes so well—the chocolate covered ants, the baby bees, the fried grasshoppers, the fried worms, the squid, the snails, the oysters, the clams, the sardines, and the like.

Mr. KENNEDY rose.

Mr. GRUENING. I see that the distinguished junior Senator from Massachusetts [Mr. KENNEDY] wishes to take part in this colloquy, and I am glad to yield to him.

Mr. KENNEDY. Mr. President, I appreciate the kindness of the Senator from Alaska. I certainly want to indicate my complete and wholehearted support for the efforts which have been made by the Senators from Alaska [Mr. BARTLETT and Mr. GRUENING] and the Senator from Illinois [Mr. DOUGLAS], as well as many other Senators who have taken up this courageous fight and who recognize so well the great problems of hunger and malnutrition which exist in other parts of the world particularly as to developing the countries of the world.

We know that 2 billion people who live in the world today are in a serious condition of malnutrition. We as a nation have come to recognize that fact, and it has been documented in international conferences that have addressed themselves to the problem of malnutrition and hunger. It leads us, as I believe it has led the Senator from Alaska, to the conclusion that protein deficiency can to a great extent be met by seafood; that fish products are ideally suited to meet the great problems of hunger; that the objectives of the food for peace program are to help those hundreds of millions of people in other parts of the world; that by including fish products in the great program of food for peace in this foreign aid bill, we are actually not only helping domestic industries, but also fulfilling an opportunity to help feed millions of people who do not have the benefit of the food surpluses we have.

Without question the inclusion of seafood in the food for peace program would stimulate our domestic industries, but it would also stimulate markets in other parts of the world, which will eventually help our exports and our balance-of-payments situation.

So I am delighted to join with my colleagues who started this battle before I came to the Senate, whose efforts in its behalf are well recognized by the people of Massachusetts. I wish to indicate to my colleagues not only that I am in sympathy with their efforts, but also that they will receive from both Massachusetts Senators the kind of help and support which I hope will aid in completion of the program encompassed by food for peace and foreign aid.

Mr. GRUENING. Mr. President, I think it is most appropriate that the Senator from Massachusetts, whose State has the sacred codfish as one of its important symbols, has added his remarks to the discussion.

I yield now to my colleague from Alaska.

Mr. BARTLETT. Mr. President, I am grateful to my colleague from Alaska for yielding to me at this time. I am heartened by the support of so many Senators.

Mr. GRUENING. Mr. President, we now move from the waters of the sea to the arid plains of Kansas. I yield to the Senator from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. President, we preciate very much the distinguished Senator from Alaska's permitting me to have a moment or two. I want Senators to know that I have enjoyed this discussion between the Senators from Alaska, Illinois, and other States in regard to fish. I am a member of the Foreign Relations Committee, and I helped to write this provision into the bill. But I was a little concerned about leaving the RECORD as it is, and as it may be read by citizens away from this Chamber, in regard to the part played by the Food and Drug Administration.

I do not want anything in the RECORD to indicate that this great agency does not have the interest of the consuming public of this Nation at heart. It has rendered a great service, and is continuing to render a great service, to the consuming public. I would not want criticism of George Larrick to stand unchallenged. I am familiar with the fact that the Senator has been trying to have fish flour approved by the Food and Drug Administration for use by Americans. The Food and Drug Administration has not approved it. Personally, I hope it never will. It has just reasons for not doing so. I want the RECORD to show that I do not know of any agency that renders a greater service to consumers than does the Food and Drug Administration.

### TRUTH IN LENDING MUST APPLY OVERSEAS AS WELL AS HOME

Mr. GRUENING. Mr. President, I shall now speak on my amendment numbered 232, to the foreign aid bill (H.R. 7885). This amendment, in the sponsorship of which I have been joined by Senators SIMPSON, ERVIN, MOSS, CANNON, DOMINICK, MORSE, YARBOROUGH, BIBLE, and SMATHERS, would require that foreign assistance loans bear interest at the same rate that the United States itself must pay to borrow money.

This may be called the truth in foreign aid lending amendment.

I am happy to borrow that suggestive title from the proposed legislation which the distinguished senior Senator from Illinois [Mr. DOUGLAS] has been trying to have enacted, to provide for truth in lending in our domestic affairs. We are no less entitled to truth in our foreign affairs.

In 1961—with the passage of the Foreign Assistance Act of 1961—there was a loud fanfare of publicity that the foreign aid program was being put on a hard-loan policy. We were told at that time that henceforth development loans would be repayable in dollars rather than in local currencies. We were told that loans would replace grants, against which there had been increasing objections in the Congress.

I must point out that at the time I pointed out on the floor of the Senate the glaring deficiency in the bill—the absolute discretion given to the Administrator of the AID program to fix repayment terms, including interest rates.

Despite this warning, the bill passed without closing the gap—without giving the guidelines to the foreign aid administrator as to the terms to be imposed upon development loans.

Since the passage of the 1961 act, $1,315,775,000 in development loans have been made on terms of three-fourths of 1 percent interest, repayment in 40 years, with preliminary grace periods of 10 years.

In order to make these loans, the United States has had to borrow the money. Now some will ask why I attribute all development loans to that part of the U.S. budget that is met by Treasury borrowing. Some will say that I should attribute to Treasury borrowing only that portion of the total of development loans as bears a relationship to the overall budget. That is, some say that the critics of my amendment argue that only part of development loans should be attributed to Treasury borrowing and the remainder should be attributed to tax revenues.

That analogy must be rejected.

There is a vast difference between U.S. expenditures for a hydroelectric project in the United States—expenditures for a project which will contribute to economic development of the United States—and the expenditures for a hydroelectric plant in a foreign country. The foreign expenditure will enure to the economic benefit of a foreign country and will not benefit, economically, the taxpayers of the United States.

It is therefore only fair to attribute all of the money loans abroad for the economic development of a foreign country to Treasury borrowing rather than tax revenues, because it is normal to assume that we are first using tax revenues to meet our domestic needs and after that we would borrow to meet not only the remainder of our domestic needs but our needs abroad.

Those who would suggest that we would meet our foreign needs out of tax revenues and then borrow to meet domestic needs are being totally unrealistic.

Therefore it is entirely sound to attribute the development loans made abroad to Treasury borrowing.

Four percent per annum interest is a conservative figure for the cost of money borrowed by the Government. Figuring even more conservatively, let us assume a figure of 3¾ percent interest as the cost to the United States of the money borrowed to enable it to make these loans. Not figuring interest on interest, it will cost the United States over the next 40 years approximately $780 million to make these loans in the sum of $1.3 billion.

To make loans totaling $1.3 billion, the United States must go further into the hole—assuming that the loans will be repaid, which is doubtful—to the extent of another $780 million—a concealed grant.

It can be said, therefore, that each development loan contains a hidden grant depending in size on the lowness of the interest rate and the repayment terms. Thus the $17-million loan to Egypt for grain storage facilities was made for three-fourths of 1 percent interest repayable in 40 years with the initial amortization rate set at more than 10 years after the date of the loan agreement. By the year 2002—when this loan is supposed to be paid up—even if the loan is paid in full as to principal and interest, it will have cost the U.S. taxpayers more than $12.5 million to make the $17 million loan—or almost 80 percent of the face value of the loan.

It is most gratifying to find that the House-passed bill—which the Senate Committee on Foreign Relations has moved to strike out—provides for a minimum of 2 percent interest on development loans. The Senate in its substitute for H.R. 7885 has followed suit.

But let us take a moment to analyze this 2 percent interest rate.

Why 2 percent? It does not meet the cost to the United States of borrowing money?

Why not 1 percent? Why not 3 percent?

There is neither logic nor magic in 2 percent.

It is as unrealistic as the present three-fourths of 1 percent.

It still makes a grant to the recipient country, but mislabels it and calls it a loan.

The taxpayers of the United States are entitled to insist on truthfulness in the foreign aid program. It is time to call a spade a spade. Let us have truth in our foreign lending program.

When I was in Cairo last winter, I witnessed the signing of the loan agreement so-called for $30 million to build the West Cairo powerplant. This too was for 40 years, 10-year grace period, three-fourths of 1 percent interest. This so-called loan will cost the U.S. taxpayers over $22.5 million if that is ever repaid. Thus, while presumably we loaned Egypt $30 million we at the same time gave Egypt a grant of over $22.5 million. Moreover, this is a moneymaking proposition for the Egyptian Government. It can charge the public whatever rates for electricity it pleases. There was no justification whatever for not making such a loan on a businesslike basis. One may wonder why the World Bank was not given an opportunity. The answer may lie in the fact that our Development Loan Administration sought to give the contract to an American firm which secured it. But why should the American taxpayer be asked to pay $22.5 million for this objective?

**Mr. ROBERTSON.** Mr. President, will the Senator yield at that point?

**Mr. GRUENING.** I yield to the Senator from Virginia.

**Mr. ROBERTSON.** I am very much interested in the figures the Senator has given, because when he yields the floor I hope to be recognized to make a speech on this subject, during which I shall read a letter which I wrote to the then Administrator, Paul Hoffman, on December 4, 1949, 14 years ago. I believe at that time we were making loans at 2½ percent. I urged him not to make any more loans, but to let the borrowing countries go through the Export-Import Bank, or the World Bank.

The Senator said some loans were made for as little as three-fourths of 1 percent.

**Mr. GRUENING.** More than a billion dollars has been loaned at that rate. I gave the exact figure, $1.3 billion, earlier in my remarks.

**Mr. ROBERTSON.** I did not have those figures, but I know that many of the loans would not be repaid no matter what the interest rate was.

After visiting all the countries in Europe, and seeing that the war-torn damages had been repaired, and that they were back on their feet, but that they would not trade with one another—there were trade restrictions and currency restrictions at that time—I recommended that the program be cut back to $2½ billion, a reduction of $1 billion. That was done. I also recommended that it be ended in 1951. That was not done.

A part of the letter I will read bears out what the Senator says, that on certain loans it will cost the taxpayers three-quarters of a billion dollars, represented by the difference between the interest that the countries will pay and what we will pay to the people from whom we borrow the money.

**Mr. GRUENING.** That is correct. Even while we are debating on the floor of the Senate, commitments are being made.

**Mr. ERVIN.** Mr. President, will the Senator yield?

**Mr. GRUENING.** I yield.

**Mr. ERVIN.** Some time ago I received a newspaper article from Costa Rica. I am not able to read Spanish, so I sent the newspaper article to the Library of Congress, with the request that one of its experts in that field translate the article for me. I was astounded at what I read when I received the translation. If the Senator will permit me to do so, I ask unanimous consent that the translation of the article be printed in the RECORD at this point, for the information of the Senate. Then I will call the attention of Senators to certain statements in the article.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[Source: La Nacion, San José, Costa Rica, July 27, 1963]

### LOANS FOR $80 MILLION—FOREIGN MINISTER ODUBER TRAVELS TO WASHINGTON TODAY TO SETTLE THE MATTER OF THE ACCOUNTS

Costa Rica is receiving $50 million, on a 40-year installment plan, without interest. Foreign Minister Oduber said: "In short, it's a gift that they're giving us." The other $30 million of the loan which is being negotiated is for: service [or local] roads, $4 million; for the SNAA, $10½ million; low-cost housing, $2 million.

Another $13 million [1] goes for a highway to Limón, with connections from Tortuguero, Reforma Penitenciaria [penitentiary], and the refinery contract as guarantee [security]. Foreign Minister Oduber will also take advantage of his trip to the United States to transact business with the World Bank for assistance on a study of the [Costa Rican] ports.

Oduber feels that personal visits with political and financial groups is more effective, and therefore he is going to Washington.

"Costa Rica," said the Foreign Minister, "is, in proportion, the country which receives most help from the Alliance for Progress."

Lic. Daniel Oduber Quiros, Minister of Foreign Affairs, held a press meeting yesterday to explain the reason for a trip which he is making to the United States.

"These trips, esteemed journalist, are very important. They are not merry interludes to enjoy myself. I'm going to confer with leaders, speak with businessmen, make connections with high U.S. Government officials. The President of the Republic is sending me to Washington, and when I return, I hope to tell you that we have obtained the 500 million colons [Costa Rican monetary unit] for various projects which we announced some time ago that Costa Rica would receive."

After this introduction, Lic. Oduber quickly outlined these loans. Actually, his trip is to settle the matter of the loans which total $80 million (or 500 million colons). Some of these loans have already been granted, and others are being processed.

#### THE 80 MILLION

There are $34 million already approved, $22 million of which will be for the ICE to finish the Cachi telephone project. Of the other 12 million, 5 will be used for agricultural development, and 7 for the SNAA.

"These $45 million are on a 40-year installment plan, and bear no interest. In short, it's a gift," said Foreign Minister Oduber.

Sixteen million dollars are approved for the Inter-American Highway, crossing Costa Rica from border to border. The amount of money needed for the highway is $23 million. The United States is giving us $16 million, or two-thirds of its cost as a gift. Costa Rica is providing the remaining one-third, and it has to be financed in some way.

Pending loans are as follows: Service [or local] roads, $4 million; the SNAA, $10½ million; low-cost housing, $2 million.

These loans are being processed in the Inter-American Development Bank. The Foreign Minister explained that it was necessary that the loan be granted soon because, in this way, a coordinated working plan could be carried on with the Inter-American Highway, construction of public roads, and service roads.

At this point, he emphasized that he had to make trips to see officials in the United States, and that Costa Rica is the country receiving the greatest per capita assistance from the Alliance for Progress.

He stated that he will take advantage of his trip to expedite (in the World Bank) a loan to be used for a study of [Costa Rican] ports. This money will come from a special United Nations fund.

He will negotiate another $13 million loan in Washington, and will use the refinery contract as a guaranty. This will be the $13 million for the highway to Limon, with connections from Tortuguero, Reforma Penitenciaria, an installation for social work and a hospital in Limon. This loan will run for 20 years.

The Foreign Minister ended the interview with these remarks: "These are the reasons for my trip. I'm going on business."

**Mr. ERVIN.** The article discusses some remarks made by the Foreign Minister of Costa Rica, Mr. Oduber, in respect to $50 million which Costa Rica had received on a 40-year installment plan without interest.

Undoubtedly the people of Costa Rica thought they were receiving a $50 million loan, on a 40-year installment plan, without interest. The Prime Minister continued:

> In short, it's a gift that they're giving us.

In addition, the article proceeds to a discussion of the subject, during the course of which the Prime Minister boasts of the fact that Costa Rica, in proportion to its size, is receiving more aid, per capita, from the United States than any other Latin American country. Whether that is so, I do not know, but that was the assertion of the Foreign Minister.

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[1] Translator's note: Totals only $29½ million—R.Ll.

Then the Foreign Minister called a press conference for the purpose of explaining his reason for going back to the United States to get more money. He states to the press of his country that they had received $50 million on a 40-year installment plan, which bears no interest, and he adds:

> In short, it's a gift that they're giving us.

I should like to ask the Senator from Alaska this question: How can we expect the people of Costa Rica ever to pay back a 40-year loan without interest when an official of Costa Rica, who carries on the negotiations with the AID authorities to procure this money, assures the people of Costa Rica that it is a gift.

Mr. GRUENING. The answer is that those who are making the loans will not be around to be brought to accountability when the loans become due.

Mr. ERVIN. Does not the Senator recall that the Alliance for Progress was presented to the Senate with the assurance that the emphasis would be on loans rather than on grants?

Mr. GRUENING. That is correct.

Mr. ERVIN. Does the Senator consider that a 40-year loan without interest has any connection with a loan other than that it is a pretense for the purpose of making the American people believe that some day the people will get this money back?

Mr. GRUENING. It is a fraud that has been perpetrated on the American people, when, in response to dissatisfaction in Congress about so many grants being made, the AID administration or rather its predecessor by a different name but in the same field—foreign aid—stated it would change its policy and that, instead of making loans, it would make grants. Under the guise of making a loan, this is a loan and grant at the same time.

Mr. ERVIN. As a matter of substance, since we are operating in the red, are not we in reality borrowing money at a substantial rate of interest for the purpose of giving it to foreign countries?

Mr. GRUENING. That is precisely the point of my remarks. We, the people of the United States, are borrowing money at approximately 4 percent, and then we are making in the foreign aid program so-called loans, with no interest payment for a period of 10 years, and at an unconscionably low rate for the balance of the loan—three-quarters of 1 percent.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. RUSSELL. The Foreign Minister of Costa Rica was much more candid and forthright with his people, in saying that this was a gift, than our AID people were in perpetrating a deception in saying that it was a loan. He was much more forthright in explaining to the people of Costa Rica what the situation was than were our people who handle our tax money, when they called it a loan.

Mr. GRUENING. He should be brought to testify before the Foreign Relations Committee.

Mr. ERVIN. Mr. President, I should like to ask the Senator if he does not believe that the AID authorities, who negotiate a 40-year loan without interest, in regard to which the foreign minister of a country assures his people that it is a gift, not a loan, might do well to read the advice of Polonius to his son Laertes in Hamlet, when Polonius said:

> Neither a borrower nor a lender be: for loan oft loses both itself and friend.

Does not the Senator feel that at the end of 40 years, if we call on the people of Costa Rica to repay the 40-year loan, which they have received from us without interest, they will demonstrate that Polonius was wiser than the AID officials when he said:

> For loan oft loses both itself and friend.

Mr. GRUENING. I believe so. The Government of the United States might well apply to itself the subsequent advice of Polonius to Laertes:

> This above all: to thine own self be true,
> And it must follow, as the night the day,
> Thou canst not then be false to any man.

I believe our Government agencies in this matter have been false to the American people in telling them that we are making loans, when we are not making loans.

Mr. ERVIN. I commend the Senator on the amendment he has submitted on this phase of the foreign aid program. The Senator is trying to make certain that hereafter the American people will be told the truth about pretended loans, which are, in fact, grants.

Mr. GRUENING. I am hopeful that the amendment will be adopted, so that this deception will no longer be perpetrated on the American people.

Mr. HUMPHREY. Mr. President, will the Senator from Alaska yield.

Mr. GRUENING. I yield with pleasure.

Mr. HUMPHREY. It distresses me greatly even to think of taking issue with my beloved friend from Alaska, a Senator whom I admire with unrestrained enthusiasm and sincerity. But there are at times differences.

Mr. GRUENING. I fear the worst when the start is so pleasant.

Mr. HUMPHREY. There are times when even good friends can disagree, and can do so without being disagreeable.

Mr. GRUENING. Yes, indeed.

Mr. HUMPHREY. It is my hope that in this discussion, while we may have some differences of opinion, we shall be able, at least, to be constructive and helpful toward a better understanding of the measure before the Senate.

I say to the Senator from Alaska that the section of the bill that relates to the Development Loan Fund is in the bill for a specific purpose; that is, all development loans are made under terms that are known as soft terms, because we consider such loans to be in our national interest and in furtherance of our foreign policy. We make loans through the Export-Import Bank at regular rates of interest, and they are repaid. The Export-Import Bank has made most of its loans to Latin American countries. The Export-Import Bank has made loans to the little country of Costa Rica, and the loans have been repaid. Export-Import Bank loans have been made all over the world, and the loans have been repaid.

World Bank loans are being made; and the problem of the World Bank today is that the rate of repayment is faster than the bank's ability to relend the money.

I am reminded by the distinguished Senator from Alabama [Mr. SPARKMAN] that voices were raised in Congress against participation by the United States in the World Bank. Most of the stock of the World Bank is American money. World Bank loans are being repaid.

The Development Loan Fund makes money available for projects which do not meet the standards of the Export-Import Bank or the World Bank, whose loans are known as hard loans. Development Loan Fund loans are made for projects that require development funds, projects that will require many years for the repayment of the loans. They are made for projects which we consider to be vital to the security of our country and the furtherance of our foreign policy.

One can say that such loans do not bear a high enough rate of interest; but it cannot be said they are not loans. They are loans, and the loans are being repaid.

What have we provided in this bill? We have increased the loan rate after the first 5 years of any loan from three-quarters of 1 percent to not less than 2 percent. Furthermore, we have reduced the terms from 40 to 30 years. It seems to me that we have taken into consideration some of the complaints that have been made by Senators.

Let us consider the little country of Costa Rica. If any of the countries in Latin America deserve the best from this country, it is Costa Rica. First of all, Costa Rica does not spend one dime on the futile effort of trying to maintain an army. Costa Rica does not waste its substance in trying to maintain an army. That little country does not try to have an army.

I thoroughly agree with the Senator from Alaska and other Senators that in most Latin American countries there is a waste of money in the procurement of military equipment. If it is desired to reduce expenditures in the bill, that is a good place to start.

Mr. GRUENING. I am glad to know that the Senator from Minnesota will support my amendment to eliminate our military aid in Latin America.

Mr. HUMPHREY. The Senator from Alaska has been active in this field for a long time.

Furthermore, Costa Rica pays its bills. The Foreign Minister of Costa Rica, Mr. Oduber, is one of the most effective foreign ministers in the whole world, and is one of the most ardent anti-Communists. He understands the principles of freedom and democracy. He is one of the great potential leaders of this hemisphere. Mr. Oduber went home and told the people of his country that the people of the United States are being generous to the people of Costa Rica.

For years, we have heard complaints in the Senate that nobody ever appreciated us; that they did not like us; that when we were being good to them, they did not understand that we were being good. Now the Foreign Minister of Costa Rica has gone home and has told the people of his country that the people of the United States are being good to his country. Yet Senators say that foreign representatives never tell their people that we are good to them; or that if they do, they tell them that they are getting a gift, not a loan.

I know Mr. Oduber personally and intimately. He has been a guest in my home. I have known him for years. He is a man of probity, ability, and integrity. What he told the people of Costa Rica was that they received help from the U.S. Government. The Government of Costa Rica keeps its word. It has been keeping it for years. It has been keeping it just as well as the United States has been keeping its word.

I do not believe we should select little countries and say that they are unworthy of our trust. They are highly worthy of our trust.

I shall defend the Alliance for Progress at every opportunity. I do not say it is perfect. In Germany, I saw some tanks that were not operating, but that does not mean we will stop producing tanks.

Mistakes are made in the best of programs. Some of our best friends have not always paid their bills. Let me say for the countries that have received benefits from the Marshall plan that they have been paying their bills. Not only that, but they are getting around to paying some of ours. The Marshall plan worked well in Europe.

I thank the Senator from Alaska. I want him to clarify the question. If we lend money, regardless of the rate of interest, and the principal is paid back, is not that a loan?

Mr. GRUENING. If low-rate loans are desirable in the interest of national security, I should prefer, frankly, to make them grants. Let us consider the loan with respect to which I witnessed the signing of the agreement in Cairo. That was a loan of $30 million to build an electric powerplant. It was inevitably going to be a money-making, profitable enterprise. There was not the slightest connection with our national security in making that gift to Nasser, the dictator. It was not a loan made to a poor, struggling country, for a project that could not repay itself. This was a profit-making powerplant which could charge its customers whatever Nasser determined. It was inexcusable that we did not make it as an Export-Import Bank loan if it had to be made at all. I challenge the wisdom of those who urge that such projects are necessary to our national security and that we have to give away our substance on projects like that, that could well pay their freight in interest rates equivalent to those we have to pay when we borrow.

Mr. HUMPHREY. There is merit in the Senator's argument in reference to revenue-producing facilities.

Mr. GRUENING. That is what that one was.

Mr. HUMPHREY. In the bill now before the Senate, the language proposed by the Senator from Ohio [Mr. LAUSCHE] has been included, to the effect that no manufacturing, proprietary, or business enterprise loans shall be made if they compete with what we call normal private enterprise activities in the respective countries. There may be real cause for Senators to object in the case of a utility that is a revenue-producing enterprise, such as we have in our country, with certain guaranteed rates.

We can pick out specific cases in which bad loans may have been made. Only the other day, I spoke with one of the big bankers of the country. He told me that bad loans had been made from time to time. But the bank does not fire its president, who no doubt has made many good loans. Every banker makes bad loans occasionally. I hope it is not necessary to maintain perfection.

All I am saying and believing is that the AID officials, who are attempting to do this job well, and who have been subjected to unbelievable criticism by all of us, are just as much interested in protecting the dollar and just as much interested in the economy of this country as is any Member of Congress.

My complaint about these men is that they are too slow. They go around looking at every comma, every period, and every semicolon. They are too slow. They ought to take some risks. This country was not built by people who were timid, who did not take risks. Sometimes we lose before we get started.

I do not believe it is fair to say that our loan program has been a gift program. It is not a gift program. The loan program is a solid economic program, one that is designed to fulfill our foreign policy objectives, and not put the stigma of gift upon the recipient of the aid.

The Latin American countries do not want gifts. They want to pay back the loans that are made to them. They have a sense of pride, and they are paying back the loans. With few exceptions, they are making their payments; and I do not want this debate to be interpreted in Latin America as indicating that the U.S. Congress thinks those countries are unwilling to pay their bills. They have been paying them.

Mr. GRUENING. Mr. President, I must disagree with the Senator from Minnesota in regard to the record of such payments. There have been many defaults of Latin American bonds in the past; and the loans under the Alliance are far too recent to make it possible to say that they are being repaid. No repayments on them are as yet due.

Let us consider the situation as regards Brazil: whenever Brazil defaults, we refund the debt, and thus put off the day of reckoning.

I hesitate to disagree with the distinguished majority whip about the repayment record insofar as the countries of Latin America are concerned; but it is a very bad one.

Mr. ERVIN. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield.

Mr. ERVIN. The Senator from Minnesota intimated that perhaps I was discounting the ability of Foreign Minister Oduber. I consider him a very effective Foreign Minister. He is a great deal smarter than many of our representatives—as was demonstrated by his success in persuading them to make 40-year loans without interest. He will continue in office as long as he can continue to obtain such loans for his country.

The Senator from Minnesota also suggested that there might be another Castro. I ask the Senator from Alaska if it is a fact that for many years the United States—because it wanted to be of assistance to Cuba—paid Cuba anywhere from $150 million to $200 million a year for her sugar in addition to the price of the sugar on the world market, and did so for the purpose of assisting Cuba.

Mr. GRUENING. That is correct.

Mr. ERVIN. But Castro was the answer to that investment by our country, was he not?

Mr. GRUENING. Yes; and today we are taxing the American people indirectly by requiring them to pay far more for sugar than they should pay; our Government is doing that in order to help other countries which produce sugar. This is one of the indirect subsidies, similiar to the subsidy on coffee, achieved through the coffee agreement enacted a few months ago for which the American people will pay higher prices, in order to benefit the producers in Latin America.

Mr. ERVIN. Furthermore, do not the nations to which we loaned $19 billion during the First World War still owe us that money?

Mr. GRUENING. They do.

Mr. HUMPHREY. Mr. President, will the Senator from Alaska yield again to me?

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator from Alaska yield to the Senator from Minnesota?

Mr. GRUENING. I yield.

Mr. HUMPHREY. Does the Senator from Alaska agree that most of the aid given to Cuba in connection with sugar was really given in order to be of benefit to the American sugar companies which own land in Cuba? Does not the Senator from Alaska agree that the Cuban people did not benefit much from that subsidy?

One of the reasons why the foreign aid program makes some sense is that—for the first time—schoolrooms are being built, schools are being established, teachers are being trained, mobile health units are being sent to these countries, cooperatives are being developed, and workers are being mobilized. Those are some of the things the program is doing.

One of the reasons why President Bosch, of the Dominican Republic, was thrown out of office was that some of the vested economic interests there did not like him and were dissatisfied because the U.S. foreign aid program was being of help to him. The Cuban sugar example, which has been brought to our attention, is a classic example of the kind of thing we ought not to have been doing.

Mr. ERVIN. Mr. President, will the Senator from Alaska yield, so that I may ask another question about Cuba?

Mr. GRUENING. I yield.

Mr. ERVIN. Did not those American firms, and also the Cubans who owned sugar plantations and sugar refineries in Cuba, furnish employment to Cubans there?

Mr. GRUENING. Of course they did.

Mr. ERVIN. However, although we paid from $150 million to $200 million a year, year after year, for the purpose of assisting Cuba economically, did not Castro come into power, and did not he confiscate all those sugar plantations and sugar refineries, without paying 1 cent of recompense to their owners, regardless of whether they were Americans or Cubans?

Mr. GRUENING. Yes; and that is a matter of record.

Mr. ERVIN. I thank the Senator from Alaska.

Mr. LAUSCHE. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I yield.

Mr. LAUSCHE. I cannot remain silent following the statement which has been made about the Dominican Republic. The testimony clearly shows that, in particular, four things which happened caused the people of the Dominican Republic generally to revolt against Bosch:

First, when he came into office, he allowed a free return of all the Communist exiles of the Dominican Republic.

Second, as the head of the Government, he allowed quarters of the Government to be used for the teaching of the Communist technique and doctrine.

Third, he allowed the governmentally operated radio stations to be used by Communists in the dissemination of their doctrine and philosophy.

Fourth, he allowed a free outflow and inflow of Dominican Republican youth to Cuba, where they were being indoctrinated in communism.

While these things were going on, leaders in the Dominican Republic begged Bosch to discontinue what he was doing. Representatives of our State Department pointed out to him that trouble would result. But Bosch did nothing about that.

I do not believe Bosch is a Communist; but he is a sentimentalist and a romanticist, and he has no concept of reality.

It was then that the national strike was declared; and that strike was participated in by the religionists, the farmers, the businessmen, the professional men—all of whom asked for a halt of the soft-hand application to, and treatment of, the Communists. It was only then that the junta took control.

It is my belief—and I also say this to the distinguished gentleman whom I see sitting in the gallery to my right—that we had better recognize the present Government of the Dominican Republic and we had better give it aid, for unless we do, there will be Communist domination of the Dominican Republic before we have any idea that that will happen, for I think Communist control of the Government of the Dominican Republic is on the way. So this is the time for us to do what we can to stop it.

Let me ask the Senator from Minnesota whether my recitation of the facts in regard to these developments is accurate.

Mr. HUMPHREY. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I am glad to yield, to enable the Senator from Minnesota to reply to the question, although it has no relevance whatever on the subject before us, which was the interest rate on our development loans.

Mr. HUMPHREY. I shall be glad to have the Senator from Alaska state, after I give my reply, whether he believes the Senator from Ohio is correct in asking that the junta in the Dominican Republic be recognized by our Government. I shall be interested in his answer. I believe I know what it will be.

Mr. GRUENING. I disagree in toto with the Senator from Ohio.

Mr. HUMPHREY. I thank the Senator from Alaska. It is obvious that we are allies.

Mr. GRUENING. Furthermore, I think the remarks of the Senator from Minnesota, in praise of Costa Rica, are well merited. No country in the Western Hemisphere is more entitled to our aid than that little country, which is a democracy, which has no standing army; in fact, it is one of the few countries in Latin America in that category.

Mr. HUMPHREY. I thank the Senator from Alaska.

In response to the statement made by the Senator from Ohio, it is true that Juan Bosch, the President of the Dominican Republic, permitted the exiles to return there. He did that because during the Trujillo regime, hundreds of citizens of the Dominican Republic were executed or were exiled, merely because they disagreed with Trujillo, who was one of the most vicious scoundrels ever to occupy office.

Mr. GRUENING. That is true.

Mr. HUMPHREY. Furthermore, Juan Bosch acted only in line with the policy favored by the Council of State, after Trujillo had been assassinated—namely, to permit the return of the exiles.

Second, it is true that Juan Bosch is a sentimentalist. He is a fiction writer. He is a romanticist. It is possible that he was not a very good administrator. But he was honest. For example, he did not want a colonel in the Air Force to take a 15 percent "take" under the table or on top of the table on an airplane contract with the Hawker Hunter Aircraft Co.

Mr. GRUENING. Correct.

Mr. HUMPHREY. He said he would not have any part of it. He wanted honesty in Government. Furthermore, Juan Bosch had his difficulties with the church and with certain elements in the business community. But he was elected by the people by an overwhelming majority.

Mr. GRUENING. That is also true of the President of the United States.

Mr. HUMPHREY. Yes, it is true of the President of the United States; he has a little trouble occasionally with some elements in our country.

Juan Bosch was the constitutionally elected executive. The Senator from Minnesota will not rise on the floor of the Senate at any time and say that when a military coup which turns out a constitutionally elected government of men who are dedicated to the principles of democracy, the coup should be given the support of this country. To the contrary, I hope that the President of the United States will see to it that the junta and the Dominican Republic do not even get the time of day.

I am not saying that Juan Bosch was the greatest of all men. I am not saying that he was even a good President. I am merely saying that he was elected. I did not happen to think that Calvin Coolidge was a good President, but I did not believe that the military should throw him out. I did not think that Herbert Hoover was a good President; and I did not think that Dwight Eisenhower was, either. But, Mr. President, they were elected, and deserved the respect and support of the officials of their Government. They deserved the respect of the citizenry. So I suppose we have cleared that record. The recitation of alleged facts by the Senator from Ohio is one thing; the conclusion is another. The Senator has made his recitation. The point is that I do not think it adds up to "Amen."

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. GRUENING. I yield.

Mr. LAUSCHE. I merely wish to point out that the Senator from Minnesota has not dealt with my statement that the schools and the radio stations were used, and that the free inflow and outflow of youth into Cuba was affected.

Mr. HUMPHREY. I am sorry. My memory was not good enough to recollect that part of the Senator's statement. I shall now deal with that subject, if the Senator will yield.

Mr. GRUENING. I yield.

Mr. HUMPHREY. The fact is that the Communist movement was no stronger after Juan Bosch came in than it was before. The fact is that the leftists and Communists used the radio; so did the people who believe in constitutional government.

The fact is that in the United States of America, Communists speak, too. They go in and out of this country. They move around this country. Juan Bosch did not do much more in the Dominican Republic than the Government of the United States does.

I believe that Juan Bosch was too weak. I think he should have cracked down on the Communists. I would have suggested to him that he crack down if he had asked my advice. I did make the suggestion to his Ambassador, and our Ambassador made that suggestion to him. He did not follow that advice. Today he is out of office. But that does not mean that his action was an excuse for a military junta to take power.

I am proud of the fact that our President and our Government supported the duly elected Government of the Dominican Republic. I am proud of the fact that they supported the principle of constitutional government.

Mr. GRUENING. Mr. President, I should like to conclude my argument on the subject of interest rates. I appreciate the arguments of the Senator from Minnesota that those are generous actions on our part. But I do feel that the transactions should not be called loans. While I applaud the intent of the House and the Senate Foreign Relations Committee in raising the interest rate from three-fourths of 1 percent to 2 percent, still in my view they are evading the issue, which is that the American public should not be taxed for something called a loan but which in reality is a grant in addition to a loan. It will still be doing that if we have to pay the difference between 2 percent if we loan at that rate and the 4 percent which we have to pay for the money we loan.

The gap will be smaller when the interest is 2 percent rather than three-quarters of 1 percent. But there will still be a gap. I should like to see the amendment adopted; and if the time comes when a country is so poor that it cannot pay more than three-quarters of 1 percent or 2 percent, let us frankly make it a grant and say that we want to help that country, and that it is too poor to pay us back. That is the point I wish to make. The AID agency perpetrated—perhaps not deliberately—a deception on the American people. It shifted in response to the proddings of Congress that we should not have so many grants, but make loans instead. The agency said, "We will make them loans," but they were not loans. The loans should be made at the same rate of interest that American people have to pay for their borrowing.

Mr. **DOMINICK**. Mr. President, will the Senator yield?

Mr. **GRUENING**. I yield.

Mr. **DOMINICK**. I appreciate the Senator's yielding. It is not often that a member of the minority party wishes to enter into a fight between Members of the majority party.

Mr. **HUMPHREY**. Why not?

Mr. **GRUENING**. Come in; the water is fine.

Mr. **DOMINICK**. We are enjoying the fight. I thought I might add a little fuel to the fire.

First, the amendment which the distinguished Senator from Alaska has proposed is highly sensible and logical. It strikes me that that is true for a number of reasons, the principal one being that we have been trying to sell the American people for a long time on the need to change our AID program from a grant program to a loan program. People throughout the country—in Minnesota, Colorado, Alaska, and elsewhere—are concerned. We might propose to give money to some country in Africa and perhaps it would not have to pay a nickel's worth of interest for 5 years. Then it would pay 2 percent, or whatever rate might be established, and the principal repayments can continue to come in, if it is so desired. More importantly—and this point is of great importance—under section 203, all the money that would come back would be put into a revolving fund which could be distributed by AID again without authorization and without appropriation. It does not seem to me that we have in mind a program that can logically and truthfully in the American mind be called a loan program.

All we are doing is trying to ease the symbolic reference of a grant program into something that looks as though we are getting something back.

It is also my understanding—and I should like to be corrected if I am in error on this point—that repayments are not necessarily in dollars.

Mr. **HUMPHREY**. Yes; they are.

Mr. **DOMINICK**. I may be mistaken in that statement.

Mr. **HUMPHREY**. They are in dollars.

Mr. **DOMINICK**. I stand corrected. I am glad to hear that that has been provided.

During the discussion that has taken place, which I found highly stimulating, reference was made to certain Presidents. I should like to add that some of us did not perhaps like President Roosevelt. It might be that some Republicans do not think President Kennedy is doing all he ought to do, particularly in the international field. I am glad to include myself as one of those who do not think he is doing everything he should do.

Mr. **HUMPHREY**. Mr. President, will the Senator yield?

Mr. **GRUENING**. I yield.

Mr. **HUMPHREY**. I should like to correct the RECORD if I used the word "like," because that word relates to a personal reaction to an individual. I happen to like General Eisenhower. I am sure that I would have liked Calvin Coolidge. I merely did not agree with many of their policies.

Mr. **DOMINICK**. I was using the term in the same sense, and I should like to continue that way. We ought to keep in mind that a goodly number of the loans are highly speculative, even if we denominate them as loans. For example, during the debate on the Export-Import Bank bill, which would increase the authorization of the Bank, I discussed the Bank's carrying at $1, or some nominal asset in its account, a loan which was made to Brazil which it did not think there was the slightest chance of being repaid. That authorization was in a substantial amount—over $100 million, I believe.

There is also a substantial amount of money carried on the books of the Export-Import Bank for a loan that was made to China prior to the time that the Chinese Communist Government took over. There was no chance whatsoever of that money coming back.

When we make so-called loans to the underdeveloped countries, particularly in instances in which they are politically unstable, we are not really entering into transactions which anyone in this country would consider loans. That is particularly true when the loan does not provide for a reasonable interest rate. It seems to me that the very least we can do is what the distinguished Senator from Alaska is now suggesting.

Mr. **GRUENING**. I am glad to have the support of the Senator from Colorado. This has been a useful and stimulating discussion. I wish to see a foreign aid program, but I hope to see it improved, tightened up, and made more effective.

The various amendments which I have submitted and shall later submit have that objective. I am hopeful that the distinguished majority whip, who is a really enlightened person on all subjects, will go along with some of these efforts to improve the foreign aid bill.

Mr. President, before I yield the floor, I ask unanimous consent to add the name of the distinguished senior Senator from Connecticut [Mr. DODD] to my amendment No. 231 which is an amendment which would withhold aid from nations that wage aggressive war.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **GRUENING**. Mr. President, President Nasser is waging aggressive war in Yemen or threatening aggression against other nations, building up arms against Jordan and Israel. Sukarno seems likely to do the same, if he carries out his threat to wage war on the newly born state of Malaysia. This amendment is designed to withhold aid from those nations, and I hope it will be adopted.

Mr. **KEATING**. Mr. President, will the Senator yield?

Mr. **GRUENING**. I am glad to yield.

Mr. **KEATING**. I ask unanimous consent to be included as a cosponsor of the amendment of the Senator from Alaska.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **KEATING**. Mr. President, I desire to discuss briefly the amendment submitted by the Senator from Alaska to cut off assistance to any nation which the President determines is engaging in or preparing for aggressive military efforts directed against the United States or other aid recipients.

I commend the Senator from Alaska for submitting this amendment, which would restore to the bill the language adopted in the House. I am strongly in favor of the principle behind the amendment, which was already embodied in the Foreign Assistance Act in language which I offered last year.

That language is found in section 102 of the Foreign Assistance Act of 1961, as follows:

> It is the sense of Congress that in the administration of these funds great attention and consideration should be given to those countries which share the view of the United States on the world crisis and which do not, as a result of United States assistance, divert their own economic resources to military or propaganda efforts, supported by the Soviet Union or Communist China, and directed against the United States or against other countries receiving aid under this Act.

In my judgment, the language offered by the Senator from Alaska is a reasonable and unfortunately necessary step to make that language mandatory. Had the officials of the executive branch been more determined and convinced in carrying out the mandates already contained in that language, it is quite possible that we would not have the situation which today exists in the Middle East. Today, Egypt's President Nasser has thousands of troops in Yemen involved in supporting a regime which obviously does not have the support of the people of Yemen. Today, President Nasser has Egyptian airmen fighting with

Algeria in its border dispute with Morocco. These are the two most flagrant examples at the moment of aggressive Egyptian military efforts.

Mr. GRUENING. I should add that he has also just stirred up riots in Lebanon.

Mr. KEATING. That is correct. That should be added.

Moreover, while Nasser is paying his troops to fight other nations, his propaganda machines continue to blare hatred and ill will toward Israel. If this amendment will have the desired effect, if it will serve notice on dictators and other military adventurers that the United States does not intend to subsidize their efforts any longer, then the whole country will have cause to be grateful. But from long experience in working in this area, I am frankly somewhat pessimistic.

When I wrote to the Agency for International Development to inquire what specific action had been taken to implement my amendment and to enforce the provisions in the foreign aid bill discouraging aid to dictators and requiring nondiscriminatory treatment of American citizens, I received this reply from the Deputy Administrator of AID:

> I want to assure you that the Agency has been alert to the interest of Congress reflected in the statement of policy in Section 102. In those instances where discrimination has been encountered, the Department and AID have taken all feasible steps to obtain their removal or modification. The provisions have been a major consideration in rendering assistance and AID has given careful attention to the administration of funds in those countries which share our view of the world crisis in accordance with the President's direction.

In his reply he was utterly silent with respect to that part of my inquiry which related to the diverting of our own economic resources to military or propaganda efforts.

Even more directly on this subject, Mr. President, when I asked the Administrator of the AID program directly whether this amendment would apply to Egypt, which I pointed out "has shown its aggressive tendencies in Yemen and in threats against Israel," Mr. Bell's answer was as follows:

> Well, the Egyptian case, as you know better than most, Senator, is a very—indeed the whole Middle East situation—is a very tense and uncertain one. The philosophy of U.S. assistance to those Middle Eastern countries for the last several years has been that if we work with them to achieve some reasonable economic and social progress in those countries, we would be contributing to the possibilities of peaceful progress in the Middle East and we would be working against the possibility of additional military flareups. We've had, I think, some considerable success. We certainly haven't had uniform success in that. The action of the Egyptians in Yemen is a complicated one. As you know, there was an internal revolt in Yemen and the Egyptians have been supporting one side in that revolt and the Saudi Arabian Government has been supporting the other side. It's a tangled situation but it is certainly different from and distinguished from an outright aggression.

In other words, Mr. President, the people responsible for the AID program now do not regard Egyptian activities in Yemen as aggression. Therefore, I would fear that the view of the AID might turn out to be that this amendment would not apply to Egypt.

Perhaps it will be possible for us in the legislative history of this amendment and I think it highly desirable, to make clear that we do indeed have the Egyptian situation in mind, as well as any other situation in which military activity by one AID recipient against another serves to divert vital resources and manpower from economic development to military adventures. I would like to offer a suggestion to the Senator from Alaska with a view to strengthening the impact of the amendment, which I very much fear is still not sufficiently strong to achieve the purposes we seek. I would like to propose that the amendment be modified to include not only aggressive military efforts but also propaganda efforts as well. In other words, wherever the Senator uses the term "military efforts," I would suggest expanding this language to include "military and propaganda efforts."

This is departing somewhat from the language adopted by the House of Representatives, but I believe it would be useful, first of all, to show the very strong feeling of the Senate on this issue, and secondly, to pinpoint what has in fact been one of the main sources of tension and turmoil throughout the Middle East.

Mr. President, the propaganda put forth by Nasser's "Voice of the Arabs" program, as well as through a variety of other state-controlled media, breathes hatred, bigotry and aggression.

I asked the Library of Congress to prepare for me a report on hate propaganda in a number of nations. The parts of this report which discuss Egyptian propaganda efforts should be of particular interest, and I ask unanimous consent that they be included in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

### PSYCHOLOGICAL PROPAGANDA AS USED BY EGYPT

(By Thomas C. Lyons, analyst in international relations, Foreign Affairs Division, September 6, 1963)

The word "propaganda" formerly meant the dissemination of any information. Today (i.e., contemporary connotation) the word usually means a concerted effort to promote a certain doctrine, principle, and attitude through the dissemination of information. The purpose of the concerted effort may be to help or injure, create or destroy, inaction or action, and so forth.

For the purposes of this paper the term "psychological propaganda" will be substituted for "hate propaganda."

Psychological propaganda is not controlled by international covenant, by usage, by convention, or customs of war. Its battlefield is the human mind and human emotions, and the successes or failures of the battles are sometimes never known. This kind of propaganda is not a well-defined subject nor does it have an exact frame of reference. It may or may not be designed for a specific immediate action. It may have for its goal that which Orwell described in his "1984" as the doublethink; i.e., a mind holding two contradictory concepts simultaneously and accepting both of them as believable. In Orwell's words: "It is the faculty to know that deliberate lies are being told, while genuinely believing in them."

Psychological propaganda is part of war, but it is itself unlike war. Such propaganda may exist before, during, or after actual hostilities. The enemy need not be identified; he may be disguised; he may be deliberately identified wrongly. The attacked and the attacker never know one another. Defeat and success are seldom measured. The engagements have no names. It is mysterious and nightmarish insomuch as it penetrates to the depth of a man's heart or mind or soul or reasoning processes.

The function or purpose of all propaganda is to affect attitudes, emotions, beliefs, and to persuade by nonviolent means. (War would be persuasion by violent methods. Propaganda may have as its object at a given time violence, but the persuasion to use that violence is by nonviolent means.) It also has the general purpose of creating mental anguish at some future time in those who begin to doubt what they formerly believed to be the truth. The reverse may also be the case.

The study of psychological propaganda may be purely scientific or purely moral or a combination of both. Regardless, the scientist (e.g., psychologist) and moralist (e.g., theologian) may come to the same conclusion: Such propaganda fosters terror, hate, suspicion, and destroys the human impulse to act rationally. One other significant point to be made is that propaganda touches any human who can read and/or hear his own language. In this respect it touches not only the camel driver but the writers and politicians who must make rational choices between meaningful concepts. It can unknowingly create cowardice and prejudice in the minds of teachers and those in decision-making bodies. Even the most educated may have their minds emasculated.

* * * * *

Egypt has used this kind of propaganda successfully, for a number of years, employing the most refined propaganda techniques. Most newly independent nations could not afford the time, money, or national effort necessary to carry on such a program on a scale approaching, let us say, Egypt. Indeed, few countries today use propaganda to the extent of the Egyptian Government.

Of course psychological propaganda is not restricted to the countries mentioned in this paper. Indeed, two other countries (in addition to the United States and U.S.S.R.) may even exceed the use of this kind of persuasion by Egypt; China and East Germany. The Chinese propaganda, to its own people and the peoples of the Far East and southeast Asia, is well known and well documented.[1] Less well known is the propaganda from Communist East Germany, which has used the theme "hate" in radio programing from rock 'n roll music to classic literature. Sometimes the hatred theme (praise of communism; contempt for communism's enemies) is subtle; sometimes it is blatant and open. Since 1960 the radio and press of East Germany has shown Nazi-like propaganda by adulation of the party and raging hatred of the West. Even old Nazi marches have been used repeatedly by the East Germans as recently as 1963. The New York Times reported on September 29, 1961 the following words of a song from a September broadcast from Communist Germany: "Hatred, scream it into every home * * * carry it into quiet streets * * * teach the flowers to hate * * * take revenge."

#### EGYPT (UNITED ARAB REPUBLIC)

The U.S.S.R., China, and the United States aside, the United Arab Republic (hereafter referred to as Egypt) probably has the most elaborate network of radio and press propaganda in the world. This is all the more interesting in light of the fact that propaganda by and to the Arabs themselves was negligible before 1952. Prior to that time (the military coup of July 1952 in Egypt) Arab radio stations and newspapers were cercerned primarily with entertainment, sports, news, and music.

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[1] Alex S. Edelstein and Alan Ping-lin-Liu, "Anti-Americanism in Red China's People's Daily," Journalism Quarterly, spring 1963, pp. 187–195.

The new group in Cairo after 1952 saw the potentialities of controlling the means of propaganda, and as a result, huge portions of the country's money, talent, and efforts were given to strengthening the instruments of propaganda. Today, radio is an outstanding part of the Arab's social and political life. (Parenthetically, it should be noted that in the Middle East today, almost every Arab owns or has available, a radio. Transistors and battery-operated radios are prevalent, and can be seen on farms, hanging from the back on a donkey, in mud huts along the river, and in the pocket of camel boys. In a word, the spoken word, unlike the written word, is available to almost every Arab, no matter how poor.)

According to A. Loya (writing in Middle Eastern Affairs, April 1962), the Egyptian revolutionary government's propaganda has passed through the following three phases.

*Phase 1*

During the first phase (which lasted roughly from July 1952 to November 1954), the government concentrated almost entirely on its internal position. The goal obviously was to solidify and/or build a strong position which is needed for a military revolution to succeed. The country's and therefore the people's enemy was "poverty, ignorance and disease." Of course, the existence of poverty, ignorance and disease was linked to the Farouk government, and the absence of suffering would in the future be linked to the new military government. Words like "glory," "dignity," and "prosperity" were linked to the new government continuously. Words and phrases such as "scum", "traitors," and "plague of the earth" were attached to the King and the Muhammad Ali dynasty.[2]

There was also during this time a complete absence of talk about Arab unity. Whatever unity talk appeared, it always referred to the union of Egypt and Sudan.

*Phase 2*

Sometime between 1952 and 1954 the Egyptian leaders came to the obvious conclusion that they were not solving the problems of Egypt. In a rather sudden move, the government decided that Arab unity should be the issue, and as a result of this decision, launched an immense campaign of psychological propaganda of both an internal and external nature. (This phase lasted until 1961, when Syria left the United Arab Republic).

Mr. Loya contends that the Egyptians learned well from the Nazis, and obviously had done their homework for Professors Hitler and Goebbels.[3] For example, he states, they (1) have relied more on the spoken than the written word, and (2) there is a tendency to disregard the truth.

The main theme of the second phase was that under Nasser's leadership, the Arab countries united could rebuild "the glorious past." Plays, concerts, operas, songs, day and night, lavished praise on the glories of he who would lead the Arabs in unity to the promised land: Nasser.

According to Loya, closely attached to this theme of developing a god-like image of Nasser was the theme of hate.[4] The Egyptians were taught, asked, told to hate foreigners, Jews, and Arab leaders who opposed unity. The object of the propaganda was to identify the enemy with hatred, and to shower devotion on Nasser.

Nasser became omnipotent and infallible. He had thrown the British out of Egypt; had won the battle in the Suez War; had maneuvered the revolution; could not lose.

There was also the concept to terror. Terrifying stories and terms were used in describing events in broadcasts. For example, "dangling corpses," "blood and agony," etc. King Hussein of Jordan received messages over Cairo radio telling him of the horrible fate that awaited him if he did not abdicate.[5]

"Lies were resorted to whenever needed."[6] Indeed, entire events were fabricated to suit a particular purpose. In a word then, Egyptian propaganda was presenting to the Arab world their view of Egyptian history, the history of the Arab world, Arab personalities, daily events in the world.

*Phase 3*

This phase, of course, can hardly be written. Obviously the goal of Arab unity is still the same.

The following is a summary of psychological propaganda in Egypt since 1958.

In 1958

Cairo government initiated the Voice of Free Africa, which broadcast violent anti-Western propaganda. The broadcasts exhorted the Africans to drive from their lands the "white dogs" of the Western oppressors. The United States was called the banker of the sterling bloc countries, and therefore Africa's "second colonial master."

The establishment of the Voice was preceded by 2 years of modest, similar broadcasts (unidentified) from Cairo. In January of 1958 the government identified itself with the new Voice. The first broadcasts were spoken in Swahili, Amharic, Arabic, French, and English. Later most of the prominent African languages were added, in addition to Hebrew.

At about the same time, Nasser inaugurated a new propaganda tool, the magazine African Renaissance, a periodical dedicated to the creation of hate for the white masters. In both the press and the radio, the French and English were continually referred to as white dogs who had smeared dirt on the African peoples. The Voice of Free Algeria was also used to give support to the Algerian Nationalist rebels.

By the middle of the year, Egypt had 11 transmitters in operation and at least 12 more (from Czechoslovakia) being readied for operation. The main transmitter in Cairo was a $750,000 gift from Moscow.

Although the broadcasts vary for country to country, the words are basically the same; viz, "white dogs, imperialists, bloodsuckers and colonial oppressors."[7] The Voice of the Arabs, broadcast out of Cairo, was (in 1958) on the air from 6:30 in the morning until 1:15 the next morning, every day in the week. Sample comment (New York Times, July 6, 1958): "Let us teach the Americans we do not need their tainted dollars nor do we require their conditioned aid. No, America, you shall not come to the Middle East. We shall fight against you with all our resources, with our hands, our feet, our teeth, but we will not allow you to establish your Zionist-controlled influence in our Middle East."

By the end of 1958, Egyptian broadcasts were also beamed to Europe, Israel, and almost every country in Africa, many of which were in the predominant dialect.

According to the London Times the broadcasts were so inflammatory in 1958, that President Eisenhower proposed that the United Nations monitor these broadcasts on the grounds that they were a threat to the peace and security of the Middle East.[8] For example, Cairo radio told the Lebanese people that their President (Chamoun) would drown in a bath of blood because of his treatment of his own people. The Lebanese people were asked to take up arms, use violence, disorder and revolt, and finally to tear their leaders to pieces.

Such broadcasts were daily occurrences and usually ended with, "At your service, O Abdel Nasser."[9]

Jordan did not escape from its share of psychological propaganda. Again the people were asked to revolt and rise up and kill their king, "the truth of the end of every tyrant, of every traitor."

Syrians were told that Charles Malik was an agent of the CIA who paid him $200,000.

Israel was told that their country would eventually become an American colony; that Israel was militarily weak compared to the Arabs because the Arabs received huge shipments of arms from America.[10]

In 1959

The kind of propaganda used in 1957 and 1958 by the Cairo government was continued in 1959. By the middle of 1959, Cairo who had been doing its major broadcasting from two 100-kilowatt transmitters, started operating a new 300-kilowatt transmitter. The Government announced that they would step up their broadcasts as well as establish additional languages. It was assumed that in 1959 the Egyptians had the most powerful broadcasting services in the Middle East.

In 1961

Radio Cairo was perhaps more violent in 1961 than in 1958 and 1959. William S. Ellis (Harper's magazine, June 1961) wrote that the "Voice of the Arabs" had started riots, had encouraged the overthrow of any number of governments, inspired sabotage, and "convinced millions that the Bagdad Pact is an intolerable instrument of Western imperialism."

On August 26, 1960 (Ellis reports), Cairo radio urged the Jordanians to "kill Majali and drag his body through the streets." Three days later, Hazzaa Majali, Hussein's Prime Minister, was killed by assassination.

Cairo radio beamed its programs especially toward the Arabs and the Africans in 1961. Day after day Hussein was accused of being an agent of Israel who was paid by the United States. (He was often referred to as "King Mickey Mouse.") By 1961 the broadcasts from Egypt were in 15 languages plus numerous dialects.

Singled out especially by Cairo radio in 1960–61 was the Shah of Iran (for having 10 years previously recognized, de facto, the State of Israel); King Ibn Saud of Saudi Arabia; Tunisian President Habib Bourguiba (who was planning in unison with America to take over the Arab homeland). The French were still "dogs," and the English were still "pigs," in almost every broadcast.

In 1963

It has been said that by way of psychological propaganda, the Nasser government has since 1957–57: inspired a revolution in Yemen, followed by Syria and Iraq; immense pressure has been brought to bear by way of press and radio on the peoples and leaders of Jordan and Saudi Arabia. There is a move on for a five-nation military bloc (Egypt, Syria, Iraq, Algeria, and Yemen) which undoubtedly would be used to bring further pressure on Jordan and Saudi Arabia.[11] That psychological propaganda is a major part of Egyptian policy cannot be denied.

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[2] Loya, p. 102.

[3] Ibid., pp. 104–105.

[4] Ibid., p. 105.

[5] Loya, p. 107.

[6] Loya, p. 107.

[7] New York Times, July 6, 1958.

[8] Aug. 15, 1958.

[9] Ibid.

[10] Ibid.

[11] Ellis, pp. 54 and 58.

Mr. KEATING. Mr. President, the report points out that "few countries today use propaganda to the extent of the Egyptian Government." In fact, the report points out that:

> The U.S.S.R., Red China, and the United States aside, Egypt probably has the most elaborate network of radio and press propaganda in the world.

All this propaganda, in fact, originated in 1952 with the Nasser regime. According to experts in the field, Egyptians have learned their propaganda techniques from the Nazis, from Hitler and Goebbels.

Despite what some officials profess to consider a new warmth in Nasser's relations to the United States, studies of Egyptian propaganda reveal no love, nor certainly any understanding nor sympathy with the objectives of the United States. The main theme of Nasser's propaganda is to develop a godlike image of Nasser and to teach the Egyptians to hate foreigners, Jews, Israel, and other Arab leaders who oppose Nasser.

Mr. GRUENING. Including Americans.

Mr. KEATING. Including Americans; and there is much anti-American propaganda over the "Voice of the Arabs."

Members of the Senate should read, as I have, what is said on the "Voice of the Arabs" against Members of Congress and prominent figures in the United States, of both parties, generally.

Not only in the Middle East, but throughout Africa, Nasser's broadcasts beam hatred and advocate violence. Despite American assistance, Nasser preaches hatred of the United States. The main transmitters that convey this message were a gift from Moscow.

Moreover, Mr. President, as the Senator from Alaska has himself amply documented, one of the projects in the U.S. program for Egypt is assistance in the development and operation of a Telecommunications Research Institute. The purpose is to make Egyptian technicians even more skillful in their work, even though it should be obvious that a substantial portion of that work is directly contrary to the interests of the United States and other nations in the Middle East and Africa.

For that reason, Mr. President, I would strongly urge the Senator to modify his amendment to include not only the military efforts, but also the propaganda efforts which, as this Library of Congress report documents, and as he himself is well aware, play a significant role in reducing the possibility of a peaceful settlement of the Middle Eastern issues.

Mr. President, in my view nothing does more harm over the long run than excessive hate propaganda. It teaches the younger generation to hate a supposed foe that they do not even know. It poisons the air and makes it impossible for any more constructive-minded leader to attempt a conciliatory policy or a policy of negotiation to settle outstanding issues. Even more, perhaps, than the weapons Nasser has purchased from the Soviet Union, the propaganda from his Soviet and U.S. assisted media are a critical factor in the continuing tensions in the Middle East area. Not since President Eisenhower called for a U.N. monitoring of propaganda broadcasts in 1958 has the United States officially indicated its concern and opposition over this kind of activity. Yet, every year new converts are sought to the doctrines of racism and hatred that Nasser has adopted. Every year, other governments in the Middle East must combat the tensions and aggressions stimulated by this broadcasting. Before it is too late, Mr. President, the Senate of the United States should make its position clear in condemning the poisonous words of war and hatred that Nasser continues to spew forth, subsidized by the taxpayers of the United States of America.

I would appreciate it if the Senator from Alaska could see his way clear to a modification of the amendment in the manner in which I have indicated.

Mr. GRUENING. Mr. President, I would be very happy to have the amendment modified in the sense the Senator from New York suggests. I favor his purpose. I think the amendment could not be made too strong. But, for certain practical considerations, I do not think I should. In the first place, the language of my amendment is identical with the language of the House bill. It is quite an achievement to obtain collaboration without collusion between the two Houses, and have two minds with but a single thought. My experience has been that frequently a very desirable amendment is adopted by one body. When the amendment goes to conference, representatives of AID or the State Department say it will ruin the program, that it should not be adopted, and the amendment is lost. This is a case in which we have taken a rather important step forward, and I think we should try to have the proposal adopted, rather than lose the whole battle.

I have no objection to the purpose of the suggestion. Indeed, I am wholeheartedly for it. My only objection is to the practicality of achieving the purpose. When we get into the matter of propaganda, we are touching on freedom of speech. Propaganda can be subtle. I believe that if we have difficulty—as the Senator from New York anticipates—in persuading the AID agency that Nasser is an aggressor—which is so obvious that it does not need reiterating—it will be much more difficult to define his verbal attacks as aggression, even though when there are broadcasts in which Nasser preaches destruction and hate of Lebanon, Jordan, Israel, and others, which go beyond the legitimate bounds of free speech. If we attempt to make radio propaganda a justification for barring aid to a country, we are going to run into more difficult problems of interpretation than we have encountered in the matter of direct aggression.

So far as Nasser's invasion of the Yemen is concerned, the New York Times of today, under the headline "U.N. To Withdraw Mission in Yemen," points out that Mr. U Thant made a report. It is stated in the article that Saudi Arabia has complied with its commitment to withdraw aid to its side in Yemen, whereas Nasser still keeps his troops there. In other words, Nasser has broken his pledge to withdraw his troops.

Mistakenly, the United States recognized the Yemen Government as an act of appeasement toward Nasser. It was a very unfortunate action on our part. The British did not follow. They are much closer to the situation there than we are. There may be a relation between that situation and their recognition of the military junta in the Dominican Republic. They are probably saying, "You have interferred over there where our interests are greater than yours. We are not going to play ball with you in the Caribbean." That is conjecture on my part. I may be in error.

I should like to have the antiagression amendment strengthened, but I fear very much that, if it is strengthened, it may be lost. I would like to have half a loaf this time, and make sure it is not lost.

Mr. KEATING. I cannot disagree with the Senator's reasoning. I have every expectation that this amendment would be adopted in the Senate. If there were any doubt in my mind about it, I think it would be well not to offer it. It is already in the House bill and will be in conference. I think the Senate would adopt the amendment, and should do so.

The Senator has made it very clear that he disagrees, as do I, with the interpretation that this does not have anything to do with the actions of Egypt in Yemen, and does not apply to Egypt. I do not know how we are going to make our intentions clear to the officials of the State Department and the AID Agency. After all, we have in the law now a sense-of-Congress resolution which is substantially like this amendment. This proposal is stronger. It provides that no assistance shall be provided to any country which the President determines is engaging in or preparing to adopt aggressive military efforts.

I have the feeling that if this amendment is adopted and becomes law, and if even then we cannot get AID or the State Department to do anything about it, we must press for an out-and-out cutoff of aid by name to countries that we in Congress know are engaging in aggressive activities.

Mr. GRUENING. I agree with what the Senator has said. It is customary, as a matter of courtesy and comity, to include language in the amendment which enables the President, in his judgment, if the national security is involved, to set aside the will of the Congress. Unfortunately, as a practical matter, it would not be the President who would make such a decision.

Mr. KEATING. That is correct.

Mr. GRUENING. It would be the same subordinate official who has gotten us into the mess in the first place. I hope that on the next occasion Congress will take that into consideration. We should definitely not give aid to countries which in the judgment of Congress are aggressors. There is no question that Nasser is an aggressor on several counts. He is definitely an aggressor in Yemen. He has been an aggressor all through the

Middle East. He has never ceased to announce that he intends to destroy Israel. He is building up his arms. He preaches assassination, not yesterday or 2 years ago, but now, over his Cairo radio, to which we, unfortunately, contributed our dollars. It is a shocking and disgraceful situation. I hope it will become so patently shocking and disgraceful that the amendment will have the result we hope it will have.

Mr. KEATING. I should like to have the Senator's view, because I believe it is very important from the standpoint of legislative history. Does he believe that the amendment is an important part of what we expect in the administration of the act? Does not the Senator agree directed toward aggression, or talking that if the propaganda broadcasts are about and building up a case for aggression; that is, engaging in or preparing for aggressive military effort?

Mr. GRUENING. Certainly. Hitler did that in the days before he invaded neighboring countries. Before his invasions, he always loosed a barrage of hatred and denunciation. Nasser is pursuing such tactics.

Mr. KEATING. His propagandists are Nazi trained.

Mr. GRUENING. He has among his forces a very substantial number of ex-Nazis, who would have been arrested and jailed if they had remained in Germany.

They are working for him. I placed a list of them in the Record yesterday.

Mr. KEATING. I thank the Senator. I am glad he agrees that we in Congress, if the amendment is adopted, will expect to have propaganda activities taken into consideration in the interpretation of the words "engaging in or preparing for aggressive military effort."

Mr. GRUENING. I share that hope. In addition to the fact that we are, in effect, financing Nasser's war ventures, we are causing other nations, which he threatens, to feel that it is necessary for them to increase their military expenditures. All of that is a further drain on their inadequate resources, and is a misuse of our taxpayers' money as a part of the aid program.

Mr. KEATING. I thank the Senator.

Mr. MANSFIELD. Mr. President, have the yeas and nays been ordered on the Javits amendments?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. JAVITS. I merely wish to identify myself with the merits of the amendment of the Senator from Alaska, which has been the subject of a colloquy between my colleague from New York [Mr. Keating] and the Senator from Alaska, as underlining the fact that I consider it to be an amendment of importance.

My amendments, which are before the Senate, are acceptable to the Senator in charge of the bill. I hope it will be understood that at the request of the Senator from Oregon [Mr. Morse] there is to be a yea-and-nay vote.

Mr. AIKEN. Mr. President, any amendment which is submitted to the Senate with a blackjack attached to it is not acceptable to me. I will vote against it for that reason. That applies to every other amendment that comes before the Senate under a blackjack rule. It is time for us to get on with the business before the Senate, and not become involved in exercises which unnecessarily prolong orderly Senate procedure.

Mr. JAVITS. These are highly desirable amendments. I hope very much that the Senator will understand my position, and that a yea-and-nay vote is being had through no fault of mine.

Mr. AIKEN. A Senator should have the right to say whether he wishes a yea-and-nay vote on an amendment. While the amendment is acceptable to me as an amendment, it is not acceptable to me under the conditions under which it is presented.

The PRESIDING OFFICER. The question is on agreeing, en bloc, to the amendments offered by the Senator from New York [Mr. Javits] to the committee amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Alaska [Mr. Bartlett], the Senator from Nevada [Mr. Bible], the Senator from Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Louisiana [Mr. Ellender], the Senator from Indiana [Mr. Hartke], the Senator from Ohio [Mr. Lausche], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Arkansas [Mr. McClellan], the Senator from Montana [Mr. Metcalf], the Senator from Virginia [Mr. Robertson], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], the Senator from Mississippi [Mr. Stennis], the Senator from Tennessee [Mr. Walters], the Senator from New Jersey [Mr. Williams], and the Senator from Texas [Mr. Yarborough] are absent on official business.

I also announce that the Senator from California [Mr. Engle] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. Anderson], the Senator from Alaska [Mr. Bartlett], the Senator from Idaho [Mr. Church], the Senator from Indiana [Mr. Hartke], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from New Jersey [Mr. Williams], and the Senator from Texas [Mr. Yarborough] would each vote "yea."

Mr. KUCHEL. I announce that the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senator from Nebraska [Mr. Hruska], the Senator from New Mexico [Mr. Mechem], and the Senator from Iowa [Mr. Miller] are necessarily absent.

The Senator from South Dakota [Mr. Mundt] is absent because of illness.

The Senator from North Dakota [Mr. Young] is detained on official business.

If present and voting, the Senator from Nebraska [Mr. Hruska], the Senator from New Mexico [Mr. Mechem], the Senator from Iowa [Mr. Miller], the Senator from Kentucky [Mr. Morton], and the Senator from South Dakota [Mr. Mundt] would each vote "yea."

The result was announced—yeas 66, nays 5, as follows:

[No. 200 Leg.]

YEAS—66

Allott
Bayh
Beall
Bennett
Boggs
Brewster
Burdick
Byrd, W. Va.
Carlson
Case
Clark
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Edmondson
Ervin
Fong
Fulbright
Goldwater
Gruening
Hart
Hayden
Hickenlooper
Hill
Holland
Humphrey
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Keating
Kennedy
Kuchel
Long, Mo.
McCarthy
McGee
McGovern
McIntyre
McNamara
Monroney
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Simpson
Smith
Sparkman
Symington
Talmadge
Tower
Williams, Del.
Young, Ohio

NAYS—5

Aiken
Gore
Johnston
Mansfield
Thurmond

NOT VOTING—29

Anderson
Bartlett
Bible
Byrd, Va.
Cannon
Church
Cooper
Eastland
Ellender
Engle
Hartke
Hruska
Lausche
Long, La.
Magnuson
McClellan
Mechem
Metcalf
Miller
Morton
Mundt
Robertson
Russell
Smathers
Stennis
Walters
Williams, N.J.
Yarborough
Young, N. Dak.

So Mr. Javits' amendments to the committee amendment were agreed to.

Mr. JAVITS. Mr. President, I move the vote by which the amendments to the committee amendment were agreed to be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, on behalf of myself, the distinguished minority leader [Mr. Dirksen], the chairman of the Foreign Relations Committee [Mr. Fulbright], the ranking minority member of the committee [Mr. Hickenlooper], the Senator from Alabama [Mr. Sparkman], and the Senator from Vermont [Mr. Aiken], I submit, to the committee amendment, the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments to the committee amendment will be stated.

The Legislative Clerk. On page 31, in line 18 after "Sec. 102", it is proposed to insert "(a)".

On page 32, after line 5, insert the following:

> (b) Sec. 202 of the Foreign Assistance Act of 1961, as amended, is amended by striking out "for each of the next four succeeding fiscal years," and inserting "for the fiscal year 1963, $975,000,000 for the fiscal year 1964, and $1,500,000,000 for each of the next two succeeding fiscal years,

On page 38, strike out lines 3 through 12 and insert:

> (1) Strike out "for use beginning in each of the fiscal years 1963 through 1966, not to exceed $600,000,000 for each such fiscal year"

and insert "for use beginning in the fiscal year 1963 not to exceed $600,000,000, for use beginning in the fiscal year 1964 not to exceed $525,000,000, and for use beginning in each of the fiscal years 1965 and 1966 not to exceed $600,000,000.

On page 38, line 13, strike out "(3)" and insert "(2)".

On page 40, lines 9 and 10 strike out "'$300,000,000' and" and "and '$175,000,000', respectively".

On page 40, line 23, strike out "$1,300,000,000" and insert "$1,000,000,000".

On page 42, between lines 11 and 12 insert the following:

(b) Section 611(a), which relates to completion of plans and cost estimates, is amended by inserting before the semicolon at the end of subparagraph (1) a comma and the following: "and, in any case in which such estimate of cost exceeds $500,000, until such estimate of cost and the feasibility of the project have been approved by the Corps of Engineers, United States Army, or by a reputable United States private firm of engineers".

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these amendments to the committee amendment be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. And I ask that the clerk state the list of names of the sponsors of these amendments to the committee amendment.

The PRESIDING OFFICER. The names of the sponsors of the amendments to the committee amendment will be stated.

The LEGISLATIVE CLERK. The amendments to the committee amendment are submitted by Mr. MANSFIELD, on behalf of himself, Mr. DIRKSEN, Mr. FULBRIGHT, Mr. HICKENLOOPER, Mr. SPARKMAN, and Mr. AIKEN.

Mr. MANSFIELD. Mr. President, I have listened with interest and appreciation to the expressions of the Senator from Oregon [Mr. MORSE], the Senator from Alaska [Mr. GRUENING], the Senator from Louisiana [Mr. ELLENDER], and other Senators with respect to the foreign aid bill. Their analyses of the shortcomings of the aid program are most thoughtful. Their concerns are most understandable. I am sure that many are shared by some, if not most, of the other Members of this body.

Distortions, wastes, and other inadequacies have existed for many years in the foreign aid program. But we may well ask ourselves what governmental undertaking of this magnitude, particularly an undertaking in so alien and ambiguous a field as foreign aid, would not have its share of inadequacies? President Kennedy is doing his best, even as his predecessor, President Eisenhower, did his best, to make improvements in this situation. Both Houses of the Congress have tried to help, year in and year out, to remedy the difficulties.

And may I say, Mr. President, that in these efforts the distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT] has done more than his share. Year after year, he has presided over weeks of hearings and markups of aid authorizations. His has been a most taxing and frustrating responsibility. He has borne it, not for himself, not for the administration, but for the Senate, and for the Nation as a whole; and he has borne it with remarkable patience and fortitude. It is most unfortunate that the nature of the assignment consigns to him a public role of whipping boy in a situation over which his influence and, indeed, the Senate's influence are limited. It is understandable, if unfortunate, that there is little public comprehension of his difficult responsibility. But it is inadmissible that other Members of this body would not appreciate the efforts of the distinguished chairman of the committee to do the best that he is able to do or the best that anyone else would be able to do with this program, on behalf of what is right and best for the Nation. I think the Senate owes him, not criticism, but a great debt of gratitude for attempting to deal responsibly and intelligently with a problem which is of the highest national significance. I personally want to express, both to him and to the distinguished ranking minority member of the Committee on Foreign Relations [Mr. HICKENLOOPER] and to all other members of the committee, my profound thanks for what they do and what they bear in this connection. They have worked closely, year in and year out, on this onerous task, with a patriotic dedication and a high sense of national responsibility which go far beyond any narrow considerations of partisanship or popularity.

Yet these Senators and, indeed, all the other members of the Foreign Relations Committee, would agree that there is no certainty that the bill which has been brought to the floor of the Senate by the committee is perfectly attuned to the Nation's capacity or needs. Much in this bill, as it now stands, represents only a best judgment, not a certainty. Most assuredly, that would apply to the total amount which the bill authorizes for foreign aid. The chairman and the ranking minority member of the Foreign Relations Committee have far too much integrity and far too much good sense to say that $4.2 billion is exactly right, that the amount should not be a few million dollars more or a few million dollars less. Indeed, what Member of this body would have the temerity to say with certainty that what we authorize for defense construction is exactly right in terms of the national security? That it should not be a billion dollars more or a billion dollars less? What undertaking—domestic or foreign—involving authorizations of expenditures of public funds can be predicted to the precise dollar? In every instance, in every significant piece of legislation involving expenditures, amounts are invariably a matter of judgment.

The President, in making his request for a foreign aid authorization is, himself, giving us only his best estimate of need. In a world as complex and unstable as the one in which we live, the President cannot predict with certainty what is likely to ensue in the period during which the funds are to be expended. He does not know with certainty what sudden internal political upheavals may transpire or where, what international crisis may loom or its extent, what opportunities may present themselves or how, what natural disasters may occur or when.

In short, none of us—neither President nor House nor Senate nor any Member of either body—can claim a high degree of certitude in insisting upon the precise amount of dollars which is most appropriate for each of the widely divergent yet integrated national purposes which are served by the aid program.

That is a reality, and there is another. When one examines the amendments which have been offered, when one listens to the statements which have already been made on the floor of the Senate, there is evidence of a widespread sentiment in this body, that, overall, the President has been much too conservative and the Foreign Relations Committee too conservative, in estimating the needs of national security as they are met through the provision of aid abroad. And from another angle, they have been—the President and the committee—too liberal in estimating what the people of the Nation are prepared to put forth in the way of monetary sacrifice to support this aspect of national security and national interest.

Individual Members may have different ideas as to where this excessive conservatism or liberalism of the President and the committee may express itself in the various categories of aid. Some may find it in military aid. Others may find it in supporting assistance or contingency aid. And some may find it everywhere in this bill. Indeed, some would seek to cut the total authorization deeply or to excise it entirely. Others are not quite so sanguine and would cut more moderately and selectively. But no matter how this bill would be cut or sliced by the various amendments, it is apparent to the leadership on both sides that some reduction in the total authorization for foreign aid is the preponderant sentiment of this body. It is the further judgment of the leadership on both sides, however, that the preponderant sentiment on both sides is that these reductions should not be so drastic and precipitous as to jeopardize, if not destroy, one of the principal bases upon which the security and international welfare of the Nation has rested for a decade and a half. Take a moderate risk by a reasonable cut in the hopes of alleviating the burden of aid on the people of the United States—yes. Take an intolerable risk with the security of the Nation in the guise of benefiting the taxpayer by a drastic cut in the program—no.

A whole series of amendments have been introduced proposing cuts of varying depths in various categories of aid. I am sure, however, that the authors of these amendments would be the first to admit that they cannot affirm that the amount which they propose to cut in each instance and in each category is precisely tailored to the national interest. There is, with all due respect, at least as much subjectivity in these individual judgments as there is in the majority judgment of a committee of 17 members which has labored for weeks, item by item, on this bill. Indeed, the various cuts proposed by amendment may be too little or too much. They are, at best, best judgments which are to be respected precisely because they are only judgments and are not propounded as certainties.

It was with these thoughts in mind that I met with the distinguished minority leader with the full participation of both the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT] and the able ranking minority member of that committee, the Senator from Iowa [Mr. HICKENLOOPER]. We discussed this matter at length and reached the conclusion that—in our judgment—and I stress, too, that this is but a judgment no more certain than any other—that the best approach to the problem which confronts the Senate at this time is not to discard in piecemeal fashion the historic experience of years, the months of careful consideration of this particular measure by the administration, as modified by weeks of careful work by the members of the Foreign Relations Committee who have gone to great lengths in hearings and study and deliberation to put together a formula for the division of authorization as among the various categories of aid. Yet at the same time, it is also our judgment that the sentiment which exists in this body for general reduction in the aid authorization can be ignored only at the risk of random, disjointed, and haphazard reductions of unknown depth and, with them, unknown and uncertain dangers to the Nation.

In these circumstances, Mr. President, it is the judgment of the leadership of both sides and the chairman and ranking minority member of the Foreign Relations Committee that the best safeguard of the Nation's security in present circumstances would be for us to sponsor a reasonable reduction in the overall total of the authorization and distribute that reduction reasonably in categories of aid best able to sustain it.

It is this judgment, Mr. President, which is expressed in the amendment which I now introduce for myself and for the distinguished minority leader [Mr. DIRKSEN]. It provides for an overall reduction of $385 million in the committee proposed authorization of $4.2 billion by reducing the following categories of assistance: Development loans, $85 million; Alliance for Progress, $125 million; military assistance, $300 million; while increasing the President's contingency $125 million to the $300 million figure which the President requested.

It goes without saying, Mr. President, that this amendment does not foreclose any other which may be offered. But it would be our hope that Senators on both sides of the aisle will join with us in what we believe to be the most effective and most expeditious manner of bringing about a reasonable reduction in the aid-burdens which the people of the Nation sustain without, at the same time, denying to the President and the committee that essential support of the Senate in their highly informed judgment of what is essential to safeguard the security and other international interests of the Nation.

Mr. DIRKSEN. Mr. President, there is what I am pleased to term a hidden issue in the bill which is not expressed in its text. That is the annual and somewhat fractious problem that we encounter between the House and the Senate when it comes to considering not only the foreign aid authorization bill, but the foreign aid appropriation bill, which is required to implement it.

I have seen this process in operation for a number of years. I believe it grows somewhat in spirit and intensity. It is not a particularly happy commentary upon our legislative liaison.

I have been wrestling with the huge 1,700-page report of hearings of the House of Representatives. There are 33 members on the House Foreign Affairs Committee. They devoted 32 days to hearings on the bill. At long last they sent us a bill which in the aggregate would authorize roughly $3.5 billion in foreign assistance.

On the other hand, the Senate spent 9 days on the bill. The transcript of the hearings is before each Senator.

The printed record is approximately 700 pages in length. The Foreign Relations Committee restored the difference between $3.5 billion and $4.2 billion, or roughly $700 million.

That will not be the last action, because the bill must go to conference. After the conference an appropriation bill will be introduced. I believe that the averages for the past 4 or 5 years will show that the authorizations have been cut on the average by $200 million below the original budget request, and that the appropriation—at least for the last 4 years—has been cut by about $1 billion for each year.

Now a comparable situation is staring us in the face. Frankly, Mr. President, I found some difficulty actually spelling out a pattern of getting my teeth into the bill. There is no great wonderment in me about all the amendments that have been offered. I had quite a time, late last night and early this morning, going over the sheaf of 38 amendments dealing with a complete rewriting of the bill, as suggested by the distinguished Senator from Oregon [Mr. MORSE].

There are amendments dealing with money reductions. There are the country-by-country amendments. There is an amendment to deny aid to any country in arrears in paying its assessments to the United Nations. There are amendments dealing with communism. There is an amendment to provide that unless there is a show of self-help by a country it will lose its entitlement to aid. There is at least one amendment dealing with governments, which were freely and democratically elected, but deposed by a junta or by force. There are some amendments dealing with evaluations of programs. There are amendments dealing with administration, with interest rates, with military assistance to Latin America, with college contracts, with import duties, with aggression, and with and other subjects.

So this becomes a rather bewildering picture for me. For some days, at least, I had hoped there could be a package reduction in the funds in the bill reported by the Committee on Foreign Relations, perhaps adding at least one substantive amendment that might bring some comfort to the Senate as well as to the country. The amendments provide, roughly for $400 million in reductions below the figure reported by the committee.

There is one other amendment that was offered—I say modestly—at my suggestion. I have been laboring on the foreign aid bill for some time. I still have not lost my sense of dismay about the difficulties that develop in the field either because a project in the first instance was not feasible or because there was no good engineering followup or for other reasons it should never have been undertaken.

So I made the suggestion that no project over $500,000 in original estimated cost should be undertaken unless the Army Engineers, or reputable private engineers, pass upon the feasibility of the project.

Last year, I explored one in Peru, where they insisted on going ahead with an irrigation project only to discover, when they got through, that there was no water. How it is possible to operate an irrigation project without water is more than I can understand. There has been all too much of that. I believe the country is entitled to comfort, and I believe Congress is entitled to some assurance with respect to the feasibility of projects that may be undertaken, say, in a jungle 12,000 miles from home.

This package amendment calls for $385 million in reductions below the foreign aid authorization in the committee amendment in various categories, plus the one substantive amendment to call for a feasibility test by the Army Engineers or other reputable engineers working in the international field.

I hope, therefore, that the proposal will commend itself to the Senate and that in large part it will satisfy the concern and dismay necessarily reflected by the 38 or 40 amendments which have already been submitted with respect to this bill.

Mr. President, I yield the floor.

Mr. FULBRIGHT. Mr. President, I do not know that there is much to add. Both the majority and minority leaders have described the situation very well. I should like to add the one thought, that many of the criticisms of the program which we have heard for many years are well founded; but, on the other hand, this program has, I believe, under the previous administration, as well as the present administration, achieved a great deal when we consider the state of the free world 15 years ago. When we consider the size of the program, it is not surprising that there were mistakes. I believe it has achieved a great deal, but as I said in my opening remarks, I believe the pattern of the program needs to be reevaluated.

I hope the administration will take seriously the suggestion concerning military aid, for example, which over the years has consisted of 50 percent or more of the total. Some years it has been as high as two-thirds. This was recommended by the military. It should have been considered in all respects the same as the military budget.

It is surprising with what great ease a military appropriation of $47 billion passes this body without the slightest criticism, although we all know there have been vast mistakes made in that field. Many billions of dollars have been wasted on experiments which did not succeed. We read about them daily, and yet the military program is accepted without any particular criticism.

Many of the mistakes that have arisen under the foreign aid program were also in the military field. Many of the GAO reports critical of the program related to the military field, but for some reason or other, because it was associated with foreign aid, it seemed to be in a different category.

All I am saying is that the mistakes made under the aegis of this program have been greatly exaggerated compared with mistakes made under other programs.

We need not go abroad to find mistakes. Many Senators have pointed out a mistake made right under our noses, the building of the relatively simple subway between the Senate side of the Capitol and the New Senate Office Building, with the best engineering advice and reputable engineering companies, and so forth, at the command of the Architect of the Capitol. Yet mistakes were made and money was wasted.

So, when we are dealing with countries far away, with which few people have had previous experience, it is not surprising that there have been mistakes. I would not deny for a moment that there have been, but I believe we should keep the program all in perspective.

In all frankness, I believe the program on the whole has served the interest of the country under both the previous administration and the present administration. We had 8 years of this program under Mr. Eisenhower. I supported it during those years. I have taken more criticism, I believe, than most Senators, because it was my unhappy role to have to defend it. And I did defend it. My own constituents did not understand it, but they forgave me for it. So that is all past. But I believe the time has come when the pattern of this bill must be abandoned and a new start taken. By that, I mean the time has come when, although we cannot afford to give up assistance entirely, I believe the means or the method by which we approach the problem should be reexamined.

I shall not bore the Senate by repeating what I said on Monday, but I hope the administration will seriously consider that point.

I believe the majority leader and the minority leader have been quite constructive in initiating this move. I realized when the committee reported the bill that, in view of past practices of this body and the other body, some cuts could be expected. This is an old tradition of this body. Whether or not we can justify it on a reasonable basis is another matter.

The Senator from Oregon [Mr. MORSE] has been a greater perfectionist than I. He expects perfection of us poor limited mortals, and I thought I should bring this out.

I respect his views. I still maintain that this compromise, which has been reached after 4 days of debate, to a degree justifies my own view that there should be some leeway for the expected cuts. While I would not have selected this particular figure, perhaps—I recommended that it be $4 billion, or at least $3.9 billion; this is somewhat less—I think it is a satisfactory figure. I shall support it. I hope the Senate will.

I hope, as a part of it, it will not continue to be cut to pieces, either on further amendments as to amount or as to policy. However, we will meet that situation when we come to it. Any Senator is free to offer any amendment he likes. I think this proposal is a sound gathering together of various divergent viewpoints into one amendment.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SALTONSTALL. May I say to the Senator from Arkansas, the Senator from Illinois, and the majority leader, that, as one who has struggled with this problem in the Appropriations Committee for a great many years, and who has supported the principles behind the program, I have found that one of the greatest difficulties has been that the authority under which we are requested to appropriate is usually different from the amount that comes to the Senate from the House. In other words, there is a great spread between the authorization and the appropriation.

As I understand the situation, the difference between the House and the Senate authorization has been cut to $300 million.

Mr. FULBRIGHT. That is approximately correct.

Mr. SALTONSTALL. It is approximately correct. Therefore, after a conference between the House and the Senate, there will not be a very great difference.

As a member of the Appropriations Committee, I hope the figure we will receive will not be too far different from the authorization, because when it is different from the authorization, the administration, whether it be Democratic or Republican, comes forward and submits reasons why we should live up to the full authorization amount. There is great reaction against doing it, and we have a struggle, as the Senator from Arkansas knows so well.

Mr. FULBRIGHT. As the Senator knows, we have never lived up to the authorization.

Mr. SALTONSTALL. I think what the leadership has done in increasing the contingency fund to the full authorization amount has been very helpful, because when we give the President leeway with the $300 million, it will increase the flexibility of the funds. If we have made too much of a cut in other accounts, he can use the contingency funds.

I speak as a member of the Appropriations Committee who, as I have said, has spent many hours on this subject. If we can get together with the House and keep the appropriation near the authorization, I think we shall have relieved ourselves of a great burden.

Mr. FULBRIGHT. I appreciate what the Senator has said. He is correct.

Mr. GORE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Yes. I will yield the floor if he wishes me to.

Mr. GORE. Mr. President, I raise no question that the chairman of the committee, the leadership on both sides of the aisle, and sponsors of the amendment have done other than what they in their judgment think proper. As a member of the Foreign Relations Committee who was importuned by the Secretary of State and by the Secretary of Defense to support the bill before the committee in the name of national security, I must say that this appears to be cavalier treatment of an important committee of the United States Senate. Without consultation with the committee, without rereference to the committee, indeed before the fight really starts, amendments to the bill providing heavy reductions are proposed by those who ought to be its principal supporters.

Perhaps the authorization should be cut this much. I do not know. Perhaps it should be reduced more.

Mr. FULBRIGHT. May I ask the Senator if he wished to ask me a question, or to make some comments?

Mr. GORE. I asked the Senator to yield to me for a brief comment.

Mr. FULBRIGHT. I will yield the floor if the Senator does not wish to ask me a question.

Mr. GORE. I wish to lay a predicate for a question.

Mr. FULBRIGHT. The Senator is quite free to criticize the chairman of the committee. I know the Senator's position with regard to this bill. I respect it. But I do not know why he requests me to stand and listen to him. May I listen while sitting down?

Mr. President, I yield the floor.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. GORE. The Senator from Tennessee was not seeking to direct any personal criticism at the chairman of the committee. The Senator from Tennessee was calling attention to what he regards as cavalier treatment of a legislative committee and the members of that committee.

What justification is presented for the amounts proposed in the pending amendment? If this bill, in the view of the leadership of the Senate and the administration, now needs this kind of reduction, then I say it ought to be recommitted to the committee and let the committee which has the responsibility of so doing examine the estimates again and recommend the reductions which, in the opinion of that committee, are wise.

Why is the contingency fund for the President increased? We are given no reason here. Do Senators wish to vote for an amendment which adds $125 million which can be spent for unspecified purposes?

How does a Senator know? How does anyone know?

Mr. MORSE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MORSE. The Senator will recall that when we had the bill before the committee we spent a long time on the contingency fund issue, and after thorough consideration we decided, as a committee—I think by a substantial majority, although I do not recall exactly what the vote was; it is a matter of record—that it ought to be cut. I know of no reason why the cut made by the committee should be compromised.

I shall talk about that. On that particular item the Senator will recall very clearly we had a long discussion, and finally ended up with the judgment that the item ought to be cut. I think we were right then.

Mr. GORE. Yet we are offered an amendment increasing that amount by $125 million, without one scintilla of justification offered.

If we are to write this bill on the floor of the Senate, then there may be other amendments offered to the amendment. I had not intended to vote to recommit the bill. It now seems to me that is the wisest course to pursue.

The distinguished chairman of the committee says he knows my position on the bill. He has reason to, because I gave to him my proxy to support the bill at a meeting at which I could not be present. Why? Not because I desired to see an authorization of this size, but because I was importuned, in the name of national security, to support the position of the administration. I just do not feel this is quite the right way to treat the Senate Foreign Relations Committee.

It is true that the amendment is offered by the chairman of the committee, the majority and minority leaders, and the ranking minority member of the committee.

What about the senior Senator from Missouri [Mr. SYMINGTON]? What about the other members of the committee? Were they consulted? It is the responsibility of the Foreign Relations Committee to make recommendations on the bill. I shall not detain the Senate further.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. SYMINGTON. Mr. President, I join with the distinguished senior Senator from Tennessee in apprehension about this suggested amendment. The majority leader mentioned something about the distinguished chairman of the Foreign Relations Committee being used as a whipping boy. I do not know what that is all about. Everyone knows that there is no more able and dedicated Member of the Senate than the Senator from Arkansas. He has been frank in his presentation to the Senate, and also in criticism of the bill, in the committee report now before the Senate. It is a privilege and a pleasure to work with him and for him on the distinguished committee that he chairs.

On the other hand, I join the able senior Senator from Tennessee in what he says about all of a sudden having suggested the heavy reduction, hundreds of millions of dollars, in this aid authorization. The able Senator from Oregon [Mr. MORSE] is correct in his recollection of what went on in committee with respect to the contingency fund.

We have suggested to us now a $300 million reduction in military aid. That may be right or may not be right. In any case, rather than any approval now, I hope there will be some time so we can analyze the overall figure, from the standpoint of what is necessary in the various component parts.

Frankly, I do not know whether, until some analysis, $385 million is too much, or too little; and would hope that, before the Senate votes on an amendment of this character, we will have an opportunity to find out just what the proposed amendment would do to the various component categories in question.

I thank the distinguished Senator from Tennessee.

Mr. GORE. Mr. President, what the proposed amendment really does is to undermine the integrity of the estimates and recommendations before the Senate. Who can now place reliance and confidence upon the estimates, if suddenly $385 million is ripped out by ad hoc agreement? I do not wish to preempt the opportunity for one of my seniors on the committee, but, unless some majority member of the committee, senior to me on the committee, offers a motion to recommit the bill before the amendment is voted on, I shall do so. I will yield to another Senator to do that.

I am chagrined and disturbed by this kind of treatment of the committee. I repeat, I am sure that the authors of the amendment have done what in their judgment appears to them to be best. I do not make any critical personal remarks about any Member of the Senate. However, here is a very important issue and a procedure which, to say the least, is most unusual and, in my judgment, unjustified.

Mr. MORSE. Mr. President, I shall not speak at great length on this subject at this time.

So far as the amendment under discussion is concerned, probably we need now, more than anything else, a recess overnight and a further discussion of it tomorrow, at which time I shall be prepared to discuss it in greater detail. Earlier today I received a telephone call in the cloakroom. It was from one of our colleagues in the Senate, who said he understood that I had joined in the submission of the so-called compromise. I assured him I had not, and that I would oppose it. I am opposed to the amendment.

There is another matter which I wish to make very clear so far as I am concerned; and I am sure it represents, from his standpoint, the position of the Senator from Arkansas also. The Senator from Arkansas knows the great admiration in which I hold him. He knows also that the emphatic and vigorous disagreement with him on many matters concerning the bill, and his views concerning a good many policy questions involved in the bill, are entirely professional differences, and do not in any way affect my great admiration for him. We have an honest difference of judgment in regard to how the question should finally be disposed of.

I wish to make only this observation: I most certainly shall press my motion to recommit, in due course of time. I have been in conference with the majority leader as to when it should be done. We have reached no agreement, but the last time I talked with him I said I probably would make the motion tomorrow.

The proposed compromise, for the very logical reasons given by the Senator from Tennessee, supports my motion. I believe the committee ought to go back into session on the bill.

This is no reflection on the chairman or other members of the committee, or anyone else. Let us bring this point out in the open. There is concern about what is going to happen to the bill. There is concern about it in the Senate, and there is concern about it downtown.

There was given to me a few minutes ago by a representative of the State Department in behalf of the State Department, a proposed further modification of the Morse amendment on military juntas. I shall give it careful consideration. The State Department and every executive official downtown are very much concerned about what may need to be done to bring about the strongest possible bill with the maximum of unity among us, while keeping the national interest in a strong position.

Many policy questions have arisen. We ought to sit down in committee in executive session and consider these questions. Perhaps the committee will wish to bring back the identical bill. I do not know. However, I believe it is sound legislative procedure to take the proposed action now, if we are to consider a proposal which takes more than $300 million out of the bill, with certain reallocations. We ought to evaluate the policy effects of such cuts, and the amounts with regard to other items.

I do not wish to say any more about this subject now, except to make this comment about the so-called contingency fund of the President. It would be a great mistake to increase the contingency fund of the President. If there is any place in the bill where we can safely cut it, this is the place. If the President needs more money for an emergency fund, how long does anyone think it will require him to get it? He would get it in a matter of hours.

It is easy to say, "He must have a little money in the emergency fund." Yet we were told that he did not use a dollar of it in connection with the great Cuban crisis last year. Can anyone imagine a crisis more threatening to the security of the country than the Cuban crisis of last year? He did not feel it necessary to use any contingency money for that.

Under our system, the President ought to be very wary about having available a huge sum of money for executive use.

That is what raises doubts and suspicions. That is what raises questions as to whether we are exercising representative government under checks or are weakening that system by giving unchecked power. It has nothing to do with who is President. Year after year, I have opposed providing large sums for contingency funds of the President. I have advocated just enough for immediate action, until he can request Congress for more money for the needs of an emergency.

There is a question of scheduling. If we do not recommit the bill to consider all the overall policy questions together, there will be a problem of scheduling that could have a very important effect on the subsequent action of the Senate on many policy questions.

The bill needs to be revised in many particulars in connection with the policies that it proposes to perpetuate. We ought to deal with the policy questions before we deal with the money questions. We ought to decide what the policy of the foreign aid program will be. After we have agreed upon policy, we ought to decide how much money to authorize for appropriation. We are not devoid of our understanding of floor tactics and technique. If we settle the money issue by a majority vote, if it is thought that that can be done, there will not be much interest thereafter in any discussion of amendments that affect various policies. It is putting the cart before the horse, but to the advantage of getting the bill in pretty much the form in which it came from committee, if the money issue can be settled first. I should like to come to grips with some of the policy questions, and then take up the money amendments and decide whether the amounts shall be cut thus and so, more or less. I hope they will be cut more.

That is all I wish to say on the amendment tonight. My own plan is to move tomorrow to recommit the bill. I shall propose no instructions but shall move that the bill, H.R. 7885, to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes, be recommitted to the Committee on Foreign Relations with instructions to report the bill back to the Senate no later than November 7.

The committee could report the bill the next day, or the same day, if that was what the committee decided to do. The Senate should not tell the Committee on Foreign Relations what to do with the bill. The purpose of my motion is to have the Senate say to the Committee on Foreign Relations that, in view of developments thus far in the consideration of the bill, we desire to have the committee take the bill back and consider the developments, and then to have advice and counsel in the form of a final bill.

I think that is fair and highly courteous. The motion is dignified. It is a motion that the Senate ought to adopt, and I shall offer the motion tomorrow.

Mr. MANSFIELD. Mr. President, the Senator from Oregon is correct when he says there will be no further voting tonight. The Senator has been most kind and considerate. He left the Chamber at 2 o'clock to preside over a conference meeting on the bill affecting higher education, a most important bill. He said then that he would return later today to continue the speech which he interrupted for the purpose of attending the conference. To the best of my knowledge, there will be no further business transacted today. The Senator from Oregon will be free to resume his speech.

## ORDER FOR RECESS UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business tonight, it take a recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

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## PIONEERS IN AGRICULTURAL MARKETING

Mr. HUMPHREY. Mr. President, on October 23, 50 pioneers in agricultural marketing were honored at a dinner held at the National Press Club in Washington. This was a highlight event in connection with the observance by the U.S. Department of Agriculture of its 50 years of organized marketing services to producers, processors, distributors, and consumers. The featured speaker at the dinner was Secretary of Agriculture Orville Freeman.

Among these 50 pioneers designated by the Washington chapter of the American Marketing Association were 5 Minnesotans and the distinguished senior Senator from Florida [Mr. HOLLAND], the chairman of the Agriculture Appropriations Subcommittee.

Mr. President, I am acquainted with many of these gentlemen and have personal knowledge of their contributions to agricultural marketing. I am in full accord with Secretary Freeman, who declared that "to all those who have given their talents and energies to develop our highly efficient marketing system, each of us owes a debt of gratitude."

Those honored from Minnesota are some of our finest citizens. They are:

Ford Bell of Hopkins, chairman of the board, the Red Owl Stores, is one of our outstanding businessmen and civic leaders. Mr. Bell founded Red Owl Stores in the 1930's and built the business up to its present level of 173 stores. Mr. Bell has developed a highly successful business engaged in marketing processed agricultural products.

Dr. Austin A. Dowell of St. Paul, recently retired as director of resident instruction in the College of Agriculture of the University of Minnesota, is widely known for his research in the field of livestock marketing. He is particularly known for his research on direct marketing of hogs which at the time was the subject of acrimonious controversy, but his findings were vindicated by later developments.

Dr. O. B. Jesness, retired from the Department of Agricultural Economics, University of Minnesota, St. Paul, is widely recognized as a leading authority in the field of agricultural economics and marketing. His contributions have exerted great influence in the development of the marketing and distribution system and structure.

Gordon Sprague, Land O'Lakes Creameries, Minneapolis, an economist who through his long service in government and private industry has contributed materially to improvements in marketing. He has done important work in expanding markets and outlets for milk and milk products.

M. W. Thatcher of St. Paul, recognized as a leading authority on grain marketing, is president of the National Federation of Grain Cooperatives and has held that post since this group was organized. As general manager of the Farmers Union Grain Terminal Association, St. Paul, Minn., he has provided aggressive and effective leadership in the worldwide marketing of grain for producer members of this large grain cooperative.

Senator HOLLAND was cited for having given generously, both in private life and public service, of his time and energies to the development and strengthening of marketing services and agencies, particularly in the Florida citrus industry.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a list of the 50 pioneers in agricultural marketing and a brief accounting of their contributions.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

### PIONEERS IN AGRICULTURAL MARKETING

Harold C. Albin, Contoocook, N.H., supervised the vast surplus removal activities of the U.S. Department of Agriculture in the thirties and forties, getting surplus farm products distributed among people who couldn't afford to buy enough to eat. He was postwar Director of what is now the Food Distribution Division of the Agricultural Marketing Service.

Melvin W. Alldredge, New York, N.Y., president of the Great Atlantic & Pacific Tea Co., has been in the business of marketing food since he was 19. He came up through the ranks of retail food marketing and has demonstrated outstanding leadership in that field.

Paul Armstrong, Pacific Palisades, Calif., recognized as having made an outstanding career in the field of fruit marketing, was with Sunkist Growers, Inc., Los Angeles, Calif., for 41 years, most of the time as general manager. He was the guiding hand in the marketing of California and Arizona citrus fruits during a period of fundamental changes in citrus marketing. He also was one of the first to see the advantage of standardizing farm products and promoting them by advertising.

A. Z. Baker, Cleveland, Ohio, retired in 1962 as the first president of the American Stock Yards Association, is now president and general manager of the Cleveland Union Stock Yards Co. He is recognized as an outstanding authority on terminal market operations, and has contributed materially to the improvement of livestock marketing.

Ford Bell, Hopkins, Minn., chairman of the board, the Red Owl Stores. After starting a career as a writer, he founded Red Owl Stores in the thirties and built the business up to its present level of 173 stores.

Earl W. Benjamin, Branchport, N.Y., recognized as an early leader in the development of wider markets for Pacific coast eggs and poultry, was for many years a key figure in successful cooperative marketing. He played a major role in developing trade and consumer acceptance of Pacific coast eggs in eastern markets.

Dr. Joshua Bernhardt, Chevy Chase, Md., one of the country's foremost sugar marketing experts, developed the basic technical formulas and statistical data for the administration of U.S. sugar marketing quotas. He was the first to administer both the Jones-Costigan Sugar Act of 1934 and the Sugar Act of 1937 regulating the imports and domestic marketings of sugar. He is now retired from the U.S. Department of Agriculture and serves as a consultant to the Commonwealth of Puerto Rico, particularly on sugar marketing problems.

Charles B. Bowling, Washington, D.C., during a career with the U.S. Department of Agriculture, has contributed greatly in getting equitable transportation rates and improved transportation services for farm products, thus facilitating profitable marketing of agricultural commodities. He is presently serving as transportation consultant with the National Grange.

Charles A. Burmeister, Washington, D.C., is regarded as one of the first to identify and use marketing cycles, particularly of cattle, in the projection of market prices. For many years served as an economist in livestock marketing in the U.S. Department of Agriculture. Is now retired and engaged as economic consultant and adviser in livestock marketing.

Carlos Campbell, Arlington, Va., former executive secretary of the National Canners' Association, gave stature to the food canning industry by marshaling its collective intelligence and developing unity of purpose and action in the interest of both producers and consumers.

N. R. Clark, La Grange, Ill., executive vice president of Swift & Co., is recognized as an outstanding leader in the field of marketing and a champion of good marketing practices.

W. L. Clayton, Houston, Tex., chairman of the board of the firm of Anderson, Clayton & Co., one of the largest cotton marketing firms in the world. He has been engaged in various public service capacities—Assistant Secretary of Commerce, Administrator of the Surplus War Property Administration, and as Under Secretary of State for Economic Affairs. In his various fields of public and private work, he has contributed vastly to the development of international trade.

Samuel Cooke, chairman of the board and chief executive officer of Penn Fruit Stores and Schreiber's Stores, Philadelphia, Pa., is recognized as one of the early leaders in the supermarket field. He was one of the founders of Penn Fruit Co.

Dr. Austin A. Dowell, St. Paul, Minn., recently retired as director of resident instruction in the College of Agriculture of the University of Minnesota, is widely known for his research in the fields of livestock marketing. He is particularly known for his research on direct marketing of hogs which at the time was the subject of acrimonious controversy but his findings were vindicated by later developments.

Willion B. Duryee, Allentown, N.J., is credited with many firsts in his career as a practical farmer, farm leader, and public servant. As a former secretary of agriculture in New Jersey, he inaugurated a number of lasting marketing programs, including the development of nine cooperative auction markets which revolutionized the marketing of New Jersey produced eggs and fruits and vegetables. He was also the first vocational agricultural instructor in New Jersey and the first county agricultural agent.

Dr. Henry E. Erdman, Berkeley, Calif., now professor emeritus, University of California, is recognized as outstanding in agricultural marketing research. He has exercised particularly significant leadership in advancing cooperative marketing and in developing cooperatives in California.

L. F. Fadler, Sr., Pittsburg, Kans., a large and successful service wholesaler of fruits and vegetables, was one of the first to work with retailers in improving the marketing of fresh fruits and vegetables. In furtherance of this, he helped organize the United Merchandising Institute of the United Fresh Fruit and Vegetable Association for improving retail marketing of fresh produce.

Charles E. Gage, Falls Church, Va., is recognized as one of the foremost authorities on tobacco quality and the development of tobacco grades. He was the first head of the U.S. Department of Agriculture's Tobacco Division which was created in 1929. He is now retired and has been engaged in consulting work in the tobacco industry.

Dr. Edwin W. Gaumnitz, executive secretary, National Cheese Institute, Inc., Chicago, Ill., is recognized as an outstanding authority in the marketing of milk and milk products. During the 1930's he was Chief of the U.S. Department of Agriculture's Dairy Section in the Agricultural Adjustment Administration, and set the pace for development and administration of the Federal milk marketing order program. His advice and counsel on problems in the marketing of milk and dairy products are widely sought.

Donald R. Grimes, president, Independent Grocers Alliance, Chicago, Ill., has for many years been a leader and champion of independent grocers. He has helped this segment of the food distributing industry improve operating efficiency and lower costs in the face of growing competition.

James B. Hasselman, Washington, D.C., retired as one of the agency information heads in the U.S. Department of Agriculture, long recognized as a dean of information specialists in Government. He has been involved in agricultural marketing information work since the "Aron Shapiro" days and the first big agricultural marketing troubles in the 1920's.

Senator SPESSARD L. HOLLAND, Washington, D.C. (Bartow, Fla.), a lawyer by profession, has in private practice and public service given generously of his time and energies to the development and strengthening of marketing services and agencies, particularly in the Florida citrus industry.

Charles W. Holman, Washington, D.C., long recognized as a leader in the field of cooperative marketing, served for many years until his retirement as the first secretary of the National Milk Producers Federation. He, in fact, was generally regarded as the chief spokesman for the dairy industry in Washington. He also was one of the principal founders of the American Institute of Cooperation and long a motivating force in that organization.

Clifford R. Hope, Garden City, Kans., former Member of Congress and former ranking minority member of the House Committee on Agriculture, is widely recognized for his outstanding contributions in the development and enactment of agricultural marketing legislation, including the Agricultural Marketing Act of 1946. Since retirement he has served as consultant to Great Plains Wheat, Inc., and has been a leader in the expansion of export markets and the improvement of the quality of wheat exported.

Lyman S. Hulbert, Washington, D.C., now retired from the U.S. Department of Agriculture, is an outstanding legal authority in agricultural cooperation and is nationally and internationally recognized as an authority on cooperative law. His publications have been used as standard references in the cooperative marketing field. He is now engaged in private practice.

Harold J. Humphrey, Ardsley-on-Hudson, N.Y., contributed greatly to the early development of the frozen-food industry. His research work resulted in basic knowledge that made large-scale production and merketing of frozen foods feasible. He is past president of the National Association of Frozen Food Packers. Since his retirement from research work in the frozen food industry, he has been serving as consultant to the Food Conservation Division, United Nations Children's Fund, in New York.

John B. Hutson, president, Tobacco Associates, Inc., Washington, D.C., is recognized as a foremost authority in agricultural marketing, particularly in the domestic and export marketing of tobacco. Prior to his present affiliation in private business, he had a highly successful career in which he served in various capacities of responsible leadership in both the U.S. Government and the United Nations. He is a former Under Secretary of Agriculture, President of the Commodity Credit Corporation, wartime director of food production, Administrator of the Agricultural Adjustment Administration, Chief of the AAA tobacco section, and has also served on various international bodies in the fields of food and nutrition and represented the United States at numerous international conferences. Early in his career, he was among the first to engage in work now being done by agricultural attachés and in recent years has been concerned with the expansion of export markets.

Dr. O. B. Jesness, retired from the Department of Agricultural Economics, University of Minnesota, St. Paul, Minn., is widely recognized as a leading authority in the field of agricultural economics and marketing. His contributions have exerted great influence in the development of the marketing and distribution system and structure.

Judge Marvin Jones, chief judge, U.S. Court of Claims, Washington, D.C., served for more than 20 years as a member of the Agricultural Committee of the House of Representatives, 10 years as its chairman. He helped draft and enact many of the basic laws affecting agriculture, including the Agricultural Marketing Agreement Act of 1937. He has served in all three branches of the Government, but his primary interest has always been in matters pertaining to agriculture.

Mrs. Marie Kiefer, executive director, National Association of Retail Grocers of United States, Chicago, Ill., is recognized as a moving force in retail grocer association work. She has been leader and spokesman for the small retail grocer, and active in improving their merchandising and public relations.

C. W. Kitchen, Washington, D.C., is outstanding in the field of marketing and ranks among the first in the development of present-day marketing services, particularly for fruits and vegetables. He has a long and rich background of work in both Government and industry and is noted for his success in dealing with governmental, industry, and trade association groups in the improvement of marketing and distribution of agricultural products.

John A. Logan, Washington, D.C., business executive and management counsel, was president and chief executive officer of the National Association of Food Chains from its beginning in 1934 until he retired in 1961. As a leader in food marketing, he organized the first nationwide program in 1936 to stimulate consumption of agricultural products when emergencies existed due to seasonal surpluses, by coordinating the merchandising know-how and facilities of food chain stores when requested to do so by producer groups. Over 350 campaigns and promotions benefiting almost all edible farm products proved this program to be sound and valuable for farmers, retailers, and consumers. This was a forerunner of the plentiful foods program of the U.S. Department of Agriculture. He organized and coordinated the first "Supermarket USA" food market sponsored through the cooperation of the USDA's Foreign Agricultural Service and the food industry, which was shown in Rome, Italy, in 1956. This helped broaden the market for many U.S. agricultural products and also acquainted people throughout the world with one important aspect of democracy—freedom of choice.

Albert Lowenfels, New York, N.Y., with a background of 56 years in the field of butter marketing in the New York City area, is recognized in the dairy industry as a foremost leader in the advertising and merchandising of butter. He is well known in Midwest trade circles where he traveled to creameries to purchase butter in the early 1920's. The family firm, Hotel Bar Foods, Inc., was founded by his father in 1885 who retired in 1923. The family tradition in the business is being carried on by a son.

Joseph M. Mehl, Washington, D.C., former Administrator of the Commodity Exchange Administration and predecessor agencies, who until his retirement from Government service devoted most of his career to the Federal regulation of commodity futures markets. He was first employed in the U.S. Department of Agriculture in 1917 as an investigator in cooperative purchasing in the Office of Markets and Rural Organizations. He probably has done more than any other person in developing Federal regulation of futures trading in agricultural commodities and fostering principles of equity and integrity in the Nation's commodity futures markets.

Albert E. Mercker, executive director, National Potato Council, Washington, D.C., fondly known as "Mr. Potato" throughout industry and Government, is recognized as a leading authority on the marketing of potatoes. He retired from the U.S. Department of Agriculture after nearly 40 years of outstanding service and since then has headed the National Potato Council.

E. A. (Woody) Meyer, eastern representative for Richmond-Chase Co., New York, N.Y., widely recognized as one of the statesmen in the canning industry, is a leader among fruit and vegetable processors. He has made major contributions in public service with the War Production Board, the War Food Administration, and as Director of the Fruit and Vegetable Branch when the Production and Marketing Administration was first established in the U.S. Department of Agriculture. When the Agricultural Marketing Act of 1946 was enacted, he was given the assignment to organize the marketing research work under this trailblazing legislation.

Fred A. Motz, Mathews, Va., now retired from the U.S. Department of Agriculture, is a recognized authority on introducing U.S. fruits to the Western European trade and acquainting producers and exporters with European market requirements. His activities, covering approximately three decades beginning in 1930, established the solid foundation on which this country's apple export industry now operates.

Dr. Edwin G. Nourse, Washington, D.C., educator and leader in economic thought and adviser to Presidents, has a remarkable career of service that has had a profound impact on every aspect of agricultural marketing. He is the author of several important books in the field of marketing and has held many major assignments, including that of Chairman, Council of Economic Advisers, Executive Office of the President, 1946–49.

Milo Perkins, Tucson, Ariz., is widely known for his efforts to make use of America's farm abundance for the benefit of all its people. As Administrator of the U.S. Department of Agriculture's Surplus Marketing Administration in the late thirties he developed the early food stamp plan, distributing surplus foods for needy persons and children in school lunch programs, and initiated other programs to help solve the problems of underconsumption and want in the midst of plenty. He is widely recognized as an authority on marketing and is engaged in private business as a consultant in foreign trade.

Dr. Edmund A. Perregaux, Storrs, Conn., known throughout New England as a leader in agricultural marketing, he has been particularly active in the field of cooperatives. Prior to his retirement from the University of Connecticut, he played a major role in advising agricultural marketing cooperatives in dealing with organizational and marketing problems.

Gordon Sprague, Land O'Lakes Creameries, Minneapolis, Minn., an economist who through his long service in Government and private industry has contributed materially to improvements in marketing. He has done important work in expanding markets and outlets for milk and milk products.

Dr. Hazel K. Stiebeling, Washington, D.C., has long been recognized as an international leader who has made lasting contributions in the science of human nutrition which have enhanced the well-being of people in all parts of the world. Her work in home economics and nutrition has enabled the American homemaker to become a wiser buyer and user of food. After an outstanding career of achievement in the U.S. Department of Agriculture, she retired in 1963. She is a recipient of the President's Award for Distinguished Federal Civilian Service which was given to her in 1959.

Edwin W. Stillwell, Washington, D.C., was engaged for over 45 years in private and governmental activities directly related to the marketing of agricultural products. He directed the U.S. Department of Agriculture's market news service for fruits and vegetables in its early and expanding years. He helped develop and managed grape and prune industry organizations in California, using new approaches to marketing under private contracts and Government marketing agreement program procedures. In recent years he has served as a consultant to chain stores, the trucking industry, and other businesses in their relations with farmers and farm organizations in the handling and marketing of farm products.

M. W. Thatcher, St. Paul, Minn., recognized as a leading authority on grain marketing, is president of the National Federation of Grain Cooperatives and has held that post since this group was organized. As general manager of the Farmers Union Grain Terminal Association, he has provided aggressive leadership in the worldwide marketing of grain for producer members of this large cooperative.

Gordon Urner, Urner Barry Publications, New York, N.Y., is a partner and executive in the firm which long has been the outstanding commercial market reporting service for dairy and poultry products and for fruits and vegetables. He has spent a lifetime in commercial market news work and improving the marketing services of the family firm which was founded more than a century ago.

Dr. Harry R. Wellman, vice president, Agricultural Sciences, University of California, Berkeley, Calif., widely recognized as one of the country's leading agricultural economists who has made numerous valuable contributions in the field of marketing. His advice and guidance on marketing problems are frequently sought by representatives of governmental agencies and private enterprise leaders.

Leslie A. Wheeler, Chevy Chase, Md., is particularly recognized for his work in foreign marketing, especially in the field of international commodity agreements prior to his retirement from the U.S. Department of Agriculture as head of the Office of Foreign Agricultural Relations. He has a long record of exceptional service in Government and has had many important foreign assignments. He has served as consultant for the International Federation of Agricultural Producers since 1951.

Paul S. Willis, president, Grocery Manufacturers of America, New York, N.Y., recognized as an outstanding authority in the food merchandising field, has contributed materially to improving relationships and understanding between the food manufacturing industry and agriculture.

P. O. Wilson, executive vice president, National Live Stock Producers Association, Chicago, Ill., has been the guiding hand behind one of the largest and effective livestock producer associations in the United States. He has been active in many livestock marketing programs and has made numerous valuable contributions in this field.

H. S. Yohe, Chevy Chase, Md., retired from the U.S. Department of Agriculture where he was long responsible for administering the U.S. Warehouse Act. In this work he initiated and developed the important safeguards farm producers now enjoy in the storage and warehousing of their products. His contributions in this field have resulted in continuous protection and savings from immeasurable losses for producers and loan agencies.

## THERE MAY BE A FEW GOBLINS TONIGHT

Mr. HUMPHREY. Mr. President, tonight is "trick or treat night." Swarms of little children will come out dressed as ghosts, goblins, witches, skeletons. As doors open to their knocks, gales of laughter and giggles will come out from behind the masks. The wonderful world of childhood will betray that it is having a great deal of fun. They do not believe in the goblins they portray. They are not scared. They do not really mean to scare us. If we play the game rightly, we will however pretend just a little.

They will announce "trick or treat," and hold up a bag for our contribution to their cache of enough candy to get sick on. Many of them, and the number is growing, will ask for contributions to UNICEF—the United Nation's children organization that uses the money to help underprivileged children and mothers in 116 countries of the world. All kinds of church groups, Catholic, Protestant, and Jewish have encouraged this. The children have taken it up enthusiastically, even if here and there a little candy or an apple on the side is welcome too.

A few ghosts and goblins, however, are having a resurrection, even in this modern age. A few doors will open to reveal the species. There will be no masks or costumes. Only some stern visaged, humorless, tasteless people, exuding a chill as cold as their hearts. For myself, I would rather meet a good, old-fashioned ghoul. Such would stimulate one to fight or run. These modern incarnations might freeze one on the spot.

To every request from one child for something to help another child—at his own church school he will have added some of his own allowance to the pile—these goblins will give out a little slip of paper. It will cost the donor a penny apiece. It will condemn this UNICEF enterprise. Poor members of the John Birch Society, and other apostles of the rightwing will just give a little lecture to the same point.

But ghosts and goblins are not for real.. The children will not be taken in. At first they may be somewhat puzzled at this queer behavior; these strange people who believe goblins are real and even look like them.

For a few oddballs, the children will shrug it off. Their patience should not be tested too far however. For neither fun nor good will is going to be spoiled to much. Some little pockets, I venture, will contain a piece of soap to be used on the windows of stinkers who overdo it.

I ask unanimous consent that the attached article from the New York Times of October 30 be printed in the RECORD at this time.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Oct. 31, 1963]

### ATTACKS BY RIGHTISTS ON UNICEF AND FUND DRIVE REPORTED RISING

UNITED NATIONS, N.Y., October 30.—Rightwing attacks on the United Nations Children's Fund (UNICEF) and its annual Halloween drive have increased this year, a spokesman for the agency said today. The fund's trick-or-treat collection will be made in many parts of the United States tomorrow.

Rightist groups are conducting extensive propaganda campaigns charging that the organization is Communist-dominated, that it promotes world communism through subversion, aids Communist China, and misuses funds allotted to it.

The agency's name originally included the words "international" and "emergency," but they have been dropped.

Victor de Keyserling, director of information of the U.S. Committee for UNICEF, said much of the criticism originated with Lawrence Timbers, of Seattle. Mr. Timbers heads a group called Washington Summary, which publishes an annual letter criticizing the organization. It concentrates its efforts on the Halloween program.

Mr. De Keyserling said Mr. Timber's material had been picked up word for word by the John Birch Society and the Daughters of the American Revolution.

#### TAGS DISTRIBUTED

Mr. Timbers has prepared Halloween tags, selling at 10 for 10 cents, to be given out to children collecting for the agency's trick-or-treat program. The tag says: "UNICEF is government charity. It creates a world welfare state. It promotes world government. We oppose such activity."

Mr. Timbers, reached in Seattle by telephone, described the trick-or-treat campaign as "the cheapest type of propaganda to build up the United Nations."

He charged that the United Nations agency had no control over the use of its funds and trusted the word of politicians in the developing countries that these funds were properly used.

He further asserted that the agency's program—helping underprivileged mothers and children in 116 countries—was being used for Communist subversion.

"When Indonesian children got shots of penicillin they were also given shots of communism," he said.

Mr. Timbers declared that his main objection to the agency was that it was government administered and reduced initiative and self-sufficiency. He said all such help should come through private enterprise.

#### AGENCY SPOKESMAN REPLIES

A spokesman for the children's fund said Mr. Timbers' statements were "inaccuracies, innuendos, and examples of muddled thinking."

Mr. Timbers said his tags and letters had reached more than 15,000 people in the West, South, Middle West, and New England.

Mr. De Keyserling said the Children's Fund "was not one bit worried by the propaganda and expected proceeds from the Halloween drive to increase this year.

"All efforts to disrupt this campaign year after year have never been fruitful," he said. "Anyone who can read can get the right information for himself."

"The Children's Fund aid cannot be diverted to any purpose except that of helping sick and hungry children," he said, "because it is given in actual supplies and not in cash."

#### ANOTHER ATTACK

Another attack on UNICEF came from Dawn, a publication of the Independence Foundation of Portland, Ind., of which Joseph H. Thomas is editor.

An editorial published there and distributed in leaflet form charged the children's agency with aiding Communist China and with using trick-or-treat funds "to make war on the Christian anti-Communists of Katanga, where children were shot down in the streets by the United Nations 'Peace Force.' "

The reference was to the former secessionist state in the Congo led by Moise Tshombe.

Lloyd C. Bailey, executive director of the U.S. Committee for UNICEF, denied the charges today in a letter to Mr. Thomas. Mr. De Keyserling called them "shamefaced lies."

Mr. De Keyserling said the attacks were inspired by persons who find it an effective way of combating the United Nations in general. Because the agency's Christmas cards and Halloween drive come directly into the home, it is one of the best known of the United Nations groups.

## ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 31, 1963, he presented to the President of the United States the enrolled bill—S. 1523—to make certain changes in the functions of the Beach Erosion Board and the Board of Engineers for Rivers and Harbors, and for other purposes.

## RECESS

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move, under the previous order, that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 40 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Friday, November 1, 1963, at 12 o'clock meridian.

## NOMINATIONS

Executive nominations received by the Senate October 31 (legislative day of October 22), 1963:

#### FEDERAL RESERVE SYSTEM

J. Dewey Daane, of Virginia, to be a member of the Board of Governors of the Federal Reserve System for the remainder of the term of 14 years from February 1, 1960, vice George Harold King, Jr.

#### PUBLIC HEALTH SERVICE

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

*To be senior surgeon*

Walter F. Edmundson

*To be surgeons*

Maurice E. Snyder
Joseph H. Roe, Jr.

*To be senior assistant surgeons*

John T. Potts, Jr.
James D. MacLowry
John L. Overby
Joseph F. Piffat
Arthur T. Gronner
Norman J. Knorr
Matthew P. Dumont
Herschel M. Schwartz
Norbert J. McNamara
Denny W. Walters

*To be senior assistant dental surgeons*

Stephen L. Bissell
Donald P. Lecklitner
John H. Reiber
Donald F. Stoick

*To be senior assistant sanitary engineer*

Santo A. Furfari

*To be assistant sanitary engineers*

Gerald E. Siefken
Paul B. Smith
Clarence C. Oster
Guntis Ozolins
Jack R. Farmer
Elmer G. Cleveland

*To be junior assistant sanitary engineers*

Darwin R. Wright
Wayne A. Blackard

*To be scientist*

Ibrahim J. Hindawi

*To be sanitarian*

Kenneth L. Pool

*To be senior assistant sanitarians*

John E. Regnier
Litsey L. Zellner
Michael B. Musachio
James M. Cox

*To be assistant sanitarian*

James F. Lawler

*To be veterinary officer*

James F. Wright

*To be senior assistant health services officer*

Victor R. Stoeffler

## CONFIRMATIONS

Executive nominations confirmed by the Senate October 31 (legislative day of October 22), 1963:

#### MISSISSIPPI RIVER COMMISSION

Brig. Gen. Walter P. Leber, U.S. Army, to be a member of the Mississippi River Commission, under the provisions of section 2 of an act of Congress approved June 28, 1879 (21 Stat. 37; 33 U.S.C. 642).

#### CALIFORNIA DEBRIS COMMISSION

Lt. Col. Robert H. Allan, Corps of Engineers, to be a member of the California Debris Commission, under the provisions of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507; 33 U.S.C. 661).

Col. Robert E. Mathe, Corps of Engineers, to be a member and secretary of the California Debris Commission, under the provision of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507; 33 U.S.C. 661).

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# EXTENSIONS OF REMARKS

## Mrs. Serafina Ferrara Honored

EXTENSION OF REMARKS
OF
HON. ROLAND V. LIBONATI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
*Thursday, October 31, 1963*

Mr. LIBONATI. Mr. Speaker, Mrs. Serafina Ferrara, one of the most astute businesswomen and restaurateurs of the city of Chicago was signally honored by the Immigrant Service League of Chicago for her splendid efforts in behalf of the immigrants of the city of Chicago. As a young girl she managed her dad's grocery with great success. Upon her marriage to Salvatore Ferrara, a popular and celebrated Italian pastry expert—she managed the bakery and pastry shop and candy factory. But regardless of her position of affluence in the community, Serafina always remembered the poor and unfortunate. She was never too busy to help in any charity drive or welfare movement. To this day she is ever at the beck and call of everyone for all types of programs and promotions for charitable or civic purposes. She has been honored numerous times by organizations of both social and of a charitable nature. She was named Grandmother of the Year 1956—and was cited several times by Mayor Daley, of the city of Chicago, for her signal services rendered to the city; also for her work for St. Cabrini Hospital, Villa Scalabrini Old Peoples Home, Cardinal Stretch School of Medicine—Loyola University, The Foundling House. Several years ago for her services to the Italians in the Chicago area, she was presented with "The Star of Solidanty," by the Republic of Italy at a gala banquet in her honor, and others so cited. She is one of the few women so honored.

She is presently the proprietress of two of the largest catering and banquet services in Chicago. A series of banquet halls are always in great demand, one located at Il Chateau Royale, 5743 West Chicago Avenue, and Il Ferrar Manor, at 5600 West North Avenue.

Her son Nello, a brilliant lawyer, is president of the Ferrar Candy Co. and acted as the official of the Columbus Day parade in Chicago recently—viewed by a million Chicagoans. Her two daughters are happily married and grandmother Serafina is the favorite of their children. I am proud to present to the Congress the fine virtues and wonderful accomplishments of this talented businesswoman who has contributed so much to the unfortunates who cross her path or that she seeks out. Serafina Ferrara is a credit to her Italian lineage and American heritage. May God bless her and her children for her many charities.

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## A Brooklyn College Leads the Way in a Fine New Venture

EXTENSION OF REMARKS

OF

### HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 31, 1963*

Mr. CAREY. Mr. Speaker, in Brooklyn, N.Y., the borough which is becoming known as "Collegeville, U.S.A.," Pratt Institute has recently demonstrated fine community spirit through two separate endeavors.

The school of engineering and science at Pratt, will introduce to the New York area a cooperative, work-study program in engineering for the academic year of 1964–65.

President Richard H. Heindel of Pratt Institute and Dr. Charles M. Thatcher, dean of the school of engineering and science, feel that many benefits will accrue to the participating students, local industry, and the institute.

As presently envisaged, students will study full time during their first year at Pratt. They will work and study during alternate semesters including summer sessions during their second, third and fourth years. Their fifth year will again be spent in full-time study at the end of which they will be awarded a bachelor's degree.

Many students currently unable to attend college for financial reasons will be able to earn as they study while at the same time gathering practical experience that will aid them in finding employment after graduation.

A Pratt trustee and alumnus, Ralph M. Parsons, president of the Ralph M. Parsons Co., a worldwide engineering corporation, observed:

> Participating industries will have a steady pool of engineering skills upon which they can draw as well as the opportunity of training qualified students in the particular skills and abilities their industries require.

Another Pratt trustee and alumnus, Gen. David Sarnoff, chairman of the board, Radio Corp. of America, commented:

> Industries will certainly welcome this pioneering step by Pratt Institute in offering to the New York area a program which has been successfully used elsewhere in the country.

At present the school has a limited cooperative program with the Brooklyn Naval Shipyard.

All engineering students in good academic standing will be eligible to participate in the new program.

In the second instance, Mr. Robert I. Queen, the director of information services at Pratt, has been appointed cochairman of a special emergency committee to help ex-New York Mirror editorial employees secure new jobs. The Newspaper Reporters Association has acted wisely by choosing a man from the academic world whose past experience in the newspaper and public relations fields make him a valuable asset at Pratt and, now, to the community. The cooperation exemplified in this instance is proof that joint ventures in this area should be encouraged. The beneficial results to both college and community are obvious.

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## Address by Hon. William J. Green, Jr., at Democratic Party's $100 Dinner, Philadelphia, on Wednesday, October 30, 1963

EXTENSION OF REMARKS

OF

### HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 31, 1963*

Mr. DENT. Mr. Speaker, I had the pleasure and privilege of hearing one of our distinguished colleagues, the Honorable WILLIAM GREEN, city chairman of the great city of Philadelphia give a speech, containing more than passing interest for the people of Pennsylvania and the good people of Philadelphia particularly.

It is always a pleasure to hear BILL GREEN and even more so when his remarks are so appropo to the situation. Mr. Speaker, I present our colleague's remarks knowing in advance that many Members will enjoy reading them.

There is also a faint suspicion that one of our Members of the other body may learn that his actions have not been ignored and he has not escaped the folly of his ways scot free.

The address follows:

REMARKS BY CONGRESSMAN WILLIAM J. GREEN, JR., PHILADELPHIA DEMOCRATIC CHAIRMAN, PREPARED FOR DELIVERY AT DEMOCRATIC PARTY'S $100 DINNER AT CONVENTION HALL, WEDNESDAY, OCTOBER 30, 1963

Philadelphia can be proud of many things but there can be no greater pride than the realization that here in our city a great dream was born. A great man was launched on the road to the Presidency.

When I have said that, I have said it all. Our President needs no glowing words of tribute to memorialize his brilliant accomplishments.

So I turn to a subject which can stand all the public exposure it can get. I turn to that creaking structure of hidebound conservatism, the Republican Party—a party which today is racing to meet the challenges of the future with all the speed of a two-legged turtle floundering in quicksand.

And the Republican Party in Philadelphia is mired in a swamp of futility all its own. This is a party in which leaders eliminate qualified candidates in order to scoop from the bottom of the barrel a man who has never held public office. A man who has never served in a top administrative post, not in business, not in industry. A man who has twice been rejected by the people in his ambitious quest for power. A rather peculiar man who, for some strange compulsion best known to himself, carries on a one-man war against the Philadelphia Zoo.

In all the years, I have been in politics, I can truthfully say that this is the first time I've ever heard of a candidate trying to win political advantage at the expense of zebras, bears, llamas, and penguins. This represents some kind of new low, even for Republicans. Obviously, somebody over at the union league made a horrible mistake, instead of running James McDermott for mayor, they should have run Clyde Beatty. Maybe they ought to arrange for McDermott to campaign in a cage.

And as if that's not enough, have you read in one of our local newspapers that a Republican candidate for city council thought that his leader, "5-Percent Willie" Scranton was a member of the Ku Klux Klan? Now I grant you that "5-Percent Willie" is no prize bag but even the Democrats never accused "Wee Willie" of cutting out holes in pillowcases, but maybe that's what comes of associating with the new breed of superman being merchandized by Arizona department stores these days. "5-Percent Willie's" been chasing GOLDWATER's bandwagon so hard that "Willie's" hot breath is beginning to fog the Senator's bifocals.

But we all know about "5-Percent Willie," he's like quicksilver: When you try to put your finger on him there's nothing under it. Getting "Willie" to take a stand on public issues is like trying to prop up a wet noodle. The last time "Willie" took a stand on anything was when his boss, "Harve" Taylor, walked into his office. Of course you all know "Harve" Taylor; he's the one who spends his free time kissing Scranton on the cheek.

But don't let anybody kid you, Scranton really works hard at his job. Pennsylvania's never had a Governor who signed so many new tax bills into law. Why in the first few months in office, the Peter Pan of Harrisburg signed so many tax bills he had to go to "HUGHIE" SCOTT and get the cramps in his writing hand massaged.

But nobody thinks more highly of "5 Percent Willie" than the Republican candidate for mayor. Just last summer, when Scranton was sweating overtime trying to convince McDermott to withdraw from the campaign because of McDermott's immaturity and lack of experience, McDermott phoned his local advisers and said: "If Scranton talks to me about immaturity and lack of experience just one more time I'm going to blast him and his lousy administration."

Now that's what I call real party spirit. Naturally, Scranton being the two-fisted opportunist he is took the reins of leadership firmly in his hands and beat a hasty retreat. No doubt he had visions of his presidential ambitions being kicked to pieces by the political Frankenstein which he helped create.

McDermott has made it abundantly clear that he considers politics to be the science of self-interest. However, if his talent proved half as great as his ego, perhaps his head would not be so large and his mouth might be considerably smaller. McDermott has the answer for everything and the solution to nothing. His sole qualifications for office appear to be a crewcut, three all-purpose gestures learned in speech class 2 and a pocketful of bubble gum to keep his committeemen happy.

Watching the Republican candidate's eye-rolling theatrics on television recently reminded me of that famous line from Hamlet: "I have thought some of nature's journeymen had made men and not made them well, they imitated humanity so abominably."

Yet I would not say his performance was altogether abominable, agonizingly pathetic might be a better phrase. It pains me to see a grown man wail piteously in public. "Mayor Tate, why don't you debate with me?" But I suppose "Jimmy Crew-Cut" picked up that line from Rockefeller who keeps following Goldwater around whimpering like a puppy dog with about the same degree of success. Maybe McDermott's secretly running for a spot in the national ticket.

He certainly has as good a chance for the Republican presidential nomination as he has to become mayor of Philadelphia. Besides just about everybody's thrown his denial into the GOP ring except Eisenhower's prize cow.

But I can guarantee that on November 5 there's going to be one Republican hopeful who won't have to pose in canoes anymore or get his brother-in-law to plaster his picture all over the cover of Time magazine. I guarantee that "5-Percent Willie's" White House fever is going to be cured once and for all right here in Philadelphia. Come November 5, Scranton and McDermott are going to be buried under an avalanche of Democratic votes. By the time Philadelphia voters finish showing "5-Percent Willie" what they think of his sales taxes and his liquor taxes and his cigarette taxes and his school taxes, Goldwater will be scrounging around for a new running mate.

Philadelphia voters want no amateurs mismanaging their city the way Scranton has mismanaged the State. Philadelphia doesn't need any more broken promises from Republicans. Philadelphia's citizens want no part of 10th-rate candidates who, in their hysteria, find it necessary to deny that they are members of the John Birch Society. Philadelphia wants no mayor who seeks to profit from bigotry and who would turn Philadelphia into a battleground by pitting neighbor against neighbor.

Philadelphia wants no part of a man who is so ambitious that he would falsify facts and figures to bolster his sagging campaign. In short, Philadelphia wants no part of the Republican Party which for 67 long, bitter years created the slums, the squalor, the industrial depression, the moral and physical decay which very nearly destroyed our city.

Today, after only 12 short years of unparalleled activity and leadership, the Democratic Party has revitalized Philadelphia. Today, the Democratic Party offers Philadelphia, as it has in the past, experienced and qualified candidates * * * men and women who worked shoulder to shoulder with Mayors "Joe" Clark, "Dick" Dilworth and "Jim" Tate to make our city truly great.

So let the empty words of a puny opposition echo and reecho hollowly down the corridors of Philadelphia's monuments of concrete and stone, and when the empty, meaningless words are gone, the deeds of the Democratic Party will live on. The city we have built, the new Philadelphia shall endure in all its grandeur and beauty beyond all debate. Philadelphia, what it is and what it shall become, this is our answer and our challenge, today, tomorrow, and forever.

To keep Philadelphia moving ahead let's endorse a Democratic city administration once more, as we have done 3 times in the past 12 years. Let's get out and work, work, work * * * to bring out a smashing majority for Mayor Tate and our fine Democratic ticket.

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## Truth in Lending

EXTENSION OF REMARKS

OF

## HON. MAURINE B. NEUBERGER

OF OREGON

IN THE SENATE OF THE UNITED STATES

*Thursday, October 31, 1963*

Mrs. NEUBERGER. Mr. President, the American consumer deserves to know just how much he is paying for the goods he buys. The distinguished senior Senator from Illinois [Mr. Douglas] continues to present to Congress and the American public evidence of the need for legislation requiring disclosure of the true cost of goods purchased on credit.

Just 3 days ago, Senator Douglas brought to our attention another example of the flagrant trespass of consumer rights, this time in Nebraska, where the Supreme Court held that installment loans amounting to an estimated $1 billion, had been usurious.

I want to join the distinguished senior Senator from Illinois, as I have joined him in cosponsorship, in urging immediate and favorable action on S. 750, the truth-in-lending bill, and at this time commend to the Senate an article by Senator Douglas, "Who's Afraid of the Truth?" in the October issue of the Carpenter, which once again clearly demonstrates why S. 750 is must legislation. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

### The Real Cost of Credit: Who's Afraid of the Truth?

(By Paul H. Douglas, U.S. Senator from Illinois)

Are we Americans who borrow and buy on credit entitled to know the truth about the cost of consumer credit? Those of us in Congress who have sponsored the truth-in-lending bill—which would require full disclosure of the true costs of consumer credit—believe that the borrower has the right to know what credit is costing him. So do thousands of citizens who have written to us expressing their strong support for this proposed legislation.

The truth-in-lending bill would simply require that all lenders or sellers on credit such as small loan companies, automobile dealers, commercial banks and department stores tell the customer—before the contract is signed—and tell him in writing—just how much the credit is really costing.

This written statement must include the number of months the contract runs, the amount of the monthly payment and—most important—the total amount of the finance charge expressed in dollars and cents and the simple or true annual interest rate on the debt actually owed.

Thus, if you wanted to finance a used car for 18 months, the dealer would be required to tell you that on your unpaid balance of $700 with monthly payments of $46.11, the finance charge would be $129.98 and the true annual interest rate would be 22 percent.

Or if you were buying goods on a department store or mail-order house revolving credit account, the store would be required not only to send a regular monthly bill identifying the dollars-and-cents charge for credit but also to tell you that the "small service charge" of 1½ percent per month really amounted to 18 percent interest per year.

Under the truth-in-lending legislation every borrower would know in advance—before signing on the dotted line—of the price of credit in two ways, the dollar cost and the true finance or interest rate on the unpaid balance. This would enable the wage earner and housewife to compare accurately the costs of different credit plans offered by lenders and sellers and to shop as carefully for credit as for other items in the family budget.

For the past 3 years my subcommittee of the Senate Banking Committee has held extensive hearings on the truth-in-lending bill. The record of this congressional investigation of consumer credit practices demonstrates over and over again that many, if not most, consumers are either unaware, confused, or badly misinformed about the true interest rates and charges they pay for various types of credit.

In New York one witness testified that he bought furniture from a local furniture store for $389. Later he received in the mail a statement showing that he owed $588, to be repaid in monthly installments over 24 months. In other words, he was charged $199 for credit for 24 months.

We were shocked to learn that this amounted to an interest rate of 49 percent. If this witness had known that an interest rate of 49 percent was being charged him, I doubt that he would have purchased the furniture from this store.

Another witness bought a bed for $200 from another store. He was told that he would be charged an additional $76 for interest. However, his contract required him to pay back $23 per month for 2 years. We figured the true interest in this case was 168 percent.

A third witness bought a television set on credit for 30 months. We figured out the interest rate on this transaction, and it turned out to be 143 percent. We asked the witness whether, had she known the interest rate which she was being charged, she would have signed the contract. The witness replied: "Never in my life."

In Pittsburgh a witness testified that he borrowed $900 from a small loan company and was told that his monthly payments would be $58.10 for 24 months. We figured the interest rate in this case, and it turned out to be 52 percent. Would you have signed this contract if you had known that you were being charged 52 percent interest?

Of course, some of these are unusual cases, but it could happen to you. Why don't you test yourself about true interest rates and credit charges? I doubt that many wage earners are aware that:

The small monthly service charge of 1½ percent on department store charge accounts is usually a true annual interest rate of 18 percent.

The 3-percent-per-month plan of small loan companies is really 36 percent per year.

The advertised 5-percent rate on home improvement loans is not less than a 6-percent home mortgage but nearly twice as much.

The so-called 6-percent rate offered by some used car dealers is always 12 percent per year and sometimes very much higher—as much as an 18- to 25-percent interest rate per year.

The 4½-percent new car financing plan of some commercial banks is really 9 percent per year.

Credit plans for teenagers now being promoted by some retailers as only pennies per year sometimes amount to 80 percent interest per year.

These are not unusual cases but merely a few common practices involving inaccurate or misleading interest rate information. Test yourself.

Do you know what the finance charge and the true annual interest rate were the last time you borrowed money or bought on credit?

In the spring of 1962, President Kennedy sent a special message to Congress proposing a new program for consumer protection, including a basic "bill of rights" for the American consumer. These rights of the individual include, the President said, "the right to be informed—to be protected against fraudulent, deceitful or grossly misleading information, advertising, labeling or other practices—and to be given the facts he needs to make an informed choice."

To help guarantee this right, the President urged Congress to pass the truth-in-lending bill. Public support is widespread, but opposition in the Senate has prevented enactment of the bill. To overcome this opposition will require determined support for truth-in-lending by the individual borrower and buyer.

This should not be a partisan matter. Consumers who are Republicans need protection just as much as consumers who are Democrats.

All we who advocate truth-in-lending legislation are asking is that the consumer be told the truth, the whole truth and nothing but the truth—in advance—about the interest rates and finance charges he is asked to pay when he borrows money or buys an article on the installment plan.

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## Kennedy Sees Difference Between Personal Popularity and His Achievements

EXTENSION OF REMARKS

OF

### HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 31, 1963*

Mr. SNYDER. Mr. Speaker, today I have come into possession of two newspaper articles from my district which indicate that the FCC may be being used as a political tool in Kentucky. According to the news articles, a ruling has been made by a Mr. Joe Rosebloom, administrative employee of FCC Chairman William Henry, which called a transcription of the President's voice in answer to a news conference question a distortion because all 22 pages of the news conference were not included. This is obviously an unreasonable, dictatorial ruling—to require the inclusion of a multitude of extraneous, irrelevant matter is obviously a political move.

For the record, the complete question and complete answer as taken from the press conference read as follows:

Question. Mr. President, a Negro leader who helped organize the march on Washington says that he feels you are greater than Abe Lincoln in the area of civil rights. Apparently a lot of other Negroes support you. The latest poll showed that 95 percent probably would vote for you next year. Now, in your opinion, Mr. President, does this political self-segregation on the part of the Negroes, combined with continued demonstrations in the North, pose any problems for you as far as the electoral vote in the North is concerned next year?

The President. I understand what you mean, that there is a danger of a division in the party, in the country, upon racial grounds. I would doubt that. I think the American people have been through too much to make that fatal mistake. It is true that a majority of the Negroes have been Democrats, but that has been true since Franklin Roosevelt. Before that a majority of them were Republicans. The Republican Party, I am confident, could get the support of the Negroes, but I think they have to recognize the very difficult problems the Negroes face.

So in answer to your question, I don't know what 1964 is going to bring. I think a division upon racial lines would be unfortunate—class lines, sectional lines. In fact, Theodore Roosevelt said all this once very well, way back. So I would say that over the long run, we are going to have a mix. This will be true racially, socially, ethnically, geographically, and that is really, finally, the best way.

The transcript as reportedly used on the radio is as indicated in the following David Lawrence column which appeared in the Evening Star on October 11, 1963:

### Kennedy Puts Finger on Chances—Sees Difference Between Personal Popularity and His Achievements

(By David Lawrence)

Whenever President Kennedy completes his Government service, he can certainly expect to get a fruitful job as a political writer. It would not be based solely on his prestige as a former President but also on his astute knowledge of political trends and fundamentals.

Mr. Kennedy gave at Wednesday's news conference a good illustration of his perspicacity when he placed in proper perspective all the current talk about the outcome of the 1964 election.

The President put his finger on something which is too often overlooked—the difference between the seeming personal popularity of a candidate and his real popularity based on actual achievements in public office. For it doesn't follow that a man who is well liked or makes a spectacular campaign will necessarily win. In 1920, for instance, the Democratic nominee, James M. Cox—who had sreved as Governor of Ohio for three terms—was an excellent public speaker and made a good appearance on the stump. In fact, he campaigned from coast to coast while his Republican opponent, Senator Warren G. Harding, spoke from the front porch of his home in Marion, Ohio, and left his residence only two or three times for 1-day trips to make speeches. Yet Mr. Harding won an overwhelming victory.

The lesson of that campaign has been emphasized often since—that economic conditions are paramount. Such issues are reflected as the people vote against an administration or party in power. They did this in 1920 when they voted their resentment against a disrupted economy and blamed the Democratic administration for entering World War I after having won the 1916 campaign on a platform of "peace and prosperity." The same thing—economic discontent—caused the Hoover defeat in 1932.

President Kennedy rightly stresses the peace issue as well as the economic issue, and wisely points out that it will be easier to judge the outcome of the next presidential campaign in the summer and autumn of 1964 than it is today. He said to his news conference:

"I think we ought to make a judgment on that in 1964. * * * A lot of these matters we will have to decide—whether the United States is better off economically than it was before, and whether our position in the world has improved, and whether our prospects for peace are greater, and whether our defenses are stronger, and whether we are making progress at home and abroad. That is a matter which, it seems to me, will be argued very strongly in 1964. For example, we can't make a judgment about the state of the economy in 1964. I think if they pass our tax bill, we are going to be able to demonstrate a very successful, buoyant economy for a period of 4 years. If they do not, we will have a different situation.

"I cannot tell what our relations will be in southeast Asia a year from now. I know what results our policy is attempting to bring. But I think that result ought to be judged in the summer of 1964 and the fall of 1964, and I have hopes that the judgment will be that the economy is moving ahead."

What the President said is a sound analysis of the present situation. The same yardstick has been applied again and again in the past by this correspondent in evaluating public sentiment and in predicting the outcome of presidential campaigns.

Mr. Kennedy is well aware that employment and business are not booming in all areas today and that, in some of the pivotal States, emotional issues—such as the race controversy—as well as pocketbook issues may cause him to lose electoral votes. That's why he says candidly:

"I would say we are going to have a hard, close fight in 1964, but that has been my impression for a good many months."

Mr. Kennedy also said that he believes Senator Goldwater could win the Republican presidential nomination, but that the Arizona Senator "has a long road to go" and has a "trying 7 or 8 months which will test his endurance and his perseverance and his agility."

There is always a chance that a slip of the tongue may turn the tide against any candidate in either party. Right now, for instance, President Kennedy himself has cause for concern about a slip he made in his impromptu remarks at his news conference of September 12. It already has had political repercussions. In discussing in general terms the future of the racial problem in America, he declared:

"So I would say that over the long run, we are going to have a mix. This will be true racially, socially, ethnically, geographically, and that is really, finally, the best way."

Critics are beginning to ask in letters from different parts of the country whether Mr. Kennedy was indorsing the doctrine of racial intermarriage. Unquestionably, this kind of an issue can be embarrassing in a political campaign. So it is likely that the Democrats will have their troubles, just as will the Republicans, and both candidates will have to demonstrate their agility.

As for a dark horse in 1964 on the Republican side—or even a light horse, in which category former Vice President Nixon is often mentioned—there is no definite trend as yet. Unless Mr. Nixon becomes an active candidate long in advance of the national convention, which seems unlikely, the Republicans will turn to him only if a stalemate develops between Goldwater and Rockefeller forces, with combinations of favorite sons from various States holding the balance of power, as often happens in national conventions.

I leave it to your judgment as to whether this is a distortion—whether the intent has been changed. I think it has not.

I do not bring this matter up for any discussion of the content of the President's statement. Whether we agree or disagree with the President's position is for our own conscience. However, I am confident none of us desires to see increased Government power by an ever-increasing Federal bureaucracy used to prevent the dissemination of something because of political considerations. If the statement was a slip of the tongue by the President, as indicated by David Lawrence, the President can correct the statement by so indicating.

## The Gruening Report

EXTENSION OF REMARKS

OF

### HON. MAURINE B. NEUBERGER

OF OREGON

IN THE SENATE OF THE UNITED STATES

*Thursday, October 31, 1963*

Mrs. NEUBERGER. Mr. President, Senator Ernest Gruening, our distinguished colleague, has reported to the Senate Committee on Government Operations on his trip to 10 Near East countries. A condensation of this report appeared in Near East Report, with significant quotes from the Senator from Alaska on his observations.

I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE GRUENING REPORT

Senator Ernest Gruening, Democrat, Alaska, has presented the Senate Committee on Government Operations with a thoroughgoing 472-page report on U.S. aid to 10 Near East countries. The report, resulting from a 2-month tour of Turkey, Iran, Syria, Lebanon, Jordan, Israel, Greece, Tunisia, Libya, and Egypt last winter, was prepared with the help of Senator Gruening's legislative assistant, Herbert W. Beaser. It reflects the Senator's experience as a former newspaperman and editor of the Nation.

Along with scathing criticism of U.S. aid practices, the report abounds with constructive proposals for reform. It serves as a handbook on U.S. aid: whether it should be continued; how it can be improved; why it must be improved.

NEW LOOK AT EGYPT

Many visitors to Cairo return singing praise for the graciousness and gallantry of President Nasser. Not so the Senator from Alaska.

"As I stood * * * watching preparations for a major speech by Colonel Nasser * * * and saw the multitude of large posters bearing his picture and I later heard his speech with its slogans and stirring platitudes, I * * * felt that all it would take to have that government become a Communist bloc nation would be to add a few slogans and change a few pictures."

It was clear to the Senator that (1) Egypt has become a "socialist police state"; (2) Nasser seeks "his own personal and Egypt's national aggrandizement, in that order", and (3) "U.S. dollars are enabling Egypt to wage war in Yemen, to foment trouble in Jordan and Saudi Arabia, and to arm to attack Israel just as surely as though they were spent directly for that purpose."

Senator Gruening challenged U.S. aid to Egypt, charging our State Department has misjudged Nasser's intentions. He condemand the "current official suggestion" that Nasser does not really mean his deadly threats against Israel and that Nasser's radio does not really mean to beam violence and revolution into the hearts of the citizens of Jordan and Saudi Arabia.

The Senator took Egypt's ruler more seriously. "Nasser's radio," he wrote, "* * * is the only radio preaching the violent overthrow of other governments."

U.S. AIDers not only disregard this situation, they abet it. Over one million dollars has been obligated through fiscal 1963 to help Egypt build a Telecommunications Research and Training Institute.

RUSSIA AND EGYPT

"When I spoke to Colonel Nasser," writes Gruening, "he stated that after the poor showing made by his soldiers against the English, French, and Israelis, his officers had demanded that he accept the offer of Soviet arms."

Thus, Nasser seemed to expect a U.S. Senator to believe that he, the hapless dictator, was forced by his mortified army to become totally dependent on military aid from the Soviet Union. Obviously, he felt that, no matter how clearly he reveals himself as an expert cold war fence-sitter, the U.S. would accept his explanations. Senator Gruening did not.

SIDE EFFECTS

These are the side effects of U.S. shipments of Public Law 480 food, mainly wheat, to Egypt:

Nasser can divert labor and resources from Egyptian wheatfields to Yemeni battlefields.

Egypt can continue growing cotton to trade for Russia arms.

Other Near East states, usually prone to use U.S. aid to better effect, are forced to divert needed resources for coequal military development with Egypt.

Gruening points out that if Nasser does not receive U.S. wheat, he will either have to grow it himself or import it from another country. It would be difficult to find a country with wheat in sufficient surplus to feed all the Egyptians who survive on U.S. shipments. Thus, Gruening felt that the United States could exercise real influence over Nasser by means of our aid, and he postulated two conditions for its continuation:

"1. Egypt's prompt compliance with the terms of the U.N. settlement of the Yemen dispute;

"2. Egypt's reversal of her present armament policy so as to cease production of missiles, warplanes, submarines, and other implements of war clearly designed for aggressive purposes."

PAT ON THE BACK

Gruening was kinder to U.S. AIDers in Jordan. With U.S. assistance, King Hussein has instituted social, agrarian and administrative reforms. By 1967, Jordan expects to increase gross national product by 60 percent, reduce foreign trade deficit by $33.6 million, increase employment by 21 percent.

But Gruening had reservations. We support development of Jordan's tourism without encouraging her to admit thousands of tourists who visit Israel every year. These tourists, potentially a substantial source of revenue, are barred once they have set foot in Israel.

LEBANON AND ISRAEL

With her high literacy rate and stable government, Lebanon has successfully utilized U.S. aid. Senator Gruening commented that because of her farflung trading interests, her support of the Arab boycott stems more from "the profit motive than * * * feelings of Arab unity."

But, the Senator argued, like any country whose major stock is in trade, Lebanon has everything to lose from war.

"What has been said about the success of the AID program in Lebanon," Gruening wrote, "can be said to an even greater degree of * * * Israel." In Israel, AID found cooperative officials, enthusiastic public and a national willingness to provide counterparts, in effort and personnel, to the U.S. contribution.

ECONOMIC VIEWS

Gruening feels that countries like Lebanon and Israel, which encourage private business, are more likely to utilize U.S. aid in the spirit in which it is given.

He also felt that AID officials were trying too many projects in too many places and too often, simultaneously. To his mind, many projects initiated to stimulate economic diversity will fail because the recipient country is not prepared to follow through with them. He recommended that AID take inventory of its projects with a view to cutting their number.

NEAR EAST PEACE CORPS

The Arab refugee situation, to Gruening, is an economic and social rather than a political problem.

"I think one of the greatest mistakes * * * was to establish an international agency staffed primarily with locally recruited personnel * * *. Most of these locally hired employees are themselves refugees. The feeling still generally prevails among the refugees and the leaders of the Arab nations that any economic rehabilitation and integration * * * would be a weakening of the political strength of the movement to return to what they still consider Palestine. Thus economic rehabilitation has been resisted by the refugees."

## Louis Farina Honored

EXTENSION OF REMARKS

OF

### HON. ROLAND V. LIBONATI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 31, 1963*

Mr. LIBONATI. Mr. Speaker, one of the most popular young Italo-American leaders of Chicago was honored with a plaque "Testimony of Merit" presented by Monsignor O'Malley, dean of Loyola University. The banquet was attended by 2,000 persons of Italian extraction and their friends, who were gathered together to raise funds for the Cardinal Stritch School of Medicine, Loyola University.

It was under the persistent leadership of Mr. Louis Farina that young political leaders of South American countries were approved by the State Department and the administration on an exchange basis. He received the congratulations of many important leaders in government both here and abroad for the realization of the plan of Operation Friendship. He also sought to interest the Eisenhower administration in a program, later adopted by the Kennedy administration—the Peace Corps.

And so our good friend presently superintendent of Chicago Bureau of

Parking whose ingenuity has solved many of the intricate problems in this field of responsibility (especially the collection of millions of dollars) has deservedly been the recipient of a high honor from Loyola University for his conscientious effort to raise moneys for a most worthy cause—the finances needed by the Cardinal Stritch School of Medicine of Loyola University.

## Newspaper Week: Reminder of Journalistic Career of Nicola Lo Franco

EXTENSION OF REMARKS

OF

### HON. ROLAND V. LIBONATI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 31, 1963*

Mr. LIBONATI. Mr. Speaker, the recent directive by the President declaring the week of October 13 as Newspaper Week, recalls to my mind the distinguished journalistic career of Nicola Lo Franco—deceased—director of L'Italia, the Italian newspaper of Chicago, founded in 1886. His son, the talented journalist and attorney, Ari Lo Franco, succeeded his illustrious dad as editor and publisher upon his death, November 11, 1951, Armistice Day.

It is proper and fitting that Nicola Lo Franco, on the 12th anniversary of his death, receive this fitting tribute for his untiring efforts in behalf of his fellow countrymen to advance their social, economic, and political status through brilliant editorials stimulating and exhorting greater Italo-American accomplishments at every level of American life. He was a vibrant fighter in defense of Italian leadership whether it be in politics, labor or business. The logic of his writings in answer to the prejudicial forays emanating from the American press were irrefutable, and informative articles depicting their contributions to the strength and sinews of American industry, many of which appeared in the American press.

Nicola Lo Franco enjoyed the close companionship of the leaders active in Italian affairs. And so he practiced his profession in possession of reliable information. Although he was a fine writer, his greatest attribute was knowing and evaluating men and understanding fundamental issues. He was a student of the life of the Italian community. He never acted on a rumor—just wrote a story coming from reliable sources, and kept the rule of confidence whether the information was on or off the record.

Nicola Lo Franco played an important part in the molding of the Italian-American image in the State and Nation. His association with all types of humans gave him an insight into judging these worthwhile men and issues to pursue and to recognize the phony shams and sordid aims of ambitious leadership promotion. He knew all men in their false disguises and their secrets and made himself more or less serviceable—getting in exchange a reporter's advantage—advance information for a good story.

He was loyal to his friendships and could recognize some good in every man regardless of the public acceptance of the individual. At heart he was a happy man, although few persons ever witnessed any outburst of his reaction to humor. And let us remember that the life of a newspaper correspondent in the early days was not an experience to gloat over—long hours, short pay. Also, the sadness of his early life in Italy—being a freedom fighter for the rights of the individual was no picnic. He had to play a hide-and-seek game—with the odds all against him. Naturally, an individual living under these critical social conditions develops a personality seeking the shadows of silence and its somber influence upon the character of a man.

Nicola was a genius of his time in the early years of ethnic journalism—he enjoyed the confidence and appreciation of the Italo-Americans in Chicago, and its environs. Any other man would have been a cynic under the conditions that he found in his work. But he believed in human nature and found real leadership and helped develop those men whose names he made immortal, never to die in the history of the Italian colony in his city. He has left us as of yesterday in keeping alive through his writings the old traditions of our people and their leaders—the pioneers of Italian stock that have contributed so much to the advance of the new generation of Americans to carry on in their stead for a greater America.

Nicola, not forgotten, lies restfully in the moss-covered marbled sacred acreage knowing he left a worthy offspring in Ari—who carries on in his father's tradition—respected and admired.

## An Economic Miracle in West Virginia

EXTENSION OF REMARKS

OF

### HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 31, 1963*

Mr. HECHLER. Mr. Speaker, 10 years ago, Ravenswood, W. Va., was a struggling little rural town with scarcely over 1,000 people. Located on the Ohio River, 30 miles south of Parkersburg, Ravenswood was on an unpaved road, somewhat isolated from the mainstream of activity.

Between Pittsburgh and Cincinnati, many miracles have occurred along the blue ribbon of the Ohio River which winds through the hills and lowlands of West Virginia. One of these miracles has taken place at Ravenswood, W. Va., since 1954 when the Kaiser Aluminum & Chemical Corp. decided to locate a huge plant in the area.

Why did Kaiser choose West Virginia? Cheap power was available close to where the coal is mined. Transportation was good and the plant site was easily developed. The human factors were important: manpower was obtainable in great quantities and proved to be easily trainable. West Virginians appreciate their jobs, and proved that they could learn quickly on new jobs.

On February 15, 1955, ground was broken near Ravenswood for the giant Kaiser plant, 1 of 32 plants which have enabled Kaiser to become the second largest aluminum producer in the Nation. The Ravenswood Works represents a capital investment of about $200 million, and employs some 3,000 people. The operation includes a reduction plant and also a fabrication plant or rolling mill.

From Jamaica in the British West Indies, bauxite is shipped to Louisiana where it is processed into alumina, and then 600 million pounds of this material is sent northward to West Virginia. There, through the electrolytic process, molten aluminum is produced at the Ravenswood reduction plant. In the fabrication plant, up to 300 million pounds annually of primary aluminum is rolled into sheet, foil, and plate products.

It takes a lot of electric power to run the electrolytic aluminum process, and over 300,000 kilowatts are used from the Appalachian Power Co.'s Philip Sporn plant. I should mention also that the alumina hauled from Louisiana to West Virginia is transported in big aluminum tank cars being manufactured by ACF Industries in Huntington, W. Va.

What happens to an area like the mid-Ohio Valley when an economic miracle like the Kaiser plant springs up in Ravenswood? The 3,000 men and women employed at the Ravenswood Works draw a payroll of $21,114,000 annually. This provides a major boost for Jackson County, once primarily an agricultural county.

A housing boom hit the area. To take care of the huge influx of workers, there was a burst of private construction activity. The Kaiser officials decided at the start that whatever happened, Ravenswood was not to grow into a company town. Housing was developed by private interests on the outside, dealing with individual employees.

As the hordes of young employees came into the area, a school problem was created—particularly at the elementary level. The problem was so acute that it could not wait for local levies and other action to solve it. Kaiser built a 20-room elementary school, and for $1 a year the school was leased to the Jackson County Board of Education. But in 1963, the problem at the high school level remains severe. There have been cases where highly qualified employees find it necessary to go elsewhere to get improved schooling for their children in an age when education is highly competitive.

In a recent address before the Rotary Club of Charleston, W. Va., Henry E. Cunningham, eastern regional public affairs manager of Kaiser Aluminum & Chemical Corp., cited the following statistics on economic development in Jackson County, W. Va.:

> The basis of economic growth is jobs. According to a report by the Appalachian Power Co., there were 50 manufacturing employees in Jackson County during 1955. By 1960 that figure had risen to 3,112 and today it is slightly more than that. Total employment

in 1960 was 7,230 compared to 4,650 during 1950. We have no figures for 1962 but believe it to be somewhere in the neighborhood of 8,000.

In 1955, those 55 employees were making a total of $10,833 a month. Five years later, in 1960, the monthly manufacturing payroll had risen to $1,761,300 and today it is probably slightly more than that.

The jobs and resulting payrolls caused a fantastic jump in per capita income in Jackson County. In 1950, per capita personal income was $949. By 1960 it was $2,348. Today it is even higher. The percentage increase from 1950 to 1960 was 147 percent.

I think it is interesting to note that in 1950, 65.1 percent of the families living in the county had an income of less than $2,500. Today that figure is just under 10 percent. All because of the impact of industry.

Of course there was an increase in population. In 1950 the county boasted 15,299. At the end of 1960 the number of inhabitants had increased to 18,541. Today it is probably pretty close to 20,000. Ravenswood has about 4,200 residents and Ripley follows with some 3,400.

This new population creates effective demand. Demand for all things needed to enjoy life.

Let me cite some examples:

In Ravenswood alone, 348 new homes were constructed between July 1955, and the end of 1962. That does not count two apartment complexes, one having 94 units and the other 56. These houses represent those new homes built inside the corporate limits. There is new construction going on all over the county in new subdivisions as well as in the other villages and towns.

Telephone customers increased from 1,667 in 1955 to some 3,470 in 1960 and I am sure is well over that figure today.

Gas customers jumped from 1,840 in 1950 to 2,754 in 1960 and, of course, is still climbing.

The number of electric residential customers has increased from 2,732 to 4,574 between 1955 and 1960 and is increasing as each new home is constructed.

Retail sales enjoyed a substantial increase. During 1955, all retailers in Jackson County had sales totaling $6,431,000. During 1960 that figure had jumped to $13,399,000. That is an increase of 108 percent. Exact figures for 1962 are not yet available but will, I am sure, reflect further increases.

I think it's significant that several new retail establishments have opened in the county, the most striking being a 10-unit shopping center in Ravenswood.

Other related businesses have been affected beneficially through the advent of industry.

The average monthly railroad carloadings has increased from nothing in 1950 to 183 in 1960 and even more today. Average monthly truck loadings has increased from nothing in 1950 to 464 for the first quarter of this year.

Pulpwood production increased from 71 cords to 1,746 from 1950 to 1960. And the annual production of lumbering has increased from an insignificant figure in 1950 to some 45,000 to 50,000 board feet today.

And finally, wholesale establishments increased from 7 in 1950 to 15 in 1960.

In the area of community facilities, there has been improvement. The number of churches grew from 92 to 101 during the 10-year period and a few more have gone up since.

The miles of paved road have increased from 88 to some 159 miles.

At the present time, a 3-story addition to county court house in Ripley is nearing completion; and ground will soon be broken for a new 41-bed hospital in the county seat town.

But while great strides have been made, many things must yet be accomplished if we are to make true progress.

One of the great problems still facing the county is its school system. The significance of a good school system to the economic climate of an area can not be overlooked or overemphasized.

Growth and improvement mark the public school system in Jackson County during the past 10 years. Enrollment, at 5,015, is up 45 percent. Achievement test results show county norms up an entire grade level, bringing the county up nearly to State levels but still a full 1 year below national norms.

The foregoing is rather remarkable since it has been accomplished during a period in which increases in local county financial support have not kept pace with that of other counties in the State and with the Nation.

Jackson County spending, at $226 per pupil, is up $44 in the last 10 years. Statewide spending, at $304, is up $131 over the same period. The national average is $394.

Our objective at Kaiser Aluminum is to work with the citizens of our county to improve this school situation, knowing full well that the lion's share of the price for better schools will be paid by industry.

The Area Redevelopment Administration in conjunction with the use of Hill-Burton funds have teamed up to help solve the problem of medical service in this fast-growing area. A new hospital is being constructed at Ripley, W. Va., thanks to sizable Federal grants and also contributions by workers and management at Kaiser.

During the past year, the accelerated public works program has brought great benefits to both Ravenswood and the Jackson County seat town of Ripley. A Federal grant of $117,000 has resulted in a $234,000 project which has enabled the old section of Ravenswood to resurface all its streets. A Federal grant of $67,000 will be matched to produce a $134,000 project for resurfacing the streets of Ripley. A $20,000 Federal grant will be used to build a fishing lake just north of Ravenswood at Turkey Run. A grant of $43,700 will be matched locally to build a water tank to improve Ripley's water resources.

All of these accelerated public works grants have enabled the two main communities in Jackson County to engage in some active face lifting which will produce permanent improvements.

The economic miracle in West Virginia is just beginning. The tremendous boost given by Kaiser can only result in a bright future for the area.

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## Flagrant Abuse of REA Loans

EXTENSION OF REMARKS

OF

## HON. ROBERT T. McLOSKEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 31, 1963*

Mr. McLOSKEY. Mr. Speaker, I would like to call attention to an article by Joe Fisher which appeared in the Rockford Morning Star on October 16, 1963. Mr. Fisher points out the flagrant abuse of REA loans. New restrictive legislation is sorely needed to spell out the intent of the Congress.

I want to commend my colleague, BOB MICHEL, for bringing to light recent loans made by REA for ski resorts and include his complete statement.

The article and statement follow:

### MICHEL QUESTIONS LEGALITY OF REA SKI RESORT LOANS

(By Joe Fisher)

WASHINGTON.—Representative ROBERT H. MICHEL Tuesday challenged the legality of Rural Electrification Administration loans for ski resorts, lumber mills, and for other business and commercial purposes.

The Peoria Republican said the loans "are not authorized by law and are about as far afield as it is possible to go from the original intent of Congress in enacting the Rural Electrification Act of 1936."

Earlier in the day, REA Administrator Norman Clapp defended two loans for ski resorts in Pennsylvania and northern Illinois.

#### TO JUSTIFY LOAN

Clapp appeared before the House Agriculture Subcommittee on Departmental Oversight and Consumer Relations to justify a recently approved $110,000 loan for a ski resort on Blue Knob Mountain in Pennsylvania.

Last year, the REA approved a $23,000 loan for ski equipment for Chestnut Hills Resort, Inc. The Illinois ski resort is between Hanover and Galena.

MICHEL, who was scheduled to testify at the subcommittee hearing, was unable to attend because of other committee business. He submitted his statement to the subcommittee later in the day.

Clapp said the loans for the ski resorts were authorized under section 5 of the Rural Electrification Administration Act.

That section empowers the REA Administrator to make loans for "financing the wiring of the premises of persons in rural areas and the acquisition and installation of electrical and plumbing appliances and equipment."

MICHEL said ski lifts are not agricultural implements for farm use. He said the attempt to justify industrial and commercial loans upon the definition of persons is contrary to the act.

#### PROPAGANDA LINE

The Illinois Congressman said Clapp's justification for the loans followed "the usual REA propaganda line" and represented "strained, tortuous, and patently incorrect interpretations of the organic legislation which governs the activities of his agency."

In the last 2 years, Clapp said section 5 loans have totaled about $4.4 million. Of that total, he said, the REA had approved 13 loans for $1.4 million for industrial and commercial purposes.

The loans are made by the REA at 2 percent interest to local rural electric cooperatives. The co-ops then relend the money, usually at 4 percent interest rates, to industries they serve. The higher interest rate is justified, Clapp said, to cover the cost of underwriting the loan by the co-op.

While Clapp told the subcommittee "we feel we are proceeding in line with the overall intent of Congress," he admitted there was "a considerable difference of opinion" on section 5 loans.

Representative CHARLES HOEVEN, Republican of Iowa, warned Clapp he was "going to be confronted with legislation" unless the intent of Congress was followed.

MICHEL also raised the threat of new restrictive legislation for the REA.

"Congressional committees and Members of Congress have warned Mr. Clapp repeatedly about going too far afield with his snowmaking loans, and Mr. Clapp has been put on the alert that the law not only may be rewritten but will be rewritten to put an end to the agency's abuses of the authority vested in it by Congress," said MICHEL.

Senator Joseph Clark, Democrat, of Pennsylvania, submitted a statement defending the loan for the Pennsylvania ski resort.

Clark said the potential for economic development in rural areas lies in new fields. He said while the potential varies from county to county, in some locations tourism and recreation "can be developed as a viable enterprise providing substantial employment and opportunities for additional investment by farmers and rural businessmen.

### Illegal REA Ski Loans Go Far Afield

Washington, October 15.—Representative Robert H. Michel, Republican, of Illinois, charged today that Rural Electrification Administrator Norman Clapp is making illegal loans for snow-making equipment, ski lifts, lumber mills, knitting machines, and other business and commercial purposes. He said that "loans for these purposes are not authorized by law and are about as far afield as it is possible to go from the original intent of Congress in enacting the Rural Electrification Act of 1936."

Representative Michel asserted that Mr. Clapp's attempts to justify such actions follow the usual REA propaganda line and represent "strained, tortuous, and patently incorrect interpretations of the organic legislation which governs the activities of his Agency." The Illinois Congressman's statement was made in the wake of hearings by a subcommittee of the House Agriculture Committee on a loan of $110,000 made in August to the Valley Rural Electric Cooperative, of Huntingdon, Pa., to help finance development of a ski resort by the Blue Knob Development Corp., of Altoona, Pa.

"Against the advice of its most devoted friends and avid supporters in the Congress," Representative Michel said, "the REA since 1961 has been pushing a rural industrialization program through its section 5 loan program under the act. Congressional committees and Members of Congress have warned Mr. Clapp repeatedly about going too far afield with his snow-making loans, and Mr. Clapp has been put on the alert that the law not only may be rewritten, but will be rewritten to put an end to the Agency's abuses of the authority vested in it by the Congress."

"The Administrator apparently contends," said Representative Michel, "that the use of the term 'person,' as that word is defined in section 13 of the act, authorizes the making of section 5 loans for commercial and industrial purposes. The use of 'person' in section 5 defines the beneficiaries of the loans but does not purport to explain the purposes for which such loans may be made. Section 13 defines 'person' as 'any natural person, firm, corporation, or association,' and each of these entities may be a beneficiary under a section 5 loan. But this does not mean that such loans may be made for any purpose which a person, firm, corporation, or association may be authorized to operate."

Under the "strained" interpretation by REA, a loan may be made to a corporation for any corporate purpose because it is a person as defined in section 13. The function of section 13 is to define terms as used in the act, and it cannot be used as the basis for broadening the basic purposes for which section 5 loans may be made.

"The legislative history clearly shows," he continued, "that section 5 loans were to be made for wiring homes, and for the purchase and installation of electric and plumbing appliances and equipment for home and farm use." Ski lifts are not agricultural implements for use on the farm. The attempt to justify industrial and commercial loans upon the definition of "person" is contrary to the act, the legislative history, and the interpretation by REA from the passage of the act until July 11, 1961, when the administrator illegally attempted to expand the scope of section 5.

Representative Michel explained that the rural electrification program was conceived in 1936 as a program designed to bring the benefits of electric power to farms and rural residences which at that time were "still in the kerosene lamp age." He added:

"Senator George Norris, one of the sponsors of the original act, said that 'the lending of money for the wiring of houses and the purchase of electric appliances is nearly as necessary as the lending of money for the construction of lines' to bring power to rural areas. But the present Administrator is apparently not bound by either the legislative history of the act or reasonable interpretations of the law which his predecessors have applied to their activities under section 5 of the act. He has his own goal and he seems bent upon achieving it in the face of the history of his own agency and of the expressed warning of the Congress."

That this is true, Representative Michel concluded, is seen in the remarks made in Paris just this week by Assistant Secretary of Agriculture John A. Baker. Mr. Baker said:

"The Department can help local people obtain new industry through section 5 loans to rural electric cooperatives. The funds are used locally to provide electrical equipment or service in plants served by rural electric cooperatives."

"If Mr. Baker's interpretation is anywhere to be found in the legislative history of the Rural Electrification Act or in any subsequent acts of Congress which relate in any way to the rural electrification program," Representative Michel said, "I challenge him or Mr. Clapp to find it and report it to the appropriate committees of this Congress. If such is a valid interpretation of the law, then the late and much loved Speaker of the House, Representative Sam Rayburn, and a host of friends and supporters of REA over the years have been parties to a 25-year hoax at the expense of the millions of nonfarm people who share the burden of bringing the benefits of electric power to the deserving farmers of America. If this is not a valid interpretation, I leave to the judgment of the public the determination of who is seeking to perpetrate a fraud and delusion on the American people, urban and rural alike."

Representative Michel said he may have an additional statement to make after he has had an opportunity to study the statement made today by Mr. Clapp before the House Agriculture Subcommittee in the hearings on the ski resort loan made in Pennsylvania by the REA.

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## Unemployment: The No. 1 Economic Problem

EXTENSION OF REMARKS

OF

### HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 31, 1963*

Mr. McDADE. Mr. Speaker, my able colleague from Ohio, Robert Taft, Jr., recently delivered a speech in Philadelphia and I believe it should be brought to the attention of the House and the Nation. The speech is entitled "Unemployment: The No. 1 Economic Problem."

The people of Pennsylvania have been fighting this problem for some time and this is especially true of the people in the district I am privileged to represent, the 10 Congressional District of Pennsylvania. In our State we believe we know something about fighting the problem of unemployment and claim some expertise in the matter. In this spirit and with the hope that Congressman Taft's discussion of the issues will be widely read and discussed, I present the speech which follows:

### Unemployment: The No. 1 Economic Problem

(Remarks of Robert Taft, Jr., Congressman at Large, Ohio, to the Union League of Philadelphia)

Recently President Kennedy ventured into deep water by mentioning the possibility of a 35-hour workweek in place of the 40-hour maximum provision presently in the Fair Labor Standards Act. He scrambled back to the beach pretty fast though, and our fearless Jack was so startled at the results that he retreated post haste behind a truly fantastic target date of A.D. 2000. But the sally and the taking cover both reveal the growing importance of unemployment as a major issue on the economic front. Many thoughtful Americans are inquiring as to what steps we should take to correct the unsatisfactory level of unemployment at present and the even more serious threat of its increase in the future. The "Oops, I'm sorry" reaction of the President on the discussion of maximum hours reveals the high degree of sensitivity of the current administration to any general and thorough discussion of this problem related, as it must be, to longer range targets than the next election.

This year's hearings on "Hours of Work" before the Select Subcommittee of the House Education and Labor Committee began with Chairman Holland's statement,

"Unemployment, as President Kennedy has said, is our No. 1 economic problem."

Indeed, such has been the attitude of the administration and its leader since the election campaign of 1960. And yet little if any results can be shown toward solving this problem, or even checking the increase in it. This must surely be because the remedies being prescribed are not sound ones, or that the target is not being given the priority that it should have. Both are probably true. The 1964 election campaign coming up presents to the Republican Party and its candidates an opportunity to see that the American people understand the problem as well as possible and to propose for their consideration a program of more emphasis and direction toward solving it. Here in Pennsylvania I know that your Governor, and my close friend, Bill Scranton is moving with every effort to solve the problem here, and he is to be commended for these efforts. There are many aspects of the problem, however, which are more national than regional in their scope.

Before proposing any solutions, we should take a look at a few of the facts regarding unemployment today. In only 1 month in 5 years has the national unemployment rate been below 5 percent. Indeed, since the Korean war boom tapered off, it is a problem that has been with us almost constantly. At the present time, the rate stands at 5.6 percent in spite of the fact that we have a total civilian employment of over 69 million, the highest ever recorded in our history. The total head count unemployed at the present time is over 4 million. Here in Pennsylvania, as in some other industrial States which have had special problems, the present rate is somewhere under 7 percent and considerably improved from last year.

These figures, however, are not nearly so meaningful as the fact that during the 5 years of 1958 through 1963, we are adding per year approximately 780,000 persons to our labor force, and we have been creating jobs at an average of only 570,000. Based on these figures, the President estimated in 1962 that we needed to create 25,000 jobs per week. The fact of the matter may be that it is considerably in excess of this. Some of the figures relating to job opportunities eliminated through automation run as high as 40,000 per week, which gives increased emphasis to the necessary expanding job opportunities as quickly as possible. Obviously, then, the boom in population, particularly in the age groups presently about to come into the labor force, is the cardinal fact that we must recognize. Automation itself is, of course, something that must be recognized and must be viewed realistically without alarm, but also without any illusions about the readjustments it necessitates. Anyone doubting this need reflect only on the fact that the man-hours required for various products have changed between 1947 and 1962 as follows:

For an automobile, from 310 to 153 hours.

For 1,000 tons of coal, from 1,300 to 500 hours.

For 1,000 bushels of wheat, from 340 to 120 hours.

For 1,000 tons of steel, from 14,700 to 10,900 hours.

There are certain other major factors that must be given consideration in any approach to the problem of unemployment. One of these is that as a result of educational and job discrimination, a very considerable proportion of the unemployed are Negroes, and this in itself bespeaks the necessity of a fair and effective civil rights bill accompanied by a change in national attitude toward this problem. Another group in which there is an undue percentage of our unemployed is youth under the age of 22. Of course, these figures duplicate in some respect the undue percentage of Negro population, but regardless of this factor, it is clear that somewhere between 700,000 and 1 million out-of-school, out-of-work youth are handicapped in getting jobs by a lack of proper training and a lack of experience.

On the realistic side, we must recognize that we have a large and growing number of chronically unemployed, who are still a part of the labor force but who are conditioning their interest in obtaining work upon unrealistic conditions, and they are satisfied to accept unemployment and public support as a way of life. Some of these, obviously, are unemployable, but we must recognize that many of them are not and that the unemployment compensation and welfare systems that we have developed in this country are being subjected to abuse, hopefully in a small percentage only, but, nevertheless, definitely by this group.

Finally, we must recognize that so-called structural unemployment is a serious and increasing problem, which must be considered. As has been pointed out in a recent book by Mr. Myrdal, and has been emphasized by others, a discrepancy has developed between supply and demand in the labor field. Obviously this is true where we have some 4 million unemployed and some 2 million jobs which are going unfilled, seeking workers.

Against this background on the nature of the problem and recognizing that all Americans share fervently the desire to solve it, we should recognize the difference in the general philosophy of the Republican and Democratic Parties as they approach a solution. The New Frontier solution seems to lie principally in two areas. First, in spite of the rather high level of economic activity in the country at present and the favorable signs other than the unemployment situation, the New Frontier is urging an attempt to soup up the economy generally by a massive dose of deficit spending. While lipservice has been given to the idea that the stimulation must come from a tax cut, it has been quite clear from the outset that the true reliance of Mr. Walter Heller and other advisers to the President has been upon a massive deficit. If this deficit could be achieved through a tax cut, they have expressed hope that this might add somewhat more to the stimulation to the consumer and business investment factors in the economy, but they have made it clear from the outset that if the tax cut approach doesn't work, they will rely on greatly increased Federal expenditures. In fact, in their recommendations for greatly increased area redevelopment funds, the adjustment payment features of the Trade Expansion Act, and the accelerated public works bill, one may wonder whether their primary reliance even today is not upon increasing Government expenditures behind the smoke screen of a tax cut that for the average taxpayer may not amount to more than pin money of under $5 per week. Primary emphasis on such attempts to stimulate the economy colors the approach of the administration to almost all other Federal programs, including those which are intended to be rifle shots aimed at the specific problems thought to be behind the unemployment situation.

On the other hand, the approach of Republican leadership toward unemployment has been a consistent one over a period of years. Back in 1959 I served as a member of the Republican Committee on Program and Progress, which studied and commented on this aspect of our national economy. In part, we stated at that time:

"The history of technological change shows that science has created—not diminished—new job opportunities, higher pay, better working conditions and more goods for our people at less cost."

We continued, indicating that it was the duty of all citizens to keep up with changing technology and to adapt to changing conditions, as well as helping each other to adjust a change. We pointed out that by 1976 we would have to have close to 95 million people gainfully employed to provide for a total population of somewhere around 240 million. We urged State and local agencies to cooperate with the Federal Government in helping areas of chronic unemployment and in finding productive uses for displaced men and plants through training and retraining programs and through better dissemination of information about job opportunities and unemployment. We also pledged ourselves to the encouragement of fair employment opportunities for all, without discrimination on account of race, age, or any other factor. Consistently, with these objectives, we have supported training under the Manpower Development and Training Act and the vocational education bill. At the same time, we have recognized that if such programs are to succeed, our economy must be kept healthy by fiscal responsibility in aiming toward a balanced budget and in maintaining the confidence of all Americans that we will not be ravaged by inflation and that we are not threatened by a loss of our economic freedom.

In addition to these philosophic differences between the approach of the parties to the unemployment problem, there are other complicating factors in the Kennedy approach to it. For one thing, no priority is given to the problem over certain other areas. There are so many different programs and approaches that all is inclined to break down in confusion. There are numerous specific examples of this.

One program, for instance, which has come under a good deal of examination by the current Congress, is the area redevelopment program. Enacted by the last Congress and given a budget of $379 million, inquiries at the beginning of this session showed that only one-quarter of the appropriated funds had actually been spent and that of those spent, a great deal had been put into projects not normally thought of by the Congress as job-producing activities. Moreover, the total number of areas that had been qualified for aid was so excessive that it was obvious no real effort was being put into the hard-core unemployment areas. In the industrial and commercial loan authorization, over a quarter of the approvals had been for the building of hotels and motels, not the type of project which Congress had in mind in attempting to solve the unemployment problem. Even at the present time, after a considerable period of operation, the maximum number of permanent jobs claimed to have been created by the program is 60,000, and an examination of these claims revealed that they were, at best, conjectural and in many instances greatly exaggerated through attribution of indirect claimed effects.

Not much better can be said of the accelerated public works program, where the temptation to interject politics into the approval of local projects such as sidewalks seem hardly related to any permanent creation of jobs.

Another program, which should be reviewed carefully with regard to the whole problem of unemployment and which seems to threaten seriously any improvement in the employment picture in the United States in the near future, is the Trade Expansion Act of 1962. As you will recall, under that measure, the President was given the authority to lower almost all of our tariffs, some by up to 50 percent, but most by up to 100 percent. Acting under that authority, the President has just last week, on October 18, given notice of his intention to act to reconsider tariffs on almost all products covered by our tariff laws. The breadth of this approach should serve as notice to the country that broad-scale tariff reductions, with the resulting maladjustment to domestic industry, must be expected. Safeguards of the peril point and court review have been removed. While there is the possibility that adjustment payments to companies and employees displaced may be made, in the present period in which we are running at a sizable deficit in our overall operations, such payments would further increase the deficit and injure the confidence of American business. About all that can be said on these hearings is to warn all concerned that if they wish to protest or be heard as to tariff reductions, they must file their notice by November 20, a very short period into the future, and they had best prepare immediately to defend any justification they expect to make of present tariffs. This is in spite of the fact that the United States already has the lowest tariff rates of any nation in the world and that imports in recent periods have upset American industry and caused job losses without giving any effect to the new authority. Indications that we are already in a state of maladjustment because of automation and other factors are apparently being ignored, and it is hard to see how unemployment levels can be improved in the foreseeable future by the activities expected under the Trade Expansion Act. Increases in world trade may, and should help to build our economy. We might have more confidence in this, however, if there were indications that the motivation of those in control was to do the best possible for American business rather than to use trade as an international grab bag in an attempt to buy friendship, not only from free nations, but also from many nations that seem headed in the direction of communism, or are already Communist.

Another area for concern in regard to future employment developments is the whole area of balance of international payments. Our tax laws and various other features have encouraged a flight of capital from the United States in recent years, and this has definitely resulted in the creation of jobs abroad and the loss of jobs that might have been created through expansion of

American industry here. After these foreign plants are set up, they are then used to compete with industry here at home, and this has a further discouraging effect upon our economy and job creation.

No discussion of this area could omit a consideration of restrictive labor-management policies and practices such as restrictions upon union membership, apprentice opportunities, make work, unrealistic security provisions, and fringe benefits, which because of their lack of transferability, often freeze workers into particular areas and particular employments.

Then, too, we must be realistic enough to admit that our unemployment compensation laws in the States in which they are more liberal, as well as the various welfare programs, have had the effect with some of decreasing the desire for employment. This has tended to prevent initiative in moving to new locations and new occupations. Particularly, it has had the result of leaving unfilled job opportunities of up to 2 million. While some of the present want ads can be attribued to a lack of training, certainly not all of them can.

All of these conflicting programs and considerations paint a somewhat dismal picture. Certainly we should not close without making some restatement of the position we Republicans should offer as an alternative to the bungling and the crosscurrents presently in operation. With this in mind, I have several recommendations to offer, a few of which are new, but all of which are probably important. They are as follows:

1. We should back and make sure that effective effort is put into the administration of the various training and retraining programs such as the Manpower Development and Training Act and the various State vocational education programs as supplemented by the additional Federal funds expected to be authorized for them. These programs, I am sure, will require supervision and flexibility to avoid waste in time and effort as well as money.

2. As proposed by Congressman FRANK BOW and many others, the Congress should set up a select committee on automation, bipartisan in nature and directed toward coming up with answers as to how automation can help to create jobs as well as eliminate them. Realistically here, we have to admit that we must not block progress, but by sales engineering and imagination, we should be able to make progress. Certainly no one can say that America is yet in the position in which there is no need for better conditions of life for all of us in this country, not to mention the almost limitless worldwide needs.

3. We must attempt to cultivate new attitudes toward easier adjustment to new locations and new occupations. Incidentally, the manpower bill, as reported by the Education and Labor Committee of the House, contains a grant for pilot studies on increasing labor mobility by sharing moving expenses. Prejudices and problems in this connection exist and should be better understood.

4. Both in the United States, but even more throughout the world, man must come to a better understanding of the population problem that has been created by improved medical care and additional living resources.

5. We should at least inquire as to whether or not we might encourage an increase in single-worker families rather than families where the economic circumstances or other considerations lead to multiple employment with undesirable family and social results. Whether this is related to juvenile delinquency and its tremendous increase in recent years should be studied and determined.

6. We must take steps to strengthen the collective-bargaining process and to insure that there is a reasonable balance of power in any such bargaining process between industry and labor. As a part of the same problem, there should be a study of the complications that result both in labor relations and in overall economic effect from nationwide bargaining in transportation and other industries which vitally affect the entire economy. Such a study has been called for in Congress, and, hopefully, the Education and Labor Committee, or some other group, may rapidly proceed with such a study.

7. If we are to face up to the unemployment problem realistically, we had best stop thinking of solving it in the terms of makework projects and one-shot-public-works type projects. There is a place for a proper public works program in this country, but certainly it is no long-term solution to the unemployment problem, and the primary considerations inevitably seem to become political rather than aimed at employment.

8. And then, finally, perhaps the most vital step of all that we can take to increase the rate at which we can produce jobs is to reestablish the confidence of our own people and of the world in our economy. Embarking upon a massive planned deficit program for the first time in peacetime, we face a serious threat of the loss of such confidence. This is evidenced in many ways by the outside world, such as in the unfavorable balance of payments and the continued outflow of gold. But at home, it is evidenced by a failure to expand at what has been the normal rate of expansion of the United States over many years.

Admittedly, these proposals offer no panacea. On the other hand, they do not threaten us as do some of the administration's nostrums with inflation, with increased Government control over our lives, and with makework Government activities on an increasing scale. If we can make clear the choice to the American people, both employed and unemployed, in their commonsense they are sure to turn to sound and responsible leadership and to demand consistent policies in attacking this problem. We believe, and we submit to them, that such leadership and such policies can be found in the Republican Party.

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## Speech by Senator Len B. Jordan, of Idaho, Before Republican Kickoff Dinner in Fort Atkinson, Wis., October 11, 1963

EXTENSION OF REMARKS

OF

### HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 31, 1963*

Mr. SCHADEBERG. Mr. Speaker, Senator LEN B. JORDAN, of Idaho, has done the voters of Wisconsin a real service. To be sure, his speech in Fort Atkinson, Wis., on October 11 was delivered at a Republican dinner and was political in nature. But the importance of his remarks to the Wisconsin electorate, irrespective of party affiliation or preference, lies in the clear-cut choice the voters will have at the polls in November 1964, as articulated by the Senator.

Senator JORDAN presented a comprehensive exposition of Republican principles as contrasted with New Frontier Democrat philosophy. I feel privileged to identify myself with Senator JORDAN's remarks and to reaffirm, as I have been doing with word and vote for the past 3 years, my espousal of and adherence to the Republican principles he has so ably set forth.

To bring to the attention of as many citizens as possible the important choice they will be given in the 1964 elections, I place in the CONGRESSIONAL RECORD the aforementioned speech by the distinquished Senator from Idaho:

> Ladies and gentlemen, fellow Republicans, I consider it a privilege to be here with you tonight and want you to know I particularly feel at home in a State—like my own—whose name is derived from the Indian language. Wisconsin was certainly appropriately named "grassy place" by the Chippewa. If you ever doubt it, just take an airplane ride over your beautiful State. And the beauty of your farms and grasslands are only heightened by the contrast of your small towns and large industrial cities.
>
> I am not going to attempt to tell you about your own State, but I would like to make a few comments by way of introduction.
>
> Wisconsin is a State of contrasts as far as geographical terrain is concerned.
>
> Wisconsin is a State of contrasts as far as its economy is concerned—your dairy industry, your farms, and your fast-growing industrial centers in your larger cities.
>
> Wisconsin is also a State of political contrasts—and as Shakespeare would say—"Thereby hangs a tale."
>
> Your Governor is a Democrat.
>
> Your other major State offices are Republican and both houses of your legislature are Republican controlled.
>
> Your two U.S. Senators sit on the Democratic side of the aisle.
>
> Six of your 10 seats in the U.S. House of Representatives are held by Republicans while the other 4 are held by Democrats.
>
> Now, this apparent intent by people in Wisconsin not to play favorites to either political party would by itself be interesting enough. But you have not contented yourselves with just about evenly dividing your elected offices between Republicans and Democrats—you have gone one step better.
>
> According to the various evaluations placed upon the Congress by the several organizations—COPE, ADA, or ACA—depending upon which side you sit, you people in Wisconsin have, at the same time, in the same election, on the same ballot, elected some of the most liberal Democrats and some of the most conservative Republicans on the national scene today.
>
> That, my friends, is quite an accomplishment.
>
> I will admit that other States in the Union also seem to have this same ability to some degree—my own State of Idaho included. But I do believe that the people of Wisconsin have hit some kind of high when they can elect four Democratic Congressmen regarded as liberal or ultraliberal while at the same time, in other districts relatively few miles away, men of moderate or conservative philosophy are being elected as Republicans to hold the other six congressional seats.
>
> This is a real puzzler.
>
> There could be—and I am sure there are—many reasons for this.
>
> If asked, each of you here tonight could give me what, in your opinion, is at least one good reason.
>
> So, I am going to take the liberty of giving you what, in my opinion, is the main reason.

Because I have known for some time I would be privileged to be here with you tonight, I have been more than usually interested in what I could read, hear, and learn about Wisconsin and Wisconsin politics.

For that reason, I was particularly interested in a recent poll taken in your State. The poll's seventh question was this—and many of you may have filled it out yourselves—"Do you regard yourself as a Democrat, Republican, or independent?"

Statewide, the results broke down as follows:

37.6 percent of the voters in Wisconsin consider themselves Democrats;

21.4 percent consider themselves Republicans; and

41.0 percent consider themselves independents.

The answers to this seventh question were further broken down into your 10 congressional districts, with the results from your second district quite the same as the statewide percentages.

Your key lies in that last figure—the 41 percent who call themselves independents.

Ladies and gentlemen, for years both political parties have known that they must appeal to and win the independent vote in this country in order to win national elections.

That is not news.

For years it was the growing belief—started with F.D.R.—that to attract the independent voter, politicians had to offer special lures and inducements.

That is not news.

For these same number of years—and I say this with deep regret—it became more and more apparent that the Republican Party followed along on the supposition that this "bribe the people with favors" philosophy—started by the Democrats—was also the path we as a party had to take to get the independent vote.

That is not news.

Equally apparent—to all who bothered to look—was the fact that since the Democrats were past masters at this "giveaway" philosophy, the national Republicans usually came up with what has been referred to as a "me-too" program which was not successful in winning the independents.

That is not news.

But the following is news.

Many people throughout the country more politically astute than I ever hope to be—are sensing the gathering momentum of political change. There is a growing revolt at the grassroots against the duplicity of those political leaders who would bribe you with your own money. There is an increasing awareness that what the people of this country now want is a straightforward, honest American philosophy which would dare to challenge the basic tenets of the New Frontier.

In other words, the people want a choice.

But not a choice between Santa Claus and his No. 1 helper;

Not a choice between how to get more of something for nothing;

Not a choice between candidates who are so much alike you couldn't tell them apart except for the party label.

The people want a clear-cut choice.

Now I don't mean to oversimplify the issue. There are many other aspects that come into choosing a party candidate—is he capable, is he honest, is he well-known, is he articulate, is he this, is he that?

They are all important.

But to my way of thinking, the most important is this: Does his philosophy give the people who will be voting in his city, in his district, in his State, and in the Nation a choice of philosophy?

At this point some of you may think I am advocating that Republicans all over the Nation sit back and size up their Democrat opponents and then come up with a philosophy diametrically opposed to the Democrats.

That is not it at all, and I will explain why.

Since the days of FDR, the national Democrat Party has, as I said earlier, become more and more the party of big government, including more Federal interference, higher spending, larger deficits, accompanied by a rising national debt. These are all symptoms of a headlong gallop toward a welfare state. Of course, as within our own party, there are exceptions. Some Democrats—with true Jeffersonian principles—have not gone along philosophically with their national party. Notwithstanding this split in their own party, however, the New Frontiersmen are impatiently eager to make the Democrat Party a party of liberals.

Because I believe in giving even the Devil his due; however, I must digress at this point to say this:

Yes, by and large, the Democrats are on the left side of center—but the majority of them are still not so far to the left as to advocate—at least openly—what that disillusioned group of Democrat Congressmen known as the liberal project advocated in the pamphlet they sponsored: "The Liberal Papers."

That group, whose chairman was none other than your own Congressman, advocated these things:

(1) Recognition of Red China;

(2) Sponsorship of Red Chinese membership in the United Nations;

(3) Recognition of Red China's claim to Formosa and the Pescadores with a 5-year trusteeship under the U.N. to be concluded by a plebiscite;

(4) Financial aid for Red China;

(5) Demilitarization of the West German Republic;

(6) Recognition of East Germany's puppet regime;

(7) Expulsion of West Germany, Italy, Scandinavia, and France from NATO;

(8) Shutdown of American missile bases in Europe; and

(9) Invitation of Russia to plug in on our bidirectional DEW line.

I again repeat what I just said: The majority of the Democrat Party does not go so far as to advocate these ideas as party line, but the contagion of this radical liberalism has spread. Witness the resolutions passed by the Young Democrat delegations from 13 Western States meeting in Berkeley, Calif., on August 18 of this year.

These Young Democrats passed resolutions calling for:

(1) The United States to resume diplomatic relations with Cuba;

(2) The signing of a nonaggression pact between NATO and the Communist Warsaw Pact nations:

(3) The withdrawal of U.S. troops from South Vietnam;

(4) The abolition of the House Committee on Un-American Activities; and

(5) The repeal of the McCarran Internal Security Act.

Even the President was shocked. At a press conference he expressed general disapproval.

Now, bear in mind, my friends, that these young Democrats are just as vulnerable to the aging process as is anyone else and someday they will be old Democrats, and many of them will hold positions of influence in the party.

So, getting back to my subject, I maintain that it is not at all necessary for Republicans to purposely analyze each Democrat candidate's philosophy in order to come up with a philosophy diametrically opposed. All Republican candidates have to do—and it is as simple as it sounds—is to repudiate the New Frontier philosophy of failure—to espouse a dynamic revival of the ageless principles which made our country the greatest of all—and to apply these principles to the problems of a modern world.

There is no doubt in my mind that the majority of men and women in this Nation are in a conservative mood today. When the pendulum of that clock swings just so far one way, the undeniable rule is that it has to start the swing back to the other side.

The people of this country have seen the grand design of all-powerful Central Government turn into a redtape jungle.

They have seen the social tinkering erode individual responsibility.

They have seen Socialist and collectivist theories turn into open war against business and industry—against the jobs and wages of working men and women.

They have seen radicalism turn into class warfare.

They have seen, just last month, a President who lures votes by asking for a tax cut while stubbornly courting economic disaster through refusal to cut spending.

The conservative mood of America does not ask that both parties promise simply more of the same. The conservative mood demands a choice.

I repeat what I said earlier—the Republican Party must offer that choice—and its principles do offer that choice.

The Republican Party believes in the people of America. It believes they can use the strength and brains that God gave them to handle their own affairs. It believes that when they need help it should be the help that neighbor gives neighbor—not the backdoor solutions that big brother or little brother gives his poor relations.

We do not believe in turning back the clock to the era of the 1930's.

We do, however, believe in turning back, wherever possible and desirable, the responsibilities of home, family, and welfare to the people closest to them, to the skills most familiar to them, to the energies most devoted to them.

The Republican Party believes that Government is the servant—not the master. It believes that the job you have and hold, that the money you earn, save, invest, or spend, is the first order of business and that Government's job is to protect those things—not take them over.

But what do those advocates of big Government in Washington say about this? What do the Democrats say?

They say Republicans are devoted more to property rights than to human rights.

This is not true.

The Republican Party believes that only humans can have property rights. And we believe that people should have both human rights and property rights, and that the government which destroys either one of those rights must destroy both in the process. We believe that as a government feeds on the property of men it also feeds on the freedom of men.

Our Government was instituted to assure order among the people—not to own the people—or their property.

We Republicans believe in a constitutional tripartite system of government; in a Congress that speaks for all the people; in an executive branch that serves all the people as an equal partner—not a ruthless boss; and in a judicial branch that also is equal and independent—that interprets laws but does not make them.

The Republican Party believes that the security of our country in a troubled world is a shield for freedom everywhere and the prime target of the enemies of freedom. Our party believes that the strength of that shield is the main deterrent to war. It rejects the notion that such strength is the cause of tension in the world. It rejects the notion that the way to peace is through negotiated weakness.

The Republican Party does not seek to isolate America from its responsibilities in the world, however, and we do not advocate isolating ourselves from our allies or reneging on the promises we have made to them. Crumbling alliances and diminishing leadership in the world are the hallmarks of the present administration—as it fights with friends and fawns on enemies.

The Republican Party does not believe that the security of freedom is advanced by the strengthening of slavery. It does not seek a divided world—it seeks an open world. We hold that only in such a world is peace possible.

We hold that the walls of a divided world can be brought down by the determination of freemen everywhere—not by war, but by will and dedication—by the long struggle that will not pause to rest or to compromise until the last shackle has been broken.

I believe in those principles.

You believe in those principles.

They are Republican principles.

They are American principles.

They are winning principles.

The great issue in 1964 will be which party can most effectively advance the cause of freedom.

Which party best represents the real aspirations of the American people.

Which party best represents the real hopes of the world.

Fellow Republicans, if you want to win this district away from its present stewardship, if you want to win this district away from its present position of being a rubberstamp for the New Frontier administration, if you want to give this district back to the people of Dane County, to the people of Dodge County, and to the people of Jefferson, Columbia, and Green Counties, I say this to you:

Go out and find a candidate who believes in these Republican principles.

Go out and find a candidate who can make the people know he does believe in these principles.

This is your first order of business.

This used to be a good Republican district—represented by good Republican Congressmen.

You can make it a good Republican district again.

You people deserve better than a Congressman who advocates what the liberal papers espouse.

You people deserve better than a Congressman who adheres to the policies of the Americans for Democratic Action.

You people deserve better representation than you are getting.

After you have chosen a good candidate to run on the Republican ticket in 1964, that is only the beginning of your responsibilities as Republicans. He, too, will have responsibilities—but if he is the good candidate he must be, he will know what those responsibilies are, and will adequately meet them.

You, too, must meet your responsibilities.

And in this next election—since it is going to be the year that will make John F. Kennedy a one-term President—your responsibilities will not only have to be met as far as your local and State candidates are concerned, but they will have to be met as far as the national Republican candidate is concerned, whoever he may be.

Even though President Kennedy has been able to talk himself through 3 years in the White House, the Republicans can't expect to talk themselves to victory in the drive to oust him. And since your present Congressman is a pretty good talker, too, you will have to do more than just talk to get rid of him.

What we can do, if we're not careful, is talk ourselves out of any chance of victory by engaging in party feuds and divisive tactics. I've said it many times before and I say it again now:

As Republicans, we do nothing but play the Democrat's game when we chew on other Republicans.

As Republicans, we've got to get used to the idea that we have a common target in the New Frontier and in all the Congressmen who hew to its line.

As Republicans, we've got to start emphasizing our many points of agreement—rather than our fewer points of disagreement.

There are those of little faith who have decided how we can lose in 1964. They say that the Republican Party must write off some of the largest blocs of potential votes. They keep wanting to read people out of the party. We hear them say nothing as to leading people into the party. They are preoccupied by who should be kept out, but seldom with who should be brought in.

These practitioners of defeat are suffering from a purge complex. They want to purge the party until no one is left but the few who may agree with their thinking, paragraph by paragraph, line by line, word by word, and comma by comma.

This purge complex is characteristic not of free societies but of totalitarian societies. The splintering of parties into ever small factions, each with its own cherished idols and images and private fantasies, is not characteristic of American political life.

The genius of American political life has been its ability to resolve differences and permit the largest possible number of people to work together for common goals even though they hold varied views of the best way to achieve those goals.

Should we abandon this American genius now and return to systems of splintered factions and warring classes?

I say, "No," and I say that the principles of the Republican Party demand that the answer be "No."

The party bent on purges becomes a party warped by witch hunts. It spends more time looking for heresy than in proclaiming principles.

We can't be the party of victory if we insist on talking like the party of defeat.

I have heard and read, until I am sick of it, all the advice about how we can lose the election in 1964. Now I want to hear and read how we can win—because I believe we can.

We must seek unity—but not conformity.

We must seek unity of principles—but diversity of accomplishment.

The Republican Party already is a great union of strengths—American strengths. The rugged, restless strength of the growing West, the rock-solid strength of the Midwest heartland, the tall-timber greatness of the Northwest, the busy, bustling strength of the North and the East, the proud, proven strength of the South.

As a party of unity, not of exclusion, we must give those strengths principles that match their stature—not sugar-coated, wishy-washy programs to tempt their weaknesses.

But am I advocating that everyone is welcome in the Republican Party?

Am I saying that we should draw no lines, ask no questions?

No.

We cannot welcome anyone into the Republican Party who is not dedicated to America and to America's constitutional order.

But we must welcome all who, despite differing ideas at other levels, would support that Constitution, strengthen its meaning, and serve its spirit. We offer a party of opportunity to do just that.

We offer no narrow, self-seeking doctrines that say you must talk just so, walk just so, wear this color shirt or that color shirt.

No.

We salute the broad sweep of American destiny and greatness.

We offer the chance to work for principle, and we reject the admonition which says, "play the game my way, or don't play the game at all."

One voice of doom would tell us that we, as a party, cannot win the votes of union members. Why? Because we have stood for integrity and honesty in labor unions? Of course not.

That's what all decent union members stand for.

It has not been the Republican Party which has hit hardest at the rewards for honest labor. The New Frontier, with its commitment to the idea that ordinary men and women cannot be trusted to spend their own wages, has been the enemy of honest wages, honestly held and honestly spent.

The Republican Party cannot, and will not, write off the votes of union members any more than we write off the hopes of union members.

Another voice of doom would tell us we should write off the votes of Negro citizens. Why? Because we have always stood for the principle that a man, regardless of race, creed, or color, should be free to make his way to the limits of his ability? Of course not.

It is not the Republican Party that has bred racial discontent in this land. It is not the Republican Party that has dealt mortal blows to the progress that was being made between men of goodwill who know that the point of a bayonet can kill the point of a principle. It is not the Republican Party that has played politics with prejudice, both racial and religious.

The Republican Party cannot, and will not, write off the votes of any racial or religious group; for doesn't our party contain all colors and creeds? Doesn't America contain all races and religions?

Certainly they do.

I believe that the Republican Party should strive to its utmost in every part of America and among every possible group to win votes.

By votes I mean this: American votes. Not just labor votes, or just Negro votes, or just Catholic votes, or just Jewish votes.

But all votes—American votes.

And to get the largest group of American votes, we must show the people that we are the truly national party.

The only people I want to see capture the Republican Party are the American people—all the American people.

And, in turn, I want to see the Republican Party capture the imagination, the mood, and the spirit of the American people.

In 1964, I want to see the Republican Party win the White House.

In 1964, I want to see the Republican Party win a Senate seat in Wisconsin.

In 1964, I want to see the Republican Party win the congressional seat of the Second District of Wisconsin.

We are a big political party and there is all kinds of room for a difference of opinion. But in differing, we need not beat the hides off those with whom we differ.

Go out and help your candidate sell these basic Republican principles to all the people of your district—without regard for race, creed, color, economic status, and, yes, even political party.

If you can do that—because you believe in doing it—on election day 1964, you will find that you have won the biggest prize of all.

You will have given America back to the American people.

Because we will have elected a Republican President.

A Republican-controlled House of Representatives—including a new Republican Congressman from the Second District of Wisconsin.

## Assateague Island

EXTENSION OF REMARKS

OF

## HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 31, 1963*

Mr. FRIEDEL. Mr. Speaker, yesterday I had the pleasure of presiding as chairman of the luncheon meeting of the Advertising Club of Baltimore, attended by about 450 outstanding leaders in the civic life of Metropolitan Baltimore and the State of Maryland, as well as high officials in government.

We were fortunate to have as our guest speaker on this occasion a member of the President's Cabinet, Hon. Stewart Udall, our very able Secretary of the Interior. Many Members of the House remember Mr. Udall as one of our former colleagues who served on the Interior and Insular Affairs Committee.

Since his appointment as Secretary of the Interior, Mr. Udall has taken a very active and personal interest in the conservation of our natural resources. This summer he made a personal inspection of one of the largest unspoiled beaches on the Middle Atlantic known as Assateague Island in my State of Maryland.

Legislation is now pending in the Congress to authorize the acquisition and development of this island as a national seashore in our national park system. At the Advertising Club luncheon, Secretary Udall gave a very enlightening description of this proposal and I include his speech at this point in the RECORD for consideration by all Members of the House:

REMARKS OF SECRETARY OF THE INTERIOR STEWART L. UDALL BEFORE THE ADVERTISING CLUB OF BALTIMORE, EMERSON HOTEL, OCTOBER 30, 1963

It is a pleasure to be with you today, along with these distinguished Members of Congress from Maryland and your own Maryland officials. I am grateful for the opportunity to appear before this outstanding audience. The Advertising Club of Balitmore, with 1,200 members numbering not only direct practitioners of the art of advertising but business and professional men as well, is widely known across the Nation.

Your basic purpose is to communicate, a job you do well. Communication is my purpose here today. I want to communicate to you if possible the beauty I find in a priceless asset lying at your doorstep, one that affects your physical, mental, and financial well-being.

Today, I want you to take an imaginary trip with me 10 years into the future. The year is 1973. Our population has grown to 225 million. It's a beautiful summer weekend in Balitmore and we decide to take the family and get in some camping and fishing.

We leave Baltimore and head for the mountains. Mile after mile we travel in bumper-to-bumper traffic. Far up into the hills, the countryside is covered with houses and commercial establishments. The first place we stop, a little mountain hollow where we used to camp back in 1963, is a housing development now. We drive on, but when we come to the State park a sign at the picnic area says "Sorry, filled." The man over at the camping area says you have to make a reservation months ahead if you want to get into a State or Federal camping area. We know of a secluded farm back off the highway which offers camping and fishing, but the farmer regretfully waves us away. Since early morning he and his neighbors had had no more room for campers.

If we had tried to go to the shore, the situation might have been worse. It could take 4 or 5 hours even to get our car into the beach parking lot.

Our imaginary trip is not pure fantasy. This year of 1963—10 years earlier than our imagined trip—found many people baffled when they tried to find a place to picnic, or camp, or swim, or fish. Particularly near the urban centers, the facilities were simply jammed to capacity, and beyond, on the peak weekends.

As a people, we are rushing to the out-of-doors as never before, and the pressures are on the increase. Several significant changes in the way we live underlie these mounting recreation pressures. Our population is increasing. We are crowding into urban areas where the tensions of life are great. We are earning more spendable income and working shorter hours, resulting in more leisure time. Mix together our urban tensions, money to spend, leisure time, and the greater mobility which the automobile and express highways are providing and the reasons behind the boom in outdoor recreation are no mystery.

With all these pressures, it requires little vision to foresee the day when a large share of our citizens won't be able to enjoy outdoor recreation because of lack of facilities if we fail to plan and provide adequately for the needs which are certain to come. "No vacancy" signs at Federal and State areas could be the rule, not merely an occasional happenstance.

I would emphasize that outdoor recreation, particularly for the city-bound resident, is truly a serious matter. It provides essential cultural values vital to the Nation. Outdoor recreation is part of the educational process that strengthens men's minds as well as their bodies; broadens their understanding of the laws of nature; sharpens their appreciation of nature's manifold beauty; and gives meaning to that priceless possession—the spirt that transforms warmth and essence to life itself. I would add that the further we live away from the land, the more these truths hold.

One of our best opportunities to assure ourselves of adequate room to participate in the beneficial effects of outdoor recreation lies right at your doorstep here in Maryland.

Last April, the Department of the Interior proposed that Assateague Island on the Maryland and Virignia coast be acquired and developed as a national seashore. I hope you have seen Assateague—mile after mile of low-lying golden sandy beach, a barrier reef with beaches of a quality to rival the South Sea isles—and almost unspoiled by man.

A short while after the disastrous storm of March 1962, Governor Tawes and the Department agreed to make a study of the alternative uses of the island. Our Bureau of Outdoor Recreation in cooperation with the National Park Service and the Bureau of Sport Fisheries and Wildlife made a thorough study of alternative possibilities of private versus public development of Assateague Island. In order to provide an impartial analysis of the effect these two possibilities would have on the economy of Worcester County, the Bureau of Outdoor Recreation contracted a portion of the study of Robert R. Nathan Associates, Inc., consulting economists. The essence of the findings and recommendations go to the root of the prime outdoor recreation problems which confront us at every hand:

1. We are running out of public beaches on the east coast. Only about 2 percent of the shoreline between New York and Virginia is in designated public recreation areas.

2. Assateague Island is the largest undeveloped seashore area between Cape Hatteras and Cape Cod.

3. Assateague represents one of our last opportunities to acquire a sizable seashore for benefit of all the people before it is preempted for comparatively limited use.

4. The island is not suited for residential or commercial development without substantial public subsidy for building protective dunes and stabilizing beaches. If large amounts of public funds are to be spent, all the taxpayers should benefit by having available the use of the island.

5. Providing safe and adequate water and disposal of sewage under private ownership presents serious problems.

6. Public development of the island would provide great economic benefits to the Maryland mainland.

For these compelling reasons, we believe that a national seashore should be created on Assateague Island. Almost without exception, Maryland State agencies with responsibilities related to this field have concurred in this conclusion. Under our plan, the Maryland State Park and the Chincoteague National Wildlife Refuge would retain their identities. The Department of the Interior would welcome the opportunity to cooperate with the State of Maryland in developing the State's part of the proposed seashore.

Senators BREWSTER and BEALL, along with Representatives SICKLES and LONG, have introduced in Congress proposals to make Assateague a national seashore. Their proposals definitely are in line with the thinking of the Department of the Interior.

Assateague Island would be developed and managed for both intensive and extensive use. Development of supporting facilities for food, lodging, and other services by private enterprise would take place on the adjacent Maryland and Virginia mainland.

Our plan calls for public acquisition of all private holdings on Assateague. Owners, of course, would receive fair market value for their property. Owners of improved property could retain the right of occupancy for up to 25 years. Total cost of acquisition and installation of dunes sufficient to protect the area for day use would be about $12.5 million.

The Department has been aware of Assateague's outstanding recreation values for many years. As early as 1935, the National Park Service identified Assateague as worthy of Federal acquisition, and the Chincoteague National Wildlife Refuge encompassing the Virginia portion of the island was established in 1943.

Assateague is a precious national asset. Its beauty grips the imagination and stirs the soul. And it is ideally located to serve the large cities of Baltimore, Washington, Philadelphia, and Wilmington. Assateague represents one of our last chances to provide for the seashore recreation needs of the several million people living in these nearby cities. Within a 250-mile radius of Assateague live about 34 million people—almost one-fifth of the Nation's total population. Public ownership and development of Assateague Island would provide seashore recreation opportunity for an estimated 3 million people annually by the year 1975. I hope you will join me in supporting legislation which will enable us to save this piece of our disappearing coastline for public use and enjoyment.

So important to the future well-being of all the residents of this area is public acquisition of Assateague that I would suggest that the venerable Advertising Club of Baltimore may wish to consider adopting Assateague as a project. This Advertising Club, renowned for its public service, could render no more important contribution than to institute a campaign of understanding to explain to all of Maryland the benefits which would come from developing Assateague as a national seashore.

As I have stated, Assateague Island is the largest unspoiled section of beach in mid-section of the Atlantic coast which is suitable for preservation as a national seashore. This island has been the scene of ill-advised speculation, unsound land use proposals, and short-sighted conservation planning. If we take into account the needs of the future, Assateague can become an irreplaceable playground for the people who live in this region of the Atlantic coast.

Not unexpectedly, we have seen strenuous opposition to the national seashore proposal develop on the part of Worcester County officials. Such opposition was to be expected. The whole history of the development of the National Park System is the history of local opposition at the outset, but always has a happy ending. Without hesitation I will predict today that if the advice of your State officials is followed and Assateague is added to our National Park System, Worcester County will benefit most of all. Once a long-range conservation plan is put into action under the wise guidance of the National Park Service, it will quickly win the support of those who live in the areas adjacent to Assateague. This has been the case over and over. Here are some examples:

1. Cape Hatteras National Seashore in Dare County, N.C., is not unlike Assateague. In 1950, Dare County had an $11 tax base before the recreation area got underway. By 1958, Dare County's tax base was $25 and its tax rate was reduced from $1 to 80 cents per hundred.

Cape Hatteras was preserved, and the tourist trade around the area virtually doubled in a 6-year period; bank deposits doubled; and land values multiplied in the vicinity of the national seashore.

2. The importance of location is clear for retailers who seek a share of business at or near a recreation area. An example of this effect is afforded by Teton County, Wyoming, which contains the Grand Teton National Park and is adjacent to Yellowstone National Park. In 1958, tourist expenditures of nearly $7 million produced locally a business of over $12 million, or about 71 percent of the total business generated in the county by all economic activity.

3. In 1958, nearly 3.2 million persons spent an estimated $35 million within an area extending 30 miles beyond the boundaries of Great Smoky Mountains National Park in Tennessee and North Carolina.

4. As the volume of recreation expands, it may bring about additional capital investment. This enlarges the scope of the community's economic activities. For instance, the 28,000 summer homes in New Hampshire all built essentially for recreation purposes provide a market for real estate, building, and other materials and labor.

5. Tourist expenditures are big business—a business that's getting bigger every year. Spending for outdoor recreation totals an estimated $20 billion annually. Major sporting goods are just under $2 billion a year, three-fourths for items related to outdoor recreation.

We spend an estimated $2.1 billion for boats and related equipment and services, $3 billion on fishing annually. Visitors to Federal and State parks, forests, and reservoirs spend over $11 billion annually.

Once Congress authorizes an Assateague National Seashore, it is going to take money to acquire the land. It is for purposes such as this that we have proposed and Congress is considering a Land and Water Conservation Fund bill.

This far-reaching measure would provide both needed funds for acquisition of certain Federal areas and, importantly, grants-in-aid to help the States plan, acquire, and develop outdoor recreation areas such as parks, forests, reservoirs, wildlife refuges, and other areas. The State of Maryland could use such grants-in-aid funds for needed development work at the State portion of the Assateague project.

The bill would create a Land and Water Conservation Fund from entrance and user fees at certain federally administered recreation areas, from proceeds of surplus land sales, from revenues raised by the motorboat fuels tax and from repayable advance appropriations. The revenues would continue for a period of 25 years. This is fair and reasonable financing since the pay-as-you-go revenues would be derived from the people who benefit most from use of Federal areas, the recreation users.

Upon appropriation by Congress, 60 percent of the fund, possibly $125 million in a typical year, would be available to the States on a matching basis.

I know of no proposal which could advance the cause of acquiring needed recreation resources more than the Land and Water Conservation Fund bill. The measure has enjoyed the support in principle from officials of 46 States and from numerous conservation organizations and other groups. The bill has been ordered reported by the House Interior and Insular Affairs Committee. I am hopeful the House and Senate will approve the land and water bill this year. If it does, the future for Assateague will be that much brighter. We need Assateague—all of us. I hope all of you can be present for a swim on its beautiful beaches the day we dedicate it as a new national seashore—for all Americans.